

**Applicable Humboldt County Local Coastal Program (LCP) Policies**

<b>Policy #</b>	<b>Policy</b>
30240	<p>(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.</p> <p>(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.</p>
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 runoff, 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.

**Applicable Humboldt County General Plan Policies**

<b>Policy #</b>	<b>Policy Statement</b>
	<b><u>Biological Policies</u></b>
85	Regulate development that would pollute watershed areas.
91	Continue participation in all state, regional or local water resource planning efforts effecting surface run-off or groundwater supplies.
98	Maintain values of significantly important habitat areas by assuring compatible adjacent land uses, where feasible.
99	Habitats for “critical species” shall be protected under provision of NEPA and CEQA.
100	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 essential, non-disruptive projects as listed in Standard 6.
102	Development within the streamside Management Areas shall be permitted where mitigation measures (Standard 8) have been provided to minimize any adverse environmental effects, and shall be limited to uses as described in Standard 7.
104	The County should request the Department of Fish and Game, as well as other appropriate agencies and organizations to review plans for development within sensitive habitat areas or Streamside Management Areas. Recommended mitigation measures shall be considered prior to project approval.
133	The County should encourage the provision of the maximum amount of access to public lands and waterways consistent with: (a)Public Safety; (b) Nearby access; (c) Rights of private property owners; (d) Natural resource protection; and (e) The Map Act.

	<b><u>Recreation Policies</u></b>
1	The County should continue to support efforts to acquire, develop, and maintain county parks and recreation areas that are highly accessible to the public, and serve the unstructured outdoor recreational needs of County residents and tourists.
2	2. The County shall give priority to the County residents' outdoor recreational needs.
3	Plans for the development of additional County recreational facilities and opportunities shall consider the County's long term capabilities for the maintenance of all facilities and opportunities.
4	The County shall encourage the private acquisition, development, and preservation of outdoor recreational resources and opportunities and facilities, and the County will coordinate recreation plans with all appropriate agencies.
5	The County shall pursue all feasible sources of funding for the maintenance, development or acquisition of recreational facilities and programs consistent with this plan.
6	The County Parks and Recreation Division staff shall continue to provide information regarding recreational opportunities within Humboldt County and input into land use planning decisions insofar as those decisions may affect recreational opportunities in the County.
7	Policies addressing community recreational needs shall be prepared as part of each community plan.
	<b><u>Cultural Resources Policies</u></b>
144	Concerned citizens, historical organizations and applicable agencies shall be consulted during the project review for the identification and protection of cultural resources.
147	Archeological and paleontological resources shall not be knowingly destroyed or lost through a discretionary action unless: <ul style="list-style-type: none"> <li>A. The site or resource has been found to be of insignificant value by relevant experts and representatives of the cultural resources community, or;</li> <li>B. There is an overriding public benefit from the project, and compensating mitigation to offset the loss is made part of the project.</li> </ul>
148	Mitigation measures shall be required where new development would adversely impact archaeological or paleontological resources.

These policies apply to Moonstone Beach.

**Applicable Trinidad Area Plan Goals and Policies**

<b>Goal/ Policy #</b>	<b>Goal or Policy Statement</b>
	<i>Recreational Goals and Policies</i>
Goal 3.5 B5	No vehicular traffic should be allowed onto the beach. Continued

	management by the County and the Humboldt North Coast Land Trust, HNCLT, should be encouraged with improved parking a major concern. Opportunities to provide access from the parking lot to the beach for disabled persons should also be investigated by the HNCLT and the County.
Policy 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.
Policy 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.
Policy 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.
Policy 30213	(Part) cost visitor and recreation facilities... shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.
Policy 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.
4	<b><i>Biological Policies</i></b>
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.
	<b><i>Cultural Resources Policies</i></b>
Policy 30244	Where new development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

These policies apply to Clam Beach.

**Applicable McKinleyville Area Plan Goals and Policies**

Policy #	Policy Statement
	<b><u>Recreational Policies</u></b>
4331	1. Provide for a wide variety of recreational needs by recognizing and fostering the development of an assortment of traditional, non-

	traditional, passive and active recreational facilities
4332	<p>Consideration for serving all public recreational needs shall be part of the review of new development subject to this Recreation Plan. The disbursement of collected in-lieu fees, or authorization of other proposals involving public parkland, may be granted provided the use or facilities shall:</p> <ul style="list-style-type: none"><li>A. Be compatible with other recreational uses of the site.</li><li>B. Not cause significant environmental impacts to the site or its surroundings.</li><li>C. Not increase public liability.</li></ul>

