

**SOUTH COAST AREA PLAN**  
**OF THE**  
**HUMBOLDT COUNTY**  
**LOCAL COASTAL PROGRAM**

Approved by the  
Board of Supervisors  
July 13, 1981  
Resolution No. 81-65

Partially Adopted by the  
Board of Supervisors  
August 23, 1983  
Resolution No. 83-111<sup>1</sup>

Fully Adopted by the  
Board of Supervisors  
August 20, 1985  
Resolution No. 85-81

Partially Certified by the State Coastal Commission  
December 3, 1982

Certified by the State Coastal Commission  
December 19, 1985

Date of This Printing: July, 2003

This document was prepared by the Humboldt County Planning Department's Local Coastal Program with financial assistance from the Office of Coastal Zone Management, National Oceanic and Atmospheric Administration, under the provisions of the Federal Coastal Zone Management Act of 1972, administered by the California Coastal Commission.

As required by the Coastal Act Section 30519.5, this plan will be reviewed at least once every five years by the State Coastal Commission to determine the effectiveness of this land use plan to implement the Coastal Act.

The Board of Supervisors may review the effectiveness and adequacy of this plan at any time and commensurate with State Planning Law, Chapter 3, Article 6, Section 65361, may amend the land use plan up to three (3) times a year. All plan amendments must be approved by the State Coastal Commission.

---

<sup>1</sup>See next page for complete revision history.

**SOUTH COAST AREA PLAN**

**TABLE OF CONTENTS**

**REVISION HISTORY.....I-1**  
**ACKNOWLEDGEMENTS.....II-1**  
**PREFACE.....III-1**  
**TABLE OF CONTENTS.....IV-1**

        C.    LOW AND MODERATE INCOME HOUSING.....24  
        D.    PLANNED UNIT DEVELOPMENT.....25

**CHAPTER 4 - THE SOUTH COAST PLANNING AREA.....38**  
    **4.10 INTRODUCTION.....38**  
    **4.20 THE SOUTH COAST.....38**  
    **4.21 GENERAL DESCRIPTION.....38**  
    4.22.....EXISTING USES  
    .....38  
    A.....'NORTH' SOUTH COAST  
    .....38  
        B.    KING RANGE NATIONAL CONSERVATION AREA.....39  
        C.    SHELTER COVE.....39  
    **4.23 PROPOSED LAND USES.....39**  
        A.    'NORTH' SOUTH COAST.....39  
        B.    KING RANGE NATIONAL CONSERVATION AREA.....39  
        C.    SHELTER COVE.....39  
    **4.30.....ACCESS: SOUTH COAST ACCESS INVENTORY AND DEVELOPMENT**  
**RECOMMENDATIONS.....40**  
    **4.31 COASTAL CONSERVANCY PROJECT AREA.....44**  
    **4.32 COASTAL DEVELOPMENT PERMIT.....44**  
    2.....ACCESS SUMMARY  
    .....45  
    **4.40 AREA PLAN MAPS.....47**

**CHAPTER 5 - LAND USE DESIGNATIONS.....48**  
    **5.10 INTRODUCTION.....48**  
    **5.20 URBAN PLAN DESIGNATIONS.....48**  
    **5.30 RURAL PLAN DESIGNATIONS.....50**

**CHAPTER 6 - DEFINITIONS.....52**

**APPENDICES**

**A.    BIBLIOGRAPHICAL REFERENCES.....A-1**  
    **B.    APPLICABLE HUMBOLDT COUNTY GENERAL PLAN DOCUMENTS**  
    .....**B-1**  
    **C.    SERVICES SYSTEM DATA.....C-1**  
    **D.    AIRPORT LAND USE COMPATIBILITY CRITERIA MATRIX.....D-1**  
    **E.    SHELTER COVE GEOLOGIC REPORT REQUIREMENT MAP.....E-1**

**MAPS**

        C.    LOW AND MODERATE INCOME HOUSING.....24  
        D.    PLANNED UNIT DEVELOPMENT.....25

**CHAPTER 4 - THE SOUTH COAST PLANNING AREA.....38**

4.10 INTRODUCTION.....38

4.20 THE SOUTH COAST.....38

4.21 GENERAL DESCRIPTION.....38

4.22.....EXISTING USES.....38

A.....'NORTH' SOUTH COAST.....38

    B. KING RANGE NATIONAL CONSERVATION AREA.....39

    C. SHELTER COVE.....39

4.23 PROPOSED LAND USES.....39

    A. 'NORTH' SOUTH COAST.....39

    B. KING RANGE NATIONAL CONSERVATION AREA.....39

    C. SHELTER COVE.....39

4.30.....ACCESS: SOUTH COAST ACCESS INVENTORY AND DEVELOPMENT RECOMMENDATIONS.....40

    4.31 COASTAL CONSERVANCY PROJECT AREA.....44

    4.32 COASTAL DEVELOPMENT PERMIT.....44

2.....ACCESS SUMMARY.....45

    4.40 AREA PLAN MAPS.....47

CHAPTER 5 - LAND USE DESIGNATIONS.....48

    5.10 INTRODUCTION.....48

    5.20 URBAN PLAN DESIGNATIONS.....48

    5.30 RURAL PLAN DESIGNATIONS.....50

CHAPTER 6 - DEFINITIONS.....52

TABLES

    C. LOW AND MODERATE INCOME HOUSING.....24

    D. PLANNED UNIT DEVELOPMENT.....25

CHAPTER 4 - THE SOUTH COAST PLANNING AREA.....38

    4.10 INTRODUCTION.....38

    4.20 THE SOUTH COAST.....38

    4.21 GENERAL DESCRIPTION.....38

4.22.....EXISTING USES.....38

A.....'NORTH' SOUTH COAST.....38

    B. KING RANGE NATIONAL CONSERVATION AREA.....39

    C. SHELTER COVE.....39

4.23 PROPOSED LAND USES.....39

    A. 'NORTH' SOUTH COAST.....39

    B. KING RANGE NATIONAL CONSERVATION AREA.....39

    C. SHELTER COVE.....39

4.30.....ACCESS: SOUTH COAST ACCESS INVENTORY AND DEVELOPMENT RECOMMENDATIONS.....40

    4.31 COASTAL CONSERVANCY PROJECT AREA.....44

    4.32 COASTAL DEVELOPMENT PERMIT.....44

2.....ACCESS SUMMARY.....45

    4.40 AREA PLAN MAPS.....47

CHAPTER 5 - LAND USE DESIGNATIONS.....48

    5.10 INTRODUCTION.....48

    5.20 URBAN PLAN DESIGNATIONS.....48

**5.30 RURAL PLAN DESIGNATIONS.....50**  
**CHAPTER 6 - DEFINITIONS.....52**

**ILLUSTRATIONS**

CHAPTER 1.....5  
 INTRODUCTION.....5  
 CHAPTER 2.....8  
 THE COASTAL ACT AND SOUTH COAST CONCERNS.....8  
 CHAPTER 3.....11  
 SOUTH COAST AREA DEVELOPMENT AND RESOURCE POLICIES.....11  
 5CHAPTER 5.....48  
 LAND USE DESIGNATIONS.....48  
 6CHAPTER 6.....52  
 DEFINITIONS.....52

## CHAPTER 1

### INTRODUCTION

#### 1.10 INTRODUCTION

This Area Plan, representing one of six county coastal planning areas (see map, Section 1.40) identifies land uses and standards by which development will be evaluated within the Coastal Zone. The indicated uses and standards adopted by the County of Humboldt, and certified by the California Coastal Commission are in conformance and satisfy the policies and requirements for coastal land use contained in the California Coastal act of 1976 (Public Resource, Code 30000 et seq) and other related legislation. Local policies and standards developed in the area planning workshops specific to the Coastal Act also affect the review of projects and are reflected in Chapter 3 and 4. All current County adopted planning documents, County ordinances, and State law regulating planning and land use, unless superseded by policies of this document, also govern the evaluation of any proposed development. (Appendix B provides a general description of the relation of the coastal plan to applicable currently adopted County Plan documents).

Post certification development not in conformance with this plan shall not be approved by the County. This plan may be amended, in conformance with the policies of the California Coastal Act, only with the approval of the California Coastal Commission.

As required by the Coastal Act Section 30519.5, this plan will be reviewed at least once every five years by the State Coastal Commission to determine the effectiveness of this land use plan to implement the Coastal Act.

The Board of Supervisors may review the effectiveness and adequacy of this plan at any time and commensurate with State Planning Law, Chapter 3, Article 6, Section 65361, may amend the land use plan up to three (3) times a year. All plan amendments must be approved by the State Coastal Commission.

#### 1.20 ORGANIZATION

The Area Plan consists of six chapters and appendices according to the following format:

- |           |   |
|-----------|---|
| Chapter 1 | Introduction to the Local Coastal Program and use of the document.  |
| Chapter 2 | The Coastal Act and South Coast Planning Area concerns, including: an explanation of the Acts requirement and intent, and types of development and/or geographical areas exempt from Coastal Development Permits.   |
| Chapter 3 | South Coast Planning Area Development and Resource Protection Policies and Standards which govern zoning plan amendments, public work extensions, land divisions, and other development activities.   |
| Chapter 4 | The Land Use Plan and generalized Plan Map are presented along with an area description and summary of current land uses.   |
| Chapter 5 | Land Use Designations including an explanation of permitted uses and densities.   |
| Chapter 6 | Definitions.  |
| Appendix  | <ul style="list-style-type: none"> <li>A. References, indicating the information used in arriving at development standards and the plan map. (The technical studies are adopted as an information appendix to this Area Plan, but are bound separately because of their bulk.)</li> <li>B. Applicable General Plan Documents</li> <li>C. Service providers plans</li> </ul> |

- D. Airport/Land Use Safety compatibility criteria
- E. Shelter Cove geologic report requirement maps

### 1.30 USE OF THIS DOCUMENT

The California Coastal Act requires that all development within the Coastal Zone have a Coastal Development Permit in addition to any other permit required for development by a local or state agency. In most cases, the Coastal Development Permit is issued by Humboldt County. In some cases, specified types of development are exempt from the requirement for a Coastal Development Permit. **EXEMPT DEVELOPMENTS MUST STILL BE IN CONFORMANCE WITH THIS AREA PLAN AND APPLICABLE ZONING, AND ALL NECESSARY COUNTY PERMITS MUST BE SECURED.** In a few cases, the Coastal Development Permit must still be obtained from the California Coastal Commission. Chapter 2 of the Area Plan indicates which areas or types of development are under local jurisdiction and which require Commission approval.

While all development in the Coastal Zone must conform to this Area Plan, the zoning of a parcel immediately controls allowable uses and densities. The Planning designations as presented in this Area Plan are a guide based on the overall concept of the particular area addressed. It indicates how the land should ideally be used. The zoning ordinance, on the other hand, legally dictates what uses can be made of the lands described. The two may not always be in total agreement but there should be reasonable compatibility between them. One method of assessing the degree of compatibility is through a matrix which compares the Plan designation to the Zoning Ordinance designation in a particular area. Therefore, anyone considering available uses of a property should first consult the Coastal Zoning Ordinance and applicable zoning map, available at the office of the Humboldt County Planning Department. Where the proposed development will meet all the standards indicated for the zone, a Coastal Development Permit for the proposed development should be applied for as indicated in the Coastal Zoning Ordinance.

In some cases the proposed development either fails to meet the zoning standards, or (as in the case of a public works extension) is not directly controlled by the zoning. In these cases, the Area Plan is the controlling document. Where a conditional use (as indicated by the zoning), or a variance from specified zoning standards, or zone change is necessary policies and standards of the Area Plan as indicated in Chapter 3 provide guidance for such decisions<sup>2</sup>. Plan designation for the property should ordinarily be determinable from the maps attached to the Area Plan. In cases where this determination is difficult, the official map may be consulted at the office of the Humboldt County Planning Department.

Section 2.40 of Chapter 2 of the Area Plan details the administrative procedures for Coastal Development Permits, and identifies those areas or types of development where appeals from a County decision can be made to the California Coastal Commission.

---

<sup>2</sup>Text added to correct typographical omission.

1.40 SOUTH COAST PLANNING AREA MAP

## CHAPTER 2

### THE COASTAL ACT AND SOUTH COAST CONCERNS

#### 2.10 BACKGROUND

Prior to 1972, land use in the Humboldt County coastal zone was regulated by local governments under the provisions of State Planning and Zoning Law. This enabling legislation requires the preparation of a comprehensive general plan and zoning to ensure orderly growth and development within their jurisdiction.

Two significant pieces of legislation in 1972 began the process of coastal planning: the Federal Coastal Zone Management Act, and the passage of Proposition 20 on the California ballot, which created the original Coastal Commission.

The Coastal Zone Management Act established broad national policies for land use in coastal areas, provided funds for states to prepare coastal zone management plans, and established the Office of Coastal Zone Management (OCZM) within the National Oceanic and Atmospheric Administration (NOAA) of the Department of Commerce. A significant portion of funds for preparing Humboldt County's coastal program comes from OCZM.

Proposition 20 established some priorities and guidelines for coastal development and conservation, and created the California Coastal Commission whose job was to prepare a coastal zone management program for approval by the legislature. The result was the Coastal Act of 1976, which established more detailed policies for land use and charged local governments with the responsibility for incorporating these policies into their planning and zoning regulations. Development within the coastal zone required approval by the Coastal Commission prior to certification of a local government's coastal plan. After certification, the Commission will review permits and hear appeals for only certain types of development (see Section 2.40) and will initiate review of coastal plans every five years. The Commission has the power to approve or deny any changes or amendments in coastal plans and zoning. Until July 1981, the Coastal Commission was assisted in its responsibilities by six regional Commissions. The Northcoast Regional Commission, which included Del Norte, Humboldt, and Mendocino Counties was housed in Eureka<sup>3</sup>.

