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PLANNING DIVISION

September 13, 2007

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Humboldt County Planning Commission  
Community Development Services Department  
3015 H Street  
Eureka, California 95501

**RE: General Plan Update – Agricultural Resources and Forest Resources -  
Second Submittal**

Dear Commissioners:

On September 20 the Planning Commission is scheduled to continue review of the "Agricultural Resources" and "Forest Resources" sections of the General Plan. The Humboldt Association of Realtors® also continues to review the drafts closely and is submitting this second comment letter on these two chapters.

Common Issues

There are several issues common to both of these resource lands. The following are of particular interest and importance to the Association.

**1. Conversion**

For those resource lands close to or contiguous to existing towns, we support the option of conversion to residential use. These are the logical areas of expansion for residential use considering their proximity to existing infrastructure. Supporting this option also provides property owners with flexibility as to how they may use their land, an important aspect of private property rights.

**2. Large Lot Residential Development**

For those resource lands further away from the existing towns, we again support the option of conversion to residential use. This affords land owners with the same land use flexibility as stated above and also provides land for all types of housing. Large lot housing is part of the housing spectrum. The Association supports housing availability for people of all income levels including for those who purchase such properties.

### 3. Patent Parcels

The Association supports recognition of patent parcels as well as all other legally created parcels. To not recognize these properties constitutes a removal of entitlements and therefore an infringement on private property rights. We feel the entitlement to build a home on an individual's private property should remain regardless of future ordinance, land use designation or land use changes. To emphasize the point, the Association supports retaining entitlements to build a house on any legally created parcel without requiring a discretionary permit.

Concerns have been raised regarding potential loss in valuation that might come with restricting residential development on resource lands. Alternatives available to address these concerns include:

### 4. Clustering

The Association supports clustering development on an optional, voluntary basis, as long as there is an accompanying increase in the incentives regarding building entitlements. We propose increasing the incentives outlined in the drafts. For dedicating 90% of the land to resource use, we propose an increase of five (5) times the existing entitlement and for a 95% set aside, an increase of ten (10) times the existing entitlement.

### 5. Transfer of Development Rights

At this point in time a Transfer of Development Rights (TDR) program may not be practical here in Humboldt County due to a lack of receiving areas. They do not exist here. At present there is no market for development rights. However, it is possible this situation may change over the twenty-year life of the General Plan. Given this, we support the concept of a voluntary TDR program in the event there is future application.

### Conclusion

We note the following language from the "Staff Analysis and Alternatives" found in both the Agricultural and Timber Resources sections:

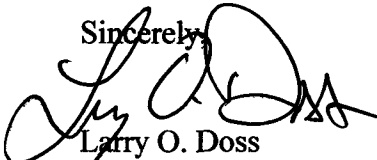
In response to input received on the Draft Land Use Element, the Planning Commission...directed planning staff to: Provide a broader range of alternatives for resource lands which would include an alternative that provides greater supply of developable lands for residential development.

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We agree with this directive and encourage the County to pursue this alternative.

We look forward to continued participation in this update process and to working with the County in producing an effective General Plan.

Sincerely,



Larry O. Doss  
2007 President



Dave Varshock  
Dave Varshock  
Government Relations Chair

cc: Kirk Girard, Community Services Development Dept.  
Humboldt County Board of Supervisors