
Chapter 4. Land Use Element

4.1 Organization of Element

The Land Use Element addresses the location, mix, timing, and character of land uses and supporting infrastructure. The sections within this Element include policies specific to Growth Planning (Section 4.2), Urban and Rural Lands (Sections 4.3 and 4.4), Agriculture and Forest Resources (Sections 4.5 and 4.6) Public Lands (Section 4.7) and the Land Use Designations (Section 4.8).

4.1.1 Purpose

The Land Use Element provides for the distribution, location and extent of uses of land for housing, business, industry, natural resources, open space, recreation, and other uses. The Element guides patterns of development for the County, providing a long-range context for decisions made regarding zoning, subdivision, and public works.

These land use policies guide growth and the development and use of land through 2040. The policies of this Plan represent a legislated balance between the individual rights of property owners and the health, safety, and welfare needs of the community.

4.1.2 Relationship to Other Elements

Statutory authority for a general plan in California is expressed in Title 7, Division 1 of the Government Code. Section 65302(a) of the code establishes the requirements for the Land Use Element. This Land Use Element guides decision makers, planners, and the general public in fulfilling the ultimate pattern and character of development within the unincorporated areas of the County. It is also consistent with, and balances the goals and objectives of, the other elements of the General Plan. The Land Use Element is most directly related to the Conservation and Open Space, Housing, and Circulation elements. For example, the amount, distribution, and timing of growth expressed within the Land Use Element must correlate with the anticipated road capacity and performance standards established in the Circulation Element. Similarly, the location and density of uses prescribed in this element are integrally linked to policies for the protection of resources included in the Conservation and Open Space Elements. This element also provides opportunities for adequate land use in order to support economic growth and regional housing needs.

4.1.3 Background

The general goals, objectives, and policies apply throughout the County and are the basis for the more specific area policies, programs, and land use map designations. The land use maps and text must be used together in order to fully understand the policies applicable to any particular situation. The land use maps have been prepared using the goals, objectives, and policies of the Plan as well as those of previously adopted plans. Plan designations on individual properties are based upon the built environment and an evaluation of natural and cultural characteristics of the land as well as the countywide

land use policy framework and specific area policies. Overlay zones are included to ensure protection for specific environmental resources and hazards, including wetlands, steep slopes, floodplains, sensitive habitat, earthquake hazard zones, and landslide areas.

Because of the importance of lands devoted to forest and agricultural uses, these topics are given extended policy treatment in this chapter.

4.2 Growth Planning

4.2.1 Purpose

This section covers population growth and land supply, urban and rural boundaries, infrastructure and available land inventory. Growth policies are most closely linked to the Land Use Element because they guide the location and timing of development.

4.2.2 Background

County Population Trends

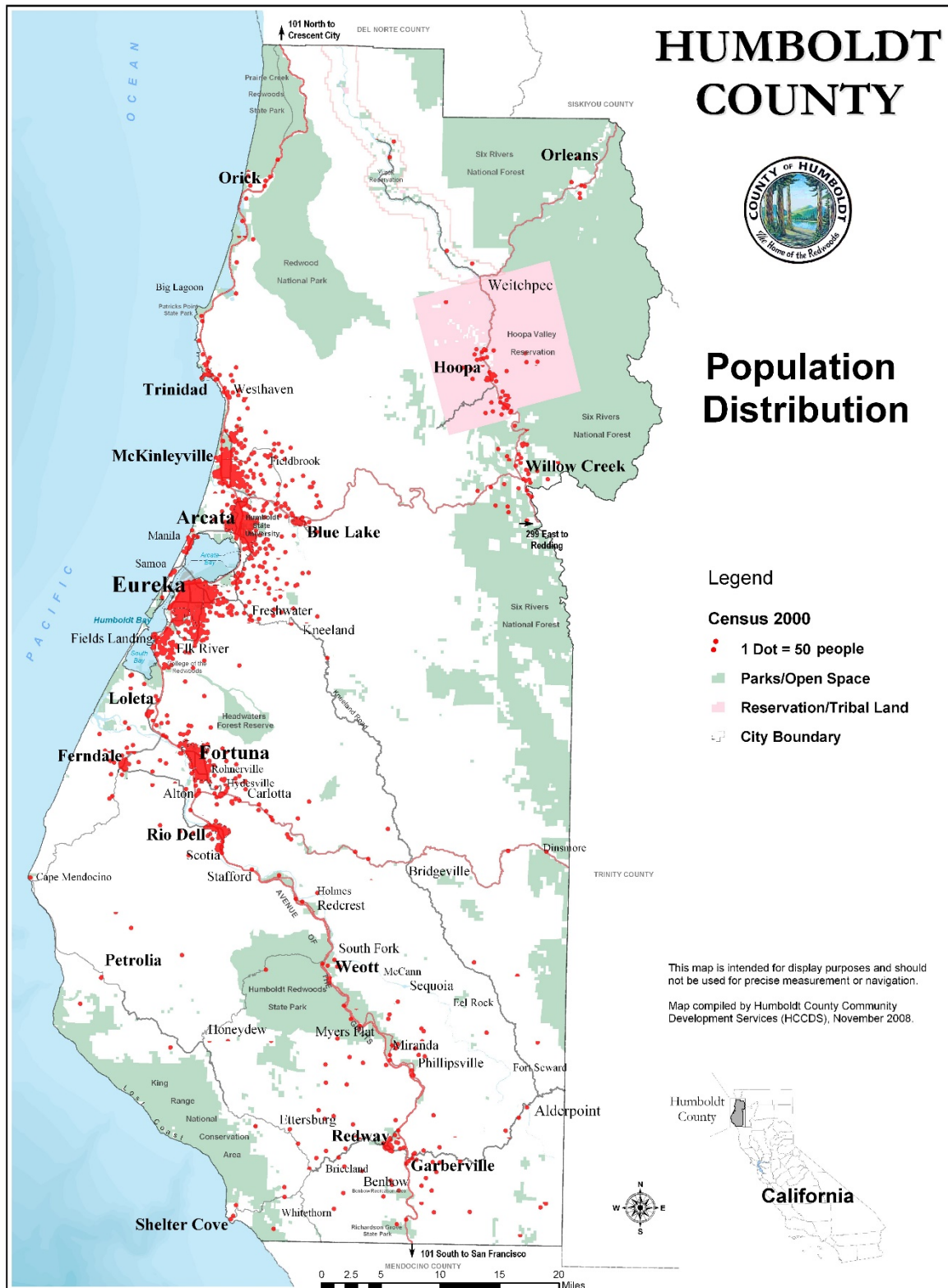
According to the 2010 Census, the total population in Humboldt County was 134,623, an increase of 8,105 persons in the past decade. The distribution of people within the County in 2000 is illustrated graphically in Figure 4-1.

Humboldt County’s population growth rate increased in the late 1980s and early 1990s and has since returned to a level more consistent with historic growth rates over the past 20 years. Between 1985 and 1990, the County grew by about 8,000 people (7.3 percent), representing an average annual increase of 1.4 percent. The current annual growth rate is about 0.6 percent. California Department of Finance projections indicate an anticipated average annual growth of 0.41 percent over the next 20 years which is lower than the 0.80 percent annual growth experienced in the past 30 years.

Year	Total County Population	Population of Unincorporated Areas	Percent of Total Population in Unincorporated Areas	Average Annual Increase (Countywide Total)	Total Percent Change Over Period (Countywide Total)
1980	108,525	59,046	54.4%		
1990	119,118	62,169	52.2%	0.94%	9.76%
2000	126,518	67,236	53.1%	0.60%	6.21%
2010	134,623	71,916	53.4%	0.62%	6.41%
2016	135,116	71,830	53.2%	0.06%	0.37%
2020	139,033	73,912	53.2%	0.72%	2.90%
2030	140,608	74,750	53.2%	0.11%	1.13%
2040	138,307	73,526	53.2%	-0.16%	-1.64%

Source: Humboldt County Planning and Building Department, California Dept. of Finance, 2014; Humboldt County Planning and Building Department, 2016

Figure 4-1 Population Distribution 2000



These projections indicate that the population will have an average increase of approximately 360 people per year between 2016 and 2028 to a total of 141,441 and will decline at an average of -261 persons per year between 2028 and 2040, as shown in Table 4-A. The data also indicates that older persons represent an increasing percentage of the populace. The percentage of people over the age of 65 is expected to increase from 17 percent in 2016 to 23 percent by the year 2040.

The community of McKinleyville and the cities of Arcata and Fortuna represent the County's primary growth areas, accounting for 32.9 percent of the population 2010, up from 29.3 percent in 1990. By comparison, Eureka's population dropped slightly in the 1990s, with growth occurring in the surrounding communities of Cutten, Bayview, and Humboldt Hill. The total unincorporated population of the County grew an average of 0.7 percent per year between 1980 and 2010, rising from 59,046 to 71,916 people.

A 0.23 percent average annual growth rate is projected for Humboldt County in the coming years (2016 – 2025) compared to the 0.94 percent growth rate in the 1990's. Perhaps even more striking is that Humboldt County's population is projected to decline after 2028 from 141,441 persons in 2028 to 138,307 persons in 2040 at the end of the planning period. There are expected to be 6,325 more persons in 2028 than in 2016, and only 3,134 more persons in 2040 than in 2016. This General Plan includes a policy to review these trends every five years and make adjustments as necessary.

These long-term averages may not match the shorter-term projections contained in the State's Regional Housing Needs Assessments (RHNA) that are prepared for updating the Housing Element. The RHNA figures are done for a seven year planning horizon, and include units to make up for shortfalls in housing for various income groups and factor in replacement housing and other considerations. The RHNA figures are provided as countywide totals, which include both city and unincorporated areas. A local process administered by HCAOG allocates the appropriate portions of housing needs to each of the various jurisdictions. This process can cause further variance from long-term averages.

Community Planning Areas

Community Planning Areas have been designated in various areas of the County to allow for more precise mapping and application of Plan policies. These areas include most of the County's population and urban infrastructure (see Figure 4-2). As such, they will continue to be the focus of development activity. Defining these areas also allows for more direct citizen involvement in the planning of their communities, as well as increased opportunities for infrastructure planning.

Figure 4-2 Community Planning Areas



Phased Urban Development

This Plan promotes existing focused community development patterns. Land use designations contained in the Land Use Element and Land Use Map promote efficient use of public infrastructure and provide higher development potential in urban areas with access to public sewer and water. This Plan also establishes a framework for the phased expansion of urban areas. This is intended to create housing opportunities, assure the continued fiscal viability of infrastructure and urban services and safeguard the continued profitability of resource production in rural lands.

Development Timing

The development timing measures of this Plan primarily consist of designating areas where near-term availability of services are feasible and designating outlying areas as the next logical areas for development. The outlying areas are reserved until the primary areas are nearing capacity. These measures require coordination between the County, Local Agency Formation Commission (LAFCo), the cities, special districts and community members. Some issues to be addressed by this partnership include:

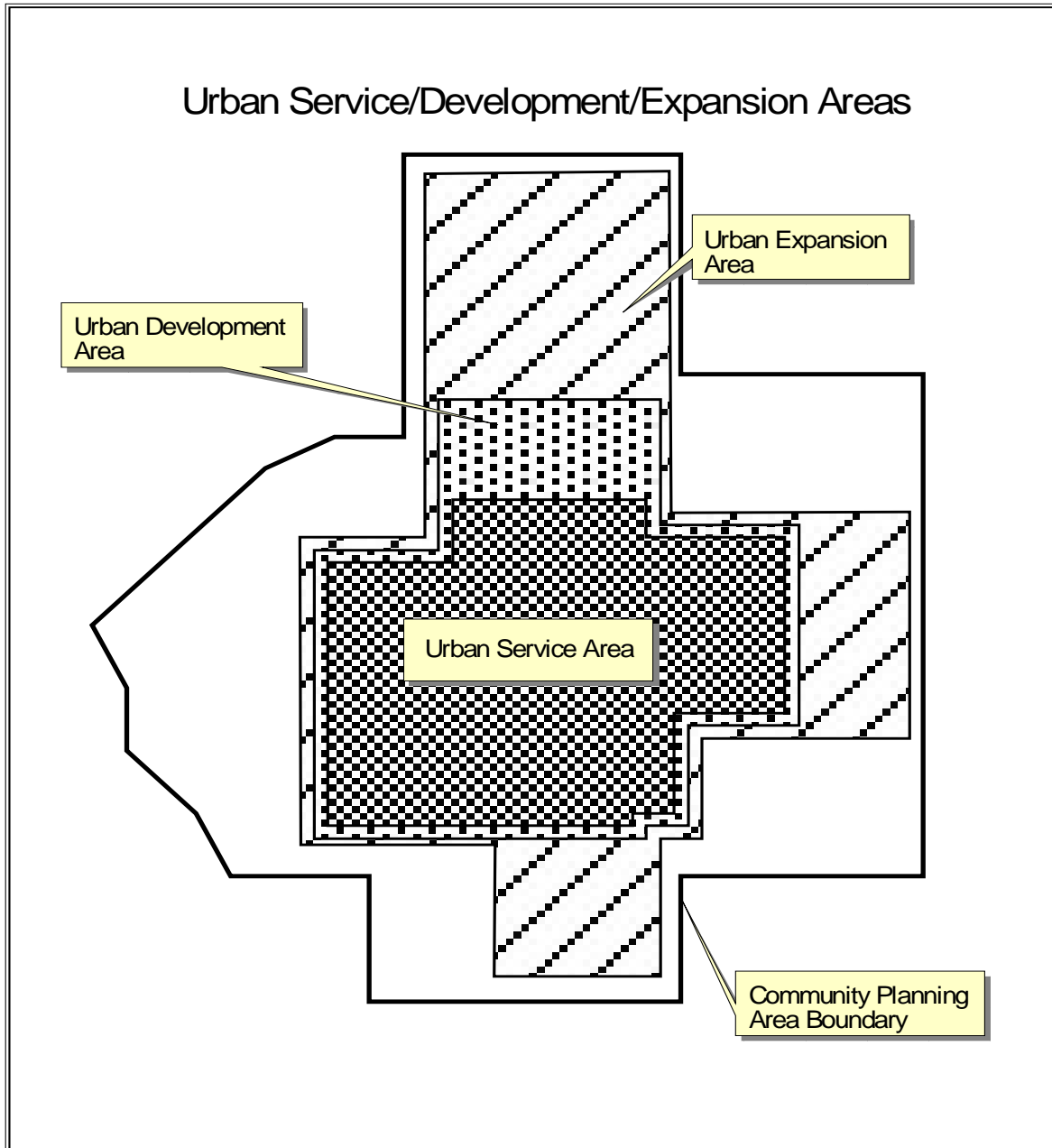
1. Timing growth to be consistent with public service capacity.
2. Arranging urban land uses to the benefit of the community, while giving due consideration to individual property rights.
3. Estimating the amount of development that can be absorbed and its relationship to the environment.

