

**SUPPLEMENTAL INFORMATION**  
**No. 7**

For Planning Commission Agenda of:  
April 1, 2010

- |                                     |                               |   |       |
|-------------------------------------|-------------------------------|---|-------|
| <input type="checkbox"/>            | Administrative Agenda Item    | } |       |
| <input checked="" type="checkbox"/> | Continued Public Hearing Item | } | No. 4 |
| <input type="checkbox"/>            | New Public Hearing Item       | } |       |
| <input type="checkbox"/>            | Old Business Item             | } |       |
| <input type="checkbox"/>            | New Business Item             | } |       |

Re: Applicant: John and Katrin Homan  
Case Nos.: FMS-08-02  
File No.: APN: 515-191-37

Attached are additional public comment letters.

Waters comments to Humboldt County Planning Commission Mar 24 '10 re Homan subdivision on Stagecoach Rd., north Trinidad

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Humboldt County  
Planning Div

This letter supplements our earlier documented objections and concerns for this project. It addresses matters which have arisen since the March 4 hearing.

1. An **actual sighting of the listed Sonoma tree vole** has been reported from near the Homan property. I quote from an email from Carol Boyd, dated March 17, 2010, in case it has not otherwise been placed on record.

"My dear friend [Kent Wranić], former neighbor and tree-climber par excellence is here from Wyoming. He and partner Deborah [Patterson] saw a doug fir tree vole (dead) right across the street [Stagecoach Rd.] in the park on the loop walk just opposite Doug Jager's [just south of Anderson Lane]. It was awhile ago....he thinks 5 years. They brought it home and looked it up and identified it as a red tree vole."

*This animal is now called the Sonoma tree vole. Its biological name has been changed since their book was written.. The protected animal south of the Klamath River is now called *Arborimus pomo*, the Sonoma tree vole.*

Thus it is now **known**, not just expected, to **exist very close to the subdivision**. The subdivision needs to be **thoroughly surveyed by specialists familiar with this animal, before any more damage is done to the trees and the property**.

2. We **object very strongly to the proposed widening** of Stagecoach Rd. and Anderson Ln. This would be **destructive and inconsistent with other conditions of the subdivision**.

Widening the roads would **cut into the so-called "buffer" and into the protected creek and riparian zone**. The required **"swales and ditches"** would extend the damage well beyond the nominal proposed width. The **actual work of construction** would certainly cause even further damage into the buffer and riparian zones. Injury to trees and root systems would destroy additional trees whose visible trunks lie outside the damaged zone. Thus **the actual destruction would extend much deeper into the property** than the "18 feet ... plus 2" along Anderson Ln. and the "20 feet ... plus 5" along Stagecoach Rd. (B2.6) suggests.

We will submit a photograph showing where the 5-foot line passes the creek. Note how many trees this will take. Again, the actual damage will extend much deeper.

This destruction would be **inconsistent with the purposes of the buffer zone** and with the requirements of the **Trinidad Area Plan**. It would have **great negative impact on the local environment**, as discussed in our earlier letters, including the **wildlife corridors** and the habitat of the two **protected species of voles**. It would also be **completely inconsistent with the present esthetic character** of the roads and neighborhood, as was documented in other letters.

Widening the road will encourage speeding. People drive faster on wider roads.

3. The proponents claim that there will be little visual impact from Stagecoach Rd. and the College Cove park. We will submit images giving an approximate visual idea of the actual destruction. One is based on a photograph taken looking east up the College Cove driveway toward the seastack. I have removed the existing trees as required by the proposal, then added a similar background hillside, a sample house, and the retaining wall required for the widened access road.

The proponents' claims thus do not correspond to the actual appearance after development. The entire frontages along Stagecoach Rd. and Anderson Ln. will look changed and devastated.

4. We continue to oppose the project as modified and call for thorough EIR and traffic studies.

/s/ James F. Waters Virginia L. Waters



Dear Humboldt County Planning Department,

I am writing in order to formally comment on the Homan Subdivision Project.

As a resident of Trinidad, I am very concerned about this project for a number of reasons and feel that further research is absolutely required before any kind of approvals can be given by the Planning Department on behalf of the citizens of Humboldt County.

Living on Gipson Lane, I walk several times a week along the road to College Cove, walking past the proposed development area.

