

HUMBOLDT COUNTY GENERAL PLAN

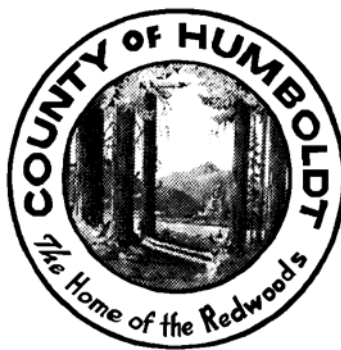
Volume II

MCKINLEYVILLE AREA PLAN

of the

Humboldt County

Local Coastal Program



May 1995

McKINLEYVILLE AREA PLAN
OF THE
HUMBOLDT COUNTY
LOCAL COASTAL PROGRAM

Approved by the
Board of Supervisors
December 16, 1980
Resolution No. 80-139

Amended and Adopted
December 15, 1981
Resolution No. 81-143¹

Certified by the State Coastal Commission
January 7, 1982

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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. (Amended by Res. No. 81-143, 12/15/81).

¹See next page for complete revisions history

ACKNOWLEDGEMENTS**HUMBOLDT COUNTY****BOARD OF SUPERVISORS²**

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Revision History

McKINLEYVILLE AREA PLAN

Board of Supervisors Action

* Approved - Dec. 16, 1981
Res. No. 80-139

* Adopted (with amendments) - Dec. 15, 1981
Res. No. 81-143

* Interim Permit Jurisdiction - Nov. 9, 1982
Res. No. 82-146

* Amended - March 15, 1983
(Wetland Policies, Parking Standards, Riparian Policy) Res. No. 83-58

* Amended May 7, 1985 (Urban Residential Designation)
Res. No. 85-55

* Amended June 18, 1985 (Urban Residential Designation)
Res. No. 85-65

* Amended Aug. 20, 1985 (Industrial Uses and Urban Limit Line)
Res. No. 85-81

* Amended April 15, 1986 (Land Use Map Designations)
Res. No. 86-143

* Amended Sept. 29, 1987 (Urban Limit Line)
Res. No. 87-119

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

* Amended Sept. 13, 1988 (Nonconforming Uses and Structures)
Res. No. 88-116

Amended Sept. 26, 1989 (Land Use Map Designations)
Res. No. 89-144

Amended Aug. 27, 2002 (Public Access Trails)
Res. No. 02-77

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except Amendment C7, denied

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Amendment Certified - Jan. 10, 1990

Amendment Certified – Dec. 10, 2004

PREFACE

This is the McKinleyville Area Plan (McKAP) 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 document 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 three workshops were held in the planning area in March and April of 1980. Attendance was close to 30 people at each of the workshops and extensive comments were recorded and utilized in the preparation of this document.

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) area 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 throughout this document have been changed to reflect current section numbering system.

McKINLEYVILLE 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 Chapter 3 and 4. All current County adopted planning documents, County ordinances, and State law regulating planning and land use, unless superseded by policies of this document, also govern the evaluation of any proposed development. (Appendix B provides a general description of the relation of the coastal plan 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 anytime and commensurate with State Planning Law, Chapter 3, Article 6, Section 65361, may amend the land use plan up to three (3) times a year. All plan amendments must be approved by the State Coastal Commission.

1.20 ORGANIZATION

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

Chapter 1	Introduction to the Local Coastal Program and use of the documents.
Chapter 2	The Coastal Act and McKinleyville Planning Area concerns, including: an explanation of the Act's requirement and intent, and types of development and/or geographical areas exempt from Coastal Development Permits.
Chapter 3	McKinleyville Planning Area Development and Resource Protection Policies Policies and Standards which govern zoning plan amendments, public work extensions, land divisions, and other development activities.
Chapter 4	The Land Use Plan and generalized Plan Map are presented along with an area description and summary of current land uses.
Chapter 5	Land Use Designations including an explanation of permitted uses and densities.
Chapter 6	Definitions
<u>Plan Map</u>	Indicating proposed Land Use Designations and development constraints that apply to geographically specific areas within the Coastal Zone.
Appendix	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.)

- B. Service provides plans
- C. Land use/natural hazards investigation: Table 1
- D. Map of Airport Special Study area.

1.30 USE OF THIS DOCUMENT

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

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

In some cases the proposed development either fails to meet the zoning standards, or (as in the case of a public works extension) is not directly controlled by the zoning. In these cases, the Area Plan is the controlling document. Where a conditional use (as indicated by the zoning), or a variance from specific zoning standards, or a zone change is necessary, policies and standards of the Area Plan as indicated in Chapter 3. 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 (Post-Certification Administration) details the administrative procedures for Coastal Development Permits, and identifies those areas or types of development where appeals from a County decision can be made to the California Coastal Commission.

1.40 McKINLEYVILLE PLANNING AREA MAP

2CHAPTER 2

THE COASTAL ACT AND MCKINLEYVILLE 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 program comes from OCZM.

Proposition 20 established some priorities and guidelines for coastal development and conservation, and created the California Coastal Commission whose job was to prepare a coastal zone management program for approval by the legislature. The result was the Coastal Act of 1976, which established more detailed policies for land use and charged local governments with the responsibility for incorporating these policies into their planning and zoning regulations. Development within the coastal zone required approval by the Coastal Commission prior to certification of a local government's coastal plan. After certification, the Commission continues to review permits and hear appeals for only certain types of development (see Section 2.40, Post-Certification Administration) 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 Northcoast Regional Commission, which included Del Norte, Humboldt and Mendocino Counties was housed in Eureka³.

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 Zone⁴.

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

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

³Text changed to reflect current status of the Local Coastal Plan. The Northcoast Region is now served by the Northcoast District, located in San Francisco.

⁴Public Resources Code, Division 20, California Coastal Act, Chapter 1, Section 30001.5.

priorities for resolving conflicts between competing uses, and ultimately will be used by the State Commission as a yardstick for evaluating the adequacy of all coastal plans. The fourteen 'policy groups' which form the Planning and Management Policies include:

- Shoreline Access
- Recreation and Visitor Serving Facilities
- Housing
- Water and Marine Resources
- Diking, Dredging, Filling and Shoreline Structures
- Commercial Fishing and Recreational Boating¹
- Environmentally Sensitive Habitats
- Agriculture
- Hazards
- Forestry and Soils Resources
- Locating and Planning New Development
- Coastal Visual Resources and Special Communities
- Public Works
- Industrial and Energy Development

2.30 McKINLEYVILLE 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 require special attention for protection of these uses in the Northcoast Area Plan. In summary these are:

<u>USE</u>	<u>PROTECTION</u>
<u>Resource Production</u>	
Prime Agricultural Lands	Agriculture Exclusive Zoning
Coastal Commercial Timberland	Timberland Preserve Zoning
Beach Fishing/Driftwood Sites	Commercial vehicle access protection
<u>Sensitive Environments</u>	
Wetlands	Wetland Buffers (development controls)
	Septic system controls
	Road construction standards
Riparian Habitats	Riparian setbacks
Clam Beach Ponds	
<u>Recreation</u>	
Little River State Park	Limits to vehicular access
Clam Beach County Park	Limits to vehicular access/Visual controls
Future Demand/Support Facilities	Acreage reservation

¹ Additional text to correct typographical omissions.

USEPROTECTIONTransportation Corridors

Highway 101

Limit encroachments, area population density, parking provisions

2.40 POST CERTIFICATION ADMINISTRATION OF THE MCKINLEYVILLE 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 currently several exemption programs adopted by both Humboldt County and the Coastal Commission. The specific exemptions are included below¹.

Order #: Categorical Exclusion E-86-4

Effective Date: June 11, 1986

Affected Development: Single family dwellings
Lot Line Adjustment

Geographical Area: Single family dwellings - between Fisher and School Roads
Lot Line Adjustment - As shown on categorical exclusion maps.

¹ Text change to reflect current status of the exemption programs.

3CHAPTER 3

McKINLEYVILLE AREA DEVELOPMENT & RESOURCE POLICIES

3.10 INTRODUCTION

The Coastal Act requires sharply different development policies for urban and rural areas. This chapter reflects that distinction: Section 3.20 deals with urban development, Section 3.30 with rural development. The basis for considering a parcel under one of these headings is the parcel's location in relation to the Urban Limit Line as indicated on the Area Plan Map (see Chapter 4). In addition, the Coastal Act requires that all development be subject to standards designed to protect natural and cultural resources and assure public safety. Standards to satisfy these requirements are presented in Section 4; they apply, where relevant, in both urban and rural development. Finally, Section 5 presents the policies and uniform standards for coastal access including a methodology for reviewing potential access ways, limitations to access, prescriptive rights, and offers of dedication for access. The implementation of these policies, in the McKinleyville Planning Area, is reflected in the Access Plan, Section 4.54, Chapter 4. In each section, relevant Coastal Act Policies are presented with their Coastal Act section number immediately before local policies and standards and are also enacted as county policy.

3.20 URBAN DEVELOPMENT POLICIES AND STANDARDS

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

3.21 URBAN LIMITS

A. IDENTIFICATION OF THE URBAN LIMIT LINE

*** 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 resource.

*** 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.

1. 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 shall be 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 sewage, water, and road improvement services provided, according to the following criteria:

- a. 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;
- b. 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;

- c. That permitted uses would be within the constraints of all standards related to the protection of public safety;
 - d. Pursuant to provisions of Sections 3.24 (Agriculture Within the Urban Limit) and 3.25 (Recreational and Visitor Serving Areas), 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 provisions of this chapter.
- 2. Wherever possible, Urban Limit Lines established pursuant to Section 3.21 A of this chapter shall follow significant natural and man-made features that will increase the effectiveness of the urban-rural boundary.
 - 3. 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 3.30 of this chapter.

B. GENERAL DEVELOPMENT POLICIES WITHIN THE URBAN LIMIT

- 1. The establishment of an Urban Limit Line and designation of planned uses within that limit is not a commitment by the County of Humboldt to approve land divisions or other developments at urban densities within said limit. It establishes rather the maximum extension of such development for a five-year period, at which time the location of the Urban Limit Line shall be re-examined by the County and the California Coastal Commission and adjustments, if necessary or appropriate, made.
- 2. No land division or development proposal shall be approved within the Urban Limit that would constitute a conversion from the use identified in the Area Plan Map; and no zoning shall be approved which would allow such conversion.
- 3. The development of lands within the Urban Limit for the uses indicated in the Area Plan Map, and division of lands within the Urban Limit to the densities indicated in the Land Use Designations, are contingent on the ability of the area to accommodate that development or that density. More specifically, no lands within the Urban Limit shall be developed or divided as allowed by the Area Plan, unless the following findings are made in addition to any other findings required by this chapter Section 3.40 (Resource Protection Policies and Standards).
 - a. That water supply and adequate provision for sewage disposal, as required by the use at the density permitted in the Area Plan, is available to the development or division.
 - b. That the carrying capacity of major roads of coastal access corridors is sufficient for all permitted uses, or that improvements to an adequate level can be provided at a cost affordable within the reasonable expectation of the County, or of an incorporated city where the Urban Limit surrounds the city.
 - c. That the proposed development or division meets all standards for the use designated in the Area Plan, as set forth in Chapter 5 of this document.

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

- 4. The dedication or offer of dedication of an easement for coastal access or view shall not be considered to

lower the area of a parcel on which such easement is dedicated or offered for dedication, for purposes of determining conformance with approved minimum lot sizes.

5. 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 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. 88-116, 9/13/88)

3.22 PUBLIC WORKS

30254. New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with 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 consistent 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. SERVICEABLE AREA

1. The serviceable area of a utility providing water or sewer service within an Urban Limit shall be construed as all parcels within 300 feet by the shortest feasible route of an existing service line with capacity to serve the permitted development of said parcels as indicated in the Area Plan; except that, where the total capacity of the water or sewer system cannot serve the aforesaid development of all such parcels, the serviceable area shall be that portion of such parcels on which permitted development can be served within the capacity of the system as designated in an approved Public Works Plan as provided by 3.22 C of this chapter. However, no lands designated for agricultural use in the Area Plan shall be considered to be in the serviceable area of a water or sewer system, unless such lands are already serviced by such a system.
2. The serviceable area within the McKinleyville Planning Area is defined as follows and includes:
 - 300 Feet by the shortest distance from the existing McKinleyville Community Services District water and sewer lines, adjusted as necessary for existing natural and manmade boundaries.

B. WASTEWATER TREATMENT FACILITIES

Development of wastewater treatment facilities at site 6 as shown and described in the final EIR and facilities plan (Exhibit 1 in that document) for wastewater treatment for the McKinleyville Community Services District are consistent with this plan.

3.22 C. PUBLIC WORKS PLAN

1. All special districts providing or authorized to provide sewer or water services, including all County Service Areas providing or authorized to provide these services, and all private providers of such services with 20 or more residential-equivalent connections, shall annually submit to the County Planning Commission a Public Works Plan consisting of: five-year projection of service growth and a specific plan, if any, for system expansion in the following year. The Commission, after public hearing, shall recommend approval or disapproval of the plan to the Board of Supervisors, based on criteria of Section 3.22 C3 (Public Works) of this chapter. Where an approved expansion plan does not exist, no permit will be issued by the County for any work contributing to the extension of services outside the serviceable area, or to expansion of system capacity above the capacity needed to provide services in the serviceable area. Where a Public Works Plan has been approved, all permitted work on said utility shall conform to the Plan.
2. A Public Works Plan may be amended by the Planning Commission, up to three times in a year; and any such amendment shall be based on the criteria of Section 3.22 C3 (Public Works).
3. Criteria for approval of a Public Works Plan, as required by Section 3.22 C1 of this chapter shall be:
 - a. That the public works plan will provide services consistent with the proposed scale and pattern of development shown in Area Plan within the urban limit.
 - b. That provision of service to all lots in the expanded portion of the serviceable area, for uses permitted in the Area Plan, will not remove capacity necessary to serve future development of undeveloped lots in the existing serviceable area to the uses permitted in the Area Plan.
 - c. That no assessments, readiness to serve fees, or other costs or encumbrances, including bonded indebtedness, related to water or sewer expansion, will be assessed against lands designated Agriculture Exclusive or Commercial Timber, or against any lands outside of the Urban Limit.

