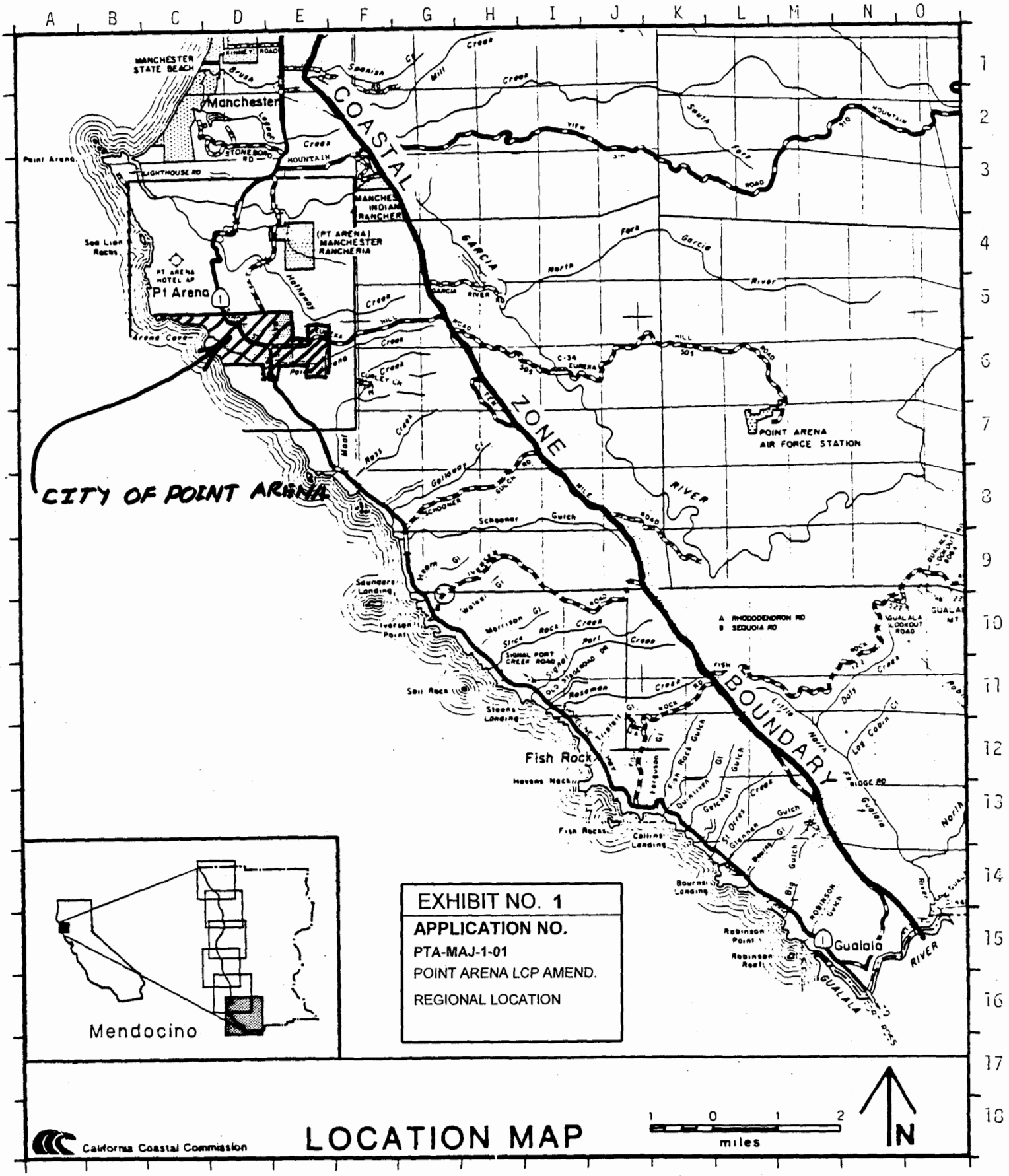

County of Mendocino

Sheet 6 of 6

CITY OF POINT ARENA

GENERAL PLAN

ADOPTED BY THE CITY COUNCIL ON
JANUARY 24, 1995

Revised on August 28, 2001

Exhibit No. 2
Application No.
PTA-MAJ-1-01
(Point Arena LCPA)
PROPOSED LUP

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GLOSSARY

I. OVERVIEW

1. WHAT THE PLAN COVERS

1.1. Scope, Format and Contents

The Point Arena General Plan is a comprehensive, integrated, and internally consistent statement of Point Arena's environmental preservation, economic development, land use, public safety, housing, and development goals, policies, and programs. It is intended to address goals and needs for a period of approximately fifty years from the date of adoption. As a precautionary measure, when the population reaches 50% of projected build-out, or in 50 years (which ever comes first) the City shall undertake steps necessary to reassess and insure the continued ability to meet infrastructure requirements through build-out.

Its authority derives from the California Government Code, and it contains the seven State-mandated elements (land use, housing, open space, conservation, circulation (traffic), safety, and noise) plus two additional elements which are deemed of special concern to Point Arena: The Economic Development Element and the Coastal Element.

This plan was prepared over a period of many years by a volunteer committee of citizens, together with the assistance of several consultants, and the city administrator.

The General Plan consists of two maps and the following text. The text is organized to recognize the interrelationships among planning and development issues and to respond directly to needs and problems facing the City's citizens and decision makers.

Included as part of and incorporated into the General Plan are the following maps:

.. The Land-Use and Development Map

.. The Opportunities and Constraints Map

This 2001 plan consolidates, amends, updates and supersedes all other plans for Point Arena that deal with land-use planning, housing, public safety, and environmental preservation matters, including the Land-Use Plan dated June 30, 1980, and the Housing Element adopted September 10, 1985.

This 2001 General Plan is also intended to serve as the policy

and program basis for the Local Coastal Program (LCP), which program is required by the California Coastal Act. The General Plan and the LCP must be consistent with each other.

The Housing Element is presented in a different format and style than the other elements, in order to satisfy the requirements and guidelines of the California Department of Housing and Community Development, which agency has reviewed a preliminary Housing Element draft and submitted its comments on it.

The General Plan includes the following:

1. A Statement of Community Character and Overall Goals

2. The General Plan Elements. For each of these there are written goals, policies, plan provisions, and action programs.

3. The General Plan Implementation Program, including a recital of the City's obligations under the plan, and the responsibilities and rights of property owners.

4. Project Review and Permitting: Requirements and Procedures.

5. General Plan Review and Amendments.

6. A Glossary of Terms.

The General Plan covers the entire city of Point Arena and refers to county territory surrounding the incorporated city. While county territory is governed by the Mendocino County General Plan and Zoning Code, it is a Point Arena objective that the immediate surrounding county land-use designations and regulations are enforced; that any county land-use decisions within the surrounding area remain compatible with this city's General Plan; and that any contemplated changes to the County Plan or Zoning Code are referred to the City for comment.

The basic data and information on which this plan is based is set forth and referenced in the body of the following text or may be found in one of the following reference documents:

..The Point Arena <u>Zoning Ordinance</u>

..The <u>Land Use Plan</u> of the City of Point Arena, Certified by the California Coastal Commission June 3, 1980

..The <u>Housing Element</u> which was adopted on

September 10, 1985

..The Community Plan, including Appendix A and B November 1988

..The Preliminary Draft General Plan, Zoning Ordinance and Local Coastal Program, which was submitted for review on January 1986 by consultant Mintier Harnish & Associates but not adopted by the City

1.2. What Kind of Plan is This?

1. This is an economic development and economic growth plan.

2. This is an environmental protection plan.

3. This is a land-use and zoning plan.

1.3. How this General Plan Provides for Healthy Economic Development

1. Within the core commercial and highway commercial areas The Plan also permits the inclusion of living units, arts and crafts studios, small businesses and industries, and live-work units, as part of planned mixed-use developments.

2. It reaffirms the suitability of 27.8 acres of land currently (1994) zoned industrial.

3. It reaffirms the suitability of 16.57 acres of land in the Arena Cove area for coastal-dependent and visitor-serving uses, approximately 6.83 acres of which are currently undeveloped.

4. It encourages growth of the in-town population (consumers of local goods and services) by increasing both allowable residential densities and the amount of land available for new housing in and near Downtown.

5. It reaffirms the long-standing city policy that parcels designated for multiple-family residential purposes may also include environmentally- and architecturally-compatible office uses (under certain circumstances).

6. It increases the number of residential zones in which home occupations may be permitted from four to eight, under prescribed circumstances.

7. It encourages the in-fill development of existing undeveloped commercial and residential lots.

1.4. How this Plan Provides for Protection and Preservation of Environmental Quality

1. It reaffirms the long-standing notion that the town's small-town character and special environmental characteristics can and should be maintained for economic, public health and aesthetic reasons by fairly and equitably placing limits on building-to-land intensities of development, grading, residential densities, and the unnecessary depletion of open space resources.

2. It provides for the preservation, in as near natural form as possible, of landscapes and land forms, bluffs, and bluff tops, the coastline, viewsheds, creeks and riparian areas.

3. It affirms the importance to everyone's health and well being the value of Point Arena's exceptional clean air and low ambient noise levels, both of which are typically subject to subtle but irreversible decline as a consequence of incremental unregulated development.

4. It asserts the importance of how the city looks--its viewscapes, landscapes and land forms, building designs and landscapes, architectural landmarks--and not only for how the city looks to those who live here but to those traveling through and those those contemplating investing in the city's future.

To summarize, the keys to Point Arena's health are (1) economic growth and development, and (2) protection of the city's unique environmental qualities.

This General Plan has as its most fundamental purpose the balancing of these two objectives.

1.5. Legal Basis for this Plan

A general plan is a compilation in one place of policies governing land use, environmental quality, housing, public safety and transportation. A very substantial proportion of the policies contained in this General Plan are already in place. They were adopted years ago and are to be found in the existing Coastal Commission-certified Local Coastal Program (LCP), comprised of the Land Use Plan and the Zoning Ordinance, and in the city's state-certified Housing Element. (The existing [1980]

LCP and the existing [1985] Housing Element will no longer be in effect when all elements of this General Plan, including the new Land Use Element and the new Housing Element, are adopted and certified).

After adoption of this plan, the City must formally amend the Zoning Ordinance and Zoning Map, as well as such other ordinances as may be affected by this plan, and those amendments must be consistent with this plan, as per the requirements of California Planning law.

In addition to restating existing policies and development requirements, some of the policies contained in this Plan are new. They have been developed during a three-year period by a committee of local citizens with the assistance of specialized consultants.

State planning law, and other selected state statutes, prescribe exactly what subject matters must be addressed in a local general plan. With some exceptions, which are noted in the body of the plan's text, the city has broad discretion in determining what policies it wants to adopt within the framework the State prescribes by law. The exceptions, noted in the text, represent the few policies enacted by the State which all cities are obliged to implement through local plans and programs.

It is intended that this General Plan satisfy and comply with all of the State's planning, environmental and housing mandates and be judged legally adequate. Pursuant to State law (The California Environmental Quality Act--[CEQA]) the Planning Commission and/or City Council may adopt this plan only after considering all pertinent testimony, written and oral, as well as information contained in the General Plan Environmental Impact Report.

No actions may be taken with respect to planning subjects covered, and policies and programs set forth and adopted, in this Plan without a formal finding first being made that the proposed action is consistent with this plan. The "Project Review and Permitting" section spells out the necessity for findings and the form they must take to make certain discretionary actions of the Planning Commission and City Council legal.

Nothing in this plan precludes the obligations of the city and property owners alike to comply with the spirit and letter of the California Environmental Quality Act (CEQA), and the state's Subdivision Map Act, Open Space Lands Act, Endangered Species Act, and California Coastal Act, as well as other federal and state laws which may take precedence over, or be applicable in lieu of or in addition to, local ordinances. It is the obligation of all responsible parties to ensure that laws,

regulations and processes promulgated by agencies other than the City of Point Arena are complied with.

2. THE GENERAL PLAN PREPARATION PROCESS

The process followed to create this General Plan began in January 1990 when the City Council authorized and instructed that a plan be prepared by a citizens' committee appointed to undertake the work. At that time the city had no general plan. It did have, however, an adopted Local Coastal Program (LCP), which included a Land Use Plan and the Zoning Ordinance, as well as an adopted and State-certified Housing Element.

This comprehensive general plan, the first ever for Point Arena, was prepared by a committee of citizens with the assistance of several consultants. The consultants helped prepare the Housing Element, the Environmental Impact Report (EIR), and the Traffic and Circulation Element. The individuals and firms participating in the preparation of this general plan are acknowledged at the end of this document.

Public Hearings on this Draft General Plan must precede adoption.

The General Plan is subject to environmental review as required by the California Environmental Quality Act (CEQA). An Environmental Impact Report (EIR) must be reviewed by the public and the planning commission/city council before this General Plan may be adopted and become effective.

Any amendments to the General Plan, once it is adopted, or enactment of most programs and ordinances pertaining to the matters addressed in this plan, also require public hearings.

Henceforth, "Findings of Fact" that certain actions are consistent with the General Plan and with CEQA must be made prior to said actions becoming legally valid. (See the sections in this document entitled "Project Review and Permitting: Regulations and Procedures" and "General Plan Review and Amendments".)

3. REFERRAL AGENCIES

The General Plan, in draft form, was referred to the following agencies for review an comment:

State of California:

- Department of Conservation (Division of Mines & Geology)
- Department of Boating and Waterways
- Coastal Commission
- Coastal Conservancy
- Fish and Game
- Historic Preservation
- Parks and Recreation
- Highway Patrol
- Reclamation
- Transportation (CalTrans)
- Housing and Community Development
- Regional Water Quality Control
- Forestry and Fire Protection
- Office of Planning and Research (OPR)
- State Lands Commission
- Office of Statewide Health Planning and Development
- Office of Emergency Services
- Resources Agency
- Integrated Waste Management Board
- Public Utilities Commission

United States Government:

- Department of the Interior (Bureau of Land Management)
- National Park Service
- Bureau of Reclamation
- Army Corps of Engineers
- Environmental Protection Agency (EPA)
- Federal Emergency Management Agency (FEMA)
- Fish and Wildlife Service
- Air Resources Board
- Housing and Urban Development (HUD)
- Agriculture

County of Mendocino:

- Council of Governments (MCOG)
- Local Agency Formation Commission (LAFCO)
- Air Pollution Control District
- Department of Public Health
- Department of Environmental Health
- Planning and Building Services Department

Point Arena Fire Department

Point Arena Joint Union High School
Point Arena Elementary School
Point Arena Water Works

Pacific Gas and Electric
Pacific Bell
AT&T
Coast Life Support District

II. COMMUNITY CHARACTER AND OVERALL GOALS

1. INTRODUCTION

The major goals of this General Plan are described below, along with some of the reasons behind them. These goals set the theme for guiding Point Arena's growth and development; for the conservation of its character, open spaces, and natural resources; and for the general welfare and well-being of its citizens.

This chapter also is concerned with how Point Arena looks and feels. It attempts to translate these intangibles into policies and programs needed to achieve the overall goals cited below.

Also included are the principal characteristics of Point Arena that may constrain or limit development, or define the form development may take, and the characteristics of the town which present tangible opportunities for the future well being of the town's citizens.

2. OVERALL GOALS

2.1. Goal #1: Preserve the Small-Town Rural Character of Point Arena

This means: What kind of a place do we want Point Arena to be 10-20 years from now, 30 years from now? What should it look like? How shall it feel? What do we want to have happen or change? What should stay pretty much the same? What makes Point Arena unique and special? What will we discourage, and what will we not tolerate?

These are among the basic questions we must keep in mind each time we examine a proposed general plan element, consider a rezoning or subdivision map proposal, or deal with a specific development proposal.

The following is the perceived consensus of public opinion regarding the desired character of Point Arena. People like the town's

- .. present semi-rural, low-key, modest and unpretentious atmosphere as well as its
- .. low population density and building intensity
- .. historic buildings

.. absence of "cuteness" and "artiness"

.. mixed uses (absence of strict and artificial separations between residential and non-residential uses, for example)

.. "unpretentious" building designs with an absence of any city-imposed mandatory design themes

.. features of a real town, not just a wide place in the road or accidental settlement of convenience stores; with an "old time" motion picture theater, general stores, and small-town character, with curbs, gutters and sidewalks

.. "sense of community" in which people of various ages, educational achievements, socio-economic condition, and points of view co-exist and make the town "work", and cooperate on matters of civic concern

.. collection of vacant lots Downtown that may provide start-up business opportunities for people with limited incomes, provided incentives are built into the Zoning Ordinance to make this happen

.. open spaces, views and vistas, oceanside bluffs, clean air, quietude, open fields, access to the ocean, and proximity to working farms

.. the cove and pier...the first driving north after leaving Bodega Bay and the first driving south after leaving Albion

.. absence of strung-out, strip-commercial developments along the highway...a common but unpopular occurrence in most of California.

These are the characteristics that define and give special and unique identity to Point Arena...the characteristics that are to be championed in this plan and preserved through the planning and plan-implementation process.

2.2. Goal #2: Ensure Public Safety

The most significant risks to property, well being, and the environment are geologic and seismic hazards, flooding, non-seismically-induced soils hazards, fires, and possible poor water quality. Secondary issues of public safety are air pollutants

and unwanted noise.

The city shall establish acceptable levels of risk and safety, cause vulnerable buildings to be brought up to these standards, and enforce standards for the design of new structures.

The city shall also avoid placement of cultural, educational and high-occupancy structures in areas prone to ground failure during an earthquake.

Furthermore, the city shall ensure through the enactment of public policies and programs that its employees, citizens, and business persons are prepared for effective responses to major seismic and other emergencies.

To the fullest extent possible the city shall avoid approving grading, new land uses and developments, and facility locations that may result in property damage, may threaten the public safety and well-being of its citizens, or may negatively impact the environment.

2.3. Goal #3: Encourage Economic Growth and Development

Population growth and new development are to be encouraged, but indiscriminate growth contrary to and inconsistent with other city goals is not welcome.

Substantial population growth is not likely since North Coast California is and will continue to be a slow-growth region of the state. Some small growth of population will be a function of new arrivals from outside the area.

Development growth should occur within the annexed area and also as a result of city-inspired infilling within and adjoining Downtown on undeveloped and under-developed existing lots.

Local economic development cannot and should not be overly dependent upon tourists, however. New techniques for stimulating all suitable types of economic development are necessary. Among the most significant measures appropriate to Point Arena, over which the city council has direct control are:

..adopting incentive zoning (see Land-Use and Development Element) to inspire income- and tax-producing activities, giving special attention to new small businesses, offices, and small manufacturing, fabricating, and crafts enterprises

..creating Downtown parking that is attractive, free, and convenient

..publicizing the existence and location of the Cove which at present is not boldly identified or signed such that the passing motorist notices

..improving the city's appearance and otherwise giving the driving public a reason to stop

..supporting and seeking funds from public transit programs of county, state and federal agencies.

Other economic development opportunity areas are within the Hay Annexation Area and on commercially-zoned parcels along Highway 1 at the north and south ends of town.

2.4. Goal #4: Preserve Open Spaces, Natural Resources, Coastal Assets and Environmental Quality

Point Arena's natural features, environmental quality, clean air, low ambient noise levels, and open spaces are valuable and precious resources which shall be protected from neglect, careless use, and deliberate destructive actions. The city council shall spearhead actions to accomplish this goal, which is consistent with the California Coastal Act, and warrants reemphasizing as a fundamental component of the General Plan.

Planning must ensure, through specific policies and regulations, the preservation of identifiable open spaces in and adjoining Point Arena as well as the sense of open space within the city, even within the most populated areas. Open space takes the form of parks, greenbelts, farms, open bluffs, undeveloped hillsides, and scenic corridors/viewsheds. A sense of open space is achieved through maintaining low residential densities and building intensities, and through the clustering of buildings so as to leave substantial open land around structures and between developments.

Planning must also protect natural resources and sensitive habitats, stream beds, creeks and wetlands from inappropriate, unnecessary and damaging developments and from pollutants, uncontrolled grading, and neglect.

For county areas adjoining Point Arena and outside the "urban limit line" every effort shall be made to work with the county to keep agriculture lands viable and as long as possible to ensure their preservation.

The techniques for preserving natural resources and open spaces must be a combination of zoning regulations, including the introduction of open space standards and open space zones/overlay

zones; dedications as a condition of development permit approvals; deed restrictions; outright purchases by public agencies or private organizations, and possibly the transfer of development rights.

2.5. Goal #5: Promote Affordable Housing

There are two ways to further the cause of creating additional housing at "affordable" costs. One is to wait for those publicly-financed programs that come and go, which attempt to close the gap between housing prices and personal income. Over recent years housing prices have risen and incomes, especially at the lower economic levels, have remained steady or declined. The federal and state governments have not responded realistically or adequately to deal with these realities (nor are they likely to in the near future), and local governments rarely have sufficient resources to do so. Point Arena has no money for such things as emergency housing, transitional housing, or low-cost permanent affordable housing. Moreover, there are virtually no available rentals (vacancies) in the area, in spite of the high ratio of renter- to owner-occupied housing in the city. The clear conclusion is that housing for very-low, low- and some moderate-income persons and families is very scarce indeed.

Even if the County's less-than-modest housing assistance program, intended for low-income families, funded by the U.S. Department of Housing and Urban Development (HUD, Section 8), were more adequately funded, without a housing stock (available units on the market to live in) the program doesn't do much good for those in need...very low- and low-income individuals and families...who want to live in or near Point Arena. While the County also administers a "public housing program" whereby it owns units and offers them for rent to qualifying persons, without any housing stock the program has no positive impact in Point Arena at the present time.

The second way to deal with housing needs is to include provisions in the General Plan and Zoning Ordinance that affordable housing shall be provided as a proportion of major private development projects. Incentives for property owners/developers to build affordable housing shall be a community goal; incentives can be in the form of density bonuses. Also, as a condition of approval of large residential subdivisions a proportion of the new lots and/or housing units should be reserved for affordable housing...a common practice throughout California to enlist the private sector in affordable housing solutions through the project-approval process. To accomplish this goal may require mandates as well as residential density-bonus incentives.

The ultimate goal is for the City to encourage through public policies and programs the ownership of as many housing units as possible by as many people who want them, at affordable costs, not just for persons with more than ample income or assets but also for individuals, families and single parents with limited or modest incomes.

2.6. Goal #6: Improve Public Facilities, Services and Transportation Systems

Various public works and public facilities are presently aging or are non existent, or are in need of maintenance, or may become inadequate in the near future. Included in this category are selected city streets and roads, the waste water (sewer) system, elements of the local water distribution system (a privately-owned utility under California Public Utility Commission oversight), public off-street parking, parks and recreation facilities, public safety facilities, and trails/sidewalks.

To accommodate new as well as the existing population and businesses the city shall undertake a comprehensive program to upgrade and create adequate public facilities and services. This program shall be a combination of city-financed capital improvements, which may require bond issues, and "exactions" (the process whereby as a condition of subdivision and development approval the developer dedicates land and/or pays fees in order that facilities generated by and for the benefit of the development are provided).

Furthermore, the city shall ensure that new streets and trails to be considered for acceptance into the Point Arena street system conform to design standards appropriate to their functional classification. Priority attention should be given to adopting exacting standards as a basis for reviewing tentative subdivision map applications.

Adequate off-street parking Downtown shall be ensured through a combination of the continuing application of existing ordinances and the development by the city of one or more off-street parking lots as a priority public works project.

A schedule of "development impact fees" as a method to finance roadways and other public facilities shall be adopted as soon as possible.

A year-round bridge or crossing of the Garcia River shall be established.

Eventually, a Highway One bypass route to replace the present location of the in-town State highway shall be recognized as a

significant transportation improvement and policy objective.

2.7. Goal #7: Promote Energy Conservation and Recycling

Preserving non-renewable energy resources, promoting the recycling of household and industrial products, and minimizing unnecessary disposal of solid wastes when alternatives are available are national, state, and county goals that the City of Point Arena shall adhere to in the small ways available to it. Among the goals are recovering materials from solid wastes, promoting the use of solar energy, and developing land-use regulations and Zoning Ordinance provisions for new subdivisions that mandate the maximum possible reliance upon passive solar heating or other energy-saving features.

2.8. Goal #8: Assist in Implementing the California Coastal Act

In addition to the goals enumerated above, the city shall, to the extent required by law, and to the extent that is practicable, work toward implementing relevant California Coastal Act policies regarding preserving marine resources; protecting the quality of coastal waters, streams, and wetlands; regulating the diking, filling and dredging of open coastal waters, wetlands and estuaries; protecting environmentally-sensitive habitat areas; giving priority to coastal-dependent uses on or near the coastline; limiting oil and gas developments in accordance with state and local statutes; and, maintaining the viability of existing agricultural uses in accordance with the provisions of Sections 30241 - 30243 of the California Coastal Act.

3. CONSTRAINTS AFFECTING DEVELOPMENT

3.1. Introduction

Development within Point Arena must be limited or constrained by certain realities. First are physical hazards including seismic hazards, as well as slope and soils conditions.

Moreover, the availability or not of water and waste water facilities may constrain development or dictate where and when development may occur or not occur.

Building and development can not occur haphazardly; they must, for reasons of safety to people and property, be limited through public policies (land use, zoning, subdivision, and environmental); and the mapping of hazardous areas, as a component of the General Plan, must be accomplished as a basis for adopting regulations.

Development must also be subject to the availability of sufficient water and sewer capacity and facilities, and in some cases be conditional upon extensions and upgrades of existing infrastructure or upon the provision of new facilities.

Finally, development of Point Arena may well be constrained generally or within specific areas by virtue of a consensus among the populace that certain changes in the status quo, or threats to natural or man-made features and the town's existing identity, will not be tolerated.

3.2. Existing Physical Hazards

Among the non-seismic physical hazards which must be taken into account and may constrain or limit the location or extent of development are the potential for cliff failure or retreat along the coastal bluffs; the potential for non-seismically-induced soils hazards imposing limits on urban-type development; shallow soil depths which may constrain septic sanitation disposal systems; the poor bearing capacity of surface and sub-surface soil materials, which may pose the risk of soil failure on steeper slopes, particularly when water saturated; and the danger of wave actions at the Cove.

Direct risk of land surface rupture (seismic hazards) along a fault trace during an earthquake would pose a hazard to structures, utilities, or roads which traverse or straddle the fault. The San Andreas Fault and the Hathaway Creek Fault pose the kind of risk potential which must be taken into account as a part of the process of project review.

Secondary seismic risks are created by the energy release by movement along a fault and include: ground shaking, landslides, lurch-cracking of the soil surface, and liquefaction of soils. Tsunamis (tidal wave action which may result during a major earthquake) are an additional risk factor.

Flood dangers exist along the length of Arena Creek and may increase with runoff from up-stream development.

Fire hazards may be due to wildland fires, structural fires, and hazards posed by fuel storage/distribution depots. The degree of risk is related in part to the readiness of fire-fighting authorities and water availability.

3.3. Infrastructure Constraints

Among the possible constraints to further development of Point Arena are any limitations to property access that may be due to

the absence or inadequacy of streets and roads; limitations posed by any limited sewer capacity; and limitations posed by the unavailability of water.

To date new sewer hook-ups to new developments are supposed to have been based on the policy of infilling, which, at the time the policy was initially adopted in the 1980 LCP, meant encouraging development on vacant lots within areas of existing development before extending services to outlying areas, with top priority to be given to existing developments within zones not presently served by sewers, and secondary priority given to undeveloped lots in these zones.

The 1980 LCP also specified that a portion of the city's sewage capacity be reserved for commercial uses, namely existing vacant parcels within the infill areas.

Residential and commercial parcel sizes were to be limited to one acre minimum in areas not now served by water and sewer facilities.

On the whole these old policies were not strictly adhered to and are not considered appropriate to the new thinking that is going into this new General Plan. The main point is that unless there is some sort of explicit "growth management" plan to be followed, (no such plan is included in this General Plan) then the most reasonable solution is for sewer capacity and sewer facilities to be upgraded to handle need as and where it develops. The same can be said for domestic water services and facilities.

Accordingly, until such time as up-to-date engineering studies are completed the City will rely upon existing available information on the area's water and sewer systems and capacities, and, within a five-year time frame, will re-assess the suitability of the present systems. The City finds that within this five-year time frame the present systems will meet foreseeable needs and will accommodate growth and development as set forth in this General Plan.

3.4. Constraints Imposed By Local Values and Expectations

The following are Point Arena's "Sacred Cows" ... those features which are to be maintained and preserved as the town grows and accommodates more people, businesses, and houses. The General Plan acknowledges these and other features and asserts that they are to be taken into account with respect to all new developments in order to create a more perfect environment and save what is highly regarded by the populace. The "sacred cows" of Point Arena are:

1. Coastal bluffs and access to them by foot
2. Viewsheds and open space features
3. Historic buildings of merit
4. The integrity, water quality and natural condition of Arena Creek
5. The town's special air quality
6. The low ambient noise levels
7. The town's overall low population density and building intensity
8. The semi-rural, small-town, unpretentious character of Point Arena
9. The existing relatively-restrained signing of commercial and business establishments
10. The rural countryside surrounding Point Arena

4. OPPORTUNITIES

Every community possesses its own unique set of characteristics and features that present opportunities for the future, and Point Arena is no exception. For Point Arena the most significant opportunities are the potentials that exist for

1. Increased economic development and recreational opportunities at the Cove, Downtown and along Highway 1
2. "Capturing" more tourist dollars as traffic on Highway 1 increases, provided reasons to stop exist by the side of the road
3. Creating housing opportunities within the

underdeveloped Downtown area and as part of new housing built within new subdivisions

4. "Capturing" an increased demand for consumer goods and services because of new houses being built and occupied within rural areas outside the urban limit line of Point Arena

5. Attracting and accommodating craftspeople and artists, and small cottage industries, as part of a privately-initiated City-inspired Downtown revitalization program

6. Allowing a greater proportion of residential units connected with commercial Downtown growth...in order to foster mixed uses, Downtown revitalization, a built-in demand for Downtown goods and services, and affordable housing (on now undeveloped and underdeveloped lots)

7. "Capitalizing"on the inventory of historical buildings, which buildings contribute to the town's attractiveness, character, and identity

8. Conserving existing natural features, viewsheds, open spaces, air quality, low ambient noise levels...due to the fact that little has occurred so far to irretrievably damage or destroy these resources and assets

9. Accommodating no-negative-impact home occupations within residential areas...in recognition of the fact that increasing numbers of people can and wish to work in their homes, especially those involved in or dependent on high-tech electronic communications activities (use of computers, FAX machines, modems, etc.), and

10. Accommodating light industrial activities (and fostering job opportunities in the presently-zoned industrial area.

5. MAPS

The various resource designations appearing on the General Plan maps represent the best information available at this time and, therefore, create a presumption of accuracy which may be overcome only with additional information that can be shown to be a more accurate representation of the existing situation than the information has been used to determine these boundaries. Such showing shall be done in the context of an amendment to the General Plan/Local Coastal Plan.

Development proposals in environmentally sensitive habitat areas such as wetlands, riparian zones on streams or sensitive plant or wildlife habitats including, but not limited to those shown on the Land Use Map and Opportunities and Constraints Map, shall be subject to special review to determine the current extent of the sensitive resource."

6. INTRODUCTION TO THE ELEMENTS OF THE GENERAL PLAN

To achieve the Overall Goals of this 1994 Point Arena General Plan there are eight General Plan Elements. In this chapter the specific goals, policies, and programs of each of the following elements are set forth.

..Land Use and Development

..Economic Development

..Traffic and Circulation

..Open Space and Conservation

..Community Health and Safety

..Noise

..Housing

..Coastal

III. LAND USE AND DEVELOPMENT ELEMENT

1. INTRODUCTION

The chief expression of private and public expectations in matters of town planning is the land-use element. In this element every parcel of land is designated for its best use given (1) the feasibility of land usage considering physical conditions and limitations or opportunities, and (2) the perceived ultimate general welfare consistent with the community goals set forth at the beginning of this General Plan document, and consistent with the California Coastal Act and California planning laws.

The "Land-Use and Development Map", which is incorporated as part of this General Plan, portrays the general pattern of future land usage, depicts land-use designations for each parcel of land in the city, and also is an expression of the desired and permissible land-use types and their locations throughout the city. What will occur, ultimately, is the gradual build-out of activities within these patterns of land uses according to specific development standards set forth in this element, elsewhere in the General Plan, and in the Zoning Ordinance.

The purpose of the Land-Use and Development Element of this General Plan is to depict the future pattern of land uses and also to set forth policies, programs, and review procedures governing conservation and development within the land-use designations depicted on the "Land-Use and Development Map" and on the "Opportunities and Constraints Map". The latter map is also incorporated as a part of this general plan.

The "Land-Use and Development Map", upon its adoption, also may become the city's official "Zoning Map".

2. FINDINGS

Point Arena's total land area is 829 net acres (Public streets are not included in this figure). This total is divided into approximately 280 assessor's parcels of various sizes accommodating a variety of rural and urban uses, including open spaces and unbuildable lands. The overall impression is of abundant open space, including properties that have not been developed to their full potential, low residential densities, the presence in town of many urban development opportunities, and an attractive and unique rural and small-town character.

According to the 1990 U.S. Census, Point Arena's population was at that time 407--living in approximately 200 dwelling units.

(The State Department of Finance's January 1, 1994 estimate of population was 409). The in-city growth rate is judged to be extremely modest throughout the near term, although the general market-area population (persons living within the city limits plus those living in the surrounding county territory) is likely to increase somewhat. The date by which build-out might occur is unknown and it is an event that will occur very far into the future. This plan addresses short-term goals and needs (next 5-10 years) and provides more than enough room for residential development to meet all foreseeable needs.

Commercial development is a function of residential growth within the city and within the surrounding market area, and on the growth of tourism. Industrial development, and the formation of cottage industries and small businesses, is a function of factors not easy to predict and not within the direct influence of the city. For the foreseeable future there is ample land set aside in this plan for new and expanding commercial, industrial activities and small-business activities.

3. LAND-USE GOALS

The following are the Land-use Goals of this 1994 General Plan:

1. To accommodate future urban-type development within the city's "urban limit line".

2. To maintain the city's small-town, open and rural character through low residential densities and building intensities, and through the preservation of open spaces.

3. To provide for a strong and healthy downtown commercial core that can also accommodate a mixture of commercial, office, small business, and residential activities.

4. To adopt land-use and development policies that welcome and encourage economic development and growth, job formations, a variety of new housing opportunities, infilling of new development within the Downtown area, increased but limited development at the Cove, and industrial-type uses in the City's industrial area.

5. To require sewer and/or water hookups, and expansion of both systems, within most of the urbanized and urbanizing portions of the urban limit line, so that development may proceed unimpeded in all areas of the city in response to needs and demands for service, provided that the systems are deemed adequate and that extensions of facilities can be shown to be financially and fiscally feasible or will be provided as a condition of development.

To achieve these goals there are included herein six sub-elements: (1) the Land-Use and Development map, (2) the Opportunities and Constraints map, (3) a description of land-use and zoning categories and permissible uses within each, (4) a table of residential density policies, (5) a statement of overriding citywide land-use and development policies and programs, and (6) procedures governing project review and the issuance of permits.

4. LAND-USE AND DEVELOPMENT MAP

The "Land-Use and Development Map" depicts graphically the City's intentions and policies for growth, development, and land usage, and for the preservation and safety of public and private properties, within the city limits, and records the county plan's land-use designations for the immediate surrounding county territory.

The permitted land-use designations shown on the Map generally echo existing patterns of land usage. A few land-use changes have been made to the current Land-Use Plan (LUP)...the one in effect prior to the adoption of the 1994 Land-Use Element of this General Plan, and these are largely increases in the amount and extent of land available for multi-family residential uses.

5. OPPORTUNITIES AND CONSTRAINTS MAP

In addition to the "Land-Use and Development Map", the "Opportunities and Constraints Map" serves as an "overlay", the purpose of which is to depict the City's intentions and policies regarding open spaces, creeks and stream beds, riparian areas, view sheds and view corridors, conservation areas, safety and seismic safety considerations, natural habitat areas, and trails. The Map is an "early-warning" depiction of matters that must be attended to as part of project planning and review; they are further described in the text of this General Plan.

6. LAND-USE DESIGNATIONS

Each parcel of land in Point Arena (as shown on the "Land-Use and Development Map") falls into one of several land-use categories. In addition to the assignment of a land-use category to each parcel of land in the city, specific development standards pertaining to each land-use category (zone) are to be incorporated into the revised Zoning Ordinance after this General Plan and this element are officially adopted, or amendments made to the existing ordinance, as the case may be.

Since this is the Land-Use and Development Element of the General Plan, and not the Zoning Ordinance, permissible uses (uses by right) and conditional uses (which will require a use permit), which uses are listed below, are not necessarily all-inclusive and may be added to when the Zoning Ordinance itself is evaluated in detail and amended, as the next step following adoption of this General Plan. An amended Zoning Ordinance, by law, must carry out the objectives and policies of this element, and, furthermore, not be found to be inconsistent with those objectives and policies. Accordingly, any additional permissible or conditional uses that may be considered for inclusion when the Zoning Ordinance is in the process of being amended must be consistent with the stated purposes and policies of the land-use category as set forth in this element, and, furthermore, can not be inconsistent with the policies pertaining to any other element of this General Plan.

7. OVERALL CITYWIDE LAND-USE POLICIES AND PROGRAMS

The following policies and programs are not lot-specific or zoning district specific but apply throughout the city where applicable. These policies are in addition to, or shall supersede, as the case may be, the "General Provisions and Exceptions" of the Zoning Ordinance (beginning at Section ~~6.01~~ 5.01).

1. The City shall encourage and allow new development in those areas of the city where adequate water and sewer facilities are available or where they will be guaranteed during the project review process and provided as a part of the development process.

2. The City shall adopt policies and programs in order to meet local public facility and infrastructure needs through exactions; dedications; impact, linkage, in-lieu, and development fees, and other techniques. These policies, programs, and fees shall be established in accordance with various provisions of the Government Code, including the State's AB1600 legislation.

3. Coastal access shall be maintained, and coastal bluffs shall be protected from development and erosion.

4. No new development shall be allowed within riparian vegetation as depicted on the Opportunities and Constraints Map, or within the Riparian Buffer Zone along Arena Creek, or elsewhere where mapped, including, but not limited to: vegetation removal, grading, filling, soils or refuse dumping, or alteration of creek banks, without first obtaining appropriate permits. Biologic analyses of development plans affecting or

likely to affect any creek shall be submitted for review and approval. Pre-existing buildings and non-conforming uses within riparian corridors may continue as legally non-conforming, but no additions that encroach closer to the stream or creek within said corridor shall be permitted, with the following exceptions:

a. decks and porches provided that added areas do not exceed ten percent of the area of the existing structure, subject to securing a use permit; and

b. accessory structures located at the City's waste water reclamation facility situated entirely within the developed, fenced area.

5. Important sensitive habitat areas shall be preserved.

6. No development and no activity on any property, including site preparation work, earth moving and grading, shall be allowed to discharge harmful pollutants or untreated runoff into the waters at the Cove, or into any creek, or into the air.

7. Comprehensive assessments of risks posed to the general public shall be required for any development proposal as part of CEQA-required environmental assessments, which assessments shall include but not be limited to analyses of noise sources, potential sources of pollutants, and potential risks associated with soils and seismic conditions.

8. All developments in hazardous areas, and on severely constrained or unstable soils, shall be qualified as to the suitability of the site for the proposed development, pursuant to appropriate geological and soils engineering studies prior to approval to grade or develop any property public or private, and findings regarding the results of geologic and related investigations shall be made as per provisions of Section ~~6.21~~ 6.08 of the Zoning Ordinance prior to the issuance of any permit.

9. All required qualifying investigations for grading, site preparation and development in hazardous and constrained areas shall be conducted by a registered geologist or professional civil engineer with expertise in soils or foundation engineering, or a certified engineering geologist, and mitigation measures identified in these studies shall be required as a condition of all land preparation and development approvals, as per Sections ~~6.21~~ 5.15, 5.20, and 5.21 of the Zoning Ordinance.

10. Within the limits of its jurisdiction the City shall prohibit diking, dredging and filling operations which may negatively impact streams, water and marine resources, and sensitive habitats. Necessary permits from the California department of Fish and Game and from the Water Resources Control

Board shall be required on all such projects before any city permits are issued. Any alteration of wetlands shall meet all provisions and mitigation requirements of State planning laws, the California Coastal Act, the U.S. Army Corps of Engineers regulations, and federal and state statutes governing wetlands and the protection of endangered species.

11. Continuing agricultural uses of lands which have the soils, acreage and water capability to sustain such operations are encouraged but not required.

12. Individual mobile homes qualify as permissible single-family dwellings, and are permitted by right in all residential zones except in the Multi-Family Residential (MR) Zone. Mobile home parks or projects (two or more mobile homes on one parcel of land) may be permitted in the Highway Commercial (HWC) zone only, and are subject to securing a use permit and to the City's mobile home regulations. (Ordinance # 118)

13. New physical development shall be contained within the boundaries of the City limits of Point Arena. The city shall work with the County of Mendocino to promote continuing agricultural uses in county territory, and to prevent the intrusion of urban uses and rural residential developments into surrounding agricultural lands, except in accordance with presently-allowable policies in the County General Plan and Zoning Code.

14. Public views, viewsheds, view corridors, buildings of architectural and historical merit, existing topographic features, and existing important clusters of trees, shall be preserved and maintained.

15. Lot splits or minor subdivisions (the subdivision of lots into four or less parcels) shall be subject to city approval and to the provisions of the city's Subdivision Ordinance and the State's Subdivision Map Act.

16. Common Open Spaces are to be provided for in new residential developments in accordance with policies set forth in the Land Use and in the Open Space and Conservation elements of this General Plan, and in the Zoning Ordinance.

17. Approval of new subdivisions and developments shall also be subject to the provisions of the California Subdivision Map Act and city requirements for the dedication of land for streets, trails and pathways, parks and other public improvements, and shall be subject to the improvement and design standards of the City's subdivision and other development regulations.

18. An Architectural and Historic Preservation Element, an

inventory of which has been prepared for the City by the State of California, shall be prepared and adopted as soon as possible. In the interim the Planning Commission or the Design Assistance Committee shall be responsible for implementing the requirements governing such assets in accordance with the provisions of Sections 5.15 and 5.16 of the Zoning Ordinance.

19. Bed and breakfast inns are conditionally permitted uses in all residential areas/zones.

20. Site and building designs shall comply with the requirements of Zoning Ordinance provisions governing signs, landscaping and screening, site preparation and development, and building design, and shall be subject to review and approval by the Design Assistance Committee, as provided in the Zoning Ordinance.

21. A second dwelling unit ordinance shall be prepared and enacted into law in accordance with State planning law. Second dwelling units may be allowed by use permit on legally-conforming residential properties, for rental purposes only, where there is an existing single-family home, but only in accordance with State planning law.

22. No signs shall be erected until in compliance with the signing regulations of the Zoning Ordinance and a permit first obtained.

23. Home occupations shall be principally permitted uses in residential districts subject to securing a "Home Occupation Permit" and a city business license, and subject to meeting the performance standards for home occupations found in the Zoning Ordinance.

24. The maximum amount of prime agricultural land (see glossary for definition) shall be maintained in agricultural production; conflicts shall be minimized between agricultural and urban land uses; and lands suitable for agricultural use shall not be converted to non-agricultural uses unless continued or renewed agricultural use is not feasible. All actions undertaken by the City governing use and conversion of agricultural lands shall be governed by Sections 30241, 30241.5, 30242, and 30243 of the California Coastal Act.

25. A system of coastal trails shall be ensured and coastal bluffs shall be protected by setbacks that meet the California coastal Commission's "Statewide Interpretive Guidelines for Geologic Stability of Blufftop Development."

26. Visual corridors of the waterfront shall be protected and enhanced.

27. Public access points to the coast and (linear) foot paths shall be incorporated into development plans.

28. The scenic resources and attributes of lands adjacent to the waterfront shall be considered and protected as resources of public importance.

29. Permitted development shall be sighted and designed to protect scenic views associated with Public Trust lands and resources.

30. The following Public Trust resource management policies of the State of California shall be adhered to:

a. Fishing: Facilities serving recreational fishing shall be identified and shall be protected and where feasible upgraded.

b. Scenic Resources: The scenic resources of public trust lands and resources shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect scenic views associated with public trust lands and resources.

c. Recreation: Areas suited for water-oriented recreational activities, that cannot readily be provided on other lands, shall be protected for such uses unless such uses would interfere with an existing public trust use that has not or does not adversely affect the resource or result in negative impacts to public trust uses or values.

The use of private lands, adjacent or integral to uses on public trust lands, suitable for recreational facilities designed to enhance public water-oriented recreation, shall have priority over private residential, general industrial or commercial development, but not over other appropriate public trust uses.

d. Marinas and Recreational Boating: Allow new recreational, commercial and marina developments only to the extent that, based upon a carrying capacity study, no significant negative impacts to public trust values, human, ecological or water quality, will result.

e. Public Access Provisions: Require public access to and along the shoreline in all new developments adjacent to such waterfronts consistent with statutory

and constitutional requirements (Government Code Section 66478.1, et seq; Article X, Section 4 of the California Constitution; and Sections 6210.4 and 6210.5 of the Public Resources Code). A suggested public access plan would include the following provisions:

-- dedication requirements to guarantee permanent access (e.g. dedication of fee, easement or deed restriction);

-- a maintenance and operations plan specifying how accessways shall be maintained and operated and by what agencies;

-- a priority acquisition element specifying the location of accessways for acquisition by in-lieu fees; and

-- accessway standards consistent with state and federal law and state standards of agencies accepting jurisdiction for such accessways.

31. Adopt a Zoning Ordinance measure that requires development proposals to be planned in a manner to avoid removing trees, if feasible. At least two trees shall be planted for every one removed to accommodate development facilitated by the General Plan. Visually attractive native tree~~s~~ species, such as bishop pine and sargent cypress, shall be the preferred species used, as they require less water, herbicides, pesticides, and are valuable wildlife resources.

32. In order to protect the natural setting of the hillsides that surround the city, the City shall adopt a Zoning Ordinance measure that requires hillside or ridgeline development proposals to be scrutinized with "view from the valley floor" considerations. Proposed development on the crest of bluffs or canyons shall be specifically analyzed in relation to views from the low-lying areas of the city, important view corridors, and scenic gateways. Development shall not silhouette against the ridgeline without adequate visual buffers, and development on lower slopes shall be visually screened by existing or landscaped vegetation to minimize visual impact. These measures may become review standards for the design review process.

33. New development shall (a) be sited and designed to protect views to and along the ocean and scenic coastal areas (b) minimize the alteration of natural land forms, and (c) be visually compatible with the character of surrounding areas.

34. New construction shall provide water conservation measures,

and water conservation shall be encouraged for all new development. Water conservation measures shall include low flow water faucets, showerheads, and toilets for all new construction.
35. New developments shall be encouraged to use native plant species that are more drought resistant for landscaping. New commercial development shall be required to use native species for all landscaping.

36. Maps depicting sensitive habitats of the General Plan area shall be updated to include all the riparian habitat in the area as well as associated north-facing slopes with coastal scrub vegetation. This represents a more accurate description of the habitat of the Point Arena Mountain Beaver. Riparian habitat along the entire length of Point Arena Creek within the city boundary shall be designated on the updated map, as well as the north-facing slopes south of the creek in the southeastern portion of the annexation area. A buffer zone for the Point Arena mountain beaver shall be designated in coordination with CDFG and the USFWS. Other riparian zones not represented on existing maps include two tributaries of Hathaway Creek: one in the north-central portion of the city and one in the northeastern corner of the annexation area. Riparian vegetation also exists along ephemeral drainage in the city that drain north to south into Point Arena Creek.

37. Suburban development on SR-1 lots proposed for the northeastern portion of the annexation area shall be clustered in flatter, grassy areas or clustered in planned unit developments to reduce grading and cutting on slopes. Consideration shall be given to allowing planned development design based on the natural landform. The yield of the total land area would be one unit to the acre but the forested steep slopes and the riparian canyon bottom would be maintained in a natural state. In this fashion, the same number of residences could be built in the area while avoiding impacts of vegetation removal, wildlife habitat reduction, and potential impacts to sensitive species.

38. North-facing slopes south of Point Arena Creek in the annexation area confirmed Point Arena Mountain Beaver habitat that shall be set aside for protection of the small populations of this sensitive species. Development proposed in this area, zoned for residential agriculture (two-acre lots), shall be reviewed vigorously to ensure conformance with policies of the General Plan and preservation of the populations of Point Arena mountain beaver that inhabit the area.

39. Those portions of the annexation area in a natural, undisturbed state shall be subject to more detailed biologic field studies prior to the approval of any development application.

40. The City of Point Arena shall seek to avoid, where possible, developing any road crossings of Arena Creek. Development of any road crossings of Arena Creek may require a streambed alteration agreement with the CDFG.

41. To mitigate exterior sound levels, due to transportation or other sources, for new residential or other new projects, consideration shall be given to an increased setback distance; use of property line, patio, and deck barriers; orientation of buildings to achieve a sound shielding benefit at outdoor use areas.

42. To mitigate interior sound levels, due to transportation or other sources, for new residential or other new projects, consideration shall be given to an increased setback distance and use of barriers, insulation measures applied to the building skins, including appropriate designs for windows, walls, doors, roof/ceiling assemblies, weather seals, and other components. Vegetative barriers do not generally provide substantial reductions in noise levels.

43. The City will consider the following measures which can be used to mitigate the sound impacts created at residential or other sensitive receptors as a result of equipment operations or other activities at industrial and commercial facilities:

a. Use buffer zones of open space or "intermediate" type uses. It is desirable, where feasible, to allow at least 200 feet between noisy industrial or commercial sites and residential or other sensitive land uses. Noisy buildings or other noisy facilities shall be well set back from the property line.

b. The City shall require noise studies for potentially noisy facilities which are to be located near sensitive land uses. Industrial and commercial uses likely to create adverse noise impacts include fuel distribution centers served by rail or truck, truck terminals, new or expansion of gravel Batch plants and concrete manufacturing plants, construction activities if hammering is involved and is done outdoors, and animal kennels. Commercial facilities likely to create adverse noise impacts include automobile repair shops, body shops, and heavy equipment rental shops; car washes; drive-in restaurants; and supermarkets and other facilities with rooftop equipment and truck deliveries.

c. The public shall be notified of the proposed placing of noisy industrial or commercial facilities in proximity to sensitive uses and vice versa.

d. Noise studies shall be required for any new industrial use that will generate more than five truck trips per daytime hour, any heavy truck traffic during nighttime hours, or more than 25 trucks in 24 hours. A Noise Ordinance including both quantitative limits and nuisance provisions shall be enacted.

e. All truck loading bays shall be located such that they do not open to the direction where sensitive receptors are located.

f. As far as feasible, truck and loading dock operations near residential receptors shall be limited to the daylight hours.

g. Buffer zones setbacks and/or sound attenuation devices such as landscaped berms shall be interposed between residential and commercial uses and between residential and industrial uses, especially those that are likely to be noisy, as described above.

h. Rooftop and other mechanical equipment shall be shielded, enclosed, silenced, or setback an appropriate distance from the property line. The shielding could be accomplished by either appropriate siting of buildings or appropriate fences or walls.

i. Large exterior pipes or ducts in some cases may need to be shielded, enclosed, or lagged.

j. In some cases, insulation measures may be needed for industrial buildings.

44. Proposals for uses associated with industrial and commercial development should include appropriate designs for walls, roof/ ceilings, doors, windows, vent silencers, interior absorption, and other components. Doors and windows shall be provided with effective weather seals.

a. Trucks idling times shall be limited where feasible. Where personal radios are used, the volume shall be controlled as far as feasible.

b. Where paging systems are required, they shall be designed to minimize "spillover" sound to sensitive receptor properties.

45. The City should require that all future development pay appropriate impact fees to finance the installation of adequate storm drainage infrastructure.

46. The City shall work with local school district officials to determine future school facility needs. Appropriate sites for new facilities shall be closely coordinated between city and school district officials.

47. The City should encourage, where feasible and appropriate, the incorporation of school impact fees as part of the development fee assessment.

48. The City shall encourage the direct negotiation between developers and school officials to determine appropriate mitigation measures to offset the impacts of new development.

49. Stable boundaries shall be established separating urban and rural areas, including, where necessary, clearly defined buffer areas utilized to minimize conflicts between agricultural and urban land uses.

8. LAND-USE CATEGORIES AND DESCRIPTIONS

Following are the land-use categories on the "Land-Use and Development Map", together with a listing of preferred and permitted, or conditionally permitted, uses. These land-use categories and descriptions shall serve as the basis for the amended Zoning Map and Zoning Ordinance. Detailed site planning and development standards shall be set forth in the Zoning Ordinance. Moreover, special standards shall apply when the Planned Residential Development (PRD) or the Planned Commercial Development (PCD) procedures are invoked. (See "Project Review and Permitting" at the end of this section, below).

Also see the description of the overall land-use and development review procedures which attach to all proposed land-uses and developments.

When determining allowable residential densities for any property, the total acreage of the parcel under consideration shall be the basis for all calculations.

In addition to the references to water and sewer service connections that are included below under each land-use (zoning) category, reference must be made in each instance to the City's current policies and ordinances regulating water service connections, waste water disposal, and sewer system hookups.

Notwithstanding the listing of permissible and conditional uses set forth below under each land-use category, the City Council may approve a proposed land use or activity regardless of whether the specific proposed use or activity is specifically listed in this general plan element. Prior to such approval the following

findings must be made:

1. The proposed use is consistent with the intent of the California Coastal Act and the Point Arena General Plan;

2. The proposed use does not constitute the equivalent of a general plan amendment, in which case the process leading to an official amendment (a legislative act) must be followed;

3. The proposed use is consistent with the intent of the applicable zone in which the use or activity lies;

4. The proposed use is very similar to a use listed; and

5. The proposed use is in no way inconsistent with any other section of this General Plan or the Zoning Ordinance.

Table 1

Land Use and Zoning: Existing (1993) and Proposed

Existing Zoning Classification	Existing Acres	Proposed Zoning	Proposed Acres	Change
AE Agriculture Exclusive	390.50	AE	390.50	0.00
PD Planned Development	84.09	-	-	- 84.09
RA Residential Agriculture	102.88	RA 2	98.47	- 4.42
SR Suburban Residential	61.58			
		SR 1	78.89	
		SR 1/2	53.26	+ 70.57
UR Urban Residential	49.50	UR	53.23	+ 3.73
MR Multi-Family Residential	9.39	MR	20.86	+ 11.47
C1 Core Commercial	3.53	C (Core)	12.31	+ 8.78
C2 Neighborhood Commercial	34.49	HWC (Highway Comm'l)	23.84	- 10.65
HC Harbor Commercial	16.57	HC	16.57	--
I Industrial	30.80	I	27.80	- 3.00
PF Public Facility	46.41	PF	48.81	+ 2.40
P Park	---	P	5.20	+ 5.20
TOTAL:	829.74 Acres		829.74 Acres	

8.1. AGRICULTURAL AND SUBURBAN AREAS AND USES

The following land-use and zoning classifications accommodate low-density residential activities and agriculture, and contribute to maintaining Point Arena's rural and small-town character and small-scale agricultural activities.

(A) Agriculture Exclusive--(AE)

Applies to properties which are to be reserved primarily for agricultural uses and associated structures, including the following uses by right:

Permissible uses by right
Single-family residence; farming, dairying and grazing; agriculturally-associated and necessary auxiliary buildings; keeping of animals; barns and greenhouses; one home occupation; stable; roadside stands

Maximum residential density by right: one dwelling unit on each twenty-acre parcel.

Minimum lot size: 20 acres.

By use permit
one additional dwelling unit not to exceed 1200 square feet of floor area for the owner's family, a farm working lessee or employees, which may be a mobile home or manufactured home; bed & breakfast inn

Septic system and wells are acceptable.

Properties in this land-use category are intended to be maintained in agricultural production in order to assure the area's agricultural economy and agricultural usage on a continuing basis. Removal of lands from the AE Zone shall be predicated on a conversion analysis and findings in accordance with provisions of the California Coastal Act.

(B) Residential Agriculture-Two Acres--(RA 2)

Applies to properties suitable for limited agriculture and very low-density residential purposes on large lots, and including the following permissible uses by right:

Permissible uses by right
Dairying, farming, grazing, keeping of animals, barns, greenhouses, auxiliary buildings associated with and essential to agricultural uses; one dwelling unit, which may be a mobile home or a manufactured home; one home occupation

Maximum residential density by right: one dwelling unit for each two-acre parcel.

Minimum lot size: two acres.

By use permit
bed and breakfast inns; animal hospital and kennel; commercial stable; one additional dwelling unit or one live-work space, not to exceed 1200 square feet; one "granny" unit; residential care facility

Septic system and wells are acceptable.

(C) Suburban Residential-One Acre--(SR 1)

Applies to properties suitable for low-density residential development.

Permissible uses by right
one dwelling unit, which may include a mobile or manufactured home; tot lot; one home occupation; truck gardening, small-scale farming and grazing; structures associated with truck gardening, small-scale farming and grazing including outbuildings and sheds not exceeding 1,000 square feet.

Maximum residential density by right: one dwelling unit for each one-acre parcel.

Minimum lot size: one acre, except for a Planned Residential Development (PRD) project, in which case lot and building site sizes may vary and be less provided the overall resulting density does not exceed the allowable density.

By use permit
Bed and breakfast inns; live-work spaces/studios in-lieu of a single-family house; churches; schools; libraries; day care centers; one "granny" unit~~,~~ or one second unit subject to the City's Second Dwelling Unit Ordinance and State Law and only where there is an existing single-family home; shared living facility; rooming and boarding; residential care facility

Development proposals on lots (initial planning areas) of ten (10) acres or more shall be processed as Planned Residential Developments (PRD).

Septic system and/or wells may be acceptable in lieu of connection to the city sewer system and to the water system only if in compliance with City ordinance(s) and Mendocino County Environmental Health regulations in effect at time of permit application.

(D) Suburban Residential-One-Half Acre--(SR 1/2)

Applies to properties suitable for low-density residential use.

Permissible and Conditional Uses
Same as SR 1 except that maximum residential density is one dwelling unit for each half-acre parcel (two dwelling units per acre), and minimum lot size is one-half acre except when a Planned Residential Development (PRD) project.

Development proposals on lots (initial planning areas) of ten (10) acres or more shall be processed as a Planned Residential Development (PRD).

Septic systems and/or wells may be acceptable in lieu of connections to the municipal sewer and water systems on parcels greater than one acre in size, and only if in compliance with City ordinances and Mendocino County Environmental Health regulations in effect at the time of permit application. Parcels less than one acre must connect to the municipal sewer system.

8.2. URBAN AREAS AND USES

The central portion of the city is appropriate for relatively dense urban uses. Included is the Downtown area and the surrounding areas of limited multiple-family units and single-family homes. While the single-family areas are largely built up there is a substantial area within the annexed area east of Main Street which is designated for new dwelling units, and large areas of land within and abutting Downtown that are suitable for multiple-family developments.

Point Arena's destiny is likely to include infilling that can take place on available parcels within the Downtown and within the areas surrounding Downtown, areas that have not yet realized their full potential. This 1994 General Plan provides for development opportunities that have not existed heretofore. They consist of allowing and fostering mixed commercial and residential uses, increasing the land area available for

multiple-family housing, and opening up opportunities for expanding retail and commercial service uses within the Downtown and along Highway 1 at the north and south ends of the city.

Within areas designated commercial the predominant uses are to be retail commercial, personal and professional service uses, and tourist-oriented activities. Also permitted are a mixing in with commercial uses of live-work and studio spaces, limited residential units, and offices.

It is an objective of this plan that the Downtown area be served with one or more off-street parking lots in order to meet current current demand as well as future demand. New developments within the (C) Core Commercial area shall be required to provide off-street parking, or to contribute funds in lieu thereof, in order that the City may acquire and improve off-street parking lots within and to serve the Downtown area. All required off-street parking in other zones shall be provided on site.

(A) Urban Residential--(UR)

Suitable for single-family residential uses, including manufactured homes, individual mobile homes, and co-housing projects, in protected residential settings where both city-approved water and sewer services are provided or will be provided.

Permissible uses by right
single-family residential units, including a manufactured home or mobile home; co-housing projects; one home occupation

Maximum residential density by right: one dwelling unit per 8625 square foot parcel (5.05 DU per acre).

Minimum lot size: 8625 square feet.

By use permit
live-work spaces and studios in lieu of a permissible single-family dwelling; churches; schools; libraries; day care facilities; bed and breakfast inns; rooming and boarding; one granny unit or a second dwelling unit where there is an existing single-family home, in accordance with provisions of the City's second unit ordinance and State Housing Law and California Government Code Section 65852), which unit must be for rental purposes only; residential care facility

Development proposals on lots (initial planning areas) of ten (10) acres or more shall be processed as Planned

Residential Development (PRD) projects.

Connections to municipal water and sewer systems are required.

(B) Multi-Family Residential--(MR)

Reserved and suitable for multi-family medium-density apartment developments, or mixed residential building types, including offices under certain circumstances, with city-approved water and sewer services and a high-level of residential design and amenities in residential settings.

Permissible uses by right
All types of living units and residential building types, including shared living and co-housing facilities, and live-work spaces, except mobile home~~s~~ parks and mobile homes, in any mix, provided the maximum residential density limits are not exceeded; tot lots and mini parks; home occupations

Maximum residential density: One dwelling unit for each 5800 square feet of lot area (7.5 dwelling units per acre) which may include live-work spaces or any mix of single-family dwellings, multiple dwellings, town houses, duplexes or apartments, including manufactured housing.

Minimum lot size: 5800 square feet.

By use permit
churches; schools; libraries; day care centers; inns, bed and breakfast inns and boarding houses; professional offices provided they do not exceed 50% of a project's total building floor area, subject to design standards that ensure a predominantly residential character throughout the development; nursing homes, hospices and convalescent hospitals.

Open Space Requirement
Fifteen percent of each lot shall be reserved for use as Multi-Family Useable Open Space,in addition to required yards, and private decks and patios associated with a living unit, and in addition to required off-street parking, and in addition to any open space that may be set aside and not useable due to hazardous conditions or excessive slope.

Connections to municipal water and sewer systems are required.

8.3. COMMERCIAL AREAS AND USES

(A) Core Commercial--(C)

Applies to urban core types of retail and consumer/professional service uses that are appropriate for the maintenance of the city's Downtown purposes and character and which will further the objective of strengthening Downtown as a viable commercial, business and cultural center. To achieve these objectives Downtown uses may also include a limited number of dwelling units, and shall include adequate off-street parking, including improved commercial or public parking lot with easy access from Main Street. It shall also be a public objective to maintain the unique and historic small-town character of the Downtown by maintaining and preserving the architecture, scale, building heights, and building designs of the area and by ensuring that new designs and renovations conform with an architectural style appropriate for Downtown and to respect the area's historic building resources and designs.

Permissible uses by right
general retail goods and services; offices; existing dwellings and dwelling units; public and quasi-public uses, services and facilities: restaurants; delis and food stores; visitor-serving facilities and services including but not limited to hotels, motels, hostels and inns; bed and breakfast inns; medical and dental offices and clinics; other small businesses if entirely enclosed; public or quasi-public library; churches; public offices and facilities; tot lots and mini parks; dance studios and fitness centers; art galleries; farmers' markets; flea markets

Commercial activities by use permit
commercial and public parking facilities; restaurants with bars; second hand stores; brew pubs; small-scale vehicle repair and services; emergency shelter and transitional housing; commercial recreation and social halls; the outdoor display and sale of locally-produced or created arts and crafts; nursing homes and hospices.

Dwelling units by use permit

Dwelling units of any type and mixture, including live-work spaces, but excluding mobile home parks and mobile homes, provided that (1) the full amount of required off-street parking for each use or activity is provided on site or fees in lieu thereof are paid in accordance with the City's Zoning Ordinance and schedule of fees in effect on the date of the use permit; (2) all yard, landscaping and screening requirements as set forth in the Zoning Ordinance are adhered to. The Planning Commission may require that a Comprehensive Development Plan be submitted for review and approval before any development consisting of multiple uses including live/work spaces begins.

The Planning Commission may deny applications for new dwelling units within the Core area if a finding is made that such units will not advance the principal purposes of the Downtown or are sited or designed in a fashion that is incompatible with the City's architectural design or historic preservation standards.

Connections to municipal water and sewer systems are required.

(B) Highway Commercial--(HWC)

Applies to areas requiring maximum exposure along Highway 1 on larger lots, with ease of access and all parking provided on site.

Minimum lot size and frontage: 10,000 square feet and 100 feet.

Permissible uses by right

all uses permitted by right in the C Commercial Core district plus small truck, vehicle, and boat sales; physical fitness facility; emergency shelters and transitional housing

By Use Permit

Very light goods production and assembly, and very light industrial uses, provided production, assembly, repair work and storage are enclosed and screened and are found not to negatively impact adjoining or nearby properties or become an eyesore to those traveling on Highway 1, nor impact negatively on adjoining commercial or residential properties, nor create any noticeable noise; vehicle storage and repair garages;

mortuaries; nursing homes and convalescent hospitals; brew pubs; business parks; used vehicle sales; automobile and other vehicle services; hardware and lumber sales; social halls and commercial recreation, including bowling alleys; warehouses provided goods are largely stored within buildings and where stored outside are screened and landscaped; animal-care hospitals and clinics; short-term RV parks (RV timeshares are not permissible); comprehensively-planned mobile home parks and associated facilities; the production and sale of locally- manufactured or -created goods or crafts for sale to the passing public; farmers' markets.

Also by use permit, or in accordance with a Comprehensive Development Plan
Multi-family dwellings of any type or mixture, including a mobile home park, provided that (1) said units occupy no more than 25% of the land area of any lot and the units are situated on the rear 40% of said parcel; (2) all required off-street parking is provided on site; (3) all yard, landscaping and screening requirements set forth in the Zoning Ordinance are adhered to; (4) for each residential project at least 15% of the residential project area is reserved for and improved as "multiple-family useable open space"; (5) the project density is no greater than 15 dwelling units per acre, which requires that for each dwelling unit there must be at least 2900 square feet of residential land area; and (6) a Comprehensive Development Plan" for the entire parcel is submitted for review and approval before any development begins.

Connections to municipal water and sewer systems required.

8.4. SPECIAL AREAS

(A) Harbor Commercial--(HC)

This area comprises Arena Cove and is suitable and is to be reserved for commercial activities in conjunction with commercial and recreational fishing and other coastal-dependent activities, including visitor-serving uses. It is also an area of exceptional environmental and ecological significance due to the joining of Arena Creek, the wetlands, the Ocean, the coastal bluffs, and the beach. It is also an area of significant economic and fiscal benefit to the city, and of historical and communitywide significance.

Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided in the California Coastal Act, coastal developments shall not be sited in the wetland areas of Arena Cove. Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless it is found that the demand for the facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry (Sec. 30234 California Coastal Act).

Permissible and Preferred Uses by right

Boat launching and public facilities related to coastal dependent activities; boat building and repair; retail sales or rentals of fishing supplies, scuba supplies and surf-related sports supplies; purchasing, selling, and processing of fish and shellfish; coastal-dependent aquaculture facilities; visitor-serving uses already at the cove (24-room inn with mgr's. residence; 10-room bed and breakfast inn with mgr's. residence; two-story commercial building containing restaurants and gift shops).

Uses Subject to Securing a Use Permit or Comprehensive Development Plan approval

Other visitor-serving uses: bed and breakfast inns; restaurants; restaurants with bar; cafes; hotels, motels and inns; campground; campground with short-term R/V use; short-term R/V park (not to exceed a total of 44 RV spaces overall), with R/V timeshares being impermissible; housing units in each case for the owner or manager; art galleries; non-coastal-dependent aquaculture activities; gift and antique shops; City-managed public facilities; expansion of existing visitor-serving uses.

Land Use and Development Guidelines

Uses are to be located and designed so as not to inhibit access to the ocean and riparian areas. Uses may include roads, trails, parks, and parking facilities. Iversen and Port Road are to be widened and improved, and a setback to be established for future road widening and a dedicated pathway/trail. A small public park/picnic area near the creek, and a dedicated trail along the creek, shall be provided. The safety of pedestrians and bicyclists is to be ensured.

Uses shall be sited to ensure that they neither interfere with existing coastal-dependent uses nor preclude potential coastal-dependent uses in the Cove area. Generally, development in the flats near Arena Cove should not preclude coastal-dependent uses.

All federal and state regulations pertaining to wetlands and endangered species (if any) shall be adhered to and permits gained prior to any earth moving or site preparation or development.

Property owners should prepare and the City shall review and shall approve Comprehensive Development Plans for each parcel or all parcels in one ownership, before any new development proceeds.

In the near future a Specific Plan shall be prepared by the City and shall serve as the City's policy statement and basis for public programs and the review of private development plans. The above guidelines shall be incorporated into the Specific Plan, and the Plan, upon adoption, shall govern all private and public actions within the HC area.

Connection to municipal water and sewer systems is required.

(B) <u>Industrial--(I)</u>

This land use exists in order to accommodate non-nuisance industrial activities that are not suitable by virtue of their performance for location in commercial districts or proximate to living and tourist areas, and can be expected to contribute to Point Arena's economic development and tax revenues. All uses shall be by conditional use permit.

<u>By use permit</u>
Because environmental quality concerns must be accommodated this plan provides that all uses are subject to obtaining a Conditional Use Permit, and that findings shall be required in each instance that the proposed development will not create any significant negative environmental impacts which can not be mitigated within the industrial area and upon surrounding areas, such as noxious or offensive emissions including noise, glare, dust, dirt, chemical pollutants; and that all manufacturing, repairing, and fabricating shall be enclosed in buildings; and that all equipment and materials storage areas shall be

screened, except from other industrial use areas, by sight-obscuring fences, berms, or plant materials to a height of not less than six (6) feet.

Retail, professional service, and office uses should be excluded unless directly associated with an industrial activity.

Septic system and/or wells may be acceptable in lieu of connection to the city sewer system and to the water system only if in compliance with City ordinance(s) and Mendocino County Environmental Health regulations in effect at time of permit application.

(C) Public Facility--(PF)

This designation accommodates such uses as schools, public utilities, public facilities, publicly-owned libraries and publicly-owned parking lots and facilities, public utility service and storage yards, sewer facilities, community centers, and similar uses. All proposed uses and developments shall be subject to securing a use permit.

(D) Park--(P)

All publicly-owned parks, recreation areas, and trails, except tot lots.

(E) Open Space--(OS)

Lands owned by and dedicated to a public agency, quasi-public agency, or by deed and in perpetuity to a home owners' association or equivalent, or otherwise permanently set aside by an owner and his/her assigns for open space, may be designated OS, in which case usage may be strictly limited. (Dedications or other guarantees may be the subject of Development Agreements and may not necessarily be depicted on the city's Zoning Map.)

(F) Special Planned Development--(SPD)

The City Council may zone a property Special Planned Development-SPD after a Development Agreement has been executed according to provisions of California Planning Law (Government Code Sections 65864 - 65869.5). The land use, density and other provisions of the Development Agreement shall be binding on both parties and on their heirs and assigns, and Development Agreements shall be recorded with the County Recorder and shall supersede all other agreements and zoning provisions that may have been in effect prior to execution and adoption of the agreement. Agreements shall be in conformity and consistent with the General Plan and

other plans and ordinances in effect at the time of the agreement's execution and may require certification by the California Coastal Commission. The terms of the agreement shall be open and available to the public in city hall. The Zoning Map shall designate the properties so zoned. No action to amend any of the terms of an Agreement may be taken by the City without the mutual agreement of all other parties to the Agreement.

8.5. SPECIAL NOTE

Assessor's parcels # 027-081-18 and # 027-101-23 total approximately 16.30 acres. A maximum total of three (3) dwelling units may be permitted within this total acreage, subject to the execution of a mutually-binding Development Agreement (as defined in this General Plan and in California Planning Law) by the City and the property owner, and subject to the provisions of the Planned Residential Development Procedure and to the fifty percent open space requirement. Upon execution and recording of the Development Agreement, this property shall be designated on the City's Zoning Map as Special Planned Development (SPD).

Table 2

Summary of Residential Densities

Land-Use Classification/Zone for Principally Permitted Uses	Density	Proposed Acres	DU at Buildout
AE Agriculture Exclusive	1 DU/ 20 Acres	390.50	19
RA 2 Residential Agr	1 DU/ 2 Acres	98.47	49
SR 1 Suburban Res	1 DU/ 1 Acre	78.89	65*
SR 1/2 Suburban Res	1 DU/ 1/2 Acre	53.26	106
UR Urban Residential	1 DU/ 8625 SF (5.05 DU/ Acre)	53.23	269
MR Multi-Family Res	1 DU/ 5800 SF (7.51 DU/ Acre)	20.86	156

* 16.30 acres of the total acreage is limited to a maximum of three units; therefore, the total possible DU has been reduced by 13.

Limited dwelling units may be permitted by Use Permit in the (C) Core Commercial District, not to exceed the allowable residential density for the relevant commercial district; and in the HWC Highway Commercial District, not to exceed the allowable residential density for that zoning district.

9. PROJECT REVIEW PROCEDURES

Land uses are either permitted by right or conditionally permitted. In the latter case the property owner does not hold a right to a proposed use or development, and the city has the sole discretion about permitting a use or not; a Conditional Use Permit, or in lieu thereof an approved Comprehensive Development Plan, will be required, according to the provisions of the Zoning Ordinance.

In both cases land use and development plans are also subject to environmental review determinations according to the provisions of the California Environmental Quality Act (CEQA); design review by the City's Design Assistance Committee, according to Section~~s~~ ~~6.16 and 6.17~~ 5.15 of the Zoning Ordinance; and geologic studies

as specified in the Safety Element of this plan and in the Zoning Ordinance, and to site and development standards set forth in the Zoning Ordinance, Subdivision Ordinance, and other applicable city ordinances.

10. PLANNED RESIDENTIAL DEVELOPMENTS (PRD)

This procedure applies to any residential parcel of ten (10) acres or more, or where any two or more abutting parcels of less than ten acres each in the same ownership or under the same control total ten acres or more and are found to be an integral part of any proposed development. Owners of parcels less than ten acres may also apply for PRD approval.

PRD is an "overlay" land-use and zoning technique. It sets forth opportunities for the flexible application of development standards associated with zoning districts, and is a procedure for arriving at development permits for large project areas. It is to be complied with in connection with the underlying residential zones (SR, UR and MR) except that the Planning Commission may not require strict adherence to the zone's yard, set-back and building height limit and other requirements of the zone and is hereby authorized to encourage innovative mixtures of permissible land uses, building types, and site layouts.

The residential density limits established for the underlying zone shall remain in effect and may not be exceeded, although density bonuses for providing very-low, low- and moderate-income, and senior, housing units may be approved in accordance with provisions of California's codes governing density bonuses (Sections 65915 - 65918 of the Government Code) and of the city's Housing Element.

The principal objectives of the PRD are (1) to encourage and allow flexibility in site design (planned departures from conventional and strict site standards that do not easily accommodate innovation, special conditions in the housing economy and market, and do not allow for unique physical constrains and opportunities of hillside sites), (2) to ensure that open spaces are preserved and provided for as part of the development process, and (3) to allow careful and comprehensive public review of proposed larger projects that may have unusual or substantial community impacts.

Unimproved properties which are zoned SR, UR or MR and are ten acres or more in size shall be treated as Planned Residential Developments (PRD), in which case a Comprehensive Development Plan shall be prepared and approved as a prerequisite for filing a proposed Parcel Map, Tentative Subdivision Map, or Coastal Development Permit. A PRD designation "overlays" the underlying

residential zone and signals that the following shall apply:

1. Residential densities (number of dwelling units per acre of land) shall be the same as in effect for the underlying zone, although lot sizes may vary

2. Common Open Space shall make up fifty (50) percent of the subdivision or development

3. Approved Comprehensive Development Plans may suffice in lieu of required use permits.

11. COMPREHENSIVE DEVELOPMENT PLAN

These are privately-initiated land-use/development proposals which consist of one or more maps and a text describing in detail all features of a new development or uses on a lot or on an assemblage of commonly-held contiguous lots. It must be prepared and approved in any circumstance where called for in the regulations pertaining to a land-use category or zone. Comprehensive Development Plans may also be prepared at the discretion of a property owner when appropriate.

The purpose of the Plan is to supply all of the relevant information about the property and the proposed uses and development as may be necessary for the public and the Planning Commission to evaluate the merits and consequences of the proposal. It is also intended to facilitate creative and flexible modifications of the adopted standards associated with the base zone of the Zoning Ordinance, provided that greater public benefits will be achieved by such deviations. Such benefits may include, but are not limited to, improved and innovative site and building designs, provisions for housing to meet special needs, provision of special amenities, and provisions for protecting valuable natural resources.

Comprehensive Development Plans may be valid only if found to be consistent with all policies and provisions of the General Plan and the Local Coastal Program. The Planning Commission may require that (1) both conceptual (generalized) plans and precise plans be submitted and approved; (2) development proceed in phases; (3) plan approval lapse within a reasonable period of time if the approved project is not initiated; (4) Development Agreements between the City and the property owner are signed and recorded.

The precise requirements for Comprehensive Development Plan submission, review, public hearings, and adoption shall be set forth in the Zoning Ordinance.

12. MEMO OF UNDERSTANDING ASSOCIATED WITH THE HAY ANNEXATION

On April 13, 1990, the California Coastal Commission certified the successful completion of the City's Local Coastal Plan Amendment No. 1-89. This amendment, known as the "Hay Annexation", rezoned 20 acres located within the eastern-most boundary of the City limits and then annexed an additional 156 acres to it. In order to finalize the annexation/amendment, a Memo of Understanding (dated 11/14/89 with an amendment dated 2/27/90) was executed between the developer and the City which sets forth certain conditions necessary to ensure an orderly progression for development and infrastructure. The City hereby reaffirms its intent to uphold the terms of this Memo of Understanding.

13. ANNEXATION OF THE COVE

To better serve the public interest the City shall annex submerged lands totalling all water area within sight of the Pier running from the south point to the farthest north point in Arena Cove. The annexation will connect existing City boundaries from south to north on the City's western boundary. The City finds that annexation of this territory will improve protection of this natural resource, improve management of the harbor facilities and activities, and foster enforcement through City ordinances and by City personnel of boating and other activities within the cove. This annexation is recommended by the State Lands Commission, which agency's approval is required prior to annexation taking effect.

IV. ECONOMIC DEVELOPMENT ELEMENT

1. FINDINGS

For decades, Point Arena has experienced little growth in population and employment. The city lies outside the mainstream of small town development in Northern California, and it is too distant from major population centers to have benefited from the exodus of those fleeing congested cities.

Nevertheless, the growth of nearby settlements--Gualala to the south and Mendocino to the north--may indicate that Point Arena has prospects for more growth in the future.

Point Arena has maintained its population at about 400. Residents earn their incomes from both white-collar and blue-collar jobs, in consumer and tourist-serving jobs, in government employment, in retail sales and personal services, and in various small businesses. These are classified in the following table. Point Arena's businesses and jobs are divisible into several types: consumer-based retail and personal services for the resident population; tourist oriented; and small businesses serving out-of-area markets and customers.

Meanwhile, fishing, logging and lumbering, and military services (a Coast Guard station and an Air Force station) that were major income and employment sources in Point Arena's immediate hinterland have declined or disappeared entirely. To have more or less retained its population is, in this context, a notable achievement for the city, reflecting its strength and resilience. Agriculture continues as a strong economic activity in the area.

From the viewpoint of some of Point Arena's residents, however, the lack of jobs growth has meant a limited potential for local employment in the industrial, construction and resource sectors, and in high-tech enterprises; the job scarcity has translated into the emigration of many young job seekers.

The lack of growth also means a very limited revenue base for city operations and services, and for needed capital improvements. City resources are scarcely sufficient to maintain minimum services and facilities.

Table 3

Businesses and Jobs in Point Arena

December 1991

Business Type	Number of Establishments	Jobs
Retail Sales and Services -- not including markets and restaurants	22	63
Restaurants, cafes, bars	9	58
Food markets and delis	4	19
Lodging	3	10
Government	4	8
Schools	2	67
Public/Semi-Public Utilities	3	11
Manufacturer's representative (retail and wholesale sales)	1	3
Churches, day care, senior center, social services	6	16
Printing, book publishing, computer graphics	3	22
Auto repair & services	3	6
Sale of arts/gallery	1	2
Industrial and semi-industrial	3	26
Home Occupations	11	11
Miscellaneous	5	8
TOTAL	70	324

Source: City Business License Records

1992

The reasons for improving the economic climate in Point Arena are the classic ones: providing livelihoods and jobs for the existing and emerging resident population of all ages; and providing investment and small business opportunities. Equally important is the modern-day reality of municipal finance, which requires that properties and businesses produce tax revenues to pay for city services, public facilities, and basic infrastructure.

The City's principal sources of revenue are shown in the following table. Each of these are subject to increases or decreases depending upon both local and statewide economic conditions, the level of the tourist trade, and population growth or decline. The city's fiscal health depends upon increases in all of the categories listed.

Table 4

Principal Sources of General Fund Municipal Revenue

	1990-91 Actual	1991-92 Actual	1992-93 Actual	1993-94 Actual
Property Tax	$21,190	$22,212	$22,979	$25,832
Sales Tax	32,444	43,429	65,297	63,460
Transient Occupancy Tax	11,668	17,316	38,798	45,512
Business Licenses/Permits	11,952	9,213	9,689	9,512
Gas Tax	13,186	12,643	12,763	13,200
DMV "In Lieu" Tax	16,150	13,928	14,413	13,538

Source: City of Point Arena Budgets

2. SHORT TERM POTENTIALS

In spite of findings that there is likely to be no dramatic improvement in the local economic and job creation picture, the local business climate nevertheless has recently improved, and new investments have produced increases in employment of about 30 jobs, and an increase in sales tax and bed tax

revenues--relatively healthy percentage increases in one year in both cases. Sources of new jobs in recent years, which are also sources of sales tax revenues, were a magazine publisher, a book publisher, three new retail establishments at the Cove, a laundromat, a manufacturer's representative (mail-order retail sales), a sizeable bed and breakfast inn at the Cove, and a pharmacy (which replaces a food store). One employer (8 jobs) discontinued operations during the same period of time, but the net gain in jobs and tax revenues is notable and good news for Point Arena.

There have also been significant investments, resulting in job expansion, by existing businesses during the past year. In addition to employment growth these economic activities also contribute to the local municipal revenue base.

There is no foolproof basis for projecting Point Arena's economic growth into the future, but it is worth noting that the city has substantial short-run potential. Considerable growth could occur with minimal public expenditures based on the physical and economic infrastructure already in place, especially in and adjoining the core area.

There are also abundant developable and redevelopable residential, commercial and industrial parcels in the city, which means that there is no scarcity of land should property owners and developers wish to proceed with new developments.

Moreover, an often-unrecognized potential for Point Arena is that it is a desirable location for entrepreneurs who could locate in any area with good communication and yet they have chosen, or will choose, to locate in Point Arena. This is demonstrated by the fact that the city has recently attracted several small businesses owned by one individual or a family doing business with suppliers and customers located outside the area. Customers and Point Arena businesses of this type are connected by telephone, FAX machines, computer communications, the postal service, and commercial delivery systems. These developments may also indicate an ability to attract "footloose" industries (small businesses not dependent upon any natural resource base or local market and therefore able to locate anywhere that the owner wants to live).

By California standards Point Arena still has comparatively cheap land. It is also blessed with the availability of urban services in place and capable of handling an influx of new customers, a low local tax burden, and a very modest business license fee. All classes of land are available and designated for a wide variety of business development purposes.

This General Plan not only encourages and allows small-business

developments, it also permits and encourages mixed land uses if there are no negative environmental impacts, and permits businesses to operate out of homes in many cases (as a home occupation or by use permit). Point Arena also includes a municipally-owned and managed commercial and recreational pier, and a partially-developed cove, giving access to substantial seasonal employment (for example, about 80 urchin fishermen, in season). At the Cove there is also additional potential for tourist, recreation and other coastal dependent activities.

To summarize, Point Arena provides a unique physical, comparatively inexpensive, and developable context for investments in housing, tourist facilities, retail establishments, and small businesses. Whether the city's assets and opportunities in fact will lead to substantial economic development and job formations can only be guessed. As other potential North Coast locations run into development limits, however, Point Arena can expect to receive serious attention from home builders and investors. And, as individuals and small business owners discover the merits of locating in Point Arena it can be expected that they will invest in and locate their businesses in the city rather than somewhere else.

The following sections set out the goals, policies and programs that are intended to guide Point Arena in taking advantage of its setting, amenities, and locational advantages. Perhaps one of the first steps in the process of realizing the city's potential is for the citizens to raise their sights as to what is possible and what is desirable, because the North Coast in general and Point Arena in particular are on the verge of moving away from no-growth local economies based largely upon fishing, logging and lumbering and towards local economies that are based on growth industries such as tourism and small business development, with the latter dependent upon regional and statewide markets and upon modern communication methods and equipment, and not on local markets .

3. ECONOMIC DEVELOPMENT GOALS

1. To provide job opportunities for the local population, and new tax revenues for the City, by making it possible for the city's economic base Downtown, along Highway 1, at the Cove, and in the city's industrial area, to expand and grow.

2. To provide a high-quality and attractive habitat for the area's residents and business owners, and for those who are evaluating Point Arena as a place in which to live, invest and start (or transfer) a business. This implies that protection of the physical environment and enhancement of the beauty of the built environment in the city and its surroundings must be a top municipal objective for two reasons: a high-quality environment

contributes to everyone's well being and health; and, a high-quality environment begets an interest in Point Arena by those whose investments are essential to help pay for environmental protection as well as public infrastructure improvements and municipal services.

4. POLICIES AND PROGRAMS TO PROMOTE ECONOMIC DEVELOPMENT

1. Encourage Retailing. Approve all reasonable retail use proposals for development and redevelopment Downtown, including mixed commercial and residential uses, as well as at the Cove, and along Highway 1, all according to the regulations set forth in the Land-Use Element and subject to design review and applicable citywide zoning requirements governing off-street parking, etc.

2. Promote Housing. Allow for additional areas to be zoned higher-density housing within and adjoining Downtown, and allow such housing to be combined with commercial activities, or to be developed as live-work spaces and studios, provided residential neighborhoods are not negatively impacted, and adequate off-street parking for all uses is provided.

3. Develop the Cove to Its Full Potential. With due care not to destroy the beauty and natural integrity of the beach, shoreline, cove and wetlands, promote business development while also maximizing retention of the slopes and open spaces of the area. Discourage or prohibit activities or uses that can be readily accommodated in less scenic and fragile areas of the city. Support and enhance opportunities for commercial and recreational fishing; recreational boating, including boat mooring and launching; fish cleaning and processing; fish equipment sales; and other coastal- and marine-dependent activities as well as urchin harvesting and processing.

4. Develop Tourist Facilities. Encourage development and expansion or upgrading of tourist facilities and opportunities in the core area, along Highway 1 and at the Cove, including bed and breakfast inns in residential areas by use permit.

5. Promote Small Business Development. Point Arena's setting and potential for small business development (non industrial) suggests that through zoning it is possible to accommodate modern small business and office uses within commercial areas or within multi-family areas. Very small businesses may be accommodated in homes as home occupations, in live-work spaces, in studios, and as commercial enterprises within commercial districts. In addition to accommodating such activities and uses, the City should positively promote the creation of such small businesses and the opportunities they present for job creation and increased

municipal revenues.

6. Attract Industry. Through the development of promotional literature industry can be positively attracted to locate in the city's designated industrial area. Design and publicize an illustrative package of development opportunities, including an illustrative list of desired industries, the availability of urban services, and components of the approval process.

7. Obtain Funds for Infrastructure Expansion. Levy fair and equitable development fees for needed infrastructure in connection with new development; consider including a charge for maintaining existing infrastructure along with the ordinary monthly service charges; evaluate the need for and the City's ability to pay for capital improvements; and research the availability of state and federal funding sources, including Community Development Block Grants (CDBG).

8. Beautify and Protect the Environment. Through the Design Assistance Committee encourage private improvements, perhaps as a unified effort for particular parts of town, and enforce the spirit and letter of the laws pertaining to screening, signing, landscaping, and site and building designs. Develop the city park as a pleasant place to congregate and as a play/recreation area for children, teens, and adults. Encourage private (perhaps joint) efforts at sidewalk and street cleaning, as well as public-private Downtown tree planting and maintenance, and development of lanes and walkways.

9. Promote Point Arena. There is a general perception that North Coast local governments and communities are anti growth and anti development. It is time to communicate a message closer to reality about Point Arena's goals. In connection with the publication of this General Plan the City should prepare an abstract of its main business-encouraging and growth-and-development objectives and should advertise these through various channels. For example, include such information in Chamber of Commerce information bulletins; and circulate simple handouts throughout the county. Include factual information, lists and descriptions of recent developments, some facts about the local employment base, and about factors that distinguish and define Point Arena, especially in terms that will interest investors. Try for a modest bandwagon effect. Designate a promoter as an informed and sympathetic contact person to provide information to any potential investor.

5. PROVISIONS OF THE GENERAL PLAN PERTAINING TO ECONOMIC DEVELOPMENT

1. The Downtown Core is defined as the Core Commercial (C)

zoning district in the Land-Use Element and on the General Plan Land-Use and Development map, and on the Zoning Map. Permitted uses include a full array of retail sales, personal services, limited housing mixed with offices and commercial activities, overnight lodging, commercial recreation, public facilities and services, and live-work accommodations. The total area so designated is 12.31 acres.

Within this area is a substantial amount of land for new developments and for expansion of existing businesses and facilities.

Among the essential priority programs for improving Downtown are creation of off-street parking as part of the development process; creation of a publicly accessible off-street parking lot; preparation of a street-tree and general physical improvement program; and sidewalk/curb improvements.

In order to foster refurbishing of some existing properties and development of attractive new ones, there is a dual role for the Design Assistance Committee. One is to encourage private improvements, perhaps as a unified effort of Downtown merchants and property owners. The other is to carry out the spirit and letter of the Zoning Ordinance which gives the committee specific powers to review and comment on site and building designs brought before it as part of the permit-granting processes of the City.

2. Directly related to the first policy/program is the "upzoning" of properties adjoining the Downtown core in order to establish a total of 20.86 acres of land for multi-family uses. Within this zone (MR) it would be possible to create multi-family structures at residential densities of 15 units per acre, as well as combined residential and office projects. The purposes are to "redevelop" now undeveloped parcels or parcels currently developed at less than their full potential by increasing the economic incentive to do so, and to establish over time a residential and working population within walking distance of Downtown, which population will enliven the core with new activity, increase local in-town buying power and property values, and minimize the home-to-work commute.

3. At both ends of town along Highway 1 are a combined 23.84 acres of land designated for highway commercial. Unlike in the Downtown core, where lots are small and building intensity is expected to be relatively high in comparison, and where parking cannot in all instances be provided on site, the highway commercial areas, for the most part, include large parcels that will and must accommodate off-street parking, where creative site layouts are possible, where commercial uses that cannot be accommodated Downtown may be situated, and where visibility along the highway may be essential for economic success. Light

electrical/electronic or parts assembly facilities and other very light industrial activities are desirable uses, as may be "heavy" retail sales and services, tourist- accommodating businesses, and limited housing at the rear of parcels.

4. Home occupations, often essential for some people's livelihood, will continue to be permitted in residential districts provided no negative environmental impact or parking problems will result, and provided the home occupation in no way changes the predominantly residential character, appearance, peace, quiet or tranquility of the residential neighborhood.

5. Industrial activities that are environmentally compatible with the environmental goals and policies of the General Plan are provided for through the designation along Eureka Hill Road of 27.8 acres of Industrial (I) zoned land. Proposed uses are subject to the securing of a use permit in accordance with Section ~~7.09 and Section 4.11~~ 4.10 of the Zoning Ordinance, provided they are also in conformity with all elements of the General Plan.

6. Coastal-dependent activities with an emphasis on fishing and the harvesting and processing of ocean products, coastal-dependent commercial and public recreation, and related activities, including overnight accommodations, are encouraged and permitted within the Harbor Commercial (HC) zone at the Cove. Further changes in land forms, Arena Creek, and the wetlands shall be subject to City policies and regulations, and may be subject to federal and state wetlands and endangered species acts.

7. While the local pride that goes along with being a good looking and environmentally healthy city is very important, how the city looks, and what motorists and potential investors see, and what impressions are gained driving into or through town, are equally important and can make a difference economically. Indifference on the part of Point Arena can make a big difference if the result is to repel rather than to attract. Accordingly, this plan focuses special attention on public appearance policies and programs, and provides for implementation of various sections of the Zoning Ordinance that deal with landscaping and screening, the design of signs, and the design of sites and buildings.

A secondary objective of these provisions is to make the city attractive to the tourist and to those who are comparing Point Arena with other locales in their search for business sites and homes. Important considerations in the search for civic improvement are clean streets and sidewalks; attractively-designed buildings; the presence of well-maintained historic buildings of merit; sitting and play areas within parks or park-like settings; sidewalks and trails for strolling in comfort

and safety; interesting and appealing shops offering locally-produced arts, crafts and goods; appealing delis, coffee shops and cafes; and that special small-town character that is so appealing to so many, and so rare in California. Reference is made to Sections 5.15 and 5.16 of the Zoning Ordinance which delineates the design standards to be met and the specific role of the Design Assistance Committee in encouraging that these standards are achieved.

8. Use of the U.S. Airforce facility and of any other state and federal properties that may be vacated should be considered for other public uses or for private economic development.

V. TRAFFIC AND CIRCULATION ELEMENT

1. BACKGROUND

This element deals with topics associated with traffic, transportation and Point Arena's street and pedestrian systems. Included are issues of:

..Traffic safety. Much of the Point Arena street system was constructed prior to development of modern standards. Conditions such as narrow streets, steep (for Point Arena) grades, an incomplete street network, and poor sight distances at some intersections are inherent in the system. These conditions may contribute to traffic safety hazards unless mitigated by street improvements, traffic engineering activities, and traffic law enforcement.

..Parking. An inadequate supply of parking Downtown on and near Main Street may be hindering business activity now and surely will do so in the future unless improvements are implemented, and contributes to congestion, safety problems, and frustration.

..Street Capacity and Service. As the city grows, increased traffic on the street system will follow. There is a need to balance growth and accommodate additional traffic with the goal of maintaining the rural character of the community and the safety of the public. The level of service (LOS) and the volume-to-capacity (V/C) ratio need improvement now and will require additional attention as soon as the city grows.

..Street Network Completion. State Route 1 provides the only opportunity for through north-south traffic. There is a need to provide new streets to meet local north-south circulation needs. As the city grows there also will be an increased need for improved east-west circulation. Both are long-range needs.

..Non-motorized Transportation. The city needs to provide a safe transportation system for pedestrians and bicyclists, which system shall include the upgrading of existing curbs and sidewalks.

..Public Transportation. Two forms of public transportation provide service for Point Area: The MTA service and the South Coast Senior's Service. Both should be increased as growth occurs and demand increases.

..Aesthetics. Increased attention needs to be given to how Point Arena looks from its roadways, and to designing streets and pedestrian ways having in mind the quality and visual appearance

of streetscapes.

2. GOALS

1. Improve safety on all streets.

2. Preserve peace and quiet in residential areas.

3. Improve parking Downtown.

4. Provide pleasant and safe systems for pedestrians and bicyclists.

5. Create an efficient system of streets for the movement of vehicles through town and for the circulation of vehicles within the city.

3. POLICIES AND PROGRAMS

The following policies and programs with respect to various aspects of traffic and circulation shall apply:

3.1. Traffic Safety Policies and Programs

1. New streets to be considered for acceptance into the Point Arena street system shall conform to design standards appropriate to their functional classification.

2. The segment of Port Road between Main Street and Iversen Avenue shall continue to be de-emphasized as an access to Arena Cove. Adequate curbs, gutters, and sidewalks shall be completed along the north side of Port Road between Main Street and the intersection with Iverson Avenue to allow safe pedestrian passage during rainy weather.

3. The city shall resolve traffic and safety impacts of development at Arena Cove, and along Iversen/Port roads. Of immediate concern is the junction of Iversen at Main Street. Safety and operational characteristics of this intersection shall be identified and problems mitigated prior to approval of new developments.

4. The city shall investigate methods of improving sight distances at intersections. Possible solutions may include: trimming or removing weeds, shrubbery, or limbs; relocating signs or other obstructions; removing on-street parking near intersections; prohibiting large-vehicle parking near intersections; and adjusting traffic control devices to provide better views.

5. Curbs and gutters should be installed on existing streets which are built on steep topography where traffic safety would be improved by doing so. (The availability of curbs would permit drivers to curb their wheels when parked to prevent runaway vehicles).

6. Through traffic should be diverted from local streets insofar as possible.

7. New development in areas that create parcels of one-half acre and smaller shall be required to provide adequate curbs, gutters and sidewalks.

3.2. Parking Policies and Programs

1. The city shall ensure adequacy of off-street parking and compliance with city requirements and accepted standards prior to approval of new developments. Where off-street parking can not be provided in accordance with Section 5.28 of the Zoning Ordinance, the city shall continue to apply its "fees in-lieu" requirements.

2. The city shall encourage joint use of parking facilities where it can be shown that such uses do not conflict in time of use, are functionally and conveniently located, provide for safe use, and provide sufficient parking for all uses.

3. The city should pursue acquisition and development of off-street parking lots and facilities. The feasibility of a parking district Downtown should be investigated, and if feasible implemented as a high priority.

4. Alleys should be developed east (Center Street) and west of Main Street to permit service access to Main Street businesses by trucks. Availability of service alleys would eliminate some of the need for double parking on Main Street.

5. The city shall not install parking meters.

6. The City shall designate a two-hour parking limit Monday-Friday, 8 a.m. - 6 p.m., in the Downtown area along Main Street, from the area of the Post Office to the Shell Station on the west side of the street, and from Riverside Drive to Mill Street on the east side.

3.3. Street Capacity Policies and Programs

1. Level of Service (LOS) B, as defined in the Glossary, is the desired standard for the Point Arena Street system, and all new Local and Collector streets shall be designed to operate at that level.

2. City streets shall be classified according to function, as follows:

> Local Streets shall be low-speed, low-volume facilities which are used primarily to access property. Lake Street, Scott Place, Mill Street, Starboard Way, Center Street, Port Street (east of Iversen), and Gillmore Alley, serve these local functions.
>
> Collector Streets shall be moderate-speed, low-to medium-volume facilities which serve to collect traffic from local streets and distribute to the arterial system. Collector streets also provide for direct property access, but their role of serving traffic is equally important. Riverside Drive, Windy Hollow Drive, Iversen Avenue, and Port Road west of Iversen are streets which serve as collectors.
>
> Arterial Streets are designed to move traffic efficiently. Property access is de-emphasized, whereas traffic movement is emphasized. In larger communities a complete system of arterials would link a collector system to local streets. In Point Arena only State Route 1 functions as an arterial. Downtown, Highway 1 functions equally as a collector as it assumes the role of Main Street.

3. Existing collector streets or intersections which operate below Level of Service (LOS) B may continue to operate at the lower level. New development shall not cause collector streets to degrade to a lower level of service.

4. The City shall have the right to review and approve internal circulation plans for all new developments.

5. All new private streets shall meet minimum city standards.

6. Traffic studies shall be required for all major development proposals and may be required at the discretion of the city under other circumstances where there may be significant effects on the street system overall, and including whenever the City processes Planned Residential or Planned Commercial Development proposals or tentative subdivision maps or when any proposal would potentially increase a Level of Service. Traffic studies shall

identify, as a minimum:

(a) the amount of traffic to be added to the system by the proposed development

(b) other known planned projects and their effects on the street system

(c) the effect of project traffic on street system operations and safety

(d) mitigation measures necessary to provide for project traffic while maintaining city level-of-service standards

(e) the responsibility of the developer to provide improvements

(f) the timing of all improvements.

3.4. Street Network Completion Policies and Programs

1. Development of a north-south collector street between Port Road and State Route 1, and development of an alternative access road to Arena Cove from Highway 1 north should be pursued if technically and financially feasible.

2. The city should pursue abandonment of Gillmore Alley and develop a new street between Iversen Avenue and Port Road. The preferred alignment would improve internal circulation in this area of town, provide a direct access to high-density units on Port Street, eliminate the poorly-located Iversen/Gillmore Alley intersection, and maintain the residential character of the neighborhood.

3. Port Road is very narrow and should be widened from the intersection of Port Road and Iversen westward, and the junction at State Route 1 should be improved immediately.

4. "Devil's Cutoff" and/or "Harper Easement" should be improved sufficiently to allow emergency access to and from Arena Cove.

5. New street networks shall avoid grid patterns. Optimum use of Tee intersections shall be employed in the design of local streets to discourage through traffic, control speeds, and minimize the need for traffic control devices.

6. Collector streets in new subdivisions shall be designed to limit tangent (straight) sections to one-eighth mile unless longer tangents are needed to integrate the collector into the

city street system.

7. Through traffic should be diverted to collectors off of residential streets.

8. Standards for street rights-of-way, paved widths, and improvements in new subdivisions should be consistent with the goal of maintaining the city's small-town rural character and should result in minimum grading of existing land forms where feasible. (Also see # 7 under "Traffic Safety Policies and Programs" above).

9. Highway 1 leading north and south out of Point Arena, Riverside Drive and Windy Hollow Road should be designated as the only available evacuation routes in case of an emergency.

10. The City recognizes the eventual need for a Highway 1 bypass route to replace the present in-town state route location.

3.5. Non-Motorized Transportation Policies and Programs

1. The City shall as a condition of land subdivisions and development require the dedication of land for the development of public pathways and trails where appropriate.

2. Accommodations for bikeways shall be considered in all new developments and on all new collector and arterial streets unless right-of-way or physical constraints preclude their inclusion.

3. The city shall pursue Transportation Development Act funds, Proposition 116 funds, and other sources of funding which may be available to implement the city's bikeway, trail and pathway system.

4. Improvement of a pedestrian walkway within the right-of-way along Port Road/Iversen Avenue to and from the Cove should receive initial priority attention.

5. The City shall develop all existing city trail/pedestrian easements as permanent and safe trails or pathways and shall develop all existing, undeveloped city road easements, initially, as safe trails or pathways.

6. The City shall require an offer to dedicate a twenty-five (25) foot wide easement along all trails designated for access to the shoreline and to trails along the blufftop to provide lateral access as a condition of approval for any development that will require a Coastal Development Permit. These easements shall take effect when a public or private party accepts the responsibility for improvement and maintenance of the access easement. (See

Zoning Ordinance for authority and specific requirements).

7. Trails and trail easements shall include but not be limited to those depicted on the "Opportunities and Constraints Map."

3.6. Public Transportation Policies and Programs

1. Bus service should continue to be provided to and from Point Arena for all those dependent upon public transportation.

2. The South Coast Senior's Van Service should continue to be supported.

3. The City should support and seek assistance from county, state and federal agencies in order to preserve and enhance public transit for use by area citizens.

3.7. Policies and Programs for Circulation System Aesthetics

1. The City shall ensure that design standards for roadways, pathways and trails also emphasize and include (a) landscaping and screening; (b) street tree planting; and (c) continuing maintenance. Where trees must be removed to accommodate essential improvements they should be replaced, and earthmoving operations and road cuts should be followed with reseeding and re-vegetation programs.

2. The City will establish an underground committee with representation from the City Council, the utilities and the community. This committee will develop a prioritized list of underground districts to be established by the City. Rule 20 funds will be used to underground the existing facilities within these districts.

3. In no case shall off-site advertising signs and billboards be permitted, except that directional signs shall be installed by the city as necessary to properly identify the Cove and other significant features. The City should install, or cause to be installed, a business/services directory sign at the north and south ends of town facing Highway 1.

4. Building setback standards or lines shall be established along major public rights-of-way to assure that building placement is compatible with the preservation of scenic values and viewsheds.

5. All off-street parking lots shall be dust free and landscaped and screened to the satisfaction of the City's Design Assistance Committee or the Planning Commission.

4. IMPLEMENTATION OF THE TRAFFIC CIRCULATION ELEMENT

Four principal methods shall be adopted and utilized to finance the implementation of the policies and programs of this element.

1. New public rights-of-way, streets and other facilities that are not provided as part of new developments, and the improvement of existing public rights-of-way, streets and facilities, shall be among the required future capital expenditures of the City and shall be included in the City's Capital Improvement Program (CIP). Funds for carrying out the CIP shall be raised in accordance with standard municipal finance methods, subject to the limitations of State law.

2. The City shall require dedications of land, or fees in lieu of such dedications, as part of the development process, in accordance with the provisions and limitations of State law, in order to ensure that new developments provide land or in lieu fees for the benefit of the public.

3. The City should adopt policies for and a schedule of "development impact fees" and "traffic impact fees", in accordance with the provisions and limitations of State law, in order to finance the development of infrastructure caused by new developments, including such infrastructure as roads, curbs, gutters, storm drains, sidewalks, bicycle paths, trails, and pedestrian ways.

4. The City's current off-street parking requirements (Section ~~6.26~~ 5.28 of the Zoning Ordinance, and Section ~~6.20~~ 5.19 (D) of the Zoning Ordinance governing the payment of fees in-lieu of providing required off-street parking spaces) shall continue to accomplish the goals and the off-street parking policies and provisions of this element.

5. The City shall assess the feasibility of, and possibly implement, the following measures:

a. Require traffic studies for all new development contributing 50 peak hour traffic trips to Main Street, School Street, or any intersection of State Route 1.

b. Require new development to pay a pro-rata share of all traffic improvements needed as a result of project implementation.

c. Apply to all future transportation projects, where applicable, the recommended mitigation measures outlined in the State Route 1 Corridor Study for the County of

Mendocino, prepared by TJKM Transportation Consultants.

6. To mitigate exterior sound levels, due to transportation or other sources, for new residential or other new projects, consideration shall be given to an increased setback distance; use of property line, patio, and deck barriers; orientation of buildings to achieve a sound shielding benefit at outdoor use areas.

7. To mitigate interior sound levels, due to transportation or other sources, for new residential or other new projects, consideration shall be given to an increased setback distance and use of barriers, insulation measures applied to the building skins, including appropriate designs for windows, walls, doors, roof/ceiling assemblies, weather seals, and other components. Vegetative barriers do not generally provide substantial reductions in noise levels.

VI. OPEN SPACE AND CONSERVATION ELEMENT

1. INTRODUCTION

This element addresses the very considerable environmental assets of Point Arena, as well as the policies, General Plan provisions, and action programs required to protect and enhance those assets.

This element is largely concerned with matters of open space preservation and the conservation of natural resources. The overall environmental goals of this General Plan are also achievable through implementation of the Land-Use Element of this General Plan.

Identifying, preserving and conserving the area's open spaces and natural resources is the chief objective of this element. These two subjects, both of which are mandated by state law for inclusion in local general plans, are often interrelated. Accordingly, they are presented together in this general plan as one element. Reference is also made in the text that follows to air and water quality, which are concerns and matters of related public policy. They are raised here because sometimes they need to be addressed in the context of open space and natural resources policy and program development, but they are covered in depth in the Health and Safety Element and in the Noise Element.

2. BACKGROUND AND FINDINGS: OPEN SPACE

State Government Code Sec. 65560 defines open space as any parcel or area of land or water which is essentially unimproved and devoted to an open space use for the purposes of (a) preservation of natural resources; (b) managed production of resources; (c) outdoor recreation; and (d) public health and safety.

Additionally, this General Plan recognizes that the relative densities of the city's residential areas are considerably less than densities for other cities, and that this feature has much to do with giving Point Arena its special open space feeling.

This general plan sets forth a network of open spaces to provide relief from urbanization, access to natural areas, protection of slopes and viewsheds, protection from natural hazards, and access via open space corridors to destinations throughout the city. The network is created by fitting together components in a continuous series so that even if all the open spaces do not physically touch they bear a positive relationship to each other.

The <u>inventory</u> of existing open spaces includes the following:

1. Arena Creek, its riparian corridor, and its trail and open space easements

2. The South Fork of Hathaway Creek and its riparian corridor.

3. Existing trail easements, or recorded offers to dedicate such easements, at various locations within the city

4. The undeveloped coastal bluffs

5. City-owned parks, and school district playgrounds

6. The Arena Cove undeveloped areas, especially the riparian corridor of Arena Creek, the wetlands area, and the beach

7. Undeveloped non-agricultural lands throughout the city

8. Agricultural lands within the city.

9. Areas precluded from development by virtue of their severe slope or other physical hazards.

These existing and potential open space resources are not identified as to precise use, type of open space, potential for development or non development, ownership, or quality. This is merely an inventory of what constitutes the supply of existing and potential open spaces in Point Arena as of 1993.

3. BACKGROUND AND FINDINGS: NATURAL RESOURCES

Identifying and establishing policies and programs for the conservation of natural resources is the responsibility of the "conservation element" and is prescribed by Sec. 65301 (d) of the Government Code. The Code is concerned with water resources, soils, beaches and coastlines, watersheds, flood control, marine life, harbors and fisheries, wildlife, and other natural resources peculiar to the area under consideration, including significant plants and animals in the local ecosystem.

The unique natural features and natural resources inventory of Point Arena and its sphere of influence includes the following:

1. The area's high air quality

2. The area's low ambient noise levels

3. Arena Creek as an ecosystem, riparian corridor and wildlife habitat revival as a healthy habitat for animal and plant life and for fish

4. The bluff tops north and south of Arena Cove, and the informal trail systems at both locations (which are connectible to the county's trail system)

5. The sometimes steep-sloped and undeveloped open lands directly within the urbanized area of Point Arena, and the magnificent open lands, hillsides, and mountains off into the distance.

6. The presence of working farms on the very edge of the town.

7. The array of scenic sites, views and vistas wherever one looks and from many vantage points.

8. The various marine resources associated with Arena Cove and the ocean waters, including marine life and biological resources within the sea and on the shore, and the commercial and recreational fishing opportunities available within the Cove and beyond.

9. The fresh-water habitats of the Garcia River and Plain, the associated wetlands, the river itself and its ecosystem...the source of the City's principal water supply.

10. Other fresh-water habitats and riparian areas, as well as the salt water ocean habitat, the coastline, and the beaches.

11. Numerous wildlife resources: salmon spawning grounds, nesting and feeding grounds for migratory birds (Arctic Loon, White Pelican, Great White Egret, Red-Necked Grebes, Tundra Swans, Great Blue Heron, Brown Pelican, White-Faced Ibis), deer, raccoon, skunks, fox, various song and game birds, kelp, sea urchin, abalone, and the Federally-listed-as-endangered Point Arena Mountain Beaver.

12. Absence of excessive artificial lighting, which facilitates star gazing while also contributing to the pleasant and much-appreciated rural small-town atmosphere of Point Arena.

4. OPEN SPACE AND CONSERVATION GOALS

1. To preserve identifiable open space and conservation resources, as well as the "sense of open space" that now contributes to the town's character.

2. To create an open space system adequate to serve local needs and expectations, and to provide visual and psychological relief from the built-up environment that will result when the city is more fully urbanized, which system shall be comprised of parks and recreation areas, urban pathways and trails, waterways and riparian corridors, permanently-preserved urban open space lands held in a single or common ownership, and the coastline and beaches.

3. To preserve key scenic corridors, vistas and viewsheds, and the special open space and scenic qualities of ocean bluffs, hillsides, hilltops, and farmlands.

4. To strive to preserve existing open space lands: farmlands and ranches, and forested areas, located outside Point Arena and yet within its sphere of influence.

5. To protect all sensitive and endangered habitats of significance from unnecessary or unacceptable changes, grading, diking, dredging, filling and development, and from water and air pollutants.

6. To retain waterways and associated riparian buffer areas, marshes and wetlands, and beaches, in as close to a natural state as possible.

7. To promote opportunities for outdoor recreation within open spaces, at Arena Cove, and within the waters of the Cove.

8. To attempt to conserve existing natural land contours.

9. To promote the planting of trees for wind protection and scenery, and to work to conserve existing trees of significance.

10. To preserve and improve coastal access by foot and vehicle, and for the handicapped.

11. To promote coastal-dependent economic development and visitor-serving uses at Arena Cove, subject to the environmental-protection policies and regulations of this general plan.

12. To protect the integrity and quality of the City's domestic water supply.

13. To ensure that all pollutants, including unwanted sounds, are not allowed to impact negatively on the environment.

14. To preserve the existing qualities associated with a low level of artificial lighting on public and private properties.

15. In order to protect the environmental integrity of its marine resources, to oppose the construction of a breakwater at Arena Cove.

16. To preserve the City's unique archaeological, architectural, and historic resources.

5. OPEN SPACE AND CONSERVATION POLICIES

The following policies shall guide and regulate the actions of the City, other public agencies, property owners, and developers in order that the open space and conservation goals of this general plan are achieved:

1. 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.

2. To prevent non-agricultural activities from being developed in county agriculturally-zoned areas adjoining and nearby Point Arena, the City and Mendocino County should cooperate in preserving the integrity of the County's land use plan for these county territories.

3. Every effort should be made to enhance wildlife habitats and maintain wildlife travel corridors along waterways and within riparian corridors, within the city and its environs.

4. The City shall protect the non-developed flat areas of Arena Cove as a flood basin, wildlife habitat, and critical link in the Arena Creek life-chain...insofar as possible given the objective of enhancing the area's economic development potential.

5. The City recognizes the marine resources and seashore habitats of the area, which include the kelp beds as important feeding and breeding places for the myriad of organisms inhabiting coastal waters, and shall strive to protect these resources.

6. The City shall protect water resources and quality, both of which are vital to the health of the city's residents and important to the area's ecology, and shall allow no discharging

of harmful pollutants into any waterway.

7. The City shall strive to reduce the likelihood of sediment entering waterways as a result of working the land or developing it.

8. No uses or development shall be allowed within the riparian corridor of any stream or creek except those which can be found to be compatible with protection of said waterways, such as agriculture, grazing, hiking and related recreation. 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.

9. The City recognizes that the main values of Arena Creek are its aesthetic qualities, its potential as a trail site, its natural habitats, and its contribution to the biology of the waters of Arena Cove.

10. The City shall strive to stabilize where necessary the banks of Arena Creek and ensure a continuous strip of native vegetation along the creek, through direct city actions and by regulating private developments.

11. Keeping waterways in their natural state, rather than allowing them to be concrete lined or placed underground, shall be achieved during the development process.

12. New development should be required to: (a) avoid creating concentrated runoff, particularly over steep slopes and bluff faces, by installing energy dissipating devices, (b) create drainage swales, detention, and retention basins, (c) control the timing and manner of new construction so that there are no bare soil slopes during the rainy season, etc.

13. Riparian buffer areas shall be maintained to preserve and protect the valuable wildlife habitats provided by riparian areas (riparian corridors) along streams and creeks shown on the official General Plan maps. Uses and use restrictions pertaining to riparian buffers shall be regulated by Sections ~~6.22~~ 5.22 and 5.23 of the Zoning Ordinance, and pre-existing non-conforming uses and structures may be permitted.

14. Since the Point Arena Mountain Beaver was listed as an endangered species on December 12, 1991, with beaver habitat potentially located along Point Arena Creek, the City shall establish a 500 feet riparian setback area ("Mountain Beaver Buffer Area") from the centerline of the stream as recommended by the United States Fish and Wildlife Service (USFWS). In addition, fences are prohibited within 15 feet of the center line

to allow for wildlife migration along the travel corridor. Disturbance of the streambed is prohibited. Through zoning and subdivision regulations, the City shall restrict development in areas which contain identified rare or endangered species of plants and animals, including the Point Arena Mountain Beaver.

15. The City may require the establishment of conservation easements along streams, or require dedications of easements at the time of development.

16. The City shall ensure that new development proposals include provisions for public parks and/or recreation facilities, the need for which must be found to be generated by the new development and intended to serve the development, and may be open to the public.

17. The City recognizes the need for recreational and cultural opportunities in response to a diverse population, and shall strive to meet these needs; these may include but not be limited to habitat restoration projects; community gardens; athletic fields; picnic areas; specially-designed areas for seniors and for teenagers; multi-use public parks, and tot lots; and joint use of city lands/facilities and school lands/facilities.

18. The City shall consider the merits of a citywide assessment district in order to maintain parks and recreation facilities.

19. The City shall encourage new residential developments of any size to provide their own recreation facilities and common-ownership open spaces in order to meet all or a portion of the open space and recreation needs that will be generated by the new development.

20. The City shall require that developers give consideration to the impacts on wildlife and the natural landscape of their development plans, and consider the use of native plant species that provide wildlife cover and food sources while also requiring low maintenance and low water usage.

21. The City shall maintain Arena Cove as an integral part of the City; all specific policies must reflect the notion that the Cove must not become a separate entity, and that it should continue to be part of, and an enhancement to, the entire city.

22. The City shall analyze proposed property developments on the crest of hills and bluffs, and in canyons, in relation to views potentially lost, in order to preserve important view corridors and viewsheds, scenic roadways, gateways to the city, and the integrity and merits of existing land forms.

23. Five view sheds and scenic corridors are depicted on the

Opportunities and Constraints Map and shall be protected from inappropriate developments and siting of buildings; significant unavoidable alterations to view sheds and scenic corridors shall require mitigations that may be caused by such new developments. These viewsheds/view corridors are: to the south from School Street; along Windy Hollow Road; along and from Riverside Drive; along Port Road; at Arena Cove.

24. No building should be situated closer to a cliff edge along an ocean bluff than is absolutely safe, normally not closer than 100 feet.

25. If a determination is made that any lands at the Cove are "wetlands" as defined by federal or state statutes, the City shall be obliged to advise affected property owners that they shall be required to obtain the appropriate federal and/or state permits, as well as a Coastal Development Permit, prior to undertaking any earth moving, diking, dredging, land alterations, re-vegetation, fill or other development activity, and that they shall comply with Sections 5.23 and 5.27 of the City's Zoning Ordinance regarding required mitigation measures.

Furthermore, the marine environment of Point Arena shall be governed by Coastal Act Policies, particularly Section 30233, which shall hereby be incorporated into this document by reference.

26. There shall be no off-shore uses which could affect the integrity of the kelp beds and off-shore fisheries.

27. The City shall participate with other agencies in (a) maintaining the Garcia River's water availability and water quality for domestic water purposes, (b) protecting the micro-organisms which serve as the basis for the river's food chain, and thereby maintaining the viability of commercial and recreational fishing, and (c) protecting the river from unwarranted impounding, diversions, vegetation removal, grading, refuse dumping, or alteration.

28. On-shore facilities within the limits of Point Arena which support off-shore oil and gas exploration and development shall be prohibited, except upon a positive vote of the electorate. (City Ordinance # 124).

29. As a condition of approval for any development the landowner shall offer to dedicate a strip of land for public access in the form of a twenty-five (25) foot easement along any trail depicted on the official General Plan maps or Zoning Map, in accordance with Section 5.10 of the Zoning Ordinance.

30. The City will develop and maintain an "open space parcel

list within the City."

31. New utility easements (if any) should be integrated into the city's open space system.

6. ACTION PROGRAMS

In addition to causing the above open space and conservation policies to be implemented through the Zoning and Subdivision Ordinances (by amending those ordinances as necessary), or adhered to as part of the project review and development processes, or accomplished in cooperation with other agencies and with property owners, the City itself should initiate and carry out the following specific actions:

1. Amend the Zoning Ordinance so that the open space requirements that are spelled out for Planned Residential Developments (PRD) are incorporated into the appropriate section of the Zoning Ordinance, together with the procedures that must be followed to process projects using the PRD method.

2. Establish the following system of interconnecting trails and pathways (also see the Land-Use and Development Map and the Opportunities and Constraints Map):

   a. From Downtown to Harper Park
   b. From Harper Park to the Cove
   c. Along Devil's Cutoff
   d. From School Street to Harper Park
   e. From the Hay Annexation to Downtown
   f. Along the bluffs, and connecting to the system, as shown on said map

3. Facilitate or support establishment of the following trails within county territory:

   a. Mote Creek to the Cove
   b. The Cove to the Lighthouse

4. Establish, zone as Park-P, and improve the following in-city parks:

   a. The Downtown Park
   b. Harper Park
   c. A park at Arena Cove
   d. A park east of Downtown

5. Prepare and adopt a comprehensive ecosystem restoration and management plan for all of Arena Cove before more substantial development activities commence.

6. Adopt as part of the Land-Use Element of this general plan, and as part of the Zoning Ordinance, a land-use category for public park, namely Park-P.

7. Prepare or cause to be prepared, and adopt, a comprehensive ecosystem restoration and management plan for Arena and Hathaway Creeks and for their riparian corridors.

8. Establish a program for trees to be designated as Heritage Trees so that if designated they will be saved from unnecessary or unwarranted destruction.

9. Prepare a "Habitat Conservation Plan" in accordance with the provisions of the US Endangered Species Act, including specifications governing the issuance of permits where endangered species habitats are determined to be included in or affected by a proposed development; and enforce Section 5.27 of the City's Zoning Ordinance which requires mitigation measures in wetlands and sensitive habitat areas.

10. Establish a process whereby a project proponent is notified that a "Stream Bed Alteration Permit" must be obtained from the California Department of Fish and Game prior to commencing any development project that may alter any stream.

11. Maintain the very-low building density, scenic qualities and open space character of the bluff tops north and south of Arena Cove.

12. Adopt specific regulations, for inclusion in the Zoning Ordinance, to provide acceptable alternative means for ensuring that lands required for open space, parks, or recreation areas will be guaranteed; among the options are outright purchase by the city, or dedications to the city; recorded easements; or the establishment of open space or park/recreation areas in common ownership by home owners' associations.

13. Adopt specific regulations and procedures governing dredging, diking, damming, channelization, filling or similar activities within any floodplain or stream in the city, the proposals for which shall be subject to securing a Coastal Development Permit and to Sections ~~6.22 and 6.25~~ 5.13, 5.23, and 5.27 of the City's Zoning Ordinance.

14. Adopt a Zoning Ordinance provision that at least fifteen (15) percent of the lot area of a multi-family residential project in any MR or HWC zone be reserved and improved for multi-family common useable open space purposes.

15. Adopt specific policies, set-back criteria, and design

standards appropriate for the future planning and development within the five viewshed/view corridors provided for in this general plan.

16. Adopt a Zoning Ordinance measure that requires development proposals to be planned in a manner to avoid removing trees, if feasible. At least two trees shall be planted for every one removed to accommodate development facilitated by the General Plan. Visually attractive native trees species, such as bishop pine and sargent cypress, shall be the preferred species used, as they require less water, herbicides, pesticides, and are valuable wildlife resources.

17. In order to protect the natural setting of the hillsides that surround the city, the City shall adopt a Zoning Ordinance measure that requires hillside or ridgeline development proposals to be scrutinized with "view from the valley floor" considerations. Proposed development on the crest of bluffs or canyons shall be specifically analyzed in relation to views from the low-lying areas of the city, important view corridors, and scenic gateways. Development shall not silhouette against the ridgeline without adequate visual buffers, and development on lower slopes shall be visually screened by existing or landscaped vegetation to minimize visual impact. These measures may become review standards for the design review process.

18. New development shall (a) be sited and designed to protect views to and along the ocean and scenic coastal areas (b) minimize the alteration of natural land forms, and (c) be visually compatible with the character of surrounding areas.

19. Maps depicting sensitive habitats of the General Plan area shall be updated to include all the riparian habitat in the area as well as associated north-facing slopes with coastal scrub vegetation. This represents a more accurate description of the habitat of the Point Arena Mountain Beaver. Riparian habitat along the entire length of Point Arena Creek within the city boundary shall be designated on the updated map, as well as the north-facing slopes south of the creek in the southeastern portion of the annexation area. A buffer zone for the Point Arena mountain beaver shall be designated in coordination with CDFG and the USFWS. Other riparian zones not represented on existing maps include two tributaries of Hathaway Creek: one in the north-central portion of the city and one in the northeastern corner of the annexation area. Riparian vegetation also exists along ephemeral drainages in the city that drain north to south into Point Arena Creek.

20. Suburban development on SR-1 lots proposed for the northeastern portion of the annexation area shall be clustered in flatter, grassy areas or clustered in planned unit developments

to reduce grading and cutting on slopes. Consideration shall be given to allowing planned development design based on the natural landform. The yield of the total land area would be one unit to the acre but the forested steep slopes and the riparian canyon bottom would be maintained in a natural state. In this fashion, the same number of residences could be built in the area while avoiding impacts of vegetation removal, wildlife habitat reduction, and potential impacts to sensitive species.

21. North-facing slopes south of Point Arena Creek in the annexation area confirmed Point Arena mountain beaver habitat that shall be set aside for protection of the small populations of this sensitive species. Development proposed in this area, zoned for residential agriculture (two-acre lots), shall be reviewed vigorously to ensure conformance with policies of the General Plan and preservation of the populations of Point Arena mountain beaver that inhabit the area.

22. Those portions of the annexation area in a natural, undisturbed state shall be subject to more detailed biologic field studies prior to the approval of any development application.

23. The City of Point Arena shall seek to avoid, where possible, developing any road crossings of Arena Creek. Development of any road crossings of Arena Creek may require a streambed alteration agreement with the CDFG.

24. The City shall require a determination of the significance of all archaeological finds discovered during development activity to determine appropriate actions taken.

25. In the event that prehistoric traces such as human remains, artifacts, or concentrations of shell, bone, or ash are encountered during development activity, the City shall require the following actions be taken:

a. All construction activities on the project site shall be halted and the Planning Commission and a qualified archaeologist shall be consulted immediately. Prompt evaluation of the importance of the find shall be made and the proper course of action, acceptable to all parties concerned, shall be adopted.

b. If human remains are encountered, the county coroner and the Mendocino County Archaeological Commission shall be contacted immediately. If the county coroner or archaeological commission officials determine that the remains are those of a Native American, local representative Native American organizations shall be consulted as to courses of action.

VII. COMMUNITY HEALTH AND SAFETY ELEMENT

1. INTRODUCTION

This chapter covers safety, as prescribed by Safety Element provisions of the California Government Code, Section 65302(g); air quality; and water supply and quality, which are parts of the State-mandated Conservation Element, Section 35602(d) but are included as part of this element rather than as a part of the conservation element.

The underlying assumption of this element is that the City can reduce the hazards caused by certain natural occurrences if the probabilities of such conditions are known in advance and plans for dealing with them are prepared.

State law requires that the Safety Element address the protection of the community from unreasonable risks associated with the effects of seismically-induced surface rupture, ground shaking, ground failure, tsunami and seiche; slope instability due to mudslides and landslides; subsidence and other known geologic hazards; flooding; and wildland and urban fires.

State law requires that local communities also adopt measurable noise standards as well as programs that will ensure that they are adhered to. These are to be found in the separate Noise Element of this general plan.

After setting forth public health and safety goals, the implementing policies and programs of this element are presented. They are divided into eight sections: seismic safety; flood hazards and control; slope stability; fire protection; air quality; water supply and quality; waste water collection and treatment; emergency preparedness; and hazardous materials transportation and storage.

2. COMMUNITY SAFETY GOALS

1. Strive to protect the community from injury, loss of life, and property damage resulting from natural catastrophes and hazardous conditions.

2. Strive to reduce the impact of pollutants on the well-being of Point Arena citizens, and on plants and wildlife.

3. Provide an adequate, consistent, and safe supply of water to meet Point Arena's domestic, commercial and fire fighting needs, and protect the city's ground water from pollutants.

4. Recognize the importance of the Garcia River and of the Garcia River Watershed and ecosystem to the City's well being.

5. Ensure that the city and its citizens, and businesses, are prepared for an effective response to major emergencies.

3. COMMUNITY SAFETY POLICIES AND PROGRAMS

The following are the City's policies and programs with respect to community health and safety, by category of concern:

3.1. Seismic Safety Policies and Programs

Seismic hazards originate from sources both inside and outside of the city's corporate boundaries and pose both direct (primary) and indirect (secondary) risks to inhabitants. Primary hazard risks are land surface ruptures along a fault trace during an earthquake of moderate to major magnitude. Such an occurrence would pose a hazard to structures, utilities, and roads which traverse or straddle the fault.

Although Hathaway Creek Fault is not a major one it does traverse part of the city and may be a source of a primary risk. It is likely any seismic activity on this fault would be associated with major seismic activity on the San Andreas Fault north of the city.

Secondary seismic risks include ground shaking, lurch cracking of soil surfaces, liquefaction of soils, and lateral spreading, and may occur on unstable soils, of which there are those (Santa Lucia) shown on the Opportunities and Constraints Map of this general plan. Another secondary risk is a tsunami tidal wave action.

The following policies and programs shall apply:

1. The city shall undertake studies that establish acceptable levels of risk/safety standards, and shall cause existing buildings to be brought up to those standards.

2. The City shall require dynamic ground-motion analyses and responsive structural design for all new privately owned, high-occupancy structures (e.g., theaters, apartment houses, places of public assembly) and for structures for whose continued function in the event of a seismic disaster is critical (for example, public assembly buildings), and have plan checks for these buildings performed by a licensed structural engineer. The City shall also continue to invoke Sections 5.20 and 5.21 of the

Zoning Ordinance in connection with all new proposed developments.

3. The City shall avoid placement of critical facilities and habitable structures in areas prone to ground failure during an earthquake.

4. The City shall prepare a more detailed Seismic Safety sub-element that translates general plan seismic safety policies into specific programs, mitigation measures, and specifications... largely with respect to potentially seismically-hazardous buildings constructed prior to enactment of codes requiring earthquake-resistant design.

5. The City shall determine the location and map the Hathaway Creek Fault and require site-specific qualifying engineering studies for all new construction within the fault zone.

3.2. Flood Hazard Policies and Programs

Flood hazards in the city are limited to the area along Arena Creek and to the present parking area at Arena Cove. The latter is a result of heavy seas during winter storms, and the former a function of both heavy seas and heavy runoff along Arena Creek. At times the creek may run high and partially inundate properties located at various points along its length.

The following policies and programs shall apply:

1. The City shall maintain an updated flood control plan. It should address issues such as (a) natural flooding resulting from major rain storms that cause overflows of Arena Creek and may be aggravated by the City's inadequate storm drainage facilities, (b) mud and debris flows that may originate in hill areas having deep top soils with poor drainage characteristics, and (c) improvements in drainage systems sufficient to handle increases in storm drainage capacity as development increases.

2. The City shall regulate land uses in flood-prone areas and should allow development within such areas only when appropriate mitigation measures that reduce potential hazards to acceptable levels are assured.

3. The City shall establish standards to mitigate downstream impacts associated with new development.

4. Drainage channels shall be improved or maintained so as to preserve the natural character of waterways.

5. The City shall continue to be guided by the Federal Emergency

Management Agency (FEMA) and/or the Federal Insurance Administration with respect to "special flood hazards" identified in the scientific and engineering report entitled "Flood Insurance Study for Point Arena" dated June 3, 1986 together with the accompanying "Flood Insurance Rate Map".

6. No structure on land shall be located, constructed, extended, converted, or altered without full compliance with the terms of the City's Flood Damage Prevention Ordinance (Ordinance # 126) and without first obtaining a development permit as per Section 4.1 of said ordinance.

3.3. Slope Stability Policies and Programs

Soils hazards are largely limited to engineering constraints posed to urban development given the city's Santa Lucia soils. Slopes which exceed 20% in grade clearly must be acknowledged as constraints on development. Poor bearing capacity and surface and subsurface soil materials pose the greatest risk of soil failure, particularly when water-saturated. Within Point Arena such slopes in excess of nine percent may be unstable.

Considerable hazard to public safety is apparent with regard to coastal bluffs and their uses, and the potential for sea-cliff retreat is significant, posing a considerable hazard for development occurring along the vacant coastal bluffs. Open space and agricultural uses are appropriate with very-low residential uses allowed only subject to site specific and qualified geologic and soils studies. Areas south of Arena Cove are especially vulnerable.

In addition, landslides are most likely in hillside locations under conditions where (a) rock strata parallels surface slopes; (b) high clay content absorbs excess water; (c) displacement has fractured a fault zone; or (d), the bases of slopes have been removed by erosion or by people. Landslides can be triggered by heavy rains, human actions, or earthquakes.

The following policies and programs apply:

1. The City shall continue to require soil and geologic investigations as required in Sections 5.20 and 5.21 of the City's Zoning Ordinance prior to the commencement of grading or development. Both on-site and off-site hazardous impacts should be considered.

2. Development shall not be permitted until necessary mitigation measures are implemented to limit potential damage to levels of acceptable risk.

3. The City will encourage clustering of developments away from areas unsuitable for development because of slope instability problems.

4. Replanting of vegetation following development may be required on slopes prone to instability, and drought-resistive plants shall be used for landscaping slopes where excessive watering might induce landslides or erosion.

3.4. Fire Protection Policies and Programs

Fire hazards in Point Arena are either site-specific or generalized. In the case of site-specific fires, the local volunteer fire department is capable of responding adequately, and the combination of personnel, infrastructure (hydrants) and equipment is adequate to yield a rating of "8" or "9" on the general fire insurance rate schedule.

