

Summary of Key Issues and Review of Alternatives

Section 10.1 Combined Element Organization and Section 10.2 Open Space

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Key Topics and Issues	Plan Update Approach (Alternative B)	Existing Framework Plan (Alternative D)	Alternative A	Alternative C
<p>Conservation and Open Space Program. General Plans are required to contain an action program to implement open-space policies (Gov. Code Section 65564). Open space lands are critical to the County’s economy, protection of natural resources, and public enjoyment, recreation and safety.</p> <p>Should the County increase its efforts to inventory, conserve and protect open space?</p> <p>Key Policies: P1 with S1 and S2</p>	<p>Consolidates, updates and cross-references applicable conservation and open space policies. Identifies a Conservation and Open Space Action Program and proposes continuation of active protection efforts such as Williamson Act, TPZ, conservation easement and park programs (CO-IM1).</p>	<p>Contains a similar range of conservation and open space protection policies as Alternative B but because existing open space policies and implementation measures are distributed throughout the elements of the Framework Plan, they are difficult to identify as a coherent Open Space Program. Supports Williamson Act, TPZ and parks program but has no provisions for a conservation easement program.</p>	<p>Increases level of effort to include Transfer of Development Rights program, an open space acquisition program and imposes conservation easement requirements in open space lands (CO-P1x, CO-P1xx, CO-P3).</p>	<p>Supports Williamson Act and TPZ programs to maintain working lands as open space. Supports voluntary conservation easement programs but would require “long-term” instead of permanent easements. Voluntary conservation easements in Alt. B specify permanent easements (CO-P3).</p>
Definition, Mapping and Application	Defines and maps open	Open spaces are not	Same as B, plus	Reduces the

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<p>of Development Standards to Open Space Areas. Building permits, subdivision maps, and open-space zoning ordinances must be consistent with the open space element of the General Plan (Gov. Code Section 65567). In some instances, the organization of the Framework Plan has made the application of open space policies to specific zoning designations and parcels unclear resulting in an uneven application of existing open space policies.</p> <p>Should open space policies and development standards be more clearly applied by zone designation and type of open space area?</p> <p>How should open space policies be applied to legal patent parcels?</p> <p>Key Policies: CO-G5, P1 with CO-S1-S4, IM5</p>	<p>spaces (CO-P1) and applies development standards within identified open space zoning designations and areas (CO-S1-S4, CO-IM5). Establishes development review process to ensure development consistency with conservation and open space policies (CO-P8). Development review would be applied to all legally created parcels, including patent parcels. Revises the zoning ordinance to guide open space consistency determinations pursuant to Gov. Code Section 65567.</p>	<p>fully defined in relation to Gov. Code Section 65567. Consistency determinations guided by requirements of state and federal resource protection laws, Framework Plan policies specific to the project under review and Commission and Board of Supervisor's precedent.</p>	<p>establishes a greenbelt overlay zone to create open space buffers between communities. Alternative B would make use of existing zone designations to create open space buffers.</p>	<p>number of zoning designations and areas considered open space for purposes of Gov. Code Section 65567 (CO-S1).</p>

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<p>Support for Profitable Resource Production as a Means to Protect Open Space. Protecting open space for the managed production of resources is required by Government Code Section 65560 (b) (2). The economics of timber and agricultural production will determine the long-term productivity and sustainability of the majority of working open space lands in Humboldt County.</p> <p>What steps can the County take to preserve the profitability of "managed production" of resources on open space lands?</p> <p>Key Policies: CO-P2, P3, IM2</p>	<p>Timber and agricultural production policies within the Land Use and Infrastructure and Services Elements are applied in Agricultural Exclusive and Timber Production Zones to support continued resource production. Supports working lands as a means to preserve open space (CO-P2).</p>	<p>Supports management of resource lands for timber and agricultural production.</p>	<p>Same as B within the Conservation and Open Space Element but residential development and subdivision policies within the Land Use Element establishes greater restrictions on residential uses within AE and TPZ zoned lands.</p>	<p>Same as B within the Conservation and Open Space Element but residential development and subdivision policies within the Land Use Element establishes greater allowance for residential uses within AE and TPZ zoned lands.</p>

