

## CALIFORNIA COASTAL COMMISSION

NORTH COAST AREA

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90th Day: April 4, 1996  
Staff: Jo Ginsberg  
Staff Report: March 1, 1996  
Meeting of: March 14, 1996

TO: COMMISSIONERS AND INTERESTED PARTIES

FROM: Peter Douglas, Executive Director  
Tom Crandall, Deputy Director  
Steven F. Scholl, District Director  
Jo Ginsberg, North Coast Planner

SUBJECT: MENDOCINO COUNTY LCP AMENDMENT No. 2-95 (Major): (Public Hearing and Possible Action at the California Coastal Commission meeting of March 14, 1996.)

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SYNOPSISAMENDMENT DESCRIPTION:

The proposed amendment to the Mendocino County LCP, effectively certified in September 1992, affects three separate geographic areas, all located south of the Navarro River, known collectively as the 1995-A South of Navarro Watershed Group.

The changes proposed by Amendment No. 2-95 are as follows:

1. SITE ONE (GP 8-93/R 9-93, WAIDHOFER). APN 127-231-05. Change the Coastal Plan land use classification for a 3.25-acre site in the town of Elk from Rural Residential-10 acre minimum (RR-10) to Rural Village (RV) and rezone from Rural Residential-10 acre minimum (RR:L-10) to Rural Village (RV). (See Exhibit Nos. 1-6.)
2. SITE TWO (GP 13-93/R 13-93, COMPTON/DAVIS). APN 143-060-01. Change the Coastal Plan land use classification for a 9.4-acre site northwest of Anchor Bay from Rural Residential-5 acre minimum (RR-5) and Rural Residential-5 acre minimum: Development Limitations (RR-5:DL) to Rural Residential-5 acre minimum, 2 acre minimum variable (RR-5 [RR-2]) and Rural Residential-5 acre minimum, 2 acre minimum variable: Development Limitations (RR-5 [RR-2]:DL). Rezone from Rural Residential-5 acre minimum (RR:L-5) and Rural

Residential-5 acre minimum: Development Limitations (RR:L-5:DL) to Rural Residential-5 acre minimum, 4 acre minimum variable (RR:L-5 [RR:L-4]:PD) and Rural Residential-5 acre minimum, 4 acre minimum variable: Development Limitations: Planned Development (RR:L-5 [RR:L-4]:DL:PD. (See Exhibit Nos. 7-12.)

3. SITE THREE (GP 10-93/R 9-92, STUART/FRANCO/REMITZ.). APN 144-050-10, 11, and 24. Amend the Coastal land use maps by removing the Timber Production Zone (TPZ) map symbol and rezone from Timberland Production (TP) to Forestlands (FL) on 7.01 acres north of Gualala. (See Exhibit Nos. 13-18.)

#### SUMMARY OF STAFF RECOMMENDATION

Mendocino County's coastal zone is a varied and scenic area containing many valuable and fragile resources that need protection. In 1985 when the Coastal Commission reviewed the LUP submitted by the County, the Commission was very concerned with the potential large-scale development permitted by the proposed densities. The Commission scaled back the County-proposed densities by more than half, finding that the fragile coastal resources of the Mendocino County could not support such intense development. Of particular concern to the Commission was the issue of Highway One road capacity. Section 30254 of the Coastal Act states that it is the intent of the Legislature that Highway One remain a scenic two-lane road in rural areas such as Mendocino County (excluding the Fort Bragg area). As such, the Commission found it necessary to reduce the number of potential new parcels permitted under the plan originally submitted by the County from 3,400 to approximately 1,500.

The Commission recognized that in the future, a greater or smaller number of potential new parcels might be more appropriate, given that changes might occur that would affect highway capacity, such as new road improvements, or that development might proceed at a faster or slower pace than anticipated. To provide for an orderly process to adjust the number of potential parcels allowed under the LCP to reflect conditions as they change over time, the Commission approved Policy 3.9-4 of the LUP that required a future review of the Land Use Plan. This policy states that following approval of each 500 additional housing units in the coastal zone, or every five years, whichever comes first, the LUP shall be thoroughly reviewed to determine whether Highway One capacity used by non-resident travel and visitor accommodations is in scale with demand or should be increased or decreased; whether the plan assumptions about the percentage of possible development likely to occur are consistent with experience and whether the allowable buildout limits should be increased or decreased; and whether any significant adverse cumulative impacts on coastal resources are apparent.

In response to this policy, in 1994 the County hired a traffic consulting firm to do a Highway One traffic study that projected traffic conditions for certain target years (the County chose 2020 as the target year to be examined) for key intersections and the different segments of highway One under buildout of the existing LCP, and studied roadway improvements that could increase capacity.

While the State Route 1 Corridor Study and County staff's subsequent analysis provided some of the key information called for by Policy 3.9-4 of the LUP, staff does not believe that all of the information contemplated by and necessary to satisfy the mandates of the policy has been provided. While the traffic information that was generated can be used for planning purposes to determine how much traffic additional growth would generate, information that addresses the goals of the LUP to determine when and where more development would be appropriate, given the limited capacity of Highway One, has not been provided. In addition, consistent with Coastal Act Section 30254, increases in residential density should not be approved if they preclude other, higher priority uses, such as visitor-serving facilities. If there is only a certain amount of limited capacity that can be provided for all development, then the type of uses that should be allowed to increase density should be explored and evaluated, rather than just approving those density increases that are proposed first.

Staff also believes that the County has failed to look at the cumulative effect of numerous future plan change proposals that allow increases in residential density that would be encouraged by approval of these amendments. Rather, the County has looked at the current set of amendments in isolation as if they were a coastal permit application whose impacts could be individually mitigated. However, a single property owner cannot shoulder the burden of paying for a highway improvement, and infrastructure improvements are not mitigation measures that can be imposed on individual property owners without an overall study that identifies a method for assessing a property owner's fair share of the infrastructure mitigation.

The Commission has before it today two LCP Amendments that include a total of four requests for increases in residential density. Another Amendment request currently being processed by the County has three additional such requests. The overall picture, when taking into account the projected population growth for Mendocino County, indicates a trend of greater and greater demand for residential density increases that would have far-reaching effects on Mendocino's coastal resources, particularly its very limited Highway One capacity. With this in mind, and in view of existing traffic conditions on Highway One, even though most of the LUP capacity allowed for in the approved LUP has not yet been built out, the Commission must determine if and when to allow more potential density for non-priority uses under the Coastal Act.

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Therefore, staff recommends that those proposed LCP changes that include increases in residential density (Sites One and Two) not be approved due to concerns with highway capacity.

Staff recommends that upon completion of the public hearing, the Commission deny Sites One and Two of this LCP Amendment based on the findings that those portions of this amendment are not consistent with the policies of Chapter 3 of the Coastal Act. Staff further recommends that upon the completion of the public hearing, the Commission approve Site Three of this LCP amendment, based on the findings that that portion of this amendment is consistent with the policies of Chapter 3 of the Coastal Act.

The County did not specifically request in its resolutions transmitting the LCP Amendment request that the Commission suggest modifications for any portions of the LCP Amendment that the Commission does not certify. Staff recommends denial of Sites One and Two and does not recommend suggested modifications because staff is unable to formulate suggested modifications that would adequately address the Highway One capacity issue. Staff's view is that no amendments that increase density for residential uses should be certified until a study is performed on how best to allocate the remaining capacity of Highway One among competing land uses and locations to assure that priority uses will be accommodated and to ensure that adequate mitigation for the cumulative impacts on highway capacity will be provided on an equitable basis by individual property owners.

The motion and resolution for denial for the Land Use Plan portion of the amendment for Sites One and Two can be found on Page 6. The motion and resolution for denial of the Implementation Program portion of the amendment for Sites One and Two can be found on Page 6. The motion and resolution for approval of the Land Use portion of the amendment for Site Three can be found on Page 7. The motion and resolution for approval of the Implementation Program portion of the amendment for Site Three can be found on Page 7.

ADDITIONAL INFORMATION

For additional information about the proposed amendment, please contact Jo Ginsberg at the North Coast Area office at the above address, (415) 904-5260. Please mail correspondence to the Commission to the same address.

ANALYSIS CRITERIA:

To approve the amendment to the Land Use Plan portion of the Mendocino County Local Coastal Program, the Commission must find that the LUP, as amended, is consistent with the policies of Chapter 3 of the Coastal Act. To approve the amendment to the Implementation Program portion of the LCP, the Commission must find that the Implementation Program, as amended, is consistent with and adequate to carry out the amended Land Use Plan.

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I. MOTIONS AND RESOLUTIONS

A. STAFF RECOMMENDATION ON LUP AMENDMENT FOR SITES ONE AND TWO:

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

MOTION I: DENIAL OF THE LAND USE PLAN PORTION OF AMENDMENT NO. 2-95 FOR SITES ONE AND TWO

"I hereby move that the Commission certify Amendment No. 2-95 to the Land Use Plan portion of the Mendocino County Local Coastal Program as submitted by the County for Sites One and Two."

Staff recommends a NO vote. An affirmative vote by a majority of the appointed members of the Commission is required to pass the motion.

RESOLUTION I:

The Commission hereby denies certification for Sites One and Two of Amendment 2-95 (identified as GP 8-93, Waidhofer; and GP 13-93, Compton/Davis) to the Land Use Plan portion of the Mendocino County Local Coastal Program for the specific reasons discussed below in the findings on the grounds that, as submitted, they do not meet the requirements of and are not in conformity with Chapter 3 of the Coastal Act.

B. STAFF RECOMMENDATION ON IMPLEMENTATION PROGRAM AMENDMENT FOR SITES ONE AND TWO:

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

MOTION II: DENIAL OF THE IMPLEMENTATION PROGRAM PORTION OF AMENDMENT NO. 2-95 FOR SITES ONE AND TWO

"I hereby move that the Commission reject the Implementation Program for Amendment No. 2-95 to the Mendocino County Local Coastal Program as submitted by the County for Sites One and Two."

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 II:

The Commission hereby rejects the amendment to the Implementation Program of the County of Mendocino for Sites One and Two (identified as R 9-93, Waidhofer; and R 13-93, Compton/Davis ) of Amendment No. 2-95 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.

C. STAFF RECOMMENDATION ON LUP AMENDMENT FOR SITE THREE

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

MOTION III: APPROVAL OF THE LAND USE PLAN PORTION OF AMENDMENT NO. 2-95 for SITE THREE

"I hereby move that the Commission certify Amendment No. 2-95 to the Land Use Plan portion of the Mendocino County Local Coastal Program as submitted by the County for Site Three."

Staff recommends a YES vote. An affirmative vote by a majority of the appointed members of the Commission is required to pass the motion.

RESOLUTION III:

The Commission hereby certifies Site Three of Amendment 2-95 (identified as GP 10-93, Stuart/Franco/Remitz) to the Land Use Plan portion of the Mendocino County Local Coastal Program for the specific reasons discussed below in the findings on the grounds that, as submitted, they meet the requirements of and are in conformity with Chapter 3 of the Coastal Act.

D. STAFF RECOMMENDATION ON IMPLEMENTATION PROGRAM AMENDMENT FOR SITE THREE:

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

MOTION IV: APPROVAL OF THE IMPLEMENTATION PROGRAM PORTION OF AMENDMENT NO. 2-95 FOR SITE THREE

"I hereby move that the Commission reject the Implementation Program for Amendment No. 2-95 to the Mendocino County Local Coastal Program as submitted by the County for Site Three."

Staff recommends a NO vote, and the adoption of the following resolution and findings. This motion requires a majority of the Commissioners present to pass.

RESOLUTION IV:

The Commission hereby certifies the amendment to the Implementation Program of the County of Mendocino for Site Three (identified as R 9-92, Stuart/Franco/Remitz) of Amendment No. 2-95 as submitted based on the findings set forth below on the grounds that 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 submitted, the amendment does not have a significant impact on the environment within the meaning of CEQA.