1. It is obvious that the proposed development will be a gross aesthetic violation of the pristine area buffering the entrance to College Cove, one of the most beautiful sites in Humboldt County. To abet this violation by waving the minimum two acre zoning requirement due to acreage averaging would be horrible. Each of the lots fronting Stagecoach Road should be required to be a minimum of two acres, this is absolutely not the time to wave this requirement. The area fronting Stagecoach Road is the very area that will have the greatest impact and allowing lots to be less than two acres is absolutely not consistent with the nature of the rural quality of that stretch of Stagecoach Road.
2. Children frequently play in the waterfall that descends upon College Cove from the proposed development area. The creek that feeds this waterfall is the drainage recipient of all the proposed septic systems. Relying upon the word of a hired development consultant is not sufficient. A thorough environmental impact study must be required before we irrevocably affect College Cove for children, hikers, surfers, and beach-goers.

It is difficult to articulate how terrible it feels that such an irresponsible development proposal is being put forward at this time.

Please require a full environmental impact assessment and please do not allow any lot size variances.

Respectfully,

James Alwood  
441 Gipson Lane  
Trinidad, CA 95570

## Estlow, Trevor

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**From:** Nick Frank [nafrank@humboldt1.com]  
**Sent:** Wednesday, March 24, 2010 8:31 AM  
**To:** Estlow, Trevor  
**Cc:** nina groth  
**Subject:** Homan subdivision

To: Trevor Estlow,

Nick Frank and Nina Groth are property owners a bit north of the proposed subdivision.

Though we are not against development, it is the scale of this project that bothers us.

1. We, as others, chose to live here because of its natural beauty. As world travelers, we can attest to the fact that this is a remarkably special place and to be husbanded critically by Humboldt County. Once altered, forever altered; any development must have aesthetics high on the list. As a minimum, in our opinion, this scale is well beyond what we see here and what should be allowed.

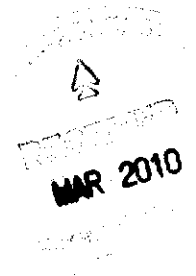
2. We are not environmental engineers, but it is hard to imagine so many septic systems in a small area not imposing some serious pollution problems on College Cove and Trinidad State Beach.

3. College Cove is itself special and as time goes on, a travelers destination. Its entrance and near environs should be critically assessed.

4. Because of county housing concerns, we are worried that expedient is trumping planning.

All the best,

Nick Frank  
Nina Groth



**Estlow, Trevor**

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**From:** Nathan Madsen [n84now@yahoo.com]  
**Sent:** Wednesday, March 24, 2010 1:40 AM  
**To:** Estlow, Trevor  
**Subject:** Homel Development Denial

MAR 2010

Hello Trevor,

Thank you for your thoughtful consideration of the proposed Homel development near college cove in Trinidad. I doubt I have any specific information or concerns to add, but I very much want you to realize the depth and number of people who stand in opposition to this proposed project.

I am opposed not only due to the very valid environmental concerns in regards to the creek that flows in this area and delivers to, and contributes to, the character of the neighboring park, but also for the simple and profound change to the character of the area this development will produce. When you arrive at college cove, a precious, valued, local park and resource, the character of the area as rural and forested ocean habitat is already present in ones mind and psyche. If approved this development will have profound negative affects on this experience.

For the reasons of environmental concerns, park character, and the general ground swell of citizen opposition to this project, please deny the permits to develop this land.

Thank you for your time and consideration!

Nate Madsen  
People~n~Trees  
P.O. Box 441  
Trinidad CA 95570  
(707)223-2565  
n84now@yahoo.com

Work for peace now!

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Do You Yahoo!?

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<http://mail.yahoo.com>

Jim & Victoria Holmes  
702 Patricks Pt. Dr.  
Trinidad Ca. 95570  
707 677 3569

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3/10/2010

Mr. Estlow  
c/o Humboldt Co Planning & Zoning Commission.

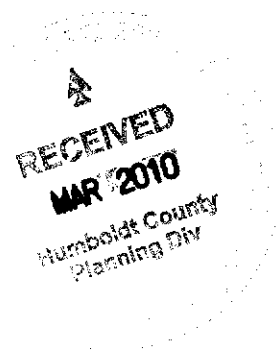
This letter is in reference to MR. Homan's subdivision  
In Trinidad.

If the laws & guide-lines of planning & zoning, health & sanitation  
and engineering are in compliance, we as property owners strongly  
support Mr. Homan's subdivision project.

We feel that if you invest in a piece of property you should be free  
to develop it as circumstances apply.

