

RECORD PACKET COPY

STATE OF CALIFORNIA—THE RESOURCES AGENCY

PETE WILSON, Governor

CALIFORNIA COASTAL COMMISSION

NORTH COAST AREA

45 FREMONT, SUITE 2000

SAN FRANCISCO, CA 94105-2219

(415) 904-5260

RSM



F4a

September 20, 1996

TO: COASTAL COMMISSIONERS AND INTERESTED PARTIES

FROM: Peter M. Douglas, Executive Director
Steven F. Scholl, District Director
Jo Ginsberg, Coastal Planner

SUBJECT: **MENDOCINO COUNTY LCP AMENDMENT NO. 1-95**
(MAJOR: Creasey, et al; Peirce/Comer; Taylor; Fearey/Wilson;
Wells/Healy ; and Kruzic) CERTIFICATION REVIEW:
Concurrence with the Executive Director's determination that the action of Mendocino County accepting the Commission's certification of Mendocino County Amendment No. 1-95 (Major) is legally adequate. (For Commission review of the meeting of October 11, 1996 in Los Angeles.)

BACKGROUND:

Mendocino County LCP Amendment No. 1-95 (Major), approved by the Commission on March 14, 1996, affects six separate geographic areas, all located north of the Navarro River, known collectively as the 1995-A North of Navarro Watershed Group.

A. AMENDMENT DESCRIPTION:

The changes approved by Amendment No. 1-95 are as follows:

1. SITE ONE (GP 12-89/R 24-91, CREASEY, et al). APN 123-380-08, 126-020-01. Change the Coastal Plan land use classification and rezone 70.14 acres south of Albion from Remote Residential-20 acre minimum (RMR-20) to Rural Residential-10 acre minimum (RR-10 and RR:L:10).

**MENDOCINO COUNTY LCP
AMENDMENT NO. 1-95 (Major)
Certification Review
Page Two**

2. SITE TWO (GP 5-89/R 1-95, PEIRCE/COMER). APN 017-220-44 and 45. Change the Coastal Plan land use classification of 96 acres south of Fort Bragg from Forest Lands-160 acre minimum (FL) to Rural Residential-5 acre minimum: Planned Development (RR-5:PD). Rezone from Forest Lands (FL) to Rural Residential-5 acre minimum: Planned Development (RR:L:5:PD).
3. SITE THREE (GP 29-88/R 22-91, TAYLOR). APN 069-161-10. Change the Coastal Plan land use classification and rezone a 2.16-acre parcel located north of Fort Bragg and south of Cleone from Rural Residential-5 acre minimum, 2 acre minimum variable (RR-5 [RR-2]) to Rural Residential-5 acre minimum, 2 acre minimum variable, *1C (RR-5 [RR-2] *1C) which would allow up to a 10-unit inn or a 4-unit B&B by conditional use permit.
4. SITE FOUR (GP 4-90/R 21-91, FEAREY/WILSON). APN 121-020-21. Change the Coastal Plan land use classification and rezone 7.5 acres south of Little River from Remote Residential-20 acre minimum, 10-unit inn and accessory uses (RMR-20 *1, *4) to Remote Residential-20 acre minimum, conditional 20-unit inn, motel, or hotel and accessory uses (RMR-20 *2C, *4).
5. SITE FIVE (GP 5-90/R 30-91, WELLS/HEALY). APN 123-040-06 and 07. Correct the Coastal Plan LUP Map and rezone to transfer the Albion River Inn Visitor Serving Facility (VSF) designation (*2) to the correct parcel.
6. SITE SIX (GP 14-95/R 16-95, KRUZIC). APN 17-310-43 and 58. Change the Coastal Plan land use classification of 2.1 acres located south of Fort Bragg from Rural Residential-5 acre minimum, Rural Residential-1 acre minimum variable (RR-5 [RR-1]) to Rural Residential-5 acre minimum, Rural Residential-2 acre minimum variable (RR-5 [RR-2]) to facilitate a boundary line adjustment with an adjoining two-acre parcel to the east owned by the applicant. Rezone from Rural Residential-5 acre minimum, Rural Residential-1 acre minimum variable (RR:L-5 [RR] to Rural Residential-5 acre minimum, Rural Residential-2 acre minimum variable (RR:L-5 [RR:L-2]).

The Commission completed its action on Mendocino County LCP Amendment No. 1-95 (Major) at its March 14, 1996 public hearing, and approved Revised Findings for the amendment at its June 12, 1996 public hearing. The Commissioners voted 10-1 to approve LUP Parts 1, 2, 4, 5, and 6 as submitted; 11-0 to deny LUP Part 3 as submitted and approve with Suggested Modifications; and 11-0 to approve the Implementation Plan as submitted.

**MENDOCINO COUNTY LCP
AMENDMENT NO. 1-95 (Major)
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B. Effective Certification.

The County has acknowledged receipt of the Commission's resolution of certification of the LCP Amendment as shown in the Board of Supervisors' Resolution No. 96-161 and Ordinance Numbers 3943; 3950; 3942; 3944; 3945; and 3946 (see Attachment B), adopted by the Mendocino County Board of Supervisors on August 26, 1996.

As provided in Sections 13544 and 13544.5 of the Commission's Code of Regulations, for the amendment to become effective, the Executive Director must determine that Mendocino County's action is legally adequate and report that determination to the Commission. Unless the Commission objects to the determination, the certification of Mendocino County LCP Amendment No. 1-95 (Major) shall become effective upon the filing of a notice of certification for the LCP Amendment with the Secretary for Resources, as provided in the Public Resources Code Section 21080.5(d)(2)(V).

STAFF RECOMMENDATION:

Staff recommends that the Commission concur with the determination of the Executive Director that the action of the County of Mendocino accepting the Commission's certification of the Mendocino County LCP Amendment No. 1-95 (Major) is legally adequate, as noted in the attached letter, Attachment A (to be sent after Commission concurrence).

CALIFORNIA COASTAL COMMISSION

NORTH COAST AREA

45 FREMONT, SUITE 2000

SAN FRANCISCO, CA 94105-2219

(415) 904-5260



October , 1996

Liz Henry, Chairperson
Mendocino County Board of Supervisors
Courthouse
Ukiah, CA 95482

**SUBJECT: MENDOCINO COUNTY LCP AMENDMENT NO. 1-95
(MAJOR: Creasey, et al; Peirce/Comer; Taylor;
Fearey/Wilson; Wells/Healy ; and Kruzic): CERTIFICATION
REVIEW**

Dear Chairperson Henry:

I have reviewed the County Board of Supervisors' Resolution No. 96-161 and Ordinance Numbers 3943; 3950; 3942; 3944; 3945; and 3946 for effective certification of the Mendocino County LCP Amendment No. 1-95 (Major). The resolution fulfills the requirements of Section 13544.5 of the Commission's Code of Regulations. In accordance with Section 13544(b) of those regulations, I have determined that the County's action is legally adequate.

The Coastal Commission concurred with this determination at its meeting of October 11, 1996. If you have any questions, please contact Jo Ginsberg in our San Francisco office.

Sincerely,

PETER M. DOUGLAS
Executive Director

cc: Ray Hall
Pam Townsend
Gary Pedroni
Jo Ginsberg

ATTACHMENT A

RESOLUTION NO. 96-161

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF
MENDOCINO AMENDING THE COASTAL ELEMENT OF THE MENDOCINO
COUNTY GENERAL PLAN (GP 12-89 CREASEY ET AL, GP 5-89
PEIRCE/COMER, GP 29-88 TAYLOR, GP 4-90 FEAREY/WILSON,
GP 5-90 WELLS/HEALY, GP 14-95 KRUZIC)

WHEREAS, in response to amendment applications GP 29-88 TAYLOR, GP 12-89 CREASEY ET AL, GP 5-89 PEIRCE/COMER, GP 4-90 FEAREY/WILSON, GP 5-90 WELLS/HEALY, and GP 14-95 KRUZIC, the Board of Supervisors of the County of Mendocino declared it to be the Board's intent to amend the Coastal Element of the County General Plan as set forth in Resolutions 95-207, 95-208, 95-209, 95-210 and 95-211.

