



COMMUNITY DEVELOPMENT SERVICES
PLANNING DIVISION
COUNTY OF HUMBOLDT

<http://co.humboldt.ca.us/CDS/Planning>

November 4, 2008

Southern Humboldt Community Park
Attn: Kathryn Lobato, Executive Director
Steve Dazey, Peter Ryce, Tim Metz, et al.
P.O. Box 185
Garberville, CA 95542

Re: Conditional Use Permit Application
Property located at 934 Sprowel Creek Road, Garberville area; APN: 222-091-06, 222-241-08
Case No.: VIO-07-134 Un-permitted Special Events

Dear Kathryn & SHCP Board Members,

On October 1st, 2008, following a recent meeting between members of your organization, several planning staff, and the Director of the Community Development Services Department, the Planning Division received your application for a Conditional Use Permit. We have since completed our initial review of your proposal.

While §314-62.1 authorizes Special Events with a Conditional Use Permit in any zone, additional findings must be made regarding General Plan Conformance and Zoning Consistency (§312-17.1.1 & §312-17.1.2).

- 17.1.1 The proposed development is in conformance with the County General Plan; (Former Section INL#317-36(c), 317-40.7(3); CZ#A315-14(A); Ord. 946, Sec. 4, 10/2/73; Ord. 1726, Sec. 4, 3/4/86)
- 17.1.2 The proposed development is consistent with the purposes of the existing zone in which the site is located, or when processed in conjunction with a zone reclassification, is consistent with the purposes of the proposed zone; (Former Section INL#317-36(a), 317-40.7(1); CZ#A315-14(B))

Under "Project Phase 1" the Conditional Use Permit application requests permission to hold "Ten to Twelve" non-profit fundraisers with attendance between 250 and 1000 people. Hosting of the annual Summer Arts and Music Fair, a 2-day event with 3,000 attendees, is also proposed. Phase 2 describes allowance for growth of public event categories, increasing maximum attendance at events to 1,500 persons, and 5,000 attendees at the Summer Arts and Music Faire.

In the letter we sent on September 3, 2008 regarding recent unpermitted events which were planned, we warned that:

...the majority of the parcel is planned and zoned for agricultural use. Securing a Conditional Use Permit for events of this frequency and magnitude may prove difficult under the current zoning and land use. Consequently, we have encouraged your organization to work with the General Plan Update process to pursue changes to land use and zoning more in keeping with the nature of your proposed uses. As you know these changes are currently recommended by staff and included in the General Plan Update.

The events described in the Conditional Use Permit proposal all appear to be located within the portions of the property zoned Agriculture Exclusive (AE) which is split with land use designations of Agricultural Rural (AR) and Agricultural Lands (AL). The Director has determined that the above-described findings cannot be made for events of this magnitude within lands planned and zoned for agricultural use(s). Therefore, an application for a General Plan Amendment and Rezone is required in addition to the

Conditional Use Permit. In light of this, we suggest that you withdraw your Conditional Use Permit request at this time.

You could then choose to wait for the General Plan Update Process (GPU) to be completed in hopes that the current proposed changes to land use and zoning for the SHCP property remain included in the countywide update. If these changes are successfully adopted, you could then apply for a Conditional Use Permit and be confident that the required findings for §312-17.1.1 & §312-17.1.2 could be made. However, as the Director explained at the October 1st Meeting, should the proposed zoning and land use changes for the SHCP property prove controversial and lose support from the community, they will be left out of the GPU changes to be pursued and considered through an individual General Plan Amendment and Rezone proposal. This type of General Plan Amendment would be initiated and paid for by the property owner(s). If you'd like, I'd be glad to sit down with the SHCP Board to go over the Plan Amendment process, cost, and application requirements for submittal.

Also, please be aware that no fees were received with your recent Conditional Use Permit application. While it is not recommended that a Use Permit be pursued at this time, keep in mind that any future request must be accompanied by the required fees.

Thank you for your ongoing efforts to define and describe the nature of your project while developing a vision for the future of the park and its use. Please know that these efforts are not wasted. This information will ultimately prove valuable should zoning and land use changes be adopted that allow for events of this nature, scale, and frequency.

If you have any questions regarding this letter, please don't hesitate to contact me. I can be reached between 8.30 a.m. and 5:00 p.m., Monday through Friday at (707) 268-3741.

Sincerely,



Steven Lazar, Planner I
Planning Division, Humboldt County Community Development Services

cc: Claude Young, Code Compliance Officer (via email)