

**AGENDA  
SPECIAL MEETING OF THE BOARD OF COMMISSIONERS  
HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT**

**DATE:** June 30, 2016  
**TIME:** Regular Session – 12:00 P.M.  
**PLACE:** Woodley Island Marina Meeting Room

*The Meeting Room is wheelchair accessible. Accommodations and access to Harbor District meetings for people with other handicaps must be requested of the Director of Administrative Services at 443-0801 at least 24 hours in advance of the meeting.*

- 1. Call to Order Regular Session at 12:00 P.M. and Roll Call**
- 2. Pledge of Allegiance**
- 3. Public Comment**

*Note: This portion of the Agenda allows the public to speak to the Board on the various issues not itemized on this Agenda. A member of the public may also request that a matter appearing on the Consent Calendar be pulled and discussed separately. Pursuant to the Brown Act, the Board may not take action on any item that does not appear on the Agenda. Each speaker is limited to speak for a period of three (3) minutes regarding each item on the Agenda. Each speaker is limited to speak for a period of three (3) minutes during the PUBLIC COMMENT portion of the Agenda regarding items of special interest to the public not appearing on the Agenda that are within the subject matter jurisdiction of the Board of Commissioners. The three (3) minute time limit may not be transferred to other speakers. The three (3) minute time limit for each speaker may be extended by the President of the Board of Commissioners or the Presiding Member of the Board of Commissioners at the regular meeting of the District. The three (3) minute time limit for each speaker may be enforced by the President of the Board of Commissioners or the Presiding Member of the Board of Commissioners at the regular meeting of the District.*

- 4. New Business**
  - a. Consideration of adoption of Resolution 2016-13, A Resolution Recommending That The Humboldt County Board Of Supervisors Implement Humboldt Bay Area Plan Section 30232 And Adopt Amendments Allowing Non Coastal Dependent Uses On An Interim Basis In The Industrial/Coastal Dependent Zone.
- 5. Adjournment**

**HUMBOLDT BAY HARBOR, RECREATION  
AND CONSERVATION DISTRICT**

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**RESOLUTION NO. 2016-13**

**A RESOLUTION RECOMMENDING THAT THE HUMBOLDT COUNTY BOARD OF  
SUPERVISORS IMPLEMENT HUMBOLDT BAY AREA PLAN SECTION 30232 AND  
ADOPT AMENDMENTS ALLOWING NON COASTAL DEPENDENT USES ON AN  
INTERIM BASIS IN THE INDUSTRIAL/COASTAL DEPENDENT ZONE**

**WHEREAS**, Humboldt Bay is a regional and statewide economic asset as one of only 11 deep water ports in the State of California and the only deep water port along a 400 mile stretch of Pacific coast between San Francisco, California and Coos Bay, Oregon; and

**WHEREAS**, there are currently 971 acres of Industrial Coastal Dependent (MC) land located on the Samoa Peninsula, 67 acres in King Salmon, and 139 acres in Fields Landing where the only allowed uses are limited to: minor utilities; coastal dependent industrial; aquaculture, caretaker residence; solid waste disposal; oil gas and electrical distribution; coastal dependent recreation; surface mining; and coastal access; and

**WHEREAS**, some of the properties in the MC: areas contain large office buildings, industrial shops, warehouses, and other infrastructure and, if zoning allowed, could be utilized by non-coastal dependent uses without having any significant negative effect on promoting coastal dependent uses adjacent to deep water channel infrastructure while generating income to protect critical infrastructure; and

**WHEREAS**, It is well documented that 1) coastal dependent industrial uses around Humboldt Bay have been in a state of decline for many years; 2) most of the former coastal dependent industrial uses have permanently closed; 3) the area's tax base - user fees have been significantly reduced resulting in the areas services and infrastructure being severely impaired; and 4) there is a significant amount of vacant underutilized and blighted land zoned MC: Industrial Coastal Dependent around Humboldt Bay; and

**WHEREAS**, even though the area's docks, infrastructure, and buildings continue to deteriorate and collapse, the Humboldt Bay Harbor, Recreation and Conservation District (HBHRCD); County of Humboldt; private developers; and other governmental and nonprofit agencies are making great strides to change the tide of decline and take proactive measures to re-establish a vibrant working waterfront and create additional sustainable living wage jobs in our region; and

