

CALIFORNIA COASTAL COMMISSION

NORTH COAST AREA
 5 FREMONT, SUITE 2000
 SAN FRANCISCO, CA 94105-2219
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Filed:	February 20, 1997
49th Day:	April 10, 1997
180th Day:	August 19, 1997
Staff:	Robert Merrill-E
Staff Report:	April 25, 1997
Hearing Date:	May 16, 1997
Commission Action:	

STAFF REPORT: CONSENT CALENDARAPPLICATION NO.: **1-97-11**APPLICANT: **ANTONE R. LORENZO**

PROJECT LOCATION: 1693 Port Kenyon Road, north of Ferndale, Humboldt County. APNs 100-281-18 and 100-281-19

PROJECT DESCRIPTION: Merge a 6,600-square-foot parcel and a 8,800-square-foot parcel, demolish and remove a 1,550-square-foot fire-damaged single-family house and install a 1,694-square-foot manufactured home atop a 2,300 square-foot earthen fill to elevate the house above flood waters.

Lot areas:

Existing:	Parcel 100-281-18: 6,600 sq. ft (.15 acres)
	Parcel 100-281-19: 8,800 sq. ft (.20 acres)
Proposed:	15,400 sq. ft (.35 acres)
Building coverage:	
Existing:	1,550 square feet
Proposed:	1,694 square feet
Landscape coverage:	5,000 square feet
Ht abv fin grade:	17 feet
Parking spaces:	4
Plan designation:	Residential/Exurban (RX)
Zoning:	Residential Agriculture with no further subdivision permitted, manufactured home permitted, and flood hazard combining zones (RA-X-M/F)

LOCAL APPROVALS RECEIVED: Humboldt County Parcel Merger approved April 9, 1997.

SUBSTANTIVE FILE DOCUMENTS: Humboldt County Local Coastal Program.

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STAFF NOTES

1. Standard of Review.

The proposed project is located within the Port Kenyon area of Humboldt County within the Eel River basin. Humboldt County has a certified LCP, but the project site is within the Commission's retained jurisdictional area. Therefore, the standard of review that the Commission must apply to the project is the Coastal Act.

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends approval of the proposed lot merger, and replacement of the fire-damaged house on the property with a manufactured home. The proposed project is within a developed rural residential area where there are other mobile homes and a mix of architectural styles. The property is served by a community water system and an existing septic system. No wetlands or other environmentally sensitive habitat exists on the property. As the proposed lot merger will reduce the potential density of development on the property in half, the project will result in less demand on coastal resources than allowable under the LCP. Therefore, staff believes the proposed project is consistent with the Coastal Act and recommends approval.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants a permit, subject to the conditions below, for the proposed development on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, is located between the sea and the first public road nearest the shoreline and is in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions: See attached

III. Special Conditions: None.

IV. Findings and Declarations.

The Commission hereby finds and declares:

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1. Project and Site Description:

The applicant proposes to merge two adjoining lots in the Port Kenyon area northwest of the City of Ferndale and replace a fire-damaged home with a new manufactured home positioned in a different location on the parcel. The project site is located on property known as 1693 Port Kenyon Road, on the north side of Port Kenyon Road between Franklin and Spruce Streets (see Exhibits 1-3).

The Port Kenyon area is a small unincorporated residential community located within a larger agricultural area. Port Kenyon contains a number of relatively small parcels subdivided many years before adoption of the Coastal Act. Many of the lots are developed with single family homes, built according to a variety of architectural styles. Some manufactured or mobile homes exist in the area.

The proposed merger of the two lots would create one 15,400-square-foot parcel that is 110 feet by 140 feet long (see Exhibits 3 and 4). The flat, level property is currently developed with the 1,550-square-foot fire-damaged home to be demolished and removed, and an existing barn, garage, shed, and driveway which will remain. The property is within the flood plain of the Salt River and could be flooded during a 100-year flood event, but it does not contain any wetlands. An intervening parcel separates the parcel from the riparian habitat along the river, and the property contains no environmentally sensitive habitat.

The proposed manufactured home would be installed near the middle of the property, straddling the current boundary between the lots to be merged. The home would be placed on a 2,300-square-foot earthen fill. The proposed 1,694-square-foot home would be 17 feet high at grade level and contain three bedrooms and two bathrooms (see Exhibit 5). As proposed, the home would have a peaked roof and architectural adornments that would make it similar in appearance to a home built on the site.