Plan Alternatives Comparison Chart

Section 10.2 Open Space

Plan Alternative				Section 10.2 Open Space	Staff Remarks/ Implmen- tation	Position R,M,D
				10.2.3 Goals		
A	B	C		CO-G1. Open Spaces. Open spaces that distinguish and showcase the county's natural environment and rural lands and provide attraction and enjoyment to residents and visitors		R
				Comments:		
A	B	C		CO-G2. Conservation of Working Lands. Working resource lands that provide livelihoods and profitable economic returns while maintaining open space and ecological values.		R
				Comments:		
A	B			CO-G3. Conservation and Open Space Program. An Open Space and Conservation Program that implements this Element's policies and is complimentary to the conservation and open space lands and programs of cities, tribes, and state and federal agencies.		R
				Comments:		
A	B	C		CO-G4. Parks. Well maintained and accessible parks offering a range of popular recreation opportunities. A countywide park and trail system that meets future recreational and non-motorized transportation needs of the County's residents while protecting agricultural uses, timber productivity and ecological services.		M
				Comments: It is crucial that the open space element goals and policies incorporate language that addresses (in light of PRC 5076) recreational and non-motorized transportation needs along with protection of ag capability, timber productivity, and ecological services on open space lands.		






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			D	4420. To provide and adequately maintain park and recreation opportunities which are highly accessible and reflective of public needs; to protect park resources from incompatible uses; and to plan park development in such a manner as to minimize environmental impacts.		D
				Comments:		
	B			CO-G5. Open Space and Residential Development. Orderly residential development of open space lands that protects natural resources, sustains resource production, minimizes exposure to public safety hazards, and recovers the costs of providing public services.		R
				Comments:		
	A			CO-G5. Open Space and Residential Development. Restricted residential development of open space lands that protects natural resources, sustains resource production and minimizes exposure to public safety hazards.	Consistent with Alt. A Land Use Element Policies	D
				Comments:		
				10.2.3 Policies		
A	B			CO-P1. Conservation and Open Space Program. The County shall inventory and appropriately zone conservation and open space lands and work to protect these lands through development review; Williamson Act programs; TPZ zoning designations; conservation easement and recreation programs; and support for continued resource production.	Iss, Leg, QJ, Min, Prog, IM1 	R
				Comments:		
		C		CO-P1. Conservation and Open Space Program. The County shall maintain Williamson Act and TPZ incentive programs and support continued resource production on open space lands.		D
				Comments: The Open Space Program should encompass more than resource lands alone. Recreation and habitat values are necessary components of an open space program.		

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A			CO-P1x. Transfer of Development Rights. The County shall manage a transfer of development rights program to transfer subdivision rights from high value open space and resource lands to urban development areas.	Supplemental Policy Option	R
			Comments:		
A			CO-P1xx. Open Space Acquisition. The County shall seek opportunities to purchase high value open space lands and open space conservation easements.	Supplemental Policy Option	R
			Comments:		
			<u>CO-Pxxx. Establish a Regional Community Forest. Establish a community forest program. Support efforts to acquire and maintain appropriate open space lands as a regional community forest.</u>		R
			Comments: Community forests can serve a variety of needs including recreational opportunities, sustainable resource production and ecological services.		
			<u>CO-IMxxx. Community Forest Program. Pursue funding and partnerships with cities, tribes, land trusts, and local organizations to establish and maintain a regional Community Forest Program.</u>		R
			Comments:		
			<u>CO-Pxxxx. Public Recreation. Support acquisition, development and management of parklands and trails primarily in locations that are highly accessible to the public in order to serve the outdoor recreation and non-motorized transportation needs of current and future residents, and where such uses do not reduce the agricultural capability, timber productivity and ecological services on open space lands.</u>		R
			Comments:		
			<u>CO-Pxxxxx. Access and Recreation on Private Open Space Lands. Work with willing landowners to develop public access to appropriate open space lands. Support development and management of multi-use trails and other outdoor recreational facilities where such uses do not</u>		R



