

CALIFORNIA COASTAL COMMISSION

NORTH COAST AREA
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SAN FRANCISCO, CA 94105-2219
(415) 904-5260

F 7a



Date Submitted: November 14, 1996
Date Filed: November 22, 1996
60th Day: January 21, 1996
Staff: James Muth
Staff Report: November 22, 1996
Meeting of: December 13, 1996
Commission Action:

TO: Commissioners and Interested Parties

FROM: Peter M. Douglas, Executive Director
Steven F. Scholl, Deputy Director
James Muth, Coastal Planner

SUBJECT: **Humboldt County LCP Amendment No. 1-96 (major)**
(for Commission consideration at the meeting of December 13, 1996 in San Francisco)

SYNOPSIS

Amendment Description.

Humboldt County LCP Amendment No. 1-96 proposes to make four changes to the zoning map designation for a 26.5-acre property located in McKinleyville. The property is currently zoned as: "RS-20/AP,G,A,F,N,R", meaning Residential Single-Family, 20,000-square-foot minimum parcel size, with special area combining zones for Airport Protection, Geologic Hazard, Archeologic Resource Protection, Flood Hazard, Noise Impact, and Coastal Streams & Riparian Corridor Protection. The proposed LCP amendment would rezone the property to "RS-20/AP,G,A,R,P,Q" by: (1) adding a "P" (Planned Development) special area combining zone to the property, (2) adding a "Q" (Qualified) combining zone to the property, (3) deleting an "N" (Noise Impact) special area combining zone from the property, and (4) deleting a "F" (Flood Hazard) special area combining zone from the property. The property owners proposed the amendment to the County with the expectation that the amendment would facilitate a 63-unit subdivision they have proposed for the site.

Analysis Criteria.

To approve the amendment, the Commission must find that the proposed amendment to the County's Implementation Plan (zoning maps) conforms with and is adequate to carry out the policies of the County's coastal Land Use Plan (LUP).

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Summary of Staff Recommendation.

Staff recommends denial of the LCP amendment as submitted, and approval of the LCP amendment if modified to not delete the "N" (Noise Impact) combining zone. The "N" zone is necessary to carry out Policy 3.28G(1) of the McKinleyville Area Land Use Plan (LUP) of Humboldt County's certified Local Coastal Program (LCP). LUP Policy 3.28G(1) requires the Airport Land Use Commission to apply specific noise standards for new development within the Arcata-Eureka Airport approach and transitional zones. The Commission identified the subject property as being located within the airport approach zone. New information in a 1993 update to the County's airport master plan suggests that the "N" zone could be deleted in some areas. However, it is premature to delete the "N" zone on any property so designated because the updated airport master plan has not been adopted into the County's LCP and because LUP Policy 3.28G has not been revised.

Staff Note.

The proposed rezone is associated with a tentative subdivision map, coastal development permit, and conditional use permit which were approved by the County for a 63-lot subdivision called "Sand Pointe". The County has approved the permits for the subdivision and the coastal development permit has been appealed to the Coastal Commission. The County's approval of the coastal development permit for the subdivision is contingent upon approval of this proposed rezoning. Therefore, staff has agendized the proposed rezoning before agendizing the appeal. Staff is recommending a suggested modification to the proposed rezoning. The appeal of the subdivision (and a determination of whether there is a substantial issue) will be acted on by the Commission at a subsequent meeting after the Commission acts on the proposed rezoning.

Additional Information.

For further information, please contact James Muth at (415) 904-5260. Correspondence should be sent to the Coastal Commission at the above address, attention James Muth.

I. STAFF RECOMMENDATION ON HUMBOLDT COUNTY LCP AMENDMENT NO. 1-96.

Staff recommends that, following a public hearing, the Commission adopt the following resolutions and related findings, as introduced by Motion I:

A. DENIAL OF THE LCP AMENDMENT AS SUBMITTED.

MOTION I: DENIAL OF THE IMPLEMENTATION PLAN AMENDMENT AS SUBMITTED.

"I hereby move that the Commission reject LCP Amendment No. 1-96 to the Implementation Plan (zoning map) portion of Humboldt County's certified Local Coastal Program as submitted by the County."

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Staff recommends a YES vote, and the adoption of the following resolution and findings. This motion requires a majority of the Commissioners present to pass.

RESOLUTION A:

The Commission hereby denies certification of LCP Amendment No. 1-96 to the Implementation Plan portion of Humboldt County's certified Local Coastal Program based on the findings set forth below on the grounds that the zoning ordinance, zoning map, and other implementing materials do not conform with and are not adequate to carry out the provisions of the Land Use Plan.

B. APPROVAL OF THE IMPLEMENTATION PLAN AMENDMENT IF MODIFIED AS SUGGESTED.

Staff recommends that the Commission adopt the following resolution and related findings, as introduced by Motion II.

MOTION II: APPROVAL OF THE IMPLEMENTATION PLAN AMENDMENT IF MODIFIED AS SUGGESTED.

"I hereby move that the Commission reject LCP Amendment No. 1-96 to the Implementation Plan (zoning map) portion of Humboldt County's certified Local Coastal Program if modified as suggested."

Staff recommends a NO vote, which would result in the adoption of the following resolution and findings. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.

RESOLUTION II:

The Commission hereby approves certification of LCP Amendment No. 1-96 to the Implementation Plan (zoning map) portion of Humboldt County's certified Local Coastal Program if modified as suggested, for the reasons discussed in the findings below on the grounds that, as modified, the zoning ordinance, zoning map, and other implementing materials conform with and are adequate to carry out the provisions of the Land Use Plan as certified. There are no other feasible alternatives or feasible mitigation measures available that would lessen any significant adverse impacts, within the meaning of CEQA, that the approval of the Zoning and Implementation Program if modified would have on the environment.

C. SUGGESTED MODIFICATION.

Certification of the LCP amendment is subject to the following modification:

The LCP amendment shall not delete the "N" (Noise Impact) special area combining zone for the subject property.

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II. FINDINGS.

The Commission hereby finds and declares as follows.

A. Amendment Description.

The LCP amendment proposes to make four changes to the zoning map designation for a 26.5-acre property located in McKinleyville. The property is currently zoned as: "RS-20/AP,G,A,F,N,R", meaning Residential Single-Family, 20,000-square-foot minimum parcel size, with special area combining zones for Airport Protection, Geologic Hazard, Archeologic Resource Protection, Flood Hazard, Noise Impact, and Coastal Streams & Riparian Corridor Protection. The proposed LCP amendment would rezone the property to "RS-20/AP,G,A,R,P,Q" by: (1) adding a "P" (Planned Development) special area combining zone to the property, (2) adding an "Q" (Qualified) combining zone to the property, (3) deleting a "N" (Noise Impact) special area combining zone from the property, and (4) deleting a "F" (Flood Hazard) special area combining zone from the property.

B. Amendment Background.

The subject property is located on a coastal terrace on the north side of Murray Road and the east side of the Mad River in the McKinleyville area of Humboldt County, APN 511-011-14. See locational Exhibits No. 1 and 2. The 26.5-acre property was a former bulb farm and is now an unmowed meadow.

The County Planning Commission held a series of public hearings on May 30, June 27, and July 16, 1996 regarding the proposed rezone, tentative subdivision map, coastal development permit, and conditional use permit for the proposed subdivision. On July 16, 1996, the Planning Commission voted 3 to 3 to approve the permits and rezone for the Sand Pointe Subdivision. According to the County, the tie vote represented "no action" being taken by the Planning Commission on the tentative subdivision map, the coastal development permit, and the conditional use permit. As such, the tie vote essentially resulted in a denial of those portions of the project. However, the tie vote is deemed as an approval of the zoning reclassification portion of the project, which was automatically forwarded to the Board of Supervisors. The applicants also filed a timely appeal on the denial of the proposed permits by the Planning Commission to the County Board of Supervisors. A concurrent hearing on both the rezoning request and the appeal was subsequently scheduled for August 13, 1996 before the County Board of Supervisors.