WHEREAS, the proposed amendments have been submitted to the California Coastal Commission for certification, and

WHEREAS, the Coastal Commission on March 14 and June 12, 1996, at a public hearing certified the proposed amendments of the Land Use Maps subject to the following modification of GP 29-88 TAYLOR being accepted by the County:

"A note shall be placed on the Land Use map that any visitor serving accommodations developed on the subject parcel shall not be visible from major visitor destinations or particularly scenic areas within MacKerricher State Park, including but not limited to the Lake Cleone picnic area and nature trail, and the haul road."

WHEREAS, the Executive Director of the Coastal Commission has transmitted to the County of Mendocino a copy of the Resolution of Certification and Findings, and

WHEREAS, the County acknowledges receipt of, accepts and agrees with the Resolution of Certification,

NOW, THEREFORE, BE IT RESOLVED, that the Mendocino County Board of Supervisors hereby amends the Land Use maps of the Coastal Element of the Mendocino County General Plan as follows and as illustrated in Exhibits A through F, showing the affected portions of the Land Use maps as amended:

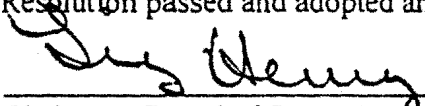
1. Amend the Coastal Element Land Use Map Number 12 as shown on Exhibit "A" for GP 29-88 changing the land use classification on Assessor's Parcel Number 69-161-10 from Rural Residential - 5 acre minimum, 2 acre minimum variable (RR-5[RR-2]) to Rural Residential - 5 acre minimum, 2 acre minimum variable, conditional 10 unit inn or 4 unit bed and breakfast inn (RR-5[RR-2]*1C), and a note shall be placed on the Land Use map that "any visitor serving accommodations developed on the subject parcel shall not be visible from major visitor destinations or particularly scenic areas within MacKerricher State Park, including but not limited to the Lake Cleone picnic area and nature trail, and the haul road."

2. Amend the Coastal Element Land Use Map Number 19 as shown on Exhibit "B" for GP 12-89 changing the land use classification from Remote Residential (RMR) to Rural Residential- 10 acre minimum (RR-10) on Assessor's Parcel Number 123-380-08 and the west 28.5+- acres of Assessor's Parcel Number 126-020-01.
3. Amend the Coastal Element Land Use Map Number 14 as shown on Exhibit "C" for GP 5-89 changing the land use classification on Assessor's Parcel Numbers 017-220-44 and 017-440-45 from Forest Lands (FL) to Rural Residential - 5 acre minimum (RR-5).
4. Amend the Coastal Element Land Use Map Number 18 as shown on Exhibit "D" for GP 4-90 changing the land use classification on Assessor's Parcel Number 12-020-21 from Remote Residential-20 acre minimum, 10 unit inn and accessory uses (RMR-20*1*4) to Remote Residential - 20 acre minimum, conditional 20 unit inn, motel or hotel and accessory uses (RMR-20*2C*4).
5. Amend the Coastal Element Land Use Map Number 18 as shown on Exhibit "E" for GP 5-90 correcting the land use classification to transfer the Albion Little River Inn VSF designation (*2) from Assessor's Parcel Number 123-040-07 to 123-040-06.
6. Amend the Coastal Element Land Use Map Number 14 as shown on Exhibit "F" for GP 14-95 changing the land use classification on Assessor's Parcel Number 017-310-43 and 017-310-58 from Rural Residential-1 acre minimum (RR-1) to Rural Residential-2 acre minimum (RR-2).

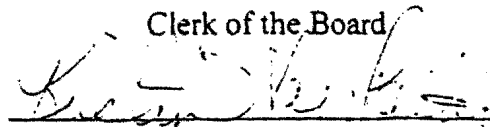
The foregoing Resolution was introduced by Supervisor McMichael, seconded by Supervisor Sugawara, and carried this 26th day of August, 1996, by the following roll call vote:

AYES: Supervisors Sugawara, McMichael, Pinches, Peterson
 NOES: None
 ABSENT: None

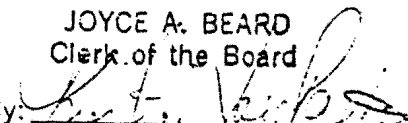
WHEREUPON, the Chairman declared said Resolution passed and adopted and SO ORDERED.


 Chairman, Board of Supervisors

ATTEST: JOYCE A. BEARD
 Clerk of the Board

By: 

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

JOYCE A. BEARD
 Clerk of the Board
 By: 

1995 North of Navarro General Plan Amendment Group

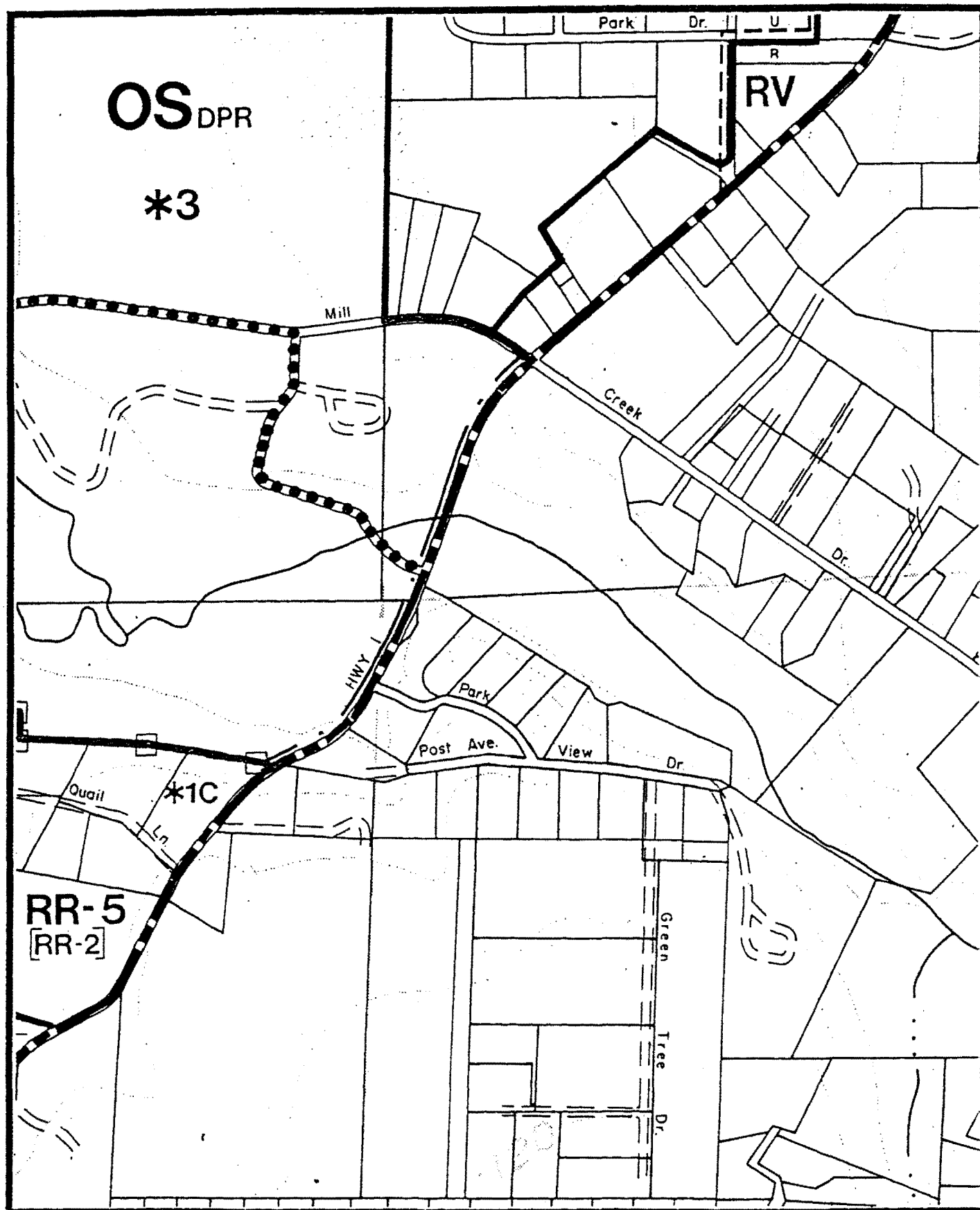


Exhibit A
GP 29-88

Portion of Land Use Map 12 as Amended

▲ North 100 300 Ft.