The most significant risk of fire in town is to the Downtown area where there are a number of older buildings and relatively high building densities. On a more generalized level the California Department of Forestry rates the area as having a "moderate" rating on the Fire Hazard Severity Scale during the peak summer season. This is because of the usually higher humidity levels and low fuel vegetation components of coastal terrace lands.

A major problem for the city is the absence of an alternative emergency route to and from Arena Cove. The lack of a secondary route is addressed in the Traffic and Circulation element of this general plan.

The following policies and programs apply:

1. Potential fire hazards, including existing fire-vulnerable buildings, shall be mitigated where appropriate, through proper fire-protection methods and fire-fighting practices, by clearing vacant land of excessive vegetation, and by updating fire-protection regulations for new construction and remodeled buildings.

2. The City shall strive to assure a five-minute response time for emergency vehicles, and to improve the ISO rating to "7" overall.

3. An adequate and safe supply of water to meet fire fighting needs shall be ensured. The City should allow new development only in areas where adequate water pressure for fire suppression is available.

4. The City shall establish a program to upgrade fire fighting

vehicles, equipment and storage facilities.

5. The City should consider establishing a fire control assessment district and/or a focused development impact fee policy and schedule to carry out its upgrade program.

6. Woodstoves and fireplaces in buildings with common walls should be prohibited or potential risks satisfactorily mitigated.

7. The City should ensure that all new wood stove installations or replacements meet prevailing and current State requirements.

8. Roads and streets shall be designed and constructed to satisfy up-to-date Fire Safety Regulations of the State Board of Forestry, where applicable.

9. The City should require maintenance of a 500-gallon per minute fire flow standard in all existing and future city fire hydrants, with higher pressure standards to apply in higher density and industrial areas.

10. The City should require all new building and remodeling plans to be in conformance with applicable building and fire code standards. Prior to commencement of grading or construction, plans shall be submitted for approval to the City of Point Arena.
11. The City shall evaluate the feasibility of expanding the existing fire station or a acquiring a new fire station that would facilitate the housing of additional fire-fighting equipment and personnel.

3.5. Police Protection Policies and Programs

The City should maintain and periodically renegotiate contractual arrangements with the Mendocino County Sheriff's Department to ensure that a satisfactory level of traffic enforcement and general law enforcement is provided to the City, its residents, and visitors.

The City should work to provide a sufficient level of police service to maintain a minimum 20-minute response time to emergency calls.

4. AIR QUALITY POLICIES AND PROGRAMS

Point Arena is in a unique location with respect to air quality because of its proximity to the ocean and the pathway of prevailing winds. One exception is the Mill Street corridor where woodstove smoke often lingers and becomes bothersome and may prove unhealthy to some.

The Point Arena area is located in the North Coast Air Basin, and the Mendocino County Air Pollution Control District (MCAPCD) is the regional agency with the responsibility for enforcing State of California Ambient Air Quality Standards (CAAQSA) and the National Ambient Air Quality Standards.

Sources of air pollution within the area are divided into stationary sources and mobile sources, the latter mostly along Highway 1. The former consist of fireplaces and wood stoves, and activities at the industrial site on Riverside Drive. Residential fuel burning on days with a marine inversion layer leads to local accumulations in low-lying areas, mostly along Mill Street.

To maintain Point Arena's high air quality and to reduce significant impacts caused by growth and development to less-than-significant levels, the following policies shall apply:

1. Development which would result in the violation of any State ambient air quality standard or generate a significant amount of air pollutants will not be permitted.

2. The City shall ensure that all new wood stove installations or replacements meet clean air standards (EPA Phase 2 requirements), except that wood stoves and fireplaces in high-density low inversion residential areas may not be approved if the effect is to contribute to a reduction of air quality.

3. The City will prohibit the burning of non-vegetative materials, garbage, clothes, plastics, and construction or demolition wastes.

4. The City will require that new and upgraded/modified industrial and commercial developments utilize BMP (Best Management Practices) for pollution control.

5. To mitigate local and regional impacts due to dust and emissions from construction activities, and to prevent fugitive dust from being transported off-site, a "construction dust control policy" should be adopted and implemented. The following measures shall be considered when adopting a construction dust policy:

a. Areas of soil redistribution shall be watered down twice daily or as necessary to trap fugitive dust and particulate during construction until plants, grass growth, or building coverage reduce the need for such measures.

b. If water is limited, soil binders such as soil cement may be spread in conjunction with watering, or sheet coverings such as burlap may be used on small areas. Areas with soil binders shall be turned over prior to re-vegetation.

c. During periods of excessive wind speeds, construction shall be temporarily suspended.

d. Disturbed areas shall be re-vegetated or paved as soon as possible to reduce dust during construction activities.

5. AIR QUALITY POLICIES AND PROGRAMS, PER THE COUNTY OF MENDOCINO AIR QUALITY MANAGEMENT DISTRICT

1. The City shall require all air quality mitigation measures to be reasonable, effective, feasible, measurable, and implementable concurrent with project development.

Implementation Strategy: Consult with the Air Quality Management District regarding the effectiveness of mitigation measures proposed by the applicant. When using mitigation measures suggested by the Air Quality Management District, consider site-specific factors which may make a measure infeasible. Consider measures to reduce traffic in other parts of the community to offset emissions (or traffic) not mitigated by site-specific measures.

2. In the short-term planning period, the City shall support the development and use of Air Quality Impact Assessment Guidelines that will provide: A) standard criteria for determining significant environmental effects, B) a uniform method of calculating project emissions, C) a list of standard mitigation measures.

Implementation Strategy: Work with the Air Quality Management District and other planning agencies to develop and implement standards that are uniform throughout the county. The Air Quality Management District will act as primary author of the Air Impact Quality Assessment Guidelines. The District will hold workshops and meetings to gather ideas from citizens and affected agencies, with a completed product ready within three years.

3. The City shall consult with the Air Quality Management District during CEQA review for all discretionary projects. The City shall consult with the Air Quality Management District prior to accepting applications for development projects meeting or exceeding Air Quality Management District emissions thresholds, and other projects as appropriate.

Implementation Strategy: Conduct a pre-application air quality review to identify issues or problems that might require re-design or major alterations of the project. The District may also review formal air quality impact analyses submitted by the applicant for adequacy. This will ensure that the environmental document bases its conclusions on accurate information.

4. The City shall request Caltrans and other transportation agencies to construct or improve facilities for all travel modes on Highway 1.

Implementation Strategy 1: Identify the location of all bicycle, pedestrian, and transit facilities on General Plan maps, and consider developing additional signage to help residents and visitors use these routes. Request Caltrans to help fill gaps in needed facilities.

Implementation Strategy 2: Work with Mendocino Council of Governments and other agencies to pursue funding for alternative transportation facilities under STA (d1), TDA, federal TEA, state bike lane account, and other sources.

5. The City shall support and participate in the air quality education programs of the Air Quality Management District.

Implementation Strategy 1: The City shall assist the Air Quality Management District in educating developers and the public on the benefits of pedestrian and transit friendly development. A key tool will be joint participation by City staff and council members in District seminars on planning for air quality and other community values.

Implementation Strategy 2: During the short term planning period, the City shall develop community education programs about the possibilities of reducing air pollution through personal life-style choices. This program would include the importance of using wood burning appliances appropriately, alternatives to open-burning such as chipping and composting, and use of alternative transportation.

6. The City shall support agricultural education programs that increase the awareness among farmers of techniques to reduce PM-

10 emissions.

Implementation Strategy: During the short-term planning period, work with the Farm Bureau, the University of California, the Air Quality Management District and farm organizations on educational programs.

7. The City shall require measures to reduce particulate emissions from road and site construction, grading, and demolition to the maximum extent feasible. Developers must cover all access roads, driveways, and parking areas with pavement or other appropriate material serving new commercial and industrial development.

Implementation Strategy: Utilize recommendations from the Air Quality Management District on appropriate dust-control activities, suitable for soil, wind, slope, and other site particulars. Provide for regular inspection of the projects' dust-suppression measures. Incorporate dust-control enforcement provisions in all construction permits, and consult with District enforcement staff if a nuisance issue arises from project earth-moving or construction-equipment exhaust. Include paving requirements as part of the development standards of the Zoning Ordinance.

8. In consultation with the Air Quality Management District, the City shall develop a program to reduce PM-10 emissions from City and County maintained roads within the planning area.

Implementation Strategy 1: Inventory unpaved roads (private and public) within the planning area. Conduct regular traffic counts (ADT) on these roads during dry months (May through October). Require application of dust palliatives when traffic levels exceed 300 ADT during this period. During drought periods, monitor traffic and dust levels as appropriate. Over the intermediate planning period, develop plans and funding sources to pave heavily-used dirt roads.

Implementation Strategy 2: Maintain a street sweeping program throughout the planning area. Landscape shoulders and medians. Consider lowering speed limits on roads which cannot be paved during the short-term period, and implementing traffic calming measures to keep speeds low.

9. The City shall work with Caltrans, Mendocino Council of Governments, and other local agencies or institutions to develop programs that reduce the impact of automobile commuting.

Implementation Strategy 1: During the short-term planning period, request Caltrans and MCOG to identify suitable sites for park-and-ride lots within the planning area. Designate

these sites within the Circulation Element.

Implementation Strategy 2: Encourage Banks, Savings and Loans, and other lending institutions to consider commute distances and associated travel costs when reviewing mortgage applications. This review should encourage people to live and work in the same community whenever possible.

Implementation Strategy 3: The City should construct appropriate park-and-ride lots on public land or other available areas as needed. The City (or County) may require new projects to construct park-and-ride lots as traffic and air quality mitigation.

Implementation Strategy 4: Utilize park-and-ride lot construction as an offset for new project traffic-created air pollution. Incorporate park-and-ride lot construction in standard CEQA mitigation measures for developments expected to generate over 500 ADT. Coordinate with MTA and major employers to establish express buses and vanpools to increase patronage of park-and-ride lots.

10. The City shall, through the development process, reduce air quality impacts resulting from space heating. The City shall require primary heat sources in all new development, room additions, or remodels involving space heating to utilize solar, pellet stoves, propane, butane, fuel oil, vented kerosene heaters or electricity. The City may restrict or prohibit installation of wood burning appliances in new development, especially in multi-family rental units.

Implementation Strategy 1: Commencing within 180 days of Plan adoption, City plan reviews and inspections should verify that solar access is optimized and primary heat sources come from low-polluting sources (cited above). Secondary heat should come only from EPA certified wood stoves, or fireplace inserts.

Implementation Strategy 2: Where wood stoves or fireplace inserts are permitted, (a) dwellings should incorporate increased insulation or reduced window area sufficient to exceed insulation requirements of Title 24 of the state energy code by 25% or more.

Implementation Strategy 3: Pursuant to Strategy 2 above, all new wood stoves, fireplaces, and fireplace inserts must pay an offset fee of $700 at the time of permitting. This fee will be used to replace existing non-certified wood-burning devices used for primary heat sources with butane, propane or other very clean heaters. Increased insulation or weatherization of low-income family homes may be part of

the replacement process. The City may request the Air Quality Management District to provide assistance in administering the replacement program.

11. Little air monitoring is available for the coastal area near Point Arena. Conducting regular monitoring of Respirable Particulate Matter (PM10) and other ambient air pollutants such as ozone will help ensure that air quality remains good, and provide immediate notice if unhealthful conditions occur.

Implementation Strategy: Support establishment of a monitoring station for PM10 or other ambient air pollutants. The City can assist the Air Quality Management District to locate a suitable site for monitoring equipment and might provide electric power or other services.

6. WATER SUPPLY AND WATER QUALITY POLICIES AND PROGRAMS

The Point Arena Water Works, a privately-owned utility under California Public Utility Commission oversight, supplies water to most of Point Arena. The exceptions are users who have individual wells. The major source of water is a well adjacent to the Garcia River. The main storage tank is just east of Downtown. It is estimated that the present system produces 33,000 gallons per day and delivers water to approximately 179 homes and businesses.

Existing water permits allow the Point Arena Water Works to pump 0.22 cubic feet per second (142,000 gallons per day) or a maximum of 100 acre feet per year (90,000 gallons per day). Existing water storage is capable of holding 575,000 gallons.

Under the current water permits, a maximum of 1,385 people may be served (90,000 gallons per day maximum at 65 gallons per person). By reducing the Urban Residential (UR) and Multi-family Residential (MFR) zoning density and recognizing that all zones are not required to connect to city water, water supply will be sufficient to accommodate buildout.

A new water line has been installed at the north end of town by the Point Arena Water Works (Permit 03-93) rendering more-than-adequate water pressure to the northern sections of the City.

Lacking is an emergency contingency plan in the advent of loss of water at its source or within the system due to a natural disaster, particularly seismic activity at the river or seismic activity in the vicinity of any water lines or storage tanks.

Water quality is regulated by the State Department of Health Services, which agency conducts regular inspections to ensure

continuing water quality.

The following policies governing the supply, delivery and quality of water shall apply:

1. The City will continue to work with the PAWW ownership to ensure that maintenance of the Garcia River's water quality and water supply for domestic purposes is guaranteed and meets State standards for operation and testing.

2. The city and PAWW will maintain an updated water service plan to incorporate the changing needs of the city, and to consider the impacts of drought or peak fire-fighting demand.

3. Care shall be taken to ensure that the quality of the city's ground water supply is maintained. This can be assured by limiting or prohibiting private septic tanks.

4. The City shall consider, as a long-range possibility, the merits of purchasing, operating and maintaining the existing water supply system. In the interim, the City should complete or cause to be completed a satisfactory capacity study of the current water system, to include data on system capacity (pumps, filters, storage capacity, delivery system) and source capacity. Included should be studies of the capacity of the Garcia River in drought-year conditions.

5. Extension of the water system and new hookups should be permitted within the urban limit line, and hookups of new developments on lots smaller than one acre shall be required.

6. The City should monitor land-use activities and development projects within the Garcia River watershed and oppose those activities and projects that may have an adverse effect on the city's water supply or quality.

7. The State Board of Forestry should be asked to notify the City of any timber harvesting plans submitted within the watershed, with full consideration to be given to possible impacts on the watershed of practices that might increase turbidity, runoff, and debris.

8. Due to the proximity of the water system's Garcia River well to a known fault zone, the City shall assess the seismic risk the fault poses to the well, pumps, and the eight inch main which extends from the water source to the city, and shall develop an emergency contingency plan in cooperation with the County of Mendocino.

9. The City shall request from the PAWW a yearly assessment of the condition of the city's water system in general and a report

on any circumstances or conditions that would limit water connections in any area or zone for any reason.

10. New construction shall provide water conservation measures, and water conservation shall be encouraged for all new development. Water conservation measures shall include low flow water faucets, showerheads, and toilets for all new construction.

11. New developments shall be encouraged to use native plant species that are more drought resistant for landscaping. New commercial development shall be required to use native species for all landscaping.

7. SEWAGE COLLECTION AND DISPOSAL POLICIES

The city's sewage collection and disposal system is owned and operated by the City of Point Arena. Sewer lines serve most of the existing developed area. The treatment includes aerated pond treatment, and chlorination, and percolation and evaporation for disposal. Areas not served are accommodated by individual septic tank systems.

A wastewater system capacity analysis was completed in January of 1996 by Bonneau Dickson, P.E. This study used buildout figures from density and Zoning allowed by this General Plan and it determined that: "The City of Point Arena wastewater system has adequate capacity to handle and treat the highest foreseeable flows and biochemical oxygen demand (BOD) loads that will be generated under the current General Plan, with the following exceptions:

> The Capacity of the existing percolation ponds has been reached. It is extremely important to acquire additional area for percolation as soon as practicable.
>
> Some parts of the sewer system might become hydraulically overloaded at some point in the future.
>
> Slightly larger aerators might be needed in the distant future.

The average flows to the system, which currently are just under 30,000 gallons per day (GPD) in dry weather, are not important. The capacity of the system is limited not by the average flows but by the peak flows, which are occasionally 20 to 30 times higher than the average dry weather flows. Similarly, the ability of the plant to treat BOD does not impose a limit on the capacity of the system. At worst, slightly larger aerators will have to be purchased as the existing units wear out. Earlier analyses of the capacity of the City's wastewater system which

were based on average flows or BOD loads are not relevant.

The capacity of the sewer system is determined by the peak instantaneous flow that it will pass and will become inadequate only when there is an overflow from the system. The sewer system has never been known to overflow due to a lack of hydraulic capacity although some lines may have been close to their hydraulic capacities during the winter of 1995, at which time an instantaneous peak flow of 980,000 GPD was noted it is very difficult to predict the future maximum instantaneous peak flow. It may increase very little as new connections are made to the sewer system because the system may already be leaking at the maximum rate possible.

Sustained peak flows are caused by infiltration rather than by inflow into the sewer system, i.e. by leakage of ground water through many small places in the sewer system rather than by relatively large openings that allow storm water to flow directly into the sewer system. There is unlikely to be any single leak that accounts for a large percentage of the total leakage, instead of the small leaks that are probably occurring in a large number of places. Correcting infiltration is very expensive because only a small amount of leakage is stopped by each repair. Most of the leakage into the sewer system probably is coming from house laterals. Approximately two-thirds of the sewer mains were slip lined in the early 1980's and most of the manholes were replaced at that time. By contrast to the relatively new sewer mains, many of the sewer laterals were built in the 1930s, when materials and construction methods were not nearly as advanced as they are today.

It is less costly and more certain to expand the percolation facilities than to undertake a large scale, general improvement of the sewer system."

The recommended improvements and activities and the recommended capital improvements of the Bonneau Dickson study have been accomplished or are incorporated into the polices below.

The following policies and programs shall apply:

1. The City shall take immediate steps to expand percolation capacity to accommodate sustained peak flows. This is of highest priority.

2. In order to protect ground water resources, all new development of more than one dwelling unit per acre of land will be required to connect to the municipal sewer system.

3. No sewer service may be extended to lands zoned Agriculture Exclusive-AE or to areas outside the "urban limit line".

4. All buildings that generate waste water must be connected with the sewer system if said buildings are within 100 feet of the system, or if said buildings are on a parcel less than one acre in size that is within 100 feet of the system.

5. New private disposal systems shall not be permitted within the city, except those authorized by the City Council.

6. Improvements and or expansions to collection and treatment facilities that are necessitated by new development shall be financed all or in part by development fees.

7. The City should require that all future development also pay appropriate impact fees to finance the installation of adequate storm drainage infrastructure.

8. To reduce the sewage collection infiltration problem, and to further expand wet-weather sewage treatment capacity, the City should continue applying a testing and repair program to the sewage collection system.

9. The City should consider establishing a "sewer impact fee" that would replace the present "connection fee" (City Ordinance # 143). This fee shall be charged per ESD per connection and should be established by ordinance in connection with the actual cost of facilities replacement, repair, and maintenance to serve the use.

10. Adopt an ordinance which requires that sewer laterals be tested when a building is sold and that leaky laterals be repaired or replaced and that adequate cleanouts be installed.

11. The City shall adopt a "capital improvement program" upon completion of the capacity and facilities study.

12. As a precautionary measure, when the population reaches 50% of projected buildout or in 50 years, whichever comes first, the City shall review sewer capacity to insure continue ability to meet waste water needs through buildout.

13. The City will require that the costs of sewer extensions and hookups for new developments be borne by the customer.

14. Establish a protocol for visually observing the flows in various branches of the sewer system so that this information will be available for future sewer system analyses.

15. Measure and map the depth of solids in the aeration basins on a yearly basis to determine rate of increase and estimate when solids will need to be removed. Test solids to help estimate

cost of solids removal.

8. EMERGENCY PREPAREDNESS POLICIES

Emergency preparedness is a term used in this general plan to refer to emergency medical and rescue services and police protection, and to disaster preparedness. Fire protection planning is addressed elsewhere in this element. Defense against catastrophes combines emergency response capabilities with policies and programs to minimize hazards. Minimizing hazards through planning is the principal focus of this element.

To prepare for emergencies the City shall accomplish the following:

1. The city shall update as necessary and maintain its disaster response plan.

2. The city shall prepare a specific earthquake preparedness plan and implementation program to deal specifically with preparation for and responses during an earthquake.

3. The City shall ensure continued fire and rescue services to the citizens of Point Arena through a joint powers agreement with the Redwood Coast Fire Protection District. City shall require all new developments to be in conformance with Uniform Fire Code.

4. The City shall establish an emergency alternative north-south route through or just outside of Point Arena.

5. Highway 1 leading north and south out of town, Riverside Drive, and Windy Hollow Road should be designated as the only available evacuation routes in case of an emergency.

9. POLICIES AND PROGRAMS GOVERNING HAZARDOUS MATERIALS

To protect citizens and visitors alike the following policies shall apply:

1. No hazardous waste dumps or incinerators will be allowed in the city.

2. The City shall work with the appropriate local, state and federal agencies to determine the extent of existing toxic waste sites. As of July, 1992, the California Environmental Protection Agency, Office of Environmental Information, has produced the following list of "Identified Hazardous Waste and Substances Sites:

1. 170 Main Street
2. 185 Main Street
3. 720 Port Road
4. 44900 Port Road
5. 415 School Street

All of the sites are listed for having leaking underground fuel storage tanks.

3. The City shall consider adopting a policy governing the transport of toxic and hazardous materials through town on local streets and on Highway 1.

VIII. NOISE ELEMENT

1. BACKGROUND AND FINDINGS: GENERAL

The intent of the Noise Element is to provide a framework for evaluating sound in the community, both qualitatively and quantitatively, and to set forth noise reduction or noise suppression policies and programs. This is done by describing the current local environment of sounds, identifying and measuring local noise sources, identifying and mapping noise-sensitive land uses, projecting future noise levels, and prescribing policies and programs for achieving the city's noise-control goals. The objectives are to minimize exposure of local citizens to excessive noise and to preserve the unique low-ambient noise levels of the Point Arena soundscape.

Point Arena is characterized by its citizens as a quiet town. It is a small rural community, with sound levels at different locations inside the city limits ranging from very quiet to moderately loud.

In this predominantly quiet environment are the following esteemed features of the local soundscape: the sound of winter storm surf rolling up from Arena Cove; the tolling of the off-shore bell buoy; a rich variety of birdsong; the lowing cattle in nearby pastures; water flowing over rocks in Arena Creek; the peal of morning Church bells; the immediacy and personal involvement of emergency sirens from ambulances and fire trucks.

Of course, there are also some unpleasant noises: heavy truck traffic noises on Highway 1 in particular, and along Riverside Drive, unattended barking dogs, and, at times, noises emanating from the industrial area.

The small, quiet nature of the town produces a low level of sound measurement (technically described as "low ambient noise level"), which, in turn, makes it noticeably susceptible to incremental increases in sound levels. Point Arena citizens appreciate and enjoy this very low ambient sound level, which compares very favorably to most urban areas.

It is so quiet at night that the loudest sound is the surf at Arena Cove, which is approximately one mile from Downtown. The most prominent sources of noticeable noise are the Highway 1 corridor (Main Street and School Street), truck traffic on Riverside Drive, and the industrial site on Riverside Drive east of Downtown. The only other notable source of noise is the sound made by people congregating at night along Main Street where the theater and several restaurants are located. Noise from bands/

jukeboxes can be heard when bar doors are opened. In many other communities such noises would not be significant, but they are noticeable in Point Arena primarily because the night-time background noise level is quite low (approximately 20-25 dBA).

In this context, individual sounds or noises have greater contrast, and as ambient levels rise, the quieter features of the soundscape are lost. The local soundscape characterized by a low ambient noise level should be viewed as a public resource to be preserved.

2. BACKGROUND AND FINDINGS: DEFINITIONS AND MEASUREMENTS

2.1. Introduction

State of California noise guidelines require that noise contours depicting major noise sources be in terms of Ldn or CNEL (See definitions in the Glossary), which impose a 10dB "penalty" on sound levels between the hours of 10PM and 7AM. The reason for this is to account for the fact that noise at night can be more noticeable and bothersome. 10dB is generally accepted to be the average difference between day and night levels. However, Point Arena has a much wider spread between day and night levels. And, while Ldn is useful to describe some aspects of noise levels in the city, it gives a distorted view as to the actual sound level experienced by the area's residents. Therefore, Ldn measurements must be taken over a twenty-four hour period, or use must be made of a noise model that matches Point Arena's low night-time sound levels.

Moreover, seasonal factors contribute to the annual average of sound levels in the city, including tourist traffic on Highway 1 during the spring, summer and fall, and on some long holiday weekends, and truck traffic at Arena Cove, and logging traffic on Riverside Drive and Highway 1.

State noise guidelines allow and encourage local jurisdictions to employ considerable flexibility in describing a local situation in order to more fully quantify local sound levels. Two different units of measurement are used. First, noise contours are to be shown in terms of Ldn. Second, where appropriate, Leq is to be used to better quantify the true noise levels. (Definitions of the terms used in this element are located in the Glossary of the General Plan).

2.2. Noise Sources and Existing Measurements

Specific identifiable sources of noise in Point Arena are shown in part on the noise contour map (located at the end of this element) and additionally are listed in the table below. Noise contours are intended to illustrate the general location and extent of projected future noise levels.

The most prominent sources of noise in Point Arena are:

1. Traffic on Highway 1, including along Main Street
2. Heavy truck traffic on Highway 1 and Riverside Drive
3. Operations at the BedRock industrial facility
4. Compressor noise from the refrigerator trucks at Arena Cove
5. Barking dogs, especially on Mill Street and Eastwood Drive
6. Jet aircraft overhead.

The following table summarizes noise levels at various locations;

Table 5

Existing Noise Measurements

Location	Daytime Lmin	Daytime Leq	Night Lmin	Night Leq	Leq(24)	Ldn
Highway 1 Corridor	40	55	21	24	39	47
Riverside Dr @ Hwy 1	35	55	21	23	39	46
Arena Cove	46	50	40	40	45	50
Mill Street	25	33	22	23	28	33
Bedrock Plant	25	55	21	23	39	46
New Industrial Site on Riverside	28	32	21	23	27	32
Outside HS Gym 9 a.m.	25	34	22	24	29	34
City Hall Park Lot	22	33	21	23	28	33
Port Street Apts	35	38	22	24	31	36

Leq(24) values range from 27 to 45.
Ldn values range from 32 to 50.

Source: Measurements are a compilation of data from the following studies/surveys:

Brown-Buntin Associates Noise Study (1984)
Mintier Draft General Plan (1987)
Administrative Draft EIR for the 1992 preliminary draft General Plan (1991)
Field survey conducted by members of the Noise Element sub-committee, using a County of Mendocino noise meter

2.3. Noise-Sensitive Areas: Existing and Future

The following are the areas where the impact of noise generated off site can be expected to be the most severe:

1. In existing and future single-family and multiple-family areas

2. At school and church sites

3. At the Point Arena Medical Center on Mill Street

4. At similar areas and sites where the absence of noise is essential to the health and welfare of the residents or occupants.

Various conditions affecting future noise levels and noise contours in Point Arena include the following:

1. Possible reduced logging truck traffic due to a decline in the logging industry

2. Increased tourist traffic on Highway 1

3. Increased residential development, especially in the newly-annexed area east of Downtown

4. Increased truck traffic and other activities associated with development of the city's industrial area and of Arena Cove.

The noise contour map for the noise element, which appears at the end of this element ("Noise Contours Based on General Plan Buildout", prepared by Earth Metrics) shows "worst case" projected levels for the next 5-10 years. The increase in noise levels along the Highway 1 corridor are estimated to increase 2-3 dB (Ldn) in the next 5-10 years. The city's residential areas, as they get built up, are not expected to generate any significant increase in ambient noise levels.

3. NOISE CONTROL GOALS

1. To preserve low ambient noise levels in residential neighborhoods, especially at night (8PM - 7AM)

2. To protect existing developed areas from excessive noise levels

3. To encourage low-noise commercial and industrial developments

4. To implement planning and zoning regulations that will guard against the loss of the low ambient sound levels, especially at night

5. To implement and enforce the State of California Noise Insulation Standards for all new developments.

4. NOISE CONTROL POLICIES AND PROGRAMS

1. Noise levels shall not be permitted to exceed 60 Leq(1) anywhere within the community.

2. The City may require an acoustical report for new multi-family dwellings within the 60dB (Ldn) noise exposure contour, as required by Title 25 of the California Administrative Code-Noise Insulation Standards.

3. New development in all zones must not raise the ambient noise levels in any residential zone within the city. Where residential zoning is adjacent to other zones, the lower residential noise limits will apply.

4. New developments in commercial and industrial zones shall be designed, sited and screened in such a way as to avoid or suppress noise and the impact of any noise on existing and proposed residential settings; and, noise buffers (walls, trees, landscaping, open spaces, berms, other buildings) between industrial/commercial activities and residential and other noise-sensitive activities shall be required as a condition of development permits.

5. No noise-generating industries shall be allowed to operate between the hours of 8 p.m. and 7 a.m.

6. A city noise ordinance based on Leq and Lmax noise measurements for day and night, and based on and capable of implementing the above goals and policies, shall be enacted, and shall conform to the requirements of State law and State noise guidelines. Exemptions should be made for temporary construction and repair activities, and for emergencies.

7. The following Leq and Lmax noise limits shall be incorporated into said ordinance:

Daytime limits: (7AM - 8PM)

Residential: 50 Leq(1) at the property line of the property within which the noise generated is located, 80dB (Lmax) at the source

Commercial: 60 Leq(1) at the property line 80dB(Lmax) at the source

Industrial: 60 Leq(1) at the property line 90dB (Lmax) at the source

Night-time limits: (8PM - 7AM)

Residential: 25 Leq(1) at the property line 60dB(Lmax) at the source

Commercial: 30 Leq(1) at the property line 60dB(Lmax) at the source

Industrial: 30 Leq(1) at the property line 60dB(Lmax) at the source

note 1: Leq(1) denotes average sound level for one hour.

note 2: "at the property line" shall be interpreted to mean "at the property line or at reasonable and sensitive receptors such as residences, schools, churches, hospitals and other similar commercial and residential receptors which are deemed appropriate."

8. To mitigate exterior sound levels, due to transportation or other sources, for new residential or other new projects, consideration shall be given to an increased setback distance; use of property line, patio, and deck barriers; orientation of buildings to achieve a sound shielding benefit at outdoor use areas.

9. To mitigate interior sound levels, due to transportation or other sources, for new residential or other new projects, consideration shall be given to an increased setback distance and use of barriers, insulation measures applied to the building skins, including appropriate designs for windows, walls, doors, roof/ceiling assemblies, weather seals, and other components. Vegetative barriers do not generally provide substantial reductions in noise levels.

10. The City will consider the following measures which can be used to mitigate the sound impacts created at residential or other sensitive receptors as a result of equipment operations or other activities at industrial and commercial facilities:

a. Use buffer zones of open space or "intermediate" type uses. It is desirable, where feasible, to allow at least 200 feet between noisy industrial or commercial sites and residential or other sensitive land uses. Noisy buildings or other noisy facilities shall be well set back from the property line.

b. The City shall require noise studies for potentially noisy facilities which are to be located near sensitive land uses. Industrial and commercial uses likely to create adverse noise impacts include fuel distribution centers served by rail or truck, truck terminals, new or expansion

of gravel Batch plants and concrete manufacturing plants, construction activities if hammering is involved and is done outdoors, and animal kennels. Commercial facilities likely to create adverse noise impacts include automobile repair shops, body shops, and heavy equipment rental shops; car washes; drive-in restaurants; and supermarkets and other facilities with rooftop equipment and truck deliveries.

c. The public shall be notified of the proposed placing of noisy industrial or commercial facilities in proximity to sensitive uses and vice versa.

d. Noise studies shall be required for any new industrial use that will generate more than five truck trips per daytime hour, any heavy truck traffic during nighttime hours, or more than 25 trucks in 24 hours. A Noise Ordinance including both quantitative limits and nuisance provisions shall be enacted.

e. All truck loading bays shall be located such that they do not open to the direction where sensitive receptors are located.

f. As far as feasible, truck and loading dock operations near residential receptors shall be limited to the daylight hours.

g. Buffer zones setbacks and/or sound attenuation devices such as landscaped berms shall be interposed between residential and commercial uses and between residential and industrial uses, especially those that are likely to be noisy, as described above.

h. Rooftop and other mechanical equipment shall be shielded, enclosed, silenced, or setback an appropriate distance from the property line. The shielding could be accomplished by either appropriate siting of buildings or appropriate fences or walls.

i. Large exterior pipes or ducts in some cases may need to be shielded, enclosed, or lagged.

j. In some cases, insulation measures may be needed for industrial buildings.

11. Proposals for uses associated with industrial and commercial development should include appropriate designs for walls, roof/ceilings, doors, windows, vent silencers, interior absorption, and other components. Doors and windows shall be provided with effective weather seals.

a. Trucks idling times shall be limited where feasible. Where personal radios are used, the volume shall be controlled as far as feasible.

b. Where paging systems are required, they shall be designed to minimize "spillover" sound to sensitive receptor properties.

X. COASTAL ELEMENT

Section 1 of this Coastal Element describes the purpose of, and need for, this element of the Point Arena General Plan. The subjects addressed are:

1.1 THE COASTAL ACT
1.2 THE LOCAL COASTAL PROGRAM (LCP)
1.3 ADOPTION, CERTIFICATION AND IMPLEMENTATION

Section 2 addresses each of the relevant planning subjects relating to the Coastal Act. At the head of each sub-section are listed the relevant section numbers of the Coastal Act to aid in land use planning decisions, and which are included in this document by reference. The subjects addressed are:

2.1 PUBLIC ACCESS
2.2 RECREATION
2.3 MARINE ENVIRONMENT
2.4 ENVIRONMENTALLY SENSITIVE HABITAT AREAS
2.5 AGRICULTURAL LANDS
2.6 LOCATING NEW DEVELOPMENT

Section 3 is a list of the sources of information used to generate this document.

1. INTRODUCTION

1.1. The Coastal Act

The City of Point Arena is located in the County of Mendocino along the California coast and is subject to the regulations set forth by the California Coastal Act of 1976. The California State Legislature enacted the California Coastal Act to provide for the conservation and development of California's coastline and established the California Coastal Commission as a permanent state coastal management and regulatory agency to assure that public concerns of state wide importance are reflected in local decisions about coastal development.

The Coastal Act [Section 30001.5] sets the following goals for all Land Use Plans for the coastal zone:

a. Protect, maintain and, where feasible, enhance and restore the overall quality of the coastal zone environment and it's natural and artificial resources.

b. Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and

economic needs of the people of the state.

c. Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners.

d. Assure priority for coastal-dependent and coastal-related development over other development on the coast.

e. Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

The spirit and intent of the Act can be summarized as requiring that coastal planning:

- Protect the scenic beauty of the coastal landscape.

- Maintain productive coastal agricultural lands.

- Protect access to the coast for the enjoyment and use of as many people as possible, regardless of their income or place of residence, consistent with private rights and environmental protection.

- Protect marine and land resources, including wetlands; rare and endangered habitat areas; environmentally sensitive areas; tide pools; stream channels.

- Direct new housing and other development to urbanized areas with adequate services rather than allowing a scattered, sprawling, wasteful pattern of subdivision.

- Locating any needed coastal energy and industrial facilities where they will have the least adverse impact.

The Coastal Act also establishes a framework for resolving conflicts among competing uses for limited coastal lands. The following table lists land use priorities from highest to lowest, as established by the Coastal Act [Sections 30213, 30220-23 30234, 30241-43, 30250, 30253 and 30255]:

(A) <u>Development Priorities</u>

1. Preservation and protection of natural resources, including environmentally sensitive habitats, and prime agricultural and timber lands.

2. Coastal dependent industry and commerce (in non-environmentally sensitive habitat areas) and commercial fishing.

3. Coastal or water dependent public recreation.

4. Non-coastal or non-water dependent public recreation.

5. Visitor serving commercial recreational, lower cost.

6. Visitor serving commercial recreational, higher cost.

7. Private residential, general industrial or commercial development.

1.2. <u>The Local Coastal Program (LCP)</u>

Local governments are to incorporate the Coastal Act policies into their own Local Coastal Program (LCP). LCPs are the specific long-term management plans prepared by each of the state's coastal cities and counties for it's section of the coast located within the Coastal Zone, which in this case is the entire City of Point Arena. Each LCP consists of a land use plan, zoning ordinances and other implementing actions.

The Coastal Act, Section 30200 presents policies which provide the standards for determining the adequacy of the local coastal programs.

The City of Point Arena's LCP shall be a combined document of this General Plan and it's subsequent Zoning Ordinance (with associated maps). Thus, as referenced herein, LCP refers to the City's General Plan, including this Coastal Element, and the Zoning Ordinance.

The Coastal Act requires that the LCP be more detailed and specific than the City General Plan and cover issues such as coastal access, that are not mandated by State Planning Law to be included in the General Plan. The City General Plan contains elements, or covers issues, that are not specifically required by the Coastal Act.

Additional general policies regarding the LCP and General Plan:

a. Where policies within the General Plan overlap, the policy which on balance is the most protective of coastal resources shall take precedence.

b. Where there are conflicts between policies set forth in this Coastal Element and those set forth in any other element of the City's General Plan or existing ordinances, the policies of this Coastal Element shall take precedence.

c. Chapter 3 of the Coastal Act [Sections 30210 - 30263] provide the standard for the determination of legal adequacy of the LCP and shall guide it's implementation.

1.3. Adoption, Certification and Implementation

The Coastal Commission works with local governments to help them tailor LCPs that reflect the coastal issues and concerns of each area, while simultaneously meeting the state wide goals and policies of the Coastal Act. The Commission reviews each LCP to determine that it conforms with the policies and requirements of the Coastal Act.

This Coastal Element is designed to be adopted as an element of the Point Arena General Plan. The General Plan must be considered in at least one public hearing by the City Council, approved with any changes the Council believes are desirable, and then adopted.

Either concurrently with evaluation of the General Plan or at a later date, the Coastal Commission also must review the City's proposed Zoning Ordinance.

The Coastal Commission shall determine in hearings whether any aspect of the combined General Plan and Zoning Ordinance does not comply with the Coastal Act. If no substantial issue of conformity with the act is found, the Commission shall certify the LCP.

Once the Coastal Commission has certified an LCP for an area, the Commission's regulatory authority over most types of development is delegated to the local government.

The Commission retains permanent permit jurisdiction over tidelands, submerged lands, and public trust lands [Section 30519(b)]. The Commission also continues to advise, monitor, and review ~~the~~ local coastal programs, hear appeals from certain local decisions, and review proposed LCP amendments.

Following certification of the LCP, certain proposed new developments, defined in Section 30603(a) of the Coastal Act, may be appealed by any interested party to the State Coastal Commission. These include:

1. Developments approved by local government between the sea and the first public road paralleling the sea, or within 300 feet of any beach or the mean high tide line, which ever is the greater distance.

2. Developments approved by local government located on tidelands, submerged lands, public trust lands, within

100 feet of any wetland, estuary or stream.

3. Developments approved by local government located within 300 feet of the top of the seaward face of any coastal bluff.

4. Developments approved by local government that are located in a sensitive coastal resource area.

5. Any development which constitutes a major public works project or a major energy facility.

The grounds for appeal are limited by Section 30603(b)of the Coastal Act.

The grounds for an appeal pursuant to paragraphs 1 through 5 above shall be limited to an allegation that the development does not conform to the standards set forth in the certified local coastal program and/or the public access policies of the Coastal Act. The grounds for an appeal of a denial of a permit pursuant to paragraph 5 above shall be limited to an allegation that the development conforms to the standards set forth in the certified local coastal program and the public access policies of the Coastal Act.

Any development approval shall become final after the 10th working day from which the Coastal Commission receives notice of action taken, unless an appeal is filed with the Coastal Commission within that time.

2. COASTAL POLICIES

2.1. Public Access

(A) Relevant Coastal Act Sections, included by reference

30210
Access; recreational opportunities; posting.
30211
Development not to interfere with access.
30212
New development projects; provisions for access; exceptions
30212.5
Public facilities; distribution.
30213
Lower cost visitor and recreational facilities; encouragement and provision; overnight room rentals.
30214
Implementation of public access policies; legislative intent.
30252

Maintenance and enhancement of public areas.

(B) Background

Point Arena lies in the southern coastal region of Mendocino County and is bisected by State Highway 1, the sole state highway providing north-south vehicle transportation along the California Coast. The two lane and winding nature of Highway 1 together with its relatively small coastal population relegates its commercial transportation use to a local rather than a state wide significance. On the other hand, because of its alignment along rugged, highly scenic, coastal bluffs and natural resource land, Highway 1 acts as the transportation artery serving nearly all forms of coastal recreation in the state and directly affects the recreational economies of all of the communities along its path, including Point Arena.

Public roads providing local access to Point Arena act as a "short cut" across mountain ridges from Route 128 in Anderson Valley. These roads offer scenic, direct access to the south coastal areas of the County and, because they are narrow and winding they are more frequently used by local people than by out-of-County travelers. The roads which are probably more significant to Point Arena coastal access are the Greenwood-Philo Road and the Mountain View Road. The roads intersect Highway 1 at Elk and 1.5 miles south of Manchester, respectively.

The high, sheer bluffs characterizing the Point Arena coastline are broken only at the Arena Cove wharf area, where Arena Creek flows from the east and empties into the ocean. The coastal bluffs to the north and south of the cove are under private ownership.

1. Vehicular Access to Arena Cove
Primary public access to the ocean in Point Arena is achieved by way of Iversen Avenue (at Highway 1) to Port Road, which extends approximately one mile to the harbor and wharf at Arena Cove. Because of the steep character of coastal bluffs within the City, Port Road is the only vehicular access route currently available.

2. Parking at Arena Cove
Facilities and/or spaces to accommodate vehicle parking are essential parts of the City's Coastal Access component. Parking is currently available at Arena Cove and serves a variety of uses, including off-street parking which serves the Arena Cove commercial complex and a public parking area which serves mixed recreational and coastal dependent uses, as well as a designated area for commercial boat storage.

Levels of use and demand for public parking varies seasonally with boat launching, abalone diving, and urchin diving placing the

heaviest demand on available parking.

3. Pedestrian Access to Arena Cove
A pedestrian path runs from Main Street through the City Park to Port Road. Pedestrian access to the ocean via this road is currently available only by walking along and in the road, which has neither sidewalk nor improved shoulders. There are remnants of an inadequate bike trail along portions of the road.

A graded strip of land on the south side of Point Arena Creek offers a potential connecting trail from the City Park pedestrian path to the Cove, but the land is privately owned and fenced.

As conditions of permit approval, "Offers to Dedicate" trail easements along portions of Arena Creek at the cove were required, but these have not yet been recorded.

Due to the hazardous and restrictive nature of the City's coastline, Port Road should remain the major source of public access to the ocean. The trails indicated on the Opportunities and Constraints Map, were generally established by historic use, with initiation of new trails that could be "formalized" into a City Trail System, once landowner approval is obtained and matters of liability are established and resolved.

The location of trails on the Opportunities and Constraints Map are not meant to be exact; rather they are meant as a planning guide and exact trail placement must take into account geography, safety and other issues.

4. South Coastal Bluff Trail Potential
The bluff top to the south of Arena Cove affords spectacular views of the ocean and surrounding coastal lands. Most of the parcels are undeveloped, except for a few single family homes. The zoning is AE (20 acre minimum).

Access to the bluffs south of the cove is via Blufftop Road, a private road owned and maintained by land owners, including the City. There is an existing "Offer to Dedicate" a portion of a trail along the south bluffs. (See Opportunity and Constraints Map.)

The Mendocino County General Plan Coastal Element plans for an eventual trail connecting Schooner Gulch State Beach in the south and the City of Point Arena's southern boundary. The following is a list of relevant policies in the County Coastal Element:

Policy 4.11-14 Point Arena to Whiskey Shoals Trail
Policy 4.11-15 Mote Creek
Policy 4.11-17 Ross Creek
Policy 4.11-18 Schooner Gulch / Bowling Ball Beach

Policy 4.11-19 Bowling Ball Beach

5. North Coastal Bluff Trail Potential
The bluff top to the north of Arena Cove also affords spectacular views of the ocean and surrounding coastal lands, including the Point Arena Lighthouse, as well as foot access to small coves and beaches. There is currently no public access. The zoning is AE (20 acre minimum). Access is via a private road along the City's northern boundary.

The Mendocino County General Plan Coastal Element plans for an eventual trail connecting the City of Point Arena's northern boundary and Manchester State Beach. Other lateral access points along this route are also planned. The following is a list of relevant policies in the County Coastal Element:

Policy 4.11-13 P.G. & E. Road
Policy 4.11-12 Mendo-Lake Community College Field Station
Policy 4.11-10 Point Arena Light Station
Policy 4.11-9 Garcia River
Policy 4.11-7 Manchester Beach / Garcia River Mouth
Policy 4.11-6 Stoneboro Road
Policy 4.11-5 Alder Creek Beach Road
Policy 4.11-4 Irish Gulch
Policy 4.11-3 Irish Beach
Policy 4.11-2 Irish Beach-Manchester Alternative Trail

(C) Findings

Pedestrian and bicycle access along Port Road is severely restricted due to the lack of sidewalks or trails, and the lack of visibility along the winding road. (See Circulation Element)

Although the condition of roads serving the Arena Cove area is adequate for the existing level of usage, for safety reasons an alternate vehicular access to the cove is needed.

The current usage of access and parking facilities on the Point Arena coast is not impactive, except for a short period in the spring during abalone fishing season. Day and night parking are generally well met for recreational purposes, although overnight parking is prohibited in the City lot.

In connection with the County of Mendocino, a coastal trail system could eventually be realized from Schooner Gulch State Beach in the south, through the City and connecting to Manchester State Beach in the north.

(D) Goals

Develop policies, programs and land use designations to carry out the provisions of the Coastal Act regarding public access. Require new development projects to provide public access to the shoreline and along the coast. Develop policies and programs to address and provide for upgrades to Port Road, including widening and improving sight distances.

(E) <u>Policies</u>

1. The City of Point Arena shall require an offer to dedicate a 25 foot wide easement along all trails designated on the Opportunities and Constraints Map as a condition of approval for any development that would require a coastal development permit. These easements shall only take effect when a public or private party accepts the responsibility for improvement, maintenance and liability of the access easement. Offers of dedication shall last for a period of 21 years unless the offer is accepted by a public or private party within the 21-year period.

2. The City shall pursue improvements to Port Road, or an alternate route, in order to complete a safe pedestrian and bike path from downtown to the cove. This shall include the adoption of a Development Impact Fee schedule and a Capital Improvement Program.

3. The City shall pursue the development of "Devil's Cutoff" as an emergency or alternate vehicular access to the cove.

4. The City Council shall adopt the policy of protecting areas where public prescriptive access rights may exist but which have not been specifically defined to date.

5. Pedestrian access shall be designated along trails designated on the Opportunities and Constraints Map. This map contains previously mapped trails as well as an expanded trail system.

6. New developments in the cove area shall be required to provide off-street parking in order to distribute parking throughout the area; and, if appropriate and feasible, the City shall encourage additional public parking.

7. The City shall protect, encourage, and, where feasible, encourage lower-cost visitor and recreation facilities in the Cove area. The City shall encourage, and give preference to, developments providing public recreational opportunities, including a public park in Arena Cove.

2.2. Recreation

(A) Relevant Coastal Act Sections, included by reference

30220
Protection of certain water-oriented activities.
30221
Ocean front land; protection for recreational use and development.
30222
Private lands; priority of development purposes.
30222.5
Ocean front lands; protection for aquaculture use and development.
30223
Upland areas.
30224
Recreational boating use; encouragement; facilities.

(B) Background

The wharf area supports a diverse marine industry with a major portion devoted to commercial and recreational boating and fishing. The spring and summer seasons are busy and the reputation of Arena Cove as a lucrative fishing area is very good.

Facilities which are supportive of the fishing and tourist industries include the Galley Restaurant, Arena Cove Sporting Goods, Wharfmaster's Inn, and the City-offered skiff rack storage rentals (primarily for commercial uses), commercial and recreational boat launching services and fish cleaning facilities.

Among persons who surf on the northern California coast, Arena Cove is known to be an excellent surfing area.

1. Recreational Boating and Fishing
The wharf provides a launching service. Launching activity is highest on weekends, averaging 20/day. Sport fish landings include ling cod, rock cod, salmon, shad, red snapper and abalone.
In addition to private launchings, the overall recreational fishing picture is supplemented by pier fishing and shore fishing. Fishing from the wharf does not require a license. Species of importance to these "non-boating" forms of recreation include sea trout, perch, ling cod, black snapper, cabezon and abalone.

Perhaps the largest, single, recreational activity generated at the Arena Cove is the "crush" of people who visit the wharf area during the early abalone season in the spring.

2. Surfing

The City Council has recently adopted a resolution stating that it does not support the development of a breakwater at Arena Cove. It is the City's intent to preserve the balance of recreational and commercial activities at the Cove, promoting commercial and recreational boating and fishing as well as surfing, which is dependent upon the breaking wave patterns at the Cove.

3. Tourism
The visitor serving facilities at Arena Cove have grown considerably in recent years with the addition of the Wharfmaster's Inn, the Coast Guard House Bed & Breakfast Inn, two restaurants, and other shops. The scenic value inherent in the location is one of the highest potential tourist draws that the City of Point Arena has to offer.

(C) Findings

The balance between the multiple uses at Arena Cove of commercial and recreational fishing, including boat mooring, storage and launching, as well as surfing and tourism, is a major component of the recreational activities available to residents and visitors.

There is ample available undeveloped land at the cove to provide continuing development opportunities, while maintaining a balance between recreational and other coastal dependant uses.

(D) Goals

To maintain a balance between protecting coastal areas suited for water-oriented recreational activities, such as fishing and surfing, and developing appropriate supportive facilities and uses to facilitate the expansion of commercial fishing activities and tourism.

(E) Policies

1. The City shall reaffirm the policy statement of establishing the priority of marine/coastal development in the wharf area: "The City of Point Arena, recognizing the key role that commercial and recreational fishing and boating plays in the local and regional coastal economy, shall continue to encourage the enhancement of coastal dependent industry at Arena Cove by assigning a high priority status to improvement and/or expansion of existing coastal or marine dependent uses at Arena Cove as well as encouraging new uses which directly enhance or supplement the existing commercial/recreational boating and fishing opportunities at the Cove."

2. Expand coastal dependent activities such as: a skin and/or scuba diving supply outlet, a fresh fish market, boat and/or kayak rental, boat repair, marine engine repair.

3. The City shall reaffirm the policy statement of opposing a breakwater at Arena Cove.

2.3. Marine Environment

(A) Relevant Coastal Act Sections, included by reference

30230
Marine resources; maintenance.
30231
Biological productivity; waste water.
30232
Oil and hazardous substance spills.
30233
Diking, filling or dredging.
30234
Commercial fishing and recreational boating facilities.
30234.5
Fishing; economic, commercial, and recreational importance.
30235
Revetments, breakwaters, etc.
30236
Water supply and flood control.

(B) Background

There are four important biological marine related resources in the Point Arena area that are dealt with in this section. They are:

1. Arena Cove
2. Arena Creek
3. Hathaway Creek
4. The Garcia River

In addition, there are numerous small springs and seasonal creeks in the City that provide semi-riparian habitat and shelter for birds and other animals, including Point Arena Mountain Beaver.

1. Arena Cove

Arena Cove is the most important biological resource within the City boundary. The upwelling offshore provides a rich source of nutrients for a variety of marine life.

The small Cove provides mooring space for commercial fishing boats during the fishing season and acts as a major south coastal landing pier for small recreational and sport fishing skiffs. Party boat and shore fishing also occur at Arena Cove during spring and summer seasons, attracting substantial participation from local residents and non-residents alike. Abalone and Urchin harvesting are the largest attractants of business and activity to the harbor.

The biological health of Arena Cove and the surrounding waters is of the utmost importance in maintaining a viable commercial fishing industry. The commercial fishing activities are summarized below:

1. Commercial Fishing: Commercial fishing activities are year round although most of the commercial fisheries have experienced a major collapse in recent years. Crabbing is another important commercial activity within and around the Cove.

2. Commercial Urchin Harvesting: The urchin industry created a significant new source of commercial activity in the Cove area, although it too has declined in recent years.

3. Other activities directly related to commercial fishing include boat mooring, fish processing and sales, skiff rack storage rentals and private boat launching from the pier.

The Point Arena municipal pier was destroyed by an ocean storm in January 1983 and through a joint funding effort a new pier was built and completed in 1987. With the advent of a new pier, the harvesting of urchins took root. Since that time, the sea urchin resources in and around Arena Cove have become a focus for commercial activity. Sea urchin roe provides a significant source of animal protein purchased almost exclusively by the Japanese. Urchin harvesting is done by diving. Prices of whole urchins average $1.00 lb. In 1990 Arena Cove was the number one producer of sea urchin in the nation.

Private companies lease two hoists on the public pier and nearly all activity on those hoists is dedicated to urchin harvesting. There is currently a loading area in the wharf area, leased by a private property owner, utilized for the loading and shipping of the sea urchin.

Although there was a tremendous amount of urchin harvesting in the first few years, new regulations placed on urchin harvesting coupled with depletion of the resource have combined to cause a decline in the harvest within the past few years. It is expected that the local industry will become more static with a certain sustainable yield expected annually.

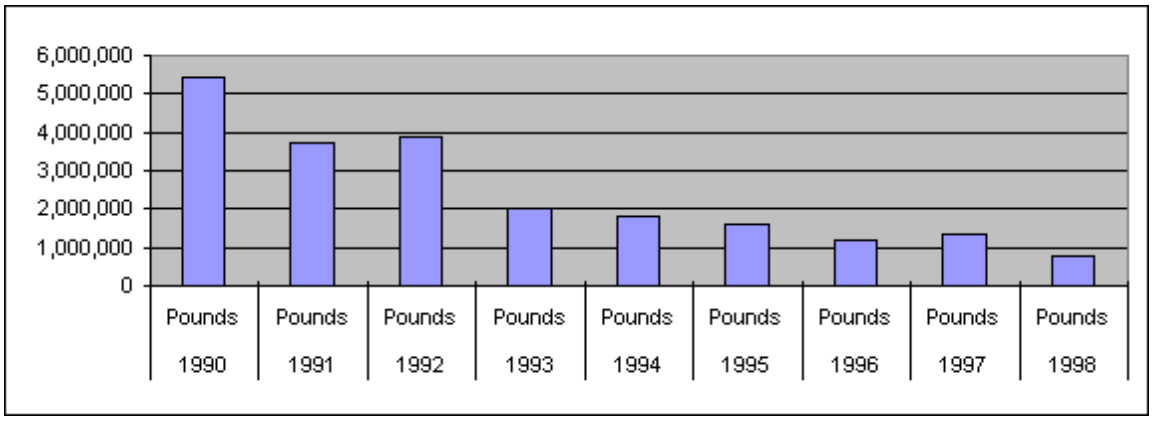
The kelp beds located near the mouth and to the north and south of Arena Cove provide important cover and feeding areas for many of the species listed above. It is usually in kelp bed areas where fish and other sea life populations are the largest and most diverse. Because of the ecological vitality of kelp beds, it is a favored habitat for exploration by scuba and skin divers, underwater photographers, and sea lions. Kelp, while often a nuisance to boaters and shore fishermen, is an important feeding and breeding place for the myriad of organisms inhabiting coastal waters. Thus, to assure the continued vitality of the local kelp beds the City should protect them from degradation by pollutants

and toxic substances. This can be realized by establishing land uses which are relatively clean in the harbor and along Arena Creek, and to adopt a policy of vigilance toward off-shore uses which may pose a threat to the biological productivity of the kelp beds.

The following tables list commercial fishery landings at Arena Cove for recent years. (source: Arena Cove Harbor Master records)

Species	1990 lbs.	1991 lbs.	1992 lbs.	~~	1996 lbs.	1997 lbs.	1998 lbs.
Purple Sea Urchin	2,663	6,115	5,060				
Dungeness Crab	10,366	68,625	9,058		35,453	19,148	34,758
Chinook Salmon	1,649	4,219	9,124		10,218	9,363	6,940
Coho Salmon	730	3,730	22				Closed
Ling Cod	102	270	1,120				
Rockfish	308	498	2,080				
Live Fish						13,350	9,981
Other	12	1,149	940				

Red Sea Urchin	1990 Pounds	1991 Pounds	1992 Pounds	1993 Pounds	1994 Pounds	1995 Pounds	1996 Pounds	1997 Pounds	1998 Pounds
	5,428,245	3,748,831	3,897,132	1,993,883	1,787,861	1,621,113	1,197,943	1,352,092	759,119



2. Arena Creek

A biologically important resource, Point Arena Creek, is a small year round stream descending to Arena Cove from three miles east of the City. It bisects the southern portion of the City, following a deep draw to the harbor. In past years there was an abundant stealhead population, of which only a remnant remains. The creek was substantially impacted by the direct discharge of sewage wastes over the years, until the early 1980's. The riparian plant community consists of willows interspersed with alders and various

sedges and berry vines along its length. Nearly all storm drains in the city eventually empty into Arena creek.

The western section runs through an area that may be designated as wetlands, near the cove area. The stream bed near the mouth was re-routed in 1989/90 and has been the subject of an investigation by the Army Corp. of Engineers.

The eastern section of the creek runs through pasture lands in the Hay Annexation, where grazing cows have unrestricted access to the creek. Most of this land inside the City is zoned RA-2 and will eventually be developed.

The main value of Point Arena Creek to the City is its aesthetics and potential as a trail area. It is also possible that with proper care and restoration efforts the creek will again support a native fishery. Arena Creek directly affects the waters of Arena Cove and it is, therefore, important that the creek be as clean as possible during periods of runoff and that it be protected from degradation by pollutants and/or impactive land uses.

The Point Arena Mountain Beaver, a federally listed Endangered Species, resides in burrows in the Arena Creek canyon, primarily on north facing slopes.

3. Hathaway Creek Wetlands and The Garcia River and Wetlands
A significant biological resource for the Mendocino coast, including Point Arena, is located within 1/2 to 2 miles from the City's northern boundary. This is the Garcia River and it's tributary Hathaway Creek and their associated wetlands and flood plains.

The Garcia River is a major drainage of the southern Mendocino coastal mountains and, as such, is a major spawning run for anadromous fish such as Silver Salmon and Steelhead. The Garcia River is unique among other local streams in that it's mouth is open to the ocean all year. The wetland/riparian habitat is one of two areas within Mendocino County that have been designated by the Department of Fish and Game as "Key Marsh, Wetland and Riparian Habitat". The other "key" area is the Big River wetland in the north coastal region of the county. The Garcia River is recognized by the County as an "Environmental Sensitive Habitat Area" (ESHA).

The Garcia wetland is a key resting and feeding ground for migratory and resident bird populations and also provides a winter nesting site for Whistling or Tundra Swans; a note of distinction as they haven't been observed on other wetlands in Mendocino County.

The wetlands and flood plains harbor a variety of Sensitive Species including:

1. Point Arena Mountain Beaver, a federally listed Endangered Species.
2. Northern Spotted Owl, a federally listed Threatened Species.
3. Rare Whistling/Tundra Swan
4. Foothill Yellow-legged frog
5. California Red-legged frog
6. Coast Lily
7. Northwest pond turtle

Of particular concern to the City of Point Arena is the maintenance of the river's water quality for use as a domestic water source. Point Arena Water Works ~~draws approximately~~ has a permit from the State Water Resources Control Board to draw 100 acre feet of water annually from a well next to the river for use by City residents. Recent studies (Gualala Aggregates DEIR 1993) indicate that the water allocation in the Garcia river may be greater than the annual low flow.

A second reason to maintain the water quality of the Garcia is to protect micro-organisms which serve as the basis for the river's food chain. This chain includes sport and commercial fish in coastal waters and ends with the coastal residents themselves. Thus, it is to the benefit of wildlife and Point Arena citizens to assure that the biotic integrity of the Garcia River is maintained, even enhanced, when warranted.

Anadromous fish spawning streams are ecologically fragile and very sensitive to degradation. Both Coho Salmon and Steelhead have been list as Threatened under the Federal Endangered Species Act (ESA). It is imperative that the spawning vitality of the Garcia River be maintained if the local, and ultimately regional, salmon and Steelhead fishery resources are to be restored. Biological productivity is maintained in the Garcia by the ecological relationships which occur between the diverse plant and animal communities along it's course to the sea.

(C) <u>Findings</u>

The water and marine resources of the Point Arena area are highly diverse and contribute substantially to the economy and the character of the City. Even though the Garcia River is outside the City's jurisdiction, it is the source of the City's domestic water supply and it's importance to local fisheries and the overall biological productivity of the Point Arena coast cannot be overstated. The City should be directly involved in protecting the Garcia River and its wetlands through collaborative efforts with County and State agencies.

Arena Cove is directly important to the commercial and recreational economies of the City and can be enhanced by maintaining a

protective policy towards the Cove and planning harbor land uses which increase use of the harbor without impacting marine resources.

The water quality of Point Arena Creek can directly affect water quality near the shoreline. In this regard, a new waste water treatment facility was constructed in the early 1980s.

Point Arena Creek is the collection point for nearly all storm drains in the City, and as such is impacted to an unknown degree by non-point source pollution such as motor oil from roads.

(D) Goals

Manage the marine resources in a manner that will sustain the biological productivity of stream and coastal environments for long-term commercial, recreational, scientific and educational purposes. Clearly define the priority of coastal dependent development at Arena Cove.

(E) Policies

1. The City shall indicate to the County that important marine/sensitive habitat areas adjacent to its boundaries are of direct interest to Point Arena and emphasis of planning should be directed toward maintaining and enhancing fishery resources in the Garcia River.

2. The City shall request from the State Water Resources Control Board (SWRCB) an accounting of the total available water for use by Point Arena Water Works (PAWW) from the Garcia River and shall determine what portion of the water available to PAWW is available for current and future residential use.

3. The City shall request that the SWRCB require a minimum in-stream flow in the Garcia to protect the fishery resources.

4. The City recognizes that the main values of Arena Creek are its biologic importance, its aesthetic qualities, its potential as a trail site, its natural habitats, and its contribution to the biology of the waters of Arena Cove, and shall strive to protect this resource.

5. The City may require the establishment of conservation

easements along streams, or require an "offer to dedicate" easements at the time of development.

6. The City recognizes the marine resources and seashore habitats of the area, which include the kelp beds as important feeding and breeding places for the myriad of organisms inhabiting coastal waters, and shall strive to protect these resources.

7. The City shall protect the non-developed flat areas of Arena Cove as a flood basin, wildlife habitat, and critical link in the Arena Creek life-chain, insofar as possible given the objective of enhancing the area's economic development potential.

8. Coastal dependent uses shall be given priority in the Arena Cove area over non-coastal dependent uses. (Refer to the "Development Priority" table in Section 1.1 of this element and the Harbor Commercial (HC) land use category of the LAND USE AND DEVELOPMENT ELEMENT)

9. No off-shore uses which could affect the integrity of kelp beds and off-shore fisheries shall be allowed. Uses which conflict with the continued biological productivity of off-shore areas shall be discouraged; all ocean areas within the "3 mile limit" should be planned jointly between City, County and State planning agencies to assure this objective.

10. The City shall continue to oppose the development of a breakwater at Arena Cove.

11. The City shall continue to require that on-shore facilities for oil development must be approved by voters. (Ordinance #124)

12. The City should support the establishment of the California Ocean Sanctuary and any other appropriate measures designed to prohibit off-shore oil development in this area.

2.4. Environmentally Sensitive Habitat Areas

(A) Relevant Coastal Act Sections, included by reference

30240
Environmentally sensitive habitat areas; adjacent developments.

(B) Background

Section 30107.5 of the California Coastal Act defines "environmentally sensitive areas" as "areas in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments." Areas of special significance include coastal wetland and lagoon tide pools, creeks and riparian habitat, off-shore rocks, and kelp beds.

All of these areas are represented within and adjacent to Point Arena in varying degrees.

1. Garcia River Wetlands
The Garcia River is home to a variety of rare, threatened and endangered species including Salmon, Spotted Owl and Point Arena Mountain Beaver. This wetland area is comprised of an integrated network of salt, brackish and fresh water marsh systems interspersed with sand flat areas at the River's mouth.

2. Hathaway Creek/Garcia Riparian System
The Hathaway Creek riparian habitat provides abundant cover for a variety of wildlife species, including Point Arena Mountain Beaver
The acreage of the Garcia/Hathaway systems represent nearly 20% of all coastal marsh and 43% of all coastal riparian habitat systems in Mendocino County.

The city’s sole supply of water comes from the Garcia River.

6. Arena Creek
Point Arena Creek provides cover for various song and game birds as well as other wildlife forms, including the Point Arena Mountain Beaver, Lotus Blue Butterfly, Behrens Silverspot and Coast Lily.

Its main attributes are it's scenic quality and its potential for hiking uses and, hopefully, a restored fishery.

7. Other Sensitive Habitat Areas

There are numerous small springs, seasonal creeks, marsh, vernal pools and other areas displaying wetlands characteristics throughout the City.

(C) Findings

The relative remoteness of the Garcia and Hathaway Creek wetlands has offered a certain amount of protection from human disturbance and development. The watershed has been severely impacted to a point that the once abundant fishery is near collapse.

Impoundment of water on the Garcia River/Hathaway Creek for agriculture or domestic purposes could significantly impact the wetland systems if the impoundment and/or diversions are not adequately regulated and monitored.

An illegal dump is located near the intersection of Windy Hollow Road and the Garcia River, just upstream from the PAWW well.

Arena Creek has been heavily impacted over the years, but still contains a remnant Steelhead population and has potential for restoration. The creek area contains considerable prime Mountain Beaver Habitat.

(D) Goals

To work with Mendocino County to manage the sensitive habitat areas outside the city limits in a manner that will sustain the biological productivity of stream and coastal environments for long-term commercial, recreational, scientific and educational purposes.

To protect and restore Point Arena Creek, it’s fishery and riparian habitat, including Mountain Beaver habitat.

To protect other sensitive habitat areas within the city including seasonal creeks, vernal pools, marsh and other riparian habitat.

(E) Policies

1. The City shall indicate to the County that important sensitive

habitat areas adjacent to its boundaries are of direct interest to Point Arena and emphasis of planning should be directed toward maintaining and enhancing fishery resources in the Garcia River watershed.

2. The city shall map sensitive habitat areas inside the city including wetlands, seasonal creeks and springs, and riparian habitat. Restrictions shall apply to development adjacent to sensitive habitat areas.

3. The City shall incorporate Best Management Practices (BMP) for to non-point source pollution regarding the storm drain system and Point Arena Creek. New development shall be required to mitigate Non-point Source (NPS) pollution caused by the development.

4. Development restrictions apply to the Riparian Buffer Zone along Arena Creek (see "Overall City-wide Land-Use Policies and Programs".) The Riparian Buffer Zone is defined in the Glossary of this General Plan as fifty (50) feet outward from the center line of the creek. No new development will be allowed in the Riparian Buffer Zone. Pre-existing non-conforming uses may continue, but no additions that may encroach upon the Buffer Zone shall be permitted, with the following exceptions:

   a. decks and porches that are not greater than 10% of the existing structure, subject to obtaining a Coastal Development Permit.

   b. accessory structures located at the City's waste water reclamation facility situated entirely within the developed, fenced area.

5. Additional development restrictions apply within the Mountain Beaver Buffer Area along Arena Creek (measured 500 feet from the centerline of the creek). The city has incorporated recommendations from U.S. Fish & Wildlife Service Mountain Beaver Recovery Plan into its Zoning Ordinance.

6. The City may require the establishment of conservation easements along streams, or require an "offer to dedicate" easements at the time of development.

7. The City shall protect the non-developed flat areas of Arena

Cove as a flood basin, wildlife habitat, and critical link in the Arena Creek life-chain, insofar as possible given the objective of enhancing the area's economic development potential.

8. The City will work with the county to insure the clean-up of the illegal dump located upstream from the city water supply well.

9. The City shall continue to oppose the development of a breakwater at Arena Cove.

10. The City shall continue to require that on-shore facilities for oil development must be approved by voters. (Ordinance #124)

2.5. Agricultural Land Conversions

(A) Relevant Coastal Act Sections, included by reference

30241
Prime agricultural land; maintenance in agricultural production.
30241.5
Agricultural lands; viability of.
30242
Lands suitable for agricultural use; conversion.
30243
Productivity of soils and timberlands; conversions.

(A) Background

The Coastal Act requires that "The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the area's agricultural economy...".

The City of Point Arena is surrounded by agricultural lands on all sides except for the coast. Historically, agricultural products in the area have included potatoes, beef, lamb and dairy products. At this time, most agriculture use of land in the area is confined to grazing and livestock feed. Agricultural Exclusive (AE) zoning in the City requires a minimum 20 acre parcel size, although there are many existing smaller parcels with AE zoning.

The larger AE zoned parcels, particularly in the northwestern and eastern portions of the City, are comprised of high quality agricultural soils (Kneeland Loam; Agricultural II, III).

In 1989/90 the City completed the annexation and conversion of approximately 176 acres of AE zoned land to the east, known as the Hay Annexation. This land in now zoned: Industrial (I), Multi-Family Residential (MR), Suburban Residential 1/2 acre (SR-1/2), Suburban Residential 1 acre (SR-1), Residential Agriculture 2 acre (RA-2).

(B) Findings

While soils within the boundaries of Point Arena offer high potential for agricultural use, there is a limited potential for modern commercial agriculture, except on the few larger parcels.

The main reasons for protecting small parcels of AE lands inside the City are for Open Space, buffer zones and small scale farming, especially when utilized in connection with Co-Housing and other Planned Development projects.

(C) Goals

To formulate policies and land use designations necessary to protect and maintain the maximum amount of agricultural land in production pursuant to Coastal Act Policies 30241.5 and 30242.

To encourage land owners to maintain agricultural land uses on smaller sized parcels and in conjunction with planned development.

To change existing non-conforming AE designations of small size parcels to more realistic zoning designations, while not significantly increasing density but allowing for continued agricultural use.

(D) Policies

1. The maximum amount of prime agricultural land shall be maintained in agricultural production; and conflicts shall be minimized between agricultural and urban land uses; and lands suitable for agricultural use shall not be converted to non-agricultural uses unless continued or renewed agricultural use is not foreseeable. All actions undertaken by the City governing use and conversion of agricultural lands shall be governed by Sections 30241, 30241.5, 30242 and 30243 of the Coastal Act.

2. The City shall encourage the recombination of agricultural parcels in key scenic or visual areas, through Conservancy or other appropriate action.

3. The City shall encourage the change of existing non-conforming (less than minimum size) parcels on the south

bluffs from AE zoning to RA-10, predicated on a conversion analysis and findings in accordance with the provisions of the Coastal Act, or shall encourage the recombination of said parcels.

4. Lands converted from AE in order to change an existing non-conforming use into a conforming use shall not be changed to a higher density, or more intensive use, than needed to accomplish this goal, and shall require a conversion analysis and findings in accordance with the provisions of the Coastal Act.

5. Stable boundaries shall be established separating urban and rural areas, including, where necessary, clearly defined buffer areas utilized to minimize conflicts between agricultural and urban land uses.

2.6. Locating New Development

(A) Relevant Coastal Act Sections, included by reference

30250
Location, generally
30251
Scenic and qualities
30252
Maintenance and enhancement of public areas
30253
Safety, stability, pollution, energy conservation, visitors
30254
Public works facilities
30254.5
Sewage treatment plants and conditions
30255
Priority of coastal-dependent developments
30260 - 30265.5
Location or expansion (industrial), offshore oil.

(B) Background

The general policies governing new development are discussed in detail elsewhere in this General Plan including:

Community Character and Overall Goals
Land Use and Development Element
Open Space and Conservation Element

Community Health and Safety Element

This section addresses only those aspects of new development that are specific to the Coastal Element:

1. Publics Services for New Development
2. Protection of Visual Resources
3. Off-shore Oil Development

(A) ***Findings***

1. Point Arena population growth is historically very slow. At the current rate of development it is projected to take 400+ years to reach build-out.

2. The capacity of the City sewer plant is adequate to serve the projected population at build-out. However, the treated sewage percolation ponds are not adequate to deal with the peak flows caused by infiltration during major storms.

3. PAWW has a permit from the Department of Water Resources to divert a maximum of 100 ac/ft per year from the underflow of the Garcia River. The density of residential zoning has been reduced to fit within this limitation, therefore this amount is believed to be sufficient to supply water for the projected population at build-out.

4. Offshore oil development is opposed by the majority of city residents.

5. The scenic qualities in and around Point Arena are what make it special and desirable by its residents.

(D) Goals

1. To provide adequate water and sewer services so that development may proceed unimpeded in all urbanized areas of the city.

2. Protect scenic qualities in and around Point Arena and develop and enhance public access to the ocean.

3. To never have offshore oil production or support facilities anywhere nearby.

(E) Policies

1. Public Services for New Development
Residential development will be allowed where adequate services are available, or where they will be guaranteed during the project review process and provided as a condition of development.

The City will develop a Capital Improvement Program, including a Development Fee Schedule, as part of the implementation of this General Plan.

2. Reassessment of Public Services

2.1. The City will assess the domestic water supply source capacity and work with PAWW to insure that adequate water is available for future development.

2.2. The City will implement plans to increase the capacity of the treated sewage percolation system and reduce infiltration.

2.3. The City will implement plans to correct potential traffic problems at the Highway 1 / Iversen Rd. intersection, as recommended in the July 1999 study by TJKM Transportation Consultants.

2.4. As a precautionary measure, when the population reaches 50% of projected build-out, or in 50 years (which ever comes first) the City shall undertake steps necessary to reassess and insure the continued ability to meet infrastructure requirements through build-out.

3. Protection of Visual Resources

3.1. No new development will be allowed in the Riparian Buffer Zone along Arena Creek. Pre-existing non-conforming uses may continue, but no additions that may encroach upon the Buffer Zone shall be permitted, with the following exceptions:

a. decks and porches that are not greater than 10% of the existing structure, subject to obtaining a Coastal Development Permit.

b. accessory structures located at the City's waste water reclamation facility situated entirely within the developed, fenced area.

3.2. No new development, excluding trails, will be allowed closer than 100 feet from the edge of a cliff or bluff top.

3.3. A special condition shall be attached to all coastal permits for blufftop development, requiring recordation of a deed restriction that states the following:

a. The landowner understands that the site may be subject to extraordinary geologic and erosion hazard and the landowner assumes the risk from such hazards;

b. The landowner agrees that any adverse impacts to property caused by the permitted project shall be fully the responsibility of the applicant;

c. The landowner shall not construct any bluff or shoreline protective devices to protect the subject residence, guest cottage, garage, septic system, or other improvements in the event that these structures are subject to damage, or other natural hazards in the future;

d. The landowner shall remove the house and its foundation when bluff retreat reaches the point where the structure is threatened. In the event that portions of the house, garage, foundations, leach field, septic tank, or other improvements associated with the residence fall to the beach before they can be removed from the bluff top, the landowner shall remove all recoverable debris associated with these structures from the beach and ocean and lawfully dispose of the material in an approved disposal site. The landowner shall bear all costs associated with such removal.

4. Off-shore Oil and Gas Development

In 1987 the City enacted Ordinance No. 124 which provides that development of on-shore facilities intended to support off-shore oil and gas exploration must be approved by a majority of voters in an election.

The City will continue to oppose all offshore oil and gas development on the northern California coast.

3. REFERENCE MATERIAL USED IN PREPARING THIS DOCUMENT

1. City of Point Arena Certified LCP (June 3, 1980)
2. Point Arena -Light by the Sea- Community Plan (November, 1988)
3. Existing Conditions: 1990-91 General Plan Program (October 1, 1990)
4. Mendocino County General Plan Coastal Element (March 11, 1991)
5. City of Point Arena Draft General Plan (October 26, 1992)
6. California Coastal Commission Comments to Draft GP (January 22, 1993)
7. California Coastal Act of 1976 (as of January 1993)

8. Point Arena City Council Public Hearing Minutes (March 31, 1993)

9. Gualala Aggregates Inc. Draft EIR for The Garcia River (July 1993)

10. Marine Resources Protection Act of 1990 Draft EIR (August, 1993)

11. California Coastal Commission Staff Comments to Draft LCP (April, 1998)

12. State Route 1 corridor operation at General Plan Build-out for the City of Point Arena, by TJKM Transportation Consultants (July 1999)

13. Entomological Consulting Services, Ltd. study of butterfly habitat at Arena Cove (June 1999)

14. Kim Fitts, Wildlife Biologist, study of Mountain Beaver at Arena Cove (May 1999)

XI. GENERAL PLAN IMPLEMENTATION: AN OVERALL PROGRAM

1. INTRODUCTION

To be effective the goals and policies of this general plan must be put into effect and carried out. Implementation is the responsibility of the planning commission/city council. Within each element described in the previous chapter programs or actions are set forth to indicate what steps are necessary in each case to implement the general plan. The following is a summary focusing on the major actions the city is required to or chooses to initiate.

2. STATE-MANDATED PLAN-IMPLEMENTATION ACTIONS

There are required tasks or actions the city council must (by State law) undertake. Adoption of the general plan goals and policies includes a commitment to taking the following actions:

1. Updating the Zoning Map to reflect the land-use designations on the Land-Use Plan map of this general plan. This must be done, as a legislative act, according to provisions of the California Government Code, within a reasonable time.

2. Updating of the city's Subdivision Ordinance to reflect the land-use element and other policies of the General Plan, which policies and plan provisions must be set forth in ordinance form (a legislative act). According to State planning law this must occur within "a reasonable time" after General Plan adoption. The target date is hereby established as within six months of General Plan adoption.

Revising the city's subdivision regulations and procedures should include setting forth land division policies and standards, design standards, and conditions precedent to Tentative and Final subdivision map approval, including requirements for dedications, exactions, and development fees.

The city's subdivision ordinance must comply with the State's Subdivision Map Act (Government Code Section 66410 et seq) with respect to land subdivisions, lot splits, and minor subdivisions (parcel maps), and with respect to all procedural and filing matters. In the meantime the city may establish interim measures to process subdivisions provided they do not conflict with State law, and provided they are consistent with the General Plan.

State law mandates that tentative maps shall not be approved if they fail to be consistent with the State's Subdivision Map Act

and the city's general plan (Government Code Section 66473.5). The specific requirements that must be met are set forth in the chapter on permitting of this General Plan document.

3. An "Open Space Action Program" shall be prepared and adhered to in accordance with Section 65564-65567 of the Government Code which, in addition to mandating the open space action program, requires (a) that any action by which identified open space land or any interest therein is acquired or disposed of, or its use restricted or regulated, shall be consistent with the Open Space Element of the General Plan, and (b) that no building permit can be issued, no subdivision map approved, and no open space zoning regulations adopted, unless the proposed construction, subdivision, or ordinance is consistent with said element.

Accordingly, implementation of the General Plan with respect to open space involves adoption of an "open space action program" and appropriate open space zoning regulations.

4. As required by State planning law, preparing a capital improvement program in order to spell out the public needs for public buildings, facilities and infrastructure. The CIP must be reviewed annually, and updated periodically. The annual review must include a finding that the program is consistent with the General Plan, and with any amended General Plan, pursuant to Sections 65400, 65401 of the Government Code.

The city and all other public agencies having property within the city shall submit to the city a list of proposed public works projects recommended for the ensuing fiscal year, and the city shall prepare a report as to the conformity of said project with the General Plan.

Under Section 65402 no real property shall be acquired by dedication or otherwise for a street, square, public park or other public purpose, and no public building or structure authorized or constructed, until such proposed action has been submitted to the planning commission and a report made as to conformity with the General Plan.

5. Receiving recommendations from the planning commission regarding means for implementing the General Plan, so that the General Plan will serve as an effective guide for orderly growth and development, preservation and conservation of open space and natural resources, and the efficient expenditure of public funds relating to the subjects addressed in the General Plan. A progress report on such matters shall be prepared annually. (Government Code, Section 65400).

6. By law (Section 65915) providing by local ordinance

incentives to developers proposing to include low- and very low-income housing in their projects. These incentives shall provide for a density bonus and at least one other regulatory incentive if and when a developer proposes to reserve at least twenty (20) percent of the units in the development for low-income residents. It is the city's decision as to how much of a density bonus is warranted, but it may not be less than twenty-five (25) percent. Incentives may include a reduction in the site development standards or approval of mixed-use zoning.

7. Adopting a special ordinance, or a Zoning Ordinance amendment, that provides for the construction of second dwelling units on already-developed residential lots, for rental purposes only, as required by the California Government Code.

8. As necessary, amending or adopting ordinances that will ensure that the city is in local compliance with State building and housing regulations, including regulations for fire safety, emergency responses, noise insulation, soils reports, earthquake protection, energy conservation, and access for the physically handicapped.

9. Adopting policies and procedures for environmental review in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines; establishing that the City is responsible for an Environmental Impact Report's (EIR's) adequacy and objectivity even though the EIR may be prepared by others; and reserving the right to determine who may prepare an EIR on any public or private project proposal for which it (the City) is the Lead Agency.

10. Preparing a noise ordinance that is consistent with and implements the Noise Element of this General Plan and includes monitoring and enforcement mechanisms.

11. Adopting such other programs as may be necessary, appropriate and feasible to implement the housing, community safety and other elements of this General Plan.

12. Adhering to the provisions of the present Zoning Ordinance (Section 7.09) with respect to the making of findings prior to granting variances and use permits, which provisions are consistent with the mandates of California case law governing situations whereby the City must issue written findings in certain circumstances.

3. ADDITIONAL IMPLEMENTATION ACTIONS REQUIRED TO IMPLEMENT THIS GENERAL PLAN

The following are other actions the City intends taking in order to implement the policies and provisions of this General Plan; they are not state-mandated but are found to be prudent for proper implementation of this plan:

1. Reaffirm existing Zoning Ordinance provisions requiring soil and geologic investigations prior to the issuance of a development permit and the commencement of property improvements where appropriate and where required by the Zoning Ordinance.

2. Develop a downtown core/Main Street plan and program in order to (a) establish at least one off-street parking lot, and (b) ensure improvements in the area's appearance and amenities, including sidewalk and curb improvements, benches, and street tree plantings.

3. Adopt a precise plan for establishing acceptable levels of risk in the event of an earthquake, and for bringing existing structures up to code.

4. Prepare and adopt an Historic and Architectural Preservation element of the General Plan. (The basis for this element has been prepared by the State of California and a copy of that report is available at City Hall).

5. Adopt an ordinance or procedure permitting the use of Development Agreements between the City and developers of large parcels of land, as per Section 65865 of the Government Code.

In connection with sizeable projects where Development Agreements are entered into consideration may well be given to utilization of the "Mello-Roos Bonds" financing scheme. This method allows establishment of a special financing district designed to relieve general taxpayers of the burden of paying for new infrastructure serving new subdivisions or developments. The bonds, in such cases, are paid off by the newly-housed property owners and are secured by the value of the property within the subdivision or new development. These are not public obligations. (See more below under "Financing Implementation of the General Plan).

6. Adopt an ordinance or procedure permitting the use of the Specific Plan provisions of the Government Code Sections 65450-65457, which allow for the preparation and adoption of detailed plans and programs for special areas or projects, including projects involving the use of Development Agreements. Specific Plans may be prepared and submitted by property owners for consideration by the City, or may be prepared and adopted by the

City for special planning areas. In both cases Specific Plans can supersede or serve as a substitute for standard zoning regulations for the property in subject to the plan.

7. Put into effect the provisions of the General Plan related to guaranteeing the provision of infrastructure as part of the development process by amending existing ordinances or adopting a new one, setting forth such procedures, filing fees, development fee schedules, and provisions for dedications and exactions as may be necessary to implement the General Plan and ensure that costs or needs generated by a development, such as infrastructure, are paid according to a fair-share formula by those who are seeking permission to develop land within the city's jurisdiction. The imposition of development fees is governed by State law (AB 1600), which requires preparation by the City of detailed economic/fiscal analyses to justify the fees to be charged. Moreover, there must be supportable direct "nexus" between the fees charged and the development being charged the fee.

8. Reaffirm, and amend as necessary to make consistent with the General Plan, the City's existing ordinances and Zoning Ordinance provisions related to off-street parking, sewer connection requirements and fees, landscaping and screening, and the placement and design of signs.

9. Adopt standards of site and building design for use by the Design Assistance Committee.

10. Develop a program to enforce safety standards and architectural design standards for the design of new structures, and the rehabilitation of existing structures, and to enforce violations of grading and site preparation ordinances and Zoning Ordinance provisions.

11. Adopt provisions and standards for inclusion in the Zoning Ordinance which will implement the General Plan policy for mandatory use of the Planned Residential Development procedure as required in the several residential land-use/zoning categories, where the parcel at the time of adoption of the General Plan is ten (10) acres or more.

12. Consider the adoption of a redevelopment project for the core area as a possibly available means for implementing the General Plan and attacking problems of urban decay and Downtown economic development. The California Redevelopment Law gives cities extraordinary powers and authority to use "tax increment financing" and federal/state programs and assistance to initiate improvements and to pay for needed infrastructure through the establishment of plans and agreements with land owners and developers which are based on both public goals and the needs of

the business community. Redevelopment in other cities has permitted projects to improve access, circulation and parking, to foster job creation, to build "affordable" housing, to develop physical improvement programs such as improved facades, installation of sidewalks, creation of parking lots, rehabilitation of historic buildings, improvement of parklands, and to rebuild failing sewage collection and treatment facilities and establish or update drainage and runoff facilities.

13. Prepare an up-to-date sewage/wastewater treatment/drainage plan and capital improvement program.

14. Adopt a local ordinance to regulate local point sources to control air pollutant discharges and to not allow any development which would result in singly or cumulatively causing violation of any regional, county or state ambient air quality plan or standard, or the location or expansion of any use that would emit more than 0.05 tons of emissions per day, and to limit wood-burning stove and fireplace emissions.

15. Prepare and adopt such new plans, ordinances, and regulations, or amend existing ones, that protect and defend citizens and property alike against threats and danger from fire, seismic, soil erosion, surface runoff, and natural hazards, and that make provisions for emergency facilities and services.

Included should be regulations assuring adequate mitigation of safety hazards on sites having a history or threats of safety hazards, seismic activity, inundation from surface runoff or flooding, and fire. Also included should be proper drainage facilities and mitigation of possible impacts that may be experienced downstream of development sites during and after construction. Safety standards for design of new and existing structures, and geologic/seismic/soils investigations should continue to be prepared and reviewed, as per the Zoning Ordinance, and required prior to issuance of permits for all developments proposed on sites prone to erosion or instability.

16. Undertake road improvements as identified in the Transportation Element, and integrate required improvements in to the Capital Improvement Program in order to achieve Level of Service (LOS) objectives of the General Plan.

17. Utilize the established Rule 20 program to maximize the undergrounding of existing utility facilities and establish underground districts to facilitate underground utility facilities for new developments.

18. In order to meet the social service goals of the General Plan, the City will work with the school district to ensure (a) maximum joint use of school facilities and grounds, and city

parks, for the special needs of children, youth, and senior citizens, and (b) use of public school sites for before- and after-school child care, and (c) development of indoor and outdoor facilities and recreation opportunities for teens.

19. Prepare and adopt a Specific Plan for Arena Cove, according to the Guidelines set forth in the Harbor Commercial Area (HC) land-use designation, and in accordance with the provisions of State planning law governing the use and status of Specific Plans.

20. Prepare precise amendments to the Zoning Ordinance to provide for the Home Occupation Permit.

4. FINANCING IMPLEMENTATION OF THE GENERAL PLAN

The City may use a variety of methods to finance the facilities, services and infrastructure needed to implement the General Plan. There are six principal funding sources:

1. Taxes. The City levies taxes to raise revenue for general government purposes. The property tax is the principal one; it depends upon the assessed value of property in the city, and as assessed values rise so do city revenues. Other taxes are sales taxes, admission's taxes, hotel/motel room taxes, parking taxes, payroll and gross receipts taxes, and business license taxes. By a two-thirds favorable vote of the people the city may also levy special taxes to finance specific facilities and services. Not all of the allowable taxes listed above are levied in Point Arena. The sales and room taxes currently produce most of the city's tax revenue.

The Mello-Roos Community Facilities Act of 1982 authorizes cities to create community facility districts and to levy special taxes within these districts to finance new public improvements, police and fire protection, and school construction.

2. Special Assessments. These are for funding construction of such physical improvements as sidewalks, sewers, streets, storm drainage facilities, lighting, and flood control. Special assessment bonds are the traditional tool for accomplishing these purposes for the benefit of property owners within a given area.

3. Bonds. General Obligation bonds are secured by local government's ability to levy property taxes and are intended to raise funds for citywide benefits. Revenue bonds are secured by the proceeds from the enterprise or service they fund.

4. Exactions. These are dedications of land, improvements, or in-lieu payments that are imposed on new developments to ensure

or fund the construction of capital facilities. The California Subdivision Map Act specifically authorizes cities and counties to impose exactions on subdivision maps and parcel maps. Exactions may be levied upon developments to cause the construction of low- and moderate-income housing as a condition of map approvals or other permits.

5. Impact/Development Fees. The power to charge fees is available to the city in order to finance a specific activity, facility or service which confers as direct, identifiable benefit on those paying the fee. The Subdivision Map Act authorizes a city to impose fees in lieu of dedication of lands or improvements as a condition of subdivision approval. At present, there is a city ordinance authorizing collection of in-lieu fees for off-street parking in connection with new developments Downtown. Other fees are sewer connection fees, sewer standby fees, processing fees, large-scale urban development fees, and user fees.

6. State Funding. In addition to funds that are collected in the city and returned to the city by the state, the gas tax and the DMV fees being the most significant, the California Legislature has created a broad range of categorical programs of grants and loans which local governments use to finance the implementation of their general plans. These include funds for energy conservation programs, historic preservation, affordable housing, noise mitigation, parks and recreation facilities, solid waste management, preservation and enhancements of coastal resources, and trafficways. All state programs are subject to change and availability of funding.

7. Federal Funding. The federal government also has a broad range of grant and loan programs. Most are available from the US Department of Housing and Urban Development (HUD), and the most immediately available program is the Community Development Block Grant program, which may be used to fund urban redevelopment, housing, and public facility projects. The Small Cities component of this block grant program is administered by the California Department of Housing and Community Development. The U.S. Department of Commerce's Economic Development Administration makes grants and loans to local governments for public works and economic development projects. All federal programs are also subject to change and to availability of funds.

XII. PROJECT REVIEW & PERMITTING: REQUIREMENTS & PROCEDURES

1. PERMITS

Located throughout this General Plan document are policies and regulations that place limits or conditions on, or prescribe desirable outcomes for, the alteration, usage, site preparation and development of all parcels in the city, or seek to secure for the benefit of the general public dedications of land and exactions as part of the development process. These policies and regulations may apply to the city, other public agencies, and property owners alike, depending upon the particular policy, regulation or circumstance.

In this chapter these various regulations and conditions, and the circumstances under which they apply, are summarized. Reference should be made in each case to the General Plan element where the policies are set forth, or to existing city ordinances or State codes.

1. Zoning Regulations and Permits. Every parcel of land in Point Arena has a zoning classification, and for each classification, with the exception of the Industrial zone, there are listings of permitted uses (uses permitted by right) and conditional uses (uses permitted only if certain conditions are met, at the discretion of the planning commission/city council). As well, in the Zoning Ordinance, each zone has been assigned certain "standards of development" that must be adhered to, such as, for example, building set back and yard requirements, building height limits, open space provisions, landscaping and screening.

The most significant public policy governing each residential parcel, in addition to its permitted and conditional uses, is its density: the number of dwelling units permitted on the amount of land available.

Reference should be made to the Zoning Ordinance and the Zoning Map for the particulars with respect to each lot in the city.

Zone changes (i.e, the changing of a zoning classification on any parcel of land) after adoption of the General Plan may not by State law occur without there first being an official amendment to the Land-Use Element of the General Plan and a Coastal Commission-approved amendment to the City's Local Coastal Program (LCP). (See also the chapter in this document regarding General Plan amendments)

2. Subdivision Regulations and Approvals/Denials. All parcels for which there are proposals to subdivide into two or more parcels are subject to the city's subdivision ordinance. To the extent that the city's ordinance is inconsistent with the State's Subdivision Map Act the latter, by State law, shall apply and govern.

Parcels may be subdivided at the discretion of the City Council, subject to a process that is outlined in detail by the State act. The State act is absolute and specific with respect to (a) the time frames within which decisions must be made by the City, and (b)situations mandating denial by the City of a Tentative Map. The Act mandates that a proposed subdivision not be approved if the City Council makes any of the following findings:

(a) the map is inconsistent with the General Plan.

(b) the site is not physically suitable for the type or density of the development proposed.

(c) the design or improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat

(d) the subdivision is likely to cause serious public health problems.

(e) the design or types of improvements will conflict with easements of record acquired by the public at large for access through or use of property within the proposed subdivision. (See California Subdivision Map Act).

Since proposed subdivisions are defined as "projects" under CEQA they also are subject to environmental review prior to approval of tentative and parcel maps, and findings must be made regarding potential environmental damage.

The California Subdivision Map Act sets forth in detail specific requirements which may be imposed by local ordinance, including but not limited to dedications of lands for public purposes, fees for various public purposes, certain investigations and reports,, grading and erosion control standards, public access to public resources, energy conservation, standards and criteria for public improvements, various design and improvement standards, and environmental protection standards.

3. Environmental Review (CEQA actions). The environmental review process is mandated by State law (The California Environmental Quality Act - CEQA) and is administered by the City

on behalf of the State in order to implement State environmental goals and in order to ensure that the public is fully informed as to possible negative environmental impacts associated with a proposed land use or development project whether public or private. The process can be complicated and time consuming where a large-scale, potentially environmentally-damaging or controversial project is under consideration, or where mitigation measures require continuing study and/or agreements between the project proponent and the City. For most small projects the environmental review process is handled in connection with securing a zone change, minor subdivision approval, or use permit.

The process for review is set forth in the State's "CEQA Guidelines", as are the obligations of the City to conduct proper environmental review. The City must follow CEQA procedures, and ensure that Environmental Impact Reports (EIRs) or Negative Declarations are objective, that they are prepared by individuals or firms acceptable to the City Council, and that the environmental document reflects the independent judgement of the City, which is responsible for the adequacy and objectivity of any EIR or Negative Declaration.

4. Design Review Approvals. In order to implement the overall public appearance policies of the General Plan, as well as the building and site design standards, the historic preservation and architectural standards, the off-street parking standards, and the sign standards of the Zoning Ordinance, most substantial alterations and all new developments other than single-family dwelling projects, are subject to review by and approval of the Design Assistance Committee before a building permit can be issued. The significance of design review and the role of the Design Assistance Committee is hereby confirmed.

The features of any site or building design that shall be subject to design review are: landscaping and screening (Section 5.14) and architectural and historic significance (Section 5.16).

5. Coastal Development Permits. Since all of Point Arena is within the State coastal zone, permits are required under provisions of the California Coastal Act in all circumstances set forth in the Act. The frame of reference when considering an application or appeal is the City's "Local Coastal Program (LCP", which is comprised of the Land-Use and Coastal Elements of this General Plan and the Zoning Ordinance and Zoning Map. Actions taken by the City to amend the General Plan or any of its land-use-related elements or ordinances are not legally final, nor may development proceed, until the Commission has certified the LCP or any amendment to it. (See Sections ~~7.12~~ 6.02 and 6.03 of the Zoning Ordinance.)

Properties designated AE-Agricultural Exclusive in this General Plan may not be re-designated or rezoned, or a Coastal Development Permit issued, unless and until it is found that the proposal complies with the following sections of the California Coastal Act: 30212, 30241, 30241.5 and 30243.

City ordinances should be amended where appropriate to place a two-year time limit on Coastal Development Permits, with extensions possible with City Council approval.

6. Site Preparation Permits. The removal of existing residential buildings, the alteration of existing land forms including tree removal and any grading, or any action that might affect any stream or riparian area, or natural habitat, shall not proceed without an appropriate permit first being secured from the City to do so. Such permits may be conditional.

A comprehensive ordinance to this effect, based on policies set forth in the General Plan, and especially in the Conservation Element, and now in effect in the Zoning Ordinance, which ordinance by law must also incorporate state coastal zone policies, shall be prepared and adopted by the City as soon as possible after adoption of this General Plan. To be incorporated into the new ordinance shall be current policies on diking, dredging and filling, and protection of riparian buffer areas, as set forth in Sections 5.13, 5.22 and 5.23 of the existing Zoning Ordinance.

7. Use Permits and Variances. Where use permits are required by the Zoning Ordinance, the public policy intent is to give the City discretion as to whether a "conditional use permit" may be acceptable, and if so under what specific conditions. Conditional uses, as contrasted to permitted uses, are not land owner rights. They may be permitted, or not permitted, at the discretion of the City Council, and if they are permitted the City may attach conditions to ensure compliance with and implementation of the policies of the General Plan, Zoning Ordinance and other relevant city ordinances and State statutes. The conditions must be related to a public purpose, environmental goal or policy, or matter of public safety as set forth in the General Plan and Zoning Ordinance, or in other City ordinances. The City is obliged by California case law to "make findings" as a precedent to adopting any conditions.

The requirements governing the use permit process, as well as the variance process, are set forth in Section 6.08 of the Zoning Ordinance, and are hereby reaffirmed.

8. Sewer Connection Policies and Requirements. Current City policies as set forth in the city sewer ordinance shall continue to remain in effect and shall be implemented.

9. Planned Residential Developments. In all instances where the initial planning area (parcel, portion of a parcel, one or more entire parcels or portions of one or more parcels, as shown on the latest County Assessor's rolls) is ten (10) acres or more, the Planned Residential Development procedure as defined in the Zoning Ordinance and Glossary shall be followed and adhered to.

Any land owner/developer may voluntarily elect to use this procedure in other residential zones or for planning areas less than ten (10) acres.

This procedure shall be provided for in the Zoning Ordinance, which shall set forth the specific steps required to secure a Planned Residential Development approval. The objectives of the procedure are (a) to allow and encourage flexibility and creativity in lot layout and design, and in building placement and design, and to relax conventional standards for minimum required yards, street widths and street pavement widths, lot sizes, and building types; and (b) to require as a condition of plan approval the designation of a fixed percentage of the planning area of a planned residential project in any residentially-zoned area as open space (see Open Space Element for definitions and methods of providing open space). Flexibility of use types and encouragement of mixed uses are additional objectives.

In all such planned development proposals the City may also require that "development agreements" (as defined by Sections 65864-65869.5 of the California Government Code and as summarized in the Glossary) be executed between itself and the land owner/developer.

The underlying zone within which this procedure shall or may apply shall be set forth in the Zoning Ordinance and on the Zoning Map. Said zone shall set forth permitted and conditionally permitted uses, as well as the maximum residential densities allowed.

10. Geologic Studies. As required by Sections ~~6.21~~ 5.20 and 5.21 of the city's existing Zoning Ordinance, proposed development approval in all zones shall continue to be subject to a determination by the Planning Commission that proposed developments shall not significantly increase erosion and slope instability, or be subject to risk from ground shaking, and that all adverse environmental impacts will have been mitigated prior to or as part of the development process. The Planning Commission's determination shall be based on an independent report by a registered geologist, ~~or~~ a certified engineering geologist, or a professional civil engineer with expertise in soils or foundation engineering.

11. Wetland and Sensitive Habitat Mitigation Review. As a condition for a Coastal Development Permit the Planning Commission shall require that a developer mitigate impacts to wetland or other sensitive habitat areas as a result of earth moving, diking, dredging, filling and excavation. Mitigation may include restoration, open space dedications, dike or fill removal, and plantings. Approvals may be denied if proposed mitigation measures are not satisfactory. The Planning Commission is required by law to be, and shall continue to be, governed by Sections ~~6.25~~ 5.22, 5.23 and 5.27 of the City Zoning Ordinance, and by both federal and state wetland regulations, and by the federal Endangered Species Act, if and where applicable in Point Arena.

12. Performance Bonds. A common means for ensuring that infrastructure is built according to plan and as agreed to as part of the development approval process, or landscaping and screening is installed, or other conditions met, is the posting with the City of a performance bond by the developer. The City will study this technique and be ready to employ it where necessary or prudent to guarantee project performance according to the city's expectations and standards.

2. THE NECESSITY FOR FINDINGS

Under the following circumstances the City is required by California case law to set forth in writing how it arrives at certain land-use decisions...especially when acting in a non-legislative capacity. The record must show the legally-relevant subconclusions that reveal the City's mode of analysis in arriving at a final decision. There must be evidence in the record to support all findings (staff reports, written and oral testimony, EIRs or Negative Declarations, exhibits, etc.).

Findings of fact are not normally required for legislative acts: adoption of ordinances and rezonings for example, although there are several exceptions. (For legislative acts, consistency requirements must be met).

Findings of fact are required in the following circumstances: when the City issues a variance, conditional use permit, tentative subdivision map approval or denial, development agreement approval, design review approval, planned residential or commercial development approval, or any other permit relating to matters addressed in the General Plan and required by a city ordinance.

Section 6.08 of the City's Zoning Ordinance implements California requirements by setting forth the findings of fact that must be

made prior to the taking of any action to deny, approve, or approve with conditions, an application for a permit.

Moreover, The State Subdivision Map Act specifies that findings must be made when approving a Tentative Map, or when denying one. The City's list of findings of fact that must be made in writing is as follows (Section 6.08 of the Zoning Ordinance):

A. That the proposed development at the size and intensity contemplated, and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community; and

B. That such use as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:

1) The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

2) The accessibility and traffic pattern for persons and vehicles, and the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

4) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; and

C. That such use or feature as proposed will comply with the applicable provisions of this ordinance, will be consistent with the policies and programs of the Land Use Plan and will assist in carrying out and be in conformity with the Point Arena Coastal Program; and

D. That the proposed use or feature will have no significant adverse environmental impact or there are no feasible alternatives, or feasible mitigation measures, as provided in the California Environmental Quality Act, available which would substantially lessen any significant, adverse impact that the actions allowed by the conditional use permit may have on the

environment.

3. MONITORING AND ENFORCEMENT

Requirements and conditions attached to permits issued by the city often require compliance by the permittee and imply monitoring and enforcement by city officials. Section 6.09 of the existing Zoning Ordinance states that "violation of any specification or condition...imposed shall constitute a violation of this ordinance and may constitute grounds for revocation of the...permit". Section 6.15 sets forth the procedure for permit revocation. Sections 7.01 through 7.05 further prescribe the duties and authority of the City Clerk to enforce the Zoning Ordinance. (Section 7.01 shall be amended to include all land-use violations).

With respect to State laws, such as the Subdivision Map Act, the Coastal Act, and the California Environmental Quality Act (CEQA), the City is obliged not only to act within the laws and to implement them locally, but also to ensure that they are lived up to in all their particulars. Reference is made to each act for the provisions that detail enforcement procedures.

Under California law, cities may by ordinance adopt procedures setting forth enforcement processes, including mandatory citation hearings and the imposition of infractions. More serious violations may be brought as legal actions in superior court.

4. CONSISTENCY IS REQUIRED

The city is required by State law to base its land-use and development controls (including zoning and subdivision regulations) on its general plan policies. This means the controls and regulations in effect in Point Arena must be "consistent" with (conform to and not conflict with) the city's General Plan.

Consistency must exist between tentative and final map approvals, zoning ordinance and map changes, and a host of other actions. It must also exist among the various elements of the General Plan itself.

Consistency with the General Plan (and consistency findings also may be required) is either required or advised when the City Council adopts or approves any of the following:

amendments to the zoning ordinance or map; subdivision and other General Plan implementing ordinances;

adoption of any new General Plan element; adoption of a capital improvement program; creation of a redevelopment project area and plan; adoption of the State-mandated open space action program; approval of assisted housing programs and projects; adoption of any ordinance requiring dedications, fees, and exactions in connection with any development approval or permitting procedures; development agreements; specific plans as the term is defined by state planning law; issuance of conditional use permits; adoption of design review procedures, criteria and standards of design; project review under CEQA; tentative subdivision map approval, including requirements to reserve land for public purposes.

5. RIGHTS OF THE REGULATED

The California Legislature has adopted the Permit Streamlining Act (Section 65920 et seq of the Government Code) to require that localities clearly specify the requirements which must be met in connection with the approval or denial of development projects, and to expedite decisions on such projects. The Act requires cities and counties to follow a standardized process and to finish their review within strict time limits. Cities are required to compile one or more lists specifying in detail the information needed from a project applicant, and to make such list or lists available to anyone who requests them.

Reference to the Act itself is an essential responsibility of the City Council and the City Clerk, whose duties include complying with this act in all of its particulars.

In addition, property owners and developers who are subject to city policies and requirements are entitled to the constitutional rights of equal protection and due process. Accordingly, the City must act reasonably in exercising its planning and zoning powers, must give proper notices, and must make proper findings where findings by state law or local ordinances are required.

Above all, the city must take its actions in procedurally correct fashion, for it is here that suits brought by citizens against cities and counties are most often upheld by the courts: for failure to correctly follow the procedures outlined by California law and local ordinances, and for failing to properly make the necessary findings in writing, for not conducting the necessary public hearings, and for failing to follow the letter of CEQA.

Furthermore, the City is obligated to avoid land-use regulations that are unduly restrictive so that an action or decision causes a "taking" of a landowner's property without just compensation.

As well, land-use regulations must substantially advance a legitimate public purpose or interest. The issue of unlawful "takings" is the subject of much litigation throughout the United States and is not discussed here, except to make two valid statements: (a) "too much regulation" can be the basis for legal action, but "too much" is difficult to define except on a case-by-case basis, and (b) the courts tend toward giving cities the benefit of the doubt with respect to the adoption of local regulations, provided they do not damage property through a taking, violate civil rights, or deny due process and equal protection.

XIII. GENERAL PLAN REVIEW AND AMENDMENTS

Once adopted the General Plan is the official statement of policies and programs required by California planning law to direct and guide decision-makers in determining the city's appropriate physical development. However, it is not a fixed and static document in that it may and should be amended from time to time, and should be updated approximately each five years.

State law permits up to four General Plan amendments per year. (Section 65358[b]). Any citizen wishing to amend the plan should follow the rules and procedures for doing so that may be adopted from time to time by the city council. The council shall be governed and guided by the same rules and procedures. Environmental review as required by the California Environmental Quality Act (CEQA) will be required of every proposed General Plan amendment.

No amended land-use designation or zoning map change, or Zoning Ordinance amendment, or other proposal to amend a land-use ordinance, or to adopt any new land-use policies or regulations, may be processed without there first being a General Plan amendment. Any such change shall be accompanied by a development plan, or other documentation, of sufficient scope and detail as to make it possible for the public and the city council to ascertain the potential impacts of the proposed use, project, or change on the site, the surrounding area, and the city as a whole. What constitutes "sufficient detail" shall be determined by the planning commission and city council. Any decision on a General Plan amendment must be supported by findings that the proposed amendment is (a) in the public interest, (b) is consistent with the rest of the General Plan, (c) will not cause negative environmental impacts, and (d) has been processed in accordance with the applicable planning provisions of the California Government Code and CEQA.

At adoption the City Council needs to confirm that this General Plan will be comprehensively reviewed not later than five years from the date of adoption. This time frame is mandatory for the Housing Element (Government Code Section 65588). It is to be borne in mind that any amendment to any one element may impact on the integrity of the remaining elements, so a favorable finding needs to be made in the case of each amendment that the element being amended will not cause any inconsistency among or conflict with the various other elements of this plan.

XIV. PARTICIPANTS IN PLAN MAKING

The following citizens, staff, consultants and city officials participated in the preparation of this plan:

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GLOSSARY

Acceptable Risk. A hazard which is deemed to be a tolerable exposure to danger given the expected benefits to be obtained. Different levels of acceptable risk may be assigned by the City according to the potential danger and the criticality of the threatened structure. The levels are defined by the City and may range from an acceptable risk "near zero" for nuclear plants and natural gas transmission lines to "moderate" for open spaces, ranches and low-intensity warehouse uses.

Access/Egress. The ability to enter a site from a roadway (access) and exit a site onto a roadway (egress) by motorized vehicle.

Accessible Housing. Units that are accessible and adaptable to the needs of the physically disabled.

Accessory Uses. Accessory uses are uses customarily associated with, and appropriate, incidental, and subordinate to the principal use. Accessory uses are typically located on the same lot as the principal use, and do not alter or change the character of the premises.

Acres, Gross. The entire acreage of a site, used for density calculations.

Acres, Net. The portion of a site remaining after public or private rights-of- way and land not developable (see "Developable Land") are subtracted from the total acreage.

Advertise. To call public attention to a product, business, service, person, institution or location. To make public announcement of, especially to proclaim a product or a business so as to increase sales.

Advertising Area. See "Display Surface."

Affordable Housing. Capable of being purchased or rented by a household with very low, low, or moderate income, based on a household's ability to make monthly payments necessary to obtain housing. The state HCD measure of affordable housing is: spending no more than 25% of gross income on housing costs.

Affordable Units. All dwelling units made available at prices or rents below market rate. Affordable units include units affordable to households with very low incomes, low incomes, and moderate incomes.

Aggregate Display Surface. The sum of all Display Surfaces of

all Signs on one parcel.

Aggrieved Person. Any person who, in person or through a representative, appears at a public hearing of the City of Point Arena in connection with the decision or action appealed, or who, by other appropriate means prior to a hearing, informs the City of Point Arena of the nature of his or her concerns or who for good cause is unable to do either. "Aggrieved person" includes the applicant for a permit.

Agriculture. The tilling of the soil, the raising of crops, horticulture, viticulture, small livestock farming, dairying, and/or animal husbandry, including all uses customarily incidental thereto but not including slaughter houses, fertilizer yards, bone yards, or plants for the reduction of animal matter or any other industrial use which is similarly objectionable because of noise, odor, smoke, dust, or fumes.

Agriculture-related Business. Feed mills, dairy supplies, poultry processing, creameries, auction yards, veterinarians and other businesses supporting local agriculture.

Allow. Implies refraining from any hindrance. To let do or happen.

Ambient. Surrounding on all sides; used to describe measurements of existing conditions with respect to traffic, noise, air and other environments.

Appropriate. An act, condition, or state which is considered suitable.

Aquaculture. A form of agriculture that is devoted to the controlled growing and harvesting of fish, shellfish and plants in marine, brackish, and fresh water.

Architectural Control. Regulations and procedures requiring the exterior design of structures to be suitable, harmonious, and in keeping with the general appearance, historical character, and/or style of surrounding structures or areas.

Architectural Review. The processes used to exercise architectural control. Also referred to as design review.

Assessor's Parcel. A unit of land for taxation purposes, only.

Automobile-intensive or Automobile-oriented Use. A use of a retail area which depends on exposure to continuous auto traffic.

Auxiliary Building. A secondary structure clearly subordinate to a main building, such as a tool shed, residential garage, or pump

house and not for human occupancy.

B.A.C.T. Best Available Control Technology (per the California Clean Air Act of 1988).

Bed and Breakfast Inn. A residential structure with one family in permanent residence where a maximum of 12 bedrooms without individual cooking facilities are rented for overnight lodging, and where one meal daily is provided. This use type does not include boarding houses, hotel or motels.

Below-market-rate (BMR) Housing Unit. Any housing unit specifically priced to be sold or rented to very low, low, or moderate-income households for an amount less than the fair-market rent or value of the unit. The U.S. Department of Housing and Urban Development sets standards for determining which households qualify as "very low income", "low income", or "moderate income".

Benefit Assessment District. An area within a public agency's boundaries which receives a special benefit from the construction of a public facility. A benefit assessment district has no legal life of its own and cannot act by itself. It enables property owners in a specific area to cause the construction of public facilities or to maintain them by contributing their fair share of the construction and/or installation and operating costs.

Biotic Community. A group of living organisms characterized by a distinctive combination of both animal and plant species in a particular habitat.

Blight. A condition of deterioration of a site, structure, or area that may cause nearby buildings and/or areas to decline in attractiveness and/or utility.

Bluff. A scarp or steep face of rock, decomposed rock, sediment or soil resulting from erosion, faulting, folding or excavation of the land mass. The bluff may be simple planar or curved surface or it may be steplike in section. For the purposes of this plan, "bluff" is limited to those features having vertical relief of ten feet or more. "Bluff edge" is the upper termination of a bluff. When the top edge of the bluff is rounded away from the face of the bluff as a result of erosional processes related to the presence of the steep bluff face, the edge shall be defined as that point nearest the bluff beyond which the downward gradient of the land surface increases more or less continuously until it reaches the general gradient of the bluff. In a case where there is a steplike feature at the top of the bluff face, the landward edge of the topmost riser shall be taken to be the bluff edge.

Boarding House. A dwelling or part thereof where meals or meals and lodging are provided for compensation for three (3) or more persons not transient.

Buffer Zone. An area of land separating two distinct land uses which acts to soften or mitigate the effects of one land use on the other.

Building. Any structure having a roof supported by columns and/or by walls and intended for the shelter, housing and/or enclosure of any person, animal, or chattel. When any portion thereof is completely separated from every other portion thereof by a masonry division or fire wall without any window, door or other opening therein, which common wall extends from the ground to the upper surface of the roof at every point, then each such portion shall be deemed to be a separate building.

Building, Accessory. A subordinate building, the use of which is incidental to that of a main building on the same lot. On any lot upon which is located a dwelling, any building which is incidental to the conducting of any agricultural use shall be deemed an accessory building.

Building Code. Refers to the Uniform Building Code as adopted by reference by the City of Point Arena and as administered and enforced under contract with the County of Mendocino Building Department.

Buildout; Build-out. Development of land to its full potential or theoretical capacity as permitted under current or proposed planning or zoning designations.

Business Park. A comprehensively planned collection of offices, businesses, research and development (R & D) activities, and low-intensity/enclosed warehousing, in a park-like setting, not including industrial uses involving manufacturing, production and processing of goods.

California Environmental Quality Act (CEQA). A State law which (a) defines State environmental goals and the responsibilities of local governments to assist in achieving those goals; and (b) sets forth the requirements for the environmental analysis of proposed public and private projects, including the preparation and/or review of environmental impact reports or the issuance of exemptions and negative declarations.

California Housing Finance Agency (CHFA). A State agency, established by the U.S. Housing and Home Finance Act of 1975, which is authorized to sell revenue bonds and generate funds for the development, rehabilitation, and conservation of very low, low, and moderate-income housing.

CalTrans. California Department of Transportation.

Campground. A lot on which two or more recreational vehicles or tents are parked or located and used for sleeping or eating purposes on a strictly transient basis.

Canopy. A permanent covering over a walkway or driveway wholly supported on each side be posts or walls or partially supported by posts or a wall and an adjacent building.

Capital Improvements Program. A program which schedules permanent improvements five or six years into the future to fit the City's projected fiscal capability and to implement the General Plan or a Specific Plan. The program generally is reviewed annually, and the first year of the program is adopted in the City's annual budget.

CEQA. See California Environmental Quality Act.

Clustered Development. Development in which a number of dwelling units are placed in closer proximity than usual, or are attached, with the purpose of retaining an open space area.

CNEL. See "Community Noise Equivalent Level."

Co-housing. An owner-occupied residential project combining the benefits of private housing with the advantages of communal living whereby each owner has a home, often with a yard, while also co-owning and sharing common spaces and facilities with fellow residents.

Coastal Commission. The California Coastal Commission as established in the California Coastal Act of 1976.

Coastal Development Permit. A permit for any development within the coastal zone that is required pursuant to Section 30600 (a) of the California Coastal Act of 1976. (Also known as Development Permit.)

Coastal Zone. That land and water area of the State of California in the City limits of the City of Point Arena, specified on the maps identified and set forth in Section 17 of the California Coastal Act of 1976.

Coastal-dependent development or use. Any development or use which requires a site on, or adjacent to, the sea to be able to function at all.

Coastal-related development or use. Any development or use that is dependent on a coastal-dependent development or use.

Commercial Coach. A structure transportable in one or more sections, designed and equipped for human occupancy for industrial, professional or commercial purposes, which is required to be moved under permit, and shall include a trailer coach.

Common Open Space. Refers to the required unimproved area (land or water) of a Planned Residential Development (PRD) project, including permanent open space lands, unbuildable land, and land reserved for outdoor recreational purposes. Common open space shall be in addition to land required or provided for off-street parking, required side, rear or front yards, private decks and patios.

Common Wall. See "Building".

Community Care Facility. Elderly housing licensed by the State Health and Welfare Agency, Department of Social Services, typically for residents who are frail and need supervision. Services normally include three meals daily, housekeeping, security and emergency response, a full activities program, supervision in the dispensing of medicine, personal services such as assistance in grooming and bathing, but no nursing care. Sometimes referred to as residential care or personal care.

Community Development Block Grant (CDBG). A grant program administered by the U.S. Department of Housing and Urban Development (HUD) and the State Department of Housing and Community Development (HCD). This grant allots money to cities and counties for housing and community development. Jurisdictions set their own program priorities within specified criteria.

Community Noise Equivalent Level (CNEL). A 24-hour energy equivalent level derived from a variety of single-noise events, with weighting factors of 5 and 10 dBA applied to the evening (7:00 to 10:00 pm) and nighttime (10:00 pm to 7:00 am) periods, respectively, to allow for the greater sensitivity to noise during these hours.

Community Park. Land with full public access intended to provide recreation opportunities beyond those supplied by neighborhood parks. Community parks are larger in scale than neighborhood parks but smaller than regional parks.

Compatible. Capable of existing together without conflict or ill effects.

Comprehensive Project Development Plan. A thorough depiction in maps, diagrams and text of a proposal to develop one or more

parcels of land as one unit, showing development phases at a level of detail sufficient to communicate all information that the Planning Commission may require in order to have a full picture of a development proposal and its likely impacts.

Conditional Use. Use that is not an entitlement or use by right, which may or may not be acceptable to the City, or may be acceptable only if certain conditions are met. At its sole discretion the City may or may not issue a Conditional Use Permit, or may, after making appropriate findings, attach such reasonable conditions as it sees fit and are in the public interest, which conditions are binding on the owner/developer.

Condominium. An estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interest in a space in a residential, industrial or commercial building on such real property, such as an apartment, office, or store. A condominium may include, in addition, a separate interest in other portions of such real property.

Conservation. The management of natural resources to prevent waste, destruction, or neglect.

Consistent. Free from variation or contradiction. Policies and programs in the General Plan are to be consistent with each other, not contradictory or preferential. State law requires consistency between a general plan and implementation measures such as the zoning ordinance.

Convalescent Home. A structure or part of a structure operated as a lodging house in which nursing, dietary, and other personal services are rendered to convalescents, invalids, or aged persons, not including persons suffering from contagious or mental diseases, in which primary treatment, such as customarily are given in hospitals or sanitariums, is not provided.

Day Care Center. Any type of group child day-care program, including nurseries of children of working mothers; nursery schools for children under minimum age for education in public schools; privately-conducted kindergartens when not part of a public or parochial school; programs covering after-school care for school children... all of which must be conducted in accordance with State and local requirements.

dB. (decibel) A unit of sound measurement used to express the relative intensity of a sound. The decibel measuring scale is logarithmic. Zero (0 dB) on the scale is the lowest sound level that a normal ear can detect under very quiet ("laboratory") conditions, and is referred to as the "threshold of hearing."

dB(A). Sound pressure level in decibels (dB) as measured on a sound level meter using the "A-weighted" filter network. "A-weighting" de-emphasizes very low and very high frequencies in a manner similar to the response of the human ear. An increase of 10 dB(A) is equivalent to a doubling in perceived sound level. When used by itself, dB(A) denotes either a sound level at a given instant, a maximum level, or a steady-state level.

Dedication. The turning over by an owner or developer of private land for public use, and the acceptance of land for such use by the governmental agency having jurisdiction over the public function for which it will be used. Dedications for roads, parks, school sites, open spaces, or other public uses often are made conditions for City approval of a development.

Dedication, In lieu of. Cash payments which may be required of an owner or developer as a substitute for a dedication of land, usually calculated in dollars per lot or square foot of land or building area, and referred to as "in lieu fees" or "in lieu contributions."

Density. For housing, density is the number of permanent residential dwelling units per gross amount of land. All densities specified in the General Plan are expressed in maximum number of units per gross acre. Density can be controlled through zoning in the following ways: minimum lot-size requirements, floor area ratio, land use-intensity ratio, setback and yard requirements, minimum house-size requirements, ratios comparing number and types of housing units to land area, limits on units per acre, and other means. Maximum allowable density often serves as the major distinction between residential districts.

Density Bonus. The allocation of development rights that allow a parcel to accommodate additional square footage or additional residential units beyond the maximum for which the parcel is zoned, usually in exchange for the provision or preservation of an amenity, or inclusion of affordable housing units, at the same site or at another location.

Design Assistance/Design Review. The process of subjecting a development proposal to technical and public scrutiny and review, and to possible modification, in order to ensure that suitable attention is given in site and building design to landscaping and screening, preservation of natural resources, and preservation of architectural and significant historic resources, and to site planning. A "design assistance committee" is authorized by the Zoning Ordinance to carry out the city's design assistance and review functions.

Developable Acres, Net. The portion of a site remaining after

removing or deducting public or private road rights-of-way and land not developable, and which can then be built upon. Net acreage includes required yards or setbacks.

Developable Land. Land which is suitable as a location for structures or uses and which can be developed free of development hazards, and without disruption of, or significant impact on, natural resource areas.

Developer. The person, group of persons, corporation, partnership, firm or association proposing to undertake a development as defined in this ordinance.

Development. Development means, on land, in or under water, the placement or erection of any solid material or structure: discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting and timber operations, which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511).

As used in this plan, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

Development Agreement. A legal and enforceable instrument binding the city and a developer equally, which may specify conditions, terms, restrictions and regulations pertaining to all aspects of a development. Development agreements are subject to: public hearings, the making of findings as to consistency with the city's general plan, and recordation with the County Recorder. They are authorized by California Planning Law as a means for "locking in" the specific terms of a city-developer arrangement and for formalizing vested rights in a development plan.

Development Fees. A monetary exaction, other than a tax or

special assessment, which is charged by the City in connection with a development project, the purpose of which is to defray all or a portion of the costs of public facilities related to the development project, and subject to the provisions of Sections 66000-66025 of the California Government Code.

Development Permit. Same as "Coastal Development Permit."

Directional Sign. A sign providing information that is limited to describing the location of a building, facility, group of buildings, event, town, city, or other place.

Discourage. To advise or persuade to refrain from.

Display Surface. The area of the smallest plane figure which can be made to enclose the message, word, symbol, design, picture or visual medium visible on the surface of any Sign. Where a Sign includes surfaces facing in different directions, the Display Surface shall be the largest total area of Display Surface visible from any one direction. In the case of a volumetric Sign, the Display Surface shall be the largest plane cross section thereof.

Diversion. The direction of water in a stream away from its natural course (i.e., as in a diversion that removes water from a stream for human use).

Double Faced Sign. A sign with two faces back-to-back, and not less than three hundred forty-five degrees between display surfaces.

Duplex. A freestanding building designed for and/or occupied by two families living independently of each other and with individual and separate cooking facilities.

Dwelling, Multi-Family. A building or portion thereof, or a complex of two or more buildings, used and or designed as residence for three or more families living independently of each other, and doing their own cooking in said building(s), including apartment houses, but not including transient accommodations.

Dwelling, Single-Family. A freestanding building designed for and/or occupied exclusively by one family.

Dwelling, Townhouse. A dwelling unit with a ground-level story located in a building which includes two or more such dwelling units and each dwelling unit, together with the underlying lot, is owned separately from any other dwelling unit and lot.

Dwelling Unit. One room or a suite of two (2) or more rooms in a building designed for, intended for, or used by one family, which

family lives, sleeps, and cooks therein and which unit has one kitchen or kitchenette.

Easement. Usually the right to use property owned by another for specific purposes. Easements are either for the benefit of land, such as the right to cross A to get to B, or "in gross", such as a public utility easement. For example, "rear" lots without street frontage may be accessed via an easement over the "front" lots. Utility companies use easements over the private property of individuals to be able to install and maintain utility facilities.

Easement: Conservation. A tool for acquiring open space at a cost less than full-fee purchase, whereby a public agency buys only certain specific rights from the landowner. These may be positive rights (providing the public with the opportunity to hunt, fish, hike, or ride over the land), or they may be restrictive rights (limiting the uses to which the land owner may devote the land in the future).

Easement, Scenic. A tool that allows a public agency to use, at nominal or no cost, private land for scenic enhancement, such as roadside landscaping or vista preservation.

Ecosystem. An interacting system formed by a biotic community and its physical environment.

Element. A chapter or section of the Point Arena General Plan which addresses a specific topic and sets forth public policies and programs pertaining to that topic. California Planning Law mandates that each city and county prepare and adopt a general plan containing at least seven specified elements (land use, circulation, open space, conservation, noise, safety, and housing).

Emergency Shelter. A facility that provides immediate and short-term housing and supplemental services for the homeless. Shelters come in many sizes, but an optimum size is considered to be 20 to 40 beds. Supplemental services may include food, counseling, and access to other social programs. (See "Homeless" and Transitional Housing.")

Encourage. To stimulate or foster a particular condition through direct or indirect action by the private sector or governmental agencies.

Enhance. To improve existing conditions by increasing the quantity or quality of beneficial uses.

Environment. CEQA defines environment as "the physical conditions which exist within the area which will be affected by

a proposed project, including land, air, water, mineral, flora, fauna, noise, and objects of historic or aesthetic significance". This General Plan defines environment to also include social and economic conditions.

Environmental Analysis. The process mandated by the California Environmental Quality Act (CEQA) to ensure that state environmental policies are implemented and that the impacts of proposed projects in Point Arena are systematically evaluated and subject to public review before said project is approved and permits are issued to alter any site or commence any development public or private.

Environmental Impact Report (EIR). A report that assesses all the environmental characteristics of an area and determines what effects or impacts will result if the area is altered or disturbed by a proposed action. (See "California Environmental Quality Act.")

Environmentally Sensitive Area. Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and development.

Erosion. The loosening and transportation of rock and soil debris by wind, rain, or running water; and/or the gradual wearing away of the upper layers of earth.

ESD. The use equivalent to single family dwelling units.

Exaction. A contribution or payment required as an authorized precondition for receiving a development permit; usually refers to mandatory dedication (or fee in lieu of dedication) requirements found in subdivision and other local land-use regulations.

Family. One person; or two or more persons related by blood, marriage or adoption; or a group not in excess of five unrelated persons living together as a single housekeeping unit.

Farmers Home Administration (FmHA). A federal agency providing loans and grants for improvement projects and low-income housing in rural areas.

Fast-food Restaurant. Any retail establishment intended primarily to provide short-order food services for on-site dining and/or take-out, including self-serve restaurants (excluding cafeterias where food is consumed on the premises), drive-in restaurants, and formula restaurants required by contract or other arrangement to offer standardized menus, ingredients, and

fast-food preparation.

Feasible. Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic environmental, social, and technological factors.

Feasible, Technically. Capable of being implemented because the industrial, mechanical, or application technology exists.

Fence. A masonry wall, or a barrier composed of posts connected by boards, rails, panels, or wire for the purpose of screening, enclosing space or separating parcels of land, but not including retaining walls.

Fill. Earth or any other substance or material placed on any lands, including submerged areas.

Final Map. The official map recording a subdivision or parcel split, which map must conform in all respects to the state Subdivision Map Act and substantially conform with an approved Tentative Map or Parcel Map.

Finding(s). The result(s) of an investigation and the basis upon which decisions are made. Findings are made by government agents and bodies prior to taking action, and are a record of the justifications for such action(s). Further defined in the Point Arena Zoning Ordinance.

Finished Grade. The average of the finished ground level at the center of all walls of a building.

Fiscal Impact Analysis. A projection of the direct, public costs and revenue resulting from population or employment change to the local jurisdiction in which the change is taking place; enables local governments to evaluate the fiscal merits of proposed projects.

Flood, 100 Year. The magnitude of a flood expected to occur on the average every 100 years, based on historical data. The 100-year flood has a 1/100, or one percent, chance of occurring in any given year.

Flood Insurance Rate Map (FIRM). The official map on which the Federal Insurance Administration has delineated areas of special flood hazard and the risk premium zones applicable to the City (copy available for review at City Hall).

Flood Plain. The relatively level land area on either side of the banks of a stream regularly subject to flooding. That part of the flood plain subject to a one percent chance of flooding in any given year is designated as an "area of special flood hazard"

by the Federal Insurance Administration.

Floor Area, Gross. The enclosed area of a building measured from an exterior surface to exterior surface, but excluding the following: Exterior balconies and galleries covered but not enclosed; patios, atriums, and the like if not covered; common-use areas for all tenants; garages and carports; major mechanical equipment rooms.

General Plan. A compendium of the City's policies and programs regarding its long-term development, in the form of official maps and accompanying text. The General Plan is a legal document required of each local agency by the State of California Government Code Section 65301 and is adopted by the City Council.

Geologic Review. The analysis of geologic hazards, including all potential seismic hazards, surface ruptures, liquefaction, landsliding, mudsliding, and the potential for erosion and sedimentation.

Goal. A general, overall, and ultimate purpose, aim, or end toward which the City will direct effort (See the Point Arena General Plan).

Grade. To move earth or native material by mechanical means.

"Granny" Unit. A dwelling unit for the sole occupancy of one adult or two adult persons who are age 62 of age or over. The area of floor space, in the case of an attached unit, may not exceed 30% of the existing living area; the area of floor space of a detached "granny unit" may not exceed 1200 square feet. "Granny units" are authorized by and subject to Section 65852.1 of the California Government Code.

Grasslands. Land preserved for pasturing or mowing, in which grasses are the predominate vegetation.

Groundwater. Water under the earth's surface, often confined to aquifers capable of supplying wells and springs.

Groundwater Recharge. The natural process of infiltration and percolation of rainwater from land areas or streams through permeable soils into water-holding rocks which provide underground storage.

Growth Management. The use by a community of a variety of techniques in combination to establish the amount, type, and rate of growth desired by the community and to channel that growth into designated areas. Growth management policies can be implemented through growth rates, zoning, capital improvements programs, public facilities ordinances, urban limit lines, and

other programs.

Guest House. A structure accessory to a dwelling with sleeping and bathroom facilities that is not continuously occupied for residential purposes, and lacking any kitchen facilities.

Guidelines. General statements of policy direction around which specific details may be later established.

Habitat. The physical location or type of environment in which an organism or biological population lives or occurs.

Handicapped. A person determined to have a physical impairment or mental disorder expected to be of long or indefinite duration. Many such impairments or disorders are of such a nature that a person's ability to live independently can be improved by appropriate housing conditions.

Hazardous Material. An injurious substance, including (among others) pesticides, herbicides, poisons, toxic metals and chemicals, liquified natural gas, explosives, volatile chemicals, and nuclear fuels.

Height. The vertical distance from the average finished grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the average height of the highest gable of a pitch or hip roof.

Highly Scenic Areas. --generally include:

(1) landscape preservation projects designated by the State Department of Parks and Recreation in the California Coastline Preservation and Recreation Plan;

(2) open areas of particular value in preserving natural landforms and significant vegetation, or in providing attractive transitions between natural and urbanized areas; and

(3) other scenic areas and historical districts designated by cities and counties.

High-Occupancy Structure. Any building the use of which may include public assembly or occupancy at any time by large numbers of people, including but not limited to school, churches, social halls, and theaters.

Historic Preservation. The preservation of historically significant structures and neighborhoods in as near authentic form and design as possible.

Home Occupation. A use, which may be a commercial enterprise, customarily conducted within a dwelling or accessory building by the inhabitants of the dwelling and which use is clearly incidental and secondary to the use of the premises for dwelling purposes and does not change the character of the dwelling, premises or neighborhood, or cause significant impact or nuisance.

Home Occupation Permit. A permit that the City may issue to a home owner or renter on a conditional basis to authorize a home occupation, which permit becomes valid upon the paying of a business license fee.

Homeless. Persons and families who lack a fixed, regular, and adequate nighttime residence. Includes those staying in temporary or emergency shelters or who are accommodated with friends or others with the understanding that shelter is being provided as a last resort. California Housing Element law, Section 65583(c)(1), requires all cities and counties to address the housing needs of the homeless. (See "Emergency Shelter" and "Transitional Housing.")

Hospice. A home for people who are ill (especially terminally) or destitute.

Hotel. Any building or portion thereof containing living quarters or dwelling units and designed for or intended to be used by six (6) or more transient guests, whether the compensation or hire be paid directly or indirectly, and shall include resort hotel, lodging house or inn.

Household. One or more persons who share a dwelling unit. Not to be confused with "Family."

Household Income. Classifications:

Very Low - not exceeding 50% of the area (Mendocino County) median income.

Other Lower - between 50% and 80% of the area median income.

Moderate - between 80% and 120% of the area median income.

Above Moderate - above 120% of the area median income.

Housing and Community Development Department of the State of California (HCD). The State agency principally charged with assessing whether, and planning to insure that, communities meet the housing needs of very low, low, and moderate-income households.

Housing and Urban Development, U. S. Department of. A cabinet-level department of the federal government (HUD) which administers housing and community development programs.

Housing Authority, Local (LHA). Local housing agency established in State law, subject to local activation and operation. Originally intended to manage certain federal subsidies, but vested with broad powers to develop and manage other forms of affordable housing. The LHA for Point Arena is the County of Mendocino.