The County Board of Supervisors held a series of public hearings on August 13, 1996, August 27, 1996, and September 3, 1996. On September 3, 1996, the County Board of Supervisors approved the rezoning request and the permits for the subdivision. The County conditioned the permits it granted for the subdivision contingent upon approval of the proposed rezoning by the Coastal Commission.

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On November 5, 1996, the Board of Supervisors also adopted Ordinance No. 2131 to amend the zoning map designation for the subject property. That same day, the Board of Supervisors adopted Resolution No. 96-86 to submit the proposed rezoning to the Coastal Commission as an amendment to their certified LCP. See Exhibits No. 3, 4, 5 and 6. The proposed rezone is labeled as "Humboldt County LCP Amendment No. 1-96." A mailed copy of the County's LCP amendment request was received on November 14, 1996 at the North Coast Office of the Coastal Commission.

C. Delete the "N" (Noise Impact) Combining Zone.

Part of the proposed amendment to the Implementation Plan includes deleting the "N" (Noise Impact) combining zone that is attached to the zoning designation for the site on the zoning maps. The regulations governing the "N" (Noise Impact) combining zone are found in Section A314-60 of the Humboldt County coastal zoning code. The "N" zone is intended to ensure low exposure levels to noise from nearby airports and major roads within single-family and multi-family structures and within structures designed for transient habitation, such as hotels and motels. The "N" zone has been applied by the County to areas mapped as having a noise exposure level of equal to or greater than 60 decibels CNEL-Ldn. Greater acoustic insulation must be installed in new residential construction that is located within an "N" zone. The "N" zone also prohibits the placement of mobile homes.

The "N" zone was applied by the County to the subject property in the originally certified LCP based upon noise exposure data contained in the technical report of the Airport Master Plan for the Arcata-Eureka Airport which was prepared by Hodges and Shutt in 1980. The 1980 Airport Master Plan and its technical report are incorporated by reference into the County's certified LCP.

Portions of the technical report for the 1980 airport master plan are attached to the end of this staff report as Exhibit No. 5. As discussed below, the technical findings indicate that it was appropriate to apply an "N" zone to the subject property. First, page 143 of the report indicates that airport/land use noise compatibility shall be evaluated in terms of the Community Noise Equivalent Level (CNEL). Page 144 of the report shows that the subject property is within the noise analysis zone. Page 147 introduces the "Land Use Compatibility for Community Noise Environments" matrix. Page 148 shows the noise matrix which indicates that noise exposure levels between 55 and 65 CNEL for low density residential development is conditionally acceptable. The matrix also indicates that new construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed insulation features are included in the design. Page 151 shows that the subject property is located within a noise exposure level of 55 to 60 CNEL. Pages 171 and 172 indicate that the airport/land use compatibility matrix establishes 60 dB as the maximum "normally acceptable" Community Noise Equivalent Level for residential neighborhoods. On the issue of noise exposure levels, the Executive Summary for the Airport Master Plan concludes that:

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Although airport noise has apparently not been a major issue in the local community despite the noise levels, it could become an issue if the community's current low-density character is allowed to become more densely developed.

County implementation of these technical noise standards is required by LUP Policy 3.28G(1) of the McKinleyville Area Plan, which states:

New development within the Arcata-Eureka Airport approach and transitional zones shall be consistent with the approved off-site development guidelines contained in the adopted County Airport Master Plan. The Airport Land Use Commission will define and formally establish an airport safety zone, adopt specific noise and safety standards, and apply such standards to all new development with these zones.

LUP Policy 3.28G requires the adoption of specific noise standards. The policy also requires that such standards be applied to all new development located within the airport approach and transition zones. This noise policy is implemented in the Coastal Zoning Ordinance by applying the provisions of the "N" combining zone to residentially zoned lands within the airport approach and transition zone. As the subject property is located entirely within an airport approach zone, deleting the "N" zone would not allow the noise standards required by the County LUP policy to be applied to the subject property.

The County staff report notes that an update of the 1980 Airport Master Plan was proposed in 1993 by Hodges and Shutt. The updated plan recommends a number of revisions to the 1980 plan. In 1995, the Board of Supervisors adopted the updated plan for on-site airport operations only. The Board of Supervisors has not adopted the off-site portions of the updated plan. In addition, it is important to note that none of the on-site or off-site portions of the updated airport master plan have been incorporated into the County's LCP.

In explaining why the Board of Supervisors has not adopted the off-site portions of the updated plan, the County staff report states:

The reason for this was due to the work undertaken by the Community Advisory Committee (CAC) on the McKinleyville General Plan update. It was the preference of the Board at that time to wait on full implementation so that formal delineation of compatibility zoning boundaries (i.e. approach, clear, noise contours) might be included under the CAC's work. Accordingly, the officially adopted airport compatible density for the project site remains as 2.5 acres per dwelling unit.

The County staff report then states:

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It has been the practice of the Planning Division, in coordination with the Public Works Department, to recognize the 1993 airport plan update as containing the most up-to-date, hence accurate, data for reviewing adjacent land use compatibility for proposed projects (e.g. Dale, Stephen, File No. 511-202-31, Case Nos. FMS-02-93, SP-20-93). If this practice is used for the proposed project....

The Commission should note that APN 511-202-31 is not located in the coastal zone. The Commission has not yet acted on any LCP amendment in the coastal zone of Humboldt County that has relied upon data in the 1993 plan.

In its review of the 1993 airport plan, the County staff report concludes:

The full extent of noise impacts from airport operations had been overstated in the 1980 plan, and that the subject property lay well beyond the 60 dB isopleth. Accordingly, no noise impact issues are associated with the subject property and County staff has recommended that the requested rezoning include removal of this zoning map designation.

The Commission notes that the standard of review for the subject property is still LUP Policy 3.28G in the County's certified LCP. Moreover, even if the County had adopted the 1993 update to the airport master plan, the Commission could not find that the proposed LCP amendment conforms with and is adequate to carry out the policies of the County's certified LUP until the necessary amendments to the current policies have been certified by the Commission.

Therefore, the Commission finds that the proposed Implementation Plan amendment does not conform with and is inadequate to carry out Policy 3.28G in the McKinleyville Area LUP. The Commission therefore suggests that the County modify the proposed rezone so that the "N" zone is not deleted from the zoning map for the subject property. The Commission finds that the proposed Implementation Plan amendment, if modified as suggested, conforms with and is adequate to carry out the provisions of the LUP. In summary, it cannot be assumed that it is appropriate to delete the "N" zone on the subject property unless and until the County and the Commission consider an LCP amendment that updates the LUP policies on land use compatibility near the County airport.

D. Add a "P" (Planned Development) combining zone.

The County's request to add a "P" zone to the subject property is the first time that this special area combining zone has ever been applied to a coastal property. Housing Policy 3.37D in the McKinleyville Area LUP encourages the Planned Unit Development concept in the County. Policy 3.37D states:

It shall be the policy of the County to encourage the Planned Unit Development (PUD) concept, where such utilization would provide for extraordinary benefits to the community and to the County, such as: dedications of open space and public access, protection of visual

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resources and sensitive habitats beyond that already required in Sections 3.41 and 3.42, incentives may include increases of up to 20 percent over planned densities.