II. SITE AND PROJECT DESCRIPTIONS FOR PROPOSED LCP AMENDMENT SITES:

A. Site One (GP 8-93/ R 9-93, Waidhofer).

The proposal is to change the Coastal Plan land use designation of a 3.25-acre parcel in Elk from Rural Residential-10 acre minimum parcel size (RR-10) to Rural Village (RV) and rezone from Rural Residential-10 acre minimum parcel size (RR:L-10) to Rural Village (RV) (see Exhibit Nos. 1-6).

The property owner indicated to the County at the local hearing that the amendment is necessary for her to develop parking on the subject property for an adjacent restaurant which is also under her ownership. Her adjacent ownership was identified as being the southerly parcel directly west of the subject property. She indicated to the County that she believes the amendment is correcting a mapping error, and that the property under her ownership has always been used as one parcel and should not have been split zoned.

The project site is located in the Town of Elk, approximately 150 feet east of Highway One. The site is developed with three single-family residences, two storage buildings, and a workshop. There is no sensitive habitat on the property.

B. Site Two (GP 13-93/ R 13-93, Compton/Davis).

The proposal is to reclassify the coastal land use designation of 9.4 acres from Rural Residential-5 acre minimum (RR-5) and Rural Residential-5 acre minimum: Development Limitations (RR-5:DL) to Rural Residential-5 acre minimum, 2 acre minimum variable (RR-5 [RR-2]) and Rural Residential-5 acre minimum, 2 acre minimum variable: Development Limitations (RR-5 [RR-2]:DL), and rezone from Rural Residential-5 acre minimum (RR:L-5) and Rural Residential-5 acre minimum: Development Limitations (RR:L-5:DL) to Rural Residential- 5 acre minimum, 4 acre minimum variable (RR:L-5 [RR:L-4]:PD and Rural Residential-5 acre minimum, 4 acre minimum variable: Development Limitations: Planned Development (RR:L-5 [RR:L-4]:DL:PD. (See Exhibit Nos 7-12.)



The project before the Mendocino County Board of Supervisors on August 3, 1995 was a request to reclassify and rezone the property from five-acre minimum parcel size to two-acre minimum parcel size, conditional on proof of water. In addition, the original proposal included a request to add a Visitor Serving Facility designation (\*1C), conditionally allowing up to 10 visitor serving units. The Board of Supervisors denied the visitor serving component of the request, and approved an alternative change to a four-acre minimum parcel size zoning classification (RR:L-4), based on a concern with development constraints such as steepness of slope, drainages, riparian and other sensitive habitat, and the need for highway and blufftop setbacks. The proposal approved by the County would thus allow a division into two parcels, rather than four. The County also added a Planned Development overlay to the zoning designation.

The subject site is located 1-3/4 miles northwest of Anchor Bay, west of Highway One, and contains one single-family residence and a detached studio apartment. The parcel contains steep slopes rising about 120 feet above the Pacific Ocean to the top of the bluff. There are three drainages bisecting the property, located in the north and central portions of the parcel. Sensitive habitat include riparian vegetation and specimens of the rare and endangered coast lily (Lilium maritimum). Although located west of Highway One, the site is not designated "Highly Scenic."

C. Site Three (GP 10-93/ R 9-92, Stuart/Franco/Remitz).

The proposal is to amend the coastal land use maps by removing the Timber Production Zone (TPZ) map symbol and rezone from TP (Timberland Production, 160-acre minimum parcel size) to Forestlands (FL; also 160-acre minimum parcel size) on 7.01 acres (see Exhibit Nos. 13-18).

The original application before the County in 1993 was to remove the TPZ symbol from the coastal land use maps and rezone .9 acres from Timberland to Forestland. The .9 acres (owned by Stuart) was approved by a Certificate of Compliance. County Boundary Line Adjustment #B 101-91 combined the .9 acres designated APN 144-050-24 (classified Timberland Production) with APN 144-050-10 (classified Forest Lands) to settle a property dispute. Condition 5 of the Boundary Line Adjustment required the applicant to submit a rezoning application for immediate removal of the subject parcel from the Timberland Production Zone. While processing this proposal, the County discovered a mapping error where an adjacent 6.11 acres were mapped as TPZ but never listed by the Assessor or taxed as TPZ. The County combined these two proposals to clean up the errors, and approved the changes on all three parcels in October of 1996.

The subject property is located approximately three miles north of Gualala, off Collins Landing Road, .5 miles east of Highway One. The parcels are all residentially developed, and contain no sensitive habitat.

III. ADDITIONAL FINDINGS APPLICABLE TO ALL SITES:

A. Highway One Capacity/Traffic Impacts.

Two of the three changes to the County's LCP proposed by this amendment would result in increases in residential density.

The Commission denies the LCP Amendment for Sites One and Two, as submitted, in large part due to concerns over how such amendments affect the traffic carrying capacity of Highway One. State Highway One is one of California's most valuable scenic resources and provides the principal means for Californians to access the coast. Highway One along the Mendocino coast experiences a steady stream of tourist traffic all year long, with traffic peaks between April and October. State Highway One has also been designated a Pacific Coast Bicentennial Route, and is very popular with touring cyclists. As noted in the 1990 DKS Associates State Route 1 Capacity and Development Study, Mendocino Coast residents find themselves competing with vacationers for the limited capacity of State Route 1. Due to the highway's scenic qualities, heavy use by recreational vehicles as well as logging trucks, and limited passing opportunities along much of its length, Highway One's traffic carrying capacity is less than that of other two-lane roads.

Coastal Act Section 30254 states that it is the intent of the Legislature that State Highway One in rural areas of the coastal zone remain a scenic two-lane road, and that where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development. Section 30250(a) of the Coastal Act also requires that new development not have significant adverse effects, either individually or cumulatively, on coastal resources.

Because the only north-south arterial in coastal Mendocino County is Highway One, the requirements of Section 30254 are a limiting factor on the potential for new development in Mendocino County. In addition, Section 30254 requires that high priority uses of the coast not be precluded by other, lower-priority uses when highway capacity is limited.

While curves can be straightened, gulches bridged, and shoulders widened, the basic configuration of the highway will remain much the same due to topography, existing lot patterns, and the priorities of Caltrans to improve the state's highway system in other areas. To assess the limited Highway One capacity, a study was prepared for the Commission in 1979 as a tool for coastal planning in Marin, Sonoma, and Mendocino counties (Highway 1 Capacity Study). The study offered some possibilities for increasing capacity and

describes alternative absolute minimum levels of service. Because highway capacity is an important determinative for the LUP, the Commission's highway study was re-evaluated by the LUP consultant and alternative assumptions were tested.

The Highway One Capacity Study described then-current use of different segments of Highway One in terms of levels of service categories. Such categories are commonly used in traffic engineering studies to provide a measure of traffic congestion, and typically range from Level of Service A (best conditions) to Level of Service F (worst condition). The 1979 Highway One Capacity Study determined that only the leg of Highway One between Highway 128 and Mallo Pass Creek was at Service Level D (unstable flow; low freedom to maneuver; unsatisfactory conditions for most drivers) during peak hours of use in 1979; all other legs were at Level E. Service Level E (difficult speed selection and passing; low comfort) is the calculated capacity of the highway. At Level F (forced flow), volume is lower. Along the Mendocino coast, peak hour can be expected to occur between noon and 5 p.m. on summer Sundays.

Highway capacity was recognized by the Commission as a constraint that limits new development, as new development generates more traffic that uses more capacity and a lack of available capacity results in over-crowded highways for long periods of time. Prior to certification of the County's LCP, the Commission denied numerous applications for land divisions, based partially on highway capacity constraints, and also denied several Land Use Plan amendments partially based on highway capacity constraints (e.g., 1-86, Tregoning; 3-87, Moores; and 2-90, Long). The Commission has also denied certification of several LUPs throughout the State because of limited highway capacity (City of Monterey, Skyline Segment; Malibu; and Marina del Rey/Ballona), as these LUPs did not reserve available capacity for priority uses and did not provide adequate measures to mitigate the adverse cumulative impacts of new development.

The Commission also initially denied Mendocino County's LUP, based in part on highway constraints. The County started its public hearings on the LUP with a consultant-prepared plan and accompanying maps and a document containing comments from the advisory committees and Commission staff. The draft plan was designed to allow new development in locations and densities that at build-out would have resulted in no segment of Highway One being more than 20 percent over capacity at Service Level E at certain peak hours. The plan, as submitted, would have allowed Highway One traffic to exceed capacity on Saturday and Sundays afternoons and on weekdays during the summer months of July and August.

The County used various criteria to establish the density and intensity of uses for the LUP. The County considered a variety of incomes, lifestyles, and

location preferences, and each community's desired amount and rate of growth, as well as provision for a maximum variety of housing opportunities. However, the Commission found that however important those criteria were, they did not reflect the requirements of the Coastal Act to concentrate development into areas which are developed or areas able to accommodate it, to minimize adverse impacts on coastal resources, and to give priority to designated uses.

The plan as it was submitted did not provide for mechanisms to resolve issues such as limited Highway One capacity, the failure to reserve remaining capacity for high priority uses, and the lack of mitigation requirements for development that would adversely affect the remaining highway capacity. These issues had been discussed and resolved by the Commission in previously handled LUPs, where the Commission consistently found that Section 30254 of the Coastal Act requires Highway One to remain a scenic two-lane road, which has a limited capacity, and that coastal-dependent land uses, commercial and public recreation, and visitor-serving land uses shall be not precluded by other development.

When it eventually certified the Mendocino County Land Use Plan with Suggested Modifications, the Commission found that too much build-out of the Mendocino coast would severely impact the recreational experience of Highway One and its availability for access to other recreational destination points. The LUP as originally submitted would have allowed for 3,400 new residential parcels to be created potentially. The Commission found 121 geographic areas that were not in conformance with Section 30250 of the Coastal Act. The County reviewed these areas, and agreed to a proposed modification that would result in a redesignation of the identified non-conforming areas, thus reducing the total number of new residential parcels which potentially could be created by approximately 1,500. In other words, the Commission reduced by more than half the number of potential new parcels that could be created under the certified LUP, based on its conclusion that, given the information available at that time, approximately 1,500 new parcels was the maximum number of new parcels Highway One could accommodate while remaining a scenic, two-lane road.

The Commission recognized that in the future, a greater or smaller number of potential new parcels might be more appropriate, given that changes might occur that would affect highway capacity, such as new road improvements, or that development might proceed at a faster or slower pace than anticipated. To provide for an orderly process to adjust the number of potential parcels allowed under the LCP to reflect conditions as they change over time, the Commission approved Policy 3.9-4 of the LUP that required a future review of the Land Use Plan.

Policy 3.9-4 of the County's LUP states that:

Following approval of each 500 additional housing units in the coastal zone, or every 5 years, whichever comes first, the Land Use Plan shall be thoroughly reviewed to determine:

Whether the Highway 1 capacity used by non-resident travel and visitor accommodations is in scale with demand or should be increased or decreased.

Whether the plan assumptions about the percentage of possible development likely to occur are consistent with experience and whether the allowable build-out limits should be increased or decreased.

Whether any significant adverse cumulative effects on coastal resources are apparent.

In response to this policy, in 1994 the County hired a transportation consultant firm to do a study (titled the State Route 1 Corridor Study) that would determine the impact to Highway One traffic carrying capacity from the build-out of the Coastal Element of the General Plan. The focus of the study was to project future traffic volumes which would be generated by potential development allowed by the Coastal Element in the coastal zone and by potential development from growth areas outside of the coastal zone that affect traffic conditions on Highway One. The traffic impact on the level of service (LOS) of study intersections and segments on Highway One based on incremental build-out scenarios was then determined (LOS A through E was considered acceptable in most locations; LOS F was considered unacceptable). The study also identified roadway improvement options available for increasing capacity on Highway One and other roadways that affect the Highway One corridor.

