

HUMBOLDT COUNTY GENERAL PLAN

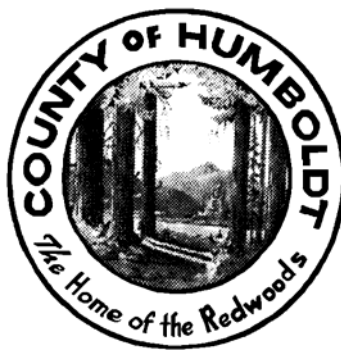
Volume II

TRINIDAD AREA PLAN

of the

Humboldt County

Local Coastal Program



June 1995

TRINIDAD AREA PLAN
OF THE
HUMBOLDT COUNTY
LOCAL COASTAL PROGRAM

Approved by the
Board of Supervisors
July 2, 1981
Resolution No. 81-64

Adopted
September 11, 1984
Resolution No. 84-85¹

Partially certified by State Coastal Commission
October 15, 1982

Partially certified by the State Coastal Commission
May 11, 1983

Date of this printing: July 31, 2006

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.

¹See next page for complete revisions history.

Revision History
TRINIDAD AREA PLAN

Board of Supervisors
Action

* Approved - July 2, 1981
Res. No. 81-64

* Amended - July 27, 1982
Res. No. 82-100

* Amended - Feb. 1, 1983
(coastal access)
Res. No. 83-29

* Amended - March 8, 1983
(State Park policies and text
revisions)
Res. No. 83-52

* ADOPTED - Sept. 11, 1984
Res. No. 84-85

Interim Permit Jurisdiction
Sept. 11, 1984
Res. No. 84-86
Effective Date:

* Amended - Oct.30, 1984
(Coastal Development Recreation and Visual
Resource Protection)
Res. No. 84-104

* Amended May 7, 1985
(Land Use Map and Definition revisions)
Res. No. 85-55

* Amended - Dec. 15, 1987
(nonconforming uses and structures)
(text revision)
Res. No. 87-150

Coastal Commission Action

Disapproved--Sept. 2, 1982

*Partially CERTIFIED - (areas between the first public road and the sea were not certified)
Oct. 15, 1982

*Partially CERTIFIED amendments
Re: State parks and text revisions; disapproved coastal access policies (areas between the first public road and the sea were not certified)
May 11, 1983

* Amendment Certified Feb. 26, 1985

* Amendment Certified July 23, 1985

* Amendment Certified Jan. 12, 1988

ACKNOWLEDGEMENTS

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²(as of 1982)

PREFACE

This is the Trinidad Area Plan (TAP) for the Humboldt County Local Coastal Program. The recommendations, policies, and standards contained in this document are based on the Coastal Land Use Policies and Standards (CLUPS) text approved as a "directive guide" for preparing coastal area plans by the Board of Supervisors, September 18, 1979.

The policies contained in Chapter 3 of this plan³ 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 from commercial beach use to timber. The CAC has also met over 70 times, volunteering their time with no compensation, 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 in December, January, and February of 1980 and 1981. Attendance was close to 50 people at each of the workshops and extensive comments were recorded and utilized in the preparation of this document¹.

The maps included herein are reduced scale and for illustrative purposes only. The proposed official maps at full scale (1" = 600' and USGS 7.5 quad) are available for review at the Humboldt County Planning Department at the Clark Complex, 3015 "H" Street, Eureka, California. Request for additional copies of this document should be sent to the same address.

NOTE: Some references have been changed to correctly reflect the current section numbering system.

NOTE: Approximately 700 acres of the Trinidad Area Plan have not been certified by the State Coastal Commission. See Section 1.40 for noncertified portion.

³Text change to reflect current status.

TRINIDAD AREA PLAN

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1CHAPTER 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 Chapters 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 |
| Chapter 2 | The Coastal Act and Trinidad 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 | Trinidad Planning Area Development and Resource Protection Policies and Standards which govern zoning plan amendments, public work extensions, land divisions, and other development activities. The generalized plan maps, including Land Use and Resource Protection. |
| Chapter 4 | Land Use Designations including an explanation of permitted uses and densities. |
| Chapter 5 | Definitions |
| Appendix | <p>A. References, indicating the information used in arriving at development standards and the plan map. (The technical studies are adopted as an informational appendix to this Area Plan, but are bound separately because of their bulk.)</p> <p>B. Relationships between the Coastal Plan and other adopted County General Plan Amendments.</p> <p>C. Hazards/Land Use Risk Rating Matrix.</p> |

- D. Service providers plans.
- E. Scenic Route Study Contents.

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 Planning 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 specific zoning standards, or a zone change is necessary, policies and standards of the Area Plan as indicated in Chapter 3 provide guidance for such decisions⁴. 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 County Coastal Commission.

⁴Underlined text added to correct typographical error.

1.40 TRINIDAD PLANNING AREA MAP

2CHAPTER 2

THE COASTAL ACT AND TRINIDAD CONCERNS

2.10 BACKGROUND

Prior to 1972, land uses 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 programs 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 may 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 North Coast Regional Commission, which included Del Norte, Humboldt and Mendocino Counties was housed in Eureka⁵.

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 Zone⁶:

- (a) Protect, maintain and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and man-made resources.
- (b) Assure orderly, balanced utilization and conservation of coastal zone resource, taking into account the social and economic needs of the people of the state.
- (c) Maximize 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.

⁵Region is now served by the North Coast District, located in San Francisco.

⁶Section 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 | -Environmentally Sensitive Habitats |
| -Recreation and Visitor Serving Facilities | -Agriculture |
| -Housing | -Hazards |
| -Water and Marine Resources | -Forestry and Soils Resources |
| -Diking, Dredging, Filling and Shoreline Structures | -Locating and Planning New Development |
| -Commercial Fishing and Recreational Boating ¹ | -Coastal Visual Resources and Special Communities |
| | -Public Works |
| | -Industrial and Energy Development |

2.30 TRINIDAD PLANNING AREA ISSUES

Because the Act sees the coast as a physically limited resource to be protected for all Californians for a variety of uses, the following uses are of a specific statewide concern and requires special attention for protection of these uses in the Trinidad Area Plan.

| <u>Use</u> | <u>Protection</u> |
|---|--|
| RESOURCE PROTECTION | |
| Coastal Commercial Timberland | Timberland Preserve Zoning |
| SENSITIVE ENVIRONMENTS | |
| Riparian Habitat and Coastal Streams Intertidal Areas Offshore Rocks | Riparian setbacks and use restrictions Limits to access and significant impacts to biological systems |
| RECREATION | |
| Patrick's Point State Park Trinidad State Beach Luffenholtz County Park | Designated Public Recreation |
| Future Demand/Support Facilities | Designated Commercial Recreation |

¹ Text added to correct typographical error.

Use

Protection

TRANSPORTATION CORRIDORS

Patrick's Point Drive
 Stagecoach Road
 Scenic Drive
 Westhaven Drive

Limit encroachments, area population density, parking provisions, and Scenic Drive, Stagecoach Road and Highway 101 scenic policies.

2.40 POST CERTIFICATION ADMINISTRATION OF THE TRINIDAD PLAN

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 presently several exemption programs under review by both Humboldt County and the Coastal Commission. Upon completion of the review and finalization of the exemptions, the specific exemptions would be included here.

Order #: CATEGORICAL EXCLUSION E-86-4

Effective Date: June 11, 1986

Affected Development: Lot Line Adjustments

Geographic Area: Specific areas of the Coastal Zone as identified on the Categorical Exclusion Map.

3CHAPTER 3

TRINIDAD AREA DEVELOPMENT AND RESOURCE POLICIES

INTRODUCTION

This chapter examines current and planned land uses within the Trinidad Planning Area. Included within the Planning Area are unincorporated lands from Moonstone to Patricks Point which lie west of the California Coastal Zone Boundary. The land use plan maps and accompanying policies are based on the Citizens Advisory Committee's recommendations resulting from public input, both oral and written, submitted during four public workshops held in the City of Trinidad and the County approved Coastal Land Use and Policies Document.

The Coastal Act requires sharply different development policies for urban and rural areas. This chapter reflects that distinction: Section 3.10 deals with urban development, Section 3.20 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 Maps (see Maps 1-6). 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 3.30; they apply, where relevant, in both urban and rural development. Finally, Section 3.40 presents the policies and uniform standards for coastal access including a methodology for reviewing potential accessways, limitations to access, prescriptive rights, and offers of dedication for access. The implementation of these policies, in the Trinidad Planning Area, is reflected in the access Plan, Section 3.50. In each section enclosed within a box, relevant Coastal Act Policies are presented with their Coastal Act section number and are also enacted as County policy.

At the end of this section, reduced scale Plan Maps are presented. These maps are necessarily generalized because of size limitations and do not officially represent a parcel by parcel designation. They are included here to provide a general perspective only. The first map defines land uses, densities, and intensities based on the land use designations found in Chapter 4.

Constraints on development, including natural and cultural resource protection, are delineated on the second map. The proposed official maps at full scale (1' = 600' and 7.5' USGS quad) are available for review at the Humboldt County Planning Department located at the Clark Complex, 3015 H Street, Eureka, California.

GENERAL DESCRIPTION

This nearly 13 mile stretch of Humboldt County coast, encompassed within the Trinidad Planning Area, represents one of the most beautiful coastlines in the County, if not in the State. Approximately 2,280 people, including 377 within the City of Trinidad, live in the Planning Area (1980 census). In contrast to the more common wide sandy beaches backed by dunes or sand bluffs, this magnificent stretch of shoreline includes rocky points, offshore rocks, sea stacks and islands, narrow rocky beaches on rock reefs, and small sand and gravel pocket beaches backed by wave eroded high bluffs. The vast majority of the Planning Area actually perches some 200 to 300 feet above sea level on a series of old marine terraces that create a plateau back from the bluffs. That portion of the Planning Area south of the City of Trinidad is somewhat more hilly than is that portion to the north. A large number of creeks and drainages traverse the Planning Area.

A forest environment persists east of Highway 101 with redwood, hemlock, and fir predominating. To the west of 101, forest areas intermingle with open fields. Offshore rocks and rock beaches in the northern half of the Planning Area support important rookeries and seal hauls as well as nesting sites for many ocean-going birds. The offshore rocks of the southern half also support nesting birds.

Beaches tend to be relatively narrow backed by high bluffs with rocky and sand beaches alternating and intermixing. The rocky beaches especially are notable for prolific tidepool communities which are of enormous scientific and educational importance. With the exception of state beaches, the shoreline is generally accessible only by steep and in some cases, hazardous trails.

3.10 URBAN DEVELOPMENT

A. EXISTING USES

Development at urban densities and intensities is largely concentrated within and adjacent to the City of Trinidad. Within the City, this primarily includes residential development at densities of less than one acre. Outside of the City and within close proximity, parcel sizes currently range from approximately one acre to six acres exclusive of large timberland acreage. The majority of the general commercial development, within the Planning Area, currently occurs within the city limits. Centrally located near the freeway interchange, these commercial establishments provide many community services as well as accommodating seasonal tourists and recreationists. Recreational vehicle parks, motels, and cabin facilities are primarily concentrated just north of the City, along Patricks Point Drive and near Patricks Point State Park.

The only possible exception to this is the Westhaven area where the majority of the parcels are less than one acre and a small mutual water system also exists. Because of the special nature and conditions present, this area is included and discussed in the Rural Development section (Section 3.20 et seq.).

Urban types of services within the Planning Area, beyond such services as fire and police protection and maintenance of county roads, primarily includes water service which, in the past, has been available from the City of Trinidad. While the City of Trinidad has discussed various alternatives, such as municipal wastewater treatment and septic system monitoring to ameliorate current problems in and around the City, no specific plans are currently being considered.

The city water system, which diverts water from Luffenholtz Creek along Westhaven Drive, presently services approximately 244 users with 71 of these occurring outside of the city limits; the majority of those occurring outside the City are along Westhaven Drive. Recently the Trinidad City Council initiated an investigation of alternatives to augment the existing water system to serve a total of 400 hookups. This number resulted from an estimate by the City's Water Committee that an additional demand of 158 hookups could be generated from existing parcels within the City's delineated service area. (The City's service area encompasses areas both within and outside of the city limits.) Concurrently, the Trinidad Rancheria, located east of the City, has approached the City for water and federal funding to revamp and expand their water system. In addition to the City and the Rancheria, interest has also been expressed by several members of the community south and north of the City for serviced water. If water service were augmented south of Trinidad, there would be an opportunity to provide a "looped" water main as an alternate to the existing single-main system. Most notable benefits of a loop system would be in the area of fire protection; fire protection within the entire planning area is currently a significant point of concern (Amended by Res. 82-100, 7/27/82).

3.11 URBAN LIMIT

*** 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.

A. PLANNED USES

Unlike the coastal planning areas to the north and south (North Coast and McKinleyville), this planning area includes an incorporated city. The City of Trinidad's certified Local Coastal Plan calls for limited growth within the City, primarily residential with some commercial, and does not recommend annexation of any surrounding unincorporated lands at this time unless it can be shown to be economically advantageous to the City. The designated Urban Limit Line, outside of the

City of Trinidad includes only a small portion of unincorporated lands. Generally, this includes development along both sides of Quarry Road, (see Map 4 for a general delineation of the line) and areas planned for commercial general along Patrick's Point Drive. This designation reflects a land use objective for this area which calls for only a very limited amount of urban levels of development. Primary concerns for limiting development, at urban levels - generally at densities greater than one acre, include the provision of services, either by the City or the County, in the next five years. As mentioned previously, no plans are currently being entertained for the development of either a City or regional wastewater disposal system, there is some question as to whether or not this area can be assured of water service in the near future, and it is not likely that the City would consider annexation of residential areas as they characteristically could not demonstrate an economic advantage to the City. Consistent with the policies of Section 3.23, water service may be extended to areas outside of the Urban Limit if it is within the designated service limit (see Map 4). The extension policies require that capacity necessary to serve future development within the Urban Limit Line be reserved. A finding to this effect would have to be made by the County before extension of water outside of the Urban Limit Line would be permitted to occur.