Addition of a "P" zone is potentially advantageous to the future development of the subject property. The "P" zone could be used to cluster development on the site to: (1) provide more than a minimally required setback distance between the improvements in the subdivision and the earthquake fault that runs through the property, (2) provide for a generous setback distance between the top of the coastal bluffs and the first row of houses fronting the Mad River and the sea, (3) protect public views over the property and toward the sea from the end of Wilber Avenue and along Murray Road, (4) protect any existing accessways for public use where there is substantial evidence that such accessways have been impliedly dedicated, and (5) provide a generous amount of open space within the subdivision. In this sense, application of the "P" zone to the subject property conforms with and is adequate to carry out not only the LUP policy 3.37D which encourages housing opportunities via PUD development, but also other LUP policies, such as: (1) LUP policies 3.28 and 3.39 to minimize risks to life and property due to earthquake faults and fragile coastal bluffs, (2) LUP policy 3.42 to protect public views to and along the coast, and (3) potentially LUP policies 3.50 and 3.53 to protect public access to the coast where such access has been acquired through use. LUP policy 3.28G(3) also encourages the clustering of new development proposed in and around airport approach and transitional zones to mitigate health and safety concerns. Therefore, because clustering may help future development at the site to be designed in a manner more consistent with other LUP policies, the Commission finds that adding the "P" zone to the subject property would be appropriate. Therefore, the Commission finds that amending the Implementation Plan to add a "P" zone to the subject property as proposed by the County conforms with and is adequate to carry out the LUP.

E. Add a "Q" (Qualified) combining zone.

Part of the proposed amendment includes adding a "Q" (Qualified) combining zone to the property. The regulations of the "Q" zone are found in Section A313-42 of the Humboldt County coastal zoning code. The "Q" zone is intended to be combined with principal zones to help precisely implement the adopted County General Plan. Examples of its use include prohibition or limitations on principally and/or conditionally permitted uses which would otherwise be allowed, and setting specific performance standards for a proposed use or development.

In this case, the County is adding a "Q" zone to the property to specifically prohibit the development of second dwelling units on the property. The County staff report is not entirely clear as to how the "Q" zone will more precisely implement the adopted County Land Use Plan. However, it is clear that limiting residential density within an airport approach and/or transition zone would be consistent with LUP Policy 3.28G(2). Policy 3.28G(2) states in applicable part: "Generally, within the airport approach and transitional

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zones the plan recommends an overall residential density of 1 unit per 2.5 acres." Therefore, the Commission finds that amending the Implementation Plan to add a "Q" zone to the subject property as proposed by the County conforms with and is adequate to carry out the LUP.

F. Delete a "F" (Flood Hazard) combining zone.

Part of the proposed LCP amendment includes deleting the "F" (Flood Hazard) combining zone that currently applies to the property. The regulations of the "F" zone are found in Section A314-59 of the Humboldt County coastal zoning code. The "F" (Flood Hazard) zone is intended to minimize public and private losses due to flood and tsunami conditions in specific areas of the County. Specifically, certain types of new development are prohibited within the 100-year flood plain as designated on the Federal Emergency Management Agency's Flood Insurance Rate Maps (FIRM).

The regulations of the "F" zone implement LUP Policy 3.28E which places restrictions on the type of development that is allowed within a 100-year flood plain. The County has usually applied the "F" combining zones to entire parcels, rather than to just the portions of the parcels that are indicated by the FIRM maps as having a flood hazard. At the time the "F" zone was originally applied to the subject property, the parcel extended northward all the way to Widow White Creek. Since that time, the County approved a boundary line adjustment which had the effect of reconfiguring the subject parcel so that no part of the parcel lies within the 100-year flood plain and flood hazard area shown on the FIRM maps adjacent to Widow White Creek. Consequently, deletion of the "F" zone on the subject property is consistent with LUP Policy 3.38E since the present property, as boundary line adjusted, is no longer within a 100-year flood plain or designated flood hazard area. Therefore, the Commission finds that amending the Implementation Plan to delete a "F" zone from the subject property as proposed by the County conforms with and is adequate to carry out the LUP.

G. California Environmental Quality Act.

Pursuant to SB 1873, which amended the California Environmental Quality Act the Coastal Commission is the lead agency in terms of meeting California Environmental Quality Act (CEQA) requirements for local coastal programs. In approving the proposed amendment, the Commission must make a finding consistent with Section 21080.5 of the Public Resources Code. Section 21080.5(d)(2)(i) of the Public Resources Code requires that the Commission not approve or adopt an LCP:

. . . if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

If modified as suggested, the Commission finds that feasible mitigation measures are available to reduce potentially significant adverse noise impacts

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from the airport traffic upon future residential development of the property by not deleting the "N" (Noise Impact) combining zone at this time. For the reasons discussed in this report, feasible alternatives or mitigation measures are available that could substantially reduce adverse environmental impacts to future residential development of the property from noise due to airport traffic. The Commission therefore finds, the LCP amendment, if modified as suggested, is consistent with Section 21080.5(d)(2)(i) of the Public Resources Code.

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EXHIBIT NO. 2

APPLICATION NO.
HUM LCP AMEND #1-96

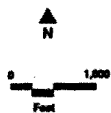
Area Location

 **California Coastal Commission**

AIRPORT PROPERTY MAP

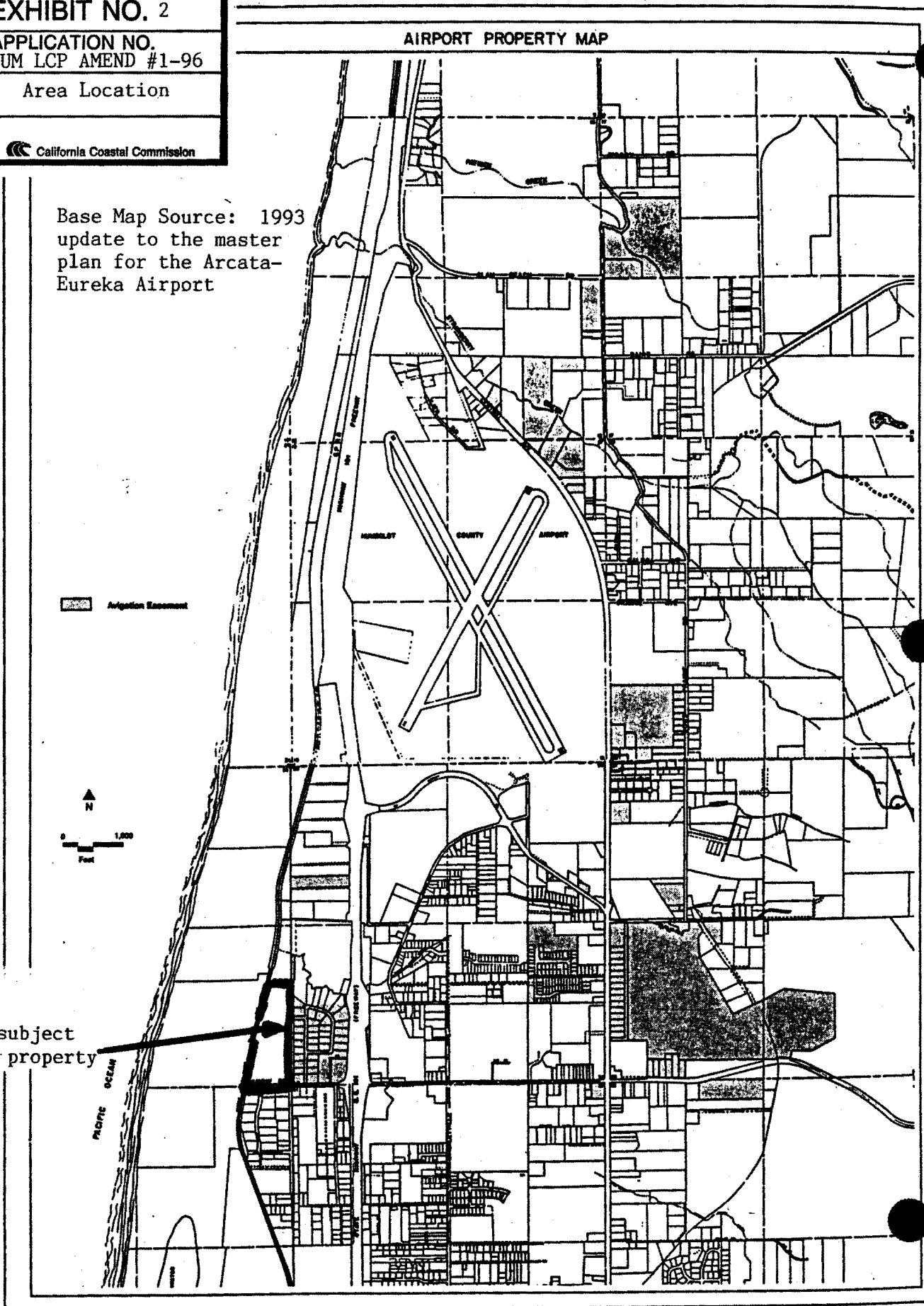
Base Map Source: 1993
update to the master
plan for the Arcata-
Eureka Airport