Using the information in the study, County staff evaluated the traffic impacts of the proposed LCP changes based on a "75/50" scenario (existing development plus development on 75% of existing vacant parcels plus development on 50% of potential new parcels plus 75% of commercial, industrial, and visitor-serving facility build-out potential by the year 2020), which they believe represents the maximum feasible build-out based on past and projected development patterns. Thus, for example, in the case of each part of the subject LCP Amendment, County staff first noted what the projected Levels of Service during peak times would be in the year 2020 for the relevant road segments and intersections under the existing LCP using the 75/50 build-out scenario, then determined what additional traffic would be generated by the density increase proposed by the LCP Amendment, and, finally, determined what roadway improvements, if any, would be necessary to keep the Levels of Service within

acceptable parameters (up to and including LOS E) if the density increases of the amendment were approved.

While the State Route 1 Corridor Study and County staff's subsequent analysis provided some of the key information called for by Policy 3.9-4 of the LUP, not all information contemplated by and necessary to satisfy the mandates of the policy has been provided. While the traffic information that was generated can be used for planning purposes to determine how much traffic additional growth would generate, information that addresses the goals of the LUP to determine when and where more development would be appropriate given the limited highway capacity has not been provided. In addition, consistent with Coastal Act Section 30254, increases in residential density should not be approved if they preclude other, higher priority uses, such as visitor-serving facilities. If there is only a certain amount of limited capacity that can be provided for all development, then the type of uses that should be allowed to increase density should be explored and evaluated. Rather, it appears that the County is reviewing the proposed LCP changes as if they were permit applications, generally assuming that the use is appropriate and merely determining how best to mitigate the impacts, and just approving those density increases that are proposed first. Furthermore, the need for greater density, when so many vacant parcels remain undeveloped, has not been thus far demonstrated. Until a planning study is performed that provides the thorough review of the LUP called for by Policy 3.9-4 to demonstrate the appropriate amount of density increases that should be allowed and where such increases should take place without overtaxing Highway One's limited capacity, the Commission finds that it must deny proposals for increases in residential density.

The Commission notes that a property owner does not have an absolute right to change Land Use Plan and Zoning designations to accommodate uses or developments that are not allowed by current designations for his or her property. While a property owner may have certain development-based expectations when he or she purchases a property to develop uses currently allowed by an LUP and Zoning, no such expectations are recognized for developing uses not allowed by the LUP and Zoning.

The Commission further notes that in some cases, density increases are proposed where infrastructure improvements that would require funding from more than one developer would be necessary to achieve acceptable highway levels of service. Neither the Commission nor the County has any way of knowing if these improvements will take place, when they will take place, and who will pay for them. The Commission finds that it would be appropriate for the LCP amendment request to contain, as part of the proposal, a plan describing how these improvements will be effectuated and how developers can contribute their fair share. Without some plan as to how these improvements will be effectuated, it is not appropriate to approve increases in density that will result in unacceptable levels of service without such improvements.

As opposed to situations where necessary mitigation measures can reasonably be expected to be carried out by individual property owners, such as landscape screening to protect visual resources, or establishing buffer areas to protect riparian habitat, a single property owner cannot bear the burden of major highway or infrastructure improvements at the time a specific development proposal is made. Therefore, the Commission does not agree with the County that the time to consider how to finance necessary infrastructure improvements is at the development stage, since the Commission has no assurance that such improvements necessary to offset increased burdens on highway capacity from increases in density could be undertaken. The Commission thus finds proposed LCP changes that will result in increases in residential density on a first-come, first-served basis inconsistent with Coastal Act Sections 30254 and 30250(a), as they do not ensure that highway capacity will be reserved for higher priority coastal land uses, or that an acceptable road service level can be maintained.

In addition, when looked at in isolation, it may not appear that approving any particular proposal for a density increase will have much impact, when the potential for only a few new parcels is created by each such proposal. However, consistent with Section 30250(a) of the Coastal Act, the cumulative impact of numerous LCP Amendments allowing increases in residential density on highway capacity and other coastal resources must also be addressed. Looking at each new project in isolation fails to take into account the devastating effect numerous projects would have if approved in this fashion. The Commission has before it today two LCP Amendments containing a total of four proposals that seek to increase residential density. These changes could increase the number of new residential lots by as many as 40, increasing the number of lots per site by a minimum of 100% and by as much as 1600%. In addition, the County is currently processing a General Plan Amendment that contains three proposals for density increases, which will be submitted shortly to the Commission as an LCP Amendment request.

For a number of years, the County did not submit LCP Amendments that included requests for increases in density because the County was having traffic information generated. The two LCP Amendments before the Commission today represent the first LCP Amendments submitted to the Commission since completion of the Highway One traffic study, and Commission approval of these amendments would certainly encourage more such amendments in the future.

The DKS State Route 1 Study indicates a steady increase in traffic volumes north of State Route 128, particularly in the Albion, Mendocino, and Fort Bragg areas. The projected dramatic population increase for Mendocino County between 1990 and 2020 (68%) is indicative of future accelerated development pressures and demand for additional land division and housing. To approve unwarranted increases in residential density, particularly in the area north of Highway 128, without reserving highway capacity for high priority uses,

would compromise the requirement in the Coastal Act that Highway One must remain a scenic two-lane road in rural areas.

The Commission denies the LCP Amendment for Sites One and Two, as submitted, in large part due to traffic concerns. State Highway One is one of California's most valuable scenic resources. Highway One along the Mendocino coast experiences a steady stream of tourist traffic all year long, with traffic peaks between April and October. State Highway One has also been designated a Pacific Coast Bicentennial Route, and is very popular with touring cyclists. As noted in the 1990 DKS Associates State Route 1 Capacity and Development Study, Mendocino Coast residents find themselves competing with vacationers for the limited capacity of State Route 1. Due to the highway's scenic qualities, heavy use by recreational vehicles as well as logging trucks, and limited passing opportunities along much of its length, Highway One's traffic carrying capacity is less than that of other two-lane roads.

Regarding the proposal for Site One (Waidhofer), the proposed LCP Amendment could result in the creation of an additional eight lots for a total of nine lots on the site, as the site is currently serviceable by a public water district. The potential for 17 new lots, or a total of 18 lots on the site, would exist should this site ever be served with a public sewer system.

The County concludes that relevant road segments and intersections will not drop below level of road service D by the year 2020 under the 75/50 development scenario posed by the State Route 1 Corridor Study. However, the Commission finds that even if Level of Service D is maintained by the year 2020, the proposed residential density increase is unwarranted and unjustified.

As discussed above, Highway One has very limited remaining traffic capacity, and that which is remaining should be allotted according to a plan that allows for high priority uses such as visitor serving or coastal dependent uses, rather than simply approving increases in residential density on a first-come, first-served basis. If the proposed LCP Amendment for Site One were approved, under current conditions, as many as eight new lots could be created, for a total of nine lots on the site, for an increase of 800%, or, if the site were to be served by a public sewer system, as many as 17 new lots could be created, for a total of 18 lots on the site, for an increase in 1800%. When looked at in conjunction with the other proposed residential increases in density, plus existing certified development potential, the resulting potential cumulative impacts on Highway One's carrying capacity are enormous.

As approved by the County, there has been no assessment made of each individual property owner's contribution to such potential cumulative impacts and to how the owner's contribution to the potential cumulative impacts can be equitably mitigated and in what manner.



The Commission therefore finds that the proposed LUP Amendment for Site One is inconsistent with and inadequate to carry out Coastal Act Sections 30254 and 30250(a), and that the proposed Implementation Program Amendment for Site One is inconsistent with and inadequate to carry out the Land Use Plan.

Regarding the proposal for Site Two (Compton/Davis), the State Route 1 Corridor Study indicates that under the 75/50 development scenario, the affected road segments and intersections will not degrade below level of road service E. While this level of road service is acceptable, the Commission finds that the proposed increase in residential density is unwarranted at this time, due to the cumulative impacts on Highway One traffic resulting from numerous such density increases.

As discussed above, Highway One's limited remaining traffic capacity should be allotted according to a plan that allows for high priority uses such as visitor serving or coastal dependent uses, rather than simply approving increases in residential density on a first-come, first-served basis. If the proposed LCP Amendment were approved, only one additional parcel could be created, an increase of 100%. When looked at in isolation, one additional new parcel may not seem excessive, and may appear to have little impact. But the cumulative impact of numerous LCP Amendments allowing increases in residential density could result in many new parcels throughout the Mendocino coast, which would certainly have a major impact on highway capacity. Looking at each new project in isolation fails to take into account the devastating effect numerous projects would have if approved in this fashion. To approve unwarranted increases in residential density without reserving highway capacity for high priority uses would compromise the Coastal Act's stated intent that Highway One must remain a scenic two-lane road in rural areas.

The Commission therefore finds that the proposed LUP Amendment for Site Two is inconsistent with and inadequate to carry out Coastal Act Sections 30254 and 30250(a), and that the proposed Implementation Program Amendment for Site Two is inconsistent with and inadequate to carry out the Land Use Plan.

In the case of Site Three (Stuart/Franco/Remitz), no increase in density is proposed; therefore no traffic impacts will result from this proposal. The Commission therefore finds that the proposed LUP Amendment for site Three is consistent with and adequate to carry out Coastal Act Sections 30254 and 30250(a), and that the proposed Implementation Program Amendment for Site Three is consistent with and adequate to carry out the Land Use Plan.

B. New Development.

Section 30250(a) of the Coastal Act requires that new development be located in or near existing developed areas able to accommodate it and where it will not have significant adverse effects, either individually or cumulatively, on

coastal resources. The intent of this policy is to concentrate development to minimize adverse impacts on coastal resources.

In the case of Site One (Waidhofer), the existing residences on the site are currently served by on-site septic systems and by the Elk Community Water District. The permitted residential density under the proposed RV zoning designation would increase from one unit per 10 acres to a density of one unit per 12,000 square feet with public sewer or water, and one unit per 6,000 square feet with both sewer and water. This would equate to a total of approximately 9 lots as the site is currently serviceable by a public water district. The potential for 18 lots would exist should this site ever be served with a public sewer system. Access to the site would be through another parcel owned by the property owner which fronts Highway One.

The Elk County Water District, which presently serves the subject parcel, indicates that the property lies outside the district's boundary line, but is served by the district with "surplus water." Elk is nearing capacity of its four-inch water main. Development of the subject parcel beyond what is already there may require studies of the line capacity, possible water main increase, and/or on-site water storage and repressurization.

At such time as future land division or other development is proposed, it will have to be determined if the Elk County Water District can serve additional development.

The Soils Conservation Service Soils Survey indicates that the site may have some constraints associated with on-site sewage disposal systems due to soils with relatively low permeability. County staff indicates that sewage disposal constraints may limit the allowed density and intensity of use of the site.

At such time as subdivision or other development were proposed, the property owner would need to demonstrate that the site could accommodate additional sewage capacity or no development could be approved.

Since there can be no future development without proof that the site can accommodate such development, there will be no adverse impacts to coastal resources. The Commission thus finds that with regard to water and sewage capacity, the LUP Amendment for Site One is consistent with and adequate to carry out Coastal Act Policy 30250(a), and that the proposed Implementation Program Amendment for Site One is consistent with and adequate to carry out the LUP.

In the case of Site Two (Compton/Davis), the Mendocino County Department of Environmental Health indicates that water availability appears feasible for future development and no water testing is required at this stage. At such time as land division or residential development is proposed, proof of water will be required.

The Soil Survey done for the site indicates septic system limitations due to hardpan, poor filtration, and seasonally saturated soils; mound systems may be a solution where conditions are unsatisfactory. Additional septic testing will be necessary at such time of land division or residential development.

Therefore, the Commission finds that with regard to water and sewage capacity, the proposed LUP Amendment for Site Two is consistent with and adequate to carry out Coastal Act Policy 30250(a), and that the proposed Implementation Program Amendment for Site Two is consistent with and adequate to carry out the LUP.