The development timing measures focus and facilitate growth in the urban development areas. Basically, this system sets the framework for designating regions for urban development and expansion based upon the availability and capacity of urban services.

Urban Services

Throughout the General Plan Update process, the condition of existing public water and wastewater systems and the cost of expanding these services to accommodate growth was a significant concern, especially related to the ability to provide housing. To better understand this concern, the County worked with local service providers to study the condition, availability and expansion capacity of all urban services through an Urban Study Area process (see text box below). The Urban Study Area process led to the designation of Urban Development Areas, Urban Expansion Areas, and Water Service Areas within Community Planning Areas (Figure 4-3). This chapter provides a set of policies that guide the development of land within these areas based upon the availability of urban services. It also establishes a framework for the timing of future development in coordination with the service providers and expectation of urban services.

Figure 4-3 Urban Development/Service/Expansion and Water Service Areas



Urban Development Areas

An Urban Development Area contains land that can be developed to a density of one or more dwelling units per acre. This area can be serviced with public water and wastewater in the near term, and constitutes an identifiable urban community, substantially more developed than surrounding lands. Urban densities and land use designations apply to the urban development area. These areas provide the best opportunity for affordable development and economic delivery of necessary public services. Urban Service Areas are areas within urban development areas where public water and sewer services are currently available.

Urban Expansion Areas

Closely related to the urban development area is the Urban Expansion Area. The Urban Expansion Area can be viewed as a phased extension of urban development. The concept is to hold land within the expansion area in reserve at rural densities until necessary facilities and services are provided that can support urban level development.

A fundamental objective of establishing areas for urban development and expansion is to identify and reserve locations best equipped to handle growth. Development policies of the General Plan are intended to efficiently direct and time development and public services in these areas to support the growth of the County.

Water Service Areas

Additionally, water service areas are defined to identify areas where sewer service is not expected but community water service is available or expected to be available. These areas provide opportunities for residential estate style buildout on one to five acre lots.

<p>Urban Study Areas and Draft Land Use Plans</p>
<p>As part of the process for developing this plan, urban study areas were identified to review and assess service capacities and expansion opportunities. Three types of urban study areas were defined:</p>
<p>Urban Service Study Areas</p> <p>Areas where sewer and water exist or may be feasible to be provided, and urban level densities of greater than one unit per acre may be appropriate.</p>
<p>Water Study Areas</p> <p>Areas where water service exists or may be feasible to provide, and residential agriculture planned densities less than one unit per acre may be appropriate. Sewer service to these areas is not anticipated within the time frame of the Plan or is unlikely at any time because of existing buildout patterns and or terrain.</p>
<p>Potential Water Study Areas</p> <p>Areas where water service or the authority to provide it does not exist but may be desirable to consider for planned water service.</p> <p>The urban study area process led to the designation of urban development areas, urban expansion areas, and water service areas within community plan areas.</p>

4.2.3 Goals and Policies

Goals

- GP-G1. Land Inventory and Service Availability.** An adequate supply of vacant land with readily available urban services to accommodate a wide variety of industrial, commercial and residential development opportunities necessary for growth.
- GP-G2. Community Planning Areas.** Sufficient development emphasis and public investment in Urban Development Areas to create expanding commerce and housing opportunities, economically viable urban services and conservation of open space and resource lands.
- GP-G3. Timed Development and Infrastructure Investments.** Development policies and financing mechanisms that support economically viable commercial, industrial and residential developments timed with infrastructure improvements and expansion of urban services.

Policies

Community Plans

- GP-P1. Maintain Community Plans.** Periodically update Community Plans to ensure they meet the specific planning needs of individual communities and that demographic, land use, and municipal service information remains current.

Phased Urban Development

- GP-P2. Urban Development Areas.** Establish and maintain Urban Development Areas within Community Planning Areas to reflect areas that are served with existing, or planned, public wastewater systems.
- GP-P3. Urban Levels of Development.** Lands located within the Urban Development Area are intended to be developed at a density of one or more dwelling units per acre.
- GP-P4. Urban Service Area.** Urban Service Areas are located within Urban Development Areas where sewer services are available.
- GP-P5. Connection to Public Wastewater Systems within Urban Service Areas.** All new development within Urban Service Areas shall connect to public wastewater systems.
- GP-P6. Use of On-Site Sewage Systems within Urban Development Areas.** The utilization of on-site sewage disposal systems shall not be acceptable for new subdivisions in the Urban Development Area, unless the Planning Commission makes specific factual findings that:
- A. The extension of services is physically infeasible; or,
 - B. The area is not planned for service in the service provider's Municipal Service Review and other written long-term plans; or,

C. The services are not reasonably available in a timely manner.

GP-P7. Connection to Public Water Systems. No new parcels smaller than one (1) acre may be created in Urban Expansion Areas unless served by public water and sewer systems. New one acre or larger parcels may be created if they are served with community water supply and private individual sewage disposal systems provided that waivers to state and Humboldt County sewage disposal standards shall not be granted.

Urban Expansion Areas

GP-P8. Urban Expansion Areas. Establish and maintain Urban Expansion Areas within Community Planning Areas that consist of land not provided with public sewer services, but projected to be developed to urban densities and provided with public water and sewer services beyond the 20-year planning horizon of the General Plan.

GP-P9. Urban Expansion Area Review. Review Urban Expansion Areas during Community Plan or comprehensive General Plan updates to determine if the boundaries reflect current conditions and community needs. The boundaries of an Urban Expansion Area shall remain fixed until modified through a General Plan amendment.

GP-P10. Conversion of Resource Lands. Parcels of timber site quality III or higher and prime agricultural lands suitable for resource production should not be included within Urban Expansion Areas unless the County makes a finding that there are no alternatives to increase the Urban Expansion Area on lands less suitable for resource production.

GP-P11. Evaluation of Urban Expansion Area Proposals. Public service availability, capacities and fiscal effects shall be assessed for development proposals in Urban Expansion Areas or changes in Urban Expansion Boundaries.

4.2.4 Standards

GP-S1. Characteristics of Community Plan Areas. The Community Planning Area designation shall be applied to an area to allow greater planning detail when the Board of Supervisors finds that an analysis of the following characteristics supports the designation:

- A. Urban service availability
- B. Parcels suitable for development
- C. Commercial activities
- D. Access to transportation corridors
- E. Population
- F. Economic growth
- G. Local interest
- H. Service district boundaries and LAFCo adopted spheres of influence
- I. Adopted General Plans of incorporated cities.

- GP-S2. Designation of Community Plan Areas.** Community Planning Areas are established for the following communities:
- A. Jacoby Creek
 - B. Eureka
 - C. Freshwater
 - D. Fortuna
 - E. Willow Creek
 - F. McKinleyville
 - G. Blue Lake
 - H. Hydesville-Carlotta
 - I. Fieldbrook-Glendale
 - J. Garberville-Benbow-Redway-Alderpoint
 - K. Avenue of the Giants (Weott-Holmes-Stafford-Miranda-Myers Flat-Phillipsville)
 - L. Trinidad-Westhaven
 - M. Orick
 - N. Orleans
 - O. Arcata
 - P. Shelter Cove
 - Q. Rio Dell-Scotia
- GP-S3. Public Wastewater Service.** Public wastewater service is defined to include service provided by cities, special districts, and public utilities.
- GP-S4. Urban Development Area.** An urban development area contains land that can be developed to a density of one or more dwelling units per acre. This area can be serviced with public water and wastewater in the near term, and constitutes an identifiable urban community, substantially more developed than surrounding lands. Urban densities and land use designations apply to the urban development area. These areas provide the best opportunity for affordable development and economic delivery of necessary public services and shall be sized to provide an adequate supply of land to accommodate growth as specified in this Plan.
- GP-S5. Urban Service Area.** Urban Service Area means areas within Urban Development Areas currently served with public water and sewer. For sewer service purposes, this area also includes all parcels adjacent to the Urban Services Area that can be served with a service line extension no longer than 300 feet from an existing public sewer system lateral or main line located within the Urban Service Area.

- GP-S6. Urban Expansion Area.** Urban Expansion Area means land outside and adjacent to the Urban Development Area boundary that may be appropriate for urban densities of development when further development in the urban development area is constrained by the availability of land.
- GP-S7. Required Findings for Urban Expansion.** To determine when it is permissible to extend urban level development into the Urban Expansion Area, the Planning Commission shall evaluate housing demand and capacity within the Urban Development Area, and public service availability and capacities for Urban Expansion Area proposals, including factors such as: water and sewer availability; roads, streetlights, parks and recreation and trail capacity; police and fire protection; proximity to educational and health facilities; and solid waste management capabilities, and make the following findings:
- A. That the amount of land available within the Urban Development Area for urban uses is insufficient to meet Housing Element goals; and
 - B. Necessary public service systems have current or expansion capacity to serve the proposed addition; and
 - C. The addition is adjacent to the existing urban development area and will assist in the completion of an orderly and contiguous extension of urban development; and
 - D. Such lands can feasibly be annexed to a district providing water and wastewater service; and
 - E. The expansion will have a neutral or positive impact on the financing of County services.
- GP-S9. Urban Reserve.** Lands given the land use designation "Urban Reserve", as defined in the Land Use Element, may be developed when urban services are available and, if outside city or district limits, require annexation to the adjacent city or service district. Development within Urban Reserves prior to extension of water and sewer services shall not prevent attainment of planned urban level densities. In the event the applicable service provider has acted to deny an annexation request, the property may be developed consistent with available services and the base land use designation.
- GP-S10. Water Service Areas.** Water Service Areas are areas where sewer service is not expected but community water service is available or expected to be available. Residential estate style buildout on one to five acre lots are expected to be the dominant land use in such areas.

4.2.5 Implementation Measures

- GP-IM1. Community Plans and Boundaries.** Review and revise community plan boundaries and policies to ensure compatibility with community needs as a part of Housing Element updates.

- GP-IM2. Map Urban Development Areas.** Identify and map Urban Development Areas for all community plan areas with existing or planned public wastewater systems. Planning for urban development areas shall include the review of LAFCo adopted spheres of influence and district boundaries, municipal service reviews, and capital improvement programs, as well as consultation with appropriate special districts, cities, public utilities, and LAFCo. Review and revise boundaries to ensure compatibility with community needs as part of Housing Element updates.
- GP-IM3. Map Urban Expansion Areas** An urban expansion area may be identified and mapped for communities with defined urban development areas. Boundaries to these areas shall also be established contiguous to urban development areas and should follow geographic land features and other definitive limits, (i.e., roads and streams). Review and revise boundaries to ensure compatibility with community needs as part of updates to the Housing Element.
- GP-IM4. Map Water Service Areas.** Identify and map water service areas for all Community Plan Areas with existing or planned public water systems. Planning for water service areas shall include the review of LAFCo adopted spheres of influence and district boundaries, municipal service reviews, and capital improvement programs, as well as consultation with appropriate special districts, cities, public utilities, and LAFCo. Review and revise boundaries to ensure compatibility with community needs as part of updates to the Housing Element.
- GP-IM5. Urban Service Coordination.** Coordinate with special districts, cities, public utilities, and LAFCo in the establishment of urban development areas, urban expansion areas, and water service areas.
- GP-IM6. Zoning Consistency.** Within two years after the adoption of the General Plan Update, revise the Zoning Regulations to re-establish zoning consistency with the policies of the General Plan and amend the Zoning Map to achieve consistency with the General Plan Land Use Map.