ATTACHMENT B

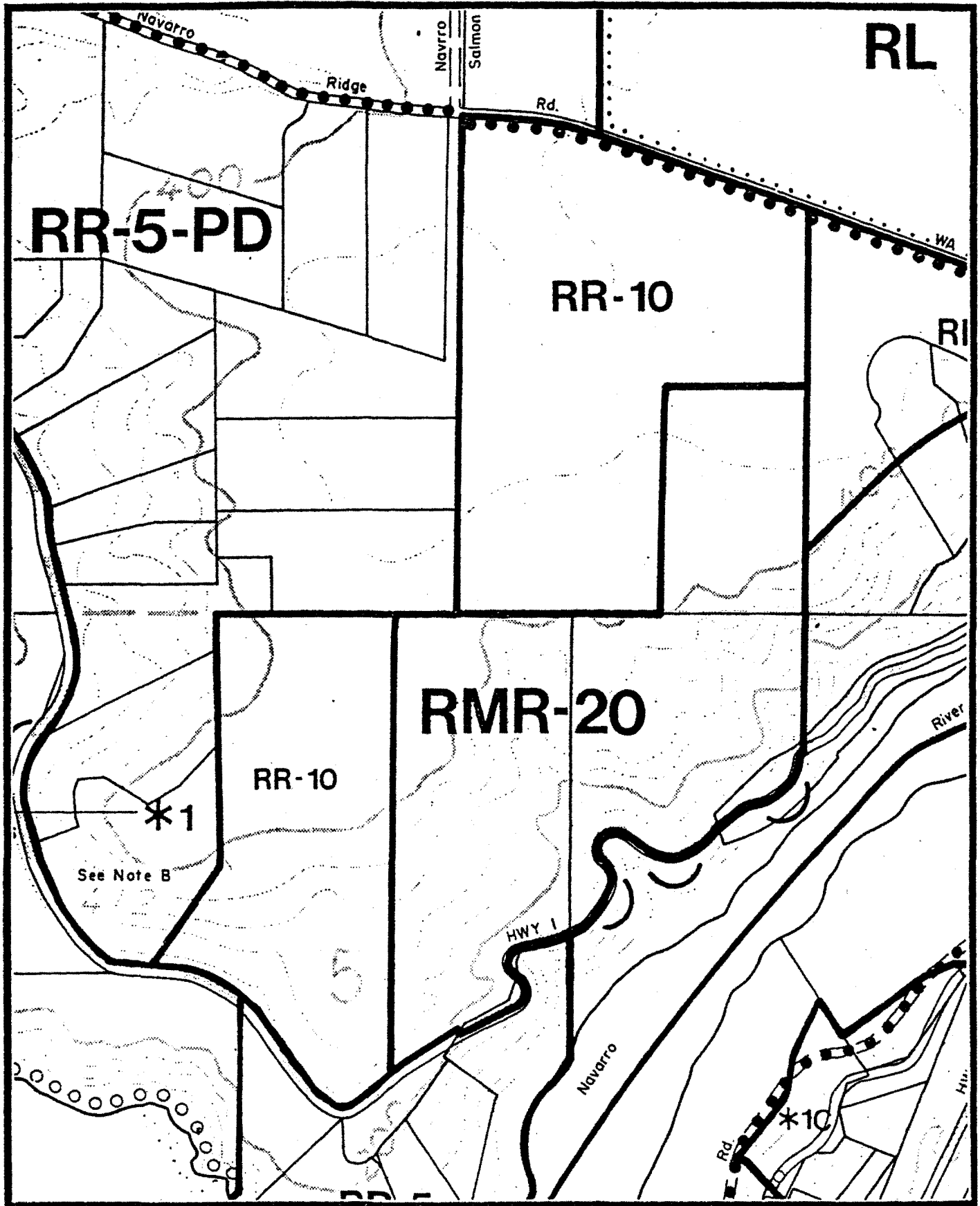


Exhibit B
GP 12-89

Portion of Land Use Map 19 as Amended

▲ North 100 300 Ft.

ATTACHMENT B

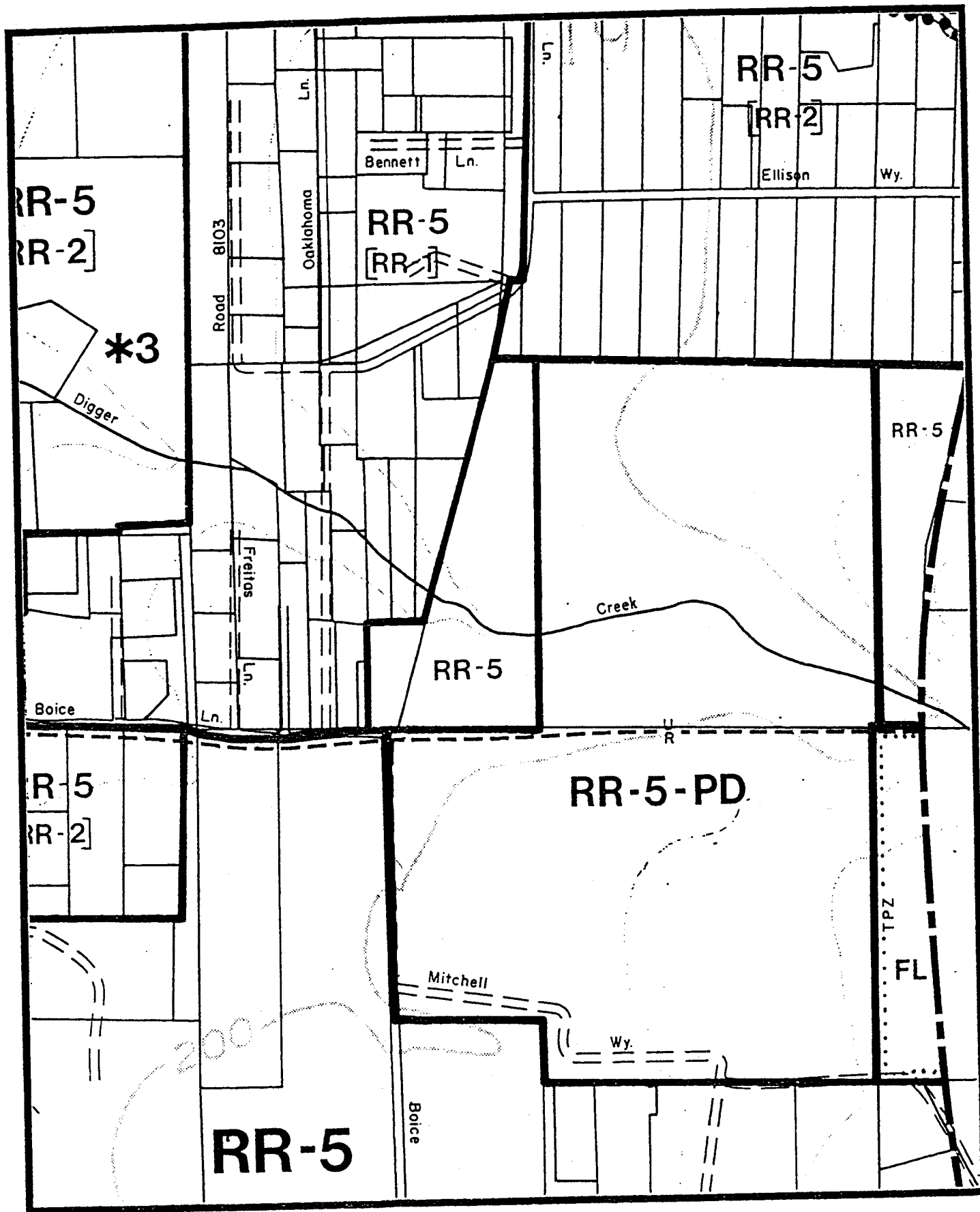


Exhibit C
GP 5-89

Portion of Land Use Map 14 as Amended



100 300 Ft.