Housing Need. A local share of the regional housing units assumed by the Mendocino County Council of Governments (MCOG) to be "needed." Housing need is distinguished from housing demand, which is a function of marketing activities. Housing projections represent probable levels of housing construction activity in each jurisdiction of the county.

Housing Unit. The term used by the U.S. Census Bureau. A housing unit must have a separate entrance from other housing units but need not have separate kitchen facilities.

Illuminated Sign. Any sign provided with light either internally or by turning or focusing a light source upon it.

Impact Fees. Fees levied on the developer of a project by the City as compensation for unmitigated impacts the project will produce.

Impervious Surface. Surface through which water cannot penetrate, such as roof, road, sidewalk, and paved parking lot. The amount of impervious surface increases with development and establishes the need for drainage facilities to carry the increased runoff.

Implementation. Actions, procedures, programs, or techniques that carry out policies.

Industrial. The manufacture, production, processing or reprocessing, and storage of goods, including quarrying, factories, chemical storage, corporation yards, mining, etc.

Industrial Park. A planned assemblage of buildings designed for and restricted to industrial activities such as: manufacturing, processing and production of goods (to be distinguished from Business Park, for which, see "Business Park").

Infill. Development of vacant land (usually individual lots or left-over properties) within areas which are already largely developed such as downtown Point Arena.

Infrastructure. The grid of public roads and utilities that is necessary to make urban development, including housing, occur.

Initial Study. A preliminary analysis by the City of a proposed project that is intended to determine whether an Environmental Impact Report (EIR) must be prepared or a Negative Declaration will be sufficient. The term is more fully defined in CEQA.

Inn. A building or portion thereof containing living quarters or dwelling units and designed for or intended to be used by six (6) or fewer transient commercial guests.

Interagency. Between and among agencies. Indicates cooperative actions between or among two or more discrete city, county, special district and State agencies in regard to a specific program.

Interest, Fee. A share or right in property that entitles a land owner to exercise complete control over disposition and use of land, subject only to government land-use regulations ("fee" is synonymous with "fee simple" or ownership).

Interest, Less-than-fee. An interest in land other than outright ownership; includes the purchase of development rights via conservation, open space, or scenic easements. (See "Development Rights," and "Easement, Scenic.")

Intermittent Stream. A stream that normally flows for at least thirty (30) days after the last major rain of the season and is dry a large part of the year.

Joint Powers Authority (JPA). A legal arrangement that enables two or more units of government to share authority in order to plan and carry out a specific program or set of programs that serves both units.

Kennel. Any premises, except those accessory to an agricultural use, where five (5) or more small domestic animals, not sick or injured, are boarded for compensation or cared for or trained for hire, or are kept for sale or breeding purposes.

Landmark. Refers to a building or site having historic, architectural, social, or cultural significance and designated for preservation by the local, state, or federal government. Also a significant tree.

Landscaping. Planting--including trees, shrubs, and ground covers-- suitably designed, selected, installed, and maintained so as to permanently enhance a site, the surroundings of a structure, or the sides or medians of a roadway.

Land-Use and Development Map. One of the official maps of the Point Arena General Plan, which depicts the land-use and traffic circulation policies of said plan.

Land-Use Categories. A classification system for the designation of appropriate and legal use of properties. Land-use categories are used on the General Plan Land Use Map to designate permissible uses, and in the City's Zoning Ordinance.

Land-Use Element. A Land Use Plan is a basic component of the General Plan, it combines text and maps to designate the future use or reuse of land within the City's planning area. The land-use element serves as a guide to the structuring of zoning and subdivision controls and capital improvement programs, and to official decisions regarding the distribution and intensity of development and the location of public facilities and open spaces.

Land-Use Plan. A component of the Point Arena Local Coastal Program (LCP) which was adopted by the Point Arena City Council and certified by the State Coastal Commission in 1980, and is scheduled for re-certification upon adoption of the 1992 General Plan. Subjects required in the Land-Use Plan include: Coastal access, marine/water resources, sensitive habitats, hazard areas, recreational/ commercial boating, public works/agriculture, recreation/visitor- serving facilities, industrial/energy facility development, housing, visual resources, planning/locating new development and diking, dredging and filling.

Land-use Permit. Same as "Coastal Development Permit."

Ldn. Day-Night Average Sound Level. The A-weighted average sound level for a given area (measured in decibels [dB]) during a 24-hour period with a 10 dB weighing applied to night-time (10 pm - 7 am) sound levels.

Leq. The energy equivalent level, defined as the average sound level on the basis of sound energy (or sound pressure squared). The Leq is a "dosage" type measure and is the basis for the descriptors used in current standards, such as the 24-hour CNEL used by the State of California. The steady-state A-weighted sound level containing the same energy as a time-varying signal; an average of the sound levels for a given sample time, typically 1-24 hours. Leq(5) would indicate a five hour sample time.

Level of Service (LOS). A scale that measures the operating capacity likely to be encountered on a roadway or at the intersection of roadways, based on a volume-to-capacity ratio, with levels ranging from A to F, with A representing the lowest

volume-to-capacity ratio and the highest level of service. (See "Volume-to-Capacity Ratio.")

Level-of-Service A represents free flow. Individual users are virtually unaffected by the presence of others in the traffic stream. The general level of comfort and convenience provided to the motorist or passenger is excellent.

Level-of-Service B is in the range of stable flow, but the presence of other users in the traffic stream begins to be noticeable. There is a slight decline in the freedom to maneuver within the traffic stream. The level of comfort and convenience provided is somewhat less than at LOS A, because the presence of others in the traffic stream begins to affect individual behavior.

Level-of-Service C is in the range of stable flow but marks the beginning of the range of flow in which the operation of individual users becomes affected by interactions with others in the traffic stream. Maneuvering within the traffic stream requires vigilance on the part of the user. The general level of comfort and convenience declines at this level.

Level-of-Service D represents high-density but stable flow. Freedom to maneuver is severely restricted, and the driver experiences a generally poor level of comfort and convenience. Small increases in traffic flow will generally cause operational problems at this level.

Level-of-Service E represents operating conditions at or near the capacity level. Freedom to maneuver within the traffic stream is extremely difficult, and it is generally accomplished by forcing a vehicle or pedestrian to "give way" to accommodate such maneuvers. Comfort and convenience levels are extremely poor, and driver frustration is generally high. Operations at this level are usually unstable, because small increases in flow or minor disturbances within the traffic stream will cause breakdowns.

Level-of-Service F is used to define forced or breakdown flow. This condition exists wherever the amount of traffic approaching a point exceeds the amount which can traverse the point. Queues form behind such locations. Operations with the queue are characterized by stop-and-go waves, and they are

extremely unstable. Vehicles may progress at reasonable speeds for several hundred feet or more, then be required to stop in a cyclic fashion.

Live-Work Space. A studio, workroom or loft, together with a living space including a kitchen and bath, which space is not necessarily divided into separate rooms.

Lmax. The maximum A-weighted sound level during a noise event, or sample period.

Lmin. The minimum A-weighted sound level at a given location. This corresponds to the ambient background noise level.

Local Agency Formation Commission (LAFCO). A County commission that reviews and evaluates all proposals for formation of special districts, incorporation of cities, annexation to special districts or cities, consolidation of districts, and merger of districts with cities. Each county's LAFCO is empowered to approve, disapprove, or conditionally approve these proposals.

Local Coastal Program (LCP). The California Coastal Act's mandated collection of plans and programs for preparation and adoption by the City and certification by the California Coastal Commission. Point Arena's LCP must be consistent with the City's General Plan, and upon re-certification must be adhered to, implemented by the City, and monitored by the Coastal Commission. [The pre-1992 LCP consisted of the Land Use Plan and the Zoning Ordinance.]

Lot. A tract of land lawfully established and officially recorded in the County Recorder's office, which constitutes a unit of land the ownership of which is legally transferable and is considered a unit for purposes of development.

Lot Area. The total horizontal area included within lot lines.

Lot, Corner. A lot at the junction of and abutting on two or more intersecting streets where the angle of intersection is 130 degrees or less.

Lot Frontage. The line separating a lot from the street, in the case an interior lot, and the line separating the narrowest street frontage from the street in the case of a corner lot.

Lot, Interior. A lot other than a corner lot.

Lot Lines. The lines bounding a lot as defined herein.

Lot Line, Rear. The boundary of a lot opposite and most nearly parallel to the front lot line.

Lot, Non-conforming. Any lot existing and recorded as a separate parcel in the office of the County Assessor at the effective date of the Zoning Ordinance which does not conform to the area or width requirements of the district in which it is located or does not conform to the subdivision regulations of the City of Point Arena.

Low-income Household. Households with incomes of 51 - 80% of the area median household income. It is determined by a survey of incomes conducted by the City or by Mendocino County, or in the absence of such a survey, based on the latest available findings for the County as provided by the U.S. Department of Housing and Urban Development (HUD).

Manufactured Housing. Houses which are constructed entirely in the factory, and which since 1976 have been regulated by the federal Manufactured Home Construction and Safety Standards under the administration of the U. S. Department of Housing and Urban Development (HUD).

Market-Rate Units. Those dwelling units available at prices or rents at or above the market rate, which are those prices determined by market demand.

May. That which is permissible.

Median Household Income. The middle point at which half of the City's households earn more and half earn less. In 1991 the median household income for Mendocino County is $30,500 per year.

Minimize. To reduce or lessen, but not necessarily to eliminate.

Minipark. Small neighborhood park of approximately one acre or less. It may also be referred to as "tot lot" when reserved for very young children.

Mitigate. To ameliorate, alleviate, or avoid to the extent reasonably feasible. According to CEQA, mitigations include: (a) avoiding an impact by not taking a certain action or parts of an action; (b) minimizing an impact by limiting the degree or magnitude of the action and its implementation; (c) rectifying an impact by repairing, rehabilitating, or restoring the environment affected; (d) reducing or eliminating an impact by preserving and maintaining operations during the life of the action; (e) compensating for an impact by replacing or providing substitute resources or environments.

Mixed-use. Properties on which various uses, such as office, commercial, institutional, and residential, are combined in a single building or on a single site in an integrated development

project with significant functional interrelationships and a coherent physical design. A "single site" may include contiguous properties.

Mobile Home. An independent structure equipped with a toilet for sewage disposal that is transportable in one or more sections, to be used with or without a foundation system. Mobile home does not include a recreational vehicle, commercial coach or factory-built housing.

Mobile Home Park. A lot on which two or more mobile homes are located and used for sleeping, cooking or eating purposes, subject to the City's special mobile home park regulations (See Ordinance No. 118).

Moderate-Income Household. Households with incomes of 81 - 120% of the area median income, as determined by a survey of incomes conducted by Mendocino County, or in the absence of such a survey, based on the latest available findings for the County as provided by the U. S. Department of Housing and Urban Development (HUD).

Modular Unit. A factory-fabricated, transportable building or major component designed for use by itself or for incorporation with similar units on-site into a structure for residential, commercial, educational, or industrial use. A modular unit does not have any chassis for future movement. (See "Mobile Home".)

Motel. A building or group of buildings comprising individual living quarters or dwelling units for the accommodation of transient guests, which is designed so that parking is on the same building site and is conveniently accessible from the living units without having to pass through any lobby or interior court. This definition includes auto court, tourist court, and motor hotel; but does not include a hotel, accommodations for mobile homes or trailers.

Mountain Beaver Buffer Area. A 500 feet wide area measured from the centerline of Point Arena Creek which may contain species of the Point Arena Mountain Beaver and where special consideration may be necessary if signs of the mountain beaver are found within this radius.

Multi-Family Dwelling or Area. A building or site legally accommodating more than one family or units or complexes housing more than one family.

Multi-Family Useable Open Space. Any useable outdoor area of a multi-family residential project in a MR or HWC zone, which area is reserved and designed for common use by the project's

occupants. This space is in addition to space provided for required yards and off-street parking, and for private patios and decks.

Must. That which is mandatory (equivalent to "shall").

Natural State. The condition existing prior to any development or change in site conditions.

Necessary. Essential or required.

Need. A condition requiring supply or relief. The City may act upon findings of need within or on behalf of the community.

Negative Declaration. A written statement prepared by a public agency describing reasons that a proposed project will not have a significant effect on the environment and, therefore, does not require an environmental impact report (EIR).

Neighborhood Park. Publicly-owned land intended to serve the recreation needs of people living or working within a one-half mile radius of the park and also intended to contribute to a distinct neighborhood identity.

New. Any use established, building or structure constructed, development undertaken, or lot created after the effective date of this plan or an amended Zoning or other ordinance.

Noise Attenuation. Reduction of the level of a noise source using a substance, material, or surface, such as earth berms and/or solid concrete walls.

Noise Contour. A line connecting points of equal noise level as measured on the same scale. Noise levels greater than the 60 Ldn contour (measured in dBA) require noise attenuation in residential development. New residential development within the 60 Ldn contour (60 Ldn and greater) must meet noise attenuation standards as required by Title 25 of the California Administrative Code--Noise Insulation Standards.

Non-attainment. The act of not achieving a desired or required level of performance. Frequently used in reference to air quality.

Non-conforming. A structure and/or land use which was lawfully established but which does not now conform with the land use, yard, height, or other requirements and conditions of the Zoning Ordinance.

Non-conforming Sign. A sign lawfully erected, established and maintained prior to the effective date of this Ordinance, but

which could no longer be allowed due to changing sign code restrictions, or a sign that does not conform to the code restrictions.

Non-Prime Agricultural Land. Coastal agriculture lands that are not in use for crops or grazing, or that are suitable for agriculture but do not qualify as "prime."

Nursing Home. "See Convalescent Home".

Objective. A specific statement of desired future conditions toward which the City will expend effort in the context of striving to achieve a broader goal.

Off-site Sign. A sign which is located on a parcel other than that occupied by the product, service, business, person, institution, or location advertised (also called an "off-premise sign").

Off-street Loading. A site, or portion of a site, devoted to the loading or unloading of vehicles, including loading berths, aisles, access drives, and landscaped areas.

Off-street Parking. A site, or portion of a site, devoted to the off-street parking of vehicles, including parking spaces, aisles, access drives, and landscaped areas.

Open Space Lands. Any area of land or water which is essentially unimproved and devoted to an open-space use such as (1) the preservation of natural resources; (2) managed production of resources; (3) outdoor recreation; (4) public health and safety. (Government Code Section 65560 and Public Resource Code 5076)

Opportunities and Constraints Map. One of the two official maps of the 1992 General Plan, which depicts sites, areas, conditions and situations which may constrain development, or suggest opportunities, which constraints and opportunities shall be taken into account in the project planning process and prior to commencing any development.

Outdoor Recreation Use. A privately-owned or publicly-owned or operated use providing facilities for outdoor recreational activities.

Overlay. A land-use designation on the Land Use and Development Map, or other map, or a zoning designation on a zoning map, which modifies the basic underlying designation in some specific manner.

Ownership. Ownership of property (or possession thereof under a contract to purchase or under a lease, the term of which is not

less than ten (10 years) by a person or persons, firm, corporation, or partnership--individually, jointly, in common, or in any other manner--whereby such property is under single or unified control. The term shall include condominium ownership. The term "Owner" shall be deemed to mean the person, firm, corporation, or partnership holding legal or equitable title or recorded contract of purchase of property, or any person authorized by written instrument to act for the owner.

Parcel. A lot, or contiguous group of lots, in single ownership or under single control, usually considered a unit for purposes of development (also see "Lot").

Parcel Map. A map depicting the establishment of up to four new lots by splitting a recorded lot. Parcel maps are subject to the California Subdivision Map Act and the City's subdivision regulations.

Parking Area, Common. A public or private parking area used jointly by two or more uses.

Parking Lot, Public. An open area, other than a street or alley, used for the parking or storage of vehicles, and available for public use.

Peak Hour. For any given traffic facility, the daily, 60-minute period during which traffic volume is highest.

Performance Standards. Zoning regulations that admit uses based on a particular set of standards of operation rather than on the basis of a particular type of use. Performance standards may be established to limit noise, air pollution, emissions, odors, vibration, dust, dirt, glare, heat, fire hazards, wastes, traffic generation, and visual impact of a use, and may be used to distinguish which uses, based on their likely standards of performance, are acceptable in a particular setting.

Permitted/Permissible Uses. Same as "Use by Right."

Person. Any individual, public, or private corporation, political subdivision, partnership, firm, trust or estate or any other legal entity whatsoever which is recognized in law as to rights or duties.

Personal Services. Services of a personal convenience nature, as opposed to products. Personal services include barber and beauty shops, shoe and luggage repair, fortune tellers, photographers, laundry and cleaning services and pick-up stations, copying, repair and fitting of clothes, and similar services.

Physical Diversity. A quality of a site, city, or region in

which are found a variety of architectural styles, natural landscapes, and/or uses.

Planned Community. A large-scale development whose essential features are a definable boundary; a consistent, but not necessarily uniform, character; overall control during the development process by a single development entity; private ownership of recreation amenities; and enforcement of covenants, conditions, and restrictions by a master community association.

Planned Development. At one time (pre 1992 General Plan) a low-density zoning district as well as a set of approval procedures. A technique for comprehensively planning and establishing procedures for approving development on large parcels of land "by agreement" without adhering strictly to standard local development and zoning standards.

Planned Commercial Development (PCD). Same as Planned Residential Development (PRD), except pertains to properties designated on the Zoning Map as commercial.

Planned Residential Development (PRD). A procedure for plan preparation, review and approval of large-scale, comprehensively-planned residential projects. Allows for flexibility of design and layout, and mixed uses, as well as creative approaches to site and building designs. Functions as an "overlay" of residential zoning and is a mandatory procedure for the development of parcels ten acres and larger.

Planning Area. A term referring to the entire area of jurisdiction and concern for the City of Point Arena's planning purposes. Also refers to the lot or lots included within a planned development.

Policy. A specific statement of principle or of guiding actions which implies clear commitment. A duly-adopted directive that the City will follow in order to meet its goals and objectives by undertaking specific action programs. (See also "Program.")

Pollution, Non-Point. Sources of pollution which are difficult to define and which usually cover broad areas of land, such as the carrying of fertilizers from agricultural land by runoff or the carrying of smog from one area to another.

Pollution, Point. A discrete source from which a pollution is generated before it enters receiving waters, such as a sewer outfall or an industrial waste pipe.

Preserve. See "Protect."

Prime Agricultural Land. Per California Government Code Section

51201 the term means:

(1) all land which qualifies for rating as Class I or Class II in the Soil Conservation Service land use capability classifications.

(2) land which qualifies for rating 80 through 100 in the Storie Index Rating.

(3) land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the U.S.D.A.

(4) land planted with fruit or nut bearing trees, vines, bushes or crops which have a non-bearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than $200 per acre.

(5) land which has returned from the production of unprocessed agricultural plant products on an annual gross value of not less than $200 per acre for three of the five previous years.

Professional Office Use. A use providing professional or consulting services in the fields of, but not limited to, law, architecture, design, engineering, accounting, and similar professions and activities.

Program. An action, activity, or strategy carried out in response to adopted policy to achieve a specific objective. Policies and programs establish the "who", "how", and "when" for carrying out the "what" and "where" of goals and objectives.

Project. "See Development".

Pro Rata. Refers to the proportionate distribution of the cost of infrastructure improvements associated with new development to the users of the infrastructure on the basis of projected use.

Protect. To maintain and preserve beneficial uses in their present condition as nearly as possible. (See "Enhance.")

Public Works Project. Any project by a public agency that is included in Section 30114 of the California Coastal Act of 1976 and any energy facility development within the meaning of Section 30107 of the California Coastal Act of 1976.

Rare or Endangered Species. A species of animal, fish, wildlife

or plant listed in: Sections 670.2 or 670.5, Title 14, California Administrative Code; or Title 50, Code of Federal Regulations, Section 17.11 or Section 17.2, pursuant to the Federal Endangered Species Act designating species as rare, threatened, or endangered.

Recognize. To officially (or by official action) identify or perceive a given situation.

Recreation, Commercial. Recreation facilities open to the general public for a fee, or restricted to members, when operated for profit as a business.

Recreation, Passive. Recreational uses often associated with beach or open space use (e.g., walking, sight-seeing, swimming, jogging, sunbathing, fishing, surfing), which requires little or no alteration of the environment.

Recreational Vehicle or RV. A motor home, travel trailer, truck camper or camping trailer, with or without motive power, designed for human habitation for recreational or emergency occupancy, with a living area less than 220 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures, bath and toilet rooms.

Recreational Vehicle Park. A designated area for the temporary (transient) parking of RVs, which may also include related facilities for RV user use only.

Redevelopment. The legally-authorized process of rehabilitating or rebuilding a deteriorated section of a city using municipal powers and finances to assemble properties, replace infrastructure, or otherwise assist in creating new facilities and stimulating private development.

Regulation. A rule or order prescribed for management of government.

Residential. Land designated by the City's General Plan and Zoning Ordinance for buildings consisting only of dwelling units. May be vacant or unimproved. (See "Dwelling Unit.")

Residential Care Facility. Elderly housing, usually licensed by the State Health and Welfare Agency, Department of Social Services, typically for residents who are frail and need supervision but no nursing care.

Resources, Non-renewable. Refers to natural resources, such as fossil fuels and natural gas, which, once used, cannot be replaced and used again.

Rest Home (Group Homes for Adults). Residential homes of any capacity that provide services to adults who need or desire care or supervision, and in which medical services are not provided.

Restaurant/Cafe. An establishment intended for the preparation and consumption of food and beverages, which may or may not include a bar.

Restore. To renew, rebuild, or reconstruct to a former state.

Restrict. To check, bound or decrease the range, scope, or incidence of a particular condition.

Retrofit. The addition of materials and/or devices to an existing building or system to improve its operation or efficiency.

Right-of-way. The strip of land over which certain transportation and public use facilities are built, such as roadways, railroads, and utility lines.

Riparian Buffer Zone. That portion of a riparian corridor directly adjacent to a stream or creek, fifty feet outward from the center line of the creek, the regulations for which are set forth in the Zoning Ordinance.

Riparian Corridor. A general term for lands running parallel to and along a creek, which lands constitute the ecosystem and potentially sensitive habitat for animal and plant life for said creek or stream.~~, and which are depicted on the Opportunities and Constraints Map of the General Plan.~~

Riparian Vegetation. Vegetation commonly occurring adjacent to stream banks and including such plants as willows, alders, cottonwood, wax myrtle, big leaf maple, California bay-laurel, red elderberry, nettle, Snow Berry, California Blackberry, Salmon berry, Thimbleberry, Wild Rose, Watercress, Western Azalea, ferns, Wild Cucumber, Honeysuckle, Baltic Rush, Cow parsnip, Common Horsetail, Creeping Wild-Rye, Fairy Bells, Hazelnut, Mugwort, Pipevine, Vine Maple, etc.

Risk. The danger or degree of hazard or potential loss.

Satellite TV Receiving Dish. Satellite television antenna is an apparatus capable of receiving communications from a transmitter or a transmitter relay located in planetary orbit, the purpose of which is to receive television or radio signals from orbiting satellites.

Second Dwelling Unit. A technical term defined in the California Government Code (Section 65852.2) referring to legal second

residential units in residential zones on existing lots that contain an existing single-family dwelling that conforms to all local codes, which second unit may be rented but not sold and must not exceed in floor area 30% of an existing living area if attached, or exceed 1200 square feet of floor area if a detached structure.

Section 8 Rental Assistance Program. A federal (HUD) rent-subsidy program which is the main source of federal housing assistance for low-income households. The program operates by providing "housing assistance payments" to owners, developers, and public housing agencies to make up the difference between the "Fair Market Rent" of a unit (set by HUD) and the household's contribution toward the rent, which is calculated at 30% of the household's adjusted gross monthly income (GMI). "Section 8" includes programs for new construction, existing housing, and substantial or moderate housing rehabilitation. (Administered in Point Arena by the County of Mendocino.)

Senior Housing. Housing designed for and typically reserved for senior citizens.

Sensitive Habitat Area. Areas in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in the ecosystem and which could be easily disturbed or degraded by human activities and developments, including coastal and river marshes, wetlands, lagoon tidepools, off-shore rocks, kelp beds, and riparian corridors.

Services, Personal and Professional. Beauty and barber shops; offices for doctors, dentists and others engaged in the human healing arts, provided no overnight care is given; offices for engineers, attorneys, architects, real estate sales, insurance, travel agencies, ambulance services, bail bonds, art and photography studios, and other such services which in the opinion of the Planning Commission are similar to the above (also see "Personal Services").

Shall. That which is mandatory.

Shared Living. The occupancy of a dwelling unit by persons of more than one family in order to reduce housing expenses and provide social contact, mutual support, and assistance. Shared living facilities serving six or fewer persons are permitted in all residential districts by Section 1566.3 of the California Health and Safety Code.

Should. Signifies a directive to be honored if at all possible.

Sign. Any structure, object or other physical contrivance,

whether located inside or outside a building, that is visible from any lot line and the primary purpose of which is advertising, endorsement, identification, or information, by means of visual symbols, lettering, illustration, or any other means of directing attention or communicating; including any Display Surface together with such structures, objects or other physical contrivances as are used in supporting, maintaining, and illuminating the Display Surfaces.

Sign, Freestanding. A sign which is supported by one or more uprights, poles, or braces in or upon the ground, and which is self-supporting in a fixed location and not attached to a building or structure.

Sign, Off-site. A sign which is located on a parcel other than that occupied by the product, service business, person, institution or location advertised. Also called an "off-premise sign."

Sign, Temporary. Any sign, including banners, pennants or other advertising display not permanently installed or affixed to a sign structure or building.

Siltation. The accumulating deposition of eroded material; the gradual filling in of streams and other bodies of water with sand, silt, and clay.

Single-family Dwelling, Attached. A dwelling unit occupied or intended for occupation by only one family that is structurally connected with other such dwelling units.

Single-family Dwelling, Detached. A dwelling unit occupied or intended for occupation by only one family that is structurally independent from any other such dwelling unit or structure intended for residential or other use.

Site. A parcel of land used or intended for one use or a group of uses and having frontage on a public or an approved private street or right-of-way.

Slope. Land gradient described as 100 times the vertical rise divided by the horizontal run. For example, a hill or road which rises in elevation 15 feet in a horizontal length of 100 feet has a slope of 15 percent.

Solar Access. The provision of direct sunlight to an area specified for solar energy collection when the sun's azimuth is within 45 degrees of true south.

Solar System, Active. A system using a mechanical device, such as a pump or a fan, and energy in addition to solar energy, to

transport a conductive medium (air or water) between a solar collector and the interior of a building for the purpose of heating or cooling.

Solar System, Passive. A system that uses direct heat transfer from thermal mass instead of mechanical power to distribute collected heat. Passive systems rely on building design and materials to collect and store heat and to create natural ventilation for cooling.

Solid Waste. General category that includes organic wastes, paper products, metals, glass, plastics, cloth, brick, rock, soil, leather, rubber, yard wastes, and wood.

Special Purpose Commercial Coach. A vehicle with or without motive power, designed and equipped for human occupancy for industrial, professional or commercial purposes, which is not required to be moved under permit, and shall include a trailer coach.

Specific Plan. A tool for detailed design and implementation of a defined portion of the area covered by a General Plan. A specific plan may include all detailed regulations, conditions, programs, and/or proposed legislation which may be necessary or convenient for the systematic implementation of any General Plan element(s) or a portion thereof or for designating, in a comprehensive and detailed fashion, the City's or a developer's intentions with respect to a property's use and development. (Authorized and further defined in California Planning, Zoning, and Development Laws, Article 8., Sections 65450 through 65457.)

Sphere of Influence. The probable ultimate physical boundaries and service area of the City a determined by the Local Agency Formation Commission (LAFCO) of Mendocino County.

Standards. Usually refers to site design regulations, such as lot area, height limit, frontage, landscaping, and floor area ratio, as distinguished from use restrictions; loosely refers to all requirements in the Zoning Ordinance and in other city ordinances.

Storm Runoff. Surplus surface water generated by rainfall that does not seep into the earth but flows overland to flowing or stagnant bodies of water.

Story. That portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, the space between the floor and the ceiling next above it.

Street. Land owned and designated by the City of Point Arena,

Mendocino County or the State of California as a public thoroughfare and which affords the primary means of access to abutting property.

Street Furniture. Those features associated with a street that are intended to enhance that street's physical character and use by pedestrians, such as benches, trash receptacles, kiosks, lights, newspaper racks, etc.

Street Tree Plan. A comprehensive plan for all city street trees which sets goals for tree canopy densities and solar access, and sets standards for species selection, maintenance, and replacement criteria, and for planting trees in patterns that will define neighborhood character while avoiding monotony or maintenance problems.

Streets, Local. Low speed/low volume roadways that provide direct access to abutting land uses; may allow for driveways to individual units, on-street parking, pedestrian access, and sidewalks or walkways.

Structure. Anything constructed, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground.

Structure, Accessory. A detached building or structure, other than a sign, the use of which is incidental to that of a main building or use; any building or structure which is incidental to the conducting of any agricultural use.

Studio. A workroom, which may include a shop, for use by an artist, photographer or craftsperson, which contains no kitchen but may include a lavatory and sinks, and is not intended for use as a dwelling unit, and which, unlike a gallery, is not open to the public.

Subdivision. The splitting into new lots or parcels of a larger piece of property, as defined in and subject to the City's subdivision regulations and the State Subdivision Map Act.

Substandard Housing. Residential dwellings which, because of their physical condition, do not provide safe and sanitary housing.

Substantial. Considerable in importance, value, degree, or amount.

Tax Increment Financing. A technical term that refers to a method available to cities for financing a redevelopment project.

Tentative Map. The initial map setting forth in detail a

proposed land subdivision, which map must comply with the City's subdivision and zoning regulations and the state Subdivision Map Act. The subdivision of land depicted on the tentative map does not take effect until approval and recordation of the Final Map.

Tot Lot. See "Minipark".

Tourism. The business of providing services for persons traveling for pleasure.

Townhouse; Townhome. A one-family dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more common and fire-resistant walls. Townhouses usually have separate utilities; however, in some condominium situations, common areas are serviced by utilities purchased by a homeowners association on behalf of all townhouse members of the association.

Transitional Housing. Shelter provided to the homeless for an extended period, often as long as 18 months, and generally integrated with other social services and counseling programs to assist in the transition to self-sufficiency through the acquisition of a stable income and permanent housing.

Travel Trailer. A vehicle other than a motor vehicle, which is designed or used for human habitation and which may be moved upon a public highway without a special permit or chauffeur's license or both, without violating any provision of the Vehicle Code.

Trees, Heritage. Trees planted by a group of citizens or by the City in commemoration of an event or in memory of a person figuring significantly in the history of the city.

Trees, Landmark. Trees whose size, visual impact, or association with a historically significant structure or event have led the City to designate them as landmarks.

Trees, Street. Trees strategically planted--usually in parkway strips, sidewalks or road medians--to enhance the visual quality of a street.

Trip. A one-way journey that proceeds from an origin to a destination via a single type of vehicular transportation; the smallest unit of movement considered in transportation studies.

Trip Generation. The dynamics that account for people making trips in automobiles or by means of public transportation. Trip generation is the basis for estimating the level of use for a transportation system and the impact of additional development or transportation facilities on an existing, local transportation

system.

Undevelopable. Specific areas where topographic, geologic, and/or surficial soil conditions indicate a significant danger to future occupants, or where public policy limits development in order to accomplish a public purpose (i.e. a riparian buffer zone).

Undue. Not proper, or more than necessary.

Unit. The basic term for counting homes. The number of units is the number of homes. A unit may be a single family house or an apartment in a multi-unit structure.

Urban Design. The attempt to give form, in terms of both beauty and function, to selected urban areas or to whole cities. Urban design is concerned with the location, mass, and design of various urban components and combines elements of urban planning, architecture, and landscape architecture.

Urban Limit Line. That line drawn on a map by the City which designates the extent to which urban services will be provided.

Urban Open Space. The absence of buildings or development, usually in well-defined volumes, within an urban environment.

Use. The purpose for which a lot or structure is or may be leased, occupied, maintained, arranged, designed, intended, constructed, erected, moved, altered, and/or enlarged pursuant to the City's Zoning Ordinance and General Plan land-use designation.

Use by Right. Refers to land uses and activities which are designated in the City's Zoning Ordinance as acceptable and legally permissible within a particular zoning district or land-use category, subject only to standards of development set forth in said ordinance, and to the provisions of CEQA, the city's design review requirements, the building code and other pertinent ordinances, and not otherwise conditional. (See "Use, Principal Permitted".)

Use, Principal Permitted. The primary use of land or of a main building, which use is intrinsically compatible with the purpose of the zone and which is permitted in the zone. If a use is listed in a specific zone as a principal permitted use, it means that the owner, lessee, or other person who has legal right to use the land has a vested right to conduct such principal permitted use in accordance with the other zoning regulations without securing special permission therefor, subject only to design and environmental impact review procedures.

Useable Common Open Space. Space required as part of a multi-family residential development that is located and designed in such a way that it is useable by humans and is in addition to required yards, patios, and decks.

Utility Corridors. Rights-of-way or easements for utility lines on either publicly- or privately-owned property. (See "Right-of-way" or "Easement.")

Variance. A permit issued by the City, after making appropriate findings, to construct or carry on an activity not otherwise explicitly permitted under zoning regulations. The legal justification for a variance is that the property owner would otherwise suffer unique hardship under the zoning regulations because his or her particular parcel is different from others to which the regulations apply due to size, shape, topography, or location. As prescribed by California law, variances may not be granted to authorize a use or activity which is not otherwise authorized by the local zoning regulations.

Vendor. Any person who sells, offers for sale, any goods, wares, or merchandise at other than from a fixed place of business; provided, however, these words shall not be construed to apply to commercial travelers selling their goods to merchants or other business establishments licensed by the City, for present or future delivery.

Very Low-Income Household. Households with incomes not exceeding 50% of the area median income, as determined by a survey of incomes conducted by a city or a county, or in the absence of such a survey, based on the latest available eligibility limits established by the U.S. Department of Housing and Urban Development (HUD) for the Section 8 housing program.

Vested Right. The right to proceed with a development project or to continue with a project in progress. A vested right is achieved only when a building permit has been obtained and substantial work has been done, and substantial liability has been incurred, all in good faith reliance upon permits obtained, provided the project complies and permits issued comply with all laws applicable at the time permits are issued. Once a land owner has secured a vested right, governmental bodies may not, by virtue of a change in zoning laws, prohibit construction duly and properly authorized by the permit upon which the developer relied. Vested rights may be achieved by the filing of "vesting tentative maps" and "development agreements."

View Corridor. The line of sight - identified as to height, width, and distance - of an observer looking toward an object of significance to the community (e.g., ridgeline, river, historic building, etc.).

Viewshed. The area within view from a defined observation point.

Volume-to-Capacity Ratio. The ratio of demand flow rate to capacity for a traffic facility.

Warehousing Use. A use engaged in storage, wholesaling, and distribution of manufactured products, supplies, and equipment, excluding bulk storage of materials that are flammable or explosive or that present hazards or conditions commonly recognized as offensive.

Watershed. The total area above a given point on a waterway that contributes water to its flow; the entire region drained by a waterway or watercourse which drains into a lake, reservoir or stream.

Waterway. Natural or once-natural flowing (perennially or intermittently) water including rivers, streams, and creeks; includes natural waterways that have been channelized, but does not include manmade channels, ditches, and underground drainage and sewage systems.

Wetland. Wetland means lands which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens. Wetlands are usually lands where the water table is at, near or above the land surface long enough to do either of the following: a) promote the formation of (hydric) soils that are saturated with water at or near the surface and are deficient of oxygen long enough during the growing season to result in soil properties that reflect dominate wetness characteristics near the soils surface (within 10"); or b) support the growth of hydrophytic plants which grow in water or in wet habitats.

Workplace Use. Businesses, from office to research and development to light industry to warehousing, located in structures built with open floor plans, so as to leave most interior improvements to the tenants to design to their needs.

Yard. An open space abutting a lot line unobstructed and unoccupied from the ground upward except for certain exceptions allowed herein. A yard shall be measured at right angles to the lot line and shall extend into the lot to the exterior wall of the building.

Yard, Front. A yard extending the full width of the lot abutting the front lot line.

Yard, Rear. A yard extending the full width of the lot abutting

the rear lot line.

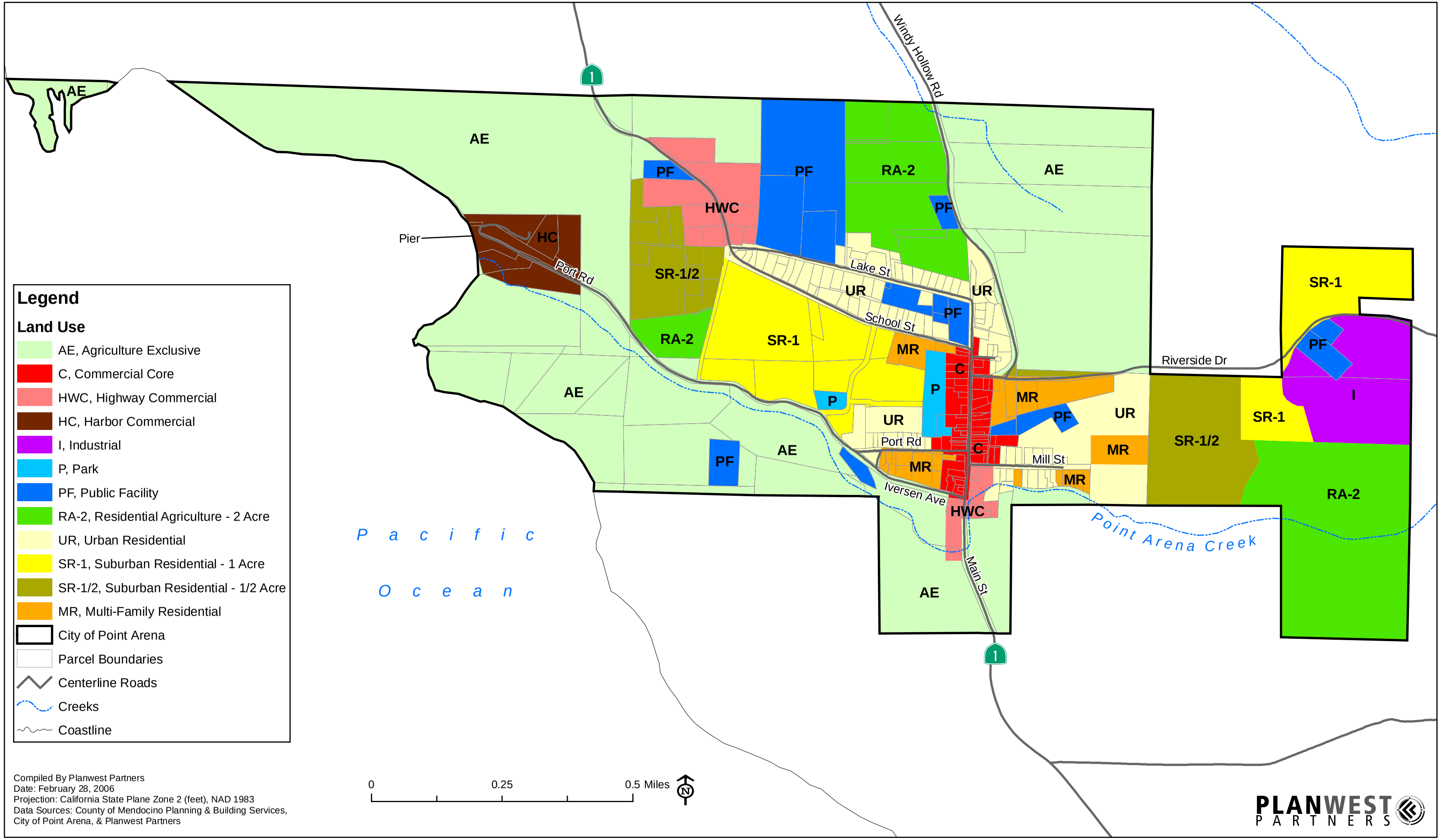
Yard, Side. A yard which extends from the front yard, or front lot line where no front yard exists, to the rear yard or rear lot line where no rear yard exists, and abutting the side lot line.

Zone. A portion of the territory of the City of Point Arena within which certain uniform regulations and requirements or combination thereof apply under the provisions of these Regulations. (Also see "Land-use Categories")

Zoning. The division of the City by legislative regulations into areas, or zones, which specify allowable uses for real property and size restrictions for buildings within these areas; a program that carries out policies of the General Plan.

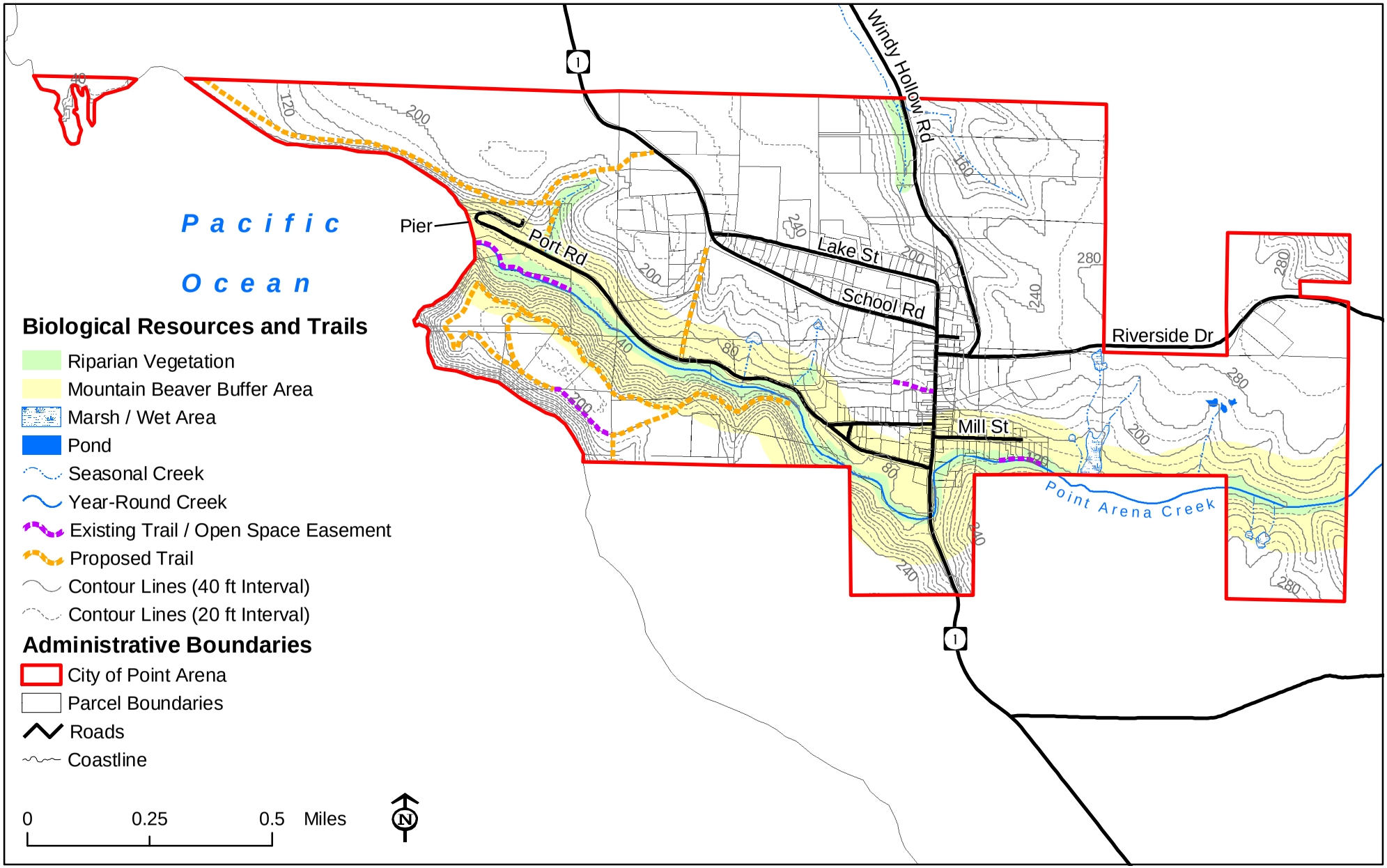
Zoning District. A designated section of the City for which prescribed land-use requirements and building and development standards are uniform. (See also "Land-use Categories")

City of Point Arena
Land Use and Zoning Map



Compiled By Planwest Partners
Date: February 28, 2006
Projection: California State Plane Zone 2 (feet), NAD 1983
Data Sources: County of Mendocino Planning & Building Services, City of Point Arena, & Planwest Partners

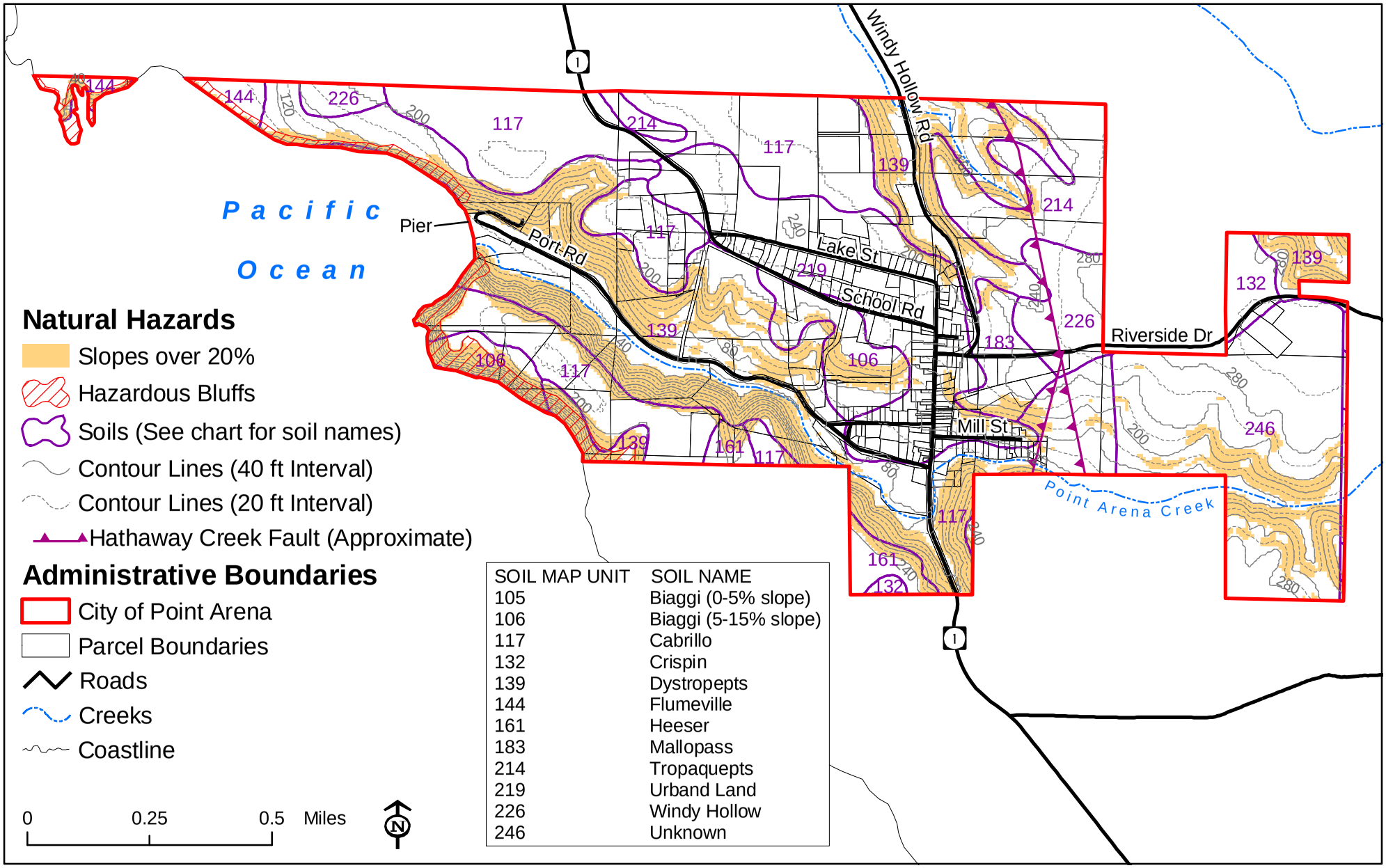
City of Point Arena
Biological Resources and Trails



Compiled By Planwest Partners
Date: January 29, 2004
Projection: California State Plane Zone 2 (feet), NAD 1983
Data Sources: County of Mendocino Planning & Building Services,
City of Point Arena, & Planwest Partners
Contour Lines derived from USGS 10 Meter DEM

PLANWEST PARTNERS

City of Point Arena
Opportunities and Constraints

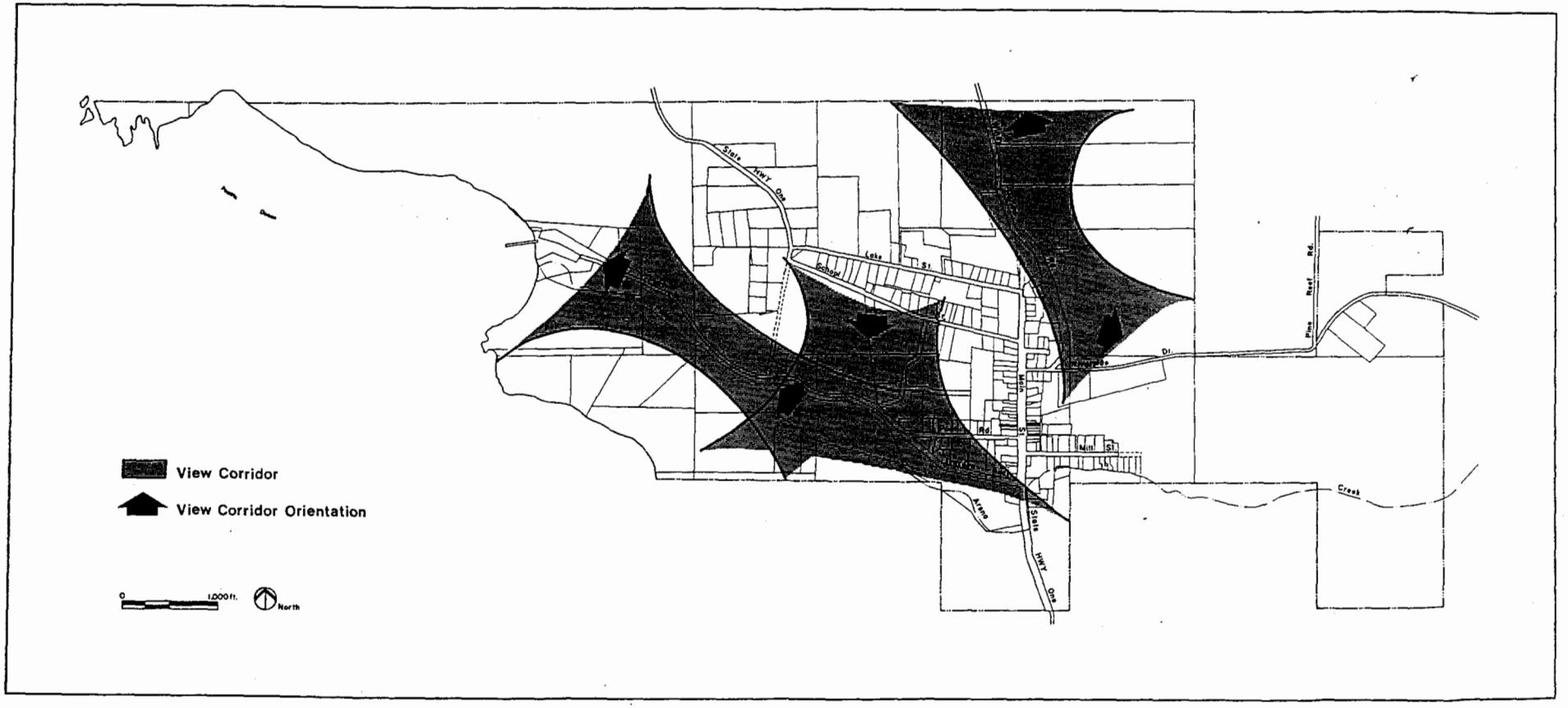


SOIL MAP UNIT	SOIL NAME
105	Biaggi (0-5% slope)
106	Biaggi (5-15% slope)
117	Cabrillo
132	Crispin
139	Dystropepts
144	Flumeville
161	Heeser
183	Mallopass
214	Tropaquepts
219	Urband Land
226	Windy Hollow
246	Unknown

Compiled By Planwest Partners
Date: January 27, 2004
Projection: California State Plane Zone 2 (feet), NAD 1983
Data Sources: County of Mendocino Planning & Building Services,
City of Point Arena, Planwest Partners, and NRCS Western Mendocino Soil Survey
Slope and Contour Lines derived from USGS 10 Meter DEM

PLANWEST PARTNERS

CITY OF POINT ARENA
SCENIC CORRIDORS



City of Point Arena

ZONING ORDINANCE
(No. 179)

AS RECOMMENDED BY THE POINT ARENA
PLANNING COMMISSION
on June 24, 1997

and

APPROVED AND ADOPTED BY THE POINT ARENA
CITY COUNCIL (as Ord. No. 164)
on August 12, 1997

and

Revised (as Ord. No. 179) by the City Council

on August 28, 2001.

Exhibit No. 3
Application No.
PTA-MAJ-1-01
(Point Arena LCPA)
PROPOSED IP

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APPENDIX A **Supplementary Definitions**

C I T Y O F P O I N T A R E N A

Mendocino County, California

ORDINANCE NO. 179

AN ORDINANCE OF THE CITY OF POINT ARENA, STATE OF CALIFORNIA, ESTABLISHING LAND USE ZONES; REGULATING THE USE OF LAND AND BUILDINGS, THE HEIGHT, BULK AND LAND COVERAGE OF BUILDINGS AND THE OPEN SPACE ABOUT BUILDINGS; SPECIFYING MINIMUM DIMENSIONS AND AREAS FOR VARIOUS TYPES OF LAND USES IN VARIOUS ZONES; DEFINING WORDS AND TERMS USED HEREIN; PROVIDING FOR THE ISSUANCE OF COASTAL DEVELOPMENT PERMITS, USE PERMITS AND VARIANCES AND FOR STANDARDS AND CONDITIONS RELATED THERETO; SPECIFYING PROCEDURES FOR THE ADMINISTRATION AND AMENDMENT OF, AND PRESCRIBING PENALTIES FOR THE VIOLATION OF ANY OF THE PROVISIONS HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, INCLUDING ORDINANCE NO.'S 96A, 107, 108, 110, 118, 121, 133, 136, 137, 141, 145, 146, AND 147 and 164.

THE CITY COUNCIL OF THE CITY OF POINT ARENA DOES ORDAIN AS FOLLOWS:

ARTICLE 1. ADOPTION, SHORT TITLE, AND PURPOSE.

Sec. 1.01 Adoption: There is hereby adopted a Zoning Ordinance for the City of Point Arena, State of California, as provided by Title Seven of the Government Code of the State of California. This ordinance constitutes precise regulations for the use of land in conformity with the Point Arena General Plan.

The provisions of this Ordinance shall apply to all lands and all owners of lands within the incorporated area of the City of Point Arena.

Sec. 1.02 Short title: This Ordinance shall be known and cited as the "Zoning Ordinance of the City of Point Arena." In any administrative action taken by any public official under the authority set forth in the Ordinance the use of the term "Zoning Ordinance," unless further modified, shall refer to and mean this Ordinance and the Zoning Map.

Sec. 1.03 Purpose: This Ordinance is adopted to promote and protect the public health, safety, morals, comfort, convenience and general welfare, to provide a plan for

sound and orderly development, and to ensure social and economic stability within the various zones hereby established. In addition it is the purpose of this ordinance to implement the policies and programs of the Point Arena General Plan and the Coastal Element thereof.

Sec. 1.04 Consistency with Point Arena General Plan and Coastal Element: The Point Arena Zoning Ordinance is based upon, and is intended to be consistent with the policies, programs and land use designations of the Point Arena General Plan, the Coastal Element thereof, and the Opportunities and Constraints Map. If the Point Arena General Plan is amended and is no longer consistent with the ordinance, then the Zoning Ordinance shall also be amended so that it is consistent with the amended Point Arena General Plan. Amendments to the Zoning Ordinance adopted by the City Council shall be consistent with the policies, programs and land use designations of the Point Arena General Plan.

Sec. 1.05 Procedure: Until such time as there is a duly constituted Planning Commission, the City Council shall act as the Planning Commission. Any decision made by the City Council acting as the Planning Commission shall be final and there shall be no further administrative remedy under this ordinance.

ARTICLE 2. DEFINITIONS.

Sec. 2.01 General definitions: Unless the context requires, the definitions set forth or otherwise provided for in this Article shall be used in the interpretation and construction of this Ordinance, words used in the present tense include the future; the singular number shall include the plural, and the plural the singular; the word "building" shall include the word "structure", the word "used" shall include "arranged, designed, constructed, altered, converted, rented, leased, or intended to be used," and the word "shall" is mandatory and not directory.

Sec. 2.02 City Council/Planning Commission: "City" shall mean the City of Point Arena, "City Council" shall mean the City Council of Point Arena, and "Planning Commission" shall mean the Planning Commission of the City of Point Arena or the City Council in the absence of a legally constituted Planning Commission.

Sec. 2.03 Reference to Appendix A: The definitions included in Appendix A of this Ordinance shall constitute supplementary definitions to be used in the interpretation and construction of this Ordinance.

ARTICLE 3. ESTABLISHMENT AND DESIGNATION OF ZONES

Sec. 3.01 Principal Zones: The several zones hereby established, and into which the City is divided, are as follows:

ZONE	DESIGNATION
Suburban Residential (1 acre)	SR 1
Suburban Residential (1/2 acre)	SR 1/2
Residential Agriculture	RA-2
Urban Residential	UR
Multifamily Residential	MR
Agriculture Exclusive	AE
Core Commercial	C
Highway Commercial	HWC
Harbor Commercial	HC
Industrial	I
Public Facility	PF
Park	P
Open Space	OS
Special Planned Development (overlay)	SPD

Sec. 3.02 Location and boundaries of zones: The designation, location and boundaries of the aforesaid zones shall be delineated on the Zoning Map of the City. Said map and all notations, references, data and other information shown thereon shall be a part of these regulations and subject thereto, and such map shall constitute Section 3.03 hereof.

Sec. 3.03 Zoning map: This section consists of the Zoning Map of the City, which map may be amended in whole or in part in accordance with the amendment procedure set forth in Article 6 hereof. The Zoning Map shall be kept on file in the office of the City Clerk and copies shall be made available upon request.

Sec. 3.04 Determining uncertain boundaries: Where uncertainty exists with respect to the boundaries of the various zones, the following rules shall apply:

A. Streets or alleys: Where the indicated zoning boundaries are approximately street or alley lines, the center lines of such streets or alleys shall be construed to be the boundaries of such zone.

B. Lot lines: Where the zoning boundaries are not shown to be streets or alleys, and where property has been or may hereafter be divided into blocks

and lots, the zoning boundaries shall be construed to be lot lines; and where the indicated boundaries are approximately lot lines, said lot lines shall be construed to be the boundaries of said zone, unless said boundaries are otherwise indicated.

C. Scale on map; determination by Commission. Where property is indicated on the Zoning Map as acreage and not subdivided into lots and blocks, or where the zone boundary lines are not approximately street, alley or lot lines, the zone boundary lines on said Zoning Map shall be determined by scale contained on such map and where uncertainty exists, the zone boundary line shall be determined by the Planning Commission. In the event property shown as acreage on the Zoning Map has been or is subsequently subdivided into lots or blocks by a duly recorded subdivision map and the lot and block arrangement does not conform to that anticipated when the zone boundaries were established, or property is re-subdivided by a duly recorded subdivision map into a different arrangement of lots and blocks than shown on the zoning map, the Planning Commission, after notice to the owners of the property affected thereby, may interpret the map and make minor readjustments in the zone boundaries in such a way as to carry out the intent and purpose of these regulations and conform to the street, block and lot layout on the ground. Such interpretation shall be by written decision, and thereafter the Zoning Map shall be changed to conform thereto.

D. Vacated street or alley. In the event a dedicated street or alley shown on the Zoning Map is vacated by resolution or ordinance, the property formerly in said street or alley shall be included within the zone of the adjoining property on either side of said vacated street or alley. In the event said street or alley was a zone boundary between two (2) or more different zones, the new zone boundary shall be the former centerline of the vacated street or alley.

E. Land division. When a land division requires the Planning Commission/City Council to make a minor readjustment in zoning district boundaries, a map of this readjustment shall be sent to the Coastal Commission for a determination as to whether it requires an amendment to the Zoning Map. If no amendment is required, the readjustment shall become effective immediately. If an amendment is required, the requirements of Section 6.01 through 6.05 apply.

Sec. 3.05 Applies to all territory: All incorporated territory of the City shall be classified as specified by the Zoning Map adopted as a part of these regulations.

Sec. 3.06 Establishment of limitations on land use and structures:

A. Use requirements. No building or part thereof or other structure shall be erected, altered, added to or enlarged; nor shall any land be altered or graded; nor shall any building, structure or premises be used, designated or intended to be used for any purpose or in any manner other than as for purposes and in a fashion that is consistent with the uses hereinafter listed as permitted in the zone in which such buildings, land, or premises are located.

B. Height requirements. No building or part thereof or structure shall be erected, reconstructed or structurally altered to exceed in height the limit hereinafter designated for the zone in which such building is located except as provided in Article 5 hereof.

C. Area requirements. No building or part thereof or structure shall be erected nor shall any existing building be altered, enlarged or rebuilt or moved into any zone, nor shall any open space be encroached upon or reduced in any manner, except in conformity to the yard, building site area, and building location regulations hereinafter designated for the zone in which such building or open space is located.

D. Duplicate use of open space and yards. No yard or other spaces provided about any buildings for the purpose of complying with provisions of these regulations shall be considered as providing a yard or open space for a building on any other building site unless specifically permitted elsewhere in these regulations.

Sec. 3.07 Zoning of annexed properties: All lands or waters, which shall be annexed to the City of Point Arena, shall be pre-zoned. The owner of any land, prior to filing a petition for annexation to the City of Point Arena, or in the event a proposed annexation shall be instituted by the City or other property owners, may file an application for pre-zoning by complying with the provisions, procedures and paying the fees set forth in Article 6 for amendments to the Zoning Ordinance. The zoning established by the City shall be submitted to the California Coastal Commission for approval. The zoning approved by the City and the Coastal Commission shall become effective at the same time that the annexation becomes effective. Required fees may be waived by the City Council when the annexation is instituted by the City.

ARTICLE 4. REGULATIONS FOR THE PRINCIPAL ZONES

Sec. 4.01 Conflict of regulations: In addition to the regulations specified in this Article for each of the principal zones, the general regulations set forth in Article 5 shall be applicable to each and every such zone. In the event of conflict between the particular regulations for each zone set forth in this Article and the general regulations set forth in Article 5, the more restrictive regulations shall apply. In doubtful cases, the Planning Commission shall determine which of the conflicting regulations shall be applicable.

Sec. 4.02 Suburban Residential or SR Zones: The Suburban Residential Zones apply to properties designated on the Zoning Map that are suitable for the provision of low-density single-family residential development.

I. Suburban Residential--One Acre (SR 1)

A. Principally permitted uses

1) Single family dwellings, including a mobile or manufactured home
2) Truck gardening, small-scale farming and grazing
3) Structures associated with truck gardening, small-scale farming and grazing including outbuildings and sheds not exceeding 1,000 square feet.
4) Home occupations
5) Tot Lot

B. Conditionally permitted uses

1) Water storage tanks, reservoirs, and water distribution lines.
2) Non-commercial livestock stables or corrals.
3) Day care centers.
4) Satellite TV Receiving Dish (4 feet diameter or larger)
5) Bed and Breakfast Inns.
6) Live-work spaces/studios in lieu of a single-family dwelling
7) One granny unit or one second unit, not to exceed 1,200 square feet, subject to the Second Dwelling Unit Ordinance
8) Shared-living facility; rooming and boarding; residential care facility.
9) Churches; schools; libraries

C. Other regulations

1) Minimum lot area: one acre.
2) Minimum lot width: 125 feet.
3) Maximum lot depth: 3 times lot width.
4) Minimum yards: front, 20 feet, rear, 15 feet; side, 10 feet.

5) Maximum building height, 35 feet, except that the Planning Commission may require a lesser height as provided in Section 5.15.

6) Required planned residential: development proposals on existing lots (initial planning areas) of ten (10) acres or more shall be processed as Planned Residential Developments (PRD), as provided for in Section 6.12 of this Ordinance.

7) Water and waste water: septic systems and/or wells may be acceptable in lieu of connections to the municipal sewer system and to the water system and only if in compliance with city ordinances and Mendocino County Environmental Health regulations in effect at the time of permit application.

8) Residential densities: ultimate lot sizes may be no less than one acre, except that lot sizes may vary and/or be less than prescribed herein provided the overall resulting residential densities (dwelling units per acre) do not exceed the allowable densities (dwelling units per acre), and provided the subdivision or development is processed in accordance with and conforms to the provisions of the Planned Residential Development (PRD) section of this Ordinance.

II. Suburban Residential--One-half Acre (SR 1/2)

A. Principally permitted uses

1) All principally allowed uses in the SR 1 Zone.

B. Conditionally permitted uses

1) All conditionally allowed uses in the SR 1 Zone.

C. Other regulations

1) Minimum lot area: one-half (1/2) acre.
2) Minimum lot width: 125 feet.
3) Maximum lot depth: 3 times lot width.
4) Minimum yards: front, 20 feet, rear, 15 feet; side, 10 feet.
5) Maximum building height, 35 feet, except that the Planning Commission may require a lesser height as provided in Section 5.15.
6) Required planned residential: development proposals on existing lots (initial planning areas) of ten (10) acres or more shall be processed as Planned Residential Developments (PRD), as provided for in Section 6.12 of this Ordinance.
7) Water and waste water: septic systems and/or wells may be acceptable in lieu of connections to the municipal sewer and water systems, on parcels greater

than one acre in size, and only if in compliance with city ordinances and Mendocino County Environmental Health regulations in effect at the time of permit application. Parcels less than one acre must connect to the municipal sewer system.

8) Residential densities: ultimate lot sizes may be no less than one-half acre, except that lot sizes may vary and/or be less than prescribed herein provided the overall resulting residential densities (dwelling units per acre) do not exceed the allowable densities (dwelling units per acre), and provided the subdivision or development is processed in accordance with and conforms to the provisions of the Planned Residential Development (PRD) section of this Ordinance, when applicable.

Sec. 4.03 Urban Residential or UR Zone: The urban residential zone applies to properties designated on the Zoning Map which are suitable for single-family residential uses, including co-housing projects. These areas are served by municipal sewer and water. Securing all appropriate services is a condition precedent to development in these areas. This land-use designation promotes the infilling of development and provides for concentration of development in the Downtown and adjacent areas.

A. Principally permitted uses

1) Single family dwelling, including a mobile or a manufactured home.
2) Rooming and boarding of not more than two persons not employed on the premises.
3) One home occupation.
4) Keeping of no more than 4 household pets on each lot.

B. Conditionally permitted uses

1) Day care facilities.
2) Live-work spaces in lieu of permissible single-family dwellings.
3) Satellite TV Receiving Dish (four feet diameter or larger)
4) Bed and Breakfast Inns.
5) Rooming and boarding.
6) A "granny" unit, not to exceed 1,200 square feet, or a second unit in lieu of a granny unit, where there exists a single-family dwelling, subject to the Second Dwelling Unit Ordinance
7) Residential care facilities.
8) Churches; libraries; schools

C. Other regulations

1) Minimum lot area: ~~7,500~~ 8,625 square feet.
2) Minimum lot width: 60 feet.
3) Maximum lot depth: 3 times lot width.
4) Minimum yards: front, 20 feet; rear, 15 feet; side, 10 feet.

5) Maximum building height: 35 feet, except the Planning Commission may require a lesser height as provided in Section 5.15.
6) Required planned residential: development proposals on existing lots (initial planning areas) of ten (10) acres or more shall be processed as Planned Residential Developments (PRD), as provided for in Section 6.12 of this Ordinance.
7) Sidewalks are required.

Sec. 4.04 Multifamily Residential or MR Zone: The multifamily residential zone applies to properties designated on the zoning map where it is reasonable to permit multi-family medium-density apartment developments, mixed residential building types, and offices under certain circumstances. Developments in these areas shall be served by municipal water and sewer.

A. Principally permitted uses
1) Single-family and multi-family dwellings, including shared living and co-housing facilities, live-work spaces, except mobile homes, mobile home parks, and live-work spaces.
2) Tot lots.
3) Home occupations.
4) Keeping of not more than two (2) household pets for each dwelling unit.

B. Conditionally permitted uses
1) Inns, bed and breakfast inns, boarding houses.
2) Professional offices, provided they do not exceed 50% of a project's total building floor area.
3) Satellite TV Receiving Dish (four feet diameter or larger).
4) Churches; libraries; schools.
5) Day-care center.
6) Nursing homes, hospices, and convalescent hospitals.

C. Other regulations
1) Minimum lot area: 5,800 square feet
2) Minimum lot width: 60 feet
3) Maximum lot depth: 3 times lot width
4) Minimum yards: front, 20 feet; rear, 10 feet; side, 5 feet.
5) Maximum building height: 35 feet, except the Planning Commission may require a lesser height as provided in Section 5.15.
6) Maximum residential density: one dwelling unit for each 5,800 square feet of land area.
7) Useable open space: 15% of each lot shall be reserved, in addition to required yards and private patios/decks and parking, and in addition to any open space that may be set aside and not useable due to hazardous conditions in slopes, as

open space.

8) Special yards for dwelling groups: The distance between separate buildings of a dwelling group shall be not less than ten feet. The distance between the front of any dwelling unit in the group and any other building shall be not less than twenty feet. The distance between the front of the dwelling unit in the group and any side lot line shall not be less than twelve feet (12'). All of the above distances shall be increased by two feet (2') for each 2 feet (2') that any building on the lot exceeds two (2) stories.

9) Required planned residential: development proposals on existing lots (initial planning areas) of ten (10) acres or more shall be processed as Planned Residential Developments (PRD), as provided for in Section 6.12 of this Ordinance.

10) Sidewalks are required.

Sec. 4.05 Agriculture Exclusive or AE Zone: The agriculture exclusive zone applies to properties designated on the Zoning Map which it is necessary to protect for agricultural uses. This designation applies to areas in which agriculture shall be the predominant use and in which the only other uses allowed are those which support the maintenance of agricultural lands in permanent agricultural production.

A. Principally permitted uses

1) Farming, dairying, grazing or breeding of cattle, horses, or sheep, raising, or keeping of poultry, fowl, rabbits, or goats or similar animals.
2) Crop, vine or truck farm, greenhouses constructed on non-permanent foundations (e.g. perimeter foundations), horticulture.
3) Farm and ranch buildings including stables, barns, pens, corrals, coops, windmills, silo.
4) A single family dwelling incidental to the agricultural use of the land, for the residence of the owner or lessee or for employees engaged in agricultural use of land.
5) The maintenance of land in its natural state for the purpose of preserving land for passive recreation, or for plant, animal or mineral preserves.
6) Roadside stands used for the sale of agricultural products provided the structures are temporary.
7) One home occupation
8) Private wells and septic systems that are associated with any principally permitted use, when consistent with applicable Health Department regulations.

B. Conditionally permitted uses

1) Hog farms, turkey farms, frog farms, and fur farms.
2) Animal feed yards and sales yards.
3) Riding stables to rent or board horses
4) Water storage tanks, reservoirs and distribution lines.

5) One additional dwelling incidental to the agricultural use of the land, which may be a mobile or manufactured home, for the residence of the owner or lessee or for employees engaged in agricultural use of the land, not to exceed 1,200 square feet in area; and, subject to the Second Dwelling Unit Ordinance.
6) Scientific research and associated structures.
7) Wastewater ponds; spray irrigation
8) Satellite TV Receiving Dish (four feet diameter or larger).
9) Emergency services communications facilities of a limited nature.
10) Bed and breakfast activities within the principally-permitted residence.

C. Other regulations
1) Minimum lot area: 20 acres.
2) Maximum lot depth: 3 times lot width
3) Minimum yards: front, 30 feet; rear, 20 feet; side, 10 feet.
4) Maximum building height: 35 feet. Farm outbuildings shall not be less than 20 feet from any dwelling unit. The Planning Commission may require a lesser height as provided in Section 5.15.

Sec. 4.06 Residential Agriculture or RA-2 Zone: The residential agriculture zone applies to properties designated on the Zoning Map which are suitable for very low-density residential use and limited agricultural activities and contribute to maintaining the city's rural and small-town character and small-scale agricultural activities. Septic systems and wells are permitted.

A. Principally permitted uses
1) Farming, dairying, grazing, breeding of cattle, horses, or sheep, raising or keeping of poultry, fowl, rabbits, or goats or similar animals.
2) Crop, vine or truck farm, greenhouses constructed on non-permanent foundations (e.g. perimeter foundations), horticulture.
3) Accessory structures such as barns, pens, coops, stables, not used for commercial purposes.
4) Windmills.
5) Greenhouses and other nursery structures.
6) One single-family dwelling, which may be a mobile home or a manufactured home.
7) One home occupation.
8) Private wells and septic systems that are associated with any principally permitted use, when consistent with applicable Health Department regulations.

B. Conditionally permitted uses
1) Water storage tanks, reservoirs, and water distribution lines.
2) Animal hospitals, kennels.

3) Commercial stables.
4) Satellite TV Receiving Dish (four feet diameter or larger).
5) Bed and Breakfast activities within the principally-permitted residence.
6) One additional dwelling unit or one live-work space not to exceed 1,200 square feet, and subject to the Second Unit Ordinance.
7) Residential care facility.

C. Other regulations

1) Minimum lot area: two (2) acres.
2) Minimum lot width: 250 feet.
3) Maximum lot depth: 3 times lot width.
4) Minimum yards: front, 20 feet; rear, 15 feet; side, 10 feet.
5) Maximum building height: 35 feet, except the Planning Commission may require a lesser height as provided for in Section 5.15.

Sec. 4.07 Core Commercial or C Zone: The commercial core zone is intended to be applied to properties so designated on the Zoning Map which are most suitable for the provision of goods and services for residents and visitors at a scale appropriate to the traditional small-scale downtown area. Development in these areas should promote commercial uses, offices, cultural activities, and urban housing while maintaining the city's unique and historic small-town character. Connection to municipal water and sewer systems shall be required.

A. Principally permitted uses

1) General retail goods and services including cafes and restaurants, delis, food stores, convenience sales, markets, bakeries, pharmacies.
2) Personal and professional services including beauty and barber shops, self-service laundries, dry cleaners, tailors, travel agencies, real estate sales, fitness centers, dance studios.
3) Offices, professional offices, banks, medical offices, and clinics.
4) Hardware, appliance, clothing, furniture, television and electronic stores, florists, video sales and rentals, antique and art galleries and sales, bookstores.
5) Libraries and art galleries.
6) Public offices including public safety facilities, post office.
7) Visitor-serving facilities such as hotel, motel, inns, and hostel.
8) Churches.
9) Existing dwellings and living quarters.
10) Tot lots and mini parks
11) Outdoor farmers' market; flea market
12) Vehicle service station
13) Other small businesses when entirely enclosed and capable of emitting only minimum noise or pollutants, including but not limited to cabinet shops, plumbers, electricians, photographic and blueprint processing, print shops.

B. Conditionally permitted uses

1) Bars, restaurants with bars.
2) Second-hand stores.
3) Commercial and public off-street parking facilities.
4) Brew pubs.
5) Small-scale vehicle repair and servicing.
6) Animal clinics and hospitals.
7) Theaters, commercial recreation facilities, and social halls.
8) Nursing homes and hospices.
9) Emergency shelters and transitional housing.
10) Temporary outdoor display and sale of locally-produced or -created arts and crafts.
11) Satellite TV receiving dish.
12) Other uses not listed, if findings can be made in accordance with Section 6.08 (A), (B), and (D)

C. Conditionally permitted dwelling units

Dwelling units of any type and mixture, including live-work spaces, but excluding mobile home parks and mobile homes, provided that (1) the full amount of required off-street parking for each use or activity is provided on site or fees in lieu thereof are paid in accordance with the City's Zoning Ordinance and schedule of fees in effect on the date of the use permit; (2) all yard, landscaping and screening requirements as set forth in the Zoning Ordinance are adhered to. The Planning Commission may require that a Comprehensive Development Plan be submitted for review and approval for any proposed development consisting of multiple mixed uses including live/work spaces.

The Planning Commission may deny applications for new dwelling units within the Core area if a finding is made that such units will not advance the principal purposes of the Downtown or are sighted or designed in a fashion that is incompatible with the City's architectural design or historic preservation standards.

D. Other regulations

1) Minimum yards: front, none, except that where frontage is partially in a residential zone, the front yard shall be the same as that required in such residential zone; rear, 15 feet; side, none, except that a side yard abutting a residential zone shall not be less than the front yard of such residential zone.

2) Maximum building height, 35 feet, except that the Planning Commission may require a lesser height as provided in Section 5.15.

3) Sidewalks are required.

Sec. 4.08 Highway Commercial or HWC: The Highway Commercial Zone applies to properties so designated on the Zoning Map which require and benefit from locations along Highway 1 in order to provide goods and services in association with ease of access and off-street parking. Connections to municipal water and sewer systems shall be required.

A. Principally permitted uses

1) All uses principally permitted in the Core Commercial (C) Zone.
2) Small vehicle, truck, and boat sales.
3) Physical fitness facilities.
4) Emergency shelters and transitional housing.

B. Conditionally permitted uses

1) Very light goods production and assembly, and very light industrial uses, provided production, assembly, repair work and storage are enclosed and screened and are found not likely to negatively impact adjoining or nearby properties or become an eyesore to those traveling on Highway 1, nor impact negatively on adjoining commercial or residential properties, nor create any noticeable noise.
2) Vehicle storage and repair garages.
3) Mortuaries.
4) Nursing homes and convalescent hospitals.
5) Brew pubs.
6) Business parks.
7) Used vehicle sales; automobile and other vehicle services.
8) Hardware and lumber sales.
9) Social halls and commercial recreation, including bowling alleys.
10) Warehouses provided goods are largely stored within buildings and where stored outside are screened and landscaped.
11) Animal-care hospitals and clinics.
12) Short-term RV parks (RV timeshares are not permissible).
13) Comprehensively-planned mobile home parks and associated facilities.
14) Production and sale of locally-manufactured or -created goods or crafts for sale to the passing public.
15) Other uses not listed, if findings can be made in accordance with Sections 6.08 (A), (B), and (D)

C. Conditionally permitted residential uses

In accordance with a duly adopted Comprehensive Development Plan, the following new residential uses and developments may be permitted, by use permit:

1) Mobile home park in accordance with the mobile home regulations of Section 5.29 of this ordinance.
2) Multi-family dwellings of any type or mixture, except mobile homes, provided that:
    a) residential units occupy no more than twenty-five percent (25%) of the land area of any lot and the units are placed on the rear forty percent (40%) of said lot.
    b) all required off-street parking is provided on site.
    c) all yard, landscaping and screening requirements as set forth in this ordinance are adhered to.
    d) for each residential project at least fifteen percent (15%) of the project area is set aside as permanent useable open space, which space shall be in addition to patios, decks, and yards.
    e) the project residential density is no greater than fifteen dwelling units per acre, which requires that for each dwelling unit there must be at least 2,900 square feet of residential land area.

D. Other regulations
1) Minimum lot area: 10,000 square feet.
2) Minimum lot width: 100 feet.
3) Minimum yards: front, 20 feet; rear, 15 feet; side, 10 feet.
4) Maximum building height: 45 feet.

Sec. 4.09 Harbor Commercial or HC Zone: The Harbor Commercial Zone applies to properties at Arena Cove so designated on the Zoning Map which are most suitable for commercial activities in conjunction with commercial and recreational fishing and other coastal-dependent activities. This land use designation provides for visitor-serving uses which will enhance the public's enjoyment and utilization of the area. Coastal-dependent activities shall have priority over other developments on or near the shoreline and shall not be sited in wetland areas. Connection to water and sewer systems shall be required.

A. Principally permitted uses
1) Boat launching, boat building and boat repairs.
2) Retail sales or rentals of fishing supplies, scuba supplies and surf-related surf supplies.
3) Purchasing, selling, and processing of fish and shellfish.
4) Coastal-dependent aquaculture facilities.
5) Existing visitor-serving uses.
6) Public facilities related to coastal dependent activities

B. Conditionally permitted uses

1) Public parking lot.
2) The following visitor-serving uses:
   a) Bed and breakfast inns
   b) Restaurant/cafe
   c) Hotel/motel/inn
   d) Campground, and campground with short-term recreational vehicle use.
   e) Antique, art, and gift shops; art galleries
   f) Short-term recreational vehicle park (44 spaces, maximum), with R/V timeshares impermissible.
   g) Housing unit for the owner or manager of the uselisted in a, c, d, or f, above.
3) Expansion of existing visitor-serving uses.
4) Non-coastal dependent aquaculture facilities.
5) City-managed public facilities
6) Satellite TV receiving dish

C. Other regulations

1) Minimum lot area: 7,500 square feet
2) Minimum lot width: 60 feet.
3) Maximum lot depth: 3 times lot width.
4) Minimum yards: front, 20 feet; rear, 15 feet; side, 10 feet, except that the Planning Commission may modify setback requirements as provided in Section 5.15.
5) Maximum building height, 25 feet, except the Planning Commission may require a lesser height as provided in Section 5.15.
6) The visitor-serving uses conditionally allowed under Section 4.09 (B) (2) & (3) of this Ordinance shall be cited so as to ensure that they neither interfere with existing coastal-dependent uses nor preclude potential coastal-dependent uses in the harbor area. Generally, development in the flats near Arena Cove would preclude coastal-dependent uses whereas development on the hillslope would not preclude any coastal-dependent uses. In no case shall more than 25% of the flats portion of any parcel, excluding the riparian corridor, be utilized for visitor-serving uses. The flats shall be defined as the area from the toe of the north bank to the toe of the south bank. The toe shall be defined as where the bottom of the bluff meets the flats.
7) Each and all parcels in one ownership at the date of adoption of this Ordinance shall be subject to the requirement that no tree removal, earth moving or grading, and no development, may take place until a Comprehensive Development Plan has been reviewed and approved in accordance with provisions of Section 6.13 of this Ordinance. Also refer to Section 8.4(A) of the Land Use and Development Element of the Point Arena General Plan.

Sec. 4.10 Industrial or I Zone: The industrial zone applies to properties so designated on the Zoning Map that are suitable for non-nuisance industrial activities which are not suitable by virtue of their performance for location in commercial districts or proximate to living and tourist areas, and can be expected to contribute to Point Arena's economic development and tax revenues. All development in the Industrial Zone shall avoid impacts to the immediate area from noxious or offensive emissions such as noise, glare, dust, odor, chemical pollution, or other pollution. All uses require a conditional use permit.

Retail, professional service, and office uses should be excluded unless directly associated with an industrial activity.

A. Other regulations

1) Minimum lot area: 10,000 square feet.
2) Maximum building height: 45 feet, except the Planning Commission may require a lesser height as provided in Section 5.15.
3) Minimum lot width: 80 feet.
4) Maximum lot depth: three times lot width.
5) Minimum setbacks: front, 30 feet; rear, 20 feet; sides, 20 feet.
6) Special regulations: All manufacturing and fabricating areas shall be enclosed in buildings, and all equipment and materials storage areas shall be screened by walls, fences or adequate plantings to a height of not less than 6 feet.
7) Septic systems and wells may be permitted, when consistent with applicable health department regulations and city ordinances.

Sec. 4.11 Public Facility or PF Zone: The Public Facility designation applies to properties so designated on the Zoning Map that are suitable for use for public purposes such as recreational, educational, and cultural activities and for specific public utility purposes, including publicly-owned parking lots and facilities, storage yards, sewer facilities, and community centers, but not including publicly-owned parks, recreation areas, open spaces, and trails. All uses require a conditional use permit.

A. Conditionally permitted uses include but are not limited to the following

1) Public services and administrative offices such as police and fire stations, post offices, public parking lots, city hall.
2) Schools and libraries.
3) Publicly-owned museums, art galleries.
4) Public meeting halls and recreation centers.
5) Public utility structures of a limited nature such as radio, television transmission facilities, pumping stations, sewage treatment plants, corporation and storage yards.
6) Public cemeteries.
7) Public utility warehouse, gas holders, and substations.

8) Reservoirs.
9) Telephone, cable television exchanges.
10) Transformer stations.
11) Service yards and storage yards.
12) Satellite TV receiving dish.
13) Other uses not listed, if findings can be made in accordance with Sections 6.08 (A), (B), and (D).

B. Other regulations

1) Minimum lot area, depth, setbacks, and building heights to be determined by the Planning Commission.

Sec. 4.12 Park or P Zone: The Park or P Zone applies to properties designated on the Zoning Map which are suitable for permanent use as parks, playfields, playgrounds, outdoor recreation, and recreational facilities open to the public and owned by a public or quasi-public agency, including trails, but excluding tot lots, and including associated off-street parking areas, structures and buildings.

A. Principally permitted uses

1) Parks, playfields, playgrounds and associated facilities and activities, trails, and recreational facilities, including picnic areas; public golf course and driving range; beach.
2) Associated vehicle parking.
3) Associated and compatible recreational structures and buildings.

Sec. 4.13 Open Space or OS Zone: The Open Space or OS Zone applies to properties which are owned by a public agency or are dedicated to a public agency or quasi-public agency or public utility, or are set aside permanently by deed or by a bona fide home owners' association or equivalent, or otherwise permanently set aside by an owner as and for open space purposes only. An open space designation subjects the property to such restrictions on the use as may be adopted by the City Council at the time of an open space designation but no buildings shall be permitted except for purposes of public safety and maintenance.

A. Principally permitted uses

1) public and private undeveloped areas devoted to active outdoor recreation, passive recreation, pasture, grasslands.
2) beaches, trails, viewing areas, and nature study areas, bluffs.

B. Conditionally permitted uses

1) camping and picnic areas, benches
2) golf course and driving range

Sec. 4.14 Special Planned Development or SPD Overlay Zone: The Special Planned Development or SPD Zone applies to properties which the City Council finds have special characteristics requiring the application of unique and special land use and development regulations, or to properties characterized as having special circumstances that are not provided for in this Zoning Ordinance. The intent of this provision is to craft a set of specific agreements between the City and the property owner that will be consistent with the City's General Plan, contribute to its implementation, and advance the general welfare.

In each case, a designation must occur after review and approval of a Development Agreement pursuant to a Comprehensive Development Plan (see Section 6.13); and final action must be entirely consistent with the General Plan and other duly adopted official plans, policies, programs, and ordinances. Properties shall retain the existing densities of the underlying zoning classification.

The City may initiate action to designate a property SPD or may take action to do so upon the application of a property owner.

ARTICLE 5. GENERAL PROVISIONS AND EXCEPTIONS

Sec. 5.01 Applicability and consistency: Property in each and every zone shall be subject to the provisions of this Chapter, in addition to the requirements and regulations set forth elsewhere in this Ordinance for each of the zones. Uses and activities otherwise permitted or conditionally permitted shall conform to and be consistent with the policies and provisions of the Point Arena General Plan, and relocation, construction, external remodeling or additions to structures, and alteration of land forms and grading shall not be undertaken until: (1) findings are made to that effect, and (2) said activities are consistent with and take into account provisions of the Opportunities and Constraints Map of the General Plan.

Sec. 5.02 Accessory uses: Accessory uses, as defined herein, shall be permitted as appurtenant to any permitted use, without the necessity of securing a use permit, unless particularly provided in this article, provided that no accessory use shall be conducted on any property in the MR, SR, and UR zones unless and until the main building is erected and occupied, or until a use permit is secured. Use of a recreational vehicle as a temporary residence by visitors for not more than 15 days in any calendar year shall be a use accessory to a dwelling.

Sec. 5.03 Vehicle and other storage: Abandoned, unlicensed, inoperable or partially dismantled vehicles may be parked within the confines of a legally established vehicle repair business. They may also be stored within any enclosed building. Also, not more than 2 vehicles intended to be repaired or restored may be parked outdoors if they are located in the rear yard and are screened by a sight obscuring fence, wall or hedge. Storage of crab pots, boats and recreational vehicles is permitted in required yard areas except in the street corner area identified in Sec. 5.11 (F), provided that access to the perimeter of the dwelling is not obstructed, and no such storage is closer than 5 feet to the front lot line. Building materials, equipment and appliances and similar unsightly items shall not be stored in the required front or street side yard for more than 30 days in any year.

Sec. 5.04 Animals: In the Urban Residential and Suburban Residential zones no more than 4 household pets such as dogs and cats may be kept as an accessory use to a dwelling, unless a use permit is obtained. In the Multi-family Residential zone no more than 2 household pets per household are allowed unless a use permit is obtained. In addition to any household pets, not more than 4 small domestic animals, including rabbits and poultry, may be kept in the Suburban Residential and urban residential zones on a lot of 7,500 sq. ft. in area or less. One additional small domestic animal may be kept for each 2,000 sq. ft. of area by which the lot exceeds 7,500 square feet. No rooster over the age of 6 months shall be permitted in the Urban Residential or Multi-family Residential zones.

In addition, the following domestic animals may be kept as accessory to a dwelling in the Suburban Residential and Residential Agriculture zones:

A. One large domestic bovine, equine, or porcine animal may be kept on a lot of not less than one acre. One additional large animal may be kept for each half acre by which the lot exceeds 1 acre.

B. Two medium sized domestic animals, including sheep and goats, may be kept on any lot of not less than 1 acre. One additional medium sized animal may be kept for each 10,000 sq. ft. of area by which the lot exceeds 1 acre.

Sec. 5.05 Assemblages of Persons and Vehicles: No circus, carnival, religious revival or similar assemblage of people and automobiles, lasting longer than one day, shall be permitted in any zone unless a use permit is first secured in each case.

Sec. 5.06 Home Occupation: Home occupations, including but not limited to sewing, music studios, desktop publishing, art studios, computer programming, professional offices, home and health care product distributors, bookkeeping, rooming and boarding of not more than 2 persons including tourists, may be permitted as an accessory use to any dwelling, subject to the following conditions and to the provisions of the zone in which the occupation is proposed:

A. No more than two (2) employees other than members of the resident family.

B. Not more than 1 sign not to exceed 3 sq. ft. in area and attached to the dwelling.

C. No outside display of merchandise.

D. Electrical motors only, and not to exceed a total of three horsepower each.

E. No radio or television interference, amplified music, or noise audible beyond the boundaries of the site.

F. No significant increase in automobile and truck traffic over normal residential use.

Sec. 5.07 Height limitations and modifications: Heights of buildings and structures shall be measured vertically from the average ground level of the ground covered by the building to the highest point of the roof; but, chimneys, stacks, vents, flagpoles, conventional television reception antennas, elevator, ventilating and air-conditioning equipment, parapet walls and similar architectural and mechanical appurtenances shall be excluded in making such measurement.

Sec. 5.08 Access to public road: All lots created subsequent to the adoption of these regulations shall have 25 feet of frontage on a public road, or 25 feet of frontage on a public easement at least 25 feet wide from the lot to a public road. Lots existing on the effective date of these regulations not having such access to a road may be used for the purposes provided in these regulations if a use permit is first obtained incorporating such conditions as the Planning Commission deems necessary to ensure sufficient access to a public road.

Sec. 5.09 Accessory structures: With the exception of garages, wells, and pumphouses, accessory structures shall be located in the area between side property lines from the rear lot line to the rear of the front yard. Accessory structures shall not be closer than 10 feet to any on-site building and not closer than 15 feet to any side lot line abutting a street. Accessory structures for non-household animals shall not be located closer than 50 feet to any dwelling.

Accessory buildings in MR, SR, and UR Zones shall not exceed 15 feet in height. Accessory structures shall conform to all setbacks in the zoning district in which they are built.

Fences are covered by separate regulations as set forth in Section 5.11.

Sec. 5.10 Public access to the shoreline: As a condition of approval for any development which requires a Coastal Development Permit, the landowner shall offer to dedicate a 25 foot wide easement for public access along any trail designated in the Point Arena General Plan or any area or adopted specific plan or on the Zoning Map as indicated on the subject property. These public easements shall only take effect when a public agency, a suitable private, non-profit agency approved by the City, or the City of Point Arena accepts responsibility for liability and the improvement and maintenance of the access easement. These offers of dedication shall be recorded prior to the issuance of the Coastal Development Permit. The City shall make a nexus finding regarding the need to offer a dedication, prior to permit approval. The following restrictions shall apply to the dedicated 25-foot easement:

A. Existing motorized access shall not be enlarged. No access for motorized vehicles where such use is not now provided.

B. Foot trail portion of the easement shall not exceed twelve (12) feet in width.

C. Existing foot trails should be used except when design or stability problems require a change.

D. Buffer zone areas on the unutilized portions of the footpath shall not be opened to the public.

Offers of dedication for access along designated trails in the General Plan or any adopted area or specific plan shall last for a period of 21 years at which time the offer shall become void if not previously accepted by a public agency or the City of Point Arena.

Sec. 5.11 Yards, fences, walls and hedges: The minimum yard requirements set out in Articles 4 and 5 shall be subject to the regulations of this section:

A. Cornices, eaves, canopies, bay windows, chimneys and similar architectural features may extend a maximum of 2 1/2 feet into a side yard and 4 feet into a front, rear, or street side yard. Uncovered porches, decks, balconies, stairways, fire escapes or landings may extend a maximum of 8 feet into front, street side, or rear yards and 3 feet into side yards.

B. In residential zoning districts, the street side yard on a corner lot shall be 15 feet.

C. Sight-obscuring fences, freestanding walls or hedges more than 2 1/2 feet in height and located within a required front yard or required side yard adjacent to a street shall not be located closer than 15 feet to the point where the edge of a driveway crosses the property line. Fences located within a required front yard, or side yard adjacent to a street, shall not exceed 4 feet in height.

D. Fences and freestanding walls located within a required interior side yard or required rear yard shall not exceed 8 feet in height.

E. Fences and freestanding walls located within the buildable

portion of a lot shall not exceed fifteen (15) feet in height.

F. For corner lots, within the area lying between the front and street side lot lines and a line connecting points on these lot lines 20 feet from their intersection, sight obscuring fences, walls and vegetation shall not exceed 2 1/2 feet in height above the established grade of either street. Tree trunks, posts or columns not exceeding 18 inches in cross sectional width, measured at 3 feet above the established grade of either street, shall be permitted provided that tree branches are removed up to 8 feet above the grade of either street. Heritage trees may be excepted.

G. Limitations on fence height shall not be deemed to prohibit non-sight obscuring safety or security fences of any height necessary for public playgrounds, public utilities, and other public installations.

H. Sight obscuring fences shall not be constructed in public viewsheds as depicted on the Opportunities and Constraints Map.

Sec. 5.12 Swimming pools: Any artificial pool, pond, lake or open tank, not completely enclosed within a building, which is normally capable of containing water to a depth greater than 18 inches at any point and in which swimming or bathing is permitted to the occupants of the premises on which it is located, or their guests, and which shall not be used for commercial purposes, shall be permitted as an accessory structure in any zone and shall be subject to the following regulations:

A. Such pool shall be located on the rear one-half of the lot and in any case at least 50 feet from the front lot line, nor closer than 5 feet to a side or rear lot line. Filter and heating systems shall not be located within 10 feet of any lot line.

B. Such pool or the property on which it is located shall be completely enclosed by a wall or fence at least 4 1/2 feet in height, containing no openings greater than 4 inches except for self-closing and self-latching gates on which the latch is at least 4 feet above ground level in order that full control of access by children may be maintained.

Sec. 5.13 Diking, Dredging and Filling: The following regulations shall apply to any dredging, diking, damming, channelization, filling or similar activity in any wetland, open coastal waters, or area less than 20 feet above the mean low water or

within the 100 year floodplain of any perennial stream in the City:

Before any dam, dike, fill, dredging, diversion, channelization or similar activity is constructed or undertaken within the City, the applicant or lead agency shall provide the City with a project description, environmental analysis and evaluation of the potential impacts of the project on the character and function of the affected environment, the social and economic character and function of the City and its residents. Such uses shall be subject to a Coastal Development Permit. The permit shall not be granted unless the Planning Commission determines that the project conforms with the General Plan and will not create undesired impacts on the environment or the community. Such projects within the riparian corridor shown on the Zoning Map and the Opportunities and Constraints Maps, shall be subject to the requirements and restrictions contained in Sec. 5.22, 5.23 and 5.24 of this Ordinance. The requirements of the California Environmental Quality Act (CEQA) must be met. Section 6.11 (B) and (C) lists projects not requiring a Coastal Development Permit.

Sec. 5.14 Landscaping and screening: These regulations are intended to protect individual properties from the negative effects of traffic and to improve the appearance and environmental quality of Point Arena. In order to achieve these objectives, new developments in the MR, C, HWC, HC, and I zones shall be required to submit for approval as part of any Coastal Development or other permit application landscaping and screening plans that meet the following criteria.

A. Maintenance. All required planting shall be maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, weeding, cleaning, fertilizing and regular watering. Whenever necessary, planting shall be replaced with other plant materials to ensure continued compliance with applicable landscaping requirements. All screening, and trees, shall be in sound functional condition, or, whenever necessary, repaired and replaced.

B. Materials. Where trees are required in a new development they shall be of a species, degree of maturity, and spacing acceptable to the Planning Commission. Where dense landscaping to a specified height is prescribed, it shall be of a type that will provide a year-round barrier to the prescribed heights, and shall be so spaced that vision of objects on the opposite side is effectively eliminated.

C. Dense landscaping or a solid wall or fence of a minimum height of 6 feet shall be provided along the rear and side property

lines of any non-residential use which abuts on a residential use; to screen any open area used for the storage of goods, materials, or waste from view from abutting properties and from public right-of-way; to screen any open area used to display goods or materials for sale from abutting properties.

D. Prescribed fences, walls or dense landscaping need not be provided along a lot line if a permanent fence, wall or dense landscaping of at least equivalent height, density and maintenance exists immediately abutting and on the opposite side of said lot line.

E. Perimeter landscaping shall be provided between parking spaces and adjacent street right-of-way whenever 5 or more parking spaces are required. Such landscaping area shall be at least 4 feet wide and protected from damage by a curb or header adjacent to the parking area. In addition, whenever 5 or more parking spaces are required 1 tree shall be provided, with an additional tree required for every 10 additional required parking spaces. Such trees shall be planted in tree wells at least 4 feet by 4 feet, protected by a curb or header. Whenever 5 or more parking spaces are required, at least 4 percent of the parking area, including the above required landscaping, shall be landscaped.

Sec. 5.15 Site Development and Architectural Review: The following regulations shall apply in all zones:

A. Purpose. The small scale of the community and its unique townsite, affording spectacular views of the coastline and ocean horizon, define the character of Point Arena. Maintaining this character is essential to the continued desirability and viability of the City. The Planning Commission is established to review new developments in order to ensure their consistency with the character of the City and to minimize their impact on important vistas. The Planning Commission will also assess existing buildings for architectural or historical significance. A Design Assistance Committee, appointed by the City Council may be established to provide design review recommendations to the Planning Commission.

B. Applicability. Relocation, construction, external remodeling or additions to structures, and alteration of the natural contours of the land shall not be undertaken until approved by the Planning

Commission. Any such work shall require a Coastal Development Permit as prescribed in Article 6. Approval from the Planning Commission need not be obtained for remodeling which does not affect the external profile or appearance of an existing structure.

C. Design Criteria. The Planning Commission shall be guided by the following criteria when evaluating landform alterations and construction of structures:

1. The alteration of natural landforms caused by cutting, filling and grading shall be minimal. Structures should be designed to fit the site rather than altering the landform to accommodate the structure.

2. Structures in, or adjacent to, open space areas should be constructed of materials that reproduce natural colors and textures as closely as possible.

3. Materials and colors used in construction shall be selected for compatibility both with the structural system of the building and with the appearance of the building's natural and man-made surroundings. Preset architectural styles (e.g., standard fast food restaurant designs) shall be avoided.

4. Plant materials should be used to integrate the man-made and natural environments, to screen or soften the visual impact of new development, and to provide diversity in developed areas. Attractive vegetation common to the area shall be used.

5. On-premise signs should be designed as an integral part of the structure and should complement or enhance the appearance of the surrounding area.

6. New development should include underground utility service connections. When above ground facilities are the only alternative, they should follow the least visible route, be well designed, simple and unobtrusive in appearance, have a minimum of bulk, and make use of compatible colors and materials.

7. Off-site advertising signs are not allowed unless erected by a public agency. Such signs should be well designed and

be clustered at appropriate locations. Sign clusters should have a single design theme.

8. When reviewing the design of commercial or residential buildings, the Planning Commission shall ensure that the scale, bulk, orientation, architectural character of the structure and related improvements are compatible with the rural, uncrowded, rustic, unsophisticated, small, casual, open character of the community. In particular, residences of more than 2,000 Square feet in floor area and multiple-family dwellings or commercial buildings of more than 4,000 square feet in floor area shall be considered out of scale with the community unless they are designed and situated in such a way that their bulk is not obtrusive. Residential and commercial developments involving multiple dwelling or business units should utilize clusters of smaller structures with sufficient open space between them instead of a consolidated structure.

9. Structures visible from the beach or a public trail in an open space area should be made as visually unobtrusive as possible.

10. If a residence is removed, or destroyed by fire or other causes, on a lot that is otherwise usable, the owner shall be entitled to construct a residence in the same location with an exterior profile not exceeding that of the previous residence even if such a structure would again significantly obstruct public views of important scenes, provided any other nonconforming conditions are corrected.

D. Review procedures. The Planning Commission shall prescribe application forms and information requirements for use by those proposing activities. If a conditional use permit or other approval is required by the Planning Commission or the City Council, the review of the design shall be subsequent to other permit considerations and may occur at the same meeting, subject to fulfillment of public notification requirements. Otherwise the procedure for submittal and consideration of the application shall be the same as for a Use Permit as provided in Article 6. Where view considerations are involved, the applicant is encouraged to contact property owners within 100 feet and show them the layout and profile of the proposed structure. The Commission shall not

approve or conditionally approve any application unless it finds that all of the applicable criteria have been considered and the minimum adjustments required to achieve the objectives applicable to the area where the development is located.

Sec. 5.16 Architectural and Historical Significance: The following regulations shall apply in all zones:

A. Purpose. The City of Point Arena contains structures of architectural and historical significance. Older structures which give Point Arena much of its character should be preserved to the greatest degree possible. Priority shall be given to preserving those structures of outstanding architectural or historical significance. Demolition of architecturally or historically significant structures shall be minimized. The Planning Commission shall review all permits for alteration or demolition of these architecturally and/or historically significant structures.

B. Applicability. Relocation, remodeling, additions, and demolition of architecturally or historically significant structures must be approved by the Planning Commission. Approval need not be obtained for remodeling which does not affect the external appearance of the existing structure. Applicable work shall require a Coastal Development Permit as prescribed in Article 6.

C. Historic Districts and Properties. On September 13, 1990, two districts, along with other separately listed properties, were placed on the National Register of Historic Places Program. Placement on the National Register affords a property the honor of inclusion in the nation's official list of cultural resources worth of preservation and provides a degree of protection from adverse effects resulting from federally funded or licensed projects. Registration provides a number of incentives for preservation of historic properties, including special building codes to facilitate the restoration of historic structures, and certain tax advantages. There are no restrictions placed upon a private property owner with regard to normal use, maintenance, or sale of a property listed in the National Register. The following properties are included on the National Register:

1. Contributors to the Arena Cove Historic District

695	Arena Cove	Captain's House
785	Arena Cove	Wharfmaster's House
	Arena Cove	Life-saving Station Boathouse
	Arena Cove	Corrugated Shed
	Arena Cove	Coast Guard Garage
	Arena Cove	Captains Garage
	Arena Cove	Water tanks
	Arena Cove	Flagpole

2. Contributors to the Main St. Historic Commercial District

165	Main Street	Standard Oil Station, vacant
170	Main Street	Point Arena Garage
183	Main Street	IOOF Hall
185	Main Street	Feed Barn
190	Main Street	Point Arena Hotel Garage
195	Main Street	Pedretti Building, Cypress Realty
200	Main Street	Bank of P. A., B of A, Westamerica
205	Main Street	Garcia Center, Sweet Licks
207	Main Street	Arena Press Print Shop
211	Main Street	Everything Under the Sun
213	Main Street	Cypress Realty (vacant)
214	Main Street	Arena Theater
215	Main Street	P.A. Post Office, Travel Center
225	Main Street	P.A. Mercantile Co., Gillmore's
235	Main Street	Point Arena Market, Arena Pharmacy
240	Main Street	Texaco Station, Arena Feed & Seed, Casual Cuts, Laundromat
245	Main Street	Ancient Order of Foresters Hall
265	Main Street	P.A. Record Building, Bookends

3. Separate listings

40	Iverson Ave.	Iverson House
200	Lake Street	Point Arena High School
105	Main Street	Italian Hotel, Kentucky Forge Works
284	Main Street	Annie Palmer House, Community Art
365	Main Street	Legrand Morse House, R. Mari
40	Mill Street	E.P. Gillmore, J.H. Halliday House
50	Mill Street	Sid Groshon, Bill Walsh House
10	Riverside Dr.	Hoyt/Scott House
40	School Street	St. Paul's Meth. Church & Parsonage
10	Scott Place	Billy Ketchum House, Larksong

D. Review Criteria:

1. Historical Significance.

a. Is the building particularly representative of a distinct historical period, type, style, region, or way of life?

b. Is it an example of a type of building which was once common but is now rare?

c. Is the building of greater age than most of its kind?

d. Is the building connected in any way with someone who was famous, important, or a local personality?

e. Is the building connected with a business or use which was once common but is now rare?

f. Is the architect or builder famous or well recognized?

2. Architectural Significance.

a. Are its construction materials used in an unusual, significant, or effective manner or style?

b. Is the overall effect of the design of the structure beautiful, or are its details beautiful or unusual?

c. Is the style of the building unusual for its area, for Point Arena, for California, or is it unusual for any place?

d. Does the building contain original materials or workmanship which can be valued in themselves?

e. Is the method of construction employed or the floor plan used one which is unusual, ingenious, or significant?

f. Is the structure especially well-preserved or could it be restored to its former condition?

E. Review Procedures. The Planning Commission shall review applications for applicable coastal development permits as described in Article 6. If a use permit or other approval is required by the Planning Commission or City Council, the review by the Planning Commission may occur at the same meeting subject to the fulfillment of public notification requirements. Otherwise the procedure for submittal and consideration of the application shall be the same as for a use permit as provided in Article 6.

Sec. 5.17 Non-conforming uses and structures: The lawful use of lands or structures existing on the effective date of these regulations, although such use or structure does not conform to the regulations applied to such property or structure, may be continued, except as provided herein. Non-conforming off-street parking is covered separately under Section 5.19.

A. Any structure conforming as to use but nonconforming as to lot area, yards, height or other requirements herein at the effective date of this ordinance may be altered, repaired or extended provided that such alteration, repair, or extension shall not increase the existing degree of non-conformance.

B. If any building not conforming to this Zoning Ordinance is destroyed to the extent that the cost of repair, using new materials, exceeds 60 percent of the current appraised value of the structure, then the building shall become subject to all regulations in the applicable zone. The repair of a partially destroyed building shall commence within 1 year and an additional 6 months shall be allowed for the completion of the exterior of any reconstruction.

C. Any change of a non-conforming use shall be to a conforming use, and a non-conforming use which has been discontinued for a period of one year or more shall not be re-established. A non-conforming use of a part of a lot or a structure shall not be extended throughout the lot or structure.

D. Any use for which a conditional use permit is required by these regulations shall be considered a nonconforming use until a conditional use permit is obtained.

Sec. 5.18 Non-conforming lots: If a lot was delineated on a recorded subdivision map, or was lawfully established as a separate lot on the effective date of these regulations, and such lot does not conform to the minimum lot area of the zone in which it is located, it shall be considered a legal building site for uses permitted in the pertinent zone, even if the owner of said lot has at any time owned land contiguous to said lot, provided all other requirements of this ordinance and other applicable city ordinances and standards can be satisfied.

Sec. 5.19 Non-conforming off-street parking: Off-street parking facilities existing as of June, 1981, incidental to a lawfully established use, but which are non-conforming as to the provisions of Sec. 5.28 of this ordinance, shall be considered the required off-street parking for that specific use. Any change in the use, the building, or the parking facilities shall be subject to the following provisions:

A. An existing parking facility, incidental to a lawfully established use, shall not be reduced in area or redesigned so that the facility is less in conformance with the provisions of this ordinance in any respect, unless the end result is an equivalent number of off-street parking spaces, or the required number of parking spaces, whichever is the lesser, as required by this ordinance.

B. If a building or use is expanded, parking as required by Sec. 5.28 of this ordinance shall be provided for the expanded portion of the use. Any existing parking shall be retained, or be replaced by an equivalent number of off-street parking spaces, or the required number of spaces, whichever is the lesser, as required by this ordinance. If the number of spaces required for the expansion is greater than the number required herein for the existing building, then any existing parking area shall be brought into conformance with the requirements of this ordinance.

C. If the use of land or a building is changed to a use with a greater parking requirement, parking equal to the difference between the requirement for the existing and the proposed use, as contained herein, shall be provided in accordance with the provisions of this ordinance. Existing parking shall be retained or be replaced by an equivalent number of off-street parking spaces, or the required number of spaces, whichever is the lesser, as

provided by this ordinance.

D. In-Lieu parking regulations:

1. When it is neither feasible nor desirable to provide some or all of the off-street parking spaces required by Section 5.28 of the Point Arena Zoning Ordinance, an owner of commercially-zoned land shall be permitted, subject to approval of the City Planning Commission, to make a monetary payment to the City of Point Arena in an amount which is equal to 80% of the estimated cost of required off-street parking on a per-parking-stall basis.

2. In addition to the costs associated with land acquisition, the projected costs of providing all of the following services and improvements, based upon required parking stall size and turning radius to serve said parking stall as set forth in Section 5.28 (C). Dimensional requirements of the Point Arena Zoning Ordinance, shall be used in determining the amount of the required monetary payment including:

a. Engineering, inspection and contingencies
b. Grading/paving
c. Drainage
d. Striping and wheel stops
e. Landscaping/screening

3. At least once every year the City Council may establish, by Resolution, the value of off-street parking facilities in the City on a per-parking stall basis. Initially, such a fee shall be $2,000 per parking stall. Funds collected by the City from such payments shall be deposited in a special fund and shall be used by the City only for the purpose of acquiring and/or developing future off-street parking facilities. The City may establish payment schedules for collection of fees.

4. Parking Variance Procedure: The Planning Commission may, upon application by the landowner, grant a variance from the parking requirement and shall then require the payment of the in-lieu fee for each

space as established by resolution. In granting a variance the Planning Commission shall be guided by the following criteria: Upon a showing by the applicant and a finding thereof by the Planning Commission, a variance may be granted on one or more of the following grounds:

a. The refusal to allow a variance could make a proper use of the property unfeasible.

b. It is physically impossible for the property to comply with on-site parking requirements.

c. Specific conditions exist which particularly affect the subject property as opposed to other properties in the same zoning designation similarly situated.

d. Specific conditions exist as to the type of business enterprise or use permitted by the Commission and which may affect the need for on-site parking.

The burden shall be upon the applicant to demonstrate to the Planning Commission the grounds upon which the applicant bases the application for variance.

5. All off-street parking facilities which are provided by the City of Point Arena shall, in addition to benefiting the employees, guests, and/or patrons of the subject property, be made available for use by members of the general public.

Sec. 5.20 Determination of Geologic Stability: The following applies to developments in all zones:

A report by a registered geologist or a certified engineering geologist shall be provided at the applicant's expense as part of an application for earth moving, permanent structure, septic disposal system, drive-way, parking area, or other use permitted within the Unstable Soils, and can be identified as Santa Lucia soils which occupy slopes of 9% to 75%, properties located on or adjacent to Hazardous Bluffs, and areas within 100 feet of the Hathaway Creek Fault shown on the Opportunities and Constraints Map. Before the Planning Commission approves a

development, it shall determine that the proposed development will not significantly increase erosion and slope instability and that any potential adverse impacts have been mitigated to the extent feasible.

A. The report shall be based on an on-site inspection in addition to a review of the general character of the area using a currently acceptable engineering stability analysis method. The report shall take into consideration all potential impacts, including but not limited to impacts from construction activities such as grading, drainage (from septic leach fields, on-site water use, increased runoff from impervious surfaces), roadways, and vegetation disturbance.

B. The report shall contain a professional opinion stating the following:

1. The area covered in the report is sufficient to demonstrate the geotechnical hazards of the site consistent with the geologic, seismic, hydrologic and soil conditions at the site;

2. The extent of potential damage that might be incurred by the development during all foreseeable normal and unusual conditions, including ground saturation and shaking caused by the maximum credible earthquake;

3. The effect the project could have on the stability of any bluff, including the introduction of subsurface effluent discharges from proposed septic systems;

4. How the project can be designed or located so that it will neither be subject to nor contribute to significant geologic instability through the economic lifespan of the project (a 75-year economic lifespan shall be used for new single-family residences);

5. A description of the degree of uncertainty of analytical results due to assumptions and unknowns;

6. Recommended bluff setbacks, if applicable. The development must conform to the recommended setbacks. No variance permit may be issued to grant

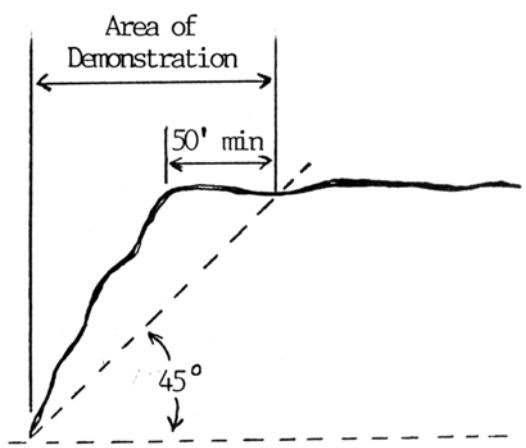
exception to the minimum setback requirement.

7. Recommended mitigation measures to avoid or minimize geologic instability, during and after construction of the project.

C. In general, the Zoning Ordinance intends that structures shall be built in the most stable areas of a parcel. The entire footprint of a structure, including decks, shall be to the landward side of the setback lines.

Sec. 5.21 Coastal Bluff Retreat/Erosion Setback Guidelines. As a general rule the area of demonstration of stability includes the base, face and top of all bluffs and cliffs. The extent of the bluff top considered should include the area between the face of the bluff and a line described on the bluff top by the intersection of a plane inclined at a 45 degree angle from a horizontal passing through the toe of the bluff or cliff, or 50 feet inland from the edge of the cliff or bluff, whichever is greater. However, the Commission may designate a lesser area of demonstration in specific areas of known geologic stability (as determined by adequate geologic evaluation and historic evidence) or where adequate protective works already exist. The Commission may designate a greater area of demonstration or exclude development entirely in areas of known high instability.

A report should indicate the location of the cliff or bluff edge, the toe of the cliff or bluff and other significant geologic features by distance from readily identified fixed monuments such as the centerline of the road nearest the bluff or cliff.



A special condition shall be attached to all coastal permits for blufftop development, requiring recordation of a deed restriction that states the following:

a. The landowner understands that the site may be subject to extraordinary geologic and erosion hazard and the landowner assumes the risk from such hazards;

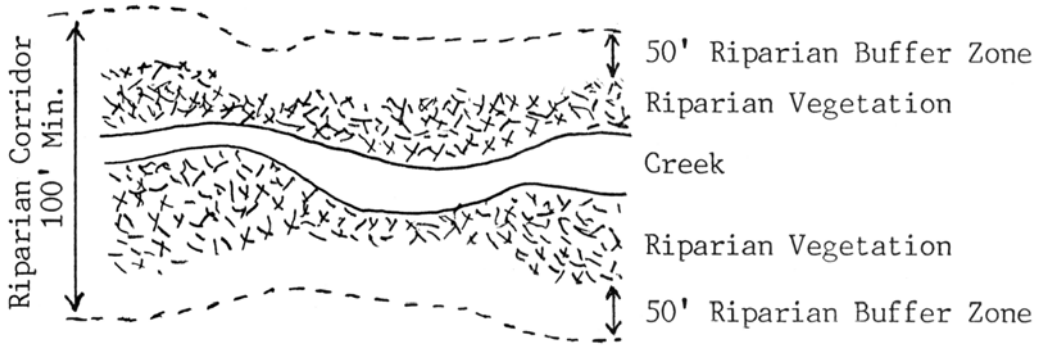
b. The landowner agrees that any adverse impacts to property caused by the permitted project shall be fully the responsibility of the applicant;

c. The landowner shall not construct any bluff or shoreline protective devices to protect the subject residence, guest cottage, garage, septic system, or other improvements in the event that these structures are subject to damage, or other natural hazards in the future;

d. The landowner shall remove the house and its foundation when bluff retreat reaches the point where the structure is threatened. In the event that portions of the house, garage, foundations, leach field, septic tank, or other improvements associated with the residence fall to the beach before they can be removed from the bluff top, the landowner shall remove all recoverable debris associated with these structures from the beach and ocean and lawfully dispose of the material in an approved disposal site. The landowner shall bear all costs associated with such removal.

Sec. 5.22 Riparian Corridor and Riparian Buffer Zone: No new development shall be allowed within riparian corridors along Arena Creek, or elsewhere where mapped (on the Opportunities and Constraints Map) without first obtaining appropriate permits. New development includes, but is not limited to, vegetation removal, grading, filling, soils or refuse dumping, and the alteration of creek banks. Biologic analysis of development plans affecting or likely to affect any creek or riparian habitat area shall be submitted to the City for its review and approval.

The Riparian Buffer Zone is defined in Appendix A of this Zoning Ordinance. The purpose of this buffer area is to provide for a sufficient area to protect environmentally sensitive riparian habitats from significant degradation resulting from future development. The width of the Riparian Corridor shall be a minimum of 100 feet. The buffer area shall be measured outward from the outside edge of the riparian vegetation and shall not be less than 50 feet in width.



Pre-existing buildings and non-conforming uses within riparian corridors may continue as legally non-conforming, but no additions that encroach closer to the stream or creek within said corridor shall be permitted, with the following exceptions:

A. decks and porches that are not greater than 10% of the internal floor area of the existing structure; or

B. accessory structures located at the City's waste water reclamation facility situated entirely within the developed fenced area.

Required findings

1. the proposed development has been sited and designed to prevent significant impacts to the habitat values, functional capacity, and species diversity of the adjacent riparian habitat area, and

2. the proposed development is compatible with the continuance of such habitat areas.

3. Soils and vegetation removal and disturbances shall be minimized.

4. Non-native vegetation shall not be planted except for the continuance of existing agricultural practices.

Sec. 5.23 Required wetland and sensitive habitat mitigation review: In all cases where a Coastal Development Permit is required, specific information and data shall be submitted to ensure to the Planning Commission's satisfaction that impacts to bluffs, wetlands, rivers, streams, and ponds, and riparian areas thereof, and to sensitive

habitat areas, as a result of earth moving, tree removal, or any development, diking, dredging, filling, or excavation are identified and mitigation measures proposed, all in accordance with Sec. 5.27 of this Ordinance.

Sec. 5.24 Point Arena Mountain Beaver and the Mountain Beaver Buffer Area: The Point Arena Mountain Beaver (Aplodontia Rufa Nigra) was listed as an endangered species on December 12, 1991 (56 Federal Register 64716), under the Endangered Species Act. Section 9 of the Endangered Species Act prohibits the "take" of any federally listed species. As defined in the Act, take means "...to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." "Harm" has been further defined to include habitat destruction when it kills or injures a listed species by interfering with essential behavioral patterns, such as breeding, foraging or resting. Indirect adverse impacts, such as construction of buildings, roads or fences, that interrupt or prohibit the movement patterns of a listed species could be considered "take" under the Act. Take incidental to an otherwise lawful activity may be authorized under Section 7 of the Act if a Federal agency is involved with the project. If a Federal agency is not involved with a project, and there is a possibility of a "take" as part of the project, then an "incidental take permit" pursuant to section 10(a) of the Act would need to be obtained. The Fish and Wildlife Service may issue such a permit upon completion of a satisfactory habitat conservation plan for the listed species that would be affected by the project. If an incidental take permit is not obtained and an unauthorized take does occur, the responsible entity will be liable under the enforcement provisions of the Act.

Threats to the Point Arena mountain beaver that may result in a "take" include: livestock grazing, road construction and maintenance, public access and recreational use (camping and hiking trails), rodent control, exotic plant expansion, housing developments, storm water run-off and irrigation, predation by feral and pet cats and dogs, withdrawal of crucial water supplies for residential use and agricultural use. The Fish and Wildlife Service believes that the mountain beaver may be particularly sensitive to disturbances in the form of noise and ground vibrations and that actions involving noise-generating activities, within 500 feet of occupied habitat, have the potential to harm the animals, especially during the breeding season of December 15 to June 15.

To minimize and mitigate disturbance to Point Arena mountain beavers, noise-generating or habitat-modifying projects within the Mountain Beaver Buffer Area (MBBA) should be surveyed. The MBBA is designated on the Point Arena Opportunities and Constraints Map as a 1,000 foot strip along Arena Creek, 500 feet from the centerline. Surveys should be done by a qualified biologist and should cover all of the mountain beaver habitat from the perimeter of the project out to a

distance of 500 feet. If mountain beaver sign (trails, burrows, digging, etc.) is detected within this radius, additional project mitigation or the development of a habitat conservation plan may be required. Mitigation for noise generating projects within 500 feet of occupied habitat will include the following restrictions from December 15 through June 15:

A. The action and related activities will be greater than 100 feet from occupied habitat.

B. Noise-generating activities will be limited to the use of hand tools and light power-tools (e.g. axe, chainsaw, etc.)

C. No tools will be used that require an air compressor.

D. No power tools will be operated while in direct contact with the ground.

Sec. 5.25 Locating New Development. Approval of development proposals shall be given to areas contiguous to existing urbanized areas prior to the approval of projects which require extensions of water, sewer, and road services. This will minimize the loss of agricultural land, reduce the costs of service extensions, and encourage the development within areas of existing development before extending service to outlying areas. With the exception of the Hay Annexation Area (LCP Amendment #1-89), and properties located at the northern end of the City, the City sewer system is presently available to the following zones: Urban Residential, Multi-family Residential, Suburban Residential-1/2, Suburban Residential-1, Commercial Core, Highway Commercial, Harbor Commercial, Public Facilities, and Park. Priority shall be given as follows:

1st priority: Developed lots for which sewer connection is available.
2nd priority: Undeveloped lots for which sewer connection is available.
3rd priority: Developed lots for which sewer lines must be extended.
4th priority: Undeveloped lots for which sewer lines must be extended.

Adequate sewer capacity will be reserved for first and second priority lots. A Memorandum of Understanding associated with the Hay Annexation provides for orderly extension of infrastructure, including sewer system, to be extended to Phase 1 of the annexation. No sewer service will be extended to the Agricultural Exclusive Zone or areas outside the Urban Limit Line.

Sec. 5.26 Control of noise: New development shall conform to noise control policies set forth

in the Noise Element of the General Plan or in any noise ordinance that may be in effect and in conformance therewith, and the Planning Commission may require that noise studies be prepared as a condition of any permit review, and may also require that a developer mitigate for negative noise impacts.

Sec. 5.27 Mitigation Measures: The Planning Commission or City Council shall as a condition for a Coastal Development Permit, require that a developer mitigate for impacts to wetland, other sensitive habitat areas, or riparian areas.

Mitigation for activities such as diking, dredging, filling or excavating in wetlands, other sensitive habitat areas or riparian areas shall include the restoration of an area of land of at least equal size and equal habitat value to that being disturbed. Mitigation might include open space dedications, dike or fill removal, and plantings of riparian vegetation.

A. The Coastal Development Permit shall not be approved until adequate mitigation measures are incorporated into the proposed development plan.

B. The Coastal Development Permit shall not be approved until it can be determined that there is no feasible less environmentally damaging alternative, which can include an alternate project or an alternate location for the proposed project.

C. The Coastal Development Permit shall not be approved unless it is for one or more of the permissible uses allowed under Section 30233 of the Coastal Act.

Sec. 5.28 Off-Street Parking: These regulations are intended to provide accessible and well-maintained off-street parking facilities so as to reduce traffic congestion and thereby allow the more efficient utilization of the street right-of-way.

A. General Provisions.

1. When any main building is constructed, enlarged, or increased in capacity, or when a change in use creates an increase in the amount of off-street parking space required, additional parking spaces shall be required, except as specifically provided in Article 5.

2. Fractional space requirements shall be counted as a

whole space.

3. No portion of any front yard, or any side yard on the street side of a corner lot, shall be used for off-street parking purposes, except in the case of a driveway of a single-family dwelling and in the Industrial and Highway Commercial zones where required front yards may be used to meet off-street parking requirements.

4. Off-street parking spaces for single-family dwellings shall be located on the same lot as the dwelling served. Off-street parking spaces for all other dwellings, and all non-residential uses, shall be located on the same lot as, or not more than one-hundred-fifty (150) feet from the building or use served.

5. No repair work or servicing of vehicles shall be conducted in an off-street parking facility, except such minor work as is common to residential use.

6. No off-street parking facility shall be reduced in capacity or in area without sufficient additional capacity being provided.

7. Off-street parking facilities for one use shall generally not be considered as providing required off-street parking facilities for any other use. However, off-street parking facilities for one commercial use may be considered as providing required off-street parking facilities for another commercial use if the business hours of the two uses are mutually exclusive.

8. When two or more uses are located in the same building and/or in common developments, or when parking facilities for different buildings or uses are provided collectively, the parking requirements shall be the sum of the separate requirements for each use, except as specifically provided in this Section.

9. Sufficient bicycle storage space, as determined by the Planning Commission, shall be provided in all parking areas of ten (10) or more spaces.

10. Where joint parking facilities are provided for two (2) or more commercial uses in a planned commercial development, the minimum requirement may be reduced to seventy-five percent (75%) of the sum of the requirements for the various uses computed separately, when the combined requirements total twenty (20) or more spaces.

11. Requirements for types of buildings or uses not specifically listed herein shall be determined by the Planning Commission based upon the requirements for comparable uses listed and on the particular characteristics of the building or use.

B. Parking Space Requirements: Off-street parking spaces shall be provided according to the following schedule:

1. Residential Uses Parking

Single-family and two-family dwellings located in a residential district	Two (2) spaces per dwelling unit
Multi-family dwellings with two or fewer bedrooms located in a residential district	One and one-half (1 1/2) spaces per dwelling unit
Multi-family dwellings with three or more bedrooms located in a residential district	Two (2) spaces per dwelling unit
Single- or multiple-family dwellings as a secondary use located in a commercial district	One (1) space per dwelling unit

2. Commercial and Public/Quasi-public Uses

Small establishments in existing and new buildings. Any use with a floor area less than six hundred (600) square feet and located	No spaces

in a building with not more than one (l) other use of less than six hundred (600) square feet.	

Uses in completely new structures or change of use in an existing structure:

Theaters, churches, lodges, clubs, auditoriums, and other public assembly uses	One (1) space per every six (6) seats
Bowling alleys and pool halls	Four (4) spaces for each lane; two (2) spaces for each billiard table
Hotels, motels, inns, rooming houses located in a non-residential district	One (1) space per every one and one-half (1 1/2) sleeping units
Hotels, motels, inns, rooming houses located in a residential district	One (1) space per sleeping unit, plus one space per every three (3) employees
Hospitals	Two (2) spaces per bed
Extended care facilities	One (1) space per two and one-half (2 1/2) beds
Medical offices	One (1) space per two hundred (200) square feet of floor area
All professional service/ general business offices	One (1) space per three hundred (300)

(including banks)	square feet of floor area
Restaurants, bars, retail sales, personal services, and all other commercial, public and quasi-public uses not listed	One (1) space per four hundred (400) square feet of floor area
Commercial (work) space as part of a "live-work" space located in a residential district	One (1) space per for each live-work unit, in addition to the required residential spaces

3. Industrial uses

To be determined on a case-by-case basis by the Planning Commission.

4. Schools

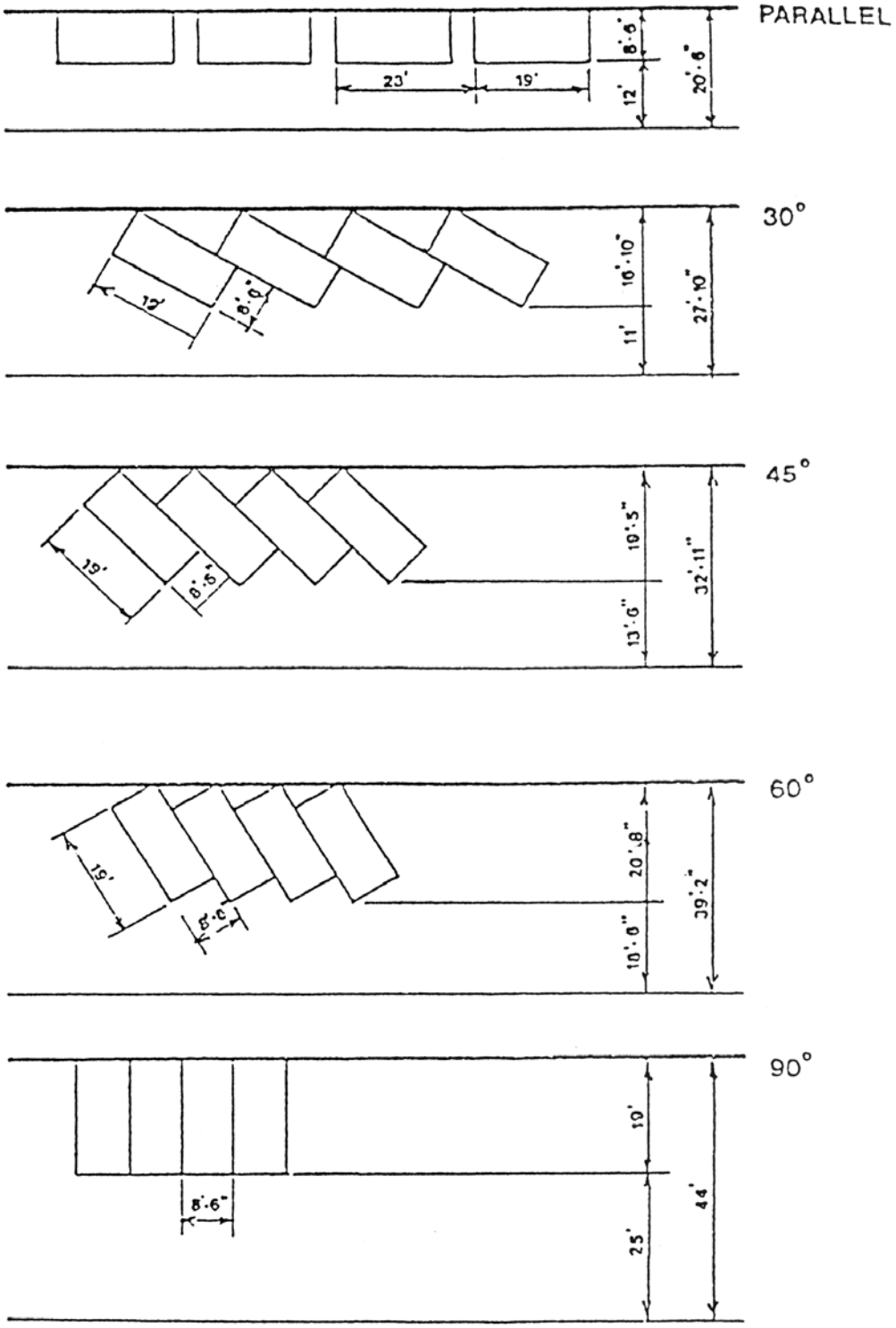
Nursery & elementary schools	One (1) space per each classroom and office, plus ten (10) spaces for visitor parking.
High schools	One (1) for every three (3) students, plus one (1) for every two (2) teachers, and one (1) for each other employee

C. Dimensional Requirements: The minimum off-street parking dimensions shall be as prescribed in the following table, except that a parking space required to be located in a garage or carport shall be not less than twenty (20) feet in length and ten (10) feet in width:

Angle	Stall Width	Stall Length	Aisle Width	
			One-way	Two-way
Parallel	8' 6"	23'	12'	20'
30 degree	8' 6"	16' 10"	11'	20'
45 degree	8' 6"	19' 5"	13' 6"	20'
60 degree	8' 6"	20' 8"	18' 6"	20'
Perpendicular	8' 6"	19'	25'	20'

(See illustration on the following page)

GUIDE TO DIMENSIONAL REQUIREMENTS



Twenty percent (20%) of the required spaces in parking areas with five (5) required spaces or more may be devoted to compact car spaces, as follows:

Angle	Stall Width	Stall Length
Parallel	7'	20'
45 degree	7' 6"	16'
60 degree	7' 6"	17'
Perpendicular	7' 6"	16'

Such spaces shall be clearly labeled for "compact cars."