*Jim Holmes*  
*Victoria Holmes*  
*Jiane Moore*

Humboldt County Planning Commission  
Homan, John and Katrin File No.: APN 515-191-37 (Trinidad area)  
Case No.: FMS-08-02/CDP-08-25/SP-08-94



March 24, 2010  
Planning Commission

A review of the Mitigated Negative Document prepared for the Homan Minor Subdivision suggest insufficient evidence to reduce the significant effects to a less than significant level or avoid them all together. Therefore, a Cumulative Impact Study is requested based on substantial evidence that includes "facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts."

*All discretionary projects require CEQA review. A "discretionary" project is one where the permitting agency has the discretion to approve, disapprove, or require changes to a project before granting a permit (CEQA Sec. 21080).*

**1. WE URGE YOU TO DENY THE SPECIAL PERMIT FOR LOT SIZE MODIFICATION, WHICH WILL ALLOW THE WIDENING OF STAGECOACH, 2 DRIVEWAYS, AND SIGNIFICANT IMPACT THE CREEKS, WETLANDS AND RIPARIAN HABITAT ALONG THE 1100 FEET FRONTAGE OF THE SUBJECT PROPERTY. LISTED BELOW ARE ARGUMENTS THAT SUPPORT SUCH REQUEST.**

1. The project fails to consider *Feasible Alternatives and Mitigation* that will avoid creating significant impacts and adverse effects on the scenic vista.
2. The project is not consistence with *TAP 3.40 VISUAL RESOURCE PROTECTION*.
3. Offsite or cumulative impacts relating to wetland/stream resources have not been previously discussed.
4. The project is not consistence with *TAP 3.30 B. 4. Road Construction within Watersheds Containing Wetlands*.
5. The project is consistence with *TAP 3.40 B. 8 and 9 Public Lands Resource Buffer*.

**There is a less environmentally damaging and feasible alternative** to the encroachment and development of the Scenic Corridor fronting Stagecoach Road. The existing road that travels through the center of the property has to be widened and improved as a condition of approval to access lots 5-9. This existing road is a less environmentally damaging and feasible alternative to the encroachment fronting Stagecoach Road, and will allow the scenic corridor to remain undisturbed.

*The most substantive aspect of CEQA is found in the Public Resource Code 21002. That provision "requires public agencies to deny approval of a project with significant adverse effects when alternatives or feasible mitigation measures can substantially lessen such effects." (Serria Club v. Gilroy City Council (6<sup>th</sup> Dist. 1990) 222 Cal.App.3d 30, 41 [271 CalRptr. 393])*

**California Public Resources Code Section 21002**

*The Legislature finds and declares that it is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects, and that the procedures required by this division are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.*



CALIFORNIA CODE OF REGULATIONS  
TITLE 14: NATURAL RESOURCES  
DIVISION 6: RESOURCE AGENCY

15021. DUTY TO MINIMIZE ENVIRONMENTAL DAMAGE

- a. CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible.
- b. A public agency should not approve a project as proposed if there are feasible alternatives or mitigation measures available that would substantially lessen any significant effects that the project would have on the environment.

**2. WE URGE YOU TO DENY THE SPECIAL PERMIT FOR LOT SIZE MODIFICATION, WHICH WILL ALLOW THE DEVELOPMENT INTO THE SCENIC BUFFER. THE DEVELOPMENT IS OF SUCH A SCALE THAT 50% OF THE BUFFER WILL BE IMPACTED. LISTED BELOW ARE ARGUMENTS THAT SUPPORT SUCH REQUEST.**

**The project is not consistent with TAP 3.40 VISUAL RESOURCE PROTECTION.** The Special Permit for Lot Size Modification is requested to allow parcels less than 2 acres in size and less than 175 feet in width pursuant to Section 313-99.1 of the Humboldt County Code (HCC). The special permit if granted will allow the destruction of the scenic buffer, riparian habitat resources, and wetlands.

**3.40 VISUAL RESOURCE PROTECTION**

\*\*\* 30251. The scenic and visual qualities of coastal areas shall be considered and protected as 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 landforms, 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.