 **Aviation Easement**



Location of subject
property

Pacific Ocean



BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings, Meeting of November 5, 1996

Resolution No. 96-86

*Resolution of Submittal to the California Coastal Commission
for Certification of a Local Coastal Plan (LCP) Amendment*

WHEREAS, Steve Moser, Brian Hunt, and Cindi Hunt, Applicants, have petitioned for a Zone Reclassification of property in the McKinleyville area pursuant to Section A316-9 of the Humboldt County Coastal Zoning Regulations. The zoning reclassification redesignates property from Residential Single-Family - 20,000 Square Foot Minimum Parcel Size with Airport Protection, Geologic Hazard, Archaeologic Resource Protection, Flood Hazard, Noise Impact, and Coastal Streams and Riparian Corridor Protection Combining Zones, (RS-20/AP,G,A,F,N,R) to Residential Single-Family - 20,000 Square Foot Minimum Parcel Size with Airport Protection, Geologic Hazard, Archaeologic Resource Protection, Planned Development, Coastal Streams and Riparian Corridor Protection, and Qualified Combining Zones, (RS-20/AP,G,A,P,R,Q); and

WHEREAS, the Zone Reclassification has been reviewed and processed pursuant to the provisions of the Framework Plan, the McKinleyville Area Plan and its implementing zoning regulations, and with the policies of Chapter 3 of the Coastal Act; and

WHEREAS, an environmental impact report document has been prepared and processed pursuant to the California Environmental Quality Act; 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, the ordinance adopting this amendment shall take effect immediately upon certification by the Coastal Commission.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Humboldt do hereby approve the amendment to the Local Coastal Program and submit such revisions to the Coastal Commission for certification.

Adopted on motion by Supervisor Dixon, seconded by Supervisor Heider and the following vote:

AYES: Supervisors--Dixon, Heider, Fulkerson, Neely, and Kirk
NOES: Supervisors--None
ABSENT: Supervisors--None
ABSTAIN: Supervisors--None


STATE OF CALIFORNIA)
COUNTY OF HUMBOLDT)

I, LORA FREDIANI, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed the seal of the Board of Supervisors

LORA FREDIANI
Clerk of the Board of Supervisors of the County of Humboldt,
State of California

By Lora Frediani
Lora Frediani

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| EXHIBIT NO. 3 |
| APPLICATION NO. HUM LCP AMEND #1-96 |
| County Resolution No. 96-86 |
|  California Coastal Commission |

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings, Meeting on November 5, 1996

ORDINANCE NO. 2131

AMENDING SECTION A311-9 OF THE HUMBOLDT COUNTY CODE
BY REZONING PROPERTY IN THE MCKINLEYVILLE AREA
[ZR-18-94 (Moser-Hunt *Sand Pointe* Planned Residential Development)]

The Board of Supervisors of the County of Humboldt ordains as follows:

SECTION 1. ZONE AMENDMENT. Section A311-9 of the Humboldt County Code is hereby amended by reclassifying the property described in the attached Exhibit A from Residential Single-Family - 20,000 Square Foot Minimum Parcel Size with Airport Protection, Geologic Hazard, Archaeologic Resource Protection, Flood Hazard, Noise Impact, and Coastal Streams and Riparian Corridor Protection Combining Zones, (RS-20/AP,G,A,F,N,R) to Residential Single-Family - 20,000 Square Foot Minimum Parcel Size with Airport Protection, Geologic Hazard, Archaeologic Resource Protection, Planned Development, Coastal Streams and Riparian Corridor Protection, and Qualified Combining Zones, (RS-20/AP,G,A,P,R,Q).

The area described is also shown the zoning map I-18 and on the map attached as Exhibit B.

SECTION 2. EFFECTIVE DATE. This ordinance shall become effective upon certification by the California Coastal Commission.

SECTION 3. PURPOSE OF QUALIFICATIONS. The purposes of the special restrictions and regulations set forth herein are hereby made applicable to the property described in Exhibit A in accordance with Humboldt Code Section A314-32, which authorizes restriction of the zone regulations by application of the "Q" (Qualified Combining) Zone.

SECTION 4. SPECIAL RESTRICTIONS. Principally permitted uses and conditionally permitted uses otherwise allowed under the RS (Residential Single Family) Zone regulations of Humboldt County Code Section A313-16A. and B. shall not be allowed on the property described in Exhibit A as follows:

(a) No second or secondary dwelling units.

PASSED, APPROVED AND ADOPTED this fifth day of November, 1996, on the following vote, to wit:

AYES: Supervisors: Dixon, Heider, Fulkerson, Neely, and Kirk

NOES: Supervisors: None

ABSENT: Supervisors: None

(SEAL)

ATTEST:

Lora Frediani

Clerk of the Board of Supervisors of the
County of Humboldt, State of California

Lora Frediani

Julie Fulkerson

Chairman of the Board of Supervisors of the
County of Humboldt, State of California

EXHIBIT NO. 4

APPLICATION NO.
HUM LCP AMEND #1-96

County Ordinance
No. 2131

California Coastal Commission

EXHIBIT "A"

Parcel 1 of Parcel Map No. 1748 for Mathews Machinery Company, filed in the Office of the County Recorder of Humboldt County, California, on March 24, 1980 in Book 15 of Parcel Maps, pages 73 and 74.

EXCEPTING THEREFROM lands described as follows:

That portion of Parcel 1, as shown on Parcel Map No. 1748, on file in the Recorder's Office of said County, in Book 15 of Parcel Maps, pages 73 and 74, described as follows:

BEGINNING at the Southeast corner of Parcel 1 as shown on said Parcel Map No. 1748;

thence, along the East line of said Parcel 1, North 0 degrees 35 minutes 42 seconds East, 1760.00 feet to the true point of beginning of the following described land;

thence South 89 degrees 24 minutes 23 seconds East, 25.00 feet;

thence North 0 degrees 35 minutes 42 seconds East, 362.66 feet;

thence North 77 degrees West, 117.00 feet;

thence North 64 degrees West, 198.53 feet to a point on a non-tangent curve;

thence along a curve to the right having a radius of 1960.08 feet, the tangent of which bears South 12 degrees 53 minutes 34 seconds West, through an angle of 4 degrees 30 minutes 46 seconds, a distance of 154.38 feet;

thence South 17 degrees 24 minutes 21 seconds West, 121.05 feet;

thence South 77 degrees 46 minutes 15 seconds West, 22.21 feet;

thence South 19 degrees 36 minutes 20 seconds West, 115.30 feet;

thence, along a curve to the left, through an angle of 1 degree 35 minutes 31 seconds, a distance of 158.37 feet to a point which bears North 71 degrees 59 minutes 11 seconds West from the center of said curve;

thence leaving said curve, North 73 degrees 58 minutes East, 135.19 feet;

thence North 88 degrees 05 minutes East, 136 feet;