ATTACHMENT B

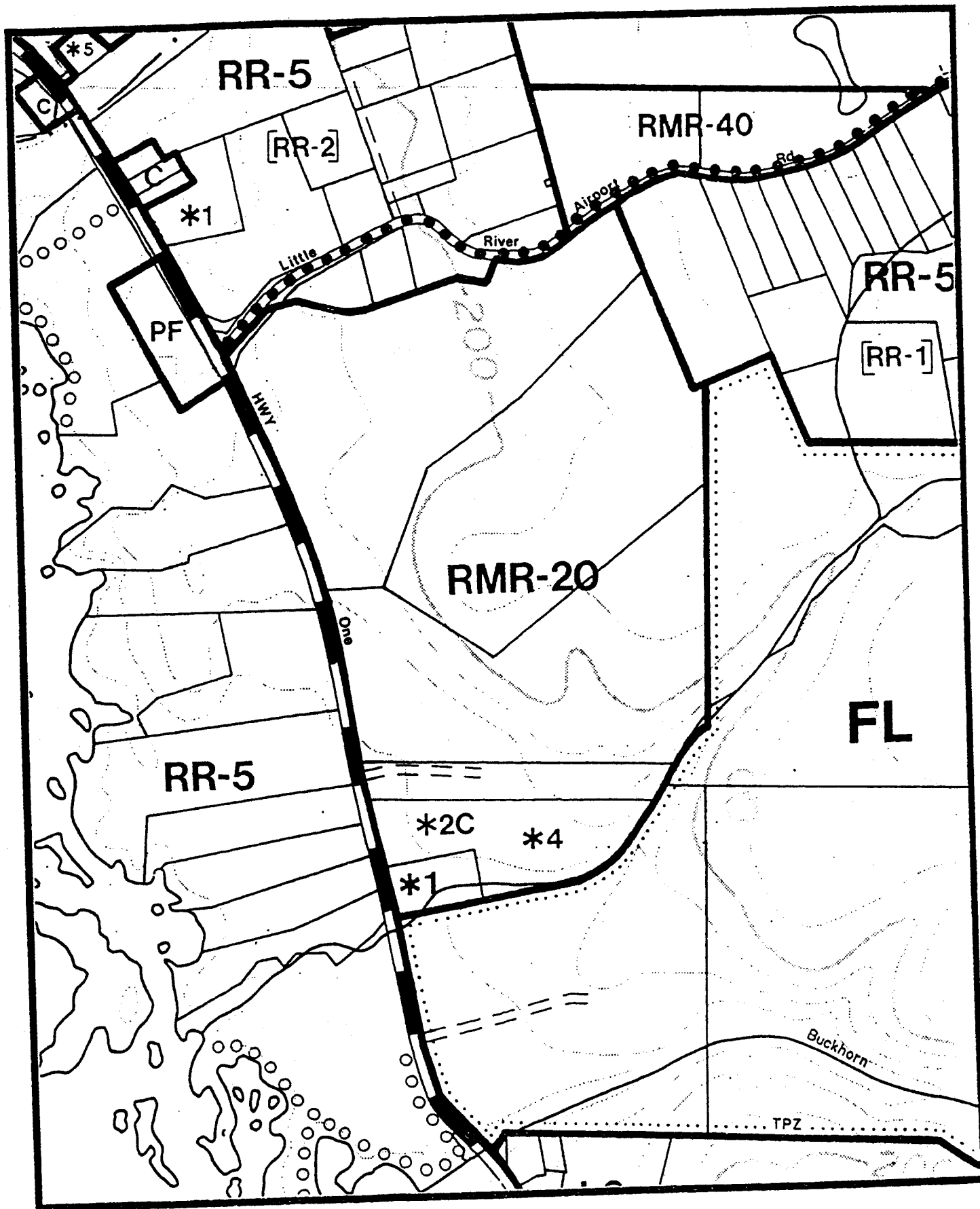


Exhibit D
GP 4-90

Portion of Land Use Map 18 as Amended

▲ North 100 300 Ft.

ATTACHMENT B

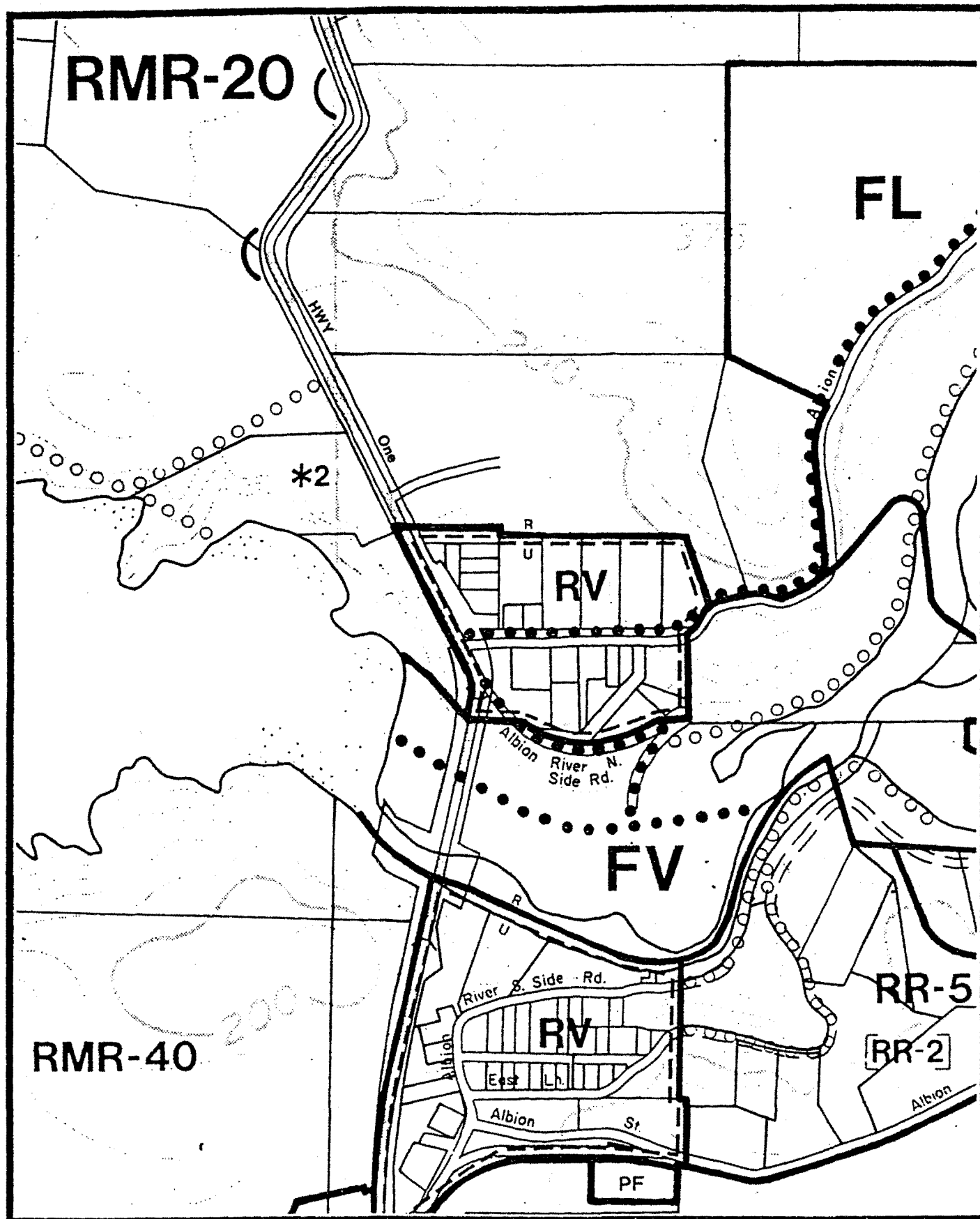


Exhibit E
GP 5-90

Portion of Land Use Map 18 as Amended

▲ North 100 300 Ft.