Within the Urban Limit Line the serviceable area presently includes parcels currently serviced by the Trinidad Municipal Water System. Upon completion of an extension to currently unserved parcels within the Urban Limit Line (called the urban reserve) the newly serviced area will be formally designated as a part of the serviceable area, as described in Section 3.22A.

The following land use designations and densities are planned for the urban areas east of the City:

1. RESIDENTIAL ESTATES (RE): (including lands along the east side of Quarry Road to the City limits).
Planned Density: With serviced water 0-2 units/acre; until serviced water is available 1 unit/2 acres.
2. COMMERCIAL GENERAL (CG): (south of Anderson Lane along the west side of Patrick's Point Drive).

3.11 B. DEVELOPMENT POLICIES

1. Identification of the Urban Limit Line

- a. An Urban Limit Line is identified and mapped at a suitable scale for all existing developed areas in the Coastal Zone of Humboldt County. The establishment of this line is based on findings that lands included within the Urban Limit would be generally suitable for development at a density greater than one unit per acre or as shown in Chapter 4 of the Area Plan, were public sewerage, water, and road improvement services provided, according to the following criteria:

- (1) That sufficient water to serve the development of all permitted uses is available to the area at a cost affordable within the reasonable economic expectation of existing or potential suppliers, and that adopted water quality control plans would not be exceeded by such development;
- (2) That carrying capacity of major roads and of coastal access corridors is sufficient for the development of all permitted uses, or that improvements to an adequate level can be provided at a cost affordable within the reasonable economic expectation of the County, or of an incorporated City where the Urban Limit surrounds a city;
- (3) That permitted uses would be within the constraints of all standards related to the protection of public safety;

- 3.11 B 1. a. (4) Pursuant to provisions of Section 3.24, that the permitted uses do not reduce the viability of agricultural or timber production on lands outside the urban limit, or constitute conversion from agricultural or timber production uses except as specifically permitted by provision of this chapter.

- b. Wherever possible, Urban Limit Lines established pursuant to Section 3.11A of this chapter shall follow significant natural and man-made features that will increase the effectiveness of the urban-rural boundary.
- c. Any lands lying outside the Urban Limit shall be deemed rural for development purposes, and subject to the Rural Development Policies and Standards in Section 3.20 of this chapter.

2. General Development Policies Within the Urban Limit

- a. 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.
- b. 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.
- c. 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 the development of 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:
 - (1) That water supply and adequate provision for sewage disposal, as required by the use of the density permitted in the Area Plan, is available to the development or division;
 - (2) 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, of an incorporated city where the Urban Limit surrounds the city.
 - (3) That the proposed development or division meets all standards for the use designated in the Area Plan, as set forth in Chapter 4 of this document.
 - (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.
- d. Nonconforming 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, Dec.15, 1987)

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

3.12 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 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.

A. PLANNED USES

As described in the preceding section concerning the Urban Line, water service may be permitted into areas within the designated service limit. While municipal water is currently not available to all of the additional parcels within the service limit, it is projected that within the next five years with anticipated improvements to the system it may be feasible for the City to extend service into much of the service limit area. Of course, allocation of these services within the service limit is at the discretion of the City of Trinidad.

The city engineer for Trinidad, estimates a total of 550 domestic hookups could be developed from Luffenholtz Creek, the current water source (assuming 400 gallons/day/service.) This system expansion would accommodate all of the future development proposed within the Urban Limit Line. Even with improvements to the water system which would net fewer hookups (the Trinidad Water Committee estimated 400 hookups, leaving a 200 hookup buffer), priority development as defined by the Coastal Act including commercial and public recreation and visitor serving uses would still have adequate water supplies. Commercial visitor serving facilities along Patrick's Point Drive currently have well developed water systems with one facility even generating a surplus.

Section 3.12B requires that each year water and/or sewer service providers, in this case, the City of Trinidad, submit to the County for approval a five-year projection of service plans. The criteria for County approval of the plan (and thus, future extensions) will be based on findings that the proposed extensions or services are compatible with the County land use plan, that this extension or service would not remove capacity necessary for future development on parcels currently within the serviceable area, and finally, that the cost of such extensions be borne solely by the users and not encumber lands not receiving the service. (Amended by Res. No. 82-100, July 27, 1982)

B. DEVELOPMENT POLICIES

1. Serviceable Area

- a. 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 unforeseen 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 3.12B 2. 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.

3.12 B 2. Public Works Plan

- a. 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 3.12 B2c. 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 above the capacity needed to provide services in the serviceable area. Where Public Works Plan has been approved, all permitted work on said utility shall conform to the Plan.

- b. A Public Works Plan may be amended by the Planning Commission, up to three times in a year; and any such amendment shall be based on the criteria of Section 3.21B 2c.
- c. Criteria for approval of a Public Works Plan shall be:
 - (1) That the public works plan will provide services consistent with the proposed scale and pattern of development shown in the Area Plan within the Urban Limit.
 - (2) 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 Urban Limit area to the uses permitted in the Area Plan.
 - (3) 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 Limit.

When service plans are available, a brief account of their plans will be included in the appendix.

3.13 COASTAL RELATED DEVELOPMENT - RECREATIONAL AND VISITOR SERVING USES

(NO LANDS WITHIN THE URBAN LIMIT LINE HAVE BEEN PLANNED FOR COASTAL RELATED RECREATIONAL OR VISITOR SERVING USES)

3.14 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 inconformity 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.

A. PLANNED USES

Because only a moderate increase in residential development is planned, given the designated residential densities and local environmental limitations, the direct provision of housing for low and moderate income households is not feasible. Within the Urban Limit Line the current provision of low and moderate income housing is largely available through rental units.

B. DEVELOPMENT POLICIES (Amended by Res. No. 82-100, July 27, 1982)

1. Housing opportunities for persons of low and moderate income shall be protected, encouraged, and provided, where feasible. New housing in the Coastal Zone shall be developed in conformity with the goals, policies, standards, and programs of the Humboldt County Housing Element.
2. Planned Unit Development. It is the policy of the County to encourage the Planned Unit Development (PUD) concept. Where such utilization would provide extraordinary benefits to the community and the County, such as: dedication of open space and public access, protection of visual resources and sensitive habitats, and provision of low and/or moderate income housing, beyond that already required by this Plan (including Sections 3.30 and 3.50), incentives may include increases of up to 20% over planned densities.

3.15 **INDUSTRIAL**

A. PLANNED USES

No industrial use is planned within the Urban Limit Line (or within the Trinidad Planning Area). Because the California Energy Commission has not designated some lands within the Planning Area as unsuitable for location of power plants in excess of 50MW, the plan includes criteria for use by the Commission in their bi-annual review of such undesignated areas.

1. Power Plant Siting
 - a. Within the Trinidad Planning Area the following coastal resources would be adversely impacted by the siting of a power plant:
 - (1) Commercial timberlands located east of Highway 101;
 - (2) Riparian vegetation occurring along Beach Creek, Penn Creek, Riley Creek, Burris Creek, Savage Creek, McNeil Creek, Hobson Creek, Martin Creek, Mill Creek, McConnahas-Mill Creek, Deadman Creek, Luffenholtz Creek, and unnamed creek south of Driver Road;
 - (3) Coastal scenic areas adjacent to and west of Highway 101.
 - b. The Plan does not propose any significant increase in public services but does propose policies which do address existing problems with inadequate (or non-existent) public services such as community water, fire protection, and wastewater disposal. No regional or community sewage treatment plants are proposed as future development will continue to be primarily dependent on individual wastewater systems. Power plant siting within the Trinidad Planning Area would further exacerbate this situation and would be in conflict with Section 30250 of the Coastal Act.

3.16 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. PLANNED USES

The hazard policies, as applicable, apply to all new development and have been primarily extracted from Humboldt County's adopted Seismic Safety Element. A predominate potential hazard in the Trinidad Planning Area includes slope and cliff instability. Appendix C, as referenced in the policies below, presents a portion of the Seismic Safety Element specific to slope stability including Hazards/Land Use Risk Rating Matrix and Trinidad area maps. The numerical index on these maps indicate relative slope stability and are to be used with the risk rating matrix. This information then indicates those areas where a site investigation would be required prior to the issuance of a development permit, as required in policy Section B2 below.

B. DEVELOPMENT POLICIES

1. New development shall be consistent with the adopted Humboldt County Safety and Seismic Safety Element of the General Plan. Of particular interest, when siting new development, the Natural Hazards/Land Use Risk rating Matrix on Fig. 3-5, Section 3300 in Chapter 3 of Vol. I should be used in conjunction with Plates III. Plate III is a map delineating seismic zones relating to earthquake shaking as well as land stability and other natural hazard conformation.

While the information on this map (scale 1" = 2,000') is generally adequate in delineating areas of instability and other natural hazards, detailed maps (scale 1" = 500') and new information are currently being generated to better define hazard areas along the Trinidad/Westhaven coast. This information is in the process of being finalized and may greatly augment those areas currently delineated as hazardous. Upon completion of the study and associated maps, expected by September 1981, this information will be incorporated into the County adopted Seismic Safety Element following a formal amendment process.

2. The County shall amend 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 experience in soil mechanics or foundation engineering, or by a certified engineering geologist, for classes of development and hazard areas as shown in Table 1 and Plate III (See Appendix C).

a. The report should consider, describe and analyze the following:

- (1) Cliff geometry and site topography, extending the surveying work beyond the site as needed to depict unusual geomorphic conditions that might affect the site;
- (2) 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;
- (3) Geologic conditions, including soil, sediment and rock types and characteristics in addition to structural features, such as bedding, joint and faults;

- 3.16 B.2. a. (4) 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;
- (5) Impact of construction activity on the stability of the site and adjacent area;
 - (6) 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);
 - (7) Effects of marine erosion on seacliffs;
 - (8) Potential effects of seismic forces resulting from a maximum credible earthquake;
 - (9) Any other factors that might affect slope stability.
- b. 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.
 - c. 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 landforms. Bluff and cliff developments (including related storm run-off, foot traffic, site preparation, construction activity, irrigation, wastewater 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.
 - d. 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 described 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.
 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.
 5. Fire hazard--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 Trinidad Area Plan. These recommendations shall be evaluated by the Board of Supervisors for inclusion in Phase III of the Local Coastal Plan for the Trinidad Area.
 6. New shoreline protection structures, including revetments, breakwaters, groins, seawall, and other such construction that alter natural shoreline processes may be permitted to protect existing principal

structures, structures used for human habitation, or public facilities in areas subject to damage from wave action where relocation of the structures is not feasible and when:

- a. It is the least environmentally damaging feasible alternative.
- b. Adverse impacts on shoreline sand supply have been eliminated or minimized by the projects design.
- c. The project has been designed by a registered civil engineer with expertise in shoreline processes.

Permanent shoreline structure shall be permitted only when based on a comprehensive study of area wide shoreline processes, which assesses long-term effects of the structures on sand transport, downdrift beaches, circulation patterns and flow rates, including effects such as erosion, shoaling, or reflection of wave energy on adjacent shorelines. It is the policy of the County to prefer beach nourishment and vegetative protection where feasible, to permanent structural shoreline stabilization. Temporary shoreline structures to protect individual lots may be permitted in emergencies provided that any temporary structure is removed upon construction of a permanent structure.

The County shall request the Department of Boating and Waterways to review plans for construction of shoreline protective structures. The Department may recommend measures to mitigate adverse effects on shoreline processes.

3.17 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. PLANNED USES

No known archaeological or paleontological sites, as identified by the State Historic Preservation Officer, occur outside of the state parks within the Trinidad Planning Area. Should this list be supplemented with sites occurring outside of public lands, the policies will apply.⁷

B. DEVELOPMENT POLICIES

1. Reasonable mitigation measures may include but are not limited to:
 - a. Changing building and construction sites and/or road locations to avoid sensitive areas.
 - b. Providing protective cover for sites that cannot be avoided.
 - c. 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.

⁷Text added to correct typographical omission.

3.20 RURAL DEVELOPMENT

A. EXISTING USES

Outside of the City of Trinidad and the Urban Limit Line, the majority of the planning area is presently developed for rural residential types of uses at various densities ranging from 6,000 square foot lots in Westhaven to 20 and 30 acre parcels in north Trinidad. Commercial timberlands, located mainly east of Highway 101, within the planning area include approximately 671 acres; only about 110 acres lie west of Highway 101 and east of Patricks Point Drive. Beyond the Coastal Zone Boundary, the commercial timberlands extend eastward well beyond the first coastal ridge top. In the southern portion of the planning area and south of Moonstone Heights is a forty acre parcel of commercial timberland which is an extension of those commercial timberlands located just above the Little River in the McKinleyville planning area.

In addition to residential development and commercial timber uses, the planning area is rich in public and commercial recreational opportunities and facilities. Two large parks, Patricks Point and Trinidad State Park, occupy approximately 602 acres. Within each park, both upland and coastal types of recreational opportunities are available. Along with day use facilities available at both parks, about 123 overnight camping sites are provided at Patricks Point State Park. Despite the north coast's typical summer weather patterns, consisting of frequent foggy or overcast days followed by a few sunny days, overnight camping sites at Patricks Point are usually fully occupied long before noon of each day. Winter use drops dramatically but remains a favorite overnight stop for northern travelers.