D. Design Requirements: Requirements for off-street parking areas shall include:

1. Lighting. If the parking area is illuminated, lighting shall be deflected away from residential sites and downward so as to cause no annoying glare.

2. Bumpers. Bumpers, posts, wheel stops, or other acceptable devices shall be provided on all parking spaces located along property lines, and set back a minimum of one and one-half (1 1/2) feet from the boundary of the parking lot. All such devices shall be firmly attached to the ground.

3. Access Drives. Except for single-family dwellings, groups of more than two (2) parking spaces shall be so located and served by an access drive that the use of the spaces and the access drive will require no backing movements or other maneuvering within a street right-of-way. Alleys may be used for maneuvering.

Each parking space shall have unobstructed access from a street or alley or from an aisle or drive connecting with a street or alley without requiring moving another vehicle. Entrances from and exits to streets and alleys shall be provided at locations approved by the Planning Commission.

4. Parking surface. The parking area, aisles, and access drives should be paved so as to provide a durable, dustless surface and shall be so graded and drained as to dispose of surface water without damage to private or public properties, streets, or alleys.

5. Landscaping and Screening. A screening device not less than six (6) feet in height and constructed of dense landscaping or of a fence, wall, grill, or other material, shall be required along all interior property lines for all off-street parking spaces abutting a residential use. Perimeter landscaping shall also be provided between parking spaces and adjoining public sidewalks. Moreover, all off-street parking areas having five (5) or more spaces shall be provided with screening and landscaping according to the following standards:

a. Where the parking facility adjoins a street or a required front yard, or where a parking area is located directly across a street or alley from a residential use, a solid wall or fence, vine covered fence, or compact evergreen hedge no less than four (4) feet in height shall be located on the property line or on the rear line of the required front yard. See Section 5.11 for additional information regarding yards, fences, walls and hedges.

b. One (l) tree shall be provided for every eight (8) parking spaces, except that parking areas of five (5) or more spaces shall also require at least one (l) tree. Said trees shall be planted in tree wells of at least four-by-four feet (4' x 4') in locations approved by the Design Assistance Committee, and shall be provided with a means of irrigation and maintained in a living condition. Off-street parking areas for multi-family dwellings shall be screened from street view by the means of berming, landscaping, fencing or some combination thereof.

c. All planters and tree wells shall be enclosed by a curb not less than six (6) inches in height.

6. Exception. Within thirty-five (35) feet of the street corner of any corner lot, the height of any landscaping or screening may be required to be reduced in height or set back from the property line such distance as the Planning Commission shall deem necessary for public safety.

Sec. 5.29 Signs

A. Signs allowed in all zones without a permit.

1. Non-commercial signs.

a. Permanent signs shall not exceed two square feet, including residential nameplates, safety or directional signs, and "no trespassing" signs.

b. Temporary signs shall not exceed 32 square feet, and in no case shall the total of display surface of temporary signs exceed 32 square feet per parcel. Any temporary sign shall be allowed for one 42-day period in a calendar year or a total of 42 separate days in a calendar year. Political campaign signs may be allowed for more than 42 days, but must be removed within 10 days after the election.

2. Commercial.

a. Permanent signs which are not illuminated, including home occupation business signs, shall not exceed three square feet.

b. Temporary signs, unilluminated, and not exceeding a total area of six square feet, and not more than two in number for residential zones, and unillumniated signs not exceeding 32 square feet and not more than two in number for all other zones; and, vendor signs which shall not exceed six square feet and shall be displayed only when the operator is vending. Anything greater

than six square feet in area shall require a permit. All commercial, temporary signs shall not exceed 32 square feet, and in no case shall the total of display surface of temporary signs exceed 32 square feet per parcel. Any temporary sign shall be allowed for one 42-day period in a calendar year or a total of 42 separate days in a calendar year (including For Sale or Lease signs).

B. Signs allowed in all zones with a permit.

1. Non-commercial signs which shall not exceed 32 square feet, and must be located on the premises not less than 10 feet from any property line. Illumination shall be non-glaring and indirect. Non-commercial signs include signs for schools, churches, clubs and other public organizations.

2. Commercial signs. Illuminated home occupation signs which shall not exceed three square feet. Illumination shall be non-glaring and indirect.

C. Signs allowed in the commercial and industrial zones without a permit.

1. Non-temporary signs within window display areas, visible from the street, unilluminated and less than two square feet shall not require a permit; however, the square footage of these signs will be added to the entire aggregate advertising area for the parcel. Temporary signs within window display areas are subject to requirements of Section 5.29 A.(4). All other signs within window display areas may be allowed with permit.

D. Signs allowed in the commercial and industrial zones with a permit.

Signs allowed in the commercial and industrial zones with a permit shall be permanently fixed to the ground or building, are subject to design review, and are subject to the following size, quantity, and placement restrictions:

1. Maximum aggregate display surface. The

aggregate display surface for any parcel of land shall be one square foot for each foot of street frontage, provided that any parcel shall be permitted at least 20 square feet of advertising area, but in no case shall the advertising area for any parcel exceed 300 square feet in area.

2. Maximum number of signs. The aggregate display surface may be divided into not more than six single or double faced signs.

3. Maximum sign size. No sign shall exceed 50 square feet in area, except "Signs of unusual size or nature" (Sec. 5.29 E.).

4. Maximum height. No sign shall exceed the maximum building height for the zone in which the sign is located, and in no case shall it exceed the maximum height of the structure. Signs attached to buildings shall not project beyond the roof line at any point.

5. Maximum size and projection over public right-of-way. Signs projecting more than eight inches over the public right-of-way shall not exceed 32 square feet in area, shall not project more than five feet, shall not extend closer than 24 inches horizontally from the curb face, shall not be closer than nine feet to the ground, and, if attached to the underside of a projecting canopy extending over a public right-of-way, shall not be more than six square feet in area.

E. Signs of unusual size or nature.

The following signs may be allowed with a permit in all zones. If in conformance with the following criteria, the sign may be allowed to exceed the maximum sign limits and the area of the sign will not be included in the aggregate display surface.

1. Murals shall be painted or affixed directly on the building, shall cover a minimum area of 50 square feet, shall be pictorial in nature, and should not contain commercial logos.

2. Theater Marquees only for theater use shall contain no permanent lettering with the exception of the name of the theater.

F. Prohibited signs.

1. Signs that resemble traffic control signs or obstruct the visibility of any traffic sign, or signs which rotate, move, flash, reflect, blink or appear to do any of the foregoing shall be prohibited unless required by law. An exception to this section is the allowance of barber poles, clock hands and lighted holiday decorations.

2. Off-site advertising is prohibited except signs erected by public agencies.

3. No sign shall restrict necessary sight distances at intersections or driveways.

4. No sign shall be placed in a public right-of-way.

G. Use of non-conforming signs.

Signs lawfully existing on the effective date of this Ordinance which do not conform to the regulations of this Ordinance will constitute non-conforming signs.

1. If the service, business, institution or location to which a non-conforming signs refers ceases for a period of thirty days or more for a year-round business or for a period of six months or more for a seasonal business, the sign shall be removed. Such sign shall be removed within a period of sixty days after the termination of the need for the sign.

2. Any non-conforming sign destroyed by fire, wind, or accident to the extent that cost of repair, using new materials exceeds 50% of the current appraised value, as determined by the City building inspector, or its agent, must be removed or brought into conformance with the requirements of this Ordinance.

3. Any change made to a non-conforming sign must

bring the sign into conformity with this Ordinance.

H. Design requirements.

1. Materials, colors, size and style used in a sign should be compatible with its location.

2. Signs associated with new building construction should be designed to be an integral part of the structure and should complement or enhance the appearance of the surrounding area.

3. Light from any illuminated sign shall be so shaded, shielded or directed that the light intensity or brightness will not be objectionable to surrounding areas and uses. Indirect lighting is preferred over internally lit or neon signs.

4. Signs located in residential zones shall in no way change the predominantly residential character of the area.

5. All signs shall be safe and well maintained.

6. Freestanding signs, unless otherwise stated, should be placed a minimum of five feet from any property line in order to protect the public and neighbors from the feeling of crowding.

7. See additional design review requirements as specified in Section 5.15 (C).

Sec. 5.30 Mobile Home Regulations: The following provisions shall apply to the placement of mobile home units on lots within the city limits.

A. Mobile homes must conform to applicable residential or commercial zone requirements relative to water and sewer connections.

B. Mobile homes will not be allowed on lands designated "unstable" or within 100 feet of the Hathaway Creek Fault as shown on Point Arena Opportunities and Constraints Map.

C. Use is intended as a single-family mobile home dwelling.

D. Household pet requirements will be based on applicable residential zone requirements.

E. Home occupations shall be by conditional use permit only.

F. Minimum lot area is 7500 square feet.

G. Minimum lot width is 60 feet.

H. Maximum depth is 3 times the lot width.

I. Minimum yards: 20 foot front yard; 10 foot side yard; 15 foot rear yard

J. Development must comply with all applicable State Standards for mobile homes.

K. Exterior siding must be of non-reflective material, which is or simulates woods, stucco, or masonry and shall be required to extend to the foundation.

L. Roofing shall be of non-reflective material, fiberglass or approved fire-resistant shingles. The painting of a raw metal roof will not meet this requirement.

M. A minimum 12-inch roof overhang shall be required.

N. All mobile units must provide a minimum living area of 1000 square feet, excluding garage.

O. A special permit shall be required before a mobile home built prior to June 15, 1976, can be placed on a foundation.

Sec. 5.31 Storage Tanks

A. The City shall not allow the installation of underground hazardous materials storage tanks.

B. Above ground hazardous materials storage tanks shall comply with current Environmental Protection Agency and State Water Quality Control Board regulations.

Sec. 5.32 On-Shore Facilities for the Support of Off-shore Oil and Gas Exploration or Development.

On-shore facilities for the support of off-shore oil and gas exploration or development are currently not allowed in any Point Arena Zoning Districts. When any person proposes to undertake the development within Point Arena of any on-shore facility relating to the exploration or development of off-shore oil or gas resources and requests an amendment of the City's Certified Local Coastal Program to facilitate such development, a determination by the City Council that the proposed amendment is in conformity with the policies of the Coastal Act and that the Certified Local Coastal Program should be amended to incorporate such development shall not be effective unless a majority of the electors of Point Arena, in a general or special election, approve the proposed amendment. Any such application must comply with all provision of Ordinance No. 124 and any amendments thereto.

ARTICLE 6. PROCEDURES AND ADMINISTRATION

Sec. 6.01 Amendments to Zoning Ordinance and Zoning Map: The Point Arena Zoning Ordinance and Zoning Map, as adopted by the Point Arena City Council, may be amended pursuant to the requirements of this Article and provisions of the Government Code of the State of California.

Sec. 6.02 Initiation of Amendments: An amendment to the text of the Zoning Ordinance or Zoning Map may be initiated by motion of the City Council on its own initiative, or by the Planning Commission on its own initiative. Amendments to the Zoning Map may be initiated by the owner of the subject property, or authorized agent for the owner, or by the Planning Commission or City Council.

Sec. 6.03 Amendment Procedures: The filing of an application for an amendment to the Zoning Ordinance or Zoning Map, the payment of fees, notice of hearing, and procedural requirements shall be as prescribed herein and in Sections 6.17, 6.18 and 6.19.

The Planning Commission shall hold a public hearing on proposed amendments to the Zoning Ordinance or Zoning Map. At the public hearing the Planning Commission shall hear any person interested in the proposed amendment. The hearing may be continued from time to time provided that the notice of the time and place of the continued public hearing is given at the hearing or in the manner provided for in Section 6.19 of this ordinance. Within 40 days of the conclusion of the hearing, the Planning Commission shall submit to the City Council a written report of recommendations and reasons thereof, including the relationship of proposed zoning amendments to the Point Arena General Plan. The Planning Commission shall not hold a hearing on a proposed amendment to the Zoning Ordinance less than 2 weeks after final City Council action on a related change in the General Plan.

If, after the hearing is closed, the Planning Commission recommends approval of the proposed amendment, the City Council, upon receipt of the report, shall set the matter for public hearing. The City Council may approve, modify or disapprove the recommendation of the Planning Commission, provided that any modification proposed by the City Council not previously considered by the Planning Commission during their hearing shall first be referred to the Planning Commission for report and recommendation, but the Planning Commission shall not be required to hold a public hearing thereon. Failure to report within 40 days after the referral shall be deemed to be Commission approval of the proposed modification.

If the Planning Commission has recommended against the adoption of an amendment, the City Council shall not be required to take any further action thereon

unless an interested party shall request such hearing by filing a written request with the City Clerk within 10 working days after the Planning Commission files its recommendation with the City Council.

The City Council shall reach a decision not later than 40 days after the conclusion of the City Council hearing or not later than 40 days after the filing of a report, or the deadline for submitting such a report by the Planning Commission on a referral from the City Council. In adopting or modifying any proposed amendment, the City Council shall adopt a resolution certifying that the proposed amendment is intended to be carried out in a manner fully consistent with the Government Code and the California Coastal Act of 1976, including amendments. Failure of the City Council to adopt the proposed amendment within the period set forth in this section shall be deemed to be a denial of such a proposed amendment.

Sec. 6.04 Notification requirements for amendments: In addition to notification required by Sec. 6.19, notice of proposed amendments to the Point Arena Zoning Ordinance shall be mailed to the California Coastal Commission and other interested public agencies and persons at least 10 working days prior to the date of the first public hearing before the Planning Commission. The City Council shall not take final action on an amendment until at least 30 days after notices have been sent.

Sec. 6.05 Effective date of amendments and incorporation in Local Coastal Program: Within 5 working days of the adoption of the amending ordinance the City Clerk shall forward to the executive director of the California Coastal Commission a copy of the amending ordinance together with materials sufficient for a thorough review as well as the City Council resolution contained in Section 6.03 of this ordinance. The executive director shall notify the City in writing if the amendment needs to be certified as part of the Point Arena Local Coastal Program and whether the amendment is considered a major or minor amendment pursuant to the provisions of Sec. 30514 (c) of the Coastal Act. Major or minor amendments, including any amendment that allows changes in uses, shall become part of the Point Arena Local Coastal Program at the time the California Coastal Commission certifies the amendment as adopted by the City. If the Coastal Commission certifies the amendment subject to conditions or changes, the amendment shall not become part of the Point Arena Local Coastal Program until by resolution the City Council concurs in any conditions, or by ordinance adopts any changes and such ordinance has become effective.

Sec. 6.06 Initiation, application, fees, and procedures for permits: The initiation of a Variance, Conditional Use Permit, Coastal Development Permit or Design Review, Planned Residential Development Permit, Comprehensive Development Plan, the filing of an application, the payment of fees, and notification of hearings shall be as specified in Sections 6.17, 6.18, and 6.19.

Sec. 6.07 Required hearings: The Planning Commission shall consider all applications for Variances, Conditional Use Permits, Coastal Development Permits, Design Review approval, Planned Residential Development Permits, and Comprehensive Development Plans.

At least one public hearing shall be held on each application for a Variance, Conditional Use Permit, Design Review or Coastal Development Permit, Planned Residential Development Permit, or Comprehensive Development Plan. Where a development involves applications for a combination of permits, the required hearings may be scheduled concurrently.

Hearings will be set for the earliest available meetings, satisfying the requirements of section 6.19 of this Ordinance and any other county, state or federal agency minimum noticing requirements. At the public hearings, the Planning Commission shall hear any person interested in the proposal. The hearings may be continued from time to time provided that the notice of the time of the continued public hearing is given at the hearing or in the manner provided for in Section 6.19 of this ordinance, and provided that failure to act within time period prescribed in Section 65950 of the Government Code shall be deemed to be approval of the application on that date. The applicant may waive the time limitation in writing if additional time is needed to consider the application.

Sec. 6.08 Findings:

A. Coastal Development Permit findings: A coastal development permit may be granted if the following findings can be made.

1. The proposed development is in conformity with the City of Point Arena's certified Local Coastal Program.

2. The proposed use is consistent with the purposes of the zone in which the site is located.

3. The proposed development is in conformance with the City of Point Arena's General Plan.

4. The proposed location of the use and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the

vicinity.

B. Conditional use permit findings: A Conditional Use Permit (CUP) may be granted for any use listed as a conditional use in the applicable zone if the facts establish and written findings are adopted showing:

1. that the proposed use at the size and intensity contemplated, and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community; and

2. that such use as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:

a) the nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures; and

b) the accessibility and traffic pattern for persons and vehicles, and the type and volume of such traffic, and the adequacy of proposed off-street parking and loading; and

c) the safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor; and

d) treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; and

3. that such use or feature as proposed will comply with the applicable provisions of this ordinance, will be consistent with the policies and programs of the General Plan and will assist in carrying out and be in conformity with the Point Arena Coastal Program; and

4. that the proposed use or feature will have no significant adverse environmental impact or there are no feasible alternatives, or feasible mitigation measures, as provided in the California Environmental Quality Act, available which would substantially lessen any significant adverse impact that the actions allowed by the conditional use permit may have on the environment; and

5. when the subject property is located between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line where there is no beach, whichever is the greater, that:

a) the development provides adequate public access from the nearest public roadway to the shoreline and along the coast and/or does not interfere with such uses already in existence; and

b) the development adequately protects public views from any public road or from a recreational area to, and along, the coast; and

c) the development is compatible with the established physical scale of the area; and

d) the development does not significantly alter existing natural landforms; and

e) the development complies with shoreline erosion and geologic setback requirements.

C. Variance findings: A Variance may be granted only upon adoption of written findings showing that all of the following conditions are present:

1. That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class or

district; and

2. that owing to such exceptional or extraordinary circumstances the literal enforcement of specific provisions of this Ordinance would result in the practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property; and

3. that such Variance will not constitute a grant of special privilege inconsistent with limitations imposed on similarly zoned properties; and

4. that such Variance is necessary for the preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class or district; and

5. that the granting of such Variance will not be materially detrimental to the public welfare or materially injurious to property or improvements in the vicinity; and

6. that the granting of such Variance will be consistent with the general purposes and programs of the Point Arena General Plan; and

7. that the variance will not permit a use other than a use permitted in the applicable zoning district; and

8. that either the variance will have no significant adverse environmental impact or there are no feasible alternatives, or feasible mitigation measures, as provided in the California Environmental Quality Act, available which would substantially lessen any significant adverse impact that the actions allowed by the variance may have on the environment; and

9. when the subject property is located between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or the mean high tide line where there is no beach, whichever is the greater, that;

a) the development provides adequate public access from the nearest public roadway to the shoreline and along the coast and/or does not interfere with such uses already in existence; and

b) the development adequately protects public views from any public road or from a recreational area to, and along, the coast; and

c) the development is compatible with the established physical scale of the area; and

d) the development does not significantly alter existing natural landforms; and

e) the development complies with shoreline erosion and geologic setback requirements.

D. Findings of consistency: The Planning Commission or City Council may approve a proposed development within the C, HWC, or PF zones regardless of whether the specific proposed use is listed as a principal permitted use or a conditionally permitted use. Prior to such approval the following findings shall be made:

1. The proposed use is consistent with the intent of the California Coastal Act and the Point Arena General Plan;

2. The proposed use does not constitute the equivalent of a general plan amendment, in which case the process leading to an official amendment (a legislative act) must be followed;

3. The proposed use is consistent with the intent of the applicable zone in which the use or activity lies;

4. The proposed use is very similar to a use listed; and

5. The proposed use is in no way inconsistent with any other section of this General Plan or the Zoning

Ordinance.

Sec. 6.09 Conditions: In granting a variance, conditional use permit, Coastal Development Permit or design review, Planned Residential Development Permit, or Comprehensive Development Plan the Planning Commission shall impose conditions as deemed necessary to carry out the intent and purpose of this Ordinance. The violation of any specification or condition so imposed shall constitute a violation of this Ordinance and may constitute grounds for revocation of permit(s).

Sec. 6.10 Effective dates of permits: Planning Commission approval of Coastal Development Permits, Variances, Conditional Use Permits, Planned Residential Development Permits, and Comprehensive Development Plans shall become final 10 working days from the date action is taken and findings in support of the action are adopted, unless an appeal to the City Council has been taken within that time. Failure of the Planning Commission to act within the time limits established in the California Government Code Section 65950 and 65957 shall be considered approval of the application on the date the time limitation expires, and the approval shall become final in 10 working days unless appealed to the City Council.

City Council action on an appeal shall become final 10 working days from the date action is taken and findings in support of the action are adopted, unless it is appealed to the Coastal Commission.

Sec. 6.11 Coastal Development Permits

A. Permit, when required: In conformance with Section 30600 of the California Coastal Act, in addition to any other approval or permit required under this Ordinance and as specifically excluded in subpart (B) below, a Coastal Development Permit shall be required for any use, building or other development, as defined in California Coastal Act Code Section 30106. Upon approval of all required variances, conditional use permits or design review for any proposed use or building, a Coastal Development Permit shall be deemed approved and shall take effect 10 working days after the final approval unless within that time the approval is appealed to the City Council.

If a Coastal Development Permit action is appealed to the City Council, notice as prescribed in Section 6.19 shall be provided by the City Clerk to all interested persons and the Coastal

Commission. Approval of a Coastal Development Permit by the City Council on appeal shall become effective 10 working days after approval and adoption of findings. However, when the subject property is located within the Coastal Commission's appealable area and the development qualifies under the appealable grounds criteria as outlined in Section 30603 of the California Coastal Act, the Council's action may be appealed to the California Coastal Commission within 10 working days after receipt of Notice of Final Action by the Coastal Commission. If a valid appeal is filed with the Coastal Commission within that time, City approval shall be of no force and effect until the appeal has been decided by the Coastal Commission. Within 5 working days of receipt of notice from the Coastal Commission of the filing of a valid appeal, the City Clerk shall deliver to the Commission staff all relevant documents and materials used by the Planning Commission and City Council in their deliberations. Appeal of a Coastal Development permit to the Coastal Commission shall be deemed valid if the appellant has exhausted all appeals as provided herein.

B. Developments not requiring a permit: The following categories of development shall not require a coastal development permit but shall not occur where prohibited by this ordinance:

1) Except in areas seaward of the first public road, construction of auxiliary buildings of less than 500 sq. ft. in floor area and less than 15 ft. in height.

2) Fences up to six feet (6') and freestanding masonry walls up to thirty-six (36") in height.

3) Temporary structures built in conjunction with special events.

4) Any construction, enlargement, alteration repair, moving, improvement, removal, conversion or demolition of any structure less than any of the following criteria:

a) curbs, retaining walls and planter boxes up to eighteen inches (18") in height.

b) a small tool or storage cabinet with not

more than 120 square feet of projected roof area. Multiple cabinets shall require permit approval. Lot line setbacks are to be observed.

c) television and radio antennas supported on roofs.

d) decks under thirty-six inches (36") in height.

5) Any excavation or fill or combination thereof, less than all of the following criteria;

-- Changes in landscaping and site excavation or filling more than 100 ft. from any perennial stream or near high tide line which will not change the existing elevation more than 2 ft. at any point.

-- 1000 sq. ft. of surface area including the removal of ground cover -- this does not include ground cover removed for agricultural purposes or grading for road and trail maintenance purposes.

-- 50 cu. yds of material. This shall not apply to any excavation or fill:

a) Within a Riparian Corridor or Unstable Area shown in the Point Arena General Plan. This does not include ground cover removal for road and trail maintenance purposes.

b) Within a public sewer, water main storm drain or power line easements, and within public streets.

c) Which will encroach upon or alter in any way a drainage channel tidal area water course, flood plain or area subject to inundation. This does not include the maintenance of existing ditches.

6) Routine maintenance at Point Arena Wharf: Annual

maintenance operations at Point Arena Wharf including parking lot leveling, bulkhead reconstruction or repair, dock repair.

7) Repair or maintenance activities including tree trimming and removal, and replacement of poles, that do not result in an addition to, or enlargement or expansion of, the object of such repair or maintenance activities; provided, however, that if the Planning Commission determines that certain extraordinary methods of repair and maintenance involve a risk of substantial adverse environmental impact, it shall, by regulation require that a permit be obtained under this ordinance.

8) The installation, testing, and placement or the replacement of any necessary utility connection between an existing service facility and any development approved pursuant to this division; provided, that the Planning Commission may, where necessary, require reasonable conditions to mitigate any adverse impacts on coastal resources, including scenic resources. Mitigation may include a requirement that utility lines be placed underground in any zone.

~~9) Signs (See separate City Ordinance No. 165 establishing sign regulations)~~.

C. Permit Exclusions: The following types of projects are not development within the meaning of this section or Section 30106 of the California Coastal Act, and do not require a Coastal Development Permit:

1) Exterior painting and maintenance.

2) Remodeling, which does not affect the external profile or appearance of the structure.

3) Repairs which involve only the replacement of component parts of existing work with similar materials for the purpose of maintenance, and which do not aggregate over Two thousand dollars ($2,000.00) in valuation in any twelve (12) month period and do not affect any electrical or mechanical installations. Repairs

exempt from permit requirements shall not include any addition, change or modification in construction, exit facilities or permanent fixtures or equipment. Specifically excepted from permit requirements without limit to valuation are:

a) Re-roofing.

b) Replacement of windows or doors where there is no change to the window or door opening.

c) Re-siding or changing of siding materials, except on architecturally or historically significant structures or structures located within historic districts

4) Awnings projecting not more than six feet (6') attached to the exterior walls of buildings.

D. Sign Permits--Streamlined Administrative Process. Coastal development permit applications for signs which may be found Categorically Exempt under CEQA Guidelines shall be granted under the administrative process set forth in Section 6.20 of this Ordinance. Coastal development permit applications for signs which are not found to be Categorically Exempt from CEQA shall be subject to the hearing process set forth under Section 6.19 of this Ordinance.

Sec. 6.12 Planned Residential Development Permits

A. Permit, when required: In addition to any other approval or permit required under this Ordinance, a Planned Residential Development Permit (PRD) shall be required for any proposed use, development or project proposed on parcels of record of ten (10) acres or more and zoned SR, UR or MR. All uses principally or conditionally permitted in those zones may be included.

The purposes of this procedure are (a) to encourage and allow flexibility in site design, building layouts and design, and land usage, and in the application of development standards; (b) to ensure that open spaces and natural features are preserved and integrated into new developments, and (c) to allow careful and

comprehensive public review of proposed large-scale projects. A Comprehensive Development Plan shall be submitted in connection with an application for a PRD permit, and may be submitted in other circumstances involving less than ten (10) acres where the proposal is limited to planned residential projects within the SR, UR or MR zones.

A PRD permit may be granted in lieu of any required variances, conditional use permits, and design review approvals, and shall be the basis of any required tentative subdivision map, parcel map, or Coastal Development Permit for any or all of the parcel or parcels for which there is a PRD permit application.

B. Residential density and other standards: Residential densities calculated in number of dwelling units per acre shall be the same as in effect for the underlying zone, although individual lot sizes and yard, setback and building height requirements, may vary from the strict requirements of said zones, and density bonuses for very low-, low- and moderate-income housing, and for senior citizen housing, may be allowed in accordance with the density bonus provisions of the Density Bonus Ordinance and the General Plan. Common open space shall make up fifty percent (50%) of the subdivision or residential development project. For proposed developments within MR zoning district, the 50% open space requirement shall supersede and be required in place of the 15% useable open space regulation set for in Section 4.04 (C) (7).

Sec. 6.13 Comprehensive Development Plans

A. Definition and purposes: Comprehensive Development Plans shall be prepared to describe and support land use or development proposal for large lots and projects, as well as under circumstances as may be defined and required in this Ordinance, and may be prepared in other circumstances at the discretion of the property owner. Plans are expected to consist of a text and maps sufficient to describe the overall concept of the proposal (the concept plan), and in sufficient detail as to also provide the Planning Commission with complete information about the proposal and its impacts. Comprehensive Development Plans shall adhere to the provisions of the underlying zoning district to which they attach, except as provided herein.

The purposes of the Plan are to supply all of the relevant

information required for comprehensive review, and, if appropriate and warranted, to facilitate creative and flexible modifications of standards and requirements of the underlying zones of this Ordinance, and to ensure that greater public benefits will be achieved by preparing and adhering to an overall plan for the use of property in one or joint ownership than would otherwise be the case.

B. General requirements: Comprehensive Development Plans shall consist of maps and a text describing in detail all features of the land use or development proposal on a lot or assemblage of commonly-held contiguous lots. Said maps and text shall be submitted first to the Planning Commission for public hearing and review, and the Planning Commission shall forward said Plan to the City Council with a recommendation for such final action as may be required by the Council and this Ordinance.

C. Specific requirements

1) Uses permitted: all uses principally permitted or conditionally permitted in the underlying zone.

2) Standards for development shall be those of the underlying zone, provided however that said standards may be modified by the Planning Commission or City Council as they relate to height, required yards, building heights, and minimum ultimate lot sizes. Modifications of said standards shall only be approved upon making findings that such deviations are in the public interest and that greater public benefits will be assured. Such benefits include but are not limited to improved or innovative site and architectural design; greater public and private open spaces; preservation of natural resources, species, features, and habitats; preservation of view sheds; preservation of historic features; and the provision of housing for the elderly and low- to moderate-income individuals and families.

D. Concept plan: A "concept plan" shall be prepared and submitted for review, and approved, as the first step in the process leading to any permit or approval that requires a Comprehensive Development Plan. A Concept Plan shall serve as the basis for any precise plan or land use/development permit approval

otherwise required by the provisions of this Ordinance.

1) Contents of the conceptual plan:

a) a proposed plot plan for the development, including project boundary designation, perimeter of the ownership, location and dimensions of any existing property lines and easements, tentative location of existing and proposed uses, buildings, roads, parking, and open space areas.

b) the width and location of surrounding and adjoining streets, roads and trails, and proposed street and trail alignments.

c) the use of adjoining properties and buildings within fifty feet of the property line.

d) existing features of and proposed changes in the topography of the site, including the location and extent of any grading or earth moving, drainage channels, or water courses.

e) the locations and capacities of existing utilities.

f) the location of existing structures and of trees in excess of three inches in diameter.

g) the approximate timetable and phasing of proposed site preparation and development activities.

h) sketches showing architectural concepts of proposed buildings, fencing, and signing.

i) proposed open space plan including landscaping and type of plant materials.

j) proposed parking, recreational areas, common areas.

k) other information as required by the Planning Commission, which may include but not be limited to economic/market analyses, habitat inventory and plan, archeological analysis, visual quality analysis, public services and facilities plan, utility services plan, conceptual land subdivision plan.

l) geologic studies as otherwise provided for in this Ordinance (Sec. 5.20).

E. Concept Plan Approval: Concept plans shall be subject to final approval or denial by the City Council after a duly noticed public hearing, which hearing shall first be preceded by Planning Commission review and a public hearing, and recommendation. City Council approval may be conditional. An approval signals that steps may be taken to proceed with preparing precise plans in conformity with the Concept Plan.

F. Precise Plans Required: Upon approval by the City Council of a Concept Plan, or where no conceptual approval is required, a Precise Plan or plans shall be submitted showing the details of property improvement and uses and activities to be conducted on the site or sites. Precise Plans shall be processed in accordance with procedures for a Conditional Use Permit, as set forth elsewhere in this Ordinance.

1) Precise Plan content: Precise plans shall be prepared containing all of the information required of concept Plans, which has been further developed to a precise level of detail. Any data or calculations necessary to evaluate precise plans shall contain the following minimum information:

a) precise dimensions and locations of proposed land uses, structures, roads, trails, parking, yards, pathways, opens spaces, easements and other public and private facilities, as well as architectural elevations for buildings, signs, and fencing, including material and color specifications.

b) a landscaping plan including all details and methods of irrigation and maintenance.

c) engineering plans showing site grading, including finished grades and drainage.

d) miscellaneous plans, as appropriate, showing exterior lighting, roof plans, noise abatement measures, view sight lines, and other features necessary to evaluate the specific proposal and judge it in reference to this Ordinance, other relevant city Ordinances, and the General Plan.

e) a tentative parcel or subdivision map, if required.

f) such mitigation measures as may be specified as a consequence of environmental impact studies.

G. Precise Plan Approval: The Planning commission in considering approval or denial shall make the findings required by Sections 6.08 (A) and (B) of this Ordinance, and shall also find that Precise Plans are in substantial conformance with the Concept Plan. These findings shall be confirmed by the City Council after a public hearing.

H. Expiration of Plans: Where a Concept Plan is required, precise plans must be submitted to Planning Commission within two years from the date of City Council approval. Without further action, which could include an extension of an additional year, Concept Plans become null and void.

Precise Plans shall expire two years from the date of approval if not initiated.

I. Phased Developments: In the Event that the applicant intends to develop the proposal in phases, and the Planning Commission or City Council approves phased development, said plans shall remain in effect so long as not more than two years lapses between the end of one phase and the beginning of the next phase.

Sec. 6.14 Time limitations on permits: A two-year limitation applies to all coastal development, variance, conditional use, design review, Planned Residential Development, or Comprehensive Development Plan permits. If vested rights have not been enacted within two years from the granting of a permit, the permit shall be void.

Sec. 6.15 Revocation of permits: In any case where the terms and conditions of a grant of a variance, conditional use permit, Coastal Development Permit or design review, Planned Residential Development Permit, or Comprehensive Development Plan are not complied with, the Planning Commission shall give notice to the holder of such permit of its intention to revoke such permit. Permits may also be revoked if the Planning Commission determines that the notification requirements in Sec. 6.19 were not satisfied by the applicant. Procedures for the revocation of a permit shall be the same as for the original consideration except that the City Clerk shall assume all notification responsibility. If a Coastal Development Permit has been appealed to, and approved by, the Coastal Commission, the Commission may also initiate revocation proceedings pursuant to the requirements of the Coastal Act.

Sec. 6.16 Appeals: In the case of any Variance, Conditional Use Permit, Coastal Development Permit or Design Review, Planned Residential Development Permit, Sign Permit, or Comprehensive Development Plan or denial of a proposed change in the Zoning Map by the Planning Commission, and in the case of any order, requirement, decision or other determination made by any city employee, the procedures for appeals shall be as provided herein:

A. Administrative actions appealable: Any person aggrieved by a determination, interpretation, decision, decree, judgment, or similar action taken by a city employee under the provision of this ordinance may appeal such action to the Planning Commission within 10 working days of being notified of the decision.

B. Planning Commission actions appealable: An action, or appellate determination, taken by the Planning Commission on a permit shall become final after the 10th working day following receipt by the Coastal Commission of a notice of action taken, unless the action of the Planning Commission is appealed to the City Council within that time.

C. City Council actions appealable: An action, or appellate determination, taken by the City Council on a non-appealable coastal development permit shall become final after the 10th working day following receipt by the Coastal Commission of a Notice of Final Action. Likewise, actions on all other permits shall become final after the 10th working day from the date the permit is approved.

An action, or appellate determination, taken by the City Council on an appealable coastal development permit shall become final after the 10th working day following receipt by the Coastal Commission of a Notice of Final Action taken, unless that action is appealed to the Coastal Commission within that time.

Appeals to the Coastal Commission shall be for the reasons cited in Section 30603 of the Coastal Act, and if the subject property is located within the area described in Section 30603.

D. Filing requirements: Appeals to the Planning Commission or City Council shall be addressed to the appellate body on a prescribed form and shall state the basis of the appeal. Appeals shall be filed in the office of the City Clerk within the appeal period provided in Sec. 6.10. There shall be no fee for filing an appeal. The City Clerk shall determine from the records whether the appellant submitted comments on the issue being appealed to each previous appellate body. Only if such comments have been submitted shall an appeal be accepted, unless the appellant can demonstrate that there were valid reasons why he could not attend the hearings or submit written comments.

E. Notice of a public hearing: A public hearing shall be conducted on all appeals. The notice and conduct of hearings by the appellate body shall be governed by the provisions of Sections 6.17, 6.18 and 6.19, and shall conform to the manner in which the original notice was given and the original hearings were conducted, if any.

F. Time limitation and vote: The Planning Commission or City Council shall determine an appeal not later than 60 days following the date of the hearing. If both the applicant and the appellant consent in writing, the time limitation for a decision may be extended from time to time. The action from which an appeal is taken may be reversed or modified only by the affirmative vote of

a majority of the authorized membership of the appellate body.

G. Failure of appellate body to act: Failure of the appellate body to act within the time specified shall be deemed concurrence with the previous decision rendered.

H. Conditions and findings: The appellate body may impose or prescribe conditions as are in its opinion necessary to serve the objectives of this Ordinance and the Point Arena General Plan. The appellate body shall make a written determination of its decision together with its findings in support of the decision.

Sec. 6.17 Application form: Applications for Variance, Conditional Use Permit, Coastal Development Permit or Design Review, Planned Residential Development Permit, Comprehensive Development Plans, Signs, and amendment to the text of this Ordinance or the Zoning Map shall be submitted to the City Clerk's office upon a prescribed form. 10 copies of maps, drawings and such other information as specified on the application forms shall be provided unless additional copies are specified. Each application filed by or on behalf of one or more property owners shall be verified by at least one such owner or his/her authorized agent, attesting to the truth and correctness of all facts, statements and information presented. If multiple permits are required, the Coastal Development Permit shall become the main or overriding permit and all other permits will become a part of the Coastal Development Permit.

Sec. 6.18 Application fees:

A. The City Council shall by resolution establish a schedule of fees, charges and expenses for Variances, Conditional Use Permits, Planned Residential Development Permits, Coastal Development Permits or Design Review, Coastal Development Permits for Signs which may be found Categorically Exempt under CEQA, and amendments to the text of this Ordinance and the Zoning Map and other matters pertaining to this Ordinance. The schedule of fees may be changed or modified only by resolution of the City Council.

B. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application, or other matters for which a fee, charge or payment of expenses is required by this Ordinance or the fee schedule resolution adopted pursuant

hereto.

C. Any municipal, political or governmental corporation, district body, or public agency is exempted from payment of any fee or charge in connection with an application for any Variance, Conditional Use Permit, Coastal Development Permit or Design Review, Planned Residential Development Permit, Comprehensive Development Plan, Appeal or Zoning Ordinance amendment.

D. No fee, charge or expense shall be refundable except in any case where the Planning Commission determines and certifies any such fee or portion thereof has been received in error, in which case the amount received in error may be refunded.

Sec. 6.19 Hearing Notification:

A. For actions initiated by one or more property owners for a variance, conditional use, Planned Residential Development, Comprehensive Development Plan, Coastal Development Permit, or appeal from any of the foregoing, the following notification shall be required:

1. Notice of a public hearing. The notice shall indicate the date that an application has been filed, the number assigned to the application, and the applicant's name, a statement that the development is in the coastal zone, a description of the development and its proposed location, and the date, time and place of the hearing, a brief description of the general procedure of local government concerning the conduct of hearing and local actions, the system for local and Coastal Commission appeals, including local fees required. The notice shall be prepared by the City Clerk.

2. Applicant noticing requirements. The applicant shall furnish to the City Clerk one stamped envelope addressed to the owner of each parcel of record within 300 feet of each boundary of the subject property for application. The applicant shall ascertain the names and addresses of the owners from the latest equalized assessment roll of the County Assessor, or any other records of the county assessor or tax collector which

contain more recent information than the assessment roll.

Between the time the application is accepted for filing and the date when notices must be mailed, the applicant must post two notices, at a conspicuous places, easily read by the public, and as close as possible to the subject property. The City shall furnish the applicant with a standardized form to be used for such posting.

If the applicant fails to so post the notice form, distribute notices, or to sign the declaration of posting and distribution no less than 10 days prior to a hearing, or it is determined that the application is incomplete, the City Clerk shall withdraw the application from consideration and shall not mail out the hearing notices.

3. City Clerk noticing requirements. The City Clerk shall use the envelopes provided by the applicant to mail notice of the hearing at least 10 days before the date of the hearing. In addition to mailing notices to all those for whom envelopes have been provided, the City Clerk shall provide notice at least 10 days prior to the hearing in the following manner:

a) to the owner of the subject real property or the owner's duly authorized agent, and to the project applicant;

b) to each local agency expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the project, including the California Coastal Commission.

c) to any person who has filed a written request for notice with the Clerk.

d) publish the notice one time in a newspaper of general circulation.

B. For actions associated with amendments to the Zoning Ordinance, Zoning Map, or General Plan, the Planning Commission shall review and recommend action on the proposed

amendment(s). The Planning Commission shall hold at least one public hearing before approving a recommendation. The City Clerk shall publish a notice of the public hearing at least 10 days prior to the public hearing one time in a newspaper of general circulation.

And, if the proposed zoning ordinance amendment affects the permitted uses of real property, or if the proposed general plan amendment affects the permitted uses or intensity of uses of real property, notice shall also be given pursuant to 6.19(A) of this ordinance.

After a hearing, the Planning Commission shall render its decision in the form of a written recommendation to the City Council. Upon receipt of the recommendation of the Planning Commission, the City Council shall hold a public hearing. The City Clerk shall publish a notice of the public hearing at least 10 days prior to the public hearing one time in a newspaper of general circulation. The City Council may approve, modify or disapprove the recommendation of the Planning Commission; provided that any modification of the proposed ordinance or general plan amendment by the City Council not previously considered by the Planning Commission during its hearing, shall first be referred to the Planning Commission for report and recommendation, but the Planning Commission shall not be required to hold a public hearing thereon. Failure of the Planning Commission to report within forty (40) days after the reference, shall be deemed to be approval of the proposed modification.

C. California Environmental Quality Act (CEQA). If CEQA requires a public review period, then the proposed CEQA action will be included in the hearing notices for permit applications. If the public review period for the proposed CEQA action is a greater period of time than what is required for the hearing notices as described in Sections 6.19 (A) & (B), then the public review period shall conform to the CEQA requirements.

Sec. 6.20 Administrative process: coastal development permits for signs, which may be found Categorically Exempt under CEQA Guidelines. Upon submission and acceptance of the prescribed application form and fees, an application for a coastal development permit for a sign, which may be found Categorically Exempt under CEQA Guidelines, shall be placed on the Planning Commission's Agenda for consideration. The Planning Commission shall hear comments from interested

members of the public and will consider approval of the sign permit application, with or without conditions. The hearing requirements set forth in Section 6.19 above shall not be a requirement. If a coastal development permit application for a sign can not be found to be Categorically Exempt from CEQA Guidelines, the hearing requirements set forth in Section 6.19 shall be required.

Sec. 6.2~~0~~1 Notice of Final Decision:

A. This section shall not apply to action on any development which is excluded pursuant to Sec. 6.11 (B), ~~and~~ (C), and (D) of this Zoning Ordinance.

B. Within 7 calendar days of a final action on any Coastal Development Permit the City Clerk shall provide notice of its action by first class mail to the California Coastal Commission and to any person who specifically requested such notice pursuant to Sec. 6.19. Such notice shall include conditions of approval, written findings, a location and description of the project, and the procedures for appeal of the local decision to the Coastal Commission.

C. If the City has failed to take a final action on any Coastal Development Permit within the time limits set forth in Government Code Section 65950 through 65957, thereby approving the development by operation of law, the person claiming a right to proceed pursuant to Government Code Sections 65950 through 65957 shall notify in writing the City Clerk and the Commission of his or her claim that the development has been approved by operation of law. Such notice shall specify the application which is claimed to be approved.

D. If the City Council determines that the time limits established pursuant to Government Code Sections 65950 through 65957 have expired, the City Clerk shall, within seven (7) calendar days of such determination, notify any person entitled to receive notice pursuant to paragraph (b) that it has taken final action by operation of law pursuant to Government Code Sections 65950 through 65957. The appeal period for developments approved by operation of law shall begin to run only upon the receipt of the City's notice in the Commission office. (This section shall also apply to any judicial determination that the development has been approved by operation of law.)

Sec. 6.2~~1~~2 Costs of notification to interested persons: Interested persons who wish to be notified of Planning Commission and City Council hearings shall be sent such notice if they provide the City with a deposit to cover such costs.

ARTICLE 7. ENFORCEMENT

Sec. 7.01 Responsibility for enforcement: All employees of the City of Point Arena vested with the duty or authority to issue permits, shall conform to the provision of this ordinance and shall issue no permit, certificate or license for uses, buildings, or purposes in conflict with the provisions of this Ordinance; and any such permits, certificates or licenses issued in conflict with the provisions of this Ordinance shall be null and void. It shall be the duty of the City Council to enforce the provisions of this Zoning Ordinance pertaining to the erection, construction, reconstruction, moving, conversion, alteration, or addition to any building or structure.

Sec. 7.02 Civil Penalties: Any person, firm or corporation, whether as principal, agent, employee or otherwise, violating any provision of this Zoning Ordinance, shall be subject to a civil penalty not to exceed one thousand dollars ($1,000.00). Such person firm or corporation, shall be deemed to have committed a separate violation for each and every day during any portion of which any violation of this Ordinance is committed, continued or permitted by such person, firm, or corporation and shall be penalized as herein provided. The total amount of civil penalty imposed in any single action brought by the City to enforce the provisions of this Zoning Ordinance shall not exceed the total costs to the City of such enforcement, including but not limited to the following: attorney's fees, filing fees, telephone charges, postage, photocopying costs, facsimile transmission costs, and travel expenses.

Sec. 7.03 Public nuisance: Any earth moving, grading, or any modification of any stream or creek, and any building or structure, including signs and fences, set up, erected, constructed, altered, enlarged, converted, moved, or maintained contrary to the provisions of this Ordinance and/or any use of property contrary to the provisions of this Ordinance shall be, and the same is hereby declared to be, unlawful and a public nuisance; and the City Attorney of said City shall, upon order of the City Council, immediately commence action or proceedings for the abatement and take such other steps and shall apply to such courts as may have jurisdiction to grant such relief as will abate and remove such building or structure and restrain and enjoin any person, firm, or corporation from setting up, erecting, building, maintaining, or using any such building or structure or using any property contrary to the provisions of this Ordinance. The remedies provided for herein shall be cumulative and not exclusive.

Sec. 7.04 Conflict with other regulations and private agreements: Where conflict occurs between the provisions of this ordinance and the building code or other regulations effective within the city, the more restrictive of any such regulations shall apply. It is not intended that this Ordinance shall interfere with or abrogate or annul any easements, covenants, or other agreements now in effect, provided, however, that

where this ordinance imposes a greater restriction upon the use of property, buildings or premises than are imposed or required by such agreements, the provisions of this Ordinance shall control.

Sec. 7.05 Effect on previously issued permits: Except as specifically herein provided, it is not intended by this ordinance to impair or interfere with any permits previously adopted or issued relating to the erection, construction, establishment, moving, alteration or enlargement of any buildings, structures, fences or signs, or other improvements, when vested rights have been established.

ARTICLE 8. ENACTMENT

Sec. 8.01 Separability Clause: The City Council hereby declares that it would have passed this Ordinance and each section, sub-section, paragraph, sentence, clause and phrase thereof, irrespective of the fact that one or more of such sections, sub-sections, paragraphs, sentences, clauses or phrases might be declared invalid, unconstitutional or void. Should any section, subsection, paragraph, sentence, clause or phrase of this Ordinance be declared invalid, such declaration shall not affect the validity of any other section, sub-section, paragraph, sentence, clause or phrase; and if this Ordinance or any portion thereof should be held to be invalid on one ground, but valid on another, it shall be construed that the valid ground is the one upon which said Ordinance or such portion thereof was enacted.

Sec. 8.02 Effective date: This Ordinance shall become effective upon certification by the California Coastal Commission; and, in any event, no less than thirty (30) days from the date of its adoption by the City Council.

The foregoing Ordinance was introduced at the July 31, 2001, Special City Council Meeting, and PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF POINT ARENA at the August 28, 2001, Regular City Council Meeting by the following vote:

AYES: Councilmembers Sinnott, Gunning, Gallagher, Dahlhoff
NOES: None
ABSENT: Councilmember Tanti

_____
Leslie Dahlhoff, **MAYOR**

ATTEST:

_____
Fred D. Patten, **CITY CLERK**

(SEAL)

APPENDIX A

SUPPLEMENTARY DEFINITIONS

Acceptable Risk. A hazard that is deemed to be a tolerable exposure to danger given the expected benefits to be obtained. Different levels of acceptable risk may be assigned by the City according to the potential danger and the criticality of the threatened structure. The levels are defined by the City and may range from an acceptable risk "near zero" for nuclear plants and natural gas transmission lines to "moderate" for open spaces, ranches and low-intensity warehouse uses.

Access/Egress. The ability to enter a site from a roadway (access) and exit a site onto a roadway (egress) by motorized vehicle.

Accessible Housing. Units that are accessible and adaptable to the needs of the physically disabled.

Accessory Uses. Accessory uses are uses customarily associated with, and appropriate, incidental, and subordinate to the principal use. Accessory uses are typically located on the same lot as the principal use, and do not alter or change the character of the premises.

Acres, Gross. The entire acreage of a site, used for density calculations.

Acres, Net. The portion of a site remaining after public or private rights-of- way and land not developable (see "Developable Land") are subtracted from the total acreage.

Advertise. To call public attention to a product, business, service, person, institution or location. To make public announcement of, especially to proclaim a product or a business so as to increase sales.

Advertising Area. See "Display Surface."

Affordable Housing. Capable of being purchased or rented by a household with very low, low, or moderate income, based on a household's ability to make monthly payments necessary to obtain housing. The state HCD measure of affordable housing is: spending no more than 25% of gross income on housing costs.

Affordable Units. All dwelling units made available at prices or rents below market rate. Affordable units include units affordable to households with very low incomes, low incomes, and moderate incomes.

Aggregate Display Surface. The sum of all Display Surfaces of all Signs located on one parcel.

Aggrieved Person. Any person who, in person or through a representative, appears at a public hearing of the City of Point Arena in connection with the decision or action appealed, or who, by

other appropriate means prior to a hearing, informs the City of Point Arena of the nature of his or her concerns or who for good cause is unable to do either. "Aggrieved person" includes the applicant for a permit.

Agriculture. The tilling of the soil, the raising of crops, horticulture, viticulture, small livestock farming, dairying, and/or animal husbandry, including all uses customarily incidental thereto but not including slaughter houses, fertilizer yards, bone yards, or plants for the reduction of animal matter or any other industrial use which is similarly objectionable because of noise, odor, smoke, dust, or fumes.

Agriculture-related Business. Feed mills, dairy supplies, poultry processing, creameries, auction yards, veterinarians and other businesses supporting local agriculture.

Allow. Implies refraining from any hindrance. To let do or happen.

Ambient. Surrounding on all sides; used to describe measurements of existing conditions with respect to traffic, noise, air and other environments.

Appropriate. An act, condition, or state which is considered suitable.

Aquaculture. A form of agriculture that is devoted to the controlled growing and harvesting of fish, shellfish and plants in marine, brackish, and fresh water.

Architectural Control. Regulations and procedures requiring the exterior design of structures to be suitable, harmonious, and in keeping with the general appearance, historical character, and/or style of surrounding structures or areas.

Architectural Review. The processes used to exercise architectural control. Also referred to as design review.

Assessor's Parcel. A unit of land for taxation purposes only.

Automobile-intensive or Automobile-oriented Use. A use of a retail area which depends on exposure to continuous auto traffic.

Auxiliary Building. A secondary structure clearly subordinate to a main building, such as a tool shed, residential garage, or pump house and not for human occupancy.

B.A.C.T. Best Available Control Technology (per the California Clean Air Act of 1988).

Bed and Breakfast Inn. A residential structure with one family in permanent residence where a maximum of 12 bedrooms without individual cooking facilities are rented for overnight lodging, and where one meal daily is provided. This use type does not include boarding houses, hotel or motels.

Below-market-rate (BMR) Housing Unit. Any housing unit specifically priced to be sold or rented to very low, low, or moderate-income households for an amount less than the fair-market rent or value of the unit. The U.S. Department of Housing and Urban Development sets standards for determining which households qualify as "very low income", "low income", or "moderate income".

Benefit Assessment District. An area within a public agency's boundaries which receives a special benefit from the construction of a public facility. A benefit assessment district has no legal life of its own and cannot act by itself. It enables property owners in a specific area to cause the construction of public facilities or to maintain them by contributing their fair share of the construction and/or installation and operating costs.

Biotic Community. A group of living organisms characterized by a distinctive combination of both animal and plant species in a particular habitat.

Blight. A condition of deterioration of a site, structure, or area that may cause nearby buildings and/or areas to decline in attractiveness and/or utility.

Bluff. A scarp or steep face of rock, decomposed rock, sediment or soil resulting from erosion, faulting, folding or excavation of the land mass. The bluff may be simple planar or curved surface or it may be step like in section. For the purposes of this plan, "bluff" is limited to those features having vertical relief of ten feet or more. "Bluff edge" is the upper termination of a bluff. When the top edge of the bluff is rounded away from the face of the bluff as a result of erosional processes related to the presence of the steep bluff face, the edge shall be defined as that point nearest the bluff beyond which the downward gradient of the land surface increases more or less continuously until it reaches the general gradient of the bluff. In a case where there is a step like feature at the top of the bluff face, the landward edge of the topmost riser shall be taken to be the bluff edge.

Boarding House. A dwelling or part thereof where meals or meals and lodging are provided for compensation for three (3) or more persons not transient.

Buffer Zone. An area of land separating two distinct land uses which acts to soften or mitigate the effects of one land use on the other. All environmentally sensitive habitat areas require a buffer zone around them to protect the sensitive area from significant disruption of habitat values due to future development that may be located near the habitat area.

Building. Any structure having a roof supported by columns and/or by walls and intended for the shelter, housing and/or enclosure of any person, animal, or chattel. When any portion thereof is completely separated from every other portion thereof by a masonry division or fire wall without any window, door or other opening therein, which common wall extends from the ground to the upper surface of the roof at every point, then each such portion shall be deemed to be a separate building.

Building, Accessory. A subordinate building, the use of which is incidental to that of a main

building on the same lot. On any lot upon which is located a dwelling, any building which is incidental to the conducting of any agricultural use shall be deemed an accessory building.

Building Code. Refers to the Uniform Building Code as adopted by reference by the City of Point Arena and as administered and enforced under contract with the County of Mendocino Building Department.

Buildout; Build-out. Development of land to its full potential or theoretical capacity as permitted under current or proposed planning or zoning designations.

Business Park. A comprehensively planned collection of offices, businesses, research and development (R & D) activities, and low-intensity/enclosed warehousing, in a park-like setting, not including industrial uses involving manufacturing, production and processing of goods.

California Environmental Quality Act (CEQA). A State law which (a) defines State environmental goals and the responsibilities of local governments to assist in achieving those goals; and (b) sets forth the requirements for the environmental analysis of proposed public and private projects, including the preparation and/or review of Environmental Impact Reports (EIRs) or the issuance of exemptions and Negative Declarations.

California Housing Finance Agency (CHFA). A State agency, established by the U.S. Housing and Home Finance Act of 1975, which is authorized to sell revenue bonds and generate funds for the development, rehabilitation, and conservation of very low, low, and moderate-income housing.

CalTrans. California Department of Transportation.

Campground. A lot on which two or more recreational vehicles or tents are parked or located and used for sleeping or eating purposes on a strictly transient basis.

Canopy. A permanent covering over a walkway or driveway wholly supported on each side by posts or walls or partially supported by posts or a wall and an adjacent building.

Capital Improvements Program. A program which schedules permanent improvements five or six years into the future to fit the City's projected fiscal capability and to implement the General Plan or a Specific Plan. The program generally is reviewed annually, and the first year of the program is adopted in the City's annual budget.

CEQA. See California Environmental Quality Act.

Clustered Development. Development in which a number of dwelling units are placed in closer proximity than usual, or are attached, with the purpose of retaining an open space area.

CNEL. See "Community Noise Equivalent Level."

Co-housing. An owner-occupied residential project combining the benefits of private housing with the advantages of communal living whereby each owner has a home, often with a yard, while also co-owning and sharing common spaces and facilities with fellow residents.

Coastal Commission. The California Coastal Commission as established in the California Coastal Act of 1976.

Coastal Development Permit. A permit for any development within the coastal zone that is required pursuant to Section 30600 (a) of the California Coastal Act of 1976. (Also known as Development Permit.)

Coastal Zone. That land and water area of the State of California in the City limits of the City of Point Arena, specified on the maps identified and set forth in Section 17 of the California Coastal Act of 1976.

Coastal-dependent development or use. Any development or use which requires a site on, or adjacent to, the sea to be able to function at all.

Coastal-related development or use. Any development or use that is dependent on a coastal-dependent development or use.

Commercial Coach. A structure transportable in one or more sections, designed and equipped for human occupancy for industrial, professional or commercial purposes, which is required to be moved under permit, and shall include a trailer coach.

Common Open Space. Refers to the required unimproved area (land or water) of a Planned Residential Development (PRD) project, including permanent open space lands, unbuildable land, and land reserved for outdoor recreational purposes. Common open space shall be in addition to land required or provided for off-street parking, required side, rear or front yards, private decks and patios.

Common Wall. See "Building".

Community Care Facility. Elderly housing licensed by the State Health and Welfare Agency, Department of Social Services, typically for residents who are frail and need supervision. Services normally include three meals daily, housekeeping, security and emergency response, a full activities program, supervision in the dispensing of medicine, personal services such as assistance in grooming and bathing, but no nursing care. Sometimes referred to as residential care or personal care.

Community Development Block Grant (CDBG). A grant program administered by the U.S. Department of Housing and Urban Development (HUD) and the State Department of Housing and

Community Development (HCD). This grant allots money to cities and counties for housing and community development. Jurisdictions set their own program priorities within specified criteria.

Community Noise Equivalent Level (CNEL). A 24-hour energy equivalent level derived from a variety of single-noise events, with weighting factors of 5 and 10 dBA applied to the evening (7:00 to 10:00 pm) and nighttime (10:00 pm to 7:00 am) periods, respectively, to allow for the greater sensitivity to noise during these hours.

Community Park. Land with full public access intended to provide recreation opportunities beyond those supplied by neighborhood parks. Community parks are larger in scale than neighborhood parks but smaller than regional parks.

Compatible. Capable of existing together without conflict or ill effects.

Comprehensive Development Plan. A thorough depiction in maps, diagrams and text of a proposal to develop one or more parcels of land as one unit, showing development phases and all proposed activities and uses at a level of detail sufficient to communicate all information that the Planning Commission may require in order to have a full picture of a development proposal and its likely impacts.

Concept Plan. Text and maps sufficient to describe the overall concept of a development proposal and its likely impacts, including proposed grading, treatment of existing trees, land uses, egress and ingress, traffic circulation, utilities, and residential densities, placement of structures, and associated environmental impacts.

Conditional Use. Use that is not an entitlement or use by right, which may or may not be acceptable to the City, or may be acceptable only if certain conditions are met. At its sole discretion the City may or may not issue a Conditional Use Permit, or may, after making appropriate findings, attach such reasonable conditions as it sees fit and are in the public interest, which conditions are binding on the owner/developer.

Condominium. An estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interest in a space in a residential, industrial or commercial building on such real property, such as an apartment, office, or store. A condominium may include, in addition, a separate interest in other portions of such real property.

Conservation. The management of natural resources to prevent waste, destruction, or neglect.

Consistent. Free from variation or contradiction. Policies and programs in the General Plan are to be consistent with each other, not contradictory or preferential. State law requires consistency between a general plan and implementation measures such as the zoning ordinance.

Convalescent Home. A structure or part of a structure operated as a lodging house in which nursing,

dietary, and other personal services are rendered to convalescents, invalids, or aged persons, not including persons suffering from contagious or mental diseases, in which primary treatment, such as customarily are given in hospitals or sanitariums, is not provided.

Day Care Center. Any type of group child day-care program, including nurseries of children of working mothers; nursery schools for children under minimum age for education in public schools; privately-conducted kindergartens when not part of a public or parochial school; programs covering after-school care for school children... all of which must be conducted in accordance with State and local requirements.

dB. (decibel) A unit of sound measurement used to express the relative intensity of a sound. The decibel measuring scale is logarithmic. Zero (0) dB on the scale is the lowest sound level that a normal ear can detect under very quiet ("laboratory") conditions, and is referred to as the "threshold of hearing."

dB(A). Sound pressure level in decibels (dB) as measured on a sound level meter using the "A-weighted" filter network. "A-weighting" de-emphasizes very low and very high frequencies in a manner similar to the response of the human ear. An increase of 10 dB(A) is equivalent to a doubling in perceived sound level. When used by itself, dB(A) denotes either a sound level at a given instant, a maximum level, or a steady-state level.

Dedication. The turning over by an owner or developer of private land for public use, and the acceptance of land for such use by the governmental agency having jurisdiction over the public function for which it will be used. Dedications for roads, parks, school sites, open spaces, or other public uses often are made conditions for City approval of a development.

Dedication, In lieu of. Cash payments which may be required of an owner or developer as a substitute for a dedication of land, usually calculated in dollars per lot or square foot of land or building area, and referred to as "in lieu fees" or "in lieu contributions."

Density. For housing, density is the number of permanent residential dwelling units per gross amount of land. All densities specified in the General Plan are expressed in maximum number of units per gross acre. Density can be controlled through zoning in the following ways: minimum lot-size requirements, floor area ratio, land use-intensity ratio, setback and yard requirements, minimum house-size requirements, ratios comparing number and types of housing units to land area, limits on units per acre, and other means. Maximum allowable density often serves as the major distinction between residential districts.

Density Bonus. The allocation of development rights that allow a parcel to accommodate additional square footage or additional residential units beyond the maximum for which the parcel is zoned, usually in exchange for the provision or preservation of an amenity, or inclusion of affordable housing units, at the same site or at another location.

Design Assistance/Design Review. The process of subjecting a development proposal to technical and public scrutiny and review, and to possible modification, in order to ensure that suitable attention is given in site and building design to landscaping and screening, preservation of natural resources, and preservation of architectural and significant historic resources, and to site planning.

Developable Acres, Net. The portion of a site remaining after removing or deducting public or private road rights-of-way and land not developable, and which can then be built upon. Net acreage includes required yards or setbacks.

Developable Land. Land which is suitable as a location for structures or uses and which can be developed free of development hazards, and without disruption of, or significant impact on, natural resource areas.

Developer. The person, group of persons, corporation, partnership, firm or association proposing to undertake a development as defined in this ordinance.

Development. Development means, on land, in or under water, the placement or erection of any solid material or structure: discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting and timber operations, which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511).

As used in this plan, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

Development Agreement. A legal and enforceable instrument binding the city and a developer equally, which may specify conditions, terms, restrictions and regulations pertaining to all aspects of a development. Development agreements are subject to: public hearings; the making of findings as to consistency with the city's general plan; and recordation with the County Recorder. They are authorized by California Planning Law as a means for "locking in" the specific terms of a city-developer arrangement and for formalizing vested rights in a development plan. A development agreement may require the review and approval of the Coastal Commission prior to it becoming final and fully effective.

Development Fees. A monetary exaction, other than a tax or special assessment, which is charged

by the City in connection with a development project, the purpose of which is to defray all or a portion of the costs of public facilities related to the development project, and subject to the provisions of Sections 66000-66025 of the California Government Code.

Development Permit. Same as "Coastal Development Permit."

Directional Sign. A sign providing information that is limited to describing the location of a building, facility, group of buildings, event, town, city, or other place.

Discourage. To advise or persuade to refrain from.

Display Surface. The area of the smallest plane figure which can be made to enclose the message, word, symbol, design, picture or visual medium visible on the surface of any Sign. Where a Sign includes surfaces facing in different directions, the Display Surface shall be the largest total area of Display Surface visible from any one direction. In the case of a volumetric Sign, the Display Surface shall be the largest plane cross section thereof.

Diversion. The direction of water in a stream away from its natural course (i.e., as in a diversion that removes water from a stream for human use).

Double Faced Sign. A sign with two faces back-to-back, and not less than three hundred forty-five degrees between display surfaces.

Duplex. A freestanding building designed for and/or occupied by two families living independently of each other and with individual and separate cooking facilities.

Dwelling, Multi-Family. A building or portion thereof, or a complex of two or more buildings, used and or designed as residence for three or more families living independently of each other, and doing their own cooking in said building(s), including apartment houses, but not including transient accommodations.

Dwelling, Single-Family. A freestanding building designed for and/or occupied exclusively by one family.

Dwelling, Townhouse. A dwelling unit with a ground-level story located in a building which includes two or more such dwelling units and each dwelling unit, together with the underlying lot, is owned separately from any other dwelling unit and lot.

Dwelling Unit. One room or a suite of two (2) or more rooms in a building designed for, intended for, or used by one family, which family lives, sleeps, and cooks therein and which unit has one kitchen or kitchenette.

Easement. Usually the right to use property owned by another for specific purposes. Easements are

either for the benefit of land, such as the right to cross A to get to B, or "in gross", such as a public utility easement. For example, "rear" lots without street frontage may be accessed via an easement over the "front" lots. Utility companies use easements over the private property of individuals to be able to install and maintain utility facilities.

Easement: Conservation. A tool for acquiring open space at a cost less than full-fee purchase, whereby a public agency buys only certain specific rights from the land owner. These may be positive rights (providing the public with the opportunity to hunt, fish, hike, or ride over the land), or they may be restrictive rights (limiting the uses to which the land owner may devote the land in the future).

Easement, Scenic. A tool that allows a public agency to use, at nominal or no cost, private land for scenic enhancement, such as roadside landscaping or vista preservation.

Ecosystem. An interacting system formed by a biotic community and its physical environment.

Element. A chapter or section of the Point Arena General Plan which addresses a specific topic and sets forth public policies and programs pertaining to that topic. California Planning Law mandates that each city and county prepare and adopt a general plan containing at least seven specified elements (land use, circulation, open space, conservation, noise, safety, and housing).

Emergency Shelter. A facility that provides immediate and short-term housing and supplemental services for the homeless. Shelters come in many sizes, but an optimum size is considered to be 20 to 40 beds. Supplemental services may include food, counseling, and access to other social programs. (See "Homeless" and Transitional Housing.")

Encourage. To stimulate or foster a particular condition through direct or indirect action by the private sector or governmental agencies.

Energy Facility: Any public or private processing, producing, generating, storing, transmitting, or recovering facility for electricity, natural gas, petroleum, coal, or other source of energy.

Enhance. To improve existing conditions by increasing the quantity or quality of beneficial uses.

Environment. CEQA defines environment as "the physical conditions which exist within the area which will be affected by a proposed project, including land, air, water, mineral, flora, fauna, noise, and objects of historic or aesthetic significance". The General Plan defines environment to also include social and economic conditions.

Environmental Analysis. The process mandated by the California Environmental Quality Act (CEQA) to ensure that state environmental policies are implemented and that the impacts of proposed projects in Point Arena are systematically evaluated and subject to public review before said project is approved and permits are issued to alter any site or commence any development

public or private.

Environmental Impact Report (EIR). A report that assesses all the environmental characteristics of an area and determines what effects or impacts will result if the area is altered or disturbed by a proposed action. (See "California Environmental Quality Act.")

Environmentally Sensitive Area. Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and development. Environmentally sensitive areas include, but are not limited to, areas containing wetlands, riparian vegetation, and the habitat of the Point Arena Mountain Beaver.

Erosion. The loosening and transportation of rock and soil debris by wind, rain, or running water; and/or the gradual wearing away of the upper layers of earth.

ESD. The use equivalent to single family dwelling units.

Exaction. A contribution or payment required as an authorized precondition for receiving a development permit; usually refers to mandatory dedication (or fee in lieu of dedication) requirements found in subdivision and other local land-use regulations.

Family. One person; or two or more persons related by blood, marriage or adoption; or a group not in excess of five unrelated persons living together as a single housekeeping unit.

Farmers Home Administration (FmHA). A federal agency providing loans and grants for improvement projects and low-income housing in rural areas.

Fast-food Restaurant. Any retail establishment intended primarily to provide short-order food services for on-site dining and/or take-out, including self-serve restaurants (excluding cafeterias where food is consumed on the premises), drive-in restaurants, and formula restaurants required by contract or other arrangement to offer standardized menus, ingredients, and fast-food preparation.

Feasible. Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

Feasible, Technically. Capable of being implemented because the industrial, mechanical, or application technology exists.

Fence. A masonry wall, or a barrier composed of posts connected by boards, rails, panels, or wire for the purpose of screening, enclosing space or separating activities or parcels of land, but not including retaining walls.

Fill. Earth or any other substance or material placed on any lands, including submerged areas.

Final Map. The official map recording a subdivision or parcel split, which map must conform in all respects to the state Subdivision Map Act and substantially conform with an approved Tentative Map or Parcel Map.

Finding(s). The result(s) of an investigation and the basis upon which decisions are made. Findings are made by government agents and bodies prior to taking action, and are a record of the justifications for such action(s).

Finished Grade. The average of the finished ground level at the center of all walls of a building.

Fiscal Impact Analysis. A projection of the direct public costs and revenue resulting from population or employment change to the local jurisdiction in which the change is taking place; enables local governments to evaluate the fiscal merits of proposed projects.

Flood, 100 Year. The magnitude of a flood expected to occur on the average every 100 years, based on historical data. The 100-year flood has a 1/100, or one percent, chance of occurring in any given year.

Flood Insurance Rate Map (FIRM). The official map on which the Federal Insurance Administration has delineated areas of special flood hazard and the risk premium zones applicable to the City (copy available for review at City Hall).

Flood Plain. The relatively level land area on either side of the banks of a stream regularly subject to flooding. That part of the flood plain subject to a one percent chance of flooding in any given year is designated as an "area of special flood hazard" by the Federal Insurance Administration.

Floor Area, Gross. The enclosed area of a building measured from an exterior surface to exterior surface, but excluding the following: Exterior balconies and galleries covered but not enclosed; patios, atriums, and the like if not covered; common-use areas for all tenants; garages and carports; major mechanical equipment rooms.

General Plan. A compendium of the City's policies and programs regarding its long-term development, in the form of official maps and accompanying text. The General Plan is a legal document required of each local agency by the State of California Government Code Section 65301, is adopted by the City Council, and serves as the policy basis for this Ordinance.

Geologic Review. The analysis of geologic hazards, including all potential seismic hazards, surface ruptures, liquefaction, landsliding, mudsliding, and the potential for erosion and sedimentation.

Goal. A general, overall, and ultimate purpose, aim, or end toward which the City will direct effort (See the Point Arena General Plan).

Grade. To move earth or native material by mechanical means.

"Granny" Unit. A dwelling unit for the sole occupancy of one adult or two adult persons who are age 62 of age or over. The area of floor space, in the case of an attached unit, may not exceed 30% of the existing living area; the area of floor space of a detached "granny unit" may not exceed 1200 square feet. "Granny units" are authorized by and subject to Section 65852.1 of the California Government Code.

Grasslands. Land preserved for pasturing or mowing, in which grasses are the predominate vegetation.

Groundwater. Water under the earth's surface, often confined to aquifers capable of supplying wells and springs.

Groundwater Recharge. The natural process of infiltration and percolation of rainwater from land areas or streams through permeable soils into water-holding areas which provide underground storage.

Growth Management. The use by a community of a variety of techniques in combination to establish the amount, type, and rate of growth desired by the community and to channel that growth into designated areas. Growth management policies can be implemented through growth rates, zoning, capital improvements programs, public facilities ordinances, urban limit lines, and other programs.

Guest House. A structure accessory to a dwelling with sleeping and bathroom facilities that is not continuously occupied for residential purposes, and lacking any kitchen facilities.

Guidelines. General statements of policy direction around which specific details may be later established.

Habitat. The physical location or type of environment in which an organism or biological population lives or occurs.

Handicapped. A person determined to have a physical impairment or mental disorder expected to be of long or indefinite duration. Many such impairments or disorders are of such a nature that a person's ability to live independently can be facilitated by appropriate housing conditions.

Hazardous Material. An injurious substance, including (among others) pesticides, herbicides, poisons, toxic metals and chemicals, liquefied natural gas, explosives, volatile chemicals, and nuclear fuels.

Height. The vertical distance from the average finished grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the average height of the highest gable of a pitch

or hip roof.

Highly Scenic Areas. --generally include:

(l) landscape preservation projects designated by the State Department of Parks and Recreation in the California Coastline Preservation and Recreation Plan;

(2) open areas of particular value in preserving natural landforms and significant vegetation, or in providing attractive transitions between natural and urbanized areas; and

(3) other scenic areas and historical districts designated by cities and counties.

High-Occupancy Structure. Any building the use of which may include public assembly or occupancy at any time by large numbers of people, including but not limited to school, churches, social halls, and theaters.

Historic Preservation. The preservation of historically-significant structures and neighborhoods in as near authentic form and design as possible.

Home Occupation. A use, which may be a commercial enterprise, customarily conducted within a dwelling or accessory building by the inhabitants of the dwelling and which use is clearly incidental and secondary to the use of the premises for dwelling purposes and does not change the character of the dwelling, premises or neighborhood, or cause significant impact or nuisance.

Home Occupation Permit. A permit that the City may issue to a home owner or renter on a conditional basis to authorize a home occupation, which permit becomes valid upon the paying of a business license fee.

Homeless. Persons and families who lack a fixed, regular, and adequate nighttime residence. Includes those staying in temporary or emergency shelters or who are accommodated with friends or others with the understanding that shelter is being provided as a last resort. California Housing Element law, Section 65583(c)(1), requires all cities and counties to address the housing needs of the homeless. (See "Emergency Shelter" and "Transitional Housing.")

Hospice. A home for people who are ill (especially terminally) or destitute.

Hotel. Any building or portion thereof containing living quarters or dwelling units and designed for or intended to be used by six (6) or more transient guests, whether the compensation or hire be paid directly or indirectly, and shall include resort hotel, lodging house or inn, but shall not include bed and breakfast inns as defined herein.

Household. One or more persons who share a dwelling unit. Not to be confused with "Family."

Household Income. Classifications:

Very Low - not exceeding 50% of the area (Mendocino County) median income.

Other Lower - between 50% and 80% of the area median income.

Moderate - between 80% and 120% of the area median income.

Above Moderate - above 120% of the area median income.

Housing and Community Development Department of the State of California (HCD). The State agency principally charged with assessing whether, and planning to insure that, communities meet the housing needs of very low, low, and moderate-income households and adopt housing elements as part of their General Plans.

Housing and Urban Development, U. S. Department of. A cabinet-level department of the federal government (HUD) which administers housing and community development programs nationwide and may provide local housing assistance.

Housing Authority, Local (LHA). Local housing agency established in State law, subject to local activation and operation. Originally intended to manage certain federal subsidies, but vested with broad powers to develop and manage other forms of affordable housing. The LHA for Point Arena is the County of Mendocino.

Housing Need. A local share of the regional housing units assumed by the Mendocino County Council of Governments (MCOG) to be "needed." Housing need is distinguished from housing demand, which is a function of marketing activities. Housing projections represent probable levels of housing construction activity in each jurisdiction of the county.

Housing Unit. The term used by the U.S. Census Bureau. A housing unit must have a separate entrance from other housing units but need not have separate kitchen facilities.

Illuminated Sign. Any sign provided with light either internally or by turning or focusing a light source upon it.

Impact Fees. Fees levied on the developer of a project by the City as compensation for unmitigated impacts the project will produce.

Impervious Surface. Surface through which water cannot penetrate, such as roof, road, sidewalk, and paved parking lot. The amount of impervious surface increases with development and establishes the need for drainage facilities to carry the increased runoff.

Implementation. Actions, procedures, programs, or techniques that carry out policies.

Industrial. The manufacture, production, processing or reprocessing, and storage of goods, including quarrying, factories, chemical storage, corporation yards, mining, etc.

Industrial Park. A planned assemblage of buildings designed for and restricted to industrial activities such as: manufacturing, processing and production of goods (to be distinguished from "Business Park").

Infill. Development of vacant land (usually individual lots or left-over properties) within areas which are already largely developed such as downtown Point Arena.

Infrastructure. The grid of public roads and utilities that is necessary to make urban development, including housing, occur.

Initial Study. A preliminary analysis by the City of a proposed project that is intended to determine whether an Environmental Impact Report (EIR) must be prepared or a Negative Declaration will be sufficient. The term is more fully defined in CEQA.

Inn. A building or portion thereof containing living quarters or dwelling units and designed for or intended to be used by six (6) or fewer transient commercial guests, with no guest kitchens.

Interagency. Between and among agencies. Indicates cooperative actions between or among two or more discrete city, county, special district and State agencies in regard to a specific program.

Interest, Fee. A share or right in property that entitles a land owner to exercise complete control over disposition and use of land, subject only to government land-use regulations ("fee" is synonymous with "fee simple" or ownership).

Interest, Less-than-fee. An interest in land other than outright ownership; includes the purchase of development rights via conservation, open space, or scenic easements. (See "Development Rights," and "Easement, Scenic.")

Intermittent Stream. A stream that normally flows for at least thirty (30) days after the last major rain of the season and is dry a large part of the year.

Joint Powers Authority (JPA). A legal arrangement that enables two or more units of government to share authority in order to plan and carry out a specific program or set of programs that serves both

units.

Kennel. Any premises, except those accessory to an agricultural use, where five (5) or more small domestic animals, not sick or injured, are boarded for compensation, or cared for, or trained for hire, or are kept for sale or breeding purposes.

Landmark. Refers to a building or site having historic, architectural, social, or cultural significance and designated for preservation by the local, state, or federal government. Also a significant tree.

Landscaping. Planting--including trees, shrubs, and ground covers-- suitably designed, selected, installed, and maintained so as to permanently enhance a site, the surroundings of a structure, or the sides or medians of a roadway.

Land-Use and Development Map. One of the official maps of the Point Arena General Plan, which aids in the depiction of land-use policies of the General Plan.

Land-Use Categories. A classification system for the designation of appropriate and legal use of properties. Land-use categories are used on the General Plan Land Use Map to designate permissible uses, in the City's Zoning Ordinance, and on the Zoning Map.

Land-Use Element. A Land Use Plan is a basic component of the General Plan, it combines text and maps to designate the future use or reuse of land within the City's planning area. The land-use element serves as a guide to the structuring of zoning and subdivision controls and capital improvement programs, and to official decisions regarding the distribution and intensity of development and the location of public facilities, transportation routes, and open spaces.

Land-Use Plan. A component of the Point Arena Local Coastal Program (LCP) which was adopted by the Point Arena City Council and certified by the State Coastal Commission in 1980, and is scheduled for re-certification upon adoption of the 1992 General Plan. Subjects required in the Land-Use Plan include: Coastal access, marine/water resources, sensitive habitats, hazard areas, recreational/ commercial boating, public works/agriculture, recreation/visitor- serving facilities, industrial/energy facility development, housing, visual resources, planning/locating new development and diking, dredging and filling.

Land-use Permit. Same as "Coastal Development Permit."

Ldn. Day-Night Average Sound Level. The A-weighted average sound level for a given area (measured in decibels [dB]) during a 24-hour period, with a 10 dB weighing applied to night-time (10 pm - 7 am) sound levels.

Leq. The energy equivalent level, defined as the average sound level on the basis of sound energy (or sound pressure squared). The Leq is a "dosage" type measure and is the basis for the descriptors used in current standards, such as the 24-hour CNEL used by the State of California. The steady-state A-

weighted sound level containing the same energy as a time-varying signal; an average of the sound levels for a given sample time, typically 1-24 hours. Leq(5) would indicate a five-hour sample time.

Level of Service (LOS). A qualitative measure describing the efficiency of a traffic stream including the way such conditions are perceived by persons traveling in a traffic stream. Levels-of-service measurements describe variables such as speed and travel time, freedom to maneuver, traffic interruptions, traveler comfort and convenience, and safety. It is a scale that measures the operating capacity likely to be encountered on a roadway or at the intersection of roadways, based on a volume-to-capacity ratio, with levels ranging from A to F, with A representing the lowest volume-to-capacity ratio with free flow and excellent comfort for the motorist, passenger, or pedestrian; and F the highest level of service reflecting highly congested traffic conditions where traffic volumes exceed the capacities of streets, sidewalks, etc. (See "Volume-to-Capacity Ratio.")

> Level-of-Service A represents free flow. Individual users are virtually unaffected by the presence of others in the traffic stream. The general level of comfort and convenience provided to the motorist or passenger is excellent.
>
> Level-of-Service B is in the range of stable flow, but the presence of other users in the traffic stream begins to be noticeable. There is a slight decline in the freedom to maneuver within the traffic stream. The level of comfort and convenience provided is somewhat less than at LOS A, because the presence of others in the traffic stream begins to affect individual behavior.
>
> Level-of-Service C is in the range of stable flow but marks the beginning of the range of flow in which the operation of individual users becomes affected by interactions with others in the traffic stream. Maneuvering within the traffic stream requires vigilance on the part of the user. The general level of comfort and convenience declines at this level.
>
> Level-of-Service D represents high-density but stable flow. Freedom to maneuver is severely restricted, and the driver experiences a generally poor level of comfort and convenience. Small increases in traffic flow will generally cause operational problems at this level.
>
> Level-of-Service E represents operating conditions at or near the capacity level. Freedom to maneuver within the traffic stream is extremely difficult, and it is generally accomplished by forcing a vehicle or pedestrian to "give way" to accommodate such maneuvers. Comfort and convenience levels are extremely poor, and driver frustration is generally high. Operations at this level are usually unstable, because small increases in flow or minor disturbances within the traffic stream will cause breakdowns.
>
> Level-of-Service F is used to define forced or breakdown flow. This condition exists wherever the amount of traffic approaching a point exceeds the amount which can

traverse the point. Queues form behind such locations. Operations with the queue are characterized by stop-and-go waves, and they are extremely unstable. Vehicles may progress at reasonable speeds for several hundred feet or more, then be required to stop in a cyclic fashion.

Live-Work Space. A studio, workroom or loft, together with a living space including a kitchen and bath, which space is not necessarily divided into separate rooms and is intended for those whose art or craft is conducted in a joint living and working environment.

Lmax. The maximum A-weighted sound level during a noise event, or sample period.

Lmin. The minimum A-weighted sound level at a given location. This corresponds to the ambient background noise level.

Local Agency Formation Commission (LAFCO). A County commission that reviews and evaluates all proposals for formation of special districts, incorporation of cities, annexation to special districts or cities, consolidation of districts, and merger of districts with cities. Each county's LAFCO is empowered by State statutes to approve, disapprove, or conditionally approve these proposals.

Local Coastal Program (LCP). The California Coastal Act's mandated collection of plans and programs for preparation and adoption by the City and certification by the California Coastal Commission. Point Arena's LCP must be consistent with the City's General Plan, and upon re-certification must be adhered to, implemented by the City, and monitored by the Coastal Commission. It consists of a land use plan, zoning ordinances and other implementing actions. It is designed to protect coastal resources and set rules for future development.

Lot. A tract of land lawfully established and officially recorded in the County Recorder's office, which constitutes a unit of land the ownership of which is legally transferable and is considered a unit for purposes of development and density calculations.

Lot Area. The total horizontal area included within lot lines.

Lot, Corner. A lot at the junction of and abutting on two or more intersecting streets where the angle of intersection is 130 degrees or less.

Lot Frontage. The line separating a lot from the street, in the case an interior lot, and the line separating the narrowest street frontage from the street in the case of a corner lot.

Lot, Interior. A lot other than a corner lot.

Lot Lines. The lines bounding a lot as defined herein.

Lot Line, Rear. The boundary of a lot opposite and most nearly parallel to the front lot line.

Lot, Non-conforming. Any lot existing and recorded as a separate parcel in the office of the County Assessor at the effective date of the Zoning Ordinance which does not conform to the area or width requirements of the district in which it is located or does not conform to the subdivision regulations of the City of Point Arena.

Low-income Household. Households with incomes of 51 - 80% of the area median household income. It is determined by a survey of incomes conducted by the City or by Mendocino County, or in the absence of such a survey, based on the latest available findings for the County as provided by the U.S. Department of Housing and Urban Development (HUD).

Manufactured Housing. Houses which are constructed entirely in the factory, and which since 1976 have been regulated by the federal Manufactured Home Construction and Safety Standards under the administration of the U. S. Department of Housing and Urban Development (HUD).

Market-Rate Units. Those dwelling units available at prices or rents at or above the market rate, which are those prices determined by market demand.

May. That which is permissible.

Median Household Income. The middle point at which half of the City's households earn more and half earn less. In 1991 the median household income for Mendocino County was $30,500 per year.

Minimize. To reduce or lessen, but not necessarily to eliminate.

Minipark. Small neighborhood park of approximately one acre or less. It may also be referred to as "tot lot" when reserved for very young children.

Mitigate. To ameliorate, alleviate, or avoid to the extent reasonably feasible. According to CEQA, mitigations include: (a) avoiding an impact by not taking a certain action or parts of an action; (b) minimizing an impact by limiting the degree or magnitude of the action and its implementation; (c) rectifying an impact by repairing, rehabilitating, or restoring the environment affected; (d) reducing or eliminating an impact by preserving and maintaining operations during the life of the action; (e) compensating for an impact by replacing or providing substitute resources or environments.

Mixed-use. Properties on which various uses, such as office, commercial, institutional, and residential, are combined in a single building or on a single site in an integrated development project with significant functional interrelationships and a coherent physical design. A "single site" may include contiguous properties.

Mobile Home. An independent structure equipped with a toilet for sewage disposal that is transportable in one or more sections, to be used with or without a foundation system. Mobile home does not include a recreational vehicle, commercial coach or factory-built housing.

Mobile Home Park. A lot on which two or more mobile homes are located and used for sleeping, cooking or eating purposes, subject to the City's special mobile home park regulations (See Ordinance No. 118).

Moderate-Income Household. Households with incomes of 81 - 120% of the area median income, as determined by a survey of incomes conducted by Mendocino County, or in the absence of such a survey, based on the latest available findings for the County as provided by the U. S. Department of Housing and Urban Development (HUD).

Modular Unit. A factory-fabricated, transportable building or major component designed for use by itself or for incorporation with similar units on-site into a structure for residential, commercial, educational, or industrial use. A modular unit does not have any chassis for future movement. (Also see "Mobile Home".)

Motel. A building or group of buildings comprising individual units for the accommodation of transient guests, which is designed so that parking is on the same building site and is conveniently accessible from the living units without having to pass through any lobby or interior court. This

definition includes auto court, tourist court, and motor hotel; but does not include a hotel, and does not include accommodations for mobile homes or trailers.

Mountain Beaver Buffer Area. A 500 feet wide area measured from the centerline of Point Arena Creek which may contain species of the Point Arena Mountain Beaver and where special consideration may be necessary if signs of the mountain beaver are found within this radius.

Multi-Family Dwelling or Area. A building or site legally accommodating more than one family or dwelling units or complexes housing more than one family.

Multi-Family Useable Open Space. Any useable outdoor area of a multi-family residential project in a MR or HWC zone, which area is reserved and designed for common use by the project's occupants. This space is in addition to space provided for required yards and off-street parking, and for private patios and decks.

Must. That which is mandatory (equivalent to "shall").

Natural State. The condition existing prior to any development or change in site conditions.

Necessary. Essential or required.

Need. A condition requiring supply or relief. The City may act upon findings of need within or on behalf of the community.

Negative Declaration. A written statement, governed by CEQA, certified by a public agency describing reasons that a proposed project will not have a significant effect on the environment and, therefore, does not require an environmental impact report (EIR).

Neighborhood Park. Publicly-owned land intended to serve the recreation needs of people living or working within a one-half mile radius of the park and also intended to contribute to a distinct neighborhood identity.

New. Any use established, building or structure constructed, development undertaken, or lot created after the effective date of this Zoning or other ordinance.

Noise Attenuation. Reduction of the level of a noise source using a substance, material, or surface, such as earth berms and/or solid concrete walls.

Noise Contour. A line connecting points of equal noise level as measured on the same scale. Noise levels greater than the 60 Ldn contour (measured in dBA) require noise attenuation in residential developments. New residential developments within the 60 Ldn contour (60 Ldn and greater) must meet noise attenuation standards as required by Title 25 of the California Administrative Code--Noise Insulation Standards.

Non-attainment. The act of not achieving a desired or required level of performance. Frequently used in reference to air quality.

Non-conforming. A structure and/or land use which was lawfully established but which does not now conform with the land use, yard, height, or other requirements and conditions of the Zoning Ordinance.

Non-conforming Sign. A sign lawfully erected, established and maintained prior to the effective date of this Ordinance, but which could no longer be allowed due to changing sign code restrictions.

Non-Prime Agricultural Land. Coastal agriculture lands that are not in use for crops or grazing, or that are suitable for agriculture but do not qualify as "prime."

Nursing Home. "See Convalescent Home".

Objective. A specific statement of desired future conditions toward which the City will expend effort in the context of striving to achieve a broader goal.

Off-site Sign. A sign which is located on a parcel other than that occupied by the product, service, business, person, institution, or location advertised (also called an "off-premise sign").

Off-street Loading. A site, or portion of a site, devoted to the loading or unloading of vehicles, including loading berths, aisles, access drives, and landscaped areas.

Off-street Parking. A site, or portion of a site, devoted to the off-street parking of vehicles, including parking spaces, aisles, access drives, and landscaped areas.

Open Space Lands. Any area of land or water which is essentially unimproved and devoted to an open-space use such as (1) the preservation of natural resources; (2) managed production of resources; (3) outdoor recreation; (4) public health and safety. (Government Code Section 65560 and Public Resource Code 5076)

Opportunities and Constraints Map. One of the two official maps of the 1995 General Plan, which depicts sites, areas, conditions and situations which may constrain development, or suggest opportunities, which constraints and opportunities shall be taken into account in the project planning process prior to commencing any development.

Outdoor Recreation Use. A privately-owned or publicly-owned or operated use providing facilities for outdoor recreational activities.

Overlay. A land-use designation on the Land Use and Development Map, or other map, or a zoning designation on a Zoning Map, which modifies the basic underlying designation and set of standards in some specific manner.

Ownership. Ownership of property (or possession thereof under a contract to purchase or under a lease, the term of which is not less than ten (10 years) by a person or persons, firm, corporation, or partnership--individually, jointly, in common, or in any other manner--whereby such property is under single or unified control. The term shall include condominium ownership. The term "Owner" shall be deemed to mean the person, firm, corporation, or partnership holding

legal or equitable title or recorded contract of purchase of property, or any person duly authorized by written instrument to act for the owner.

Parcel. A lot, or contiguous group of lots, in single ownership or under single control, usually considered a unit for purposes of development (also see "Lot").

Parcel Map. A map depicting the establishment of up to four new lots by splitting a recorded lot. Parcel maps are subject to the California Subdivision Map Act and the City's subdivision regulations.

Parking Area, Common. A public or private parking area used jointly by two or more uses.

Parking Lot, Public. An open area, other than a street or alley, used for the parking or storage of vehicles, and available for public use.

Peak Hour. For any given traffic facility, the daily, 60-minute period during which traffic volume is highest.

Performance Standards. Zoning regulations that admit uses based on a particular set of standards of operation rather than on the basis of a particular type of use. Performance standards may be established to limit noise, air pollution, emissions, odors, vibration, dust, dirt, glare, heat, fire hazards, wastes, traffic generation, and visual impact of a use, and may be used to distinguish which uses, based on their likely standards of performance, are acceptable in a particular setting.

Permitted/Permissible Uses. Same as "Use by Right."

Person. Any individual, public, or private corporation, political subdivision, partnership, firm, trust or estate or any other legal entity whatsoever which is recognized in law as to rights or duties.

Personal Services. Services of a personal convenience nature, as opposed to products. Personal services include barber and beauty shops, shoe and luggage repair, fortune tellers, photographers, laundry and cleaning services and pick-up stations, copying, repair and fitting of clothes, accountants, lawyers, massage therapists, and similar services.

Physical Diversity. A quality of a site, city, or region in which are found a variety of architectural styles, natural landscapes, and/or uses.

Planned Community. A large-scale development whose essential features are a definable boundary; a consistent, but not necessarily uniform, character; overall control during the development process by a single development entity and in accordance with a comprehensive development plan; private ownership of recreation amenities; and enforcement of covenants, conditions, and restrictions by a master community association.

Planned Development. An area as well as a set of approval procedures; a technique for comprehensively planning and establishing procedures for approving development proposals on large parcels of land "by agreement" without adhering strictly to standard local development and zoning standards.

Planned Commercial Development (PCD). Same as Planned Residential Development (PRD), except pertains to properties designated on the Zoning Map as commercial.

Planned Residential Development (PRD). A procedure for plan preparation, review and approval of large-scale, comprehensively-planned residential projects. Allows for flexibility of design and layout, and mixed uses, as well as creative approaches to site and building designs. Functions as an "overlay" of residential zoning and is a mandatory procedure for the development of parcels ten acres and larger.

Planning Area. A term referring to the entire area of jurisdiction and concern for the City of Point Arena's planning purposes. Also refers to the lot or lots included within a planned development.

Policy. A specific statement of principle or of guiding actions which implies clear commitment. A duly-adopted directive that the City will follow in order to meet its goals and objectives by undertaking specific action programs. (See also "Program.")

Pollution, Non-Point. Sources of pollution which are difficult to define and which usually cover broad areas of land, such as the carrying of fertilizers from agricultural land by runoff or the carrying of smog from one area to another.

Pollution, Point. A discrete source from which a pollution is generated before it enters receiving waters or the air, such as a sewer outfall or an industrial waste pipe.

Preserve. See "Protect."

Prime Agricultural Land. Per California Government Code Section 51201(c) and California Public Resources Code Section 30113, the term means any of the following:

(l) all land which qualifies for rating as Class I or Class II in the Soil Conservation Service land use capability classifications.

(2) land which qualifies for rating 80 through 100 in the Storie Index Rating.

(3) land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the U.S.D.A.

(4) land planted with fruit or nut bearing trees, vines, bushes or crops which have a non-bearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than $200 per acre.

(5) land which has returned from the production of unprocessed agricultural plant products on an annual gross value of not less than $200 per acre for three of the five previous years.

Professional Office Use. A use providing professional or consulting services in the fields of, but not limited to, law, architecture, design, engineering, accounting, and similar professions and activities.

Program. An action, activity, or strategy carried out in response to adopted policy to achieve a specific objective. Policies and programs establish the "who", "how", and "when" for carrying out the "what" and "where" of goals and objectives.

Project. "See Development".

Pro Rata. Refers to the proportionate distribution of the cost of infrastructure improvements associated with new development to the users of the infrastructure on the basis of projected use.

Protect. To maintain and preserve beneficial uses in their present condition as nearly as possible. (See "Enhance.")

Public Trust Lands. Lands subject to Common Law Public Trust (a sovereign public property right held by the state for the benefit of the people) for commerce, navigation, fisheries, recreation, and other public purposes.

Public Works Project. Any project by a public agency that is included in Section 30114 of the California Coastal Act of 1976 and any energy facility development within the meaning of Section 30107 of the California Coastal Act.

Quasi-public. Connected, in part, to the community as a whole, rather than private.

Rare or Endangered Species. A species of animal, fish, wildlife or plant listed in: Sections 670.2 or 670.5, Title 14, California Administrative Code; or Title 50, Code of Federal Regulations, Section 17.11 or Section 17.2, pursuant to the Federal Endangered Species Act designating species as rare, threatened, or endangered.

Recognize. To officially (or by official action) identify or perceive a given situation.

Recreation, Commercial. Recreation facilities open to the general public for a fee, or restricted to members, when operated as a business.

Recreation, Passive. Recreational uses often associated with beach or open space use (e.g., walking, sight-seeing, sunbathing, fishing), which requires little or no alteration of the environment.

Recreational Vehicle or RV. A motor home, travel trailer, truck camper or camping trailer, with or without motive power, designed for human habitation for recreational or emergency occupancy, with a living area less than 220 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures, bath and toilet rooms.

Recreational Vehicle Park. A designated area for the temporary (transient) parking of RVs, which may also include related facilities for RV user use only.

Redevelopment. The legally-authorized process of rehabilitating or rebuilding a deteriorated section of a city using municipal powers and finances to assemble properties, replace infrastructure, or otherwise assist in creating new facilities and stimulating private development.

Regulation. A rule or order prescribed for management of government and the implementation of a

city's police powers.

Residential. Land designated by the City's General Plan and Zoning Ordinance for buildings consisting only of dwelling units. May be vacant or unimproved. (See "Dwelling Unit.")

Residential Care Facility. Elderly housing, usually licensed by the State Health and Welfare Agency, Department of Social Services, typically for residents who are frail and need supervision but no nursing care.

Resources, Non-renewable. Refers to natural resources, such as fossil fuels and natural gas, which, once used, cannot be replaced and used again.

Rest Home (Group Homes for Adults). Residential homes of any capacity that provide services to adults who need or desire care or supervision, and in which medical services are not provided.

Restaurant/Cafe. An establishment intended for the preparation and consumption of food and beverages, which may or may not include a bar.

Restore. To renew, rebuild, or reconstruct to a former state.

Restrict. To check, bound or decrease the range, scope, or incidence of a particular condition.

Retrofit. The addition of materials and/or devices to an existing building or system to improve its operation or efficiency.

Right-of-way. The strip of land over which certain transportation and public use facilities are built, such as roadways, railroads, and utility lines.

Riparian Buffer Zone. That portion of a riparian corridor directly adjacent to a stream or creek which is measured 100 feet from the outside edge of the environmentally sensitive riparian vegetation. The width of the buffer area shall be a minimum of 100 feet, unless an applicant can demonstrate, after consultation and agreement with the California Department of Fish and Game and the City, that 100 feet is not necessary to protect the resources of that particular habitat area from possible significant disruption caused by the proposed development. The buffer area shall be measured from the outside edge of the environmentally sensitive riparian habitat area and shall not be less that 50 feet in width. The purpose of this buffer area is to provide for a sufficient area to protect environmentally sensitive riparian vegetation from significant disruption of habitat values, functional capacity, and species diversity as a result of future development.

Riparian Corridor. A general term for lands running parallel to and along a creek, which lands constitute the ecosystem and potentially sensitive habitat for animal and plant life for said creek or stream.~~, and which are depicted on the Opportunities and Constraints Map of the General Plan.~~ A riparian corridor includes both a riparian habitat area and an adjacent riparian buffer area on either

side of the riparian habitat area.

Riparian Vegetation. Vegetation commonly occurring adjacent to stream banks and including such plants as willows, alders, cottonwood, wax myrtle, big leaf maple, California bay-laurel, red elderberry, nettle, Snow Berry, California Blackberry, Salmon berry, Thimbleberry, Wild Rose, Watercress, Western Azalea, ferns, Wild Cucumber, Honeysuckle, Baltic Rush, Cow parsnip, Common Horsetail, Creeping Wild-Rye, Fairy Bells, Hazelnut, Mugwort, Pipevine, Vine Maple, etc.

Risk. The danger or degree of hazard or potential loss.

Satellite TV Receiving Dish. Satellite television antenna is an apparatus capable of receiving communications from a transmitter or a transmitter relay located in planetary orbit, the purpose of which is to receive television or radio signals from orbiting satellites.

Second Dwelling Unit. A technical term defined in the California Government Code (Section 65852.2) referring to legal second residential units in residential zones on existing lots that contain an existing single-family dwelling that conforms to all local codes, which second unit may be rented but not sold and must not exceed in floor area 30% of an existing living area if attached, or exceed 1200 square feet of floor area if a detached structure.

Section 8 Rental Assistance Program. A federal (HUD) rent-subsidy program which is the main source of federal housing assistance for low-income households. The program operates by providing "housing assistance payments" to owners, developers, and public housing agencies to make up the difference between the "Fair Market Rent" of a unit (set by HUD) and the household's contribution toward the rent, which is calculated at 30% of the household's adjusted gross monthly income (GMI). "Section 8" includes programs for new construction, existing housing, and substantial or moderate housing rehabilitation. (Administered in Point Arena by the County of Mendocino.)

Senior Housing. Housing designed and typically reserved for senior citizens.

Sensitive Habitat Area. Areas in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in the ecosystem and which could be easily disturbed or degraded by human activities and developments, including coastal and river marshes, wetlands, lagoon tidepools, off-shore rocks, kelp beds, and riparian corridors.

Services, Personal and Professional. Beauty and barber shops; offices for doctors, dentists and others engaged in the human healing arts, provided no overnight care is given; offices for engineers, attorneys, architects, real estate sales, insurance, travel agencies, ambulance services, bail bonds, art and photography studios, and other such services which in the opinion of the Planning Commission are similar to the above (also see "Personal Services").

Shall. That which is mandatory.

Shared Living. The occupancy of a dwelling unit by persons of more than one family in order to reduce housing expenses and provide social contact, mutual support, and assistance. Shared living facilities serving six or fewer persons are permitted in all residential districts by Section 1566.3 of the California Health and Safety Code.

Should. Signifies a directive to be honored if at all possible.

Sign. Any structure, object or other physical contrivance, whether located inside or outside a building, that is visible from any lot line and the primary purpose of which is advertising, endorsement, identification, or information, by means of visual symbols, lettering, illustration, or any other means of directing attention or communicating; including any display surface together with such structures, objects or other physical contrivances as are used in supporting, maintaining, and illuminating the display surfaces.

Siltation. The accumulating deposition of eroded material; the gradual filling in of streams and other bodies of water with sand, silt, and clay.

Single-family Dwelling, Attached. A dwelling unit occupied or intended for occupation by only one family that is structurally connected with other dwelling units.

Single-family Dwelling, Detached. A dwelling unit occupied or intended for occupation by only one family that is structurally independent from any other structure.

Site. A parcel of land used or intended for one use or a group of uses and having frontage on a public or an approved private street or right-of-way.

Slope. Land gradient described as 100 times the vertical rise divided by the horizontal run. For example, a hill or road which rises in elevation 15 feet in a horizontal length of 100 feet has a slope of 15 percent.

Solar Access. The provision of direct sunlight to an area specified for solar energy collection when the sun's azimuth is within 45 degrees of true south.

Solar System, Active. A system using a mechanical device, such as a pump or a fan, and energy in addition to solar energy, to transport a conductive medium (air or water) between a solar collector and the interior of a building for the purpose of heating or cooling.

Solar System, Passive. A system that uses direct heat transfer from thermal mass instead of mechanical power to distribute collected heat. Passive systems rely on building design and materials to collect and store heat and to create natural ventilation for cooling.

Solid Waste. General category that includes organic wastes, paper products, metals, glass, plastics, cloth, brick, rock, soil, leather, rubber, yard wastes, and wood.

Special Purpose Commercial Coach. A vehicle with or without motive power, designed and equipped for human occupancy for industrial, professional or commercial purposes, which is not required to be moved under permit, and shall include a trailer coach.

Specific Plan. A tool for detailed design and implementation of a defined portion of the area covered by a General Plan or by a Concept Plan in the case of a Comprehensive Development Plan. A specific plan may include all detailed regulations, conditions, programs, and/or proposed legislation which may be necessary or convenient for the systematic implementation of any General Plan element(s) or a portion thereof or for designating, in a comprehensive and detailed fashion, the City's or a developer's intentions with respect to a property's use and development. (Authorized and further defined in California Planning, Zoning, and Development Laws, Article 8., Sections 65450 through 65457.)

Sphere of Influence. The probable ultimate physical boundaries and service area of the City a determined by the Local Agency Formation Commission (LAFCO) of Mendocino County.

Standards. Usually refers to site design regulations, such as lot area, height limit, frontage, landscaping, and floor area ratio, as distinguished from use restrictions; loosely refers to all requirements in the Zoning Ordinance and in other city ordinances.

Storm Runoff. Surplus surface water generated by rainfall that does not seep into the earth but flows overland to flowing or stagnant bodies of water.

Story. That portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, the space between the floor and the ceiling next above it.

Street. Land owned and designated by the City of Point Arena, Mendocino County or the State of California as a public thoroughfare and which affords the primary means of access to abutting property.

Street Furniture. Those features associated with a street that are intended to enhance that street's physical character and use by pedestrians, such as benches, trash receptacles, kiosks, lights, newspaper racks, etc.

Street Tree Plan. A plan for city street trees which sets goals for tree canopy densities and solar access, and sets standards for species selection, maintenance, and replacement criteria, and for planting trees in patterns that will define neighborhood character while avoiding monotony or maintenance problems.

Streets, Local. Low speed/low volume roadways that provide direct access to abutting land uses; may allow for driveways to individual units, on-street parking, pedestrian access, sidewalks or walkways, and bicycle paths.

Structure. Anything constructed, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground.

Structure, Accessory. A detached building or structure, other than a sign, the use of which is incidental to that of a main building or use; any building or structure which is incidental to the conducting of any agricultural use.

Studio. A workroom, which may include a shop, for use by an artist, photographer or crafts person, which contains no kitchen but may include a lavatory and sinks, and is not intended for use as a dwelling unit, and which, unlike a gallery, is not open to the public.

Subdivision. The splitting into new lots or parcels of a larger piece of property, as defined in and subject to the City's subdivision regulations and the State Subdivision Map Act.

Substandard Housing. Residential dwellings which, because of their physical condition, do not provide safe and sanitary housing.

Substantial. Considerable in importance, value, degree, or amount.

Temporary Sign. Any sign, including banners, pennants or other advertising display not permanently installed or affixed to a sign structure or building.

Tentative Map. The initial map setting forth in concept and in detail a proposed land subdivision, which map must comply with the City's subdivision and zoning regulations and the state Subdivision Map Act. The subdivision of land depicted on the tentative map does not take effect until approval and recordation of the Final Map.

Tot Lot. See "Minipark".

Tourism. The business of providing services for persons traveling for pleasure.

Townhouse; Townhome. A one-family dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more common and fire-resistant walls. Townhouses usually have separate utilities; however, in some condominium situations, common areas are serviced by utilities purchased by a homeowners association on behalf of all townhouse members of the association.

Transitional Housing. Shelter provided to the homeless for an extended period, often as long as 18 months, and generally integrated with other social services and counseling programs to assist in the transition to self-sufficiency through the acquisition of a stable income and permanent housing.

Travel Trailer. A vehicle other than a motor vehicle, which is designed or used for human habitation and which may be moved upon a public highway without a special permit or chauffeur's license or both, without violating any provision of the California Vehicle Code.

Trees, Heritage. Trees planted by a group of citizens or by the City in commemoration of an event or in memory of a person figuring significantly in the history of the city.

Trees, Landmark. Trees whose size, visual impact, or association with a historically significant structure or event have led the City to designate them as landmarks.

Trees, Street. Trees strategically planted--usually in parkway strips, sidewalks or road medians--to enhance the visual quality of a street.

Trip. A one-way journey that proceeds from an origin to a destination via a single type of vehicular transportation; the smallest unit of movement considered in transportation studies.

Trip Generation. The dynamics that account for people making trips in automobiles or by means of public transportation. Trip generation is the basis for estimating the level of use for a transportation system and the impact of additional development or transportation facilities on an existing, local transportation system.

Undevelopable. Specific areas where topographic, geologic, and/or surficial soil conditions indicate a significant danger to future occupants, or where public policy limits development in order to accomplish a public purpose (i.e. a riparian buffer zone).

Undue. Not proper, or more than necessary.

Unit. The basic term for counting homes. The number of units is the number of homes. A unit may be a single-family house or an apartment in a multi-unit structure.

Urban Design. The attempt to give form, in terms of both beauty and function, to selected urban areas or to whole cities. Urban design is concerned with the location, mass, and design of various urban components and combines elements of urban planning, architecture, and landscape architecture.

Urban Limit Line. That line drawn on a map by the City which designates the extent to which urban services will be provided.

Urban Open Space. The absence of buildings or development, usually in well-defined volumes, within an urban environment.

Use. The purpose for which a lot or structure is or may be leased, occupied, maintained, arranged, designed, intended, constructed, erected, moved, altered, and/or enlarged pursuant to the City's Zoning Ordinance and General Plan land-use designation.

Use by Right. Refers to land uses and activities which are designated in the City's Zoning Ordinance as acceptable and legally permissible within a particular zoning district or land-use category, subject only to standards of development set forth in said ordinance, and to the provisions of CEQA, the city's design review requirements, the building code and other pertinent ordinances, and not otherwise conditional. (See "Use, Principal Permitted".)

Use, Principal Permitted. The primary use of land or of a main building, which use is intrinsically compatible with the purpose of the zone and which is permitted in the zone. If a use is listed in a specific zone as a principal permitted use, it means that the owner, lessee, or other person who has legal right to use the land has a vested right to conduct such principal permitted use in accordance with the other zoning regulations without securing special permission therefor, subject only to design and environmental impact review procedures and a Coastal Development Permit if in the Coastal Zone.

Useable Common Open Space. Space required as part of a multi-family residential development that is located and designed in such a way that it is useable by humans and is in addition to required yards, patios, and decks.

Utility Corridors. Rights-of-way or easements for utility lines on either publicly-or privately-owned property. (See "Right-of-way" or "Easement.")

Variance. A permit issued by the City, after making appropriate findings, to construct or carry on an activity not otherwise explicitly permitted under zoning regulations. The legal justification for a variance is that the property owner would otherwise suffer unique hardship under the zoning regulations because his or her particular parcel is different from others to which the regulations apply due to size, shape, topography, or location. As prescribed by California law, variances may not be granted to authorize a use or activity which is not otherwise authorized by the local zoning regulations. A variance shall not be granted if the hardship in question is self-created.

Vendor. Any person who sells, offers for sale, any goods, wares, or merchandise at other than from a fixed place of business; provided, however, these words shall not be construed to apply to commercial travelers selling their goods to merchants or other business establishments licensed by the City, for present or future delivery.

Very Low-Income Household. Households with incomes not exceeding 50% of the area median income, as determined by a survey of incomes conducted by a city or a county, or in the absence of such a survey, based on the latest available eligibility limits established by the U.S. Department of Housing and Urban Development (HUD) for the Section 8 housing program.

Vested Right. The right to proceed with a development project or to continue with a project in progress. A vested right is achieved only when a building permit has been obtained and substantial work has been done, and substantial liability has been incurred, all in good faith reliance upon permits

obtained, provided the project complies and permits issued comply with all laws applicable at the time permits are issued. Once a land owner has secured a vested right, governmental bodies may not, by virtue of a subsequent change in zoning laws, prohibit construction duly and properly authorized by the permit upon which the developer relied. Vested rights may be achieved by the filing of "vesting tentative maps" and "development agreements."

View Corridor. The line of sight, identified as to height, width, and distance, of an observer looking toward an object of significance to the community (e.g., ridgeline, river, historic building, etc.).

Viewshed. The area within view from a defined observation point.

Volume-to-Capacity Ratio. The ratio of demand flow rate to capacity for a traffic facility.

Warehousing Use. A use engaged in storage, wholesaling, and distribution of manufactured products, supplies, and equipment, excluding bulk storage of materials that are flammable or explosive or that present hazards or conditions commonly recognized as offensive.

Watershed. The total area above a given point on a waterway that contributes water to its flow; the entire region drained by a waterway or watercourse which drains into a lake, reservoir or stream.

Waterway. Natural or once-natural flowing (perennially or intermittently) water including rivers, streams, and creeks; includes natural waterways that have been channelized, but does not include manmade channels, ditches, and underground drainage and sewage systems.

Wetland. Wetland means lands which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens. Wetlands are usually lands where the water table is at, near or above the land surface long enough to do either of the following: a) promote the formation of (hydric) soils that are saturated with water at or near the surface and are deficient of oxygen long enough during the growing season to result in soil properties that reflect dominate wetness characteristics near the soils surface (within 10"); or b) support the growth of hydrophytic plants which grow in water or in wet habitats.

Workplace Use. Businesses, from office to research and development to light industry to warehousing, located in structures built with open floor plans, so as to leave most interior improvements to the tenants to design to their needs.

Yard. An open space abutting a lot line unobstructed and unoccupied from the ground upward except for certain exceptions allowed herein. A yard shall be measured at right angles to the lot line and shall extend into the lot to the exterior wall of the building.

Yard, Front. A yard extending the full width of the lot abutting the front lot line.

Yard, Rear. A yard extending the full width of the lot abutting the rear lot line.

Yard, Side. A yard which extends from the front yard, or front lot line where no front yard exists, to the rear yard or rear lot line where no rear yard exists, and abutting the side lot line.

Zone. A portion of the territory of the City of Point Arena within which certain uniform regulations and requirements or combination thereof apply under the provisions of these Regulations. (Also see "Land-use Categories")

Zoning. The division of the City by legislative regulations into areas, or zones, which specify allowable uses for real property, and size restrictions for buildings within these areas; a set of regulations and standards that carry out policies of the General Plan.

Zoning District. A designated section of the City for which prescribed land-use requirements and building and development standards are uniform. (See also "Land-use Categories")

ORDINANCE NO. 166

AN ORDINANCE OF THE CITY OF POINT ARENA ESTABLISHING REGULATIONS GOVERNING SECOND DWELLING UNITS.

THE CITY COUNCIL OF THE CITY OF POINT ARENA DOES HEREBY ORDAIN AS FOLLOWS:

I. Purpose

To provide affordable housing for family members, students, the elderly, in-home health care providers, the disabled, and others. Homeowners who create second units benefit from added income, and an increased sense of security.

II. Second Dwelling Unit Development Standards

Second Dwelling Units shall be conditionally permitted in the SR 1/2, SR 1, RA-2, and AE zoning districts where there is a single-family residence existing on a lot and are subject to securing a conditional use permit. Second Dwelling Units shall be conditionally permitted in the UR zoning district in lieu of a Granny Unit.

1. The second dwelling unit shall provide complete and independent living facilities for one or more persons and include permanent provisions for living, sleeping, eating, cooking and sanitation.
2. The second dwelling unit may or may not be rented although rental is not required. The unit shall not be sold unless the lot can be legally subdivided in accordance with zoning requirements.
3. The second dwelling unit may be attached to, or detached from, the principal residence and may be over a garage.
4. The second dwelling unit shall not exceed 1200 square feet. If the second dwelling unit is attached to the main dwelling, it shall not exceed 30% of the floor area of the main dwelling unit, and shall not exceed 1200 square feet..
5. Second dwelling units must meet all standards of the zoning district. The total lot coverage of all structures shall not exceed that which is allowed in the particular zoning district.
6. Second dwelling units shall comply with currently adopted Uniform Building Code requirements.
7. Total lot coverage of all structures and pavings shall not exceed 50% of total lot size.
8. Second dwelling units shall conform to the setbacks for its particular zoning district.
9. Detached second dwelling units shall be limited to 20 feet in height, unless situated above a garage.
10. Second dwelling units shall provide two off-street parking spaces.
11. Second dwelling units shall be limited to lots having not more than one existing dwelling unit on the lot.
12. Where one single-family dwelling unit exists on a lot, a larger second unit may be constructed as the principal dwelling unit provided the new unit meets all development standards required for the district in which it is located.

III. Granny Unit Development Standards

Granny units are subject to the requirements for a second dwelling unit as detailed above in Section II of this ordinance. In addition, Granny Units are intended for the sole occupancy of one adult or two adult persons who are 62 years of age or over. Granny Units shall be permitted in the UR zoning district, in lieu of a second dwelling unit.

IV. Definitions

Granny Unit. A dwelling unit for the sole occupancy of one adult or two adult persons who are age 62 of age or over. The area of floor space, in the case of an attached unit, may not exceed 30% of the existing living area; the area of floor space of a detached "granny unit" may not exceed 1200 square feet. "Granny units" are authorized by and subject to Section 65852.1 of the California Government Code.

Second Dwelling Unit. A technical term defined in the California Government Code (Section 65852.150 - 65852.2) referring to legal second residential units in residential zones on existing lots that contain an existing single-family dwelling that conforms to all local codes, which second unit may be rented but not sold and must not exceed in floor area 30% of an existing living area if attached, or exceed 1200 square feet of floor area if a detached structure.

The foregoing Ordinance was introduced by Councilmember Wasserman at the July 22, 1997, Regular City Council Meeting, seconded on a motion by Councilmember Tanis, and PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF POINT ARENA at the August 12, 1997 Regular City Council Meeting by the following vote:

AYES: Councilmembers Gallagher, Tanis, Earlygrow
NOES: None
ABSENT: Councilmembers Dahlhoff, Wasserman

_____
Raven B. Earlygrow, MAYOR

ATTEST:

_____
Fred D. Patten, CITY CLERK

(SEAL)

The following 46-page exhibit contains:

- A “policy matrix” that depicts the proposed changes to certified LCP policies
- 8 land use and zoning map exhibits depicting proposed land use changes

CITY OF POINT ARENA
LOCAL COASTAL PROGRAM AMENDMENT NO. PTA-MAJ-1-01
1980-2006 LAND USE PLAN POLICY COMPARISON MATRIX

LAND USE AND DEVELOPMENT ELEMENT POLICIES

Industrial and Energy Facilities Development: **Policy 32.** Implementation of policy reflecting the emphasis to coastal dependent development should occur through identified rezonings in Phase III of the LCP, establishing specific uses and intensities of development compatible with coastal recreation and commerce, as identified in these policies.	Policy to be Discontinued.		
Policy 33. Changes of land use priority for PG&E Company property within the City may be appropriate. The City of Point Arena shall comprehensively assess effects associated with development of the site as zoned (PF-U) to determine whether or not such zoning and development meets the needs of the community. As with coastal industrial development, some conflicts can be resolved by amending the Zoning Ordinance in Phase III. However, amendments of zoning of the land or to the code should occur as a result of City Policy related to development of the headlands, north of Arena Cove: **a**. The City shall require a conditional use permit for any additional development on lands within the PF-U districts. Development standards shall conform its open space and scenic value together with its proximity to sensitive habitat (Arena Cove), marine resources, and geologic hazards (Garcia and San Andreas faults), lack of City services to the site. **b**. Development policy shall emphasize the most desirable uses which: meet Coastal Act Policy; protect the physical and fiscal resources of the City; and avoid development of areas which pose hazards to the development and/or the public. **c**. The City shall request advice of the California Energy Commission in determining the overall public welfare implications of adding any proposed electrical generating facilities to the State's generating capacity.	Policy to be Discontinued.		

1980 LUP POLICIES	2006 GP/LCP POLICY	CONSISTENCY ISSUE(S)	NOTES
Planning and Locating Development: **Policy 41**. The City shall adopt ordinances limiting residential and commercial parcel sizes to one acre minimums in areas which are unserved by water and sewer. Areas served by community water but lack sewer service (or vice-versa) be limited to % acre parcel sizes when such densities meet soils and slope capabilities, defined in the Hazards section. Lot coverage, bulk, and height provisions shall be revised so that new or intensified commercial development will be consistent with the present community character. **Policy 42**. The City shall adopt a land use plan emphasizing the need to "fill-in" vacant lands that are served by roads, water and sewer systems prior to expanding urban development into areas where such services are lacking or are inadequate, as shown in the "Existing Zoning Map". (Figure 14)	Policy to be Discontinued. **7. Overall Citywide Land-Use Policies And Programs**: **7.1.** The City shall encourage and allow new development in those areas of the city where adequate water and sewer facilities are available or where they will be guaranteed during the project review process and provided as a part of the development process. **7.2** The City shall adopt policies and programs in order to meet local public facility and infrastructure needs through exactions; dedications; impact, linkage, in-lieu, and development fees, and other techniques. These policies, programs, and fees shall be established in accordance with various provisions of the Government Code, including the State's AB 1600 legislation.		
No Policy	**7.3.** Coastal access shall be maintained, and coastal bluffs shall be protected from development and erosion. **7.4.** No new development shall be allowed within riparian vegetation as depicted on the Opportunities and Constraints Map, or within the Riparian Buffer Zone along Arena Creek, or elsewhere where mapped (on the Opportunities and Constraints Map), including, but not limited to: vegetation removal, grading, filling, soils or refuse dumping, or alteration of creek banks, without first obtaining appropriate permits. Biologic analyses of development plans affecting or likely to affect any creek shall be submitted for review and approval. Pre existing buildings and non-conforming uses within riparian corridors may continue as legally non conforming, but no additions that encroach closer to the stream or creek within said corridor shall be permitted, with the following exceptions: **a.** decks and porches provided that added areas do not exceed ten percent of the area of the existing structure, subject to securing a use permit; and **b**. accessory structures located at the City's waste water reclamation		

1980 LUP POLICIES	2006 GP/LCP POLICY	CONSISTENCY ISSUE(S)	NOTES
No Policy	facility situated entirely within the developed, fenced area. **7.5**. Important sensitive habitat areas shall be preserved. **7.6**. No development and no activity on any property, including site preparation work, earth moving and grading, shall be allowed to discharge harmful pollutants or untreated runoff into the waters at the Cove, or into any creek, or into the air. **7.7**. Comprehensive assessments of risks posed to the general public shall be required for any development proposal as part of CEQA-required environmental assessments, which assessments shall include but not be limited to analyses of noise sources, potential sources of pollutants, and potential risks associated with soils and seismic conditions.		
Planning and Locating Development: **Policy 44**. The City shall recognize the importance of protecting the public from physical hazards associated with poor soils and unstable slopes, and in protecting sensitive habitat areas from development impacts. Such policies shall be implemented by appropriate land use designations and rezoning to Open Space or Agriculture-Exclusive.	**7.8**. All developments in hazardous areas, and on severely constrained or unstable soils, shall be qualified as to the suitability of the site for the proposed development, pursuant to appropriate geological and soils engineering studies prior to approval to grade or develop any property public or private, and findings regarding the results of geologic and related investigations shall be made as per provisions of Section 6.08 of the Zoning Ordinance prior to the issuance of any permit.		
No Policy	**7.9**. All required qualifying investigations for grading, site preparation and development in hazardous and constrained areas shall be conducted by a registered geologist or professional civil engineer with expertise in soils or foundation engineering, or a certified engineering geologist, and mitigation measures identified in these studies shall be required as a condition of all land preparation and development approvals, as per Sections 5.15, 5.20, and 5.21 of the Zoning Ordinance.		
Diking, Dredging and Filling: **Policy 48**. The City shall prohibit diking, dredging and filling operations which may potentially impact streams, water and marine resources, and sensitive habitats. Necessary permits from the California Department of Fish and Game and Water Resources shall be required of all such projects. Any alteration of wetlands shall meet all provisions and mitigation requirements of the Coastal Act.	**7.10**. Within the limits of its jurisdiction the City shall prohibit diking, dredging and filling operations which may negatively impact streams, water and marine resources, and sensitive habitats. Necessary permits from the California department of Fish and Game and from the Water Resources Control Board shall be required on all such projects before any city permits are issued. Any alteration of wetlands shall meet all provisions and mitigation requirements of State planning laws, the California Coastal Act, the U.S. Army Corps of Engineers regulations, and federal and state statutes governing wetlands and the protection of endangered species.		

1980 LUP POLICIES	2006 GP/LCP POLICY	CONSISTENCY ISSUE(S)	NOTES
Agriculture: **Policy 25.** The City of Point Arena shall adopt an ordinance encouraging continued agricultural uses on lands which have the soils, acreage and water capability to sustain such operations. The City shall: **a**. Develop a contractual process allowing agriculturists to form agricultural preserves with a twenty acre minimum parcel size; encourage qualified lands to join existing preserves outside the City in accord with County procedures The County should be asked to cooperate in developing any new procedures that might be used to make this possible. **b.** Encourage the continuation of agricultural activity on lands which are hazardous by designating and zoning them for such uses. **c.** Permit uses compatible with agriculture to exist near the "outward edge" of the urban/rural boundary, i.e. very low density residential uses, camp grounds, parks, riding stables, non-commercial recreation, green house nurseries (constructed on non-permanent foundations) agriculture, etc.	**7.11**. Continuing agricultural uses of lands which have the soils, acreage and water capability to sustain such operations are encouraged but not required.		
No Policy	**7.12.** Individual mobile homes qualify as permissible single family dwellings, and are permitted by right in all residential zones except in the Multi Family Residential (MR) Zone. Mobile home parks or projects (two or more mobile homes on one parcel of land) may be permitted in the Highway Commercial (HWC) zone only, and are subject to securing a use permit and to the City's mobile home regulations. (Ordinance # 118)		
No Policy	**7.13.** New physical development shall be contained within the boundaries of the City limits of Point Arena. The city shall work with the County of Mendocino to promote continuing agricultural uses in county territory, and to prevent the intrusion of urban uses and rural residential developments into surrounding agricultural lands, except in accordance with presently allowable policies in the County General Plan and Zoning Code. **7.14**. Public views, viewsheds, view corridors, buildings of architectural and historical merit, existing topographic features, and existing important clusters of trees, shall be preserved and maintained. **7.15**. Lot splits or minor subdivisions (the subdivision of lots into		

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No Policy	four or less parcels) shall be subject to city approval and to the provisions of the city's Subdivision Ordinance and the State's Subdivision Map Act. **7.16**. Common Open Spaces are to be provided for in new residential developments in accordance with policies set forth in the Land Use and in the Open Space and Conservation elements of this General Plan, and in the Zoning Ordinance.		
No Policy	**7.17.** Approval of new subdivisions and developments shall also be subject to the provisions of the California Subdivision Map Act and city requirements for the dedication of land for streets, trails and pathways, parks and other public improvements, and shall be subject to the improvement and design standards of the City's subdivision and other development regulations.		
Planning and Locating New Development: **Policy 43.** The City shall adopt amendments to the zoning code to reduce existing unit/lot densities of the residential sections to 7500 square feet (single family) and 2900 square feet (multi family).	Policy to be Discontinued		
No Policy	**7.18**. An Architectural and Historic Preservation Element, an inventory of which has been prepared for the City by the State of California, shall be prepared and adopted as soon as possible. In the interim the Planning Commission or the Design Assistance Committee shall be responsible for implementing the requirements governing such assets in accordance with the provisions of Sections 5.15 and 5.16 of the Zoning Ordinance. **7.19**. Bed and breakfast inns are conditionally permitted uses in all residential areas/zones. **7.20.** Site and building designs shall comply with the requirements of Zoning Ordinance provisions governing signs, landscaping and screening, site preparation and development, and building design, and shall be subject to review and approval by the Design Assistance Committee, as provided in the Zoning Ordinance. **7.21.** A second dwelling unit ordinance shall be prepared and enacted into law in accordance with State planning law. Second dwelling units may be allowed by use permit on legally-conforming residential properties, for rental purposes only, where there is an existing single-family home, but only in accordance with State planning law. **7.22.** No signs shall be erected until in compliance with the signing		

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No Policy	regulations of the Zoning Ordinance and a permit first obtained. **7.23.** Home occupations shall be principally permitted uses in residential districts subject to securing a "Home Occupation Permit" and a city business license, and subject to meeting the performance standards for home occupations found in the Zoning Ordinance.		
Planning and Locating New Development: **Policy 47.** The City shall revise the A-E zone to provide a minimum lot size of 20 acres.	**7.24.** The maximum amount of prime agricultural land (see glossary for definition) shall be maintained in agricultural production; conflicts shall be minimized between agricultural and urban land uses; and lands suitable for agricultural use shall not be converted to non-agricultural uses unless continued or renewed agricultural use is not feasible. All actions undertaken by the City governing use and conversion of agricultural lands shall be governed by Sections 30241, 30241.5, 30242, and 30243 of the California Coastal Act.		
Policy 46. The City shall review lands north of Arena Cove that are zoned PF-U to establish the feasibility of retaining existing intensities of development scale, i.e. grazing and experimental wind data gathering for possible wind powered electrical generation. Conflicts of existing PF-U zoning with City service limitations shall be mitigated by amending the zoning code to permit these two existing uses to be retained on PF-u zoned sites. Approval of any additional development of PF-U zoned lands shall occur under the "Conditional Use" process. The existing PF-U designation shall be changed to AE (Agriculture Exclusive) with a U combining district.	Policy to be Discontinued		
No Policy	**7.25**. A system of coastal trails shall be ensured and coastal bluffs shall be protected by setbacks that meet the California coastal Commission's "Statewide Interpretive Guidelines for Geologic Stability of Blufftop Development." **7.26**. Visual corridors of the waterfront shall be protected and enhanced. **7.27.** Public access points to the coast and (linear) foot paths shall be incorporated into development plans. **7.28.** The scenic resources and attributes of lands adjacent to the waterfront shall be considered and protected as resources of public importance. **7.29.** Permitted development shall be sighted and designed to protect scenic views associated with Public Trust lands and resources.		
No Policy	**7.30**. The following Public Trust resource management policies of the State of California shall be adhered to:		

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No Policy	**a**. Fishing: Facilities serving recreational fishing shall be identified and shall be protected and where feasible upgraded. **b.** Scenic Resources: The scenic resources of public trust lands and resources shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect scenic views associated with public trust lands and resources. **c.** Recreation: Areas suited for water-oriented recreational activities, that cannot readily be provided on other lands, shall be protected for such uses unless such uses would interfere with an existing public trust use that has not or does not adversely affect the resource or result in negative impacts to public trust uses or values. The use of private lands, adjacent or integral to uses on public trust lands, suitable for recreational facilities designed to enhance public water-oriented recreation, shall have priority over private residential, general industrial or commercial development, but not over other appropriate public trust uses. **d**. Marinas and Recreational Boating: Allow new recreational, commercial and marina developments only to the extent that, based upon a carrying capacity study, no significant negative impacts to public trust values, human, ecological or water quality, will result. **e**. Public Access Provisions: Require public access to and along the shoreline in all new developments adjacent to such waterfronts consistent with statutory and constitutional requirements (Government Code Section 66478.1, et seq; Article X, Section 4 of the California Constitution; and Sections 6210.4 and 6210.5 of the Public Resources Code). A suggested public access plan would include the following provisions: -- dedication requirements to guarantee permanent access (e.g. dedication of fee, easement or deed restriction); -- a maintenance and operations plan specifying how accessways shall be maintained and operated and by what agencies; -- a priority acquisition element specifying the location of accessways for acquisition by in-lieu fees; and -- accessway standards consistent with state and federal law and state standards of agencies accepting jurisdiction for such accessways.		

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Recreation and Visitor Serving Facilities: **Policy 27.** The City shall amend zoning ordinance to provide adequate space for visitor serving facility development which meet the needs of Point Arena residents and tourists visiting the harbor. **Policy 28**. To respond to residents' expressed need for more "community" recreational facilities, i.e. parks, playing fields, expanded fishing and parking facilities at the wharf, the City shall adopt and implement subdivision ordinances requiring dedication of land and/or in-lieu fees for recreation land and facilities development.	Policy to be Discontinued Policy to be Discontinued		
No Policy	**7.31.** Adopt a Zoning Ordinance measure that requires development proposals to be planned in a manner to avoid removing trees, if feasible. At least two trees shall be planted for every one removed to accommodate development facilitated by the General Plan. Visually attractive native trees species, such as bishop pine and sargent cypress, shall be the preferred species used, as they require less water, herbicides, pesticides, and are valuable wildlife resources.		

ECONOMIC DEVELOPMENT ELEMENT POLICIES

4. Policies And Programs To Promote Economic Development: **4.1**. Encourage Retailing. Approve all reasonable retail use proposals for development and redevelopment Downtown, including mixed commercial and residential uses, as well as at the Cove, and along Highway 1, all according to the regulations set forth in the Land Use Element and subject to design review and applicable citywide zoning requirements governing off street parking, etc.		
4.2. Promote Housing. Allow for additional areas to be zoned higher density housing within and adjoining Downtown, and allow such housing to be combined with commercial activities, or to be developed as live work spaces and studios, provided residential neighborhoods are not negatively impacted, and adequate off street parking for all uses is provided. **4.3.** Develop the Cove to Its Full Potential. With due care not to destroy the beauty and natural integrity of the beach, shoreline, cove and wetlands, promote business development while also maximizing retention of the slopes and open spaces of the area. Discourage or prohibit activities or uses that can be readily accommodated in less scenic and fragile areas of the city. Support and enhance opportunities for commercial and recreational fishing; recreational boating, including boat mooring and launching; fish cleaning and processing; fish equipment sales; and other coastal and marine dependent activities as well as urchin harvesting and processing.		
4.4. Develop Tourist Facilities. Encourage development and expansion or upgrading of tourist facilities and opportunities in the core area, along Highway 1 and at the Cove, including bed and breakfast inns in residential areas by use permit.		