ATTACHMENT B

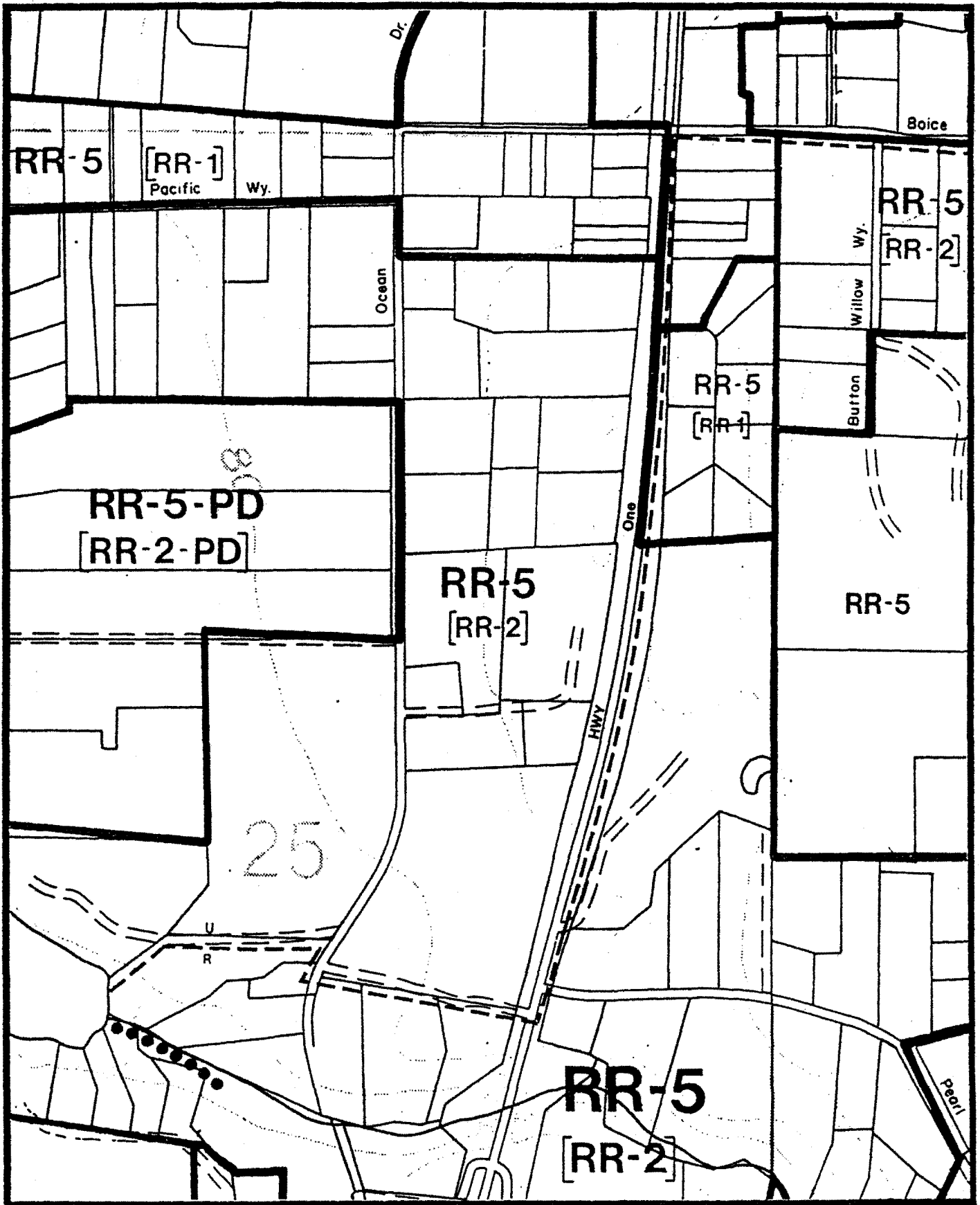


Exhibit F
GP 14-95

Portion of Land Use Map 14 as Amended



100 300 Ft.

ATTACHMENT B

ORDINANCE NO. 3942

AN ORDINANCE CHANGING THE ZONING OF REAL
PROPERTY WITHIN MENDOCINO COUNTY

The Board of Supervisors of the County of Mendocino, State of California, ordains as follows:

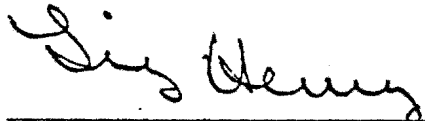
Pursuant to Division II of Title 20, Chapter 20.548 of the Mendocino County Code, the zoning of the following real property within Mendocino County is hereby changed as described below.

Said zoning change encompasses the property described by Assessor's Parcel Number 069-161-10 which is reclassified from RR-5[RR-2] to RR-5[RR-2]*1C, more particularly shown on the attached Exhibit "A."

Passed and adopted by the Board of Supervisors of the County of Mendocino, State of California, on this 26th day of August, 1996, by the following vote:

AYES: Supervisors Sugawara, McMichael, Pinches, Peterson, Henry
NOES: None
ABSENT: None

WHEREUPON, the Chairman declared said Ordinance passed and adopted and SO ORDERED.