In the southern portion of the planning area, Luffenholtz County Beach and the County Beach access at Moonstone also provide recreationers with day use access to both rocky and sandy beaches.

With the exception of a restaurant at Moonstone Beach and development within the City, commercial recreational and visitor serving facilities are located north of Trinidad. These developments are primarily located along Patricks Point Drive and include recreational vehicle parks, motels and cabins, and restaurants. Along with similar facilities within Trinidad, these developments cater to park visitors, recreational fishermen - some of which moor boats in the harbor - as well as local residents.

3.21 RURAL DEVELOPMENTS SUBDIVISION REQUIREMENTS

*** 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.

A. PLANNED USES

Outside of the Urban Limit Line which generally surrounds the City of Trinidad, planned uses include commercial timber production, public and commercial recreation, and residential development at rural densities. As can be seen from the description of existing uses, the types of planned uses do not differ from those currently established.

One of the primary objectives of the Coastal Act is the concentration of new development and associated services (water, sewer, road, fire protection, etc.). The urban policies of Section 3.10 (et seq.) implement this goal through development policies which will tend to concentrate new development in areas where urban services are currently available and also requires that certain findings be made prior to any extension of services.

Section 30250(a) of the Coastal Act similarly requires the progressive phasing of new development outside of existing developed areas (the Urban Limit Area) commensurate with current levels of development as well as the average size of parcels in the surrounding area. Because both the level of development and average size of parcels can vary widely depending upon how a subject area is delineated, the rural subdivision requirement looks at neighborhoods (in a very loose sense) with parcels planned for the same use to apply the subdivision requirements. This process produces a minimum parcel size which is typical of the surrounding area parcel sizes. It does not, however, incorporate any other area specific information such as septic system suitability, water availability, or topography considerations and must, therefore, be

viewed as an absolute maximum planned density.

3.21 B. DEVELOPMENT POLICIES

1. No division of land planned for rural exurban, rural residential, agricultural general, or 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:
 - a. 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 area of a common size and a very few parcels skew the mean to create an average atypical of a size of surrounding lots.
 - 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.

1.1 Nonconforming 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:

- 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.

(Amended by Res. No. 87-150, Dec. 15, 1987)

2. Planned densities for rural areas designated for residential use shall be as follows:

a. Westgate Avenue - RURAL EXURBAN (RX)

The area is currently comprised of parcels less than one acre in size; the area is planned for a one half (1/2) acre density.

b. Patricks Point Drive North - RURAL RESIDENTIAL (RR) (Amended by Res. No. 83-52, March 8, 1983)

The area is currently comprised of residential and commercial recreational parcels and includes approximately 403 acres. The modal average is approximately two acres which generally reflects the current parcelization primarily concentrated around Patricks Point State Park, at the northern end of the neighborhood or sub-area. Many of the parcels east of Patricks Point Drive include extremely steep coastal bluffs; slope instability is of major concern throughout most of this area. The area is planned for one unit per two acres.

c. Stagecoach Road (north) - RURAL RESIDENTIAL (RR) (Amended by Res. No. 83-52, March 8, 1983)

The area north of Martin Creek on the east side and west of Stagecoach Road, and south of the Patrick's Point Drive and Stagecoach Road intersection includes approximately 246 acres consisting of about 38 parcels. The current average parcel size (arithmetic mean) is 6.5 acres while the modal average (most frequently occurring parcel size) is five acres. The area is

planned for a one unit per five acre density.

- 3.21 B. 2. d. East Stagecoach Road (south) - RURAL RESIDENTIAL (RR) (Amended by Res. No. 83-52, March 8, 1983)

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.

- e. Stumptown Road - RURAL RESIDENTIAL (RR)

Only a very small portion of this area is actually within the Coastal Zone and many of the parcels included are dissected by the Coastal Boundary Line. Present parcelization includes 6 parcels with a total of about 37 acres. Using a total of 39 parcels in the surrounding area, both within and outside of the Coastal Zone, an average of between 2-1/2 and 3 acres is yielded. The modal average is larger than this, approximately 4.5 acres. The area is planned for one unit per 2-1/2 acre density.

- f. Rural Scenic and Westhaven Drives - RURAL RESIDENTIAL (RR) (Amended by Res. No. 82-100, July 27, 1982)

There currently exists a great disparity in parcel sizes within the coastal area south of the Trinidad Urban Limit Line and north of the Westhaven Village area. Parcels range in size from about one acre to thirty acres. This area includes approximately 370 acres and about 77 parcels. Because the range of the parcel sizes is so great as well as a large number of parcels, it is possible to identify two modal acreages. Thirty-two percent are between one and two acres while thirty-one percent of the parcels are greater than five acres. The arithmetic mean for the same area is four and one-half acres. The planned density for this area is one unit per two and one-half acres.

- g. East Trinidad - Westhaven Drive (Amended by Res. No. 82-100, July 27, 1982)

RURAL RESIDENTIAL (RR)

Approximately one quarter mile east of the City of Trinidad, and just east of Quarry Road is an area which contains about nine parcels. The planned density is one unit per 2 acres which will allow for only a very modest increase in the existing residential density.

RESIDENTIAL EXURBAN (RX)

Currently, eight parcels are included in this designation. The arithmetic mean and modal average are both one half acre. The planned density is two units per one acre.

- h. Luffenholtz Creek- RURAL RESIDENTIAL (RR) (Amended by Res. No. 82-100, July 27, 1982)

This area includes, currently, about nine parcels and comprises about 43 acres. Since Luffenholtz Creek is the domestic water source for the City of Trinidad and is also an important area anadromous fish stream, the area is planned for a density of one unit per five acres. This is also consistent with the City of Trinidad's land use plan recommendation for the area.

- 3.21 B. 2. i. Westhaven Village - RURAL VILLAGE (RV) (Amended by Res. No. 82-100, July 27, 1982)

Parcels within the 190 acre Westhaven Village area average between 2,000 and 5,000 square feet and number over 250. This area includes the community of Westhaven, Moonstone, and portions of Driver Road. Two separate water systems - the Westhaven Mutual Water Company and the Moonstone Heights Mutual Water Association - service portions of the village area. The Moonstone system, serving the Driver Road area, is currently restricted by the articles of association to a maximum of twenty residential hook-ups, all of which have been committed. The Westhaven system by law is authorized to sell a total of 200 shares. While the system currently services only 170 residences, all 200 shares have been purchased and only those with a share may receive water at a later date. Neither water system is contemplating expansion of services, however, the Westhaven system is investigating loan opportunities to upgrade the existing system.

With the current parcelization of the area, including many small parcels well below the average parcel size of adjacent surrounding areas, both the availability of on-site water for those parcels without shares in either of the mutual systems and septic tank suitability are primary concerns. In addition, fire protection which currently depends on the combined efforts of the Westhaven Volunteer Fire Department and the City of Trinidad's Fire Department, also encounters problems with the existing water systems in that current water pressure and, at times quantity, are not adequate.

Considering these and current available methods for addressing this situation, the development policies prohibit any further subdivision of these lots, encourage lot reconsolidation and lot line adjustments, and recommend investigation into techniques for ameliorating current and potential future waste water disposal. Development on existing lots may be permitted provided a water source and approved wastewater system can be demonstrated. The planned density for this area is three (3) units per acre.

j. Suburban Westhaven - RURAL RESIDENTIAL (RR)

This area is bounded on the north by Joellen Creek (also called the South Fork of Luffenholtz Creek) and to the south by the Westhaven Village area. The total area constitutes about 27 acres and is currently divided into 9 separate parcels. Although a strict application of the Coastal Act policy regarding rural subdivision would yield a 3 acre planned density, the area is planned for one unit per one acre. The planned density in this area was increased in exchange for decreased density in the East Westhaven area. This density exchange is consistent with other policies of this plan including: water and wastewater provisions, habitat protection, and visual policies. Access to this area is from Highway 101 Frontage Road and 6th Avenue; development in this area will not increase traffic along Scenic Drive.

k. East Westhaven/Driver Road - RURAL RESIDENTIAL (RR)

Just east of the southern end of the Westhaven Village area, this area includes about 30 acres and presently, about 5 parcels. The planned density is one unit per 5 acres. Segmented from surrounding residential areas, application of the rural subdivision requirements would yield a greater density.

3. Westhaven Village Area - RURAL VILLAGE (RV)

The following specific policies apply within the Westhaven Village as designated on the Land Use Plan Map:

- 3.21 B. 3. a. No subdivision of parcels within this area shall be permitted except that lot reconsolidations and lot line adjustments to facilitate parcel boundary reconfiguration shall be permitted with a minimum parcel size of 14,500 square feet.

- b. Development of existing vacant parcels shall be permitted but shall be contingent on demonstration of adequate water supply, either on-site or through agreement with the Westhaven Mutual System or the Moonstone Heights Mutual System, and wastewater disposal commensurate with the requirements of the Humboldt-Del Norte Department of Public Health and the Regional Water Quality Control Board.
- c. The County in cooperation with the community, shall investigate and encourage opportunities to form a septic system maintenance district or alternate system to ameliorate existing wastewater disposal problems.
- d. All special district 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: a 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 of the plan to the Board of Supervisors, based on criteria of Section B. 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 (see Map 6). Where a Public Works Plan has been approved, all permitted work on said utilities shall conform to the Plan.

- (1) A Public Works Plan may be amended by the Planning Commission, up to three times in a year; and any such amendment shall be based on the criteria of Section B.
- (2) Criteria for approval of a Public Works Plan shall be:
 - (a) That the Public Works Plan will provide services consistent with the proposed scale and pattern of development shown in this plan.
 - (b) That provision of service to all lots in the expanded portion of the serviceable area, for uses permitted in this plan, will not remove capacity necessary to serve future development of undeveloped lots in the existing serviceable area to the uses permitted in the plan.
 - (c) That no additional assessments, readiness to serve fees, or indebtedness, related to water or sewer expansion, will be assessed against any lands located outside of the Westhaven Village which do not own a share in the Westhaven Mutual Water System.

(A brief account of the Westhaven Mutual Water System is included in Appendix D).

3.22 COMPATIBLE USE IN RURAL LANDS

A. PLANNED USE

At the area plan workshops, held in Trinidad, interest was expressed by some attendants that specific language be incorporated which would allow home occupation and cottage industry. (see Chapter 5 for a definition of these two terms). While not a "coastal issue" per se, inclusion of policy language addressing this area was requested, especially from residents of the Westhaven area.

1. Compatible Use in Rural Lands

The establishment of cottage industry and home occupation in rural areas shall be permitted. A conditional use permit shall be required for cottage industry which may be approved based on the findings that the use proposed:

- a. is consistent with the Resource Protection Policies in Section 3.30;
- b. involves no sales of merchandise other than that produced incidental to the industry;
- c. would be compatible with the existing use of the land and shall not create noise, odors, smoke, or other nuisances not compatible with the neighborhood;
- d. does not generate significant pedestrian or vehicular traffic beyond that existing in the neighborhood in which located; and
- e. meets the requirements of the State and County Building, Health and Safety Code.

3.23 PUBLIC SERVICES

*** 30254. New or expanded public works facilities shall be designated 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.

A. PLANNED USES

As discussed in Section 3.21A, Rural Subdivision Requirement, none of the mutual or private water systems within the planning area anticipate any expansion of service within the next five years. The City of Trinidad, however, as discussed in Section 3.10A, in contemplating improvements and possible expansion of their water systems. Expansion of the system outside the Urban Limit, including a looped line running south along Westhaven Drive, under Highway 101, and along Scenic Drive back to the City, would produce notable benefits to that area's fire protection efforts. Essentially, this type of rural water service expansion would be permitted by the policies of this section so long as the extension did not remove service capacity for future development within the Urban Limit Line, was sized so as not to exceed that which would be necessary for domestic use and fire protection based on the planned density for the area, and was limited to within the service area (See Map 4).

3.23 B. DEVELOPMENT POLICIES

1. Extension of Services

It is the intent of this chapter that extensive rural public service systems, such as water and sewer, not be developed. This is exclusive of such public systems such as roads, electric, gas, telephone, and fire protection systems appropriate to planned levels of development. No permit shall be issued by any agency of the County to a special district or private utility or mutual system proposing to provide such services outside an Urban Limit Line or the area identified as the Westhaven Village area; except that provision of water service shall be permitted, within the service area, if sized so as not to exceed the maximum number of residential sites and other planned uses which can be developed under the adopted plan.

In addition, extension of water service outside of the Urban Limit Line as defined in the plan shall be permitted provided that:

- a. service along the extension will not remove capacity necessary to serve future development on undeveloped lots within the existing serviced areas, whether within the Urban Limit Line or not, to the uses permitted in the plan;
- b. developments to be serviced are compatible with the plan;
- c. the extension of water service will be paid for only by the users of that service;
- d. the existing system is in no way degraded and that fire protection services are in no way impaired; and
- e. the proposed service is found to be in conformance with the resource protection policies of this plan.