NEW ECONOMIC DEVELOPMENT ELEMENT POLICIES	CONSISTENCY ISSUE(S)	NOTES
4.5. Promote Small Business Development. Point Arena's setting and potential for small business development (non industrial) suggests that through zoning it is possible to accommodate modern small business and office uses within commercial areas or within multi family areas. Very small businesses may be accommodated in homes as home occupations, in live work spaces, in studios, and as commercial enterprises within commercial districts. In addition to accommodating such activities and uses, the City should positively promote the creation of such small businesses and the opportunities they present for job creation and increased municipal revenues.		
4.6. Attract Industry. Through the development of promotional literature industry can be positively attracted to locate in the city's designated industrial area. Design and publicize an illustrative package of development opportunities, including an illustrative list of desired industries, the availability of urban services, and components of the approval process.		
4.7. Obtain Funds for Infrastructure Expansion. Levy fair and equitable development fees for needed infrastructure in connection with new development; consider including a charge for maintaining existing infrastructure along with the ordinary monthly service charges; evaluate the need for and the City's ability to pay for capital improvements; and research the availability of state and federal funding sources, including Community Development Block Grants (CDBG).		
4.8. Beautify and Protect the Environment. Through the Design Assistance Committee encourage private improvements, perhaps as a unified effort for particular parts of town, and enforce the spirit and letter of the laws pertaining to screening, signing, landscaping, and site and building designs. Develop the city park as a pleasant place to congregate and as a play/recreation area for children, teens, and adults. Encourage private (perhaps joint) efforts at sidewalk and street cleaning, as well as public private Downtown tree planting and maintenance, and development of lanes and walkways.		
4.9. Promote Point Arena. There is a general perception that North Coast local governments and communities are anti growth and anti development. It is time to communicate a message closer to reality about Point Arena's goals. In connection with the publication of this General Plan the City should prepare an abstract of its main business encouraging and growth and development objectives and should advertise these through various channels. For example, include such information in Chamber of Commerce information bulletins; and circulate simple handouts throughout the county. Include factual information, lists and descriptions of recent developments, some facts about the local employment base, and about factors that distinguish and define Point Arena, especially in terms that will interest investors. Try for a modest bandwagon effect. Designate a promoter as an informed and sympathetic contact person to provide information to any potential investor.		

TRAFFIC AND CIRCULATION ELEMENT POLICIES

No Policy	**3. POLICIES AND PROGRAMS** **Policy 3.1. Traffic Safety Policies and Programs:** **3.1.1.** New streets to be considered for acceptance into the Point Arena street system shall conform to design standards appropriate to their functional classification. **3.1.2**. The segment of Port Road between Main Street and Iversen Avenue shall continue to be de emphasized as an access to Arena Cove. Adequate		

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No Policy	curbs, gutters, and sidewalks shall be completed along the north side of Port Road between Main Street and the intersection with Iverson Avenue to allow safe pedestrian passage during rainy weather. **3.1.3.** The city shall resolve traffic and safety impacts of development at Arena Cove, and along Iversen/Port roads. Of immediate concern is the junction of Iversen at Main Street. Safety and operational characteristics of this intersection shall be identified and problems mitigated prior to approval of new developments. **3.1.4.** The city shall investigate methods of improving sight distances at intersections. Possible solutions may include: trimming or removing weeds and shrubbery , or limbs; relocating signs or other obstructions; removing on street parking near intersections; prohibiting large vehicle parking near intersections; and adjusting traffic control devices to provide better views. **3.1.5.** Curbs and gutters should be installed on existing streets which are built on steep topography where traffic safety would be improved by doing so. **3.1.6.** Through traffic should be diverted from local streets insofar as possible. **3.1.7.** New development in areas that create parcels of one half acre and smaller shall be required to provide adequate curbs, gutters and sidewalks.		
Public Works: **Policy 21.** Public Parking: The City shall evaluate existing off-street parking facilities to determine future parking needs, should land owners decide to develop lots currently used for parking. Priorities shall be defined and included within the Capital Improvement Plan. Emphasis of a "parking needs evaluation" shall be directed to off-street parking needs associated with coastal recreational uses.	**Policy 3.2. Parking Policies and Programs:** **3.2.1.** The city shall ensure adequacy of off-street parking and compliance with city requirements and accepted standards prior to approval of new developments. Where off-street parking cannot be provided in accordance with Section 5.28 of the Zoning Ordinance, the city shall continue to apply its "fees in-lieu" requirements.		
Shoreline Access: **Policy 2.** "The City shall seek funds to initiate a wharf access and parking sign program. Directional signs, preferably comprised of natural materials, shall be placed at both City entrances on Route #1 and at Port and Iverson Roads indicating the wharf location from Main Street. Funds for this purpose may be sought from Coastal Conservancy, local service clubs and the County Chamber of Commerce."	**Policy 3.2. Parking Policies and Programs:** **3.2.2.** The city shall encourage joint use of parking facilities where it can be shown that such uses do not conflict in time of use, are functionally and conveniently located, provide for safe use, and provide sufficient parking for all uses. **3.2.3.** The city should pursue acquisition and development of off-street parking lots and facilities. The feasibility of a parking district Downtown should be investigated, and if feasible implemented as a high priority. **3.2.4.** Alleys should be developed east (Center Street) and west of Main Street to permit service access to Main Street businesses by trucks. Availability of service alleys would eliminate some of the need for double parking on Main Street.		

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	3.2.5. The city shall not install parking meters. **3.2.6.** The City shall designate a two hour parking limit Monday-Friday, 8 a.m.-6 p.m., in the Downtown area along Main Street, from the area of the Post Office to the Shell Station on the west side of the street, and from Riverside Drive to Mill Street on the east side.		
No Policy	**3.3. Street Capacity Policies and Programs:** **3.3.1**. Level of Service (LOS) B, as defined in the Glossary, is the desired standard for the Point Arena Street system, and all new Local and Collector streets shall be designed to operate at that level. **3.3.2.** City streets shall be classified according to function, as follows: … Local Streets shall be low speed, low volume facilities which are used primarily to access property. Lake Street, Scott Place, Mill Street, Starboard Way, Center Street, Port Street (east of Iversen), and Gillmore Alley, serve these local functions. Collector Streets shall be moderate speed, low to medium volume facilities which serve to collect traffic from local streets and distribute to the arterial system. Collector streets also provide for direct property access, but their role of serving traffic is equally important. Riverside Drive, Windy Hollow Drive, Iversen Avenue, and Port Road west of Iversen are streets which serve as collectors. Arterial Streets are designed to move traffic efficiently. Property access is de-emphasized, whereas traffic movement is emphasized. In larger communities a complete system of arterials would link a collector system to local streets. In Point Arena only State Route 1 functions as an arterial. Downtown, Highway 1 functions equally as a collector as it assumes the role of Main Street. **3.3.3**. Existing collector streets or intersections which operate below Level of Service (LOS) B may continue to operate at the lower level. New development shall not cause collector streets to degrade to a lower level of service. **3.3.4.** The City shall have the right to review and approve internal circulation plans for all new developments. **3.3.5**. All new private streets shall meet minimum city standards. **3.3.6.** Traffic studies shall be required for all major development proposals … Traffic studies shall identify, as a minimum: (a) the amount of traffic to be added to the system by the proposed development (b) other known planned projects and their effects on the street system		

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	(c) the effect of project traffic on street system operations and safety (d) mitigation measures necessary to provide for project traffic while maintaining city level of service standards (e) the responsibility of the developer to provide improvements (f) the timing of all improvements.		
Public Works: **Policy 21**. Streets and Roads: The City shall adopt a capital improvement program establishing priorities for public works improvements Such priorities shall emphasize extension and/or improvement of roads, water distribution and sewer service to coastal dependent recreation and commercial uses. Federal and/or State funding assistance programs, applicable to specific areas of public works priorities, should be defined for budgetary and application purposes. Public roads serving the coast from State Route #1 shall hold the highest priority for improvement purposes. Priorities in the Capital Improvement Program should be defined. The City shall: **a.** Develop plans to establish a secondary north-south access generally parallel to Main Street (Route #1) **b**. Cut-off Road, which intersects Port Road 1/2 mile east of Arena Cove shall be assessed for feasibility as an emergency access to the wharf.	**3.4. Street Network Completion Policies and Programs:** **3.4.1**. Development of a north south collector street between Port Road and State Route 1, and development of an alternative access road to Arena Cove from Highway 1 north should be pursued if technically and financially feasible. **3.4.2**. The city should pursue abandonment of Gillmore Alley and develop a new street between Iversen Avenue and Port Road. The preferred alignment would improve internal circulation in this area of town, provide a direct access to high density units on Port Street, eliminate the poorly located Iversen/Gillmore Alley intersection, and maintain the residential character of the neighborhood. **3.4.3**. Port Road is very narrow and should be widened from the intersection of Port Road and Iversen westward, and the junction at State Route 1 should be improved immediately. **3.4.4**. "Devil's Cutoff" and/or "Harper Easement" should be improved sufficiently to allow emergency access to and from Arena Cove. **3.4.5**. New street networks shall avoid grid patterns. Optimum use of Tee intersections shall be employed in the design of local streets to discourage through traffic, control speeds, and minimize the need for traffic control devices. **3.4.6**. Collector streets in new subdivisions shall be designed to limit tangent (straight) sections to one eighth mile unless longer tangents are needed to integrate the collector into the city street system. **3.4.7**. Through traffic should be diverted to collectors off of residential streets. **3.4.8**. Standards for street rights of way, paved widths, and improvements in new subdivisions should be consistent with the goal of maintaining the city's small town rural character and should result in minimum grading of existing land forms where feasible. (Also see # 7 under "Traffic Safety Policies and Programs" above). **3.4.9.** Highway 1 leading north and south out of Point Arena, Riverside Drive and Windy Hollow Road should be designated as the only available evacuation routes in case of an emergency. **3.4.10**. The City recognizes the eventual need for a Highway 1 bypass route to replace the present in-town state route location.		

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No Policy No Policy	**3.5. Non-Motorized Transportation Policies and Programs:** **3.5.1**. The City shall as a condition of land subdivisions and development require the dedication of land for the development of public pathways and trails where appropriate. **3.5.2**. Accommodations for bikeways shall be considered in all new developments and on all new collector and arterial streets unless right of way or physical constraints preclude their inclusion. **3.5.3.** The city shall pursue Transportation Development Act funds, Proposition 116 funds, and other sources of funding which may be available to implement the city's bikeway, trail and pathway system. **3.5.4**. Improvement of a pedestrian walkway within the right of way along Port Road/Iversen Avenue to and from the Cove should receive initial priority attention. **3.5.5**. The City shall develop all existing city trail/pedestrian easements as permanent and safe trails or pathways and shall develop all existing, undeveloped city road easements, initially, as safe trails or pathways. **3.5.6**. The City shall require an offer to dedicate a twenty five (25) foot wide easement along all trails designated for access to the shoreline and to trails along the blufftop to provide lateral access as a condition of approval for any development that will require a Coastal Development Permit. These easements shall take effect when a public or private party accepts the responsibility for improvement and maintenance of the access easement. (See Zoning Ordinance for authority and specific requirements). **3.5.7**. Trails and trail easements shall include but not be limited to those depicted on the "Opportunities and Constraints Map."		
No Policy	**3.6. Public Transportation Policies and Programs:** **3.6.1**. Bus service should continue to be provided to and from Point Arena for all those dependent upon public transportation. **3.6.2**. The South Coast Senior's Van Service should continue to be supported. **3.6.3**. The City should support and seek assistance from county, state and federal agencies in order to preserve and enhance public transit for use by area citizens.		
No Policy	**3.7. Policies and Programs for Circulation System Aesthetics:** **3.7.1.** The City shall ensure that design standards for roadways, pathways and trails also emphasize and include (a) landscaping and screening; (b) street tree planting; and (c) continuing maintenance. Where trees must be removed to accommodate essential improvements they should be replaced, and earthmoving operations and road cuts should be followed with reseeding and re-vegetation programs.		

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No Policy	**3.7.2.** The City will establish an underground committee with representation from the City Council, the utilities and the community. This committee will develop a prioritized list of underground districts to be established by the City. Rule 20 funds will be used to underground the existing facilities within these districts. **3.7.3**. In no case shall off site advertising signs and billboards be permitted, except that directional signs shall be installed by the city as necessary to properly identify the Cove and other significant features. The City should install, or cause to be installed, a business/services directory sign at the north and south ends of town facing Highway 1. **3.7.4**. Building setback standards or lines shall be established along major public rights of way to assure that building placement is compatible with the preservation of scenic values and viewsheds. **3.7.5.** All off street parking lots shall be dust free and landscaped and screened to the satisfaction of the City's Design Assistance Committee or the Planning Commission.		

OPEN SPACE AND CONSERVATION ELEMENT POLICIES

Marine Resources/Sensitive Habitats: **Policy 9.** Point Arena land uses shall reflect policies established for Point Arena Creek. The City shall provide that: **a.** No development shall be allowed to discharge harmful pollutants to the waters of the Cove, i.e. dumping of fuels.	**5. Open Space And Conservation Policies:** **5.1.** 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. **5.2.** To prevent non agricultural activities from being developed in county agriculturally zoned areas adjoining and nearby Point Arena, the City and Mendocino County should cooperate in preserving the integrity of the County's land use plan for these county territories. **5.3**. Every effort should be made to enhance wildlife habitats and maintain wildlife travel corridors along waterways and within riparian corridors, within the city and its environs. **5.4**. The City shall protect the non developed flat areas of Arena Cove as a flood basin, wildlife habitat, and critical link in the Arena Creek life chain insofar as possible given the objective of enhancing the area's economic development potential. **5.5.** The City recognizes the marine resources and seashore habitats of the area, which include the kelp beds as important feeding and breeding places for the myriad of organisms inhabiting coastal waters, and shall strive to		

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No Policy	protect these resources. **5.6.** The City shall protect water resources and quality, both of which are vital to the health of the city's residents and important to the area's ecology, and shall allow no discharging of harmful pollutants into any waterway. **5.7**. The City shall strive to reduce the likelihood of sediment entering waterways as a result of working the land or developing it. **5.8.** No uses or development shall be allowed within the riparian corridor of any stream or creek except those which can be found to be compatible with protection of said waterways, such as agriculture, grazing, hiking and related recreation. 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. **5.9.** The City recognizes that the main values of Arena Creek are its aesthetic qualities, its potential as a trail site, its natural habitats, and its contribution to the biology of the waters of Arena Cove. **5.10**. The City shall strive to stabilize where necessary the banks of Arena Creek and ensure a continuous strip of native vegetation along the creek, through direct city actions and by regulating private developments. **5.11.** Keeping waterways in their natural state, rather than allowing them to be concrete lined or placed underground, shall be achieved during the development process. **5.12.** New development should be required to: (a) avoid creating concentrated runoff, particularly over steep slopes and bluff faces, by installing energy dissipating devices, (b) create drainage swales, detention, and retention basins, (c) control the timing and manner of new construction so that there are no bare soil slopes during the rainy season, etc.		
Marine Resources/Sensitive Habitats: **Policy 6.** Coordinated planning effort should involve establishing "buffer areas" of at least 150 feet from the outer edge, of riparian vegetation and marshes, on stream banks. Such buffers should protect streams and associated wetlands from encroachment of agriculture, timber harvesting, urban development, roads/trails and other incompatible uses.	**5.13.** Riparian buffer areas shall be maintained to preserve and protect the valuable wildlife habitats provided by riparian areas (riparian corridors) along streams and creeks shown on the official General Plan maps. Uses and use restrictions pertaining to riparian buffers shall be regulated by Sections 5.22 and 5.23 of the Zoning Ordinance, and pre-existing non-conforming uses and structures may be permitted.		
No Policy	**5.14**. Since the Point Arena Mountain Beaver was listed as an endangered species on December 12, 1991, with beaver habitat potentially located along Point Arena Creek, the City shall establish a 500 feet riparian setback area ("Mountain Beaver Buffer Area") from the centerline of the stream as		

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	recommended by the United States Fish and Wildlife Service (USFWS). In addition, fences are prohibited within 15 feet of the center line to allow for wildlife migration along the travel corridor. Disturbance of the streambed is prohibited. Through zoning and subdivision regulations, the City shall restrict development in areas which contain identified rare or endangered species of plants and animals, including the Point Arena Mountain Beaver. **5.15**. The City may require the establishment of conservation easements along streams, or require dedications of easements at the time of development. **5.16**. The City shall ensure that new development proposals include provisions for public parks and/or recreation facilities, the need for which must be found to be generated by the new development and intended to serve the development, and may be open to the public. **5.17**. The City recognizes the need for recreational and cultural opportunities in response to a diverse population, and shall strive to meet these needs; these may include but not be limited to habitat restoration projects; community gardens; athletic fields; picnic areas; specially designed areas for seniors and for teenagers; multi use public parks, and tot lots; and joint use of city lands/facilities and school lands/facilities. **5.18**. The City shall consider the merits of a citywide assessment district in order to maintain parks and recreation facilities. **5.19**. The City shall encourage new residential developments of any size to provide their own recreation facilities and common ownership open spaces in order to meet all or a portion of the open space and recreation needs that will be generated by the new development. **5.20**. The City shall require that developers give consideration to the impacts on wildlife and the natural landscape of their development plans, and consider the use of native plant species that provide wildlife cover and food sources while also requiring low maintenance and low water usage. **5.21**. The City shall maintain Arena Cove as an integral part of the City; all specific policies must reflect the notion that the Cove must not become a separate entity, and that it should continue to be part of, and an enhancement to, the entire city. **5.22**. The City shall analyze proposed property developments on the crest of hills and bluffs, and in canyons, in relation to views potentially lost, in order to preserve important view corridors and viewsheds, scenic roadways, gateways to the city, and the integrity and merits of existing land forms.		
No Policy	**5.23.** Five view sheds and scenic corridors are depicted on the Opportunities and Constraints Map and shall be protected from		

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No Policy	inappropriate developments and siting of buildings; significant unavoidable alterations to view sheds and scenic corridors shall require mitigations that may be caused by such new developments. These viewsheds/view corridors are: to the south from School Street; along Windy Hollow Road; along and from Riverside Drive; along Port Road; at Arena Cove. **5.24.** No building should be situated closer to a cliff edge along an ocean bluff than is absolutely safe, normally not closer than 100 feet.		
Visual Resources: **Policy 35**. School Street (South): Develop a special building setback criteria for the south side of School Street of 100-150 feet. Such a long lot configuration would tend to reduce building elevations as seen from School Street, thus preserving some of the "open" perspective of lands immediately south of School Street and preserve the background view of the terrace adjacent to Point Arena Creek. **Policy 36**. Windy Hollow Road (North): This corridor is generally within a "very low density" development area; lands east of the road are prescribed for agricultural/grazing uses and are outside t}ie. "Urban Boundary" as depicted on the Agriculture Map. Existing and proposed land use policies which designate the area for agricultural uses will act to preserve this scenic corridor. **Policy 37**. Riverside Drive (East): As with Windy Hollow Road, most of the scenic corridor within the City's jurisdiction is designated for agricultural land uses. **Policy 38**. Port Road (West): The existing open, rural drive from town to the wharf shall be protected by establishing special set back criteria pursuant to planned development (PD) zoning of lands adjacent the north side of the Road (see Location of New Development); and by protecting the Point Arena Creek and adjacent bluff areas with agricultural and/ or open-space zoning. Such zoning is appropriate for the lands south of Port Road due to sensitivity of the Creek to impacts posed by development and the hazards posed to urban development by bluffs (see	Policy to be Discontinued Policy to be Discontinued Policy to be Discontinued Policy to be Discontinued		

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Hazards). Hazards and/or development constraints, together with existing grazing uses dictate this assignment outside the Urban Boundary. **Policy 39.** The Wharf (Coastal): While the wharf area provides scenic views of the north/south bluffs and coastline, existing and new development at the wharf shall conform to design standards which enhance the function as well as the aesthetics of the complex. The wharf area is privately owned and operated; however, the City shall assign zoning and development criteria to the area which would require future coastal dependent development to implement architectural and landscaping programs which complement the uses visually. The City should implement such development aesthetics as part of Phase III of the LCP process. Other policies which should be adopted by the City to respond to residents' concern expressed in the survey are: **a.** Adoption of a Capital Improvement Program should' establish a fund to provide for purchase, planting and maintenance of street trees for existing commercial and residential areas. **b**. Development of a comprehensive street tree and landscape program for application to new development, with implementation by developers as conditions for approval. **c**. Adoption of an "in-lieu" fee ordinance requiring large subdivision projects to pay "per unit" fees to off-set costs of park acquisition and/or maintenance. **d**. Develop a comprehensive advertising signing program to keep off-site, free-standing signing in visual scale reflective of the community and which do not obstruct or "clutter" important scenic areas of the City. **e**. The City shall establish an architectural review committee to conduct a comprehensive survey of buildings which are unique in the City and which may be worthy of protective treatment in Phase III of the LCP process.	Policy to be Discontinued		

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No Policy No Policy	**5.25**. If a determination is made that any lands at the Cove are "wetlands" as defined by federal or state statutes, the City shall be obliged to advise affected property owners that they shall be required to obtain the appropriate federal and/or state permits, as well as a Coastal Development Permit, prior to undertaking any earth moving, diking, dredging, land alterations, re-vegetation, fill or other development activity, and that they shall comply with Sections 5.23 and 5.27 of the City's Zoning Ordinance regarding required mitigation measures. Furthermore, the marine environment of Point Arena shall be governed by Coastal Act Policies, particularly Section 30233, which shall hereby be incorporated into this document by reference.		
Marine Resources/Sensitive Habitats: **Policy 7**. Emphasis of policy in Marine Resources/Sensitive Habitat planning should be directed toward maintaining and enhancing fishery resources in the Garcia River. All impoundments and/or diversions of water should be done in strict compliance to State Department of Fish and Game requirements to assure adequate water quality and quantity.	**5.26.** There shall be no off shore uses which could affect the integrity of the kelp beds and off shore fisheries. **5.27.** The City shall participate with other agencies in (a) maintaining the Garcia River's water availability and water quality for domestic water purposes, (b) protecting the micro organisms which serve as the basis for the river's food chain, and thereby maintaining the viability of commercial and recreational fishing, and (c) protecting the river from unwarranted impounding, diversions, vegetation removal, grading, refuse dumping, or alteration. **5.28**. On shore facilities within the limits of Point Arena which support off shore oil and gas exploration and development shall be prohibited, except upon a positive vote of the electorate. (City Ordinance # 124).		
No Policy	**5.29.** As a condition of approval for any development the landowner shall offer to dedicate a strip of land for public access in the form of a twenty-five (25) foot easement along any trail depicted on the official General Plan maps or Zoning Map, in accordance with Section 5.10 of the Zoning Ordinance **5.30.** The City will develop and maintain an "open space parcel list within the City." **5.31**. New utility easements (if any) should be integrated into the city's open space system.		

COMMUNITY HEALTH AND SAFETY ELEMENT POLICIES

Hazards: **Policy 14**. Geologic Hazards (Seismic): Due to the proximity of the San Andreas fault to the City, seismic hazards should generally be considered major. Therefore, in the land use planning process, the City should attempt to qualify relative levels of seismic risk posed to various portions of the LCP planning area. It should ,be noted that hazards discussed under the non-seismic portion of this section, identify areas of hazard under "static", or normal, conditions only. These areas, when subjected to seismic loading offer an increased - yet unquantified risk particularly from land slippage on steeper slopes. Land slippage and/or lurch cracking of soil by major earthquake activity on the San Andreas fault poses the largest risk category to the City. Extension of roads and utilities across seismically reactive soils and/or faults can lead to hazardous "post emergency" conditions for development - even if such development is located in relatively "safe" areas. **a**. The City shall endeavor to quantify seismic hazards associated with the Hathaway Creek fault within the City. **b**. The City shall endeavor to have a comprehensive seismic study prepared by a registered engineering geologist to establish specific hazard levels for all critical structures within the City, i.e. schools, public assembly buildings and wharf fuel storage area. **c**. The City shall amend its General Plan to indicate hazardous and/or unquantified risk areas for future assessment; and require quantification of such areas as conditions for approval of development projects.	**3.1. Seismic Safety Policies and Programs:** **3.1.1**. The city shall undertake studies that establish acceptable levels of risk/safety standards, and shall cause existing buildings to be brought up to those standards. **3.1.2**. The City shall require dynamic ground-motion analyses and responsive structural design for all new privately owned, high-occupancy structures (e.g., theaters, apartment houses, places of public assembly) and for structures for whose continued function in the event of a seismic disaster is critical (for example, public assembly buildings), and have plan checks for these buildings performed by a licensed structural engineer. The City shall also continue to invoke Sections 5.20 and 5.21 of the Zoning Ordinance in connection with all new proposed developments. **3.1.3**. The City shall avoid placement of critical facilities and habitable structures in areas prone to ground failure during an earthquake. **3.1.4**. The City shall prepare a more detailed Seismic Safety sub element that translates general plan seismic safety policies into specific programs, mitigation measures, and specifications largely with respect to potentially seismically hazardous buildings constructed prior to enactment of codes requiring earthquake resistant design. **3.1.5**. The City shall determine the location and map the Hathaway Creek Fault and require site specific qualifying engineering studies for all new construction within the fault zone.		
Hazards: **Policy 16**. Flood Hazards: With the exception of the wharf parking area and the western section of Port Road discussed earlier in this section, flooding hazards are negligible in the City. The following recommended policies are directed to protecting the mobile homes located between Port Road and Point Arena-Creek.	**3.2. Flood Hazard Policies and Programs:** **3.2.1**. The City shall maintain an updated flood control plan. It should address issues such as (a) natural flooding resulting from major rain storms that cause overflows of Arena Creek and may be aggravated by the City's inadequate storm drainage facilities, (b) mud and debris flows that may originate in hill areas having deep top soils with poor drainage characteristics, and (c) improvements in drainage systems sufficient to		

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a. The City shall adopt an ordinance prohibiting development, other than for open space or low intensity recreational uses, in areas where flooding occurs. This can be achieved by incorporating "flood plain" (F-P) zoning to the susceptible area along Point Arena Creek. • **b**. In that the mobile home/R.V. park is a valuable recreational and existing residential area located on private land, the City shall coordinate efforts between the land owner and the Office of Emergency Services and/or Corps of Engineers to develop a flood protection program for the Creek. Such a program should incorporate raising the floors of affected mobile homes with piers, coupled with establishing a permanent protective barrier around the southern perimeter of those mobile homes affected by flooding from Point Arena Creek.	handle increases in storm drainage capacity as development increases. **3.2.2**. The City shall regulate land uses in flood prone areas and should allow development within such areas only when appropriate mitigation measures that reduce potential hazards to acceptable levels are assured. **3.2.3**. The City shall establish standards to mitigate downstream impacts associated with new development. **3.2.4**. Drainage channels shall be improved or maintained so as to preserve the natural character of waterways. **3.2.5**. The City shall continue to be guided by the Federal Emergency Management Agency (FEMA) and/or the Federal Insurance Administration with respect to "special flood hazards" identified in the scientific and engineering report entitled "Flood Insurance Study for Point Arena" dated June 3, 1986 together with the accompanying "Flood Insurance Rate Map". **3.2.6**. No structure on land shall be located, constructed, extended, converted, or altered without full compliance with the terms of the City's Flood Damage Prevention Ordinance (Ordinance # 126) and without first obtaining a development permit as per Section 4.1 of said ordinance.		
Hazards: **Policy 11**. Geological/Soils Hazards (Non-Seismic): Coastal bluff areas shall not be designated for residential development. Areas which are proposed for development shall be protected by setbacks as recommended in Figure 5. All qualifying investigations for development shall be conducted by an engineering geologist or a civil engineer qualified in soils engineering, and mitigation measures identified in these studies shall be required as a condition of all development. **Policy 12**. Soils which offer severe physical limitations for urban land uses shall not be designated for such uses. The City of Point Arena shall require soils leaching and bearing capability tests within soils hazard areas prior to approval of development projects in the latter areas. Soils hazard area studies shall be completed by a registered civil engineer qualified in soils engineering to develop mitigation measures on specific development projects and mitigation measures identified in these studies shall be required as a condition of all development. **Policy 13**. Development of soils which are generally	**3.3. Slope Stability Policies and Programs:** **3.3.1**. The City shall continue to require soil and geologic investigations as required in Sections 5.20 and 5.21 of the City's Zoning Ordinance prior to the commencement of grading or development. Both on-site and off-site hazardous impacts should be considered.		

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constrained for urban uses shall be located on the most stable portions of parcels. This shall include "clustering" of structures and/or utilities and roads where necessary to avoid risks to public safety. **Planning and Locating New Development:** **Policy 45**. The City shall require all future development in hazardous or severely constrained soils to be qualified pursuant to appropriate geological and soils engineering studies prior to approval of requests.			
No Policy	**3.3.2.** Development shall not be permitted until necessary mitigation measures are implemented to limit potential damage to levels of acceptable risk. **3.3.3**. The City will encourage clustering of developments away from areas unsuitable for development because of slope instability problems. **3.3.4**. Replanting of vegetation following development may be required on slopes prone to instability, and drought resistive plants shall be used for landscaping slopes where excessive watering might induce landslides or erosion.		
Hazards: **Policy 15**. Fire Hazards: Fire hazards in the City are defined as moderate, but the lack of a comprehensive disaster plan - particularly in the Arena Cove area - constitutes a major risk to public safety. Furthermore, citizens surveyed during the preparation of this document have shown interest in increasing the overall fire control effectiveness of the Point Arena Fire Department. Accordingly, the City shall endeavor to assure that the following actions be implemented as a matter of policy; utilizing appropriate ordinances and/ or plans: **a.** Develop a comprehensive civil disaster plan for all areas of the City. Such a plan shall contain provisions for secondary access (from the ocean if necessary) to the wharf complex. Areas east of the wharf, in the central portions of the City, shall be served with a secondary north-south emergency access; and finally, the plan shall establish a program for area-wide evacuation and emergency assistance and/or receiving stations. **b**. Develop a plan for upgrading the general fire insurance rating of "8" currently assigned to the City	**3.4. Fire Protection Policies and Programs:** **3.4.1**. Potential fire hazards, including existing fire vulnerable buildings, shall be mitigated where appropriate, through proper fire protection methods and fire fighting practices, by clearing vacant land of excessive vegetation, and by updating fire protection regulations for new construction and remodeled buildings. **3.4.2**. The City shall strive to assure a five minute response time for emergency vehicles, and to improve the ISO rating to "7" overall. **3.4.3**. An adequate and safe supply of water to meet fire fighting needs shall be ensured. The City should allow new development only in areas where adequate water pressure for fire suppression is available. **3.4.4**. The City shall establish a program to upgrade fire fighting vehicles, equipment and storage facilities. **3.4.5**. The City should consider establishing a fire control assessment district and/or a focused development impact fee policy and schedule to carry out its upgrade program. **3.4.6**. Woodstoves and fireplaces in buildings with common walls should be prohibited or potential risks satisfactorily mitigated. **3.4.7**. The City should ensure that all new wood stove installations or replacements meet prevailing and current State requirements. **3.4.8**. Roads and streets shall be designed and constructed to satisfy up to date Fire Safety Regulations of the State Board of Forestry, where	No change	

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in response to concerns of residents surveyed during the LCP work program. The objective can be realized by expanding the number and quality of hydrants in the City, increasing the fire department's personnel and/or equipment and reducing the night response time (currently 8-10 minutes) within the City.	applicable. **3.4.9**. The City should require maintenance of a 500 gallon per minute fire flow standard in all existing and future city fire hydrants, with higher pressure standards to apply in higher density and industrial areas. **3.4.10**. The City should require all new building and remodeling plans to be in conformance with applicable building and fire code standards. Prior to commencement of grading or construction, plans shall be submitted for approval to the City of Point Arena. **3.4.11**. The City shall evaluate the feasibility of expanding the existing fire station or a acquiring a new fire station that would facilitate the housing of additional fire fighting equipment and personnel.		
No Policy	**3.5. Police Protection Policies and Programs:** The City should maintain and periodically renegotiate contractual arrangements with the Mendocino County Sheriff's Department to ensure that a satisfactory level of traffic enforcement and general law enforcement is provided to the City, its residents, and visitors. The City should work to provide a sufficient level of police service to maintain a minimum 20-minute response time to emergency calls.		
No Policy	**4. Air Quality Policies And Programs:** **4.1**. Development which would result in the violation of any State ambient air quality standard or generate a significant amount of air pollutants will not be permitted. **4.2**. The City shall ensure that all new wood stove installations or replacements meet clean air standards (EPA Phase 2 requirements), except that wood stoves and fireplaces in high density low inversion residential areas may not be approved if the effect is to contribute to a reduction of air quality. **4.3**. The City will prohibit the burning of non-vegetative materials, garbage, clothes, plastics, and construction or demolition wastes. **4.4**. The City will require that new and upgraded/modified industrial and commercial developments utilize BMP (Best Management Practices) for pollution control. **4.5**. To mitigate local and regional impacts due to dust and emissions from construction activities, and to prevent fugitive dust from being transported off site, a "construction dust control policy" should be adopted and implemented. The following measures shall be considered when adopting a construction dust policy: **a**. Areas of soil redistribution shall be watered down twice daily or as necessary to trap fugitive dust and particulate during construction until plants, grass growth, or building coverage reduce the need for		

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	such measures. **b.** If water is limited, soil binders such as soil cement may be spread in conjunction with watering, or sheet coverings such as burlap may be used on small areas. Areas with soil binders shall be turned over prior to re-vegetation. **c**. During periods of excessive wind speeds, construction shall be temporarily suspended. **d**. Disturbed areas shall be re-vegetated or paved as soon as possible to reduce dust during construction activities.		
No Policy	**5. Air Quality Policies, per County Of Mendocino Air Quality Management District:** **5.1**. The City shall require all air quality mitigation measures to be reasonable, effective, feasible, measurable, and implementable concurrent with project development. **5.2.** In the short-term planning period, the City shall support the development and use of Air Quality Impact Assessment Guidelines that will provide: A) standard criteria for determining significant environmental effects, B) a uniform method of calculating project emissions, C) a list of standard mitigation measures. **5.3**. The City shall consult with the Air Quality Management District during CEQA review for all discretionary projects. The City shall consult with the Air Quality Management District prior to accepting applications for development projects meeting or exceeding Air Quality Management District emissions thresholds, and other projects as appropriate. **5.4**. The City shall request Caltrans and other transportation agencies to construct or improve facilities for all travel modes on Highway 1. **5.5**. The City shall support and participate in the air quality education programs of the Air Quality Management District. **5.6.** The City shall support agricultural education programs that increase the awareness among farmers of techniques to reduce PM-10 emissions. **5.7**. The City shall require measures to reduce particulate emissions from road and site construction, grading, and demolition to the maximum extent feasible. Developers must cover all access roads, driveways, and parking areas with pavement or other appropriate material serving new commercial and industrial development. **5.8**. In consultation with the Air Quality Management District, the City shall develop a program to reduce PM-10 emissions from City and County maintained roads within the planning area. **5.9.** The City shall work with Caltrans, Mendocino Council of		

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	Governments, and other local agencies or institutions to develop programs that reduce the impact of automobile commuting. **5.10**. The City shall, through the development process, reduce air quality impacts resulting from space heating. The City shall require primary heat sources in all new development, room additions, or remodels involving space heating to utilize solar, pellet stoves, propane, butane, fuel oil, vented kerosene heaters or electricity. The City may restrict or prohibit installation of wood burning appliances in new development, especially in multi-family rental units. **5.11**. Little air monitoring is available for the coastal area near Point Arena. Conducting regular monitoring of Respirable Particulate Matter (PM10) and other ambient air pollutants such as ozone will help ensure that air quality remains good, and provide immediate notice if unhealthful conditions occur.		
Public Works: **Policy 24.** Water Distribution: The City shall coordinate water service extension with the Point Arena Water Works. Such policy shall reflect an objective of extending water lines to "fill-in" areas of the City, within the service area of the water supplier. Due to the near proximity of the City's Garcia River well to the Garcia River fault, the City shall assess the seismic risk the fault poses to the well, pumps and the 8" main which extends from the water source to the City and shall develop an emergency contingency plan in cooperation with the County of Mendocino.	**6. Water Supply And Water Quality Policies And Programs:** **6.1**. The City will continue to work with the PAWW ownership to ensure that maintenance of the Garcia River's water quality and water supply for domestic purposes is guaranteed and meets State standards for operation and testing. **6.2**. The city and PAWW will maintain an updated water service plan to incorporate the changing needs of the city, and to consider the impacts of drought or peak fire fighting demand. **6.3**. Care shall be taken to ensure that the quality of the city's ground water supply is maintained. This can be assured by limiting or prohibiting private septic tanks. **6.4.** The City shall consider, as a long range possibility, the merits of purchasing, operating and maintaining the existing water supply system. In the interim, the City should complete or cause to be completed a satisfactory capacity study of the current water system, to include data on system capacity (pumps, filters, storage capacity, delivery system) and source capacity. Included should be studies of the capacity of the Garcia River in drought year conditions. **6.5**. Extension of the water system and new hookups should be permitted within the urban limit line, and hookups of new developments on lots smaller than one acre shall be required. **6.6.** The City should monitor land use activities and development projects within the Garcia River watershed and oppose those activities and projects that may have an adverse effect on the city's water supply or quality.		

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	6.7. The State Board of Forestry should be asked to notify the City of any timber harvesting plans submitted within the watershed, with full consideration to be given to possible impacts on the watershed of practices that might increase turbidity, runoff, and debris. **6.8.** Due to the proximity of the water system's Garcia River well to a known fault zone, the City shall assess the seismic risk the fault poses to the well, pumps, and the eight inch main which extends from the water source to the city, and shall develop an emergency contingency plan in cooperation with the County of Mendocino. **6.9.** The City shall request from the PAWW a yearly assessment of the condition of the city's water system in general and a report on any circumstances or conditions that would limit water connections in any area or zone for any reason. **6.10**. New construction shall provide water conservation measures, and water conservation shall be encouraged for all new development. Water conservation measures shall include low flow water faucets, showerheads, and toilets for all new construction. **6.11**. New developments shall be encouraged to use native plant species that are more drought resistant for landscaping. New commercial development shall be required to use native species for all landscaping.		
No Policy	**7. Sewage Collection And Disposal Policies:** **7.1**. The City shall take immediate steps to expand percolation capacity to accommodate sustained peak flows. This is of highest priority. **7.2**. In order to protect ground water resources, all new development of more than one dwelling unit per acre of land will be required to connect to the municipal sewer system.		
Public Works: **Policy 22**. Sewer Service: A Capital Improvement Program shall define specific undeveloped areas slated for sewer service in accord with recommendations of the Local Coastal Land Use Plan and the Point Arena General Plan. Objectives of sewer extension shall continue to be the protection of City ground and surface waters and Arena Cove from pollution. Another objective of the Capital Improvement Program shall be to gain the most efficient use of lands planned for development within the City. Including the wharf complex into the sewer system shall be a long-term objective of the Capital Improvement Program, as	**7.3**. No sewer service may be extended to lands zoned Agriculture Exclusive AE or to areas outside the "urban limit line". **7.4**. All buildings that generate waste water must be connected with the sewer system if said buildings are within 100 feet of the system, or if said buildings are on a parcel less than one acre in size that is within 100 feet of the system. **7.5**. New private disposal systems shall not be permitted within the city, except those authorized by the City Council. **7.6**. Improvements and or expansions to collection and treatment facilities that are necessitated by new development shall be financed all or in part by development fees. **7.7**. The City should require that all future development also pay appropriate impact fees to finance the installation of adequate storm		

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follows: **a.** The City shall comprehensively assess current sewer service to define the number and location of non-served residential and commercial users. Emphasis shall be directed to feasibility of eventually serving the wharf complex. **b**. Repair of the existing sewer main system installed in the 1930's shall be undertaken. **c**. Allocation priorities of sewage treatment capacity of the new treatment facility shall be made for areas designated for "new development" in the City, pursuant to Coastal Act Policies and as shown on the Locating and Planning New Development Map. Preference shall be given to activities serving visitors as well as residents, and a portion of the total capacity shall be reserved for such uses as identified. **d**. The City shall continue its policy of requiring new development adjacent to the existing sewer system to connect to the system in accord with allocation priorities. **Planning and Locating New Development:** **Policy 40.** The City shall adopt an allocation plan of sewage plant capacity for various types of development to assure that a balance of community development needs are met. The new sewage treatment plant will allow 60-70 equivalent dwelling units for new growth. This amounts to only 15,000 gal. to 17,500 gal. of effluent per day. A portion of the capacity shall be reserved for commercial uses. Priority shall then be given to: (a) existing vacant parcels within the infill area either permanently or for a limited time (5 years), (b) and/or existing parcels within the "Urban Boundary" that can be divided under the proposed lot area requirements.	drainage infrastructure. **7.8**. To reduce the sewage collection infiltration problem, and to further expand wet-weather sewage treatment capacity, the City should-continue applying a testing and repair program to the sewage collection system. **7.9**. The City should consider establishing a "sewer impact fee" that would replace the present "connection fee" (City Ordinance # 143). This fee shall be charged per ESD per connection and should be established by ordinance in connection with the actual cost of facilities replacement, repair, and maintenance to serve the use. **7.10**. Adopt an ordinance which requires that sewer laterals be tested when a building is sold and that leaky laterals be repaired or replaced and that adequate cleanouts be installed. **7.11**. The City shall adopt a "capital improvement program" upon completion of the capacity and facilities study. **7.12**. As a precautionary measure, when the population reaches 50% of projected buildout or in 50 years, whichever comes first, the City shall review sewer capacity to insure continue ability to meet waste water needs through buildout. **7.13**. The City will require that the costs of sewer extensions and hookups for new developments be borne by the customer. **7.14**. Establish a protocol for visually observing the flows in various branches of the sewer system so that this information will be available for future sewer system analyses. **7.15**. Measure and map the depth of solids in the aeration basins on a yearly basis to determine rate of increase and estimate when solids will need to be removed. Test solids to help estimate cost of solids removal.		
No Policy	**8.2.** The city shall prepare a specific earthquake preparedness plan and implementation program to deal specifically with preparation for and responses during an earthquake. **8.3**. The City shall ensure continued fire and rescue services to the citizens of Point Arena through a joint powers agreement with the		

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	Redwood Coast Fire Protection District. City shall require all new developments to be in conformance with Uniform Fire Code. **8.4**. The City shall establish an emergency alternative north south route through or just outside of Point Arena. **8.5**. Highway 1 leading north and south out of town, Riverside Drive, and Windy Hollow Road should be designated as the only available evacuation routes in case of an emergency.		
No Policy	**9. Policies And Programs Governing Hazardous Materials:** **9.1**. No hazardous waste dumps or incinerators will be allowed in the city. **9.2.** The City shall work with the appropriate local, state and federal agencies to determine the extent of existing toxic waste sites. As of July, 1992, the California Environmental Protection Agency, Office of Environmental Information, has produced the following list of "Identified Hazardous Waste and Substances Sites: 1. 170 Main Street 2. 185 Main Street 3. 720 Port Road 4. 44900 Port Road 5. 415 School Street All of the sites are listed for having leaking underground fuel storage tanks. **9.3.** The City shall consider adopting a policy governing the transport of toxic and hazardous materials through town on local streets and on Highway 1.		

NOISE ELEMENT POLICIES

4. Noise Control Policies And Programs: **4.1**. Noise levels shall not be permitted to exceed 60 Leq (1) anywhere within the community. **4.2**. The City may require an acoustical report for new multi-family dwellings within the 60dB (Ldn) noise exposure contour, as required by Title 25 of the California Administrative Code Noise Insulation Standards. **4.3.** New development in all zones must not raise the ambient noise levels in any residential zone within the city. Where residential zoning is adjacent to other zones, the lower residential noise limits will apply. **4.4**. New developments in commercial and industrial zones shall be designed, sited and screened in such a way as to avoid or		

PROPOSED NEW NOISE ELEMENT POLICIES	CONSISTENCY ISSUE(S)	NOTES
suppress noise and the impact of any noise on existing and proposed residential settings; and, noise buffers (walls, trees, landscaping, open spaces, berms, other buildings) between industrial/commercial activities and residential and other noise sensitive activities shall be required as a condition of development permits. **4.5**. No noise generating industries shall be allowed to operate between the hours of 8 p.m. and 7 a.m. **4.6**. A city noise ordinance based on Leq and Lmax noise measurements for day and night, and based on and capable of implementing the above goals and policies, shall be enacted, and shall conform to the requirements of State law and State noise guidelines. Exemptions should be made for temporary construction and repair activities, and for emergencies. **4.7.** The following Leq and Lmax noise limits shall be incorporated into said ordinance: <u>Daytime limits</u>: (7AM-8PM) Residential: 50 Leq(1) at the property line of the property within which the noise generated is located, 80dB (Lmax) at the source Commercial: 60 Leq(1) at the property line 80dB(Lmax) at the source Industrial: 60 Leq(1) at the property line 90dB (Lmax) at the source <u>Night time limits:</u> (8PM-7AM) Residential: 25 Leq(1) at the property line 60dB(Lmax) at the Commercial: 30 Leq(1) at the property line 60dB(Lmax) at the source Industrial: 30 Leq(1) at the property line 60dB(Lmax) at the source note 1: Leq(1) denotes average sound level for one hour. note 2: "at the property line" shall be interpreted to mean "at the property line or at reasonable and sensitive receptors such as residences, schools, churches, hospitals and other similar commercial and residential receptors which are deemed appropriate." **4.8**. To mitigate exterior sound levels, due to transportation or other sources, for new residential or other new projects, consideration shall be given to an increased setback distance; use of property line, patio, and deck barriers; orientation of buildings to achieve a sound shielding benefit at outdoor use areas. **4.9**. To mitigate interior sound levels, due to transportation or other sources, for new residential or other new projects, consideration shall be given to an increased setback distance and use of barriers, insulation measures applied to the building skins, including appropriate designs for windows, walls, doors, roof/ceiling assemblies, weather seals, and other components. Vegetative barriers do not generally provide substantial reductions in noise levels. **4.10**. The City will consider the following measures which can be used to mitigate the sound impacts created at residential or other sensitive receptors as a result of equipment operations or other activities at industrial and commercial facilities: **a.** Use buffer zones of open space or "intermediate" type uses. It is desirable, where feasible, to allow at least 200 feet between noisy industrial or commercial sites and residential or other sensitive land uses. Noisy buildings or other noisy facilities shall be well set back from the property line. **b**. The City shall require noise studies for potentially noisy facilities which are to be located near sensitive land uses. Industrial and commercial uses likely to create adverse noise impacts include fuel distribution centers served by rail or truck, truck terminals, new or expansion of gravel Batch plants and concrete manufacturing plants, construction activities if hammering is involved and is done outdoors, and animal kennels. Commercial facilities likely to create adverse noise impacts include automobile repair shops, body shops, and heavy equipment rental shops; car washes; drive-in restaurants; and supermarkets and other facilities with rooftop equipment and truck deliveries. **c**. The public shall be notified of the proposed placing of noisy industrial or commercial facilities in proximity to sensitive uses and vice versa. **d**. Noise studies shall be required for any new industrial use that will generate more than five truck trips per daytime hour, any heavy truck traffic during nighttime hours, or more than 25 trucks in 24 hours. A Noise Ordinance including both quantitative limits and		

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nuisance provisions shall be enacted. **e**. All truck loading bays shall be located such that they do not open to the direction where sensitive receptors are located. **f.** As far as feasible, truck and loading dock operations near residential receptors shall be limited to the daylight hours. **g**. Buffer zones setbacks and/or sound attenuation devices such as landscaped berms shall be interposed between residential and commercial uses and between residential and industrial uses, especially those that are likely to be noisy, as described above. **h**. Rooftop and other mechanical equipment shall be shielded, enclosed, silenced, or setback an appropriate distance from the property line. The shielding could be accomplished by either appropriate siting of buildings or appropriate fences or walls. **j**. In some cases, insulation measures may be needed for industrial buildings. **4.11**. Proposals for uses associated with industrial and commercial development should include appropriate designs for walls, roof/ ceilings, doors, windows, vent silencers, interior absorption, and other components. Doors and windows shall be provided with effective weather seals. **a.** Trucks idling times shall be limited where feasible. Where personal radios are used, the volume shall be controlled as far as feasible. **b.** Where paging systems are required, they shall be designed to minimize "spillover" sound to sensitive receptor properties.		

COASTAL ELEMENT POLICIES

Shoreline Access: **Policy 1**. "The City of Point Arena shall require a 25 foot wide easement along all trails designated on the access map in the Land Use Plan as a condition of approval for any development that would require a coastal development permit. These easements shall only take effect when a public or private party accepts the responsibility for improvement and maintenance of the access easement. Offers of dedication shall last for a period of 21 years unless the offer is accepted by a public or private party within the 21 year period." **Policy 3**. "The City Council shall adopt the policy of protecting areas where public prescriptive access rights may exist but which have not been specifically defined to date." **Policy 4**. "Pedestrian access shall be designated along trails aligned horizontally west of the VFW building, south to Port Road thence west to the wharf (as shown on Coastal Access Map). Another potential trail route shall establish vertical access along Point Arena Creek from Route #1 (Main Street) west to Arena Cove and the wharf. Lateral access along the ocean bluffs leading into downtown Point	**2.1 Public Access** **2.1.1**. The City of Point Arena shall require an offer to dedicate a 25 foot wide easement along all trails designated on the Opportunities and Constraints Map as a condition of approval for any development that would require a coastal development permit. These easements shall only take effect when a public or private party accepts the responsibility for improvement, maintenance and liability of the access easement. Offers of dedication shall last for a period of 21 years unless the offer is accepted by a public or private party within the 21-year period. **2.1.2.** The City shall pursue improvements to Port Road, or an alternate route, in order to complete a safe pedestrian and bike path from downtown to the cove. This shall include the adoption of a Development Impact Fee schedule and a Capital Improvement Program. **2.1.3.** The City shall pursue the development of "Devil's Cutoff" as an emergency or alternate vehicular access to the		

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Arena (as shown on the Coastal Access Map) shall be established to increase access to and along the shore. Access to and along the coast via trails may require some geotechnical work (see Hazards Section) to qualify soils for such uses."	cove. **2.1.4**. The City Council shall adopt the policy of protecting areas where public prescriptive access rights may exist but which have not been specifically defined to date. **2.1.5**. Pedestrian access shall be designated along trails designated on the Opportunities and Constraints Map. This map contains previously mapped trails as well as an expanded trail system. **2.1.6.** New developments in the cove area shall be required to provide off-street parking in order to distribute parking throughout the area; and, if appropriate and feasible, the City shall encourage additional public parking. **2.1.7**. The City shall protect, encourage, and, where feasible, encourage lower-cost visitor and recreation facilities in the Cove area. The City shall encourage, and give preference to, developments providing public recreational opportunities, including a public park in Arena Cove.		
Recreational/Commercial Boating: **Policy 17.** The City shall adopt the following policy statement establishing priority of marine/coastal development in the wharf area: "The City of Point Arena, recognizing the key role commercial and recreational fishing and boating plays in the local and regional coastal economy, shall continue to encourage the enhancement of coastal dependant industry at Arena Cove by assigning a high priority status to improvement and/or expansion of existing coastal or marine dependent uses at Arena Cove as well as encouraging new uses which directly enhance or supplement the existing commercial/recreational boating and fishing opportunities at the Cove". **Policy 18**. The City of Point Arena should designate the Arena Cove Area as an area to expand coastal dependent activities such as: ramp launching of small boats, a skin and/or scuba diving supply outlet together with establishing the Cove as an "ocean checkout" point of scuba classes, expansion of existing parking facilities and improvement of the recreational vehicle camping area adjacent to the existing mobile home park. **Policy 19**. Phase III of the LCP shall amend the current M-H zoning of the wharf area to implement the high priority allocation of coastal dependent uses in conformance with the above policy statement. No further permanent resident development should be allowed, although	**2.2. Recreation Uses** **2.2.1**. The City shall reaffirm the policy statement of establishing the priority of marine/coastal development in the wharf area: "The City of Point Arena, recognizing the key role that commercial and recreational fishing and boating plays in the local and regional coastal economy, shall continue to encourage the enhancement of coastal dependent industry at Arena Cove by assigning a high priority status to improvement and/or expansion of existing coastal or marine dependent uses at Arena Cove as well as encouraging new uses which directly enhance or supplement the existing commercial/recreational boating and fishing opportunities at the Cove." **2.2.2.** Expand coastal dependent activities such as: a skin and/or scuba diving supply outlet, a fresh fish market, boat and/or kayak rental, boat repair, marine engine repair. **2.2.3.** The City shall reaffirm the policy statement of opposing a breakwater at Arena Cove.		

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present recreational vehicle and residential uses should be made conforming uses in the rezoning. **Policy 20.** The City shall investigate the potential for establishing a sea urchin harvesting and processing activity at Arena Cove. **Diking, Dredging and Filling:** **Policy 49.** The City shall continue to authorize the existing minor maintenance fill operations at the Wharf to protect existing structures and facilities as shown on the Parking Area Map. (Figure I-A). **Policy 50.** In response to citizens' interest in expanding harbor facilities, the City should initiate a special harbor facility development plan to define specific uses which are compatible with the sewer/water limitations of the wharf area. Areas of immediate planning priority in such a study shall be: expanding existing boat launching facilities, wharf fishing and commercial fishing boat mooring.			
Marine Resources/Sensitive Habitats: **Policy 5.** Coordination between the City of Point Arena and the County of Mendocino in the planning of these areas is desirable. The City should indicate to the County that important marine/sensitive habitat areas adjacent its boundaries are of direct interest to Point Arena; and accordingly County Land Use Plans should designate land use plans which preserve the biological integrity of the areas	**2.3. Marine Environment:** **2.3.1.** The City shall indicate to the County that important marine/sensitive habitat areas adjacent to its boundaries are of direct interest to Point Arena and emphasis of planning should be directed toward maintaining and enhancing fishery resources in the Garcia River. **2.3.2.** The City shall request from the State Water Resources Control Board (SWRCB) an accounting of the total available water for use by Point Arena Water Works (PAWW) from the Garcia River and shall determine what portion of the water available to PAWW is available for current and future residential use. **2.3.3.** The City shall request that the SWRCB require a minimum in-stream flow in the Garcia to protect the fishery resources.		
No Policy	**2.3.4.** The City recognizes that the main values of Arena Creek are its biologic importance, its aesthetic qualities, its potential as a trail site, its natural habitats, and its contribution to the biology of the waters of Arena Cove, and shall strive to protect this resource. **2.3.5.** The City may require the establishment of conservation easements along streams, or require an "offer to dedicate" easements at the time of development. **2.3.6**. The City recognizes the marine resources and seashore habitats of the area, which include the kelp beds as		

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	important feeding and breeding places for the myriad of organisms inhabiting coastal waters, and shall strive to protect these resources.		
Marine Resources/Sensitive Habitats: **Policy 10.** No off-shore uses which could affect the integrity of kelp beds and off-shore fisheries shall be allowed. Uses which conflict with the continued biological productivity of off-shore areas shall be discouraged; all ocean areas within the "3 mile limit" should be planned jointly between City, County and State planning agencies to assure this objective. **Diking, Dredging and Filling:** **Policy 51.** The City should work with the State Lands Commission and the U.S. Army Corps of Engineers to develop a plan for establishing a protective breakwater at Arena Cove. Any such proposal would be reviewed as an amendment to the approved Land Use Plan.	**2.3.7.**The City shall protect the non-developed flat areas of Arena Cove as a flood basin, wildlife habitat, and critical link in the Arena Creek life-chain, insofar as possible given the objective of enhancing the area's economic development potential. **2.3.8**. Coastal dependent uses shall be given priority in the Arena Cove area over non-coastal dependent uses. (Refer to the "Development Priority" table in Section 1.1 of this element and the Harbor Commercial (HC) land use category of the LAND USE AND DEVELOPMENT ELEMENT) **2.3.9**. No off-shore uses which could affect the integrity of kelp beds and off-shore fisheries shall be allowed. Uses which conflict with the continued biological productivity of off-shore areas shall be discouraged; all ocean areas within the "3 mile limit" should be planned jointly between City, County and State planning agencies to assure this objective. **2.3.10**. The City shall continue to oppose the development of a breakwater at Arena Cove. **2.3.11**. The City shall continue to require that on-shore facilities for oil development must be approved by voters. (Ordinance #124) **2.3.12.** The City should support the establishment of the California Ocean Sanctuary and any other appropriate measures designed to prohibit off-shore oil development in this area.		
Marine Resources/Sensitive Habitats: **Policy 8.** The City shall continue its protective policy toward Arena Cove and Point Arena Creek, by allowing land uses in the Wharf area which do not discharge pollutants in the Creek or coastal waters. The City shall implement the following: **a**. Provide a 100 foot buffer strip from the outward edge of riparian vegetation on each side of the Creek (except where there is existing development) to protect the Creek from erosion, siltation and pesticide residues. **b**. No development shall be allowed within the riparian area. Within the buffer area, land uses should be limited to those compatible with	**2.4. Environmentally Sensitive Habitat Areas:** **2.4.1.** The City shall indicate to the County that important sensitive habitat areas adjacent to its boundaries are of direct interest to Point Arena and emphasis of planning should be directed toward maintaining and enhancing fishery resources in the Garcia River watershed. **2.4.2.** The city shall map sensitive habitat areas inside the city including wetlands, seasonal creeks and springs, and riparian habitat. Restrictions shall apply to development adjacent to sensitive habitat areas. **2.4.3.** The City shall incorporate Best Management		

1980 LUP POLICIES	2006 GP/LCP POLICY	CONSISTENCY ISSUE(S)	NOTES
protection of the Creek, i.e., agriculture, grazing, hiking and related recreation. **c**. To protect the Creek, no vegetation removal, grading, soils or refuse dumping or alteration of the Creek bank shall be allowed. **d**. Coordinate planning activity with Mendocino County to develop consistent land use policies on land east of the Point Arena City limit. **e**. The City shall insure mitigation of potential land use impacts by requiring biological analysis as the initial step in development plans affecting the Creek. Any development within areas draining directly into the creek (approximately from School Street south) shall require appropriate mitigative measures. **Industrial and Energy Facilities:** **Policy 29**. Coastal Development Policy shall reflect the sensitivity of Arena Cove, as a major biological resource to assure that future development will not conflict with the objectives of preserving that resource. **Policy 30.** Coastal Dependent Policy shall recognize the conflicts and potential hazards associated with existing development, i.e. the fuel storage tanks on Port Road, east of the Wharf Cafe. Appropriate buffer areas shall be incorporated in any new development plan. **Policy 31**. The City shall, pursuant to its policy emphasizing coastal dependent development, designate as non-conforming those uses that are not compatible with the objectives of the City and Coastal Act policy.	Practices (BMP) for to non-point source pollution regarding the storm drain system and Point Arena Creek. New development shall be required to mitigate Non-point Source (NPS) pollution caused by the development. **2.4.4.** Development restrictions apply to the Riparian Buffer Zone along Arena Creek (see "Overall City-wide Land-Use Policies and Programs".) The Riparian Buffer Zone is defined in the Glossary of this General Plan as fifty (50) feet outward from the center line of the creek. No new development will be allowed in the Riparian Buffer Zone. Pre-existing non-conforming uses may continue, but no additions that may encroach upon the Buffer Zone shall be permitted, with the following exceptions: a. decks and porches that are not greater than 10% of the existing structure, subject to obtaining a Coastal Development Permit. b. accessory structures located at the City's waste water reclamation facility situated entirely within the developed, fenced area. **2.4.5.** Additional development restrictions apply within the Mountain Beaver Buffer Area along Arena Creek (measured 500 feet from the centerline of the creek). The city has incorporated recommendations from U.S. Fish & Wildlife Service Mountain Beaver Recovery Plan into its Zoning Ordinance. **2.4.6**. The City may require the establishment of conservation easements along streams, or require an "offer to dedicate" easements at the time of development. **2.4.7.** The City shall protect the non-developed flat areas of Arena Cove as a flood basin, wildlife habitat, and critical link in the Arena Creek life-chain, insofar as possible given the objective of enhancing the area's economic development potential. **2.4.8**. The City will work with the county to insure the clean-up of the illegal dump located upstream from the city water supply well. **2.4.9.** The City shall continue to oppose the development of a breakwater at Arena Cove. **2.4.10.** The City shall continue to require that on-shore		

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	facilities for oil development must be approved by voters. (Ordinance #124).		
Agriculture: **Policy 26.** The City shall encourage the recombination of agricultural parcels in key scenic or visual areas, through Conservancy or other appropriate action.	**2.5. Agricultural Land Conversions:** **2.5.1.** The maximum amount of prime agricultural land shall be maintained in agricultural production; and conflicts shall be minimized between agricultural and urban land uses; and lands suitable for agricultural use shall not be converted to non-agricultural uses unless continued or renewed agricultural use is not foreseeable. All actions undertaken by the City governing use and conversion of agricultural lands shall be governed by Sections 30241, 30241.5, 30242 and 30243 of the Coastal Act. **2.5.2.** The City shall encourage the recombination of agricultural parcels in key scenic or visual areas, through Conservancy or other appropriate action. **2.5.3.** The City shall encourage the change of existing non-conforming (less than minimum size) parcels on the south bluffs from AE zoning to RA-10, predicated on a conversion analysis and findings in accordance with the provisions of the Coastal Act, or shall encourage the recombination of said parcels. **2.5.4.** Lands converted from AE in order to change an existing non-conforming use into a conforming use shall not be changed to a higher density, or more intensive use, than needed to accomplish this goal, and shall require a conversion analysis and findings in accordance with the provisions of the Coastal Act. **2.5.5**. Stable boundaries shall be established separating urban and rural areas, including, where necessary, clearly defined buffer areas utilized to minimize conflicts between agricultural and urban land uses.		
No Policy	**2.6 Locating New Development** **2.6.1. Public Services for New Development** Residential development will be allowed where adequate services are available, or where they will be guaranteed during the project review process and provided as a condition of development. The City will develop a Capital Improvement Program, including a Development Fee Schedule, as part of the		

1980 LUP POLICIES	2006 GP/LCP POLICY	CONSISTENCY ISSUE(S)	NOTES
No Policy	implementation of this General Plan. **2.6.2. Reassessment of Public Services:** **2.1.** The City will assess the domestic water supply source capacity and work with PAWW to insure that adequate water is available for future development. **2.2**. The City will implement plans to increase the capacity of the treated sewage percolation system and reduce infiltration. **2.3.** The City will implement plans to correct potential traffic problems at the Highway 1 / Iversen Rd. intersection, as recommended in the July 1999 study by TJKM Transportation Consultants. **2.4**. As a precautionary measure, when the population reaches 50% of projected build-out, or in 50 years (which ever comes first) the City shall undertake steps necessary to reassess and insure the continued ability to meet infrastructure requirements through build-out. **3. Protection of Visual Resources:** **3.1.** No new development will be allowed in the Riparian Buffer Zone along Arena Creek. Pre-existing non-conforming uses may continue, but no additions that may encroach upon the Buffer Zone shall be permitted, with the following exceptions: a. decks and porches that are not greater than 10% of the existing structure, subject to obtaining a Coastal Development Permit. b. accessory structures located at the City's waste water reclamation facility situated entirely within the developed, fenced area **3.2.** No new development, excluding trails, will be allowed closer than 100 feet from the edge of a cliff or bluff top. **3.3.** A special condition shall be attached to all coastal permits for blufftop development, requiring recordation of a deed restriction that states the following: **a.** The landowner understands that the site may be subject to extraordinary geologic and erosion hazard and the landowner assumes the risk from such hazards; **b**. The landowner agrees that any adverse impacts to property caused by the permitted project shall be fully the responsibility of the applicant;		

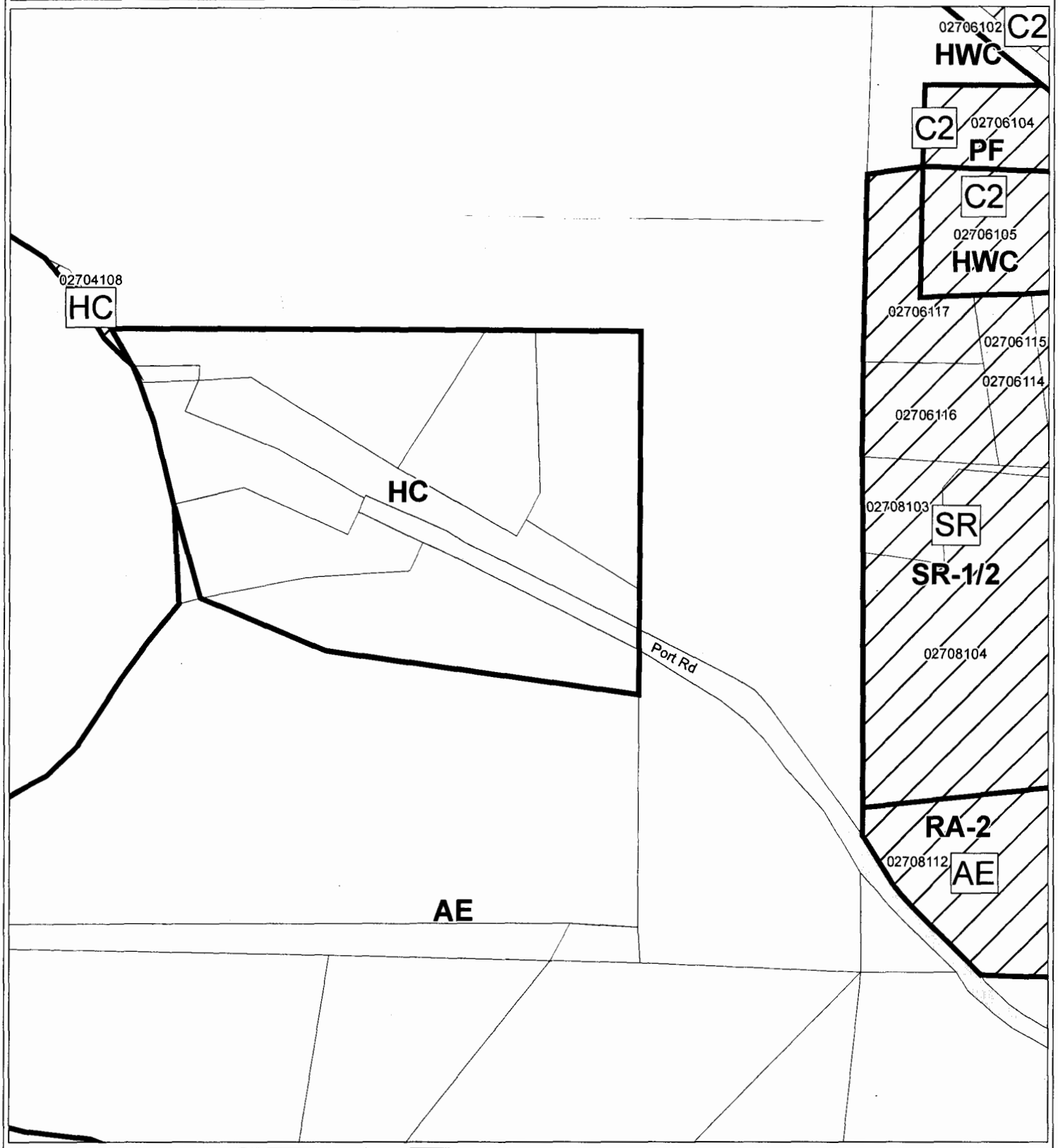
1980 LUP POLICIES	2006 GP/LCP POLICY	CONSISTENCY ISSUE(S)	NOTES
No Policy	**c.** The landowner shall not construct any bluff or shoreline protective devices to protect the subject residence, guest cottage, garage, septic system, or other improvements in the event that these structures are subject to damage, or other natural hazards in the future; **d.** The landowner shall remove the house and its foundation when bluff retreat reaches the point where the structure is threatened. In the event that portions of the house, garage, foundations, leach field, septic tank, or other improvements associated with the residence fall to the beach before they can be removed from the bluff top, the landowner shall remove all recoverable debris associated with these structures from the beach and ocean and lawfully dispose of the material in an approved disposal site. The landowner shall bear all costs associated with such removal.		
No Policy	**2.6.4. Off-shore Oil and Gas Development:** In 1987 the City enacted Ordinance No. 124 which provides that development of on-shore facilities intended to support off-shore oil and gas exploration must be approved by a majority of voters in an election. The City will continue to oppose all offshore oil and gas development on the northern California coast.		

HOUSING ELEMENT

Housing **Policy 34:** Developing a Housing Element to its General Plan which encourages housing for the broadest base of citizens. The City shall: **a**. Encourage more 2-3 bedroom apartment units in areas suitable for such densities. Such a policy will serve the housing needs of younger families with children. **b.** Continue the existing policy and practice of upgrading electrical wiring in older homes. **c**. Continue its floor plan map program in cooperation with the Fire Department to aid in fire control response.	Policy to be Discontinued See Housing Element for New Policy Policy to be Discontinued See Housing Element for New Policy		

City of Point Arena
Land Use and Zoning Map with Proposed Changes

Exhibit 1



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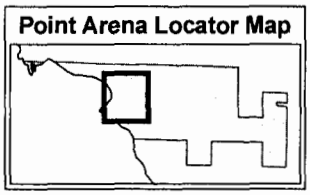
Compiled By Planwest Partners
Date: March 21, 2006

PLANWEST PARTNERS

Point Arena Locator Map



Legend

- 2006 Land Use Boundaries
- Parcel Boundaries

Proposed Changes

Areas of the City Where Land Use Designation Is Proposed To Be Changed

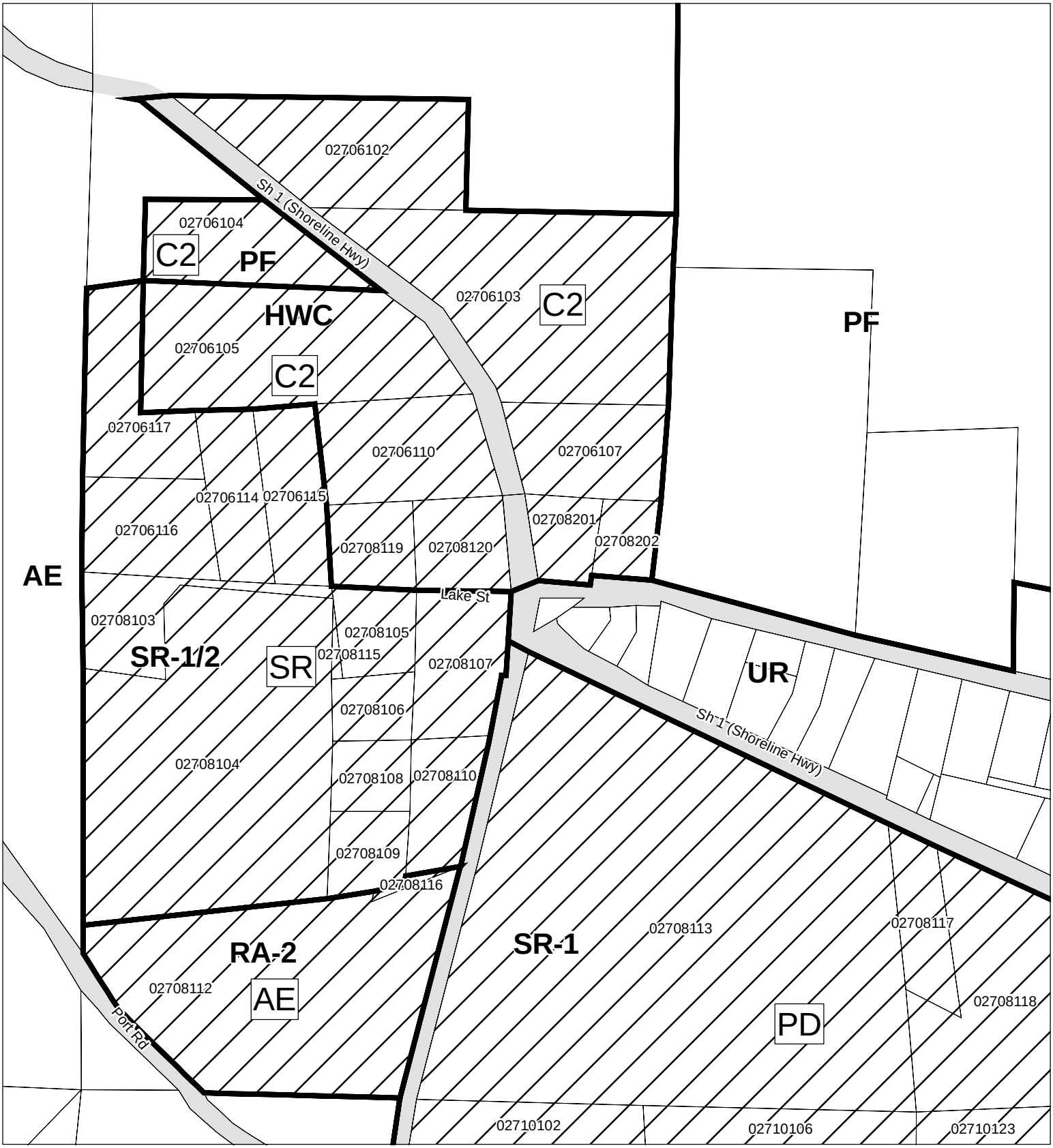
Example

PF 2006 Land Use (Shown with Bold Label)

AE 1980 Land Use (Shown with Boxed Label)

City of Point Arena
Land Use and Zoning Map with Proposed Changes

Exhibit 2



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Date: March 15, 2006

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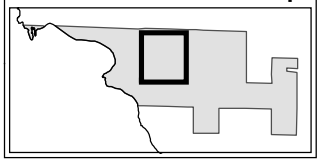
Point Arena Locator Map



Legend

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Proposed Changes

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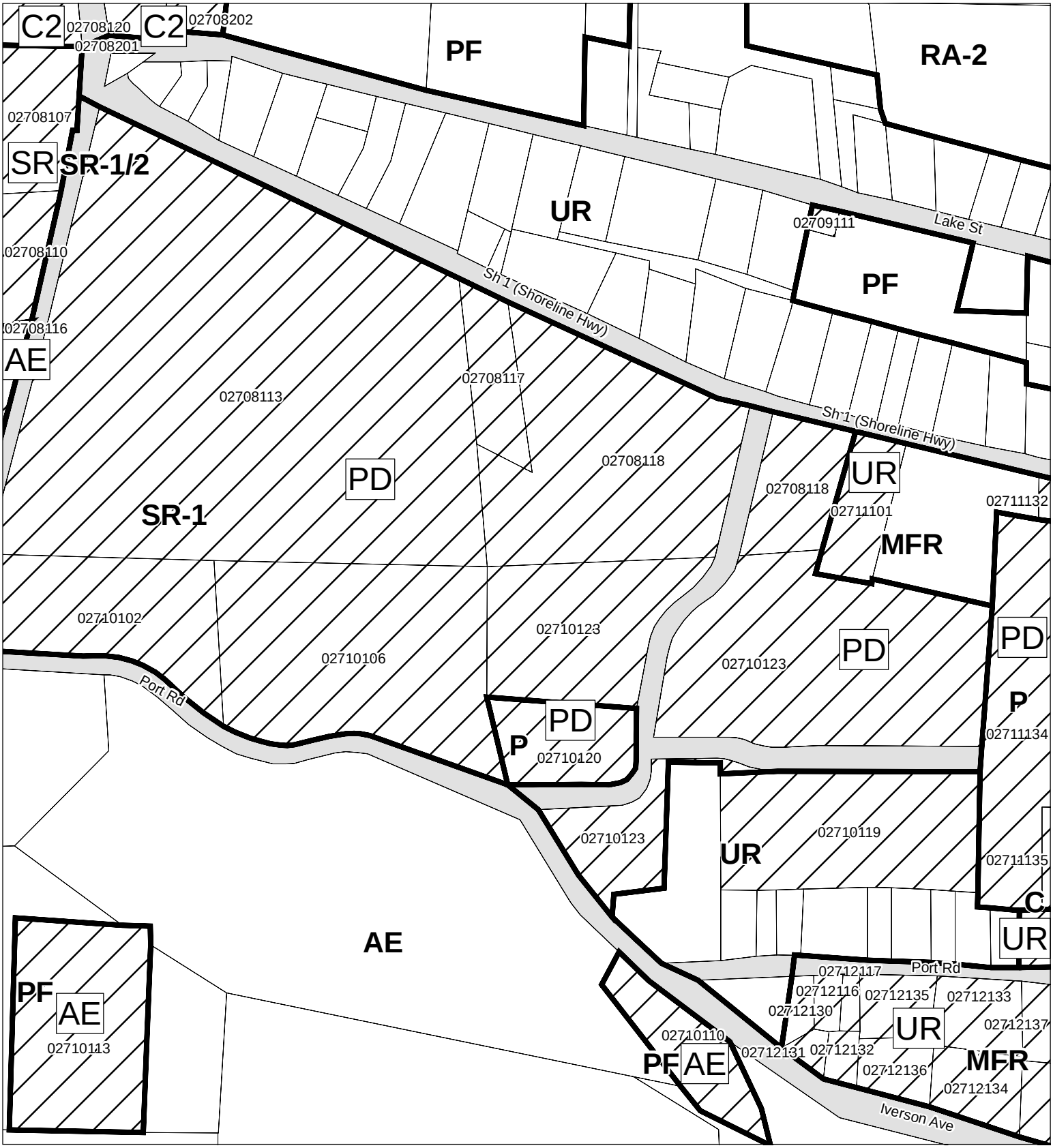
City of Point Arena
Land Use and Zoning Map with Proposed Changes

Exhibit 3



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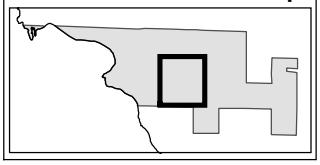
Compiled By Planwest Partners
Date: March 21, 2006

PLANWEST PARTNERS

Point Arena Locator Map



Legend

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Proposed Changes

Areas of the City Where Land Use Designation Is Proposed To Be Changed

Example

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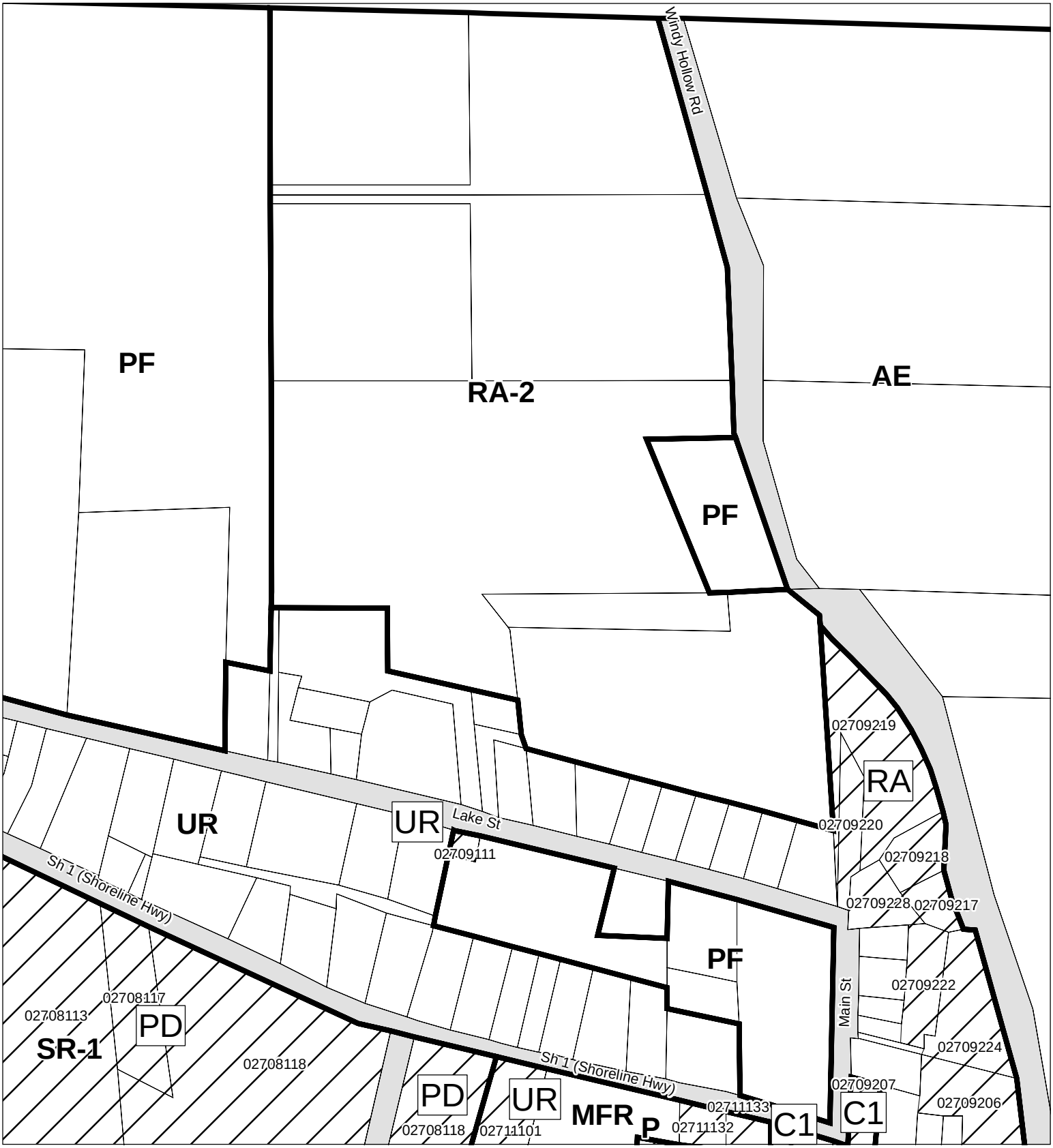
AE 1980 Land Use (Shown with Boxed Label)

City of Point Arena
Land Use and Zoning Map with Proposed Changes

Exhibit 4



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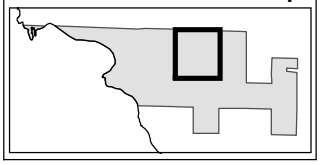
Compiled By Planwest Partners
Date: March 21, 2006

PLANWEST PARTNERS

Point Arena Locator Map



Legend

- 2006 Land Use Boundaries
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Proposed Changes

Areas of the City Where Land Use Designation Is Proposed To Be Changed

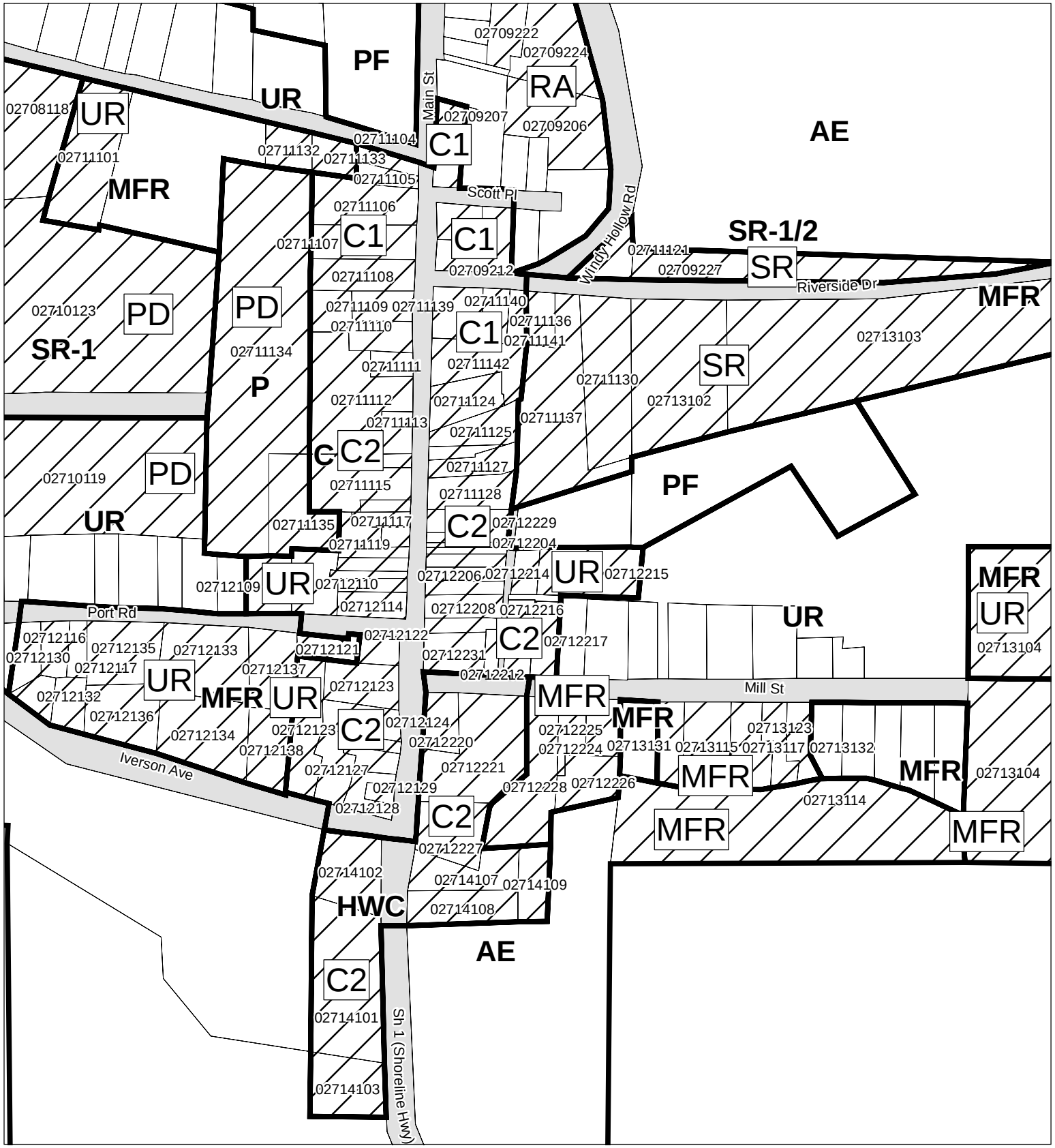
Example

PF 2006 Land Use (Shown with Bold Label)

AE 1980 Land Use (Shown with Boxed Label)

City of Point Arena
Land Use and Zoning Map with Proposed Changes

Exhibit 5



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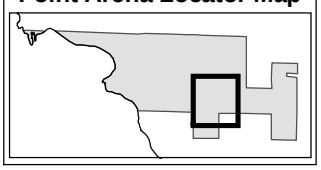
Compiled By Planwest Partners
Date: March 21, 2006

PLANWEST PARTNERS

Point Arena Locator Map



Legend

- 2006 Land Use Boundaries
- Parcel Boundaries

Proposed Changes

Areas of the City Where Land Use Designation Is Proposed To Be Changed

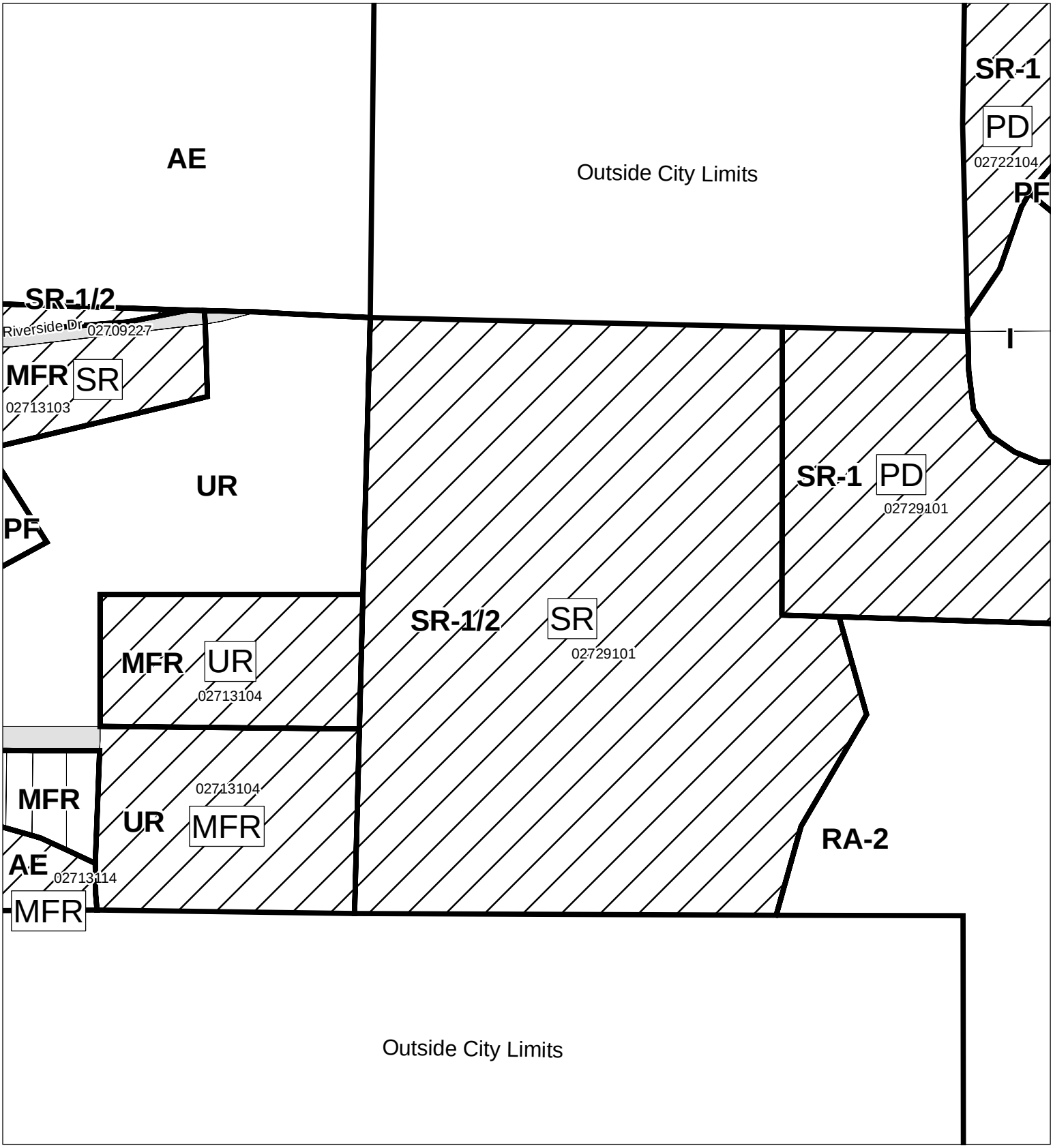
Example

PF 2006 Land Use (Shown with Bold Label)

AE 1980 Land Use (Shown with Boxed Label)

City of Point Arena
Land Use and Zoning Map with Proposed Changes

Exhibit 6



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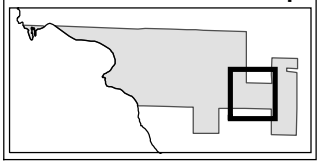
Compiled By Planwest Partners
Date: March 21, 2006

PLANWEST PARTNERS

Point Arena Locator Map



Legend

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Proposed Changes

Areas of the City Where Land Use Designation Is Proposed To Be Changed

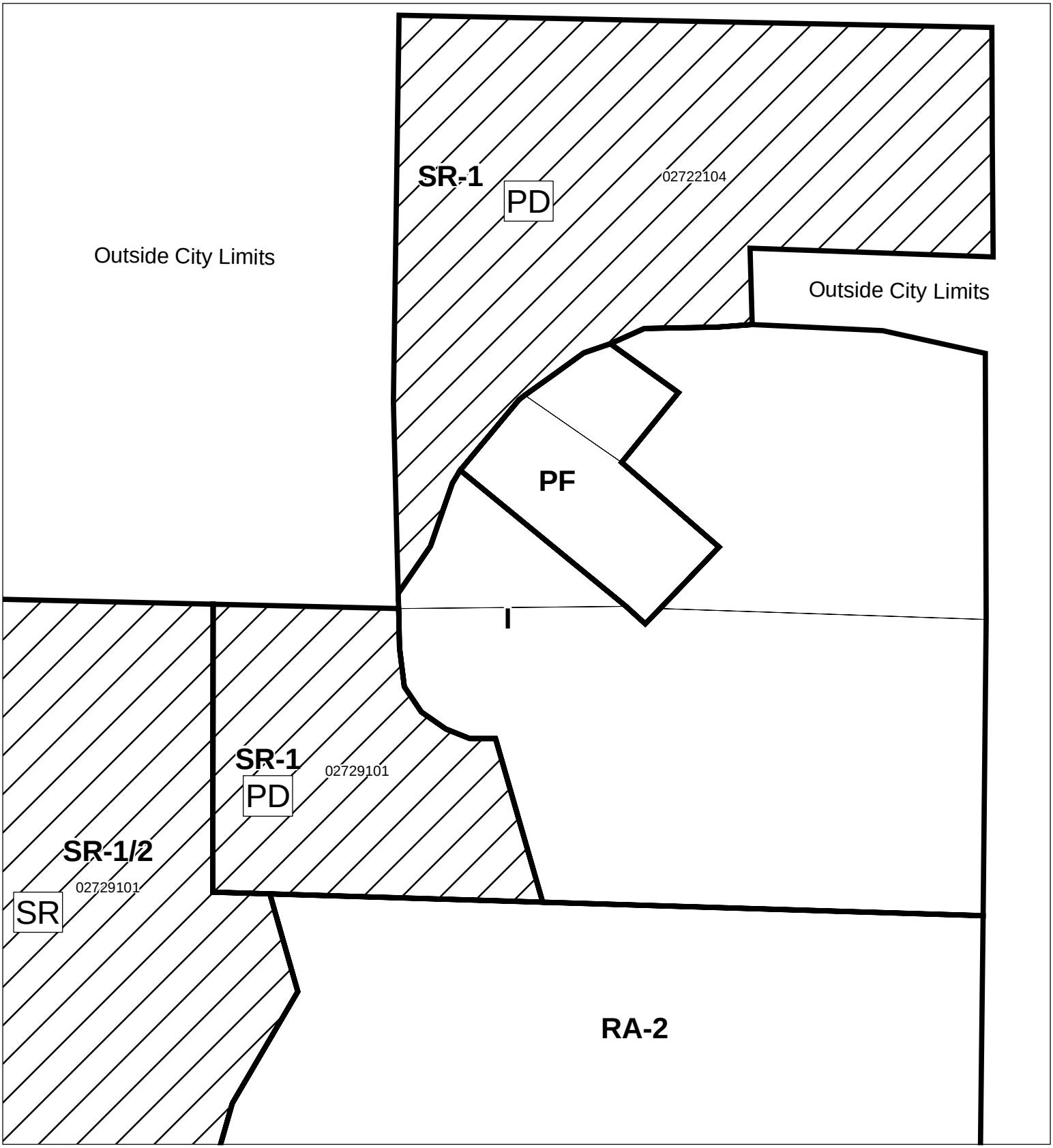
Example

PF 2006 Land Use (Shown with Bold Label)

AE 1980 Land Use (Shown with Boxed Label)

City of Point Arena
Land Use and Zoning Map with Proposed Changes

Exhibit 7



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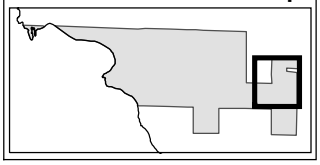
Compiled By Planwest Partners
Date: March 21, 2006

PLANWEST PARTNERS

Point Arena Locator Map



Legend

- 2006 Land Use Boundaries
- Parcel Boundaries

Proposed Changes

Areas of the City Where Land Use Designation Is Proposed To Be Changed

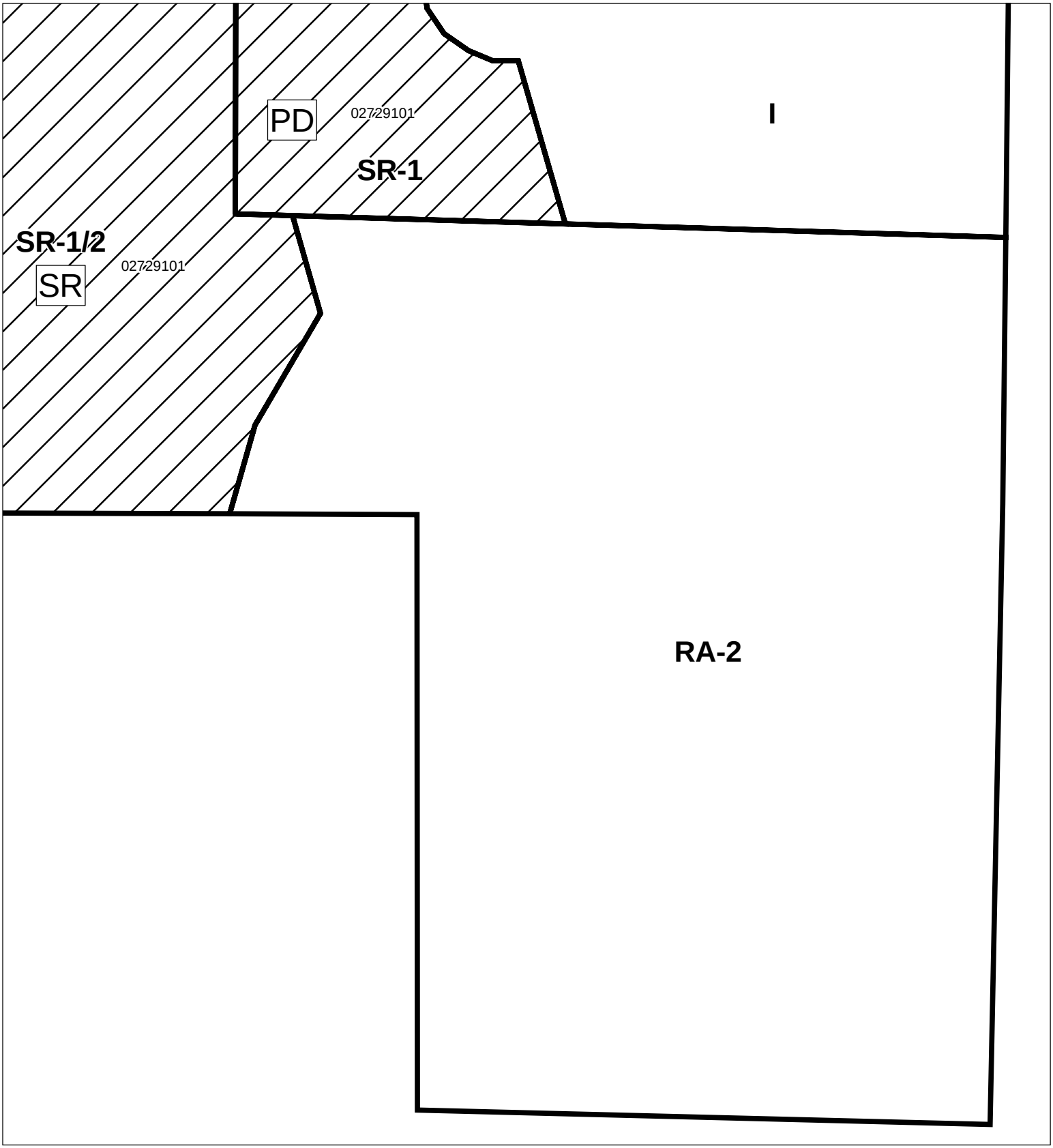
Example

PF 2006 Land Use (Shown with Bold Label)

AE 1980 Land Use (Shown with Boxed Label)

City of Point Arena
Land Use and Zoning Map with Proposed Changes

Exhibit 8



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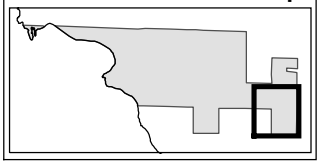
Date: March 21, 2006

PLANWEST PARTNERS

Point Arena Locator Map



Legend

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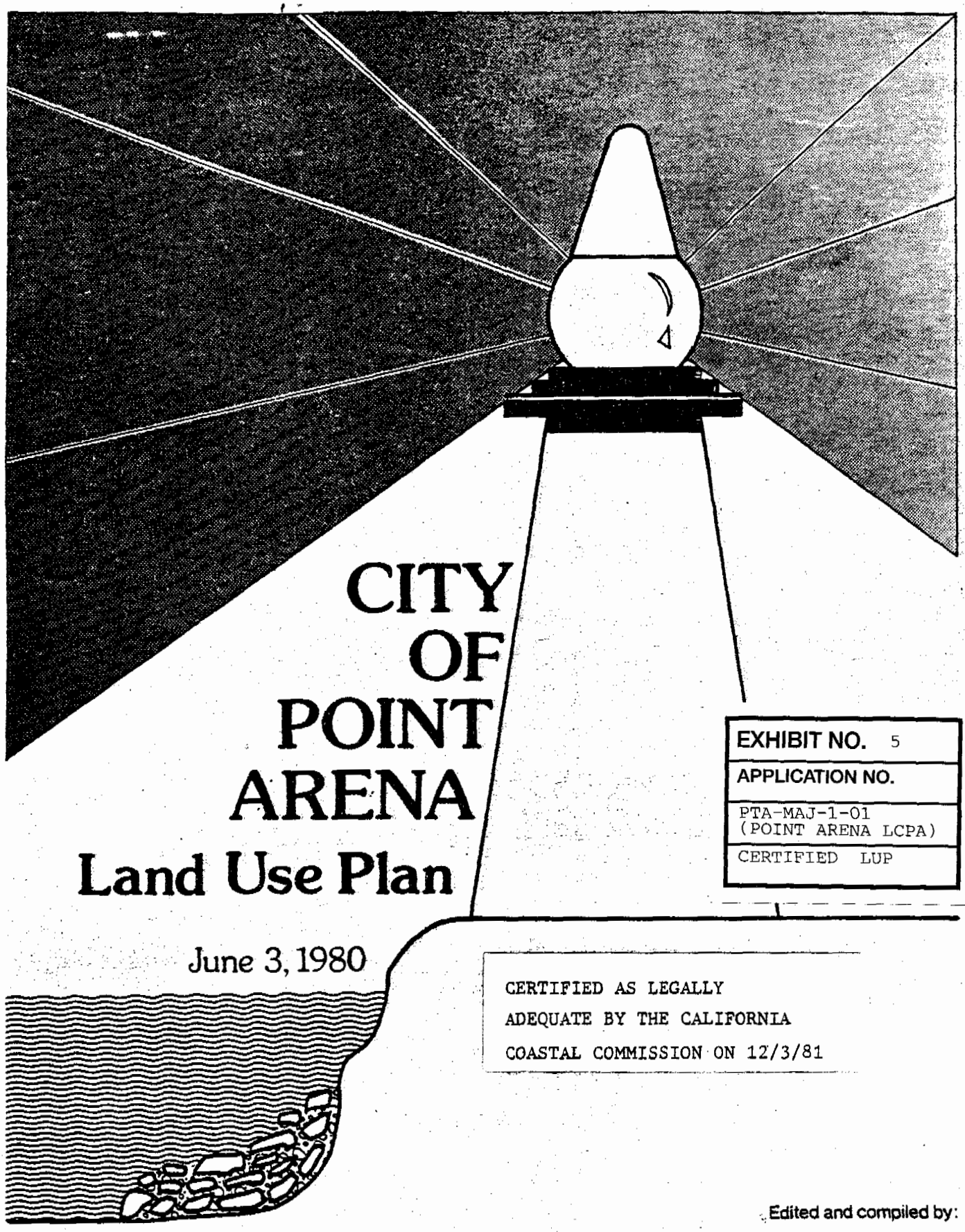

CITY OF POINT ARENA

Land Use Plan

June 3, 1980

EXHIBIT NO. 5
APPLICATION NO.
PTA-MAJ-1-01 (POINT ARENA LCPA)
CERTIFIED LUP

CERTIFIED AS LEGALLY ADEQUATE BY THE CALIFORNIA COASTAL COMMISSION ON 12/3/81

Edited and compiled by:
OSCAR LARSON & ASSOCIATES
204 4TH STREET
EUREKA, CA 95501

CERTIFIED BY THE CALIFORNIA COASTAL COMMISSION

CITY OF POINT ARENA, CALIFORNIA

LAND USE PLAN

CERTIFIED BY THE
CALIFORNIA COASTAL COMMISSION
JUNE 3, 1980

Edited and Compiled
by

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(707) 445-2043

July, 1981

INTRODUCTION

The following report is comprised of thirteen work elements studied for the Point Arena Local Coastal Program (LCP) as mandated by the California Coastal Land Use Plan (Phase II) and cover the following areas of investigation: coastal access; marine/water resources; sensitive habitat; harzard areas; recreational/commercial boating; public works/ agriculture; recreation/visitor serving facilities; industrial/ energy facility development; housing; visual resources; planning/locating new development and diking, dredging and filling. The purpose of the multi-faceted LCP work program is to provide a comprehensive approach to the Coastal Land Use Plan.

The Land Use Plan consists of land use policy recommendations, derived from the findings associated with the thirteen work elements, together with valuable input from the Point Arena Local Coastal Plan Citizen Advisory Committee and residents of the City of Point Arena. The residents of the City participated in the work program by responding to a questionnaire devoted to public concerns related to land use and development issues within and adjacent the corporate City boundary. This questionnaire is attached as Appendix A to the Land Use Plan. Appendix B acknowledges the many people who have contributed to the formulation of this document.

Specific land use designations are described in Appendix C. These designations are further defined in the City's Zoning Ordinance, prepared as a part of the LCP.

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SHORELINE ACCESS

A. Setting:

Coastal access within the City of Point Arena originates from regional and local routes of transportation. These primary sources of coastal access will be discussed to assess their applicability to Coastal Act Policies used to formulate the Access Component of the Coastal Land Use Plan.

1. Regional Context: Point Arena lies in the southern coastal region of Mendocino County and is bisected by State Route #1, the sole state highway providing north-south vehicle transportation along the California Coast. The two lane and winding nature of Route #1 together with its relatively small coastal population relegates its commercial transportation use to a local rather than a statewide significance. On the other hand, because of its alignment along rugged, highly scenic, coastal bluffs and natural resource land, Route #1 acts as the transportation artery serving nearly all forms of coastal recreation in the state and directly affects the recreational economies of all of the communities along its path, including Point Arena. A general picture of traffic flows, and the importance of Route #1 to coastal access in Point Arena, can be obtained by examining traffic flow on the highway as it enters the City at its southern boundary, progresses through town and exits north of the City.

Table I illustrates vehicular traffic movement through Point Arena. As can be seen, ADT's and Peak Month ADT's are equal on Route #1 from Anchor Bay north to the southerly City limit. Volumes increase dramatically in the City, tapering off north of town to levels approximating volumes recorded south of the City.

TABLE 1

TRAFFIC VOLUMES - STATE ROUTE #1
POINT ARENA AREA - 1977*

Milepost	Location of Count	Peak Hour	ADT Peak Month	ADT Annual
5.16	Anchor Bay, Fish Rock Road	330	2400	1300
14.69	Point Arena, South City Limits	330	2400	1300
15.11	Point Arena, Riverside Drive (City Center)	1100	8100	4350
15.21	Point Arena, Lake Road (North City)	1050	7700	4150

Milepost	Location of Count	Peak Hour	ADT Peak Month	ADT Annual
16.17	Point Arena, North City Limits	470	3400	1850
19.38	Mt. View Road, Manchester, South	420	3050	1650

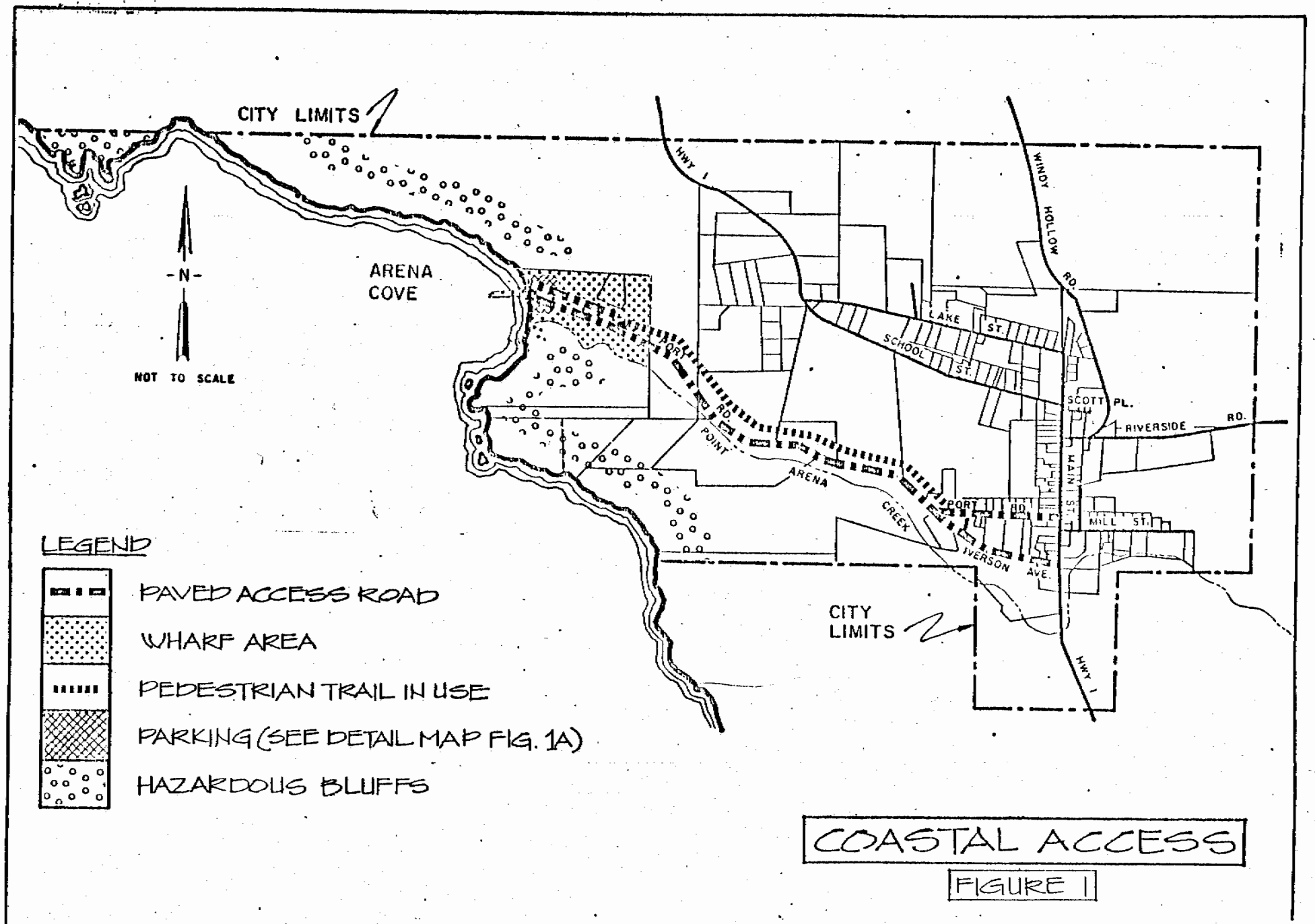
* Source: 1977 Traffic Volumes on the California Highway System, California Department of Transportation, 1977

According to a survey taken as part of the Recreation Traffic Study on the south Mendocino County Coast, out-of-County recreation traffic comprises 45 percent of the volume on Route #1.(1) Highway 128 extending west from Sonoma County through Anderson Valley to the coast, is a secondary, yet important, State route providing inter-regional access to the coast, and ultimately, to Point Arena. Estimates from the study cited above indicate that Route 128 yields approximately 56 percent of the recreational traffic flows moving to the Coast. (2)

2. Local Circulation: Public roads providing local access to Point Arena act as a "short-cut" across mountian ridges from Route 128 in Anderson Valley. These roads offer scenic, direct access to the south coastal areas of the County and, because they are narrow and tend to be "winding" they are more frequently used by local people than by out-of-County travelers. The roads which are probably more significant to Point Arena coastal access are the Greenwood-Philo Road and the Mountain View Road. The roads intersect Route #1 at Elk and 1.5 miles south of Manchester respectively.

Local access to the coast in Point Arena is available on Port Road which extends west from the center of town (at Route #1) 1.5 miles to the harbor and wharf at Arena Cove. Because of the steep character of coastal bluffs within the City, Port Road is the only vehicular access route available and is the most direct route for pedestrian access to the harbor from the center of town. The road is paved from its point of origin on Main Street to the wharf. Iverson Lane provides a secondary vehicular or pedestrian access route from Route #1 (Main Street) which connects with Port Road, as shown on the Coastal Access Map. (Figure 1)

(1) Mendocino County Coastal Access Study (Draft); Mendocino Council of Governments, 1978
(2) Ibid



COASTAL ACCESS

FIGURE 1

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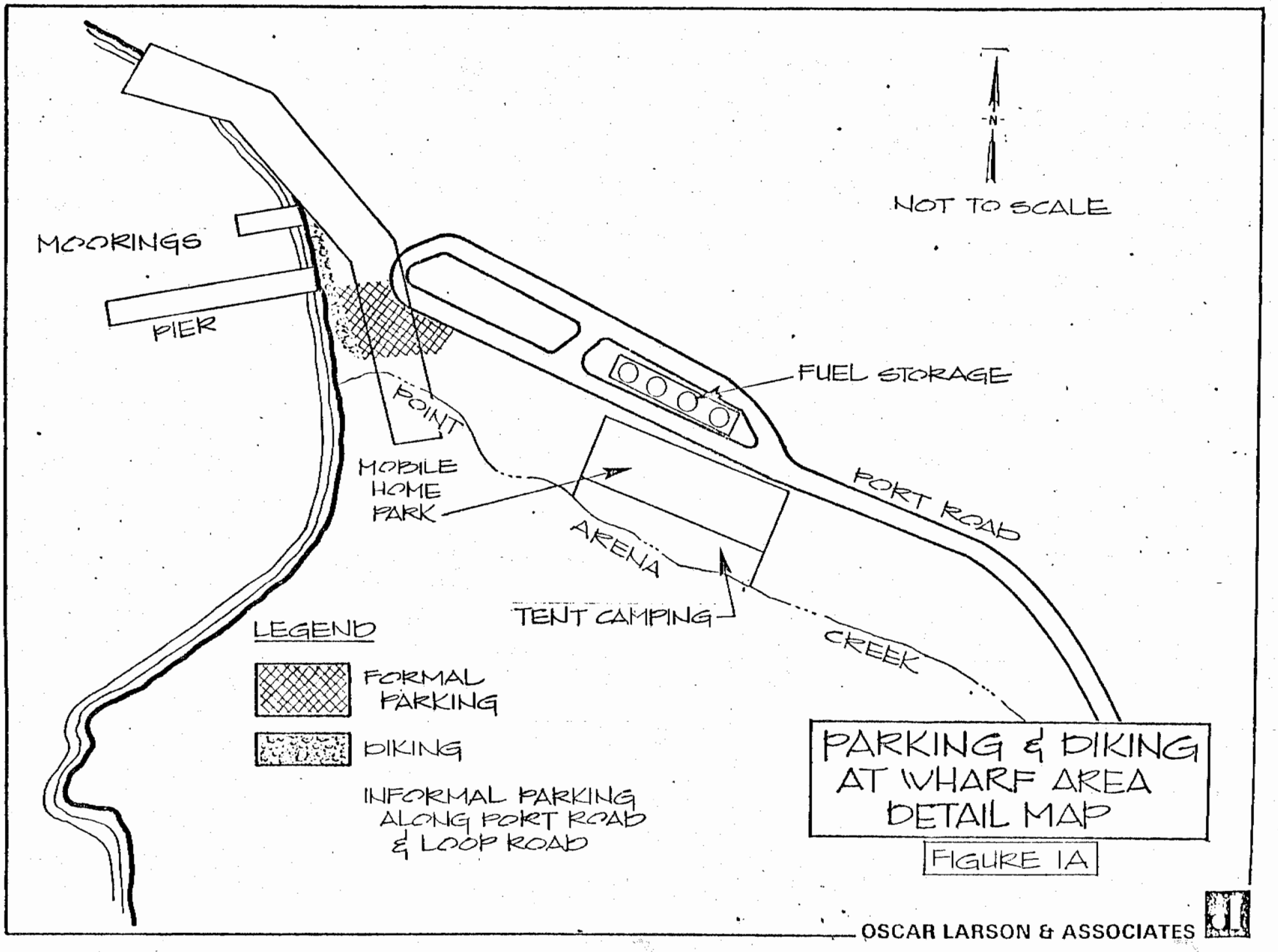


PARKING & DIKING AT WHARF AREA DETAIL MAP

FIGURE 1A

OSCAR LARSON & ASSOCIATES

3. Pedestrian Access to Point Arena Coast: The high, sheer bluffs characterizing the Point Arena coastline are broken only at Arena Cove wharf area, which, as indicated above, is served by Port Road. Access to the coast via this road, or Cut-off Road which intersects Port Road on the north offer safe pedestrian access to the wharf complex. A graded strip of land on the south side of Point Arena Creek offers a potential trail from Port Road to the Cove, but the land is privately owned and fenced.

Due to the hazardous and restrictive nature of the City's coastline, Port Road should remain the major source of public access to the ocean. Trails, as indicated on the Coastal Access Map, are generally established by historic use, oriented to Port Road and could be "formalized" into a City Trail System, once landowner approval is obtained and matters of liability are established and resolved.

4. Parking: Facilities and/or spaces to accommodate vehicle parking are essential parts of the City's Coastal Access component. The Coastal Access Map illustrates current parking space available at Arena Cove. Such parking space serves a variety of uses, including: the Wharf Cafe, the boat dry storage area and the fishing equipment shop. Levels of useage and demand for parking space varies seasonally, with spring/summer seasons placing the greatest demand on wharf facilities. Two specific recreational activities place a heavy demand on available parking space. During abalone season, in the spring, available parking space is often exceeded at the wharf. Boat launching for sport fishing also creates a heavy demand. The latter use is less impactive than the former, because the fishing activity is spread over the spring/summer seasons. Abalone fishing is short, but draws broad participation by residents in the southern Mendocino Coastal area and from areas outside the County.

The Coastal Access Map depicts parking at the Point Arena coast. Parking areas provide "off-street" spaces which are oriented to specific use areas, i.e. restaurant, fishing/wharf. Other "on-street" parking is available and shared between general/community uses and uses which may be directly oriented to the coast, i.e. existing and potential parking near the City center on Main and Mill Streets.

Table 2 presents seasonal demands on existing and potential parking spaces available at Point Arena Cove.

B. Findings:

The current usaeage of access and parking facilities on the Point Arena coast is not impactive, except for a short period in the spring during abalone fishing season. Day and

TABLE 2

WHARF PARKING FACILITIES
AND SEASONAL USE DEMAND

Day Uses Only-Wharf

Facility/Use	Secondary	Existing No.Spaces (formal)	Existing (informal)	Potential New Spaces	% Use Spring/Summer	% Use Fall/Winter
1. Wharf: boat launching	-	20	10	5	70	30
2. Wharf: boat trailer spaces	-	12	-	-	75	25
3. Wharf: cafe	-	14	3	-	50	50
4. Wharf: cabins*	-	2	-	-	-	-
5. Fishing/bait shop & misc. wharf uses	-	2	4	-	65	35
6. Mobile Home-R.V. Park (¼ mi. east of Wharf on Port Road.)**	-	14	15***	4	98 (Spring only)	2.
7. Port Road-No. side Day Parking only ¼-½ mi. east of wharf	-	-	-	15	-	-
8. Port Rd. @ Iverson ½-3/4 mi. east of wharf	12	-	-	10	-	-
	12	64	32	34		

* rented to employees on a more or less permanent basis; total wharf employees summer 5, winter 4, (average demand of employee parking at anyone time is one(1) space day/night).

** the mobile home park (27) spaces is utilized by 5 permanent residents, 8 transient residents (usually 6 months or less stay) and 14 spaces for travel trailer/R.V. use.

*** designated for self-contained R.V. units and overnight autos/campers. This area heavily used during abalone season (spring) lightly used otherwise.

Note: The distribution of seasonal parking "demand" at the wharf complex is estimated from interviews with Roy Fox, the Wharf operations manager. We include it here to illustrate general intensities of use of the Wharf facilities on a comparative seasonal basis. It is felt by Mr. Fox that while "peak" spring/summer weekends may generate parking "demand" which meet the capacity of the wharf complex, better parking control will mitigate historical problems of congestion and provide more efficient use of space.

night parking needs are generally well met for recreational purposes.

The condition of roads (Port and Iverson) serving the Arena Cove complex is good and they offer significant informal day-use parking on either the north or south sides of the road. However, parking should be limited to those areas indicated on the Coastal Access Map. The parking areas near the wharf are informal, i.e. aggregate, and should not be improved except for directional signing. This is recommended to avoid the costly maintenance and repairs more formalized parking facilities may require. Heavy seas caused by severe winter storms often flood the parking areas near the wharf. Some areas east of the wharf, most notably at the intersection of Iverson and Port Roads, may be designated for "informal" parking for visitors who wish to walk down Port Road to the wharf.

C. Recommended Land Use Policies - Shoreline Access:

Policy Objectives: Develop policies, programs and land use designations that constitute the Public Access Component of the Local Coastal Plan; making recommendations for increasing Coastal access or limiting access on lands which may be hazardous or environmentally sensitive.

Policies: The Coastal Act (Sec. 30200) presents policies which provide the standards for determining the adequacy of the local coastal programs. Coastal Act policies (30210-12) related to Coastal Access are incorporated into Point Arena Land Use Plan as follows:

1. "The City of Point Arena shall require a 25 foot wide easement along all trails designated on the access map in the Land Use Plan as a condition of approval for any development that would require a coastal development permit. These easements shall only take effect when a public or private party accepts the responsiblity for improvement and maintenance of the access easement. Offers of dedication shall last for a period of 21 years unless the offer is accepted by a public or private party within the 21 year period."

2. "The City shall seek funds to initiate a wharf access and parking sign program. Directional signs, preferably comprised of natural materials, shall be placed at both City entrances on Route #1 and at Port and Iverson Roads indicating the wharf location from Main Street. Funds for this purpose may be sought from Coastal Conservancy, local service clubs and the County Chamber of Commerce."

3. "The City Council shall adopt the policy of protecting areas where public prescriptive access rights may exist but which have not been specifically defined to date."

4. "Pedestrian access shall be designated along trails aligned horizontally west of the VFW building, south to Port Road thence west to the wharf (as shown on Coastal Access Map). Another potential trail route shall establish vertical access along Point Arena Creek from Route #1 (Main Street) west to Arena Cove and the wharf. Lateral access along the ocean bluffs leading into downtown Point Arena (as shown on the Coastal Access Map) shall be established to increase access to and along the shore. Access to and along the coast via trails may require some geotechnical work (see Hazards Section) to qualify soils for such uses."

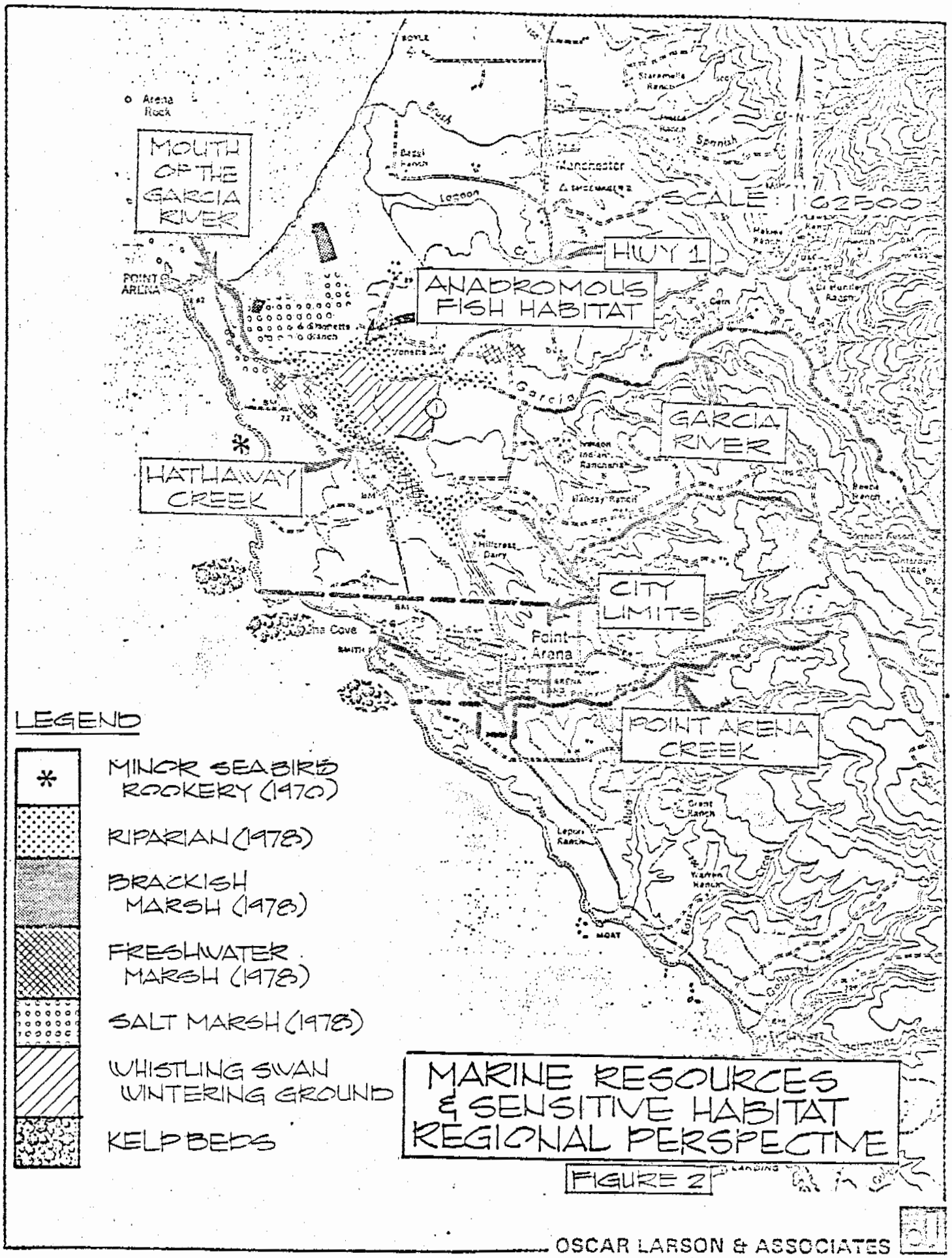
MARINE RESOURCES

A. Setting:

1. Regional Context: There is limited literature quantifying the biological productivity of marine and water resources. However, there is a significant regional fresh water biological resource some 1½ to 2 miles north of the City, which, because of its proximity to the City and its regional importance, deserves mention here. (Figure 2) The resource consists of the Garcia River mouth as it enters the ocean, its tidal flats, slough, marshes (both salt and brackish) and its major tributary, Hathaway Creek - which is within ½ mile from the City's northern boundary.

The Garcia River is a major drainage of the southern Mendocino coastal mountains and, as such, is a major spawning run for anadromous fish such as Silver Salmon and Steelhead. In that both species return from the sea to their fresh water spawning grounds to reproduce, it is imperative that the spawning vitality of the Garcia River be maintained if the local, and ultimately regional, salmon and steelhead fishery resources are to be preserved. Anadromous fish spawning streams are ecologically fragile and very sensitive to degradation (see Sensitive Habitats). Biological productivity is maintained in the Garcia by the ecological relationships which occur between the diverse plant and animal communities along its course to the sea. Of particular concern to the City of Point Arena is the maintenance of the river's water quality for domestic water source. Point Arena Water Works draws approximately 100 acre feet of water annually from the river for use by City residents. The extraction does not adversely affect the river flow.

A second reason to maintain the water quality of the Garcia is to protect micro-organisms which serve as the basis for the river's food chain. This chain includes sport and commercial fish in coastal waters and ends with the coastal residents themselves. Thus, it is to the benefit of wildlife and Point Arena citizens to assure that the biotic integrity of the Garcia River is maintained, even enhanced, when warrented.



MARINE RESOURCES & SENSITIVE HABITAT REGIONAL PERSPECTIVE

FIGURE 2

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2. Local Context: A second, less biologically important water course, Point Arena Creek, also affects the City. Point Arena Creek is a water course descending to Arena Cove from three miles east of the City. It bisects the southern portion of the City, following a deep draw to the harbor. In that it is a small stream, it does not constitute a true riparian plant community, but does display some of the plant species common to riparian and semi-riparian ecotones. These are primarily noted in the abundance of willows interspersed with alders and various sedges and berry vines along its length. The main value of Point Arena Creek to the City is its aesthetics and potential as a trail area. Although the creek is not commerically productive from a biological standpoint, it does directly affect the waters of Arena Cove. It is, therefore, important that the Creek be as clean as possible during periods of runoff and that it be protected from degredation by pollutants and/or impactive land uses.

Arena Cove provides the only biologically important resource within the City boundary. The small Cove provides mooring space for commercial fishing boats during the fishing season and acts as a major south coastal landing pier for small recreational and sport fishing skiffs. Party boat and shore fishing also occur at Arena Cove, during spring and summer seasons, attracting substantial participation from local residents and non-residents alike. Perhaps the single largest attractant of business and activity to the harbor is the abalone season. The Department of Fish and Game has counted at least 109 autos at or near the wharf during the peak season, especially on weekends. (3) The season is short so the mainstay of business and activity through the year is commercial and sport fishing. No data are available to give seasonal daily averages of use at the Cove.

Table 3 provides insight to the diversity of commerical and sport fish which inhabit the Cove or ocean waters near the coast, directly and indirectly affecting commerical and recreation economies of Point Arena.

---

(3) Department of Fish and Game, California Sea Grant, Coastal County Fish and Wildlife Resources and Their Utilization, August 1973; revised June, 1976

TABLE 3

Fish/Shell Fish	Location/Range	Fishing Activity Commercial	Sport
1. Crab, Dungeness	Arena Cove, coastal rocks	X	X
2. Albacore	2-15 miles at sea from Arena Cove	X	X
3. Sole, Lingcod, Misc. bottom fishes	from ½ mile to 2 miles from coast	X	X
4. Salmon, Shad, Flounder, etc.	within Arena Cove to 5 miles from shore		X
5. Salmon	coastal and open water trolling	X	X
6. Abalone	Arena Cove, shore area		X

The kelp beds located near the mouth and to the north and south of Arena Cove provide important cover and feeding areas for many of the species listed above. It is usually in kelp bed areas where fish and other sea life populations are the largest and most diverse. Because of the ecological vitality of kelp beds, it is a favored habitat for exploration by scuba and skin divers, underwater photographers, and sea lions. Kelp, while often a nuisance to boaters and shore fishermen, is an important feeding and breeding place for the myriad organisms inhabiting coastal waters. Thus, to assure the continued vitality of the local kelp beds the City should protect them from degradation by pollutants and toxic substances. This can be realized by establishing land uses which are relatively clean in the harbor and to adopt a policy of vigillance toward off-shore uses which may pose a threat to the biological productivity of the kelp beds.

Other sea life indirectly important to the coastal ecology of Point Arena includes a variety of pelagic mammals which migrate annually along the Pacific Coast. The most abundant and most often seen near the coast of Point Arena is the California Gray Whale.

Approximately 15 other species of whales occupy coastal waters on a migratory basis at varying degrees of frequency. Perhaps the most interesting, is the Great Blue Whale, the largest and rarest of leviathans. This huge mammal, the largest animal to inhabit the earth, has been hunted close to the point of extinction and is considered "very rare" world wide. They have been sighted, albeit very rarely, in coastal waters off Point Arena.

B. Findings:

The water and marine resources of the Point Arena area are highly diverse and contribute substantially to the economy and the character of the City. Even though the Garcia River is out-side the City's jurisdiction, its importance to local fisheries and the overall biological productivity of the Point Arena coast connot be overstated. The City should be directly involved in protecting the Garcia River and its wetlands through collaborative efforts with County and State agencies.

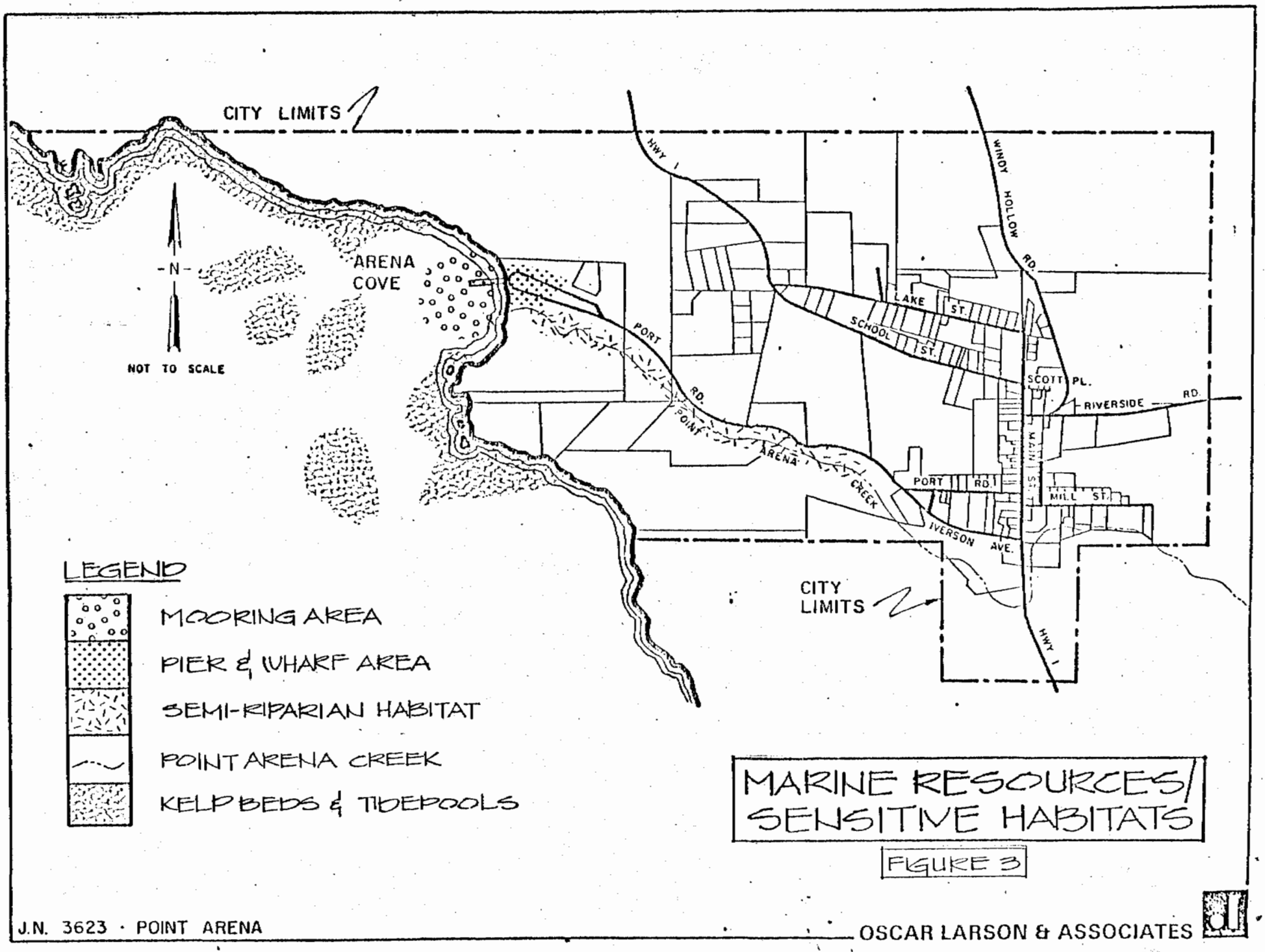
Arena Cove is directly important to the commercial and recreational economies of the City and can be enhanced by maintaining a protective policy towards the Cove and planning harbor land uses which increase use of the harbor without impacting marine resources.