**WHEREAS**, the HBHRCD recently completed an \$8 million cleanup of hazardous materials and is currently under construction on over \$3 million worth of gas, electrical, siding, doors, and roofing improvements, to the former Evergreen pulp mill property; and

**WHEREAS**, although the HBHRCD is targeting coastal dependent industries, like several other property owners, there is currently not the demand for all the available space and many of the office, small shop and other spaces within the existing facilities are in demand by uses not currently allowed in the MC zone; and

**WHEREAS**, it is well known by the public, planning, and Coastal Commission staff that for years some property owners on MC: Industrial Coastal Dependent lands have been forced to ignore zoning regulations and have allowed non-coastal dependent uses to operate without obtaining proper land use and building permits in order to have any income whatsoever from their property; and

**WHEREAS**, even though most property owners want to obtain and comply with zoning and building regulations, the County and Coastal Commission are unable to approve any permit for areas that contain illegal non-conforming uses even though they know that significant health and safety problems are not being corrected as a result of their inability to approve permits; and

**WHEREAS**, the current MC: Industrial Coastal Dependent zoning regulations are too restrictive and are a significant barrier to revitalizing the industrial areas in the Samoa Peninsula, King Salmon, and Fields Landing areas; and

**WHEREAS**, Section 30232 of the County's Coastal Commission approved Local Coastal Plan specifies that: " ..... When notice has been given that an industrial facility is permanently closing down, the Planning Department shall solicit recommendation, including from the owner or operator and the Humboldt Bay Harbor Recreation and Conservation District, for appropriate future uses of the site. A Local Coastal Plan amendment shall be applied for where the Planning Department's recommendation is to change the land use designation"; and

**WHEREAS**, In compliance with Section 30232, County Planning Staff notified affected property owners and the public; conducted a public workshop on February 23, 2016; a public hearing before the Planning Commission on April 21, 2016; consulted with the HBHRCD and is recommending to change the land use designation which would allow non-coastal dependent uses on an interim basis, and

**WHEREAS**, Staff prepared the Findings of Approval document in which allowing interim uses will allow property owners to obtain proper permits and make much needed improvements in the near term while maintaining over 1300 acres of MC: Coastal Dependent Industrial land for coastal dependent industrial uses; and

**WHEREAS**, the Staff prepared Findings of Approval also documenting compliance with the County's General Plan and Zoning Regulations as well as the Coastal Act.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Humboldt Bay Harbor, Recreation and Conservation District as follows:

1. Recommends that the Humboldt County Board of Supervisors adopt the Staff recommendation to amend the Local Coastal Program consisting of text amendments to the Humboldt Bay Area Plan and Coastal Zoning Regulations to allow non- coastal dependent interim uses in the MC: Industrial/Coastal -Dependent Zone.
2. Encourages the County and Coastal Commission to consider selective rezoning and land uses and other zoning amendments through the overall Local Coastal Program update, to further encourage future shipping, current and future developments, facilitate a streamlined process for dike enhancements and customized conservation requirements unique to Humboldt Bay.

**PASSED AND ADOPTED** by the Board of Commissioners of the Humboldt Bay Harbor, Recreation and Conservation District at a duly called meeting held on the 30<sup>th</sup> day of June 2016, by the following polled vote:

**AYES:**

**NOES:**

**ABSENT:**

**ATTEST:**

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**GREG DALE, Secretary**

**Board of Commissioners**

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**PATRICK HIGGINS, President**  
**Board of Commissioners**

## CERTIFICATE OF SECRETARY

The undersigned, duly qualified and acting Secretary of the HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT, does hereby certify that the attached Resolution is a true and correct copy of RESOLUTION NO. 2016-13 entitled,

**A RESOLUTION RECOMMENDING THAT THE HUMBOLDT COUNTY BOARD OF SUPERVISORS IMPLEMENT HUMBOLDT BAY AREA PLAN SECTION 30232 AND ADOPT AMENDMENTS ALLOWING NON COASTAL DEPENDENT USES ON AN INTERIM BASIS IN THE INDUSTRIAL/COASTAL DEPENDENT ZONE**

as regularly adopted at a legally convened meeting of the Board of Commissioners of the HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT, duly held on the 30th day of June 2016; and further, that such Resolution has been fully recorded in the Journal of Proceedings in my office, and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand this 30<sup>th</sup> day of June 2016.

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GREG DALE, Secretary  
Board of Commissioners