2. Extension of the Urban Limit Line

Where an area not zoned for agricultural or forestry uses is contiguous to an Urban Limit Line; and where 50% of the existing parcels in the subject area have been developed; and where the Urban Service Area is served by a special district or private utility, and water service have been extended to the Urban Limit Line adjacent to the subject area; then the County shall set a public hearing before the Planning Commission, based on which the Commission shall recommend to the Board of Supervisors whether the Urban Limit Line be amended to include the subject area. The Commission shall recommend amending the Urban Limit (as provided in Section 30514 of the Coastal Act), if the following findings are made:

- a. Service systems within the Urban Limit are adequate to serve the proposed addition under Urban Development Standards;
- b. Development allowable in the addition under Urban Development Standards would not adversely impact agricultural or timberlands bordering the addition.
- c. Expansion of the Urban Limit and the development permitted under such expansion shall be consistent with the Resource Protection Policies and Standards in Section 3.30.

3. Public Roadway Projects

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 Section 3.41 and 3.42 and shall be limited to the following:

- a. 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 and other

disasters, and improvement of roadside rests.

- b. Operational improvements, such as traffic signals, guard rails and curve corrections.
- c. Roadside enhancements, such as construction or improvement of roadside rests and vista points consistent with Section 3.40¹, and removal of roadside signs consistent with Section 3.40 B4.
- d. Minor improvement projects, such as modifying encroachments or ramps, construction turnouts, and channelized intersections.
- e. Except in coastal scenic areas, climbing and passing lanes.
- f. Expansion of substandard roadway shoulders.
- g. Construction of bikeways.

3.24 TIMBERLAND

*** 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. PLANNED USES

There are approximately 671 acres planned for commercial timberland. Presently all but two areas, near Scotty Point and east of Westhaven Drive, are enrolled in the County's Timberland Protection Program and are zoned TPZ (Timberland Preserve Zone)⁸. The other two areas were recommended for inclusion under 'list A' and are presently zoned Agriculture Exclusive. The development policies below, generally reflect the County's current program with the addition of inclusion of 20 acre parcels with timber soils rated as "good site III" or better. In addition, these policies also require that joint timber management plans required of subdivisions of less than 160 acres include provisions which will ensure continued commercial timber productivity.

1. Identification of Timberlands

- a. 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, as completed by the Office of the Assessor of Humboldt County where existing uses on the property are consistent with Section 3.24A1e⁹.
- b. 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).

3.24 A. 1. c. All Coastal Commercial Timberland, whether or not it is in a Timberland Preserve Zone, 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

¹ Section reference changed to correct reference.

⁸State legislature has officially changed the meaning of TPZ to Timber Production Zone.

⁹Section reference changed to correct reference.

related facilities where the remainder parcel stays in TPZ. In any division of such land which creates parcels less than 160 acres size, a joint timber management plan is required pursuant to County Ordinance 314 which shall also provide:

- (1) For restocking of understocked timber sites prior to recordation of the final subdivision map.
 - (2) Protection of uses internally 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 use.
 - (3) 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.
- e. 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 the direct growing and harvesting of timber shall be restricted to:
- (1) Management for watershed.
 - (2) Management for fish and wildlife habitat.
 - (3) Any use integrally related to the growing, harvesting and processing of forest products, including but not limited to roads, log landing and log storage areas, portable chippers and portable sawmills.
 - (4) The erection, construction, alteration or maintenance of gas, electric, water, or communication transmission facilities.
 - (5) Grazing and other agricultural uses.
 - (6) No more than two single-family dwelling units and normal accessory uses 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.
 - (7) Temporary labor camps of less than one-year duration, accessory to timber harvesting or processing operations.
 - (8) 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.

- (9) Reforestation activities including site preparation under the authority of the California Department of Forestry (CDF)¹ and other State Agencies having regulatory jurisdiction.

3.25 COASTAL DEPENDENT DEVELOPMENT - RECREATIONAL AND VISITOR SERVING USES

- *** 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.
- *** 30213. (Part) 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 to serve the new development.

A. PLANNED USES

In addition to the approximately 15 commercial recreational and visitor serving establishments currently located outside of the Urban Limit Line, three additional areas have been designated for future commercial recreational development. Together they constitute a total of about 100 acres. Outside of the Urban Limit Line, land designated for commercial recreation are generally concentrated around the City of Trinidad.

The balance of the lands planned for commercial recreation but not currently developed for this use, lie between Stagecoach Road and Patrick's Point Drive. In keeping with local desires to minimize traffic along the very narrow and twisting Stagecoach Road, and to minimize conflicts between coastal trail hikers and vehicles, limit vehicle access to the commercial recreation area from Patrick's Point Drive and provide pedestrian and equestrian access to and from Stagecoach Road. At this area lies directly east of Trinidad State Beach, it would also be conveniently located to take advantage of that recreational opportunity.

Public access and enjoyment of the Trinidad coastal area would be enhanced if the quality of the existing public roads paralleling the ocean were improved. The combination of recent, severe winter storms, characteristics of the area's coastal geology, and increases in summer tourist traffic have greatly impaired the quality of Scenic Drive and portions of Patrick's Point Drive. Due to decreasing available funds for local road purposes and other County programs, the County has been unable to maintain these roads at a level consistent with their recognized statewide significance. (See Sections 3.30, 3.40, and 3.50 for a further discussion of the Trinidad area's unique coastal biological and scenic resources, and its public coastal access and recreational opportunities.) This situation has led to the adoption of the policy in sub-section 3.25 B9

¹ As of 1988, CDF is officially referred to as the California Department of Forestry and Fire Protection.

(Amended by Res. No. 84-104, 10/30/84).

In addition to those areas designated for commercial recreational-visitor serving facilities, the policies also encourage the development of more group camping facilities at Patrick's Point State Park as well as walk-in campgrounds at Trinidad State Beach. The permitting of bed and breakfast establishments is conditionally allowed in areas designated for Rural Residential further augmenting visitor-serving opportunity.

No acquisition of land for public recreation has been recommended. However, should Trinidad Head be declared "surplus" by the federal government, this area should be evaluated in terms of open space and recreational opportunities.

3.25 B. DEVELOPMENT POLICIES

1. Priorities for Coastal - Related Use

- a. The area plan land use map identifies near-shore areas for commercial and recreational use within the Urban Limit. Only coastal-related commercial or recreational development shall be permitted for use in areas so designated, according to the following criteria:
 - (1) 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.
 - (2) Commercial: visitor-serving facilities which accommodate or facilitate public use of the shoreline for coastal-related recreational purposes, when provision of such services is best provided at shore-line or near-shore areas and does not interfere with access to the coast.

2. Findings for Permitting of Recreational Facilities

- a. Public or private recreational facilities and visitor-serving facilities shall be permitted pursuant to criteria of 3.25B1a of this chapter only where the following findings are made by the Planning Commission:
 - (1) The proposed development includes adequate on-site services for water, waste disposal, parking and other facilities necessary to serve the proposed use.
 - (2) 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;
 - (3) No location within an Urban Limit Area is more feasible.
 - (4) The development does not constitute conversion of agricultural or timber lands inconsistent with the requirements of this chapter.
 - (5) 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.

- 3.25 B 3. Findings Necessary for Permitting Division of Lands Planned Commercial Recreation (CR).
- a. In the instance of segregating an existing use from the remainder of the property, the economic viability of permitted uses within that designation has been demonstrated on the remaining parcel; or
 - b. In the instance of dividing undeveloped land, the economic viability of permitted uses within that designation has been demonstrated on the parcels to be created; and
 - c. All lots created meet the requirements of Section 3.25B of this plan regarding the development of recreational and visitor-serving development and an acknowledgement either on the parcel map or in a covenant within the chain of title that its creation was approved for a specific recreational purpose, and no conversion from commercial recreational uses will be allowed in the future. (Amended by Res. No. 82-100, 7/27/82)¹
4. Residential Use of Recreational Facilities
- 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.
5. Permitting of Recreational Vehicle Parks
- A public hearing shall be required prior to the issuance of a permit for a Recreation Vehicle park proposed outside of the Urban Limit Line.
6. Permitting of Bed and Breakfast Establishments
- Following a public hearing and fulfillment of the requirements of Section 3.25B2, Bed and Breakfast Establishments may be permitted in areas designated Rural Residential.
7. Public Recreation
- It is the policy of this County to prefer the private sector as the provider of visitor-serving facilities. To this end, land has been reserved, as shown on the Plan Map, for private commercial visitor-serving uses; and the County discourages public agencies from establishing visitor-serving facilities, beyond the level of overnight campgrounds and picnic areas in public parks.
8. Trinidad Head
- If the Federal Government determines that Trinidad Head is surplus property, the City of Trinidad or other appropriate public agency, should assume management of the property as open space. Foot paths and bikes trails, if appropriate, should also be provided.
9. Scenic Drive and Patrick's Point Drive
- It is the policy of Humboldt County and this State certified coastal land use plan, that the State of California accept and include Scenic Drive and Patrick's Point Drive into the State Highways system. Further, if this action is contrary to, or in violation of, any existing State law or code, the Board of Supervisors request that the State Legislature take action to implement this policy and to acknowledge that such action is justified given the statewide significance of Trinidad's unique coastal resources, and the State's continued commitment to assure coastal access to all of the people of California (Amended by

¹ Res. No. 82-100 incorrectly located this section as a portion of 3.24. It has been placed under appropriate heading "Recreational and Visitor Service Facilities" in this report.

Res. No. 84-104, 10/30/84).

3.25 B. 10. State Department of Parks and Recreation

- a. The County endorses the resource protection and management goals as stated in the Coastal Unit Evaluation Plans developed pursuant to Coastal Act Requirements for current state properties at Trinidad State Beach and Patrick's Point State Park. Specifically this includes vegetation management and protection of rare plants, erosion control, and preservation of archaeological sites.
- b. Development in Trinidad State Beach should be limited to the following:
 - (1) Provision of sanitary facilities at the College Cove parking area.
 - (2) Only modest expansion of the total parking area at College Cove. Improvements to the existing parking area which would allow more efficient use of this facility are preferred.
 - (3) Provision of a walk-in campground with only necessary support facilities which would serve users of the coastal trail and provide a more primitive camping experience than is available at Patrick's Point State Park.
 - (4) Improvements to either of the two parking areas and development of a walk-in campsite should not adversely impact the capacity of Stagecoach Road.
- c. Development in Patrick's Point State Park should include additional group and camping facilities in the recently acquired area east of Agate Beach.
- d. Development of a Native American center at Patrick's Point State Park shall be coordinated with the Northwest Indian Cemetery Protection Association and all other affected Native American groups. (Amended by Res. No. 83-52, 3/8/83)
- e. The Department of Parks and Recreation should implement a limited use, no-fee access program consistent with policy Section 3.50 B. The specifics of such a program should be fully coordinated with area residents and approved by the County Board of Supervisors. (Amended by Res. No. 83-52, 3/8/83).

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 as local housing elements adopted in accordance 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 the will minimize the use of Coastal access roads.

3.26 A. PLANNED USES

Within the rural portions of the Trinidad Planning Area, self-help housing programs and owner-builder construction are the most feasible methods of provided moderate income housing opportunities.

In general, planned developments are encouraged in rural residential development as a technique for accommodating and carrying out the goals of this plan. Where utilizations of this technique would provide for extraordinary benefits to the community density increases of up to 20% over the planned density may be included. Further definition of the planned development method will be forthcoming in the development of the area plan implementation program where specific zoning and regulatory language is generated.

B. DEVELOPMENT POLICIES

1. Multiple Unit and Mobile Home Parks

- a. 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.

2. Neighborhood Commercial

- a. Lands zoned for Rural Residential use are subject to the land division requirement of Section 3.21B 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 3.30 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 noncommercial parcel meets requirements of Section 3.30 B7 for non-serviced lot size, and only the proposed site is zoned Neighborhood Commercial. (Amended by Res. No. 82-100, 7/27/82)

3. New Housing

- a. Housing opportunities for persons of low and moderate income shall be protected, encouraged, and provided, where feasible. New housing in the Coastal Zone shall be developed in conformity with the goals, policies, standards and programs of the Humboldt County Element.

4. Planned Unit Development

It is the policy of the County to encourage the Planned Unit Development (PUD) concept. Where such utilization would provide extraordinary benefits to the community and to the County, such as: dedications of open space and public access, protection of visual resources and sensitive habitats, and provision of low and/or moderate income housing beyond that already required in Sections 3.30 and 3.50, incentives may include increases of up to 20% over planned densities.¹ (Amended by Res. No. 82-100, 7/27/82)

¹ Text addition to correct typographical omission.

5. Dedication of Easements

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.

3.27 INDUSTRIAL

(See Section 3.15)

3.28 HAZARDS

(See Section 3.16)

3.29 ARCHAEOLOGICAL AND PALEONTOLOGICAL

(See Section 3.17)

3.30 NATURAL RESOURCE PROTECTION POLICIES AND STANDARDS

*** 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.

A. RESOURCES

The more rural upland portions of the Planning Area are rich in wildlife and vegetation common to Humboldt County northern coastal areas. Of extreme significance are the many coastal streams and riparian systems which traverse the Planning Area from east to west. In addition to the tremendous wildlife values inherent in these systems, coastal streams and riparian areas also keep upland areas drained as more and more impervious surfaces are created and directly and indirectly provide for local water sources.

No wetlands, at this time, have been identified pursuant to the Coastal Act's definition (See Chapter 5). The policies have been retained should any wetland areas be identified by the County in the future.

Offshore rocks and intertidal areas within this area are unprecedented anywhere along the County's coast. Rocky intertidal areas along the Trinidad Planning Area, are very productive marine habitats and support lush growths of plants and animals. The offshore rocks provide important resting, roosting, and nesting sites for many resident and migratory birds as well and haul-out areas for harbor seals, steller sea lions and California sea lions. Restricted or no public access into these areas is one technique for insuring their protection. In addition, enforcement or current waste water disposal techniques and the policy requirement which prohibits any increased risk of biological or other impacts to these areas will also protect these resources.