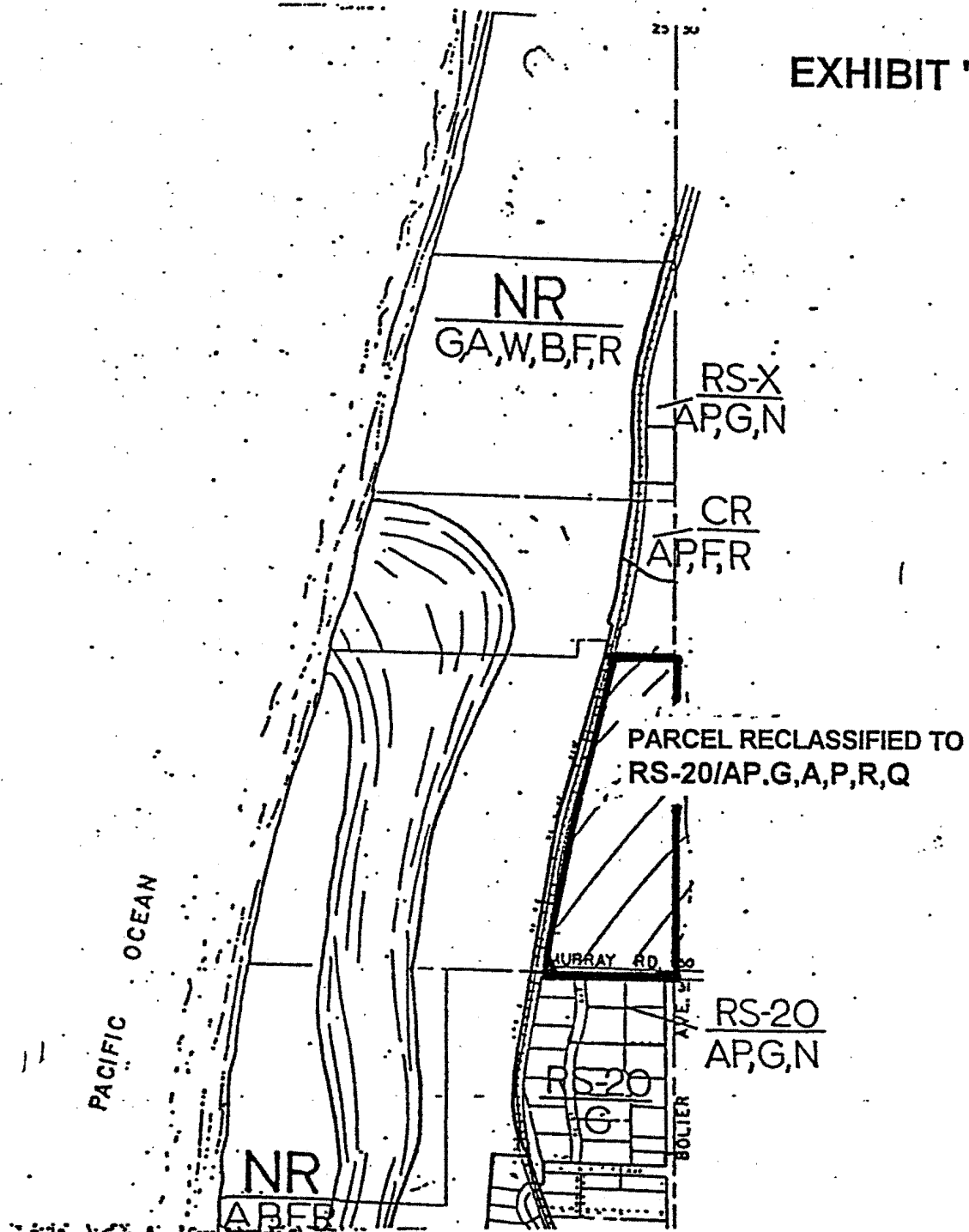
thence South 83 degrees 13 minutes East, 49 feet;

thence South 89 degrees 09 minutes East, 57 feet;

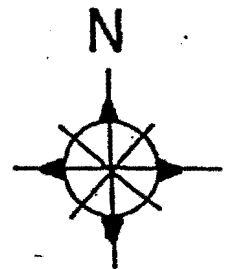
thence South 84 degrees 05 minutes East, 39 feet;

thence North 63 degrees 22 minutes 37 seconds East, 46.29 feet, more or less, to the true point of beginning.

EXHIBIT "B"



Proposed Moser-Hunt Coastal Dev. Permit
McKinleyville Area ZR-18-94
APN 511-011-14 Section 30 T7N, R1E H.B.&M.
Zoning Map



Scale: N.T.S.

10- RECOMMENDED AIRPORT/LAND USE COMPATIBILITY POLICIES

INTRODUCTION


This chapter presents a set of policies recommended for use in evaluating the compatibility between Humboldt County airports and proposed land uses in the airports' environs. It is recommended that these policies be adopted by the County. Only the actual policies are stated herein; supporting information and a discussion of the rationale behind the policies are included in Chapter 11.