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			<u>reduce the agricultural capability, timber productivity and ecological services on open space lands.</u>		
			Comments:		
A	B	C	CO-P2. Support for Working Lands. The County shall support policies that maintain profitable resource production on timber and agricultural lands as a means to secure long-term protection and sustainability of open space lands.	Iss, Leg, IM2  	R
			Comments:		
	B		CO-P3. Conservation Easements. Support conservation easement programs that protect natural resource and open space assets. Promote and develop voluntary easement programs that generate economic returns to the landowners and continued resource production, in exchange for permanent protection of natural resource and open space values.	Iss, Prog, IM1, IM-4  	R
			Comments:		
A			CO-P3. Conservation Easements. Support conservation easement programs that protect natural resource and open space assets. Develop easement requirements for development in open space lands that permits development in exchange for permanent protection of natural resource and open space values on the property.		D
			Comments: There should be a separate policy for requirements for easements where development is allowed on open space lands.		
		C	CO-P3. Conservation Easements. Support conservation easement programs that protect natural resource and open space assets. Promote and develop voluntary easement programs that generate economic returns to the landowners and continued resource production, in exchange for <i>long-term</i> protection of natural resource and open space values.		D
			Comments:		
	B		CO-P4. Greenbelts. Maintain separation of urbanized communities through appropriate land use designations and zoning density. Avoid merging urban development boundaries of adjacent communities.	Leg 	



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				Comments:		
A				CO-P4. Greenbelts. Maintain separation of urbanized communities through appropriate land use designations, zoning density and greenbelt overlay zones. Avoid merging urban development boundaries of adjacent communities.		R
				Comments:		
A	B			CO-P5. Planning for Recreational Needs within Communities. Policies addressing community recreational needs shall be prepared as part of planning efforts within each community. Implement park in-lieu fee programs in major communities.	Leg, Prog, IM3, IM4	R
				Comments:		
		C		CO-P5. Planning for Recreational Needs within Communities. Policies addressing community recreational needs shall be prepared as part of planning efforts within each community.		D
				Comments:		
A	B	C	D	CO-P6. Develop and Maintain County Parks. Secure, develop, and maintain county parks and recreation areas that are highly accessible to the public in order to serve the present and future needs of county residents. Plans for the development of additional county recreational facilities and opportunities shall consider the county's long-term capabilities for the maintenance of all facilities and opportunities.	Prog (PW), IM4	R
				Comments:		
	B	C		CO-P7. Encourage Private Outdoor Recreation. Encourage private acquisition, development, and management of outdoor recreational services and facilities as a means to generate economic returns from conservation and open space lands.	Iss	D
				Comments:		
A				<u>CO-P7. Outdoor Recreation on Open Space Lands. Support development and management of multi-use trails and other outdoor recreational facilities on appropriate</u>		R


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			<u>open space lands. Prioritize trail routes that serve both recreational and non-motorized transportation needs. Ensure that facilities do not detract from resource production or other open space values.</u>		
			Comments: Such trail systems can be planned in coordination with private landowners to foster connectivity between, for example, consumers and market farm operations (e.g. Farm Trails).		
A	B	C	CO-P8. Development Review. Development proposed on conservation and open space lands shall be reviewed for consistency with Conservation and Open Space Element policies.	Leg, QJ, Min, P8, S1, IM5  	R
			Comments:		
		D	4430(7) Planning for Recreational Needs Within Communities. Policies addressing community recreational needs shall be prepared as part of planning efforts within each community. Implement park in-lieu fee programs in major communities.		D
		D	4430(6) Review of New Development for Impacts on Recreational Resources. During review of new development, the County Parks and Recreation Division staff shall continue to provide information regarding recreational opportunities within Humboldt County and input into land use planning decisions insofar as those decisions may affect recreational opportunities in the County.		D
		D	4430(5) Pursuit of Funding. The County shall pursue sources of funding for the maintenance, development or acquisition of recreational facilities and programs consistent with this plan.		D
		D	4430(2) Local Needs. The County should focus on local outdoor recreational needs in the acquisition, development and maintenance of County parks.		D
		D	4430(4) Encourage Private Outdoor Recreation. The County shall encourage the private acquisition, development, and preservation of outdoor recreational resources and opportunities and facilities.		D