4.3 Urban Lands

4.3.1 Purpose

This section of the Land Use Element addresses development within Community Planning boundaries that can be serviced with public water and wastewater in the near term. These areas are the most urbanized areas of the County and are mapped and defined as Urban Development Areas in the Plan. The policies of this section are intended to promote the growth of these areas in a manner that compliments and enhances community character.

4.3.2 Background

Urban Development Areas

Possibly the highest priority of this Plan is the revitalization of Urban Development Areas to provide for business expansion, workforce housing opportunities and focused rehabilitation and expansion of infrastructure, particularly circulation and sewer systems. The challenge is to accomplish these goals while maintaining existing community character and the “small town feel” that local residents value.

Permit Streamlining

To stimulate growth, this Plan includes policies to streamline the approval of residential subdivisions within designated “Housing Opportunity Zones.” The Plan also includes policies to streamline the approval of commercial development in areas designated “Neighborhood and Town Centers.” Commercial and industrial development would be streamlined in designated “Business Opportunity Zones.” These overlay zones will allow focused application of minimal permitting processes for development that meets specific performance standards applicable to the overlay zone. Housing Element policies and implementing regulations specify residential subdivision performance standards. Ordinances adopted pursuant to this Element will specify performance standards for Neighborhood and Town Centers, and Business Opportunity Zones. This Element also proposes greater allowances for ministerial approval of micro and small business development throughout the County.

Community Design

Residents want new development to compliment the character of their neighborhood and community. The design of subdivisions, buildings, streetscapes and open spaces contributes to community character and, if done well, can lead to aesthetic new development that enhances communities and minimizes adverse neighborhood reactions during the permitting process.

Development density may also affect community character. While this Plan supports infilling underdeveloped and vacant parcels within Urban Development Areas, it does not propose increasing density beyond historical allowances.

Town centers typically are the hub of a community and contribute significantly to community character and identity. To promote and guide town center development, the Plan includes policies to increase the range of allowed uses and streamline approval of projects that are consistent with town center standards.

Town Centers

The 2002 McKinleyville Community Plan included policies to promote the development of a town center. The McKinleyville Plan describes a town center as:

A complete and integrated community containing housing, shops, work places, schools, parks, and civic facilities essential to the daily life of the residents. The scale is designed so that housing, jobs, shopping, recreation, and other activities are within easy walking distances of each other. This area also is intended to serve as a community focal point by providing an activity center and a place for formal and informal social/community interaction.

This Plan supports the development of a Neighborhood and Town Center ordinance that would apply to specific mapped locations within Urban Development Areas. Ordinance standards would grant more flexibility for preferred uses and simplify and streamline the development review process to encourage private investment. The selection and designation of neighborhood town center areas would occur during General Plan Updates.

Subdivisions

It is a priority of this Plan to update the County Subdivision Ordinance to allow more flexibility in subdivision standards and greater latitude for design amenities associated with streetscape, circulation, lot layout and open space. This flexibility is important for smaller infill residential subdivisions that may have constraints related to size and location, and for large subdivisions that may include a variety of housing types, commercial centers, places of employment, internal circulation and open space.

Development on Individual Lots

The design of development on individual lots is primarily regulated through Plan and zone standards for minimum required setbacks, maximum lot coverage and building height. Design Review requirements can be applied through a zoning overlay process to specific areas during General Plan updates. Plan polices identify design features and characteristics that should be considered to enhance the aesthetics of development but are not mandated. Finally the Plan calls for the drafting of a landscape ordinance.

Streetscapes

Building setbacks, lot coverage and building height have an effect on the appearance of streets but for the most part appearances are controlled by the road standards in the County's Subdivision Regulations (1977). The design, width, and location of travel lanes and on-street parking facilities are all dictated by road standards. New policies and standards in the Circulation Element address pedestrian and bicycle facilities in the design of streets.

Parking areas located adjacent to streets are also part of the streetscape, and are regulated by parking standards in the zoning ordinance, which specify the number of

spaces required, the size of parking spaces, and lighting and landscape requirements for parking areas. The Community Infrastructure and Services Element contains policies that address lighting.

This Plan requires an update of the County's 1977 subdivision regulations. The update will include new design considerations for streetscapes.

Open spaces

Public open spaces include public parks and trails, and play areas that occur on school grounds. Open spaces that are used by the public also occur on private lands, such as Farmer's markets, sports fields and shopping center common areas. Environmentally sensitive habitat areas, such as wetlands and riparian areas, can contribute to urban lands by providing natural open space areas for wildlife viewing, outdoor recreation, watershed management, and other similar uses. Considering and incorporating open space into development design is supported by policies in the Land Use and other Elements of the Plan.

4.3.3 Goals and Policies

Goals

- UL-G1. Urban Development Areas.** Urban Development Areas serving as centers of business expansion, residential growth and public investments in infrastructure and services.
- UL-G2. Design and Function.** Aesthetically appealing Urban Development Areas designed and planned for convenient access to work, shopping, recreation and neighborhoods.
- UL-G3. Unique Identity of Towns.** Communities with mixed use neighborhoods and town centers, serving as the community focal point and center for commerce, recreation and social interaction.
- GP-G4. Community Character.** Development design and density within Urban Development Areas that preserves and enhances existing community character and identity.

Policies

- UL-P1. Urban Development Areas.** The County shall plan Urban Development Areas and implement land use regulations to support business expansion, housing opportunities and investments in infrastructure.
- UL-P2. Streamlined Subdivision Approval.** The County shall streamline the approval process for subdivisions, including those located in designated Housing Opportunity Zones within Urban Development Areas.
- UL-P3. Streamlined Approval of Business Expansion.** The County shall streamline the approval process for business development.

- UL-P4. Support for Micro and Small Business Development.** The County shall Review and update standards for home based businesses and cottage industries to increase the scale and range of principally permitted development within Urban Development Areas.
- UL-P5. Community Identity.** Preserve community features that residents value and create development that compliments or adds to community identity and character.
- UL-P6. Mixed-Use Zoning.** Utilize mixed-use zoning to help create town centers that are community focal points. The mixed-use zone shall promote higher density urban housing in concert with retail commercial uses, day care centers, and shopfronts, and shall include an abundance and variety of open spaces.
- UL-P7. Neighborhood and Town Centers.** Within designated neighborhood and town centers, the County shall:
- A. Allow buildings with commercial uses on the ground or lower floors and residential uses on upper floors and in other designated areas, as long as residential use is subordinate to commercial uses.
 - B. Reduce the County's off-street parking requirements to encourage new business development and to reflect multi-modal access options.
 - C. Allow ministerial approval of development that conforms to performance standards adopted by ordinance.
 - D. Encourage and provide incentives for the following design characteristics:
 1. Pedestrian-oriented scale and character.
 2. Orientation of buildings toward the street or central open space areas rather than parking lots.
 3. Parking areas to the side or rear rather than between buildings and the street edge.
 4. Placement of buildings that creates a central open space, or plaza, where passive activity can occur.
 5. Transparent ground-level façades designed for pedestrian-oriented sidewalks.
 6. Landscaped pedestrian walkways.
- UL-P8. Neighborhood Connectivity.** Subdivisions shall be designed to promote road and trail circulation between neighborhoods, schools, parks, and open space areas. The subdivision ordinance shall specify standards and limitations for cul-de-sacs, dead end roads, and block sizes.
- UL-P9. Historic Resources.** Encourage the retention and restoration of designated historic resources to serve as focal points of neighborhoods and communities.
- UL-P11. Natural Amenities.** Encourage the incorporation of natural amenities (e.g., landmark trees and rock outcroppings) into new project designs.
- UL-P12. Design Review.** Development within designated Design Review overlay zones shall undergo design review consistent with an adopted Design Review Ordinance.

- UL-P13. Big Box Design.** Large format (“Big Box”) establishments shall be subject to a Design Review process to ensure the design is aesthetic and compatible with the surrounding area.
- UL-P14. Adult Entertainment Establishments.** Adult entertainment establishments shall be limited to areas where they will not conflict with schools or other areas where children congregate, and the County shall identify standards to ensure they will be compatible with neighboring uses. Adult entertainment establishments shall be subject to a Design Review process to ensure the design is aesthetic and compatible with the surrounding area.
- UL-P15. High Density Uses Near Parks.** The County shall consider planning higher density mixed-uses and/or commercial uses adjacent to parks to promote park use and safety.
- UL-P16. Traffic Calming.** Traffic calming measures which emphasize pedestrian safety and convenience should be considered for all urban roadway designs. Possible traffic calming measures include chicanes, curb extensions, street trees and traffic circles.
- UL-P17. Underground Utilities.** Encourage and assist in undergrounding existing utilities.
- UL-P18. Landscaping.** All new residential and commercial projects shall use landscaping to enhance the appearance of neighborhoods, control erosion, conserve water, improve air quality and improve pedestrian and vehicular safety.
- UL-P19. Cannabis Cultivation.** Cultivation of medical cannabis shall be regulated by ordinance to provide for the health, safety, and welfare of the community, but shall not interfere with a patient’s right to medical cannabis.

4.3.4 Standards

- UL-S1. Allowed Uses in Mixed-Use Areas.** Mixed-Use zoned areas should offer a range of commercial, office, housing and civic activities. Conflicts between uses should be minimized through adoption of standards to guide approval of principally permitted uses and findings to guide the approval of discretionary uses. New development should strive to achieve a balance between employment and housing.
- UL-S2. Business Opportunity Zones.** Commercial and industrial activities proposed within designated Business Opportunity Zones shall be principally permitted if they conform to applicable performance standards.
- UL-S3. Definition of a “Big-Box” Retail Store.** A large commercial structure in excess of 50,000 square feet of floor area where, under one proprietor or a set of discrete franchises, retail sales and services are offered in a centralized, warehouse-like setting intended to serve a regional area.

- UL-S4. Standards for Adult Entertainment Establishments.** Adult entertainment establishments shall be conditionally permitted and required to operate in conformance with explicit standards adopted by ordinance regarding location, hours of operation, security, signage, screening, noise and lighting.
- UL-S5. Landscaping Standards.** Landscaping shall be required for new development which creates five (5) or more new parking spaces. The landscaping policies shall be accomplished by the submittal of a landscaping plan.

4.3.5 Implementation Measures

- UL-IM1. Neighborhood and Town Centers.** Prepare a Neighborhood and Town Center ordinance and establish Neighborhood and Town Center areas by zoning overlay during General Plan updates and Community Planning processes. Promote a more uniform commercial streetscape by establishing build-to lines rather than setback lines, or a combination of the two. Develop figures in the implementing ordinance to demonstrate design principles; for example, how to orient commercial and mixed-use buildings toward the street or the central open space areas.
- UL-IM2. Business Opportunity Zones.** Create a Business Opportunity Zone Overlay designation with associated performance standards and apply the zoning overlay to specific areas or properties within Community Planning Areas to stimulate commercial and industrial development and job growth. Candidate areas shall include business and industrial parks, underutilized or vacant industrial and commercial land.
- UL-IM3. Support for Micro and Small Business Development.** Review and update standards for home based businesses and cottage industries to increase the scale and range of principally permitted development in residential zones.
- UL-IM4. Sites for Commercial Development.** Maintain an adequate inventory of sites to accommodate commercial development in Neighborhood and Town Centers.
- UL-IM5. Revisions to the Non-Conforming Use and Structures Standards.** Revise the Non-Conforming Use and Non-Conforming Structure sections of the zoning ordinance to provide flexibility for continuing buildings and uses in Urban Development Areas where they are found to be compatible with the neighborhood.
- UL-IM6. Review and Update the Subdivision Ordinance.** Comprehensively review and update the Subdivision Ordinance and incorporate circulation and design standards consistent with the policies of this Plan.
- UL-IM7. Review and Update Design Review Ordinance and Areas.** Comprehensively review and update the Design Review standards of the zoning ordinance and maps of areas subject to design review.
- UL-IM8. Review and Update the Sign Ordinance.** Comprehensively review and update the standards for signs in the zoning ordinance.

- UL-IM9. Simplify the Zoning Ordinance with Illustrations and Matrices.** Modify the zoning ordinance to incorporate the use of illustrations and matrices to simplify communicating allowed uses, design principals and development standards.
- UL-IM10. Revisions to the Zoning Ordinance to Regulate Big Box Commercial Uses.** Revise the zoning ordinance to incorporate standards for “big box” commercial uses
- UL-IM11. Adult Entertainment Ordinance.** Develop an ordinance for adult entertainment establishments to ensure they will be compatible with neighboring uses.
- UL-IM12. Cannabis Cultivation and Dispensary Ordinance.** Develop an ordinance for medical cannabis cultivation and dispensing that protects health, safety and welfare and ensures the cultivation and dispensing sites are compatible with neighboring uses.

4.4 Rural Lands

4.4.1 Purpose

This section establishes policies to ensure the stability and productivity of the County's resource lands while providing for the orderly development of residential agriculture properties. These policies, in conjunction with the policy and standards established for the agriculture and timber resource lands, are intended to provide clear guidelines for land use decisions outside of Community Planning Areas.