Point Arena Creek, while a minor drainage course to the Cove, can directly affect water quality near the shoreline. In this regard, the City has taken positive action to reduce sewage pollution in the Cove which drains from existing sewage treatment ponds to the Creek and ultimately to the Cove. A new treatment facility will be constructed which will provide an expanded level of treatment. The wastewater plant is expected to be completed in 1980.

C. Recommended Land Use Policies - Marine Resources/ Sensitive Habitats

Policy Objective: Provide policies that the City can use in developing plans and related ordinances to assure the protection of stream and coastal environments.

Policies: The City Council of Point Arena should adopt a policy which recognizes the importance of protecting marine and water resources from pollution and degradation by conflicting land uses. While the Garcia River/Hathaway Creek wetlands are "outside" the jurisdiction of the City, they generally parallel the "Sensitive Habitat" illustrated on the Marine Resources/Sensitive Habitat Map. (Figure 3) These areas are important to the economic and cultural nature of Point Arena, and should be addressed by Land Use Plan Policies



MARINE RESOURCES/ SENSITIVE HABITATS

FIGURE 3

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as follows:

5. Coordination between the City of Point Arena and the County of Mendocino in the planning of these areas is desirable. The City should indicate to the County that important marine/sensitive habitat areas adjacent its boundaries are of direct interest to Point Arena; and accordingly County Land Use Plans should designate land use plans which preserve the biological integrity of the areas.

6. Coordinated planning effort should involve establishing "buffer areas" of at least 150 feet from the outer edge of riparian vegetation and marshes, on stream banks. Such buffers should protect streams and associated wetlands from encroachment of agriculture, timber harvesting, urban development, roads/trails and other incompatible uses.

7. Emphasis of policy in Marine Resources/Sensitive Habitat planning should be directed toward maintaining and enhancing fishery resources in the Garcia River. All impoundments and/or diversions of water should be done in strict compliance to State Department of Fish and Game requirements to assure adequate water quality and quantity.

8. The City shall continue its protective policy toward Arena Cove and Point Arena Creek, by allowing land uses in the Wharf area which do not discharge pollutants in the Creek or coastal waters. The City shall implement the following:

    a. Provide a 100 foot buffer strip from the outward edge of riparian vegetation on each side of the Creek (except where there is existing development) to protect the Creek from erosion, siltation and pesticide residues.

    b. No development shall be allowed within the riparian area. Within the buffer area, land uses should be limited to those compatible with protection of the Creek, i.e., agriculture, grazing, hiking and related recreation.

c. To protect the Creek, no vegetation removal, grading, soils or refuse dumping or alteration of the Creek bank shall be allowed.

d. Coordinate planning activity with Mendocino County to develop consistent land use policies on land east of the Point Arena City limit.

e. The City shall insure mitigation of potential land use impacts by requiring biological analysis as the initial step in development plans affecting the Creek. Any development within areas draining directly into the creek (approximately from School Street south) shall require appropriate mitigative measures.

9. Point Arena land uses shall reflect policies established for Point Arena Creek. The City shall provide that:

   a. No development shall be allowed to discharge harmful pollutants to the waters of the Cove, i.e. dumping of fuels.

10. No off-shore uses which could affect the integrity of kelp beds and off-shore fisheries shall be allowed. Uses which conflict with the continued biological productivity of off-shore areas shall be discouraged; all ocean areas within the "3 mile limit" should be planned jointly between City, County and State planning agencies to assure this objective.

SENSITIVE HABITAT

A. Setting:

Environmentally sensitive habitats within or near the City of Point Arena correspond closely to areas described in the Water and Marine Resources section of this Land Use Plan. As with biologically productive areas, sensitive habitats are most pronounced in the Garcia River wetlands area and portions of Hathaway Creek. The Garcia is a wetland/riparian habitat of major importance in northern California and is one of the two areas within Mendocino County designated by the Department of Fish and Game as, "Key Marsh, Wetland and Riparian Habitat". (4) The other "key" area is the Big River wetland in the north coastal region of the County. With over 67 percent of the California esturine habitat dredged, filled or otherwise destroyed as a wildlife support system, the remaining estuarine and coastal wetlands take on increased importance; (5) and it's with this premise that Point Arena should address these lands adjacent to its northern City boundary in its Land Use Plan.

According to the California Department of Fish and Game, these are sensitive habitat areas. Section 30107.5 of the Coastal Act defines "environmentally sensitive areas" as "areas in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments." Areas of special significance include coastal wetland and lagoon tidepools, off-shore rocks, and kelp beds. All of these areas are represented within and adjacent Point Arena in varying degrees. A general discription of these sensitive areas and their repective locations follows.

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(4) California Department of Fish and Game, "Fish and Wildlife Resources Relationships and Water Quality Requirements", August, 1972

(5) University of California, Sea Grant with Department of Fish and Game, Coastal County Fish and Wildlife Resources and Their Utilization, Revised June, 1976

1. Regional Context:

Garcia River Wetlands: As discussed previously, this area is comprised of an integrated network of salt, brackish and fresh water marsh systems interspersed with sand flat areas at the River's mouth. (Figure 2) Its location on the Pacific Flyway makes the Garcia wetland area a key resting and feeding ground for migratory and resident bird populations. Some of the migratory species utilizing the area are arctic loon, the rarely sighted red-necked greebe, white pelican and the great white egret. (6) The Garcia wetland also provides a winter nesting site for approximately 50 pair of Whistling Swans; (7) a note of distinction as they haven't been observed on other wetlands in Mendocino County. Resident bird species which also inhabit or feed in the Garcia marsh areas on a year round basis include the great blue heron, the brown pelican and the very rarely seen white faced ibis. The few species listed share the habitat with a host of game bird and song bird species which interact with other wildlife forms such as rodents, raccoons, skunks and other fur bearing animals.

Hathaway Creek/Garcia Riparian System: The Hathaway Creek riparian habitat provides abundant cover for a variety of wildlife species. The area of significant "sensitive" habitat extends west from Windy Hollow Road (approximately ½ mile north of Point Arena) to its confluence with the Garcia River, a distance of about 1½ miles. Besides the abundance of riparian vegetation along its course, Hathaway Creek displays a large freshwater marsh approximately ¼ mile west of Windy Hollow Road which is an important feeding and nesting site for many of the "visiting" and "resident" wildlife forms in the south coastal area.

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(6) Kolkman O. Madrone Aububon Society and Bureau of Land Management U.S. Department of Interior, Birds of Mendocino County, Calif. August 1973

(7) Ibid

The acreage summary of the Garcia/Hathaway systems is provided below to illustrate relative sizes of wetland and riparian habitats.

Principal Wetland Habitat Types in Point Arena Area (8)

	Salt Marsh	Brackish Marsh	Fresh-Water Marsh	Total Marsh	Total Riparian Habitat	Total Marine	Total Sand Flats	Total Littoral
Garcia River	50.1	8.1	5.7	63.9	201.5	55.8	11.3	75.2
Hathaway	-	-	34.6	34.6	14.4	-	-	62.3*
Total	50.1	8.1	40.3	98.5	215.9	55.8	11.3	137.5

*includes 27.7 acres of swamp

The acreages of the Garcia/Hathaway systems represent nearly 20 percent and 43 percent of all coastal marsh and riparian habitat systems in Mendocino County respectively.

Sea Lion Rocks: These picturesque rocks lie just offshore about 1½ miles north of Arena Cove. The rocks are considered a "minor" seabird rookery by the California Department of Fish and Game. They also provide a favored resting place and fishing ground for the Steller Sea Lion and the Harbor Seal.

2. Local Context:

Kelp Beds: As indicated in the previous section, the kelp beds north and south of Arena Cove provide an important marine resource area and are sensitive to pollution and other forms of degradition. Their importance to maintaining biological productivity within the coastal marine ecosystem cannot be overstated.

Point Arena Creek: This water course is not considered a major riparian habitat system because substantial water flow occurs only during the winter and spring season. Water flow during summer months is extremely light and often "dry" conditions exist along its length through Point Arena. On the

(8) "Acreages of Principal Wetland Habitat Types in Mendocino County", California Department of Fish and Game, 1978

other hand, the Creek does provide sufficient cover for various song and game birds as well as other wildlife forms to warrent consideration in the Land Use Plan. One of its main attributes is the scenic quality it portrays as it traverses through the City to Arena Cove from the eastern uplands. Though it lacks sufficient water, either in quantity or quality to provide a fishing resource, it does have potential for hiking and equestrian uses. The creek has been substantially impacted by the discharge of sewage wastes over the years, however, this will be mitigated by completion of a new wastewater treatment plant in 1980.

B. Findings:

The relative remoteness of the Garcia and Hathaway Creek wetlands has offered a certain amount of protection from human disturbance and development. However, due to the fact that they are owned privately, some risk may be posed by development in the future. Moreover, upstream impoundments of water on the Garcia River/Hathway Creek for agriculture or domestic purposes could impact the wetland systems if the impoundments and/or diversions are not regulated and monitored.

According to personnel of the State Department of Fish and Game, there are no dams without fish ladders located on the Garcia or Hathaway streams, but previous logging and land use practices have significantly impacted the streams. (9) Recognizing the importance of mitigating previous impacts to coastal streams, the County is involved in a "stream clearance" program. The effort is designed to clear streams of old log-jams, rubble, and debris. The stream clearance project is funded by the Comprehensive Employment Training Act (CETA) and is administered through the County C E.M.R. Agency.

C. Due to the close relationship between marine resources and marine habitats, the recommended land use policies listed in the preceding section apply here.

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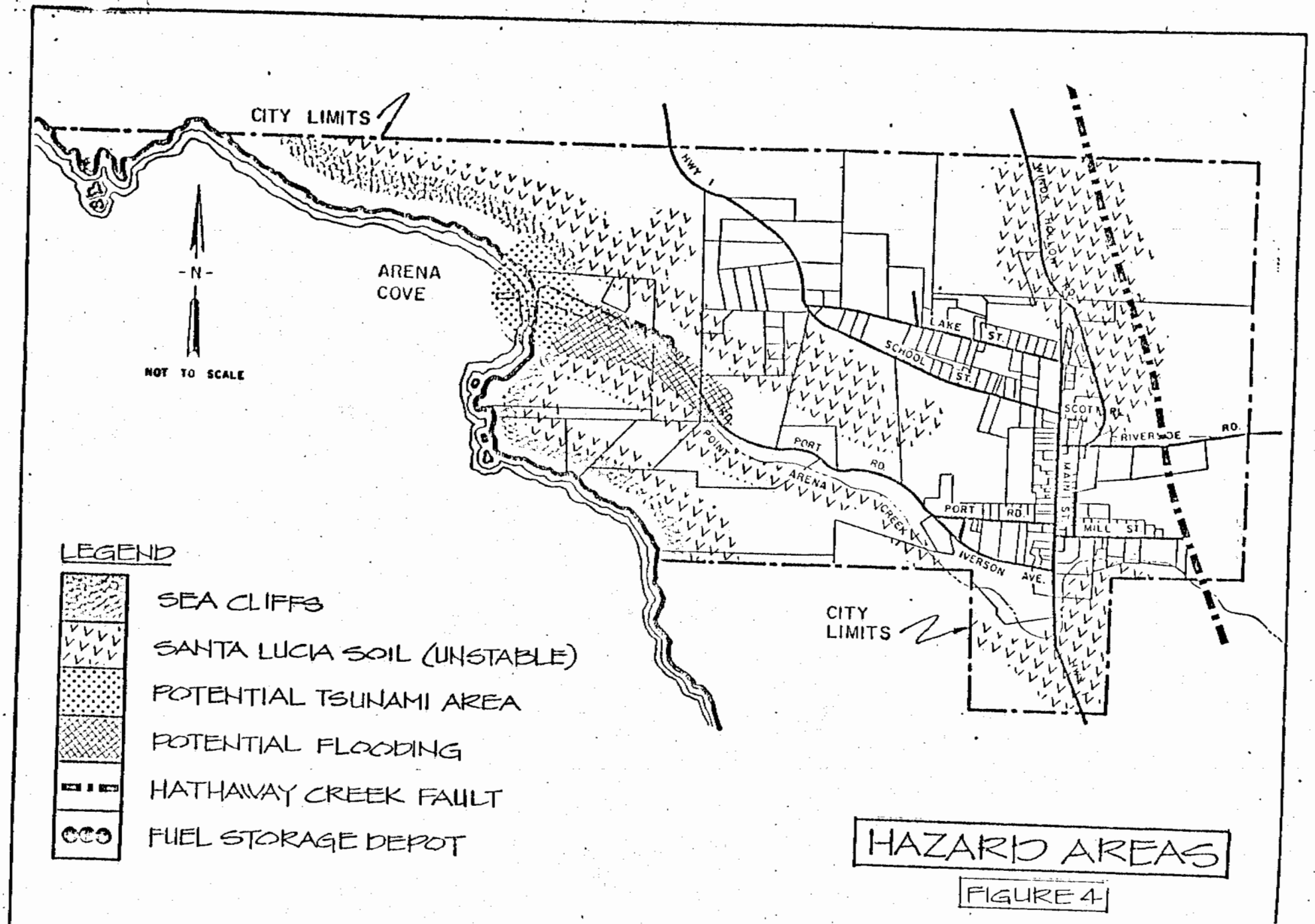
(9) John P. Ellison, Jr., Aquatic Biologist, California Department of Fish and Game, Yountville, California



HAZARD AREAS

FIGURE 4

J.N. 3623 · POINT ARENA

OSCAR LARSON & ASSOCIATES

HAZARD AREAS

A. Setting:

According to Coastal Act Policy 30253, the definition of "Hazard Areas" constitute a key element in the development of the Land Use Plan. Areas to be considered in this work category include geological (including seismic and tsunami), flood and fire hazards. The purpose of assessing such hazard areas is to identify land areas which present a hazard "risk" to the public and which can be avoided or mitigated in the development process.

1. Geologic/Soils Hazards (Non Seismic): Areas of Point Arena present various risks to public safety and welfare due to factors related to topography, soils stability and erosion hazard. (Figure 4) In cases where relative risks are small and can be mitigated, development for residential, commercial and/or industrial uses may be appropriate - depending on other non-hazard planning considerations. On the other hand, areas which display a significant risk hazard to the public should be avoided to assure protection. It is the geologic hazards which are not necessarily seismically induced which pose significant hazards to the public or physical constraints to development that need definition here. Seismic hazards will be explored separately.

a. Coastal Bluffs: With the exception of Arena Cove, the coastal bluffs form a continuous, near vertical sea cliff ranging between 70 and 160 feet in height on the western edge of the City. The part of the sea cliff that extends from Arena Cove to the Point Arena headland has been cut in rocks of the Point Arena Sandstone Member of the Monterey Formation.(10) The relatively resistant nature of these thin-to-thick bedded sandstones is probably responsible for the existance of the headland. (11)

Cliff failure has occurred over time along the Point Arena coastline. This phenomenon is termed "sea cliff retreat" and occurs by constant minor slippages and occassional large scale failure. Most of the rock falls involve masses 5 to 50 feet thick. Some areas that experience continuous sliding along the cliff are disturbed by faulting or are underlain by weak sections of rock. According to a survey by the U.S. Coast Guard (1968) in 1908, 1962 and 1968 cliff failure has ranged from 10 to 30 feet during the 60 year period on the headland.

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(10) Geology of the Mendocino Power Plant Site, P.G.& E., 1971
(11) Ibid

b. Coastal Terraces: The coastal terraces in the south coastal area (known as the Gualala Ridge) are broad benches occurring as a succession of four major steps in the Ridge at the respective elevations of 80, 200, 300 and 400 feet above present sea level. These benches are thought to have occurred by wave action over geologic time. The four terraces were formed at different times during the Pleistocene epoch; their ages generally corrolate with their respective altitudes, the lowest terrace being the youngest. The City of Point Arena rests on the "fairly young" second terrace at the 200 foot elevation.

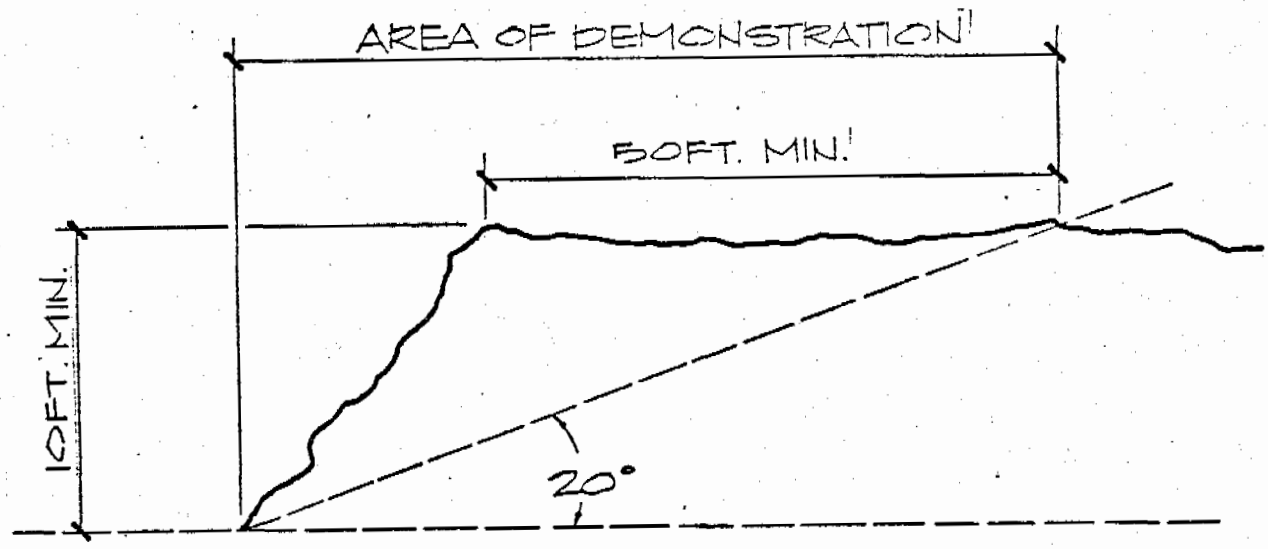
The terraces consist of materials similar to those of the coastal bluffs, overlain by marine sediments, sandstone and shales. With the exception of faulted areas, the general structure of the geology of Point Arena is not particularly hazardous. The soils which overlay the Point Arena Terrace do offer some risk to structures in steep areas, however, and most of the coastal bluffs present hazards either because of their height or their potential for "retreat". Soils hazards act more as contraints to development rather than as direct hazards to the public under static conditions. (Figure 5)

c. Soils Hazards (Constraints): Non-seismically induced soils hazards are primarily limited to engineering constraints posed to urban development. According to the Soils Conservation Service (U.S. Dept. of Agriculture), severe limitations for urban uses exist within the City's Santa Lucia soil series. The greatest source of soil hazard relates to shallow soil depth (2 to 24 inches) which contrains septic sanitation disposal systems and slopes which exceed 20 percent in grade. Poor bearing capacity of surface and subsurface soil materials pose the risk of soil failure, particularly when water saturated, on steeper slopes, making them poor foundations for streets and structures.

The Santa Lucia soils occupy slopes which range from 9 percent to 75 percent in the study area. Much of the City's coastal escarpment, or terrace run-up area, and draws comprise this group. The Hazard Areas Map (Figure 4) gives approximate locations of the Santa Lucia Series in Point Arena.

As a general rule the area of demonstration of stability includes the base, face and top of all bluffs and cliffs. The extent of the bluff top considered should include the area between the face of the bluff and a line described on the bluff top by the intersection of a plane inclined at a 20° angle from a horizontal passing through the toe of the bluff or cliff, or 50 feet inland from the edge of the cliff or bluff, whichever is greater. However, the Commission may designate a lesser area of demonstration in specific areas of known geologic stability (as determined by adequate geologic evaluation and historic evidence) or where adequate protective works already exist. The Commission may designate a greater area of demonstration or exclude development entirely in areas of known high instability.

The report should indicate the location of the cliff or bluff edge, the toe of the cliff or bluff and other significant geologic features by distance from readily identified fixed monuments such as the centerline of the road nearest the bluff or cliff.



*SOURCE: CALIFORNIA COASTAL COMMISSION, STATE INTERPRETIVE GUIDELINES, OCT. 31, 1978.

* COASTAL BLUFF RETREAT/ EROSION SETBACK GUIDELINES.

FIGURE 5

A second soil series offering substantial physical limitation to development is the Haploxerolls rock outcrop complex. This group occurs as a narrow strip on the coast sea wall, south of Arena Cove. This soil displays an extremely shallow profile (5 to 20 inches and is severly limited in land use potential. Table 4 provides a general description of limitations of the soils for urban uses.

B. Findings:

1. Considerable hazard to public safety is apparent with regard to coastal bluffs and their use for points of access to the coast.

2. The potential for sea-cliff retreat is significant, posing a considerable hazard for development occurring along the vacant coastal bluffs. Open space and the agricultural use of bluff areas would be generally appropriate. Low density residential uses may be allowed subject to site specific qualification studies.

3. Soils in City Limits of Point Arena pose some Hazards to development in the form of "constraints" from the standpoint of erosion hazards and suitability for urban uses, i.e. septic sanitation, streets and dwelling sites.

4. Sea cliff soils along the bluffs, south of Arena Cove, pose severe limitations to development.

2. Geologic Hazards (Seismic): Seismic hazards within the LCP study area originate from sources both inside and outside the City's corporate boundaries (Figure 6) and pose direct (primary) and indirect (secondary) risks to inhabitants. A brief description of the nature of the risks is included as follows:

a. Primary Hazard Risk: Direct risk of a land surface rupture along a fault trace during an earthquake of moderate to major magnitude. Such an occurrance poses a hazard to structures, utilities or roads which traverse or "straddle" the fault.

b. Hathaway Creek Fault: This is not a major fault, but is the only one which traverses the City proper. It is not known whether rupture along this fault would occur during an earthquake. The main risk of rupture of

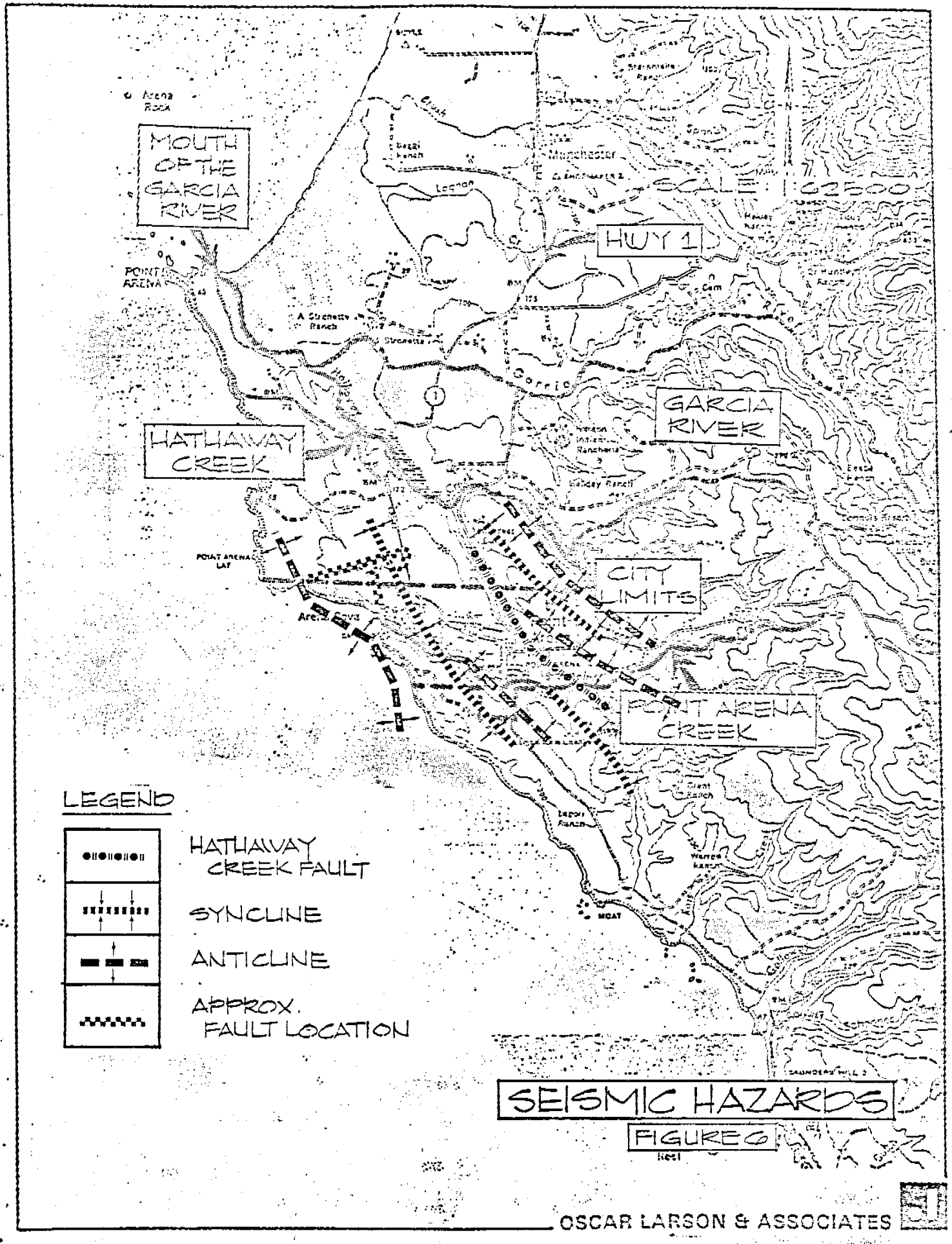
TABLE 4

Point Arena LCP Study Area

Soils Limitations

Soil Name	septic tank filter field	dwellings	roads & streets	shallow excavations	path & trails	campsites
Santa Lucia clay loam,* 9-50% slopes	severe	moderate to severe	moderate to severe	severe	moderate to severe	severe
Santa Lucia clay loam,* 50-75% slopes	severe	severe	severe	severe	severe	severe
Haploxerolls, rock outcrop complex	severe	severe	severe	severe	moderate to severe	severe

* Parent Material: Fractured Shale/Angular Gravels



SEISMIC HAZARDS

FIGURE 6

OSCAR LARSON & ASSOCIATES

this relatively minor fault originates from a major seismic event on the San Andreas fault, two miles northeast of the City. (12) It is felt that this fault is generally associated with the San Andreas fault zone and that it could respond by rupturing during a major 'quake on the San Andreas, but this has not been qualified. As shown on the Geologic Hazard Map, areas which could be affected by "direct" seismic hazard are the north and north eastern portions of the City's hill area.

c. Secondary Seismic Hazard Risk: Secondary seismic risks to land areas occur as a result of a seismic event, regardless of whether or where ground surface rupturing occurs on a fault trace. Examples of secondary seismic effects are: ground shaking, lurch-cracking of soil surface, liquification of soils (most prone in areas where soil is sandy and/or comprised of loose, unconsolidated materials in the presence of high water tables, i.e. along lake shores, stream sides, tidal flats, swamps, etc.), and lateral spreading. This latter form of earth failure can occur on slopes that are comprised of weak sub-strata and unstable soils, particularly if water saturated conditions exist. Lateral spreading occurs towards the free face of the slope in large land slides. The shaded areas on the Hazard Map (Figure 6) indicate potential hazard areas to the effects of ground shaking, and land sliding. Areas where soil liquefaction may occur have not been identified on the Hazard Map. Another secondary seismic risk which poses hazard to the City is tsunami, tidal wave action, which may result from a marine landslide during a major earthquake. The actual risk of this is not great, as the last tsunami action occurred in Arena Cove after the 1964 Alaskan earthquake. No serious damage resulted to the harbor or wharf at that time. (13)

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(12) John Williams, Dept. of Geology, California State University, San Jose, verbal communication, February 7, 1979
(13) Roy Fox, Manager, Wharf Operations, Point Arena, January 1979

d. Syncline/Anticline Hazard: The Syncline is the downward "fold" or troughs of rock which have resulted from seismic activity over geologic time. The Anticline is the "crest" or upward fold. Neither geologic formation generally offers great seismic hazard. However, there is a risk of slope failure of anticlines consisting of unconsolidated, weak sedimentary rock. (14) Qualification of the syncline/anticline phenomenon in Point Arena has not been performed.

B. Findings:

1. No quantification of primary or secondary seismic risk to the City of Point Arena has been made at the local or state levels. The major risk of property damage and personal injury in the City originates with major seismic activity on the San Andreas Fault, north of the City.

2. Soils identified as Santa Lucia on slopes exceeding 20 percent have potential for failing during a major seismic event.

3. Hazards related to tsunami action are not considered significant.

4. The City of Point Arena has not yet developed land use policies which recognize geologically hazardous areas.

5. Comprehensive geologic and seismic hazard studies are needed to specifically identify hazards.

3. Fire Hazard

A. Setting:

Fire control in Point Arena is handled by the Point Arena Volunteer Fire Department with emergency mutual aid augmentation by the California Department of Forestry. The volunteer force, consisting of ten trained personnel, one pumper truck and a pick-up truck, are available to control and extinguish residential and commercial fires in the City. Mutual aid augmentation help from the California Department of Forestry is available throughout the year and is most effective during the summer "fire season" when the

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(14) California Division of Mines/Geology, verbal communication, February 2, 1979

station is fully staffed. California Department of Forestry has a primary responsibility to respond to wildland fires in the south coastal watershed but may respond to structural fires to protect adjacent resource lands from "fire spread".

From the standpoint of general fire protection in the City, the Point Arena Volunteer Fire Department is staffed and equipped to handle all but the most severe conflagrations. (15) The 10 personnel providing volunteer service, receive compulsory fire control "refresher" training twice a year. The pumper truck pumps approximately 750 gal/min and is equipped with approximately 2800 feet of hose. The length of hose allows maximum use of the nine hydrants located in the commercial/residential center of the community. (16) There are no hydrants in the wharf area, but the pumper truck can pump directly from Point Arena Creek or the ocean.

Fire hazard conditions in the City reflect two areas of concern. The most critical potential fire risk is presented at the fuel distribution depot some 350 feet east of the wharf complex on Port Road. The fuel storage tanks are used by distributors of Shell Oil and Standard Oil Companies and are used to serve gasoline/diesel fuel tank truck distribution activity along the Mendocino Coast. Fuels are delivered to franchise and private fuel outlets from the southern Mendocino County line to Albion. Storage capacities at the Shell/Standard Oil site are approximately 65,000 gallons for gasoline and diesel fuel.

Some protection against the spread of burning fuel is offered at the storage complex as the tanks are surrounded by concrete berms to contain fuel leaks. However, the heat generated by such a large fire together with the potential for explosion poses a very real threat to residents living at the mobile home park across from the fuel tanks as well as to other residents living around the Wharf Cafe. The Point Arena Fire Chief states that the fuel tanks have been at their present location since the 1940's and, that while their risk of involvement in a fire is small, if one did occur, it would be severe and "probably uncontrollable by any local fire fighting agency currently operating in the County, including the California Department of Forestry". (17) More general fire hazards exist in the City, but these, given time and effort, can be greatly mitigated.

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(15) Fred Morgan, Chief, Point Arena Volunteer Fire Department, February, 1979
(16) Ibid
(17) Fred Morgan, Volunteer Fire Chief, Point Arena, February 1979

B. Findings:

The fire hazards in the Point Arena LCP area are broken into two categories: site specific, particularly the fuel storage sites at the wharf, and generalized throughout the community in the form of the potential risk of old, faulty electrical wiring in homes and buildings over 50 years old. The following is an assessment summary of these hazards:

1. Structural Fires: The volunteer fire department is capable of responding to any structural fire in the City within 4 minutes during the day and within 8-10 minutes at night. The personnel, equipment and infrastructure (hydrants, etc.) is adequate to yield a rating of 8 on the general fire insurance rate scale. Rates are established on a scale of 1-10 (1 being the lowest).

2. Disaster Plans: The City has no adopted disaster plan for evacuation, receiving or emergency treatment of residents in the event of a severe conflagration. This is critical to the rescue and evacuation of residents living at the wharf area if the Shell and Standard Oil storage tanks were involved in a fire.

3. Emergency Access: A serious constraint to evacuation of the wharf area may be encountered in that the Arena Cove complex is served by a single route only. The lack of a secondary emergency access route through the eastern protion of the City could be a constraint if State Route #1 were blocked (for any reason) to emergency response agencies.

4. Shell/Standard Oil/Fuel Storage Tanks: The placement of volatile fuel storage facilities within an area designated for residential and commercial land uses poses a serious conflict which should be corrected. Hazards to local residents and the general public are severe.

5. General Fire Hazard of Point Arena: According to the California Division of Forestry, Howard Station, the City of Point Arena has a rating of "moderate" on the Fire Hazard Severity Scale during the "peak" summer fire season. This is because of the usually higher humidity levels and low fuel vegetation components of coastal terrace lands.

4. Flood Hazard

A. Setting:

Flood hazards in the City are limited to two areas: the lower 1200' of Port Road, adjacent to Point Arena Creek and the parking area adjacent to the boat launching area adjacent to the wharf. (Figure 4) The parking area is often inundated by heavy seas during winter storms. The degree of flooding experienced on Port Road is variable, depending on the amount of rainfall and tidal conditions during storms. The flood area shown on the Hazards Map affects vacant land along Port Road, the road surface itself, the fuel storage area and mobile home/R.V. park near the creek. Most often heavy rains produce a shallow sheet flow to the creek, amounting to a few inches of water within the defined areas. In these instances, hazards to the residents living in the mobile home park are minor. However, during periods of heavy rainfall combined with high tides, the flood depth may approach 10-11 inches. This definately poses a hazard to property in the mobile home park.

B. Findings:

Flood hazards are not considered major in the City, but past flooding has caused considerable hardship on residents living at the mobile home park adjacent to Point Arena Creek. The owner of the property used to clear creek vegetation and place logs to divert water from the mobile homes, however, due to protective regulation of the creek, this practice has ceased. There are no plans at either the City level or by the property owner to permanently mitigate the flooding problems along the creek.

C. Recommended Land Use Policies - Hazards:

Policy Objectives: To develop a comprehensive "constraint planning" land use analysis to identify risks to the public in hazardous area, and to make recommendations for land uses which are appropriate in such areas in accord with Coastal Act Policy 30253.

Policies: To mitigate or avoid the various hazards identified in this section, development policies need to emphasize "comprehensive assessment" of risks posed to the general public in the earliest phase of the planning process. Policy language should therefore be specific in the identification and quantification of hazards respective to each development proposal.

11. Geological/Soils Hazards (Non-Seismic): Coastal bluff areas shall not be designated for residential development. Areas which are proposed for development shall be protected by setbacks as recommended in Figure 5. All qualifying investigations for development shall be conducted by an engineering geologist or a civil engineer qualified in soils engineering, and mitigation measures identified in these studies shall be required as a condition of all development.

12. Soils which offer severe physical limitations for urban land uses shall not be designated for such uses. The City of Point Arena shall require soils leaching and bearing capability tests within soils hazard areas prior to approval of development projects in the latter areas. Soils hazard area studies shall be completed by a registered civil engineer qualified in soils engineering to develop mitigation measures on specific development projects and mitigation measures identified in these studies shall be required as a condition of all development.

13. Development of soils which are generally constrained for urban uses shall be located on the most stable portions of parcels. This shall include "clustering" of structures and/or utilities and roads where necessary to avoid risks to public safety.

14. Geologic Hazards (Seismic): Due to the proximity of the San Andreas fault to the City, seismic hazards should generally be considered major. Therefore, in the land use planning process, the City should attempt to qualify relative levels of seismic risk posed to various portions of the LCP planning area. It should be noted that hazards discussed under the non-seismic portion of this section, identify areas of hazard under "static", or normal, conditions only. These areas, when subjected to seismic loading offer an increased - yet unquantified - risk particularly from land slippage on steeper slopes. Land slippage and/or lurch cracking of soil by major earthquake activity on the San Andreas fault poses the largest risk category to the City. Extension of roads and utilities across seismically reactive soils and/or faults can lead to hazardous "post emergency" conditions for development - even if such development is located in relatively "safe" areas.

    a. The City shall endeavor to quantify seismic hazards associated with the Hathaway Creek fault within the City.

    b. The City shall endeavor to have a comprehensive seismic study prepared by a registered engineering geologist to establish specific hazard levels for all critical structures within the City, i.e. schools, public assembly buildings and wharf fuel storage area.

    c. The City shall amend its General Plan to indicate hazardous and/or unquantified risk areas for future assessment; and require quantification of such areas as conditions for approval of development projects.

15. Fire Hazards: Fire hazards in the City are defined as moderate, but the lack of a comprehensive disaster plan - particularly in the Arena Cove area - constitutes a major risk to public safety. Furthermore, citizens surveyed during the preperation of this document have shown interest in increasing the overall fire control effectiveness of the Point Arena Fire Department. Accordingly, the City shall endeavor to assure that the following actions be implemented as a matter of policy; utilizing appropriate ordinances and/or plans:

a. Develop a comprehensive civil disaster plan for all areas of the City. Such a plan shall contain provisions for secondary access (from the ocean if necessary) to the wharf complex. Areas east of the wharf, in the central portions of the City, shall be served with a secondary north-south emergency access; and finally, the plan shall establish a program for area-wide evacuation and emergency assistance and/or receiving stations.

b. Develop a plan for up-grading the general fire insurance rating of "8" currently assigned to the City in response to concerns of residents surveyed during the LCP work program. The objective can be realized by expanding the number and quality of hydrants in the City, increasing the fire department's personnel and/or equipment and reducing the night response time (currently 8-10 minutes) within the City.

16. Flood Hazards: With the exception of the wharf parking area and the western section of Port Road discussed earlier in this section, flooding hazards are negligible in the City. The following recommended policies are directed to protecting the mobile homes located between Port Road and Point Arena Creek.

a. The City shall adopt an ordinance prohibiting development, other than for open space or low intensity recreational uses, in areas where flooding occurrs. This can be achieved by incorporating "flood plain" (F-P) zoning to the susceptible area along Point Arena Creek.

b. In that the mobile home/R.V. park is a valuable recreational and existing residential area located on private land, the City shall coordinate efforts between the land owner and the Office of Emergency Services and/or Corps of Engineers to develop a flood protection program for the Creek. Such a

program should incorporate raising the floors of affected mobile homes with piers, coupled with establishing a permanent protective barrier around the southern perimiter of those mobile homes affected by flooding from Point Arena Creek.

RECREATIONAL/COMMERCIAL BOATING (18)

A. Setting:

The wharf area supports a diverse marine industry with a major portion devoted to commercial and recreational boating and fishing. The spring and summer seasons are busy and the reputation of Arena Cove as a lucrative fishing area is very good. Industries which are supportive of the fishing industry are the Wharf Cafe, skiff rental services (primarily for recreational uses), Wharf Bait Shop, fishing equipment store, recreational boat launching services, and fish cleaning services. The following provides a description of recreational and commercial fishing activities which occurr at the wharf:

1. Commerical Fishing: During the commercial fishing season, Arena Cove is home port for ten to twelve salmon and rock fish boats. In addition, visiting boats operating and processing landings at Arena Cove often number from 10 to 15 in the Cove. Visiting vessels are often from Monterey, Bodega or Eureka. Fishing season occurs in the spring and summber months, with commercial fish landings comprised of a wide variety of rock fishes and salmon. Crabbing is another important commercial activity within and around the Cove.

2. Recreational Boating and Fishing: The wharf provides a launching service for privately owned and rented boats fishing in and near the Cove. Launching activity is highest on weekends, averaging 20/day during the spring and summer months. Sport fish landings are good, with skiffs bringing in an average of 150 pounds of rock fish per day. The majority of skiff sport landings include lingcod, shad and snapper.

   In addition to private or rental skiff launchings, the overall recreational fishing picture is supplemented by pier fishing (from the launching wharf) and shore fishing. Species of importance to those "non-boating" forms of recreation, include sea trout, perch, lingcod and cabezon.

   Perhaps the largest, single, recreational activity generated at Arena Cove is the "crush" of people who visit the wharf area during the short abalone season in

(18) All local data submitted by Roy Fox, LCP-CAC, January, 1979

the spring. According to Mr. Fox, the manager of wharf operations at Point Arena, weekends are especially busy with people utilizing the recreational vehicle camp area adjacent to the mobile home park. Activity during the abalone season is particularly high during the weekends, but overall circulation at the wharf is not seriously constrained. (19) Table 5 illustrates the 1978 value of commercial fish landings from the Arena Cove wharf operation and recreational boating activity.

TABLE 5

1978 FISH LANDINGS

Commercial Fish Landings - Arena Cove 1978

Species	Total Poundage	$ Pound	Total Income
Salmon			
large	1337	1.88	2514.
medium	2041	1.60	3265.
small	2406	1.30	3128.
Rockfish	6020	.25	1505.
Lingcod	1017	.35	356.
Total	12,821		$10,768.

1978 Recreational Boating Activity

	Boat Launchings	Passengers/ Boat	Av.Rockfish Catch/Boat
Monthly Activity (June 30 - July 29)	72	2	20
Annual Activity (April 1 - August 31)	319	1.23	3820

(19) Roy Fox, Point Arena Wharf Operations Manager, Point Arena, January 20, 1979

B. Findings:

The marine resource industry is well represented in Point Arena. The Arena Cove industry is directly related to commercial and recreation fishing, including boat mooring, fish processing and sales, skiff rental and private boat launching from the wharf. Supportive marine oriented industries, including fish cleaning facilities, fishing equipment sales, fuel sales, tide monitoring and the Wharf Cafe, act to complete the marine industrial picture in the City.

A potential addition to commercial fish incomes may be realized by the development of the sea urchin resource in and around Arena Cove. Sea urchin roe provides a significant source of animal protein to the Japanese and significant amounts of these marine animals are harvested and exported from Southern California to Japanese markets. It is estimated that the Japanese locally produce 250,000 tons of urchins/year with Southern California exporting an additional 60,000 tons to satisfy their demand. (20) It is felt by at least one local commercial diver that coastal waters in and around Point Arena could match Southern California urchin production. Prices of whole urchins average about $320/ton. Urchin harvesting is done by diving and "by hand" selection. No estimate of facilities needed for such an operation at the wharf has been made.

C. Recommended Land Use Policies - Recreational/Commercial Boating:

Policy Objective: To develop appropriate supportive facilities and uses, i.e. launching ramps, to expand private recreational boating and realizing potential for expansion of commercial fishing uses of the harbor.

Policies: The zoning designation applied to the wharf is M-H (Heavy Industry). The application of such zoning in the specialized "recreational/commercial boating" environment may have some long-term effects on the nature of industry at the wharf. This is because there are no use categories pertinent to "marine industry" permitted in the M-H zoning district. While this has not produced use conflicts in the past, the potential for conflicts does exist. Land Use Plan policies shall encourage continued development of commercial and recreational fishing and boating facilities as follows:

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(20) Steve Settle, Commercial Diver, Arena Cove, interview February 21, 1979

17. The City shall adopt the follwoing policy statement establishing priority of marine/coastal development in the wharf area: "The City of Point Arena, recognizing the key role commercial and recreational fishing and boating plays in the local and regional coastal economy, shall continue to encourage the enhancement of coastal dependant industry at Arena Cove by assigning a high priority status to improvement and/or expansion of existing coastal or marine dependent uses at Arena Cove as well as encouraging new uses which directly enhance or supplement the existing commercial/recreational boating and fishing opportunities at the Cove".

18. The City of Point Arena should designate the Arena Cove Area as an area to expand coastal dependent activities such as: ramp launching of small boats, a skin and/or scuba diving supply outlet together with establishing the Cove as an "ocean checkout" point of scuba classes, expansion of existing parking facilities and improvement of the recreational vehicle camping area adjacent to the existing mobile home park.

19. Phase III of the LCP shall amend the current M-H zoning of the wharf area to implement the high priority allocation of coastal dependent uses in conformance with the above policy statement. No further permanent resident development should be allowed, although present recreational vehicle and residential uses should be made conforming uses in the rezoning.

20. The City shall investigate the potential for establishing a sea urchin harvesting and processing activity at Arena Cove.

PUBLIC WORKS

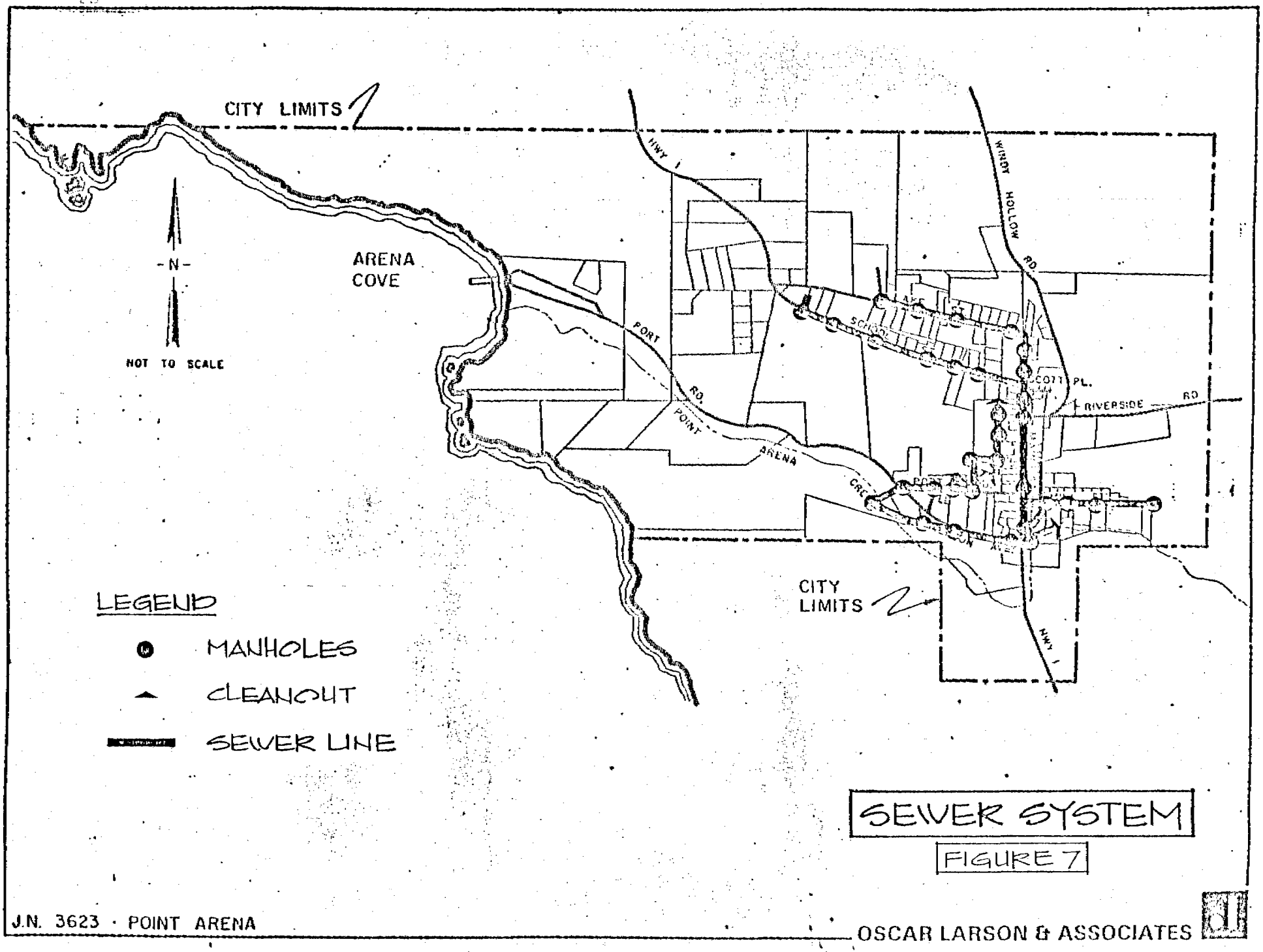
A. Setting:

The City of Point Arena is a small, coastal community with a limited sphere of public works facilities. As with many small cities, public works projects are contracted to private engineering and/or construction firms for construction and maintenance purposes. Activity in the public works area has been generally light due to the low population growth rate within the community. The following public works facilities which will be discussed and assessed in this section are public streets and roads, public parking, sewer service and water distribution.

1. Public Streets and Roads: The single north-south arterial street serving local and "throuth" traffic in the City is State Route #1. This highway is a two lane corridor accommodating coastal access statewide, and is owned and maintained by the State of California. All other streets within the City, including Port Road and a portion of Cut-off Road, west of the central business district are City owned and maintained. The condition of City streets ranges from poor to good, depending on the distance one travels from the City's center and the population served by the street. Except for a few road sections, all City streets are paved and/or rocked and chip-sealed. Few streets, other than Main Street (Highway #1), are provided with curb, gutters and sidewalks.

2. Public Parking (City Owned): Publicly owned off-street parking is not available in the City. All off-street parking is, in effect, an intrusion on privately owned land and is commercially oriented to Main Street and Port Road (the wharf area). Parking facilities are inadequate, in terms of space, in the central business district.

3. Sewer Sanitation: The City of Point Arena Sewer System and Wastewater Treatment Plant are City owned and maintained. Sewer service is provided to central portions of the City, as shown on the Sewer System Map. (Figure 7) The system serves much of the developed area of the City, except the wharf complex at Arena Cove. Sewer sanitation in this area is accommodated by individual septic tank systems. In addition, there is a significant unserved piece of land bounded on the west by Cut-off Road, south by Port Road, north by School Street and the east by development on Main Street, which is currently vacant but is zoned for intensive residential uses (R-4 Apartment-Professional development). This relatively large tract of land (57+ acres) is unserved by public roads internally, which is a major reason it has remained vacant over the years. The potential development of this tract


CITY LIMITS
ARENA COVE
-N-
NOT TO SCALE
HWY 1
WINDY HOLLOW RD.
PORT RD.
POINT ARENA CREEK
SCOTT PL.
RIVERSIDE RD.
CITY LIMITS
HWY 1
LEGEND
MANHOLES
CLEANOUT
SEWER LINE
SEWER SYSTEM
FIGURE 7
J.N. 3623 · POINT ARENA
OSCAR LARSON & ASSOCIATES

of land could technically yield 3500-4000 dwelling units (600 sq. ft./unit) under R-4 zoning. Without public water and sewer service, the density of potential development is greatly reduced. Other constraints offered by soils and/or slope, not-withstanding problems of septic wastes infiltrating wells, can usually be avoided by one unit/acre density. Current zoning requires the provision of sewers to accommodate future development. The same situation prevails in the wharf area which may experience additional development requests in the future.

With the exception of the 1600' of sewer line replaced in 1967 by CALTRANS, in conjunction with improvements to Main Street (State Route #1), the service mains were installed in the 1930's. (21) An analysis by Harris and Associates found that much of the older system is in disrepair. The consulting firm investigating a new wastewater treatment facility for Point Arena, indicates that repairing the existing lines by "pressure grouting" techniques will reduce infiltration/inflow water from storm run-off, catch basins, and auxilliary drainage systems through the sewer system, by 50 percent. This is a significant reduction in the annual wastewater flows presently entering the system. Sealing leaks in the older mains will reduce the amount of water treated at the sewage treatment plant. This is especially beneficial during the winter months.

The new wastewater treatment facility will incorporate the aeriation of the existing lagoons and pumping aeriated (treated) wastewater west of the lagoons to percolation ponds on the bluff, as shown on the Sewer System Map. This will eliminate impacts associated with the infiltration of wastewaters into Point Arena Creek.

4. Water Distribution: The City is served by a private water company, Point Arena Water Works. The capability of the Company to furnish water to the City has been vastly improved recently. In 1978, the Company, in accord with PUC authority, established a well adjacent the Garcia River to replace former water sources for distribution to the City. Prior to obtaining the Garcia River as a primary water source, water quality and quantity were greatly reduced during the summer months. This was due to insufficient delivery of wells and a more limited storage capacity than exists today.

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(21) City of Point Arena Waste Water Reclamation Facilities Infiltration/Inflow Analysis, Harris & Associates, March 1979

The new well, which went on-line in July, 1978, is located some 2.7 miles north of the City on the south bank of the Garcia River. Subterranean water is pumped alternatively by two 45 h.p. pumps at the rate of 180 gal/min. (22) The pumps are alternated monthly and routinely checked; the capability of water delivery exceeds the 180 gal/min. rate by five or six times. (23) The transmission of water from the well site to the main 285,000 gallon storage reservoir, east of the downtown area, generally follows the alignment of Windy Hollow Road via a 6" main over most of the distance. The first 4,000 feet of line from the well consists of 8" main. Water storage is employed by utilizing four facilities. A schematic diagram of the storage, treatment and distribution systems is provided to illustrate storage and delivery relationships. (Figure 8)

Distribution lines have been replaced as needs arose over the years. The Company manager estimates that approximately 90 percent of the distribution network has been replaced over the last ten years. (24) Not all residents within the City are served by the system. Some homes east and west (toward the wharf) of the City are not on the Water Works system and are served by individual wells. (Figure 9)

B. Findings:

1. Public Streets and Roads: While most of the circulation system within the City is adequate to handle the generally light volumes of traffic generated within the community, the City lacks a Capital Improvement Program to budget road repairs, improvements and extensions of streets on a systematic basis.

a. No plan for future acquisition of land for road improvement/expansion and/or construction of curb, gutters and sidewalks exists in the City.

b. There is no alternative north-south traffic corridor to Route #1 (see Hazards Section). Access to the wharf area (Port Road) is adequate for current uses.

c. There is no parking district planned to acquire land for future parking needs. An off-street parking need exists in the City, particularly during the

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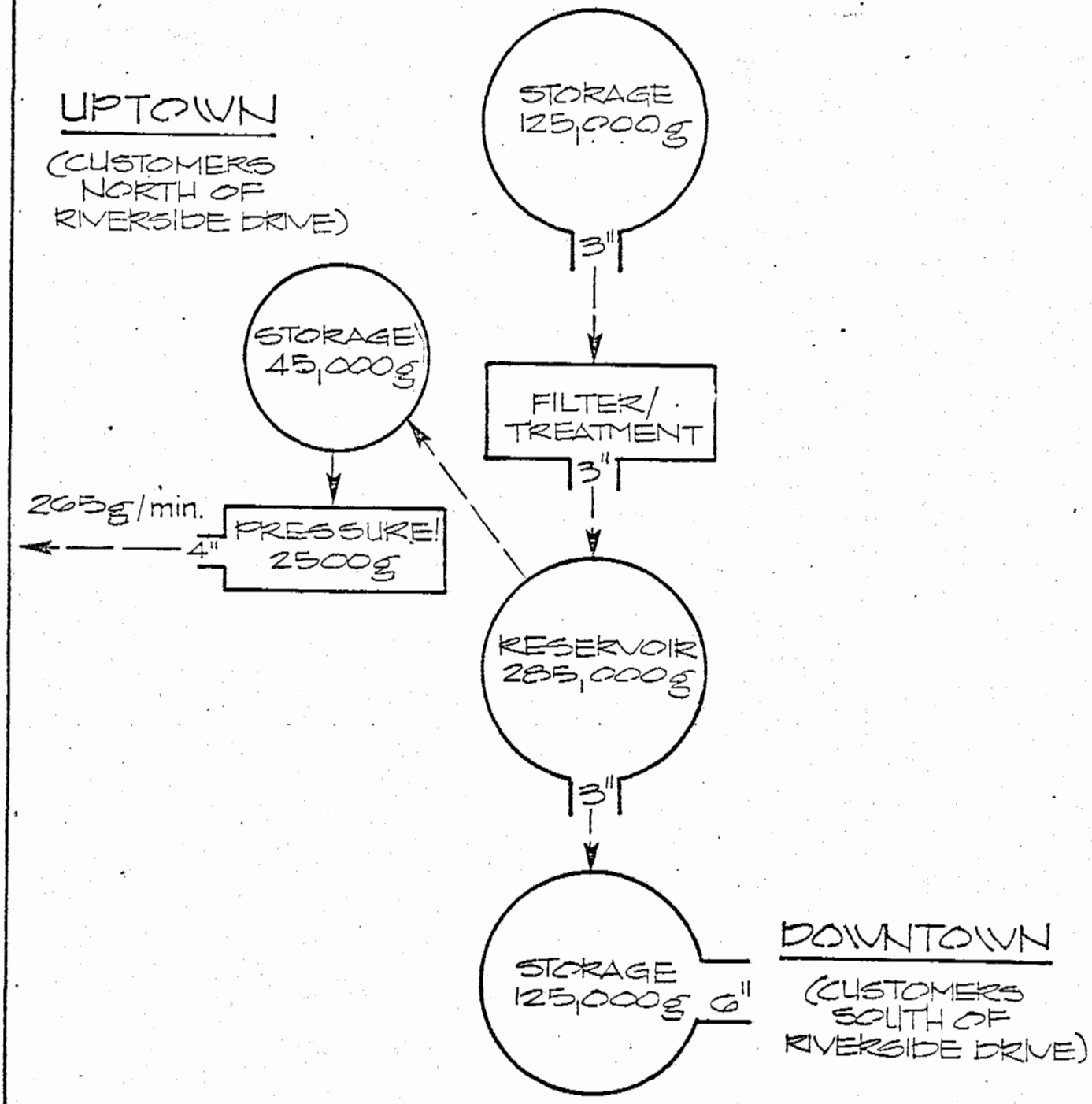
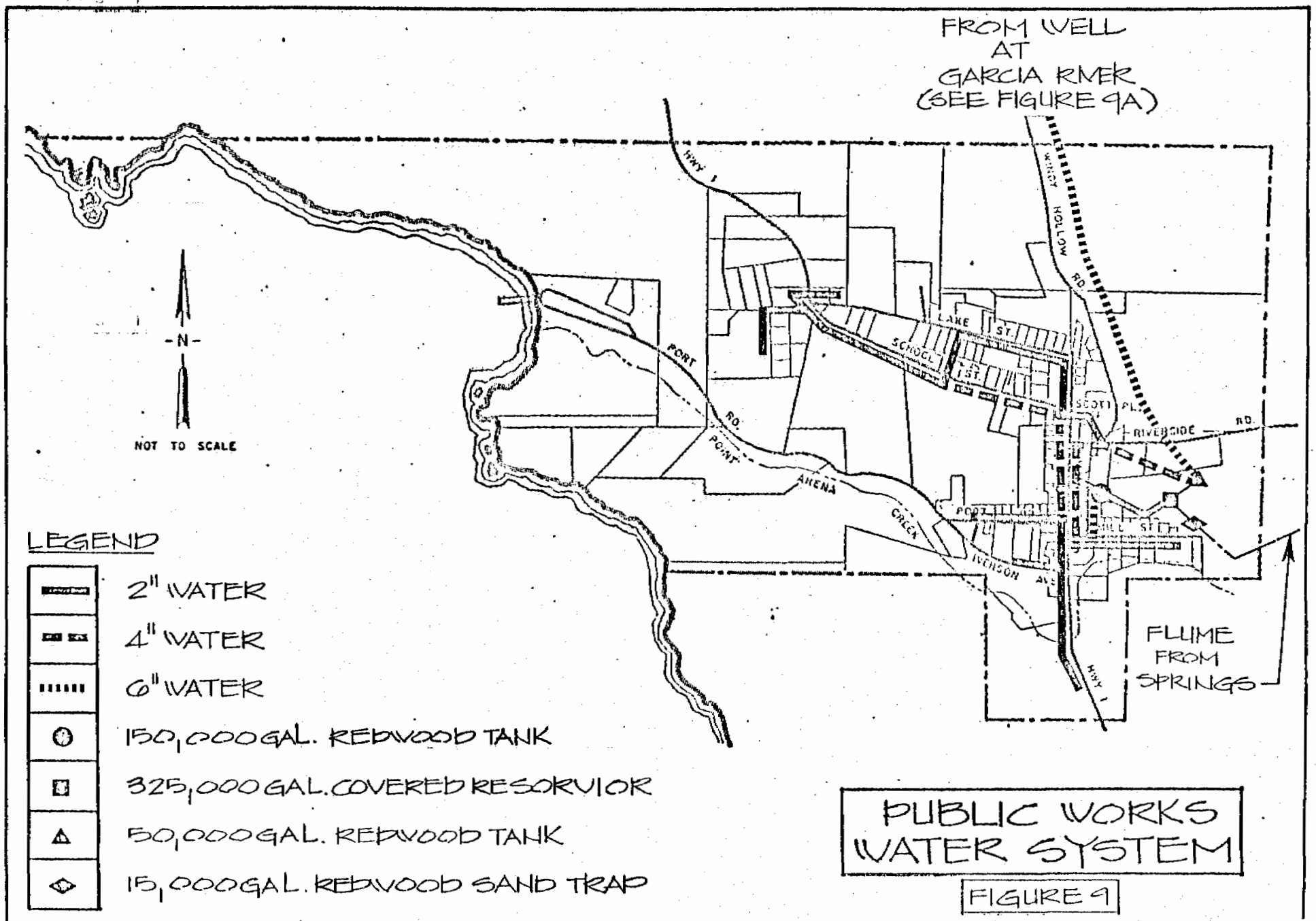
(22) William Hay, Manager, Point Arena Water Works, Point Arena, April 10, 1979
(23) Ibid
(24) Ibid



SCHEMATIC OF POINT ARENA WATER WORKS WATER STORAGE & DISTRIBUTION PLAN

FIGURE 8



PUBLIC WORKS
WATER SYSTEM

FIGURE 9

J.N. 3623 · POINT ARENA

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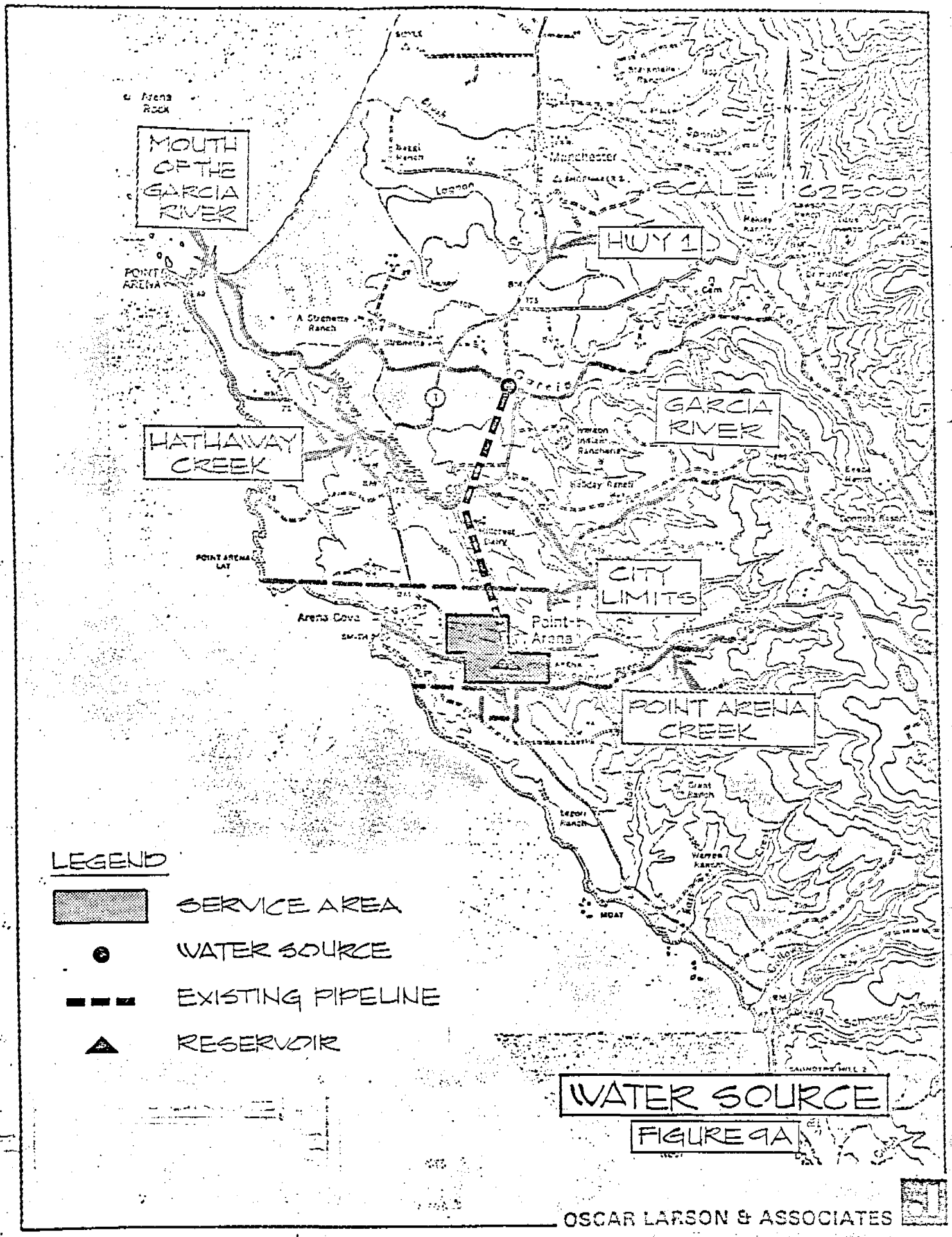

WATER SOURCE

FIGURE 9A

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the noon "peak" hour and frequently on Main Street on Saturday evenings and School Street on Sunday mornings during church services.

d. Cut-off Road, shown as a City street on the City Zoning Map, intercepting Port Road, is actually private property and unimproved except for approximately 400' extending north from Port Road.

e. Though specific traffic counts have not been taken, Port Road, which acts as the access to Arena Cove and the wharf complex, is adequate to meet current traffic demands generated by wharf employees, residents and businesses. Expansion of high priority marine industries and/or recreational uses can occur at the Cove, but some constraints to the intensity of future development do exist. These constraints are evident by the fact that the road is relatively narrow (from Route #1 to the Cove) and available space for development and parking is limited. The area most suitable for development generally comprises lands within and adjacent the existing wharf complex and totals approximately 6 acres.

f. Port Road which extends approximately 1 mile from the central business district to the wharf is "dead end". No alternative route to State Route #1 from the wharf is available.

g. There are no plans within the City planning function to extend existing roads in the planning area.

h. Cut-off Road falls steeply from the 200' contour to the 40' contour, intersecting Port Road approximately ½ mile east of the Cove. Physically, the road could be improved and provide a secondary emergency link to Route #1, northwest of the City's central area. With the exception of the first 400 feet of the road north of its intersection with Port Road, the remaining 1,000 feet are private property. Cut-off Road, originally maintained as a City street, reverted to private ownership.

2. Public Parking: The City has no parking district to acquire and improve land for public parking uses.

a. Existing parking at the wharf is privately owned and/or provided informally as "on-street" parking adjacent Port Road.

b. The existing space for parking at the wharf complex can be made more efficient by directional signing and controlled supervision (see Coastal Access).

c. Parking facilities are either on-street or are available on small, privately owned spaces adjacent to business in the central business district. Zoning regulations require that specific, off-street parking standards be incorporated into "new" commercial development.

d. The lack of a Special Parking District in the City has not generated parking problems at the wharf. However, off-street parking is a need in the business district of the City.

3. Sewer Services: The sewer main system is accommodated by 6" mains, most of which are old and allow non-sewage waters such as storm run-off and drainage water to "leak" into the system. Recommendations have been made by the City's engineering consultant to mitigate these problems. The City has embarked on a program to establish a new wastewater treatment facility which will be more efficient in treatment capability, increase present sewage treatment capacity and eliminate problems of wastewater flowing from the existing wastewater lagoons into Point Arena Creek. Other findings:

a. The present sewer system corresponds generally to area served by the Point Arena Water Works, serving approximately 150 households in the City. Figures representing households not served by the system are not available, but considerable land within the City (about one-half the total acreage) is not served. This includes approximately 57 acres zoned for intensive residential uses near the central business district.

b. The wharf complex, an intensively developed area, is operating on individual septic sanitation systems.

c. The City Council is considering adopting a policy of requiring new development proposals to "tie-in" to the sewer system.

d. The new treatment facilities will allow expansion of sewage service to accommodate a projected 1989 population of 677 residents. This translates into a 50 percent increase over the existing population of 450, based on the U.S. Census of 1970.

e. No policy for allocation of expanded sewage treatment capacity to coastal dependent recreation, visitor serving facilities or industry has been made by the City Council.

f. The City has not established a comprehensive policy or plan to extend sewer services in areas not currently served.

4. Water Distribution: The Garcia River water works recently established by the Point Arena Water Works, draws approximately 114 acre/feet/year from the River. This is a relatively miniscule amount of the flow (est. at 252,000 acre feet in 1963-64 by Wilsey and Ham) (25) and should provide adequate water for a population of at least 1500 people. (26) The water delivery and storage program would enable the City's population to triple its current 450 residents. The system currently serves 150 commercial and residential "hookups" within the City. (27)

a. No plans exist within the City to extend water beyond current use area.

b. The service area of the Point Arena Water Works System entails the corporate limits of the City; actual service is limited to Main Street, Iverson Avenue, Port Road (from Main STreet to Iverson junction), Hill Street, Scott Street, School Street, Lake Street (including W. Lake), Eastwood Drive and Riverside Drive, just east of its intersection with Main Street.

c. Water at the wharf area is provided by individual wells, as are all the lands west of the junction of Iverson and Port Roads (indicated on the Water System Map).

d. Production of water at the wharf complex is generally adequate for existing uses.

e. The Garcia River source and available storage facilities are adequate to satisfy residential, commercial and industrial needs in the City beyond the year 2000.

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(25) Wilsey and Ham, The City of Point Arena Water System Study, 1967
(26) Ibid
(27) Arthur Choy, Public Utilities Commission Annual Report, 1977

f. The Point Arena Water Works well, located adjacent to the Garcia River appears to be very near the "hidden" Garcia River Fault (see Seismic Hazards Map, Figure 6)

C. Recommended Land Use Policies - Public Works

Policy Objective: To develop consistent policies and programs for new or expanded public works facilities and establish priorities for allocating remaining service capacities among land uses within the City.

Policies:

21. Streets and Roads: The City shall adopt a capital improvement program establishing priorities for public works improvements. Such priorities shall emphasize extension and/or improvement of roads, water distribution and sewer service to coastal dependent recreation and commercial uses. Federal and/or State funding assistance programs, applicable to specific areas of public works priorities, should be defined for budgetary and application purposes. Public roads serving the coast from State Route #1 shall hold the highest priority for improvement purposes. Priorities in the Capital Improvement Program should be defined. The City shall:

a. Develop plans to establish a secondary north-south access generally parallel to Main Street (Route #1)

b. Cut-off Road, which intersects Port Road ½ mile east of Arena Cove shall be assessed for feasibility as an emergency access to the wharf.

21. Public Parking: The City shall evaluate existing off-street parking facilities to determine future parking needs, should land owners decide to develop lots currently used for parking. Priorities shall be defined and included within the Capital Improvement Plan. Emphasis of a "parking needs evaluation" shall be directed to off-street parking needs associated with coastal recreational uses.

22. Sewer Service: A Capital Improvement Program shall define specific undeveloped areas slated for sewer service in accord with recommendations of the Local Coastal Land Use Plan and the Point Arena General Plan. Objectives of sewer extension shall continue to be the protection of City ground and surface waters and Arena Cove from pollution. Another objective of the Capital Improvement Program shall be to gain the most efficient

use of lands planned for development within the City. Including the wharf complex into the sewer system shall be a long-term objective of the Capital Improvement Program, as follows:

a. The City shall comprehensively assess current sewer service to define the number and location of non-served residential and commercial users. Emphasis shall be directed to feasibility of eventually serving the wharf complex.

b. Repair of the existing sewer main system installed in the 1930's shall be undertaken.

c. Allocation priorities of sewage treatment capacity of the new treatment facility shall be made for areas designated for "new development" in the City, pursuant to Coastal Act Policies and as shown on the Locating and Planning New Development Map. Preference shall be given to activities serving visitors as well as residents, and a portion of the total capacity shall be reserved for such uses as identified.

d. The City shall continue its policy of requiring new development adjacent to the existing sewer system to connect to the system in accord with allocation priorities.

24. Water Distribution: The City shall coordinate water service extension with the Point Arena Water Works. Such policy shall reflect an objective of extending water lines to "fill-in" areas of the City, within the service area of the water supplier.

Due to the near proximity of the City's Garcia River well to the Garcia River fault, the City shall assess the seismic risk the fault poses to the well, pumps and the 8" main which extends from the water source to the City and shall develop an emergency contingency plan in cooperation with the County of Mendocino.

AGRICULTURE

A. Setting:

With the exception of the wharf complex which forms a developed district at Arena Cove, Point Arena has historically followed a development pattern common to small, rural communities. That is, its urban character is defined by a central commercial district along Main Street, concentrically bounded by residential development of decreasing densities as one progresses away from the City's center. This is a general description of the nature of develpment of the City and illustrates existing urban patterns only. Commercial and residential development are concentrated along Main Street, Port Road (eastern end), Mill Street, School and Lake Streets and the western end of Riverside Drive. The open lands outside this developed central area are generally utilized for grazing and/or "dry" field crop purposes. Most of the vacant parcels within the corporate limits of the City are too small to be used for commercial agricultural purposes. The larger parcels, particularly in the northwestern and eastern portions of the City, are comprised of high quality agricultural soils (Kneeland Loam; Agricultural II, III) (28) and their close proximity to existing resdiential uses probably pre-empts their use for agriculture over the long-term.

The acreages shown on the Agricultural Map (Figure 10) are overlain with Kneeland soil types. With the exception of the PG&E property north of Arena Cove, all of the areas designated for agricultural uses are grazing lands.

B. Findings:

While soils within the corporate boundaries of Point Arena offer high potential for agricultural use, the generally small size of the City (an excess of one square mile) together with small available parcel sizes, limits the potential for commercial agriculture. The provision of the "Urban Boundary" (see Figure 10) is a means of encouraging the continuation of existing agricultural uses on qualified lands. Simultaneously, the Boundary provides a frame-work for the most economical extension and maintenance of roads, water distribution and/or sewage lines.

Other limitations to commercial agriculture within the City are:

a. Current agriculture exclusive (A-E) zoning places

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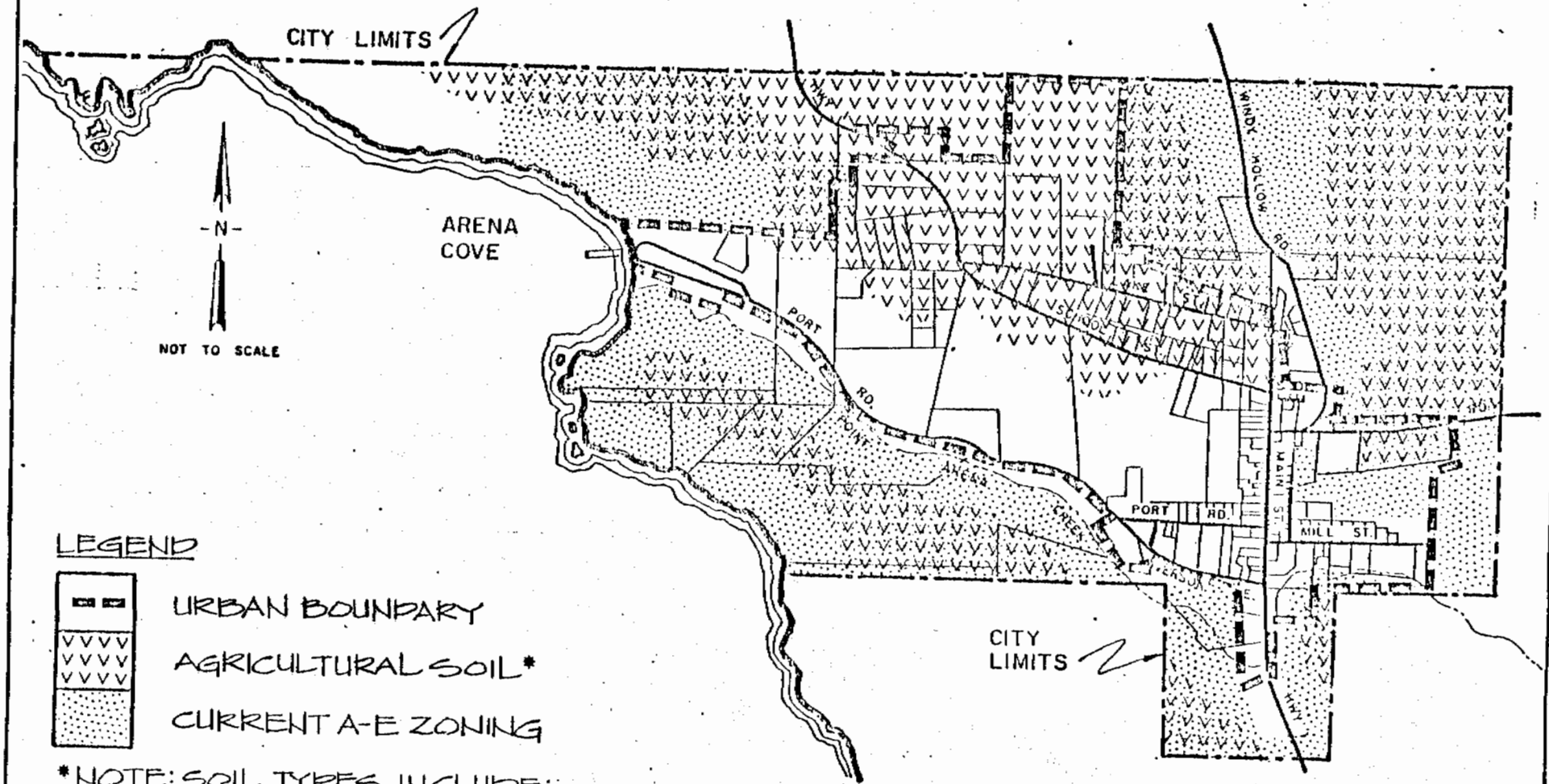
(28) Mendocino County Farm Advisor's Office



LEGEND

URBAN BOUNDARY

AGRICULTURAL SOIL*

CURRENT A-E ZONING

*NOTE: SOIL TYPES INCLUDE:
KbB, KbD, NaC, NaD
(ALL SUITED FOR AGRICULTURE)

AGRICULTURE

FIGURE 10

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a minimum 4 acre parcel size in the district. Such minimal parcel sizes preclude commercial agricultural operations.

b. The extremely small agricultural land base would place the "recombining" of parcels into larger units via Coastal Conservancy assistance as a low priority operation.

c. Agricultural uses in the Point Arena area have historically been oriented to livestock grazing and "dry" field cropping.

d. Parcels necessary for most of the crops suitable in the area, i.e. cole crops, beans, onions and/or artichokes should be zoned for a minimum of 20 acres.

C. Recommended Land Use Policies - Agriculture

Policy Objectives: To formulate policies and land use designations necessary to protect and maintain the maximum amount of agricultural land in production pursuant to Coastal Act Policies 30241 and 30242.

Policies: The urban/rural boundary depicted on the Agriculture map indicates to property owners and developers where urban infrastructure may be economically exteded within the City. This should not be interperated to mean that all forms of services can or will be extended within the urban/rural boundary. Limitations of topography may preclude sewage service, as the City main system operates by gravity flow. Topography and soils limitations may pose constraints to road construction as well. The urban/rural boundary therefore indicates the general area where urban development should (or may) occur. Actions which the City of Point Arena shall take to reinforce the purpose of the urban/rural boundary are:

25. The City of Point Arena shall adopt an ordinance encouraging continued agricultural uses on lands which have the soils, acreage and water capability to sustain such operations. The City shall:

a. Develop a contractural process allowing agriculturists to form agricultural preserves with a twenty acre minimum parcel size; encourage qualified lands to join existing preserves outside the City in accord with County procedures. The County should be asked to cooperate in developing any new procedures that might be used to make this possible.

b. Encourage the continuation of agricultural activity on

lands which are hazardous by designating and zoning them for such uses.

c. Permit uses compatible with agriculture to exist near the "outward edge" of the urban/rural boundary, i.e. very low density residential uses, camp grounds, parks, riding stables, non-commerical recreation, green house nurseries (constructed on non-permanent foundations) agriculture, etc.

26. The City shall encourage the recombination of agricultural parcels in key scenic or visual areas, through Conservancy or other appropriate action.

RECREATION AND VISITOR SERVING FACILITIES

A. Setting:

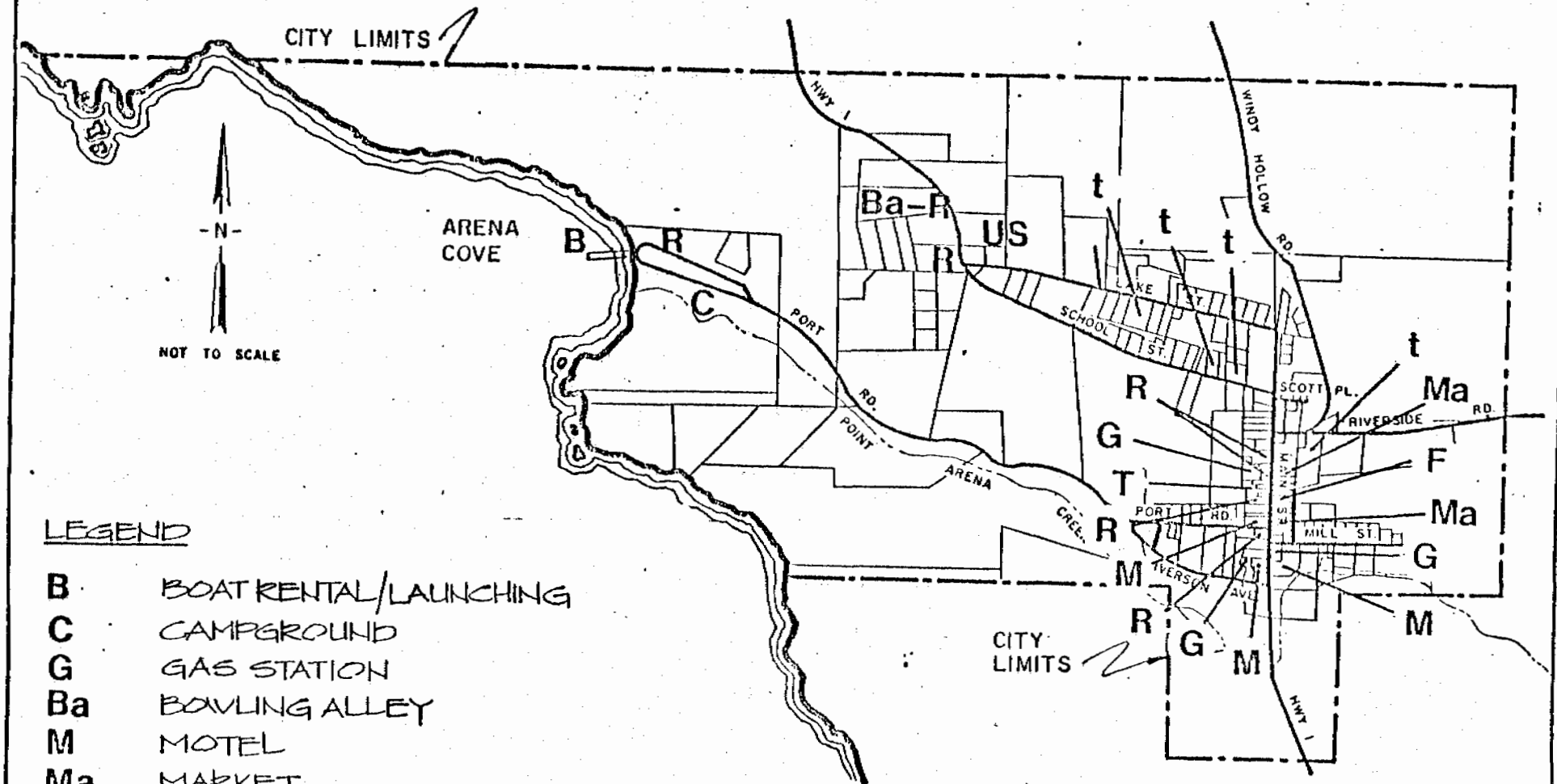
The tourist economy contributes significantly to the overall vitality of Point Arena. Visitor serving facilities are well represented within the City, both in the central business district and wharf area. In addition to restaurants and motels in the City proper, there is a private campground approximately one mile north of town. Manchester State Beach Park, which attracts tourists nationally, is only four miles north of Point Arena. (Figure 11)

Specific visitor serving facilities available to the residents and public are outlined below:

I. CENTRAL BUSINESS DISTRICT

A. Visitor Facility	# Facilities	Meals Served*	Av.Price/Meal
1. Full Service Restaurants	5	B,L,D	$ 4.00
2. "Take Out" Deli's/ Drive-In's/Coffee Shops	3	B,L	3.00
3. Hotel/Restaurant	1	D	5.50
4. Fountains	1	L	1.80
5. Bowling Alley	1	L,D	3.50
B. Overnight Accommodations	"	"	"
1. Motels	2	40 rooms total	14/28/day
2. Hotels	1	10 rooms total	18/26/day

* Breakfast, Lunch and Dinner



LEGEND

B	BOAT RENTAL/LAUNCHING
C	CAMPGROUND
G	GAS STATION
Ba	BOWLING ALLEY
M	MOTEL
Ma	MARKET
F	SODA FOUNTAIN
t	CHURCH
US	U.S. FOREST SERVICE FIRE/INFO.
R	RESTAURANT
T	THEATRE

VISITOR SERVING FACILITIES

FIGURE 11

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II. COAST (ARENA COVE)

A. Visitor Facility	# Facilities	Meals Served*	Av.Price/Meal
1. Restaurant	1	B,L,D	$ 3.50
B. Overnight Accommodations	"	"	"
1. R.V. Camping Spaces	14 spaces	-	-
2. Tent Spaces	4 spaces	-	-

* Breakfast, Lunch and Dinner

B. Findings:

1. The general distribution and variety of recreational and visitor serving facilities is good throughout the City. Recreational boating and fishing, together with supportive boat rental and equipment sales, are well represented at the wharf complex (see Recreational Boating and Fishing).

2. A policy for establishing "priority use" for development of recreation/visitor serving facilities pursuant to the intent of the Coastal Act is lacking in the City.

3. A current zoning of the wharf complex designates the area for heavy industrial (M-H) development. In spite of this, nearly all of the uses operating at the wharf display direct coastal related recreational and commercial fishing activity (see Recreational Boating and Fishing).

C. Recommended Land Use Policies - Recreation/Visitor Serving Facilities

Policy Objectives: Develop policy recommendations for designation of existing and potential recreation/visitor serving sites in the City to provide a greater "mix" of such uses for the benefit of the public and local residents alike.

Policies: The City of Point Arena shall encourage continued coastal/marine industrial and recreational use at the wharf. Land use designations at the Arena Cove area shall emphasize the existing uses. Incompatible uses, such as the gasoline/diesel fuel storage tanks east of the Wharf Cafe, should be "phased out" as "pre-existing uses" via rezoning the area to coastal oriented activities.

27. The City shall amend zoning ordinance to provide adequate space for visitor serving facility development which meet the needs of Point Arena residents and tourists visiting the harbor.

28. To respond to residents' expressed need for more "community" recreational facilities, i.e. parks, playing fields, expanded fishing and parking facilities at the wharf, the City shall adopt and implement subdivision ordinances requiring dedication of land and/or in-lieu fees for recreation land and facilities development.

INDUSTRIAL AND ENERGY FACILITIES DEVELOPMENT

A. Setting:

1. Industrial Development: As has been described in earlier sections, the land base of the Point Arena Land Use Plan is limited in size. Infrastructure (i.e. roads, wastewater treatment) necessary to support significant industrial development is also limited within the City. This limitation is evident even though water sources and storage facilities together with the "in progress" wastewater treatment plant have been improved. Limitations are present logistically as well as physically in the City and the immediate area.

a. Access: State Route #1 is narrow and winding, offering a marginal industrial transportation route. State highway plans designate State Route #1 as a scenic coastal highway to remain as two travel lanes. Lack of direct access via rail and air to the south coastal area of Mendocino County also places major limitations on the City's potential for industrial development of a manufacturing or distributive nature. Non-coastal dependent industrial development on the coast, at Arena Cove, is possible under the existing M-H (Heavy Industry) zoning which conflicts with Coastal Act Policies.

b. Infrastructure: Water distribution systems necessary to accommodate industrial development are limited to the central business and residential areas of the City. The wharf complex is supplied by a privately owned, independent water source which meets the needs of existing land uses. Limitations of available sewage treatment capacity also act as a constraint to the expansion of existing industry in the City generally and the wharf complex specifically. The latter area is served by individual septic systems.

c. Available Land for Industrial Development: Available parcels of sufficient size and location, away from hazardous areas, scenic traffic corridors, and residential uses, to accommodate industrial development are limited. Lands to the north and east of the downtown area are generally suited for open space and/or agricultural uses.

2. Energy Facilities (Sites): Approximately 100 acres of land, located on the coastal bluff north of Arena Cove, lie within the

corporate City boundary of Point Arena and are owned by the Pacific Gas and Electric Company. These lands form the southern portion of adjacent unincorporated land owned by the Company, originally intended as a site for a nuclear electrical energy generation plan. The site has belonged to PG&E since the early 1960's. Plans to construct the power generating facility have been held in abeyance by the Company, due, in part, to the significant seismic risk posed to the area by the San Andreas fault and partly in response to opposition by the general public which arose when planned use for the site was made public in the mid 1960's. The site retains zoning appropriate for energy facilities development, (PF-U) Public Facilities-Utilities. The site is vacant and displays soils well suited for agricultural uses.

Spokesmen for PG&E indicate that the Company has no immediate plans to construct an electrical generating plant on the site, but intends to retain the PF-U zoning on the land indefinately. (29) The rationale stated for retaining the existing zoning is to keep options open for developing and testing "experimental" sources of power generation, i.e. wind and/or solar technologies.

B. Findings:

City policy related to Industrial Development and Energy Facilities is unclear. Existing zoning of lands discussed above favors heavy industrial development in the wharf complex area and on the headlands north of Arena Cove. The existing zoning of both areas needs re-evaluation to qualify potential land use intensities in light of Coastal Act Policies related to maintaining and expanding coastal dependant industry at Arena Cove and maintaining the scenic, openspace character of the headland north of the Cove. In the latter area, the lands owned by PG&E need to be assessed to identify short-term and cumulative effects development pursuant to existing zoning may pose to the City.

C. Recommended Land Use Policies - Industrial/Energy Facilities

Policy Objective: To meet Coastal Act Policy language and intent with respect to zoning lands to encourage coastal dependent development and to qualify lands within and adjacent to the City for electricl power generation use as allowed by current zoning and General Plan designations.

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(29) Don Marquardt, Area Representative, Pacific Gas & Electric, interview, December 1977

Policies: Hazards and Commercial Recreational Boating all underscore the value of maintaining existing coastal oriented recreational and commercial activities occurring at Arena Cove. To encourage continuation of these uses, decision makers shall adopt ordinances reinforcing coastal dependant development over more general industrial uses. Accordingly, City Land Use Policy shall establish coastal dependent uses as the priority for future development of the wharf area as follows:

29. Coastal Development Policy shall reflect the sensitivity of Arena Cove, as a major biological resource to assure that future development will not conflict with the objectives of preserving that resource.

30. Coastal Dependent Policy shall recognize the conflicts and potential hazards associated with existing development, i.e. the fuel storage tanks on Port Road, east of the Wharf Cafe. Appropriate buffer areas shall be incorporated in any new development plan.

31. The City shall, pursuant to its policy emphasizing coastal dependent development, designate as non-conforming those uses that are not compatible with the objectives of the City and Coastal Act policy.

32. Implementation of policy reflecting the emphasis to coastal dependent development should occur through identified rezonings in Phase III of the LCP, establishing specific uses and intensities of development compatible with coastal recreation and commerce, as identified in these policies.

33. Changes of land use priority for PG&E Company property within the City may be appropriate. The City of Point Arena shall comprehensively assess effects associated with development of the site as zoned (PF-U) to determine whether or not such zoning and development meets the needs of the community. As with coastal industrial development, some conflicts can be resolved by amending the Zoning Ordinance in Phase III. However, amendments of zoning of the land or to the code should occur as a result of City Policy related to development of the headlands, north of Arena Cove:

    a. The City shall require a conditional use permit for any additional development on lands within the PF-U districts. Development standards shall conform its open space and scenic value together with its proximity to sensitive habitat (Arena Cove), marine resources, and geologic hazards (Garcia and San Andreas faults), lack of City services to the site.

b. Development policy shall emphasize the most desirable uses which: meet Coastal Act Policy; protect the physical and fiscal resources of the City; and avoid development of areas which pose hazards to the development and/or the public.

c. The City shall request advise of the California Energy Commission in determining the overall public welfare implications of adding any proposed electrical generating facilities to the State's generating capacity.

HOUSING

A. Setting:

The City of Point Arena displays a varied housing stock for a city of its size. The majority of housing, both in terms of purchase price and rental charges, are oriented to "moderate" income families. It is estimated that the majority of housing averages 35-40 years of age. The character of housing is primarily single-family and appears to be in average to good condition. Some of the older homes are in need of repair work. Mobile homes, located north of the downtown area and the wharf make up 7 percent of the total housing stock. The table below provides insight to the rental composition of housing in Point Arena.

TABLE 6

RENTAL HOUSING CHARACTERISTICS - POINT ARENA

Single Family Rentals	1 bd.rm	2 bd.rm	3 bd.rm	% of housing stock
29 units total	12 units/ $100/110/ mo. rent	15 units/ $175/185/ mo. rent	2 units/ $250/300/ mo. rent	15%
Duplex Rentals	"			"
3 dwellings (6 units total)	6 units/ $90/100/ mo. rent			3%
Apartment Rentals	"	"		"
12 units total	9 units/ $100/110/ mo. rent	3 units/ $140 mo. rent		6%
Totals: 47 rental units		27 (1 bedroom units) 18 (2 bedroom units) 2 (3 bedroom units)		24%

Table 6 illustrates the unit and monthly rental distribution in the City. As can be seen, a significant shortage of two and three bedroom units exists, particularly in the duplex and apartment catergories.

Data related to the current housing available are incomplete and based on 1970 U.S. Census figures. In 1970 there were approximately 185 total housing units with 160 units occupied. It is estimated that there are approximately 190 total dwelling units in the City now. No current vacancy figures are available, however, in 1970 vacancies averaged 16 percent. In 1970, 32.4 percent of all housing in the City was owner-occupied and 54 percent was renter-occupied. The 16 percent vacancy figure established in the 1970 federal census is estimated to be much lower today, but this has not been verified.

Values of single family home sales are significantly below the statewide average. According to local information submitted to the consultant, (30) there were approximately 8 homes sold in Fy 1977-78. Total values of the purchases were estimated at $225,000, averaging $28,000/single family home.

B. Findings:

1. The housing situation in Point Arena favors low to moderate income families; however, there is a shortage of low to moderately priced rentals for families requiring two to three bedrooms.

2. The City lacks a Housing Element to the General Plan/ no policy encouraging a housing mix to satisfy local rental needs has been adopted.

3. The relatively low rental charges and purchse prices of dwellings in the City may be attributable to older structures, coupled with a generally lower housing demand than may be occurring elsewhere in the County.

4. The City and Fire Department are working cooperatively to develop a comprehensive building site and floor plan map of all buildings in the City to aid in fire protections and response.

5. The City has applied for a $50,000 home improvement grant for lower income families. A substantial portion of the funds will be allocated to improve the electrical wiring of older homes.

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(30) John Ayres, City Councilman and local realtor, phone interview, and Darrel Dellegge, CAC Member, Point Arena, February 1979

C. Recommended Land Use Policies - Housing

Policy Objective: Develop data base and recommendations for providing housing to all income groups within the City of Point Arena pursuant to Coastal Act policies, and simultaneously establish a basis for subsequent development of a housing element to the General Plan.

Policies: City policy shall enhance the current housing mix by:

34: Developing a Housing Element to its General Plan which encourages housing for the broadest base of citizens. The City shall:

a. Encourage more 2-3 bedroom apartment units in areas suitable for such densities. Such a policy will serve the housing needs of younger families with children.

b. Continue the existing policy and practice of upgrading electrical wiring in older homes.

c. Continue its floor plan map program in cooperation with the Fire Department to aid in fire control response.

VISUAL RESOURCES

A. Setting:

As discussed in the "Issue Identification" stage of the Local Coastal Plan (Phase I), the City of Point Arena epitomizes the small, coastal community braced by open hills and mountains to the east, rolling grazing lands west of Main Street which level-off to form broad, precipitous bluffs on the coastline. This general topographic description is broken by the "draw" formed by Point Arena Creek which bisects the community from the eastern uplands to Arena Cove. The rolling, open nature of the City, together with the riparian vegetation along Point Arena Creek, provide a fairly diverse viewshed which is open and rural adjacent to the community's centrally oriented development. Within this broadly described viewshed, there is a myriad of individual vistas offered of the hills and bluffs. For the purpose of this section, we emphasize view or "scenic" corridors within the City as they are generally available to tourists and residents from public roads:

1. School Street (South): The scenic corridor encompasses the vacant grasslands adjacent the south side of School Street and the prominent terrace which forms a major bluff south of Arena Cove. The view of the open land adjacent School Street and the terrace as a backdrop is a focal point of local and "through" traffic moving north or south on Highway #1.

2. Windy Hollow Road (North): This view corridor on a local public road follows a natural draw nothward from Riverside Drive. The view afforded in this corridor is rural.

3. Riverside Drive (East): This public road provides the major eastern access to the upland areas outside of the City. The area is used for grazing primarily and is sparseley developed. The scenic corridor reflects the open, rural character of the City's eastern hill area and the forested mountains beyond.

4. Port Road (West): This public road provides the only vehicular access from the City's center to Arena Cove. As discussed in previous sections, it is generally a narrow and gently winding road from town to the wharf. In that it is located adjacent to Point Arena Creek and at the bottom of the "draw" between the bluffs, automobile

passengers and/or hikers can enjoy the view afforded by the open bluffs on both sides of the road and the grazing lands which are broken by the vegetation along Point Arena Creek.

5. The Wharf (Coastal): The Port Road scenic corridor ends at the Wharf, however, the visitor or resident can enjoy viewing the northern sea cliffs at Arena Cove and the rugged, rocky shoreline of the Cove itself. Views are significant from the shore and offer better perspective from the wharf. This is especially true in viewing the coastline south of the wharf.

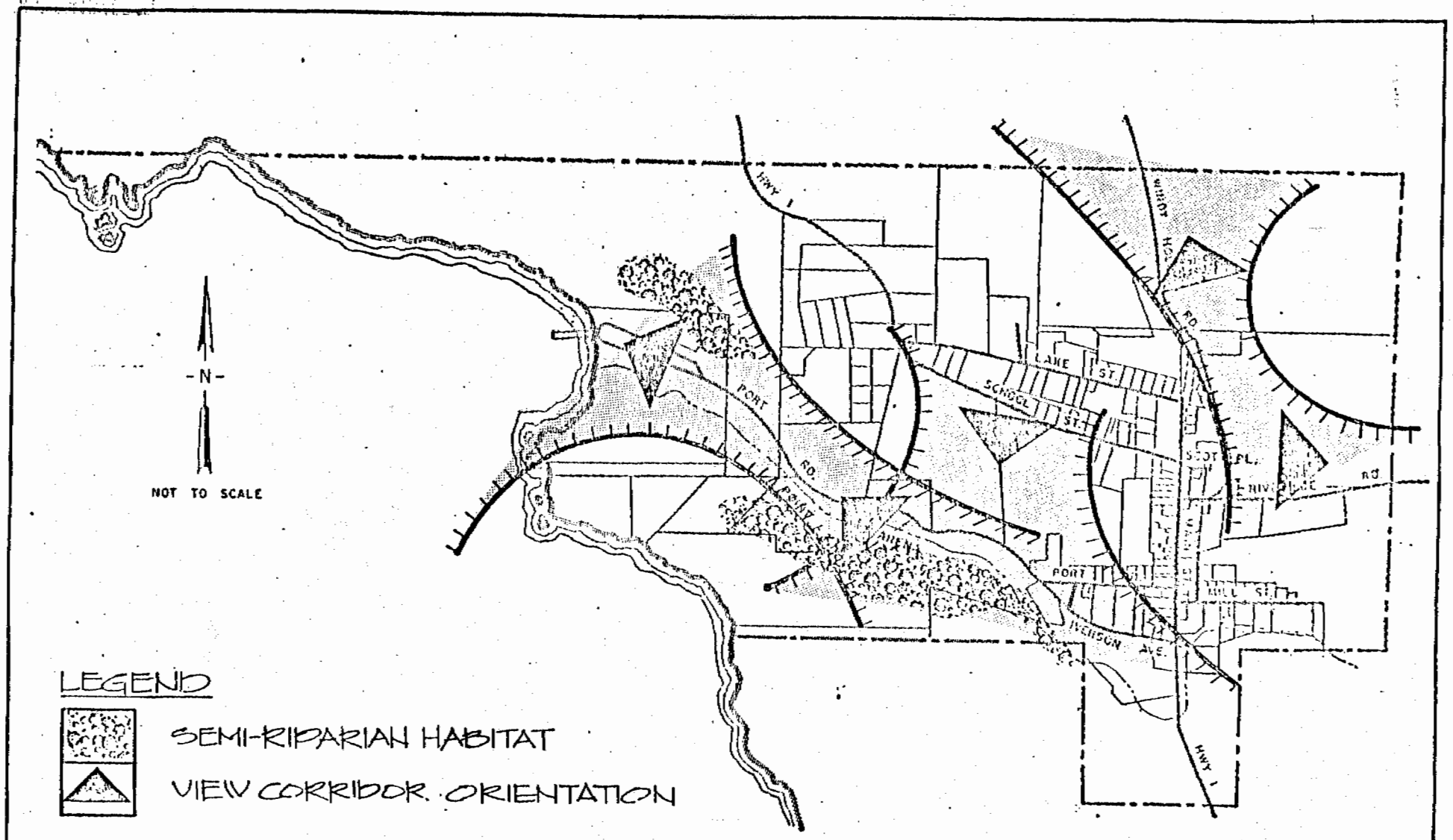
B. Findings:

As part of the LCP process, a survey was mailed to residents of the City to determine community attitudes related to community character and development. Comments received from City respondents indicate that at least 74 percent of those responding (43) feel that Point Arena has a distinctive character and that 71 percent feel that the character is worthy of consideration in the development process. Many respondents (15) offered that the character of the City reflected a nice, quiet, small coastal community with a pleasant environment. This figure represents 47 percent of the thirty-two residents who specifically responded to the question. Finally, the last question of the survey asked for suggestions and comments as to community planning/development needs. Only a small segment of those surveyed (26 percent) responded to the question, however, 50 percent of those who did respond indicated collectively that the City needed to focus more attention on open-space and/or environmental considerations, more street landscaping, retention of early architecture and small town character. (Appendix A)

Identification of specific, high quality viewsheds and scenic corridors is extremely difficult due to the subjective aspect inherent in the assessment process. The Scenic Corridor Map (Figure 12) attempts to identify those views which appeal to those "natural aestetics" of the community which are worthy of consideration in the planning process. The significant response received by residents who are interested in protecting the existing small town and open-space character of the City reinforces the importance of protecting scenic corridors as much as possible.

C Recommended Land Use Policies - Visual Resources

Policy Objective: To develop a comprehensive policy of development and land use which protects the scenic quality of



SCENIC CORRIDORS

FIGURE 12

J.N. 3623 · POINT ARENA

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Point Arena, physically and architecturally.

Policies: To meet the intent of Coastal Act Policies relating to scenic resources, and to respond to local concern for protection of existing City character, the City shall adopt the following policies related to future planning and development in the five scenic corridors shown on the map:

35. School Street (South): Develop a special building set-back criteria for the south side of School Street of 100-150 feet. Such a long lot configuration would tend to reduce building elevations as seen from School Street, thus preserving some of the "open" perspective of lands immediately south of School Street and preserve the background view of the terrace adjacent to Point Arena Creek.

36. Windy Hollow Road (North): This corridor is generally within a "very low density" development area; lands east of the road are prescribed for agricultural/grazing uses and are outside the "Urban Boundary" as depicted on the Agriculture Map. Existing and proposed land use policies which designate the area for agricultural uses will act to preserve this scenic corridor.

37. Riverside Drive (East): As with Windy Hollow Road, most of the scenic corridor within the City's jurisdiction is designated for agricultural land uses.

38. Port Road (West): The existing open, rural drive from town to the wharf shall be protected by establishing special set back criteria pursuant to planned development (PD) zoning of lands adjacent the north side of the Road (see Location of New Development); and by protecting the Point Arena Creek and adjacent bluff areas with agricultural and/or open-space zoning. Such zoning is appropriate for the lands south of Port Road due to sensitivity of the Creek to impacts posed by development and the hazards posed to urban development by bluffs (see Hazards). Hazards and/or development constraints, together with existing grazing uses dictate this assignment outside the Urban Boundary.

39. The Wharf (Coastal): While the wharf area provides scenic views of the north/south bluffs and coastline, existing and new development at the wharf shall conform to design standards which enhance the function as well as the aesthetics of the complex. The wharf area is privately

owned and operated; however, the City shall assign zoning and development criteria to the area which would require future coastal dependent development to implement architectural and landscaping programs which complement the uses visually. The City should implement such development aesthetics as part of Phase III of the LCP process.

Other policies which should be adopted by the City to respond to residents' concern expressed in the survey are:

a. Adoption of a Capital Improvement Program should establish a fund to provide for purchase, planting and maintenance of street trees for existing commerical and residential areas.

b. Development of a comprehensive street tree and landscape program for application to new development, with implementation by developers as conditions for approval.

c. Adoption of an "in-lieu" fee ordinance requiring large subdivision projects to pay "per unit" fees to off-set costs of park acquisition and/or maintenance.

d. Develop a comprehensive advertising signing program to keep off-site, free-standing signing in visual scale reflective of the community and which do not obstruct or "clutter" important scenic areas of the City.

e. The City shall establish an architectural review committee to conduct a comprehensive survey of buildings which are unique in the City and which may be worthy of protective treatment in Phase III of the LCP process.

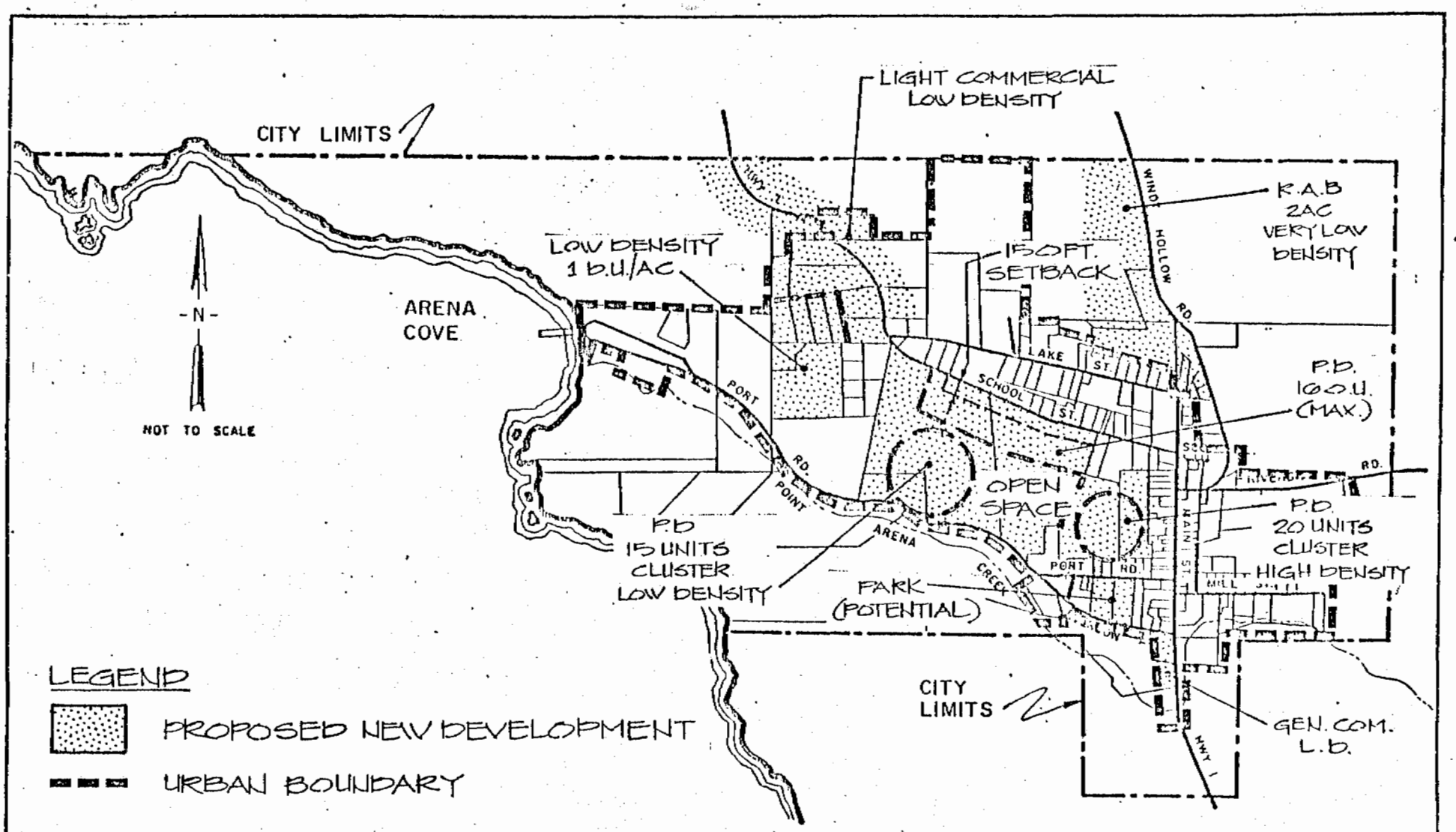
PLANNING AND LOCATING NEW DEVELOPMENT

A. Setting:

The general development pattern of Point Arena is concentrated around the central portion of the City. The most intensively developed areas generally follow existing urban infrastructure, such as paved public roads with sewer and water facilities. Densities of residential lands are low, as development proceeds away from the School-Lake-Main Street and Iverson-Port Road-Mill Street corridors. Commercial development (retail and services) are primarily confined to the City's center on Main Street, between School Street and Iverson Avenue. The only commercial development occurring outside the central business district is located north of the Lake-School Street intersection with State Route #1 (see the Planning and Locating New Development Map, Figure 13) The exception to the generally compact development of the City is the wharf complex at Arena Cove. This area, while served by individual wells and septic/leachfield sanitation systems, is developed fairly intensively in coastal related industrial, commercial and recreational uses.

Existing General Plan Land Use designations and zoning on Route #1, north of School Street to the northern City boundary and south of Iverson Avenue nearly to the southern boundary, retain C-2 (General-Commercial) zoning. (Figure 14) These commercial strips north and south together comprise approximately 39 acres. The approximate acreage zoned for commercial (C-1 and C-2) uses in the central business district is 12.0 acres. This land is nearly all developed for such use. Development of the lands along Route #1 outside of the City's center would increase the existing commercial uses in Point Arena by approximately 325 percent. This far exceeds the capacity of sewer service of the City, as shown in the Public Works section; and sewer service is not available to either the northern or southern ends of the City. The practice of zoning land at densities beyond the City's capablility to accommodate potential population and service demands is evident in the three urban zoning districts comprising residential, commercial and industrial land uses. Table 7 illustrates the approximate acreages of the respective zoning districts together with the yield of development if each district were developed at its maximum density. Constraints to development posed by topography and/or lack of sewer and/or water service were not estimated in the illustration.

As shown on the table, there is adequate room for development within the R-1 (Single Family) zoning district (57 percent of the acreage) to permit expansion of this housing type before increasing the land base through rezoning. The majority of existing R-1 zoned land which is developed or available for development, lies within or



PLANNING & LOCATING NEW DEVELOPMENT

FIGURE 13

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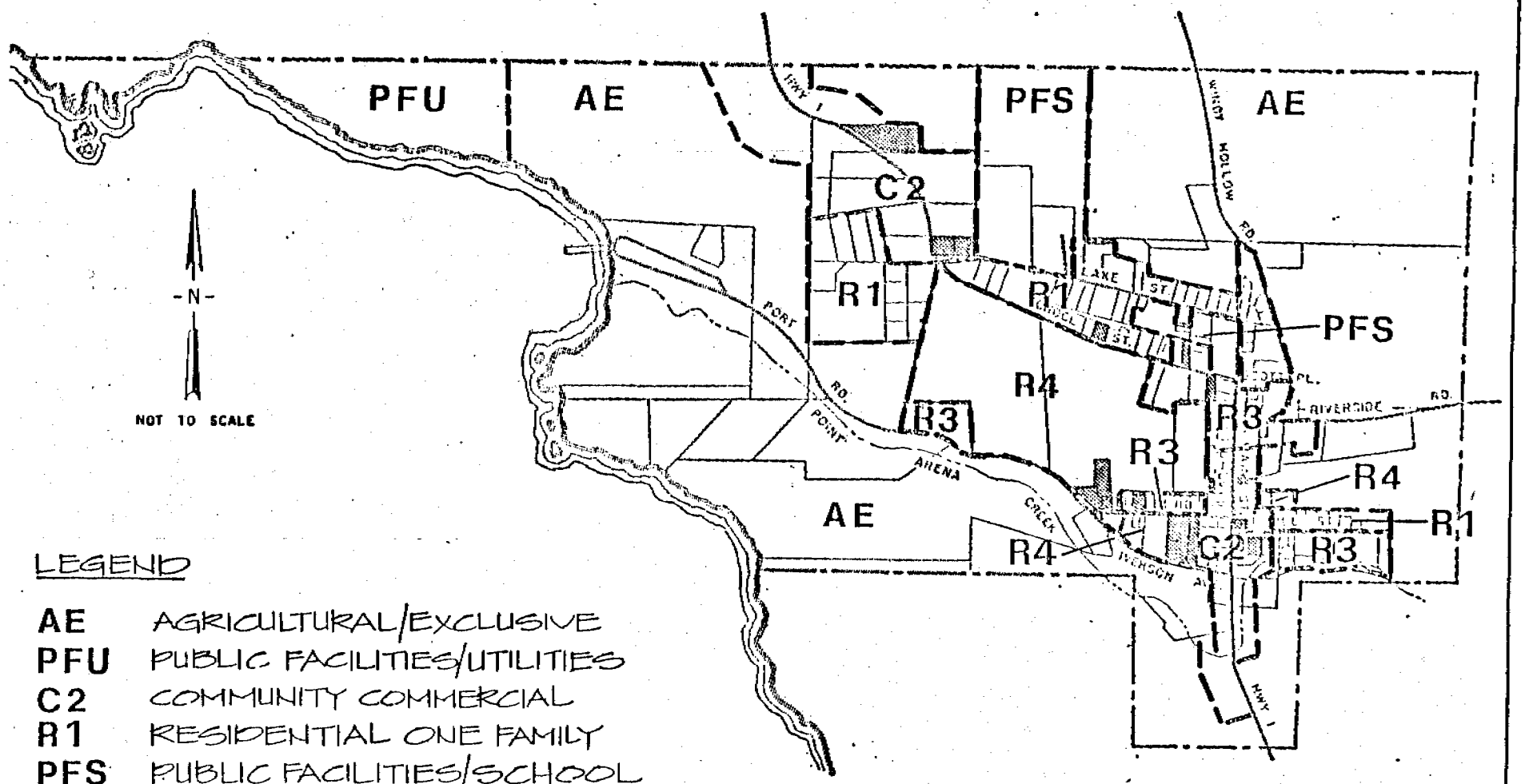

LEGEND

AE	AGRICULTURAL/EXCLUSIVE
PFU	PUBLIC FACILITIES/UTILITIES
C2	COMMUNITY COMMERCIAL
R1	RESIDENTIAL ONE FAMILY
PFS	PUBLIC FACILITIES/SCHOOL
R3	RESIDENTIAL MULTIPLE FAMILY
R4	APARTMENT-PROFESSIONAL
	RECOMMENDED INFILL

EXISTING ZONING

FIGURE 14

J.N. 3623 · POINT ARENA

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TABLE 7

URBAN DEVELOPMENT POTENTIAL

Existing Zoning &	Approximate Acreage	Approximate Developed Acreage	% Developed*	Potential Development Under Current Zoning & Maximum Respective Densities
R-1 (Single Family)	54 ac	31 ac (approximate 62 lots 1 ac or less)	57	23 ac (161 Single Family dwelling units based on min. 6000 sq.ft./unit)
R-2 (None)				
R-3; R-4 (Multi Family)	74 ac	13.5 ac (approximate 17 lots 1.5 ac or less)	18	60.5 ac (4.392 dwelling units @ 72.6 unit/ac)
C-1; C-2 (Neighborhood & Community Commerce)	52 ac	12.0 ac (approximate 29 lots in City Central area)	23	40 ac (871 commercial lots based on min. 2000 sq.ft./lot
M-H (Heavy Industrial)	15 ac	10.0 ac (2 parcels located @ Wharf & Iverson)	66	5 ac (44 Industrial lots based on min. 5000 sq.ft./lot
Total Urban	195 ac	66.5 ac		128.5 ac

*"Existing Developed Acreage" is not generally developed at maximum densities allowed by the Point Arena Zoning Code.

adjacent to existing water and sewer distribution lines, near the City's central area. Lands which lie outside water and service corridors, but which retain R-1 zoning, comprise approximately 13 acres and are located west of Eastwood Drive. (Figure 13)

Multi-family residential zoning (R-3 and R-4) within the central portion of the City and within (or adjacent to) existing water and sewer service areas comprise approximately 13.6 acres. Most of this land is developed at single family densities, rather than at densities reflecting a multi-family housing type. Under current densities allowed in the R-3, R-4 districts, approximately 72.6 dwelling units/acre are theoretically possible. If such a density were realized on the 13.6 acres, some 980 multi-family units could result. The capacity limitations of the new city sewage treatment plant (see Public Works work element) which restricts new development to the equivalency of 60-70 dwelling units precludes such densities allowed under the current zoning code. Similarily, the large 56 acre vacant tract of land located between School Street and Port Road could yield 4,000 multi-family units under R-4 zoning. This potential density, especially in the commercial and multi-family districts, underscores the need for Point Arena to re-evaluate land use and implementing zoning by respective acreages and potential densities relative to service capabilities.

Industrial land uses are limited to two sites in the City; the wharf, which includes approximately 10 acres of land suitable for development of coastal dependent uses, and a small 1.5 acre parcel on Iverson Avenue. This smaller parcel is used for storage and delivery of propane gas to local residents. Expansion of existing uses at the wharf is limited due to the lack of sewer service to the area and the fact that most of the developable land near the wharf is developed.

Other forms of industrial development which can occur in the City relate to the large 100+ acre tract of land north of Arena Cove and west of State Route #1. The land, as described in the Industrial and Energy Facilities section, is owned by PG&E and is zoned PF-U (Public Utilities) which permits intensive development for energy generating facilities. There are approximately 19 acres of PF-U zoned land atop the northern terrace of Arena Cove. PG&E ownership extends northward beyond the City's northern boundary on both sides of State Route #1. There are no current plans for major construction on the PF-U zonded lands; PG&E has been conducting "wind generating" testing on the site in recent years to establish the feasibility of large scale wind generation programs. Such uses are low intensity, causing little conflict with agricultural uses on adjacent properties. However, to assure that future industrial development within the City meets infrastructure and service capabilities, re-evaluation of the permitted

uses within the PF-U zoning district is warranted.

B. Findings:

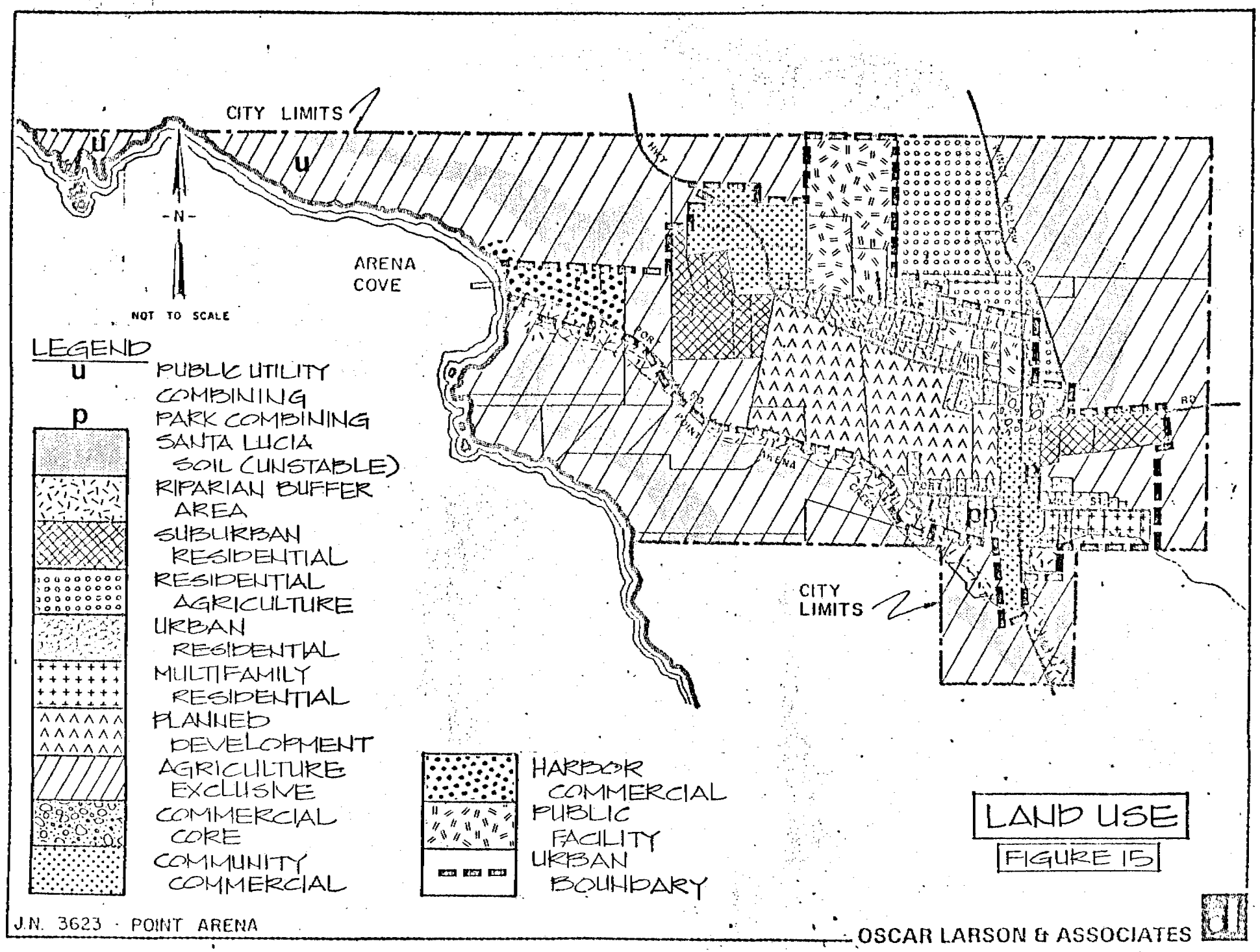
Development within the City has traditionally occurred in areas served by streets, water and sewer distribution lines. The relatively concentrated development that has resulted has left some lands to be "in-filled" within residentially designated areas. Conversely, some downzoning of residential lands is necessary to assure that future densities will not exceed the new wastewater treatment plant capacity. All areas which may be in-filled and/or which should be downzoned are within the "Urban Boundary". Other findings respective to land use indicate the following:

1. Commercial Land Uses: There is no policy language in the general plan to limit density of development on State Route #1 to reflect lack of sewer service. Existing uses are fairly low intensity and are service oriented (from School Street to the northern City boundary). Uses under current zoning have a potential for very intensive development types. This indicates a need to downzone commercial areas north of town on Route #1 for less intensive kinds of development and restrict parcel sizes to one acre until sewer and water service is extended to the area. Requirements for off-street parking and landscaping should also be incorporated in the Phase III rezoning program.

   Commercial lands on Route #1, south of Iverson Avenue reflect more intensive tourist oriented, retail activities (i.e. burl sales and curios). Again, because of lack of sewer and water services, parcel sizes and development intensities need to be restricted.

2. Residential Land Uses: Residentail lot patterns throughout Point Arena are oriented to single family development, although a substantial portion of the City is zoned for multi-family uses. Lot sizes vary greatly in the R-1 (single family district) but average between 8,000 and 12,000 square feet. It is estimated that existing vacant, "fill in" lands within the School, Lake, Mill and Main Street corridors could generate 42 additional single family homes. These parcels (Figure 13) are located on public roads served with water and sewer; projected density is 5.8 dwelling units/acre (minimum lot size at 7,500 square feet, as opposed to the existing 6,000 square foot density).

Multi-family residential lands (R-3 and R-4) far exceed the City's ability to provide services at current zoning densities (72 units/acre). Development of all 74 acres of R-3, R-4 zoned lands could theoretically yield nearly 5,300 multi-family units. Some downzoning of R-3, R-4 lands to R-1 density standards is recommended to place potential development scale in line with City physical and infrastructural limitations. (Figure 15) As with single family development, there is ample fill-in land available to generate 58 multi-family units at a density of one unit/2900 square feet as opposed to the current zoning density of one unit/600 square feet. The density reduction would allow approximately 15 dwelling units/acre vs. 72 units/acre under current zoning. The areas most logical for fill-in purposes are shown on the Zoning Map. (Figure 14) Other areas suitable for R-3 fill-in purposes are located on Mill Street, and the parcel immediately west of the commercial lands on Main Street. Low density residential land uses are appropriate where domestic water is provided by individual wells and sanitation is handled by septic systems. Accordingly in areas where hazardous soils/slopes have been identified or where very low densities exist adjacent the Urban Boundary, we have prescribed minimum parcel sizes of two acres. (Figure 15) This meets the Coastal Policy criteria for protecting existing and potential agricultural resources and provides a functional low density "buffer" between the urban and agricultural areas. Of particular importance in establishing realistic densities for land within the Urban Boundary, is the assessment of the large, open tract of land located between School Street and Port Road. The General Plan designates most of this 56 acre tract as AG-E (Agriculture Exclusive) with the exception of a strip of land fronting the south side of School Street which is designated R-1 (Single Family). Zoning, however, conflicts with these two with R-3 and R-4 land use assignments on the property. This zoning conflict does not recognize density limitations posed by soils hazards and/or lack of water or sewer systems and road networks needed to support intensive urban development. We have therefore re-assigned a density limitation, 36 units for the site (or one dwelling unit per 1.5 acres). Ideally, this assignment should be executed through PD (Planned Development) zoning. This would allow clustering of units on stable soils, leaving poorer or hazardous soils open in undivided ownership. PD zoning would allow much flexibility in the design process for the entire site or a portion of it. Lands fronting School Street could be developed in a single family (R-1) configuration with deep set-backs as prescribed in "Visual Resources" or be included in the PD plan.



LAND USE

FIGURE 15

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The area locally known as the "Eastwood Drive" area, west of the Lake Street-Route #1 junction is another candidate for low density (one unit/acre) due to the fact that water and sanitation are provided by individual property owners.

3. The Wharf Complex: The wharf complex at Arena Cove contains an intensive and diverse development pattern. Existing development in the area meets the parameters of the Coastal Act Policies. As discussed in previous sections, the objective should be to re-designate the Cove area from its current "Industrial" land use classification to uses which reflect the ocean dependent activities now occurring on the property. Longer term objectives could be to either up-grade the existing septic faclilities serving the wharf or to eventually connect some of the more intensive uses (i.e. the Wharf Cafe and associated apartments) to the sewer system. This would require the use of pumps and force mains to pump sewage "up hill" from the wharf to the City's aeriation ponds, west of Main Street. The lack of a sewer system at the wharf limits expansion of existing facilities or the development of new ones.

4. Open Space/Agricultural Lands: As described in the Hazards, Sensitive Habitat, Agriculture and Public Works sections, areas which are unstable, sensitive and/or are not served by water/sewer systems, should be developed with the objecti of avoiding or mitigating physical and fiscal constraints and impacts. The Urban Boundary line illustrates areas where urban infrastructure currently exists or is anticipated for extension in the near future. Areas outside the boundary are comprised of good to very good agricultural soils and are not considered appropriate for urban development. In that agricultural uses occur on most of these lands, the objective is to encourage their continued agricultural production in accord with Coastal Act Policies and to avoid the fiscal costs of extending roads, water and sewer services outside the established urban service areas. Overall densities projected for these agricultural lands are very low, at one dwelling unit per twenty acres. (Figure 15)

There are lands within the urban boundary for which, because of their potential for recreation, hazardous and/or sensitive nature, are recommended for open space designation in the Land Use Plan. These are the eastern portion of Point Arena Creek, a three acre parcel located between Port Road and Iverson Avenue for future development into

a community park, a small ½ acre parcel adjacent and north of City Hall for development into a "passive" leisure park, and finally, all potentially hazardous areas associated with the set-backs prescribed for sea cliff retreat and unstable slopes. (Figure 15)

C. Recommended Land Use Policies - Planning New Development

Policy Objective: To develop a comprehensive planning mechanism which will act as the basis for the Land Use Plan for the City of Point Arena pursuant to the Coastal Act.

Policies: The following policies by the Point Arena City Council will allow new development to occur in line with physical, fiscal and infrastructural capabilities:

40. The City shall adopt an allocation plan of sewage plant capacity for various types of development to assure that a balance of community development needs are met. The new sewage treatment plant will allow 60-70 equivalent dwelling units for new growth. This amounts to only 15,000 gal. to 17,500 gal. of effluent per day. A portion of the capacity shall be reserved for commercial uses. Priority shall then be given to: (a) existing vacant parcels within the infill area either permanently or for a limited time (5 years), (b) and/or existing parcels within the "Urban Boundary" that can be divided under the proposed lot area requirements.

41. The City shall adopt ordinances limiting residential and commercial parcel sizes to one acre minimums in areas which are unserved by water and sewer. Areas served by community water but lack sewer service (or vice-versa) be limited to ½ acre parcel sizes when such densities meet soils and slope capabilities, defined in the Hazards section. Lot coverage, bulk, and height provisions shall be revised so that new or intensified commercial development will be consistent with the present community character.

42. The City shall adopt a land use plan emphasizing the need to "fill-in" vacant lands that are served by roads, water and sewer systems prior to expanding urban development into areas where such services are lacking or are inadequate, as shown in the "Existing Zoning Map". (Figure 14)

43. The City shall adopt amendments to the zoning code to reduce existing unit/lot densities of the residential sections to 7500 square feet (single family) and 2900 square feet (multi family).

44. The City shall recognize the importance of protecting the public from physical hazards associated with poor soils and unstable slopes, and in protecting sensitive habitat areas from development impacts. Such policies shall be implemented by appropriate land use designations and rezoning to Open Space or Agriculture-Exclusive.

45. The City shall require all future development in hazardous or severly constrained soils to be qualified pursuant to appropriate geological and soils engineering studies prior to approval of requests.

46. The City shall review lands north of Arena Cove that are zoned PF-U to establish the feasibility of retaining existing intensities of development scale, i.e. grazing and experimental wind data gathering for possible wind powered electrical generation. Conflicts of existing PF-U zoning with City service limitations shall be mitigated by amending the zoning code to permit these two existing uses to be retained on PF-U zoned sites. Approval of any additional development of PF-U zoned lands shall occur under the "Conditional Use" process. The existing PF-U designation shall be changed to AE (Agriculture Exclusive) with a U combining district.