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

D. SERVICE EXTENSION

1. When a service extension is completed, the newly serviced area shall be formally designated as part of the Urban Service Area, as described in Section 3.22 A of this chapter.

3.23 COASTAL-DEPENDENT DEVELOPMENT

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

A. PRIORITIES FOR COASTAL DEPENDENT USE

1. The Area Plan identifies within Urban Limit Lines on-shore and near-shore areas for coastal-dependent industrial, commercial and recreational use. Only coastal-dependent industrial recreational or commercial projects shall be approved for use in areas so designated, according to the following criteria:
 - a. Industrial: (No Coastal-Dependent Industrial Areas were designated in the McKinleyville Area Plan).
 - b. Recreational: Any active or passive recreational activity requiring use of open water, the water-

beach interface, or other natural features which in Humboldt County exist only or predominately at near-shore areas.

- c. Commercial: Visitor-serving facilities which accommodate or facilitate public use of the shoreline for coastal-dependent recreational purposes, when provision of such services is best provided at shore- line areas and does not interfere with access to the coast.

3.24 RECREATIONAL AND VISITOR SERVING USES

Section 30213 of the Coastal Act, since the Legislature's action on the "Mello Bill" which removes the housing requirements of the Coastal Act, presently reads:

- *** 30213. Lower cost visitor and recreation facilities shall be protected, encouraged and, where feasible, provided. Developments providing public recreational opportunities are preferred.
- *** 30222. The use of private lands suitable for visitor-serving commercial recreational facilities designated 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 could 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 on-site recreational facilities to serve the new development.

Conditions of approval placed on the McKinleyville Area Plan by the State Commission provided an alternative of either requiring that subdivision of greater than 16 or more lots dedicate land to a non-profit agency for the construction of affordable residential units or dedication, or in lieu of fee, for public recreation facilities, such as neighborhood parks.

Given the recent amendment to the Coastal Act and the desirability of increasing opportunities for community recreational opportunities in McKinleyville, the following language is adopted by the Board of Supervisors (Amended by Res. No. 81-143, 12/15/81):

A. ACREAGE RESERVATION

1. Land suitable for water oriented and other recreational purposes, and for supporting visitor-serving facilities, have been reserved in the McKinleyville Planning Area as indicated on the Plan maps.
2. It is the policy of this County to prefer the private sector as the provider of visitor-serving facilities. To this end land has been reserved in each planning area for visitor-serving uses; and the County discourages public agencies from establishing visitor-serving facilities, beyond the level of overnight campgrounds and picnic areas and other non-commercial day use facilities such as interpretive centers, boat launching facilities, etc.
3. Within an Urban Limit Line, the development of non-coastal dependent recreational facilities shall be deemed to serve the over-all goal of improving coastal recreational opportunities; except that where lands

suitable for water-oriented recreational activity along the ocean or along major rivers are planned for recreation, only recreational development dependent on these sites shall be approved.

4. To maximize the potential for permitted recreational uses within the commercial recreation designation, no subdivision shall be permitted unless it is to segregate an existing use from the remainder of the property and it shall be found that:
 - a. The economic viability of permitted uses within that designation has been demonstrated on the remaining parcels; and
 - b. All lots created meet the requirements of 3.21 B for development within the Urban Limit.

3.24 B. RECREATIONAL OPPORTUNITIES AND PLANNED UNIT DEVELOPMENTS

See sections 3.25 and 3.36 (Deleted by Res. No. 83-58, 3/15/83)

C. STANDARDS FROM COMMERCIAL PARKING

(Deleted by Res. No. 83-58, 3/15/83)

D. PARKLAND DEDICATION

1. Within areas planned for residential development, new subdivisions containing fifty-one (51) or more parcels shall, at the option of the County, provide one of the following:
 - a. An offer of dedication of land planned for residential use to a public or private non-profit agency for public park or recreation use such as neighborhood parks or the trails and support facilities identified in the County Trails Plan (in addition to those required by Sections 4.52 and 4.54 of this plan), or
 - b. An in lieu fee at a level determined by the County to be sufficient to provide an appropriate contribution to public parks or recreation and at a level that is economically feasible for small projects.
2. Within areas planned for residential development, new subdivisions containing less than fifty (50) parcels shall provide an in lieu fee consistent with 1b, above.
3. The County shall initiate an amendment to the County Recreation Element which would address the Community of McKinleyville's recreation needs (based on present facilities and future density and population projections), including appropriate:
 - types (community centers, vista points, ball fields, etc.);
 - locations (upland/coastal, with emphasis to those which would afford access to trails identified in the County Trails Plan);
 - development and design, and
 - maintenance.
4. As a part of the amendment process, the County shall investigate and formally propose implementation options including but not restricted to the process outlined in the Quimby Act (Section 66477 of the Subdivision Map Act, California Government Code), assessment districts, etc. This, at a minimum, should include the County in cooperation with the McKinleyville Community Services District, the Coastal Conservancy, and other agencies and community groups establishing appropriate standards for locating, development, and maintaining these facilities including a schedule specifying proportions of division for land dedications or appropriate amounts for in lieu fees, and a schedule specifying when it will use the land or fees or both to develop park or recreational facilities.

5. Following State certification and local adoption of this plan the following schedule shall be used as a general guide to implementing this policy until a local ordinance implementing this policy is adopted (Amended by Res. No. 81- 143, 12/15/81):

GENERAL STANDARDS FOR LOCAL RECREATION AREAS

<u>Facility</u>	<u>Population Standard</u>	<u>Site-Size Standard</u>
Playground	1 acre/800 pop.	3-6 acres
Local Parks	1 acre/1000 pop.	2 or more acres
Recreation Center or Planfield	1 acre/800 pop. 1 acre/1000 pop.	15-20 acres 10-30 acres

3.25 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 Housing Element. (Amended by Res. No. 81-143, 12/15/81)
- B. It shall be 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 beyond that already required in Sections 3.41 and 3.42, incentives may include increases of up to 20% over planned densities. (Amended by Res. No. 83-58, 3/15/83)

3.26 INDUSTRIAL

Because industrial uses proposed for this planning area are limited in scope, an in-depth discussion of Coastal Act policies and application is not provided. The majority of Coastal Act industrial policies related to "coastal-dependent" industry and related oil and gas development, refineries and power generation facilities, none of which are proposed in the planning area. In the interest of brevity and economy, Coastal Act policies related to these industry types are listed below by section number only, followed by the complete text of Coastal Act sections applicable within the planning area (Res. No. 88-85, 8/20/85):

*** 30232
 *** 30254
 *** 30255
 *** 30260
 *** 30261
 *** 30262
 *** 30263
 *** 30264

- *** 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.

- (b) Where feasible, new hazardous industrial development shall be located away from existing

developed areas.

- *** 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, their 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. DESIGNATION OF INDUSTRIAL SITES

The land use map designates the site bounded by Airport Road and Halfway Avenue (the "Airport Road Site") as "MB". This designation is intended to allow the development of a "business park" on this site, a mixed light industrial/commercial use area which would permit research/light industrial, professional, and business office, administrative, warehousing, storage and distribution uses (Res. No. 85-81, 8/20/85).

B. LIMITATION ON SECONDARY USES

It is intended that ultimate development of the business park would include incidental retail commercial and retail service as well as transient habitation uses which would support and enhance the overall business park concept. Such uses could include a hotel/motel (possibly preceding other development), food service, professional support services or other related uses. Such uses may be conditionally permitted subject to a finding by the approval body that the proposed use is incidental to or supportive of other development permitted by the "MB" designation (Res. No. 85-81, 8/20/85).

3.28 HAZARDS

- *** 30253. New Development shall:

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

- A. 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 in Chapter 3 of Vol. I should be used in conjunction with plates I and II. Plates I and II are maps delineating seismic zones relating to earthquake shaking as well as land stability and other natural hazard conformation.
- B. 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 McKinleyville Planning Area. These recommendations shall be evaluated by the Board of Supervisors for inclusion in Phase III of the Local Coastal Plan for the McKinleyville Planning Area.

- 3.28 C. 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 expertise in soil mechanics or foundation engineering, or by a certified engineering geologist, for classes of development and hazard areas as shown in Table 1 (see Appendix C).

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

- a. Cliff geometry and site topography, extending the surveying work beyond the site as needed to depict unusual geomorphic conditions that might affect the site;
 - b. Historic, current and foreseeable cliff erosion, including investigation of recorded land surveys and tax assessment records in addition to the use of historic maps and photographs where available and possible changes in shore configuration and sand transport;
 - c. Geologic conditions, including soils, sediment and rock types and characteristics in addition to structural features, such as bedding, joint and faults.
 - d. Evidence of past or potential landslide conditions, the implications of such conditions for the proposed development, and the potential effects of the development on landslide activity;
 - e. Impact of construction activity on the stability of the site and adjacent area;
 - f. Ground and surface water conditions and variations, including hydrologic changes caused by the development (i.e. introduction of sewage effluent and irrigation water to the ground water system; alterations in surface drainage);
 - g. Potential erodibility of site and mitigating measures to be used to ensure minimized erosion problems during and after construction (i.e. landscaping and drainage design);
 - h. Effects of marine erosion on seacliffs;
 - i. Potential effects of seismic forces resulting from a maximum credible earthquake;
 - j. Any other factors that might affect slope stability;
2. 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 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 to 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.
 3. 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 related storm run-off, foot traffic, site preparation, construction activity, irrigation, waste water disposal and other activities and facilities accompanying such development) shall not create or contribute significantly to problems of erosion or geologic instability on the site or on surrounding geologically hazardous areas.
 4. 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.
- 3.28 D. 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.
- E. 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 National Flood Insurance Program.

- F. New shoreline protection structures, including revetments, breakwaters, groins, seawalls, and other such construction, that alter natural shoreline processes may be permitted to protect existing principal structures or public facilities in areas subject to damage from wave action where relocation of the structures is not feasible and when:

1. It is the least environmentally damaging feasible alternative.
2. Adverse impacts on shoreline sand supply have been eliminated or minimized by the project's design.
3. The project has been designed by a registered civil engineer with expertise in shoreline processes.

Permanent shoreline structures shall be permitted only when based on a comprehensive study of areawide 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.

4. 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.
5. The County encourages study of shoreline erosion in McKinleyville to develop long term solutions to existing erosion hazards between School Road and Hiller Road.

- G. Arcata-Eureka Airport Special Study Area

1. New development within the Arcata-Eureka Airport approach and transitional zones shall be consistent with the approved off-site development guidelines contained in the adopted County Airport Master Plan. The Airport Land Use Commission will define and formally establish an airport safety zone, adopt specific noise and safety standards, and apply such standards to all new development within these zones.
2. Generally, within the airport approach and transitional zones the plan recommends an overall residential density of 1 unit per 2-1/2 acres. Based on this recommendation, the land use designation Residential Low Density within the transitional and approach zone is amended to include the plan density of 0-8 units per acre. As amended, the planned land uses and densities will not frustrate or prejudice the Airport Land Use Commission's task of implementing the Airport Master Plan.
3. The clustering of new development or planned unit development technique shall be encouraged for new development proposed in these zones to mitigate health and safety concerns.

3.29 ARCHAEOLOGICAL AND PALEONTOLOGICAL RESOURCES

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

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

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

3.30 RURAL DEVELOPMENT POLICIES AND STANDARDS

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

3.31 RURAL DEVELOPMENT

A. GENERAL REQUIREMENTS

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

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

B. RURAL SUBDIVISION REQUIREMENT

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 very many parcels are of a common size and a very few parcels skew the mean to create an average atypical of the size of surrounding lots.
 - 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.
2. 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.
3. Minimum parcel sizes for rural areas designated for uses other than Resource Production Lands or public lands.
 - a. Kjer Drive--RURAL EXURBAN

The area is planned for a 2-1/2 acre density. Only one 5 acre parcel shall be permitted to subdivide on the east side of Kjer Road. Other parcels may only be combined and/or developed consistent with sewage disposal requirements (3.41K, Permitting and Siting of Septic Systems; and 3.42C, Coastal Scenic Areas).

- b. Strawberry Creek (between Central Ave. and Clam Beach Road)--RURAL RESIDENTIAL

The area is planned for a 5 acre density.

- c. Patrick Creek Drive--RESIDENTIAL EXURBAN

Creation of new parcels shall not be permitted. Existing parcels may only be combined and/or developed consistent with sewage disposal and coastal scenic area requirements (3.41K, Permitting and Siting of Septic Systems and 3.42C, Coastal Scenic Areas).

- d. Coastal Dows Prairie (between Dows Prairie Road and Crannel Road)--RURAL RESIDENTIAL

The area is planned for a 5 acre density.

- e. Turner Road--RURAL RESIDENTIAL

This area is planned for one unit per 5 acres.

C. 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. 88-116, 9/18/88)

3.32 PUBLIC SERVICES

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

3.32 A. EXTENSION OF SERVICES

1. It is the intent of this chapter, that extensive rural public service systems, other than road, electric, telephone and gas systems appropriate to planned levels of development, not be developed. 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; except that private provision of water service shall be permitted if sized so as not to exceed the maximum number of residential sites which can

be developed under the adopted plan.

- a. Extension of water and sewer is permitted outside of the McKinleyville Urban Limit Line to service the U.S. Coast Guard and County Airport facilities north of Airport Road.
2. In addition, extension of water service to areas planned for Agriculture Exclusive outside of an Urban Limit Line shall be permitted for both domestic and agricultural use provide that:
 - a. Extensions will only be permitted in areas planned for agriculture and the serviced use must be compatible with Area Plan.
 - b. The extension of water will not cause financial encumbrance to any rural lands.
 - c. No new or additional uses may be permitted access to the extension.
 - d. The capacity of the extension is limited to a size adequate to meet existing agricultural and domestic requirements.