4.4.2 Background

Humboldt County is 3,573 square miles in size or about 2,290,000 acres. There are about 156,000 acres designated Residential Agriculture (RA) outside of Community Planning Areas, of which 65,000 acres (1,950 parcels) are vacant.

These lands provide the opportunity for rural homesteads that are a significant part of the cultural heritage of Humboldt County. They are distinguished from agriculture and forest lands because residential development is recognized as the primary use. The demand for residential agriculture land varies with real estate market conditions and financial opportunities. This Plan provides flexible growth densities using land use designations. Zoning provides more precise density limits to reflect local conditions.

The development of rural lands raises public interest and safety issues including: adequacy of County roads and services; minimizing hazards such as wildfire; protection of watersheds, rivers, streams, wildlife, and sensitive habitats; and conflicts with resource production activities.

The policies of this section support the need to maintain and conserve resource lands, reduce exposure to safety hazards, recover the cost of providing public services and protect watersheds. Many of these policies are implemented by measures more closely related to other elements, such as the Safety and Water Resources Elements.

Development of residential agriculture lands, given consideration of these public interests, can sustain an important cultural heritage, provide economic opportunity, employment and self-sufficiency and contribute to the vitality of rural communities.

4.4.3 Goals and Policies

Goal

- RL-G1. Residential Agriculture Development.** The orderly development of land suitable to meet projected demand during the General Plan planning period for residential agriculture use with access to Rural Community Centers and Community Planning Areas.
- RL-G2. Rural Land Development.** Homestead style independent living on residential agriculture lands that minimizes fire risks, impacts to water resources, public service demands and conflicts with resource production.

Policies

- RL-P1. Compatible with Resource Production.** Planned development on residential agriculture lands adjacent to designated agricultural and timberlands shall be compatible with agriculture and timber production.
- RL-P2. On-Site Water and Septic Systems.** Cumulative impacts of water withdrawal from surface and groundwater sources, and cumulative impacts from on-site sewage disposal systems, shall be assessed during the zoning and subdivision and, in critical watersheds, any other discretionary review of development in all areas designated for residential agriculture development.
- RL-P3. Rural Commercial Uses.** New tourist, commercial, and retail outlets shall be located within the Rural Community Center land use designation or designated Community Planning Areas or other existing developed areas with development of a similar nature, unless the use meets rural cottage industry standards or is characteristic of, and compatible with, a rural setting.
- RL-P4. Fire Safety Hazards.** Support implementation of State Responsibility Area Fire Safe Standards and Wildland-Urban Interface Building Codes for new development and voluntary programs for fuels reduction, dwelling fire protection and creation of defensible space for existing development.
- RL-P5. Road Constraints and Rural Development.** Rural zoning densities and subdivision approvals shall reflect road constraints identified by the County Public Works Department. Subdivisions may be allowed where roads can be feasibly improved to minimum County standards at the time of subdivision, or incrementally through road improvements from future development.
- RL-P6. Rural Development in the King Range.** All development within the boundaries of the King Range National Conservation Area shall be consistent with the Bureau of Land Management's Management Plan.
- RL-P7. Clustered Residential Agriculture Development.** Clustered residential agriculture development is encouraged on rural lands suitable for development, consistent with planned densities. Density bonuses may be provided where significant permanent land dedications are secured.

4.4.4 Standards

- RL-S1. Compatibility with Timber and Agricultural Production.** Residential Agriculture subdivisions adjacent to lands planned for timber or agricultural production shall be evaluated for compatibility with continued resource production. Subdivisions shall be conditioned to minimize constraints on resource production due to access limitations and water supply impacts. Right-to-Harvest or Right-to-Farm agreements shall be required on newly created Residential Agriculture subdivision lots adjacent to lands planned for timber or agricultural production.

- RL-S2. Subdivisions Near Identified Resource Lands.** Land divisions within the following four areas (as designated on the Biological Resources Map) may be approved subject to a finding that the proposed division is consistent with preserving the areas' natural values:
- A. Horse Mountain
 - B. Kings Range National Conservation Area
 - C. Scotia Bluffs
 - D. Luffenholtz Creek Bishop Pine Stand
- RL-S3. Cottage Industry Standards.** Modify cottage industry standards in areas designated Residential Agriculture (RA) to include the following changes:
- A. May be principally permitted where the use is conducted by occupants on the premises and not more than 5 non-resident full time employees in a manner which does not substantially affect the primary use of the parcel;
 - B. May be principally permitted where the use involves no sales of merchandise other than that grown, manufactured or processed on the premises, or merchandise directly related to and incidental to the industry;
 - C. The use does not increase water withdrawals in Critical Watershed Areas during the dry season;
 - D. Remove Auto Repair as an allowable cottage industry.
- RL-S4. Subdivision Standards.** Subdivision of land designated Residential Agriculture may be approved if it can be found that:
- A. There is proof of adequate water for domestic use as determined by current standards of the Division of Environmental Health, provided through either:
 - 1. Certified dry weather tests of individually developed water supply systems on each parcel using wells, creeks, or springs; or
 - 2. Four or fewer connections to a developed private water system, including certified dry weather testing of source, storage, and transmission facilities, with recorded easements and legal agreements; or
 - 3. Evidence of connection to a public water system.
 - B. Water use is limited in accordance with the policies of the Water Resources Element.
 - C. There is proof that adequate sewage disposal capability will be provided through either:
 - 1. Individual on-site systems approved by the Division of Environmental Health; or
 - 2. Evidence of connection to a public wastewater disposal system.
 - D. Building site locations are identified that meet County streamside management setback requirements and that are not subject to the following hazards:

1. Geologic instability, steep slopes, and erosion;
 2. Seismic activity; or
 3. Flooding.
- B. Recorded access to a publicly maintained road that is:
1. Adequate for ultimate development at planned densities; and
 2. Adequate for use by emergency vehicles per State Responsibility Area Standards; and
 3. Not subject to adverse impacts caused by:
 - a. Geologic instability, steep slopes and erosion;
 - b. Seismic activity; or
 - c. Flooding.
- C. Findings A, C, and D may be replaced by the following:
1. All parcels created and any remainder are each in excess of 160 acres; and
 2. The purpose of the parcels is resource production; and
 3. A transfer of development rights for residential purposes is executed and recorded in favor of the County of Humboldt. Residential development rights may be reclaimed by meeting the standards in A, C, and D.
- D. Other findings specific to the area, zone, and land use designation can be made.

4.4.5 Implementation Measures

- RL-IM1. Inventory of Residential Agriculture Lands.** Maintain searchable GIS inventory of lands planned Residential Agriculture (RA) and review during Housing Element Updates for adequacy to meet homestead development demands during the Housing Element planning period.
- RL-IM2. Identification of Substandard Roads.** Coordinate with the County Department of Public Works and area emergency service providers to inventory and map road segments that do not meet subdivision road standards or State Responsibility Area Fire Safe standards, and thereby would limit development of future residential subdivisions in the area. Identify the deficiency and assess the feasibility of achieving minimum standards through the Public Works Capital improvement program or through incremental road improvements provided by future development. Where adequate access cannot be achieved by these methods, place a plan overlay designation over the affected area restricting further residential subdivision. This designation may be removed if remedies are proposed that alleviate the constraints.
- RL-IM3. Prime Agricultural Soils within Residential Agriculture Lands.** Inventory prime agricultural soils on parcels designated Residential Agriculture using maps of prime agricultural soils developed by other agencies.

4.5 Agricultural Resources

4.5.1 Purpose

This section establishes policies to ensure the stability and productivity of the County's agricultural lands and industries. These policies are intended to provide clear guidelines for land use decisions in agricultural areas and promote and protect the current and future needs of the agricultural industry.

4.5.2 Background

Agricultural Production

According to the 2002 U.S Department of Agriculture Census, approximately 27% of Humboldt County land (634,000 acres) is in agricultural use. While this total includes large ranches that have a significant amount of timber production contributing to their operations, it fairly represents the overall significance of agriculture to Humboldt County. The County's dairy lands are an integral part of the landscape, history and economy of the County, generating \$43 million of milk products in 2004. The market value of cattle and calves in the County exceeded \$20 million in 2004. Truck farms, located primarily in river valleys, are becoming increasingly important for supplying local fruit and vegetable demands and specialty exports.

While agriculture is one of the most enduring industries in the County, agricultural operators face growing challenges to maintaining viable operations. Rising costs, increasingly complex regulatory requirements, and growing development pressures are among the hurdles facing today's farmers. As noted in the 2003 Humboldt County Agricultural Resources Background Report, it takes approximately 1,750 to over 6,000 acres to support a farm family raising beef; approximately 300 acres to support a family dairy; approximately 15 to 150 acres to support a farm family with row crops; and approximately 2,270 to 8,750 acres to support a farm family raising sheep.

Conversion of Agricultural Land

Agriculture is an important component of the local economy and culture but adverse economics and generational transitions have accelerated the conversion of farmland to other uses. Despite protection policies in the previous General Plan, the conversion of agricultural lands to non-agricultural uses has continued to occur over time. Approximately 3,000 to 5,000 acres of agricultural land has been converted to non-agricultural use each year since 1964. Rangeland has been converted to both timber production and residential uses. Productive dairy lands have been subject to partial or complete conversion for wildlife and conservation purposes.

An increase in the median age of the farmland owners is another trend in local agriculture, particularly in cattle ranching. Many farms and ranches will pass from parents to sons and daughters in the next 20 years. Depending upon interests and economics, farms can be broken up into smaller non-viable parcels or taken entirely out of production. For some of these property transfers, unfunded estate taxes can force the sale of all or portions of the ownership.

Agriculture and Land Use Policy

Productive agricultural lands are vitally important to the County's economy, culture and environment. The long-term sustainability of Humboldt's agricultural economy hinges on continued profitability of agricultural operations and the availability of farmland. The availability of farmland is directly affected by land use policy, but land use policies also can indirectly affect the overall profitability of agricultural operations. For example, minimum parcel size limitations and restrictions on residential development impact the assessed valuation of agricultural property which is the primary asset of agricultural operations. Reductions in the valuation of agricultural land can affect the viability of current operations by limiting financing ability, estate transfers or income from property sales.

The agricultural land use policies in this section aim to strike a balance between continued protections of farmland so the agricultural industry can enjoy a stable land base well into the future, and limitations on land uses that reduce the value of agricultural land and impact profitability.

This Plan supports continued enrollment of agricultural land into the Williamson Act, which already supports agricultural production on almost 200,000 acres of the County. The Plan also contains a "no-net-loss policy" to mitigate the cumulative effects of conversion of prime agricultural land and a "working-lands" policy to encourage continued agricultural production on lands placed into conservation easements or acquired by public agencies for conservation purposes.

4.5.3 Goals and Policies

Goals

- AG-G1. Agricultural Production.** Economically viable agricultural operations contributing to the growth and stability of the economy and a strong market demand for agricultural lands dedicated to agricultural production.
- AG-G2. Preservation of Agricultural Lands.** Agricultural land preserved to the maximum extent possible for continued agricultural use in parcel sizes that support economically feasible agricultural operations.

Policies

- AG-P1. Planned Rural Development.** The County shall provide a Planned Rural Development (PRD) Program for lands designated Agricultural Grazing (AG) that allows voluntary clustering of homesites at a density above what would otherwise be allowed when lands most suitable for agricultural production are retained for permanent continued production. To qualify, identified homesite parcels must be clustered to avoid increasing use conflicts and not be in conflict with any applicable conservation plan. Right-to-Farm agreements shall be secured on lands proposed for conversion to residential uses. The remaining lands most suitable for continued agricultural production shall be retained solely for permanent production.
- AG-P2. Support Voluntary Purchase of Development Rights.** The County shall support the voluntary purchase of development rights to provide income to farm

operations and limit the intrusion of residential development into agricultural lands.

AG-P3. Support the Williamson Act Property Tax Incentive Program. The County shall support the continuation, enhancement and growth of the County Williamson Act program.

AG-P4. Supplemental Farm Income. The County shall support activities compatible with agriculture that enhance the viability of agricultural operations such as cottage industries, farm homestays, sale of farm products, and visitor services and accommodations.

AG-P5. Conservation of Agricultural Lands. Agricultural lands shall be conserved and conflicts minimized between agricultural and non-agricultural uses through all of the following:

- A. By establishing stable zoning boundaries and buffer areas that separate urban and rural areas to minimize land use conflicts.
- B. By establishing stable Urban Development, Urban Expansion and Community Planning Areas and promoting residential in-filling of Urban Development Areas, with phased urban expansion within Community Planning Areas.
- C. By developing lands within Urban Development, Urban Expansion and Community Planning Areas prior to the conversion of agricultural resource production lands (AE, AG) within Urban Expansion Areas.
- D. By not allowing the conversion of agricultural resource production lands (AE, AG) to other land use designations outside of Urban Expansion Areas.
- E. By assuring that public service facility expansions and non-agricultural development do not inhibit agricultural viability, either through increased assessment costs, degradation of the environment, land fragmentation or conflicts in use.
- F. By increasing the effectiveness of the Williamson Act Program.
- G. By allowing historical structures and/or sensitive habitats to be split off from productive agricultural lands where it acts to conserve working lands and structures.
- H. By allowing lot-line adjustments for agriculturally designated lands only where planned densities are met and there is no resulting increase in the number of building sites.