#### 2.20 COASTAL ACT GOALS AND POLICIES

The state legislature by enacting the Coastal Act of 1976 adopted the following basic goals for the Coastal Zone<sup>4</sup>:

- (a) Protect, maintain, and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and manmade resources.
- (b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.
- (c) Maximize the public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.
- (d) Assure priority for coastal-dependent development over other development on the coast.
- (e) Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

<sup>3</sup>The North Coast Region is now served by the North Coast District, located in San Francisco.

<sup>4</sup>Public Resources Code, Division 20, California Coastal act, Chapter 1, Section 30001.5.

To achieve the above listed goals, Chapter 3 of the Act provides specific direction to local governments for preparing a coastal plan in the Planning and Management Policies. These policies address coastal development and resources, identify priorities for resolving conflicts between competing uses, and ultimately will be used by the State Commission as a yardstick for evaluating the adequacy of all coastal plans. The fourteen 'policy groups' which form the Planning and Management Policies include:

- Shoreline Access
- Recreation and Visitor Serving Facilities
- Housing
- Water and Marine Resources
- Diking, Dredging, Filling, and Shoreline Structures
- Commercial Fishing and Recreational Boating<sup>1</sup>
- Environmentally Sensitive Habitats
- Agriculture
- Hazards
- Forestry and Soils Resources
- Locating and Planning New Development
- Coastal Visual Resources and Special Communities
- Public Works
- Industrial and Energy Development

2.30 SOUTH COAST PLANNING AREA ISSUES

Because the Act sees the coast as a physically limited resources to be protected for all Californians for a variety of uses, the following uses are of a specific statewide concern and require special attention for protection of these uses in the South coast Area Plan. In summary these are:

<b>USE</b>	<b>PROTECTION</b>
<b>RESOURCE PRODUCTION</b>	
Prime Agricultural Lands	Agriculture Exclusive Zoning
Coastal Commercial Timberland	Timberland Preserve Zoning
Beach Fishing/Driftwood Sites	Commercial vehicle access protection
<b>SENSITIVE ENVIRONMENTS</b>	
Wetlands	Wetland Buffers (development controls)
King Range Area of Special Biological Significance	Septic system controls
Riparian Habitats	Road construction standards
<b>RECREATION</b>	Special Treatment Areas
King's Range National Conservation Area	Low density development adjacent
Future Demand/Support Facilities	Acreage reservation
<b>TRANSPORTATION CORRIDORS</b>	
Mattole Road	Limit encroachments, area population density, parking provisions
Shelter Cove Road	Limit encroachments, area population density, parking provisions

2.40 POST-CERTIFICATION ADMINISTRATION OF THE SOUTH COAST PLAN

---

<sup>1</sup> Text addition to correct a typographical omission.

- A. Local administration of the plan hinges upon a substantial number of unresolved issues. This critical section of the plan will be developed jointly by the Coastal Commission and Humboldt County and added to this plan at a later date. Unresolved issues include, but are not limited to:
  - 1. where the State Coastal Commission retains primary permit authority;
  - 2. what areas in which the State Commission will hear appeals;
  - 3. procedures for local notice and approval; and
  - 4. procedures for how coastal zone boundary determinations will be made.

2.50 EXEMPTIONS

- A. There are currently several exemption programs adopted by both Humboldt County and the Coastal Commission. The specific exemptions are included below<sup>1</sup>.

Order #: Categorical Exclusion E-86-4  
 effective date: June 11, 1986  
 affected development: single family dwellings; lot line adjustments; agriculturally related development  
 geographic area: single family dwellings in portions of Shelter Cove; lot line adjustment and agriculture  
 development: as shown on categorical exclusions maps

---

<sup>1</sup> Text change to reflect current status of exemption programs.

## CHAPTER 3

### SOUTH COAST AREA DEVELOPMENT AND RESOURCE POLICIES

#### 3.10 INTRODUCTION

The Coastal Act requires sharply different development policies for urban and rural areas. This chapter reflects that distinction: Section 3.20 deals with urban development, Section 3.30 with rural development. The basis for considering a parcel under one of these headings is the parcel's location in relation to the Urban Limit Line as indicated on the Area Plan Map (see Chapter 4). In addition, the Coastal Act requires that all development be subject to standards designed to protect natural and cultural resources and assure public safety. Standards to satisfy these requirements are presented in Section 3.40; they apply, where relevant, in both urban and rural development. Finally, Section 3.50 presents the policies and uniform standards for coastal access including a methodology for reviewing potential access ways, limitations to access, prescriptive rights; and offers of dedication for access. The implementation of these policies, in the South coast Planning Area, is reflected in the Access Plan, Section 4.30 in Chapter 4. In each section, relevant Coastal Act Policies are presented with their Coastal Act section number immediately before local policies and standards and are also enacted as county policy.

#### 3.20 URBAN DEVELOPMENT POLICIES AND STANDARDS

The policies and standards set forth in this section apply to all lands within an established urban limit line as shown on the Area Plan Map (Chapter 4). These policies and standards are also subject to restrictions identified in Section 3.40, Resource Protection, as explained in that section. Inset headings under each section are from Chapter 3 of the Coastal Act.

#### 3.21 URBAN LIMITS

\*\*\* 30250. (a) New development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

\*\*\* 30253. New development shall:

\*Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control board as to each particular development.

\*Minimize energy consumption and vehicle miles traveled.

#### B. GENERAL DEVELOPMENT POLICIES WITHIN THE URBAN LIMIT

1. The establishment of an Urban Limit Line and designation of planned uses within that limit is not a commitment by the County of Humboldt to approve land divisions or other developments at urban densities within said limit. It establishes rather the maximum extension of such development for a five-year period, at which time the location of the Urban Limit Line shall be re-examined by the County and the California Coastal Commission and adjustments, if necessary or appropriate, made.
2. No land division or development proposal shall be approved within the Urban Limit that would constitute a conversion from the use identified in the Area Plan Map; and no zoning shall be approved which would allow such conversion.

3. The development of lands within the Urban Limit for the uses indicated in the Area Plan Map, and division of lands within the Urban Limit to the densities indicated in the Land Use Designations, are contingent on the ability of the area to accommodate that development or that density. More specifically, no lands within the Urban Limit shall be developed or divided as allowed by the Area Plan, unless the following findings are made in addition to any other findings required by this chapter or Section 3.40:
  - a. That water supply and adequate provision for sewage disposal, as required by the use at the density permitted in the Area Plan, is available to the development or division;
  - b. That the carrying capacity of major roads and of coastal access corridors is sufficient for all permitted uses, or that improvements to an adequate level can be provided at a cost affordable within the reasonable expectation of the County, or of an incorporated city where the Urban Limit surrounds the City.
  - c. That the proposed development or division meets all standards for the use designated in the Area Plan, as set forth in Chapter 5 of this document.

Moreover, zoning of lands within the Urban Limit shall not allow such developments or divisions until such time as these findings can be made.

4. The dedication or offer of dedication of an easement for coastal access or view shall not be considered to lower the area of a parcel on which such easement is dedicated or offered for dedication, for purposes of determining conformance with approved minimum lot sizes.
5. Non-conforming uses and structures: It is the intent of this plan that nonconforming uses and structures may be substituted, or replaced with more conforming uses and structures. Such substitution, replacement or alteration will be consistent with the Plan only when the following findings are made:
  1. The nonconforming use and/or structure is not a public nuisance; and
  2. The nonconforming use and/or structure will not conflict with surrounding land uses.

(Amended by Res. No. 87-150, 12/15/87)

### 3.22 PUBLIC WORKS

\*\*\* 30254. New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the Coastal Zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to - coastal-dependent land use, essential public service, basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

#### A. SERVICEABLE AREA

1. The serviceable area of a utility providing water or sewer service within an Urban Limit shall be construed as all parcels within 300 feet by the shortest feasible route of an

existing service line with capacity to serve the permitted development of said parcels as indicated in the Area Plan; except that, where the total capacity of the water or sewer system cannot serve the aforesaid development of all such parcels, the serviceable area shall be that portion of such parcels on which permitted development can be served within the capacity of the system as designated in an approved Public Works Plan as provided by 3.22 B of this chapter. However, no lands designated for agricultural use in the Area Plan shall be considered to be in the serviceable area of a water or sewer system, unless such lands are already serviced by such a system.

#### B. PUBLIC WORKS PLAN

1. All special districts providing or authorized to provide sewer or water services, including all County Service Areas providing or authorized to provide these services, and all private providers of such services with 20 or more residential-equivalent connections, shall annually submit to the County Planning Commission a Public Works Plan consisting of: five-year projection of service growth and a specific plan, if any, for system expansion in the following year. The Commission, after public hearing, shall recommend approval or disapproval of the plan to the Board of Supervisors, based on criteria of Section 3.22 B3 of this chapter. Where an approved expansion plan does not exist, no permit will be issued by the County for any work contributing to the extension of services outside the serviceable area, or to expansion of system capacity above the capacity needed to provide services in the serviceable area. Where a Public Works Plan has been approved, all permitted work on said utility shall conform to the Plan.
2. A Public Works Plan may be amended up to three times in a year; any such amendment shall be based on the criteria of this subsection.
3. Criteria for approval of a Public Works Plan, as required by Section 3.22 B1 of this chapter shall be:
  - a. That the Public Works Plan will provide services consistent with the pattern of development.
  - b. That provision of service to all lots in the expanded portion of the serviceable area, for uses permitted in the Area Plan, will not remove capacity necessary to serve future development of undeveloped lots in the existing serviceable area to the uses permitted in the Area Plan.
  - c. That no assessments, readiness to serve fees, or other costs or encumbrances, including bonded indebtedness, related to water or sewer expansion, will be assessed against lands designated Agriculture Exclusive or Commercial Timber, or against any lands outside of the Urban Limits.

#### 3.23 COASTAL - DEPENDENT DEVELOPMENT

\*\*\* 30255. Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited on a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

\*\*\* 30234. Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.

\*\*\* 30224. Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.

#### A. PRIORITIES FOR COASTAL-DEPENDENT USE

1. The Area Plan identifies on-shore and near-shore areas for coastal dependent industrial, commercial, and recreational use. Only uses dependent upon such resources shall be approved in areas so designated, according to the following criteria:
  - a. Industrial: Coastal dependent and coastal related industrial facilities shall be limited to those serving the commercial fishing industry, and shall be allowed as a conditional use in Commercial Recreational (CR).
  - b. Recreational: Any active or passive recreational activity requiring use of open water, the water-beach interface or other natural features which in Humboldt County exist only or predominately at near-shore areas.
  - c. Commercial: Visitor-serving facilities which accommodate or facilitate public use of the shoreline for coastal-dependent recreational purposes, when provision of such services is best provided at shore-line areas and does not interfere with access to the coast.
2. Where coastal-dependent uses conflict among themselves, priority shall be given to industrial over recreational or commercial uses, and to recreational over commercial uses.

3.24 (Deleted prior to certification)

#### 3.25 RECREATIONAL AND VISITOR SERVING USES

\*\*\* 30213. (Part) Lower cost visitor and recreation facilities...shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

\*\*\* 30222. The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

\*\*\* 30223. Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

\*\*\* 30220. Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

\*\*\* 30221. Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

\*\*\* 30252. The location and amount of new development should maintain and enhance public access to the coast by assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities

#### A. ACREAGE RESERVATION

1. Land suitable for water oriented and other recreational purposes, and for supporting visitor-serving facilities have been reserved in the South Coast Planning Area as indicated on the plan maps.
2. It is the policy of this County to prefer the private sector as the provider of visitor-serving uses; and the County discourages public agencies from establishing visitor-serving facilities, beyond the level of overnight campgrounds and picnic areas and other noncommercial day use facilities such as interpretive centers, boat launching facilities, etc.
3. Within an Urban Limit Line, the development of non-coastal dependent recreational facilities shall be deemed to serve the overall goal of improving coastal recreational opportunities; except that where lands suitable for water-oriented recreational activity along the ocean or along major rivers are planned for recreation, only recreational development dependent on these sites shall be approved.

## B. RECREATIONAL OPPORTUNITIES AND PLANNED UNIT DEVELOPMENTS

1. The County encourages the provision of on-site recreational opportunities in major new development, and Planned Unit Developments providing such opportunities shall be approved, even though portions of the development have densities greater than that allowed by the Area Plan, providing:
  - a. That overall density of the project conforms with the intent of the Area Plan.
  - b. An appropriate arrangement for maintenance of the recreational facilities, by private or public entity, has been secured.
2. The Planning Commission may approve an overall project density greater than that shown in the Area Plan, after public hearing, if it finds that:
  - a. The recreational opportunity provided contributes significantly to recreational opportunities in the Urban Limit Area;
  - b. The increased densities will not overload public service capacities, including road capacities and parking capacity in the immediate area, and will not conflict with requirements of Section 3.40 of this chapter.

### 3.26 HOUSING

\*\*\* 30213. Housing opportunities for persons of low and moderate income shall be protected, encouraged, and where feasible, provided...New housing in the coastal zone shall be developed in conformity with the standards, policies, and goals of local housing elements adopted in accordance with the requirements of subdivision (c) of Section 65302 of the Government Code.