B. DEVELOPMENT POLICIES

1. Identification of Environmentally Sensitive Habitats

3.30 B. 1. a. Environmentally sensitive habitats within the County Trinidad Planning Area shall include:

- (1) Rivers, creeks and associated riparian habitats
- (2) Offshore rocks, islands and intertidal areas
- (3) Other critical habitats for rare or endangered species listed on state or federal lists
- (4) Wetlands. No wetlands are currently identified.

Proposed development occurring within areas containing these sensitive habitats, 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 the indicated habitat, 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 maps in terms of the entire plan proposal and supporting policies. Accommodation of new resource information on the Environmentally Sensitive Habitat Maps may also require amendments to the certified land use plan and zoning.

- b. Wetland areas shall be identified according to the Coastal Act's definition of wetlands (See Chapter 5: Definitions).
- c. Where there is dispute over the boundary or location of an environmentally sensitive habitat, the following information may be requested of the applicant:
 - (1) a base map delineating topographic lines and adjacent roads
 - (2) vegetation map
 - (3) 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.

*** 30233. (a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance 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 channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.
- (3) In wetland areas only, entrance channels for new or expanded boating facilities; and in a 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 extraction, including sand for restoring beaches, except in environmentally sensitive areas.
 - (7) Restoration purposes.
 - (8) Nature study, aquaculture, or similar resource-dependent activities.
- (b) 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 appreciate beaches or into suitable longshore current systems.
- (c) 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.

*** 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.

3.30 B. 2. Permitted Uses in Wetlands

- a. Proposed development within wetland areas, as defined and identified in Section 3.30B1, shall be subject to requirements of this section regarding permitted uses of wetlands unless it can be shown that there exists no wetland characteristics constituting a wetland as defined by the Coastal Act.
- (1) Fish and wildlife management.
 - (2) Nature study.
 - (3) Wetland restoration.
 - (4) Hunting and fishing including development of hunting blinds and similar minor facilities.

- (5) In estuaries, maintenance and improvement of boating facilities and minor alterations to existing facilities, allowable consistent with Section 30233 of the Coastal Act.
- (6) Removal of trees for disease control, public safety purposes, and on private lands, the non-commercial removal of firewood; 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 the CAL-OSHA regulations, and live trees with visible evidence of current use as nesting sites by owls, hawks, eagles, osprey, or egrets shall be retained. Heavy equipment shall be excluded from designated Natural Resource areas.
- (7) Incidental public service purposes.
- (8) Aquaculture.

3.30 B. 3. Wetland Buffer (Amended by Res. No. 82-100, 7/27/82)

- a. 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:
 - (1) 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
 - (2) 250 feet from the wetland, where the nearest paved road or 40 foot contour exceed this distance.
 - (3) Transitional Agricultural lands designated Agriculture Exclusive shall be excluded from the wetland buffer.
- b. New development, except for
 - (1) development permitted in 3.30 B2, 3, and 4;
 - (2) wells in rural areas; and
 - (3) new fencing, so long as it would not impede the natural drainage.

shall be sited to retain a setback from the boundary of the wetland sufficient to prevent adverse effects to the wetland's habitat values.
- c. Within an Urban Limit Line, the setback shall be either 100 feet or less than the average setback of existing development immediately adjacent as determined by the "string line method". That method shall be used which provides development setbacks similar to those occurring on adjacent parcels and adequately protects the wetland.
- d. Outside an Urban Limit Line, the setback shall be between 100 and 200 feet, depending upon the size and sensitivity of the wetland, drainage boundaries, vegetation, adjacent uses, and the potential impacts of the project on the wetland habitat values. The precise width of the setback shall be sufficient to prevent significant effects to the wetland.
- e. In both urban and rural areas, setbacks of less than the distance specified above may be permitted only when the prescribed buffer would prohibit development of the site for principal use for which it is designated. Any such reduction in setback shall still retain the maximum setback feasible, and may require mitigation measures, in addition to those specified below, to

ensure new development does not adversely affect the wetland's habitat values.

- f. All new development within the wetland buffer shall include the following mitigation measures:
 - (1) Not more than 25% of the lot surface shall be effectively impervious.
 - (2) The release rate of storm runoff to adjacent wetland shall not exceed the natural rate of storm runoff for a 50 year storm of 10 minute duration.
 - (3) Storm water outfalls, culverts, gutters, and the like shall be dissipated.
 - (4) Septic systems or alternative waste disposal systems must meet standards of the Humboldt-Del Norte Health Department and the Regional Water Quality Control Board.
 - (5) Areas disturbed during construction, grading, etc., within 100 feet of the mean high water line, shall be restored to original contours and sufficiently and promptly replanted with vegetation naturally occurring in the immediate area.
 - (6) Development and construction shall minimize cut and fill operations 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).
- g. The County shall request the Department of Fish and Game to review plans for development within 200 feet of the boundary of the wetland.

3.30 B. 4. Road Construction Within Watersheds Containing Wetlands

- a. 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:
 - (1) Limiting soil exposure time and disturbed area.
 - (2) Minimizing uninterrupted slope length through surface roughening and serrated slopes.
 - (3) 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.
 - (4) Immediate vegetative plantings of disturbed slopes at finished grades.
 - (5) Control of runoff through controlled water and drainage systems with dissipated discharges and receiving stream bank protection.
 - (6) Diversion of runoff away from graded areas and areas traveled during project development.
 - (7) Temporary and permanent sediment control through use of dikes, filter berms, and sediment basins.

5. Coastal Streams, Riparian Vegetation and Marine Resources (Amended by Res. No. 82-100, 7/27/82)

*** 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.

*** 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.

3.30 B. 5 a. Timber management and timber harvesting activities regulated by the California Department of Forestry and the Board of Forestry, and forest improvement activities under jurisdiction of the Department of Forestry shall be exempt from requirements of this section. Other new development within coastal streams, riparian area, and marine areas shall be consistent with policies and standards of this section.

b. Within the Trinidad Planning Area the following coastal streams (as mapped on USGS Quads) have been identified:

- | | |
|--------------|------------------------------------|
| Penn Creek | Mill Creek |
| Beach Creek | McConnahas-Mill Creek |
| Burris Creek | Deadman Creek |
| Savage Creek | Luffenholtz Creek & Tributaries |
| McNeil Creek | Riley Creek |
| Hobson Creek | Unnamed Creek South of Driver Road |
| Martin Creek | |

c. 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:

- (1) Wetlands, fishery, and wildlife enhancement and restoration projects.
- (2) Road crossing, consistent with the provisions of Section 3.30 B5e.
- (3) Maintenance dredging for flood control and drainage purposes consistent with the transitional Agricultural Lands policies.
- (4) Development consistent with the provisions of 3.30 B 5e, below.

3.30 B. 5. d. Riparian corridors on all perennial and intermittent streams shall be, at a minimum, the larger of the following:

- (1) 100 feet, measured as the horizontal distance from the stream transition line on both sides.

- (2) 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.
 - (3) 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.
- e. New development within riparian corridors shall be permitted when there is no less environmentally damaging feasible alternative, where the best mitigation measure feasible have been provided to minimize adverse environmental effects, and shall be limited to the following uses:
- (1) Timber management activities, provided:
 - (a) In precommercial thinning and release activities, that at least 50 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 a ground inspection, to increase these percentages to protect special habitat values.
 - (b) 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.
 - (c) In all timber management activities, including pre-commercial 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.
 - (d) All activities shall be consistent with timber harvest rules of the Board of Forestry applicable to the protection of aquatic life and water quality.
 - (2) 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.
 - (3) Maintenance of flood control and drainage channels.
 - (4) Wells in rural areas.
 - (5) 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.
 - (6) Removal of trees for disease control or public safety purposes.
 - (7) Removal of firewood for personal use on the property use on the property consistent

with the applicable forest practice rules for stream protection zones in Coastal Commission Special Treatment Areas.

- (8) 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.
 - (9) 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.
- f. 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. Stormwater outfalls, culverts, gutters and the like, shall be dissipated, and, where feasible, screened. Natural vegetation within and immediately adjacent to the bankfull channel shall be maintained except for removal consistent with the provisions of this Section.

6. Water Withdrawals From Trinidad Area Streams

- a. New development requiring water withdrawals or diversions from Mill Creek or Luffenholtz Creek will be permitted only if they maintain in stream water flows as identified and set by the State Regional Water Quality Control Board.
- b. Where new development is dependent on new water withdrawals or diversions from streams other than Mill Creek and Luffenholtz Creek, as listed in Section 3.30 B5b, they shall be coordinated with the Department of Fish and Game to seek feasible alternatives and mitigation which will minimize impacts.

7. Permitting and Siting of Septic Systems

- a. 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.

8. Offshore Rocks and Rocky Intertidal Areas

- a. No new development shall be permitted which would increase the risk of biological or other damage to the Area of Special Biological Significance as identified by the Regional Water Quality Control Board, offshore rocks and the biological communities they support, or intertidal areas.

3.40 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 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.

*** 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. PLANNED USES

Within the Trinidad Planning Area, from Moonstone Beach to Patrick's Point, the scenic and visual qualities are indisputably exceptional. The majority of residents in this area take great pride in protecting and preserving these resources actively through such local mechanisms as the Humboldt North Coast Land Trust. South of Trinidad along Scenic Drive, a vehicle already exists for regulating visual quality: the area is in a D - Design Review - combining zone requiring review of new development for design review. However, the existing standards are too vague and indefinite to assure achievement of Coastal Act objectives. In addition, it is important to remember in terms of visual resources, that new development, following certification of the area plan and zoning, may be appealed to the State Coastal Commission if the development:

- is between the first public road and the sea,
- fails to protect public views from any public road or from a recreational area to, and along, the coast;
- is not compatible with the established physical scale of the area;
- may significantly alter existing natural landforms (Section 30603, part)

Because appeals add time and uncertainty to new development, they are generally undesirable for both the applicant and the County. The prescriptive standards which are applied to Coastal Scenic Areas and Coastal View Areas are therefore very specific. However, as pointed out at the area workshops, standards of this type are inherently less than optimal in achieving visual resource protection in that they tend to generalize and ignore such pertinent information as topographical or design features.

To address this potential problem, proposed new development which cannot meet the coastal scenic or visual standards may be referred to a Design Assistance Committee similar to the one that currently operates along Scenic Drive. The criteria for design review, however, are much more specific than currently exist.

The Maps 7, 8, and 9 delineate Coastal Scenic and View Areas.

B. DEVELOPMENT POLICIES

1. Physical Scale and Visual Compatibility

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:

- 3.40 B. 1. a. For proposed development that is not in the principal permitted use, or that is outside an Urban Limit and for other than detached residential, agricultural uses, or forestry activities regulated by CDF, 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 material so existing development or landforms in the immediate neighborhood, where such development is visible from the nearest public road.
 - (2) Where the project cannot feasibly conform to paragraph 1, and no other more feasible

location exists, that the exterior design, and landscaping be subject to a public hearing, and shall be approved only when:

- (a) There is not less environmentally damaging feasible alternative location.
- (b) The proposed exterior design, and landscaping are sufficient to assure compatibility with the physical scale established by surrounding development.

2. Protection of Natural Landforms and Features

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, landform 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 on 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.

In addition, the preservation of coastal natural landforms and features through the mechanism of voluntary open-space and scenic easements shall be encouraged. Local land trusts that have official recognition, such as the Humboldt North Coast Land Trust, are appropriate entities to achieve the goal of scenic resource preservation through their ability to accept voluntary deed and easement purchases.

3. Coastal Scenic Areas

In Coastal Scenic Areas as designated on the Area Plan Maps, and applied to portions of parcels immediately adjacent to and visible from the designated area, it is the intent of these regulations that all development be subordinate to the character of the designated area, and to the scenic use and enjoyment of public recreational lands within these areas. The following uniform standards and conditions shall apply to all development within said area, in addition to other applicable policies of this Plan:

- a. New industrial and public facility development shall be limited to:
 - (1) Temporary storage of materials and equipment for the purpose of road and utility repair or improvement provided that this is necessary to the repair or improvement, and no feasible site for storage of equipment or material is available outside such area.
 - (2) Underground utilities, telephone lines, and above-ground power lines less than 30KV.
 - (3) Minor modifications of existing facilities.

- 3.40 B. 3. b. Commercial uses shall be approved only where permitted by the Plan and zoning, and only such uses as serve the ordinary needs of tourists or recreational users of the area shall be permitted. The siting and design of commercial uses shall:

- (1) Maintain existing landforms.
- (2) Minimize grading and removal of native vegetation.

- (3) Provide for retention, where feasible, of existing trees within and adjacent to Patrick's Point Drive, Scenic Drive, and Stagecoach Road, and landscaping of areas disturbed during construction to maintain a vegetated border along these roads.
- (4) Limit onsite signs at each site to a total area of 40 square feet and a height of no more than 30 feet above grade.
- (5) Offsite signs shall be clustered at locations shown on the resource protection maps.

All proposed commercial development in excess of 1000 square feet shall be referred to a Design Assistance Committee for review, based on the provision of this policy and subsection 3.40 B 5.