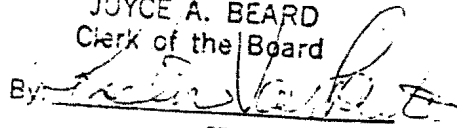

Chairman, Board of Supervisors

ATTEST: JOYCE A. BEARD
Clerk of the Board

By: 
JT

CASE#: #R 22-91
OWNER: TAYLOR

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

JOYCE A. BEARD
Clerk of the Board
By: 
JT

ATTACHMENT B

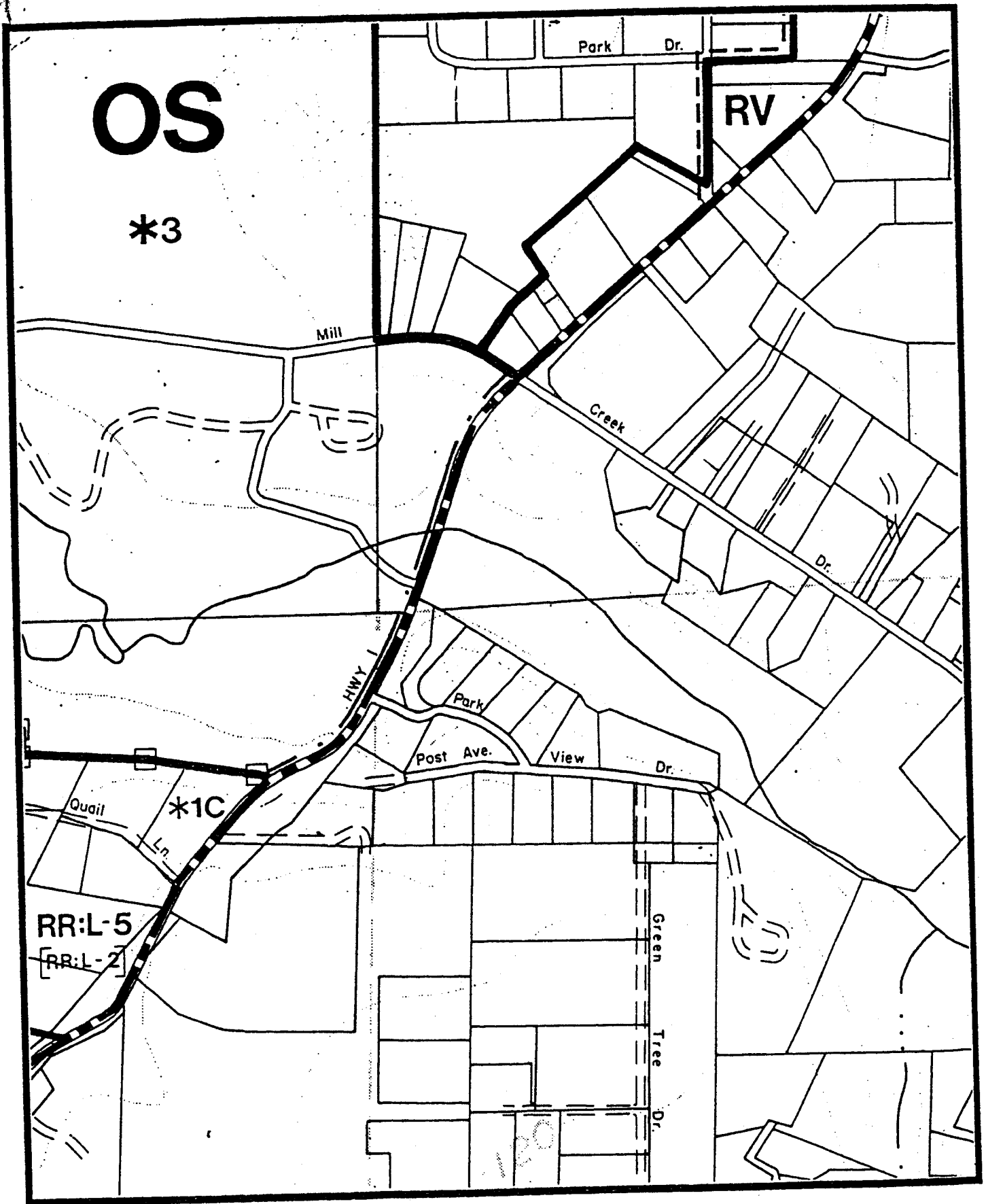


Exhibit A
R 22-91

Portion of Zoning Map 41A as Amended

▲ North 100 300 Ft.

ATTACHMENT B

ORDINANCE NO. 3943

AN ORDINANCE CHANGING THE ZONING OF REAL
PROPERTY WITHIN MENDOCINO COUNTY

The Board of Supervisors of the County of Mendocino, State of California, ordains as follows:

Pursuant to Division II of Title 20, Chapter 20.548 of the Mendocino County Code, the zoning of the following real property within Mendocino County is hereby changed as described below.

Said zoning change encompasses the property described by Assessor's Parcel Number 123-380-08 and the west 28.5+- acres of Assessor's Parcel Number 126-010-01 which are reclassified from RMR-20 to RR:L:10, more particularly shown on the attached Exhibit "A."

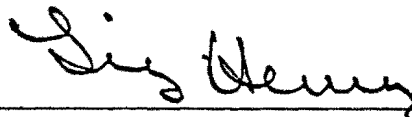
Passed and adopted by the Board of Supervisors of the County of Mendocino, State of California, on this 26th day of August, 1996, by the following vote:

AYES: Supervisors Sugawara, McMichael, Pinches, Peterson, Henry.

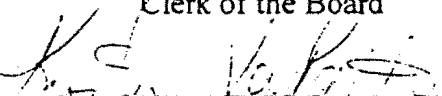
NOES: None

ABSENT: None

WHEREUPON, the Chairman declared said Ordinance passed and adopted and SO ORDERED.


Chairman, Board of Supervisors


ATTEST: JOYCE A. BEARD
Clerk of the Board

By: 

CASE#: #R 24-91
OWNER: CREASEY, ET AL

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

JOYCE A. BEARD
Clerk of the Board

By: 
PUTY

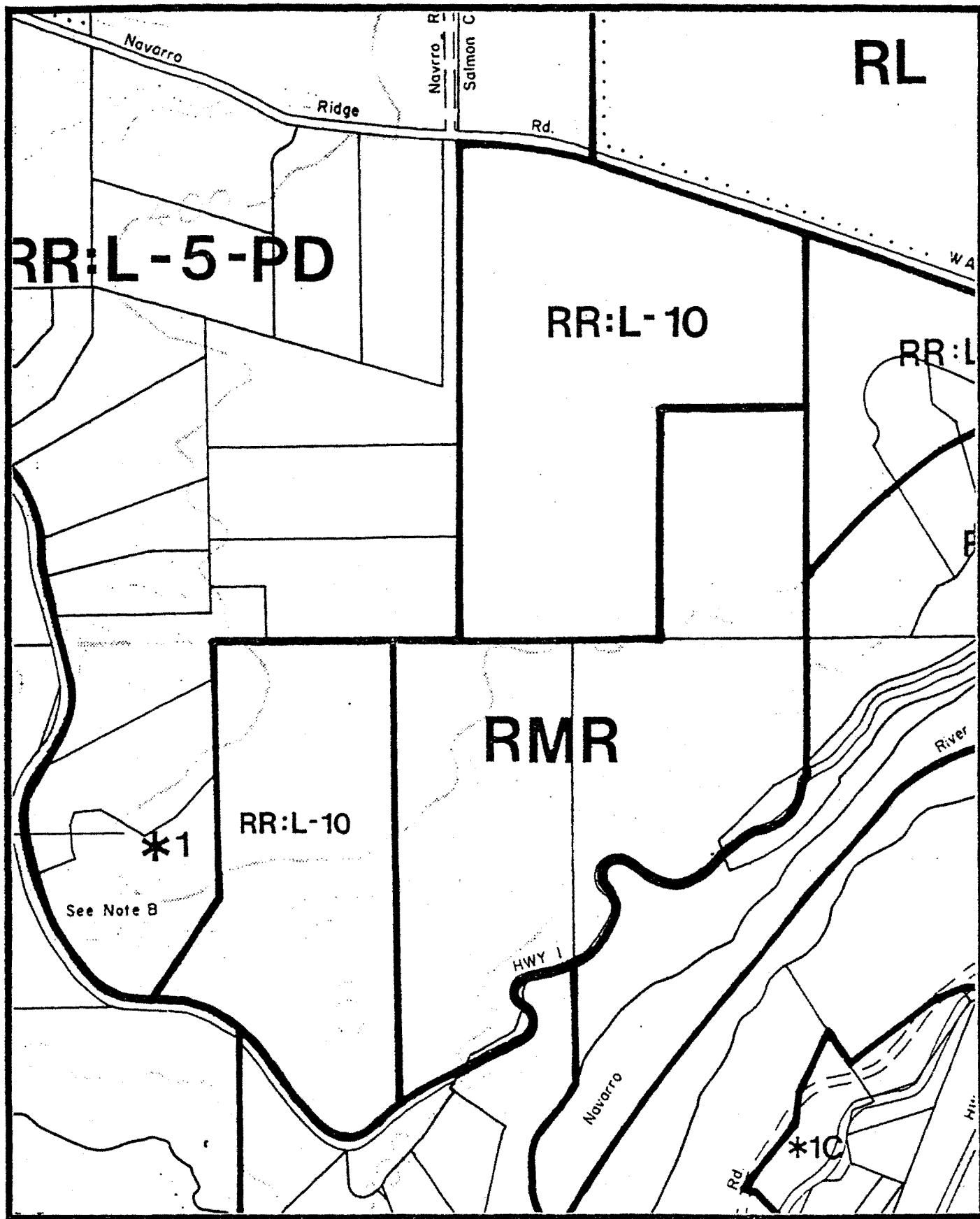


Exhibit A

R 24-91

Portion of Zoning Map 55F as Amended



North



100 300 Ft.

ATTACHMENT B

ORDINANCE NO. 3950

AN ORDINANCE CHANGING THE ZONING OF REAL
PROPERTY WITHIN MENDOCINO COUNTY

The Board of Supervisors of the County of Mendocino, State of California, ordains as follows:

Pursuant to Division II of Title 20, Chapter 20.548 of the Mendocino County Code, the zoning of the following real property within Mendocino County is hereby changed as described below.

Said zoning change encompasses the property described by Assessor's Parcel Numbers 017-220-44 and 017-220-45 which are reclassified from FL to RR:L:5, more particularly shown on the attached Exhibit "A."

Passed and adopted by the Board of Supervisors of the County of Mendocino, State of California, on this 26th day of August, 1996, by the following vote:


AYES: Supervisors Sugawara, McMichael, Pinches, Peterson,

NOES: None

ABSENT: None

ABSTAIN: Supervisor Henry

WHEREUPON, the Chairman declared said Ordinance passed and adopted and SO ORDERED.