B. EXTENSION OF THE URBAN LIMIT LINE

1. 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 both sewer 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 Commissions 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 3.40 (Resource Protection Policies and Standards).
 - d. The area proposed for inclusion within the Urban Limit comply with the standard and criteria of Section 3.21A of this document.

C. PUBLIC ROADWAY PROJECTS

1. Public roadway improvement projects shall not, either individually or cumulatively, degrade environmentally sensitive habitats or coastal scenic areas. Improvements (beyond repair and maintenance) shall be consistent with Sections 3.41 (Environmentally Sensitive Habitats) and 3.42 (Visual Resource Protection) 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 or 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 3.40 (Resource Protection Policies and Standards), and removal of roadside signs consistent with Section 3.42 C (Coastal Scenic Areas).
 - 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.

3.33 COASTAL-DEPENDENT DEVELOPMENT

A. PRIORITIES FOR COASTAL DEPENDENT DEVELOPMENT

1. The Area Plans identify, outside Urban Limit Lines, on-shore and near-shore areas for coastal-dependent industrial, recreational and commercial uses. Only coastal-dependent industrial, recreational or commercial projects shall be approved for use in such areas, according to the following criteria:
 - a. Recreational: Active or passive recreational activities requiring use of open water, water-beach interface, or other natural features which in Humboldt County exist only or predominantly at near-shore areas; provided that development, including water, sewage disposal, parking and road capacity, required to serve recreational users are adequate to the population served; could not more feasibly be provided within an Urban Limit Line; and do not reduce the viability of established forestry or agricultural uses.

3.34 AGRICULTURE

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

- (a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.
- (b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the

viability of existing agricultural use is already severely limited by conflicts with urban uses and where the conversion of the lands should complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.

- (c) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.
- (d) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.
- (e) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision "b." of this section, and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.

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

3.34 A. IDENTIFICATION OF AGRICULTURAL LANDS

1. Lands outside Urban Limit Lines that are prime agricultural lands based on the adopted definition of prime lands of the State of California, shall be planned for continued agricultural use, and no division or development of such lands shall be approved which would lower the economic viability of continued agricultural operations on them. In particular, no agricultural land division will be approved where any parcel created thereby is less than 60 acres. However, divisions of these prime agricultural lands to a minimum size of 20 acres otherwise consistent with this Chapter may be approved pursuant to rezoning and parcel map procedures, subject to the below conditions, if the County or Commission on appeal, finds that the division is necessary for a specific agricultural purpose (e.g. to provide for a separate starter farm for a family member), the division will not adversely affect the area's agricultural economy or habitat resources. The rezoning and parcel map may be approved only upon satisfaction of all the following conditions:

- a. Execution of an Agricultural Preserve contract (Williamson Act contract) with the County.
- b. Acknowledgment either on the parcel map or in a covenant within the chain of title that although the new parcel is of a size below that considered a viable or economic agricultural unit, its creation was approved for a specific agricultural purpose, and no further division or other conversion from agricultural use will be allowed in the future even if agricultural use of such separate parcel does not provide adequate economic return.

Rezoning conforming to this section of the land use plan shall be reviewed and considered as minor amendments to the certified local coastal program.

These policies and requirements regarding new divisions of lands planned Agriculture Exclusive, apply only as long as they are required by this plan. Changes in the types of County agricultural operations (i.e. from grazing pasture to truck crops) may require modification of this policy by plan amendment.

2. Lands outside Urban Limit Lines that are not prime agricultural land, but are in agricultural use, shall be planned for continued agricultural use except where the long-term economic infeasibility of continued agricultural operations has been shown to exist; and no division of or development of such land shall be permitted which would lower the viability of continued agricultural operations on these lands or on adjacent prime agricultural land.

B. COMPATIBLE USES

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

Other uses considered compatible with agricultural operations include:

- a. Management for watershed.
 - b. Management for fish and wildlife habitat.
 - c. Recreational uses not requiring non-agricultural development under the control of the owner.
 - d. The erection, construction alteration, or maintenance of gas, electric, water or communications transmission facilities. (Radio or television transmitting antennae shall require a conditional use permit; but such a development shall not in concept be considered incompatible with agricultural use per se).
 - e. Farm labor housing and temporary labor camps of less than one year duration shall require a conditional use permit.
2. Where land zoned for agricultural use is adjacent to land in residential use, the establishment of hog production involving more than three adult animals (over 6 months old) shall require a conditional use permit.
 3. No greenhouse shall be approved for use on prime agricultural land, where the greenhouse has a slab foundation that would cover the underlying soil.

3.35 TIMBERLANDS

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

A. IDENTIFICATION OF TIMBERLANDS

1. Coastal Commercial Timberland shall be all lands zoned for Timberland Preserve, and all other lands 40 acres and larger on the A and B lists for proposed Timber Preserve Zones¹, as completed by the Office of the Assessor of Humboldt County where existing uses on the property are consistent with Section 3.35 B1 (Compatible Uses).
2. Owners of timberland with parcels of 20 acres or more of "good site III" or 160 acres or more of Site IV or better shall be permitted to apply to have the land rezoned as Timberland Preserve in the Coastal Zone. Any such applicant must demonstrate the management of said parcel for timber harvesting purposes, and submit a management plan that includes a projected date of harvest for timber on the site, as required by County Ordinance 314, Section 12b (1-3).
3. All Coastal Commercial Timberland shall be protected for timber harvesting and production; and no division of such land shall be approved where parcels of less than 40 acres would be created except for

¹ As of 1982 the State Legislature has redefined the meaning of TPZ to Timber Production Zone.

timber processing and related facilities where the remainder parcel stays in TPZ¹. 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:

- a. For restocking of understocked timber sites prior to recordation of the final subdivision map.
- b. Protection of uses integrally related to the growing of timber such as roads, log landings, and log storage areas, from development, such as home construction, which may be incompatible with continued commercial use.
- c. Joint use by all persons with interests in the parcels subject to the management plan of roads, log landings, and similar facilities.
- d. Those timberlands currently in TPZ shall have no additional regulations placed on timber harvesting or management by any portion of this section.

3.35 B. COMPATIBLE USES

1. No use shall be permitted for Coastal Commercial Timberlands that detracts from or inhibits the growing and harvesting of timber; and compatible uses other than the direct growing and harvesting of timber shall be restricted:
 - a. Management for watershed.
 - b. Management for fish and wildlife habitat.
 - c. Any use integrally related to the growing, harvesting and processing of forest products, including but not limited to roads, log landings and log storage areas, portable chippers and portable sawmills.
 - d. The erection, construction, alteration or maintenance of gas, electric, water or communication transmission facilities.
 - e. Grazing and other agricultural uses.
 - f. No more than two single-family dwelling units and normal accessory uses and structures for owner and caretaker. The second dwelling unit shall require a use permit and shall be conditioned so as to not constitute a subdivision of the parcel. Minor conversion of timberland for residential use is limited to an area of 5% of the total parcel, to a maximum area of two acres for a homesite and appurtenant uses. The total area need not be a contiguous unit.
 - g. Temporary Labor camps of less than one-year duration, accessory to timber harvesting or processing operations.
 - h. Recreational uses of the land by the public, with or without charge, for any of the following: walking, hiking, equestrian, picnicking, boating, fishing, hunting and skiing.
 - i. Reforestation activities including site preparation under the authority of the California Department of Forestry (CDF)² and other State Agencies having regulatory jurisdiction.

3.36 RECREATION

*** 30218. (Part) Lower cost visitor and recreational facilities...shall be protected, encouraged, and, where

¹ As of 1982 the State Legislature has redefined the meaning of TPZ to Timber Production Zone.

² As of 1988 the CDF is known as the California Department of Forestry and Fire Protection.

feasible, provided. Developments providing public recreational opportunities are preferred.

- *** 30220. Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall protected for such uses.
- *** 30221. Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.
- *** 30222. The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.
- *** 30223. Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.
- *** 30250. (c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or of selected points of attraction of visitors.
- *** 30253. (4) New development shall minimize energy consumption and vehicle miles traveled.

A. FINDINGS FOR PERMITTING OF RECREATIONAL FACILITIES

1. Public or private recreational facilities and visitor-serving facilities shall be permitted pursuant to criteria of 3.33 A1 (Coastal Dependent Development) of this chapter only where the following findings are made by the Planning Commission:
 - a. The proposed development includes adequate on-site services for water, waste disposal, parking and other facilities necessary to serve the proposed use.
 - b. The proposed development would not create traffic flows detrimental to agricultural or forestry uses in the Planning Area; except that where the proposal includes a showing that such adverse impacts will be mitigated through road improvements or other means within two years of project approval, the development shall be approved;
 - c. No location within an Urban Limit Area is more feasible.
 - d. The development does not constitute conversion of agricultural or timber lands inconsistent with the requirements of this chapter.
 - e. In the case of visitor-serving facilities, that an established recreational use exists in the immediate area, or will be provided by the development, for which the visitor- serving facility is appropriate commercial service.

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

B. 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.

3.37 HOUSING

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

A. HOUSING

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.

B. MULTIPLE UNIT AND MOBILE HOME PARKS

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.

C. NEIGHBORHOOD COMMERCIAL

Lands zoned for Rural Residential use are subject to the land division requirement of Section 3.31 (Rural Development) of this chapter; except that where 50% or more of the existing lots in such a contiguously-zoned area have been developed, and no neighborhood commercial service is available within a three-mile radius of a site in the area where it is proposed to provide such a service, the proposal may be approved subject to the approval of a Conditional Use Permit and the Resource Protection constraints of Section 3.40 (Resource Protection Policies and Standards) of this document, and the normal standards for a Neighborhood Commercial Zone, and the subject parcel shall either be zoned Neighborhood Commercial, or a division into two parcels may be permitted if the non-commercial parcel meets requirements of Section 3.41 K (Permitting and Siting of Septic Systems) for non- serviced lot size, and only the proposed site is zoned Neighborhood Commercial.

LOW AND MODERATE INCOME HOUSING

(Section deleted per Res. No. 81-143, 12/15/81)

D. PLANNED UNIT DEVELOPMENT

1. It shall be 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 beyond that already required in Sections 3.41 and 3.42, incentives may include increases of up to 20% over planned densities (Amended by Res. No. 83-58, 3/15/83).

3.38 INDUSTRIAL

Because there are no new industrial uses proposed for this planning area, an in depth discussion of Coastal Act policies and application is not provided here. In the interests of brevity and economy only the applicable Coastal Act sections are listed as follows:

*** 30254
 *** 30255
 *** 30260
 *** 30261
 *** 30262

*** 30263
 *** 30264
 *** 30232
 *** 30250(b)

(See Section 3.26)

3.39 HAZARDS

(See Section 3.28)

3.39.1 ARCHAEOLOGICAL AND PALEONTOLOGICAL RESOURCES

(See Section 3.29)

3.40 RESOURCE PROTECTION POLICIES AND STANDARDS

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

*** 30240. (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

*** 30233. (a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in 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 soils suitable for beach replenishment should be transported for such purposes to appropriate 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 wetlands 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.

3.41A. IDENTIFICATION OF WETLANDS AND OTHER ENVIRONMENTALLY SENSITIVE HABITATS

- 1. Environmentally sensitive habitats within the County McKinleyville planning area shall include:
 - a. Rivers, creeks, and associated riparian habitats including Little River, Widow White Creek, and other streams.
 - b. Wetlands, estuaries, including the Clam Beach ponds and the mouths of Little River, Widow White Creek, and Mad River.
 - c. Vegetated dunes at Clam Beach, Little River Beach, and the banks of the Mad River.
 - d. Other critical habitats for rare or endangered species listed on state or federal lists.

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

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

2. "Wetland areas shall be identified according to the Coastal Act's definition of wetlands (See Chapter 6: Definitions). Farmed wetlands shall be identified as diked former tidelands now farmed. The 7.5' USGS quad maps of such areas as mapped by the County Planning Department shall be revised to include areas meeting these criteria based on current best available information."
3. "Where there is dispute over the boundary or location of an environmentally sensitive habitat, the following information may be requested of the applicant:
 - a. a base map delineating topographical lines, adjacent roads, location of dikes, levees, flood control channels and tide gates.
 - b. vegetation map
 - c. soils map.
 - d. location of dikes, levees, flood control channels, and tide gates.

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."

3.41B. ALLOWABLE USES IN TRANSITIONAL AGRICULTURAL LANDS

Within transitional agricultural lands planned for Agriculture Exclusive, agriculture is the principal use in these areas, but shall maintain long term habitat values and minimize short term habitat degradation by ensuring new development is consistent with the provisions of this policy. Close cooperation among the County, Coastal Commission Agricultural Extension, farm organizations, and fish and wildlife agencies will be necessary in order to ensure that new agricultural development will be permitted consistent with these objectives. Change agricultural practices may require periodic review and modification of this policy.

1. Notwithstanding the exception is Section 3.34 A (Identification of Agricultural Lands), no division of Transitional Agricultural lands shall be allowed to create new parcels of less than 60 acres which are entirely transitional ag-lands and any new parcel which consists entirely of transitional ag-lands shall be allowed only if the limitations of this section applicable to such parcel are recorded in a covenant within the chain of title for the parcel.
2. Diking and filling for new development in transitional agricultural lands shall be limited to the principle uses in agricultural exclusive designations, including construction of spillways and modification or repair of existing dikes threatened by erosion, and excluding farm houses, except for replacement or relocation of existing residences. Any structure allowed shall be sited and designed in the least environmentally damaging manner possible. Where feasible, new structures shall be sited 100 feet from the edge of tidal or non-tidal sloughs, or clustered adjacent to existing structures.
3. Dredging in transitional agricultural lands shall be limited to incidental public service purposes and to maintenance and repair of existing tidegates, floodgates, dikes, levees and other drainage works, including replacement of drainage works damaged by flood or tidal surges.