- c. All permitted development shall be subject to the following standards for siting design except for structures integral to agricultural land use and timberland management subject to CDF requirements for special treatment areas.
 - (1) Siding and roofing materials shall not be of reflective materials, excepting glass and corrugated roofing.
 - (2) The highest point of a structure shall not exceed 30 feet vertically measured from the highest point of the foundation, nor 40 feet from the lowest point of the foundation.
 - (3) Setbacks from property lines and public roads shall be no less than 50 feet from a public road, nor 230 feet from a property line. In areas significantly developed, 50% or greater, where setbacks shall be the average of the setbacks of existing structures.
 - (4) Exterior lighting shall be shielded so that it is not directed beyond the boundaries of the property.
 - (5) New homesites shall be sited and designed to concentrate development on level areas so that disturbance of steeper hillsides is minimized. Where the size and location of existing parcels requires development on hillside sites, new construction or grading shall follow the natural contours of the landscape, fitting the site rather than altering the landform to accommodate buildings designed for level sites and concentrating development near existing major vegetation.
 - (6) New development on ridgelines shall be sited adjacent to existing major vegetation, prohibiting removal of tree masses which destroy the ridgeline silhouette, and limiting the height of structures so that they maintain present ridgeline silhouettes.
 - (7) Timber harvests and activities related to timber management exempt from CDF regulations shall conform to timber harvesting visual standards for Special Treatment Areas.
- d. Proposed development which cannot satisfy these prescriptive standards but is in conformance and compatible with the goals and objectives of this section and the Area Plan, may be submitted to the Design Committee for review and approval.

3.40 B. 4. Coastal View Areas

In Coastal View Areas as designated in the Area Plan, it is the intent of these regulations that no development shall block coastal views to the detriment of the public; and the following uniform standards

and conditions shall apply to all developments other than agricultural development and timberland management subject to CDF regulations for special treatment areas in said acres, and to specified developments in Coastal Scenic Areas, in addition to standards identified in the Area Plans: (Amended by Res. No. 82-100, 7/27/82)

- a. No off-premise signs shall be permitted; and on-premise signs to a total area of 40 square feet shall be permitted.
- b. Where the principal permitted use is residential a development may be approved subject to the standards of this document only on the following conditions:
 - (1) New structures or building sites are not visible from public roads or would not block any part of the view (which exists at the time of the application) to the beach/ocean, or
 - (2) The project would be a planned unit development which clusters building sites or structures in areas which minimize impacts on views (which exists at the time of the application) of the beach/ocean from public roads and which include permanent protection of open space on the remainder of the site through deed restrictions, dedications of open space or conservation easements, or through similar measures.
- c. Where the principal permitted use is commercial or industrial, the proposal shall include a detailed plan for exterior design of all structures and signs, and this plan shall be the subject of public hearings at which the following findings shall be made:
 - (1) That the development does not block any part of the view to the coast or coastal waterways as viewed from public roads in a vehicle.
 - (2) That the exterior design, lighting and landscaping combine to render the overall appearance compatible with the natural setting as seen from the road.
 - (3) That no development, other than landscaping, signs, utilities, wells, fences, and a driveway for access to the public road where required, be located within 50 feet of the public road.
 - (4) That all feasible steps have been taken to minimize the visibility of parking areas from the public road.
 - (5) Exterior lighting shall be shielded so that it is not directed beyond the boundaries of the parcel.
- d. Uses other than those defined in "a." through "c." of this Section including those proposed by public agencies, shall be subject to the requirements of Section "c." in so far as these are relevant.
- e. Where feasible, new and existing utilities should be underground.
- f. Proposed development which cannot satisfy these prescriptive standards but is in conformance and compatible with the goals and objectives of this section and the Area Plan may be submitted to the Design Assistance Committee for review and recommendation to the Planning Commission.

3.40 B. 5. Design Assistance Committee

New development proposed within Coastal Scenic and/or Coastal View Areas which cannot satisfy the prescriptive standards listed in Section 3.40 B. 3 & 4, respectively shall be referred to the Design Assistance Committee. The Design Assistance Committee, as defined in the implementation phase of the Local Coastal Program, shall ensure that the proposed development is compatible with the goals and objectives of this plan. Findings for approval shall include: (Amended by Res. No. 82-100, 7/27/82)

- a. Consistency and compatibility with applicable elements of the County's General Plan;
- b. Alteration of natural landforms caused by cutting, filling, grading or clearing necessary for a building site is minimized and, as appropriate, integrated with the project.
- c. That setbacks from roads and property lines are appropriate to protection the scenic and visual qualities of the site;
- d. Exterior lighting is compatible with the surroundings and is not directed beyond the boundaries of the parcel;
- e. Vegetation common to the area should be used to integrate the manmade with the natural environment, to screen and soften the visual impact;
- f. Where feasible, new and existing utilities should be underground. When above-ground facilities are the only alternative, they should be as unobtrusive as possible;
- g. Off-premise signs, which are needed to direct visitors to commercial recreation as permitted in the Area Plan, shall be attractively designed in keeping with the surroundings and clustered at appropriate locations. Such clustered signs should have a single design theme;
- h. Timber harvest and activities related to timber management exempt from CDF regulations shall conform to timber harvesting visual standards for Special Treatment Areas.
- i. Where views from public roads to the coast or coastal waterways are of concern, the height, width, and setbacks from roads and parcel lines shall be considered to retain as much of the existing view as is possible.
- j. Views from public trails, beaches, or public recreation areas into the development site shall also be considered; and
- k. Solar collectors for on-site use shall be exempt from this review.

3.40 B. 6. Voluntary Transfer of Development Credit

Because development on existing parcels with coastal scenic areas and coastal view areas, and development on new parcels created within these areas, may unavoidably impair views to and along the coast, the County, in cooperation with other public entities, shall establish a voluntary transfer of development credit program. The program shall be designed to mitigate adverse effects of development in these locations, provide an incentive to reduce potential buildout on existing and potential lots in these areas, and offer an equitable method of distributing development densities to persons who benefit from the ability to develop their properties in excess of the densities proposed in Section 3.21 B 2. "Donor areas", from which density could be removed by extinguishing the development potential of existing or proposed lots should be related geographically to the "receiver areas" to which density would be added by permitting land divisions or multiple-unit development. Such geographic relationship is necessary in order to assure that increase in the cumulative impacts due to intensified development would be mitigated by reduction of the potential for similar impacts in the same general area. (Amended by Res. No. 82-100,

7/27/82)

- a. The program should authorize transfers as follows:
 - (1) By identifying transfer zones (composed of both donor and receiver areas) within which development credits may be transferred. In each zone, the donor area shall include coastal view and scenic areas and such other lands as the County, following a public hearing, may identify as highly scenic areas or important natural landforms. Receiver areas are not specified, but may include any rural residential lands, other than coastal view and scenic areas, which can accommodate intensified development on building sites established consistent with the policies of Section 3.28 and 3.30 through 3.50 of this plan (i.e., will not result in development within significant hazard or habitat areas, will not degrade water quality or significantly impact natural features, etc).
- b. Transfer Zones:
 - (1) For purposes of the Transfer of Development Credit Program, there are three transfer zones:
 - (a) Scenic Drive - Donor areas include Coastal Scenic rural residential areas west of Scenic Drive; Receiver areas include rural residential areas between Westhaven Village and the Trinidad Urban Limit Line.
 - (b) North Trinidad - Donor areas include Coastal Scenic rural residential areas west of Stagecoach Road; Receiver areas include rural residential lands between the Trinidad Urban Limit and Seawood Drive.
 - (c) Scotty Point - Donor areas include Coastal Scenic and View rural residential areas west of Patrick's Point Drive; Receiver areas include rural residential areas between Seawood Drive and the northern boundary of the Planning Area.
- c. The County, during the Area Plan implementation phase of the Local Coastal Program, will provide for a development credit exchange ratio provided that the number of transferable development credits transferred from any donor parcel shall not exceed the maximum residential units permitted under its land use designation. The development potential of the donor parcel shall be permanently extinguished at the time of the development credit transfer. Residual uses of the parcel shall be limited to public access facilities consistent with Section 3.50 B of this Plan, open space, and uses such as yards and placement of septic systems for adjacent development.
- d. Due to the experimental nature of this program, the County reserves the right to amend this land use plan to exclude this program.

3.40 B. 7. Highway 101 Corridor, Patrick's Point Drive and Scenic Drive (Amended by Res No.84-104, 10/30/84).

- a. Highway 101 Patrick's Point Drive, and Scenic Drive should be designated as State Scenic Highways. The Humboldt County Board of Supervisors shall initiate the preparation of a Scenic Route Study pursuant to the adopted Scenic Highways Element of the Humboldt County General Plan for the portion of Highway 101 from Moonstone to Patrick's Point State Park, inclusive, and for Patrick's Point Drive and Scenic Drive.

The Scenic Route Studies shall be prepared by the County Planning Department in conjunction with the California Department of Transportation. For the current County road segments of Patrick's Point Drive and Scenic Drive, the Scenic Route Study shall include an identification of

information and other assistance that the department of Transportation should furnish which will aid the County in the construction of development of these County roads as Scenic Highways (pursuant to the California Streets and Highway Code Section 154).

Other information which should be included in the Scenic Route Studies, for both County and State highways, is outlined in Appendix E. (This list of Scenic Route Study Contents is Appendix A of the Humboldt County Scenic Highways Elements.)

Review of the completed Scenic Route Studies shall be by noticed public hearing before the Planning Commission and the Board of Supervisors prior to formal adoption or rejection.¹

- b. As an interim measure to the completion and adoption of a specific Scenic Route Study and Associated Plan,
 - (1) The California Department of Transportation shall:
 - (a) using vegetation common to the area, plant within the Highway 101 right-of-way so as to provide a visual buffer between the roadway and development adjacent to the roadway; and
 - (b) manage vegetation along Highway 101 in the area of the Trinidad area rest stop (east of Patrick's Point Drive and Stagecoach Road intersections) and Moonstone Beach to improve views to the coast.
 - (2) New off site signs shall be clustered adjacent to off ramps. Development on lands adjacent to Highway 101 shall be sited and designed to maintain views of a forested corridor from the highway.
- c. Following the inclusion of Patrick's Point Drive and scenic Drive into the State Highway System, the Scenic Highway designation should be retained pursuant to the California Streets and Highways Code, Article 2.5. (Amended by Res. No. 84-104, 10/30/84)²

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 according to the following policy:

- a. 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 of activities.
- b. Where adequate buffers cannot be feasibly internalized during the acquisition process or, where applicable in the development of management plans for the public lands:
 - (1) activities requiring buffering area to be identified,
 - (2) the location, width, and nature of the buffer are to be determined, and

¹ Section 3.40 B 7a has been adopted, however, portions of this section have no record of certification by the State Coastal Commission.

² Section 3.40 B 7c has been adopted, however, there is no record of its certification by the State Coastal Commission.

- (3) any proposed restrictions affecting adjacent privately owned properties shall be discussed with the affected property owner and Humboldt County.
- (4) 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
- (5) 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.

9. Natural Features

Significant natural features within the Trinidad Planning Area, and specific protection for retention of these resources are as follows:

| <u>AREA</u> | <u>SCENIC PROTECTION</u> |
|---|---|
| Trinidad Head | Designated Public Facility (also see Section 3.25A 8 ¹ for policy requesting that the jurisdiction of this area be granted to the City of Trinidad.) |
| North End of Moonstone Beach including Cliff Face | Designated Natural Resources and Public Recreation |
| Elk Head | Designated Natural Resources and Public Recreation |

| <u>AREA</u> | <u>SCENIC PROTECTION</u> |
|---|--------------------------------|
| All Offshore Rocks and Intertidal Areas | Designated Natural Resources |
| Princess Rock | Within Scenic Route Study Area |

3.50 COASTAL ACCESS

A. PLANNED USES

Formal coastal access currently exists at Patricks Point and Trinidad State Parks, Luffenholtz County Beach, and Moonstone Beach County Access. Many other informal (private) accessways also exist but are not recommended for dedication as a condition of new development. This is based on recommendations received both at the workshops and from written comments. Primary concerns expressed included resource protection (rocky intertidal areas and offshore rocks), significant trail and beach hazards (steep, unstable cliffs, high tides and waves), and disagreement with the requirement that

¹ Reference siting changed to reflect current section.

access easements be dedicated as a condition of approval of new development. As well, there was again very strong support for local responsibility for the provision of access through such means as the Humboldt North Coast Land Trust. The Land Trust is currently involved in a project with the Coastal Conservancy which, along with other objectives, will provide access between Luffenholtz and Moonstone Beaches.

B. DEVELOPMENT POLICIES

*** 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, 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.

1. 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 3.50 B 5¹.

- (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.

¹ Section reference has been corrected from "4.54".

- 3.50 B. 1. a. (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 owners' use of their property, and the size of 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:
 - (i) parking
 - (ii) road capacity and traffic patterns
 - (iii) conflicts in uses (i.e. pedestrian, equestrian, vehicular)
 - (iv) use by the handicapped
 - (v) capacity of sanitary facilities, including trash disposal
 - (vi) topography of trail
 - (vii) beach hazards (tides, currents, undertows)
 - (e) Conflicts with agriculture including:
 - (i) vandalism
 - (ii) theft of livestock, agricultural supplies and tools
 - (iii) damage to crops and livestock
 - (iv) trespass on areas not part of accessway
 - (v) damage to fencing and gates
 - (vi) dogs killing, maiming or harassing livestock
 - (vii) litter
 - (viii) interference with agricultural operations (by access corridor)

Improvement of accessways shall be permitted where the level of development is adequate to support common uses 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 minimize the likelihood of trespass 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.