Regarding Site Three, the proposal seeks to correct a mapping error and remove the TPZ designation from lands improperly designated for Timber Production. The proposal will not increase density or result in any additional development, so no adverse impacts on coastal resources will result. The Commission therefore finds that the proposed LUP Amendment for Site Three is consistent with and adequate to carry out Coastal Act Policy 30250(a), and that the proposed Implementation Program Amendment for Site Three is consistent with and adequate to carry out the LUP.

C. Environmentally Sensitive Habitat Area:

Coastal Act Section 30240 states that environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values. Section 30231 states that the quality of coastal streams shall be maintained, that natural vegetation buffer areas that protect riparian habitats should be maintained, and that alteration of natural streams shall be minimized.

Regarding Site Two (Compton/Davis), there are three watercourses traversing the site, which support riparian habitat. In addition, the botanical survey discovered specimens of the rare and endangered coast lily (Lilium maritimum) in the area of the northerly and southerly watercourses.

At such time as land division or other development is proposed, a buffer area protecting the environmentally sensitive habitat would need to be imposed pursuant to County LCP policies regarding protection of riparian areas and other sensitive habitat. Since environmentally sensitive habitat will not be adversely affected, the Commission finds that the proposed LUP Amendment for Site Two is consistent with and adequate to carry out Sections 30231 and 30240 of the Coastal Act; furthermore, the proposed Implementation Program Amendment for Site Two is consistent with and adequate to carry out the Land Use Plan.

Sites One and Three do not contain any sensitive habitat; therefore, the Commission finds that the proposed LUP Amendments for Sites One and Three are consistent with and adequate to carry out Sections 30231 and 30240 of the Coastal Act; furthermore, the proposed Implementation Program Amendments for

Sites One and Three are consistent with and adequate to carry out the Land Use Plan.

D. Geologic Hazards:

Coastal Act Section 30253 states that new development shall minimize risks to life and property in areas of high geologic hazard, shall assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

Regarding Site Two (Compton/Davis), the property contains very steep slopes, which are substantially eroded. The Geologic and Soils Investigation prepared for the site recommends a bluff setback for dwellings and septic systems of greater than 45 feet from the blufftop or 25 feet from the break in slope and a prohibition on removal of trees within 20 feet of the setback. The report found that it would be possible for the site to accommodate two buildable parcels.

It appears that should the LCP Amendment be approved, it is possible to create two parcels from the subject property with adequate building envelopes that could accommodate necessary blufftop setbacks and other development restrictions. At such time as land division or other development is proposed, any such project would be conditioned to avoid geologic hazards, pursuant to applicable LCP policies.

Since no geologic hazard will result from this proposal, the Commission thus finds that the proposed LUP Amendment for Site Two is consistent with and adequate to carry out Coastal Act Section 30253, and that the proposed Implementation Program Amendment for Site Two is consistent with and adequate to carry out the policies of the Land Use Plan.

Sites One and Three do not contain steep slopes and do not pose potential geologic hazards. The Commission therefore finds that the proposed LUP Amendments for Sites One and Three are consistent with and adequate to carry out Coastal Act Section 30253, and that the proposed Implementation Program Amendments for Sites One and Three are consistent with and adequate to carry out the policies of the Land Use Plan.

E. Timber Resources:

Coastal Act Section 30242 states that the long-term productivity of soils and timberlands shall be protected, and conversions of coastal commercial timberlands into units of commercial size to other uses or their division into units of noncommercial size shall be limited to providing for necessary timber processing and related facilities.

Regarding Site Three, the proposal is to correct a mapping error and remove the TPZ designation from property that was incorrectly designated TPZ but was never assessed or taxed as TPZ, and to also remove the TPZ designation from a .9-acre portion of a parcel that was combined with an adjacent parcel as a result of a boundary line adjustment arising from a property dispute. None of the parcels classified as TPZ are suitable for timber production or have ever supported timber production.

The Commission thus finds that the proposed LUP Amendment for Site Three is consistent with and adequate to carry out Section 30243 of the Coastal Act; furthermore, the proposed Implementation Program Amendment for Site Three is consistent with and adequate to carry out the policies of the Land Use Plan.

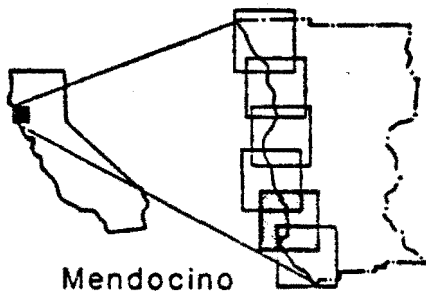
Sites One and Two do not contain timber resources and therefore the Commission finds that the proposed LUP Amendments for Sites One and Two are consistent with and adequate to carry out Coastal Act Section 30243, and that the proposed Implementation Program Amendments for Sites One and Two are consistent with and adequate to carry out the policies of the Land Use Plan.

F. CEQA:

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 addition to making a finding that the amendment is in full compliance with the Coastal Act, 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.

As discussed in the findings above, Sites One and Two of the amendment request as submitted are inconsistent with the California Coastal Act and will result in significant environmental effects within the meaning of the California Environmental Quality Act. Site Three is consistent with the California Coastal Act and will not result in significant environmental effects within the meaning of the California Environmental Quality Act.



**EXHIBIT NO. 1**

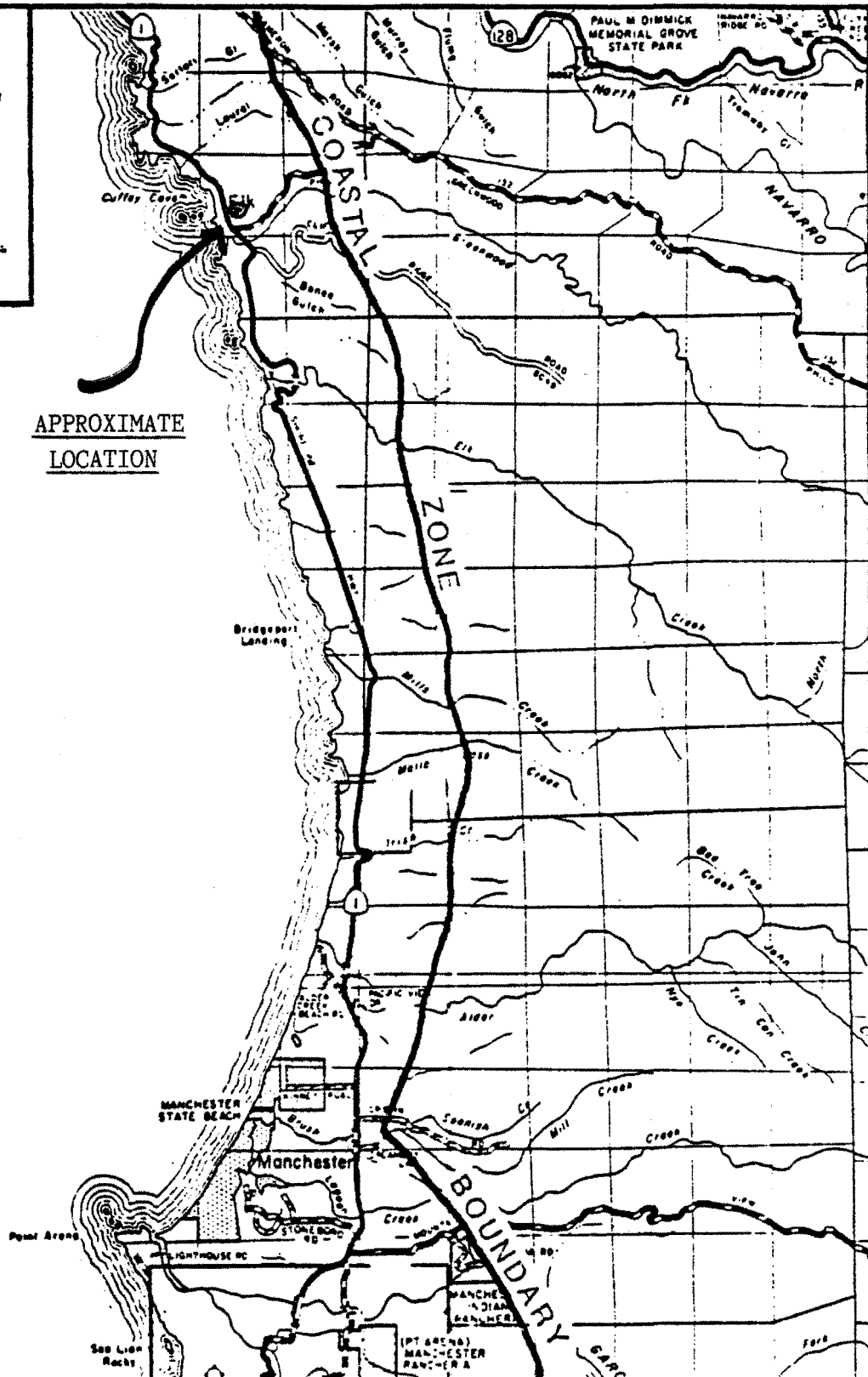
**APPLICATION NO.**  
**MENDOCINO COUNTY LCP**

**AMENDMENT 2-95 (Major)**  
**SITE ONE (Waidhofer)**



**Location Map**  
California Coastal Commission

APPROXIMATE  
LOCATION



California Coastal Commission

**LOCATION MAP**






3

MENDOCINO COUNTY LCP

Project Site

 PROPOSED PARCEL  
TO BE CHANGED FROM  
RR 10 TO RY

LAND USE AND  
ZONED RV

RESIDENCE AND SHED  
RESIDENCE AND SHED

WAIDHOFER

WORK  
SHOP

SFR

~~SECRET~~

S.F.R  
AND  
SHOPS

WATER  
TOWER

ONIS

127-231-04  
WRAIDHOFFER

HWY.

51010

A-37



EXHIBIT NO.

4

APPLICATION NO.

MENDOCINO COUNTY LCP

AMENDMENT 2-95

SITE ONE (Waidhofer)

Land Use Plan Map

BOS-4

RL

Map as proposed to  
be amended:

BOUNDARY IS SAME  
AS RV BOUNDARY

RR-10

GREENWOOD/ELK STATE PARK  
SHORELINE ACCESS

GREENWOOD ROAD

FILE NUMBER:

#GP 8-93

#R 9-93

OWNER:

WAIDHOFER

AGENT:

A/P NUMBER:

APN 127-231-05

P/C MEETING:

B/S MEETING:

SCALE:

EXHIBIT A



NORTH

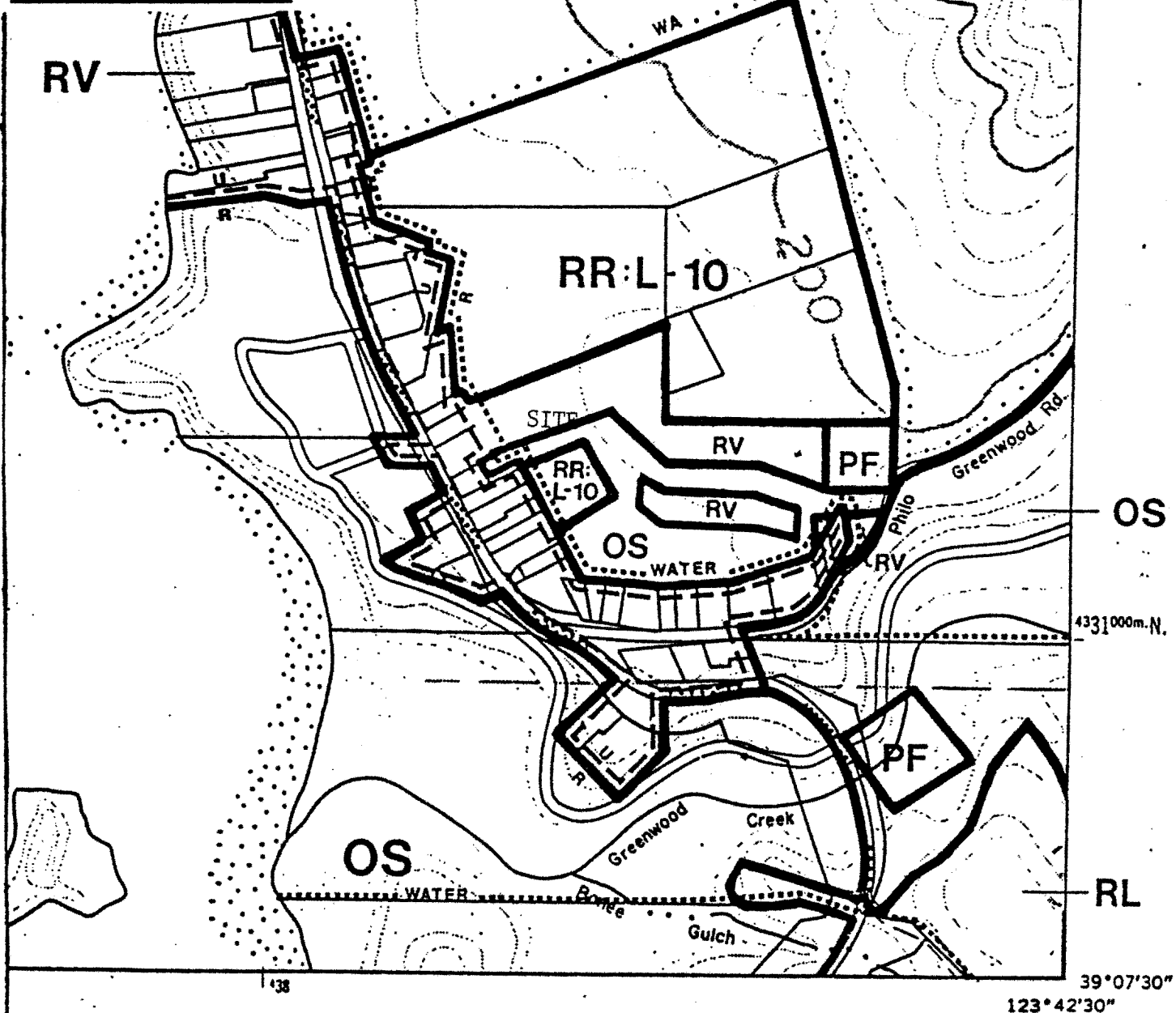
LAND USE MAP

A-3

**EXHIBIT NO. 5**

**APPLICATION NO.**  
MENDOCINO COUNTY LCP


**AMENDMENT 2-95**  
**SITE ONE (Waidhofer)**  
Zoning Map



The RV Zone.

district zoning of Airport Height, Flood Plain and or  
Lore found on Airport Height Map No. 3 Flood Insurance Rate

## ZONING

|                                     |                     |              |   |
|-------------------------------------|---------------------|--------------|---|
| FILE NUMBER:<br>#GP 8-93<br>#R 9-93 | OWNER:<br>WAIDHOFER | AGENT:       | A/P NUMBER:<br>APN 127-231-05   |
| EXHIBIT B                           | P/C MEETING:        | B/S MEETING: | SCALE:  |
|                                     |                     |              |  NORTH |

A-4

ZONING MAP

|  |
|--|
| <b>EXHIBIT NO.</b> 6                                     |
| <b>APPLICATION NO.</b><br>MENDOCINO COUNTY LOCAL COASTAL |
| AMENDMENT 2-95<br>SITE ONE (Waidhofer)                   |
| Resolution   |

RESOLUTION NO. 95-175

RECEIVED  
SEP - 1 1995  
BY  
PLANNING & BUILDING SERVICES  
 Ukiah, CA 95422

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE  
COUNTY OF MENDOCINO OF INTENT TO AMEND THE LOCAL COASTAL  
PROGRAM FOR MENDOCINO COUNTY  
(GP 8-93/R 9-93 - WAIDHOFER)

WHEREAS, the County of Mendocino has adopted a Local Coastal  
Program, and

WHEREAS, the Local Coastal Program has been certified by the  
California Coastal Commission, and

WHEREAS, an application has been submitted to the County requesting  
amendment of the County's Local Coastal Program, and,

WHEREAS, the County Planning Commission has held a public hearing on  
the requested amendment and submitted its recommendation to the Board of  
Supervisors, and

WHEREAS, the Board of Supervisors has held a public hearing on the  
requested amendment and has determined that the Local Coastal Program should  
be amended,

NOW, THEREFORE, BE IT RESOLVED, that it is the intent of the Board  
of Supervisors of the County of Mendocino that #GP 8-93/#R 9-93 be adopted  
amending the Local Coastal Program as shown on attached Exhibits A and B.

BE IT FURTHER RESOLVED, that Planning and Building Services staff is  
directed to include the amendment proposed herein in the next submittal to be  
made to the California Coastal Commission for certification, and

BE IT FURTHER RESOLVED, that the amendment shall not become  
effective until after the Board of Supervisors of the County of Mendocino  
acknowledges receipt of the Coastal Commission's action, formally adopts the  
proposed amendment and accepts any modification suggested by the Coastal  
Commission, and

BE IT FURTHER RESOLVED, that the local coastal program, as is proposed to be amended, is intended to be carried out in a manner fully in conformity with the California Coastal Act of 1976.

BE IT FURTHER RESOLVED, that in the event that the California Coastal Commission denies certification of the amendment proposed to be adopted in this resolution, this resolution shall become inoperative and will be immediately repealed without further action by the Board of Supervisors insofar as this resolution pertains to such amendment for which certification is denied. This resolution shall remain operative and binding for those amendments proposed herein that are certified by the California Coastal Commission.

Passed and adopted by the Board of Supervisors of the County of Mendocino, State of California, on this 28th day of August, 1995, by the following vote:

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

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

*Seiji Sugawara*  
Chairman of said Board of Supervisors

ATTEST: JOYCE A. BEARD  
Clerk of said Board

By Thomas J. Keon  
Deputy

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: Thomas J. Keon, Deputy

GP 8-93/R 9-92 - WAIDHOFER

|                      |
|----------------------|
| EXHIBIT NO. 6        |
| APPLICATION NO.      |
| MENDOCINO COUNTY LCP |
| AMENDMENT 2-95       |
| SITE ONE (Waidhofer) |
| Resolution           |

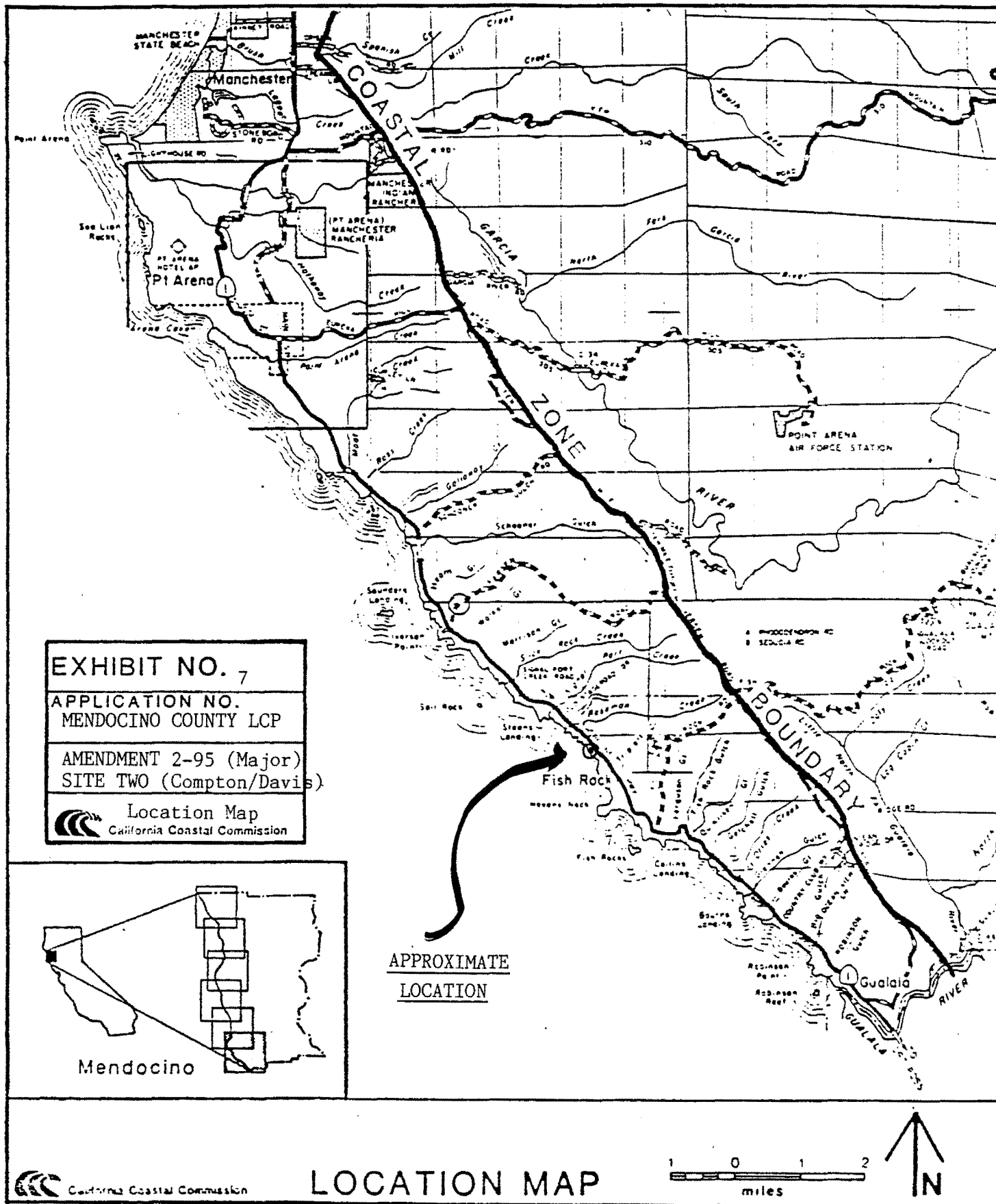


EXHIBIT NO. 8

APPLICATION NO.

MENDOCINO COUNTY LCP

AMENDMENT 2-95

SITE TWO (Compton/  
Davis) Vicinity Map



CASE NUMBER:

GP 13-93/R 13-93

OWNER:

Compton/Davis

AGENT:

A/P NUMBER:

143-060-01

VICINITY MAP

SCALE:

1 mile = 2½"



NORTH

NORTH AND CENTRAL AREAS OF PROJECT SITE  
EXHIBIT H  
TOPOGRAPHIC MAP  
AP 143-06-01

(Excerpt from Paoli & McBride Geologic & Soils Investigations & Botanical Survey/ map & info. edited by Staff).