### 3.28 HAZARDS

\*\*\* 30253. New development shall:

1. Minimize risks to life and property in areas of high geologic, flood and fire hazard.
2. Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding areas or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

#### A. DEVELOPMENT POLICIES

New development shall be consistent with the adopted Humboldt County Safety and Seismic Safety element of the General Plan. Specifically, when siting new development, the Natural Hazards/Land Use Risk Rating Matrix, Chapter 3 of Vol. I should be used in conjunction with plates I, II, & IV. Plates I and II are maps delineating seismic zones relating to earthquake shaking as well as land stability and other natural hazard conformation. Plate IV defines the Alquist-Priolo special studies zone established by Chapter 7.5 Division Z of the California Resources Code. The County shall request that the fire service agencies recommend to the planning staff new ordinances or amendments to existing ordinances that will promote the orderly implementation of recognized fire protection practices in the South Coast Area Plan. These recommendations shall be evaluated by the Board of Supervisors for inclusion in Phase III of the Local Coastal Plan for the South coast Area.

#### B. HAZARDS

1. Hazards Review – The County shall amend Appendix Chapter 70, Section 7006 of the Uniform Building Code to require soil engineering and geological engineering investigations, prepared by a registered geologist or by a professional civil engineer with expertise in soil mechanics or foundation engineering, or by a certified engineering geologist, for classes of development and hazard areas as shown in Table 1 (page 3- of this document). The report should consider, describe and analyze the following:
  - a. Cliff geometry and site topography, extending the surveying work beyond the site as needed to depict unusual geomorphic conditions that might affect the site;
  - b. Historic, current, and foreseeable cliff erosion, including investigation of recorded land surveys and tax assessment records in addition to the use of historic maps and photographs, where available, and possible changes in shore configuration and sand transport;
  - c. Geologic conditions, including soil, sediment and rock types and characteristics in addition to structural features, such as bedding, joints, and faults;
  - d. Evidence of past or potential landslide conditions, the implications of such conditions for the proposed development, and the potential effects of the development on landslide activity;
  - e. Impact of construction activity on the stability of the site and adjacent area;
  - f. Ground and surface water conditions and variations, including hydrologic changes caused by the development (i.e. introduction of sewage effluent and irrigation water to the ground water system; alterations in surface drainage);
  - g. Potential erodibility of site and mitigating measures to be used to ensure minimized erosion problems during and after construction (i.e. landscaping and drainage design);
  - h. Effects of marine erosion on seacliffs;
  - i. Potential effects of seismic forces resulting from a maximum credible earthquake;
  - j. Any other factors that might affect slope stability.

The report should evaluate the off-site impacts of development (e.g. development contributing to geological instability on access roads) and the additional impacts that might occur due to the proposed development (e.g. increased soil moisture from a septic system). The report should also detail mitigation measures for any potential impacts and should outline alternative solutions. The report should express a professional opinion as to whether the project can be designed so that it will neither be subject to nor contribute to significant geologic instability throughout the lifespan of the project. The report should use a currently acceptable engineering stability analysis method and should also describe the degree of uncertainty of analytical results due to assumptions and unknowns. The degree of analysis required should be appropriate to the degree of potential risk presented by the site and the proposed project.

The developments permitted in the hazard areas shall be sited and designed to assure stability and structural integrity for their expected economic lifespans while minimizing alteration of natural land forms. Bluff and cliff developments (including related storm run-off, foot traffic, site preparation, construction activity, irrigation, waste water

disposal and other activities and facilities accompanying such development) shall not create or contribute significantly to problems of erosion or geologic instability on the site or on surrounding geologically hazardous areas.

Alteration of cliffs and bluff tops faces, or bases by excavation or other means shall be minimized. Cliff retaining wall shall be allowed only to stabilize slopes.

3. Tsunamis – New development below the level of the 100 year tsunami run-up elevation describe in Tsunami Predictions for the West Coast of the Continental United States (Technical Report H-78-26 by the Corps of Engineers) shall be limited to public access, boating, and public recreation facilities, agriculture, wildlife management, habitat restoration, and ocean intakes, outfalls, and pipelines.
4. Flood Plains – No critical facilities should be permitted to locate within the 100 year flood plain. Utility lines may cross hazard zones if there is no reasonable alternative and provisions are made to mitigate the hazard. Non-critical facilities should be permitted in the 100 year flood plain only if adequate flood control measures, such as control works, compact fill, etc., that would result in a site being beyond or above the 100 year flood extend, are provided. Further, the County will continue to review development in light of and impose conditions consistent with the National Flood Insurance program.

C. Deleted prior to certification.

### 3.29 ARCHAEOLOGICAL AND PALEONTOLOGICAL RESOURCES

\*\*\* 30244. Where new development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

A. Options for providing reasonable mitigation include but are not limited to:

1. Changing building and construction sites and/or road locations to avoid sensitive areas.
2. Providing protective cover for sites that cannot be avoided.
3. Where appropriate and with the approval of all parties concerned, provide for the removal or transfer of culturally significant material by a professional archaeologist. (Amended by Res. No. 85-81, 8/20/85).

### 3.30 RURAL DEVELOPMENT POLICIES AND STANDARDS

The policies and standards set forth in this chapter apply to all lands outside an established Urban Limit Line as shown on the Area Plan. These policies and standards are subject to restrictions as identified in Section 3.40 of this chapter, Resources Protection Policies and Standards, as explained in the section. Inset headings under each section are from Chapter 3 of the California Coastal Act, and are also enacted as County policy.

### 3.31 RURAL DEVELOPMENT

A. GENERAL REQUIREMENTS

\*\*\* 30255. Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, Coastal-dependent developments shall not be sited in a wetland.

\*\*\* 30250(a). Land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

**B. RURAL SUBDIVISION REQUIREMENT**

No division of land planned for commercial timberlands shall be approved unless at least fifty percent of the parcels in similar use in the Planning Area of the subject parcel, outside the Urban Limit Line, have been developed. The average density of new development created by such divisions shall not exceed that established by the policies of Chapter 4 and the designations of the land use maps, which are based on:

1. The average size of parcels planned for the same use within the neighborhood of the subject parcel. Average usually means the arithmetic mean, although the mode may be used when very many parcels are of a common size and a very few parcels skew the mean to create an average atypical of the size of surrounding lots.
2. A size adequate to prevent individual or cumulative significant adverse effects to coastal resources, including water resources, environmentally sensitive habitats, agricultural and timberlands, and coastal views.

The dedication or offer of dedication of an easement for coastal access or view shall not be considered to lower the area of a parcel on which such easement is dedicated or offered for dedication, for purposes of determining conformance with approved minimum lot sizes.

**C. NON-CONFORMING USES AND STRUCTURES**

It is the intent of this Plan that nonconforming uses and structures may be substituted, or replaced with more conforming uses and structures. Such substitution, replacement or alteration will be consistent with the Plan only when the following findings are made (Amended by Res. No. 87-150, 12/15/87):

- a. The nonconforming use and/or structure is not a public nuisance; and
- b. The nonconforming use and/or structure will not conflict with surrounding land uses.

**3.32 PUBLIC SERVICES**

\*\*\* 30254. New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal-dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

**3.33 PUBLIC ROADWAY PROJECTS**

- A. Public roadway improvement projects shall not, either individually or cumulatively, degrade environmentally sensitive habitats or coastal scenic areas. Improvements (beyond repair and maintenance) shall be consistent with Sections 3.41 and 3.42 and shall be limited to the following:
  1. Reconstruction and restoration of existing roadways, including bridge restoration and replacement, highway planting, construction of protective works such as rock slope

protection and slope corrections, reconstruction of roadways following damage by storms or other disasters, and improvement of roadside rests.

2. Operational improvements, such as traffic signals, guard rails and curve corrections.
3. Roadside enhancements, such as construction or improvement of roadside rests and vista points consistent with Section 3.42 and removal of roadside signs consistent with Section 3.42 D.
4. Minor improvement projects, such as modifying encroachments or ramps, construction turnouts, and channelized intersections.
5. Except in coastal scenic areas, climbing and passing lanes.
6. Expansion of substandard roadway shoulders.
7. Construction of bikeways.

### 3.34 AGRICULTURE

\*\*\* 30241. The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas' agricultural economy and conflicts shall be minimized between agricultural and urban land uses through all of the following:

- (a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.
- (b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses and where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.
- (c) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.
- (d) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.
- (e) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b) of this section, and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.

\*\*\* 30242. All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.

#### B. COMPATIBLE USES

1. The zoning of all agricultural lands shall not permit any use that would impair the economic viability of agricultural operations on such lands; and a conditional use permit shall be required of any proposed use not directly a part of agricultural production of food or fiber on the parcel; except that on parcels 60 acres or larger, a second house for parents of children of the owner-operator shall be considered a direct part of agricultural production.

Other uses considered compatible with agricultural operations include:

- a. Management for watershed.
- b. Management for fish and wildlife habitat.
- c. Recreational uses not requiring non-agricultural development under the control of the owner.

- d. The erection, construction, alteration, or maintenance of gas, electric, water or communications transmission facilities. (Radio or television transmitting antennae shall require a conditional use permit; but such a development shall not in concept be considered incompatible with agricultural use per se.)
  - e. Farm labor housing and temporary labor camps.
2. Where land zoned for agricultural use is adjacent to land in residential use, the establishment of hog production involving more than three adult animals (over 6 months old) shall require a conditional use permit.

### 3.35 TIMBERLANDS

\*\*\* 30243. The long-term productivity of soils and timberlands shall be protected and conversions of coastal commercial timberlands in units of commercial size to other uses or their division into units of noncommercial size shall be limited to providing for necessary timber processing and related facilities.

#### A. IDENTIFICATION OF TIMBERLANDS

1. Coastal Commercial Timberland shall be all lands zoned for Timberland Preserve, and all other lands 40 acres and larger on the A and B lists for proposed Timber Preserve Zones<sup>5</sup>, as completed by the Office of the Assessor of Humboldt County where existing uses on the property are consistent with Section 3.35B 1.
2. Owners of timberland with parcels of 20 acres or more of "good site III" or 160 acres or more of Site IV or better shall be permitted to apply to have the land rezoned as Timberland Preserve in the Coastal Zone. Any such applicant must demonstrate the management of said parcel for timber harvesting purposes, and submit a management plan that includes a projected date of harvest for timber on the site, as required by County Ordinance 314, Section 12b (1-3).
3. All Coastal Commercial Timberland shall be protected for timber harvesting and production; and no division of such land shall be approved where parcels of less than 40 acres would be created except for timber processing and related facilities where the remainder parcel stays in TPZ. In any division of such land which creates parcels less than 160 acres in size, a joint timber management plan is required pursuant to County Ordinance 314, which shall also provide:
  - a. For restocking of understocked timber sites prior to recordation of the final subdivision map.
  - b. Protection of uses integrally related to the growing of timber, such as roads, log landings, and log storage areas, from development, such as home construction, which may be incompatible with continued commercial timber use.
  - c. Joint use by all persons with interests in the parcels subject to the management plan of roads, log landings, and similar facilities.
  - d. Those timberlands currently in TPZ shall have no additional regulations placed on timber harvesting or management by any portion of this section.

#### B. COMPATIBLE USES

---

<sup>5</sup>As of 1982 State legislation has changed the definition of TPZ to Timber Production Zone.

1. No use shall be permitted for Coastal Commercial Timberlands that detracts from or inhibits the growing and harvesting of timber; and compatible uses other than direct growing and harvesting of timber shall be restricted to:
  - a. Management for watershed.
  - b. Management for fish and wildlife habitat.
  - c. Any use integrally related to the growing, harvesting and processing of forest products, including but not limited to roads, log landings and log storage areas, portable chippers and portable sawmills.
  - d. The erection, construction, alteration or maintenance of gas, electric, water or communication transmission facilities.
  - e. Grazing and other agricultural uses.
  - f. No more than two single-family dwelling units and normal accessory uses and structures for owner and caretaker. The second dwelling unit shall require a use permit and shall be conditioned so as to not constitute a subdivision of the parcel. Minor conversion of timberland for residential use is limited to an area of 5% of the total parcel, to a maximum area of two acres for a homesite and appurtenant uses. The total area need not be a contiguous unit.
  - g. Temporary labor camps of less than one-year duration, accessory to timber harvesting or processing operations.
  - h. Recreational uses of the land by the public, with or without charge for any of the following: walking, hiking, equestrian, picnicking, boating, fishing, hunting and skiing.
  - i. Reforestation activities including site preparation under the authority of the California Department of Forestry (CDF)<sup>1</sup> and other State Agencies having regulatory jurisdiction.

### 3.36 RECREATION

\*\*\* 30218. (Part) Lower cost visitor and recreational facilities ... shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

\*\*\* 30220. Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

\*\*\* 30221. Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

\*\*\* 30222. The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development but not over agriculture or coastal-dependent industry.

\*\*\* 30223. Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

\*\*\* 30250. (c) Visitor-serving facilities that cannot feasible be located in existing developed areas shall be located in existing isolated developments or of selected points of attraction of visitors.

<sup>1</sup> As of 1988 CDF is defined as California Department of Forestry and Fire Protection.

\*\*\* 30253. (4) New development shall minimize energy consumption and vehicle miles traveled.

A. FINDINGS FOR PERMITTING OF RECREATIONAL FACILITIES

1. Public or private recreational facilities and visitor-serving facilities shall be permitted pursuant to criteria of this chapter only where the following findings are made by the Planning Commission:
  - a. The proposed development includes adequate on-site services for water, waste disposal, parking and other facilities necessary to serve the proposed use.
  - b. The proposed development would not create traffic flows detrimental to agricultural or forestry uses in the Planning Area; except that where the proposal includes a showing that such adverse impacts will be mitigated through road improvements or other means within two years of project approval, the development shall be approved;
  - c. No location within the Urban Limit Area is more feasible.
  - d. The development does not constitute conversion of agricultural or timber lands inconsistent with the requirements of this chapter.
  - e. In the case of visitor serving facilities, that an established recreational use exists in the immediate area, or will be provided by the development, for which the visitor-serving facility is appropriate commercial service.