4. Mitigation for these uses by restoration of tidal action or removal of fill is not feasible and shall not be required.
5. Road crossings of sloughs, channels and ditches shall be by culvert or bridge and all crossings may require a Stream Alteration Agreement with the California Department of Fish and Game. (Amended by Res. No. 81-143, 12/15/81)

3.41 C. PERMITTED USES IN WETLANDS

New development within these areas shall be limited to the following uses:

1. Fish and wildlife management.
2. Nature study.
3. Wetland restoration.
4. Hunting and fishing including development of duck blinds and similar minor facilities.
5. In estuaries, maintenance and improvement of boating facilities and minor alterations to existing facilities.
6. Removal of trees for disease control, public safety purposes, and on private lands at Mill Creek and Widow White Creek, the removal of firewood for the personal use of the property owner at his or her residence; provided that all removal of trees is consistent with the Forest practices rules for stream protection zones in Coastal Commission Special Treatment areas. Snags shall be retained unless felling is required by CAL-OSHA regulations and live trees with visible evidence of current use as nesting sites by owls, hawks, eagles, osprey, or egrets shall be retained. Heavy equipment shall be excluded from the designated natural resource area.
7. Incidental public service purposes.
8. Aquaculture.

D. WETLAND BUFFER

1. No land use or development shall be permitted in areas adjacent to coastal wetlands, called Wetland Buffer Areas, which degrade the wetland or detract from the natural resource value. Wetland Buffer Areas shall be defined as:
 - a. The area between a wetland and the nearest paved road or the 40 foot contour line (as determined from the 7.5' USGS contour maps), whichever is the shortest distance, or
 - b. 450 feet from the boundary of the wetland, where the nearest paved road or 40 foot contour exceeds this distance.
 - c. Transitional agricultural lands designated Agriculture Exclusive shall be excluded from Wetland Buffer Areas. (Amended by Res. No. 83-58, 3/15/83)

3.41 D. 2. Development, except for:

- a. development permitted in wetlands as provided by Coastal Section 30223;

- b. wells in rural areas; and
 - c. 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 wetlands habitat values, and as prescribed in 3 through 5 below.
3. **DEVELOPMENT SETBACK:** Within an urban limit line, the setback shall be either 100 feet or the average setback of existing development immediately adjacent as determined by the "stringline method". That method shall be used which provides development setbacks similar to those occurring on adjacent parcels and adequately protects the wetland.
4. **DEVELOPMENT SETBACK:** 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.
5. **DEVELOPMENT SETBACK:** In both urban and rural areas, setbacks of less than the distance specified above may be permitted only when:
- a. the prescribed buffer would prohibit development of the parcel for the principal permitted use for which it is designated; or
 - b. the applicant for the proposed development demonstrates, to the satisfaction of the County and to the Department of Fish and Game, that a setback of less than the distance specified above will not result in significant adverse impacts to the wetland habitat and will be compatible with the continuance of such habitats.

Any such reduction in development setback may require mitigation measures, in addition to those specified below, to ensure new development does not adversely affect the wetland habitat values.

6. All development with the wetland buffer shall include the following mitigation measures:
- a. Not more than 25% of the lot surface shall be effectively impervious.
 - b. The release rate of storm runoff to adjacent wetlands shall not exceed the natural rate of storm runoff for a 50 year storm of 10 minute duration.
 - c. Stormwater outfalls, culverts, gutters, and the like, shall be dissipated.
 - d. Septic systems or alternative waste disposal systems must meet standards of the Humboldt-Del Norte Health Department and the Regional Water Quality Control Board.
 - e. Areas disturbed during construction, grading, etc., within 100 feet of the boundary of the wetland, shall be restored to original contours and sufficiently and promptly replanted with vegetation naturally occurring in the immediate area.
 - f. 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 run-off away from graded areas and areas heavily used during construction, and, when feasible, avoidance of grading during the rainy season (November through April).
7. The County shall request the Department of Fish and Game to review plans for development within 200

feet of the boundary of the wetland.

3.41E. ROAD CONSTRUCTION WITHIN WATERSHEDS CONTAINING WETLANDS

1. Road construction within watersheds containing wetlands, as identified on the sensitive habitat maps, other than for timber harvest purposes (road construction controls for this activity are currently regulated by the California Department of Forestry in Timber Harvest Plans), shall employ suitable techniques and measures necessary to prevent erosion and minimize surface run-off. This shall include, but is not limited to:
 - a. Limiting soil exposure time and disturbed area.
 - b. Minimizing uninterrupted slope length through surface roughening and serrated slopes.
 - c. Temporary slope stabilization if grading operations do not occur during dry weather months (May through October) including, mulches, nettings, chemical and natural binders, rip-rap, etc.
 - d. Immediate vegetative plantings of disturbed slopes at finished grades.
 - e. Control of run-off through controlled water and drainage systems with dissipated discharges and receiving stream bank protection.
 - f. Diversion of run-off away from graded areas and areas traveled during project development.
 - g. Temporary and permanent sediment control through use of dikes, filter berms, and sediment basins.

F. RIPARIAN VEGETATION AND DEFINITION OF RIPARIAN CORRIDOR

(Amended by Res. No. 81-143, 12/15/81)

- *** 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 run-off, 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.
- 3.41 F. 1. 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 developments with coastal streams, riparian area, and marine areas shall be consistent with policies and standards of this Section (3.41F).

2. Within the McKinleyville Planning Area the following coastal streams (as mapped on USGS 7.5' Quads) have been identified:

Little River	Mill Creek
Patrick Creek	Mad River

Strawberry Creek (Widow White Creek has been designated Natural Resources within the stream gorge; permitted uses include management for fish and wildlife and removal of trees for firewood)

3. New development within stream channels shall be permitted when there is no less environmentally damaging feasible alternative, where the best feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to:

- a. Wetlands, fishery, and wildlife enhancement and restoration projects.
- b. Road crossings, consistent with the provisions of Section 3.41F 5 e and trail crossings consistent with the provisions of 3.41 F 5 h.
- c. Maintenance dredging for flood control and drainage purposes.
- d. Development consistent with the provisions of Section 3.41F 5.

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

- a. 100 feet, measured as the horizontal distance from the stream transition line on both sides.
- b. 50 feet plus four times the average percent of slope, measured as a slope distance from the stream transition line on both sides.
- c. Where necessary, the width of riparian corridors shall be expanded to include significant areas of riparian vegetation adjacent to the corridor, slides, and areas with visible evidence of slope instability, not to exceed 200 feet measured as a horizontal distance.
- d. If either the County or the landowner requests, they may agree to expand the width of the riparian corridor to protect significant areas of vegetation or special habitat areas adjacent to the corridor described in 4a-c, above.

The width of the riparian corridor, as described in 4a-d above, may be reduced where such a reduction would not result in the removal of woody vegetation, and the County determines, based on specific factual findings, that a reduction of the corridor width will not result in a significant adverse impact to the habitat. (Amended by Res. No. 83-58, 3/15/83).

- 3.41F. 5. New development within riparian corridors shall be permitted when there is no less environmentally damaging feasible alternative, where the best mitigation measures feasible have been provided to minimize adverse environmental effects, and shall be limited to the following uses:

- a. Timber management activities, provided:
 - (1) In precommercial thinning and release activities, that at least 50 percent of the treecrown canopy and 50 percent of other vegetation present before management operations shall be left standing. If either the County or the landowner requests, they

may agree, after an on the ground inspection, to increase these percentages to protect special habitat values.

- (2) Follow-up treatments or other timber management activities which affect the tree canopy shall be permitted only when the canopy has been sufficiently re- established to prevent substantial adverse effects on soil erosion, wildlife, aquatic life, or the beneficial uses of water. These activities shall maintain a tree canopy similar to that which existed upon the completion of the initial thinning or release.
 - (3) In all timber management activities, including precommercial thinning, release activities, and site preparation, that heavy equipment shall be excluded from any area within 50 feet, measured as a slope distance, from the stream transition line, and shall not be permitted in other portions of the riparian corridor except where explained and justified as the least environmentally damaging feasible alternative.
 - (4) All activities shall be consistent with timber harvest rules of the Board of Forestry applicable to the protection of aquatic life and water quality.
- b. Timber harvests smaller than three acres of merchantable timber 18 inches DBH or greater provided that timber harvest practices shall be consistent with those permitted under the forest practices rules for stream protection zones in Coastal Commission special treatment areas. Unmerchantable hardwoods and shrubs shall be protected from permanent damage.
 - c. Maintenance of flood control and drainage channels.
 - d. Wells in rural areas.
 - e. Road and bridge replacement or construction, provided that the length of the road within the riparian corridor shall be minimized, where feasible, by rights of way which cross streams at right angles and do not parallel streams within the riparian corridor.
 - f. Removal of trees for disease control, or public safety purposes.
 - g. Removal of firewood for personal use on the property consistent with the applicable forest rules for stream protection zones in Coastal Commission Special Treatment Areas.
 - h. Public access trails provided that the length of the trail within the riparian corridor shall be minimized, where feasible, by rights of way which cross streams at right angles, which are kept as far up slope from the stream as possible, which involve a minimum of slope disturbance and vegetative clearing, and are the minimum width necessary.
6. Mitigation measures for development within riparian corridors shall, at a minimum, include replanting disturbed areas with riparian vegetation (including such species as redwood, sitka spruce, alders, etc.), retaining snags within the riparian corridor unless felling is required by CAL-OSHA, or permitted by California Department of Forestry forest and fire protection regulations, and retaining live trees with visible evidence of current use as nesting sites by hawks, owls, eagles, osprey, herons or egrets.
 7. The County may 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. (Amended by Res. No. 81-143, 12/15/81).

3.41G. NATURAL DRAINAGES

1. 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.

2. Stormwater outfalls, culverts, gutters, and other drainage control improvements which discharge into natural drainage courses shall be dissipated, and where feasible, screened.
3. Natural vegetation within and immediately adjacent to the bankfull channel shall be maintained except for removal consistent with the provisions of Section 3.41F.
4. The County has formed a citizens' group to examine drainage alternatives for the areas where natural drainage systems do not now, or with expected levels of development will not, adequately drain upland areas. Close cooperation among the County, Coastal Commission, and fish and wildlife agencies will be necessary in order to ensure that the results of the drainage plan will be consistent with these objectives. Results of this drainage plan may require modifications to this policy.

H. MAD RIVER BANK PROTECTION

1. Sand and gravel extraction shall be permitted consistent with the policies of the Industrial Siting Study.
2. Bank protection shall be permitted to:
 - a. maintain necessary public or private roads.
 - b. protect principal structures in danger from erosion
 - c. protect lands designated Agricultural Exclusive Prime from erosion.
3. It is the policy of the County to prefer:
 - a. piling fence to rock hard points.
 - b. rock hard points to continuous revetment.
4. Mitigation for rock hard points or continuous revetment shall include as a minimum:
 - a. bank protection projects, including design and materials, shall minimize adverse effects on fisheries, wildlife and recreation.
 - b. where feasible, planting of riparian vegetation shall be included within the revetment itself.
 - c. planting and maintaining riparian vegetation within the riparian corridor 200 feet landward of the bank protection project throughout its length.
5. At the scheduled five (5) year review of this plan or sooner this policy shall be reviewed with all affected agencies prior to amendment through the public hearing process.

3.41 I. WATER WITHDRAWALS FROM ANADROMOUS FISH STREAMS

1. Little River, Patrick Creek, and Mill Creek--Development requiring new water withdrawals or diversions shall be limited to those necessary for agricultural operations or domestic use within the area planned for Agriculture-Exclusive.
2. Strawberry Creek and Widow White Creek--No new development requiring water withdrawals or diversions shall be permitted.

3. On streams where new water withdrawals or diversions are permitted, they shall be coordinated with the Department of Fish and Game to seek feasible alternatives which will minimize impacts.

J. SAND AND GRAVEL EXTRACTION

1. For surface mining projects within the Coastal Zone, the following conditions apply to all operations whether they are covered by the County Surface Mining and Reclamation Ordinance No. 1373 or not:
 - a. Removal shall be from unvegetated bars.
 - b. Disturbance of banks shall be avoided or minimized.
 - c. Excavations shall not leave holes or pits which could adversely effect aquatic life.
 - d. Sediment settling ponds shall be used for fine silt trapment when a crusher is used at the gravel site.
 - e. In order to minimize adverse impacts to migrating anadromous fish, the Department of Fish and Game guideline for removal of gravel only from May to November each year, except for emergency purposes, shall apply. f. River crossings, or drainage crossing on the the gravel bar, should use temporary culverts or removable bridges to minimize impacts to water quality.
 - g. Sand and gravel projects emphasizing flood control or bank protection shall be encouraged. (Amended by Res. No. 81-143, 12/15/81).

K. PERMITTING AND SITING OF SEPTIC SYSTEMS

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

L. BEACH AND DUNE AREAS

1. Use of beach and dune areas is restricted to the following uses:
 - a. Nature study
 - b. Resource restoration
 - c. Hunting/fishing and development of minor facilities such as hunting blinds.
 - d. access improvements as permitted in Section 3.52, and
 - e. as permitted in 4.52 A, vehicle use on Clam Beach.

3.42 VISUAL RESOURCE PROTECTION

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

*** 30253. New development shall:

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

A. PHYSICAL SCALE AND VISUAL COMPATIBILITY

1. No development shall be approved that is not compatible with the physical scale of development as designated in the Area Plan and zoning for the subject parcel; and the following criteria shall be determinative in establishing the compatibility of the proposed development;
 - a. for proposed development within an urban limit as shown in the Area Plan that such development meets all standards for the principal permitted use as designated in the plan and zoning;
 - b. for proposed development not within an urban limit as shown in the Area Plan, that such development meet all standards for the principle permitted use as designated in the plan and zoning, where such principle use is for detached residential, agricultural uses, or forestry activities;
 - c. for proposed development that is not the principle permitted use, or that is outside an urban limit and for other than detached residential, agricultural uses, or forestry activities, that the proposed development is compatible with the principle permitted use, and, in addition is either:
 - (1) No greater in height or bulk than is permitted for the principle use, and is otherwise compatible with the styles and visible materials of existing development or land forms 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 no 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;
 - d. for proposed "business park" development under the "MB" designation, specific landscaping and design standards shall be adopted in zoning the site by applying the ":L" Landscaping and Design Combining Zone. The provisions of the ":L" zone shall be drafted to ensure the compatibility of future business park development with adjoining residential areas and the provisions of Coastal Act Section 30251 (Amended by Res. No. 85-81, 8/20/85).