AG-P6. Agricultural Land Conversion - No Net Loss. Lands planned for agriculture (AE, AG) shall not be converted to non-agricultural uses unless the Planning Commission makes the following findings:

- A. There are no feasible alternatives that would prevent or minimize conversion;
- B. The facts support an overriding public interest in the conversion; and
- C. For lands outside of designated Urban Development Boundaries, sufficient off-setting mitigation has been provided to prevent a net reduction in the agricultural land base and agricultural production. This requirement shall

be known as the "No Net Loss" agricultural lands policy. "No Net Loss" mitigation is limited to one or more of the following:

1. Re-planning of vacant agricultural lands from a non-agricultural land use designation to an agricultural plan designation along with the recordation of a permanent conservation easement on this land for continued agricultural use; or
2. The retirement of non-agricultural uses on lands planned for agriculture and recordation of a permanent conservation easement on this land for continued agricultural use; or
3. Financial contribution to an agricultural land fund in an amount sufficient to fully offset the agricultural land conversion for those uses enumerated in subsections a and b. The operational details of the land fund, including the process for setting the amount of the financial contribution, shall be established by ordinance.

- AG-P7. Agricultural Production in Conservation Areas.** The County shall support continued agricultural production on lands placed into conservation easements or acquired by public agencies for conservation purposes. Enforceable provisions contained in terms of sale, deeds and conservation easements shall require continued management for agricultural production.
- AG-P8. Right to Farm or Harvest.** The County shall utilize the "Right-to-Farm or Harvest" Ordinance to provide constructive notice about the nature of agricultural activities to residents living adjacent to farm operations.
- AG-P9. Predator Control.** Support predator control programs that comply with federal, state and local laws in order to reduce livestock and other agricultural production losses.
- AG-P10. Support Land Trusts.** Support private non-profit land trusts that provide agricultural conservation programs in Humboldt County.
- AG-P11. Support Vegetative Management Programs.** Support vegetation management programs (controlled burning, etc.) when it is found that they improve the availability and quality of rangeland for livestock and wildlife, reduce the hazard of disastrous wildfires, and increase water quality and quantity.
- AG-P12. Advice from Agricultural Community.** Seek advice from organizations and affected individuals within the agricultural community for any future evaluation of land areas needed for urban development or for any consideration of requests by Humboldt's Local Agency Formation Commission (LAFCo) to change spheres of influence or urban service boundaries next to or near agricultural lands.
- AG-P13. Agricultural Zoning and Parcel Size.** Utilize Agricultural Exclusive (AE) and Agricultural Grazing (AG) land use designations to ensure appropriate parcel sizes and land use for continuing availability of the necessary agricultural land base.

- AG-P14. Residential Uses on Timberland Production Zone (TPZ) Lands within Agricultural Preserves.** Residential uses on TPZ lands within agricultural preserves shall be consistent with the requirements of the Williamson Act and local Williamson Act Guidelines.
- AG-P15. Compliance with Regulations.** The County shall place a priority on abatement of violations that result in agricultural land conversion, loss of agricultural productivity or conflicts with neighboring agricultural operations.
- AG-P16. Protect Productive Agricultural Soils.** Development on lands planned for agriculture (AE, AG) shall be designed to the maximum extent feasible to minimize the placement of buildings, impermeable surfaces or non-agricultural uses on land as defined in Government Code Section 51201(c) 1-5 as prime agricultural lands.

4.5.4 Standards

- AG-S1. Subdivision of Planned Agricultural Exclusive (AE) Lands.** Within areas designated AE, no agricultural land division will be approved whereby any parcel thusly created will be less than 60 acres.
- AG-S2. Agricultural Grazing (AG) Land.** Lands designated AG shall be zoned 160 acres but may be rezoned as small as 40 acres in size, where the protection of agricultural operations will be ensured, maintained or enhanced based upon the ability to make all of the following findings:
- A. The parcel size shall not inhibit the use of the property for commercial agricultural operations; and
 - B. The parcel size shall not inhibit economically viable agricultural and timber production on adjoining lands; and
 - C. Uses and parcel sizes in the adjoining area are compatible; and
 - D. The parcel size is consistent with a comprehensive view of all relevant Plan policies; and
 - E. Each parcel has frontage on an existing publicly maintained road; and
 - F. All such zoning is within 1/4 mile of an existing maintained public road.
- AG-S3. Subdivision of Planned Agricultural Grazing Lands.** Subdivision to the minimum parcel size allowed in the zone may be permitted based on the findings that:
- A. The subdivision will result in improvements to the productive capacity of the land through intensive management for the growing of crops and animals; and
 - B. The subdivision shall not inhibit the use of the property for agricultural operations; and
 - C. The subdivision shall not inhibit economically viable agricultural and timber production on adjoining lands; and
 - D. Adequate access, water, and geologic stability can be demonstrated for the proposed use and the land division meets all other regulatory requirements; and

- E. On each parcel, the residential site is located, to the fullest practical extent, in areas of the lowest productivity; and
- F. Access to the remainder is consistent with the uses of the remaining property; and
- G. All applicable subdivision policies of the Rural Lands can be met.

AG-S4. Planned Rural Development Program Clustering Incentive Options:

Tier 1 clustering program:

- | | |
|--------------------------|---|
| Density credit: | 1.5 times existing entitlements when 95% of subject lands are protected |
| Protection instrument: | Conservation easement or equivalent protection on remainder |
| Rezone homesite parcels: | County to conduct rezone. |

AG-S5. Historical Preservation. An exception to the minimum parcel size for planned agricultural land may be made for the purposes of historic preservation where the following findings are made:

- A. The site or structure qualifies and is included on a local, state or federal historic registry; and,
- B. The viability of continued agricultural operations is not inhibited, and;
- C. No additional density beyond what would be permitted as part of the existing agricultural operations is created.

AG-S6. Resource Protection Acquisition Program. Allow land divisions associated with public land acquisitions of lands planned agriculture to less than the minimum size when the division would serve to:

- A. Maintain land in agricultural production; or
- B. Protect existing residences and agriculture related structures; or,
- C. Protect existing water rights and existing water supply systems.

AG-S7. Prime Agricultural Land. Prime Agricultural land per California Government Code Section 51201(c) means:

- A. All land which qualifies for rating as Class I or Class II in the Soil Conservation Service land use capability classifications.
- B. Land which qualifies for rating 80 through 100 in the Storie Index Rating.
- C. Land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the U.S.D.A.
- D. Land planted with fruit or nut bearing trees, vines, bushes or crops which have a non- bearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than \$200.00 per acre.

- E. Land which has returned from the production of unprocessed agricultural plant products on an annual gross value of not less than \$200.00 per acre for three of the five previous years.

4.5.5 Implementation Measures

- AG-IM1. Develop Planned Rural Development Program.** Update the Zoning Regulations to include provisions for Planned Rural Development (PRD) and implement a program to assist landowners with PRD applications.
- AG-IM2. Manage an Agricultural Conservation Program.** Seek funding and provide staff for an on-going agricultural conservation program to support activities associated with the Williamson Act, land conservation efforts of local land trusts, conservation easements and mitigation of agricultural land conversion.
- AG-IM3. Supplemental Farm Income.** Update the Zoning Regulations to provide for greater flexibility and allowances for cottage industries, farm homestays, sale of farm products, and visitor services and accommodations within agricultural lands.
- AG-IM4. No Net Loss of Prime Agricultural Lands.** Provisions for mitigation offsets of prime agricultural land conversion shall be adopted by ordinance.
- AG-IM5. Monitor Conversion of Agricultural Lands.** Annually monitor the conversion of agricultural land to other uses. If conversions have accelerated over previous historic rates, report to the Board of Supervisors with corrective policy recommendations.
- AG-IM6. Williamson Act Contracts.** Support, promote, and broaden the application of Williamson Act contracts and agricultural preserves. Provide monitoring and enforcement to protect agricultural and taxpayer benefits and ensure compliance with state law and local guidelines.
- AG-IM7. Economic Development Assistance.** Develop programs within the County's Economic Development Division that assist local producers to promote strong local product identity and enhance economic viability of agricultural operations.
- AG-IM8. Compliance with Regulations.** The County shall maintain an agricultural protection compliance program to enforce land use and building regulations on agricultural lands (AE, AG).

4.6 Forest Resources

4.6.1 Purpose

This section presents policies that support the conservation, development, and utilization of forest resources. Its policies are consistent with the California Timberland Productivity Act, including the requirement to establish a land use category for parcels zoned for timberland production.

4.6.2 Background

Forest Resources and Land Use

There are 1.2 million acres of private forested land and 0.3 million acres of public forested land in Humboldt County, covering more than 80% of the County's land area. Roughly 990,000 acres are zoned Timber Production Zone (TPZ), two-thirds of which are held by timber companies. Dedicated timber management of these lands and unique growing conditions have consistently made Humboldt County the state's leading timber producer, contributing more than 20 percent of the state's total since 2000.

Despite a 50-year trend of reduced timber production, timberlands remain the cornerstone of the County's economy, providing critical export income and a significant number of high wage jobs. Redwood parks and other forested land also attract visitors from around the world and have put Humboldt County on the world map as an eco-tourism destination.

While forestlands are unquestionably the County's greatest long term economic asset, they are also the County's greatest natural resources asset, providing a wealth of ecological values. They influence the supply and quality of water resources. They provide habitat for wildlife and plants, some of which is critical to endangered species. And because trees remove carbon from the atmosphere, they are pivotal to the state's efforts to reduce greenhouse gas emissions.

Forestlands are deeply woven into local culture and heritage. From the time of the Native Americans, through the early settlers and mill towns, to the rise of modern timber management and the conflicts of Redwood Summer, forestlands have been more closely linked to the County's identity than any other land use. Given the economic,

California Timberland Productivity Act of 1982

51102. (a) The Legislature further declares that to fully realize the productive potential of the forest resources and timberlands of the state, and to provide a favorable climate for long-term investment in forest resources, it is the policy of this state to do all of the following:

- (1) Maintain the optimum amount of the limited supply of timberland to ensure its current and continued availability for the growing and harvesting of timber and compatible uses.
- (2) Discourage premature or unnecessary conversion of timberland to urban and other uses.
- (3) Discourage expansion of urban services into timberland.
- (4) Encourage investment in timberlands based on reasonable expectation of harvest.

ecological and social importance of forestlands, it follows that no other land use attracts more debate about use and development.

Timber stocking and harvesting on forestlands is regulated by the state under the Forest Practices Act. The County’s role in the management of forestlands and the focus of this Plan is maintaining an adequate inventory, regulating compatible and incompatible uses and managing land use conflicts at the interface of forestlands and residential areas. The County’s regulation of uses must comply with state requirements for timber production zoned lands. This Plan also takes policy positions on several regulatory issues under the state’s jurisdiction, primarily those that affect the economic viability and sustainability of timber production.

State and Federal Regulatory Issues

There is widespread public support for continuing to use County forestlands for sustainable commercial timber production by large and small timber producers. The factors affecting commercial viability, and therefore the continuation of this land use, are numerous, but increases in regulatory compliance costs in California combined with depressed log prices are placing unprecedented financial strains on timber producers. Increasing regulatory costs for timber management accelerates conversion to residential development, which can have more significant impacts to water and biological resources. Many timber producers maintain that a significant fraction of compliance costs do not result in improved environmental performance and could be reduced with no harm to the environment.

Given the importance of a profitable industry to the long term sustainability of this land use, the County is prepared to address regulatory inefficiencies at the state level for the benefit of large and small timber producers. The County is also prepared to advocate for state policies that result in timberland owners benefiting financially from the public interest and ecological values of forest land using mechanisms such as carbon trading, forest products certification and conservation easements.

California Timberland Productivity Act – Residential Uses

The California Timberland Productivity Act contains the main body of State statute relevant to TPZ regulations. The Act creates and defines TPZ, and provides procedures for zoning and rezoning lands into TPZ and rezoning lands out of TPZ. It also provides guidelines for compatible uses.

CGC§ 51104(h) defines “Compatible use”:

“(h) Compatible use” is any use which does not significantly detract from the use of the property for, or inhibit, growing and harvesting timber, and shall include, but not be limited to, any of the following, unless in a specific instance such a use would be contrary to the preceding definition of compatible use:”

Residential use as a compatible use is addressed in CGC§ 51104(h)(6):

“... A residence or other structure necessary for the management of land zoned as timberland production.”

The County is therefore charged with determining the procedural mechanism for whether, in any given situation, a residence might significantly detract from or inhibit the use of the property for the growing and harvesting of timber.

Forest Resource Land Base

The primary purpose of lands planned as Timberlands (T) is the growing and harvesting of trees. This is particularly true of timberlands zoned TPZ, which enjoy a property tax system based on the growing and harvesting of trees.

In the last twenty years the market value of timberland for the growing and harvesting of trees has fallen relative to the value of land for residential uses and conservation purposes. In the conservation realm, large tracts of timberland have been sold to state and federal agencies to create parks. These parklands have increased conservation and open space values immeasurably and made Humboldt County a worldwide tourist destination, but at a cost of decreased timber production.