The acreage reservation for the rural portion for this planning area shall be the remainder after allocations within the Urban Limit area made.

B. RESIDENTIAL USE OF RECREATIONAL FACILITIES

1. In an approved recreational vehicle park the residential occupancy of recreational sites by mobile homes shall be allowed up to 20%, but not to exceed a total of 10 such existing sites from June through August and up to 80%, but not to exceed 40 from September through May.

### 3.37 HOUSING

\*\*\* 30213. Housing opportunities for persons of low and moderate income shall be protected, encouraged, and where feasible, provided...New housing in the coastal zone shall be developed in conformity with the requirements of subdivision (c) of Section 65302 of the Government Code.

\*\*\* 30252. (2) The location and amount of new development should maintain and enhance public access to the coast by providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access road.

A. MULTIPLE UNIT AND MOBILE HOME PARKS

1. With the exception of temporary housing for agricultural or timber workers as permitted by this chapter, multiple-unit residential development and mobile home parks shall not be permitted outside an Urban Limit Line. This section is not intended to preclude single-family residential development.

B. NEIGHBORHOOD COMMERCIAL

1. Lands zoned for Rural Residential use are subject to the land division requirement of Section 3.31 of this chapter; except that where 50% or more of the existing lots in such a contiguously zoned area have been developed, and no neighborhood commercial

service is available within a three-mile radius of a site in the area where it is proposed to provide such a service, the proposal may be approved subject to the approval of a Conditional Use Permit and the Resource Protection constraints of Section 3.40 of this document, and the normal standards for a Neighborhood Commercial Zone, and the subject parcel shall either be zoned Neighborhood Commercial, or a division into two parcels may be permitted if the non-commercial parcel meets requirements of Section 3.41G for non-serviced lot size, and only the proposed site is zoned Neighborhood Commercial.

C. LOW AND MODERATE INCOME HOUSING

1. Where an approved self-help housing sponsor exists, divisions of land in a rural residential area shall be permitted up to the maximum density for water-serviced development if an approved mutual water system is provided in the development plans for the sponsor. In addition, it shall be the responsibility of the Chief Building Inspector to work with the sponsor to establish clear minimum construction performance standards and inspection schedules for approving construction work on sponsored projects, for the purpose of avoiding duplication and lowering development costs to the extent feasible consistent with the protection of public health and safety.
2. To help meet the obligation to provide for low and moderate income housing in the Coastal zone, owner-builder construction (Class 'K') may be encouraged and implemented through the establishment of:
  - a. Clear minimum construction performance standards;
  - b. Development and distribution of do-it-yourself informational guides and other relevant information; and
  - c. Formulation of administrative and inspection procedures and schedules to avoid duplication and lower development costs consistent with the protection of public health and safety.

#### D. PLANNED UNIT DEVELOPMENT

1. It shall be the policy of the County to encourage the utilization of the Planned Unit Development (PUD) concept where such utilization would reduce or mitigate any potential impacts in areas subject to the Resource Protection Policies in Section 3.40.
2. For residential uses, the dedication or offer of dedication of an easement for coastal access or view shall not be considered to lower the area of a parcel on which such easement is dedicated or offered for dedication for purposes of determining conformance with approved minimum parcel size.

#### 3.38 HAZARDS (See Section 3.28)

#### 3.39 ARCHAEOLOGICAL AND PALEONTOLOGICAL RESOURCES

\*\*\* 30244. Where new development would adversely impact archaeological or paleontological resources as identified by the state Historic Preservation Officer, reasonable mitigation measures shall be required.

##### A. Reasonable mitigation measures may include but are not limited to:

1. Changing building and construction sites and/or road locations to avoid sensitive areas.
2. Providing protective cover for sites that cannot be avoided.
3. Where appropriate and with the approval of all parties concerned, provide for the removal or transfer of culturally significant material by a professional archaeologist or geologist<sup>1</sup>.

#### 3.40 RESOURCE PROTECTION POLICIES AND STANDARDS

The policies and standards contained in this chapter apply, where relevant, to all development within the County coastal areas unless specifically stated otherwise. The contents of this chapter are supplementary in nature to the policies and standards contained in Section 3.20 and 3.30, and are designed to protect natural and cultural resources, and to assure public safety. As in the previous two chapters, inset headings under each section are from Chapter 3 of the California Coastal Act and are also enacted as County policy.

#### 3.41 ENVIRONMENTALLY SENSITIVE HABITATS

\*\*\* 30240. (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas. (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

\*\*\* 30233. (a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordances with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

- (1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.
- (2) Maintaining existing, or restoring previously dredged, depths in existing navigational channel, turning basins, vessel berthing and mooring areas, and boat launching ramps.

---

<sup>1</sup> Text added to correct a typographical omission.

- (3) In wetland areas only, entrance channels for new or expanded boating facilities; and in degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland; provided, however, that in no event shall the size of the wetland area used for such boating facility, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, be greater than 25 percent of the total wetland area to be restored.
- (4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities.
- (5) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.
- (6) Mineral extractions, including sand for restoring beaches, except in environmentally sensitive areas.
- (7) Restoration purposes.
- (8) Nature study, aquaculture, or similar resource dependent activities.
- (a) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable longshore current systems.
- (b) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California", shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division.

For the purposes of this section, "commercial fishing facilities in Bodega Bay" means that not less than 80 percent of all boating facilities proposed to be developed or improved, where such improvement would create additional berths in Bodega Bay, shall be designed and used for commercial fishing activities.

(c) Erosion control and flood control facilities constructed on watercourses can impede the movement of sediment and nutrients which would otherwise be carried by storm runoff into coastal waters. To facilitate the continued delivery of these sediments to the littoral zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a coastal development permit for such purposes are the method of placement, time of year of placement, and sensitivity of the placement area.

\*\*\* Section 30607.1. Where any dike and fill development is permitted in wetlands in conformity with this division, mitigation measures shall include at a minimum, either acquisition of equivalent areas of equal or greater biological productivity or opening up equivalent areas to tidal action; provided, however, that if no appropriate restoration site is available, an in-lieu fee sufficient to provide an area of equivalent productive value or surface areas shall be dedicated to an appropriate public agency, or such replacement site shall be purchased before the dike or fill development may proceed. Such mitigation measures shall not be required for temporary or short-term fill or diking; provided, that a bond or other evidence of financial responsibility is provided to assure that restoration will be accomplished in the shortest feasible time.

Proposed development occurring within or containing these sensitive habitat areas, which requires a coastal development permit, shall be subject to conditions and requirements of this chapter. Should an area proposed for development appear, upon examination of the maps, to be within or contain environmentally sensitive habitat area, but upon field inspection is found not to contain the indicated habitat, then the development is exempt from requirements of the section.

As an interim measure for habitat areas not currently identified on the maps, information obtained during the CEQA review process will be used by the County in reviewing applications for coastal development permits. The review of these sensitive habitat areas and the identification of appropriate land uses and/or mitigation measures shall be in cooperation with the Department of Fish and Game. The County shall review

requests to amend the Environmentally Sensitive Habitat Accommodation of new resource information on the Environmentally Sensitive Habitat Maps may also require amendments to the certified land use plan and zoning.

2. Wetland areas shall be identified according to the Coastal Act's definition of wetlands (see Chapter 6: Definition)..
3. Where there is dispute over the boundary or location of an environmentally sensitive habitat, the following information may be requested of the applicant:
  - a. A base map delineating topographic lines, adjacent roads, location of dikes, levees, flood control channels, and tide gates.
  - b. Vegetation map.
  - c. Soils map.

Review of this information shall be in cooperation with the Department of Fish and Game and the County's determination shall be based upon specific factual findings as to whether an area is or is not an environmentally sensitive habitat area based on the criteria and definitions above.

#### B. WETLANDS

1. Allowable uses within non-farmed wetlands -- new development within these areas shall be limited to the following uses:
  - a. Fish and wildlife management.
  - b. Nature study.
  - c. Wetland restoration.
  - d. Hunting and fishing including development of duck blinds and similar minor facilities
  - e. In estuaries, maintenance and improvement of boating facilities
  - f. Removal of trees for disease control, public safety purposes, and on private lands, the removal of firewood for non-commercial use, provided that all removal of trees is consistent with the forest practices rules for stream protection zones in Coastal Commission special treatment areas. Snags shall be retained unless felling is required by CAL-OSHA regulations, and live trees with visible evidence of current use as nesting sites by owls, egrets, osprey, or eagles shall be retained. Heavy equipment shall be excluded from the designated natural resource area.
  - g. Incidental public service purposes.
  - h. Aquaculture.
  - i. Incidental stockwatering uses, not including development of facilities.

#### C. WETLAND BUFFER

1. No land use or development shall be permitted in areas adjacent to coastal wetlands, called Wetland Buffer Areas, which degrade the wetland or detract from the natural resource value. Wetland Buffer Areas shall be defined as:

- a. The area between a wetland and the nearest paved road or the 40 foot contour line (as determined from the 7.5' USGS contour maps), whichever is the shortest distance, or
  - b. 450 feet from the boundary of the wetland, where the nearest paved road or 40 foot contour exceeds this distance.
2. New development proposed within Wetland Buffer Areas shall include the mitigation measures:
- a. No development, exclusive of those permitted in Section 3.41B, shall be placed within 200 feet of the boundary of the wetland.
  - b. No more than 25% of the lot surface shall be effectively impervious.
  - c. The release rate of storm runoff to adjacent wetlands shall not exceed the natural rate of storm runoff for a 50-year storm of 10 minute duration.
  - d. Stormwater outfalls, culverts, gutters, and the like, shall be dissipated and, where feasible, screened.
  - e. Septic systems or alternative waste disposal systems must meet standards of the Humboldt-Del Norte Health Department and the Regional Water Quality Control Board.
  - f. Areas disturbed during construction, grading, etc., within 200 feet of the wetland boundary, shall be restored to original contours and sufficiently and promptly replanted with vegetation naturally occurring in the immediate area.
  - g. Development and construction shall minimize cut and fill operation and erosion and sedimentation potentials through construction of temporary and permanent sediment basins, seeding or planting bare soil, diversion of runoff away from graded areas and areas heavily used during construction, and, when feasible, avoidance of grading during the rainy season (November through April).
- D. ROAD CONSTRUCTION WITHIN WATERSHEDS CONTAINING WETLANDS
1. Road construction within watersheds containing wetlands, as identified on the sensitive habitat maps, other than for timber harvest purposes (road construction controls for this activity are currently regulated by the California Department of Forestry in Timber Harvest Plans), shall employ suitable techniques and measures necessary to prevent erosion and minimize surface runoff. This shall include, but is not limited to:
    - a. Limiting soil exposure time and disturbed area.
    - b. Minimizing uninterrupted slope length through surface roughening and serrated slopes.
    - c. Temporary slope stabilization if grading operations do not occur during dry weather months (May through October) including mulches, nettings, chemical and natural binders, rip-rap, etc.
    - d. Immediate vegetative plantings of disturbed slopes at finished grades.
    - e. Control of runoff through controlled water and drainage systems with dissipated discharges and receiving stream bank protection.
    - f. Diversion of runoff away from graded areas and areas traveled during project development.

- g. Temporary and permanent sediment control through use of dikes, filler berms, and sediment basins.

#### E. RIPARIAN VEGETATION AND DEFINITION OF RIPARIAN CORRIDOR

\*\*\* 30230. Marine resources shall be maintained, enhanced, and, where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational scientific, and educational purposes.

\*\*\* 30231. The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

\*\*\* 30235. Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.

\*\*\* 30236. Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.

1. Timber management and timber harvesting activities regulated by the California Department of Forestry and the Board of Forestry, and forestry improvement activities under jurisdiction of the Department of Forestry shall be exempt from requirements of this section. Other new development within coastal streams and riparian areas shall be consistent with policies and standards of this Section (3.41 E).
3. New development within stream channels shall be permitted when there is no less environmentally damaging feasible alternative, where the best feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to:
  - a. Wetlands, fishery, and wildlife enhancement and restoration projects.
  - b. Road crossings, consistent with the provisions of Section 3.41 E 5e.
  - c. Maintenance dredging for flood control and drainage purposes consistent with the Transitional Agricultural Lands policies.
  - d. Development consistent with the provisions of 3.41 E 5, below.
4. Riparian corridors on all perennial and intermittent streams shall be, at a minimum, the larger of the following:
  - a. 100 feet, measured as the horizontal distance from the stream transition line on both sides.