47. The City shall revise the A-E zone to provide a minimum lot size of 20 acres.

DIKING, DREDGING AND FILLING

A. Setting:

Currently, the only area of Point Arena which requires diking and/or filling is located at the wharf. The activity is restricted to protecting existing development. (i.e. the wharf parking area and wharf abutment only). The filling is conducted annually and is a result of repairing winter storm damage to the parking lot. (see affected diking area on Figure I-A). The "repair area" is small, approximately one acre in size and the fill material generally consists of one-inch and larger rock aggregate.

B. Findings:

Past maintenance work has not damaged Point Arena Creek vegetation or the structures or waters of Arena Cove. In that the work is conducted annually to protect existing coastal dependent development, no conflict with Coastal Act Policies are evident.

C. Recommended Land Use Policies - Diking, Dredging and Filling

Policy Objective: Make recommendations for appropriate improvements pursuant to Coastal Act Policies and demonstrated interests of City residents.

Policies:

48. The City shall prohibit diking, dredging and filling operations which may potentially impact streams, water and marine resources, and sensitive habitats. Necessary permits from the California Department of Fish and Game and Water Resources shall be required on all such projects. Any alteration of wetlands shall meet all provisions and mitigation requirements of the Coastal Act.

49. The City shall continue to authorize the existing minor maintenance fill operations at the Wharf to protect existing structures and facilities as shown on the Parking Area Map. (Figure I-A).

50. In response to citizens' interest in expanding harbor facilities, the City should initiate a special harbor facility development plan to define specific uses which are compatible with the sewer/water limitations of the wharf area. Areas of immediate planning priority in such a study shall be: expanding existing boat launching facilities, wharf fishing and commercial fishing boat mooring.

51. The City should work with the State Lands Commission and the U.S. Army Corps of Engineers to develop a plan for establishing a protective breakwater at Arena Cove. Any such proposal would be reviewed as an amendment to the approved Land Use Plan.

APPENDIX A

POINT ARENA LCP QUESTIONNAIRE

TABULATION

POINT ARENA LCP QUESTIONNAIRE TABULATION

Survey Response:

Questionnaires were mailed to 178 households in the City; with 69 responses (38.8%) received. While not all questions on the survey form were addressed by respondents, overall community interest in community needs and planning priority was obtained. The results of the survey, expressed in terms of percentages of response to each question, are as follows:

LAND USE CONSIDERATIONS

1. Importance of Existing Land Uses by Priority: 60 responses received

a.	Priority #1	Residential Ownership/uses	84%
b.	Priority #2	Local Business Uses	48%
c.	Priority #3	Rental Housing Uses	47%
d.	Priority #4	Agricultural Uses-Farming/ Grazing	42%
e.	Priority #5	Development of Summer Homes	13%

2. Service Systems: 62 responses received

   a. Homes Served by: Pt. Arena Water Dist. 55%; Individual Well 27%; Spring/well 13%.

   b. Homes Served by: Pt. Arena Sewer System 60%; Septic tank 40%.

   c. Families who would connect to a "public system", if available 24%.

   d. Families who would not connect to a "public system", if available 76%.

   e. Families who feel that a public water system will be needed in their respective areas in the near future: 63% yes; 37% no.

(1)	School Street area	71%
(2)	Port Road area	83%
(3)	Mill Street area	75%
(4)	Main Street area	80%
(5)	Lake Street area	57%
(6)	Wharf area	80%, felt no public water system needed.

3. Development Preferences by Priority in: City Only; or General Area
57 responses received

		City Only	General Area
a.	Allow more office/business development	46% (#1)	81% (#2)
b.	Allow more Industrial Development	40% (#2)	79% (#3)
c.	Allow residential development wherever possible	40% (#3)	63% (#4)
d.	Allow "some" residential development	39% (#4)	86% (#1)
e.	Allow more duplex/apartments	33% (#5)	53% (#6)
f.	Allow more motels, camps, R.V. parks	28% (#6)	60% (#5)
g.	Allow NO more Duplex/apartments	19% (#7)	35% (#7)
h.	Allow no more Commercial/Industrial development	18% (#8)	18% (#8)
i.	Allow no more residential development	11% (#9)	12% (#9)

4. Residents Who Wish To See Harbor Facilities Expanded: 57 responses received

81% Yes; 19% No.

5. Residents Who Wish To See A Breakwater At Arena Cove: 57 responses received

74% Yes; 26% No.

6. Residents Response to Facilities for "tourists" needs by Priority: 51 responses received

a.	Pier Fishing	57% (#1)
b.	Picnic Areas	37% (#2)
c.	No new facilities	33% (#3)
d.	Family Camping	27% (#4)
e.	Information Center	14% (#5)
f.	Vista Points	12% (#6)
g.	Equestrian facilities; uses	8% (#7)

7. Residents Community Needs by Priority of Response: 58 responses received

a.	More Police Protection	42% (#1)
b.	More Fire Protection	38% (#2)
c.	A Regional Bus System	37% (#3)
d.	More Local Recreation Facilities	35% (#4)

e.	Better Fishing/Parking Facilities	32% (#5)
f.	Sidewalks	27% (#6)
g.	Street Paving	20% (#7)
h.	Street Lights	17% (#8)
i.	Bike Paths/Trails	10% (#9)

Other "needs" receiving 2-4 responses each are: Community gardens; more employment opportunities; and more "downtown" parking facilities.

8. Visual Characteristics of Point Arena: 58 responses received

a. Residents' response to: "Does Point Arena Have A Distinctive Character?" 44% Yes; 26% No.

b. Focus of Character:

Nice, quiet town	34%
Clean environment	13%
The Light House (north of town	13%
Active Wharf complex	10%
Deterioration ("blight")	9%
Good Fishing	9%

c. Citizens' Response to: "Should new development be consistant with Point Arena's existing character?" 71% Yes; 29% No.

9. Suggestions and Comments by Respondants in the Questionnaire:

Only eighteen responses to this solicitation were received; and interest in the City's economic development, environment, wharf industry and character were the main points of concern expressed.

SOCIO/ECONOMIC AND POLITICAL CONSIDERATIONS IN MEETING LAND USE AND COMMUNITY NEEDS

Of those surveyed who responded to the questions related to the City's employemnt characteristics (88% of the total responses received) the following employment profile was generated:

1. Head of Household Employment Characteristics: 60 responses received

a. Employment requires commuting to work outside the City - 25%

b. Employment is located within the City - 75%

2. Employment Categories in Point Arena (general): 5 responses received

a.	Retired persons	33%
b.	Professional/technical	21%
c.	Sales	12%
d.	Manager/Administrative	8%
e.	Crafts	7%
f.	Heavy Equipment Operator	6%
g.	Clerical/Secretarial	5%
h.	Laborer	4%
i.	Student	2%

3. Citizens Response to "Obstacles in Meeting Community Needs": 38 responses received

a.	Lack of locally available funds	50%
b.	Lack of City response to needs	21%
c.	Lack of Community Cooperation	21%
d.	Government Restrictions	8%

APPENDIX B

ACKNOWLEDGEMENTS

APPENDIX B

Acknowledgements

We wish to thank the following persons and agencies for their participation in the Point Arena Local Coastal Plan work program; and cite research material essential to the Study findings and conclusions.

Persons

1. John Ayers, City Councilman/Realtor, Point Arena
2. William Brooks, Mendocino County Farm Advisor
3. Arthur Choy, California Public Utilities Commission
4. Ernie Dickens, Mendocino Council of Governments
5. John P. Ellison, Jr., California Department of Fish and Game
6. Ted Eriksen, Jr., Mendocino County Agriculture Commissioner
7. Roy Fox, Manager, Wharf Operations, Point Arena
8. William Hay, Owner/Operator, Point Arena Water Works
9. Don Marquardt, Pacific Gas and Electric Company
10. Fred Morgan, Fire Chief, Point Arena Volunteer Fire Department
11. Steve Settle, Commercial Diver, Point Arena
12. John Williams, Department of Geology, California State University, at San Jose

Publications

a. CALTRANS, 1977 Traffic Volumes on the California Highway System.

b. Mendocino Council of Governments, Mendocino County Coastal Access Study (Draft), 1977.

c. California Department of Fish and Game; California Sea Grant, Coastal County Fish and Wildlife Resources and Their Utilization, August, 1973 (revised 1976); Fish and Wildlife Resources Relationships and Water Quality Requirements. August, 1972; Acreages of Principle Wetland Habitat Types in Mendocino County, 1978.

d. O.Kolkman, Madrone Audubon Society and Bureau of Land Mangement, Birds of Mendocino County California, 1973.

e. Pacific Gas and Electric Company, Geology of the Mendocino Power Plant Site, 1971.

f. Harris and Associates, City of Point Arena Waste Water Reclamation Facilities Infiltration/Inflow Analysis, 1979.

g. Wilsey and Ham, The City of Point Arena Water Systems Study, 1967.

In addition to the input received from the sources listed, we wish to extend a special note of appreciation to the Point Arena Citizens' Advisory Committee and staff for their time and effort in the Local Coastal Plan process:

1. Joe Scaramella, Chairman
2. Bid Eastwood; Carol Eastwood (Alternate)
3. Roy Fox
4. Sonny Suddith
5. Darrel Dallegge
6. John McClennan
7. Sharon Burningham
8. Ruth Binker, City Clerk and Committee Secretary

APPENDIX C

LAND USE DESIGNATIONS

APPENDIX C

Land Use Designations

The land use designations shown on the Land Use Plan Map (Figure 15) are described in this Appendix. Principal and conditionally permitted uses for each designation are provided as well as a minimum parcel size. The implementation phase of the LCP (Phase III-Zoning) contains a detailed description of zones corresponding to these Land Use Plan designations and a presentation of the procedures which must be followed in order to obtain a permit for development in the City.

Agriculture Exclusive (AE)

The agriculture exclusive designation applies to properties designated on the land use plan map which it is necessary to protect for agricultural uses. This designation applies to areas in which agriculture shall be the predominant use and in which the only other uses allowed are those which support the maintenance of agricultural lands in permanent agricultural production.

A. Principal permitted use

1) Dairying, grazing or breeding of cattle, horses, or sheep, raising, or keeping of poultry, fowl, rabbits, or goats or similar animals.

2) Crop, vine or truck farm, greenhouse, horticulture.

3) Farm and ranch buildings including stables, barns, pens, corrals, coops, windmills, silo.

4) A single-family dwelling, incidental to the agricultural use of the land, for the residence of the owner or leasee of for employees engaged in agricultural use of land.

5) The maintenance of land in its natural state for the purpose of preserving land for passive recreation or for plant, animal or mineral preserves.

6) Roadside stands used for the sale of agricultural products, provided the structures are temporary.

B. Conditional uses

1) Hog farms, turkey farms, frog farms, and fur farms.

2) Animal feed yards and sales yards.

3) Water storage tanks, reservoirs and distribution lines.

4) One additional dwelling, incidental to the agricultural use of the land, for the residence of the owner or leasee or for employees engaged in agricultural use of land.

5) Scientific research and associated structures.

6) Wastewater aeration Ponds.

C. Other regulations

1) Minimum lot size: 20 acres

Residential Agriculture (RA)

The residential agriculture designation applies to properties designated on the land use map which are suitable for low density residential use and limited agricultural activities. This land use designation also allows for buffer areas between exclusive agriculture areas and higher density residential areas.

A. Principal permitted use

1) Dairying, grazing, breeding of cattle, horses, or sheep, raising or keeping of poultry, fowl, rabbits, or goats or similar animals.

2) Accessory structures such as barns, pens, coops, stables, not used for commerical purposes.

3) Windmills

4) Greenhouses and other nursery structures.

5) Single family dwellings.

6) Home occupations.

B. Conditionally permitted uses

1) Water storage tanks, reservoirs, and distribution lines.

2) Animal hospitals, kennels.

3) Commericial stables

C. Other regulations

1) Minimum lot size: two acres.

2) No lot splits without geological report showing building sites.

Suburban Residential (SR)

The suburban residential designation applies to properties designated on the land use plan map which are suitable for the provision of low density single family residential development. These areas have a public water system available, or will be available in the near future, but are not served by public sewer.

A. Principal permitted use

1) Single family dwellings.

2) Truck gardening, small-scale farming and grazing.

3) Structures associated with truck gardening, small-scale farming and grazing including outbuildings and sheds not exceeding 1,000 square feet.

4) Home occupations.

5) Churches

B. Conditionally permitted uses

1) Water storage tanks, reservoirs, and distribution lines.

2) Non-commercial livestock stables or corrals.

3) Day care centers.

C. Other regulations

1) Minimum lot size, one acre.

Urban Residential (UR)

The urban residential designation applies to properties designated on the land use map which are suitable for higher density residential uses. These areas are served by public sewer and water and securing all appropriate services is a condition precedent to development in these areas. This land use designation promotes the infilling of development and provides for concentration of development in areas where there are adequate services.

A. Principal permitted uses

1) Single family dwelling.

2) Rooming and boarding of not more than two persons not employed on the premises.

3) Home occupations.

4) Keeping of no more than 8 household pets on each lot.

5) Churches.

B. Conditionally permitted uses

1) Day care facilities for five or fewer children.

2) Duplexes, triplexes, and four-plexes.

C. Other regulations

1) Minimum lot size: 7,500 square feet.

Planned Development (PD)

The planned development designation is intended to be applied to properties designated on the land use plan map which require flexibility in the location and concentration of residential development in order to lessen impacts on scenic resources, geologically hazardous areas or other sensitive resource areas. This land use designation promotes the clustering of development to mitigate the adverse impacts of storm run-off and to protect view corridors and open space.

A. Conditional uses

1) Single and multiple family residential developments but not mobile homes.

B. Other regulations

1) The total number of dwelling units in any PD shall be no greater than four per building.

2) Minimum lot size, land divisions will be subject to a requirement that a public road between Port Road and School Street be located prior to approval of any land divisions.

3) Consideration shall be given to compatibility with surrounding land uses relative to proposed density, housing type and buffer areas.

4) Common open and recreational space should make up at least fifty percent of the subject property and shall include any permanent open area and any recreational structures and facilities to be held in a single or common ownership or dedicated for public use (driveways, parking areas, patios, and yards for private use shall not be considered common open space).

5) A minimum of three offstreet parking spaces shall be provided for each dwelling unit.

Neighborhood commercial core (C-1)

The downtown commercial core designation is intended to be applied to properties so designated on the land use plan map which are most suitable to the provision of goods and services for residents and visitors at a scale appropriate to the traditional small-scale downtown area. Development in these areas should promote commercial uses without detracting from the residential desirability of the surrounding areas.

A. Principal permitted uses

1) Food or convenience sales such as grocery stores, markets, liquor stores, bakeries, small drug stores, restaurants.

2) Personal services including beauty and barber shops, self-service laundries, dry cleaning, tailor shops.

3) Professional offices such as real estate, insurance, law offices, banks.

4) Hardware and appliance, clothing, florists, furniture, television, antique shops, art shops.

5) Medical offices including doctors and dentist offices, private clinics.

B. Conditionally permitted uses

1) Hotels, motels, boarding and rooming houses.

2) Restaurants, bars.

3) Second hand stores entirely enclosed within a building.

4) Single family dwelling when associated with a business.

C. Other regulations

1) Minimum lot size: 7,500 square feet.

Community Commercial

The community commercial designation applies to properties so designated on the land use plan map which are most suitable for uses which promote the provision of convenience goods and services, including a variety of retail facilities and which provide appropriate locations for visitor-serving commercial facilities.

A. Principal permitted uses

1) All of the uses allowed in C-1 as either principal permitted uses or conditionally permitted uses except residential in the C-1 land use designation.

2) Theaters, commercial recreation including bowling alleys, pool halls.

3) Professional services including typing and copying services, blue printing, and photographic services.

4) General retail sales for automobile dealerships and for automobile parts.

5) Gas stations.

6) Wood working, lumber sales, cabinet shops, plumbers,

electricians.

7) Commercial parking lots.

8) Firehouse.

B. Conditionally permitted uses

1) Warehouses.

2) Animal hospitals.

3) Recreational vehicle parks.

4) Automobile repair service.

5) Single family dwelling when associated with a business.

C. Other regulations

1) Minimum lot size: 7,500 square feet.

Harbor Commercial (H-C)

The harbor commercial designation applies to properties designated on the land use plan map which are most suitable for commercial activities in conjunction with commercial and recreational fishing and other coastal dependent activities. This land use designation provides for visitor-serving uses which will enhance the public's enjoyment and utilization of the area.

A. Principal permitted uses

1) Boat launching and boat repairs.

2) Retail sales of fishing supplies, scuba sales or rentals.

3) Purchasing, selling, and processing of fish and shellfish.

B. Conditionally permitted uses

1) Recreational vehicle parks for seasonal uses (when located and designed in conformance with design standards and other regulations).

2) Visitor-serving uses already located at the harbor will be allowed to continue in operation with no expansions.

3) Public parking lot.

4) Boat building.

Public Facility (PF)

The public facility designation applies to properties so designated on the land use plan map that are suitable for use for public purposes such as recreational, educational, and cultural activities and for specific public utility purposes.

A. Principal permitted uses

1) Public services and administrative offices such as police and fire stations, post offices, public parking lots, city hall.

2) Schools.

3) Museums, art galleries, and libraries.

4) Public, parochial and non-profit clubs, lodges, meeting halls, recreation centers.

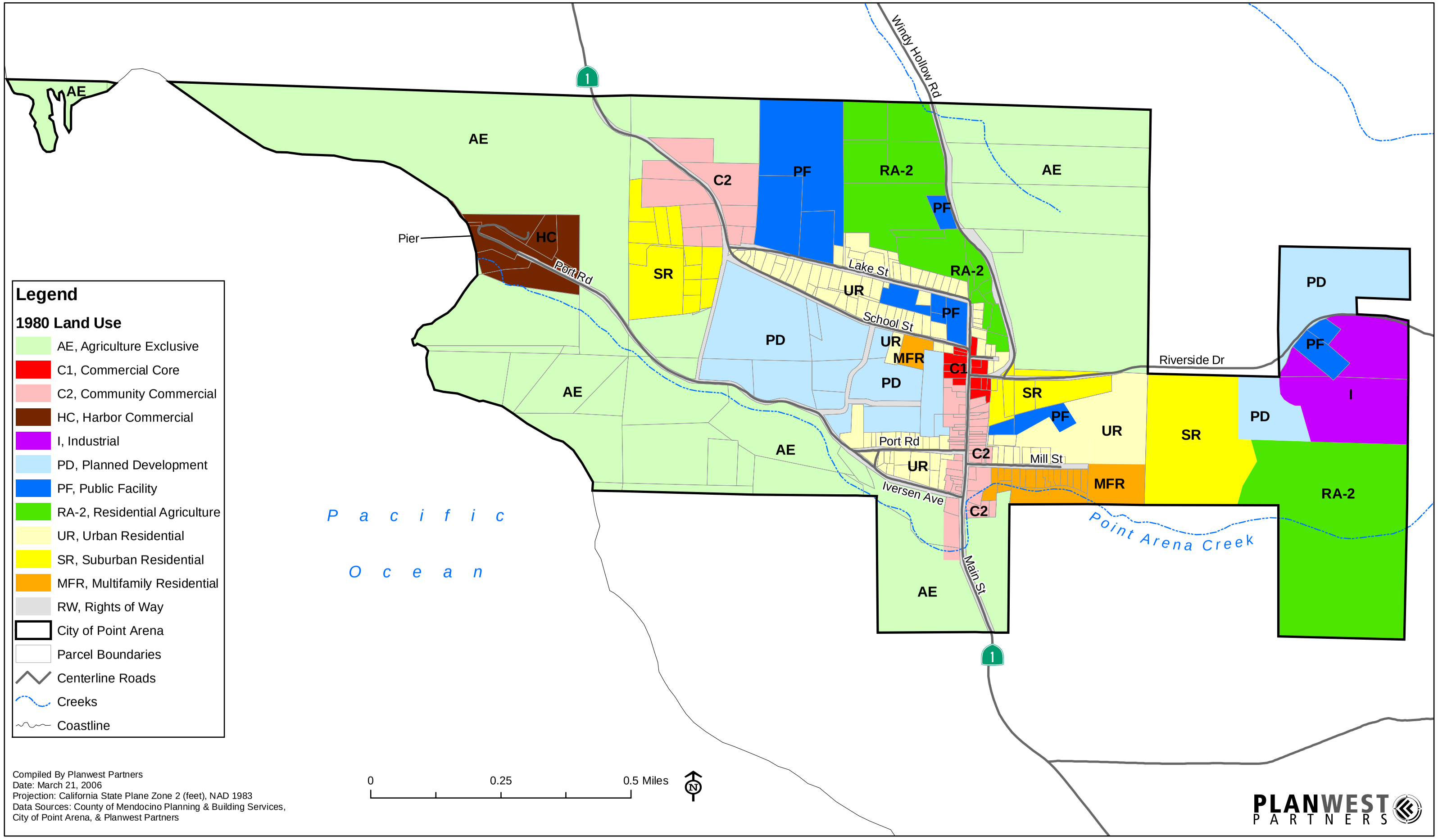
5) Construction of public utility structures of a limited nature such as radio, television transmission facilities, pumping stations, sewage treatment plants, corporation and storage yerds.

B Conditionally permitted uses

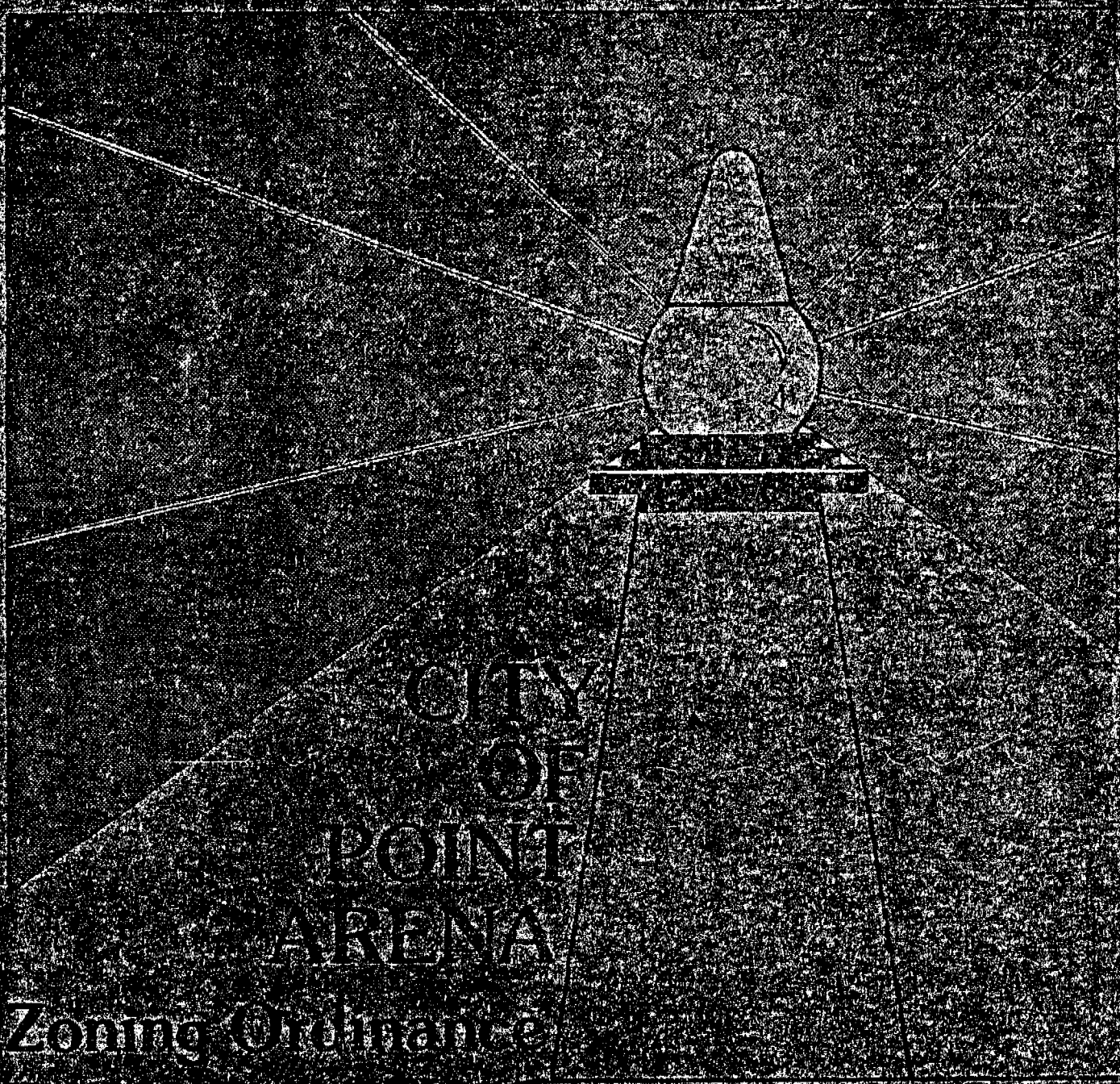
1) Public cemeteries.

2) Public utility warehouse, storage yards, gas holders, substations, and underground distribution lines. These uses are designated on the land use plan map with a PF-U designation.

City of Point Arena
1980's Land Use and Zoning Map with Amendments



Compiled By Planwest Partners
Date: March 21, 2006
Projection: California State Plane Zone 2 (feet), NAD 1983
Data Sources: County of Mendocino Planning & Building Services, City of Point Arena, & Planwest Partners



CITY OF POINT ARENA

Zoning Ordinance

CERTIFIED AS LEGALLY
ADEQUATE BY THE CALIFORNIA
COASTAL COMMISSION ON 12/3/81

EXHIBIT NO. 6
APPLICATION NO.
PTA-MAJ-1-01 (POINT ARENA LCPA)
CERTIFIED IP

PREPARED BY
OSCAR LARSON
& ASSOCIATES
[illegible] STREET
EUREKA, CA 95501

CITY OF POINT ARENA

- - -

Zoning Ordinance

by

OSCAR LARSON & ASSOCIATES
204 Fourth Street
P.O. Box 3806
Eureka, California 95501

707-445-2043

December/1980
JN:3500

POINT ARENA ZONING ORDINANCE

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C I T Y O F P O I N T A R E N A

Mendocino County, California

- - -

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF POINT ARENA, STATE OF CALIFORNIA, ESTABLISHING LAND USE ZONES; REGULATING THE USE OF LAND AND BUILDINGS THE HEIGHT, BULK AND LAND COVERAGE OF BUILDINGS AND THE OPEN SPACE ABOUT BUILDINGS; SPECIFYING MINIMUM DIMENSIONS AND AREAS FOR VARIOUS TYPES OF LAND USES IN VARIOUS ZONES; DEFINING WORDS AND TERMS USED HEREIN; PROVIDING FOR THE ISSUANCE OF USE PERMITS AND VARIANCES AND FOR STANDARDS AND CONDITIONS RELATED THERETO; SPECIFYING PROCEDURES FOR THE ADMINISTRATION AND AMENDMENT OF, AND PRESCRIBING PENALTIES FOR THE VIOLATION OF ANY OF THE PROVISIONS HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

THE CITY COUNCIL OF THE CITY OF POINT ARENA DOES ORDAIN AS FOLLOWS:

ARTICLE 1. ADOPTION, SHORT TITLE, AND PURPOSE.

Sec. 1.01 Adoption: There is hereby adopted a Zoning Ordinance for the City of Point Arena, State of California, as provided by Title Seven of the Government Code of the State of California. This ordinance constitutes a precise plan for the use of land in conformity with the General Plan and General Plan Standards.

The provisions of this Ordinance shall apply to all lands and all owners of lands within the incorporated area of the City of Point Arena.

Sec. 1.02 Short title: This Ordinance shall be known and cited as the "Zoning Ordinance of the City of Point Arena." In any administrative action taken by any public official under the authority set forth in the Ordinance the use of the term "Zoning Ordinance", unless further modified shall also refer to and mean this Ordinance.

Sec. 1.03 Purpose: This Ordinance is adopted to promote and protect the public, health, safety, morals, comfort, convenience and general welfare, to provide a plan for sound and orderly development and to ensure social and economic stability within the various zones hereby established. In addition it is the

purpose of this ordinance to implement the policies and programs of the Point Arena Coastal Land Use Plan.

Sec. 1.04 Procedure: Until such time as there is a duly constituted Planning Commission, the City Council shall act as the Planning Commission. Any decision made by the City Council acting as the Planning Commission shall be final and there shall be no further administrative remedy under this ordinance.

Sec. 1.05 Consistency with Point Arena Coastal Land Use Plan: The Point Arena Zoning ordinance is based upon, and is intended to be consistent with the policies, programs and land use designations of the Point Arena Coastal Land Use Plan. If the Point Arena Coastal Land Use Plan is amended and is no longer consistent with the ordinance, then the zoning ordinance shall also be amended so that it is consistent with the amended Point Arena Coastal Land Use Plan. Amendments to the Zoning Ordinance adopted by the City Council shall be consistent with the policies, programs and land use designations of the Point Arena Coastal Land Use Plan.

Sec. 1.06 Infilling: The Point Arena Zoning ordinance shall be based upon the policy of infilling. Approval should be given to development in areas contiguous to existing urbanized areas prior to the approval of projects which require extensions of water, sewer, and road services. This will minimize the loss of agricultural land and reduce the costs of service extensions.

ARTICLE 2. DEFINITIONS.

Sec. 2.01 General definitions: Unless the context requires, the definitions set forth or otherwise provided for in this Article shall be used in the interpretation and construction of this Ordinance. Words used in the present tense include the future; the singular number shall include the plural, and the plural the singular; the word "building" shall include the word "structure", the word "used" shall include "arranged, designed, constructed, altered, converted, rented, leased, or intended to be used," and the word "shall" is mandatory and not directory.

Sec. 2.02 City Council/Planning Commission: "City" shall mean the City of Point Arena, "City Council" shall mean the City Council of Point Arena, and "Planning Commission" shall mean the Planning Commission of the City of Point Arena or the City Council in the absence of a legally constituted Planning Commission.

Sec. 2.03 Reference to Appendix A: The definitions included in Appendix A of this ordinance shall constitute supplementary definitions to be used in the interpretation and construction of this ordinance.

ARTICLE 3. ESTABLISHMENT AND DESIGNATION OF ZONES

Sec. 3.01 Principal Zones: The several zones hereby established, and into which the City may be divided, are as follows:

ZONE	DESIGNATION
Suburban Residential	SR
Residential Agriculture	RA
Urban Residential	UR
Multifamily Residential	MR
Planned Development	PD
Agriculture Exclusive	AE
Neighborhood Commercial Core	C1
Community Commercial	C2
Harbor Commercial	HC
Industrial	I
Public Facility	PF

Sec. 3.02 Combining Zones: In addition to the principal zones established in Section 3.01, certain combining regulation zones are hereby established as follows:

Special Building Site	-B
Park	-P
Public Utility	-U

Sec. 3.03 Location and boundaries of zones: The designation, location and boundaries of the aforesaid zones shall be delineated on the zoning map of the City. Said map and all notations, references, data and other information shown thereon shall be a part of these Regulations and subject thereto, and such map shall constitute Section 3.04 hereof.

Sec. 3.04 Zoning map: This section consists of the zoning map of the City, which map may be amended in whole or in part in accordance with the amendment procedure set forth in Article 7 hereof. A copy of the zoning map shall be kept on file in the office of the City Clerk.

Sec. 3.05 Determining uncertain boundaries: Where uncertainty exists with respect to the boundaries of the various zones, the following rules shall apply:

A. Streets or alleys. Where the indicated zoning boundaries are approximately street or alley lines, the center lines of such streets or alleys shall be construed to be the boundaries of such zone.

B. Lot Lines. Where the zoning boundaries are not shown to be streets or alleys, and where property has been or may hereafter be divided into blocks and lots, the zoning boundaries shall be construed to be lot lines; and where the indicated boundaries are approximately lot lines, said lot lines shall be construed to be the boundaries of said zone, unless said boundaries are otherwise indicated.

C. Scale on map; determination by Commission. Where property is indicated on a zoning map as acreage and not subdivided into lots and blocks, or where the zone boundary lines are not approximately street, alley or lot lines, the zone boundary lines on said zoning map shall be determined by scale contained on such map and where uncertainty exists, the zone boundary line shall be determined by the Planning Commission. In the event property shown as acreage on the zoning map has been or is subsequently subdivided into lots or blocks by a duly recorded subdivision map and the lot and block arrangement does not conform to that anticipated when the zone boundaries were established or property is re-subdivided by a duly recorded subdivision map into a different arrangement of lots and blocks than shown on the zoning map, the Planning Commission, after notice to the owners of the property affected thereby, may interpret the map and make minor readjustments in the zone boundaries in such a way as to carry out the intent and purpose of these regulations and conform to the street, block and lot layout on the ground. Such interpretation shall be by written decision, and thereafter the zoning map shall be changed to conform thereto.

D. Vacated street or alley. In the event a dedicated street or alley shown on the zoning map is vacated by resolution or ordinance, the property formerly in said street or alley shall be included within the zone of the adjoining property on either side of said vacated street or alley. In the event said street or alley was a zone boundary between two (2) or more different zones, the new zone boundary shall be the former center line of the vacated street or alley.

5

E. Land division. When a land division requires the planning commission to make a minor readjustment in zoning district boundaris, a map of this readjustment shall be sent to the coastal commission for a determination as to whether it requires an amendment to the zoning map. If no amendment is required, the readjustment shall become effective immediately. If an amendment is required, the requirements of Section 7.01 through 7.05 apply.

Sec. 3.06 Applies to all territory: All incorporated territory of the City shall be classified as specified by the zoning map adopted as a part of these Regulations.

Sec. 3.07 Establishment of limitations on land use and structures:

A. Use requirements. No building or part thereof or other structure shall be erected, altered, added to or enlarged, nor shall any land, building, structure or premises to be used, designated or intended to be used for any purpose or in any manner other than is included among the uses hereinafter listed as permitted in the zone in which such buildings, land, or premises is located.

B. Height requirements. No building or part thereof or structure shall be erected, reconstructed or structurally altered to exceed in height the limit hereinafter designated for the zone in which such building is located except as provided in Article 6 hereof.

C. Area requirements. No building or part thereof or structure shall be erected nor shall any existing building be altered, enlarged or rebuilt or moved into any zone, nor shall any open space be encroached upon or reduced in any manner, except in conformity to the yard, building site area, and building location regulations hereinafter designated for the zone in which such building or open space is located.

D. Duplicate use of open space and yards. No yard or other spaces provided about any buildings for the purpose of complying with provisions of these regulations shall be considered as providing a yard or open space for a building on any other building site unless specifically permitted elsewhere in these Regulations.

Sec. 3.08 Zoning of annexed properties: All lands or waters which shall be annexed to the City of Point Arena shall be pre-zoned. The owner of any land, prior to filing a petition for annexation to the City of Point Arena, or in the event a proposed annexation shall be instituted by the City or other property owners, may file an application for prezoning by complying with the provisions, procedures and paying the fees set forth in Article 7 for amendments to the zoning ordinance. The zoning established by the City shall be submitted to the California Coastal Commission for approval. The zoning approved by the City and the Coastal Commission shall become effective at the same time that the annexation becomes effective. Required fees may be waived by the City Council when the annexation is instituted by the City.

ARTICLE 4. REGULATIONS FOR THE PRINCIPAL ZONES.

Sec. 4.01 Conflict of regulations: In addition to the regulations specified in this Article for each of the principal zones, the general regulations set forth in Article 6 shall be applicable to each and every such zone. In the event of conflict between the particular regulations for each zone set forth in this Article and the general regulations set forth in Article 6, the more restrictive regulations shall apply. In doubtful cases, the Planning Commission shall determine which of the conflicting regulations shall be applicable.

Sec. 4.02 Suburban Residential or SR Zone: The Suburban Residential Zone applies to properties designated on the zoning map which are suitable for the provision of low density single family residential development. These areas have a public water system available or will be available in the near future but are not served by public sewer.

A. Principal permitted use

1) Single family dwellings
2) Truck gardening, small-scale farming and grazing.
3) Structures associated with truck gardening, small-scale farming and grazing including outbuildings and sheds not exceeding 1,000 square feet.
4) Home occupations
5) Churches

B. Conditionally permitted uses

1) Water storage tanks, reservoirs, and water distribution lines.
2) Non-commercial livestock stables or corrals.
3) Day care centers.
4) Mortuaries

C. Other Regulations

1) Minimum lot area, one-half (½) acre.
2) Minimum lot width, 125 feet.
3) Maximum lot depth, 3 times lot width.
4) Minimum yards: front, 20 feet, rear, 15 feet; side, 10 feet.
5) Maximum building height, 35 feet, except that the design assistance committee may require a lesser height as provided in section 6.16.

6) Determination of development feasibility:

A report by a registered geologist or a certified engineering geologist shall be provided at the applicant's expense as part of an application for permanent structure, septic disposal system, driveway, parking area, or other use permitted in the SR Zone within the Unstable Areas and areas within 100 feet of the Hathaway Creek Fault as shown in the Point Arena Land Use Plan. Before the Planning Commission approves a development, it shall determine that the proposed development will not significantly increase erosion and slope instability and that any potential adverse impacts have been mitigated to the maximum extent feasible.

a) The report shall be based on an on-site inspection in addition to a review of the general character of the area using a currently acceptable engineering stability analysis method. The report shall take into consideration all potential impacts, including but not limited to impacts from construction activities such as grading, drainage (from septic leach fields, on-site water use, increased runoff from impervious surfaces), roadways, and vegetation disturbance.

b) The report shall contain a professional opinion stating the following:

1. The area covered in the report is sufficient to demonstrate the geotechnical hazards of the site consistent with the geologic, seismic, hydrologic and soil conditions at the site;

2. The extent of potential damage that might be incurred by the development during all foreseeable normal and unusual conditions, including ground saturation and shaking caused by the maximum credible earthquake;

3. The effect the project could have on the stability of the bluff;

4. How the project can be designed or located so that it will neither be subject to nor contribute to significant geologic instability through the lifespan of the project;

5. A description of the degree of uncertainty of analytical results due to assumptions and unknowns.

6. Recommended bluff setbacks, if applicable. The development must conform to the recommended setbacks.

Sec. 4.03 <u>Residential Agriculture or RA Zone:</u> The residential agriculture zone applies to properties designated on the zoning map which are suitable for low density

residential use and limited agricultural activities. This land zone also allows for buffer areas between exclusive agriculture areas and higher density residential areas.

A. Principal permitted uses
   1) Dairying, grazing, breeding of cattle, horses, or sheep, raising or keeping of poultry, fowl, rabbits, or goats or similar animals.
   2) Accessory structures such as barns, pens, coops, stables, not used for commercial purposes.
   3) Windmills.
   4) Greenhouses and other nursery structures.
   5) Single family dwellings.
   6) Home occupations.

B. Conditionally permitted uses
   1) Water storage tanks, reservoirs, and water distribution lines.
   2) Animal hospitals, kennels.
   3) Commercial stables.

C. Other Regulations
   1) Minimum lot area, two (2) acres.
   2) Minimum lot width, 250 feet.
   3) Maximum lot depth, 3 times lot width.
   4) Minimum yards: front, 20 feet; rear, 15 feet; side, 10 feet.
   5) Maximum building height, 35 feet, except the design assistance committee may require a lesser height as provided for in section 6.16.
   6) Required geologic study: Structures, septic disposal systems, driveways, parking areas, pedestrian trails and other improvements permitted in the RA zone shall only be permitted on lands designated as "unstable" and areas within 100 feet of the Hathaway Creek Fault as shown in the Point Arena Plan, if analysis by a registered geologist or engineering geologist, at the applicant's expense, demonstrates to the satisfaction of the Planning Commission that construction of the development will not significantly increase erosion and slope instability and that any potential adverse impacts have been mitigated to the maximum extent feasible. The geologist's report shall conform to the requirements of Section 4.02 (c) (6).

Sec. 4.04 Urban Residential or UR Zone: The urban residential zone applies to properties designated on the zoning map which are suitable for higher density residential uses. These areas are served by public sewer and water securing all appropriate services is a condition precedent to development in these areas. This land use designation promotes the infilling of development and provides for concentration of development in areas where there are adequate services.

A. Principal permitted uses
1) Single family dwelling.
2) Rooming and boarding of not more than two persons not employed on the premises.
3) Home occupations.
4) Keeping of no more than 4 household pets on each lot.
5) Churches.

B. Conditionally permitted uses
1) Day care centers.
2) Duplexes.

C. Other regulations
1) Minimum lot area, 7,500 square feet and not less than 2,900 square feet of lot area per dwelling unit for multiple family dwellings.
2) Minimum lot width, 60 feet.
3) Maximum lot depth, 3 times lot width.
4) Minimum yards: front, 20 feet; rear, 15 feet; side, 10 feet.
5) Maximum building height, 35 feet, except the design assistance committee may require a lesser height as provided in section 6.16.
6) Required geologic study: Structures, septic disposal systems, driveways, parking areas, pedestrian trails and other improvements permitted in the UR zone shall only be permitted on lands designated as "Unstable" and areas within 100 feet of the Hathaway Creek Fault as shown in the Point Arena Land Use Plan if analysis by a registered geologist or engineering geologist, at the applicant's expense, demonstrates to the satisfaction of the Planning Commission that construction of the development will not significantly increase erosion and slope instability and that any potential adverse impacts have been mitigated to the maximum extent feasible. The geologist's report shall conform to the requirements of Section 4.02 (c) (6).

Sec. 4.05 Multifamily Residential or MR Zone: The multifamily residential zone applies to properties designated on the zoning map where it is reasonable to permit and protect low density apartment developments. These areas are served by water and sewer. The following regulations shall apply in all multifamily residential, or MR, zones.

A. Principal permitted uses
1) Single-family and two-family dwellings
2) Dwelling groups and multiple dwellings containing not more than four (4) dwelling units.
3) Keeping of not more than two (2) household pets for each dwelling unit.

B. Uses permitted with a use permit
1) Inns, boarding houses.
2) Professional offices.

C. Other regulations
1) Minimum lot area, 6000 square feet, but not less than 600 square feet for each dwelling unit
2) Minimum lot width, 60 feet
3) Maximum lot depth, 3 times lot width
4) Minimum yards: front, 20 feet; rear, 10 feet; side, 5 feet.
5) Maximum building height, 35 feet, except the design assistance committee may require a lesser height as provided in Sec. 6.16.
6) Required geologic study: Structures, septic disposal systems, driveways, parking areas, pedestrian trails and other improvements permitted in the MR zone shall only be permitted on lands designated as "unstable" and areas within 100 feet of the Hathaway Creek Fault as shown in the Point Arena Land Use Plan if analysis by a registered geologist or engineering geologist, at the applicant's expense, demonstrates to the satisfaction of the Planning Commission that construction of the development will not significantly increase erosion and slope instability and that any potential adverse impacts have been mitigated to the maximum extent feasible. The geologist's report shall conform to the requirements of Section 4.02 (c) (6).
7) Special yards for dwelling groups: The distance between separate buildings of a dwelling group shall be not less than ten feet. The distance between the front of any dwelling unit in the group and any other building shall be not less than twenty feet. The distance between the front of the dwelling

unit in the group and any side lot line shall not be less than twelve feet (12'). All of the above distances shall be increased by two feet (2') for each 2 feet (2') that any building on the lot exceeds two (2) stories.

Sec. 4.06 Planned Development or PD Zone: The planned development zone is intended to be applied to properties designated on the zoning map which require flexibility in the location and concentration of residential development in order to lessen impacts on scenic resources, geologically hazardous areas or other sensitive resource areas. This zoning designation promotes the clustering of development to mitigate the adverse impacts of storm run-off and to protect view corridors and open space. All developments will require a conditional use permit.

A. Conditionally permitted uses

1). Single and multiple family residential developments excluding mobile homes.

B. Other regulations

1) Minimum Lot Area, 15 acres.
2) Maximum density, one family dwelling per acre.
3) The number of dwelling units shall be no greater than four per building. Dwelling units must be clustered.
4) Land development will be subject to a requirement that a public road between Port Road and School Street be located prior to coastal development permit approval.
5) Consideration shall be given to compatibilty with surrounding land uses relative to the proposed density, housing housing type and buffer areas.
6) Common open and recreational space should make up at least fifty percent of the subject property and shall include any permanent open area and any recreational structures and facilities to be held in a single or common ownership or dedicated for public use (driveways, parking areas, patios, and yards for private use shall not be considered common open space).
7) A minimum of three offstreet parking spaces shall be provided for each dwelling unit.

8) Required geologic study: Structures, septic disposal systems, driveways, parking areas, pedestrian trails and other improvements permitted in the PD zone shall only be permitted on lands designated as "unstable and areas within 100 feet of the Hathaway Creek Fault as shown in the Point Arena Land Use Plan if analysis by a registered geologist or engineering geologist at the applicant's expense, demonstrates to the satisfaction of the Planning Commission that construction of the development will not significantly increase erosion and slope instability and that any potential adverse impacts have been mitigated to the maximum extent feasible. The geologist's report shall conform to the requirements of Section 4.02 (c) (6).

9) Maximum Building Height: 25 feet, except the design assistance committee may require a lesser height as provided in Sec. 6.16. Development in this zone must protect views of coastal bluffs.

10) Minimum yards: front, 20 feet; rear, 10 feet; side, 10 feet. The minimum yard between buildings shall be equal to the height of the higher of the two structures.

11) Land with slopes excess of 25% grade shall not be developed. Natural drainages shall not be developed.

Sec. 4.07 Agriculture Exclusive or AE Zone: The agriculture exclusive zone applies to properties designated on the zoning map which it is necessary to protect for agricultural uses. This designation applies to areas in which agriculture shall be the predominant use and in which the only other uses allowed are those which support the maintenance of agricultural lands in permanent agricultural production.

A. Principal permitted use

1) Dairying, grazing or breeding of cattle, horses, or sheep, raising, or keeping of poultry, fowl, rabbits, or goats or similar animals.

2) Crop, vine or truck farm, greenhouses constructed on non-permanent foundations (e.g. perimeter foundations), horticulture.

3) Farm and ranch buildings including stables, barns, pens, corrals, coops, windmills, silo.

4) A single family dwelling incidental to the agricultural use of the land, for the residence of the owner or leasee or for employees engaged in agricultural use of land.

5) The maintenance of land in its natural state for the purpose of preserving land for passive recreation, or for plant, animal or mineral preserves.

6) Roadside stands used for the sale of agricultural products provided the structures are temporary.

B. Conditionally permitted uses

1) Hog farms, turkey farms, frog farms, and fur farms.

2) Animal feed yards and sales yards.

3) Water storage tanks, reservoirs and distribution lines.

4) One additional dwelling incidental to the agricultural use of the land, for the residence of the owner or leasee or for employees engaged in agricultural use of land.

5) Scientific research and associated structures.

6) Wastewater aeration ponds.

C. Other Regulations

1) Minimum lot area, 20 acres.

2) Maximum lot depth, 3 times lot width

3) Minimum yards; front, 30 feet; rear, 20 feet; side, 10 feet.

4) Maximum building height, 35 feet. Farm outbuildings shall not be less than 20 feet from any dwelling unit. The design assistance committee may require a lesser height as provided in Sec. 6.16.

5) Required geologic study: Structures, septic disposal systems, driveways, parking areas, pedestrian trails and other improvements permitted in the AE zone shall only be permitted on lands designated as

"unstable" and areas within 100 feet of the Hathaway Creek Fault as shown in the Point Arena Land Use Plan if analysis by a registered geologist or engineering geologist at the applicant's expense, demonstrates to the satisfaction of the Planning Commission that construction of the development will not significantly increase erosion and slope instability and that any potential adverse impacts have been mitigated to the maximum extent feasible. The geologist's report shall conform to the requirements of Section 4.02 (c) (6).

Sec. 4.08 Neighborhood Commercial Core or C1 Zone: The commercial core zone is intended to be applied to properties so designated on the zoning map which are most suitable to the provision of goods and services for residents and visitors at a scale appropriate to the traditional small-scale downtown area. Development in these areas should promote commercial uses without detracting from the residential desirability of the surrounding areas.

A. Principal permitted uses

1) Food or convenience sales such as grocery stores, markets, liquor stores, bakeries, small drug stores, restaurants.
2) Personal services including beauty and barber shops, self-service laundries, dry cleaning, tailor shops.
3) Professional offices such as real estate, insurance, law offices, banks.
4) Hardware and appliance, clothing, florists, furniture, television, antique shops, art shops.
5) Medical offices including doctors and dentist offices, private clinics.

B. Conditionally permitted uses

1) Hotels, motels, boarding houses and inns.
2) Bars, restaurants with bars.
3) Second hand stores entirely within a building.
4) Single family dwelling when associated with a business.

C. Other regulations

1) Minimum lot area, 7,500 square feet.
2) Minimum lot width, 60 feet.
3) Maximum lot depth, 3 times lot width.
4) Minimum yards: front, none, except that where frontage is partially in a residential zone, the front yard shall be the same as that required in such residential zone; rear, 15 feet; side, none, except that a side yard abutting a residential zone shall not be less than the front yard of such residential zone.
5) Maximum building height, 35 feet, except that the design assistance committee may require a lesser height as provided in Sec. 6.16.
6) Required geologic study: Structures, septic disposal systems, driveways, parking areas, pedestrian trails and other improvements permitted in the C1 zone shall only be permitted on lands designated as "unstable" and areas within 100 feet of the Hathaway Creek Fault as shown in the Point Arena Land Use Plan if analysis by a registered geologist or engineering geologist, at the applicant's expense, demonstrates to the satisfaction of the Planning Commission that construction of the development will not significantly increase erosion and slope instability and that any potential adverse impacts have been mitigated to the maximum extent feasible. The geologist's report shall conform to the requirements of Section 4.02 (c) (6).

Sec. 4.09 Community Commercial or C2 Zone: The community commercial zone applies to properties so designated on the zoning map which are most suitable for uses which promote the provision of convenience goods and services, including a variety of retail facilities and which provide appropriate locations for visitor-serving commercial facilities.

A. Principal permitted uses

1) All of these uses allowed in C1 as either principal permitted uses or conditionally permitted uses except residential in the C1 land use designation.
2) Theaters, commercial recreation including bowling alleys, pool halls.
3) Professional services including typing and copying services, blue printing, and photographic services.
4) General retail sales for automobile dealerships and for automobile parts.
5) Gas stations, garages
6) Wood working, lumber sales, cabinet shops, plumbers, electricians
7) Commercial parking lots
8) Firehouse
9) Social Halls.

B. Conditionally permitted uses

1) Warehouses
2) Animal hospitals
3) Recreational vehicle parks and mobile home parks.
4) Automobile repair service
5) Single family dwelling when associated with a business

C. Other regulations

1) Minimum lot area, 7,500 square feet
2) Minimum lot area, width, depth and minimum yards shall be the same as those required in the Neighborhood Commercial Core or C1 Zone.
3) Maximum building height; 45 feet, except that the design review committee may require a lesser height as provided in Sec. 6.16.
4) Required geologic study: Structures, septic disposal systems, driveways, parking areas, pedestrian trails and other improvements permitted in the C2 zone shall only be permitted on lands designated as "unstable" and areas within 100 feet of the Hathaway Creek Fault as shown in the Point Arena Land Use Plan if analysis by a registered geologist or engineering geologist at the applicant's expense, demonstrates to the satisfaction of the Planning Commission that

construction of the development will not significantly increase erosion and slope instability and that any potential adverse impacts have been mitigated to the maximum extent feasible. The geologist's report shall conform to the requirements of Section 4.02 (c) (6).

Sec. 4.10 Harbor Commercial or HC Zone:

The harbor commercial zone applies to properties so designated on the zoning map which are most suitable for commercial activities in conjunction with commercial and recreational fishing and other coastal dependent activities. This land use designation provides for visitor-serving uses which will enhance the public's enjoyment and utilization of the area.

A. Principal permitted uses
1) Boat launching and boat repairs.
2) Retail sales of fishing supplies, scuba sales, or rentals.
3) Purchasing, selling, and processing of fish and shellfish.

B. Conditionally permitted uses
1) Recreational vehicle parks for seasonal uses (when located and designed in conformance with design standards and other regulations).
2) Visitor-serving uses already located at the harbor will be allowed to continue in operation with no expansions.
3) Public parking lot.
4) Boat building.

C. Other regulations
1) Minimum lot area, 7,500 square feet.
2) Minimum lot width, 60 feet.
3) Maximum lot depth, 3 times lot width.
4) Minimum yards: front, 20 feet; rear, 15 feet; side, 10 feet, except that the design assistance committee may modify setback requirements as provided in Sec. 6.16.
5) Maximum building height, 25 feet, except design assistance committee may require a lesser height as provided in Sec. 6.16.
6) Required geologic study: Structures, septic disposal systems, driveways, parking areas, pedestrian trails and other improvements permitted in the HC zone shall only be permitted on lands designated as "unstable" and areas within 100 feet of the Hathaway Creek Fault as shown in the Point Arena Land Use Plan if analysis by a registered geologist or engineering geologist, at the applicant's expense,

demonstrates to the satisfaction of the Planning Commission that construction of the development will not significantly increase erosion and slope instability and that any potential adverse impacts have been mitigated to the maximum extent feasible. The geologist's report shall conform to the requirements of Section 4.02 (c) (6).

Sec. 4.11 Industrial or I Zone: The industrial zone applies to properties so designated on the zoning map that are suitable for light industrial purposes. Non-nuisance industries and administrative facilities are the predominant desired uses. The following regulations shall apply in all industrial or I zones.

A. Principal permitted uses
1) Woodworking, lumber sales, cabinet shops, plumbers, electricians.
2) Administrative business and professional offices.
3) Manufacture of furniture.
4) Warehouses.

B. Conditionally permitted uses
1) Animal hospitals.
2) Automobile repair shops.
3) Boat building and repair facilities.
4) Automobile dealerships.
5) Automobile dismantlers.

C. Other regulations
1) Minimum lot area, 10,000 square feet.
2) Maximum building height, 45 feet except the design assistance committee may require a lesser height as provided in Section 6.16.
3) Minimum lot width, 80 feet.
4) Maximum lot depth, three times lot width.
5) Minimum setbacks; front, 30 feet; rear, 20 feet; sides, 20 feet.
6) Special regulations: All manufacturing and fabricating areas shall be enclosed in buildings, and all equipment and materials storage areas shall be screened by walls, fences or adequate plantings to a height of not less than 6 feet.
7) Required geologic study: Structures, septic disposal systems, driveways, parking areas, pedestrian trails and other improvements permitted on lands designated as "unstable" and areas within 100 feet of the Hathaway Creek Fault as shown in the Point Arena Land Use Plan if analysis by a registered geologist or engineering geologist, at

the applicant's expense, demonstrates to the satisfaction of the Planning Commission that construction of the development will not significantly increase erosion and slope instability and that any potential adverse impacts have been mitigated to the maximum extent feasible. The geologist's report shall conform to the requirements of Section 4.02 (c) (6).

8) All development in the Industrial Zone shall avoid impacts to the immediate areas from noxious or offensive emissions such as noise, glare, dust, and odor.

Sec. 4.12 Public Facility or PF Zone: The public facility designation applies to properties so designated on the land use plan map that are suitable for use for public purposes such as recreational, educational, and cultural activities and for specific public utility purposes.

A. Principal permitted uses
1) Public services and administrative offices such as police and fire stations, post offices, public parking lots, city hall.
2) Schools.
3) Museums, art galleries, and libraries.
4) Public, parochial and non-profit clubs, lodges, meeting halls, recreation centers.
5) Construction of public utility structures of a limited nature such as radio, television transmission facilities, pumping stations, sewage treatment plants, corporation and storage yards.

B. Conditionally permitted uses
1) Public cemeteries.
2) Public utility warehouse, gas holders, and substations.
3) Reservoirs.
4) Telephone exchanges.
5) Transformer stations
6) Service yards and storage yards.

C. Other regulations

1) Minimum lot area, depth, setbacks, and building heights to be determined by the design assistance committee.

2) Required geologic study: Structures, septic disposal systems, driveways, parking areas, pedestrian trails and other improvements permitted in the PF Zone shall only be permitted on lands designated as "unstable" and areas within 100 feet of the Hathaway Creek Fault as shown in the Point Arena Land Use Plan if analysis by a registered geologist or engineering geologist, at the applicant's expense, demonstrates to the satisfaction of the Planning Commission that construction of the development will not significantly increase erosion and slope instability and that any potential adverse impacts have been mitigated to the maximum extent feasible. The geologist's report shall conform to the requirements of Section 4.02 (c) (6).

ARTICLE 5. REGULATIONS FOR THE COMBINING ZONES.

Sec. 5.01 General Provisions: The regulations set forth in this article for each of the combining zones shall modify the regulations for the principal zones with which they are combined. All uses and regulations of the principal zone shall apply in the combined zone, except insofar as they are modified or augmented by the uses and regulations set forth in the combining zone regulations.

Sec. 5.02 Special building site combining or B Zone: The special building site combining or B zone is intended to be combined with any zone in order to make lots conform to the character of the surrounding development and to the terrain. This will ensure that lot sizes are generally large enough to accommodate the intended use and have adequate area for septic tank and leach field sewage disposal systems. Geologic instability or the preservation of scenic areas may cause the implementation of the B combining zone. The following regulations shall apply in any zone which is combined with a Special Building Site or B Zone in lieu of the lot area requirements normally applicable in such principal zone.

Combining Designation	Minimum lot area
B-1	1 acre
B-2	2 acres
B-3	3 acres
B-4	4 acres
B-5	5 acres
B-6	As specified on the zoning map, expect that in no case less than 5 acres.
B-7	Building Site shown on Parcel or Final map of Record.

Sec. 5.03 Park combining or P Zone: The Park Combining or P Zone is intended to be combined with any principal zone in which the addition of a private or public park will not be detrimental to the uses of the

principal zone or of contiguous zones. The following regulations shall apply in any zone with which a Park Combining or P Zone is combined:

A. Principal permitted uses
   1) Public and private parklands.
   2) Public tenting and/or recreational vehicle campgrounds.

B. Uses permitted with a use permit
   1) Commercial recreation facilities.

C. Other regulations

   1) Minimum lot area, depth, setback and building heights to be determined by the design assistance committee.

Sec. 5.04 Public Utility combining or U Zone: The Public Utility Combining or U Zone is intended to be combined with any principal zone in which a public utility support facility is a suitable use. This public utility shall be compatible with the principal and contiguous zones and land uses. The following regulations shall apply in any zone with which the Public Utility or U Zone is combined.

A. Conditionally permitted uses
   1) Experimental wind data gathering equipment.

B. Other regulations

The design assistance committee and/or Planning Commission shall determine development conditions. Any new development must not interfere with the agricultural use or viability of the land consistent with Section 4.07 of this ordinance.

ARTICLE 6. GENERAL PROVISIONS AND EXCEPTIONS

Sec. 6.01 Applicability: Each and every zone shall be subject to the provisions of this Chapter, in addition to the requirements and regulations set forth elsewhere in this Ordinance for each of the zones.

Sec. 6.02 Accessory uses: Accessory uses, as defined herein, shall be permitted as appurtenant to any permitted use, without the necessity of securing a use permit, unless particularly provided in this article, provided that no accessory use shall be conducted on any property in the MR, SR, PD and UR zones unless and until the main building is erected and occupied, or until a use permit is secured. Use of a recreational vehicle as a temporary residence by visitors for not more than 15 days in any calendar year shall be a use accessory to a dwelling.

Sec. 6.03 Vehicle and other storage: Abandoned, unlicensed, inoperable or partially dismantled vehicles may be parked within the confines of a legally established vehicle repair business. They may also be stored within any enclosed building. Also, not more than 2 vehicles intended to be repaired or restored may be parked outdoors if they are located in the rear yard and are screened by a sight obscuring fence, wall or hedge. Storage of crab pots, boats and recreational vehicles is permitted in required yard areas except in the street corner area identified in Sec. 6.11 (6), provided that access to the perimeter of the dwelling is not obstructed, and no such storage is closer than 5 feet to the front lot line. Storage of building materials, equipment and appliances and similar unsightly items shall not be stored in the required front or street side yard for more than 30 days in any year.

Sec. 6.04 Animals: In the Urban Residential and Suburban Residential zones no more than 4 household pets such as dogs and cats may be kept as an accessory use to a dwelling, unless a use permit is obtained. In the multi-family Residential zone nor more than 2 household pets are allowed unless a use permit is obtained. In addition to any household pets, not more than 4 small domestic animals, including rabbits and poultry, may be kept in the suburban

residential and urban residential zones on a lot of 7,500 sq. ft. in area or less. No Rooster over the age of 6 months shall be permitted in the urban residential zone. One additional small domestic animal may be kept for each 2,000 sq. ft. of area by which the lot exceeds 7,500 square feet.

In addition, the following domestic animals may be kept as accessory to a dwelling in the suburban residential and Residential Agriculture zones;

1. One large domestic bovine or equine animal may be kept on a lot of not less than one acre. One additional animal may be kept for each half acre by which the lot exceeds 1 acre.
2. Two medium sized domestic animals, including sheep and goats, may be kept on any lot of not less than 1 acre. One additional animal may be kept for each 10,000 sq. ft. of area by which the lot exceeds 1 acre.

Sec. 6.05 Assemblages of Persons and Vehicles: No circus carnival, religious revival tent or similar assemblage of people and automobiles shall be permitted in any zone unless a use permit is first secured in each case.

Sec. 6.06 Home Occupation: Home occupations, including but not limited to sewing, music studios, art studios, home and health care product distributors, bookkeeping, rooming and boarding, of not more than 2 persons, including tourists, shall be permitted as an accessory use to any dwelling, subject to the following conditions:

1. No employees other than members of the resident family.
2. Not more than 1 sign not to exceed 3 sq. ft. in area and attached to the dwelling.
3. No outside display of merchandise.
4. Electrical motors only, and not to exceed a total of three horespower each.
5. No radio or television interference or noise audible beyond the boundaries of the site.
6. No significant increase in automobile traffic over normal residential use and no trucks of greater than 3/4 ton on the site.

Sec. 6.07 Height limitations and modifications: Heights of buildings and structures shall be measured vertically from the average ground level of the ground covered by the building to the highest point of the roof, but chimneys, stacks, vents, flagpoles, conventional television reception antennas, elevator, ventilating and air-conditioning equipment, parapet walls and similar architectural and mechanical appurtenances shall be excluded in making such measurement.

Accessory buildings in MR, SR, UR and PD Zones shall not exceed 15 feet in height.

Sec. 6.08 Access to public road: All lots created subsequent to the adoption of these regulations shall have 25 feet of frontage on a public road, or 25 feet of frontage on a public easement at least 25 feet wide from the lot to a public road. Lots existing on the effective date of these regulations not having such access to a road may be used for the purposes provided in these regulations if a use permit is first obtained incorporating such conditions as the Planning Commission deems necessary to ensure sufficient access to a public road.

Sec. 6.09 Accessory structures: Accessory structures shall be located in the area between side property lines from the rear lot line to the rear of the front yard, except that accessory structures shall not be closer than 10 feet to any on-site building and not closer than 15 feet to any side lot line abutting a street. Accessory structures for non-household animals shall not be located closer than 50 feet to any dwelling. Accessory structures shall not be more than 15 feet in height in the SR and UR zones and shall comply with the maximum building height limitation in other zones.

Sec. 6.10 Public access to the shoreline: As a condition of approval for any development which requires a Coastal Development Permit, the landowner shall offer to dedicate an easement for public access for a 25 foot wide easement along any trail designated in the Point Arena Coastal Land Use Plan Map and the zoning map as indicated on the subject property. These public easements shall only take effect when a public agency or the City of Point Arena accepts responsibility for liability and the improvement and maintenance of the access easement. These offers of dedication shall be recorded prior to the issuance of the coastal development permit. The following restrictions shall apply to the dedicated 25 foot easement:

1. Existing motorized access shall not be enlarged.
2. Foot trail portion of the easement shall not exceed ten feet in width.
3. Existing foot trails should be used except when design or stability problems require a change.
4. Buffer zone areas on the unutilized portions of the foot path shall not be opened to the public.
5. No access for motorized vehicles where such use not now provided.

Offers of dedication for access along designated trails in the Certified Land Use Plan shall last for a period of 21 years at which time the offer shall become void if not previously accepted by a public agency or the City of Point Arena.

Sec. 6.11 Yards, fences, walls and hedges: The minimum yard requirements set out in Articles 4 and 5 shall be subject to the regulations of this section:

1. Cornices, eaves, canopies, bay windows, chimneys and similar architectural features may extend a maximum of 2½ feet into a side yard and 4 feet into a front, rear, or street side yard. Uncovered porches, decks, balconies, stairways, fire escapes or landings may extend a maximum of 8 feet into front, street side, or rear yards and 3 feet into side yards.
2. The street side yard on a corner lot shall be 15 feet.
3. Sight obscuring fences, walls or hedges within a required front yard or required side yard adjacent to a street more than 2½ feet in height shall not be located closer than 15 feet to the point where the edge of a driveway crosses the property line. Fences located within a required front yard, or side yard adjacent to a street, shall not exceed 4 feet in height.
4. Fences, walls and hedges located within a a required interior side yard or required rear yard shall not exceed 6 feet in height. However, the City may approve fences, walls and hedges higher than 6 feet within a required interior side yard, or required rear if the owner obtains written consent from the adjoining property owner. Emergency access through such fencing shall be provided when it obstructs access to a building.

5. Fences, walls and hedges within the buildable portion of a lot may exceed 6 feet in height, but emergency access shall be provided when the fence, wall or hedge obstructs access to a building.

6. For corner lots, within the area lying between the front and street side lot lines and a line connecting points on these lot lines 20 feet from their intersection, sight obscuring fences, walls and vegetation shall not exceed 2½ feet in height above the established grade of either street. Tree trunks, posts or columns not exceeding 18 inches in cross-sectional width, measured at 3 feet above the established grade of either street, shall be permitted provided that tree branches are removed up to 8 feet above the grade of either street.

7. Limitations on fence height shall not be deemed to prohibit nonsight obscuring safety or security fences of any height necessary for public playgrounds, public utilities, and other public installations.

Sec. 6.12 Swimming pools: Any artificial pool, pond, lake or open tank, not completely enclosed within a building, which is normally capable of containing water to a depth greater than 18 inches at any point and in which swimming or bathing is permitted to the occupants of the premises on which it is located, or their guests, and which shall not be used for commercial purposes, shall be permitted as an accessory structure in any zone and shall be subject to the following regulations:

1. Such pool shall be located on the rear one-half of the lot and in any case not less than 50 feet from the front lot line, nor closer than 5 feet to a side or rear lot line. Filter and heating systems shall not be located within 10 feet of any lot line.

2. Such pool or the property on which it is located shall be completely enclosed by a wall or fence not less than 4½ feet in height, containing no openings greater than 4 inches except for self-closing and self-latching gates on which the latch is at least 4 feet above ground level in order that full control of access by children may be maintained.

Sec. 6.13 Diking, Dredging, and Filling: The following regulations shall apply to any dredging, diking, damming, channelization, filling or similar activity in the area less than 20 feet above mean lower low water or within the 100 year floodplain of any perennial stream in the City:

Before any dam, dike, fill, dredging, diversion, channelization or similar activity shall be constructed or undertaken within the City, the applicant or lead agency shall provide the City with a project description, environmental analysis and evaluation of the potential impacts of the project on the character and function of the affected environment, the social and economic character and function of the City and its residents. Such uses shall be subject to a Coastal Development Permit use permit. The use permit shall not be granted unless the Planning Commission determines that the project conforms with the General Plan and will not create undesired impacts on the environment or the community. Such projects within the riparian corridor shown on the zoning map and the land use plan map, shall be subject to the requirements and restrictions contained in Sec. 6.22 and 6.25 of this ordinance. The requirements of the California Environmental Quality Act (CEQA) must be met. Section 7.12 (B) and (C) lists projects not requiring a Coastal Development Permit.

Sec. 6.14 Signs:

A. In all zones the following signs shall be permitted, provided that signs permitted in 2 and 3 below shall be subject to review by the design assistance committee:

1. A residential nameplate bearing the name of the occupant and not exceeding 2 square feet, provided that 3 square feet shall be permitted for a residence with a home occupation.
2. Identifying sign and/or bulletin board for a church, school, or other public or religious use, which may be indirectly lighted, not exceeding 32 square feet in area nad located on the premises, provided that it is no closer thatn 10 feet from any property line.
3. No more than 2 signs advertising a subdivision or housing development located on the premises thereof, unilluminated, not exceeding 32 square feet in area each and not less than 10 feet from any property line.

4. Unilluminated signs not exceeding a total area of 6 square feet, and not more than 2 in number pertaining to the sale or lease of residential and PD zoned property and unilluminated signs not exceeding 32 square feet and not more than 2 in number pertaining to the sale or lease of land in the C1, C2 and HC zones.
5. Public safety and directional signs not exceeding 2 sq. ft. including "no trespassing" signs; political campaign signs and posters, provided such signs and posters are removed not more than 30 days after the date of the election.
6. One temporary portable sign not exceeding 32 sq. ft. in area, during one 15 day period in any calendar year or a total of 15 separate days.

B. In the I, C1, C2 and HC zones on-premise signs shall be permitted, subject to the following regulations and the review of the design assistance committee:

1. The total advertising area permitted for any parcel of land shall be 1 square foot for each foot of street frontage, provided that any parcel shall be permitted at least 20 square feet of advertising area, but in no case shall the advertising area for any parcel exceed 300 square feet. No individual sign established after the adoption of this ordinance shall be greater than 50 square feet in area.
2. No freestanding sign shall exceed the maximum building height for the zone in which the sign is located. Signs attached to buildings shall not project more than 3 feet above the roof line.
3. Signs projecting over public rights-of-way shall not exceed 32 square feet in area; shall not project more than 5 feet, and shall not be closer than 14 feet to the ground unless attached to the underside of a projecting canopy, in which case the sign shall not be more than 6 square feet in area and shall not be closer than 9 feet to the ground or sidewalk.
4. Signs that rotate, blink, flash, sparkle, resemble traffic control signs, obstruct the visibility of any traffic sign, and portable signs in a public right-of-way

are prohibited. Non-appurtenant signs are prohibited except that a maximum of 2 directional signs of not more than 4 square feet each may be permitted adjacent to primary collector streets, subject to obtaining a use permit, and provided that multiple identification signs included within a community business directory shall be permitted in the C zone, subject to a use permit.

Sec. 6.15 Landscaping and screening: These regulations are intended to protect individual properties from traffic glare and to improve the appearance of new development in Point Arena.

A. Maintenance. All required planting shall be maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, weeding, cleaning, fertilizing and regular watering. Whenever necessary, planting shall be replaced with other plant materials to ensure continued compliance with applicable landscaping requirements. All screening shall be in sound functional condition, or, whenever necessary, repaired and replaced.

B. Materials. Where trees are required in a new development they shall be of a species, degree of maturity, and spacing acceptable to the design assistance committee. Where dense landscaping to a specified height is prescribed, it shall be of a type that will provide a year-round barrier to the prescribed heights, and shall be so spaced that vision of objects on the opposite side is effectively eliminated.

C. Dense landscaping or a solid wall or fence of a minimum height of 6 feet shall be provided along the rear and side property lines of any non-residential use which abuts on a residential use; to screen any open area used for the storage of goods, materials, or waste from view from abutting properties and from public right-of-way; to screen any open area used to display goods or materials for sale from abutting properties.

D. Prescribed fences, walls or dense landscaping need not be provided along a lot line if a fence, wall or dense landscaping of at least equivalent

height, density and maintenance exists immediately abutting and on the opposite side of said lot line.

E. Perimeter landscaping shall be provided between parking spaces and adjacent street right-of-way whenever 5 or more parking spaces are required. Such landscaping area shall be at least 4 feet wide and protected from damage by a curb or header adjacent to the parking area. In addition, whenever 5 or more parking spaces are required 1 tree shall be provided, with an additional tree required for every 10 additional required parking spaces. Such trees shall be planted in tree wells at least 4 feet by 4 feet, protected by a curb or header. Whenever 5 or more parking spaces are required, at least 2 percent of the parking area, including the above required landscaping, shall be landscaped.

Sec. 6.16 Site Development and Architectural Review: The following regulations shall apply in all zones:

A. Purpose. The small scale of the community and its unique townsite, affording spectacular views of the coastline and ocean horizon, define the character of Point Arena. Maintaining this character is essential to the continued desirability and viability of the City. A design assistance committee, consisting of the members of the Planning Commission, is hereby established to review new developments to ensure their consistency with the character of the City and to minimize their impact on important vistas. The design assistance committee will also assess existing buildings for architectural or historical significance.

B. Applicability. Relocation, construction, remodeling or additions to structures, and alteration of the natural contours of the land shall not be undertaken until approved by the design assistance committee. Any such work shall require a coastal development permit as prescribed in Article 7. Approval from the design assistance committee need not be obtained for remodeling which does not affect the external profile or appearance of an existing structure. Except in areas lying between the first public road and the ocean, approval shall not be required for exterior painting and maintenance, accessory structures

of less than 500 square feet in floor area and less than 15 feet in height, changes in landscaping, and site excavation or filling more than 100 feet from Point Arena Creek or the mean high tide line which will not change the existing elevation more than 2 feet at any point.

C. Design Criteria. The design assistance committee shall be guided by the following criteria when evaluating land form alterations and construction of structures:

1. The alteration of natural land forms caused by cutting, filling and grading shall be minimal. Structures should be designed to fit the site rather than altering the land form to accommodate the structure.
2. Structures in, or adjacent to, open space areas should be constructed of materials that reproduce natural colors and textures as closely as possible.
3. Materials and colors used in construction shall be selected for compatability both with the structural system of the building and with the appearance of the building's natural and man-made surroundings. Preset architectural styles (e.g., standard fast food restaurant designs) shall be avoided.
4. Plant materials should be used to integrate the man-made and natural environments, to screen or soften the visual impact of new development, and to provide diversity in developed areas. Attractive vegetation common to the area shall be used.
5. On-premise signs should be designed as an integral part of the structure and should complement or enhance the appearance of the surrounding area.
6. New development should include underground utility service connections. When above ground facilities are the only alternative, they should follow the least visible route, be well designed, simple and unobtrusive in appearance, have a minimum of bulk, and make use of compatible colors and materials.

7. Off-premise signs needed to direct visitors to commercial establishments, as allowed herein, should be well designed and be clustered at appropriate locations. Sign clusters should have a single design theme.
8. When reviewing the design of commercial or residential buildings, the committee shall ensure that the scale, bulk, orientation, architectural character of the structure and related improvements are compatible with the rural, uncrowded, rustic, unsophisticated, small, casual, open character of the community. In particular, residences of more than 2,000 square feet in floor area and multiple family dwellings or commercial buildings of more than 4,000 square feet in floor area shall be considered out of scale with the community unless they are designed and situated in such a way that their bulk is not obtrusive. Residential and commercial developments involving multiple dwelling or business units should utilize clusters of smaller structures with sufficient open space between them instead of a consolidated structure.
9. Structures visible from the beach or a public trail in an open space area should be made as visually unobtrusive as possible.
10. If a residence is removed, or destroyed by fire or other causes, on a lot that is otherwise usable, the owner shall be entitled to construct a residence in the same location with an exterior profile not exceeding that of the previous residence even if such a structure would again significantly obstruct public views of important scenes, provided any other nonconforming conditions are corrected.

D. Review procedures. The committee shall prescribe application forms and information requirements for use by those proposing activities subject to design assistance review. If a use permit or other approval is required by the Planning Commission or the City Council, the review of the design shall be subsequent to other permit considerations and may occur at the same meeting, subject to fulfillment of public notification

requirements. Otherwise the procedure for submittal and consideration of the application shall be the same as for a use permit as provided in Article 7. Where view considerations are involved, the applicant is encouraged to contact property owners within 100 feet and show them the layout and profile of the proposed structure. The committee shall not approve or conditionally approve any application unless it finds that all of the applicable criteria have been considered and the minimum adjustments required to achieve the objectives applicable to the area where the development is located.

Sec. 6.17 Architectural and Historical Significance: The following regulations shall apply in all zones:

A. Purpose. The City of Point Arena contains structures of architectural and historical significance. Older structures which give Point Arena much of its character should be preserved to the greatest degree possible. Priority shall be given to preserving those structures of outstanding architectural or historical significance. Demolition of architecturally or historically significant structures shall be minimized. The design assistance committee established in Sec. 6.16 (A) shall review all permits for alteration or demolition of these architecturally and/or historically significant structures.

B. Applicability. Relocation, remodeling, additions, and demolition of architecturally or historically significant structures must be approved by the design assistance committee. Approval need not be obtained for remodeling which does not affect the external appearance of the existing structure. Applicable work shall require a coastal development permit as prescribed in Article 7.

C. Review Critera:

1. Historical Significance

a. Is the building particularly representative of a distinct historical period, type, style, region, or way of life?
b. Is it an example of a type of building which was once common but is now rare?

c. Is the building of greater age than most of its kind?
d. Is the building connected in any way with someone who was famous, important, or a local personality?
e. Is the building connected with a business or use which was once common but is now rare?
f. Is the architect or builder famous or well recognized?

2. Architectural Significance

a. Are its construction materials used in an unusual, significant, or effective manner or style?
b. Is the overall effect of the design of the structure beautiful, or are its details beautiful or unusual?
c. Is the style of the building unusual for its area, for Point Arena, for California, or is it unusual for any place?
d. Does the building contain original materials or workmanship which can be valued in themselves?
e. Is the method of construction employed or the floor plan used one which is unusual, ingenious, or significant?
f. Is the structure especially well-preserved or could it be restored to its former condition?

D. Review Procedures. The design assistance committee shall review applications for applicable coastal development permits as described in Article 7. If a use permit or other approval is required by the Planning Commission or City Council, the review by the design assistance committee may occur at the same meeting subject to the fulfillment of public modification requirements. Otherwise the procedure for submittal and consideration of the application shall be the same as for a use permit as provided in Article 7.

Sec. 6.18 Non-conforming uses and structures: The lawful use of lands or structures existing on the effective date of these regulations, although such use or structure does not conform to the regulations applied to such property or structure, may be continued, except as provided herein:

A. Any structure conforming as to use but non-conforming as to lot area, yards, height or other requirements herein at the effective date of this ordinance may be altered, repaired or extended provided that such alteration, repair, or extension shall not increase the existing degree of non-conformance.

B. If any non-conforming building is destroyed to the extent that the cost of repair, using new materials, exceeds 60 percent of the current appraised value of the structure, then the building shall become subject to all regulations in the applicable zone. The repair of a partially destroyed building shall commence within 1 year and an additional 6 months shall be allowed for the completion of the exterior of any reconstruction.

C. Any change of a non-conforming use shall be to a conforming use, and a non-conforming use which has been discontinued for a period of one year or more shall not be re-established. A non-conforming use of a part of a lot or a structure shall not be extended throughout the lot or structure.

D. Any use for which a use permit is required by these regulations shall be considered a non-conforming use until a use permit is obtained.

E. Any signs, existing on the effective date of this ordinance, but not conforming to the provisions of this ordinance, shall be permitted to continue for a period of 3 years from the effective date of this ordinance and shall be removed or conformed on or before that date. Signs advertising a discontinued use shall be considered non-conforming and shall be removed within 30 days of the discontinuance.

Sec. 6.19 <u>Non-conforming lots</u>: If a lot was delineated on a recorded subdivison map, or was lawfully established as a separate lot on the effective date of these regulations, and such lot does not conform to the minimum lot area of the zone in which it is located, it shall be considered a legal building site for uses permitted in the pertinent zone, even if the owner of said lot has at any time owned land contiguous to said lot, provided all other requirements of this ordinance and other applicable city ordinances and standards can be satisfied.

Sec. 6.20 Non-conforming off-street parking: Off-street parking facilities existing at the time this ordinance is adopted, incidental to a lawfully established use, but which are non-conforming as to the provisions of Sec. 6.26 of this ordinance shall be considered the required off-street parking for that specific use. Any change in the use, the building, or the parking facilities shall be subject to the following provisions:

A. An existing parking facility, incidental to a lawfully established use, shall not be reduced in area or redesigned so that the facility is less in conformance with the provisions of this ordinance in any respect, unless the end result is an equivalent number of off-street parking spaces, or the required number of parking spaces, whichever is the lesser, as required by this ordinance.

B. If a building or use is expanded, parking as required by Sec. 6.26 of this ordinance shall be provided for the expanded portion of the use. Any existing parking shall be retained, or be replaced by an equivalent number of off-street parking spaces, or the required number of spaces, whichever is the lesser, as required by this ordinance. If the number of spaces required for the expansion is greater than the number required herein for the existing building, then any existing parking area shall be brought into conformance with the requirements of this ordinance.

C. If the use of land or a building is changed to a use with a greater parking requirement, parking equal to the difference between the requirement for the existing and the proposed use, as contained herein, shall be provided in accordance with the provisions of this ordinance. Existing parking shall be retained or be replaced by an equivalent number of off-street parking spaces, or the required number of spaces, whichever is the lesser, as provided by this ordinance.

Sec. 6.21 Determination of Geologic Stability: The following applies to developments in all zones:

- A report by a registered geologist or a certified engineering geologist shall be provided at the applicant's expense as part of an application for permanent structure, septic disposal system, driveway, parking area, or other use permitted within the Unstable Areas and areas within 100 feet of the Hathaway Creek Fault shown in the Point Arena Land Use Plan. Before the Planning Commission approves a development, it shall determine that the proposed development will not significantly increase erosion and slope instability and that any potential adverse impacts have been mitigated to the extent feasible.

A. The report shall be based on an on-site inspection in addition to a review of the general character of the area using a currently acceptable engineering stability analysis method. The report shall take into consideration all potential impacts, including but not limited to impacts from construction activities such as grading, drainage (from septic leach fields, on-site water use, increased runoff from impervious surfaces), roadways, and vegetation disturbance.

B. The report shall contain a professional opinion stating the following:

1. The area covered in the report is sufficient to demonstrate the geotechnical hazards of the site consistent with the geologic, seismic, hydrologic and soil conditions at the site;
2. The extent of potential damage that might be be incurred by the development during all forseeable normal and unusual conditions, including ground saturation and shaking caused by the maximum credible earthquake;
3. The effect the project could have on the stability of the bluff;
4. How the project can be designed or located so that it will neither be subject to nor contribute to significant geologic instability through the lifespan of the project;

5. A description of the degree of uncertainity of analytical results due to assumptions and unknowns;
6. Recommended bluff setbacks, if applicable. The development must conform to the recommended setbacks.

Sec. 6.22 Riparian Buffer Area: This section describes permitted uses and use restrictions affecting the 100 foot and 25 foot Riparian Buffer Area shown on the Point Arena Coastal Land Use Plan and Zoning Map. The purpose of the Riparian Buffer Area is to preserve and protect the valuable wildlife habitat provided by riparian areas. Hiking, grazing, limited agriculture and passive recreation shall be permitted uses in the Riparian Buffer Area subject to the following conditions:

1. No temporary or permanent structures may be erected.
2. Soils and vegetation removal and disturbances shall be minimized.
3. Non-native vegetation shall not be planted except for the continuance existing of agricultural practices.
4. Pollutants such as chemicals, fuels, lubricants, raw sewage, and other harmful wastes shall not be discharged within the Riparian Buffer Area or within a channel leading into the Riparian Buffer Area.

Sec. 6.23 Locating New Development: The Point Arena sewer system is presently available to the following zones: Urban Residential, Multi-family Residential, Planned Development, Neighborhood Commercial Core, Community Commercial, and Public Facility. Sewer hook-ups to new developments shall be based on the policy of infilling as stated in Section 1.06. This will encourage development within areas of existing development before extending service to outlying areas. Top priority should be given to existing developments within the UR, MR, PD, C1, C2 and PF Zones not presently served by sewers. Secondary consideration should be given to undeveloped lots within these zones. Areas adjacent to existing development should be given next priority if sewer hook-ups are presently accessible. No sewer service will be extended to the Agricultural Exclusive Zone or areas outside the Urban Limit Line.

A minimum of 2,250 gallons per day sewer capacity (approximately equivalent to nine single family residential units) shall be reserved exclusively for commercial development within the urban limit boundary. An additional 2,250 gallons per day of sewer capacity shall be reserved for a period of five years from the date of adoption of this ordinance for the hook-up of existing developments within the urban limit line not currently hooked up to the sewer system. The remaining 10,000 gallons per day of sewer capacity shall be allocated according to the priorities listed in the previous paragraph.

Sec: 6.24 Water Line Extension: Extensions of water lines shall follow the policy of infilling as stated in Secion 1.06. Preference shall be granted to areas with existing development before extensions of lines to outlying areas are made.

Sec. 6.25 Mitigation Measures: The Planning Commission or City Council shall as a condition for a Coastal Development Permit, require that a developer mitigate for impacts to wetland or other sensitive habitat areas.

Mitigation for activities such as diking, dredging, filling or excavating in wetlands or other sensitive habitat areas shall include the restoration of an area of land of equal size to a habitat similar to that being disturbed. Mitigation might include open space dedications, dike or fill removal, and plantings of riparian vegetation.

1. The Coastal Development Permit shall not be approved until adequate mitigation measures are incorporated into the proposed development plan.

Sec. 6.26 Off-Street Parking: These regulations are intended to provide accessible and well-maintained off-street parking facilities so as to reduce traffic congestion and thereby allow the more efficient utilization of the street right-of-way.

A. General Provisions.

1. When any main building is constructed, enlarged, or increased in capacity, or when a change in use creates an increase in the amount of off-street parking space required additional parking spaces shall be required, except as specifically provided in Section 6.

2. Fractional space requirements shall be counted as a whole space.

3. No portion of any front yard, or any side yard on the street side of a corner lot, shall be used for off-street parking purposes, except in the case of a driveway of a single-family dwelling and in the Industrial Zone where required front yards may be used to meet off-street parking requirements.

4. Off-street parking spaces for single-family dwellings shall be located on the same lot as the dwelling served. Off-street parking spaces for all other dwellings shall be located on the same lot as, or not more than one-hundred-fifty (150) feet from, the dwelling served.

5. No repair work or servicing of vehicles shall be conducted in an off-street parking facility, except such minor work as is common to residential use.

6. No off-street parking facility shall be reduced in capacity or in area without sufficient additional capacity.

7. Off-street parking facilities for one use shall generally not be considered as providing required off-street parking facilities for any other use. However, off-street parking facilities for one commercial use may be considered as providing required off-street parking facilities for another commercial use if the business hours of the two uses are mutually exclusive.

8. When two or more uses are located in the same building and/or in common developments, or when parking facilities for different buildings or uses are provided collectively, the parking requirements shall be the sum of the separate requirements for each use, except as specifically provided in this Section.

9. Sufficient bicycle storage space, as determined by the Planning Commission shall be provided in all parking areas of ten (10) or more spaces.

10. Where joint parking facilities are provided for two (2) or more commercial uses in a planned commercial development, the minimum requirement may be reduced to seventy-five percent (75%) of the sum of the requirements for the various uses computed separately, when the combined requirements total twenty (20) or more spaces.

11. Requirements for types of buildings or uses not specifically listed herein shall be determined by the Planning Commission based upon the requirements for comparable uses listed and on the particular characteristics of the building or use.

B. Parking Space Requirements: Off-street parking spaces shall be provided according to the following schedule:

1. For uses in all Zones except the C1 and C2 Zones

- Residential Uses Parking

Single-family and two-family dwellings	Two (2) spaces per dwelling unit
Multi-family dwellings with two or fewer bedrooms	One and one-half (1½) spaces per dwelling unit
Multi-family dwellings with three or more bedrooms	Two (2) spaces per dwelling unit
Mobile homes	Two (2) spaces per mobile home.

- Commercial and Industrial Uses Parking

Restaurants, cafes, & bars	One (1) space per two hundred (200) square feet of floor area.
Retail sales and personal services	One (1) space per two hundred and fifty (250) square feet of floor area.

Professional service/general business offices (including banks)	One (1) space per three hundred (300) square feet of floor area.
Hotels, motels and rooming houses	One (1) space per sleeping unit plus one (1) space per every three (3) employees.
Bowling alleys and pool halls	Four (4) spaces for each lane, two (2) spaces for each billard table.
Industrial uses	One (1) space per every three (3) employees on the maximum shift plus one (1) space per each company vehicle.

- Health-related Uses Parking

Hospitals	Two (1) spaces per bed.
Extended care facilities	One (1) space per two and one-half (2½) beds.
Medical offices	One (1) space per two hundred (200) square feet of floor area.

- Public and Quasi-public Uses Parking

Nursery & elementary schools	One (1) space per each classroom and office, plus ten (10) spaces for visitor parking.
High schools	One (1) for every three (3) students, plus one (1) for every two (2) teachers, and one (1) for each other employee.

Churches, lodges, lubs theaters	One (1) for every five (5) seats in the auditorium plus one (1) space for every four (4) employees
Sports arenas, auditoriums, other places of public assembly	One (1) for every five (5) seats in the auditorium.

2. For Uses in the C1 and C2 Zones

- Residential Uses

Multiple dwellings as a secondary use within a commercial building	(1) space per dwelling unit

- Commercial and Public and Quasi-Public Uses

Small establishements in existing and new buildings. Any use with a floor area less than six hundred (600 square feet and located in a building with not more than one (1) other use of less than six hundred (600) square feet.	No spaces

Uses in completely new structures or change of-use in an existing structure

Theaters & other public assembly uses	One (1) space per every six (6) seats.
Hotels and motels	One (1) space per every one and one-half (1½) sleeping units.
All professional service/general business offices (including banks)	One (1) space per three hundred (300) square of floor area.
All other commercial uses permitted in the C1 and C2 Zones	One (1) space per four hundred (400) square feet of floor area.

C. Dimensional Requirements: The minimum off-street parking dimensions shall be as prescribed in the following table, except that a parking space required to be located in a garage or carport shall be not less than twenty (20) feet in length and ten (10) feet in width:

Angle	Stall Width	Stall Length	Aisle Width	
			One-way	Two-way
Parallel	8'6"	23'	12'	20'
30°	8'6"	16'10"	11'	20'
45°	8'6"	19'5"	13'6"	20'
60°	8'6"	20'8"	18'6"	20'
Perpendicular	8'6"	19'	25'	25'

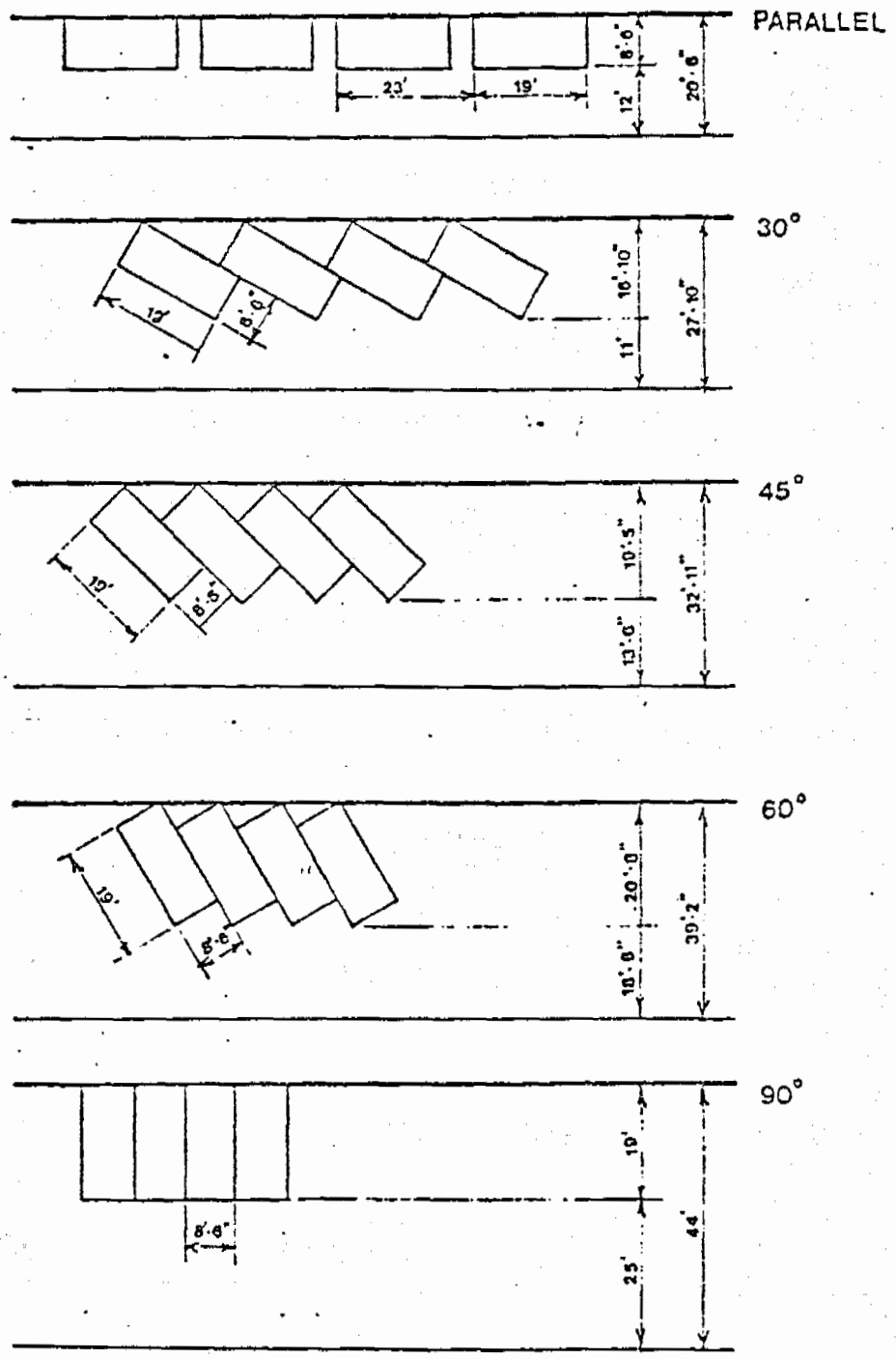
(See illustration on following page)

Twenty percent (20%) of the required spaces in parking areas with five (5) required spaces or more may be devoted to compact car spaces, according to the following schedule:

Angle	Stall Width	Stall Length
Parallel	7'	20'
45°	7'6"	16'
60°	7'6"	17'
Perpendicular	7'6"	16'

Such spaces shall be clearly labeled for "compact cars".

GUIDE TO DIMENSIONAL REQUIREMENTS



D. Design Requirements: Requirements for off-street parking areas shall include:

1. Lighting. If the parking area is illuminated, lighting shall be deflected away from residential sites so as to cause no annoying glare.
2. Bumpers. Bumpers, posts, wheel stops, or other acceptable devices shall be provided on all parking spaces located along property lines, and set back a minimum of one and one-half (1½) feet from the boundary of the parking lot. All such devices shall be firmly attached to the ground.
3. Access Drives. Except for single-family dwellings, groups of more than two (2) parking spaces shall be so located and served by an access drive that the use of the spaces and the access drive will require no backing movements or other maneuvering within a street right-of-way. Alleys may be used for maneuvering.

   Each parking space shall have unobstructed access from a street or alley or from an aisle or drive connecting with a street or alley without requiring moving another vehicle. Entrances from and exits to streets and alleys shall be provided at locations approved by the Planning Commission.
4. Parking surface. The parking area, aisles, and access drives should be paved so as to provide a durable, dustless surface and shall be so graded and drained as to dispose of surface water without damage to private or public properties, streets, or alleys.
5. Landscaping and Screening. A screening device not less than six (6) feet in height and constructed of dense landscaping or of a fence, wall, grill, or other material, shall be required along all interior property lines for all off-street parking spaces abutting a residential use. Perimeter landscaping shall also be provided between parking spaces and adjoining public sidewalks. Moreover, all off-street parking areas having five (5) or more spaces shall be provided with screening and landscaping according to the following standards:

a. Where the parking facility adjoins a street or a required front yard, or where a parking area is located directly across a street or alley from a residential use, a solid wall or fence, vine-covered fence, or compact evergreen hedge no less than four (4) feet in height shall be located on the property line or on the rear line of the required front yard.

b. One (1) tree shall be provided for every eight (8) parking spaces, except that parking areas of five (5) or more spaces shall also require at least one (1) tree. Said trees shall be planted in tree wells of at least four-by-four feet (4' x 4') in locations approved by the Design Assistance Committee, and shall be provided with a means of irrigation and maintained in a living condition. Off-street parking areas for multi-family dwellings shall be screened from street view by the means of berming, landscaping, fencing or some combination thereof.

c. All planters and tree wells shall be enclosed by a concrete curb not less than six (6) inches in height.

6. Exception. Within thirty-five (35) feet of the street corner of any corner lot, the height of any landscaping or screening may be required to be reduced in height or set back from the property line such distance as the Planning Commission shall deem necessary for public safety.

Sec. 6.27 The Planning Commission or City Council may approve a proposed development within the C1 or C2 zones regardless of whether the specific proposed use is listed as a principal permitted use or a conditionally permitted use. Prior to such approval the following findings shall be made:

1. The proposed use is consistent with the intent of the California Coastal Act and the Point Arena Coastal Land Use Plan.

2. The proposed use is consistent with the intent of the applicable zone in which the project lies.

3. The proposed use is similar to a use listed as either a principal permitted use or a conditionally permitted use.

4. The proposed use is consistent with all other sections of the Point Arena Zoning Ordinance.

ARTICLE 7. PROCEDURES AND ADMINISTRATION

Sec. 7.01 Amendments to Zoning Ordinance: The Point Arena Zoning Ordinance, as adopted by the Point Arena City Council, may be amended pursuant to the requirements of this Article.

Sec. 7.02 Initiation of Amendments: An amendment to the text of the Zoning Ordinance may be initiated by motion of the City Council on its own initiative, or by the Planning Commission on its own initiative. Amendments to the Zoning Map may be initiated by the owner of the subject property, or authorized agent for the owner.

Sec. 7.03 Amendment Procedures: The filing of an application for an amendment to the Zoning Ordinance, the payment of fees, notice of hearing, and procedural requirements shall be as prescribed herein and in Sections 7.15, 7.16 and 7.17.

The Planning Commission shall hold a public hearing on proposed amendments to the Zoning Ordinance. At the public hearing the Planning Commission shall hear any person interested in the proposed amendment. The hearing may be continued from time to time provided that the notice of the time and place of the continued public hearing is given at the hearing or in the manner provided for in Section 7.17 of this ordinance. Within 40 days of the conclusion of the hearing, the Planning Commission shall submit to the City Council a written report of recommendations and reasons thereof, including the relationship of proposed zoning amendments to the Point Arena Land Use Plan. The Planning Commission shall not hold a hearing on a proposed amendment to the Zoning Ordinance less than 2 weeks after final City Council action on a related change in the Land Use Plan.

If, after the hearing is closed, the Planning Commission recommends approval of the proposed amendment, the City Council, upon receipt of the report, shall set the matter for public hearing. The City Council may approve, modify or disapprove the recommendation of the Planning Commission, provided that any modification proposed by the City Council not previously considered by the Planning Commission during their hearing, shall first be referred to the Planning Commission for report and recommendation, but the Planning Commission shall not be required to hold a public hearing thereon. Failure to report within 40 days after the referral shall be deemed to be Commission approval of the proposed modification.

If the Planning Commission has recommended against the adoption of an amendment, the City Council shall not be required to take any further action thereon unless an interested party shall request such hearing by filing a written request with the City Clerk within 10 working days after the Planning Commission files its recommendation with the City Council.

The City Council shall reach a decision not later than 40 days after the conclusion of the City Council hearing or not later than 40 days after the filing of a report, or the deadline for submitting such a report by the Planning Commission on a referral from the City Council. In adopting or modifying any proposed amendment, the City Council shall adopt a resolution certifying that the proposed amendment is intended to be carried out in a manner fully consistent with the California Coastal Act of 1976. Failure of the City Council to adopt the proposed amendment within the period set forth in this section shall be deemed to be a denial of such a proposed amendment.

Sec. 7.04 <u>Notification requirements for amendments</u>: In addition to notification required by Sec. 7.17, notice of proposed amendments to the Point Arena Zoning Ordinance shall be mailed to the California Coastal Commission and other interested public agencies and persons at least 10 working days prior to the date of the first public hearing before the Planning Commission. The City Council shall not take final action on an amendment until at least 6 weeks after notices have been sent.

Sec. 7.05 Effective date of amendments and incorporation in Coastal Program: Within 5 working days of the adoption of the amending ordinance the City Clerk shall forward to the executive director of the California Coastal Commission a copy of the amending ordinance together with materials sufficient for a thorough review and the City Council resolution contained in Section 7.03 of this ordinance. The executive director shall notify the City in writing if the amendment needs to be certified as part of the Point Arena Coastal Program and whether the amendment is considered a major or minor amendment pursuant to the provisions of Sec. 30514 (c) of the Coastal Act. Major or minor amendments, including any amendment that allows changes in uses, shall become part of the Point Arena Coastal Program at the time the California Coastal Commission certifies the amendment as adopted by the City. If the Coastal Commission certifies the amendment subject to conditions or changes, the amendment shall not become part of the Point Arena Coastal Program until by resolution the City Council concurs in any conditions, or by ordinance adopts any changes and such ordinance has become effective.

Sec. 7.06 Initiation, application, fees, and procedures for variances, conditional use permits and design review: The initiation of a variance, conditional use permit, or design review action, the filing of an application, the payment of fees, and notification of hearings shall be as specified in Section 7.16.

Sec. 7.07 Required hearings: The Planning Commission shall consider all applications for variances, conditional use permits and Coastal Development Permits. The design assistance committee, consisting of the members of the Planning Commission, shall consider all applications for design review.

At least one public hearing shall be held on each application for a variance, conditional use permit, design review or coastal development permit. Where a development involves applications for a combination of a variance, conditional use permit, design review or coastal development permit, the required hearings may be scheduled concurrently.

The hearing shall be scheduled for the first regular Planning Commission meeting occurring more than 10 days from the date of application. At the public hearing the Planning Commission shall hear any person interested in the proposal. The hearing may be continued from time to time provided that the notice of the time of the continued public hearing is given at the hearing or in the manner provided for in Section 7.17 of this ordinance, and provided that failure to act within 90 days of the date of the first hearing shall be deemed to be approval of the application on that date. The applicant may waive the time limitation in writing if additional time is needed to consider the application.

Sec. 7.08 Variance findings: A variance may be granted only upon adoption of written findings showing that all of the following conditions are present:

A. That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class or district; and

B. That owing to such exceptional or extraordinary circumstances the literal enforcement of specific provision of this ordinance would result in the practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property; and

C. That such variance will not constitute a grant of special privilege inconsistent with limitations imposed on similarly zoned properties; and

D. That such variance is necessary for the preservation and enjoymnet of a substantial property right of the subject property, possessed by other property in the same class or district; and

E. That the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvement in the vicinity; and

F. That the granting of such variance will be consistent with the general purpose and programs of the Point Arena Coastal Land Use Plan; and

G. That the variance will not permit a use other than a use permitted in the applicable zoning district; and

H. That either the variance will have no significant adverse environmental impact or there are no feasible alternatives, or feasible mitigation measures, as provided in the California Environmental Quality Act, available which would substantially lessen any significant adverse impact that the actions allowed by the variance may have on the environment; and

I. When the subject property is located between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or the mean high tide line where there is no beach, whichever is the greater, that;

1) The development provides adequate physical access or public or private commercial use and does not interfere with such uses.
2) The development adequately protects public views from any public road or from a recreational area to, and along, the coast.
3) The development is compatible with the established physical scale of the area.
4) The development does not significantly alter existing natural landforms.
5) The development complies with shoreline erosion and geologic setback requirements.

Sec. 7.09 Conditional use permit findings: A conditional use permit may be granted for any use listed as a conditional use in the applicable zone if the facts establish and written findings are adopted showing:

A. That the proposed use at the size and intensity contemplated, and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community; and

B. That such use as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with

respect to aspects including but not limited to the following:

1) The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
2) The accessibility and traffic pattern for persons and vehicles, and the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;
3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
4) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; and

C. That such use or feature as proposed will comply with the applicable provisions of this ordinance, will be consistent with the policies and programs of the Land Use Plan and will assist in carrying out and be in conformity with the Point Arena Coastal Program; and

D. That the proposed use or feature will have no significant adverse environmental impact or there are no feasible alternatives, or feasible mitigation measures, as provided in the California Environmental Quality Act, available which would substantially lessen any significant adverse impact that the actions allowed by the conditional use permit may have on the environment; and

E. When the subject property is located between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line where there is no beach, whichever is the greater, that;

1) The development provides adequate physical access or public or private commercial use and does not interfere with such uses.
2) The development adequately protects public views from any public road or from a recreational area to, and along, the coast.
3) The development is compatible with the established physical scale of the area.

4) The development does not significantly alter existing natural landforms.
5) The development complies with shoreline erosion and geologic setback requirements.

Sec. 7.10 Conditions: In granting a variance, conditional use permit, or design review, the Planning Commission or design assistance committee shall impose conditions as deemed necessary to carry out the intent and purpose of this ordinance. The violation of any specification or condition so imposed shall constitute a violation of this ordinance and may constitute grounds for revocation of the variance, conditional use permit or design review.

Sec. 7.11 Effective dates of variances, conditional use permits and design review: Planning Commission approval of a design review application shall become final 10 working days from the date action is taken and findings in support of the action are adopted, unless an appeal to the City Council has been taken within that time. Failure of the Planning Commission or design assistance committee to act within the time limits established in the PRC Sections 65950 and 65957 shall be considered approval of the application on the date the time limitation expires, and the approval shall become final in 10 working days unless appealed to the City Council. City Council action on an appeal shall become final 10 working days from the date action is taken and findings in support of the action are adopted, unless it is appealed to the Coastal Commission.

Sec. 7.12 Coastal development permits

A. Permit, when required: In conformance with Public Resources Code Section 30600, in addition to any other approval or permit required under this ordinance and as specifically excluded in subpart (B) below, a coastal development permit shall be required for any purposed use, building or other development, as defined in California Public Resources Code Section 30106. Upon approval of all required variances, conditional use permits or design review for any proposed use or building, a coastal development permit shall be deemed approved and shall take effect 10 working days after the final approval unless within that time the approval is appealed to the City Council.

4) The development does not significantly alter existing natural landforms.
5) The development complies with shoreline erosion and geologic setback requirements.

Sec. 7.10 Conditions: In granting a variance, conditional use permit, or design review, the Planning Commission or design assistance committee shall impose condition as deemed necessary to carry out the intent and purpose of this ordinance. The violation of any specification or condition so imposed shall constitute a violation of this ordinance and may constitute grounds for revocation of the variance, conditional use permit or design review.

Sec. 7.11 Effective dates of variances, conditional use permits and design review: Planning Commission approval of a design review application shall become final 10 working days from the date action is taken and findings in support of the action are adopted, unless an appeal to the City Council has been taken within that time. Failure of the Planning Commission or design assistance committee to act within the time limits established in the PRC Sections 65950 and 65957 shall be considered approval of the application on the date the time limitation expires, and the approval shall become final in 10 working days unless appealed to the City Council. City Council action on an appeal shall become final 10 working days from the date action is taken and findings in support of the action are adopted, unless it is appealed to the Coastal Commission.

Sec. 7.12 Coastal development permits

A. Permit, when required: In conformance with Public Resources Code Section 30600, in addition to any other approval or permit required under this ordinance and as specifically excluded in subpart (B) below, a coastal development permit shall be required for any purposed use, building or other development, as defined in California Public Resources Code Section 30106. Upon approval of all required variances, conditional use permits or design review for any proposed use or building, a coastal development permit shall be deemed approved and shall take effect 10 working days after the final approval unless within that time the approval is appealed to the City Council.

If a coastal development permit is appealed to the City Council, notice as prescribed in Section 7.17 for a conditional use permit shall be provided by the City Clerk to all interested persons and the Coastal Commission. Approval of a coastal development permit by the City Council on appeal shall become effective 10 working days after approval and adoption of findings. However, when the subject property is located within the appealable area and the development qualifies under the appealable grounds criteria as outlined in Section 00176 and 00192 of the local coastal program regulations and Section 30603 of the Coastal Act or the application meets the criteria of PRC 30603, the City Council approval and adopted findings. If a valid appeal is filed with the Coastal Commission within that time, the City approval shall be of no force and effect until the appeal has been decided by the Coastal Commission. Within 5 working days of receipt of notice from the Coastal Commission of the filing of a valid appeal, the City Clerk shall deliver to the Commission staff all relevant documents and materials used by the Planning Commission and City Council in their deliberations. Appeal of a Coastal Development permit to the Coastal Commission shall be deemed valid if the appellant has exhausted all appeals as provided herein.

B. Developments not requiring permit: The following categories of development shall not require a coastal development permit:

1) Except in areas seaward of the first public road, construction of accessory structures or building of less than 500 sq. ft. in floor area and less than are 15 ft. in height, changes in landscaping and site excavation or filling more than 100 ft. from any perennial stream or near high tide line which will not change the existing elevation more than 2 ft. at any point.

2) Except in areas seaward of the first public road.

   a) Fences up to six feet (6') and free-standing masonry walls up to thirty-six (36") in height.

   b) Standard electroller not over thirty-five feet (35') in height above finish grade.

   c) Temporary structures build in conjunction with special events.

3) Any construction, enlargement, alteration repair, moving, improvement, removal, conversion or demolition of any building or structure less than any of the following criteria:

a) Curbs, retaining walls and planter boxes up to eighteeen inches (18") in height.
b) A small tool or storage cabinet with not more than 100 square feet of projected roof area. Multiple cabinets shall require approval. Lot line setbacks are to be observed.
c) Television and radio antennas supported on roofs.

4) Any excavation or fill or combination thereof, less than both of the following criteria;

- 1000 sq. ft. of surface area including the removal of ground cover -- this does not include ground cover removed for agricultural or grading for road and trail maintenance purposes.

- 50 cu. yds of material
  This shall not apply to any excavation or fill:

a) Within a Riparian Corridor or Unstable Area shown in the Point Arena Coastal Land Use Plan. This does not include ground cover removal for road and trail maintenance purposes.
b) Within a public sewer, water main storm drain or power line easements, and within public streets.
c) Which will encroach upon or alter in any way a drainage channel tidal area water course, flood plain or area subject to inundation. This does not include the maintenance of existing ditches.

5) Routine maintenance at Point Arena Wharf

- Annual maintenance operations at Point Arena Wharf including parking lot leveling, bulkhead reconstruction or repair, dock repair.

6) Repair or maintenance activities including tree trimming and removal, and replacement of poles, that do not result in an addition to, or enlargement or expansion of, the object of such repair or maintenance activities; provided, however, that if the Planning Commission determines that certain extraordinary methods of repair and maintenance that involve a risk of substantial adverse environmental impact, it shall, by regulation require that a permit be obtained under this ordinance.

7) The installtion, testing, and placement or the replacement of any necessary utility connection between an existing service facility and any development approved pursuant to this division; provided, that the Planning Commission may, where necessary, require reasonable conditions to mitigate any adverse impacts on coastal resources, including scenic resources. Mitigation may include a requirement that utility lines be placed underground in any zone.

C. Permit Exclusions: The following types of projects are not development within the meaning of this section or Section 30106 of the California Public Resources Code. And do not require a coastal development permit:

1) Exterior painting and maintenance.

2) Remodeling, which does not affect the external profile or appearance of the structure.

3) Repairs which involve only the replacement of component parts of existing work with similar materials for the purpose of maintenance, and which do not aggregate over Two thousand dollars ($2,000.00) in valuation in any twelve (12) month period and do not affect any electrical or mechanical installations. Repairs exempt from permit requirements shall not include any addition, change or modification in construction, exit facilities or permanent fixtures or equipment. Specifically excepted from permit requirements without limit to valuation are:

   a) Painting and decorating.
   b) Installation of floor covering.
   c) Cabinet work.
   d) Re-roofing.

4) Awnings projecting not more than six feet (6') attached to the exterior walls of buildings.

Sec. 7.13 Revocation of variances, conditional use permits and design review: In any case where the terms and conditions of a grant of a variance, conditional use permit, or design review are not complied with, the Planning Commission shall give notice to the holder of such permit of its intention to revoke such permit. Permits may also be revoked if the Planning Commission determines that the notification requirements in Sec. 7.17 were not satisfied by the applicant. Procedures for the revocation of a permit shall be the same as for the original consideration except that the City Clerk shall assume all notification responsibility. If a coastal development permit has been appealed to, and approved by, the Coastal Commission, the Commission may also initiate revocation proceedings pursuant to the requirements of the Coastal Act.

Sec. 7.14 Appeals: In the case of any variance, conditional use permit, design review permit, coastal development permit, or denial of a proposed change in the Zoning Map by the Planning Commission, and in the case of any order, requirement, decision or other determination made by any city employee, the procedures for appeals shall be as provided herein:

A. Administrative actions appealable: Any person aggrieved by a determination, interpretation, decision, decree, judgment, or similar action taken by a city employee under the provision of this ordinance may appeal such action to the Planning Commission within 10 working days of being notified of the decision.

B. Planning Commission actions appealable: Actions, or appellate determinations of the Planning Commission may be appealed to the City Council by those interested persons who have communicated their comments at the Planning Commission.

C. City Council actions appealable: Actions, or appellate determinations of the City Council representing the approval of a coastal development permit pursuant to Section 7.12 may be appealed to the Coastal Commission for the reasons cited in Section 30603 of the Coastal Act and Section 00192 of the local coastal program regulations, and if the subject property is

located within the area described in Section 30603 of the Public Resources Code. Requirements for appealing decisions shall be as provided in the Coastal Commission Regulations.

D. Filing requirements: Appeals to the Planning Commission or City Council shall be addressed to the appellate body on a prescribed form and shall state the basis of the appeal. Appeals shall be filed in the office of the City Clerk within the appeal period provided in Sec. 7.11. There shall be no fee for filing an appeal. The City Clerk shall determine from the records whether the appellant submitted comments on the issue being appealed to each previous appellate body. Only if such comments have been submitted shall an appeal be accepted, unless the appellant can demonstrate that there were valid reasons why he could not attend the hearings or submit written comments.

E. Notice of hearing: A public hearing shall be conducted on all appeals. The notice and conduct of hearings by the appellate body shall be governed by the provisions of Sections 7.15, 7.16 and 7.17, and shall conform to the manner in which the original notice was given and the original hearings were conducted, if any.

F. Time limitation and vote: The Planning Commission or City Council shall determine an appeal not later than 60 days following the date of the hearing. If both the applicant and the appelant consent in writing, the time limitation for a decision may be extended from time to time. The action from which an appeal is taken may be reversed or modified only by the affirmative vote of a majority of the authorized membership of the appellate body.

G. Failure of appellate body to act: Failure of the appellate body to act within the time specified shall be deemed concurrence with the previous decision rendered.

H. Conditions and findings: The appellate body may impose or prescribe conditions as are in its opinion necessary to serve the objectives of this ordinance. The appellate body shall make a written determination of its decision together with its findings in support of the decision.

Sec. 7.15 Application form: Applications for variance, conditional use permit, design review, and amendment to the Land Use Map or Zoning Map shall be submitted to the City Clerk's office upon a prescribed form. Maps, drawings and such other information as specified on the application forms shall be provided in triplicate unless additional copies are specified. Each application filed by or on behalf of one or more property owners shall be verified by at least one such owner or his authorized agent, attesting to the truth and correctness of all facts, statements and information presented.

Sec. 7.16 Application fees:

A. The City Council shall by resolution establish a schedule of fees, charges and expenses for variances, conditional use permits, design review, coastal development permits and amendments to the Zoning Map and other matters pertaining to this ordinance. The schedule of fees may be changed or modified only by resolution of the City Council.

B. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application, or other matters for which a fee, charge or payment of expenses is required by this ordinance or the fee schedule resolution adopted pursuant hereto.

C. Any municipal, political or governmental corporation, district body, or agency is exempted from payment of any fee or charge in connection with an application for any variance, conditional use permit, design review, coastal development permit, appeal or Zoning Ordinance amendment.

D. No fee, charge or expense shall be refundable except in any case where the Planning Commission determines and certifies any such fee or portion thereof has been received in error, in which case the amount received in error may be refunded.

Sec. 7.17 Hearing Notification:

A. For actions initiated by one or more property owners for a variance, conditional use, design review coastal development permit, or Zoning Ordinance amendment or appeal from any of the foregoing, the following notification shall be required:

1. The applicant shall furnish to the City Clerk one stamped envelope addressed to the owner of each parcel of record within 100 feet of each boundary of the subject property for conditional use or design review applications and within 300 feet of each boundary for amendments to the Zoning Map or variances.

   The envelopes may be addressed to "owner" at the mailing address of the parcel. The applicant shall ascertain the name and address of the owner from the current records of the County Assessor. The City Clerk shall use the envelopes to mail notice of the hearing at least 7 days before the date of the hearings for a variance, conditional use permit, or design review, and at least 10 working days before the date of a hearing on a Zoning Map amendment.

   The notice shall indicate the date that an application has been filed, the number assigned to the application, and the applicant's name, a statement that the development is in the coastal zone, a description of the development and its proposed location, and the date, time and place of the hearing, a brief description of the general procedure of local government concerning the conduct of hearing and local actions, the system for local and coastal commission appeals, including local fees required. In addition to mailing notice to all those for whom envelopes have been provided, the City Clerk shall provide notice to the applicant and to all persons known or thought by the Clerk to have a particular interest in the application, including the Coastal Commission staff.

2. Between the time the application is accepted for filing and the date when notices must be mailed, the applicant must post a notice, at a conspicuous place, easily read by the public, and as close as possible to the subject property. The City shall furnish the applicant with a standardized form to be used for such posting. In addition, the applicant shall at the same time obtain copies of the hearing notice from the City Clerk and shall distribute one to each place of business or residence in the notification area. If the applicant fails to so post the notice form, distribute notices, or to sign the declaration of posting and distribution no less than 7 days prior to

a variance, conditional use, or design review hearing, and at least 10 working days prior to a Zoning Ordinance amendment hearing, or it is determined that the application is incomplete, the City Clerk shall withdraw the application from consideration and shall not mail out the hearing notices.

B. For actions initiated by the Planning Commission or City Council, the City Clerk shall provide notice as prescribed above and shall publish in a newspaper of general circulation in the City at least 10 working days prior to the hearing one notice of the time, place and purpose of the public hearing. If only a change in the text of the Zoning Ordinance is proposed, posting notice in 3 locations within the City and newspaper notice shall be provided in addition to the other notification requirements in subsection A of Section 7.17 of this ordinance. The City Clerk shall place in the file a written declaration of the means of notification used and certification of the date notification was mailed, posted or published. Other means of notification, in addition to that required herein, may be used by the Planning Commission if deemed advisable.

Sec. 7.18 Notice of Final Decision:

A. This section shall not apply to action on any development which is excluded pursuant to Sec. 7.12 (B) and (C) of this zoning ordinance.

B. Within 7 calendar days of a final action on any coastal development permit the City Clerk shall provide notice of its action by first class mail to the Commission and to any person who specifically requested such notice pursuant to Sec. 7.19. Such notice shall include conditions of approval, written findings, a location and description of the project, and the procedures for appeal of the local decision to the Coastal Commission.

C. If the City has failed to take a final action on any coastal development permit within the time limits set forth in Government Code Section 65950 through 65957, thereby approving the development by operation of law, the person claiming a right to proceed pursuant to Government Code Sections 65950 through 65957 shall notify in writing, the City Clerk and the Commission of his or her claim that the development has been approved by operation of law. Such notice shall specify the application which is claimed to be approved.

D. If the City Council determines that the time limits established pursuant to Government Code Sections 65950 through 65957 have expired, the City Clerk shall, within seven (7) calendar days of such determination, notify any person entitled to receive notice pursuant to paragraph (b) that it has taken final action by operation of law pursuant to Government Code Sections 65950 through 65957. The appeal period for developments approved by operation of law shall begin to run only upon the receipt of the City's notice in the Commission office. (This section shall also apply to any judicial determination that the development has been approved by operation of law.)

Sec. 7.19 Costs of notification to interested persons: Interested persons who wish to be notified of Planning Commission, Hearings Officer and City Council hearing shall be sent such notice if they provide the City with a deposit to cover such costs.

ARTICLE 8 - ENFORCEMENT

Sec. 8.01 Responsibility for enforcement: All employees of the City of Point Arena vested with the duty or authority to issue permits, shall conform to the provision of this ordinance and shall issue no permit, certificate or license for uses, buildings, or purposes in conflict with the provisions of this ordinance; and any such permits, certificates or licenses issued in conflict with the provisions of this ordinance shall be null and void. It shall be the duty of the City Clerk to enforce the provisions of this Zoning Ordinance pertaining to the erection, construction, reconstruction, moving, conversion, alteration, or addition to any building or structure.

Sec. 8.02 Penalties: Any person, firm or corporation, whether as principal, agent, employee or otherwise, violating any provison of this Zoning Ordinance shall be guilty of a misdemeanor and upon conviction thereof, shall be punishable by a fine of not more than five hundred dollars ($500.00) or by imprisonment in the county jail of the County of Mendocino for a term not exceeding five (5) months, or both. Such person, firm or corporation, shall be deemed to be guilty of a separate offense for each and every day during any portion of which any violation of this ordinance is committed, continued or permitted by such person, firm, or corporation and shall be punishable as herein provided.

Sec. 8.03 Public nuisance: Any building or structure set up, erected, constructed, altered, enlarged, converted, moved, or maintained contrary to the provisions of this ordinance and/or any use of property contrary to the provisions of this ordinance shall be, and the same is hereby declared to be, unlawful and a public nuisance; and the City Attorney of said City shall, upon order of the City Council, immediately commence action or proceedings for the abatement and take such other steps and shall apply to such courts as may have jurisdiction to grant such relief as will abate and remove such building or structure and restrain and enjoin any person, firm, or corporation from setting up, erecting, building, maintaining, or using any such building or structure or using any property contrary to the provisions of this ordinance. The remedies provided for herein shall be cumulative and not esclusive.

Sec. 8.04 Conflict with other regulations and private agreements: Where conflict occurs between the provisions of this ordinance and the building code or other regulations effective within the city, the more restrictive of any such regulations shall apply. It is not intended that this ordinance shall interefere with or abrogate or annul any easements, covenants, or other agreements now in effect, provided, however, that where this ordinance imposes a greater restriction upon the use of buildings or premises than are imposed or required by such agreements, the provisions of this ordinance shall control.

Sec. 8.05 Effect on previously issued permits: Except as specifically herein provided, it is not intended by this ordinance to impair or interfere with any permits previously adopted or issued relating to the erection, construction, establishment, moving, alteration or enlargement of any buildings or improvements.

APPENDIX A

ARTICLE 9 - ENACTMENT

Sec. 9.01 Separability Clause: The City Council hereby declares that it would have passed this Ordinance and each section, sub-section, paragraph, sentence, clause and phrase thereof, irrespective of the fact that one or more of such sections, sub-sections, paragraphs, sentences, clauses or phrases might be declared invalid, unconstitutional or void. Should any section, sub-section, paragraph, sentence, clause or phrase of this Ordinance be declared invalid, such declaration shall not affect the validity of any other section, sub-section, paragraph, sentence, clause or phrase; and if this Ordinance or any portion thereof should be held to be invalid on one ground, but valid on another, it shall be construed that the valid ground is the one upon which said Ordinance or such portion thereof was enacted.

Sec. 9.02 Effective date: This Ordinance shall become effective thirty (30) days after the date of its enactment.

PASSED, APPROVED AND ADOPTED this _____

day of _____, 19___, on the following vote, to wit:

AYES: _____

NOES: _____

ABSENT: _____

(SEAL)

_____
MAYOR

ATTEST:

_____
City Clerk

APPENDIX A

SUPPLEMENTARY DEFINITIONS

Accessory Uses. (See Uses, Accessory)

Advertising Area. The total number of square feet within the boundaries of a parallelogram or triangle which encloses the message, word, symbol, design, picture or visual medium visible on the surface of any sign. For signs where the letters of a word are each located on separate surfaces facing in the same direction the advertising area shall be the total number of square feet within the boundary of separate parallelograms enclosing each letter. Where a sign includes surfaces facing in different directions the advertising area shall be the largest total of advertising area visible from any one direction and in the case of a cylindrical and spherical shaped sign the advertising area shall be the largest cross section thereof.

Aggrieved Person. Any person who, in person or through a representative, appears at a public hearing of the City of Point Arena in connection with the decision or action appealed, or who, by other appropriate means prior to a hearing, informs the City of Point Arena of the nature of his concerns or who for good cause is unable to do either. "Aggrieved person" includes the applicant for a permit.

Agriculture. The tilling of the soil, the raising of crops, horticulture, vitaculture, small livestock farming, dairying, and/or animal husbandry, including all uses customarily incidental thereto but not including slaughter houses, fertilizer yards, bone yards, or plants for the reduction of animal matter or any other industrial use which is similarly objectionable because of noise, odor, smoke, dust, or fumes.

Bluff. A scarp or steep face of rock, decomposed rock, sediment or soil resulting from erosion, faulting, folding or excavation of the land mass. The bluff may be simple planar or curved surface or it may be steplike in section. For the purposes of this ordinance, "bluff" is limited to those features having vertical relief of ten feet or more. "Bluff edge" is the upper termination of a bluff. When the top edge of the bluff is rounded away from the face of the bluff as a result of erosional processes related to the presence of the steep bluff face, the edge shall be defined as that point nearest the bluff beyond which the downward gradient of the land surface increases more or less continuously until it reaches the general gradient of the bluff. In a case where there is a steplike feature at the top of the bluff face, the landward edge of the topmost riser shall be taken to be the bluff edge.

Boarding House. A dwelling or part thereof where meals or meals and lodging are provided for compensation for three (3) or more persons, not transient.

Building. Any structure having a roof supported by columns and/or by walls and intended for the shelter, housing and/or enclosure of any person, animal, or chattel. When any portion thereof is completely separated from every other portion thereof by a masonry division or fire wall without any window, door or other opening therein, which wall extends from the ground to the upper surface of the roof at every point, then each such portion shall be deemed to be a separate building.

Building, Accessory. A subordinate building, the use of which is incidental to that of a main building on the same lot. On any lot upon which is located a dwelling, any building which is incidental to the conducting of any agricultural use shall be deemed an accessory building.

Campground. A lot on which two or more recreational vehicles or tents are parked or located and used for sleeping or eating purposes.

Coastal Commission. The California Coastal Commission as established in the California Coastal Act of 1976.

Coastal Zone. That land and water area of the State of California in the city limits of the City of Point Arena, specified on the maps identified and set forth in Section 17 of the California Coastal Act of 1976.

Coastal Development Permit. A permit for any development within the coastal zone that is required pursuant to Section 30600 (a) of the California Coastal Act of 1976.

Condominium. An estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interest in a space in a residential, industrial or commercial building on such real property, such as an apartment, office, or store. A condominium may include, in addition, a separate interest in other portions of such real property.

Convalescent Home. A structure operated as a lodging house in which nursing, dietary, and other personal services are rendered to convalescents, invalids, or aged persons, not including persons suffering from contagious or mental diseases, performed and primary treatment, such as customarily, are given in hospitals or sanitariums, are not provided.

Day Care Center. Any type of group child day care program, including nurseries of children of working mothers; nursery schools for children under minimum age for education in public schools; privately conducted kindergartens when not part of a public or parochial school; programs covering after-school care for school children; all of which must be conducted in accordance with State and local requirements.

DBH. The diameter at breast height of a tree as computed by a licensed forester.

Density. The total number of square feet in a lot divided by the number of dwelling units located on the lot.

Developer. The person, group of persons, corporation, partnership, firm or association who proposed to undertake a development as defined in this ordinance.

Development. Development means, on land, in or under water, the placement or erection of any solid material or structure: discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting and timber operations, which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511).

As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

Duplex. A freestanding building designed for and/or occupied by two families living independently of each other and with individual and separate cooking facilities.

Dwelling, Multi-Family. A building or portion thereof used and/or designed as a residence for three or more families living independently of each other, and doing their own cooking in said building, including apartment houses, but not including transient accommodations.

Dwelling, Single-Family. A freestanding building designed for and/or occupied exclusively by one family.

Dwelling, Townhouse. A dwelling unit with a ground level story located in a building which includes two or more such dwelling units and each dwelling unit, together with the underlying lot, is owned separately from any other dwelling unit and lot.

Dwelling Unit. One room or a suite of two (2) or more rooms in a building designed for, intended for, or used by one family, which family lives, sleeps, and cooks therein and which unit has one kitchen or kitchenette.

Family. One person; or two or more persons related by blood, marriage or adoption; or a group not in excess of five unrelated persons living together as a single housekeeping unit.

Feasible. Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic environmental, social, and technological factors.

Fence. A masonry wall, or a barrier composed of posts connected by boards, rails, panels, or wire for the purpose of screening, enclosing space or separating parcels of land, but not including retaining walls.

Fill. Earth or any other substance or material, including pilings placed for the purposes of erecting structures thereon, placed on any lands, including submerged areas.

Floor Area, Gross. The enclosed area of a building measured from an exterior surface to exterior surface, but excluding the following: exterior balconies and galleries covered but not enclosed; patios, atriums, and the like if not covered; common use areas for all tenants; garages and carports; major mechanical equipment rooms.

Grade. The average of the finished ground level at the center of all walls of a building.

Guest House. A structure accessory to a dwelling with sleeping and bathroom facilities that is not continuously occupied for residential purposes, and lacking any kitchen facilities.

Height. The vertical distance from the grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the average height of the highest gable of a pitch or hip roof.

Highly Scenic Areas --generally include:

(1) landscape preservation projects designated by the State Department of Parks and Recreation in the California Coastline Preservation and Recreation Plan;

(2) open areas of particular value in preserving natural landforms and significant vegetation, or in providing attractive transitions between natural and urbanized areas; and

(3) other scenic areas and historical districts designated by cities and counties.

Home Occupation. A use customarily conducted within a dwelling or accessory building by the inhabitants of the dwelling and which use is clearly incidental and secondary to the use of the premises for dwelling purposes and does not change the character of the dwelling or premises.

Hotel. Any building or portion thereof containing living quarters or dwelling units and designed for or intended to be used by six (6) or more transient guests, whether the compensation or hire be paid directly or indirectly, and shall include resort hotel, lodging house, inn, dormitory, residence club, fraternity, sorority and other similar uses.

Inn. A building or portion thereof containing living quarters or dwelling units and designed for or intended to be used by six (6) or fewer transient guests.

Kennel. Any premises, except those accessory to an agricultural use, where five (5) or more small domestic animals, not sick or injured, are boarded for compensation or cared for or trained for hire, or are kept for sale or breeding purposes.

Land Use Plan. The Point Arena Coastal Land Use Plan, as amended, which was adopted by the Point Arena City Council and certified by the State Coastal Commission in 1980. Elements included in the Land Use Plan include: coastal access, marine/water resources, sensitive habitats, hazard areas, recreational/commercial boating, public works/agriculture, recreation/visitor serving facilities, industrial/energy facility development, housing, visual resources, planning/locating new development and diking, dredging and filling.

Lot. A tract of land lawfully established and officially recorded in the County Assessor's office, which constitutes a unit of land under single ownership.

Lot Area. The total horizontal area included within lot lines.

Lot, Corner. A lot at the junction of and abutting on two or more intersecting streets where the angle of intersection is 130° or less.

Lot Frontage. The line separating a lot from the street, in the case of an interior lot, and the line separating the narrowest street frontage from the street in the case of a corner lot.

Lot, Interior. A lot other than a corner lot.

Lot Lines. The lines bounding a lot as defined herein.

Lot Line, Rear. The boundary of a lot opposite and most nearly parallel to the front lot line.

Lot, Nonconforming. Any lot existing and recorded as a separate parcel in the office of the County Assessor at the effective date of this Ordinance which does not conform to the area or width requirements of the district in which it is located or does not conform to the subdivision regulations of the City of Point Arena.

Mobile Home Park. A lot on which two or more mobile homes are located and used for sleeping, cooking or eating purposes.

Modular Home. A housing unit manufactured or prefabricated prior to site specific installation. Modular units are constructed with uniform dimensions to allow for the development of houses comprised of multiple modular units.

Motel. A building or group of buildings comprising individual living quarters or dwelling units for the accomodation of transient guests, which is designed so that parking is on the same building site and is conveniently accessible from the living units without having to pass through any lobby or interior court. This definition includes auto court, tourist court, and motor hotel; but does not include accomodation for mobile homes or trailers.

New. Any use established, building or structure constructed, development undertaken, or lot created after the effective date of this Ordinance.

Non-conforming. A structure and/or land use which was lawfully established but which does not now conform with the land use, yard, height, or other requirements and conditions of this Ordinance.

Non-Prime Agricultural Land. Other coastal agriculture lands that are now in use for crops or grazing, or that are suitable for agriculture.

Nursing Home. "See Convalescent Home".