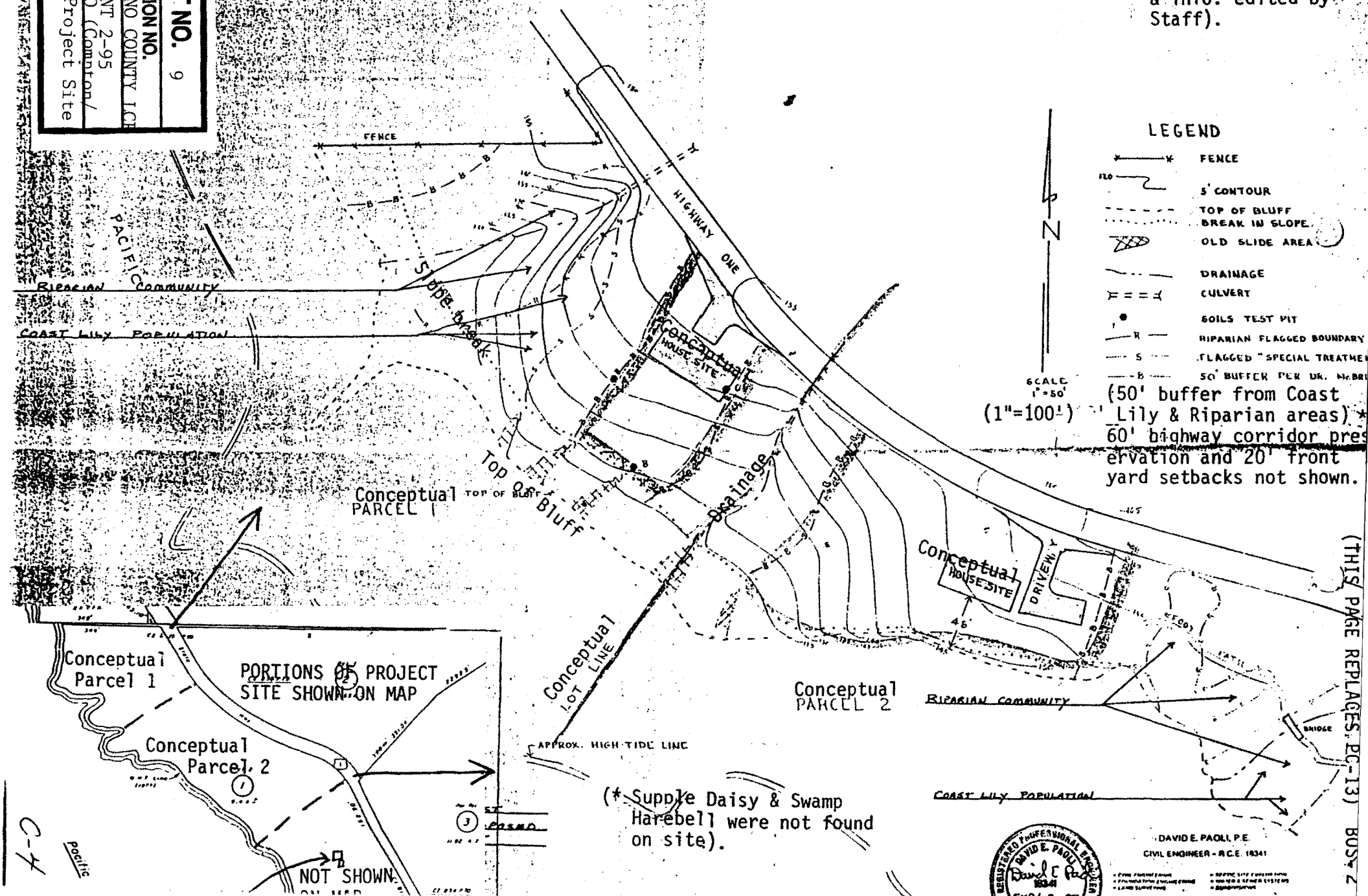
EXHIBIT NO. 9  
APPLICATION NO.  
MENDOCINO COUNTY LCH  
AMENDMENT 2-95  
SITE TWO (Common/ Davis) Project Site

LEGEND

- \*—\*— FENCE
- 5' CONTOUR
- TOP OF BLUFF
- BREAK IN SLOPE
- OLD SLIDE AREA
- DRAINAGE
- CULVERT
- SOILS TEST PIT
- RIPARIAN FLAGGED BOUNDARY
- FLAGGED "SPECIAL TREATMENT"
- 50' BUFFER PER DR. McBride

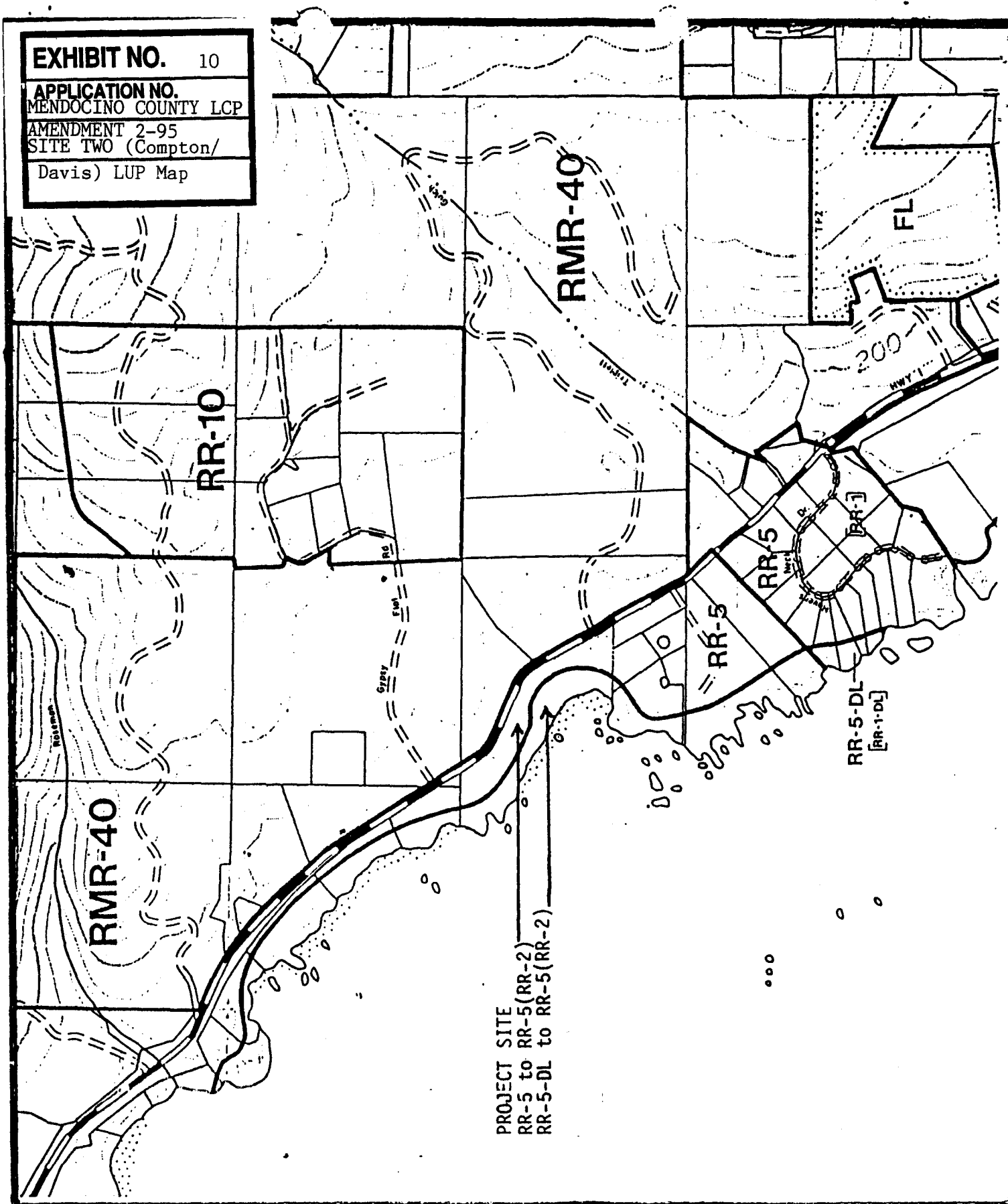
SCALE  
1"=50'

(50' buffer from Coast Lily & Riparian areas) \*  
60' highway corridor preservation and 20' front yard setbacks not shown.



**EXHIBIT NO.** 10

**APPLICATION NO.**  
MENDOCINO COUNTY LCP  
AMENDMENT 2-95  
SITE TWO (Compton/  
Davis) LUP Map



**CASE NUMBER:**  
GP 13-93/R 13-93

**OWNER:**  
Compton/Davis

**AGENT:**

**A/P NUMBER:**  
143-060-01

Coastal Land Use Map

**SCALE:**  
1/4 mile=1-3/4"



**NORTH**

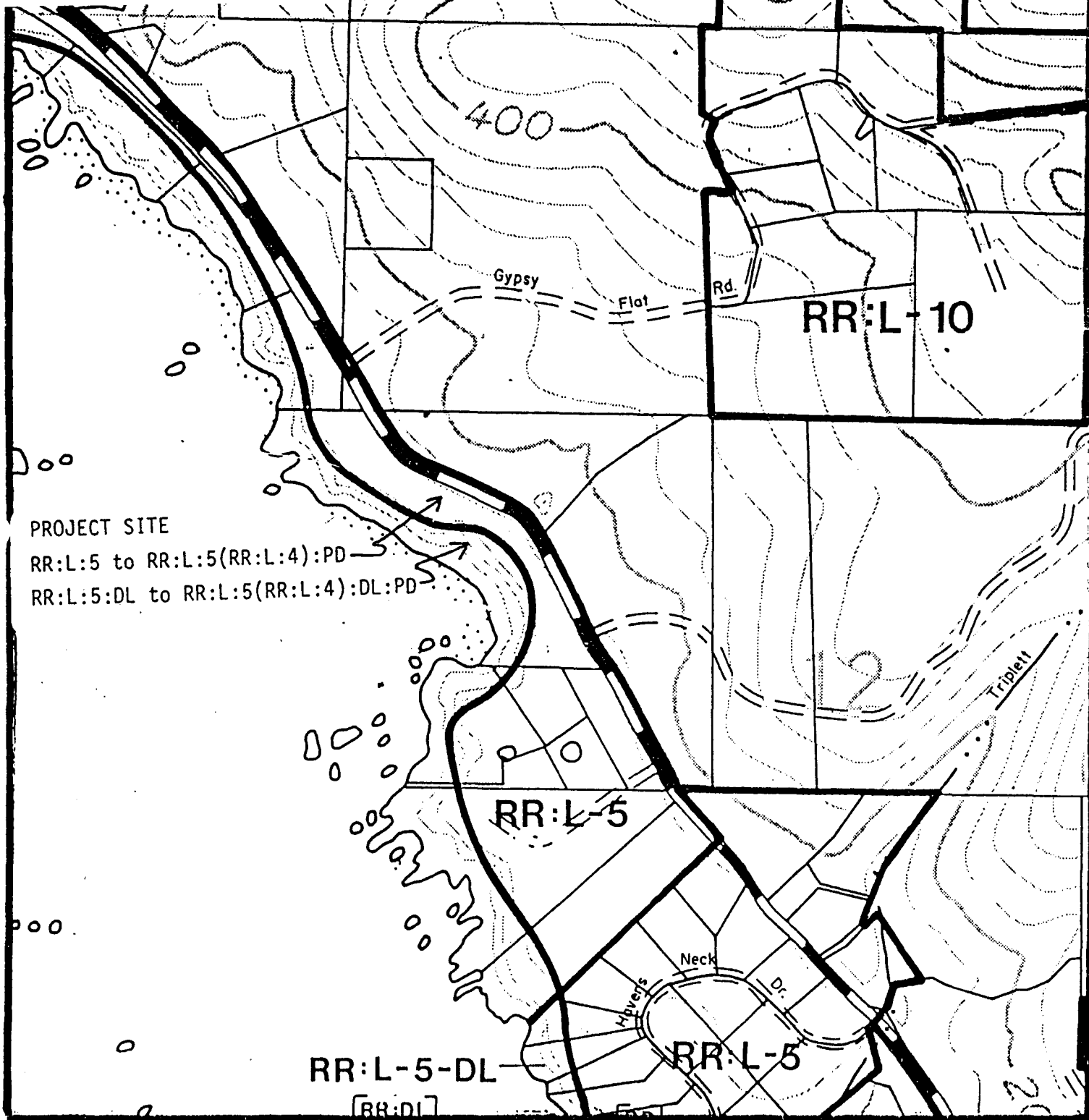
EXHIBIT "A"

C-1.3



EXHIBIT NO. 11

APPLICATION NO.  
MENDOCINO COUNTY LCP  
AMENDMENT 2-95  
SITE TWO (Compton/  
Davis) Zoning Map



CASE NUMBER:

GP 13-93/R 13-93

OWNER:

Compton/Davis

AGENT:

A/P NUMBER:

143-060-01

Coastal Zoning Map

SCALE:

2.5" = 1/4 mile



NORTH

EXHIBIT NO. 12

APPLICATION NO.