**3. WE URGE YOU TO DENY THE SPECIAL PERMIT FOR LOT SIZE MODIFICATION, WHICH WILL ALLOW THE WIDENING OF STAGECOACH ROAD. THIS WILL HAVE SIGNIFICANT IMPACT TO STATE PARK LAND AND WATER RESOURCES. LISTED BELOW ARE ARGUMENTS THAT SUPPORT SUCH REQUEST.**

**The project is not consistent with: TAP 3.30 B. 4. Road Construction within Watersheds Containing Wetlands**

5. Coastal Streams, Riparian Vegetation and Marine Resources

\*\*\* 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 water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

**Is not consistency with: TAP 3.40 B. 8. 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 of development plans for existing public lands. Where necessary, buffer areas around public lands to mitigate adjacent land uses, including buffers necessary for habitat and resources protection, shall be identified and implemented.

**Is not consistency with: TAP 3.40 B. 9. Public Lands Resource Buffer**

Significant natural features within the Trinidad Planning Area and specific protection for retention of these resources are as follows: Elk Head Designated Natural Resources and Public Recreation

- 4. WE URGE YOU TO REQUEST A CUMULATIVE IMPACT REPORT THAT WILL ADDRESS THE UNMITIGATED SIGNIFICANT ENVIRONMENTAL TO ANY AND ALL BIOLOGICAL RESOURCES. LISTED BELOW ARE ARGUMENTS THAT SUPPORT SUCH REQUEST.**
1. The project has significant unmitigated impacts to the biological resources of Elk Head and College Cove Creek. This would enable significant destruction of habitat and Riparian habitat resources.
  2. The project fails to analyze any substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations in relation to offsite resources.
  3. Elk Head Creek was not identified on the tentative subdivision map nor referenced in the LACO reports.

There are 2 blue line creeks on either side of the subject parcel. Each creek flows through Trinidad State Park and onto the state beach via a waterfall. The creeks are College Cove Creek and and Elk Head Creek. Elk Head and College Cove Creek are perennial creeks. **They are not intermittent streams.**

Elk head Creek is located 150 feet down slope of the 4 proposed lots fronting Stagecoach Road. College Cove Creek flows on the southern portion of the subject parcel. Elk head Creek was not identified on the tentative map or addressed in the reports by LACO. Therefore, the MND **has not demonstrated** that the impacts to Elk Head Creek and College Cove Creek will **not** be potentiality significant.

The beneficial use of both creeks is enjoyed by area residence, the City of Trinidad, State Park visitors. There is no reference in MND to the Coastal Commission's question they put forward in their referral, What about project impact on offsite wetlands/stream. There is great concern about the environmental impact to College Cove State Park, and creek resources. Sections **(30230, 30231)**, as noted above, are specific to that question.

Unmitigated impacts **are not addressed** that will lessen the impacts by the widening of the Stagecoach Road and Anderson Lane. The narrowest point of Stagecoach is at the creek. It will have to be widened to 20 feet, plus a five foot shoulder on the EAST side of Stagecoach Road only. Anderson Lane will be widened with the

addition of 2 foot bladed shoulders on either side. **No evidence** has been provided that the widening of these roads will not impact the creeks or the riparian habitat by the bladed shoulders and widening.

This could be as much as 7 feet on the East side of Stagecoach Road north and south of the CC creek. This will run along the entire 1100 plus feet of Homan property frontage. The 5 foot shoulder will be sloped inward, (in-board ditch) draining all storm water into both creeks and onto College Cove beach. This will have significant impacts to the creeks and certainly the wetlands. Anderson Lane will be widened with 2 foot shoulders on both sides of the road, significantly impacting the creek. Anderson Lane will be widened the entire 350 + feet of Homan Anderson Lane frontage.

**5. WE URGE YOU TO REQUEST A CUMULATIVE IMPACT REPORT THAT WILL ADDRESS THE UNMITIGATED SIGNIFICANT ENVIRONMENTAL TO ANY AND ALL CULTURAL RESOURCES. LISTED BELOW ARE ARGUMENTS THAT SUPPORT SUCH REQUEST.**

1. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5.
2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5.

There are serious issues of cultural significance **that have not been addressed** in the Draft Mitigated Negative Dec. Areas of College Cove. NCIC referral from Vicky Bates, indicates that there is a "moderately likelihood of cultural resource findings". There should have been an Archeology survey required.