- b. 50 feet plus four times the average percent of slope, measured as a slope distance from the stream transition line on both sides of intermittent and perennial streams.
  - c. Where necessary, the width of riparian corridors shall be expanded to include significant areas of riparian vegetation adjacent to the corridor, slides, and areas with visible evidence of slope instability, not to exceed 200 feet measured as a horizontal distance.
5. New development within riparian corridors shall be permitted when there is no less environmentally damaging feasible alternative, where the best mitigation measures feasible has been provided to minimize adverse environmental effects, and shall be limited to the following uses:
- a. Timber management activities, provided:
    - (1) In precommercial thinning and release activities, that at least 40 percent of the tree crown canopy and 50 percent of other vegetation present before management operations shall be left standing. If either the County or the landowner requests, they may agree, after an on the ground inspection, to increase these percentages to protect special habitat values.
    - (2) Follow-up treatments or other timber management activities which affect the tree canopy shall be permitted only when the canopy has been sufficiently re-established to prevent substantial adverse effects on soil erosion, wildlife, aquatic life, or the beneficial uses of water. These activities shall maintain a tree canopy similar to that which existed upon the completion of the initial thinning or release.
    - (3) In all timber management activities, including precommercial thinning, release activities, and site preparation, that heavy equipment shall be excluded from any area within 50 feet, measured as a slope distance, from the stream transition line, and shall not be permitted in other portions of the riparian corridor except where explained and justified as the least environmentally damaging feasible alternative.
    - (4) All activities shall be consistent with timber harvest rules of the Board of Forestry applicable to the protection of aquatic life and water quality.
  - b. Timber harvests smaller than three acres of merchantable timber 18 inches DBH or greater provided that timber harvest practices shall be consistent with those permitted under the forest practices rules for stream protection zones in Coastal Commission special treatment areas. Unmerchantable hardwoods and shrubs shall be protected from unreasonable damage.
  - c. Maintenance of flood control and drainage channels.
  - d. Wells in rural areas. e. Road and bridge replacement or construction, provided that the length of the road within the riparian corridor shall be minimized, where feasible, by rights of way which cross streams at right angles and do not parallel streams within the riparian corridor.
  - f. Removal of trees for disease control or public safety purposes.

- g. Removal of firewood for personal use on the property consistent with the applicable forest practice rules for stream protection zones in Coastal Commission special treatment areas.
  - h. Mitigation measures for development within riparian corridors shall, at a minimum, include replanting disturbed areas with riparian vegetation, retaining snags within the riparian corridor unless felling is required by CAL-OSHA regulations, and retaining live trees with visible evidence of current use as nesting sites by hawks, owls, eagles, osprey, herons or egrets.
  - i. The County shall request the Department of Fish and Game to review plans for development within riparian corridors, the Department may recommend measures to mitigate disruptions to habitats.
6. Natural Drainages
- a. Natural drainage courses, including ephemeral streams, shall be retained and protected from development which would impede the natural drainage pattern or have a significant adverse affect on water quality or wildlife habitat.
  - b. Stormwater outfalls, culverts, gutters, and other drainage control improvements which discharge into natural drainage courses shall be dissipated, and, where feasible, screened.
  - c. Natural vegetation within and immediately adjacent to the bankfill channel shall be maintained except for removal consistent with the provisions of this Section.

**G. SEPTIC SYSTEMS**

Sewage disposal systems placed on existing and proposed lots must meet all of the requirements of the Humboldt-Del Norte Department of Public Health and the Regional Water Quality Control Board.

**3.42 VISUAL RESOURCE PROTECTION**

\*\*\* 30251. The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

\*\*\* 30253. New development shall:

(5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

**A. PHYSICAL SCALE AND VISUAL COMPATIBILITY**

- 1. No development shall be approved that is not compatible with the physical scale of development as designated in the Area Plan and zoning for the subject parcel; and the following criteria shall be determinative in establishing the compatibility of the proposed development:

- a. for proposed development within an urban limit as shown in the Area Plan, that such development meets all standards and zoning for the principal permitted use as designated in the plan
- b. for proposed development not within an urban limit as shown in The Area Plan that such development meet all standards for the principal permitted use as designated in the plan and zoning, where such principal use is for detached residential, agricultural uses, or forestry activities
- c. for proposed development that is not the principal permitted use, or that is outside an urban limit and for other than detached residential, agricultural uses, or forestry activities, that the proposed development is compatible with the principal permitted use, and, in addition is either:
  - (1) No greater in height or bulk than is permitted for the principal use, and is otherwise compatible with the styles and visible materials of existing development or landforms in the immediate neighborhood, where such development is visible from the nearest public road.
  - (2) Where the project cannot feasible conform to paragraph 1, and no other more feasible location exists, that the exterior design and landscaping be subject to a public hearing, at which the following findings shall be made:
    - (a) There is no less environmentally damaging feasible alternative location.
    - (b) That the proposed exterior design and landscaping are sufficient to assure compatibility with the physical scale established by surrounding development.

#### B. PROTECTION OF NATURAL LANDFORMS

- 1. Natural contours, including slope, visible contours of hilltops and treelines, bluffs and rock outcroppings, shall suffer the minimum feasible disturbance compatible with development of any permitted use, and the following standards shall at a minimum secure this objective:
  - a. Under any permitted alteration of natural landforms during construction, mineral extraction or other approved development, the topography shall be restored to as close to natural contours as possible, and the area planted with attractive vegetation common to the region.
  - b. In permitted development, land form alteration for access roads and public utilities shall be minimized by running hillside roads and utility corridors along natural contours where feasible, and the optional waiving of minimum street width requirements, where proposed development densities or use of one-way circulation patterns make this consistent with public safety, in order that necessary hillside roads may be as narrow as possible.

C. (Deleted prior to certification)

#### E. PUBLIC LANDS RESOURCE BUFFER

The intent of this policy is to guide public agencies through a step-by-step procedure in both the acquisition of land and in the generation of management or development plans for existing public lands. Where necessary, buffer necessary for habitat and resources protection, shall be identified and implemented according to the following policy:

1. Where feasible, buffer areas shall be internalized within the boundary of the public lands. This applies to both future proposed acquisitions and to existing public lands where the public agency involved sees the need for buffers from adjacent uses or activities.
2. Where adequate buffers cannot be feasibly internalized during the acquisition process or, where applicable, in the development of management plans for the public lands:
  - a. activities requiring buffering are to be identified,
  - b. the location, width, and nature of the buffer are to be determined, and
  - c. any proposed restrictions affecting adjacent privately owned properties shall be discussed with the affected property owner and Humboldt County,
  - d. Pursuant to this meeting a mutual agreement shall be made between the public agency and the affected property owner regarding the implementation of the identified buffer. Techniques to be considered for implementation of a buffer include, but are not limited to:
    - alternatives to full acquisition
    - purchase of easements
    - purchase of development rights
    - purchase of major vegetation
    - full acquisition of buffer areas
  - e. Eminent domain proceedings shall be initiated by the public agency seeking a resource buffer only after the opportunity for mutual agreement, outlined above, has been exhausted.

### 3.50 ACCESS

Consistent with the requirements of the California Constitution and the Coastal Act as outlined below, "maximum access and recreational opportunities shall be provided for all people." This chapter and the Access Inventory in Chapter 4, constitute the Access Component of the Local Coastal Program. The Access Inventory describes, as shown on the plan maps, all of the accessways, serving all of the usable shoreline in Humboldt County. This finite set of accessways describes the maximum number of access corridors available in the County.

The ability of this fixed number of accessways to meet the demand for "maximum access" will be determined by the level of improvements required in the development of the support facilities. "Maximum access" as required by the Coastal Act, shall be provided through the identification, as shown on the Plan Maps, of the usable access corridors and the provision of support facilities adequate to use.

\*\*\* 30210. In carrying out the requirement of Section 2 of Article XV of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights of private property owners, and natural resource areas from overuse.

\*\*\* 30211. Development shall not interfere with the public's right of access to the sea where acquired through use, or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

\*\*\* 30212. Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or (3) agriculture would

be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

\*\*\* 30212.5. Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

\*\*\* 30224. Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.

### 3.51 CONCEPT OF ACCESS

- A. The complete concept of "access" to the shoreline requires the integration of three basic factors:
1. Lateral access to provide for recreational uses along the shoreline; and
  2. Vertical access to provide a means of traveling to the shoreline; and
  3. Support facilities to provide the improvements necessary to the use of the accessway (listed in 3.52).

### 3.52 ACCESSWAY IMPROVEMENTS AND FUNDING

- A. Public agencies or other entities having or accepting responsibility for accessways shall provide support facilities compatible with the character of the land and adequate for the number of people using them prior to opening the access to public use.
1. Minimal improvements should be scheduled for unimproved access points in character with the rural nature of the communities they serve, and accessways accepted by the responsible entity or agency should include but shall not be limited to, the following as they are found consistent with the identified uses, modes of access and limitations as identified in Section 4.30.
    - a. parking
    - b. roads
    - c. trails, stairs, and ramps
    - d. sanitary facilities (including trash collection)
    - e. facilities for the handicapped
    - f. fencing and barriers to inappropriate uses
    - g. signing of access points, trails and hazard areas
    - h. maintenance and operation of the accessway and support facilities
  2. In reviewing improvements to accessways, the approving authority shall consider:
    - a. the common use(s) of the shoreline;
    - b. the proposed mode of access (pedestrian, equestrian, or vehicular) and adverse impacts on adjacent owner's use of their property, and the size of the development;

- c. the likelihood of trespass and vandalism on adjacent private property;
- d. the need to provide for public health and safety including the need for:
  - (1) parking
  - (2) road capacity and traffic patterns
  - (3) conflicts in uses (i.e. pedestrian, equestrian, vehicular)
  - (4) use by the handicapped
  - (5) capacity of sanitary facilities, including trash disposal
  - (6) topography of trails
  - (7) beach hazards (tides, currents, undertow)
- e. Conflicts with agriculture and timber including:
  - (1) vandalism
  - (2) theft of livestock, agricultural supplies and tools
  - (3) damage to crops and livestock
  - (4) trespass on areas not part of accessway
  - (5) damage to fencing and gates
  - (6) dogs killing, maiming, or harassing livestock
  - (7) fires

Improvement of accessways shall be permitted where the level of development is adequate to support common users of the shoreline and the mode(s) of access proposed in the plan, and where the improvements are sited and designed to prevent significant hazards to public health and safety or to agriculture and timber minimize the likelihood of trespassing and vandalism on adjacent private property.

- 3. When the approving authority finds adverse impacts associated with improving access in conjunction with the criteria within this section, appropriate mitigation measures must be provided.
- 4. Signs at access points are to be supplemented by an atlas of County coastal access points for use by both residents and visitors.
- 5. Funding for acquisition, improvement, maintenance and operations and coverage for associated liability on new accessways required as part of the Coastal Plan mandated by the State shall be from sources other than Humboldt County.

### 3.54 DEDICATION

#### A. VOLUNTARY DEDICATION

The protection of existing and development of new public accessways through the mechanism of voluntary dedication of access easements shall be encouraged. Local land trusts that have official recognition are appropriate entities to achieve the goal of maximizing public access opportunities commensurate with resource protection policies and other policies of this plan through their ability to accept voluntary deed and easement gifts and their ability to make voluntary deed and easement purchases.

**B. IRREVOCABLE OFFER TO DEDICATE**

New development on parcels containing the accessways recommended for dedication shall include an irrevocable offer to dedicate an easement, as described in the South Coast Access Inventory Section (Section 4.30) for public use as provided in the improvement recommendations.

**3.55 DESIGNATION GUIDELINES****A. Guidelines for the designation of accessways are as follows;****1. Vertical Access**

- a. location should be along boundaries of property but may be resited as necessary.
- b. width should be a minimum of 10 feet for pedestrian use with additional width as required for slope or construction easements and/or other uses.
- c. privacy buffer between accessway and residence shall be a minimum of five (5) feet for pedestrian accessways.

**2. Lateral Access**

- a. where there is an existing accessway adjoining the proposed accessway, the location and size of the new accessway shall be the same as the adjoining accessways; or
- b. where there is a fixed landward point from which to measure (e.g. bluffline the accessway shall be no less than 25 feet in width seaward from the fixed landmark); or
- c. to the first line of terrestrial vegetation, excepting dune areas; or
- d. a minimum of 25 feet from the mean high tide line; or
- e. where there is no vertical gradient differential between the development and the accessway, a privacy buffer shall be established with a minimum of 10 feet with only limited uses allowed from 10 to 20 feet and only passive recreational uses between 20 and 50 feet.

## 4CHAPTER 4

### THE SOUTH COAST PLANNING AREA

#### 4.10 INTRODUCTION

This chapter examines current and planned land uses within the South Coast Planning Area. The Land Use Maps and accompanying text are based on public input from four workshops held in the Planning Area, coordination with State and Federal agencies and the policies and standards in Chapter 3. The first section discusses on a general level the unique features, current land uses, and proposed land use. The balance of the chapter addresses the land use issues and plans.

At the end of this section, a reduced scale Plan Map which is necessarily generalized because of the scale and which does not officially represent the parcel by parcel designations, is presented for general informational purposes only. This map, shown on several pages due to the length of the Planning Area, designates areas of specific land use as well as constraints on development including natural and cultural resource protection. The land use designations which provide the definition of densities and intensities of land use are found in Chapter 5.

#### 4.20 THE SOUTH COAST

#### 4.21 GENERAL DESCRIPTION

The South Coast Planning Area is the largest stretch of coastline to be included in one plan. It extends from Guthrie Creek in the northern part to the Humboldt-Mendocino County lines at its southern terminus. This accounts for approximately 45 miles of coastline and ranges inland from one thousand yards to about one and one half miles, including estuary areas of the Mattole River. Overall, the area is sparsely populated with Shelter Cove being the only significant population center. Much of Humboldt County's rugged and most scenic coastline is included in the South Coast but it is also the least accessible by virtue of its remoteness from major transportation corridors.

Because of the large size of this area, it is appropriate to plan for this area on the basis of three distinct areas. The balance of the discussion in this chapter is developed on the basis of the three following areas:

"North" South Coast -- This area extends from the Guthrie Creek at the northern end of the Planning Area to the northern boundary of the King Range National Conservation Area at the Mattole River.

King Range National Conservation Area -- This mixture of public and private lands extends south from the Mattole River to the County line, providing multiple uses including recreation, grazing and timber production while protecting and enhancing sensitive resources.