3.42 B. PROTECTION OF NATURAL LANDFORMS

1. Natural contours, including slope, visible contours of hilltops and treelines, bluffs and rock outcroppings, shall suffer the minimum feasible disturbance compatible with development of only permitted use, and the following standards shall at a minimum secure this objective:
 - a. Under any permitted alteration of natural landforms during construction, mineral extraction or other approved development, the topography shall be restored to as close to natural contours as possible, and the area planted with attractive vegetation common to the region.

- b. In permitted development, land form alteration for access roads and public utilities shall be minimized by running hillside roads and utility corridors along natural contours where feasible, and the optional waiving of minimum street width requirements, where proposed development densities or use of one-way circulation patterns make this consistent with public safety, in order that necessary hillside roads may be as narrow as possible.

3.42C. COASTAL SCENIC AREAS

1. 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.
2. New development proposed with Coastal Scenic Areas which cannot satisfy the prescriptive standards listed in Sections 3.42C and D, 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:
 - 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 protect 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 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 visitor 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.

(Amended by Res. No. 83-58, 3/15/83)

3.42D. PUBLIC LANDS RESOURCE BUFFER

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

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

3.42E. NATURAL FEATURES

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

<u>AREA</u>	<u>SCENIC PROTECTION</u>
Clam Beach and coastalPublic bluffs to the west	Recreation designation disallow further subdivision on bluff; Coastal Scenic Area designation
Clam Beach Ponds	Natural Resource and Public Recreation designation; Wetlands policies
Bottomlands along Little River	Agriculture Exclusive designation; Wetlands and Riparian Policies

Bottomlands north of Mad River	Agriculture Exclusive designation
Coastal dunes along the eastern margin of the Mad River	Natural Resources designation

3.50 ACCESS

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

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

- *** 30210. In carrying out the requirement of Section 2 of Article XV of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, 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 resources, (2) adequate access exists nearby, or (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.
- *** 30212.5 Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.
- *** 30224. Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.

3.51 CONCEPT OF ACCESS

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

3.52 ACCESSWAY IMPROVEMENTS AND FUNDING

- A. Public agencies or other entities having or accepting responsibility for accessways shall provide support facilities compatible with the character of the land and adequate for the number of people using them prior to opening the access to public use.
1. Minimal improvements should be scheduled for unimproved access points in character with the rural nature of the communities they serve, and accessways accepted by the responsible entity or agency should include but shall not be limited to, the following as they are found consistent with the identified uses, modes of access and limitations as identified in Section 4540 (Access: McKinleyville Access Inventory and Development Recommendations).
 - a. parking
 - b. roads
 - c. trails, stairs and ramps
 - d. sanitary facilities (including trash collection)
 - e. facilities for the handicapped
 - f. fencing and barriers to inappropriate uses
 - g. signing of access points, trails and hazard areas
 - h. maintenance and operation of the accessway and support facilities
 2. In reviewing improvements to accessways, the approving authority shall consider:
 - a. The common use(s) of the shoreline;
 - b. The proposed mode of access (pedestrian, equestrian, or vehicular) and adverse impacts on adjacent owners' use of their property, and the size of the development;
 - c. The likelihood of trespass and vandalism on adjacent private property;
 - d. The need to provide for public health and safety, including the need for:
 - (1) parking
 - (2) road capacity and traffic patterns
 - (3) conflicts in uses (i.e. pedestrian, equestrian, vehicular)
 - (4) use by the handicapped
 - (5) capacity of sanitary facilities, including trash disposal
 - (6) topography of trail
 - (7) beach hazards (tides, currents, undertows)
 - e. Conflicts with agriculture including:
 - (1) vandalism

- (2) theft of livestock, agricultural supplies and tools
- (3) damage to crops and livestock
- (4) trespass on areas not part of accessway
- (5) damage to fencing and gates
- (6) dogs killing, maiming or harassing livestock
- (7) litter
- (8) 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.

3.53 PUBLIC PRESCRIPTIVE RIGHTS

- A. An initial survey of accessways is included in this Area Plan. This Plan does not determine whether implied dedication or prescriptive rights exist. The plan is made without prejudice to the existence or absence of such rights.
- B. Where potential public prescriptive rights of access to the shoreline are affected by new developments, the applicant shall either:
 - 1. Site and design the project to maintain the accessway, or
 - 2. Provide an equivalent accessway to the same destination including dedication of an access easement as described in Section (3.55), or
 - 3. Demonstrate that either the State of California has quit-claimed any interest it may have in the accessway or a court of competent jurisdiction has determined that prescriptive rights do not exist along the accessway.

3.54 DEDICATION

New development on parcels containing the accessways identified in Chapter 4 shall include an irrevocable offer to dedicate an easement, as described in Section 3.55, (Designation Guidelines) for public use as provided in Chapter 4. Such offers shall run for a period of 21 years and shall be to grant and convey to the people of the State of California an

easement for access over and across the offer's property.

3.55 DESIGNATION GUIDELINES

A. Guidelines for the designation of accessways are as follows:

1. Vertical Access

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

2. Lateral Access

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

4CHAPTER 4

THE McKINLEYVILLE PLANNING AREA

4.10 INTRODUCTION

This chapter examines current and planned land uses within the McKinleyville Planning Area. The Land Use Maps and accompanying text are based on public input from three workshops held in the Planning Area, and the policies and standards in Chapter 3. The first section discusses on a general level the unique features, current land uses and proposed land use within the planning area. The balance of the chapter addresses land use issues and plans with a topic specific perspective.

At the end of this section, two reduced scale Plan Maps, which are necessarily generalized because of the scale and which do not officially represent the parcel by parcel designations, are presented for general information purposes only. The first map, generally defines land uses, densities and intensities based on the designations found in Chapter 5. Constraints on development, including natural and cultural resource protection are delineated on the second map.

4.20 THE McKINLEYVILLE PLANNING AREA

4.21 GENERAL DESCRIPTION

This 11 1/2 mile stretch of sandy beach is interrupted to the north by the Little River and to the south by the Mad River. Currently, the Mad River parallels the coast in a northward migration for approximately two miles, separated by a narrow sand spit, before emptying into the ocean just above Widow-White Creek. It is impossible to say how long this northward trend is likely to continue; the combination of large volumes of winter runoff, high tides and wind could cause the sand spit to be breached almost anywhere along the spit where it parallels the ocean. Recently the estuary of Little River, at the north end of the McKinleyville Planning area, has meandered north almost to the Moonstone bluffs and then turned south paralleling the ocean for approximately one-half mile.

Apart from the Little River bottomlands and the low areas adjacent to the Mad River, the community of McKinleyville is located atop an uplifted marine terrace separated from the Pacific Ocean by a series of coastal dunes and bluffs. The majority of the developed portions of McKinleyville lie outside the Coastal Zone Boundary, however the boundary curves inland over a mile at the Little River and again, along the Mad River, jogs almost four miles inland. Within the balance of the area the Coastal Zone Boundary generally parallels Highway 101.

The Little River supports small runs of salmon and steelhead while the Mad River is a major spawning and nursery ground for these and other commercially and recreationally important species. The Mad is also the southern extend of eulachon, or candlefish. Wide beaches fronting the Little River valley--Little River Beach and Clam Beach--are rich in shellfish and popular for surf fishing. A small system of lagoons, recently acquired by Humboldt State University, east of Clam Beach support a substantial amount of riparian vegetation and are regularly stocked with hatchery trout. There is little remaining of the original coastal forest, though small stands of spruce and other coastal softwoods occur throughout the planning area.

Bluff erosion can pose problems to structures sited along the bluffs from the Mad River to Clam Beach. Some flooding occurs during periods of high tides and run-off in the Little River bottom lands.

4.22 EXISTING USES

Commercial timber lands are restricted to the northern portion of the McKinleyville Planning Area along the Little River and Patrick Creek area. Agricultural use is mostly in pasturage for dairy cows and other stock, along both the Mad and Little Rivers. Limited acreage is given over to crops on primelands on the uplands, among which daffodils are notable.

Residential use, at low-to-moderate densities, is primarily concentrated between the County Airport and the Mad River within coastal portions of McKinleyville. A few scattered residences exist above Clam Beach Road and along Dows Prairie Road. The main population concentrations and the commercial district are located east of the coastal boundary. Major nonresidential uses are restricted to agricultural structures and the Arcata-Eureka Airport, the County's primary commercial field. The Coastal Zone Boundary bisects the airport lengthwise.

Existing lot sizes tend to extremes: almost half the land within the zone in this area is in holdings over 20 acres, but the rest--mostly in the south-central McKinleyville area--is in parcels averaging well under five acres, with a high rate of build out. Building activity had been restricted by a 1974 moratorium imposed by the Water Quality Control Board. This was lifted in May of 1979 after an agreement with the City of Arcata and the McKinleyville Community Services District made available the City's treatment facility. A collection system was installed and completed in the fall of 1979. As the access to Arcata's facility was developed for an interim period, the Community Services District is now involved in a study of facility and siting alternatives.

Public access to the coast is available all along the northern beaches from the mouth of the Mad River up to the Little River. The Division of Highways maintains a vista point along Highway 101 which affords views along Clam Beach to Trinidad Head. The coastal bluffs are in private ownership with no formal provision for access, though north along the public beaches and at the end of Murray Road informal access exists. Access directly to the north bank of the Mad River is restricted by a combination of natural and property barriers, though significant formal and informal access is provided all along the south bank. The County has recently moved to restrict access to the beaches for off-road vehicles. Conflicts between vehicles, other recreators, and concern for the protection of vegetated dunes were prime motivations behind this action.

Recreational opportunities are generally restricted to day-use of beaches, and sport fishing in the surf or along the rivers and lagoons. Some overnight use of Clam Beach County Park now exists, though support facilities are primitive in nature. McKinleyville has few motels or restaurants within the coastal zone.

U.S. Highway 101 runs immediately east of the beaches before rising to the McKinleyville terrace, where it remains about one-half mile from the coast, close to the zone boundary, before veering inland to cross the Mad River. It is a four-lane freeway throughout.

4.23 PROPOSED USES

The coastal plan for McKinleyville reflects very closely the adopted McKinleyville Community Plan. Area residents attending the plan workshops expressed strong support for the existing plan, which was developed by the community over a two year period, and reaffirmed the community goals and objectives reflected in that plan. Residents emphasized the importance of the retaining of the rural community character and the concentration of commercial and high density development around the community core area with less dense development radiating westwardly and resource production lands (timberlands and agriculture) to the north, east, and south. While the coastal areas of McKinleyville addressed in this plan do not include the community core area, the coastal strips' relationship to the balance of the community is integral to the development and implementation of a successful coastal plan.

Based then on discussion at the area workshops of the current community plan, Chapter 3 policies and specific requirements of the Coastal Act of 1976, prime and non-prime agricultural lands and commercial timberlands have been discussed and delineated pursuant to the policies of 3.34 (Agriculture) and 3.35 (Timberlands) respectively. Similarly and Urban Limit Line and Urban Reserve, following the direction of policies in 3.20 (Urban Development Policies and Standards) has been established to encompass the urban and urbanizing areas of McKinleyville. Policies are designed to

maintain low and moderate income housing have also been developed. Areas outside the Urban Limit and resource production lands where residential development has occurred, have been identified and the policies of Section 3.30 (Rural Development Policies and Standards) have been applied; this includes the development around:

Strawberry Creek
Patrick Creek Drive
Coastal Dows Prairie

Resource protection policies for wetlands (including farmed wetlands), riparian systems, coastal streams and fish habitat, natural drainage courses, and dunes and beach areas have been developed in Section 3.40 (Resource Protection Policies and Standards) and applied. Specific visual resource protection include identification and retention of the physical scale by new development in the coastal strip and protection of the especially unique scenic opportunities above and along Clam Beach. Natural features within the planning area which contribute significantly to the rural character of McKinleyville have also been identified and policies for their protection proposed.

Other items discussed include archaeological and paleontological resources, possible power plant siting, and the McKinleyville Community Services District's current effort to identify wastewater facilities alternatives and siting locations.

Following original certification of the McKAP, the McKinleyville Community Plan described above was revised and subsequently readopted in 1985. While generally reflecting the goals of the previous plan, the 1985 Community Plan identified a unique economic development opportunity in the property located east of Highway 101, south of Airport Road and west of Halfway Avenue known as the "Airport Road Site". This site is the only property in the planning area with direct access to Highway 101 and the Eureka/Arcata airport and offers special qualities uniquely qualifying it for "business park" development composed of light industrial, administrative, business office and other related use. The non-coastal portion of the site is designated CS/IG with supporting language in the 1985 Community Plan to support such development. The findings of the Community Plan are carried over to the McKAP in the policies of Section 3.26 and the designation of the site for business park development on the land use plan map (Amended by Res. No. 85-81, 8/20/85).

4.30 RESOURCE PRODUCTION LANDS

4.31 AGRICULTURAL LANDS

There are five general locations within the planning area where prime soils occur (and development precluding ag-operations has not):

- *South of School Road and Highway 101, north of the Mad River (approximately 500 acres);
- *Between School Road, Central Avenue, and northeast of Highway 101 (approximately 130 acres);
- *On the Clam Beach terrace and Patrick Creek area (approximately 200 acres);
- *The Little River bottomlands (approximately 340 acres).