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				10.2.4 Standards		
				Standard "CO-S1. Conservation and Open Space Element Consistency Determination" originally published in the November, 2007 hearing draft has been re-named CO-S3.		
A	B			<p><u>CO-S1. Identification of Local Open Space Plan.</u> The County's local open space plan consists of the goals, policies, standards, and implementation measures of the following sections of this general plan:</p> <p><u>A. Preservation of Natural Resources:</u></p> <ul style="list-style-type: none"> 1) Sections 10.1 and 10.2 - Conservation and Open Space 2) Section 10.3 – Biological Resources 3) Chapter 11 – Water Resources Element <p><u>B. Managed Production of Resources:</u></p> <ul style="list-style-type: none"> 1) Section 4.5 – Agricultural Resources 2) Section 4.6 – Forest Resources 3) Section 10.4 – Mineral Resources 4) Chapter 12 – Energy Element <p><u>C. Outdoor Recreation, and Cultural and Scenic Values:</u></p> <ul style="list-style-type: none"> 1) Section 4.7 – Public Lands 2) Section 10.6 - Cultural Resources 3) Section 10.7 – Scenic Resources 4) Chapter 7 – Circulation Element <p><u>D. Public Health and Safety:</u></p> <ul style="list-style-type: none"> 1) Chapter 14 – Safety Element 	  <p>New Policy - Added for consistency with state law requirements</p>	M

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	2) chapter 15 – Air Quality Element		
	Comments: Trails are an essential component of an open space program.		
A B	<p>CO-S2. Identification of the Open Space Action Program. The specific programs which are intended to implement the open space plan:</p> <p>A. The following land use classifications: <u>CF, CFR, NR, OS, PR, P, MR/, T, TC, AE, AG, AGR, and AEG.</u></p> <p>B. The following zoning designations:</p> <ol style="list-style-type: none"> 1) <u>Agriculture Exclusive (AE)</u> 2) <u>Timber Production Zone (TPZ)</u> 3) <u>Commercial Timber (TC)</u> 4) <u>Natural Resources (NR)</u> 5) <u>Public Recreation (PR)</u> <p>C. The following combining zone designations:</p> <ol style="list-style-type: none"> 6) <u>Archaeological Resource Combining Zone (A)</u> 7) <u>Alquist-Priolo Combining Zone (G)</u> 8) <u>Streams and Riparian Corridors Protection Combining Zone (R)</u> 9) <u>Flood Hazard Combining Zone (F)</u> 10) <u>Alquist-Priolo Fault Hazard (G)</u> 11) <u>Mineral Resources Combining Zone</u> 12) <u>"T" Combining Zone (Coastal)</u> <p>D. The following plan overlay areas:</p> <ol style="list-style-type: none"> 1) <u>FEMA mapped flood hazard zones</u> 2) <u>Sensitive cultural resource area</u> 	 <p>New Policy - Added for consistency with state law requirements</p>	R

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			3) <u>Special biological areas</u> 4) <u>Streamside Management Areas and Other Wet Areas</u> 5) <u>Areas mapped of geologic instability</u> 6) <u>Areas mapped as Very High Fire Severity hazard</u> 7) <u>Critical Water Supply</u> 8) <u>Critical Watersheds</u> E. <u>The implementation measures of the chapters and sections listed in CO-S1.</u>		
			Comments:		
A	B		CO-S33. Conservation and Open Space Element Consistency Determination. New development requiring a building permit or discretionary review. No building permit may be issued, no subdivision map approved, and no open space ordinance adopted for the areas noted in subsections A and B below shall not be approved unless consistent with Conservation and Open Space policies and standards, unless the proposed action is consistent with the local open space plan as identified in CO-S1 and CO-S2 above.	  Modified from original S1 for consistency with Government Code Section 65567.	R
			Comments:		
	B		CO-S4. Open Space Consistency Determination on Substandard Parcels. <u>Require an open space consistency determination, based upon the conformance with General Plan density and open space development policies, for the development of residential structures based upon the following standards:</u> 1) <u>For substandard residentially designated lots:</u> <ul style="list-style-type: none"> <u>Substandard lots may be developed with a residential structure if the lot was lawfully created and has not been previously merged, regardless of whether or not development of the lot would be consistent with the density of the General Plan. A Special Permit is</u> 	  New Policy - Added to provide policy direction to implement S3.	See Alt. A version