Patent Parcels and Entitlements

Over 18,000 patent parcels have been issued in Humboldt County; however, many of these have been altered by subdivisions, lot line adjustments, and mergers, and do not retain their original status. The County has mapped over 17,000 of these parcels from the BLM master plats. The parcels range from a fraction of an acre to over 11,000 acres, with an average size of 153 acres. Within TPZ, 7,304 original patents were mapped, with sizes ranging from 5 to 2,227 acres and a mean size of 136.5 acres. Although a complete review has not been conducted on these patent parcels, many of these retain their historic rights to residential development entitlements allowed by zoning.

Due to a rising market demand for rural homes and falling timberland profits, forestland property containing an adequate building site and road access is often priced too high to be purchased for profitable commercial timber production. As long as valuations of forestland are driven primarily by residential market demand and only secondarily by commercial income potential, the County can expect more forestlands to be bought, sold and ultimately developed as residential property. Fragmentation of timberlands into smaller lot sizes can accelerate this trend. Lower priced smaller lots appeal to a larger residential market, and economies of scale on smaller lots, particularly associated with fixed regulatory costs, results in less commercial income potential. Once a house is built on timberland property, the combined house and land price becomes too high for the property to be subsequently purchased by timber producers for commercial timber production as the primary use.

Plan policies strive to maintain the commercial viability of forestlands so they continue to attract the investment and management necessary for sustained timber production. At the same time, the Plan contains policies that will promote continued timber production on forestland parcels that are also used for residential purposes. Policies also mitigate the impacts of residential development on water and biological resources, wildland fire risk and timber harvesting. Finally, the Plan contains policies which reflect the County's responsibility to implement state laws governing land uses in TPZ.

Forestland-Residential Interface (FRI)

The FRI is located generally where houses meet or intermingle with undeveloped forestlands. This area tends to be a focal point for conflict between residential and resource land uses. It can also be a hazard area because of the risks of wildland fires. Forest policies for the FRI address harvest plan dispute resolution, public notice of resource production, subdivision design, and wildfire risk reduction.

Infrastructure and Public Services

Timberlands require a road system that allows free and safe movement of large logging trucks. The roads should be well maintained to protect the road base and supported by a well-functioning drainage system. Wildland fire suppression is also important to minimize financial losses and interruptions in growth cycles. The Plan supports continued maintenance of the infrastructure and service necessary to support timber production. Residential use of timberlands requires 911 initiated police, structural fire and emergency services in addition to reliable road access and wildland fire suppression.

4.6.3 Goals and Policies

Goals

- FR-G1. Forest Resources.** Public and private forests producing a wealth of multiple economic and natural resource values and ecosystem services. Constructive dialog and cooperation between state, federal and local agencies and private property owners and a regulatory framework that maximizes private and public interests and ecosystem services.
- FR-G2. Forestland Timber Production.** A prosperous timber industry managing a stable inventory of productive forest lands for timber production. Ranches and rural homesteads making full use of the timber production potential of their lands.
- FR-G3. Supply of Productive Forestlands.** An adequate and stable supply of forestlands whose economic and ecosystem services are sustained by policies and standards governing minimum parcel sizes, public acquisition, incompatible uses, public infrastructure investments, environmental protection and incentives for sustainable uses.
- FR-G4. Incompatible and Conflicting Uses.** Timberlands protected from the encroachment of incompatible uses and managed for the inclusion of compatible uses.
- FR-G5. Infrastructure.** A public road system maintained for transportation of logs to mills and forest products to market. Sufficient industrially zoned property to support forest products manufacturing. Wildland fire protection that prevents the loss of timber on private property.

Policies

State and Federal Regulatory Issues

- FR-P1. Timberland Regulatory Review.** Support efforts by the California Department of Forestry and Fire Protection's (CAL FIRE) and other agencies to improve a regulatory system that encourages the productivity and resource protection of timberlands.
- FR-P2. Timber Harvest Plan Review.** Defer to CAL FIRE on timber harvest reviews; comment only where County land-use patterns have significantly contributed to use conflicts as directed by the Board.

- FR-P3. Timber Management Regulations.** Support fewer, more effective and lower-cost timber management regulations as a strategy to maintain timber production as the primary economic use of forestlands. Coordinate County policies so they are compatible with the State Forest Practice Act and State Forest Practice Rules.
- FR-P4. Broader Use of Long-Term Timber Management Plan(s).** Support broader use of Nonindustrial Timber Management Plans, Program Timberland Environmental Impact Reports, and other long-term management plans that would include increasing the maximum acreage allowable under such plans and encouraging multiple landowner cooperative plans.
- FR-P5. Forest and Rangeland Improvement Programs.** Support continuance and funding of forest and rangeland improvement programs.
- FR-P6. Tax Incentive Programs.** Support tax incentive programs, such as the Timber Production Zone (TPZ), that maintain or increase the economic viability of timber production. Support tax policies that provide tax benefits to land owners for conservation easements.
- FR-P7. Innovative Forestland Programs.** Support development of innovative forest and rangeland programs that facilitate production and conservation goals. Support forest management and wood product certification and foster development of markets for new forest products and services, such as using bio-mass for energy and carbon storage.

Forest Resource Land Base

- FR-P8. Protection of High Quality Timberlands.** Timberlands planned and zoned for timber production should be retained for timber production, harvesting and compatible uses, and reclassification of the Timberland Production Zones (TPZ) shall be done in accordance with the statutory requirements.
- FR-P9. Residential Construction on TPZ Zoned Parcels.** Recognize the right to construct a residence and accessory buildings under a ministerial permitting process subject to County standard consistent with other Elements of the General Plan when the use does not detract from the growing and harvesting of timber and associated compatible uses.
- FR-P10. Secondary Residential Construction on TPZ Zoned Parcels.** Accessory dwelling units may be allowed on TPZ parcels greater than 160 acres, and on parcels less than 160 acres only in the area already converted, intended to be converted, or that does not meet the definition of timberlands. Accessory dwelling units may be allowed on TPZ parcels of less than 40 acres within Community Planning Areas. (GP amendments w ADU Ord., Res. 20-78)
- FR-P11. Substandard Lots and TPZ Rezoning.** The County supports County-initiated zoning of land from the Timberland Production Zone only when it can be found that:
- A. The original inclusion was in error or inappropriate; or
 - B. The conversion is necessary to provide for the logical expansion of an existing community; or

- C. The conversion and rezoning is necessary to provide for the reconfiguration of parcels in order to utilize development unit credits for cluster housing; or
- D. The parcel is three acres or less; or
- E. The parcel does not meet the definition of timberland, or timber production cannot be sustained as the primary use as determined by the Forestry Review Committee.

- FR-P12. Landowner-initiated Rezoning of TPZ Parcels.** Landowner-initiated rezoning of TPZ parcels shall be done according to state law (California Government Code Section 51120).
- FR-P13. Lot Line Adjustments.** Lot line adjustments of TPZ parcels may be approved in order to consolidate logical timberland management units or facilitate clustered residential development. Such adjustments shall be in keeping with the spirit and intent of TPZ and shall not result in a net reduction of the area of TPZ available for forest management unless a finding is made by the Board of Supervisors that it is in the public interest.
- FR-P14. Timberland Ownership.** The County shall provide incentives to maintain large-scale land ownerships for commercial timber production and to protect forest ecosystem services.
- FR-P15. Planned Rural Development.** The County shall consider, and if appropriate, develop a Planned Rural Development (PRD) program that allows voluntary clustering of home sites when lands most suitable for timber production are retained for permanent continued production. Consider incentives such as density bonuses.
- FR-P16. Public Utilities on TPZ Lands.** Where feasible avoid locating federal, state, or local public improvements and utilities in TPZ where the project or land acquisition will have a significant adverse effect on the production of timber or ecosystem services.
- FR-P17. Conservation Easements.** Support voluntary easement programs consistent with TPZ standards that combine conservation management with sustainable timber production.
- FR-P18. Transfer of Development Rights (TDR) Program.** Research and develop, if feasible, a voluntary Transfer of Development Rights program as a method of protecting larger tracts of resource lands based on community input. The density credit would not count Accessory Dwelling Units in the calculation.

Forestland-Residential Interface

- FR-P19. Planned Compatible Uses.** Lands adjacent to areas designated as Timberlands should be planned for uses compatible with timber management, including timber harvesting activities.
- FR-P20. Fire Safety Hazards.** The County shall continue to implement the State Responsibility Area Fire Safe Standards and Wildland-Urban Interface Building Codes for new development and support voluntary programs for fuels

reduction, dwelling fire protection and creation of defensible space for existing development.

- FR-P21. Right to Harvest.** The County shall utilize the “Right-to-Harvest” Ordinance to provide recorded notice about the nature of timber management activities to residents living adjacent to timberlands.

Infrastructure and Public Services

- FR-P22. Maintain Public Roads.** The County shall maintain public roads and drainage facilities to support log and forest products transportation.

4.6.4 Standards

- FR-S1. Planned Rural Development Program Clustering Incentive Options:** The Planned Rural Development Program shall be a voluntary incentive based program. To qualify, identified homesite parcels must be clustered to minimize conflicts with timber harvesting, and impacts to water resources, biological resources, and wildland fire potential. Right-to-harvest agreements shall be secured on lands proposed for conversion to residential uses. The remaining lands most suitable for continued timber production shall be retained for permanent commercial timber production.

Tier 1 clustering program:

Density credit:	1.5 the existing entitlements when 95% of timberlands are protected
Protection instrument:	conservation easement or equivalent protection on remainder
Rezone homesite parcels:	County to conduct rezone
JTMP:	Required for all parcels

- FR-S2. Forestland-Residential Interface (FRI).**

- A. Require new residential subdivisions adjacent to TPZ and public forestlands to include forested buffers and building setbacks between residential uses and adjacent timberlands to minimize use conflicts and safety hazards and, if necessary, require fire breaks around all or a portion of the development in consultation with CAL FIRE.
- B. For residential development, require compliance with fire safe standards, and ongoing fire protection management programs developed by qualified experts.
- C. For residential development in high and very high fire severity zones, require the establishment and maintenance of fire breaks and open space adjacent to forestlands, consistent with CALFIRE recommendations, and ongoing fire protection management programs developed by qualified experts to ensure defensible space.

- FR-S3. State Clearance.** Prior to the issuance of a building permit on lands regulated by the Forest Practices Act, the owner must obtain, where necessary, a timber conversion permit or timber conversion exemption from the state lead agency.

- FR-S4. Timberland Subdivisions.** Subdivisions of lands designated as Timberland (T) that create parcels less than 160 acres may be permitted if the project meets the following criteria:
- A. The subdivision will improve the ability to manage the parcel for improved forest health and productivity, or the subdivision is necessary for the public interest, as determined by the Board of Supervisors with the recommendation from the Forest Resources Committee; and
 - B. Adequate access, water, and geologic stability can be demonstrated for the proposed use and the land division meets all other regulatory requirements, including the General Plan standards and policies for rural lands; and
 - C. The residential site is located in areas of the lowest productivity, to the extent practical and considering proximity to existing infrastructure; and
 - D. A joint timber management plan (JTMP) is prepared for divisions below 160 acres.
- FR-S5. Harvest Road Access Protection.** Identify and protect preferred and necessary log haul route access to be acknowledged by residential users.

4.6.5 Implementation Measures

- FR-IM1. Advocate for Regulatory Reform.** The County shall advocate for improved design and implementation of state forest practice rules and resource management and protection regulations that reduce overlapping regulations.
- FR-IM2. Develop Incentive Program to Encourage Timber Production and Ecosystem Values.** Develop incentives for property owners and forestland managers to encourage continued timber production and ecosystem services on forestlands. Support programs that provide technical assistance to small timber producers working to maintain timber production on lands also used as their primary residence.
- FR-IM3. Support Voluntary Conservation Programs.** Support land trusts and conservation organizations in efforts to maximize conservation and production values from timberlands. Work to achieve consistency between County policies and regulations and applicable conservation programs including conservation easement taxing policies.
- FR-IM4. Merger Ordinance Revisions.** Revise Merger Ordinance to delete from Article II the requirement of merger of substandard TPZ lands, not currently under a Williamson Act Contract.
- FR-IM5. Develop Ordinance to Regulate Land Uses in TPZ lands.** Prepare an ordinance to implement the policies of this Plan for the designation and residential use of lands zoned TPZ. Prior to consideration by the Board of Supervisors, the Ordinance shall be referred to the Forestry Review Committee for review and recommendation to the Board.

- FR-IM6. Streamline County Forest Management Regulatory Requirements.** Develop streamlined processes for hazard tree removal, fire safety hazard reduction, and other forest management activities under County jurisdiction.
- FR-IM7. Coordination of County and State Policies.** Maintain policies and regulations that are consistent with the State Forest Practice Act and State Forest Practice Rules.
- FR-IM8. Review Standards and Process of Joint Timber Management Plans (JTMP).** With assistance from the Forestry Review Committee (FRC), review and provide recommendations to the Board of Supervisors on:
- A. The standards for JTMPs; and
 - B. Guides for subdivisions or conveyances of TPZ lands into units or ownerships below 160 contiguous acres; and
 - C. Establishing a process for review of all previously approved JTMPs, to include reviews for compatibility with the plan's management recommendations when new development is proposed, and on a periodic basis to evaluate changed conditions or circumstances (e.g., fire or infestation), with the frequency of such scheduled reviews to be determined by the FRC; and
 - D. Establishing a program to familiarize landowners with the concepts of TPZ and increase understanding of approved JTMPs; and
 - E. Work to reduce redundancy between NTMP and JTMP requirements in cases where NTMPs have been prepared.
- FR-IM9. Transfer of Development Rights (TDR) Program.** Research and develop, if feasible, a Transfer of Development Rights Program.