Shelter Cove -- This area includes the Shelter Cove Sea Park Subdivision and other private lands adjacent to Shelter Cove within the boundaries of Humboldt Resort Improvement District #1.

#### 4.22 EXISTING USES

##### A. "NORTH" SOUTH COAST

This area, primarily agricultural land with a mixture of timbered areas, has a history of agricultural use that extends over more than the last century. This area has a number of agricultural (Williamson Act) preserves and is typically made up of large ranches in excess of 700 acres held by the same families that settled the area. Although there are some new owners (having been around for less than 50 years), the ownership pattern has remained stable with little or no subdivision of these lands to date.

The existing large parcel sizes reflect the nature of these agricultural operations. Using non-prime soils, stock grazing operations require much larger farm units than prime soils. Stock predation by coyotes and dogs has changed the stock mix towards more beef and less sheep and have reduced the return to the operator.

#### B. KING RANGE NATIONAL CONSERVATION AREA

From the Mattole River south to the County line, the Bureau of Land Management (BLM) is responsible for over 50,000 acres of land designated for multiple use through a zone management program developed and administered by the Bureau of Land Management. Recreational, agricultural and timber related uses are combined in this area to provide maximum benefit to all users while protecting and enhancing sensitive resources. There is an ongoing acquisition/exchange program to bring the remaining private lands into Federal ownership, and the management plan is revised and updated on a regular basis.

#### C. SHELTER COVE

This is the single urban scale area in this coastal Planning Area. There have been three subdivisions at Shelter Cove consisting of 20, 1,138 and 21,000 acres respectively, all of which are highly undeveloped. There are presently 62 dwellings in the Coastal Zone portion of this area with two motels, two restaurants, a recreational vehicle park and a developing harbor under the control of the Humboldt Bay Harbor Recreation and Conservation District. Initial improvements to the harbor facilities have recently been completed and the Shelter Cove Harbor Planning Committee is presently working on a mooring program and assessing needs for on-shore support facilities.

The Humboldt Resort Improvement District #1 is the service provider for this entire area as a result of the recent annexation of lands around the Cove itself. The District provides water, sewer, electrical power, fire and rescue protection, and recreation. The District is authorized, but currently does not provide, police protection, mosquito abatement and garbage collection.

### 4.23 PROPOSED LAND USES

The Land Use proposals for this area are based entirely on the existing uses and the application of the policies in Chapter 3 to provide protection for agricultural lands from inappropriate development (primarily rural subdivision), the continued management of public lands and the continuing development of the urban area at Shelter Cove.

#### A. "NORTH" SOUTH COAST

The application of larger minimum parcel sizes will preclude subdivision of these grazing lands and the intrusion of rural development which has caused major problems for agricultural operators in the past. The expanded definition of permitted development will remove some, if not most, of the permit requirements for uses that are agriculture related, including the provision of "cottage industries." The overall intent is to provide increased protection from outside interference with agriculture by eliminating both rural subdivisions and unnecessary permit requirements.

#### B. KING RANGE NATIONAL CONSERVATION AREA

The proposals, primarily contained in the Chapter 3 policies, provide additional guidance for the continued management of the area by the Bureau of Land Management (BLM). The shoreline area is designated as the Coastal Trail and BLM has been delegated the responsibility to coordinate with other agencies to provide for the management, consistent with these plan policies, of other Federal lands within this planning area (Cape Mendocino Lighthouse). BLM stream rehabilitation projects are permitted in the Chapter 3 policies, and specific guidance for the continuing acquisition program is also included.

#### C. SHELTER COVE

The Land Use Plan for the Shelter Cove Sea Park subdivision and other urban areas was largely left the way it was proposed in 1965.

These policies are based on a compromise to provide multiple use for significant archaeological protection, coastal view protection and access enhancement. One area adjacent to BLM ownership at Big Black Sand Beach was proposed for acquisition and management to increase access while decreasing the existing conflict with private property through the inappropriate and largely uncontrolled use of this area. The other major Land Use change is the redesignation of present General Commercial areas (CG) to Commercial Recreational (CR) to provide for coastal dependent recreational, visitor serving and harbor related development.

### 4.30 ACCESS: South Coast Access Inventory and Development Recommendations

Consistent with the requirements of the California Constitution and the Coastal Act of 1976, "maximum access and recreational opportunities shall be provided for all the people." Based on the inventory and mapping of actual and potential access provided by the Coastal Commission, the review of access ways provided in Chapter 3 and the discussion generated in the workshops, the South Coast Access Component is included herein.

ADD Lost Coast Headlands - The BLM has recently purchased 225 acres approximately 4 miles south of the Centerville Beach County Park. To access the site, take the Centerville Road south

66. Cape Mendocino - The public land at Cape Mendocino should be improved under the management of BLM to provide vista point and historical interest site improvements, including, but limited to: access road and parking improvements and fencing. There is a historical marker for the lighthouse, pullout (gravel) for about three cars and a trail to the beach. Maybe the parking area could be improved and an informational kiosk ("You are Here") would be helpful.
67. Singley Creek to McNutt Gulch - This site is located where southbound Mattole Road drops down to the ocean shoreline at Singley Creek and stays near the shoreline for six miles before bearing eastward up McNutt Gulch. In a recent out-of-court settlement of an access suit, the land owner has provided for four vertical access points ranging from 20 to 50 feet wide. All other areas have private property between the road and the sea. The area is generally flat and 5-10 parking places could easily be established at each access point. Pedestrian access to the primarily sandy beach could be reached all along the six-mile stretch from the selected sites scattered along the distance. Current information.

#### RECOMMENDATION

These accessways should be improved consistent with the conditions of approval imposed in the County of Humboldt, Department of Public Works Coastal Commission permit for improvements to the Mattole Road. These accesses could definitely use signage. I can't tell which one is which? There are at least three accesses that have parking for 2-5 cars. Three of these accesses have gates on them that appear locked or difficult to pass through (due to livestock). There is evidence of cattle utilizing the beach which may be a concern for other users (maybe some kind of "kiosk" with a "beware, enter at your own risk, don't forget to shut the gate??" type of notice on it. Two of the accessways have direct access to the beach, the other two you must cross pasturelands to get to the beach.

69. Mattole River and Beach - Lighthouse Road runs from the bridge over the Mattole River down to the river's mouth and is generally fairly close to the high water line along the south side of the river. The Mattole River offers good steelhead fishing and many anglers fish the river. There are currently several sites where vehicles can be driven out onto the gravel bars, but most access is by foot after parking alongside Lighthouse Road. The one and one-half mile of river in the coastal zone has a flat area along side the river and access could be developed all along the south shoreline of the river. Parking could be handled by widening the road or developing several five-car sites just off the road. Currently, there is space for 10-15 cars where the road ends near the ocean beach. This parking lot is the northern end of the 24-mile beach trail to Shelter cove. There may be some hazards to habitat and/or archaeological sites as a result of vehicular use. BLM owns and manages this access. Basically the same. There appears to be one accessway directly to the Mattole River from lighthouse Road and a couple of pullouts along the way for parking and pedestrian access to the river. BLM has improved the parking at the mouth and provided bathroom facilities and water. Parking at the mouth could accommodate around 20 cars. Directly north the BLM has established a camping area (similar to a parking lot). There are approximately 25 sites; however, they are not well marked or divided. Vehicular access to the beach has been blocked off by large logs. Pedestrian and Equestrian access is easily available. There is an informational kiosk at the intersection of the campground and the parking area. I don't know how much enforcement BLM provides as it looks like many campers have established residency in the campground (there is a 14 day limit per year).

RECOMMENDATION

Although this accessway is an existing route to the ocean, areas designated as Sensitive Habitats or Natural Resources (the wetland areas at the mouth of the Mattole and the dune habitats on the beach south of the Mattole) need additional protection from inappropriate vehicular use and enforcement of these policies. Where feasible, barriers to vehicular access to these areas should be erected. As the trail head for the southern portion of the Coastal Trail in Humboldt County, areas for parking should be designated. Barriers have been erected; there was little evidence of vehicular access to the beach (the dunes were pretty thrashed from pedestrians, though). The wetlands looked intact and not disturbed. Parking has been provided, and the area has been well signed. Recommend additional enforcement to prevent a "squatter's villager" from developing.

Check BLM Management Plan for new accesses in the King Range Conservation Area.

Also, there is access at Fauntleroy Rock (may just be a pullout on the county road). Check ownership and if public, add to the list. This may also be a Zanone access point???

70. Punta Gorda to Shelter Cove - Although lateral vehicular access is available to the Punta Gorda Lighthouse from the Mattole River, this has been temporarily closed by the Bureau of Land Management. The remainder is limited to lateral pedestrian access as part of the beach trail to Shelter Cove.

RECOMMENDATION

This is an accessway with historic vehicular use. Limited vehicular use is proposed only to Punta Gorda (see 3.36D 5). The balance of this lateral access is limited to pedestrian use as part of the Coastal Trail (see the end of this section).

72. Shelter Cove - The Shelter Cove area stretches along about two miles of shore line that fronts on a major residential subdivision. Besides the "green belt" accessways provided in this subdivision the following specific accessways are noted:
73. Telegraph Creek - Located at the north end of Beach Road, this accessway provides vehicular and pedestrian access to the south end of the Punta Gorda to Shelter Cove portion of the Coastal Trail (#70). Although the present parking area is in private ownership, BLM and private publications have listed this as a public parking area and it has substantial public use.

RECOMMENDATION

This accessway is proposed for acquisition and development to include designated parking areas, fire rings and signing adequate to inform the public of fire hazards, beach hazards from "sleeper waves" and directions for continuation of the Coastal Trail through the Shelter Cove Subdivision.

74. Dolphin Drive - This accessway to Little Black Sand Beach is an old roadway which has become unusable for vehicles. There is presently unrestricted pedestrian access to the beach and is a favorite of local residents. Parking is a problem as it is limited to one street.

RECOMMENDATION

This access should be limited to pedestrian use. Signing is required to indicate that parking is limited to the street and that there is no turnaround.

75. Abalone Point - Besides providing access to the point itself and the rocky intertidal areas, this is a primary vista point for views both north and south. The area below the bluff edge is a very hazardous area due to wave action.

RECOMMENDATION

This area has been proposed for acquisition because of significant archaeological resources as well as the visual and physical access considerations. Development of this accessway in conjunction with the other sites proposed for acquisition should provide for parking and interpretive (#76, 77, and 78) centers for the King Range National Conservation Area, the Rocky intertidal areas and the Archaeological sites protected there. Information in the interpretive center(s) shall be adequate to educate the visitor for the reasons and the protection required for these sensitive areas as well as the hazard to be encountered in the intertidal areas. Signs specifically stating that "Accesses to the lower rocky terraces are extremely hazardous" shall be conspicuously posted at each accessway. Supportive literature such as is used at Trinidad State Beach shall be made available for distribution. All development shall be consistent with the Archaeological protection in Section 3.29 of this document.

76. Lower Pacific Drive - Located just north of Neptune Road, this gently sloped bluff has an underdeveloped trail beginning at Lower Pacific Drive. Parking is available but limited to the street. Access is presently through "greenbelt" areas designated for public access.

#### RECOMMENDATION

Since the northern portion of this accessway is designated in the same acquisition proposal as #75 the recommendations are the same. Area to be considered for bluff top trail are AP 111-121-25 through 31 and 111-171-29 through 34. The storm drain easement opposite Steelhead Court will be considered for vertical access (Amended by Res. No. 85-81, 8/20/85).

77. Coral Point and Surf Point Roads - Both of these cul-de-sacs provide access to unmarked trails leading to the bluff's edge and providing easy access to the lower rocky terraces. Parking is presently limited to the street.

#### RECOMMENDATIONS

No improvements are recommended for the existing easements.

78. Point Delgada - There are two accessways located here, an easement to Shelter Cove under the control of the Humboldt Bay Harbor Recreation and Conservation District (A) and one to the western shoreline on land owned by the Bureau of Land Management (B).

#### RECOMMENDATIONS

Development of (A) shall be consistent with the Harbor District's plans including provision of parking, restroom facilities, and a fish cleaning sinkboard and refuse containers. Development at the access at (B) is adjacent to an area proposed for acquisition and shall be consistent with the recommendations included in access #75.

80. Chemise Creek - An old pack trail leads from Nadelos Campground on the usual road to the ocean at the mouth of Chemise Creek. The trail starts at 1900 feet elevation, climbs to 2500 feet in crossing Chamisai Mountain, then drops to the sea in the next two miles. The cove would provide a primitive and isolated site to those willing to make the effort to get there.

#### RECOMMENDATIONS

This access trail should be included in the inventory. Trail improvements should be minimized consistent with the need to provide for public safety and the primitive nature of this area.

#### COASTAL TRAIL

The South Coast Planning Area has the distinction of not only providing the most extensive segment of coastal trail in the County, but also combines the opportunity to have it run along the shoreline for the entire length of the trail segment, and encompasses the famed "Lost Coast" of the King Range National Conservation Area

(KRNCA). The County has the opportunity to provide a recreational opportunity that is unique in the entire State of California.

### RECOMMENDATION

Coastal Trail - The Coastal Trail shall run down the Wildcat Road from Ferndale to Petrolia, then across the Mattole River to the beach just south of the river, then along the beach to Shelter Cove; the trail will continue through Shelter Cove to Ferrian Meadows, then to Nadelos and Walaki Campgrounds and Chemise Mountain Trail.

Nothing in this plan shall interfere with the public's right to access to, and use of, the public trust lands below the mean high tide and in navigable river channels.

