

CALIFORNIA COASTAL COMMISSION

NORTH COAST AREA

FREMONT, SUITE 2000

SAN FRANCISCO, CA 94105-2219

(415) 904-5260

W 11a ^{KSM}

January 17, 1997

TO: COASTAL COMMISSIONERS AND INTERESTED PARTIES

FROM: Peter M. Douglas, Executive Director
Steven F. Scholl, District Director
Jim Muth, Coastal PlannerSUBJECT: **HUMBOLDT COUNTY LCP AMENDMENT NO. 1-96 (MAJOR:
Moser & Hunt Rezone for Sand Pointe Subdivision)****CERTIFICATION REVIEW:** Concurrence with the Executive Director's determination that the action of Humboldt County accepting the Commission's certification of Humboldt County LCP Amendment No. 1-96 (Major) with a suggested modification to not delete an "N" (Noise Impact) zone for the subject property is legally adequate. (For Commission review of the meeting of February 5, 1997 in San Diego.)**BACKGROUND:**

Humboldt County LCP Amendment No. 1-96 (Major) was approved by the Commission on December 13, 1996 with a suggested modification to not delete an "N" (Noise Impact) zone for a 26.5-acre property, APN 511-011-14, located on the north side of Murray Road near the Mad River in McKinleyville, California.

A. AMENDMENT DESCRIPTION:

The changes approved by Amendment No. 1-96 are as follows:

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.

As approved by the Coastal Commission and accepted by the County, the property is rezoned to: "RS-20/AP,G,A,N,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, and (3) deleting a "F" (Flood Hazard) special area combining zone from the property.

HUMBOLDT COUNTY LCP
AMENDMENT NO. 1-96 (Major)
Certification Review
Page Two

The Commission completed its action on Humboldt County LCP Amendment No. 1-96 (Major) at its December 13, 1996 public hearing in San Francisco and approved the LCP amendment with a suggested modification that the County not delete the "N" (Noise Impact) zone for the subject property. The Commissioners voted 8-0 to approve the LCP amendment with the suggested modification.

B. Effective Certification.

The County has acknowledged receipt of the Commission's resolution of certification of the LCP Amendment as shown in the attached resolution from Board of Supervisors, dated January 14, 1997, and Ordinance Number 2139. See Attachment B as adopted by the Humboldt County Board of Supervisors on January 14, 1997.

As provided in Sections 13544 and 13544.5 of the Commission's Code of Regulations, for the amendment to become effective, the Executive Director must determine that Mendocino County's action is legally adequate and report that determination to the Commission. Unless the Commission objects to the determination, the certification of Humboldt County LCP Amendment No. 1-96 (Major) shall become effective upon the filing of a notice of certification for the LCP Amendment with the Secretary for Resources, as provided in the Public Resources Code Section 21080.5(d)(2)(V).

STAFF RECOMMENDATION:

Staff recommends that the Commission concur with the determination of the Executive Director that the action of the County of Humboldt accepting the Commission's certification of the Humboldt County LCP Amendment No. 1-96 (Major) with a suggested modification is legally adequate, as noted in the attached letter, Attachment A (to be sent after Commission concurrence).

CALIFORNIA COASTAL COMMISSION

NORTH COAST AREA

15 FREMONT, SUITE 2000

SAN FRANCISCO, CA 94105-2219

(415) 904-5260



February , 1997

Bonnie Neely, Chairperson
Humboldt County Board of Supervisors
825 5th Street
Eureka, CA 95501

**SUBJECT: HUMBOLDT COUNTY LCP AMENDMENT NO. 1-96 (MAJOR:
MOSER & HUHT rezone for the Sand Pointe Subdivision):
CERTIFICATION REVIEW**

Dear Chairperson Neely:

I have reviewed the January 14, 1997 resolution from the County Board of Supervisors and Ordinance Number 2139 for effective certification of the Humboldt County LCP Amendment No. 1-95 (Major). The action by the County fulfills the requirements of Section 13544.5 of the Commission's Code of Regulations. In accordance with Section 13544(b) of those regulations, I have determined that the County's action is legally adequate.

The Coastal Commission concurred with this determination at its meeting of February 5, 1997. If you have any questions, please contact James Muth in our San Francisco office.

Sincerely,

PETER M. DOUGLAS
Executive Director

cc: Tom Conlon
Jim Baskin
Steve Moser
Brian and Cindi Hunt
Marty McClelland
Jim Muth
Jim Burns/LCP records

ATTACHMENT A

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified Copy of Portion of Proceedings, Meeting of Tuesday, January 14, 1997

SUBJECT: MOSER-HUNT SAND POINTE ZONING RECLASSIFICATION, MAJOR SUBDIVISION, CONDITIONAL USE, AND COASTAL DEVELOPMENT PERMITS; FILE NO. APN 511-011-14; CASE NOS. ZR-18-94, FMS-11-94, CDP-39-94, CUP-22-94; STEVE MOSER, BRIAN HUNT, AND CINDI HUNT, APPLICANTS

- ACTION:**
1. Opened the public hearing, received the staff report, received public testimony, and closed the public hearing.
 2. Adopted Ordinance No. 2139.
 3. Directed the Clerk of the Board to give notice of the decision to interested parties and to publish a summary of the Ordinance within fifteen (15) days after adoption by the Board of Supervisors.
 4. Directed the Planning and Building Department to prepare a *Notice of Local Action* for forwarding to the California Coastal Commission.