**6. WE URGE YOU TO REQUEST A CUMULATIVE IMPACT REPORT THAT WILL ADDRESS THE UNMITIGATED SIGNIFICANT ENVIRONMENTAL TO HYDROLOGY AND WATER QUALITY. LISTED BELOW ARE ARGUMENTS THAT SUPPORT SUCH REQUEST.**

1. Off site cumulative impacts to College Cove and Elk head Creek have not been previously discussed.
2. The project will substantially alter the existing drainage pattern of the site or area, including siltation and additional sources of polluted runoff to off-site resources
3. There is inadequate documentation to conclude that the project will not create or contribute storm water which run off that would exceed the capacity of **existing** storm water drainage systems.

The MND concludes the following:

*The discussion of Section (e) could be expanded to note clearly that there are no existing or planned storm water drainage systems in the vicinity of the project, thus, there is no potential to exceed the capacity of such systems. With regard to the potential for increased storm water runoff to introduce pollutants to receiving waters we offer the following:*

*Widening of the onsite access roads, installation of driveways, and construction of single family residence on the subject site will create new impervious surfaces, reducing onsite infiltration. Paved surfaces have the potential to collect hydrocarbons and similar contaminants associated with driving surface. While impervious are expected to continue to account for a small (approximately 5%) portion of the site, there is a potential that increased runoff could reach the intermittent stream on the subject site."*

*All outlet points should be armored with rock to act as energy dissipaters and control erosions. Runoff from hardscaped areas, including patios, and other impermeable surface shall also be contained, controlled and collected, and tight-lined to a suitable outlet point consisting of a drywell and/or gravel infiltration gallery.*

*The proposed project includes LID measures as suggested. The access road will have a 2-foot wide gravel shoulder which will slow run off and encourage infiltration at the road edge. Development of impervious surfaces on a relatively small (approximately 5%) percentage of the overall site will help to preserve existing run off characteristics.*

There is **inadequate documentation to conclude** the project as proposed **will not** result in impacts to State Park wetland and stream resources.

There is an existing natural storm water drainage system that historically accepts storm water from 100% of the subject parcel. It is made up of the 2 blue line creeks. The creeks form a U surrounding the subject parcel. Stagecoach Road makes a damn at the mouth of the U, and is served by two old and undersized culverts, one for each creek.

Each creek flows through Trinidad State Park and onto the state beach via 2 separate waterfalls. 100% of the storm water drainage from the proposed project will flow into both creeks and onto the state beach. CC creek is located on the southern portion of the Homan property and EK creek is located 150 feet north of the Homan property. The 2 creeks wrap around the subject property beginning at Anderson Lane. The project as proposed has the potential to exceed the capacity of the creeks to drain the subject parcel.

Widening of the onsite driveways, installation of driveways, construction of turnouts, construction of single family residence and a mother in law unit on each lot will create new impervious surfaces, reducing onsite infiltration. With the addition of the existing impervious surfaces, **the combined impervious surfaces are expected to be 15% of the site, (not 5%),** which represents a significant potential that increased run off will **reach the perennial creeks.**

The MND concludes that *"Paved surfaces have the potential to collect hydrocarbons and similar contaminants associated with driving surface. They further go on to say, Runoff from hardscaped areas, including patios, and other impermeable surface shall also be contained, controlled and collected, and tight-lined to a suitable outlet point consisting of a drywell and/or gravel infiltration gallery"*.

Given the high grounds water, the on-site and off-site creeks, the proposed density, several domestic water well, the MND provides **no adequate documentation to support or concluded,** that *hydrocarbons and similar contaminants associated with driving surface*, can be mitigated to a less than significant level. Significant impacts remain unmitigated due to a **failure to analyze** impacts to biological, and ground water resources by *hydrocarbons and similar contaminants*.

**7. WE URGE YOU TO REQUEST A CUMULATIVE IMPACT REPORT THAT WILL ADDRESS THE UNMITIGATED SIGNIFICANT ENVIRONMENTAL TO LAND USE AND PLANNING. LISTED BELOW ARE ARGUMENTS THAT SUPPORT SUCH REQUEST.**

1. Lot size averaging to allow parcel sizes of less than 2 acres proposes a density **that is inconsistent** with TAP 3.21 B. DEVELOPMENT POLICIES. TAP land use plan, policy, and regulation have with jurisdiction over the project

**TAP3.21 B. 1.b.** 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

**TAP3.21 B.2. d.** East Stagecoach Road (south) - RURAL RESIDENTIAL (RR) The area south of Martin Creek and east of Stagecoach Road to the Trinidad City limit line includes about 100 acres. The current average

size (arithmetic mean) is three acres. The modal average (most frequently occurring parcel size) is two acres. The area is planned for a one unit per two acre density.