The men and women attending the workshops who own property within these areas, generally spoke very strongly of the desire to continue in agriculture which largely includes dairying and livestock production. While the location of fairly dense residential development adjacent to some of these areas remains a concern, the consensus was that this does not present a large problem nor a serious impact on current ag-operations. The only exception to this was expressed in regards to the area between Murray Road and Widow-White Creek currently a bulb farm. Testimony at the workshops indicated that there is not adequate area for rotation necessary for bulb production and that adjacent area residents frequently complain about the heavy use of chemicals and the generation of dust when the fields are plowed. Based on this information, the proximity to both water and sewer service, and recent adjacent subdivision activity, the establishment of a stable urban/rural boundary which would insure continued agricultural use could not be supported. This area was thereby recommended for inclusion within the urban reserve and because it could be serviced with water and sewer and would provide an opportunity to infill within an existing developed area, it is designated as Residential Estates. The balance of the prime soils and adjacent non-prime soils in ag-uses, have been designated as Agricultural-Exclusive.

4.32 TIMBERLANDS

An area along Patrick Creek and the uplands surrounding the Little River bottomlands constitute the only timberlands within the planning area. They reflect extensions of very large timber producing acreage east of the Coastal Zone. Both are designated as Commercial Timberlands on the Land Use Map.

4.40 URBAN DEVELOPMENT

4.41 MCKINLEYVILLE URBAN LIMIT LINE

Using the criteria of Section 3.21 (Urban Limits) an Urban Limit Line and an Urban Reserve have been identified and mapped.

Outside of the Humboldt Bay Area, McKinleyville is the only truly urban and urbanizing area within Humboldt County's Coastal Zone. Especially significant in this respect is the low and moderate income housing which have traditionally been available almost ubiquitously throughout McKinleyville, and the opportunity to accommodate a substantially larger number of homes within the coastal zone or within two to three miles of the coast.

The McKinleyville Community Services District provides both water and sewer services to the majority of the area included within the Urban Limit Line. The distribution and collection system is adequately sized to easily accommodate the proposed development within the areas currently not serviced. Specific information on the two systems, including basic design criteria, is included in the appendix. The three general areas where services (water and sewer) are not now available but could be feasibly extended and would support a stable urban/rural boundary, constitute the Urban Reserve. The Urban Reserve north of Hiller Road includes approximately 80 acres of undeveloped land. This land lies sandwiched between two fairly heavily developed areas to the north and south where both water and sewer are available, and with the Mad River estuary to the west and Coastal Zone boundary on the east.

Like the adjacent developed areas, this Urban Reserve is planned for Residential Estates with a density of 0-2 units per acre.

Again, west of Highway 101 and north of Murray Road is an area not currently serviced but planned to be developed when services are available to urban densities within the next five years. The inclusion of this area within the Urban Limit Line will establish a firm urban/rural boundary for the northwest portion of the community. Bound to the east by the highway and to the north and west by Clam Beach County Park this part of the Urban Limit Line will retain its configuration indefinitely and represents much more than a 5-year commitment. Similar to the balance of the non-agricultural lands west of Highway 101, the majority of the area within this urban reserve is planned Residential Estates with a density of 0-2 units per acre with two areas of Commercial Recreation. This includes a total of approximately 130 acres with about 22 acres specifically reserved for commercial recreational development.

Just to the east of this Urban Reserve and Highway 101 and south of the County Airport is the third Urban Reserve. The McKinleyville Community Plan (1985) designates the non-coastal portion of this area of "business park" use. This Urban Reserve of approximately 30 acres is primarily planned for corresponding "business park" use, although a portion is designated for residential low density use, consistent with nearby areas. At the eastern intersections of Murray Road and Highway 101 is an area for planned commercial recreation; a total of about three acres. Again the inclusion of this currently undeveloped area will establish a firm urban/rural boundary for northeast coastal McKinleyville which is likely to retain its integrity for many years (Amended by Res. No. 85-81, 8/20/85).

It is important to note here the inclusion of Policy 3.32 A 1a. (Extension of Services) which specifically permits an extension of water and sewer outside of the northern boundary of the Urban Limit Line to service the two existing public facilities: the U.S. Coast Guard Search and Rescue Base and the County Airport. The exception to the policy will better

support and reinforce the northern Urban Limit Line than would including these two facilities and some portion of the acreage surrounding them within the Urban Limit.

The remaining lands within the Urban Limit Line where urban services already exist and the build-out is well over 50% are planned Residential Estates (0-2 units per acre) west of the highway and Residential Low Density (3-8 units per acre) east of the highway.

Two adjustments to the McKinleyville Urban Limit Line were adopted by the Board of Supervisors on 9-29-87 by Resolution No. 87-119.

4.42 LOW AND MODERATE HOUSING

(Deleted by Res. No. 83-58, 3/15/83)

4.43 BUSINESS PARK DEVELOPMENT

The adopted McKinleyville Community Plan (1985) for the non-coastal portion of the McKinleyville area identifies opportunities to develop light industrial/commercial sites in the vicinity of the Arcata/Eureka airport which had not previously been accounted for, in particular the "Airport Road Site" located south of Airport Road and west of Halfway Avenue. The Community Plan designates this site, located partly in the Coastal Zone and partly outside, for this type of use. The McKAP recognizes this same opportunity in the Coastal Zone portion of this parcel by designating the Airport Road site as "MB" for business park development (Amended by Res. No. 85-81, 8/20/85).

4.50 RURAL LANDS

Outside the McKinleyville Urban Limit Line, planned uses include agriculture, timber production, residential development at rural densities, and public recreation. These planned uses closely reflect the current land uses and proposes to maintain the existing rural character. Agricultural and timber lands have been discussed previously in Section 4.30, Resource Production Lands.

4.51. RURAL RESIDENTIAL DEVELOPMENT

A. KJER ROAD

This rural neighborhood, located at the north end of the County Airport, encompasses approximately 35 acres. Existing parcels range from less than one-half to five acres with only a few of which are undeveloped. Serviced water is currently available, however, there are no current plans to extend into the area.

In keeping with the Community Plan goals of retaining the rural character, the Kjer Road area is planned Residential Exurban with a planned density of 2 1/2 acres per dwelling unit. At this density there is only one parcel, on the east side of Kjer Road which could be subdivided.

B. STRAWBERRY CREEK

This is a small area designated Rural Residential which straddles Strawberry Creek and is located between Central Avenue and Clam Beach Road. The total area of about 40 acres consists of 8 parcels ranging from just one acre to about 20 acres. Although the most frequently occurring parcel size (mode) is within the 1 to 1 1/2 acre range, the land use plan map shows a five acre density which is the arithmetic mean of the subject parcels. This planned density again reflects the community's desire to retain the open, rural character as well as limitations to building, including steep gullies adjacent to the Creek coupled with the unavailability of serviced sewage facilities and proximity to riparian habitats.

C. PATRICK CREEK DRIVE

Residential development along Patrick Creek Drive is situated atop the bluff just east of Clam Beach and Highway 101 and includes approximately 25 acres. Existing parcel sizes range from 1/4 acre to approximately five acres and are all developed with single family residences. Water is available to all lots provided by a small private water supplier, Patrick Creek Water District, which presently purchases water from the McKinleyville Community Services District. Based on public input received at the area plan workshops, the close proximity of agricultural lands, and concern for retaining and protecting the scenic quality along Clam Beach, the plan recommends a Rural Exurban designation and prohibits the creation of any new parcels. The area is also designated a Coastal Scenic Area (see Section 3.42 C, Coastal Scenic Areas).

D. COASTAL DOWS PRAIRIE

Only a very small corner of Dows Prairie is within the Coastal Zone. The area included lies south of Crannel Road and north of Dows Prairie Road where it turns down the hill towards the Little River. Most of the 11 parcels which are either fully or only partially within the Coastal Zone, are developed with single family residences and range from two to ten acres. To the north, south, and west of this pocket of rural development, are lands planned Agricultural-Exclusive. Because of the proximity to prime agricultural lands, the desire to preserve a rural character, and the current lack of serviced water and sewer, or planned extension of services, the area is planned Rural Residential with a 5 acre density.

E. TURNER ROAD

This is a small area designated Rural Residential which is located between a large area designated Agriculture Exclusive, lying east of Central Avenue and south of School Road, and an area designated for inclusion in the urban limit line just east of Central Avenue. The area planned Rural Residential current encompasses only one parcel which is approximately 18 acres. In keeping with the community goal of retaining the rural character, and minimizing conflicts with adjacent agricultural operations, the plan proposes a 5 acre minimum. At this planned level of development 3 additional parcels could be created, theoretically.

4.52. PUBLIC RECREATION

Public ownership dominates the majority of the McKinleyville coastline. Clam Beach County Park includes the beach and adjacent dune areas encompassing 42 acres from just north of the mouth of the Mad River (the mouth is now north of Widow White Creek) to south of the Highway 101 - Crannel Road interchange, approximately 3 1/2 miles. Immediately north of Clam Beach is Little River State Beach which continues west of Highway 101 almost to Moonstone in the Trinidad Planning Area, about 1 1/4 miles. Travelers journeying north along Highway 101 are especially attracted to Clam Beach as it is the first stretch of sandy beach along the highway north of the San Francisco Bay Area. Two signed off-ramps from 101 to Clam Beach also make the beach readily accessible.

Recreational activities within the two parks including beachcombing, surf fishing, razor clamming, jogging (Clam Beach is the finishing line for the Annual Trinidad to Clam Beach Run), and at Clam Beach, overnight stops for travelers. In 1983, a two dollar fee is charged for overnight use and is strictly enforced to one night only. Day use facilities are also restricted to Clam Beach and include chemical toilets, fresh water picnic tables and a large parking area at Strawberry Creek. Parking area at the north end of the park has been recently closed off because of hazardous conditions caused by wave run-up during high tides and because illegal vehicle access at this point was eroding the dunes and further aggravating the wave run-up problem.

Clam Beach is also used extensively by commercial beach fishermen and shake bolt and burl collectors as is documented in the Commercial Fishery and Beach Use Technical Study. Both of these coastal dependent commercial uses require the use of vehicles on the beach. A recently adopted County Ordinance permits access to licensed 4-wheel drive vehicles for purposes of ingress and egress at designated access points only. Vehicles are allowed seaward of the dunes and first line of vegetation only and must not exceed a speed of ten miles per hour. Vehicle access is currently designated at Strawberry Creek. Prior to the passage of Proposition 13, the County Board of Supervisors and the Department of Parks and Recreation had discussed the possibility of the State transferring the Little River park to the County, however, this proposal has not recently received any attention. Should the County gain control of the Little River Beach it may be possible to

designate another vehicle access which would be open on alternate years following the areas open for razor clamming.

Another County recreational facility, the McKinleyville Rodeo Grounds, is located on the bluff above Clam Beach at the end of Kjer Road. The grounds are leased to the McKinleyville Rodeo Association who administer the facility. It is open for public use by permit from the County Parks and Recreation Department.

The Clam Beach Ponds, located just east of Highway 101 and Clam Beach, compliment the balance of the public recreational opportunities. These two freshwater ponds and adjacent uplands comprise approximately 12 1/2 acres and were donated by the Louisiana-Pacific Corporation in 1979 to Humboldt State University. The ponds which are frequently stocked with trout have long been a favorite fishing spot of local youngsters. The University uses the ponds extensively for instruction and study of freshwater plants, small mammals, and shore birds. The Land Use Plan Map designates the ponds as Natural Resource which recognizes the recreational resource and scientific significance of the area as well as restricting future development.

Policies of Chapter 3 prescribe a procedure which must be followed by any public agency proposing to acquire adjacent land to buffer existing public lands (Section 3.42 D, Public Lands Resource Buffer). In addition the following specific policies are adopted.

4.52 A. CLAM BEACH COUNTY PARK

1. As long as is feasible, continue the currently permitted one night stopover for travelers of a minimal cost of users.
2. The County in cooperation with appropriate public agencies, such as the Coastal Conservancy should seek financial assistance to redevelop the parking and picnic area at the north end of the park. The development should include, where feasible, the rehabilitation and vegetating of impacted dunes and measures to insure their protection in the future.
3. Should the County acquire the Little River State Beach, an alternated designated vehicle access point should be explored and the least environmentally damaging location developed. This location should also minimize vehicle travel time to clamming areas and be open to vehicles only when the northern
4. Pursuant to adopted County Ordinance 1388, four-wheel drive motor vehicles shall operate on the wave slope, seaward of the vegetation line. Vehicle access is permitted only at designated accessways along Clam Beach Drive.

B. LITTLE RIVER STATE BEACH

1. Possible pedestrian access through the chain link fence behind the truck scales along Highway 101 should be investigated. This should be coordinated with Cal Trans.

C. CLAM BEACH PONDS

1. Should the continued stocking of trout in the ponds become no longer feasible because of expense or other circumstances, Humboldt State University should explore and exhaust other means of continuing the program before it is abandoned.
2. Public access should be continued; opportunities to improve the parking area and trail should also be pursued.

4.53. RESOURCE PROTECTION

A. WETLANDS

Most of the wetland habitat within the McKinleyville Planning Area; as in many areas of Humboldt County, is also productive agricultural land. The extensive bottomlands adjacent to the Little River are planned Agricultural-Exclusive but also show up as wetlands on the Environmentally Sensitive Habitat Maps. Although the area within the Little River oxbow is designated as a wetland, there are pockets of upland within this designation. It is difficult to adequately map the upland areas at the 7.5' scale (1" = (approx.) 2,000'); only areas of open water and areas with tidal action are subject to the wetland policies regarding permitted uses. Continued grazing use of these lands is compatible with resource protection. Similarly, a small pocket of freshwater wetland east of Highway 101 along Mill Creek is planned Agriculture-Exclusive. This is not to overlook or in any way diminish the significance of these areas as valuable habitat, but reinforces the compatibility of the land use with the resource. Policies specific to transitional agricultural lands are included in Section 3.41 B (Allowable Uses Within Non-Farmed Wetlands).

Non-farmed wetlands are restricted to the mouth of Widow White Creek, Clam Beach Ponds, and scattered dune hallows. The freshwater marsh at Widow White Creek was once a series of ponds constructed for fish culture but have since been abandoned; some of the ponds are completely grown over and almost dry. Coastal cutthroat trout have, in the past, been identified in the creek. The Clam Beach Ponds represent remnant dune hallows which were partially filled during the construction of Highway 101. The ponds support a wide spectrum of freshwater plants including water lilies and are frequently planted with rainbow trout. All of these non-farmed wetlands are designated Natural Resources.