## Zoning Regulations

### Applicable Humboldt County Zoning Regulations

Regulation #	Regulations
87.3.3 (signage)	<p><u>87.3.3.1</u> No sign shall endanger the public health and safety by causing distractions to operators of motor vehicles on public rights-of-way, such as may be caused by signs employing motion, sound, mechanical devices, blinkers, flashing lights, animation or unusual lighting.</p> <p><u>87.3.3.2</u> No sign shall be erected adjacent to any right-of-way in such a manner as to obstruct free and clear vision of operators of motor vehicles, or at any locations where, by reason of position, shape or color, such sign may interfere with, obstruct the vision of, or be confused with any authorized traffic sign, signal or device, or which makes use of the words “stop,” “danger,” or any other word, phrase, symbol, or character in such manner as to interfere with, mislead or confuse motor vehicle operators.</p> <p><u>87.3.3.3</u> No red, green or amber lights or illuminated signs shall be placed in such a position that they could be confused with any authorized traffic sign, signal or device.</p> <p><u>87.3.3.4</u> No sign shall be erected in such a manner as to obstruct free and clear vision of pedestrian traffic on rights-of-way or to otherwise endanger pedestrians.</p>
109.1.3.2 (parking facility)	<p><u>109.1.3.2.1</u> Each normal size parking space shall be not less than eight feet (8’) wide, eighteen feet (18’) long and contain seven feet (7’) of vertical clearance;</p> <p><u>109.1.3.2.2</u> Each compact car space shall be not less than seven and one-half feet (7½’) wide and sixteen feet (16’) long</p> <p><i>109.1.3.2.2.1</i> No compact car spaces shall be allowed in parking areas containing less than ten (10) parking spaces.</p> <p><i>109.1.3.2.2.2</i> In lots where compact car spaces are permitted, up to twenty-five percent (25%) of all spaces in the lot may be compact car parking spaces.</p> <p><i>109.1.3.2.2.3</i> Compact car spaces shall be visibly marked with signs and shall be clustered in one section of the parking area.</p> <p><u>109.1.3.2.4</u> In recreational use areas, adequate parking facilities shall be provided consistent with the level of anticipated use. Special parking provisions shall be made for recreational vehicles, boats and trailers.</p> <p><u>109.1.3.2.5</u> All improvements to parking spaces, driveway locations, and maneuvering areas shall be improved to levels consistent with the anticipated uses as determined by the Department of Public Works.</p>
125 (wetlands)*	<p><b>125.5</b> Wetland buffer areas shall be defined as:</p> <p><u>125.5.1</u> The area between a wetland and the nearest paved road or the forty (40) foot contour line (as determined from the 7.5-minute USGS contour maps), whichever is the shortest distance; or</p> <p><u>125.5.2</u> 250 feet from the wetland, where the nearest paved road or forty foot (40’) contour exceed this distance.</p> <p><u>125.5.3</u> Transitional Agricultural Lands zoned AE are excluded from the wetland buffer.</p> <p><b>125.6</b> The following uses and developments may be permitted anywhere</p>

	<p>within Coastal Wetland Buffer Areas:  <i>125.6.1</i> Uses permitted in the NR - Natural Resources Zone  <i>125.6.2</i> Uses permitted in the Transitional Agricultural Land Regulations;  <i>125.6.3</i> Uses permitted in the Coastal Wetland Regulations; and</p>
<p>125 (wetlands)*</p>	<p><b>125.7</b> Developments not listed as permitted uses within subsection 313-125.6 may be permitted if they maintain the following setbacks from the boundary of the wetland:  <u>125.7.2</u> 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.  <u>125.7.3</u> Reduction of Required Setback: In both urban and rural areas, setbacks of less than the distance specified in this section may be permitted only when:  <i>125.7.3.1</i> The applicant for the proposed development demonstrates, to the satisfaction of the County, that a setback of less than the distance specified will not result in significant adverse impacts to the wetland habitat and will be compatible with the continuance of such habitats.  <i>125.7.3.2</i> 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.  <b>125.9</b> All development permitted within wetland buffer areas shall be required to include the following mitigation measures:  <u>125.9.1</u> Coverage of the lot or parcel with impervious surfaces shall not exceed twenty-five percent (25%) of the total lot area;  <u>125.9.2</u> The release rate of stormwater runoff to adjacent wetlands shall not exceed the natural rate of stormwater runoff for a 50-year storm of 10-minute duration;  <u>125.9.3</u> Stormwater outfalls, culverts, gutters, and the like, shall be dissipated, and where feasible, screened;  <u>125.9.4</u> 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;  <u>125.9.5</u> Development and construction shall minimize cut-and-fill operations and erosion and sedimentation potential through construction of temporary and permanent sediment basins, seeding or planting bare soil, diversion of runoff away from grading areas and areas heavily used during construction, and, when feasible, avoidance of grading during the rainy season (November through April).</p>

\*Note: Pursuant to the Federal Clean Water Act, wetland habitats occurring within the management area are protected as "waters of the United States" and are under the jurisdiction of the U.S. Army Corps of Engineers. Any impacts to wetlands within the management area, which are perennial wetlands, are subject to jurisdiction by the State Coastal Commission, and the Humboldt County Planning & Development Department under the Open Space Element of the General Plan. Protection of these habitats includes enforcement of buffer areas (which vary in size dependent upon wetland type) that surround wetlands and streamside management areas.