4.7 Public Lands

4.7.1 Purpose

This section establishes policies to ensure that the management and acquisition of public lands is consistent with the goals of this Plan. These policies are intended to provide clear guidelines for land use decisions for private lands adjacent to public lands and a mechanism for coordination between jurisdictions for the management and acquisition of public lands.

4.7.2 Background

Lands in public ownership constitute a significant portion of the total land area of Humboldt County. Federal and state agencies are responsible for managing over 630,000 acres, or nearly 28 percent of the total area of the County. The most significant public land holdings in the County include Redwood National and State Parks, the Kings Range Conservation Area, the Headwaters Forest and the Six Rivers National Forest.

Public lands are managed for numerous objectives, ranging from resource protection and recreation, to production. Public lands hold a large fraction of the County's considerable open space and natural resource wealth and provide significant recreational and tourism values. However, public acquisition and management of lands results in tradeoffs and can negatively impact the County's economic wealth. Resource lands taken out of private ownership and managed in the public interests can reduce timber or agricultural production and affect local tax revenues. The Plan's Public Land policies aim to strike a balance between land acquisition and management in the public interest, and the needs of the County's economy. The policies also aim to coordinate the interests of the County with those of the state and federal government for compatible land uses, public access, maintenance of resource production values, habitat conservation and environmental regulation.

The County does not have regulatory control over land acquisition and management of state and federal lands, but it does exercise policy influence and has the opportunity to comment on proposed state and federal actions that might affect the County. Locally, these opportunities are provided through planning and environmental document review. At the state and national level, the County has the opportunity to comment on proposed legislation and rulemaking. The policies in this section of the Plan will be used to guide the input to state and federal agencies on public land proposals.

4.7.3 Goals and Policies

Goals

- PL-G1. Coordinated Planning.** Coordinated planning of public land uses and management between the County of Humboldt and federal and state agencies.
- PL-G2. Public Land Acquisition.** Representation of the interests of Humboldt County fully reflected in public land management plans and acquisitions.

- PL-G3. Working Lands.** Resource lands in public ownership managed for resource production purposes when compatible with conservation and recreation goals.

Policies

- PL-P1. Management Plans.** Encourage applicable public land agencies to prepare management plans that:
- A. Ensure consistency with the General Plan; and
 - B. Promote and protect adjacent private resource production lands; and
 - C. Effectively utilize the multiple-use concept; and
 - D. Emphasize the provision of low-cost recreational opportunities, provided such opportunities do not unfairly compete with private enterprise; and
 - E. Place priority on development and maintenance of facilities over future acquisition; and
 - F. Maximize local employment.
- PL-P2. In-holdings.** Ensure the use of private lands (in-holdings) within the management boundaries of the Six Rivers National Forest and the King Range National Conservation is consistent with the applicable public land agency's management plan.
- PL-P3. Acquisitions.** Full-fee acquisitions, other than eminent domain, should only be supported by the County where the acquisition:
- A. Is a part of an adopted management plan; and
 - B. Is within the management boundaries of the public lands, or is for the consolidation of management units; and
 - C. Is made from willing sellers; and
 - D. Is the last option after discussion with the property owner of all less than full fee alternatives, such as easements and acquisition of development rights.
 - E. Is consistent with the agricultural "No Net Loss" policy.
- PL-P4. Resource Production Lands.** Discourage acquisition and conversion of resource production lands to other uses. Encourage lease-back options and deed requirements for continued agricultural and timber operations.
- PL-P5. Eminent Domain.** The County shall not support state or federal acquisitions through eminent domain, unless it is found to be:
- A. The last option after the opportunity for mutual agreement has been exhausted; and
 - B. In the interest of public health, safety, and welfare; or
 - C. Required to protect public rights; or
 - D. Necessary to national security.

- PL-P6. Planning Adjacent to Public Lands.** Land use planning and discretionary review of permit and subdivision applications adjacent to public lands shall consider impacts to public lands and consistency with applicable management plans.
- PL-P7. Public Access.** Encourage the provision of the maximum amount of access to public lands and waterways, consistent with:
- A. Public safety;
 - B. Consideration of nearby access alternatives;
 - C. Rights of private property owners;
 - D. Natural resource protection;
 - E. Subdivision Map Act requirements for access to navigable waterways; and,
 - F. Special needs of handicap and elderly persons.
- PL-P8. Private Ownership.** Private ownerships designated Public Lands (P) may be developed where the proposed development is:
- A. Consistent with the resource production policies; or
 - B. When in, or adjacent to, a Community Planning Area or Rural Community Center, consistent with existing or planned uses of the adjacent properties.
- PL-P9. Comments on Public Lands Proposals.** Utilize this Plan to guide review and comments on state and federal land acquisition and management proposals.

4.8 Land Use Designations

4.8.1 Purpose

This section describes the various land use designations shown on the Land Use Maps. The allowed uses of the designations are shown in the tables following each section. Definitions of the listed use types are found in the coastal and/or inland zoning use type listings, or are included as notes to the tables. Other uses may be allowed or restricted as detailed by the zoning district implementing the land use designation.

Residential Land Use Designations

Residential Medium Density (RM)

The Residential Medium Density designation is used in areas with full urban services and where common-walled units and apartments are appropriate, including duplexes, townhouses, and apartments and manufactured home park developments. Design review can be used to ensure compatibility with neighborhood character.

Residential Low Density (RL)

The RL designation is used for areas suitable for residential use where urban services are available or are anticipated to be available. Single family units on individual lots are the dominant use, but the designation can accommodate a mix of housing types including townhouses and common-wall clustered units.

Residential Estates (RE)

This designation is used for lands adjacent to urban areas or rural communities with limited public services but suitable for single-family residential use. It is also intended as a transition from urban development to rural lands. Clustering policies are suggested to assist in buffering adjacent resource production or open space uses and to retain contiguous open space. This designation is commonly used in water-only service areas.

Residential Agriculture (RA)

This designation applies to large lot residential uses that typically rely upon on-site water and wastewater systems. Varying densities are reflective of land capabilities and/or compatibility issues. RA5-20 and RA20 are rural residential designations for lands with slopes generally less than 30% and served by individual water and wastewater systems and good road access. RA40, RA60, and RA160 designations are applied to more remote, steep and high hazard areas or where appropriate to ensure compatibility with adjacent resource production and open space uses.

Table 4-B Residential Land Use Designations

Allowable Use Types	RM	RL	RE	RA
Residential				
Single Family Residential	X	X	X	X
Accessory Dwelling Unit	X	X	X	X
Multi-Family Residential	X	X		
Manufactured Home Parks	X	X		
Guest House		X	X	X
Group Residential	X			
Planned Developments	X	X	X	X
Emergency Shelter	X			
Transitional Housing	X			
Residential Accessory Uses ¹	X	X	X	X
Other				
Cottage Industry	X	X	X	X
Bed & Breakfast Inns	X	X	X	X
Community Assembly	X	X	X	X
Neighborhood Commercial	X	X	X	X
Non-Commercial Recreation	X	X	X	X
Office and Professional	X			
Private Institution	X	X	X	
General Agriculture			X	X
Intensive Agriculture			X	X
Stables & Kennels			X	X
Timber Production			X	X
Fish & Wildlife Management	X	X	X	X
Essential Services	X	X	X	X
Similar Compatible Uses	X	X	X	X
Development Standards				
Density Range	7 to 30 units per acre, as specified on map	1-8 units per acre, as specified on map	1 to 5 acres per unit, as specified on map	5 to 160 acres per unit, as specified on map
Max. Floor Area Ratio	1.00	0.40	0.20	0.10
Additional Provisions	per zoning	per zoning	per zoning	per zoning

1. Residential Accessory Uses include Community Care Facilities, Family Day Care Center, and Family Day Care Home.
2. Coastal:
 - The coastal RE & RL designations allow neighborhood commercial, private institution, private recreation
 - The coastal RM designation allows duplexes, guest houses, hotels & motels, private institution

Commercial Designations

Commercial General (CG)

The Commercial General (CG) designation is intended to classify lands that because of their location, access, and availability of services are suitable for commercial development. This includes retail trade services that are easily accessible, compatible and geared for local neighborhood or regional needs.

Commercial Services (CS)

This designation is intended for heavy commercial uses and compatible light industrial uses not serving day to day needs. Full range of urban services required (i.e., good access, public sewer and water, electricity, fire protection, and waste disposal).

Commercial Recreation (CR)

This designation is intended for commercial recreation facilities and accommodations and recreation/tourist oriented sales and services geared to local and visitor needs.

Table 4-C Commercial Land Use Designations

	CG	CS	CR
Commercial			
Automotive Sales, Service, & Repair	X	X	
Bed & Breakfast Inn	X	X	X
Commercial Recreation	X	X	X
Heavy Commercial		X	
Neighborhood Commercial	X	X	X
Office & Professional	X	X	
Private Recreation	X	X	X
Retail Sales	X	X	
Retail Services	X	X	
Transient Habitation	X	X	X
Visitor Serving Facilities			X
Warehousing, Storage, & Distribution		X	
Industrial			
Research/Light Industrial		X	
Civic			
Administrative	X	X	
Community Assembly	X	X	X
Essential Services	X	X	X
Health Care Services	X	X	
Other			
Residential Uses Subordinate to Principal Use	X	X	X
Timber Production			X
Similar Compatible Uses	X	X	X
Development Standards			
Max. Floor Area Ratio	3	3	3
Maximum Structure Height and other development standards	per zoning	per zoning	per zoning

1. Family day care centers are considered an accessory commercial use.

Mixed-Use & Urban Reserve Designations

Mixed Use (MU)

This designation is intended for lands in central areas of urban communities where the presence of public utilities and a sufficient population base allows the development of pedestrian-oriented, mixed-use (commercial, office, and residential) development. The maximum residential density is 16 dwelling units per acre and the maximum allowable FAR (Floor to Area Ratio) is 3.

Village Center (VC)

The Village Center (VC) designation is used to classify lands in central areas of Community Planning Areas without public utilities. The VC allows for small scale mixed-use development appropriate for a smaller population base. The maximum residential density is 1 dwelling unit per acre, or 2 to 4 dwelling units per acre with a package treatment plant, and the maximum allowable FAR is 2.

Rural Community Center (RCC)

The Rural Community Center (RCC) designation is used for small unincorporated towns and community centers which provide a variety of community and tourist oriented goods and services, but that may not have developed identifiable commercial or residential districts. These centers may also serve a small grouping of rural residential housing, allowing limited retail and public services. The maximum residential density is 1 dwelling unit per acre with community water, or 2 to 4 dwelling units per acre with a package treatment plant, and the maximum allowable FAR is 2.

Urban Reserve (UR/)

The purpose of this designation is to protect from premature subdivision and development, urban lands not now developed to urban densities or adequately provided with urban services but expected to develop to urban uses and densities when services are available. This designation is used where annexation is required for urban services and full build-out.

Table 4-D Mixed Use Land Use Designations

Allowable Use Types	MU	VC	RCC	UR/¹
Residential				
Single Family Residential	X	X	X	X
Accessory Dwelling Unit	X	X	X	
Multi-Family Residential	X	X	X	
Manufactured Home Parks		X	X	
Group Residential	X	X	X	
Planned Developments	X	X	X	
Emergency Shelter	X	X	X	
Transitional Housing	X	X	X	
Residential Accessory Uses ¹	X	X	X	
Commercial				
Bed & Breakfast Inn	X	X	X	
Commercial Recreation	X	X	X	
Heavy Commercial		X	X	
Neighborhood Commercial	X	X	X	
Office & Professional	X	X	X	
Private Recreation	X	X	X	
Retail Sales	X	X	X	
Retail Services	X	X	X	
Transient Habitation	X	X	X	
Other				
Cottage Industry	X	X	X	X
Community Assembly	X	X	X	
Non-Commercial Recreation	X	X	X	
General Agriculture		X	X	X
Stables & Kennels		X	X	
Timber Production		X	X	X
Fish & Wildlife Management	X	X	X	X

Allowable Use Types	MU	VC	RCC	UR/¹
Essential Services	X	X	X	
Similar Compatible Uses	X	X	X	X
Development Standards				
Max. Floor Area Ratio	3	2	2	
Maximum Structure Height and other development standards	per zoning	per zoning	per zoning	per zoning

1. Uses listed are allowed interim uses prior to services being available to the parcel; no subdivision is allowed. Once services are available, allowed uses and densities are defined by the land use designation following the “/”, such as UR/RL which indicates that when services are available, the area may be developed according to the RL designation.
2. Family day care centers are considered an accessory commercial use.