B. RIPARIAN SYSTEMS AND COASTAL STREAMS

Riparian policies of Chapter 3 are applied to all of the coastal streams in the planning area. The purpose of this policy is to not only protect the significant habitat values associated with streamside vegetation but also to protect the water quality of these streams. This is especially important in streams tributary to anadromous fish streams such as the Mad River. Another policy of Chapter 3, Section 3.41 F (Riparian Vegetation and Definition of Riparian Corridor), further identifies the coastal streams as important drainage courses of upland areas and reinforces their protection for this purpose. It is important to stress that this policy should be viewed in concert with the riparian protection policy so that the water quality is also protected.

C. DUNES AND BEACH AREAS

The entire McKinleyville coastline is sandy beach with either sand dunes or bluffs directly east of the shoreline. As mentioned in Section 4.52 (Public Recreation), much of the beach front is in public ownership. However, north of Little River Beach, the coast south of the present Mad River estuary, and sand bars along the Mad River are in private ownership. These privately owned lands are designated Natural Resource which essentially reflects their current uses while acknowledging their resource value.

D. COASTAL SCENIC AREAS

Only one area in McKinleyville has identified for specific scenic protection. This is not to say that other areas in the planning area do not demonstrate outstanding scenic features, but as indicated in Section 3.42 E, Natural Features, these areas receive adequate protection through the land use designations, public ownership, etc. The area of special concern, designated a Coastal Scenic Area, includes the vistas from Highway 101 along Clam Beach and the adjacent bluffs. As was mentioned in the section on public recreation, this is the first view of sandy beach interfacing lines of crashing surf. On clear days, the view also includes seastacks from Moonstone to Trinidad Head. Lands within this field of view are either in public ownership or fall within the Patrick Creek Residential Ex-urban designation. As the latter is already fully developed and new subdivision will not be permitted, it is expected that the Coastal Scenic Designation will not have any serious negative impacts on area property. Many individuals at the planning workshops pointed to the existing Patrick Creek area as a perfect example of how moderately dense development could be sited and screened and thus subordinate to the surrounding scenic elements. No off-site signs are permitted within the Coastal Scenic Areas.

4.54. ACCESS: MCKINLEYVILLE ACCESS INVENTORY AND DEVELOPMENT RECOMMENDATIONS

Consistent with the requirements of the California Constitution and the Coastal Act of 1976, "maximum access and recreational opportunities shall be provided for all the people." Based on the inventory and mapping of actual and potential

accessways developed by the North coast Regional Coastal Commission staff and comments from the area workshops, the following listings and recommendations are adopted.

The map index numbers, which range from 26. - 33., 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.

MAP INDEX NUMBER

26. Little River State Beach: This is a broad, sandy beach park and provides access to about one and one-half miles of ocean front. On the east side of Highway 101 is a county frontage road that ends near Little River and state owned land between the end of the road and the river. Five cars can park at this site and four spaces are provided west of Highway 101.

RECOMMENDATION:

(See Public Recreation, Section 4.52 B--Little River State Beach)

27. Clam Beach County Park: This park lies immediately adjacent to the southern boundary of Little River State Beach. It provides access to about three and one-half miles of beach frontage. The park is maintained primarily as a day use facility, however overnight camping is permitted. Approximately 150-200 parking spaces are available. Licensed 4-wheel drive vehicles are permitted on the wave slope, seaward of the vegetation line only.

RECOMMENDATION:

(See Public Recreation, Section 4.52 A--Clam Beach County Park)

27. A. Clam Beach Ponds: These ponds are stocked with trout from the Humboldt State University fish hatchery and provide a very popular year-round fishing access for local youngsters and adults as well. Vehicle access exists on the eastern edge of the ponds along Clam Beach Road with an unimproved parking area at the north end which accommodates about 4-6 cars. Access to the ponds below this point is by foot path along the western margin of the ponds.

RECOMMENDATION:

(See Public Recreation, Section 4.52 C--Clam Beach Ponds)

28. Deeded Accessway off Letz Road and Near Dolack Road: A full interchange off Highway 101 provides access to Letz Road and the County Airport to the east. To the west, Letz Road runs south and parallels the highway. Off of Letz Road and below Dolack Road, which has been abandoned by the County, is a deeded accessway running west to the bluff and down to the beach between two five acre parcels. At the bluff edge there is an unimproved footpath which drops plus or minus 50 feet to the sand dunes and beach below. Parking is limited to along Letz Road.

RECOMMENDATION:

This unimproved accessway should be developed to provide neighborhood access to the beach to supplement access at Widow White Creek. This accessway will be especially important when erosion closes other nearby accessways. Improvements should include demarcation of the trail and maintenance of the bluff foot path to ensure continued pedestrian access.

28. A. Widow White Creek: 28A. **Widow White Creek**: ~~At the end of Myers Road just 600 feet south of the Letz/Dolack access, is a trail which leads to the beach near the mouth of Widow White Creek. This trail intersects the Coastal Trail where the latter begins to climb up onto the terrace~~ At the southern end of Letz Avenue is a footpath that follows the north bank of Widow White Creek. At low flows, the creek can be crossed to a path up the bluff, through coastal forest and an open field. The path then connects with an existing section of the Hammond Coastal Trail. The high

steep bluff which is a problem with the access to the north, is not a major problem here. Note: Easement along this accessway was granted to the County of Humboldt by the Slagle-Mathews family and the Hartman family in exchange for the former noted access location in the previous Coastal Plan along Myers Road approximately 600 ft. to the north of Widow White Creek.

RECOMMENDATION:

In coordination with adjacent commercial recreational development, this accessway should be dedicated consistent with Chapter 3 policies, and include the following: improvement of the trail to accommodate pedestrian and equestrian travel, and provision of limited parking near the trailhead This accessway should be improved to direct and control public use of the riparian corridor. Improvements should be consistent with California Department of Fish and Game recommendations to minimize environmental impacts. Improvements should include demarcation of the trail, erosion control measures, and signage. Access should be restricted to pedestrian use, and signs should indicate that dogs must be kept on a leash. Interpretive signs and/or other educational materials provided concerning riparian habitat would be a beneficial addition to this section of trail. An alternate route should be developed for equestrians, bicyclists and handicapped trail users. This route has been planned to parallel Highway 101 south from Letz Avenue to Murray Road, then west to connect to the existing Hammond Trail.

29. Murray Road: The western end of Murray Road has a locked gate and a private road leads onto the sand beach. The Mad River until fairly recently emptied into the ocean a mile to the south, however, over the past few years, the river mouth has migrated to the north and is currently north of Widow White Creek. Once access to the river is attained, movement to the north or south along the beach is available dependent on tides and flows of the river. Prescriptive rights may have been established over the years at this point. Parking is currently limited to 4-6 cars.

RECOMMENDATION:

In coordination with the subdivision and development of the residential area north of Murray Road, this accessway should be dedicated, consistent with Chapter 3 policies, and include the following: improvement of the roadway which leads down to the river to accommodate both pedestrian and equestrian access, and provision of limited parking near the trailhead.

29. A. Undeveloped Area Between Eucalyptus Avenue and Hiller Road: This upland area fronting the Mad River is planned for residential development at 0-2 units per acre but is currently largely undeveloped; this includes approximately 80 acres. Given this potential level of development and the associated demands for neighborhood access to the coast, it is recommended that access be developed in coordination with the residential development.

RECOMMENDATION:

On each one of the two large parcels fronting the shore a dedication of access and appropriate improvements should be required in coordination with the subdivision which would provide either vertical pedestrian/equestrian access to the shore or, if potential bluff erosion hazards preclude this, an improved overlook which would provide vistas of the Mad River, Mad River spit, and the Pacific Ocean. Limited parking should be provided at each access.

30. Hiller Road: A small waterway about 100 yards north of Hiller Road has made a cut through the vertical bank down to the Mad River. This cut was opened significantly many years ago when heavy equipment was taken to the beach to fight a driftwood fire along the bottom of the bluff. The shoreline is a wide sand beach with ample north/south movement. Lands surrounding this site are in private ownership and Hiller Road ends before reaching the beach area.

RECOMMENDATION:

Should the Mad River breach the spit and revert to south of Hiller Road, at that time development of the access should be considered so as to provide neighborhood beach access.

31. School Road: School Road ends at the bluff overlooking the Mad River and, because of the bluff, access to the

river is not readily available although people have been trespassing on private lands to the south. Access here would allow people to reach the river only and would not facilitate ocean beach access. This area lies about 100 yards downstream and across from Mad River County Park.

RECOMMENDATION:

Because of the steep bluff, proximity to agricultural lands, and the unlikeliness that the Mad River will abandon this segment of the channel, this access should be deleted from the access inventory.

32. Mad River: There are several sites along the Mad River that offer streamside access and are heavily used each year during salmon and steelhead season. Many of these are on the Humboldt Bay Planning Area and are not addressed here. However, in McKinleyville on the east side of Highway 101 along Northbank Road there are numerous streambank access opportunities which are currently informally used.

RECOMMENDATION:

The County in cooperation with the Wildlife Conservation Board should review opportunities to purchase and develop a fishing access.

33. Old Railroad Bridge--North (Fisher Road): The old right-of-way at the north end of the bridge currently provides pedestrian access to the north bank of the Mad River. Vehicle access is not available at the north end of the bridge and the site has not received the same level of use as the south end of the bridge. Both sites provide important fishing access.

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 McKinleyville Planning Area, this is proposed has been built to run along the Little River and Clam Beaches and then up the coastal bluff to Vista Point and along the terrace paralleling Highway 101 to Letz Road and is proposed to be extended to Murray Road, then west to follow the old Hammond Railroad right-of-way to the Mad River. A riparian interpretive spur trail would slope downward from this route at the south end of Letz Avenue and follow Widow White Creek to the old railroad grade.

RECOMMENDATION:

Development of the Old Railroad Bridge and the Coastal Trail should follow recommendation of the adopted County Trails Plan.

McKINLEYVILLE ACCESS INVENTORY MAPS

ACCESS SUMMARY

Map Index Number and Title	RORV	CORV	Access Type ¹							Ownership	Improvement Recommendations
			EQ	PED	BK	BL	LO	SCI			
26.	Little River State Beach			X	X					Calif. Dept. of Parks and Recreation	Possible access development
27.	Clam Beach County Park	X	X	X	X	X				Humboldt County	Rehabilitation of parking/picnic area; possible alternate vehicle access point
27A.	Clam Beach Ponds				X				X	Humboldt State University	Explore opportunities to improve parking area
28	Deeded access near Letz Rd. and Dolack Rd.				X					Offer of dedication	Improve trail for interim pedestrian use

¹RORV = Recreational Off-Road Vehicle
CORV = Commercial Off-Road Vehicle
EQ = Equestrian
PED = Pedestrian
BK = Bicycle
BL = Boat Launch
LO = Lookout
SCI = Scientific

						Improvement of trail for pedestrian and equestrian use and provision of limited parking at trailhead
28A. Widow White Creek	X	X			Private	
						Provision of trail for pedestrian and equestrian use and provision of limited parking at trailhead
29. Murray Road	X	X	X		Private	
29A. Undeveloped area between Eucalyptus Ave. and Hiller Road	X	X	X		Private	Provision of either vertical access to the shore or improved overlooks

ACCESS SUMMARY

Map Index Number and Title	RORV	CORV	Access Type ¹							Ownership	Improvement Recommendations
			EQ	PED	BK	BL	LO	SCI			
30.	Hiller Road		X	X				X		Private	If the river riverts south, development of access to the beach should be considered
32.	Mad River (east of Hwy 101)			X							The County, in cooperation with the Wildlife Conservation Bd., should develop a fishing area
33.	Old Railroad Bridge/ Coastal Trail		X	X	X					Public/Private	Develop according to adopted County Trails Plan

¹RORV = Recreational Off-Road Vehicle
CORV = Commercial Off-Road Vehicle
EQ = Equestrian
PED = Pedestrian
BK = Bicycle
BL = Boat Launch
LO = Lookout
SCI = Scientific

McKINLEYVILLE
LAND USE PLAN MAPS

McKINLEYVILLE AREA PLAN LAND USE DESIGNATIONS

URBAN

- — — — — - URBAN LIMIT LINE
- — — — — ● - URBAN RESERVE
- RE - RESIDENTIAL ESTATE (0-2 units/acre)
- RL - RESIDENTIAL/LOW DENSITY (3-7 units/acre)
- RL(A) - RESIDENTIAL/LOW DENSITY (0-4 units/acre)
- RL(B) - RESIDENTIAL/LOW DENSITY (3-8 units/acre)
- CR - RECREATIONAL COMMERCIAL
- CG - COMMERCIAL GENERAL
- MB - BUSINESS PARK

RURAL

- AEP - AGRICULTURE EXCLUSIVE PRIME
- RX - RURAL EXURBAN
- RR - RURAL RESIDENTIAL
- PR - PUBLIC RECREATION
- PF - PUBLIC FACILITY
- NR - NATURAL RESOURCES
- TC - COMMERCIAL TIMBERLANDS

REVISIONS

1. Dec. 16, 1986 - Res. No. 86-143
2. Sept. 29, 1987 - Res. No. 87-119

HUMBOLDT COUNTY PLANNING DEPARTMENT
LOCAL COASTAL PROGRAM

McKINLEYVILLE AREA PLAN RESOURCE PROTECTION DESIGNATIONS

TRANSITIONAL AGRICULTURAL LANDS

WETLANDS

SAND DUNES AND BEACHES

STREAMS AND RIVERS

COASTAL SCENIC AREA BOUNDARY

Scale 1" = 600'

HUMBOLDT COUNTY PLANNING DEPARTMENT
LOCAL COASTAL PROGRAM

5CHAPTER 5

STANDARDS FOR PLAN DESIGNATIONS

5.10 INTRODUCTION

The Area Plan maps indicate the planned principal use for all areas in the Coastal Zone. These planned uses are the basis on which zoning and subsequent development decisions are made; their intent is to guide the development of each area within the framework of community goals and objectives (Chapter 3 of the Area Plan) and the requirements of Public Resource Code section 30,000 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 able 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 objective and requirements of the Coastal Act.