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	<p><u>required for the development of a residential structure on a substandard lot located wholly within a flood hazard zoned or a Streamside Management Area (SMA) or Other Wet Area (OWA).</u></p> <p>2) <u>Resource production, open space, and public land designated lots may be developed with a residential structure if:</u></p> <ul style="list-style-type: none"> • <u>the lot was lawfully created for uses other than utility or right of way purposes; and,</u> • <u>has not been previously merged; and,</u> • <u>plan density can be met; or,</u> <ul style="list-style-type: none"> ○ <u>the lot is planned for agricultural production and found necessary for an agricultural operation.</u> ○ <u>the lot is zoned TPZ and it is found necessary for the management of timber, and if less than 20 acres, a use permit and/or rezone out of TPZ is required.</u> 		
	<p>Comments:</p>		
A	<p>CO-S4. Open space consistency determination on substandard parcels for residential development. Require an open space consistency determination, based upon the conformance with General Plan density and open space development policies, for the development of residential structures based upon the following standards:</p> <p>1) For substandard residentially designated lots: Substandard lots may be developed with a residential structure if the lot was lawfully created and has not been previously merged, regardless of whether or not development of the lot would be consistent with the density of the General Plan. [A Use Permit is required for the development of a residential structure on a substandard lot located wholly within a flood hazard zone or a Streamside Management Area (SMA) or Other Wet Area (OWA).]</p> <p>2) Resource production, open space, and public land designated lots may be developed if:</p>		R

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	<ul style="list-style-type: none"> • the lot was lawfully created for uses other than utility or right of way purposes: and, • has not been previously merged; and, • plan density can be met; <u>or,</u> <ul style="list-style-type: none"> ○ <u>the lot is planned for agricultural production and found necessary for an agricultural operation.</u> ○ <u>the lot is zoned TPZ and it is found necessary for the management of timber, and if less than 20 acres, a use permit and/or rezone out of TPZ is required.</u> <p>3) If the building site is located in any of the following areas a Use Permit shall be required:</p> <ul style="list-style-type: none"> • flood hazard zones; • prime agricultural soils; • proximate to a known cultural resource site; • Streamside Management Areas (SMAs) and Other Wet Areas (OWAs); • mapped areas of geologic instability; • mapped areas of high fire hazard; and • designated areas of critical water supply. 		
	<p>Comments: We recommend that a Use Permit or, at a minimum, a Special Permit, be required in all hazard zones and important resource areas regardless of parcel size. We also recommend incorporating the section 2 language from the Alt. B version to accommodate resource land owners. Lastly, it seems that language contained in section 3 makes the last sentence of section 1 redundant.</p>		
C	<p>CO-S4. Open space consistency determination on substandard parcels. Require an open space consistency determination, based upon the conformance with General Plan density and open space development policies for the development of residential structures based upon the following standards:</p> <p>1) For residentially designated lots and lots planned for resource production:</p> <ul style="list-style-type: none"> • Lots may be developed if the lot was lawfully created and has not 		D

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				been previously merged, regardless of whether or not development of the lot would be consistent with the density of the General Plan.		
				Comments:		
A	B			CO-S5. Lot Line Adjustments on Resource Lands. Lot line adjustments for lands planned for resource production may be allowed to create logical management units where densities are met and there is no resulting increase in the number of building sites.	  New Policy - Added for consistency with other sections of the GPU	R
				Comments:		
				10.2.5 Implementation Measures		
A	B	C		CO-IM1. Conservation and Recreation Easement Program. Provide staffing and secure continued funding to support the Williamson Act Program and expand the County's Conservation and Recreation Easement Program as a means to protect working landscapes, priority open space lands, and outdoor recreational opportunities.		R
				Comments:		
A	B	C		CO-IM2. Working Landscapes. Advocate for state and federal regulatory policy that sustains profitable resource production as a means to sustain the conservation and open space values of forest and agricultural land. Support market development efforts that maximize financial returns to the landowner for agriculture and timber products, recreation, and ecological services.		R
				Comments:		

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Plan Alternative			Section 10.2 Open Space	Staff Remarks/ Implementation	Position R,M,D
A	B	C	CO-IM3. Review of New Development for Impacts on Recreational Resources. Seek input from Parks and Recreation Division staff regarding land use planning decisions related to recreational opportunities in the county.		R
			Comments:		
A	B	C	CO-IM4. Pursuit of Funding. The County shall maintain its Parks and Recreation Program within Public Works and shall pursue state and federal grant funding for the acquisition and maintenance of recreational facilities, trails, and other programs consistent with this Plan.		M
			Comments: The proposed language seems unnecessarily limiting.		
A	B	C	CO-IM5. Zoning Ordinance Revision for Open Space Consistency Determinations. Revise the Zoning Regulations governing development in open space lands to guide development consistency determinations pursuant to Government Code Section 65567.		R
			Comments:		