- 8. WE URGE YOU TO REQUEST A CUMULATIVE IMPACT REPORT THAT WILL ADDRESS THE UNMITIGATED SIGNIFICANT ENVIRONMENTAL TO NOISE GENERATED FROM THE PROPOSED PROJECT. LISTED BELOW ARE ARGUMENTS THAT SUPPORT SUCH REQUEST.**

**There is inadequate documentation and evidence** to support the following statement: *The Department finds no evidence that the creation of the new parcels will be inconsistent with the planned build-out of the area or result in a significant adverse noise impact.*

Noise is defines as an unwanted or objectionable sound. There was a **failure to analyze** the impacts of noise on Trinidad State Beach. A noise survey should be conducted to establish baseline conditions for sensitive receptors of recreation areas in the proposed project area.

Trinidad State Park, College Cove and Elk Head Bluffs will be particularly sensitive to noise. There is **no evidence** that the addition of 8 new parcels, (with a build out of 17 homes), fronting Stagecoach Roads across from Trinidad State Park, will **not** generate noise in excess that will impact the visitors and guest of the Park.

- 10. ENVIRONMENTAL IMPACT FROM AN INCREASED DENSITY WE URGE YOU TO REQUEST A CUMULATIVE IMPACT REPORT THAT WILL ADDRESS THE UNMITIGATED SIGNIFICANT. LISTED BELOW ARE ARGUMENTS THAT SUPPORT SUCH REQUEST.**

There is **inadequate documentation or evidence to conclude** Lot Size Averaging **will not** induce substantial population growth in an area, either directly (for example, by proposing new homes) or indirectly (for through extension of roads or other infrastructure). The proposed project will create eight additional lots for residential development. All eight of the resulting parcels will include one single-family residence, and a secondary unit at a location and density **not supported** by the Trinidad Area Plan

Lot size averaging to allow parcel sizes of less than 2 acres proposes a density that is inconsistent with TAP 3.21 B. DEVELOPMENT POLICIES. TAP land use plan, policy, and regulation have jurisdiction over the project

**TAP3.21 B. 1.b.** 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

**TAP 3.21 B. 2.** Planned densities for rural areas designated for residential use shall be as follows:

**B.2. d.** East Stagecoach Road (south) - RURAL RESIDENTIAL (RR) The area south of Martin Creek and east of Stagecoach Road to the Trinidad City limit line includes about 100 acres. The current average size (arithmetic mean) is three acres. The modal average (most frequently occurring parcel size) is two acres. The area is planned for a one unit per two acre density.

Sincerely,  
A friend of College Cove.

March 20, 2010

TO: Humboldt County Planning Commissioners  
RE: Homan, John & Katrin, Major Subdivision, File NO. APN 515-191-37

Dear Planning Commissioners,

We are writing about the question of the lot sizes proposed for the Human development on Stagecoach Road, specifically in reference to the remarks of Mr. Mike Nelson of LACO at the March 4 Humboldt County Planning Commission meeting.

Mr. Nelson stated that the proposed lot size averaging was compatible with the residential environment, and his justification was that the averaging of neighboring lots resulted in lot sizes less than the required 2 acre minimum.

What he failed to mention is that most of the smallest neighborhood lots (those under 2 acres) were carved out well before any regulation was instituted, before the community joined together to develop limits so that such small lots would not again be permitted in the area. We have lived on Stagecoach Road for 36 years, and all those smaller lots were in existence then and had been well before then. Indeed many were built before the original Subdivision Map Act was created in 1964.

In other words, existing small lots were created well before regulations were established to prevent just such divisions of property within this Coastal Scenic area. They cannot serve as a model for current development.

The history of property size limits along south Stagecoach Road is long. After the Subdivision Map Act, the Trinidad Area Plan of the Humboldt County Local Coastal Program (TAP) regulations were developed and supported by many government agencies, private organizations, and local community leaders (some of whom are still community leaders—specifically Mary Gearhart, Wesley Chesbro, Lucille Vineyard, Judy Longshore, Susie VanKirk, among others). Please see attached list of those involved in the process.