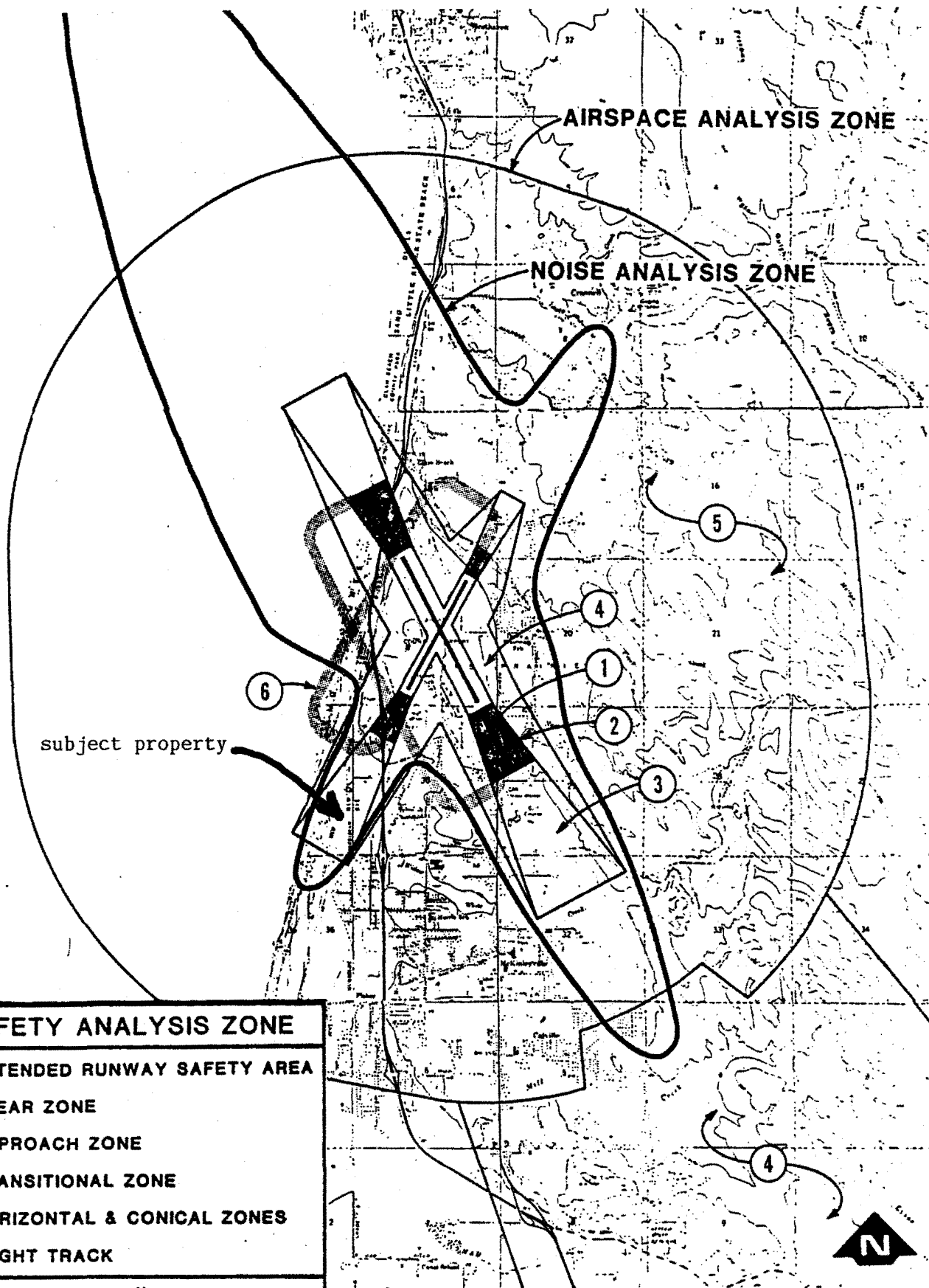
AREAS OF AIRPORT INFLUENCE

- ° Proposed projects within the area of influence of the Arcata, Murray Field, or Rohnerville Airports shall be evaluated with respect to the airport/land use compatibility policies set forth herein.
- ° For the purposes of this evaluation, a "proposed project" is defined as any new land use which is under consideration by a public agency and which may affect or be affected by airport activities. Specifically, these projects include, but are not limited to; new commercial, industrial, and public/semi-public construction; major commercial, industrial, and public/semi-public reconstruction or alteration; residential and other subdivisions; development plan changes; zoning changes; plan amendments; and changes in land use.
- ° The area of influence of each airport is defined in terms of the areas within which noise, airspace, and/or safety factors must be analyzed. The boundaries of these noise, airspace, and safety analysis zones for the Arcata, Murray Field, and Rohnerville Airports are illustrated in Exhibits 1, 2, and 3, respectively.

NOISE POLICIES

- ° Airport/land use noise compatibility shall be evaluated in terms of the Community Noise Equivalent Level (CNEL).

| |
|---|
| EXHIBIT NO. 5 |
| APPLICATION NO. HUM LCP AMEND #1-96 |
| Portions of the 1980 airport technical report |
|  California Coastal Commission |



- o The maximum noise exposure which shall be considered "normally acceptable" for residential areas is 60 dB CNEL. In the vicinity of the Murray Field and Rohnerville Airports, a noise exposure greater than 60 dB CNEL shall be considered "normally unacceptable" for residential areas. In the vicinity of the Arcata Airport, the "normally acceptable" range for residential neighborhoods shall be considered to begin at 65 dB CNEL. The residential area criterion establishes the baseline with respect to which noise compatibility for other land uses shall be evaluated.
- o The relative acceptability or unacceptability of particular land uses with respect to the noise levels to which they would be exposed is noted in the "Land Use Compatibility for Community Noise Environments" matrix, Exhibit 4. These criteria shall be used in determining whether a proposed land use is compatible with the noise impact from a nearby airport.
- o One of the conditions for approval of a land use which is "conditionally acceptable" or "normally unacceptable" for the given noise environment is that the building must provide a satisfactory degree of noise attenuation. Exhibit 5 sets forth the maximum acceptable interior noise levels for intermittent noises from exterior sources. If the structure can reduce the noise exposure to the indicated level, the use may be acceptable. (Note that the interior noise criteria are measured in terms of maximum intermittent noise levels and not average noise levels as represented by CNEL values. The required noise reduction of the structure thus will be greater than the difference between the interior noise level criteria and the CNEL value calculated for the structure's location.)
- o When a project is proposed which will involve a land use which is "conditionally acceptable" or "normally acceptable" within a noise environment in excess of 60 dB CNEL, noise monitoring will be necessary in order to determine the maximum noise level to which the site is exposed.

| LAND USE CATEGORY | COMMUNITY NOISE EXPOSURE L _{dn} OR CNEL, db | | | | | |
|---|---|-------|-------|-------|----|----|
| | 50 | 55 | 60 | 65 | 70 | 75 |
| RESIDENTIAL - LOW DENSITY SINGLE FAMILY, DUPLEX, MOBILE HOMES | | | | | | |
| RESIDENTIAL - MULTI-FAMILY | | | | | | |
| TRANSIENT LODGING - MOTELS, HOTELS | | | | | | |
| SCHOOLS, LIBRARIES, CHURCHES, HOSPITALS, NURSING HOMES | | | | | | |
| AUDITORIUMS, CONCERT HALLS, AMPHITHEATRES | | | | | | |
| SPORTS ARENA, OUTDOOR SPECATOR SPORTS | | | | | | |
| PLAYGROUNDS, NEIGHBORHOOD PARKS | | | | | | |
| GOLF COURSES, RIDING STABLES, WATER RECREATION, CEMETERIES | | | | | | |
| OFFICE BUILDINGS, COMMERCIAL RETAIL | | | | | | |
| INDUSTRIAL, MANUFACTURING, UTILITIES, AGRICULTURE | | | | | | |

INTERPRETATION



CLEARLY ACCEPTABLE

THE ACTIVITIES ASSOCIATED WITH THE SPECIFIED LAND USE MAY BE CARRIED OUT WITH ESSENTIALLY NO INTERFERENCE FROM THE NOISE EXPOSURE.



NORMALLY ACCEPTABLE

NOISE SHOULD BE CONSIDERED IN PROPOSED LAND USE PLANS, BUT UNDER MOST CIRCUMSTANCES CONVENTIONAL CONSTRUCTION, WITHOUT ANY SPECIAL NOISE INSULATION REQUIREMENTS, IS SATISFACTORY.



CONDITIONALLY ACCEPTABLE

NEW CONSTRUCTION OR DEVELOPMENT SHOULD BE UNDERTAKEN ONLY AFTER A DETAILED ANALYSIS OF THE NOISE REDUCTION REQUIREMENTS IS MADE AND NEEDED NOISE INSULATION FEATURES INCLUDED IN THE DESIGN. CONVENTIONAL CONSTRUCTION, BUT WITH CLOSED WINDOWS AND FRESH AIR SUPPLY SYSTEMS OR AIR CONDITIONING WILL NORMALLY SUFFICE.



NORMALLY UNACCEPTABLE

NEW CONSTRUCTION OR DEVELOPMENT SHOULD GENERALLY BE DISCOURAGED. IF NEW CONSTRUCTION OR DEVELOPMENT DOES PROCEED, A DETAILED ANALYSIS OF THE NOISE REDUCTION REQUIREMENTS MUST BE MADE AND NEEDED NOISE INSULATION FEATURES INCLUDED IN THE DESIGN.



CLEARLY UNACCEPTABLE

NEW CONSTRUCTION OR DEVELOPMENT SHOULD GENERALLY NOT BE UNDERTAKEN.