Industrial Designations

Industrial, General (IG or MG)

This designation (IG in inland areas; MG in coastal areas) provides for general industrial and manufacturing uses, typically in urban areas, convenient access to transportation systems and full range of urban services are available. This designation may be accommodated in rural areas where full urban services are not required for the intended use.

Industrial, Resource Related (IR)

This designation provides areas for resource-related industrial processing such as timber, agriculture and mineral products processing in areas not typically served by urban services and therefore not suitable for a broader range of industrial uses.

Industrial, Coastal Dependent (MC)

The purpose of this designation is to protect and reserve parcels on, or near, the sea for industrial uses dependent on, or related to, the harbor.

Business Park (MB)

This designation is intended to provide sites that are suitable for "business park" developments. These are to be well designed and mixed industrial - commercial areas developed in a park-like environment and composed of nuisance-free light industrial; research and development; administrative, business, and professional offices; and warehousing and storage facilities.

Table 4-E Industrial Land Use Designations

Allowable Use Types	IG or MG	IR	MC	MB
Industrial				
Aquaculture	X	X	X	
Coastal-Dependent Industrial	X		X	
Coastal-Related Industrial	X		X	
Hazardous Industrial	X	X		
Heavy Industrial	X	X	X	
Research/Light Industrial	X	X		X
Surface Mining	X	X	X	
Metallic Mining	X	X		
Timber Products Processing	X	X		
Agricultural				
Agricultural Products Processing	X	X		
Feed Lot/Slaughter House	X	X		
Hog Farming	X	X		
Intensive Agriculture	X	X		
Timber				
Timber Production	X	X	X ¹	
Commercial				
Heavy Commercial	X	X		
Neighborhood Commercial				X
Office & Professional	X		X	X
Warehousing, Storage, & Distribution	X	X	X	X
Retail Services				X
Transient Habitation				X
Civic				
Administrative	X			X
Essential Services	X		X	X
Extensive Impact Civic Uses	X		X	
Solid Waste Disposal	X			
Utilities and Energy Facilities	X	X	X	
Other				
Public Access Facilities	X	X	X	X
Public Recreation	X	X	X	X
Residential Subordinate to Principal Use	X	X	X	X
Similar Compatible Uses	X	X	X	X
Development Standards				
Max. Floor Area Ratio	3	3	3	3
Maximum Structure Height and other development standards	per zoning	per zoning	per zoning	per zoning

1. Conditionally permitted.

Open Space, Public Lands, and Tribal Land Designations

Conservation Floodway (CF)

Applied to the channels of river and streams, including the areas which carry normal flood waters or the area between existing or planned levees, dikes or other such flood control features, and in which agricultural and limited recreational uses may be desirable or permissible.

Natural Resources (NR)

The purpose of this designation is to protect and enhance valuable coastal fish and wildlife habitats, and provide for public and private use of their resources, including hunting, fishing and other forms of recreation.

Open Space (OS)

This designation provides for land which is essentially unimproved and devoted to open space use, including areas for conservation of natural resources and habitat values, for protection of public health and safety such as areas subject to flooding, steep or unstable slopes, and for compatible outdoor recreational uses such as accessways and trails and scenic enjoyment.

Public Facility (PF)

The Public Facilities designation is utilized to classify land appropriate for use by a governmental agency or public agency, which has the purpose of serving the public health, safety, convenience, or welfare.

Public Recreation (PR)

The purpose of this designation is to protect lands suitable for public recreation or resource protection.

Public Lands (P)

The Public Lands designation is used to classify land owned by or under the jurisdiction of the federal, state, county or any other district authority or public corporation, or agency thereof.

Resource Dependent (MR/)

The purpose of this designation is to protect coastal wetlands and to provide for the development of upland areas consistent with resource protection, and where feasible, resource enhancement.

Tribal Lands (TL)

The purpose of the Tribal Lands designation is to identify all lands within the boundaries of Reservations and Rancherias of Federally-recognized Native American Tribes¹. At this time, the County does not have jurisdiction over land within the Reservations or Rancherias owned in fee by tribal members. The County may have jurisdiction over land owned in fee by non-tribal members within the boundaries of the Rancheria or Reservation. In the event the County has such jurisdiction, it shall defer to the tribal government's adopted land use plan as policy guidance for any land use and permit approvals relating to land owned in fee by non-tribal members that is planned Tribal Lands. Proposed subdivisions of land planned Tribal

¹ If a property planned TL is found to be outside of a reservation or rancheria of federally-recognized Native American tribes, the predominant adjacent (non-TL) land use designation, allowed uses and development standards shall be applied.

Lands within the County's jurisdiction shall be originated with contact with the appropriate Tribal government and shall be processed in accordance with the Tribal government's adopted subdivision regulations, where applicable.

Where the County has jurisdiction and there is no adopted Tribal land use plan, the allowable use types for non-Tribal fee land designated Tribal Lands shall be determined in consultation with the Tribe as one (1) of the following:

- A. For properties zoned TPZ, the allowable use types and maximum allowable residential density shall be the same as those specified for land planned Timber. In addition, all policies relating to timber resources contained in Section 4.6, Forest Resources, shall apply.
- B. For properties within or adjacent to urbanized areas of Community Planning Areas, the allowable use types shall be the same as those specified for land planned land Residential Estates, and the maximum residential density for shall be one (1) to five (5) acres per dwelling unit.
- C. For properties not zoned TPZ and not within or adjacent to urbanized areas of Community Planning Areas, the allowable use types shall be the same as those specified for land planned Residential Agriculture, and the maximum residential density shall be 40 to 160 acres per dwelling unit. In addition, all policies relating to Rural Lands contained in Section 4.4, Rural Lands, shall apply.

Tribal Trust Lands (TTL)

The purpose of the Tribal Trust Lands designation is to identify all lands outside Reservations and Rancherias that is held in trust for a Tribe or its Members by the Federal government. The County shall not assert jurisdiction over these lands once they are held in trust.

Railroad

The purpose of the Railroad designation is to protect contiguous rail rights of way currently held by the North Coast Railroad Authority, and those along the former Annie and Mary Railroad rail corridor between Arcata and Blue Lake, from development that may interfere with the use of these rights of way for transportation purposes consistent with North Coast Railroad Authority policy.

Table 4-F Open Space and Public Lands Land Use Designations

Allowable Use Types	CF	NR	OS	PF	PR	P	MR/
Natural Resource							
Boating Facilities	X	X	X	X	X	X	X
Fish & Wildlife Habitat Mgt	X	X	X	X	X	X	X
Public Access Facilities	X	X	X	X	X	X	X
Resource-Related Recreational	X	X	X	X	X	X	X
Watershed Management	X	X	X	X	X	X	X
Wetland Restoration	X	X	X	X	X	X	X
Resource Production							
General Agriculture	X	X	X	X	X	X	X
Timber Production		X	X	X	X	X	X
Industrial							
Aquaculture	X	X	X		X	X	X
Coastal Dependent Industrial							X
Civic							
Administrative				X		X	
Community Assembly				X	X	X	
Essential Services				X		X	
Extensive Impact Civic Uses				X			
Public Recreation & OS	X		X	X	X	X	
Solid Waste Disposal				X			
Other							1.
Caretaker's Residence	X	X	X	X	X	X	
Subordinate Residential	X						
Surface Mining	X	X	X	X	X	X	
Temporary RV Park	X			X	X	X	
Similar Compatible Uses	X	X	X	X	X	X	X
Development Standards							
Additional Provisions	per zoning	per zoning	per zoning	per zoning	per zoning	per zoning	per zoning

1. Other uses are defined by the land use designation following the “/”, such as “MR/CG”, and are limited to upland areas and conditioned upon maintenance of the adjacent habitat.

Resource Production Land Use Designations

Timberland (T)

This designation is utilized to classify land that is primarily suitable for the growing, harvesting and production of timber. Prairie and grazing lands may be intermixed. Density range is 40 -160 acres/unit.

Agricultural Exclusive (AE)

This plan designation applies to bottomland farms and lands that can be irrigated; also used in upland areas to retain agricultural character. Typical uses include dairy, row crops, orchards, specialty agriculture, and horticulture. Residential subdivision is not supported. Residential uses must support agricultural operation. Density range is 20-60 acres/unit.

Agricultural Grazing (AG)

This designation applies to dry-land grazing areas in relatively small land holdings that support cattle ranching or other grazing supplemented by timber harvest activities that

are part of the ranching operation, and other non-prime agricultural lands. Residential uses must support agricultural operation. Density range is 20 -160 acres/unit.

Table 4-G Resource Production Land Use Designations

Allowable Use Types	T	AE	AG
Agricultural			
Agriculture-Related Recreation		X	X
Feed Lot/Slaughter House		X	X
General Agriculture	X	X	X
Hog Farming		X	X
Intensive Agriculture		X	X
Stables & Kennels		X	X
Timber			
Timber Production	X	X	X
Timber-Related Recreation	X		X
Commercial			
Agriculture-Related Visitor-Serving ¹		X	X
Timber-Related Visitor-Serving ²	X		X
Industrial/Extractive			
Agriculture & Timber Products Processing	X	X	X
Aquaculture	X	X	X
Oil & Gas Drilling & Processing	X		X
Metallic Mining	X	X	X
Surface Mining			
Natural Resource			
Fish & Wildlife Habitat Mgt	X	X	X
Public Access Facilities	X	X	X
Resource-Related Recreational	X	X	X
Watershed Management	X	X	X
Wetland Restoration	X	X	X
Other			
Cottage Industry		X	X
Farm Employee Housing		X	X
Labor Camps	X	X	X
Public Recreation	X	X	X
Second Agriculture Residence		X	X
Utilities & Energy Facilities ³	X	X	X
Single Family Residence	X	X	X
Accessory Dwelling Unit	X	X ⁴	X ⁴
Similar Compatible Uses	X	X	X
Development Standards			
Minimum Parcel Size	40-160 acres	60 acres	20-160 acres
Ground Coverage		2 acres max.	2 acres max.
Additional Provisions	per zoning	per zoning	per zoning

¹ Agriculture-Related Visitor-Serving: cheese factories and sales rooms, wineries and wine tasting and sales rooms, produce sales, etc. which do not change the character of the principal use.

² Timber-Related Visitor-Serving: burl shops, timber museums, interpretive centers, etc. which do not change the character of the principal use.

³ Utilities & Energy Facilities: The erection, construction, alteration, or maintenance of gas, electric, water or communications transmission facilities, and wind or hydroelectric solar or biomass generation, and other fuel or energy production facilities.

⁴ Principally permitted Accessory Dwelling Units shall be within the same contiguous two (2) acre building envelope containing the primary residence.

NOTE FOR ALL LAND USE TABLES: Where Development Standards are not specified, see applicable zoning regulations.

Table 4-H. Zoning Consistency Matrix – Inland

LAND USE DESIGNATIONS	C-1	C-2	C-3	C-H	MB	ML	MH	AV	PF1	PF2	DF	FP	RS	R-1	R-2	R-3	R-4	RA	AE	AG	TPZ	FR	U
Residential Land Use Designations																							
Residential-Medium Density (RM)															X	X	X		X ³	X	X ³		
Residential-Low Density (RL)														X	X*	X*			X ³	X	X ³		
Residential Estates (RE)												X	X*	X*				X*	X ³	X	X ³	X ² *	
Residential Agriculture (RA)												X	X*	X*				X*	X ³	X*	X ³	X ² *	
Commercial Land Use Designations																							
Commercial General (CG)	X	X																			X ³		
Commercial Services (CS)	X	X	X	X	X ²																X ³	X ²	
Commercial Recreation (CR)	X	X		X																	X ³	X ²	
Mixed Use (MU)	X	X											X ³	X ³	X	X	X			X ³	X ³		
Village Center (VC)	X	X		X		X	X					X	X	X						X	X ³	X	
Rural Community Center (RCC)	X	X		X		X	X					X	X	X					X ³	X	X ³	X	
Industrial Use Land Use Designations																							
Industrial, General (IG)			X		X ²	X	X												X ³		X ³	X ²	
Industrial, Resource Related (IR)						X ²	X ²					X							X		X		
Business Park (MB)		X ²	X ²		X	X ²																	
Open Space and Public Land Use Designations																							
Conservation Floodway (CF)									X	X	X	X							X				X
Natural Resources (NR)											X								X				
Open Space (OS)											X								X				
Public Facilities (PF)	X	X		X		X	X	X	X	X	X		X	X	X	X	X		X	X	X		X
Public Recreation (PR)									X	X	X								X	X*	X		
Public Lands (P)								X			X								X	X*	X		X
Tribal Lands (TL)								X			X								X	X	X		X
Tribal Trust Lands (TTL)								X			X												X
Railroad			X			X	X	X	X	X		X							X	X	X	X	X
Resource Production Land Use Designations																							
Timberlands (T)											X	X							X	X*	X		
Ag. Grazing (AG)											X	X							X	X*	X		
Ag. Exclusive (AE)											X	X							X		X		

* Zones are consistent with identified land use designations only when combining zone density/minimum lot size designators are consistent with General Plan policies and standards.

² Requires Q – Qualified combining zone to ensure consistency.

³ Resource zones may be used as holding zones until rezoning to planned uses

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