5.20 URBAN PLAN DESIGNATIONS

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

RH: RESIDENTIAL/HIGH DENSITY

Purpose: To maximize effective use of limited urban lands and promote concentration of urban residential use where public services and overall community design make this both feasible and desirable.

Principal Use: Multiple-unit residential development for occupancy by individuals, groups or families, exclusive of mobile home developments.

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

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

Gross Density: 18-50 units per acre.

RM: RESIDENTIAL/MEDIUM DENSITY

Purpose: To make effective use of limited urban land and provide areas for residential use of mobile homes in urban areas, consistent with availability of public services.

Principle Use: Duplex, multiple unit and mobile home residential development for occupancy by individuals or families.

Conditional Uses: Same as RH plus guest houses, private institutions, neighborhood commercial, office and professional uses (Amended by Res. No. 85-65, effective certification: 11/25/85)

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

Gross Density: 8-30 units per acre.

RL: RESIDENTIAL/LOW DENSITY

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

Principle Use: Detached single family residences.

Conditional Uses: Private institutions, private recreation facilities (as provided in Section 3.25 B of this document), and neighborhood commercial (Amended by Res. No. 85-65, effective certification: 11/25/85).

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

Gross Density: 3-7 units per acre.

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.

Principle Use: Detached single family residences.

Conditional Uses: Same as RL.

Gross Density: 0-2 units per acre.

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.

Principle Use: Open space uses including agriculture and timber production while services are unavailable or if specifically planned for urban uses, when services become available, those 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 principle 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 3.25 (Recreational and Visitor Serving Uses).

Conditional Uses: Single family house on existing lots, a caretaker's residence, apartment on the upper floor of multistory structures.

MB: BUSINESS PARK (Amended by Res. 85-81, 8/20/85)

Purpose: to provide sites which are suitable for "business park" developments: Well designed and mixed industrially commercial areas composed of nuisance-free light industrial, research and development, administrative and business and professional office, warehousing and storage facilities, developed in a park-like environment.

Principal Uses: research/light industrial, office and professional service, administrative, and warehousing, storage and distribution.

Conditional Uses: retail sales, retail service uses, transient habitation uses which are incidental to or supportive of principal uses.

MH: INDUSTRIAL/HEAVY

(Deleted by Res. No. 85-81, 8/20/85)

ML: INDUSTRIAL/LIGHT

(Deleted by Res. No. 85-81, 8/20/85)

MC: INDUSTRIAL/COASTAL DEPENDENT

(Deleted by Res. No. 85-81, 8/20/85)

PF: PUBLIC FACILITY

Purpose: To protect sites appropriate for the development of public and private sector civil 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 3.25 A).

Conditional Uses: Caretaker dwellings, maintenance buildings.

AG: AGRICULTURAL/GENERAL

Purpose: To protect productive non-prime agricultural lands from conversion to non-agricultural uses.

Principal Use: Production of food, fiber, plants or the grazing of recreational livestock, with a residence incidental to this use.

Conditional Uses: Hog production, watershed management, management for fish and wildlife habitat, recreation such as hunting, camps and stables (exclusive of those requiring non-agricultural development, utility transmission lines, farm labor housing, and timber harvesting, green houses, feed lots, and similar confined livestock operations.

Gross Density: 5-acre to 20 acre minimum parcel size (as provided in Chapter 4 & the land use maps).

5.30 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 (Section deleted by Res. 81-143, 12/15/81).

Gross Density: See Section 3.31B 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.

Gross Density: See Section 3.31B for a gross density for each specific geographical area.

AEP: AGRICULTURE EXCLUSIVE/PRIME LANDS

Purpose: To protect prime agricultural lands for long term productive agricultural use.

Principal Use: Production of food, fiber or plants, with residence as a use incidental to this activity, including two (2) separate residences where one is occupied by the owner/operator and the other by the parent or child of the owner/operator, as provided in Section 3.34 (Agriculture) of this document, and principal uses permitted under TC; ancillary development such as barns, storage sheds and similar agricultural structures.

Conditional Uses: Hog production, watershed management, management for fish and wildlife habitat, recreation (such as hunting camps and stables except those requiring non-agricultural development) utility transmission lines, farm labor housing, greenhouses, feed lots & similar confined livestock operations.

Gross Density: 60 acre minimum parcel size, except that divisions to 20 acres may be permitted where the parcel is subject to an Agricultural Preserve contract.

AEG: AGRICULTURAL EXCLUSIVE/GRAZING LANDS

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

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

Conditional Uses: Same as AEP.

Gross Density: 600 acre minimum parcel size, except that divisions to 160 acres may be permitted where the parcel is subject to an Agricultural Preserve contract or agreement.

AG: AGRICULTURE/GENERAL

Purpose: To protect productive non-prime agricultural lands from conversion to non-agricultural uses.

Principle Use: Production of food, fiber, plants or the grazing of recreational livestock, with a residence incidental to this use.

Conditional Uses: Same as AG within the Urban Limit Line and AEP.

Gross Density: (as set in area plan workshops)

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 3.35 (Timberlands) of this document, and principle 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 consistent with Section 4.54 (Access: McKinleyville Access Inventory and Development Recommendations) of the plan, 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 (such as 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 (Recreational and Visitor Serving Uses) of this document.

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

Gross Density: Maximum density of twelve overnight units per gross developed acre.

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 A, Acreage Reservation).

Conditional Uses: Caretaker dwellings, maintenance buildings.

PF: PUBLIC FACILITY

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

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

6CHAPTER 6

DEFINITIONS

"AGRICULTURE" - means, the production of food and fiber (including growing and harvesting of timber).

"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 degree 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.

"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 TRANSITIONAL AGRICULTURAL LAND" - Either:

1. the boundary of the area which would be below tidal elevations (+5 feet above mean sea level) if tide gates, dikes, or other drainage works were not in place; or
2. the boundary of a clearly defined slough which is periodically covered with standing water; or
3. the boundary of the wetland prior to its alteration for agricultural use, as indicated by soils maps, elevation, or historic information, including maps and photographs.

Areas with drained or filled hydric soils which are no longer capable of supporting hydrophytes are not considered wetlands.

"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; or
4. The boundary between wetland and riparian habitats.

Areas with drained or filled hydric soils that are no longer capable of supporting hydrophytes are not considered wetlands.

"CLIFF RETAINING WALL" - An upright structure to stabilize or prevent erosion of a cutbank cliff.

"COASTAL COMMERCIAL TIMBERLAND" - means:

- a. Within a Timberland Preserve Zone (TPZ)⁵, privately owned land, or land acquired for state forest purposes, which is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre.
- b. Outside a TPZ, land, other than land owned by the federal government or land designated by the Board as experimental forest land, which is available for, and capable of, growing a crop of trees of any commercial species used to produce timber and other forest products including Christmas trees (Public Resources Code Section 4526).

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

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

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

⁵As of 1982 State Legislature has redefined the meaning of TPZ to Timber Production Zone.

"ESTUARY" - a coastal water body, usually semienclosed by land, but which has open, partially obstructed, or intermittent exchange with the open ocean and in which ocean water is at least occasionally diluted by freshwater run-off from the land. The salinity may occasionally increase above that of the open ocean by evaporation. Lands which meet the U.S. Fish and Wildlife Services classifications definition of estuarine subtidal open waters will be considered estuaries.

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

"FLOOD HAZARD AREAS" - Those areas subject to inundation by a 100-year flood.

"GEOLOGIC HAZARDS" - include the following:

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

"HIGHLY SCENIC AREAS" - generally include:

1. landscape preservation projects designated by the State Department of Parks and Recreation in the California Coastline Preservation and Recreation Plan;
2. open areas of particular value in preserving natural land-forms 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.

"HYDROPHYTIC PLANT" - Any plant growing in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content (i.e. plants typically found in wet habitats).

"INCIDENTAL PUBLIC SERVICE 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 use the right to pass and repass over dedicator'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.

"MESOPHYTIC PLANT" - Any plant growing where moisture and aeration conditions lie between extremes (i.e., plants typically found in habitats with average moisture conditions, not usually dry or wet).

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

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

"PRIVATE INSTITUTION" - The rooming or boarding of any aged or convalescent person whether ambulatory or

nonambulatory, for which a license is required by a county, state or federal agency. Private institution shall include sanitarium, rest home and convalescent home.

"PUBLIC WORKS" - means:

- a. All production, storage, transmission and recovery facilities for water, 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 organizations and their guests.

"RIPARIAN VEGETATION" - refers to vegetation commonly occurring adjacent to stream banks and includes such plants as willows, alders, cottonwood, wax myrtle, big leaf maple, California laurel, red elderberry, etc. Streamside lands which meet the U.S. Fish and Wildlife Service's classifications definition of estuarine subtidal open waters will be considered estuaries.

"ROAD STANDARDS"

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

1. The "Rural Principal Arterial" system consists of a connected rural network of continuous routes which have trip length and travel density characteristics indicative of substantial statewide or interstate travel.
2. The "Rural Minor Arterial" road system, in conjunction with the rural principal arterial system, links cities and towns above 5,000 in population and other major traffic generators, and forms an integrated network providing interstate and intercounty service.
3. "Rural Connectors" provide connections between the higher order system and have low- volume/long trip length characteristics.
4. The "Rural Collector" routes general 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.

"RORV" - means, recreational off-road vehicle and includes all four-wheel drive motor vehicles, all motor vehicles, including but not limited to: automobiles, sand buggies, dune buggies, all-terrain vehicles, motorcycles, motor-driven cycles, motor-driven three-wheel cycles, motor scooters, trail bikes, and mini-bikes.

"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 HARVEST" - The cutting and removal of timber or other solid wood forest products from timberlands for commercial purposes together with all of the work incidental to the harvest including, but not limited to: construction and maintenance of roads, fuel breaks, fire breaks, stream crossings, landings, skid trails, beds for the falling of trees, and fire hazard abatement.

"TIMBER MANAGEMENT" - The cutting and/or removal of timber, other solid forest wood products, or other vegetation from timberlands for the purpose of improving the productivity of commercial species on the site together with all of the work incidental to this activity such as construction and maintenance of roads, fuel breaks, fire breaks, stream crossings, and fire hazard abatement. Timber management activities include, but are not limited to: pre-commercial thinning, removal of non-preferred species (release), pruning, site preparation, protection practices (including such activities as placement of protective devices around trees and trapping), and incidental follow-up treatments that do not constitute development as defined by the 1976 Coastal Act. (See definition of "Development").

"TIMBER PRODUCTS PROCESSING" - commercial processing of raw wood and wood products, including sawmills, lumber mills and plywood mills, but not including pulpmills.

"TRANSITIONAL AGRICULTURAL LAND" - A wetland which has been altered for production of crops, including pasture, hay, or other forage, but where hydrophytes typical of non-farmed wetlands will predominate if farming is discontinued. In Humboldt County, these areas are typically diked former tidelands or clearly defined non-tidal sloughs used for hay or pasture.

"USABLE PARCEL" - A parcel that can be developed for the principle 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 and transitional agricultural lands. 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. Farmed wetlands are diked former tidal marshes.

"XEROPHYTIC PLANT" - Any plant growing in a habitat in which an appreciable portion of the rooting medium dries to the wilting coefficient at frequent intervals (i.e., plants typically found in very dry habitats).

APPENDIX A

BIBIOGRAPHICAL 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.

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

Humboldt County Planning Department Local Coastal Program, Citizen's Handbook for the Local Coastal Program, Eureka, California, August 1978.

Humboldt County Planning Department Local Coastal Program, Technical Studies

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

McKINLEYVILLE AREA PLAN

PLAN/DOCUMENTS	BOARD OF SUPERVISORS AND STATUS	STATUS IN RELATIONSHIP TO THE MCKAP⁶
Northern Humboldt County General Plan 1985	Adopted 5/14/68 Res. No. 68-49	The MCKAP supersedes the Land Use Element and reflects the Circulation System.
McKinleyville Community General Plan	Adopted 6/30/77 Res. No. 77-152	The MCKAP supersedes the coastal portions of the adopted McKinleyville Community Plan.
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	To date there has been no opportunity for a policy comparison. The MCKAP has satisfied habitat protection conservation requirements of the California Coastal Act. Other types of policies contained in the OS-C Element are supplementary to the MCKAP and are at local discretion. Some OS-C policies have been superseded 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. 79-76	By reference included

⁶Pursuant to Section 30007.5 the Coastal Act requires that during policy conflicts, on balance protect coastal resources.

APPENDIX C

LAND USE/NATURAL HAZARDS INVESTIGATION

TABLE I

BUILDING TYPE/ LAND USE	HMZ	Landslide Zone				Liquefaction Zone						Coastal Erosion Zone							
		0	1	2	3	N	L	M-L	M	H	VH	PDC	PDN	FDC	AP	PB	SR	BF	
Nuclear power plants, major dams, hazardous chemical storage	X		X	X	X		X	X	X	X	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	X	X	X	X	X			X	
Schools, theaters, auditoriums, hotels, motels, office buildings, high and medium density residential, redundant utility systems, major highway bridges	X		X	X	X		X	X	X	X	X	A	A	A	A			X	
Normal commercial, industrial, warehousing and storage	X			A	X			X	X	X	X	A	A	A				X	
Single family residence				A	X							A	A	A				X	

EXPLANATION

X = Site investigation required

A = Site investigation required if located in Area of Demonstration

HMZ: Hazard Mangement zone (Applies to Official Alquist-Priolo Special Study Zone)

Landslide Zones: O=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

Coastal Erosion Zone: PDC=Present Development Critical, PDN=Present Development Noncritical, FDC=Future Development Critical, AP=Artificial Protection, PB=Protective Beach, SR=Stable Rock, BF=Bay Front