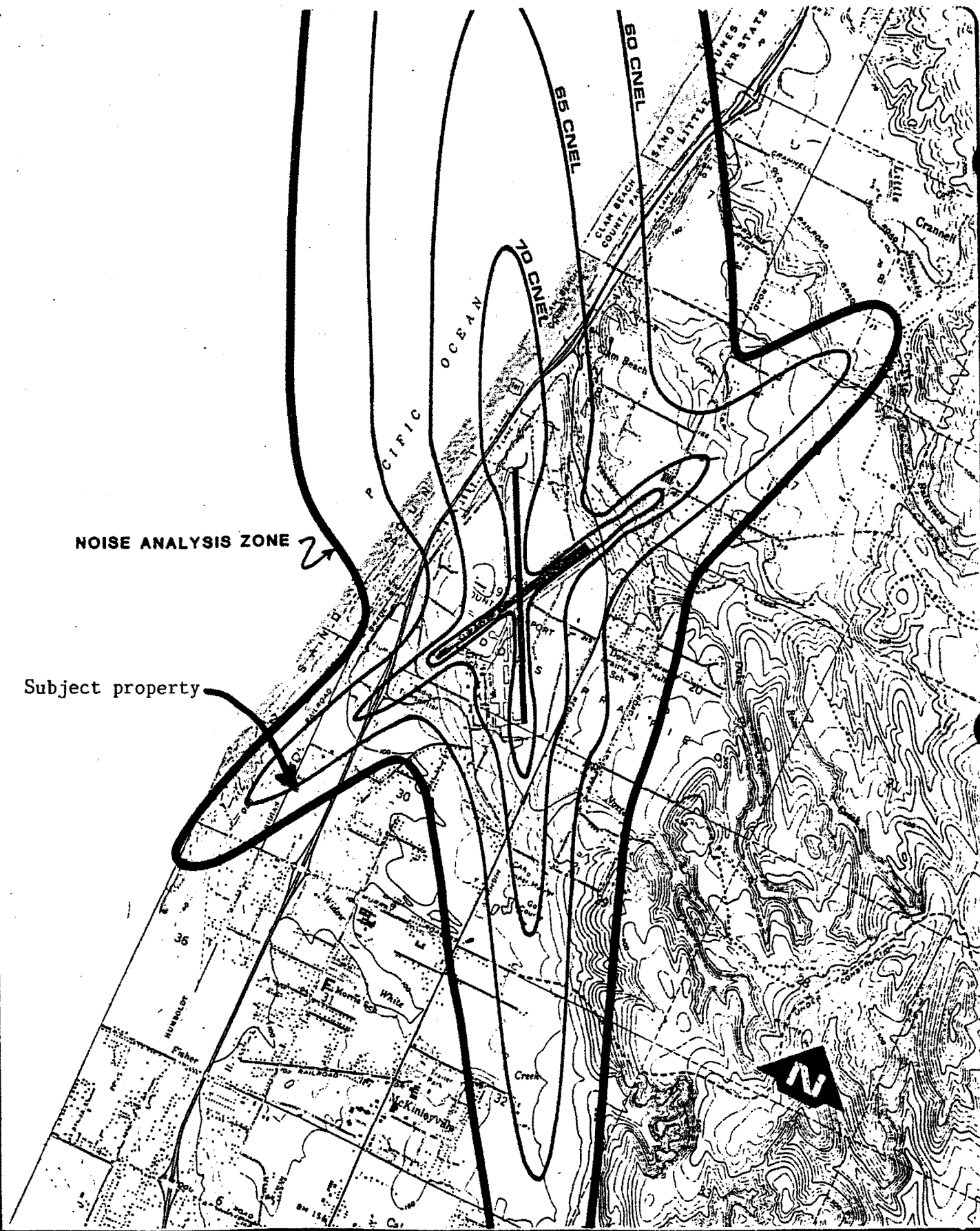
LAND USE COMPATIBILITY FOR COMMUNITY NOISE ENVIRONMENTS

Exhibit 5

MAXIMUM INTERIOR NOISE LEVEL
CRITERIA

| <u>Generalized Land Use</u> <u>(Occupancy)</u> | | <u>Maximum Int.</u> <u>Intermittent</u> <u>Noise - dBA</u> | <u>Basis for Criteria</u> |
|---|---|--|--|
| A. | RESIDENTIAL - SINGLE AND TWO FAMILY DWELLINGS | | |
| | 1. Living Areas | | |
| | a. Daytime | 45 - 60 | Conversation - 5 ft. - normal voice |
| | b. Nighttime | 35 | Conversation - 10 ft. - normal voice |
| | 2. Sleeping areas | 30 | Sleeping |
| B. | RESIDENTIAL Multiple Family Apartments | Same as A | Same as A. |
| C. | EDUCATIONAL FACILITIES, ETC. | | |
| | 1. Concert Hall | 25 | Intrusion of noise may spoil artistic effect |
| | 2. Legitimate Theater | 30 | Intrusion of noise may spoil artistic effect |
| | 3. School Auditorium | 35 | Minimize intrusion into artistic performance |
| | 4. School classroom | 55 | Speech communication - 20 ft. - raised voice |
| | 5. School Laboratory | 60 | Speech communication - 6 ft. - normal voice |
| | 6. Church Sanctuaries | 45 | Speech communication - 50 ft. - raised voice |
| | 7. Library | 55 | Speech communication - 3 ft. - normal voice |
| D. | RECREATIONAL FACILITIES | | |
| | 1. Motion Picture Theater | 45 | Minimize intrusion into artistic performance |
| | 2. Sports Arena | 75 | Conversation - 2 ft. - raised voice |
| | 3. Bowling Alley | 75 | Conversation - 2 ft. - raised voice |
| E. | COMMERCIAL, MISCELLANEOUS | | |
| | 1. Hotel, Motel Sleeping | 30 | Sleeping |
| | 2. Hospital Sleeping | 30 | Sleeping |
| | 3. Executive Offices, Conf. Rooms | 55 | Speech communication - 12 ft. - normal voice |
| | 4. Staff Offices | 60 | Speech communication - 6 ft. - normal voice |
| | 5. Sales, Secretarial | 65 | Satisfactory telephone use |
| | 6. Restaurants | 65 | Conversation - 4 ft. - normal voice |
| | 7. Markets, Retail Stores | 65 | Conversation - 4 ft. - normal voice |
| F. | LIGHT INDUSTRIAL | | |
| | 1. Office Areas | See E-3, 4, 5 | See E-3, 4, 5 |
| | 2. Laboratory | 60 | Speech Communication - 6 ft. - normal voice |
| | 3. Machine Shop | 70 | Speech Communication - 3 ft. - raised voice |
| | 4. Assembly, Construction | 70 | Speech Communication - 2 ft. - raised voice |
| G. | HEAVY INDUSTRIAL | | |
| | 1. Office Areas | See E-3, 4, 5 | See E-3, 4, 5 |
| | 2. Machine Shop | 75 | Speech Communication - 3 ft. - raised voice |
| | 3. Assembly, Construction | 75 | Speech Communication - 2 ft. - raised voice |

Source: Adapted from Table 2 in "Noise Insulation Problems in Buildings", Paul S. Veneklasen & Associates, January 1973.



NOISE ANALYSIS ZONE - ARCATA AIRPORT

Exhibit 6

11 - DISCUSSION OF AIRPORT/LAND USE COMPATIBILITY POLICIES

NOISE

The Community Noise Equivalent Level (CNEL) Methodology

The response of people to the intrusion of noise into their environment is complex and very subjective. The direct measurement of sound intensity on the decible (db) scale, even when the measurement is weighted to reflect the sound frequencies audible to the human ear (A-weighted decibels or dBA), does not adequately describe the human response to noise. Other factors, such as duration, can be as important as intensity and frequency in determining whether the sound is perceived as noise, i.e., undesired sound. Several composite noise descriptors, which take into account a number of the factors affecting the perception of sound, have therefore been devised to try to predict the annoyance associated with living and working in a noisy environment. Most of these descriptors mathematically relate the actual source noise with the number of exposures over a period of time.

One such noise descriptor is the Community Noise Equivalent Level (CNEL). The CNEL methodology was developed by the State of California and is often used to describe airport noise conditions. Calculations of an airport's CNEL take into account the noise transmitted by individual aircraft types (measured on the dBA scale), the number of operations by aircraft type, the time of day when the operations occur, runway utilization and aircraft flight track geometry, and the takeoff and landing profiles of individual aircraft types. The CNEL values are measured in terms of dBA, thus allowing them to be compared to average or ambient noise levels. They do not, however, reflect peak noise levels occurring during individual noise events.

