

April 30, 2008

Cybelle Immitt  
Humboldt County Planning Department  
Via email

Hello Ms. Immitt,

First, I would like to thank you and your co-workers for being at the Redway event for what I am sure was a difficult evening for you and the staff. I am sure you got an earful regarding what us rural folks didn't like about planning, zoning, and enforcement.

But you asked for people to comment on what they liked as well as disliked. Due to the rancorous nature of the evening, and the fact that the planning map was new to most people, perhaps they weren't able to articulate what they liked as well as you might have hoped.

But having already spent some time in the past few weeks looking at both the planning and zoning maps, I do have some complimentary things to say, along with some comments which could form a hopeful framework to alleviate some of the concerns of the rural citizens.

In looking at the planning map, I noticed that much of the small parcel acreage in the rural subdivisions is currently in AL (Agricultural Lands), specifically AL40, and would be in RR40 (Rural Residential 40) under the new plans. Just from the name Rural Residential, which recognizes the main fact of these parcels, the new designation makes sense. Although there will certainly be people who object to their land being put into this new designation, and you heard from one that night, I think that such people would be the exception, and that most rural citizens would agree with the concept of RR for their parcels.

Having said that, the devil is in the details, of course. Although the density range seems approximately the same as for the AL40, some adjustments may be necessary to accommodate realities of various parcels, due to issues which I will discuss in more detail below. Also I have not been able to find any text describing the "character" and "primary and compatible uses" of Rural Residential. (Please direct me to the appropriate web page if it's available.)

I am sure you and many of your co-workers have had serious doubts about the long-term economic viability of these types of parcels. If we look beyond the pot economy, I believe the best hope is for a mixed use type of designation, as I believe that would align most closely with the reasons why

at least the "first wave" of homesteaders came here. What I think would work the best for the "back to the landers" is a designation which allows for a mix of small agriculture, cottage industries, and some rentals if desired. I am sure there is chuckling or grimacing going on at the mention of rentals but I will attempt to make a case for it further below.

Certainly the idea of making a living from cattle ranching on small parcels is a nonstarter. But many people are interested in growing their own food. This would include small acreage for gardens in intensive cultivation, plus some small animal husbandry or fish farming. If we can grow most of our own food, and I believe that is certainly possible on most of the grassland type 40's, that goes a long way towards sustenance.

And if we combine that with a cottage industry, that gets close to an actual living income. I think a fair number of people have ideas for making money on their homestead but they don't even bother as the general impression is that the regulations are too difficult and expensive to justify the relatively small business in question. I would like to have as broad a definition of cottage industry as possible, including light manufacture of items requiring raw materials not necessarily produced on the property. Of course there would be reasonable regs so the operation wouldn't be a problem for the neighbors or neighborhood.

Some landowners may wish to add a small rental or two. I speak of a trailer or a cabin in addition to the main house/houses. This doesn't have to be a problem for sanitation, water, or ag land conversion. Actually I think the sanitation problem has been blown up out of context. A couple of proper outhouses or a composting toilet wouldn't be any more of a problem than the typical cattle stocking rate of 1-2 800 lb animals per 40 acres. Water can be supplied from storage tanks, and the Mattole Restoration Council is active in promoting this, although I heard there is currently a problem in that County Health doesn't allow drinking water to be supplied from long term storage from tanks, another regulation I don't understand.

At any rate, I noticed in the Framework planning document that developers get a "density bonus" when they build low income housing, which means they get to put more homes on the same acreage. Well, why can't owners of rural parcels get the same type of benefit? Most of these cabins or trailers on the remote 40's would qualify as low income rentals. Why not allow one or two per parcel? This would be a big benefit for minimum wage workers, disabled persons, or retirees on fixed income, and it would help the County fulfill its mandate to provide low income housing. Let's face it, the big developers are reluctant to build low income housing. But many small landowners would gladly put in a cabin if they were allowed. In fact, since

the recent code enforcement efforts, low income rental housing in Southern Humboldt has become even more scarce than it was before as landowners do not wish to risk problems. Not that landowners want to put in trailer parks. Really, it's just one cabin or trailer most of the time, and most of this type of housing is not advertised and is rented by word of mouth. The way I heard it, the state is already putting pressure on the county to soften regs as a way of promoting more low income housing. So that's my "density bonus" plug for cabins or trailers on non-urban lands.

I really think that a combination of allowed uses for these 40's that lets people work with their desire to be close to the land and their natural entrepreneurial spirit could be very helpful in attaining economic viability without damaging our original reasons for coming to these beautiful hills.

Also I want to put in a plug for farm ponds. I haven't heard anything about where farm ponds stand in either the Framework plan or the Update Plan. Here's what ponds can provide:

- 1) Irrigation water for the intensive agriculture I mentioned above.
- 2) They can grow fish for homestead consumption.
- 3) Wells and springs deplete groundwater, but ponds replenish it. This is because the typical mountain pond gets filled in the winter when water is abundant, then slowly loses water over the summer to leakage.
- 4) Since a typical mountain pond on 40 acres holds at least 100,000 gallons, they are the best source of fire fighting water in the upper reaches of headwaters.
- 5) They provide a haven for wildlife, birds in particular, such as herons, ducks, and smaller birds. Also frogs, which are in decline worldwide.
- 6) Finally, they provide esthetic values.

So, I would like to see language in the Update plan which recognizes the contributions of farm ponds and not only allows them but encourages them to be built. I think I found a regulation regarding swimming pools which also seems to apply to farm ponds which requires them to be fenced, which is completely unnecessary for these remote ponds. A typical farm pond on a hillside 40 can be built for about \$5000 and takes about a week of bulldozer work. They are really the best bargain for water storage, in terms of dollars per gallon stored. Some years back, I counted the number of ponds on just the south side of the hill of one particular rural subdivision. The number came to 50 ponds. Some parcels had more than one. There have been very few problems with these ponds, too. And the benefits have been enormous. The regulations, if any, should be crafted so that the regulation cost is less than the construction cost. By the way, the TPZ lands often don't make good ponds, as the soil is too porous. The open grasslands make the best as the soil seems to contain more clay.

So my basic idea which I would like to communicate to the planning department is, "IF IT AIN'T BROKE, DON'T FIX IT, and if it is broke, apply the loosest fix. And if it still ain't fixed, THEN maybe try a little tighter fix. But in looking through the thick books of planning and zoning regulations, when it comes to remote parcels, a lot of it looks like solutions in search of a problem. I can understand why there needs to be tight regulations on people living in urban areas, since a neighbor living 30 feet away can have so much impact on nearby neighbors. And I can understand why there needs to be tight regulations on developers building for profit. But why is it that we need countless pages for a guy who wants to build a home for his family on a remote parcel? Doesn't he already have the best interests of his family at heart? Does the county think they know better than he what his family wants or needs? And what specific instances can the county point to where such a home was a problem for the neighbors or the neighborhood? Very, very few, considering the numbers of such homes in Southern Humboldt. In fact, some years ago United Stand did a study of building code violations in Humboldt and found that only about 5% were serious violations of health and safety. The rest were just violations of rules which had little meaning in terms of protecting the people. I get the same impression when I look at the 500 page planning book. Even just looking at the parts which pertain to rural areas, they seem to be a bunch of "boilerplate" rules laid down to try to control things which haven't been problems in our rural areas.

Control the big guys, the developers, but go easy on the small guys in the rural areas because they aren't the problem.

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