The above routing of the Coastal Trail is based on findings that a route within the Coastal Zone from Centerville down to the Mattole River would (a) have an adverse effect on the agricultural operations of the area; (b) present a significant risk to public safety; (c) present a high fire risk; and, (d) present a risk to fragile coastal resource. This routing is based also on the present level of use.

Notwithstanding the above, this plan identifies the following segments of a potential alternative route of the Coastal Trail:

- (a) From Guthrie Creek to Cape Mendocino, the unvegetated rocky and dry sandy beach.
- (b) From Cape Mendocino to McNutt Gulch the unvegetated rocky and dry sandy beach, and a vertical accessway from the Mattole Road to the sea and located between Cape Mendocino and Singley Creek.
- (c) From McNutt Creek to the Mattole River, the unvegetated rocky and dry sandy beach from McNutt gulch to the Mattole River.

This plan provides that easements for public access along the trail shall be offered in either of the following classes of development which are approved on coastal parcels which include the accessways:

- (i) Land divisions which create parcels smaller than 600 acres.
- (ii) Any development requiring a change in land use designation.

This plan provides that this potential alternative trail route shall not be designated or opened for public use until access easements have been offered for dedication or right of ways have otherwise been obtained by a public agency as described below. Public agencies shall pursue acquisitions of right of ways on a willing seller basis only. Agricultural use should be continued through grazing leases on any suitable lands so acquired. In addition, the trail shall not be signed, opened for public use, or identified in the Commission's coastal access atlas until the access easements are accepted by an agency which demonstrates its ability to carry out the following management responsibilities:

1. Areas shall not be opened for public use unless:
  - a. They are owned in fee, or
  - b. Access easements or lands owned on fee title can provide a continuous coastal trail route through an entire trail segment, as identified above.
2. Dogs, fires, and firearms shall be prohibited on the trail and the use of any access easements shall be limited to the right to pass and repass within the accessway. These restrictions shall be enforced through posting of conspicuous signs, by listing in the Commission's atlas of public accessways or other brochures about the coastal trail, and by allocation of sufficient personnel to enforce these rules on public lands and accessways, particularly during periods of heavy public use, heavy livestock use, high fire hazard, heavy seas, or extremely high tides.

3. Access easements open to public use and lands owned in fee title shall, where appropriate, be fenced from adjacent private lands in agricultural use, and other improvements that may be reasonable and necessary to separate users of the trail from adjacent private agricultural lands shall be provided. The managing agency shall coordinate closely with owners of adjacent private agricultural land to ensure that these responsibilities, including maintenance of fences, are carried out.
4. The managing agency shall either provide fire suppression services on the public lands and accessways, or shall close the trail to public use during periods of high fire hazard, including allocation of sufficient personnel to enforce any closure.
5. Harbor seal habitats from the Mattole River to McNutt Gulch shall be protected from public access which would have a significant adverse effect on pupping or haulout activities. The managing agency in cooperation with the California Department of Fish and Game shall prepare and submit to the County for its review and approval, a management program, such as closure of the area during critical seasons (May to July) or equivalent measures, to prevent significant adverse effects to these harbor seal habitats.

#### 4.31 COASTAL CONSERVANCY PROJECT AREA

A. For purposes of assisting in the implementation of the access, marine resources, and archaeological resources policies of this plan, a Coastal Conservancy Project Area is designated on the Area Plan map. This designation expired on July 1, 1983.

B. Within the King Range NCA, the private holdings commonly known as the "Ranchos" shall be designated as Coastal Conservancy Project Area. The purpose of the designation shall be solely to assist BLM in completing their acquisition program for this area, and shall not indicate an intent to place additional restrictions on development of these areas."

#### 4.32 COASTAL DEVELOPMENT PERMIT

No coastal development permit may be denied under this plan on the grounds that a public agency is planning or contemplating to acquire the property on, or adjacent to the property on, which the proposed development is to be located, unless the public agency has been specifically authorized to acquire such property and there are funds available, or funds which could reasonably be expected to be made available within one year, for such acquisition. If a permit has been denied for such reason and the property has not been acquired by a public agency within a reasonable period of time (one year from date of application), a permit may not be denied for such development on grounds that such property, or adjacent property, is to be acquired by a public agency when the application for such a development is resubmitted.

TABLE 2  
ACCESS SUMMARY

Map Number & Title	Type <sup>1</sup>								Ownership	Improvement Recommendations <sup>2</sup>
	R	C	E	P	B	L	S			
		O	O	Q	E	L	O	C		
		R	R		E				I	
		V	V							
66. Cape Mendocino	X		X	X		X			Private	Access Road, parking, fencing
67. Singley Creek to McNutty Gulch			X	X					Private	Improvements Consistent with Coastal Commission, Permit to Public Works
69. Mattole River and Beach			X	X					Public	Designated Parking and Protection for Sensitive Habitats
70. Punta Gorda to Shelter Cove		X	X	X					Public/ Private	Limited Vehicular Access
72. Shelter Cove	X	X	X	X	X	X	X	X	Public/ Private	Recommendations Following
73. Telegraph Creek	X	X	X	X					Designated for Acquisition	Parking, Fire Range, Informational Signs
74. Dolphin Drive				X			X		Public Road	Signing
75. Abalone Point				X		X	X		Designated for Acquisition	Extensive - See Text
76. Lower Pacific Drive				X		X	X		Partially Designated for Acquisition	Extensive - See text for #75
77. Coral Point				X		X	X		Existing Easement	None
78. Point Delgada	X	X	X	X	X	X	X	X	Public	None

<sup>1</sup> RORV = Recreational Off-Road Vehicle  
 CORV = Commercial Off-Road Vehicle  
 EQ = Equestrian  
 PED = Pedestrian  
 BL = Boat Launch  
 LO = Look-Out  
 SCI = Scientific

<sup>2</sup> All accessways recommended for inclusion in the final access inventory shall have adequate signing and be listed in the Humboldt County Access Atlas.

A

B

X X X Public

Extensive - See #75

---

80. Chemise Creek

X Public

Minimum Trail Improvement for safety

---

COASTAL TRAIL

X X X Public

---

#### 4.40 AREA PLAN MAPS

The official maps at full scale (1"=600' and 7.5' USGS quads) are available for review at the Humboldt County Planning Department at the Clark Complex, 3015 H Street, Eureka, California. Requests for copies of the official maps should be directed to the same address.

## 5CHAPTER 5

### LAND USE DESIGNATIONS

#### 5.10 INTRODUCTION

The Area Plan maps indicate the planned principal use for all areas in the Coastal Zone. These planned uses are the basis on which zoning and subsequent development decisions are made; their intent is to guide the development of each area within the framework of community goals and objectives (Chapter 3 of the Area Plan) and the requirements of Public Resource Code Section 30000 et seq. (The California Coastal Act.)

On the maps, the planned principal uses -- or planning designations -- are indicated by symbols; the key on the map indicates which symbol stands for which planning designation. In this chapter, the standards for permitted use are identified for each planning designation. While in some cases these standards are very specific, they are for the most part of a more general nature than the zoning standards that apply in the area (these are found in the Coastal Zone Ordinance). This is for a definite reason: the plan designations for an area indicate the overall pattern of eventual development for several years ahead, while the zoning now in force limits present development to what can now be supported in the area. Ordinarily only one zone will be compatible with a single plan designation, and any zoning adopted must conform with and be adequate to carry out the land use plan.

For each Urban and Rural land use designation listed below, the purposes, principal use, conditional use, and (for residential designations) the gross density are identified. Chapter 5 also indicates additional standards for each land use designation that assure conformance of new development with the community objectives and requirements of the Coastal Act.

#### 5.20 URBAN PLAN DESIGNATIONS

(The standards below apply only within Urban Limits as shown in the Area Plan.)

##### RM: RESIDENTIAL/MEDIUM DENSITY

Purpose: to make efficient use of available land for residential purposes.

Principal Use: detached single family homes, duplexes, and guest houses.

Conditional Uses: Hotels, motels, boarding houses, mobile home development, single family residences, guest houses, office and professional private institutions, and neighborhood commercial (Amended by Res. No. 85-65; effective certification 11/25/85).

1. New neighborhood commercial development, which is conditionally permitted in urban residential land use designations, shall be restricted to locating along minor collectors or a higher order road classification (e.g. major collectors or arterials (Amended by Res. No. 85-55, 5/7/85).
2. Neighborhood commercial uses conditionally permitted in urban residential land use designations may be prohibited pursuant to rezoning procedures (Amended by Res. No. 85-55, 5/7/85).

Gross Density: 8-30 units per acre.

**RL: RESIDENTIAL/LOW DENSITY**

**Purpose:** to allow the development of homeowner residential uses making conservative use of urban land where adequate services are available.

**Principal Use:** detached single family residences.

**Conditional Uses:** private institutions, private recreation facilities, and neighborhood commercial (Amended by Res. No. 85-65; effective certification 11/25/85).

1. New neighborhood commercial development, which is conditionally permitted in urban residential land use designations, shall be restricted to locating along minor collectors or a higher order road classification (e.g. major collectors or arterials (Amended by Res. No. 85-55, 5/7/85).
2. Neighborhood commercial uses conditionally permitted in urban residential land use designations may be prohibited pursuant to rezoning procedures (Amended by Res. No. 85-55, 5/7/85).

**Gross Density:** 3-7 units per acre.

**NR: NATURAL RESOURCES**

**Purpose:** to protect and enhance valuable fish and wildlife habitats, and provide for public and private use of their resources, including hunting, fishing, and other forms of recreation.

**Principal Use:** management for fish and wildlife habitat.

**Conditional Uses:** wetland restoration, development of hunting blinds and similar minor facilities, improvement of boating facilities in estuaries consistent with applicable policies of the plan, and removal of trees for disease control and public safety purposes.

**CG: COMMERCIAL GENERAL**

**Purpose:** to allow the integrated development of commercial districts or neighborhood commercial centers providing for the economic well-being and convenience of the community.

**Principal Use:** retail sales, retail services, office and professional uses.

**Conditional Uses:** Hotels, motels.

**CR: COMMERCIAL RECREATIONAL**

**Principal Use:** Commercial and visitor-serving developments subject to the requirements of Sections 3.25 and 3.36 of this document, such as: recreational vehicle parks, hotels and motels (commercial recreational facilities); and antique shops, art galleries, tackle shops, restaurants, and taverns (visitor-serving facilities).

**Conditional Uses:** apartments on the upper floor of multi-storied structures, and commercial fishing facilities.

**CR/C: COMMERCIAL RECREATIONAL-COASTAL RELATED**

A special area regulation for Shelter Cove harbor. Commercial Recreational uses limited to coastal-related or coastal-dependent uses consistent with Sections 3.23 and 3.23A.

**PF: PUBLIC FACILITY**

Purpose: to protect sites appropriate for the development of public and private sector civic service facilities.

Principal Use: essential services including fire and police stations, hospitals and schools; public and private facilities including offices, libraries, cemeteries and clinics; but not including sites or facilities for the storage or processing of materials or equipment.

**PR: PUBLIC RECREATION**

Purpose: to protect publicly-owned lands suitable for recreational development or resource protection.

Principal Use: public recreation and open space (per Section 3.25A2).

Conditional Uses: caretaker dwellings, maintenance buildings.

**5.30 RURAL PLAN DESIGNATIONS**

(The standards below apply outside Urban Limits as shown in the Area Plan.)

**NR: NATURAL RESOURCES**

Purpose: to protect and enhance valuable fish and wildlife habitats, and provide for public and private use of their resources, including hunting, fishing, and other forms of recreation.

Principal Use: Management for fish and wildlife habitat.

Conditional Uses: wetland restoration, development of hunting blinds and similar minor facilities, improvement of boating facilities in estuaries consistent with applicable policies of the plan, and removal of trees for disease control and public safety purposes.

**AEG: AGRICULTURE EXCLUSIVE/GRAZING LANDS**

Purpose: to protect coastal grazing lands for long-term productive grazing use.

Permitted Use: production of food, fibre or plants, with residence as a use incidental to this activity, including two (2) separate residence where one is occupied by the owner/operator and the other by the parent or child of the owner/operator, and principal permitted uses under TC.

Conditional Uses: See Section 3.34.

Gross Density: 600 acre minimum parcel size, except as permitted by Section 3.34.

**TC: COASTAL COMMERCIAL TIMBERLAND**

Purpose: to protect productive timberlands for long-term production of merchantable timber.

Principal Uses: Timber production including all necessary site preparation, road construction and harvesting, and residential use incidental to this use, and principal uses permitted under AEP, except second dwelling.

Conditional Uses: Management of watershed, management for fish and wildlife, utility and transmission lines, second dwellings, temporary labor camps.

Gross Density: 160 acre minimum, except that with a joint timber management plan parcels to 40 acres may be created.

**CR: COMMERCIAL RECREATION**

Purpose: to protect sites suitable for the development of commercial recreational facilities, and for visitor service facilities appropriate to assure recreational opportunity for visitors in the area.

Principal Use: commercial recreational and visitor-serving developments subject to the requirements of Sections 3.25 and 3.36 of this document.

**PR: PUBLIC RECREATIONAL**

Purpose: to protect publicly owned lands suitable for recreational development or resource protection.

Principal Use: public recreation and open space (per Section 3.36C).

Conditional Uses: caretaker dwellings, maintenance buildings.

**PF: PUBLIC FACILITIES**

Purpose: to protect appropriate sites for essential public services most appropriately located in rural areas.