3.50 B 2. Public Access Protection

This policy section applies, generally, to all lands located between the first public road and the sea. This Plan does not determine whether implied dedications or prescriptive rights exist. The Plan is made without prejudice to the existence or absence of such rights. (Amended by Res. No. 83-29, 2/1/83)

- a. Public Resources Code Section 30211 prohibits interference with public access by development. To insure that the County is not approving developments which interfere with public access acquired through use, it will be necessary for the County to consider the question of whether or not public access may exist where development is proposed for an area where evidence of historic public use appears in the application process. Determination by the County that public access may exist should be considered only as a preliminary determination of a question of fact rather than as a legal determination that public rights exist.

The procedure for making the factual determination shall be as follows:

Upon application for a development permit in an area with indications of public use which appears in the application process, the County shall refer the question of public access to a hearing officer designated by the County. Notice and hearing procedures shall be as specified in an ordinance or resolution adopted by the Board of Supervisors. The hearing officer shall be a person qualified to receive and evaluate evidence relevant to the public access question. The hearing officer shall present his findings and recommended decision to the Planning Commission, which shall make the actual determination. The decision of the Planning Commission shall be appealable to the Board of Supervisors.

- b.
- (1) Subsequent to the review provided in 3.50 B2a¹, if there is substantial evidence of historic public use of the accessway, and the proposed development would interfere with such public use, then the proposed development shall be sited and designed so as not to interfere with the use of such accessway.
 - (2) The provisions of paragraphs b and c of this policy shall not apply if the applicant has established that the State has disposed of any interest in the accessway or that there has been a final court determination that there has been no implied dedication or prescriptive use.
- c. Subsequent to the review provided in 3.50 B2a, if there is substantial evidence of historic public use of the accessway and if it is determined either:
- (1) that use of the accessway would have adverse impacts on fragile coastal resources, including but not limited to, rocky intertidal areas, seal haul-out and pupping areas, and bird rookeries; or
 - (2) that use of the accessway will significantly aggravate existing coastal bluff erosion in a manner which cannot be mitigated; or
 - (3) that use of the accessway is inconsistent with protection of public safety due to extraordinary hazards (This plan does not imply that hazards do not exist at other coastal access areas.):

then an equivalent accessway shall be provided, including dedication of an easement as described in Section 3.50 B4 of this plan.

Equivalent access means public access of equivalent type, intensity, and area of use to the same destination. (Res. No. 83-29, 2/1/83)

3.50 B 3. Dedication

¹ Reference changed for clarification.

- a. The protection of existing and development of new public accessways through the mechanisms of voluntary dedication of access easements shall be encouraged. Local land trusts that have official recognition, such as the Humboldt North Coast Land Trust, 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. New development on parcels containing the accessways recommended for dedication shall include an irrevocable offer to dedicate an easement, as described in the Trinidad Access Inventory and Development Section (Section 3.50 B5) for public use as provided in the improvement recommendations.
- c. Offers to dedicate access easements shall not be accepted by any public agency or entity where the recommended use of the respective accessway is of exclusively scientific/educational use unless the accepting agency or entity can demonstrate to the satisfaction of the County that the environmentally sensitive habitats of concern will be adequately protected.
- d. The County shall seek assistance from the Coastal Conservancy and other public entities in the purchase of coastal accessways.

4. Designation Guidelines

- a. Guidelines for the designation of accessways area 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. bluffing 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;
 - (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.

3.50 B 5. Trinidad Area Access Inventory and Development Recommendations Access

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 accessways developed by the North Coast Regional Coastal Commission staff the following listing and recommendations are proposed. The numbers which range from 16 - 28B reflect the numbering sequence for coastal countywide accessways--from the Humboldt-Del Norte county line to the Humboldt-Mendocino line. Once the coastal plan is complete for Humboldt County, an access atlas will be developed describing opportunities for public access to the coast and coastal rivers throughout the County. (Amended by Res. No. 83-29, 2/1/83)

16. Patrick's Point State Park - The park lies at the northernmost end of the Trinidad Planning Area and offers access to approximately three miles of coastline ranging from flat open beach to rock-bound shore. One hundred twenty-four (124) overnight camping units are provided along with 50 official day use parking spaces and overflow parking areas during peak days. ***This information is still the same per Roger Goddard of state parks. He estimated that the parking area would accommodate about 60 cars for day use with approximately 6 ADA spaces.***

Recommendation: The County of Humboldt requests the State Department of Parks and Recreation live up to the spirit of the Coastal Zone Conservation Act by providing free access (pedestrian and vehicular) to the beach area at Patrick's Point State Park for all of the people of the State of California who desire to make an occasional use of that facility for the purpose of viewing the Pacific Ocean and the beach area adjacent to Patrick's Point State Park. ***This occurred in the year 2000; however, with budget problems now occurring at the state level, the fees may be "re-instated" in the near future.***

17. Riley Creek - Intertidal and marine resources located along this stretch of coastline are of major educational and scientific significance. Lateral access is available from Palmers Point in Patrick's Point State Park.

Recommendation: Lateral easements along the beach from Palmers Point to Riley Creek intertidal areas should be obtained consistent with the requirements of Section 3.50 B4.

18. Scotty Point - An existing trail has been used to gain access from Patrick's Point Drive to the rocky beaches north and south of Scotty Point for beachcombing and sport fishing.

Recommendation: Accessways along the existing trail and the rocky beaches north and south of the point shall be provided in new development, consistent with Sections 3.50 B3 and 4. Appropriate public uses include lookout, pedestrian, educational, and scientific use. Desirable improvements include signing, a designated parking area, and trail improvements.

19. Martin Creek - An existing trail has been used to gain access from Stagecoach Road to the sandy and rocky beaches to the south and north, including beaches at Hobsen Creek, for beachcombing and sport fishing.

Recommendation: Accessways along the trail and the rocky beaches to the south and north, including beaches at Hobsen Creek, shall be provided in new development, consistent with Sections 3.50 B 3 and 4. Appropriate public uses include pedestrian, education, and scientific use. Desirable improvements include trail markers and improvements, and, consistent with Section 3.50 B1a (2)(c), any necessary protection of private water supplies from Martin Creek. Marine resources shall be protected from overuse by, among other means, maintaining the parking area at its present size.

20. Trinidad State Beach - This park provides access up to two miles of shoreline. The park is open for day use only. Parking is provided at College Cove on the north end by 44 unpaved spaces. Adjacent to the City of Trinidad within the park boundaries are 34 paved parking spaces. ***Same info***

-bathroom and picnic facilities are available at Trinidad state beach park.

Recommendation: The Department of Parks and Recreation in cooperation with local equestrian groups and the local community, should investigate opportunities for an equestrian trail and, if appropriate, should be developed. ***This has been developed. College Cove needs signage along Old Stagecoach rd.***

21. ***Trinidad City Trail System*** - Trails proposed by the Trinidad General Plan provide access through the City and at numerous places along the beach. The trails system ties into the County's trail system at Trinidad State Beach in the north and Scenic Drive in the south. ***The City of Trinidad has established an extensive trail system to the beach (Memorial Lighthouse, wharf, beach) and on the Trinidad Head.***
22. ***Baker Beach*** - Approximately half-way between Sotsin Point and Luffenholtz Creek, this beach is heavily used and is a local warm weather favorite. This area is being purchased, currently, by the Humboldt North Coast Land Trust (HNCLT).

Recommendation: Consistent with the HNCLT's management and development plans, provision of parking and beach access should be provided.

23. ***North Luffenholtz*** - An existing trail leads from a parking area within the right-of-way of Scenic Drive to beaches north of Luffenholtz Creek. ***Currently exists – discussed below.***

Recommendation: Accessways along the trail and beaches shall be protected in any new developments consistent with Sections 3.50B 3 and 4. Appropriate public uses of these accessways include lookout, pedestrian, education, and scientific use. Desirable improvements include trail markers and improvements, and designated parking.

24. ***Luffenholtz Creek County Park*** - The County park provides flush toilets and a 15 - 20 car parking facility for visitors using the sandy beach and rocks both north and south of Tapona Point. ***This currently exists.*** This pedestrian access is also used by commercial beach users for perch fishing. At this time, access is hampered by the elimination of the bottom section of stairs by wave erosion. ***This beach access has been closed and pedestrian traffic is routed to the access about 100 yards north of the park.***

Recommendation: Due to multiple site specific conditions, the existing trail below the parking lot is not recommended for continued County maintenance; as presently signed this trail is identified as dangerous and use is at one's own risk. ***(Has been closed)*** An alternative trail is also currently signed ***(no signage as of 9/2002)*** approximately 100 yards north of the existing main trail near the yellow gate ***(gate no longer exists)*** across the single lane stretch of Scenic Drive. Parking at this access point, within a small turnaround can accommodate 3 - 6 cars. ***(Parking for one or two cars; no turnaround)*** The alternate trail is not as steep and appears to be more stable than the main trail. However, pedestrians must cross Luffenholtz Creek almost immediately at the trail's end. Generally, driftwood and boulders allow fairly easy access across the creek. ***Still the current conditions.***

The County, in cooperation with local residents and other interested public entities and groups, should explore other opportunities to supplement the existing accessways to Luffenholtz Beach. ***The County Public Works Department has applied for a CDP to enhance the stairs at the bottom of the accessway. The county proposes to replace the existing bottom section with a metal grate filled with rocks in order to withstand the wave velocities found during winter activity.***

25. ***Houda Point and Cove*** - This area is owned by the Humboldt North Coast Land Trust (HNCLT) and is managed for open space, resource protection, and public access. Bird rookeries located

on off-shore rocks, as well as unique near-shore shelf topography and sea caves, give this area unique opportunities to view less common habitats.

Recommendation: Consistent with HNCLT's management and development plans, provision of parking and of beach and bluff-top public access trails should be provided. Due to its high susceptibility to erosion and biological sensitivity this access should be monitored carefully. If undesirable impacts from public use arise, management should be altered to limit public access.

26. Moonstone Beach - This sandy beach on the northern side of Little River has been used for many years by visitors at this location. A County maintained road leads from Scenic Drive down to a 5+ car parking lot adjacent to the beach. A cliff prevents movement northward but sand beach stretches southward to Little River and beyond. Responsibility for managing Moonstone Beach has been accepted by the County and by the Humboldt North Coast Land Trust. ***(Conditions still exists, access was deeded to the HNCLT, facilities maintained by the County).***

Recommendation: No vehicular traffic should be allowed onto the beach. Continued management by the County and the HNCLT should be encouraged with improved parking a major concern. Opportunities to provide access from the parking lot to the beach for disabled persons should also be investigated by the HNCLT and the County. ***County is currently in the process of developing a Master Plan for Moonstone Beach and Clam Beach, recommendations should be based upon the result of this study.***

27. Coastal Trail - A coastal hiking, biking, and equestrian trail has been proposed in the California Recreational Trails Plan and the adopted Humboldt County Trails Plan. In the Trinidad Planning Area, this trail has been proposed to run up from the beach at Patrick's Point State Park, down Patrick's Point Drive and Stagecoach Road to connect with the trail system within the City of Trinidad. South of Trinidad, the trail would continue down Scenic Drive to Moonstone Beach where it would again run along the shoreline.

Recommendation: Development of the Coastal Trail should follow the recommendation in the City Trails Plan. ***This is still current.***

28. 6th Avenue Trail - Portions of this trail route have already been dedicated as a condition of a Coastal Development Permit. ***MKLT has accepted this OTD. Development will occur when there is an opportunity for lateral access to the beach.***

Recommendation: Opportunities to provide an accessway between 6th Avenue and Scenic Drive should be investigated, and if possible, established commensurate with the policies of the County's Trail Plan and Section 3.50 B of this Plan.

3.50 B 6. Future Access Development

Six* additional accessways have been identified in initial surveys. These are:

- (1) Burris-Savage Creeks
- (2) Scotty Point
- (3) McNeil Creek
- (4) Martin Creek

* NOTE: Two of the six additional accessways have been removed by Board of Supervisors actions.

All of these are in private ownership and have significant resource protection problems and/or trail hazards.

Recommendation: These accessways should be studied by local agencies and groups such as the Humboldt North Coast Land Trust for possible acquisition on a voluntary basis. Such acquisition should not take place until adequate management can be provided to overcome resource protection and trail hazard problems consistent with the policies of Section 3.50 B 1-4.

7. ACCESS SUMMARY

| Map Index Number & Title | RORV | CORV | EQ | PED | BL | LO | SCI | Ownership | Improvement Recommendations |
|---|------|------|--------|-----|----|----|-----|------------------------------------|---|
| 16. Patrick's Point State Park | | | | | | X | X | Calif. Dept. of Parks & Recreation | Free limited time |
| 17. Riley Creek (Formerly Palmer Creek) | | | X | | | X | X | Private | Acquire lateral easement from Patrick's Point State Park |
| 18. Scotty Point | | | X | | | X | X | Private | Acquire easement through dedication; signing, parking, and trail improvements needed. |
| 19. Martin Creek | | | X | | | X | X | Private | Acquire easement through dedication; signing, parking, and trail improvements needed. |
| 20. Trinidad State Beach | | | X | X | | X | X | Calif. Dept. of Parks & Recreation | Add Horse Trail. |
| 21. Trinidad City Trail System | | | X | X | | X | X | City of Trinidad | N/A |
| 22. Baker Beach | | | | X | | X | | HNCLT | Access to beach. |
| 23. North Luffenholtz | | | | X | | X | X | Private | Access to beach, investigate opportunities for supplemental accessways to the beach. |
| 24. Luffenholtz Creek County Park | | | | X | | X | X | Humboldt County | Investigate opportunities for supplemental accessways to the beach. |
| 25. Houda Cove | | | | | | | X | HNCLT | Access consistent with Resource Protection. |
| 26. Moonstone Beach | | | X | X | | | X | HNCLT | Improved parking and investigate opportunities for handicap access. |
| 27. Coastal Trail | | | X | X | | | | Public Lands & rights-of-way | Develop consistent with adopted County Trails Plan. |
| 28. 6th Avenue Trail | | | | X | | | | Private | Easement to maintain existing trail. |
| Future Access Development | | | VARIES | | | | | Private | Locally review opportunities to acquire new access-resource protection and hazard policies. |

- RORV = Recreation off-road vehicles
- CORV = Commercial off-road vehicles
- EQ = Equestrian
- PED = Pedestrian
- BL = Boat Launch
- LO = Lookout
- SCI = Scientific

3.60 AREA PLAN MAPS

NOTE: PORTIONS OF THE TRINIDAD PLANNING AREA HAVE NOT BEEN CERTIFIED BY THE STATE COASTAL COMMISSION -- SEE MAP ON NEXT PAGE.