Another very similar noise descriptor is the Day-Night Noise Level (Ldn) adopted by the U.S. Environmental Protection Agency. It also measures noise in terms of dBA and, for all practical purposes, the values are equal to those calculated using the CNEL methodology. This land use study uses the CNEL methodology as the basis for evaluating the compatibility between airport noise and the land uses in the environs of the three Humboldt County study airports.

Development of Noise Contours

CNEL values for the Humboldt County airports were calculated by means of a computer model. Estimated current^{1/} and projected future parameters of aircraft activity at each airport were key inputs to the model. The other principal model inputs, measurements of the noise emitted by individual aircraft, were obtained from published data which reflect the typical performance of types of aircraft operating in Humboldt County. Noise monitoring of aircraft operations at the three County airports was not conducted as part of the current study.

The noise model inputs are summarized in Tables 13, 14, and 15 for the Arcata, Murray Field, and Rohnerville Airports respectively. A 1978 and a year 2000 case was examined for each airport. For Arcata, two different future cases were considered: one projects continued use of DC-9-type aircraft, modified to reduce their noise emissions; the other assumes that airlines serving the Airport will switch to smaller, modern, propeller-driven aircraft such as the DeHavilland of Canada "Dash 7" (DHC-7). The projected activity levels by general aviation aircraft are assumed to be the same in both cases. Two future cases also were considered for Murray Field, one with and one without the contemplated runway extension. A slight increase in airport use by twin-engine aircraft is assumed to occur if the runway is extended.

Outputs of the noise model are presented graphically in terms of contours connecting points of equal exposure. These contours are illustrated in Figures 11 through 17. Notice that at Arcata Airport the future noise contours for the case with DC-9's encompass approximately the same amount of area as in 1978 despite the assumed increase in activity levels. This is due to the predicted switch from standard model to quiet-nacelle DC-9's meeting the standards of FAR Part 36. Future use of the yet quieter DHC-7 would actually result in less community noise exposure than at present even though roughly twice as many operations by these aircraft would be required to accommodate the same number of

^{1/} Since none of the County airports have an air traffic control tower, data on aircraft activity is not routinely compiled. The numbers used herein are based on information obtained by interviewing people familiar with the operation of the airports. The current and forecast overall activity levels are as presented in Chapter 4.

Table 13
NOISE MODEL INPUTS FOR CNEL CONTOURS
Arcata Airport

| | 1978 | 2000 | |
|--|--------|-----------|------------|
| | | WITH DC-9 | WITH DHC-7 |
| <u>Activity Level</u> | | | |
| Annual Operations | 52,120 | 131,800 | 138,000 |
| Average Day | 143 | 361 | 378 |
| <u>Aircraft Mix</u> | | | |
| Single Engine | 41.4% | 42.7% | 40.8% |
| Twin Engine | 41.4% | 42.7% | 40.8% |
| Business Jet | 9.3% | 9.4% | 9.0% |
| Twin-Engine Jet (e.g., DC-9) | 7.9% | 5.2% | -- |
| 50-Seat Commuter (e.g., DHC-7) | -- | -- | 9.4% |
| <u>Runway Utilization</u> | | | |
| 13 ^{2/} | 5.0% | 5.0% | 5.0% |
| 31 ^{2/} | 80.0% | 80.0% | 80.0% |
| 1 | 10.0% | 10.0% | 10.0% |
| 19 | 5.0% | 5.0% | 5.0% |
| <u>Time of Day Distribution</u> ^{3/} | | | |
| Day (0700-1900 hours) | 82.5% | 80.0% | 80.0% |
| Evening (1900-2200 hours) | 15.0% | 16.5% | 16.5% |
| Night (2200-0700 hours) | 2.5% | 3.5% | 3.5% |
| <u>Flight Profiles</u> | | | |
| <u>ALL Cases:</u> Takeoff - Maximum Weight, Best Climb Landing - 3-Degree Glide Slope Approach for Business Jets and Twin-Engine Jets and commuter aircraft. 4-Degree VASI Approach for other aircraft. | | | |

1/ Coast Guard and other helicopter operations not included.

2/ 97% of DC-9 and DHC-7 type of aircraft assigned to Runway 13-31.

3/ 1978 DC-9 operations 84% day, 16% evening, 0% night; year 2000 DC-9 operations 80% day, 19% evening, 1% night and DHC-7 operations 79% day, 18% evening, 3% night.

passengers as on the DC-9's. At the Murray Field and Rohnerville Airports, the noise exposure areas will expand because of the increased activity by types of aircraft which are not expected to become substantially quieter in the future. However, at Rohnerville Airport, the future expansion of the noise exposure area is not sufficiently great to appear graphically. Only one contour set is shown therefore. Also, the possible runway extension at Murray Field will have very little effect on that Airport's noise exposure area since the additional area affected is primarily in Arcata Bay.

Past studies also have evaluated the noise exposure of the County airports. A noise contour set for each airport is illustrated in the Noise Element of the Humboldt County General Plan which was prepared in 1977. These contours are based on estimates of current activity levels and projections of future activity vastly different from those used here. The differences in inputs and in the resulting contours are assessed in Appendix B of this paper.

Recommended Noise Criteria

The starting point for development of noise criteria for evaluating airport/land use compatibility is the previously cited California Noise Standards for airports. These standards require that, by 1986, airport noise within residential communities not exceed a CNEL of 65 dB. Nothing in the State standards, however, precludes a local community from adopting a more stringent criterion. Adjustments are in fact suggested in the State's "Guidelines for the Preparation and Content of Noise Elements of the General Plan". The State Division of Aeronautics encourages such adjustments at airports having few, if any, jet aircraft operations. These adjustments should take into account the ambient or background noise level within the community, the extent of outdoor activity in the airport area, and the community's experience with and attitudes toward noise.

The communities in the vicinity of the three Humboldt County study airports might generally be described as quiet suburban or rural, but not remote from a large city. For communities of this type, the State Guidelines suggest a 5 db reduction from the basic standard. Accordingly, the airport/land use compatibility matrix presented in Exhibit 4 establishes 60 dB as the maximum

"normally acceptable" Community Noise Equivalent Level for residential neighborhoods. A higher noise level begins to be "normally unacceptable." These criteria are set primarily for the Murray Field and Rohnerville Airports. At the Arcata Airport, however, the nature of the airport activity -- the fact that it is the largest airport in the County and provides commercial airline service -- together with the community's positive attitude toward the Airport's importance and the necessity of the noise tend to make somewhat higher noise levels acceptable. The recommended noise policy therefore considers exposures of up to 65 dB CNEL to be "conditionally acceptable" for residential areas in the Arcata Airport vicinity.

For residential land uses other than low density (primarily single-family homes), there is another basic requirement which must be considered. This requirement is set forth in the California Noise Insulation Standards and applies to new hotels, motels, and residences other than detached, single-family dwellings. The standards require that an annual CNEL of 45 dB not be exceeded within any habitable room, with windows closed, as a result of exterior noise sources. Since the noise attenuation provided by typical wood-frame construction is on the order of 15 dB, the standards further require residential structures which would be located in an area where airport noise exceeds 60 dB CNEL to be acoustically analyzed to assure that intruding noise not exceed the standards.

Guidelines for determining what noise levels are acceptable in nonresidential areas are not as formally defined. For outdoor environments, an unacceptable noise level generally is one which substantially interferes with a particular activity. The extent of noise interference is the principal consideration for indoor environments as well, but the noise attenuation provided by the structure must be taken into account when determining the acceptable level of exterior noise exposure. Exhibit 5 in Chapter 10 lists the recommended maximum interior noise level criteria resulting from intermittent external noises.

These various factors are taken into account in establishment of the noise compatibility criteria for other than single-family residential areas. The matrix as a whole is derived from similar matrices included in the State noise element guidelines and the adapted Humboldt County General Plan Noise Element.