TAP policies are “based on almost two years work by the Humboldt County Local Coastal Program’s Citizen Advisory Committee (CAC). During this time almost a dozen public workshops were held on various topics. . . . The CAC has also met over 70 times. . . to develop policies and standards that best represent local interests while complying with State Coastal Law. . . . A series of four workshops were held in the planning area. . . . Attendance was close to 50 people at each of the workshops and extensive comments were recorded and utilized in the preparation of this document.” (Preface)

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MAR 24 2010

HUMBOLDT COUNTY  
PLANNING DIVISION

All of this work by all of these people over two years time resulted in the following:

1. In 1981 the TAP established the two acre minimum lot size, with one house allowed for each two acre lot. At that time, the neighborhood area within which the subdivision lies was defined and its specific density was determined as follows:

*"The area south of Martin Creek and east of Stagecoach Road to the Trinidad City limit line includes about 100 acres. The current average size (arithmetic mean) is three acres. The model average (most frequently occurring parcel size) is two acres. The area is planned for a one unit per two acre density."*  
(p. 12)

"This process produces a minimum parcel size. . . and must be viewed as an absolute maximum planned density." (pp. 11-12)

This is the plan that was approved by the Board of Supervisors and the Coastal Commission for our neighborhood.

2. Later the County General Plan allowed for a mother-in-law unit, but only on a two acre lot.

Mr. Nelson did not say which specific neighborhood lots were used to arrive at an average size below that found in 1983. The average arrived at and agreed to for this specifically defined neighborhood at that time by everyone involved with TAP was 3 acres, and lots after that time were required to be at least 2 acres. It is unclear how LACO arrived at an average lot size below 2 acres. Perhaps LACO created, quite on its own, some new definition of what constitutes our neighborhood.

Mr. Homan's request for permission to allow one house and one mother-in-law unit on lots considerably less than two acres undermines the intent of the previously established limits—to protect the feeling, setting, and capacity of this neighborhood by limiting construction density in this environmentally fragile Coastal Scenic area. Approval of the developer's request for lot size averaging would effectively allow 8 dwellings of ½ acre each on the 4 lots bordering Stagecoach Road, across from the state park. This would take us backward, to the time before the Subdivision Map Act of 1964.

We urge you to recognize that the housing density proposed for the Homan development is incompatible with the neighborhood as it has been defined for decades. We urge you to deny the request for lot size averaging.

Sincerely,



Kate Green, M.A. Simon Green, Ph.D.

1480 Stagecoach Road  
Trinidad, California 95570 677-0198 srg2@humboldt.edu

## ACKNOWLEDGEMENTS

### **HUMBOLDT COUNTY BOARD OF SUPERVISORS<sup>2</sup>**

Ervin Renner	1st District
Harry Pritchard	2nd District
Wesley Chesbro	3rd District
Danny Walsh	4th District
Eric Hedlund	5th District

### **PLANNING COMMISSION<sup>1</sup>**

Gene Senestraro	1st District
Tom Grundman	2nd District
Judy Longshore	3rd District
Gerald Exley	4th District
Jim Alford	5th District
Joe Russ IV	At-Large Representative
Mike Brown	At-Large Representative

### **HUMBOLDT COUNTY LOCAL COASTAL PROGRAM**

#### **CITIZENS ADVISORY COMMITTEE**

##### ORGANIZATIONAL MEMBERS REGULAR

Board of Realtors  
California Citizens for  
Property Rights  
Cattlemen's Association  
Farm Bureau  
League of Women Voters  
McKinleyville Chamber  
of Commerce  
Sierra Club  
Straight Arrow Coalition  
Woolgrower's Association  
Humboldt Wildlife  
Sportsmen's Club

Glenn Golden  
Barbara Hammill  
Edith Fearrien  
Larry Ford  
Lois Stone  
Tom Nowell  
Lucille Vinyard  
Judy Sternberg  
George Roscoe  
Gerald L. Butler

##### ALTERNATE

Larry Doss  
Louis DeMartin  
Fred Berry  
Henry Lambert  
Barbara Midtbo  
Louis DeMartin  
Susie Van Kirk  
Louis DeMartin  
Jack Russ  
Guy Hooper

##### AT-LARGE MEMBERS

Allan Baird  
Richard Ames  
Ellis Hemenway  
Mary Gearheart  
Doyle Quiggle

### **HUMBOLDT COUNTY PLANNING DEPARTMENT STAFF<sup>1</sup>**

Stanley R. Mansfield	Humboldt County Planning Director
Robert J. London	LCP Project Director
Patty Dunn	Coastal Planner
Tom Hofweber	Coastal Planner
Cliff Kraft	Coastal Planner
Sharon Lyons	Secretary

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<sup>2</sup>(as of 1982)