MENDOCINO COUNTY LOCAL COASTAL PROGRAM

AMENDMENT 2-95

SITE TWO (Compton/

Davis) Resolution

RESOLUTION NO. 95-255

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE  
COUNTY OF MENDOCINO OF INTENT TO AMEND THE LOCAL COASTAL  
PROGRAM FOR MENDOCINO COUNTY  
(GP 13-93/R 13-93.- COMPTON/DAVIS)

WHEREAS, the County of Mendocino has adopted a Local Coastal  
Program, and

WHEREAS, the Local Coastal Program has been certified by the  
California Coastal Commission, and

WHEREAS, an application has been submitted to the County requesting  
amendment of the County's Local Coastal Program, and

WHEREAS, the County Planning Commission has held a public hearing on  
the requested amendment and submitted its recommendation to the Board of  
Supervisors, and

WHEREAS, the Board of Supervisors has held a public hearing on the  
requested amendment and has determined that the Local Coastal Program should  
be amended,

NOW, THEREFORE, BE IT RESOLVED, that it is the intent of the Board  
of Supervisors of the County of Mendocino that #GP 13-93/#R 13-93 be adopted  
amending the Local Coastal Program as shown on attached Exhibits A and B.

BE IT FURTHER RESOLVED, that Planning and Building Services staff is  
directed to include the amendment proposed herein in the next submittal to be  
made to the California Coastal Commission for certification, and

BE IT FURTHER RESOLVED, that the amendment shall not become  
effective until after the Board of Supervisors of the County of Mendocino  
acknowledges receipt of the Coastal Commission's action, formally adopts the  
proposed amendment and accepts any modification suggested by the Coastal  
Commission, and

C-1.1

BE IT FURTHER RESOLVED, that the local coastal program, as is proposed to be amended, is intended to be carried out in a manner fully in conformity with the California Coastal Act of 1976.

BE IT FURTHER RESOLVED, that in the event that the California Coastal Commission denies certification of the amendment proposed to be adopted in this resolution, this resolution shall become inoperative and will be immediately repealed without further action by the Board of Supervisors insofar as this resolution pertains to such amendment for which certification is denied. This resolution shall remain operative and binding for those amendments proposed herein that are certified by the California Coastal Commission.

Passed and adopted by the Board of Supervisors of the County of Mendocino, State of California, on this 13th day of November, 1995, by the following vote:

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

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

Seiji Sugawara  
Chairman of said Board of Supervisors

ATTEST: JOYCE A. BEARD  
Clerk of said Board

By Kristin Von Patten  
Deputy

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: Kristin Von Patten  
DEPUTY

GP 13-93/R 13-93 - COMPTON/DAVIS

|   |    |
|---|----|
| EXHIBIT NO.                             | 12 |
| APPLICATION NO.                         |    |
| MENDOCINO COUNTY LCP                    |    |
| AMENDMENT 2-95                          |    |
| SITE TWO (Compton/<br>Davis) Resolution |    |

C-1.2

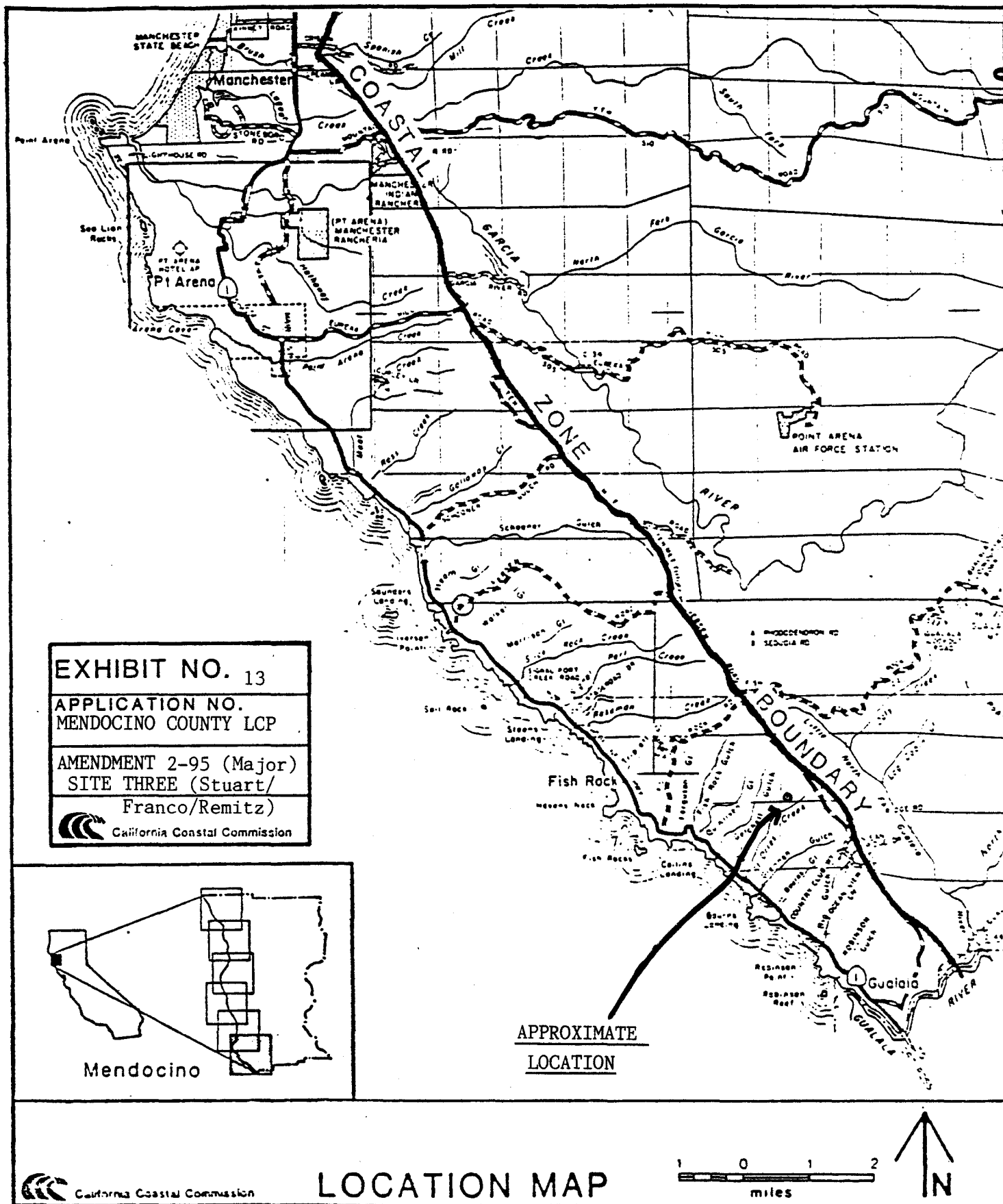
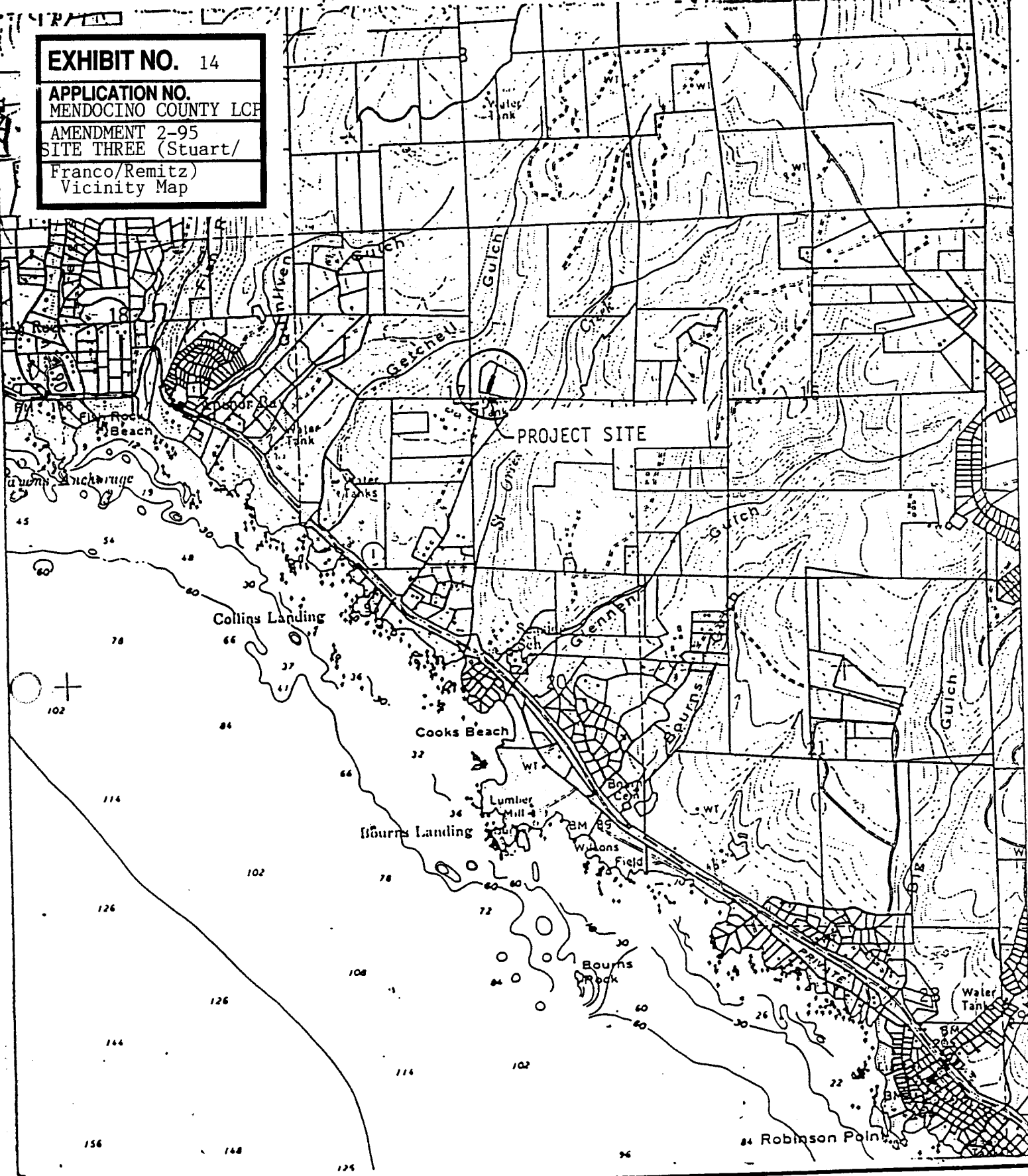


EXHIBIT NO. 14

APPLICATION NO.  
MENDOCINO COUNTY LCP

AMENDMENT 2-95  
SITE THREE (Stuart/  
Franco/Remitz)  
Vicinity Map



CASE NUMBER:  
GP 10-93/R 9-92

OWNER:  
STUART, FRANCO, REMITZ, ADAMS

AGENT:

A/P NUMBER: Portion N $\frac{1}{2}$  Sec. 17,  
144-050-24, T. 11 N., R. 15 W.