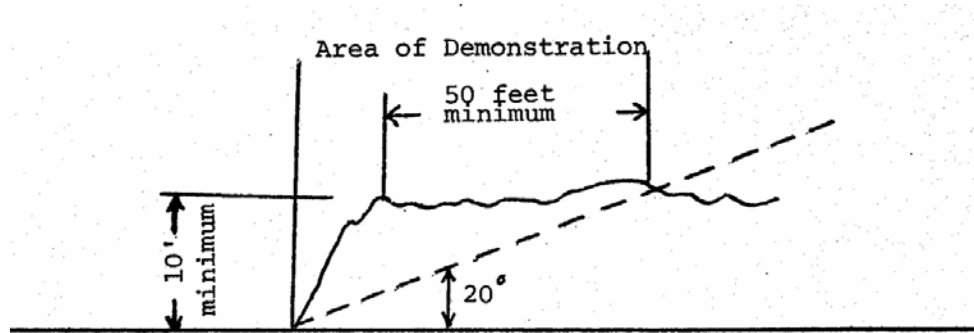
Principal Use: utility substations, schools, and other essential public services most appropriately located in rural areas.

## 6CHAPTER 6

### DEFINITIONS

"Area of demonstration of stability" - As a general rule, the area of demonstration of stability (Illustration A) includes the base, face and top of all bluffs and cliffs. The extent of the bluff top considered should include the area between the face of the bluff and a line described on the bluff top by the intersection of a plan included at a 20° angle from horizontal passing through the toe of the bluff or cliff, or 50 feet inland from the edge of the cliff or bluff whichever is greater. However, the County may designate a lesser area of demonstration in specific areas of known geologic stability (as determined by adequate geologic evaluation and historic evidence) or where adequate protective works already exist. The County may designate a greater area of demonstration or exclude development entirely in areas of known high instability.

Illustration A



"Bluff or cliff areas" - A bluff or cliff is a scarp or steep face of rock, decomposed rock, sediment or soil resulting from erosion, faulting, folding or excavation of the land mass. The cliff or bluff may be simple planar or curved surface or it may be steplike in section. For the purposes of this guideline, "cliff" or "bluff" is limited to those features having vertical relief of ten feet or more, and "seacliff" is a cliff whose toe is or may be subject to marine erosion. "Bluff edge" or "cliff edge" is the upper termination of a bluff, cliff or seacliff. When the top edge of the cliff face, the edge shall be defined as that point nearest the cliff beyond which the downward gradient of the land surface increases more or less continuously until it reaches the general gradient of the cliff. In a case where there is a steplike feature at the top of the cliff face, the landward edge of the topmost riser shall be taken to be the cliff edge.

"Boundary of wetland" - Either (1) the boundary between land with predominantly hydrophytic cover and land with predominantly mesophytic or xerophytic cover; or (2) the boundary between soil that is predominantly hydric and soil that is predominantly nonhydric; or, in the case of wetlands without vegetation or soils; (3) the boundary between land that is flooded or saturated at some time during years of normal precipitation and land that is not. Areas with drained hydric soils that are no longer capable of supporting hydrophytes are not considered wetlands.

"Coastal commercial timberland" - means:

- (a) Within a Timberland Preserve Zone (TPZ<sup>6</sup>), privately owned land, or land acquired for state forest purposes, which is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre.
- (b) Outside a TPZ, land, other than land owned by the federal government or land designated by the Board as experimental forest land, which is available for, and capable of, growing a crop of trees of any commercial species used to produce timber and other forest products including Christmas trees (Public Resources Code Section 4526).

"Commercial-recreational facilities" - means facilities serving recreational needs but operated for private profit, (e.g., riding stable, chartered fishing boats, tourist attractions, and amusement or marine parks).

"Cottage Industry" - a secondary use of a parcel for gainful employment involving the manufacture, provision of or sale of goods and/or services, which is conducted by occupants of the premises and not more than 3 non-resident employees in a manner which does not substantially affect the primary use of the parcel, and which does not require use of buildings or structures occupying more than 2 acres, and which is conducted pursuant to Sections 3.34 B (4) or 3.35 A (2).

"Developed" - developed with a structure that is a principal or conditional use permitted under a parcel's land use designation in the applicable area plan.

"Development" - means, on land, in or under water, the placement or creation of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66-410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511).

"Dikes" - a bank constructed to control or confine tidal waters.

"Environmentally sensitive areas" - means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments (Coastal Act Section 30107.5), including: areas of special biological significance as identified by the State Water Resources Control Board; rare and endangered species habitat identified by the State Department of Fish and Game; all coastal wetlands and lagoons, all marine, wildlife, and education and research reserves; nearshore reefs; tidepools; sea caves; islets and offshore rocks; kelp beds; indigenous dune plant habitats; and wilderness and primitive areas.

"Existing developed areas" - that may be appropriate for infilling and redevelopment include: lands upon which urban development presently exists; lands generally developed to a density of two or more units per acre; and lands within rural communities that constitute distinct, identifiable towns or villages because they are substantially more developed than surrounding lands and contain a

---

<sup>6</sup>As of 1982 State legislation has changed the definition of TPZ to Timber Production Zone.

variety of services common to rural centers which serve large surrounding areas (such as a post office, store, restaurants, bars, and service stations).

Other areas that may be appropriate for carefully-phased expansion from such developed areas include lands adjacent or closely proximate to developed areas where development would provide a logical, resource-conserving extension of the present developed area because (1) coastal resources within the expansion area would be permanently protected;

- (2) the lands are relatively near employment centers;
- (3) adequate necessary services (i.e. roads, water, sewage disposal) are either available or can be provided without significant damage to coastal resources or to access to the coast by the general public;
- (4) alternative sites for urban development would involve greater damage to natural resources, coastal or inland; and
- (5) development proposed for the area is consistent with other Coastal Act requirements.

"Fill" - means earth or other substance or material, including piling placed for the purpose of erecting structures thereon, placed in a submerged area.

"Fire hazard areas" - no acceptable definition in common use. Local planners should use the Fire Hazard Severity Classification System developed by the State Division of Forestry.

"Flood hazard areas" - those areas subject to inundation by a 100-year flood.

"Geologic hazards" - include the following:

- (1) seismic hazard areas delineated on fault maps as subject to potential surface rupture, on soil maps indicating materials particularly prone to shaking or liquefaction, and in local and regional seismic safety plans;
- (2) tsunami runup areas identified on U.S. Army Corps of Engineers 100-year recurrence maps, by other scientific or historic studies, and other known areas of tsunami risk;
- (3) landslide hazard areas delineated on slope stability maps and in local and regional geologic or safety plans;
- (4) beach areas subject to erosion; and
- (5) other geologic hazards such as expansive soils and subsidence areas.

"Highly Scenic Areas" generally include:

- (1) landscape preservation projects designated by the State Department of Parks and Recreation in the California Coastline Preservation and Recreation Plan;
- (2) open areas of particular value in preserving natural landforms and significant vegetation, or in providing attractive transitions between natural and urbanized areas; and
- (3) other scenic areas and historical districts designated by cities and counties.

"Lateral Access" - a recorded dedication or easement granting to the public the right to pass and repass over dedicatory's real property generally parallel to, and up to 25 feet inland from, the mean high tide line, but in no case allowing the public the right to pass nearer than five feet to any living unit on the property.

"Levee" - a bank constructed to control or confine flood waters.

"Low income" - includes both "very low" and "low" income, meaning households whose income does not exceed 50% and 80%, respectively, of the median household income of Standard Metropolitan Statistical Area (SMSA) the jurisdiction is located in, or the county where there is no SMSA, in accordance with U.S. Department of Housing and Community Development standards.

"Mode" - in any group of numbers, that number which is found most frequently is the mode.

"Moderate income" - means a household whose income does not exceed 120% of the median household income of the SMSA (subject to adjustments in some areas), in accordance with Chapter 1339 of the California Health and Safety Code.

"Neighborhood Commercial" - retail services which provide convenient sales facilities to residential areas, such as coin operated laundries, food markets, and variety stores.

"Non-prime agricultural land" - means other coastal agricultural lands that are now in use for crops or grazing, or that are suitable for agriculture.

"Planned Unit Development" - a development which, on an individual parcel, permits variable parcel sizes but an overall density consistent with the gross densities permitted in the area plan, in order to provide development compatible with environmental, geologic or topographic features of a parcel.

"Prime agricultural land" - (per California Government Code Section 51201 (c)) means:

- (1) all land which qualifies for rating as Class I or Class II in the Soil Conservation Service land use capability classifications.
- (2) land which qualifies for rating 80 through 100 in the Storie Index Rating.
- (3) 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.
- (4) 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 per acre.
- (5) land which has returned from the production of unprocessed agricultural plant products on an annual gross value of not less than \$200 per acre for three of the five previous years.

"Private Institution" - the rooming or boarding of any aged or convalescent person whether ambulatory or nonambulatory, for which a license is required by a county, state or federal agency. Private institution shall include sanitarium, rest home and convalescent home.

"Public Works" - means:

- (a) All production, storage, transmission and recovery facilities for water, sewerage, telephone, and other similar utilities owned or operated by any public agency or by any utility subject to the jurisdiction of the Public Utilities Commission, except for energy facilities.
- (b) All public transportation facilities, including streets, roads, highways, public parking lots and structures, ports, harbors, airports, railroads, and mass transit facilities and stations, bridges, trolley wires, and other related facilities. For purposes of this division, neither the Ports of Hueneme, Long Beach, Los Angeles, nor San Diego

Unified Port District nor any of the developments within these ports shall be considered public works.

- (c) All publicly financed recreational facilities and any development by a special district.
- (d) All community college facilities. (Public Resources Code, Section 30114).

"Recreation, Private, and Noncommercial" - Clubs or recreation facilities operated by a nonprofit organization and open only to bona fide members of such nonprofit organization and their guests.

"Riparian Vegetation" - refers to vegetation commonly occurring adjacent to stream banks and includes such plants as willows, alders, cottonwood, wax myrtle, big leaf maple, pepperwood, red osier dogwood, and red elderberry.

"Road Standards" (Appended by Res. No. 85-55, 5/7/85)

- (1) The "Rural Principal Arterial" system consists of a connected rural network of continuous routes which have trip length and travel density characteristics indicative of substantial statewide or interstate travel.
- (2) The "Rural Minor Arterial" road system, in conjunction with the rural principal arterial system, links cities and towns above 5,000 in population and other major traffic generators, and forms an integrated network providing interstate and intercounty service.
- (3) "Rural Connectors" provide connections between the higher order system and have low- volume/long trip length characteristics.
- (4) "Rural Collector" routes generally serve travel of primarily regional importance rather than statewide importance and constitute those routes on which (regardless of traffic volume) predominant travel distances are shorter than on arterial routes. The collector road system is subclassified into two categories:
  - (a) "Major Collectors" are spaced at intervals, consistent with population density, to collect traffic from local roads and bring all developed areas within a reasonable distance of a collector road.
  - (b) "Minor Collectors" are spaced at intervals, consistent with population density, to collect traffic from local roads and bring all developed areas within a reasonable distance of a collector road.
- (5) "Rural Local Road" system serves primarily to provide access to adjacent land and accommodate travel over relatively short distances as compared to higher systems. (Not shown individually on circulation map.)
- (6) "Urban Principal Arterials" in conjunction with Rural Principal Arterials, provide the highest level of conventional street service to virtually all area traffic generators.

"Sea" - means the Pacific Ocean and all harbors, bays, channels, estuaries, salt marshes, sloughs, and other areas subject to tidal action through any connection with the Pacific Ocean, excluding non-estuarine rivers, streams, tributaries, creeks, and flood control and drainage channels.

"Self Help Housing Sponsor" - An existing entity that is willing and able to assist in applying for and carrying out a grant under the Self Help Housing Program of the Farmers House Administration, as provided in Section 1933.403(k), Title 7, Code of Federal Regulations (Department of Agriculture).

"Special Communities and Neighborhoods" include the following:

- (1) areas characterized by a particular cultural, historical, or architectural heritage that is distinctive in the Coastal Zone;
- (2) areas presently recognized as important visitor destination centers on the coastline;
- (3) areas with limited automobile traffic that provide opportunities for pedestrian and bicycle access for visitors to the coast;
- (4) areas that add to the visual attractiveness of the coast.

"Special district" - means any public agency other than a local government ... formed pursuant to general law or special act for the local performance of governmental or proprietary functions within limited boundaries. "Special district" includes, but is not limited to, a county service area, a maintenance district or area, an improvement district or improvement zone, or any other zone or area, formed for the purpose of designating an area within which a property tax rate will be levied to pay for a service or improvement benefiting that area. (Public Resources Code Section 30118).

"Spillways" - an alteration of a dike or levee above the level of mean higher high water for the purpose of drainage of flood waters.

"Structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line. (Public Resources Code section 30106).

"Timber Products Processing" - Commercial processing of raw wood and wood products, including sawmills, lumber mills, and plywood mills, but not including pulpmills.

"Usable Parcel" - A parcel that can be developed for the principal use permitted under its land use designation and other policies of the applicable area plan.

"Vertical Access" - A recorded dedication or easement granting the public the privilege and right to pass and reposs over dedicator's real property from a public road to the mean high tide line.

"Visitor-serving facilities" means public and private developments that provide accommodations, food, and services, including hotels, motels, campgrounds, restaurants, and commercial-recreation developments such as shopping, eating and amusement areas for tourists.

"Wetland" is defined as land where the water table is at, near or above the land surface long enough to do either of the following:

- (a) promote the formation or (hydric) soils that are saturated with water at or near the surface and are deficient of oxygen long enough during the growing season to result in soil properties that reflect dominate wetness characteristics near the soil surface (within 10"); or
- (b) support the growth of hydrophytic plants which grow in water or in wet habitats.