Offstreet Parking. A site, or portion of a site, devoted to the offstreet parking of vehicles, including parking spaces, aisles, access drives, and landscaped areas.

Offstreet Loading. A site, or portion of a site, devoted to the loading or unloading of vehicles, including loading berths, aisles, access drives, and landscaped areas.

Ownership. Ownership of property (or possession thereof under a contract to purchase or under a lease, the term of which is not less than ten (10 years) by a person or persons, firm, corporation, or partnership--individually, jointly, in common, or in any other manner--whereby such property is under single

or unified control. The term shall include condominium ownership. The term "Owner" shall be deemed to mean the person, firm, corporation, or partnership, holding legal or equitable title or recorded contract of purchase or property, or any person authorized by written instrument to act for the owner.

Parking Lot, Public. An open area, other than a street or alley, used for the parking or storage of vehicles, and available for public use, for compensation.

Person. Any individual, public, or private corporation, political subdivision, partnership, firm, trust or estate or any other legal entity whatsoever which is recognized in law as tf rights or duties.

Prime Agricultural Land --(per California Government Code Section 51201 (c) means:

(1) all land which qualifies for rating as Class I or Class II in the Soil Conservation Service land use capability classifications.

(2) land which qualifies for rating 80 through 100 in the Storie Index Rating.

(3) land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the U.S.D.A.

(4) land planted with fruit or nut bearing trees, vines, bushes or crops which have a non-bearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than $200 per acre.

(5) land which has returned from the production of unprocessed agricultural plant products on an annual gross value of not less than $200 per acre for three of the five previous years.

Project. "See Development".

Public Works Project. Any project by a public agency that is included in Section 30114 of the California Coastal Act of 1976 and any energy facility development within the meaning of Section 30197 of the California Coastal Act of 1976.

Recreation, Commercial. Recreation facilities open to the general public for a fee, or restricted to members, when operated for profit as a business.

Recreation, Passive. Recreational uses often associated with beach or open space use (e.g., walking, sight-seeing, swimming jogging, sunbathing, fishing, surfing), which requires little or no alteration of the environment.

Recreational Vehicle or RV. A licensed vehicle, with or without motor power, designed as a recreational residence and equipped for cooking and eating and/or sleeping.

Rest Home (Group Homes for Adults). Residential homes of any capacity that provides services to adults who need or desire care or supervision, and in which medical services are not provided.

Riparian Vegetation. Vegetation commonly occuring adjacent to stream banks and includes such plants as willows, alders, cottonwood, wax myrtle, big leaf maple, California laurel, red elderberry, etc.

Servant's Quarters. A dwelling unit, with a kitchen, accessory to a single family dwelling occupied by an employee of the landowner who manages or otherwise cares for the owner's premises.

Services, Personal and Professional. Beauty and barber shops; offices for doctors, dentists and others engaged in the human healing arts, provided no overnight care is given; offices for engineers, attorneys, architects, real estate sales, insurance, travel agencies, ambulance services, bail bonds, art and photography studios, and other such services which in the opinion of the Planning Commission are similar to the above.

Sign. Any message, word, symbol, design, picture or visual medium which is intended to draw attention to a product, service, business, person, institution, location and is placed or painted on the ground, or on any tree, wall, fence, rock, structure or thing whatsoever and placed thereon whether indoor or outdoor, so as to be visible from off-premises, exclusive of legal notices, safety and directional signs posted by public agencies.

Sign, Freestanding. A sign which is supported by one or more uprights, poles, or braces in or upon the ground, and which is self-supporting in a fixed location and not attached to a building or structure.

Sign, Off-Premise. A sign other than an on-site sign and includes signs erected by the outdoor advertising industry in the conduct of the outdoor advertising business.

Servant's Quarters. A dwelling unit, with a kitchen, accessory to a single family dwelling occupied by an employee of the landowner who manages or otherwise cares for the owner's premises.

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Sign, Off-Premise. A sign other than an on-site sign and includes signs erected by the outdoor advertising industry in the conduct of the outdoor advertising business.

Sign, On-Premise. A sign relating in its subject matter to accomodations, services, commodities, or activities on the premises upon which it is located as distinguished from a sign which directs attention to or advertises an occupancy, accommodation, service, or activity supplied or originating on other premises.

Story. That portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, the space between the floor and the ceiling next above it.

Street. Land owned and designated by the City of Point Arena, Mendocino County or the State of California as a public thoroughfare and which affords the primary means of access to abutting property.

Sign, On-Premise. A sign relating in its subject matter to accomodations, services, commodities, or activities on the premises upon which it is located as distinguished from a sign which directs attention to or advertises an occupancy, accommodation, service, or activity supplied or originating on other premises.

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Street. Land owned and designated by the City of Point Arena, Mendocino County or the State of California as a public thoroughfare and which affords the primary means of access to abutting property.

Structure. Anything constructed, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground.

Structure, Accessory. A detached building or structure, other than a sign, the use of which is incidental to that of a main building or use on that lot on any lot on which is located a dwelling; any building or structure which is incidental to the conducting of any agricultural use.

Uses, Accessory. Accessory uses are uses customarily associated with, and appropriate, incidental, and subordinate to the principal use. Accessory uses are typically located on the same lot as the principal use, and do not alter or change the character of the premises.

Use, Principal Permitted. The primary use of land or of a main building which use is intrinsically compatible with the purpose of the zone and which is permitted in the zone. If a use is listed in a specific zone as a principal permitted use, it means that the owner, lessee, or other person who has legal right to use the land has a vested right to conduct such principal permitted use in accordance with the other zoning regulations without securing special permission therefor, subject only to design and environmental impact review procedures.

Wetland. "Wetland" means lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens. Wetlands are usually lands where the water table is at, near or above the land surface long enough to do either of the following: a) promote the formation of (hydric) soils that are saturated with water at or near the surface and are deficient of oxygen long enough during the growing season to result in soil properties that reflect dominate wetness characteristics near the soils surface (within 10"); or b) support the growth of hydrophytic plants which grow in water or in wet habitats.

State of California, Edmund G. Brown Jr., Governor

California Coastal Commission
North Coast District
1656 Union Street, Room 150
Eureka, California 95501
(707) 443-1623

Filed	March 22, 1982
90th Day	June 20, 1982
Staff Report	April 15, 1982
Hearing Date	May 5-7, 1982
Staff	Tim Ash/jp
	PC/DD

TO: Commissioners and Interested Persons

FROM: Richard G. Rayburn, District Director, Tim Ash, Pat Stebbins, Coastal Planners and Mary Hudson, Staff Counsel

SUBJECT: CITY OF POINT ARENA LAND USE PLAN AND ZONING AMENDMENT 1-82 (MAJOR) FOR PUBLIC HEARING AND COMMISSION ACTION AT THE MEETING OF MAY 5-6, 1982.

I. BACKGROUND

The zoning and implementation program for the City of Point Arena was certified by the Commission on December 8, 1981. The City of Point Arena assumed coastal permit authority on December 9, 1981.

The City has submitted a request for an amendment of their Land Use Plan (LUP) in two locations and for corresponding amendments of the zoning district map in those same locations. These amendments are considered major pursuant to Section 30514(d) of the Coastal Act of 1976 because they involve a change of land use designation and zoning designation. The amendment request is considered by the City of Point Arena to be a cleanup action intended to change the land use and zoning designations of two areas which they believe were incorrectly mapped (plan and zoning) by the City's consultant during the original Local Coastal Program submittal. The proposed amendment would redesignate as commercial and rezone two areas which have existing commercial and residential uses but which are planned and zoned for exclusively residential use under the approved LCP.

II. STAFF RECOMMENDATION ON THE LUP AMENDMENT

The staff recommends that the Commission consider the following resolution:

The resolution is properly introduced by this motion:

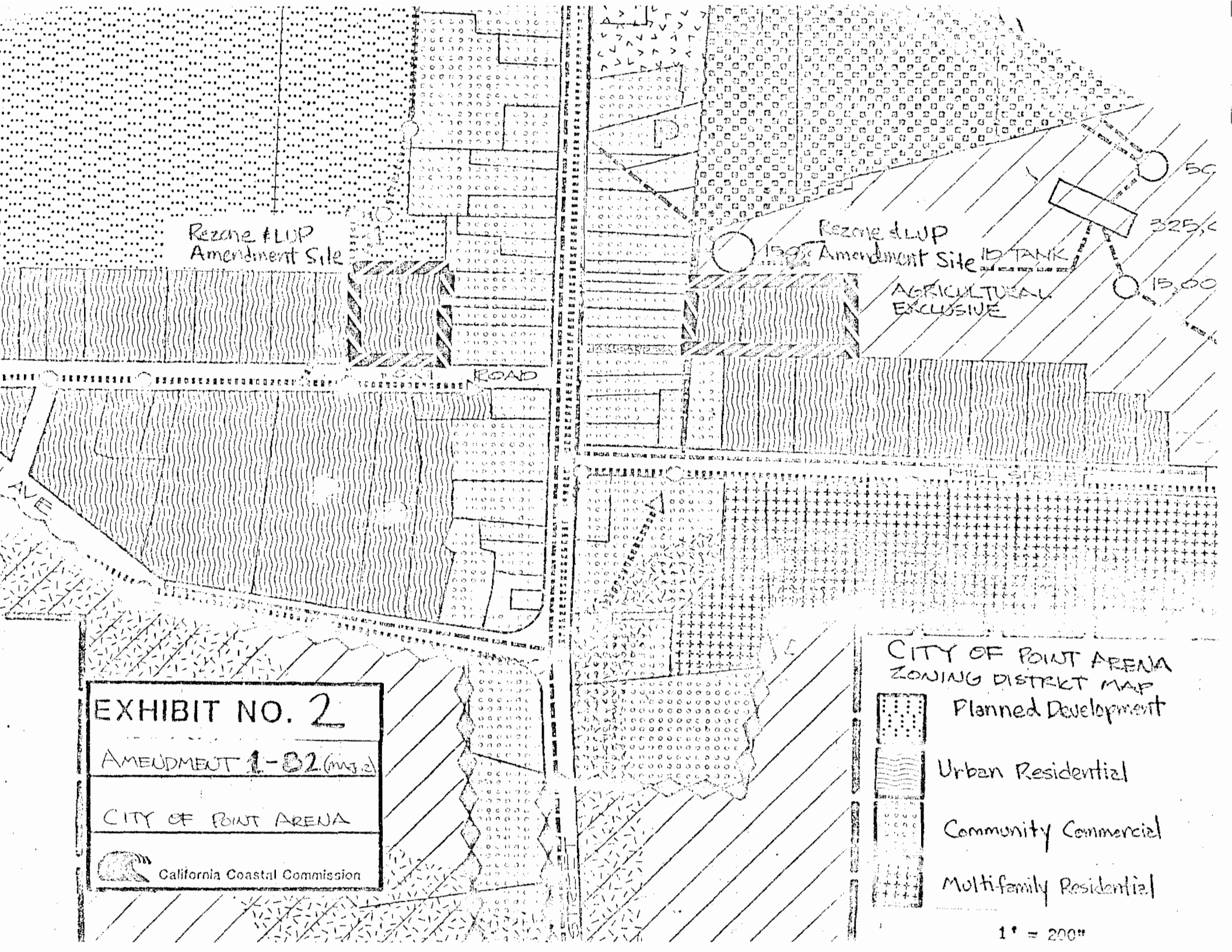
MOTION I:

I move the Commission certify the Land Use Plan amendment as submitted by the City of Point Arena.

STAFF RECOMMENDATION

Staff recommends a YES vote, and the adoption of the following resolution and findings. An affirmative vote by a majority of the appointed Commissioners is needed to pass the motion.

EXHIBIT NO. 7
APPLICATION NO.
PTA-MAJ-1-01 (POINT ARENA LCPA)
CERTIFIED LCP AMEND. NO. 1-82


Rezone & LUP
Amendment Site
Rezone & LUP
Amendment Site
TANK
AGRICULTURAL
EXCLUSIVE
ROAD
CITY OF POINT ARENA
ZONING DISTRICT MAP
Planned Development
Urban Residential
Community Commercial
Multifamily Residential
1" = 200"
EXHIBIT NO. 2
AMENDMENT 1-82 (MAJ.)
CITY OF POINT ARENA
California Coastal Commission

November 8, 1983

NOTICE OF DETERMINATION

TO: Secretary for Resources
1416 9th Street, Room 1311
Sacramento, California 95814

FROM: California Coastal Commission
631 Howard Street, 4th Floor
San Francisco, California 94105

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 of the Public Resources Code

Project Title

Major Amendment 1-83 of City of Point Arena Local Coastal Program

Contact Person
B. Noah Tilghman

Telephone Number (707) 443-1623

Project Location

City of Point Arena, Mendocino County, California

Project Description - Major Amendment to Land Use Plan and Zoning Ordinance conditionally allowing specified visitor-serving uses in the Harbor Commercial Zone District, providing a Moblehome Residential designation and zone district, and clarifying LCP language.

This is to advise that the California Coastal Commission has approved the above described project and has made the following determinations regarding the above described project:

1. The project ~~will~~ will not have a significant effect on the environment.
2. Mitigation measures ~~were~~ were not, made a condition of the approval of the project.

Date Received for Filing _____

cc: City of Point Arena,
Att: City Clerk
North Coast District Office

Pat Stebbins
Signature

Coastal Program Manager
Title

RECEIVED
NOV 10 1983
CALIFORNIA
COASTAL COMMISSION
NORTH COAST DISTRICT

EXHIBIT NO. 8
APPLICATION NO.
PTA-MAJ-1-01 (POINT ARENA LCPA)
CERTIFIED LCP AMEND. NO. 1-83

RESOLUTION NO. 5-83

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POINT ARENA AMENDING THE LAND USE PLAN, ZONING ORDINANCE AND LAND USE PLAN MAP FOR POINT ARENA

WHEREAS, the City of Point Arena beginning February 22, 1983 has held public hearings to review the application of Richard Wasserman to amend the Land Use Plan and Zoning Ordinance to allow for Bed & Breakfast Inns and Visitor Serving Facilities to be listed as: Hotel/Motel, Inns, Resturant and Cafe in the Harbor Commercial Zone, and the application of Lester Giacomini and Louis Lombardi for an amendment to the Land Use Plan, Zoning Ordinance and Land Use Plan Map to change the present zoning from C2 to MHR (Mobile Home Residential) to allow for a 31 unit Mobile Home Subdivision; and

WHEREAS, proper notification of these hearings were provided in accordance to Section 7.17 of the City of Point Arena Zoning Ordinance; and

WHEREAS, the City of Point Arena in amending the Zoning Ordinance, Land Use Plan and Land Use Plan Map followed the amendment procedures as mandated in Sections 7.01 through 7.18 of the City of Point Arena Zoning Ordinance; and

WHEREAS, the City of Point Arena fully intends to carry out the policies of their amended Land Use Plan and implementing ordinances in a manner fully consistent with the goals and objectives of the California Coastal Act of 1976; and

WHEREAS, the City Council at their regular meeting held on May 10, 1983 voted to amend the Land Use Plan, Zoning Ordinance and Land Use Plan Map as introduces by and through Ordinance No. 105.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Point Arena gives final authorization and grants the Conditional Use Permit items to allow for Bed & Breakfast Inn and Visitor Serving Facilities listed as Hotel / Motel, Inns, Resturant and Cafe in the Harbor Commercial Zone with LUP definitions to be consitent with the Point Arena Zoning Ordinance as set forth in Ordinance No. 105; and

BE IT FURTHER RESOLVED that the City Council also gives final authorization and grants the Land Use Plan, Zoning Ordinance and Land Use Plan to be amended by and through Ordinance No. 105 to allow the zone change for parcel #27-061-03 from C2 to MHR; and

BE IT FURTHER RESOVLED that notification be forwarded to the California Coastal Commission for consideration as an amendment to the Land Use Plan, Land Use Plan Map and Zoning Ordinance for the City of Point Arena.

Passed and adopted this 10th day of May, 1983 by the following Roll Call Vote:

AYES: Councilperson Spack, Eastwood, DuPont, Lawrence, Scaramella

NOES: NONE

ABSENT: NONE

ATTEST:

Mary Spack

City Clerk

RECEIVED
MAY 18 1983
CALIFORNIA
COASTAL COMMISSION
NORTH COAST DISTRICT

Mayor

14. Because of the residential density, dogs must be kept within the owners yard and be on leash whenever it is walked outside the owners property.

Appendix C of the Land Use Plan will be amended by adding the new MHR Mobile Home Residential land use to the designations, page 101.

SECTION IV

Zoning Map - The Point Arena Land Use Plan Map will be amended by changing the existing zoning of parcel # 27-061-03 from C2 to MHR. The map will show a new zone designation MHR Mobile Home Residential with graphics accordingly.

The following ordinance was introduced by Councilperson Eastwood and passed and adopted this 10th day of May, 1983 by the following Roll Call Vote:

AYES: Councilperson Spack, Lawrence, DuPont, Eastwood, Scaramella

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

ATTEST

Mary Spangler

City Clerk

Joe Scaramella

Mayor

SECTION II

Section 4.10 of the Zoning Ordinance will be amended by adding to the Harbor Commercial Zone or HC the following:

B. Conditionally Permitted Uses
   5) Bed and Breakfast Inns
   6) Visitor Serving Facilities
      a. Hotel/ Motel
      b. Inns
      c. Resturant / Cafe

SECTION III

Section 4.13 of the Zoning Ordinance will read as follows:

Mobile Home Residential applies to properties so designated on the Zoning Map that are suitable for high single family residential use. Property must be served by public sewer and water system. Mobile Home Residential Use will not be permitted on lands designated as "unstable", and areas within 100 feet of the Hathoway Creek Fault as shown on the Point Arena Land Use Plan Map.

A. PRINCIPLE PERMITTED USES:
   1. Single family mobile home dwelling
   2. Keeping of no more than one household pet on each lot
   3. Home occupations

B. CONDITIONALLY PERMITTED USES:
   1. Resident Family Recreation Center

C. OTHER REGULATIONS
   1. Minimum lot area 4000 square feet
   2. Mimiunum lot width 50 feet
   3. Maximum lot depth three (3) times lot width
   4. Minimum yards
      front = 15 feet
      side = 10 feet (5 feet each side)
      rear = 15 feet
   5. Development must comply with all applicable State standards
   6. Mobile homes must be on a foundation as required by the Uniform Building Code
   7. Exterior siding shall be required and must extend to foundation
   8. Exterior siding must be of non-reflective material, which is or simulates wood, stucco or masonry.
   9. Roofing shall be of non-reflective material, fiberglass or approved fire resistant shingles. The painting of a raw metal roof will not meet this requirement
   10. A minumum of 12" roof overhang shall be required
   11. All mobile units must provide a minumum living area of 1000 square feet, excluding garage.
   12. All units must provide for at least one covered off street parking garage and two (2) off street parking spaces.
   13. A special permit shall be required before a mobile home built prior to June 15, 1976 can be placed on a foundation.

ORDINANCE NO. 105

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POINT ARENA AMENDING ORDINANCE NO. 96A THE ZONING ORDINANCE AND THE CITY'S LAND USE PLAN

The City Council of the City of Point Arena does ordain as follows:

SECTION I

The Land Use Plan of the City of Point Arena will be amended by adding a new zone designation intitled: Mobile Home Residential (MHR), Section 3.01.

The Land Use Plan will also be amended by adding to Appendix C, Community Commercial or C2 Zone, B. Conditionally Permitted Uses, 3) Recreational vehicle parks and mobile home parks; Appendix C Suburban Residential or SR Zone, B. Conditionally Permitted Uses, 4) Mortuaries; Appendix C Multifamily Residential or MR Zone by listing the entire zoning requirements as listed in the Zoning Ordinance Section 4.05; Appendix C Industrial or I Zone by listing the entire zoning requirements as listed in Zoning Ordinance Section 4.11; Appendix C Harbor Commercial or HC Zone, B. Conditionally Permitted Uses, 5) Bed & Breakfast Inn, 6) Visitor Serving Facilities a) Hotel/Motel, b) Inns, c) Resturant/Cafe, C. Other Regulations 7. Bed and breakfast inns shall be permitted only in sites which are not suitable for the location of coastal dependent uses and shall be limited to 12 bedrooms.

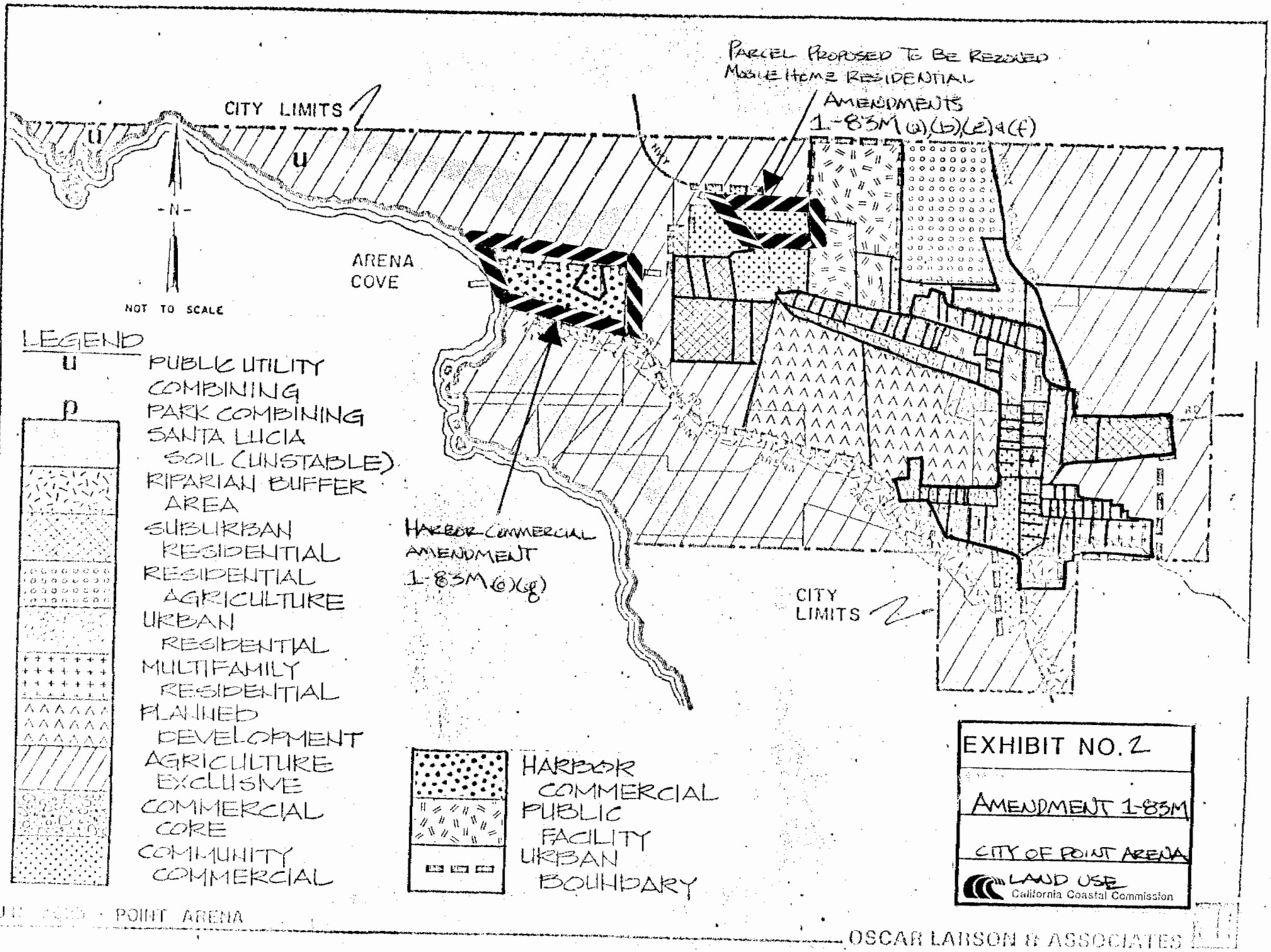
Appendix B (Land Use Designations) of the Land Use Plan, the conditionally permitted uses in the Harbor Commercial designation should be amended to read:

Bed and breakfast inns in areas designated Harbor Commercial shall be sited so as to insure that they neither interfere with existing coastal dependent uses nor preclude potential coastal-dependent uses in the harbor area, since coastal dependent uses are priority uses in that land use designation. Generally, development in the flats near Arena Cove would preclude coastal-dependent uses.

Appendix A (Supplementary Definitions) will be amended to read as follows:

Bed and Breakfast Inn - A residential structure with one family in permanent residence where a maximum of 12 bedrooms without individual cooking facilities are rented for overnight lodging, and where one meal daily is provided. This use type doe not include boarding houses, hotels or motels as defined by this section.

Resturant/Cafe - An establishment intended for the preparation and consumption of food and beverages.



— LAND USE —

-16-

EXHIBIT #2

APPENDIX A

ORDINANCE NO. 107

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POINT ARENA AMENDING THE ZONING ORDINANCE NO. 96A TO ALLOW FOR SATELLITE TV RECEIVING DISHES IN ALL ZONES

The City Council of the City of Point Arena does ordain as follows:

Ordinance No. 96A is amended by adding the following articles to the following list of zones:

Section 4.02 Suburban Residential or SR
B. Conditionally Permitted Uses:
5) Satellite TV Receiving Dish w/ fee $20.00

Section 4.03 Residential Agriculture or RA
B. Conditionally Permitted Uses:
4) Satellite TV Receiving Dish w/ fee $20.00

Section 4.04 Urban Residential or UR
B. Conditionally Permitted Uses:
3) Satellite TV Receiving Dish w/ fee $20.00

Section 4.05 Multifamily Residential or MR
B. Conditionally Permitted Uses:
3) Satellite TV Receiving Dish w/ fee $20.00

Section 4.06 Planned Development or PD
A. Conditionally Permitted Uses:
2) Satellite TV Receiving Dish w/ fee $20.00

Section 4.07 Agriculture Exclusive or AE
B. Conditionally Permitted Uses:
7) Satellite TV Receiving Dish w/ fee $20.00

Section 4.08 Neighborhood Commercial or CI
B. Conditionally Permitted Uses:
5) Satellite TV Receiving Dish w/ fee $20.00

Section 4.09 Community Commercial or C2
B. Conditionally Permitted Uses:
6) Satellite TV Receiving Dish w/ fee $20.00

Section 4.10 Harbor Commercial or HC
B. Conditionally Permitted Uses:
7) Satellite TV Receiving Dish w/ fee $20.00

Section 4.11 Industrial or I
B. Conditionally Permitted Uses:
6) Satellite TV Receiving Dish w/ fee $20.00

EXHIBIT NO. 9
APPLICATION NO.
PTA-MAJ-1-01 (POINT ARENA LCPA)
CERTIFIED LCP AMEND. NO. 2-83

Section 4.12 Public Facility or PF
B. Conditionally Permitted Uses:
7) Satellite TV Receiving Dish w/ fee $20.00

Section 4.13 Mobile Home Residential or MHR
B. Conditionally Permitted Uses:
2) Satellite TV Receiving Dish w/ fee $20.00

Appendix A

Supplementary Definitions

Satellite TV Receiving Dish: Satellite television antenna is an apparatus capable of receiving communications from a transmitter or an transmitter relay located in planetary orbit; the purpose of which is to receive television or radio signals from orbiting satellites.

Land Use Plan

The City of Point Arena's Land Use Plan is amended by adding the same numbered articles as previously stated in this ordinance, to each zoning designation as set forth in Appendix C.

The foregoing Ordinance was introduced by Councilperson Eastwood and passed and adopted this 24th day of May, 1983 by the following Roll Call Vote:

AYES: Councilpersons Spack, DuPont, Lawrence, Scaramella

NOES: None

ABSENT: Councilman Eastwood

ABSTAIN: None

ATTEST

Mary Faughn

City Clerk

Jos. Scaramella

Mayor

ORDINANCE NO. 108

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POINT ARENA PERTAINING TO THE REGULATIONS OF "SATELLITE TELEVISION ANTENNAS" IN THE CITY LIMITS OF POINT ARENA

The City Council of the City of Point Arena does ordain as follows:

Section I Definitions

1. 1.1 Satellite television antenna is an apparatus capable of receiving communications from a transmitter or a transmitter relay located in planetary orbit; for the purpose of which is to receive television or radio signals from orbiting satellites.

1.2 Usuable satellite signal is a satellite signal which when viewed on a conventional television set, is at least equal in picture quality to that received from local commerical television stations or by way of cable television.

Section II Antenna Location

2. 2.1 In all zones, subject to the provision of this ordinance, such antenna shall be located in the rear yard of any lot. If a usable satellite signal cannot be obtained from such rear yard, the antenna may be located on the side or front yard of the property subject to the requirements of this ordinance.

2.2 In the event that a usable satellite signal cannot be obtained by locating the antenna on the rear, side or front yard of the property, such antenna may be placed on the roof of the dwelling structure, provided that a building permit is obtained prior to such installation. Such permit shall be issued upon a showing by the applicant that a usable satellite signal is not obtainable from any other location on the property, and provided further, that the construction and erection otherwise is in compliance with the Uniform Building and Electrical Code.

Section III Antenna Size

3. 3.1 Subject to Section 2.2, such antenna shall not exceed (20) twenty feet in height, including any platform or structure upon which said antenna is mounted or affixed. Such antenna may not exceed fifteen (15) feet in diameter in any zone.

3. 3.2 Satellite television antenna shall be located and designed to reduce visual impact from surrounding properties at the street level and from public streets.

3.3 Not more than one satellite television antenna shall be allowed in any zone on any lot less than one-half ($\frac{1}{2}$) acre in size.

3.4 All antenna and the construction and installation thereof shall conform to applicable Uniform Building and Electrical Code regulations and requirements.

3.5 Antenna shall meet all manufacturers' specifications, be of non-combustible and corrosive-resistant material, and be erected in a secure, wind-resistant manner.

3.6 Every antenna must be adequately grounded for protection against a direct strike of lightning.

3.7 Ground mounting antennas shall be located at least five (5) feet from the nearest part of the main building on the same lot, and at least five (5) feet from any rear, front or side property line depending on Section II qualifications of this ordinance.

Section IV Fees

4. 4.1 Permit applications for satellite antenna installation will be considered as a conditionally permitted use and subject to a fee of $20.00.

The foregoing ordinance was introduced by Councilperson Eastwood and passed and adopted this 24th day of May, 1983 by the following Roll Call Vote:

AYES: Councilpersons Spack, DuPont, Lawrence, Scaramella

NOES: NONE

ABSENT: Councilman Eastwood

ABSTAIN: None

ATTEST

Mary Spangler

City Clerk

Joe Scaramella

Mayor

CALIFORNIA COASTAL COMMISSION
NORTH COAST AREA
631 HOWARD STREET, 4TH FLOOR
SAN FRANCISCO, CA 94105
(415) 543-8555

NOTICE OF DETERMINATION

December 24, 1986

TO: Secretary for Resources
1416 9th Street, Room 1311
Sacramento, CA 95814

FROM: California Coastal Commission
631 Howard Street, 4th Floor
San Francisco, CA 94105

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 of the Public Resources Code

City of Point Arena LCP Amendment No. 1-86 (major)
Project Title

Linda Locklin, Coastal Analyst
Contact Person Telephone Number (415)543-8555

Point Arena, Mendocino County
Project Location

Major Amendment (Revision to industrial zoning ordinance and land use redesignation/rezoning)
Project Description

Local Coastal Program

This is to advise that the California Coastal Commission has approved the above described project and has made the following determinations regarding the above described project:

1. The project will/will not have a significant effect on the environment.

2. Mitigation measures were/were not, made a condition of the approval of the project.

Date Received for Filing _____.

B. NOAH TILGHMAN
Signature

Coastal Program Manager
Title

EXHIBIT NO. 10
APPLICATION NO.
PTA-MAJ-1-01 (POINT ARENA LCPA)
CERTIFIED LCP AMEND. NO. 1-86

L1

RESOLUTION NO. 27-86

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POINT ARENA RELATIVE TO AMENDING SECTION 4.11 OF THE ZONING ORDINANCE AND REZONING A THREE-ACRE PORTION OF PARCEL 27-131-04 TO INDUSTRIAL WITH A CONDITIONAL USE PERMIT FOR A CEMENT BATCH PLANT AND FUEL STORAGE TANKS

WHEREAS, the City of Point Arena beginning August 12, 1986, has held a public hearing to review the City's proposed amendment to Section 4.11, Industrial, of the Zoning Ordinance, and to review the application of Bill Hay, Jr. for rezoning a portion of parcel 27-131-04 to industrial from agricultural exclusive with a use permit for a cement batch plant and fuel storage tanks; and

WHEREAS, proper notification of the public hearing was provided in accordance to Section 7.17 of the City of Point Arena Zoning Ordinance; and

WHEREAS, the City of Point Arena in amending the Zoning Ordinance, Land Use Plan and Land Use Plan Map followed the amendment procedures as mandated in Section 7.01 through 7.18 of the City of Point Arena Zoning Ordinance; and

WHEREAS, the City of Point Arena fully intends to carry out the policies of their amended Land Use Plan and implementing ordinances in a manner fully consistent with the goals and objectives of the California Coastal Act of 1976; and

WHEREAS, the City Council at their regular meeting held on September 23, 1986, voted to amend the Land Use Plan, Zoning Ordinance and Land Use Plan Map; and

WHEREAS, implementation of this amendment will be carried out through Ordinance No. 121; and

WHEREAS, the City Council at their regular meeting held on September 23, 1986, voted to grant the rezoning of a three-acre portion of parcel 27-131-04 to Industrial and to grant a conditional use permit for a cement batch plant and fuel storage tanks on said rezoned land with the following conditions: 1) a four-year limitation on the use, 2) all CEQA and State fire regulations must be adhered to, 3) petroleum storage is limited to four 10,000-gallon tanks, 4) noise levels must be maintained at no more than 60 decibals at 200', and 5) acceptable sight-obsecuring screening along Riverside Drive where project is visible;

NOW THEREFORE BE IT RESOLVED the City Council of the City of Point Arena gives final authorization and grants the Land Use Plan, Zoning Ordinance and Land Use Plan Map be amended by and through Ordinance No. 121 and to allow the rezoning of a three-acre portion of parcel 27-131-04 to Industrial; and

BE IT FURTHER RESOLVED that the City Council also gives final authorization and grants the conditional use permit for a cement batch plant and fuel storage tank storage with the conditions listed above; and

BE IT FURTHER RESOLVED that notification be forwarded to the California Coastal Commission for consideration as an amendment to the Land Use Plan, Land Use Plan Map and Zoning Ordinance for the City of Point Arena and for the rezoning and conditionally granted use permit; the amendment, rezoning and use permit will take effect automatically upon California Coastal Commission approval pursuant to Public Resource Code Sections 30512, 30513, and 30519.

Attachment 1
Pt. Arena LCP
Amendment 1-86
California Coastal Commission

This resolution was passed and adopted this 28th day of October, 1986, by the following roll call vote:

AYES: Councilmembers Gyving, DeLore, Wasserman, and Mayor DuPont

NOES: None

ABSTAIN: Councilmember Cardwell

ABSENT: None

ATTEST:

Diane Johnson
City Clerk

Tracy Lynne DuPont
Mayor

Attachment 1
PT. ARENA LCP
Amendment 1-86
California Coastal Commission

NOTICE OF ACTION TAKEN

NAME Bill Hay, Jr.

ADDRESS P. O. Box 205

Point Arena, CA 95468

APPLICATION # 08-86

PUBLIC HEARING DATE September 23, 1986 (continued from August 12, 1986)

PUBLIC HEARING TIME AND PLACE 7:00 p.m., Veterans' Memorial Bldg., Point Arena

REVIEW: Rezoning of a three-acre portion of parcel 27-131-04 to industrial from agricultural exclusive, with a use permit for a cement batch plant and fuel storage tanks: The General Plan Amendment application and Use Permit application were both read in their entirety. The two Environmental Check-lists had already been read in their entirety, as had the Coastal Commission's letter in response to the Negative Declaration, and the City's response to the Coastal Commission letter when the amendment to zoning portion of the public hearing was covered. Public comment was opened and comment was also received from the Council.

PROJECT DESCRIPTION Rezoning of a three-acre portion of parcel 27-131-04 to industrial from agricultural exclusive, with a use permit for a cement batch ~~plant and fuel storage tanks.~~

ACTION: _____ APPROVED DATE September 23, 1986

x CONDITIONALLY APPROVED (see below)

_____ DISAPPROVED

FINDING: The Use Permit was approved with the following conditions: 1) a four-year limitation on the use; 2) all CEQA and State fire regulations must be adhered to; 3) petroleum storage is limited to four 10,000 tanks; 4) noise levels must be maintained at no more than 60 decibals at 200'; and 5) acceptable

CONDITIONS OF APPROVAL: sight-obsecuring screening along Riverside Drive where project is visible.

(included in findings)

APPEAL PROCEDURE: For local appeal, refer to section 7.14 of the City of Point Arena's Zoning Ordinance. Upon receipt of final action by the California Coastal Commission, a 10 working day appeal period shall commence. Any appeals to the California Coastal Commission found to have substantial issues will be subject to a Public Hearing by the California Coastal Commission.

COASTAL DEVELOPMENT PERMIT # SCH 86081902

MAP ATTACHED: x YES _____ NO

Attachment 1
P.T. ARENA LCP
Amendment 1-86
California Coastal Commission

BEFORE THE CITY COUNCIL

OF THE

CITY OF POINT ARENA

An Ordinance Amending Section 4.11 of the Zoning Ordinance Adopted December 23, 1980	)	ORDINANCE NO. 121

THE CITY COUNCIL OF THE CITY OF POINT ARENA DOES HEREBY ORDAIN as follows:

Section 4.11 of the Zoning Ordinance adopted December 23, 1980, is deleted in its entirety and is replaced by the following:

Section 4.11 Industrial or I Zone: The Industrial Zone applies to properties so designated on the zoning map that are suitable for industrial purposes. Non-nuisance industries and administrative facilities are the predominant desired uses. All development in the Industrial Zone shall avoid impacts to the immediate area from noxious or offensive emissions such as noise, glare, dust, odor, and chemical pollution. All uses listed will require a conditional use permit.

A. Conditionally permitted uses:

1) Administrative, financial, and professional offices
2) Aircraft and aircraft accessories and parts manufacturing
3) Automobile repair, overhauling, rebuilding, painting, upholstery, and top shops within enclosed buildings
4) Animal hospitals
5) Automobile dealerships
6) Automobile dismantlers
7) Blacksmith shops
8) Bottling works
9) Box factories and cooperage
10) Breweries, distilleries, and wineries
11) Business machines manufacture and assembly
12) Candle manufacture, not including rendering
13) Carpet and rug manufacture
14) Cement products manufacture
15) Ceramic products manufacture
16) Clay products manufacture including brick
17) Dairy products plants
18) Electrical applicances and equipment assembly
19) Firearms manufacture
20) Lumber yards
21) Machine shops
22) Forklift rentals
23) Rental equipment shops
24) Furniture manufacture
25) Glass and glass products manufacture
26) Gravel, rock, and cement yards
27) Manufacture assembly
28) Manufacture of cutlery, hardware, and hand tools, dies and pattern making

Attachment 1

PT. ARENA LCP

Amendment 1-86

California Coastal Commission

29) Manufacture of scientific, medical, and dental instruments and appliances, optical goods, watches and clocks
30) Meat products processing and packaging, not including slaughter and glue size manufacture
31) Metal casting
32) Motion picture and television production
33) Painting and enameling and lacquering shops
34) Petroleum products storage
35) Porcelain products manufacture
36) Printing and publishing, lithographing, engraving, and binding of newspapers, periodicals, books
37) Sandblasting
38) Soft water services
39) Stone products manufacture
40) Recycle centers
41) Storage yards for commercial vehicles
42) Trailer rentals
43) Warehouses
44) Welding shops
45) Wood and lumber processing and woodworking
46) Woodworking shops
47) Wool scouring and pulling
48) Film manufacture
49) Junkyards

B. Other regulations:

1) Minimum lot area: ten thousand (10,000) square feet
2) Maximum building height: forty-five (45) feet, except the Design Review Committee may require a lessor height as provided in Section 6.13
3) Minimum lot width: eighty (80) feet
4) Maximum lot depth: three (3) times lot width
5) Minimum setbacks: front, thirty (30) feet; rear, twenty (20) feet; side, twenty (20) feet
6) Special regulations: All manufacturing and fabricating areas shall be enclosed in buildings, and all equipment and materials storage areas shall be screened by sight-obscuring walls, fences, or adequate plantings to a height of not less than six (6) feet
7) Required geologic study: Structures, septic disposal systems, driveways, parking areas, pedestrian trails, and other improvements permitted on lands designated as "Unstable" or within one hundred (100) feet of the Hathaway Creek Fault as shown in the Point Arena General Plan if analysis by a registered geologist or engineering geologist, at the applicant's expense, demonstrates to the satisfaction of the Planning Commission that construction of the development will not significantly increase erosion and slope instability and that any potential adverse impacts have been mitigated to the

Attachment 1
PT ARENA LCP
Amendment 1-86
California Coastal Commission

maximum extent feasible. The geologist's report shall conform to the requirements of Section 4.02 (c) (6).

The foregoing amendment was introduced by Councilperson Wasserman at a meeting of the City Council of the City of Point Arena held on the 12th day of August, 1986, and adopted at a meeting held on the 23rd day of September, 1986, by the following roll call vote:

AYES: Councilpersons Gyving, DeLore, Wasserman, and Mayor DuPont

NOES: None

ABSTAIN: None

ABSENT: Councilperson Cardwell

ATTEST:

Diane Johnson
City Clerk

Tracy Lynne DuPont
Mayor

Attachment 1
PT. ARENA LCP
Amendment 1-86
California Coastal Commission

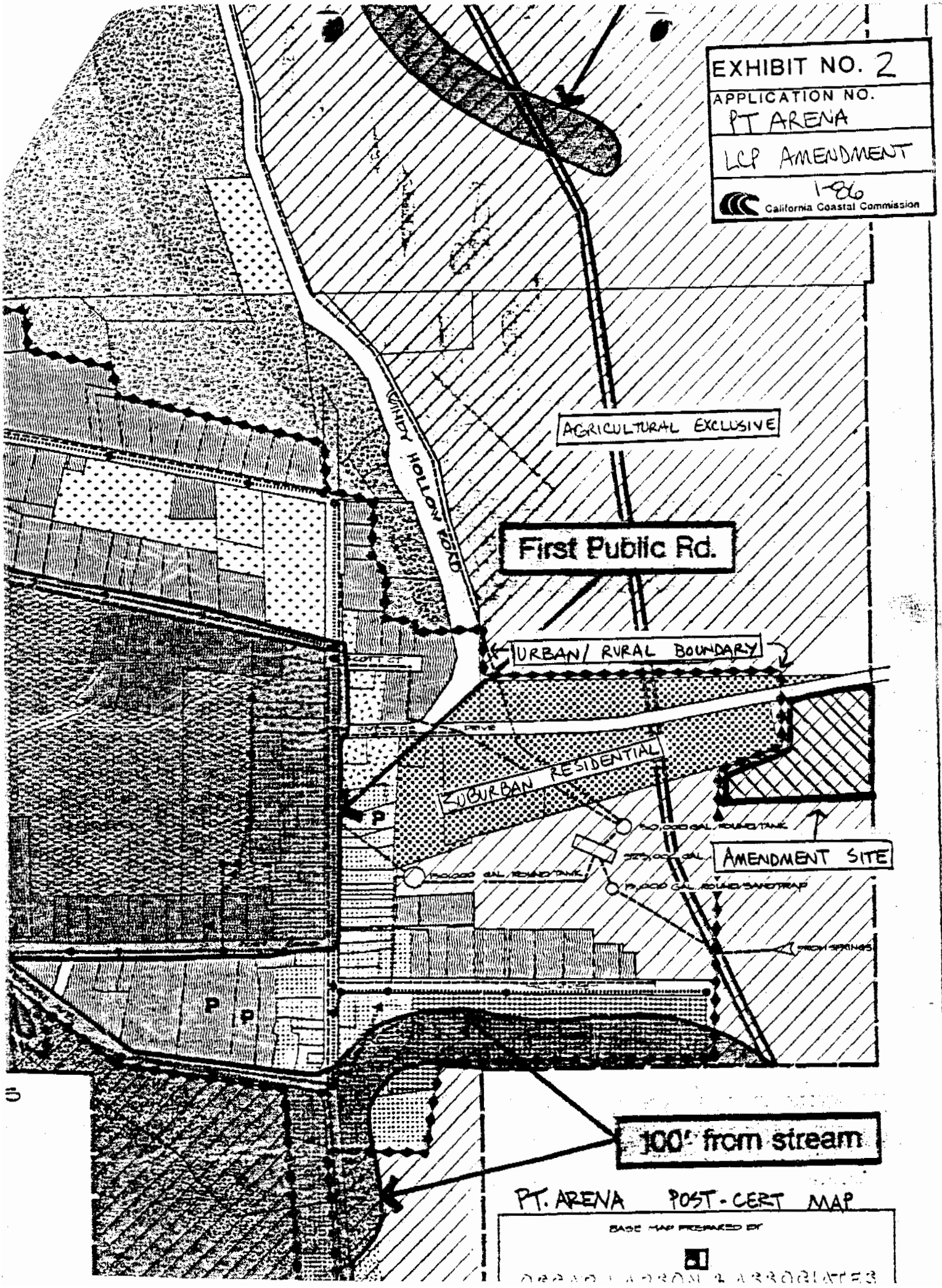


EXHIBIT NO. 2
APPLICATION NO.
PT ARENA
LCP AMENDMENT
1-86
California Coastal Commission
AGRICULTURAL EXCLUSIVE
First Public Rd.
WINDY HOLLOW ROAD
URBAN/ RURAL BOUNDARY
SUBURBAN RESIDENTIAL
AMENDMENT SITE
100' from stream
P
P
P
PT. ARENA POST-CERT MAP
BASE MAP PREPARED BY

not off. out yet. (see Gay)

NOTICE OF DETERMINATION

Date Mailed to OPR 5 December 1988

Date Received by Resources for Filing _____

TO: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

FROM: California Coastal Commission
631 Howard Street, 4th Floor
San Francisco, CA 94105-3973

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 of the Public Resources Code.

Point Arena LCP Amendment No. 2-88 (Major)
Project Title

Major amendment to certified Local Coastal Plan redesignating and rezoning one parcel from Urban Residential to Community Commercial.
Project Description

City of Point Arena, Mendocino County
Project Location

Jim Muth — (415) 543-8555
Contact Person — **Telephone Number**

This is to advise that the California Coastal Commission approved the above described project on 15 November 1988, and has made the following determination:

1. The project will not have a significant effect on the environment.

2. Mitigation measures were not made a condition of the approval of the project.

3. A statement of Overriding Considerations was not adopted.

Thomas Crandall
Deputy Director for Land Use and
Ocean and Coastal Resources

cc: Clerk, Local Government
District Manager
LCP File

EXHIBIT NO. 11
APPLICATION NO.
PTA-MAJ-1-01 (POINT ARENA LCPA)
CERTIFIED LCP AMEND. NO. 2-88

11/87

NOTICE OF DETERMINATION

Date Mailed to OPR 27 March 1989

Date Received by Resources for Filing _____

TO: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

FROM: California Coastal Commission
631 Howard Street, 4th Floor
San Francisco, CA 94105-3973

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 of the Public Resources Code.

Point Arena LCP Amendment No. 2-88 (Major) Certification Review
Project Title

Concurrence with the Executive Director's determination that the action of the City of Point Arena accepting the Commission's action on Local Coastal Program Amendment No. 2-88 (Major) is legally adequate.
Project Description

City of Point Arena, Mendocino County
Project Location

Jim Muth — (415) 543-8555
Contact Person — Telephone Number

This is to advise that the California Coastal Commission approved the above described project on 8 March 1989, and has made the following determination:

1. The project will not have a significant effect on the environment.

2. Mitigation measures were not made a condition of the approval of the project.

3. A statement of Overriding Considerations was not adopted.

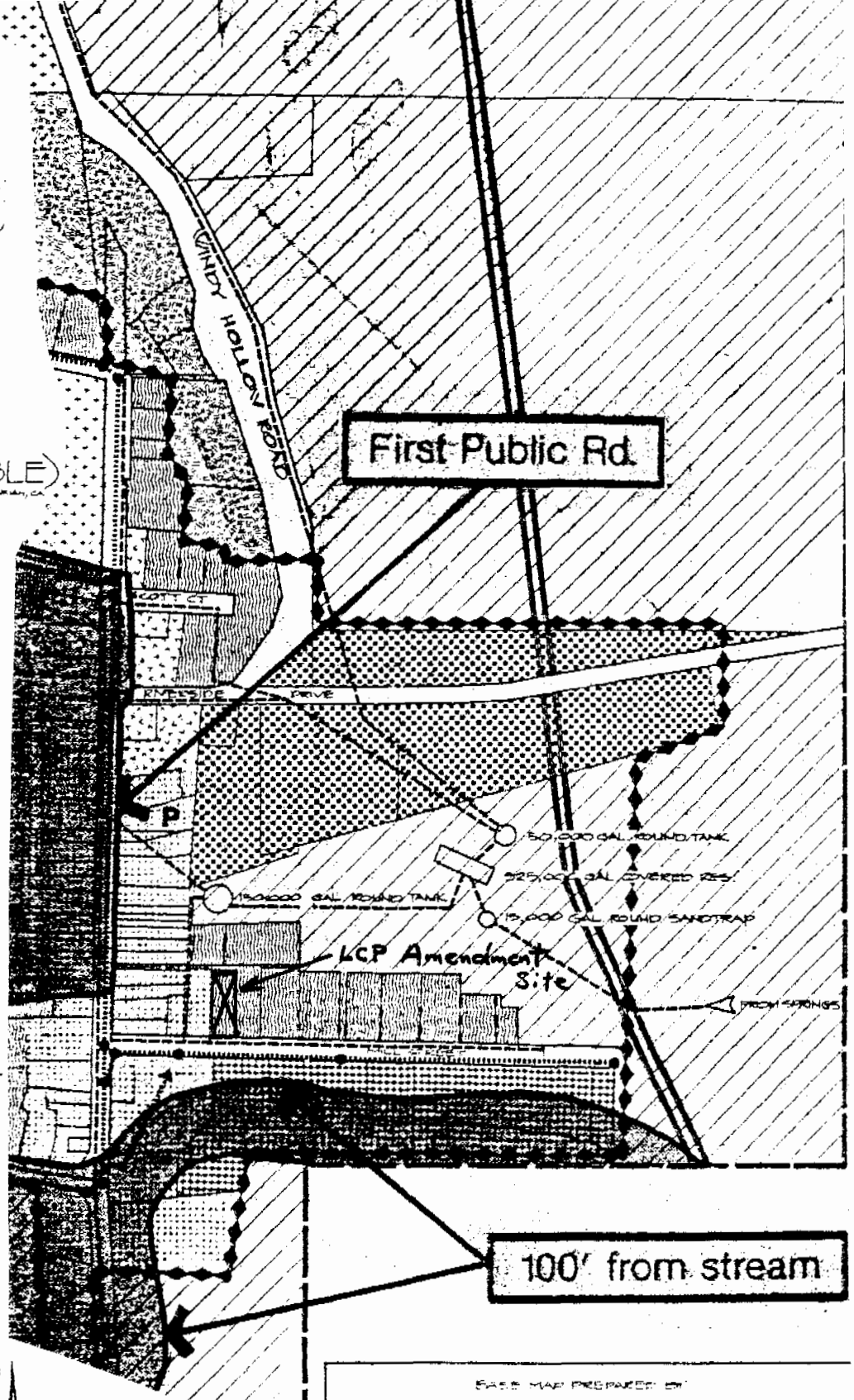
James W. Burns
Chief Deputy Director

cc: Clerk, Local Government
District Manager
LCP File

4495P-3/89

KEY TO MAP

- NOT SHOWN AT THIS TIME — SPECIAL BUILDING SITE
- U — PUBLIC UTILITY COMBINING
- P — PARK COMBINING
- SANTA LUCIA SOIL (UNSTABLE) (SOURCE: WILLIAM V. RANDOLPH & ASSOC. UKIAH, CA.)
- RIPARIAN BUFFER AREA
- SUBURBAN RESIDENTIAL
- RESIDENTIAL AGRICULTURE
- URBAN RESIDENTIAL
- MULTIFAMILY RESIDENTIAL
- PLANNED DEVELOPMENT
- AGRICULTURE EXCLUSIVE
- COMMERCIAL CORE
- COMMUNITY COMMERCIAL
- HARBOR COMMERCIAL
- INDUSTRIAL
- PUBLIC FACILITY



BASE MAP PREPARED BY:

OBERLANDER ASSOCIATES

204 FOURTH STREET · EUREKA CA 95501 · (707) 445-2745

SCALE 1" = 400'

LEGEND

- MANHOLE
- CLEANOUT
- SEWER LINE
- WATER LINE
- HATHAWAY CREEK FAULT
- URBAN LIMIT LINE
- CITY LIMITS
- COASTAL ACCESS TRAIL
- PIPELINE
- LAGOONS

N

EXHIBIT NO. 2

APPLICATION NO. Land Use / Zoning City of Point Arena LCP Amd. 2-88 (major)

California Coastal Commission

NOTICE OF DETERMINATION

Date Mailed to OPR 28 August 1989

Date Received by Resources for Filing _____

TO: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

FROM: California Coastal Commission
631 Howard Street, 4th Floor
San Francisco, CA 94105-3973

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 of the Public Resources Code.

Point Arena LCP Amendment No. 3-88 (Major) Certification Review
Project Title

Commission concurrence with the Executive Director's determination that the action of the City of Point Arena, accepting Local Coastal Program Amendment No. 3-88 (Major), is legally adequate.
Project Description

City of Point Arena, Mendocino County
Project Location

Jim Muth — (415) 543-8555
Contact Person — Telephone Number

This is to advise that the California Coastal Commission approved the above described project on 9 August 1989, and has made the following determination:

1. The project will not have a significant effect on the environment.

2. Mitigation measures were not made a condition of the approval of the project.

3. A statement of Overriding Considerations was not adopted.

James W. Burns
Chief Deputy Director

cc: Clerk, Local Government
District Manager
LCP File

EXHIBIT NO. 12
APPLICATION NO.
PTA-MAJ-1-01 (POINT ARENA LCPA)
CERTIFIED LCP AMEND. NO. 3-88

4495P-3/89

ATTACHMENT B

RESOLUTION NO. 35-88

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POINT ARENA SUBMITTING THE ZONING TEXT AMENDMENT TO ALLOW BED AND BREAKFAST INNS IN CERTAIN RESIDENTIAL ZONES WITH A CONDITIONAL USE PERMIT TO THE CALIFORNIA COASTAL COMMISSION FOR CERTIFICATION AS A LAND USE/LOCAL COASTAL PLAN AND ZONING ORDINANCE AMENDMENT.

WHEREAS, the City of Point Arena wishes to add Bed and Breakfast Inns as a Conditional Use in the Surburban Residential, Urban Residential, and Residential Agriculture Zoning Designations; and

WHEREAS, the addition of this Conditional Use to said zoning designations has been reviewed and processed pursuant to the provisions of the Local Coastal Plan and Zoning Ordinance; and

WHEREAS, and environmental document has been prepared, circulated, commented and responded to and a public hearing held and commented at by those in attendance at both the Planning Commission and the City Council hearings; and

WHEREAS, this amendment is intended to be carried out in a manner in conformity with the Coastal Act and the implementing Local Coastal Plan; and

WHEREAS, this Land Use/Local Coastal Plan Amendment shall take effect and be enforced after approval of the amendment by the California Coastal Commission.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Point Arena do hereby approve the Zoning Text Amendment as defined above. And submit such amendment to the California Coastal Commission for certification as a LUP/LCP and Zoning Ordinance Amendment.

Passed and adopted at the regular meeting of the City Council of the City of Point Arena, held on this 22nd day of November, 1988, by the following roll call vote:

AYES: Niven, Devens, Hughes, Tanis, and Cardwell.

NOES: None.

ABSENT: None.

ATTEST:

City Clerk/Administrator

Mayor

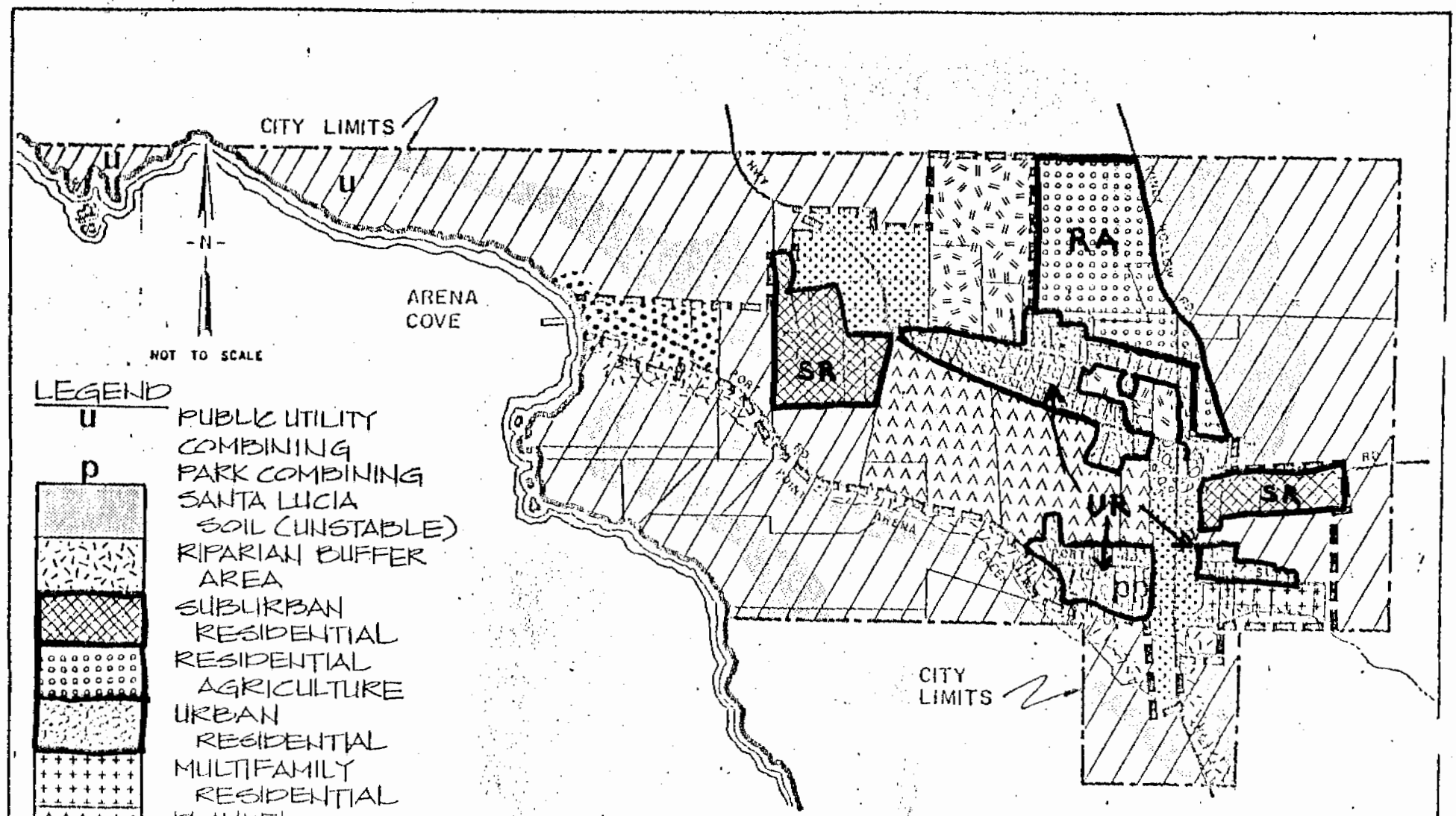


EXHIBIT NO. 2

APPLICATION NO. LCP Amd. 3-88 major

Land Use Map

California Coastal Commission

J.N. 3623 · POINT ARENA

OSCAR LARSON & ASSOCIATES

STATE OF CALIFORNIA—THE RESOURCES AGENCY

GEORGE DEUKMEJIAN, Governor

CALIFORNIA COASTAL COMMISSION
NORTH COAST AREA
631 HOWARD STREET, 4TH FLOOR
SAN FRANCISCO, CA 94105
(415) 543-8555

March 15, 1989

Mary A. Cardwell, Mayor
City of Point Arena
P.O. Box 67
Point Arena, CA. 95468

RE: City of Point Arena LCP Amendment 3-88 (major) (addition of Bed & Breakfast Inns to RA, SR, and UR land use/zoning designations)

Dear Mayor Cardwell:

The California Coastal Commission completed its action on the City of Point Arena's LCP Amendment 3-88 (major) on March 8, 1989. By a vote of 8 to 0, the Commission adopted four resolutions and certified the amendment with suggested modifications.

As submitted, the amendment would have allowed Bed and Breakfast Inns as conditionally permitted uses within Residential Agriculture, Suburban Agriculture, and Urban Residential land use/zoning district designations. As presently defined in the City's LCP, a Bed and Breakfast Inn may have up to 12 rentable bedrooms.

The Commission adopted two suggested modifications to the LCP amendment submittal. The suggested modifications were adopted since, if the full development potential of the amendment were to be realized, the amendment would result in: (1) cumulative adverse impacts to city sewer, water, and road services and (2) a defacto change to the residential designations of these neighborhoods.

The first suggested modification is found on page 11 of the staff report. It would create land use policy #48 on page 82 and place a 50 rentable room cap within the Rural Residential, Suburban Residential, and Urban Residential zoning districts and limit each Bed & Breakfast Inn to no more than 5 rental rooms per legally created lot. Two points of clarification should be noted about this suggested modification. The "Rural Residential" zoning designation does not exist within the City of Point Arena and is a typographical error. It should be changed to "Residential Agriculture" as intended by the LCP amendment submittal and as noted in both the synopsis and as described on page 3 of the staff report. We will make this administrative correction to our file copy of the staff report. The City should make this correction to its copy of the staff report. Next, the 50 room rentable cap applies only to the RA, SR, and UR zoning districts. This cap does not affect or change the total number of visitor serving rooms or units which are presently allowable within the commercially designated areas of the City's LCP.

The second suggested modification is found on page 12 of the staff report. It would add Bed and Breakfast Inns to page 45 and Section 6.26 of the LCP, relating to off-street parking requirements. Off-street parking is presently required for hotels, motels, and boarding houses. This suggested modification adds Bed and Breakfast Inns to that section of the LCP.

This letter formally transmits to you the Commission's resolution of certification and findings pursuant to Section 13544 of the Commission's Administrative Regulations. Effective certification of this amendment, whereby the City may begin issuing coastal development permits subject to this amendment, will occur after:

(1) the City by resolution or other appropriate action by the City Council formally:
   (a) acknowledges receipt of these Commission resolutions of certification;
   (b) agrees to incorporate the suggested modifications; and
   (c) agrees to issue coastal development permits subject to the approved amendment;
(2) the Executive Director determines in writing that the City's resolution is legally adequate, reports that determination to the Commission, and the majority of the Commissioners do not object to that determination and;
(3) notice of the certification is filed with the Office of Planning and Research.

If you have any questions, please contact Jim Muth in our San Francisco office.

Sincerely,

PETER M. Douglas
Executive Director

cc: Tracy Dupont, City Clerk
Jim Muth/City of Pt. Arena LCP Amendment 3-88 major file

RESOLUTION NO. 13-88

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POINT ARENA RELATIVE TO A MAJOR AMENDMENT TO THE CITY'S LOCAL COASTAL PLAN, COASTAL PLAN MAP AND EXTENTION OF THE URBAN BOUNDARY FOR THE ANNEXATION OF 156.1 ACRES, COMMONLY KNOWN AS THE HAY ANNEXATION

WHEREAS, the City of Point Arena beginning March 22, 1988, has held a public hearing to review the City's proposed amendment to the Local Coastal Plan, Local Coastal Plan Map and extention of the Urban Boundary for the annexation of 156.1 acres to the east of the existing City limits; and

WHEREAS, proper notification of the public hearing was provided in accordance to Section 7.17 of the City of Point Arena Zoning Ordinance; and

WHEREAS, The City of Point Arena in amending the Land Use Plan and Land Use Plan Map followed the amendment procedures as mandated in Section 7.01 through 7.18 of the City of Point Arena Zoning Ordinance; and

WHEREAS, the City of Point Arena certifies that this local coastal program amendment is intended to be carried out in a manner fully in conformity with the Coastal Act of 1976; and

WHEREAS, the City Council at their regular meeting held on May 10, 1988, voted to amend the Land Use Plan, Land Use Plan Map, and to extend the Urban Boundary; and

WHEREAS, the land use designations on the annexed lands will be Planned Development, Surburban Residential, Industrial, Residential Agriculture, and Public Facility Utility; and

WHEREAS, implementation of this amendment will be carried out through the City of Point Arena Zoning Ordinance; and

WHEREAS, a Notice of Negative Declaration was prepared on the amendment pursuant to the provisions of CEQA, Sections 15070, 15071, and 15072 of the Guidelines (copy attached).

NOW THERFORE BE IT RESOLVED that the City Council of the City of Point Arena gives final authorization and grants the amendment to the Land Use Plan, Land Use Plan Map, and Extention of the Urban Boundary; and

BE IT FURTHER RESOLVED that notification be forwarded to the California Coastal Commission for consideration as an amendment to the Land Use Plan and Land Use Plan Map for the City of Point Arena.

BE IT FURTHER RESOLVED that this request is submitted as a

EXHIBIT NO. 13
APPLICATION NO.
PTA-MAJ-1-01 (POINT ARENA LCPA)
CERTIFIED LCP AMEND NO. 1-89

program that will take effect automatically upon Coastal Commission approval pursuant to Public Resources Code Sections 30512, 30513 and 30519.

This Resolution was passed and adopted this 10th day of May, 1988, by the following roll call vote:

AYES: Gyving, Gilmore, Hughes, Cardwell, and Wasserman

NOES: None.

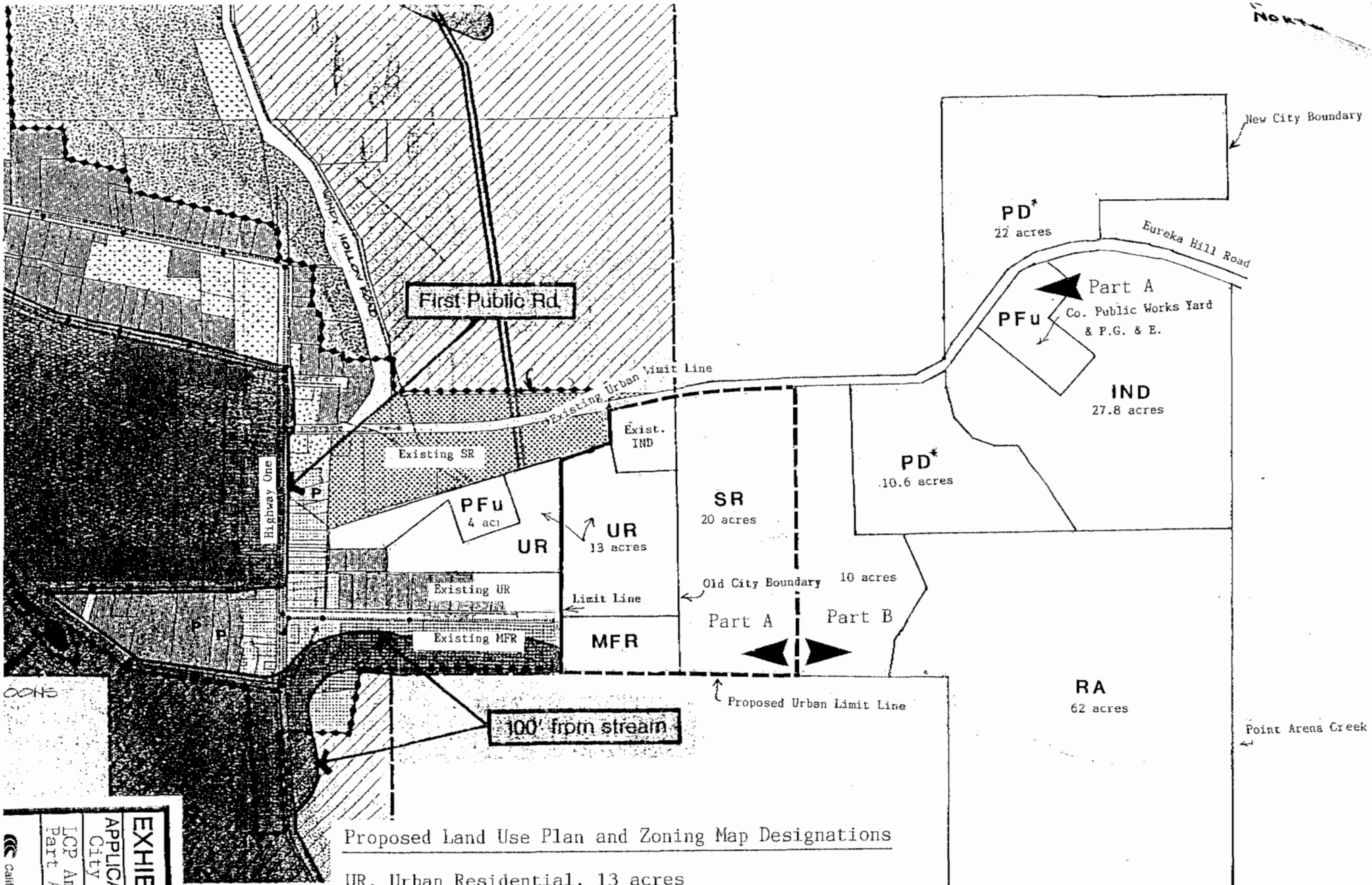
ABSTAIN: None.

ABSENT: None.

ATTEST:

Tracy DuPont
City Clerk/Administrator

Mayor



Proposed Land Use Plan and Zoning Map Designations

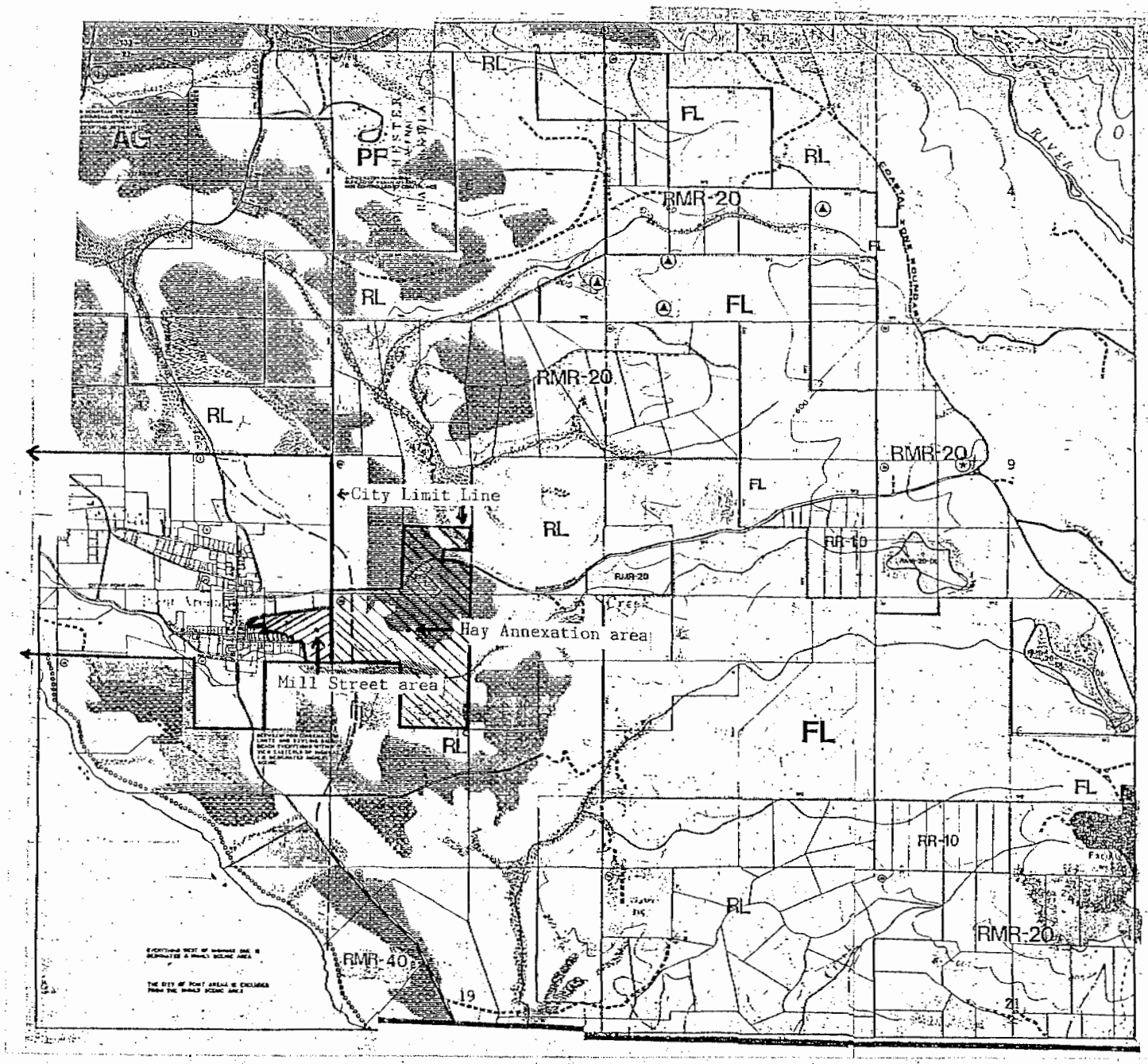
UR, Urban Residential, 13 acres
MFR, Multifamily Residential, 3 acres
PFu, Public Facility 4 and 3.7 acres
PD* Planned Development, 10.6 and 22 acres
IND Industrial, 27.8 acres
RA Residential Agriculture, 62 acres

SR, Suburban Residential, 30 acres

* There shall be a maximum density of 25 units total for all of these two PD zones, which constitute 32.6 acres.

EXHIBIT NO. 3A
APPLICATION NO.
City of Pt. Arena
LCP Amend #1-89
Part A and Part B

California Coastal Commission



COUNTY OF MENDOCINO COASTAL ZONE

ADOPTED BY BOARD OF SUPERVISORS
AUGUST 17, 1983

CHAIRMAN

REVISED
APRIL 9, 1984
JULY 3, 1985

CERTIFIED BY THE COASTAL COMMISSION
NOVEMBER 20, 1985

TIMBER AND AGRICULTURE BUFFER POLICIES

CRITICAL GROUNDWATER AREA

DATE	REVISIONS	KEY MAP

SCALE 1:600 — FEET / MILES / KILOMETERS

COUNTY OF MENDOCINO — PLANNING & BUILDING SERVICES

MAP 25 OF 31 MAPS

Point Arena

EXHIBIT NO. 2

APPLICATION NO.
City of Point Arena

LCP Amend. #1-89

California Coastal Commission

NOTICE OF DETERMINATION

Date Mailed to OPR 9 January 1990

Date Received by Resources for Filing _____

TO: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

FROM: California Coastal Commission
631 Howard Street, 4th Floor
San Francisco, CA 94105-3973

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 of the Public Resources Code.

Point Arena LCP Amendment No. 2-89
Project Title

Commission approval of major amendment to certified Local Coastal Program redesignating and rezoning 6 acres from Agriculture Exclusive to Harbor Commercial, and extend the urban limit line in the Point Arena Cove area.
Project Description

City of Point Arena, Mendocino County
Project Location

Jim Muth — (415) 543-8555
Contact Person — Telephone Number

This is to advise that the California Coastal Commission approved the above described project on 10/10/89, and has made the following determination:

1. The project will not have a significant effect on the environment.

2. Mitigation measures were not made a condition of the approval of the project.

3. A statement of Overriding Considerations was not adopted.

James W. Burns
Chief Deputy Director

cc: Clerk, Local Government
District Manager
LCP File

EXHIBIT NO. 14
APPLICATION NO.
PTA-MAJ-1-01
(POINT ARENA LCPA)
CERTIFIED LCP AMEND NO. 2-89

4495P-3/89

RESOLUTION NO. 14-89

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POINT ARENA SUBMITTING THE ARENA COVE REZONE AND URBAN BOUNDARY EXTENSION TO THE CALIFORNIA COASTAL COMMISSION FOR CERTIFICATION AS A LAND USE PLAN AND LAND USE PLAN AMENDMENT.

WHEREAS, the property owner of the subject property has requested a rezone of her parcel and an extension of the Urban Boundary to include that section of the parcel previously outside of the Urban Boundary, pursuant to the provisions of the Local Coastal Plan and the Zoning Ordinance; and

WHEREAS, the rezone and Urban Boundary extension has been reviewed and processed pursuant to the provisions of the Local Coastal Plan and the Zoning Ordinance; and

WHEREAS, an environmental document has been prepared, circulated, commented upon and responded to and public hearings have been held by both the Planning Commission and the City Council, giving the public opprtunity to comment upon said request; and

WHEREAS, the rezone and Urban Boundary extension is intended to be carried out in a manner in conformity with the Coastal Act and the implementing Local Coastal Plan; and

WHEREAS, this rezone and Urban Boundary extension shall take effect and be enforced after approval of the amendment by the California Coastal Commission;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Point Arena does hereby approve the rezoning of the subject property (map attached) to HC Harbor Commercial, as defined in the Zoning Ordinance, and the extension of the Urban Boundary, as provided on the attached map. Said rezoning and Urban Boundary extension is herewith submitted to the California Coastal Commission for certification.

The foregoing was moved by Councilman Devens, seconded by Councilman Tanis, voted upon and adopted on this 8th day of August, 1989 by the following roll call vote:

AYES: Councilpersons Tanis, Devens, Cardwell and Hughes.

NOES: None

ABSTAIN: None ABSENT: Councilwoman Niven

ATTEST:

Jo Ann Rowe
City Clerk

Maryann Cardwell
Mayor

EXHIBIT NO. 4
APPLICATION NO. City of Pt. Arena
LCP Ad. #2-89
California Coastal Commission

Proposal uld redesignate/rezone 6± acre f Agriculture Exclusive to Harbor Commercial.

LCP Amendment Area is located within the broken line area.

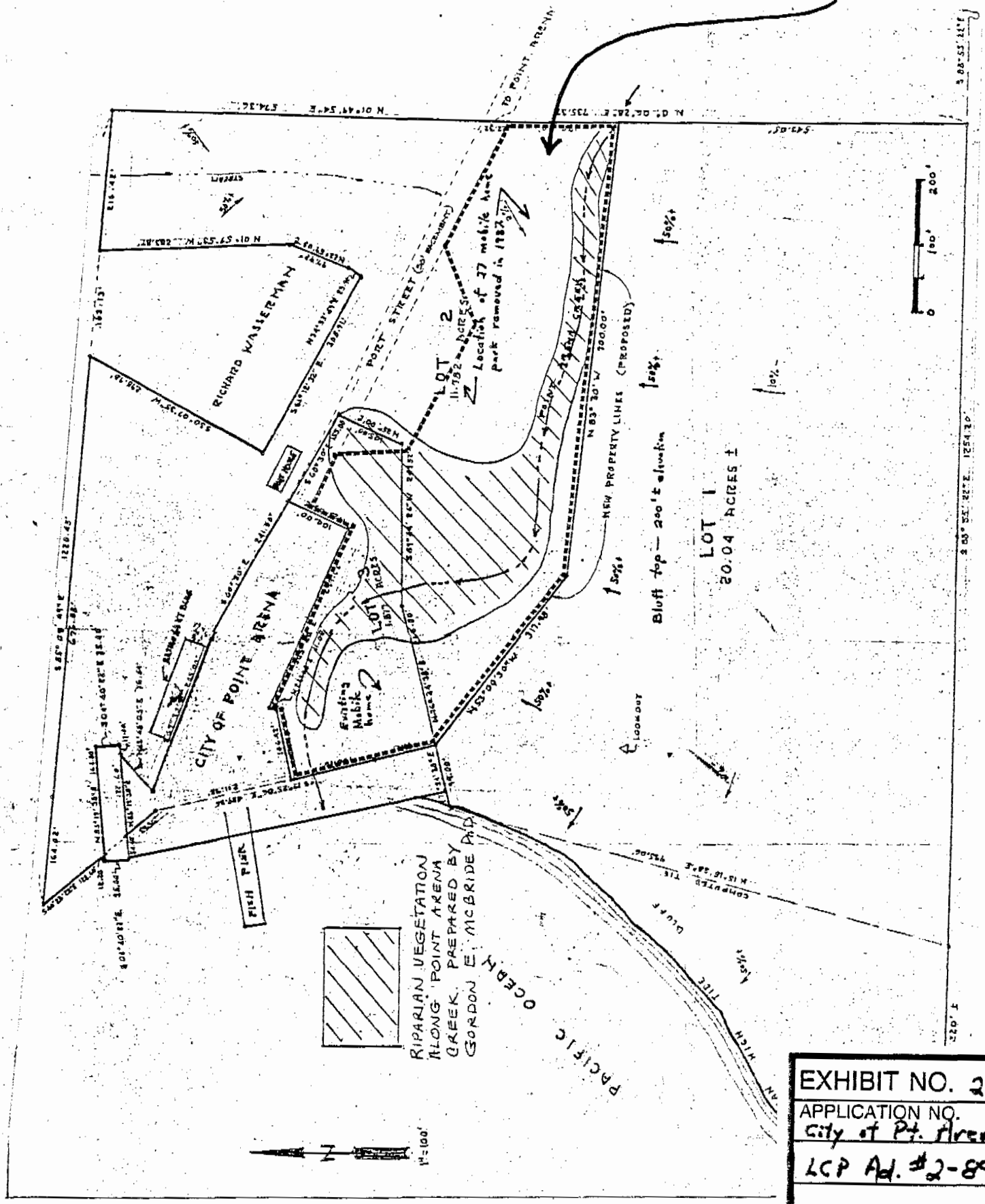
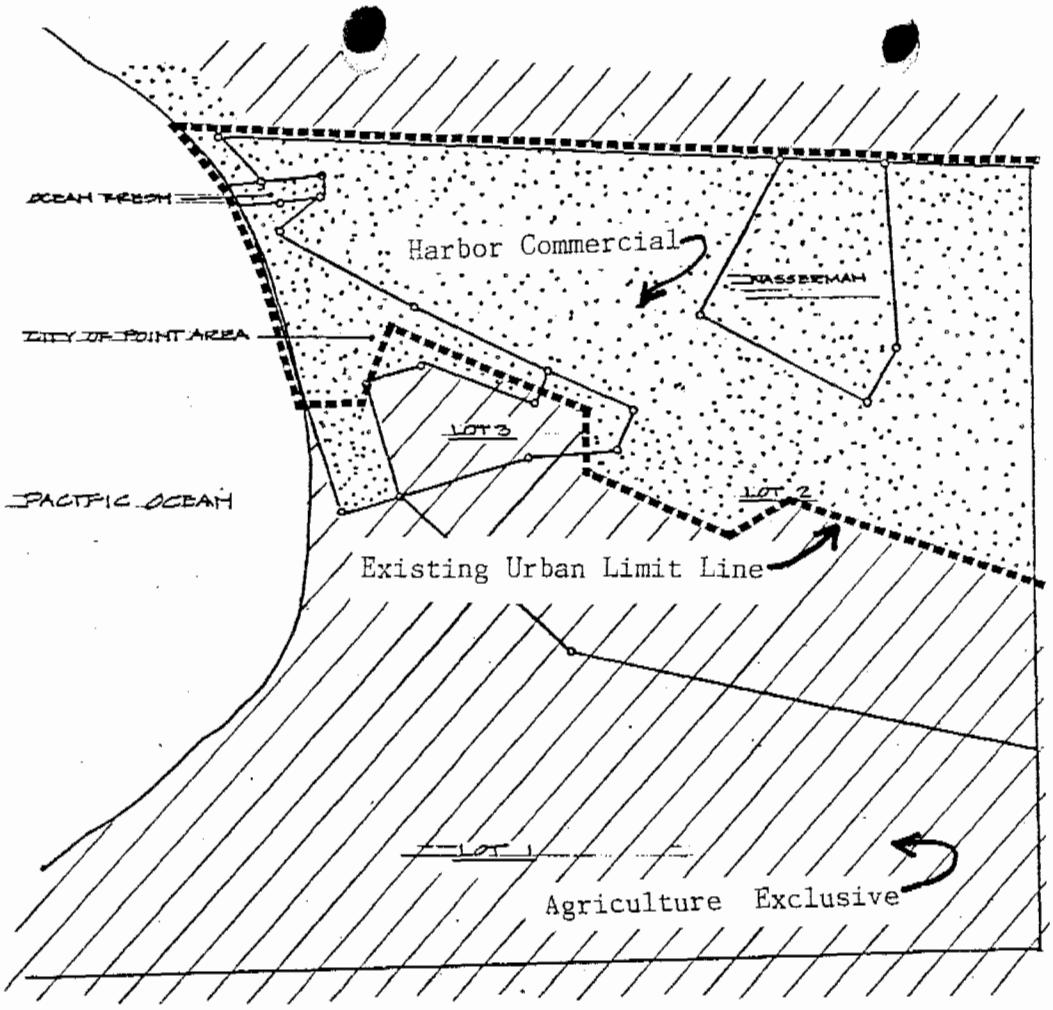


EXHIBIT NO. 2

APPLICATION NO. City of Pt. Arena LCP Ad. #2-89

California Coastal Commission

Existing Land Use/Zoning Map Designations



Proposed Land Use/Zoning Map Designations

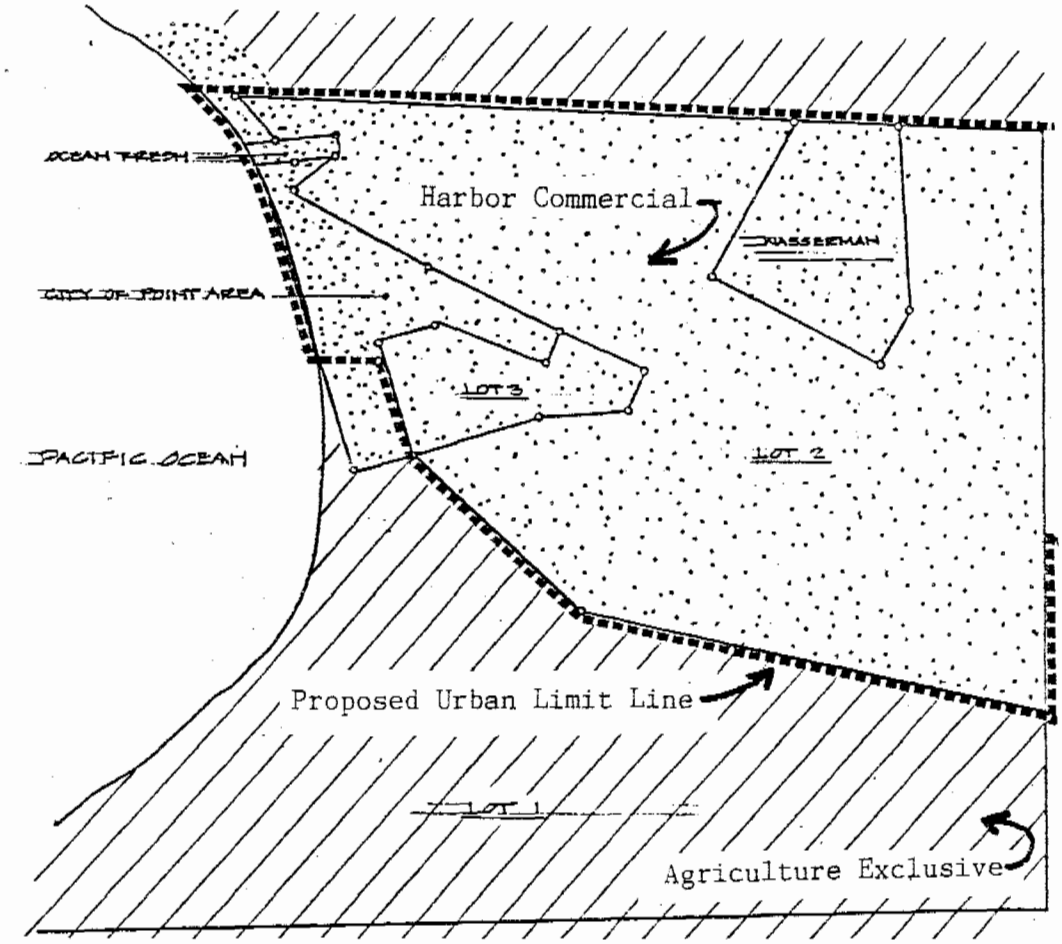


EXHIBIT NO. 3

APPLICATION NO. City of Pt. Arena LCP Ad. #2-89

California Coastal Commission

STATE OF CALIFORNIA—THE RESOURCES AGENCY

GEORGE DEUKMEJIAN, *Governor*

CALIFORNIA COASTAL COMMISSION
NORTH COAST AREA
[redacted] CA 94105

45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105-2219
(415) 904-5200

December 27, 1990

Mary Ann Cardwell, Mayor
City of Point Arena
451 School Street, P.O. Box 67
Point Arena, CA 95468

RE: LCP Amendment No. 1-90 (minor) for in-lieu parking regulations

Dear Mayor Cardwell:

The California Coastal Commission completed its action for City of Point Arena LCP Amendment No. 1-90 (minor) on December 12, 1990 in San Diego. The Commission concurred with the Executive Director's determination that the LCP amendment was minor in nature.

This letter formally transmits to you the resolution of certification and findings pursuant to Section 13544 of the Commission's Administrative Regulations. Pursuant to Section 30514(c) of the Coastal Act, this LCP amendment shall take effect on the 10th working day after Commission action (December 27, 1990) and will constitute effective certification of the LCP amendment. No further action is required by the City.

If you have any questions, please do not hesitate to contact me at this office.

Sincerely,

James J. Muth

JAMES J. MUTH
Coastal Planner

cc: Fred Patten
Jim Muth/LCP file
Gary Holloway/LCP records

JJM/ltc
5014P

EXHIBIT NO. 15
APPLICATION NO.
PTA-MAJ-1-01 (POINT ARENA LCPA)
CERTIFIED LCP AMEND. NO. 1-90 MINOR

ORDINANCE NO. 141

AN ORDINANCE OF THE CITY OF POINT ARENA
FOR THE PURPOSE OF ESTABLISHING IN-LIEU PARKING REGULATIONS

The City Council of the City of Point Arena does ordain as follows:

Section 1: Findings and Declaration

1. The City Council of the City of Point Arena does hereby find and declare that the passage of this ordinance will:

a. Allow businesses which do not have, or cannot provide, on-site parking to be established or expanded.

b. Facilitate public investment for parking improvements necessary to significantly correct the current parking problem in the downtown commercial area of the City of Point Arena.

c. Preserve the public peace, health, safety and welfare.

2. Passage of this ordinance will not have a significant effect on the environment.

Section 2: Purpose

The purpose of this ordinance is to establish regulations to allow an owner of commercial property to utilize their property when it is physically impossible to comply with on-site parking requirements as set forth in the Point Arena Zoning Ordinance Section 6.26, Off-Street Parking. This Ordinance shall become part of the Point Arena Zoning Ordinance, Section 6.20, Non-Conforming Off-Street Parking as sub-title D.

Section 6.20, D.: In-Lieu Parking Regulations.

1. When it is neither feasible nor desirable to provide some or all of the off-street parking spaces required by Section 6.26 of the Point Arena Zoning Ordinance, an owner of commercial land shall be permitted, subject to approval of the City Planning Commission, to make a monetary payment to the City of Point Arena in an amount which is equal to 80% of the estimated cost of required off-street parking on a per-parking-stall basis.

2. In addition to the costs associated with land acquisition, the projected costs of providing all of the following services and improvements, based upon required parking stall size and turning radius to serve said parking stall as set forth in Section 6.26 C. Dimensional Requirements of of the Point Arena Zoning Ordinance, shall be used in determining the amount of the required monetary payment including:

a. Engineering, inspection and contingencies
b. Grading/paving
c. Drainage
d. Striping and wheel stops
e. Landscaping/screening

3. At least once every year the City Council may establish, by Resolution, the value of off-street parking facilities in the City on a per-parking-stall basis. Initially, such a fee shall be $2,000 per parking stall. Funds collected by the City from such payments shall be deposited in a special fund and shall be used by the City only for the purpose of acquiring and/or developing future off-street parking facilities.

4. PARKING VARIANCE PROCEDURE: The Planning Commission may, upon application by the landowner, grant a variance from the parking requirement and shall then require the payment of the in-lieu fee for each space as established by resolution. In granting a variance the Planning Commission shall be guided by the following criteria: Upon a showing by the applicant and a finding thereof by the Planning Commission, a variance may be granted on one or more of the following grounds:

   a. The refusal to allow a variance could make a proper use of the property unfeasible.

   b. It is physically impossible for the property to comply with on-site parking requirements.

   c. Specific conditions exist which particularly affect the subject property as opposed to other properties in the same zoning designation similarly situated.

   d. Specific conditions exist as to the type of business enterprise or use permitted by the Commission and which may affect the need for on-site parking.

   The burden shall be upon the applicant to demonstrate to the Planning Commission the grounds upon which he bases his application for variance.

5. All off-street parking facilities which are provided by the City of Point Arena shall, in addition to benefiting the employees, guests, and/or patrons of the subject property, be made available for use by members of the general public.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Point Arena held on the 28th day of August, 1990, by Councilmember Oliff, and adopted at a regular meeting of the City Council held on the 11th day of September, 1990, by the following roll call vote:

AYES: Olds, Devens, Cardwell

NOES: None

ABSENT: Oliff, Dragoo

Mary Ann Cardwell

Mary Ann Cardwell, MAYOR

ATTEST:

Fred D. Patten

Fred D. Patten, CITY CLERK

NOTICE OF DETERMINATION

Date Mailed to OPR 1st April 1991

Date Received by Resources for Filing _____

TO: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

FROM: California Coastal Commission
631 Howard Street, 4th Floor
San Francisco, CA 94105-3973

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 of the Public Resources Code.

City of Point Arena LCP Amendment No. 1-90 (Major) Certification Review
Project Title

Concurrence with the Executive Director's determination that the City's action accepting certification of Local Coastal Program Amendment No. 1-90 (Major), is legally adequate.
Project Description

City of Point Arena, Mendocino County
Project Location

Jim Muth — Contact Person
(415) 904-5260 — Telephone Number

This is to advise that the California Coastal Commission approved the above described project on **8 February 1991**, and has made the following determination:

1. The project will not have a significant effect on the environment.

2. Mitigation measures were not made a condition of the approval of the project.

3. A statement of Overriding Considerations was not adopted.

James W. Burns
Chief Deputy Director

cc: Clerk, Local Government
District Manager
LCP File

EXHIBIT NO. 16
APPLICATION NO.
PTA-MAJ-1-01
(POINT ARENA LCPA)
CERTIFIED LCP AMEND.
NO. 1-90

4495P-3/89

Attachment A, pg 2.

ORDINANCE NO. 135

An Ordinance of the City Council)
of the City of Point Arena Amend-)
ing Ordinance No. 96A, The Zoning)
Ordinance and Land Use Plan of)
the City of Point Arena)

THE CITY COUNCIL OF THE CITY OF POINT ARENA DOES HEREBY ORDAIN AS FOLLOWS:

Ordinance No. 96A, the Zoning Ordinance and Land Use Plan of the City of Point Arena is hereby amended, as follows:

1. Section 4.07 (B) is hereby amended by adding the following:

"7) Emergency services communications facilities of a limited nature"

The following Ordinance was introduced by Councilperson Dragoo at the June 26, 1990 City Council Meeting and passed and adopted at the July 10, 1990 City Council Meeting by the following Roll Call vote:

AYES: Olds, Oliff, Dragoo, Devens and Cardwell

NOES: None

ABSTAIN: None

ABSENT: None

Mary Ann Cardwell

Mary Ann Cardwell, MAYOR

ATTEST:

Fred D. Patten

Fred D. Patten, CITY CLERK

Attachment A, pg 3.

ORDINANCE NO. 136

An Ordinance of the City Council)
of the City of Point Arena Amend-)
ing Ordinance No. 96A, The Zoning)
Ordinance and Land Use Plan of)
the City of Point Arena)

THE CITY COUNCIL OF THE CITY OF POINT ARENA DOES HEREBY ORDAIN AS FOLLOWS:

Ordinance No. 96A, the Zoning Ordinance and Land Use Plan of the City of Point Arena is hereby amended, as follows:

Zoning Map: The Point Arena Land Use Plan Map will be amended by changing the existing zoning of parcel number 027-061-03 from Mobile Home Residential (MHR) to Community Commercial (C2).

The foregoing Ordinance was introduced by Councilperson Olds at the July 10, 1990 City Council Meeting and passed and adopted at the July 24, 1990 City Council Meeting by the following roll call vote:

AYES: Olds, Devens, Cardwell

NOES: Oliff, Dragoo

ABSTAIN: None

ABSENT: None

Mary Ann Cardwell

Mary Ann Cardwell, MAYOR

ATTEST:

Fred D. Patten

Fred D. Patten, CITY CLERK

ORDINANCE NO. 137

An Ordinance of the City Council)
of the City of Point Arena Amend-)
ing Ordinance No. 96A, The Zoning)
Ordinance and Land Use Plan of)
the City of Point Arena)

THE CITY COUNCIL OF THE CITY OF POINT ARENA DOES HEREBY ORDAIN AS FOLLOWS:

Ordinance No. 96A, the Zoning Ordinance and Land Use Plan of the City of Point Arena is hereby amended, as follows:

Section 4.10 of the Zoning Ordinance will be amended by adding to the Harbor Commercial (HC) Zone the following:

A. Principal permitted uses
"4. Coastal Dependent Aquaculture Facilities"

B. Conditionally permitted uses
5. The following visitor-serving uses:
"g. Antique shops"
"h. Art shops/galleries"
"i. Gift shops"

B. Conditionally permitted uses
"6. Non-Coastal Dependent Aquaculture Facilities"

Appendix C of the Land Use Plan will be amended by adding the same numbered articles, as previously stated in this ordinance, to the Harbor Commercial zoning district.

Appendix A, Supplementary Definitions of the Zoning Ordinance will be amended by adding the following:

"Aquaculture. A form of agriculture that is devoted to the controlled growing and harvesting of fish, shellfish and plants in marine, brackish and fresh water."

"Coastal-dependent development or use. Any development or use which requires a site on, or adjacent to, the sea to be able to function at all.

"Coastal-related development or use. Any development or use that is dependent on a coastal-dependent development or use."

Section 6.25 Mitigation Measures of the Zoning Ordinance will be amended by adding the following:

"2. The Coastal Development Permit shall not be approved until it can be determined that there is no feasible less environmentally damaging alternative, which can include an alternate project or an alternate location for the proposed project."

The foregoing Ordinance was introduced by Councilperson Dragoo at the July 24, 1990 City Council Meeting and passed and adopted at the August 14, 1990 City Council Meeting by the following Roll Call Vote:

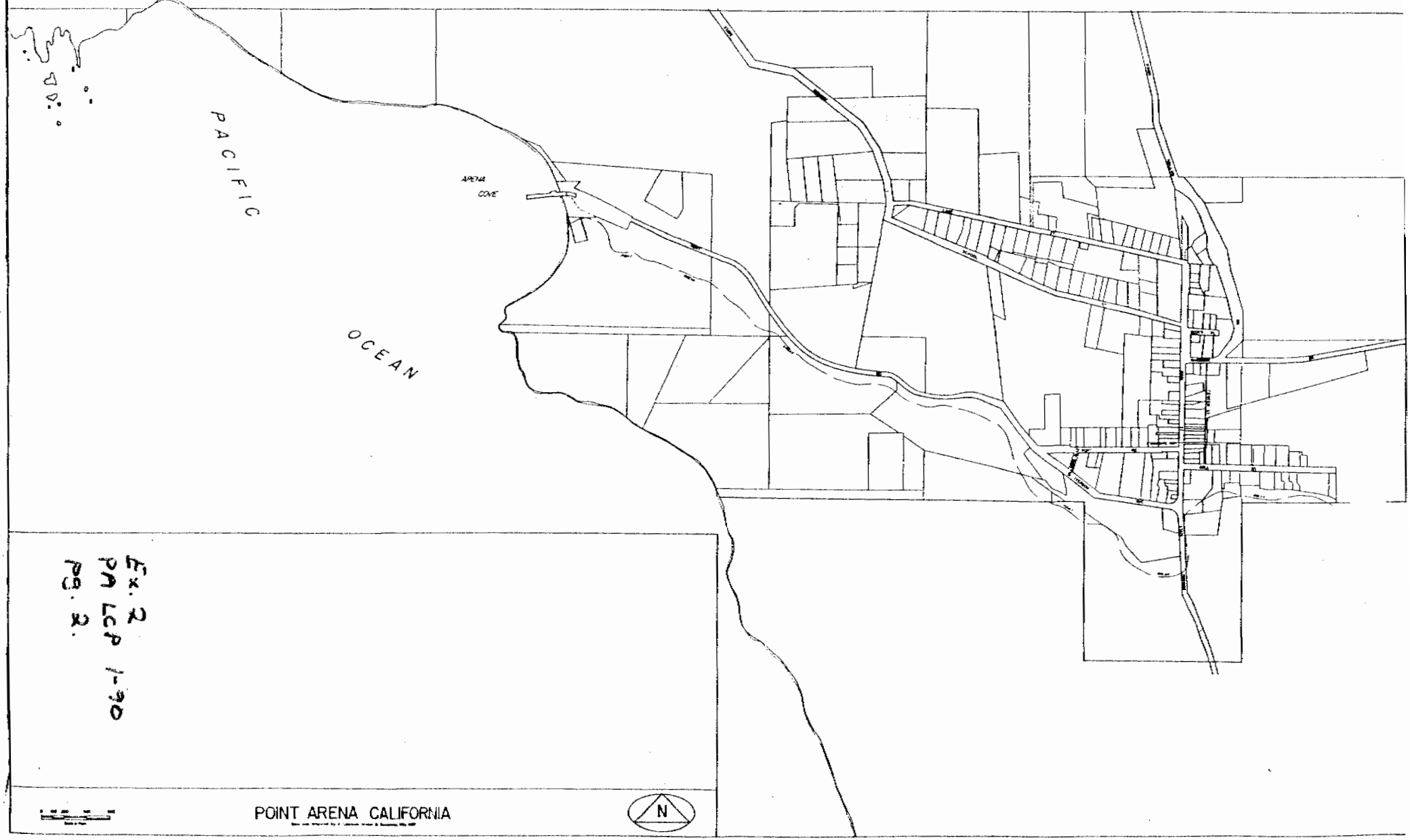
AYES: Olds, Oliff, Dragoo, Devens, Cardwell
NOES: None
ABSTAIN: None
ABSENT: None

Mary Ann Cardwell
MARY ANN CARDWELL, MAYOR

ATTEST:

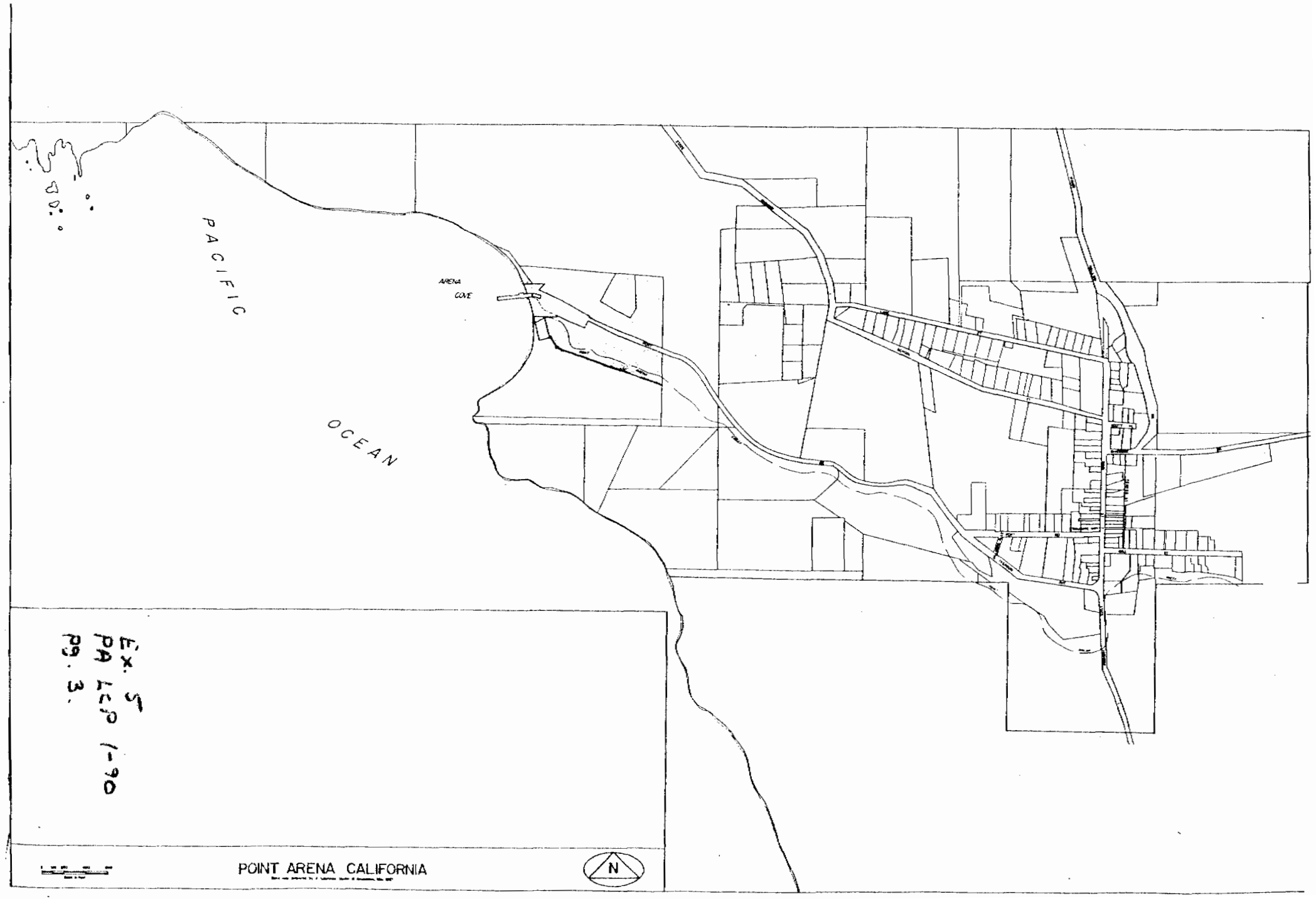
Fred D. Potter
CITY CLERK

Parcel Affected - Part B



Ex. 2
PA LCP 1-90
Pg. 2.

Parcels Affected - Part D



Ex. 5
PA LCP 1-90
Pg. 3.

NOTICE OF DETERMINATION

Date Mailed to OPR 5 March 1992

Date Received by Resources for Filing _____

TO: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

FROM: California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 of the Public Resources Code.

Point Arena LCP Amendment No. 1-91 Certification Review.
Project Title

Coastal Commission concurrence with the Executive Director's determination that the action of the City of Point Arena, accepting the Commission's action amending the certified Local Coastal Program, is legally adequate.
Project Description

City of Point Area, Mendocino County
Project Location

Jim Muth — (415) 904-5260
Contact Person — Telephone Number

This is to advise that the California Coastal Commission approved the above described project on 13 June 1991, and has made the following determination:

1. The Project will not have a significant effect on the environment.

2. Mitigation measures were not made a condition of the approval of the project.

3. A statement of Overriding Considerations was not adopted.

James W. Burns
Chief Deputy Director

cc: Clerk, Local Government
District Manager
LCP File

EXHIBIT NO. 17
APPLICATION NO.
PTA-MAJ-1-01 (POINT ARENA LCPA)
CERTIFIED LCP AMEND NO. 1-91

1775P 3/92

ORDINANCE NO. 145

An Ordinance of the City Council)
of the City of Point Arena Amend-)
ing Ordinance No. 96A, The Zoning)
Ordinance and Land Use Plan of)
the City of Point Arena.)

THE CITY COUNCIL OF THE CITY OF POINT ARENA DOES HEREBY ORDAIN AS FOLLOWS:

Ordinance No. 96A, the Zoning Ordinance and Land Use Plan of the City of Point Arena is hereby amended, as follows:

Zoning Ordinance

Section 6.16, A., third sentence, will be changed to remove the language "...consisting of the members of the Planning Commission..." The following language will be inserted in its place: "appointed by the City Council."

Section 7.07, first paragraph, second sentence, will be changed to remove the language "...consisting of the members of the Planning Commission..." The following language will be inserted in its place: "appointed by the City Council."

Section 7.07, third paragraph, will be changed to read as follows: "The hearing for a design review coastal development permit shall be scheduled for hearing by the Design Assistance Committee and the hearing for a variance, use permit or coastal development permit shall be scheduled for hearing by the Planning Commission. Hearings will be set for the earliest available meetings, satisfying the requirements of section 7.17 of this ordinance and any other county, state or federal agency minimum noticing requirements. At the public hearings, the Design Assistance Committee or the Planning Commission shall hear any person interested in the proposal. The hearings may be continued from time to time provided that the notice of the time of the continued public hearing is given at the hearing or in the manner provided for in Section 7.17 of this ordinance, and provided that failure to act within 90 days of the date of the first hearing shall be deemed to be approval of the application on that date. The applicant may waive the time limitation in writing if additional time is needed to consider the application."

Section 7.11 will be changed to read as follows: Effective dates of variances, conditional use permits and design review: Design Assistance Committee approval of a design review application shall become final 10 working days from the date action is taken and findings in support of the action are adopted, unless an appeal to the Planning Commission has been taken within that time. Planning Commission approval of variances and conditional use permits shall become final 10 working days from the date action is taken and findings in support of the action are adopted, unless an appeal to the City Council has been taken within that time. Failure of the Design Assistance Committee or the Planning Commission to acting within the time limits established in the PRC Sections 65950 and 65957 shall be considered approval of the application on the

date the time limitation expires, and the approval shall become final in 10 working days unless appealed to the City Council. City Council action on an appeal shall become final 10 working days from the date action is taken and findings in support of the action are adopted, unless it is appealed to the Coastal Commission.

Section 7.14 will be changed as follows:

1) Headings B. through H. will be changed to read C. through I.

2) The following section will be added: "B. Design Assistance Committee actions appealable: Actions of the Design Assistance Committee may be appealed to the Planning Commission within 10 working days of being notified of the decision. Appeal may be filed by those interested persons who have communicated their comments at the Design Assistance Committee Hearing."

The foregoing Ordinance was introduced by Councilmember Olds at the January 8, 1991, regular City Council meeting and passed and adopted at the January 22, 1991, regular City Council meeting by the following roll call vote:

AYES: Earlygrow, Olds, Oliff, Devens, Cardwell

NOES: None

ABSTAIN: None

ABSENT: None

Mary Ann Cardwell

Mary Ann Cardwell, MAYOR

ATTEST:

Fred D. Patten

Fred D. Patten, CITY CLERK

ORDINANCE NO. 146

An Ordinance of the City Council)
of the City of Point Arena Amend-)
ing Ordinance No. 96A, The Zoning)
Ordinance and Land Use Plan of)
the City of Point Arena.)

THE CITY COUNCIL OF THE CITY OF POINT ARENA DOES HEREBY ORDAIN AS FOLLOWS:

Ordinance No. 96A, the Zoning Ordinance and Land Use Plan of the City of Point Arena is hereby amended, as follows:

Zoning Ordinance

Section 4.05, C., 1) will be changed to read: "Minimum lot area, 5800 square feet, and not less than 2,900 square feet of lot area per dwelling unit."

The foregoing Ordinance was introduced by Councilperson Earlygrow at the January 8, 1991, regular City Council meeting and passed and adopted at the January 22, 1991, regular City Council meeting by the following roll call vote:

AYES: Earlygrow, Olds, Oliff, Devens, Cardwell

NOES: None

ABSTAIN: None

ABSENT: None

Mary Ann Cardwell

Mary Ann Cardwell, MAYOR

ATTEST:

Fred D. Patten

Fred D. Patten, CITY CLERK

ORDINANCE NO. 147

An Ordinance of the City Council)
of the City of Point Arena Amend-)
ing Ordinance No. 96A, The Zoning)
Ordinance and Land Use Plan of)
the City of Point Arena)

THE CITY COUNCIL OF THE CITY OF POINT ARENA DOES HEREBY ORDAIN AS FOLLOWS:

Ordinance No. 96A, the Zoning Ordinance and Land Use Plan of the City of Point Arena is hereby amended, as follows:

Zoning Map: The Point Arena Land Use Plan Map will be amended by changing the existing zoning of parcel number 027-111-02 from Urban Residential (UR) to Multifamily Residential (MR).

The foregoing Ordinance was introduced by Councilperson Earlygrow at the January 22, 1991 City Council Meeting and passed and adopted at the February 12, 1991 City Council Meeting by the following roll call vote:

AYES: Earlygrow, Olds, Devens

NOES: None

ABSTAIN: Oliff, Cardwell

ABSENT: None

Mary Ann Cardwell

Mary Ann Cardwell, MAYOR

ATTEST:

Fred D. Patten

Fred D. Patten, CITY CLERK

Pt. Arena LCP Amend #1-91 pg. 5

RESOLUTION NO. 2004-18

A Resolution of the City Council of the City of Point Arena Transmitting One Local Coastal Plan Amendment to the California Coastal Commission for Certification.

WHEREAS, on November 23, 2004, the Point Arena City Council conducted a public hearing on Application No. 2004-17, a request from Richard Wasserman for an LCP Amendment to amend the Zoning Map and the Land Use Map to change a 7.4 acre parcel from Agriculture Exclusive (AE-20) to Residential Agriculture (RA-2); and

WHEREAS, at the conclusion of the public hearing the City Council approved the proposed LCP amendment through the adoption of Ordinance No. 192, conditioned upon certification by the California Coastal Commission; and

WHEREAS, proper notification of the hearing was provided in accordance with Sections 7.01 through 7.18 of the City of Point Arena's Zoning Ordinance and Section 65350 et. Seq. of the California Government Code (Planning, Zoning, and Development Laws), and a previously adopted Negative Declaration for the project (Permit No. 2002-08) was used for the processing of the application; and

WHEREAS, the City of Point Arena intends to carry out the policies of its amended Local Coastal Plan and General Plan in a manner fully consistent with the goals and objectives of the California Coastal Act of 1976, and any subsequent amendments thereof.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Point Arena does hereby transmit the Local Coastal Plan Zone change and Land Use Plan amendment (Application No. 2004-17), with associated support documents, for consideration as a Local Coastal Plan amendment.

BE IT FURTHER RESOLVED that it is the City's intent that the LCP amendments take effect automatically upon Coastal Commission approval.

BE IT LASTLY RESOLVED that Resolution No. 2004-01 is rescinded in its entirety and Permit Number 2002-08 is hereby revoked.

The foregoing Resolution was approved, passed, and adopted on the 23rd day of November 2004, by the following roll call vote:

AYES: Councilmembers Sinnott, Gunning, Dahlhoff
NOES: None
ABSENT: Councilmembers Ferrari, Gallagher

EXHIBIT NO. 18
APPLICATION NO.
PTA-MAJ-1-01 (POINT ARENA LCPA) CERTIFIED LCP AMEND. NO. 1-04

Leslie Dahlhoff, **MAYOR**

ATTEST:

Fred D. Patten, **CITY CLERK**

(SEAL)

I, Fred D. Patten, duly appointed and City Clerk of the City of Point Arena, do hereby certify that the above is a true and correct copy of a Resolution passed and approved by the City Council of the City of Point Arena on the 23rd day of November 2004.

Fred D. Patten, City Clerk/Admin, December 20, 2004 (1 page)

ORDINANCE NO. 192

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POINT ARENA AMENDING ORDINANCE NO. 96A, THE CERTIFIED ZONING ORDINANCE; THE CERTIFIED LAND USE PLAN OF THE CITY OF POINT ARENA; ORDINANCE NO. 179, THE REVISED ZONING ORDINANCE OF THE CITY OF POINT ARENA; AND, THE POINT ARENA GENERAL PLAN LAND USE ELEMENT.

THE CITY COUNCIL OF THE CITY OF POINT ARENA DOES HEREBY ORDAIN AS FOLLOWS:

Ordinance No. 96A, the Certified Zoning Ordinance of the City of Point Arena, the Certified Land Use Plan of the City of Point Arena, Ordinance No. 179, the revised Zoning Ordinance of the City of Point Arena, and the Point Arena General Plan Land Use Element are hereby amended as follows:

Land Use and Zoning Maps: The Point Arena Zoning Map and Land Use Map will be amended by changing the existing zoning and land use designation of parcel number 027-081-12 from Agriculture Exclusive (20 acre minimum) to Residential Agriculture (2 acre minimum).

Findings and conditions are attached as "Exhibit A."

The foregoing Ordinance was introduced by Councilmember Gallagher at the October 26, 2004, Regular City Council Meeting, seconded on a motion by Councilmember Sinnott and passed and adopted at the November 23, 2004, Regular City Council Meeting by the following roll call vote:

AYES: Councilmembers Sinnott, Gunning, Dahlhoff
NOES: None
ABSENT: Councilmembers Ferrari, Gallagher

Leslie Dahlhoff, **MAYOR**

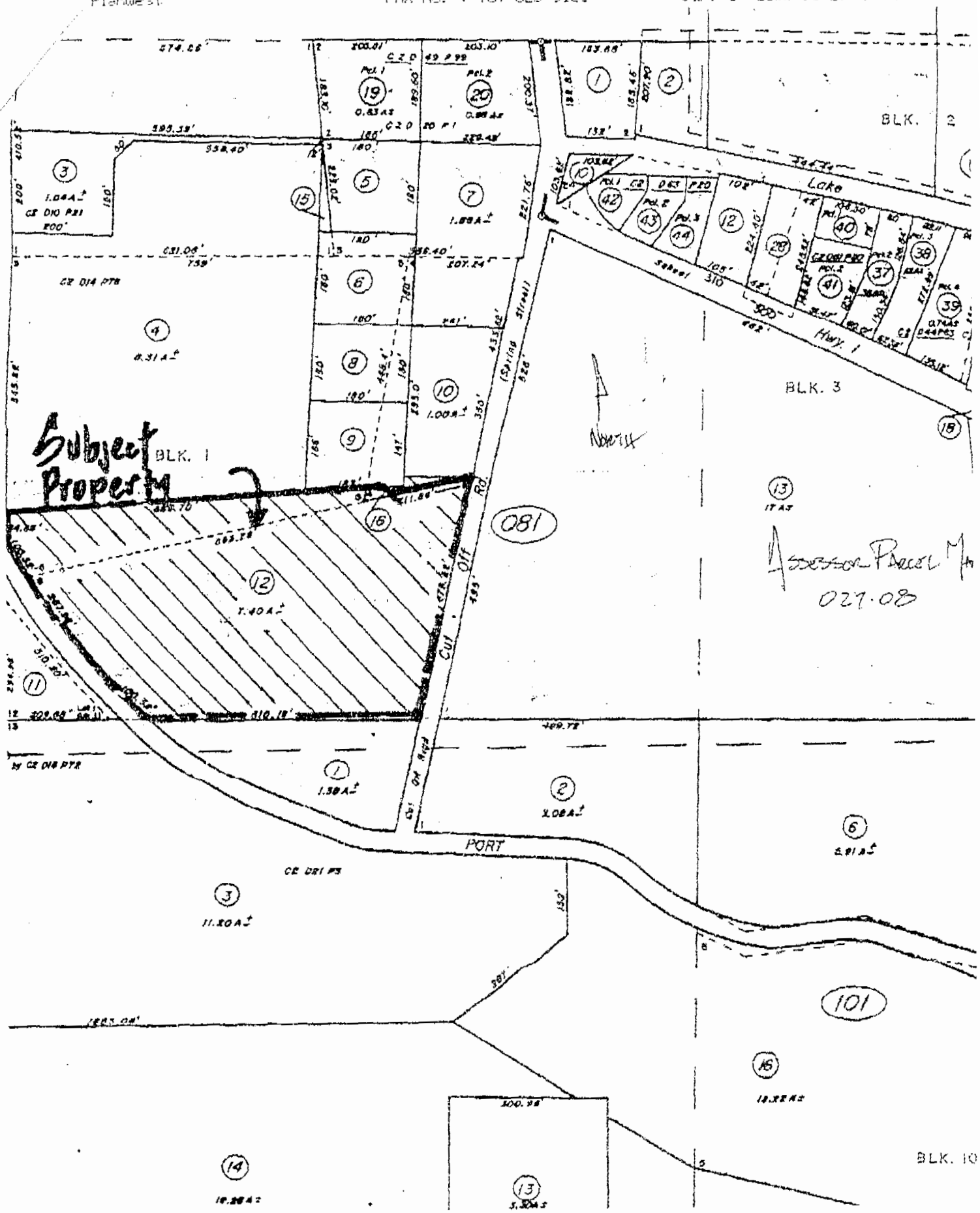
ATTEST:

Fred D. Patten, **CITY CLERK**

(SEAL)

I, Fred D. Patten, duly appointed and City Clerk of the City of Point Arena, do hereby certify that the above is a true and correct copy of an Ordinance passed and approved by the City Council of the City of Point Arena on the 23rd day of November 2004.

Fred D. Patten, City Clerk/Admin, December 20, 2004 (1 page)


Subject Property
BLK. 1
BLK. 2
BLK. 3
BLK. 10
Lake
Hwy. 1
PORT
CUT OFF RD
081
101
Assessor Parcel Map
027-08

RECEIVED
OCT 02 2001
CALIFORNIA
COASTAL COMMISSION

RESOLUTION NO. 2001-16

A Resolution of the City Council of the City of Point Arena Amending the Local Coastal Plan (Land Use Plan, Land Use and Development Map, Zoning Ordinance and Zoning Map) for the City of Point Arena and Transmitting those Amendments to the California Coastal Commission for Certification.

WHEREAS, after conducting public hearings on the first draft of the City's first General Plan on 1/19/93, 1/26/93, and 2/9/93, and after conducting public hearings on the final draft of the General Plan and draft Environmental Impact Report on 9/24/94 and 9/27/94, the City Council adopted the City's first General Plan at their January 24, 1995, regular meeting through the adoption of Resolution No. 02-95; and

WHEREAS, after the Planning Commission conducted public hearings on an updated Zoning Ordinance, Zoning Map, Land Use and Development Map, and new Second Unit Ordinance on 5/13/97, 5/27/97, 6/10/97, and submitted their recommendations to the City Council, the City Council approved the amendments and new ordinance at their August 12, 1997, regular meeting after conducting public hearings on 7/8/97, 7/22/97, and 8/12/97; and

WHEREAS, proper notification of these hearings were provided in accordance with Sections 7.01 through 7.18 of the City of Point Arena's Zoning Ordinance, Section 15087 of the State CEQA Guidelines, and Section 65350 et. Seq. of the California Government Code (Planning, Zoning, and Development Laws); and

WHEREAS, the new and updated documents, EIR, and support documentation were submitted to the California Coastal Commission for certification on August 28, 1997; and, the City subsequently received a response from the California Coastal Commission on April 2, 1998, in which they recommend a considerable number of changes and request additional information; and

WHEREAS, the City Council of the City of Pont Arena then completed additional studies, amended the General Plan and Zoning (LCP), conducted public hearings on the amended documents on 7/24/01, 7/31/01, and 8/28/01, and is now resubmitting them for certification; and

WHEREAS, the City of Point Arena intends to carry out the policies of its amended Local Coastal Plan and General Plan in a manner fully consistent with the goals and objectives of the California Coastal Act of 1976, and any subsequent amendments thereof.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Point Arena does hereby transmit the amended General Plan (not including the Housing Element) and Land Use and Development Map with associated support documents, the amended Zoning Ordinance and Zoning Map, and the Second Unit Ordinance to the California Coastal Commission for consideration as a Local Coastal Plan amendment.

EXHIBIT NO. 19
APPLICATION NO.
PTA-MAJ-1-01 (POINT ARENA LCPA)
RESOLUTION OF TRANSMITTAL

BE IT FURTHER RESOLVED that it is the City's intent that the General Plan/LCP amendments take effect automatically upon Coastal Commission approval.

The foregoing Resolution was approved, passed, and adopted on the 28th day of August, 2001, by the following roll call vote:

AYES: Councilmembers Sinnott, Gunning, Gallagher, Dahlhoff
NOES: None
ABSENT: Councilmember Tanti

Leslie Dahlhoff

Leslie Dahlhoff, **MAYOR**

ATTEST:

Fred D. Patten

Fred D. Patten, **CITY CLERK**

(SEAL)

I, Fred D. Patten, duly appointed and City Clerk of the City of Point Arena, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the City Council of the City of Point Arena on the 28th day of August, 2001.

Fred D. Patten

Fred D. Patten, City Clerk/Admin., Sept. 11, 2001 (2 pages)

City of Point Arena 2006 LCP Amendment Residential Buildout Calculations

2006 Land Use Classifications	2006 Acreage	% of total	Acreage Basis			Density/ Acre (per LCP)		Residential Unit Calculation			
			Principal	Conditional	2nd Unit	Principal	Conditional	Principal 100%	Principal 80%	Conditional	2nd Unit
Agriculture Exclusive (AE)	394.0	45.1%	394.0	0	394.0	0.05	0	19	15	0	19
Commercial (C)	13.3	1.5%	0.0	3.3	0	0.00	15	0	0	49	0
Highway Commercial (HWC)	23.9	2.7%	0.0	23.9	0	0.00	15	0	0	358	0
Harbor Commercial (HC)	17.2	2.0%	0.0	0	0	0.00	0	0	0	0	0
Industrial (I)	29.5	3.4%	0.0	0	0	0.00	0	0	0	0	0
Multifamily Residential (MR)	21.2	2.4%	17.0	0	0	7.50	0	127	101	0	0
Park (P)	5.7	0.7%	0.0	0	0	0.00	0	0	0	0	0
Public Facility (PF)	51.2	5.9%	0.0	0	0	0.00	0	0	0	0	0
Residential Agriculture (RA-2)	100.2	11.5%	100.2	0	100.2	0.50	0	50	40	0	50
Suburban Residential (SR - 1)	74.7	8.6%	59.7	0	59.7	1.00	0	59	47	0	23
Suburban Residential (SR-1/2)	51.4	5.9%	41.1	0	41.1	2.00	0	82	65	0	32
Urban Residential (UR)	60.3	6.9%	48.2	0	48.2	5.00	0	241	192	0	241
Right of Way (RW)	30.1	3.5%	0.0	0	0	0.00	0	0	0	0	0
Total	**872.7**	**100%**						**578**	**460**	**407**	**365**

Notes on principally permitted residential unit projections:

The projected buildout allocates 0% residential development for HC, I, P, PF, RW Classifications.
The projected buildout allocates both 100% & 80% residential development for SR-1, SR1/2, MR, and UR acreages (80% allows 20% for infrastructure, setbacks, constraints etc.).

The projected buildout allocates 0% principally permitted residential development for C, HWC (conditionally permitted).
The projected buildout for AE allocates 1 dwelling per 20 acres, and 1 dwelling unit for each 2 acres for RA-2.

Notes on conditionally permitted residential units:

For C, the projected buildout allocates 25% of C acreage for residential development. For HWC, residential buildout is caluclated at 15 du/ac but must be located on rear 40% of lot and cannot occupy more than 25% of lot).

Notes on second units:

The projected buildout allocates 0% second units for HC, I, P, PF, RW, UR, MR, HWC and C classifications.
The projected buildout allocates 50% of principal units for calculating second units for SR-1, SR1/2.
Buildout of second units is calculated based on 1 second unit per 20 acres for AE, and 1 unit for each 2 acres for RA-2.
Second units conditionally permitted in Urban Residential (UR) zone at 5 units per acre, based on 8,625 sq. ft. min. lot size.

EXHIBIT NO. 20
APPLICATION NO.
PTA-MAJ-1-01 (POINT ARENA LCPA)
RESIDENTIAL BUILDOUT CHARTS (PAGE 1 OF 3)

City of Point Arena 1980 Residential Buildout Calculations (*revised 3-23-06*)

1980 Classification	1980 Acreage	% of Total	Dwelling units/acre		Acreage Basis			Residential Unit Calculation			
			Principal	Condi-tional	Principal 100%	Principal 80%	Condi-tional	Principal 100%	Principal 80%	Cond. 100%	Cond. 80%
Agriculture Exclusive (AE)	395.3	45.3%	0.05	0.05	395.3	316.2	0.0	19	15	19	15
Commercial Core (C1)	3.6	0.4%	0.00	5.81	0.0	0.0	3.6	0	0	21	17
Community Commercial (C2)	33.2	3.8%	0.00	5.81	0.0	0.0	33.2	0	0	192	154
Harbor Commercial (HC)	17.3	2.0%	0.00	0.00	0.0	0.0	0.0	0	0	0	0
Industrial (I)	29.5	3.4%	0.00	0.00	0.0	0.0	0.0	0	0	0	0
Multifamily Residential (MFR)	15.3	1.8%	15.02	0.00	15.3	12.2	0.0	229	183	0	0
Public Facility (PF)	45.0	5.2%	0.00	0.00	0.0	0.0	0.0	0	0	0	0
Residential Agriculture (RA)	105.3	12.1%	0.50	0.00	105.3	84.3	0.0	52	42	0	0
Planned Development (PD)	83.9	9.6%	0.00	1.00	0.0	0.0	83.9	0	0	83	66
Suburban Residential (SR-1/2)	59.3	6.8%	2.00	0.00	59.3	47.4	0.0	118	94	0	0
Urban Residential (UR)	54.9	6.3%	15.02	0.00	54.9	43.9	54.9	824	659	0	0
Right of Way (RW)	30.1	3.5%	0.00	0.00	0.0	0.0	0.0	0	0	0	0
Totals	872.7	100.0%						1242	993	315	252

Notes on basis for Calculating Land Use Density:

AE: Principally permitted: one unit/20 acres. Conditionally permitted: one farm dwelling (additional) associated with agricultural use

C1: Principally permitted: no dwelling units. Conditional: one SF dwelling associated with business. Min. lot size: 7,500 sq.ft.

C2: Principally permitted: no dwelling units. Conditional: one SF dwelling associated with business.Min. lot size: 7,500 sq.ft.

HC: Principally permitted: no dwelling units. Conditional: no dwelling units.

I: Principally permitted: no dwelling units. Conditional: no dwelling units.

MFR: Principally permitted: one dwelling unit/2,900 sq.ft (15 units/ac). Conditional: none - different unit types same density

PF: Principally permitted: no dwelling units. Conditional: no dwelling units.

RA: Principally permitted: one dwelling unit, Conditional: no units

PD: Principally permitted: no dwelling units. Conditional: 15 acre min. lot size. One dwelling unit per acre.

SR: Principally permitted: one dwelling unit per one-half acre. Conditional: no dwelling units.

UR: Principally permitted: one dwelling unit/2,900 sq.ft (15 units/ac). Conditional: none - different unit types same density

EXHIBIT NO.	20
APPLICATION NO.	
PTA-MAJ-1-01 (POINT ARENA LCPA)	
RESIDENTIAL BUILDOUT CHARTS (PAGE 2 OF 3)	

City of Point Arena 1980 & 2006 Land Use Classification - Acreage Comparison

1980 Classification	1980 Acreage	% of total	2006 Classification	2006 Acreage	% of total
Agriculture Exclusive (AE)	395.3	45.3%	Agriculture Exclusive (AE)	394.0	45.1%
Commercial Core (C1)	3.6	0.4%	Commercial (C)	13.3	1.5%
Community Commercial (C2)	33.2	3.8%			
			Highway Commercial (HWC)	23.9	2.7%
Harbor Commercial (HC)	17.3	2.0%	Harbor Commercial (HC)	17.2	2.0%
Industrial (I)	29.5	3.4%	Industrial (I)	29.5	3.4%
Multifamily Residential (MFR)	15.3	1.8%	Multifamily Residential (MR)	21.2	2.4%
			Park (P)	5.7	0.7%
Public Facility (PF)	45.0	5.2%	Public Facility (PF)	51.2	5.9%
Residential Agriculture (RA)	105.3	12.1%	Residential Agriculture (RA-2)	100.2	11.5%
Planned Development (PD)	83.9	9.6%	Suburban Residential (SR - 1)	74.7	8.6%
Suburban Residential (SR-1/2)	59.3	6.8%	Suburban Residential (SR-1/2)	51.4	5.9%
Urban Residential (UR)	54.9	6.3%	Urban Residential (UR)	60.3	6.9%
Right of Way (RW)	30.1	3.5%	Right of Way (RW)	30.1	3.5%
Totals	872.7	100.0%		872.7	100%

EXHIBIT NO. 20
APPLICATION NO.
PTA-MAJ-1-01 (POINT ARENA LCPA)
RESIDENTIAL BUILDOUT CHARTS (PAGE 3 OF 3)