LOCATION MAP

SCALE:  
2.5" = 1 mile



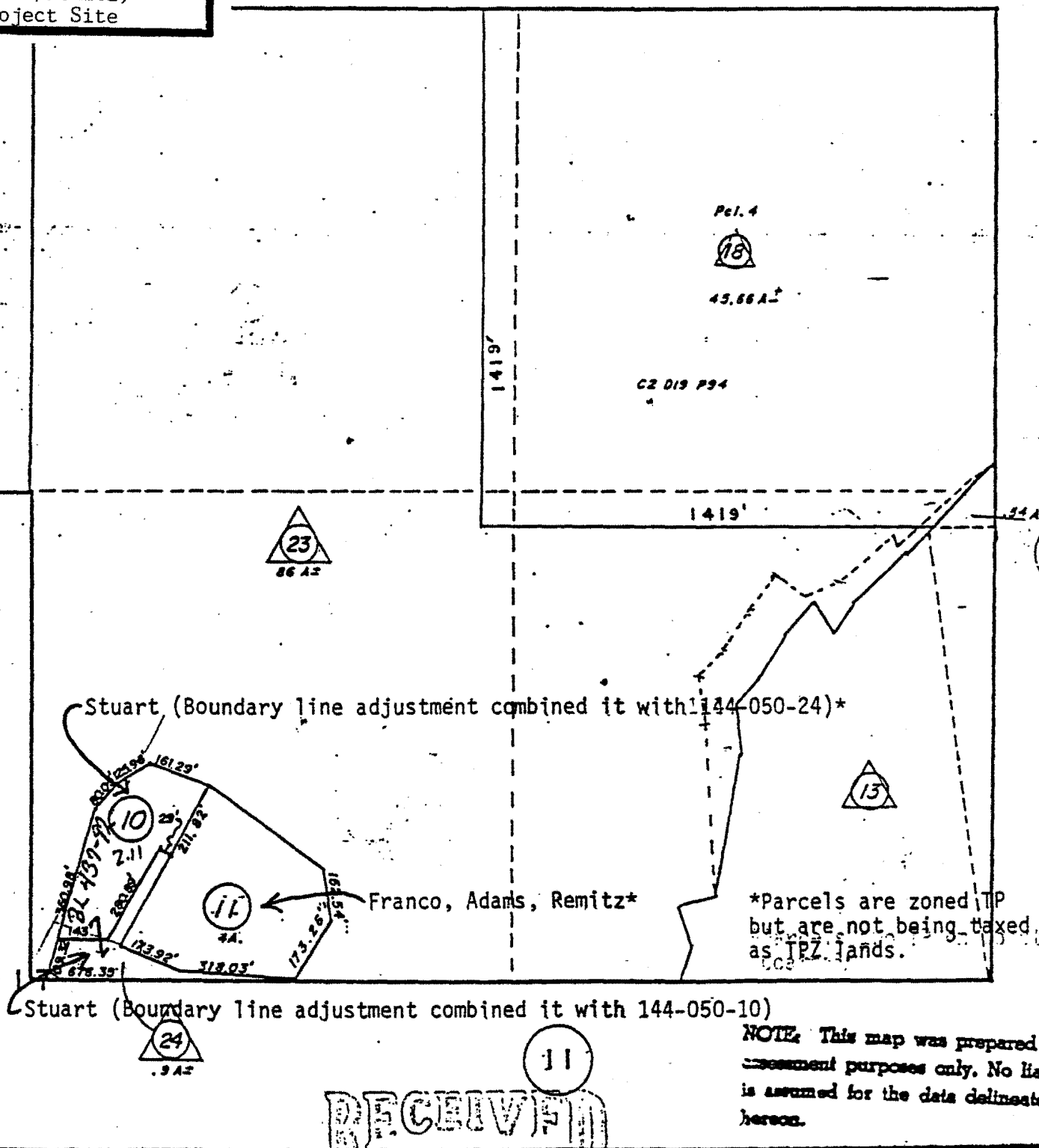
NORTH


144-050-10, 11

B-19

**APPLICATION NO.**  
**MENDOCINO COUNTY LCP**  
**AMENDMENT 2-95**  
**SITE THREE (Stuart/**  
**Franco/Remitz)**  
**Project Site**

144-050

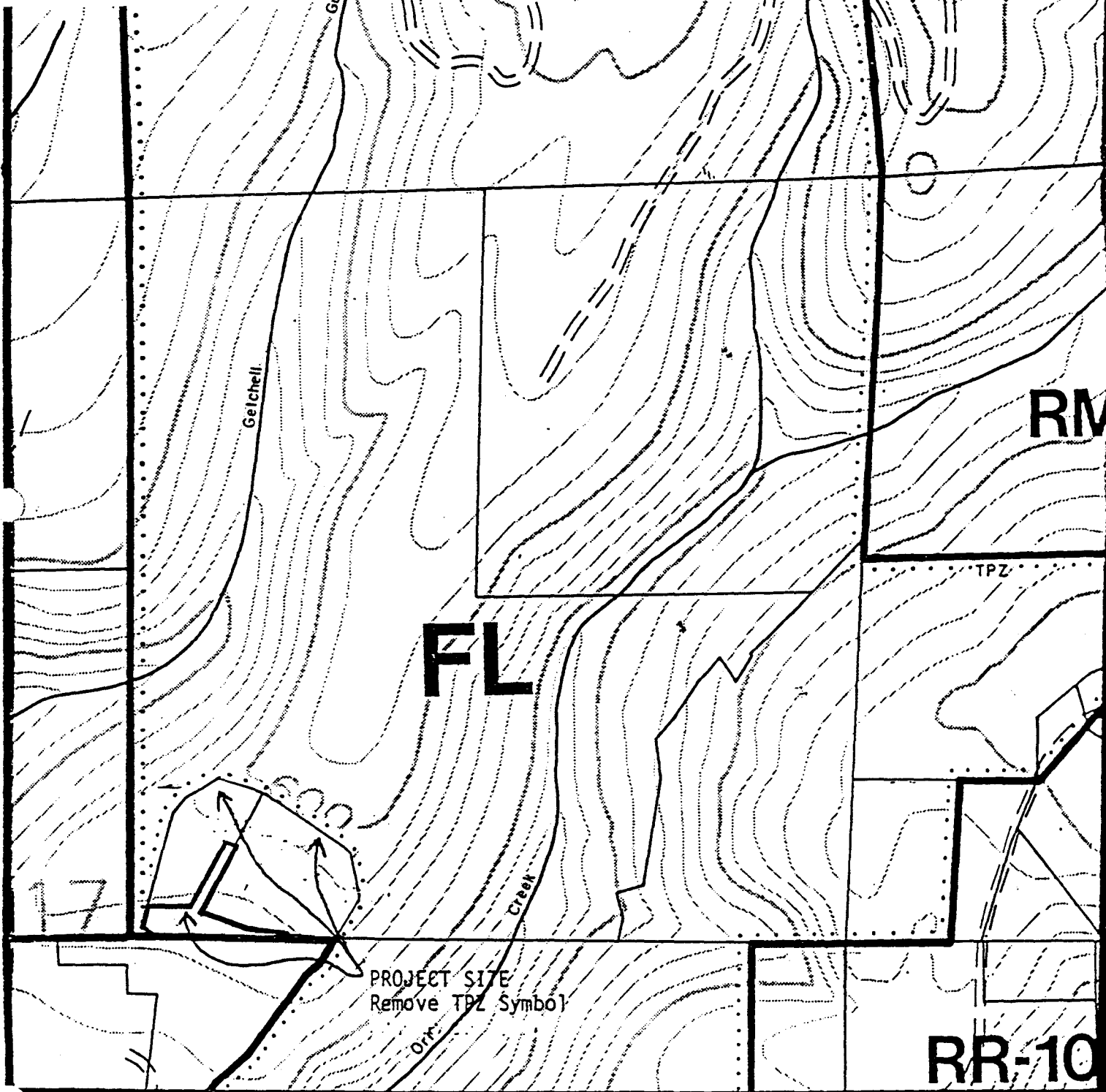


|                                   |   |   |
|-----------------------------------|---|---|
| CASE NUMBER:<br>GP 10-93/R 9-92   | OWNER:<br>Remitz, Stuart, Franco, Adams | AGENT:  |
| A/P NUMBER:<br>144-050-10, 11, 24 | Assessor's Map<br>144-050               | SCALE:<br>1" = 400'   |
|                                   |   |  NORTH |

**EXHIBIT NO.** 16

**APPLICATION NO.**  
MENDOCINO COUNTY LCP

AMENDMENT 2-95  
SITE THREE (Stuart/  
Franco/Remitz)  
LUP Map



**CASE NUMBER:**

GP 10-93/R 9-92

**OWNER:**

Stuart, Franco, Remitz

**AGENT:**

**A/P NUMBER:**

144-050-10, 11, 24

Coastal Land Use  
Map

**SCALE:**

1 1/2" = 700'+-



**NORTH**

EXHIBIT NO.

17

APPLICATION NO.

MENDOCINO COUNTY LCP

AMENDMENT 2-95

SITE THREE (Stuart/  
Franco/Remitz)

Zoning Map

TP

Rezone to

FL

FL

-Rezone to FL

Rd.

Landing

Collins

St. Ors

Creek

RMR

School

Rd.

CASE NUMBER:

GP 10-93/R 9-92

OWNER:

Stuart, Franco, Remitz

AGENT:

A/P NUMBER:

144-050-10, 11, 24

Coastal Zoning Map

SCALE:

1 1/2" = 700'



NORTH

EXHIBIT B

B-4



**EXHIBIT NO.**

18

**APPLICATION NO.**

MENDOCINO COUNTY LCP

AMENDMENT 2-95

SITE THREE (Stuart/

Franco/Remitz)

Resolution

RESOLUTION NO. 95-228

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE  
COUNTY OF MENDOCINO OF INTENT TO AMEND THE LOCAL COASTAL  
PROGRAM FOR MENDOCINO COUNTY  
(GP 10-93/R 9-92 - MENDOCINO COUNTY/STUART/FRANCO/REMITZ)

WHEREAS, the County of Mendocino has adopted a Local Coastal Program, and

WHEREAS, the Local Coastal Program has been certified by the California Coastal Commission, and

WHEREAS, an application has been submitted to the County requesting amendment of the County's Local Coastal Program, and

WHEREAS, the County Planning Commission has held a public hearing on the requested amendment and submitted its recommendation to the Board of Supervisors, and

WHEREAS, the Board of Supervisors has held a public hearing on the requested amendment and has determined that the Local Coastal Program should be amended,

NOW, THEREFORE, BE IT RESOLVED, that it is the intent of the Board of Supervisors of the County of Mendocino that #GP 10-93/#R 9-92 be adopted amending the Local Coastal Program as shown on attached Exhibits A and B.

BE IT FURTHER RESOLVED, that Planning and Building Services staff is directed to include the amendment proposed herein in the next submittal to be made to the California Coastal Commission for certification, and

BE IT FURTHER RESOLVED, that the amendment shall not become effective until after the Board of Supervisors of the County of Mendocino acknowledges receipt of the Coastal Commission's action, formally adopts the proposed amendment and accepts any modification suggested by the Coastal Commission, and

BE IT FURTHER RESOLVED, that the local coastal program, as is proposed to be amended, is intended to be carried out in a manner fully in conformity with the California Coastal Act of 1976.

BE IT FURTHER RESOLVED, that in the event that the California Coastal Commission denies certification of the amendment proposed to be adopted in this resolution, this resolution shall become inoperative and will be immediately repealed without further action by the Board of Supervisors insofar as this resolution pertains to such amendment for which certification is denied. This resolution shall remain operative and binding for those amendments proposed herein that are certified by the California Coastal Commission.

The foregoing Resolution was introduced by Supervisor Peterson, seconded by Supervisor Henry and carried this 13th day of November, 1995 by the following roll call vote:

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

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

Seiji Sugawara  
Chairman of said Board of Supervisors

ATTEST: JOYCE A. BEARD  
Clerk of said Board

By Kristi VanBatten  
Deputy

GP 10-93/R 9-92 - STUART/FRANCO/REMITZ

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: Kristi VanBatten  
DEPUTY

|                                       |    |
|---------------------------------------|----|
| EXHIBIT NO.                           | 18 |
| APPLICATION NO.                       |    |
| MENDOCINO COUNTY LCI                  |    |
| AMENDMENT 2-95                        |    |
| SITE THREE (Stuart/<br>Franco/Remitz) |    |
| Resolution                            |    |