The maps included herein are for illustrative purposes only. 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 additional copies of the official maps should be directed to the same address.

4CHAPTER 4

LAND USE DESIGNATIONS

4.10 INTRODUCTION

The Area Plan maps indicated 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 Zoning 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.

4.20 URBAN PLAN DESIGNATIONS

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

RE RESIDENTIAL ESTATES

Purpose: to allow residential development of areas within Urban Limits where community objectives, including resource protection, limit density of potential development, but where urban services are required.

Principal Use: detached single family residences.

Conditional Uses: private institutions, private recreation facilities.

Gross Density: as indicated on the Land Use Plan Maps and in Section 3.11.

RV URBAN RESERVE

Purpose: to protect from premature subdivision and development urban lands not now developed to urban densities or adequately provided with urban services but expected to develop to urban uses and densities when services are available.

Principal Use: open space uses including agriculture and timber production while services are unavailable or if specifically planned for urban uses, when services become available, these uses permitted under that respective designation if the development can satisfy on- site water and waste-water requirements.

Conditional Use: same as those associated with the designated principal permitted use.

Gross Density: 0 - 1 unit per acre/or if specifically planned the density indicated under that specific urban plan

designation.

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

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

Principal Use: commercial recreational, including recreational vehicle parks, hotels and motels for example, and visitor-serving developments, including antique shops, art galleries, restaurants, taverns for example, subject to the requirements of Section 3.13.

Conditional Uses: single family house on existing lots, a caretaker's residence, and apartment on the upper floor of multi-story structures.

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 3.13).

Conditional Uses: caretaker dwellings, maintenance buildings.

4.30 RURAL PLAN DESIGNATIONS

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

RX RESIDENTIAL/EXURBAN

Purpose: to allow development of rural community neighborhoods not depending on urban levels of service.

Principal Use: residential single-family with neighborhood commercial services as allowed by Section 3.26 of this document.

Conditional Use: Cottage Industry

Gross Density: Section 3.21B for a gross density for each specific geographical area.

RR RURAL RESIDENTIAL

Purpose: to allow residential use of rural lands not permanently designated for resource protection and not suitable for rural community neighborhood development.

Principal Use: residential.

Conditional Uses: production of food, fiber or plants, and Cottage Industry.

Gross Density: Section 3.21B for a gross density for each specific geographical area.

RV RURAL VILLAGE

Purpose: to allow development of rural community neighborhoods where minimal urban levels of services currently exist and only minimal expansion of these services is expected.

Principal Use: residential single-family with neighborhood commercial services as allowed by Section 3.26 B2.

Conditional Uses: production of food, fiber, or plants, and Cottage Industry.

Gross Density: Section 3.21B.

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 as provided in Section 3.24 of this document, 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, permanent timber processing plants for commercial processing of wood and wood products.

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

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, accessway development and improvement and removal of trees for firewood, disease control and public safety purposes.

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, including recreational vehicle parks, hotels and motels for example, and visitor-serving developments, including antique shops, art galleries, restaurants, taverns for example, subject to the requirements of Section 3.25 of this document.

Conditional Uses: maximum density of twelve overnight units per gross developed area.

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 3.25 B7)¹⁰.

Compatible Uses: caretaker dwellings, maintenance buildings.

PF PUBLIC FACILITY

Purpose: to protect appropriate sites for essential public service most 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.

¹⁰ Section reference has been corrected from "3.13 B 2b".

CHAPTER 5

5.00 DEFINITIONS

"Area of Demonstration of Stability" -- As a general rule, the area of demonstration of stability (illustration A) includes the base, face and tops 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 plane included at a 20^o angle from horizontal passing through the toe of the bluff or cliff, or fifty 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 is rounded away from the face of the cliff as a result of erosional processes related to the presence of the steep 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 a Wetland" -- Either (1) the boundary between land with predominately hydrophytic cover and land with predominately mesophytic or xerophytic cover; or (2) the boundary between soil that is predominately hydric and soil that is predominately 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; (4) the boundary between wetland and riparian habitats. Areas with drained hydric soils that are no longer capable of supporting hydrophytes are not considered wetlands.

"Cliff retaining wall" -- An upright structure designed to stabilize or prevent erosion of a cut bank or cliff.

"Coastal Commercial Timberland" -- means:

- a. Within a Timberland Preserve Zone (TPZ)¹¹, 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.

¹¹State Legislation has officially changed the meaning of TPZ to Timber Production Zone.

- 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 an 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, tourists attractions and amusement or marine parks.)

"Cottage Industry" -- A secondary use of a residential 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 one non-resident employee in a manner which does not substantially change or disturb the residential appearance and character of the site and which is conducted pursuant to the policies of Section 3.22

"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, or 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 timber harvesting plan submitted pursuant 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 variety of services common to rural centers which serve large surrounding areas (such as a post office, stores, 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.

"Feed Lot" -- A large yard with pens or stables, other than those part of a typical livestock ranch, where cattle, sheep, etc. are kept for finishing shipment or slaughter.

"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 Department 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.

"Home Occupation" -- An accessory use of not more than 25% of the floor area of the dwelling unit for gainful employment involving the manufacture, provision of or sale of goods and/or services which is conducted solely by the occupants of the dwelling unit in a manner which does not substantially change or disturb the residential appearance and character of the site.

"Incidental Public Services Purposes" -- Projects, such as burying cables and pipes, inspection of piers, etc., which temporarily impact the resources of a habitat area.

"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 the Standard Metropolitan Statistical Area (SMSA) the jurisdiction is located in, or the county where there is no SMSA, in accordance with Chapter 13339 of the California Health and Safety Code.

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

"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.

"Non-Tidal Slough" -- any portion of a slough which is not inundated with sea water by the daily ebb and flow of the tides.

"Planned Development" -- a large, integrated development located on a single building site, or on 2 or more building sites which may be separated only by a street or other right-of-way. In such development operation or a series of operations in accordance with a detailed, comprehensive plan encompassing such elements as the location of structures, the circulation pattern, parking facilities, open space, and utilities, together with a program for provision, operation and maintenance of all areas, improvements, facilities and services provided for the common use of the persons occupying or utilizing the property.

"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 Institutions" -- 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, sewage, 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, 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 stream banks and includes such plants as willows, alders, cottonwood, wax myrtle, big leaf maple, California laurel, red elderberry, etc. Streamside lands which meet the U.S. Fish and Wildlife Service's

classification's definition of palustrine scrub-shrub and forested habitats will be considered riparian vegetation.

"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 and integrated network providing interstate and intercounty service.
3. "Rural Connectors" provide connections between the higher order systems and have low- volume/long trip length characteristics.
4. The "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. The "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.

"Seawall" -- an upright structure designed to prevent erosion of a seacliff by wave attack.

"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.

"Stream Transition Line" -- that line closest to a stream where riparian vegetation is permanently established.

"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.

"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.

"Wetlands" -- lands which may be covered periodically or permanently with shallow waters, including salt marshes, freshwater marshes, swamps, mudflats, and fens. The County will use the U.S. Fish and Wildlife Service's Classification of Wetland and Deepwater Habitats of the United States as a guide to wetland identification. In general, lands which meet the classifications definition of subtidal estuarine aquatic beds, estuarine intertidal flats and emergent habitats, and palustrine emergent and non-riparian palustrine shrub-scrub and forested habitats will be considered wetlands.

APPENDIX A

BIBLIOGRAPHICAL REFERENCES

California Coastal Act of 1976, Public Resources Code, Division 20, Section 30000 et seq.

California Coastal Commission, Local Coastal Program Manual, San Francisco, California, July 22, 1977.

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Humboldt County Planning Department Local Coastal Program, Coastal Land Use Policies and Standards, Eureka, California, June, 1979.

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Access
Agriculture
Commercial Fishery and Beach Use
Habitat Sensitivity
Housing

Recreational Demand
Timber
Urban Services
Visual
Water Quality

Eureka, California, April, 1979

APPENDIX B

**HUMBOLDT COUNTY GENERAL PLAN DOCUMENTS APPLICABLE
TO THE
TRINIDAD AREA PLAN (TAP)**

| <u>PLAN/DOCUMENTS</u> | <u>BOARD OF SUPERVISORS AND STATUS</u> | <u>STATUS IN THE RELATIONSHIP TO THE TAP</u> |
|---|--|--|
| Northern Humboldt County General Plan 1985 | Adopted 5/14/68 Res. No. 68-49 | The TAP supercedes the Land Use Element and reflects the Circulation System |
| Housing Element | Adopted 1/3/78 Res. No. 78-6 | By reference included |
| Noise Element (Two Volumes) | Adopted 8/3/77 | Where applicable |
| Open Space/Conservation Element | Adopted 12/27/73 Res. No. 73-164 | ¹² To date there has been no opportunity for a policy comparison. The TAP has satisfied habitat protection, conservation requirements of the California Coastal Act. Other types of policies contained in the OC-S Element are supplementary to the TAP and are at local discretion. Some OS-C policies have been superceded by subsequent documents--i.e. Noise, Seismic /Safety. (All County planning documents are currently in the process of being consolidated into a single General Plan Framework document.) |
| Recreation Element Humboldt County | Adopted 7/12/76 Res. No. 76-92 | Where applicable |
| Seismic Safety and Public Safety Elements (two volumes) | Adopted 7/31/79 Res. No. 79-96 | By reference included |

¹²Pursuant to Section 30007.5 the Coastal Act requires that during policy conflicts, such conflicts be resolved in a manner which on balance is the most protective of significant coastal resources.

PLAN/DOCUMENTS

BOARD OF SUPERVISORS
AND STATUS

STATUS IN THE RELATIONSHIP
TO THE TAP

City of Trinidad
General Plan

(The plan has not been
formally reviewed by
the County)

Plan proposals for
unincorporated areas
provide information for
the development of the TAP.

APPENDIX C

HAZARDS/LAND USE RISK RATING MATRIX

Explanation

- X Site investigation required
- A Site investigation required if located in Area of Demonstration

| BUILDING TYPE/LAND USE | Landslide Zone | | | | Liquefaction Zone | | | | | |
|--|----------------|---|---|---|-------------------|---|-----|---|---|----|
| | 0 | 1 | 2 | 3 | N | L | M-L | M | H | VH |
| Nuclear power plants, major dams, hazardous chemical storage. | | X | X | X | | X | X | X | X | X |
| Hospitals, fire and police stations, civil defense headquarters, life line utility systems (non-redundant facilities), emergency broadcast stations, ambulance stations. | | X | X | X | | X | X | X | X | X |
| Schools, theatres, auditoriums, hotels motels, office buildings, high and medum density residential, redundant utility systems, major highway bridges. | | X | X | X | | X | X | X | X | X |
| Single family residences, normal commercial, industrial, warehousing, and storage. | | | A | X | | | X | X | X | X |

Landslide Zones: 0 = Negligible, 1 = Low Instability, 2 = Moderate to Moderately High Instability, 3 = High Instability

Liquefaction Zones: N = Nil, L = Low Potential, M-L = Moderate to Low Potential, M = Moderate Potential, H = High Potential, VH = Very High Potential

APPENDIX E

SCENIC ROUTE STUDY CONTENTS (Humboldt County Scenic Highways Element - Appendix A)

The Scenic Route Study shall include text, maps charts, and other necessary information describing the following items:

- I. The California Department of Transportation shall be primarily responsible for:
 - a. describing the routes or realignments proposed for the highway if such are known;
 - b. describing the scenic elements adjacent to the roadway;
 - c. describing the relationship of the roadway to the surrounding environment and to the preservation and visibility of the scenic elements;
 - d. identifying potential areas for public or commercial information sites, roadside rests and vista stations;
 - e. analyzing the highway facility to determine if roadway, right-of-way, and appurtenant structures meet adequate aesthetic standards;
 - f. identifying other State jurisdictional or resource management responsibilities in the corridor.
- II. g. CALTRANS and the Planning Department shall be jointly responsible for identifying the proposed route boundary for each segment or route. At least one workshop shall be held to elicit public comments on the route boundary.
- III. The Planning Department shall be primarily responsible for:
 - h. identifying and evaluating existing local regulatory controls and describing any additional local regulatory controls that may be included in the Plan;
 - i. assessing potential impacts of regulatory controls on property rights, timber harvesting, farming, ranching, construction and other commercial activities;
 - j. developing a work program for the completion of the Scenic Route Plan including a description of the work elements, a time table and staffing requirements.
 - k. one or more workshops shall be held during the preparation of the Scenic Route Study to inform the public that the study is being prepared and to elicit public comments. A notice advertising the workshop shall be run in a publication that serves the affected area.
 - l. written comments shall be requested from any incorporated City when a portion of its Sphere of Influence is included in a Scenic Route Study. (Appended by Res. No. 84-104, 10/30/84)