Chairman, Board of Supervisors

ATTEST: JOYCE A. BEARD
Clerk of the Board

By: 

PUTY

CASE#: #R 1-95

OWNER: PEIRCE/COMER

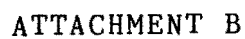
I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

JOYCE A. BEARD
Clerk of the Board

By: 

PUTY

ATTACHMENT B



ORDINANCE NO. 3944

**AN ORDINANCE CHANGING THE ZONING OF REAL
PROPERTY WITHIN MENDOCINO COUNTY**

The Board of Supervisors of the County of Mendocino, State of California, ordains as follows:

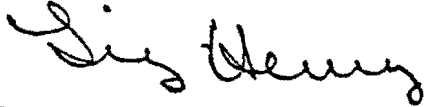
Pursuant to Division II of Title 20, Chapter 20.548 of the Mendocino County Code, the zoning of the following real property within Mendocino County is hereby changed as described below.

Said zoning change encompasses the property described by Assessor's Parcel Number 121-020-21 which is reclassified from RMR-20:*1:*4 to RMR-20:*2C:*4, more particularly shown on the attached Exhibit "A."

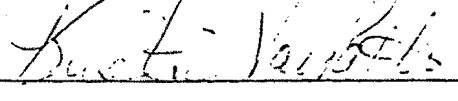
Passed and adopted by the Board of Supervisors of the County of Mendocino, State of California, on this 26th day of August, 1996, by the following vote:

AYES: Supervisors Sugawara, McMichael, Pinches, Peterson, Henry
NOES: None
ABSENT: None

WHEREUPON, the Chairman declared said Ordinance passed and adopted and SO ORDERED.

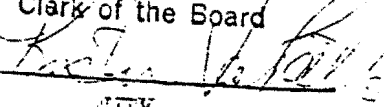

Chairman, Board of Supervisors

ATTEST: JOYCE A. BEARD
Clerk of the Board

By: 
JURY

CASE#: #R 21-91
OWNER: FEAREY/WILSON

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

JOYCE A. BEARD
Clerk of the Board
By: 
JURY

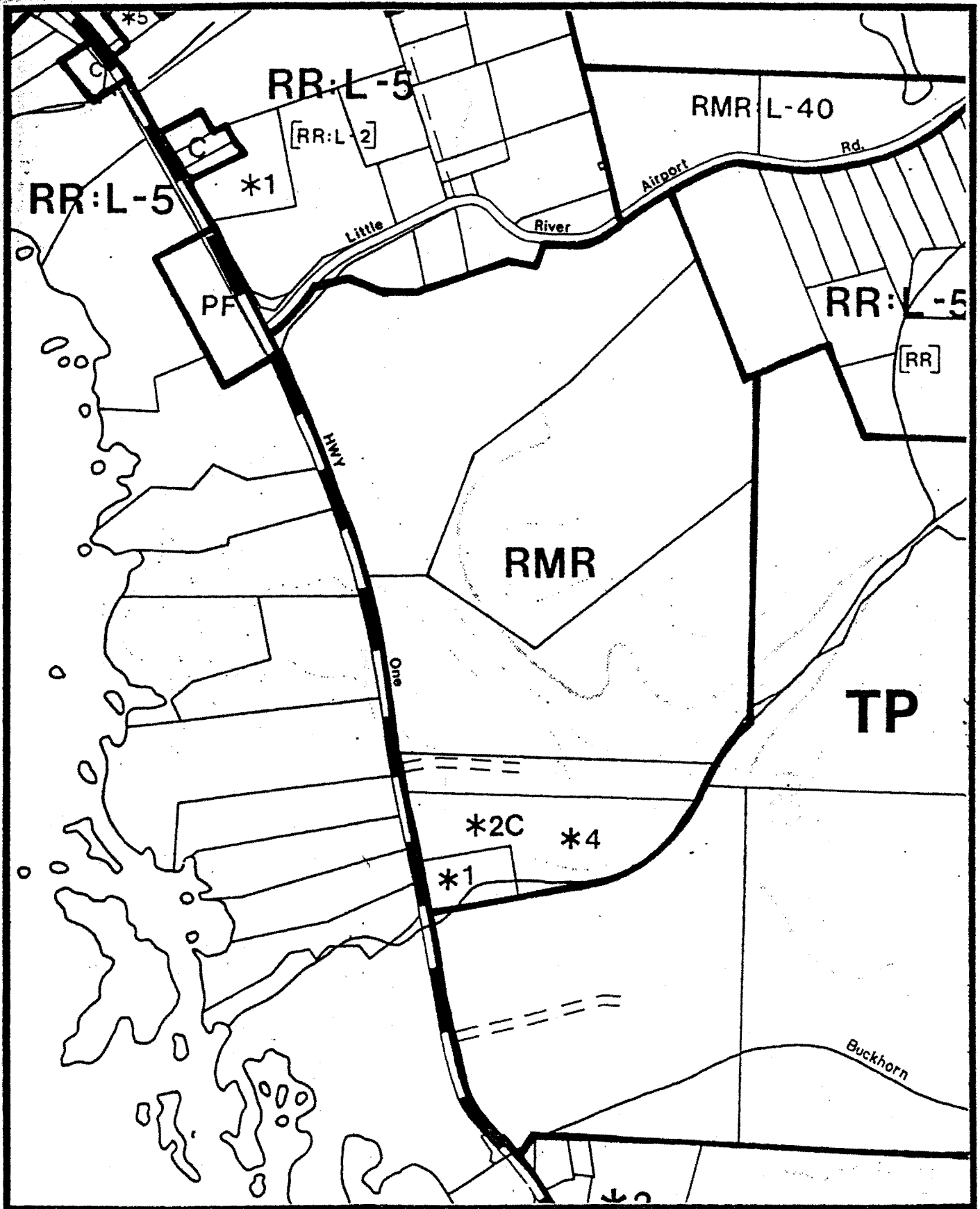


Exhibit A
R 21-91

Portion of Zoning Map 42G as Amended

▲ North 100 300 Ft.

ATTACHMENT B

ORDINANCE NO. 3945

AN ORDINANCE CHANGING THE ZONING OF REAL
PROPERTY WITHIN MENDOCINO COUNTY

The Board of Supervisors of the County of Mendocino, State of California, ordains as follows:

Pursuant to Division II of Title 20, Chapter 20.548 of the Mendocino County Code, the zoning of the following real property within Mendocino County is hereby changed as described below.

Said zoning change encompasses the property described by Assessor's Parcel Number 123-040-06 and 123-040-07 which are reclassified to transfer the Albion River Inn VSF designation (*2) to the correct parcel, more particularly shown on the attached Exhibit "A."

Passed and adopted by the Board of Supervisors of the County of Mendocino, State of California, on this 26th day of August, 1996, by the following vote:

AYES: Supervisors Sugawara, McMichael, Pinches, Peterson, Henry

NOES: None

ABSENT: None

WHEREUPON, the Chairman declared said Ordinance passed and adopted and SO ORDERED.

Chairman, Board of Supervisors

ATTEST: JOYCE A. BEARD
Clerk of the Board

By:

DEPUTY

CASE#: #R 30-91
OWNER: WELLS/HEALY

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

JOYCE A. BEARD
Clerk of the Board

By:

DEPUTY

ATTACHMENT B

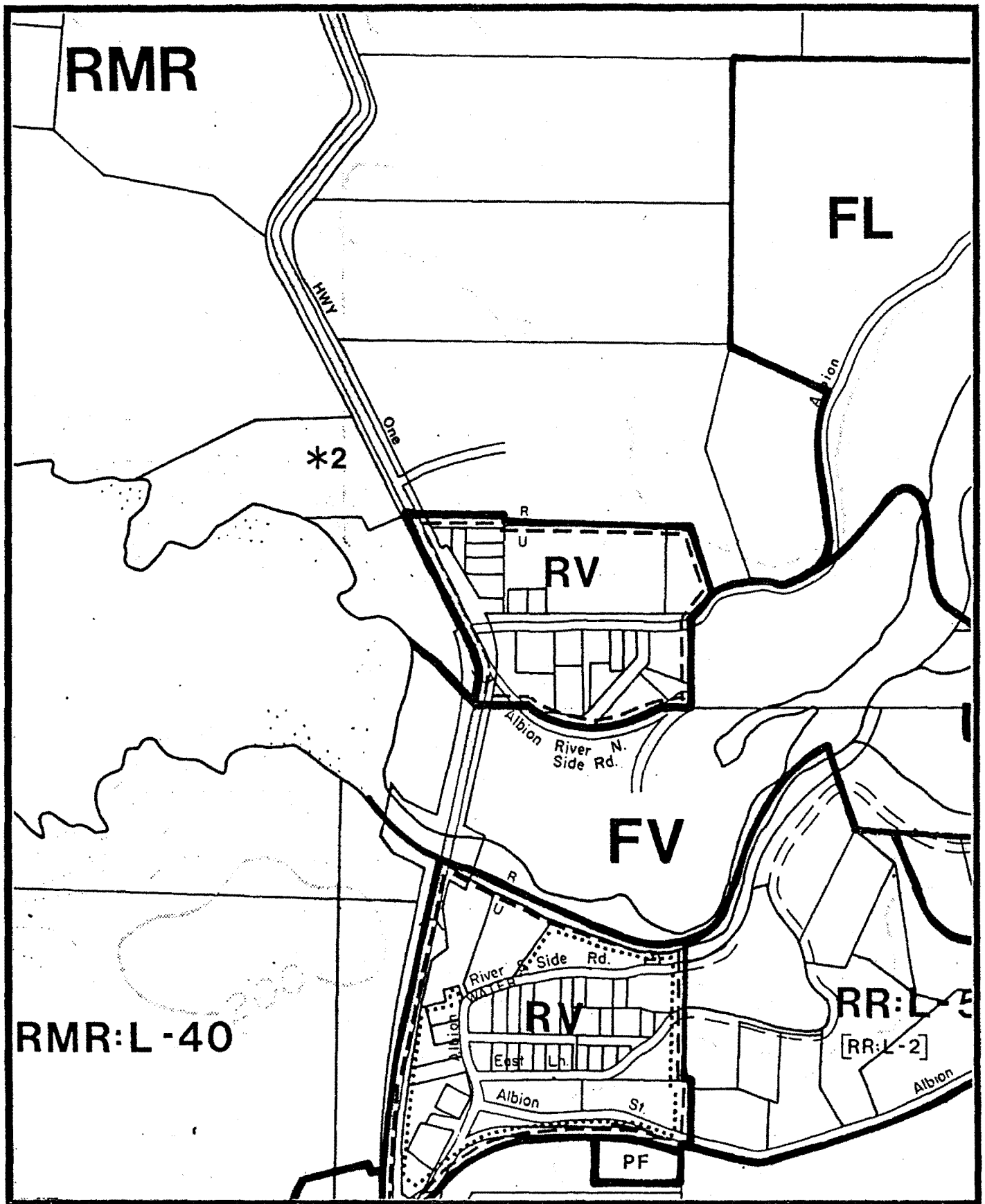


Exhibit A
R 30-91

Portion of Zoning Map 55A as Amended

▲ North 100 300 Ft.

ORDINANCE NO. 3946

**AN ORDINANCE CHANGING THE ZONING OF REAL
PROPERTY WITHIN MENDOCINO COUNTY**

The Board of Supervisors of the County of Mendocino, State of California, ordains as follows:

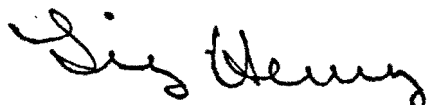
Pursuant to Division II of Title 20, Chapter 20.548 of the Mendocino County Code, the zoning of the following real property within Mendocino County is hereby changed as described below.

Said zoning change encompasses the property described by Assessor's Parcel Numbers 017-310-43 and 017-310-58 which are reclassified from RR:L:5[RR] to RR:L:5[RR:L:2], more particularly shown on the attached Exhibit "A."

Passed and adopted by the Board of Supervisors of the County of Mendocino, State of California, on this 26th day of August, 1996, by the following vote:

AYES: Supervisors Sugawara, McMichael, Pinches, Peterson Henry
NOES: None
ABSENT: None

WHEREUPON, the Chairman declared said Ordinance passed and adopted and SO ORDERED.



Chairman, Board of Supervisors

ATTEST: JOYCE A. BEARD
Clerk of the Board

By: 

DEPUTY

CASE#: #R 16-95
OWNER: KRIZIC

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

JOYCE A. BEARD
Clerk of the Board

By: 

DEPUTY

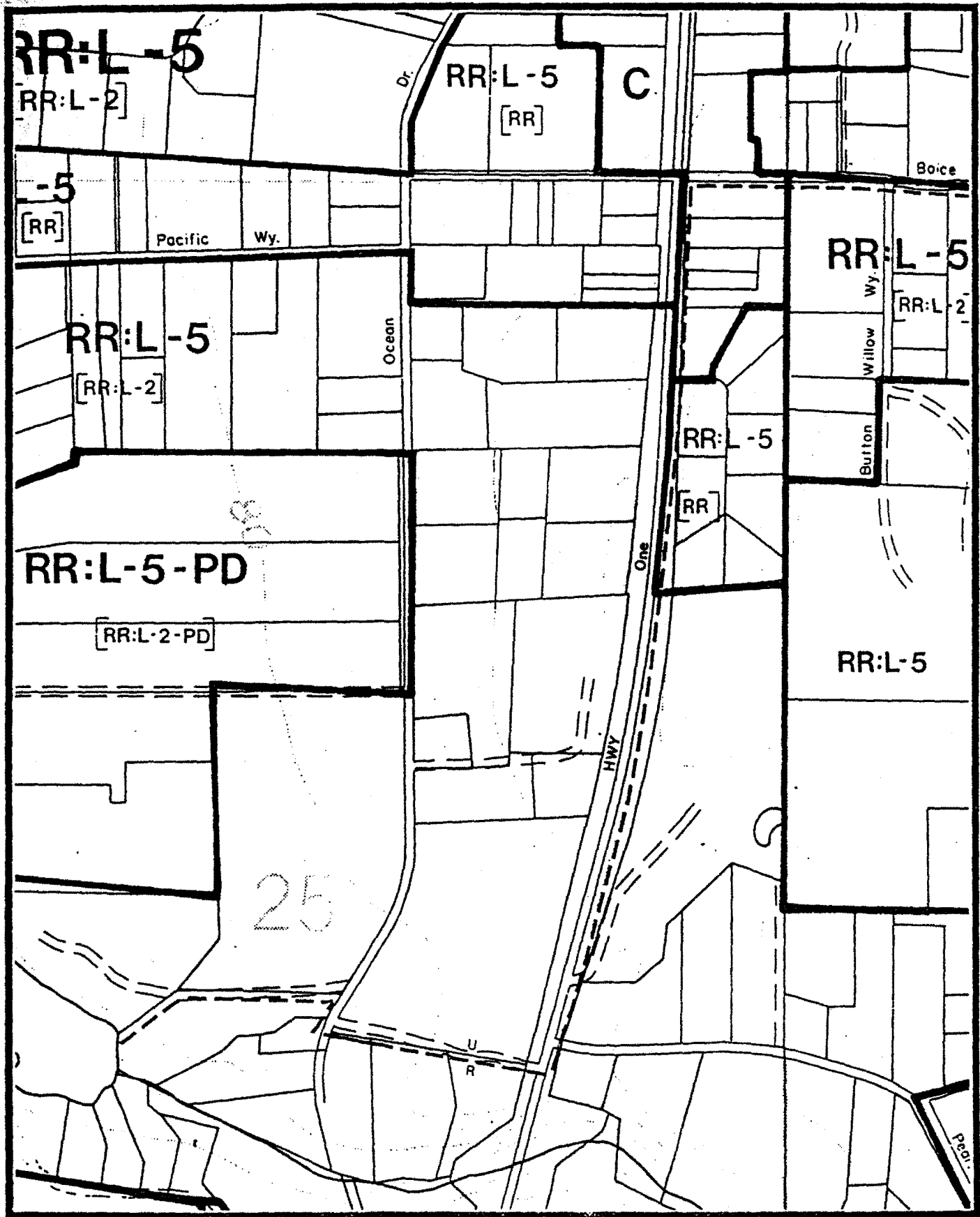
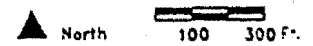


Exhibit A
R 16-95

Portion of Zoning Map 41H as Amended



ATTACHMENT B