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 CALIFORNIA
 COASTAL COMMISSION

Adopted on motion by Supervisor Kirk, second by Supervisor Woolley, and the following vote:

AYES: Supervisors Dixon, Rodoni, Woolley, Neely, and Kirk
NAYS: None
ABSENT: None
ABSTAIN: 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.

pc: Planning & Building
 Public Works
 Land Use Division
 County Counsel
 Applicants
 Agent

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

LORA FREDIANI

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

Lora Frediani

 January 14, 1997

(L-1)

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings, Meeting on January 14, 1997

ORDINANCE NO. 2139

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, Noise Impact, Planned Development, Coastal Streams and Riparian Corridor Protection, and Qualified Combining Zones, (RS-20/AP,G,A,N,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.

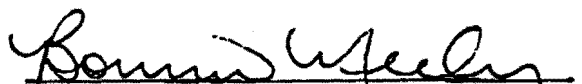
PASSED, APPROVED AND ADOPTED this 14th day of January, 1997, on the following vote, to wit:

AYES: Supervisors: Dixon, Rodoni, Woolley, Neely, and Kirk

NOES: Supervisors: None

ABSENT: Supervisors: None

(SEAL)


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

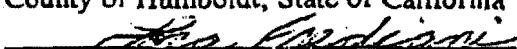
ATTEST:
Lora Frediani
Clerk of the Board of Supervisors of the
County of Humboldt, State of California


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;

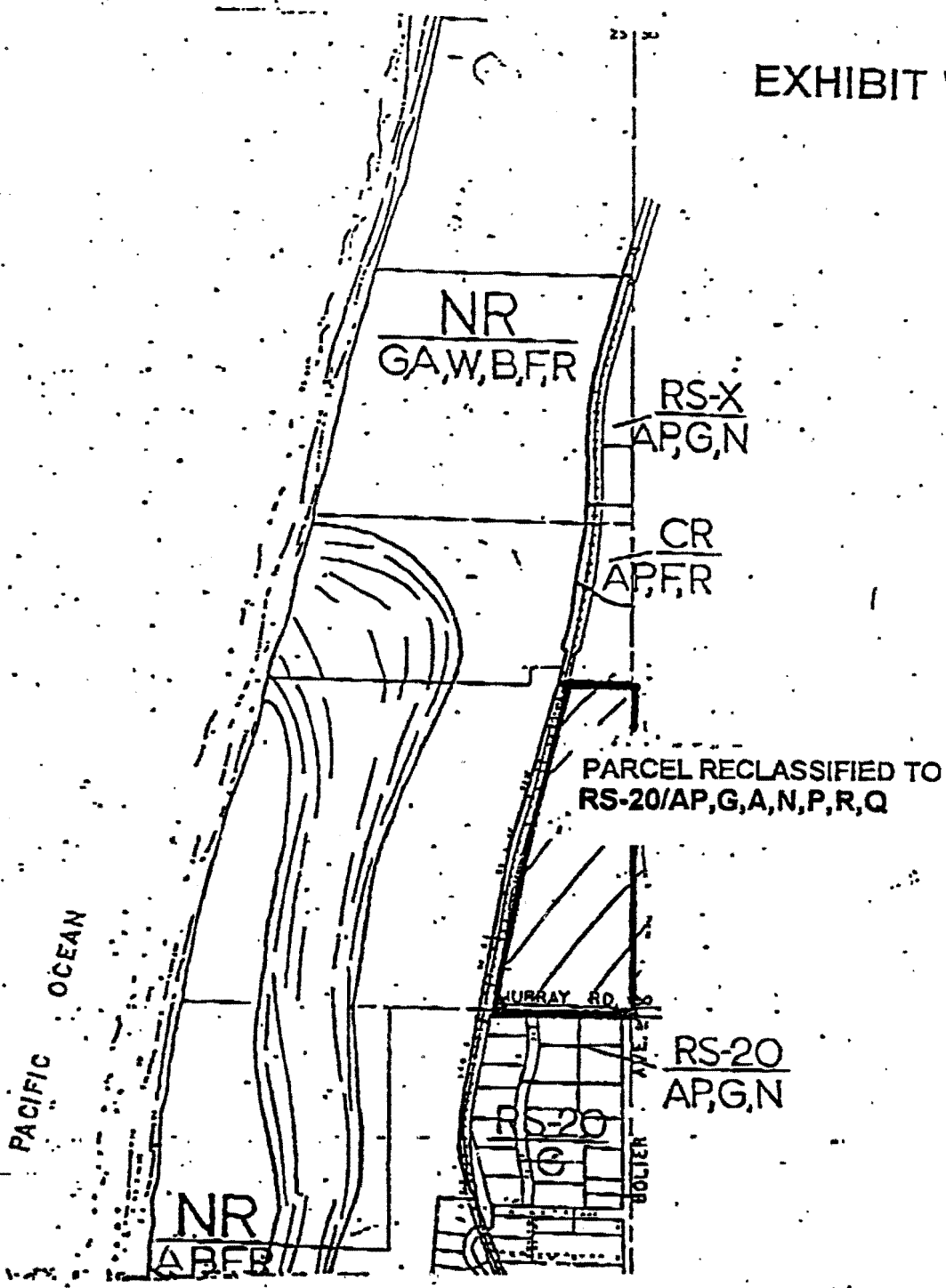
thence South 83 degrees 13 minutes East, 49 feet;

thence South 89 degrees 09 minutes East, 57 feet;

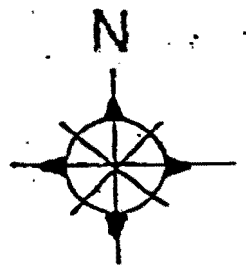
thence South 84 degrees 05 minutes East, 39 feet;

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.