2. New Development:

Section 30250(a) of the Coastal Act states that new development shall be located in or near existing developed areas able to accommodate it and where it will not have significant adverse effects on coastal resources.

The subject property is located in a rural residential area zoned as Residential Agriculture (RA). Secondary dwelling units are allowed by special permit within this zoning district.

The proposed manufactured home will replace an existing burned residence and rely on the sewer and water services previously used by the burned house. The site is served by a community water system and has a septic system that has been approved for use with the new manufactured home by the Humboldt County Health Department.

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As currently configured, the two subject parcels contain the potential for two primary residential units and two secondary dwelling units. As merged, there will only be one parcel with one primary residence and the potential for one secondary residence. Therefore, the parcel merger will not result in an increase in the potential residential development allowable, and, in fact, will reduce the number of parcels by one and the potential number of residential units (including both primary and secondary) by two. As the proposed lot merger will not allow for increased density, the project will not place greater demands on coastal resources.

As the proposed development will (1) be located in an existing developed area with services able to accommodate it, and (2) not allow for increased density that would place greater demands on coastal resources, the Commission finds the proposed project to be consistent with Coastal Act Section 30250(a).

3. Visual Resources:

Section 30251 of the Coastal Act provides in applicable part that the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall: (a) be sited and designed to protect views to and along the ocean and scenic coastal areas, and (b) be visually compatible with the character of surrounding areas.

The proposed project will not block public views to and along the ocean from public roads. Port Kenyon is located along the Salt River in the Eel River basin in a particularly wide section of the coastal zone, approximately five miles west of Highway 101 and three miles east of the ocean. The area is not designated as scenic and the ocean is not visible from the community. Therefore, the proposed manufactured home will not block public views to and along the ocean and scenic coastal areas.

With respect to the building's visual compatibility with the character of the surrounding area, it should be noted that the subject property is located within an existing residential community. Other homes are located within the immediate area of the project site. The homes within Port Kenyon have been built according to a great variety of architectural styles, and other manufactured homes have been placed in the area. Therefore, the proposed mobile home will not appear out of character with existing development. In addition, by removing the remains of the burned structure on the site, the proposed project will enhance the existing visual appearance of the property. (see Exhibit 4).

Therefore, the Commission finds that the proposed project is consistent with the visual resource policies of Section 30251 of the Coastal Act as the project will not block views to and along the coast and scenic coastal areas and is compatible with the visual character of the surrounding area.

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4. Flood Hazard

Coastal Act Section 30253 requires in applicable part that new development minimize risks to life and property in areas of high flood hazard.

The subject property is located within a flood hazard combining zone, which indicates there is a risk of possible flooding. According to County staff, to avoid possible flood hazards associated with a 100-year flood event, residences in the Port Kenyon area need to be built with their first floors raised to a certain elevation above the existing grade to avoid the flood hazard. As proposed, the mobile home will be placed atop a one and a half-foot-high pad that will be placed specifically to elevate the mobile home the necessary amount to avoid the flood hazard. The County will require a Flood Elevation Certificate prior to placement of the mobile home through the building permit process to ensure that height of the pad is consistent with County standards. Therefore, the Commission finds that the project as proposed will minimize risks to life and property in an area of flood hazard consistent with Section 30253 of the Coastal Act.

5. Public Access.

Coastal Act Section 30210 requires in applicable part that maximum public access and recreational opportunities be provided when consistent with public safety, private property rights, and natural resource protection. Section 30211 requires in applicable part that development not interfere with the public's right of access to the sea where acquired through use (i.e. potential prescriptive rights or rights of implied dedication). Section 30212 requires in applicable part that public access from the nearest public roadway to the shoreline and along the coast be provided in new development projects, except in certain instances, such as when adequate access exists nearby or when the provision of public access would be inconsistent with public safety.

In applying Sections 30210, 30211, and 30212, the Commission is limited by the need to show that any denial of a permit application based on those sections, or any decision to grant a permit subject to special conditions requiring public access, is necessary to avoid or offset a project's adverse impact on existing or potential public access.

The proposed project will not adversely affect public access. The project site does not front on the Salt River, as it is separated from the river by an intervening parcel. In addition, no trail extends from Port Kenyon Road through the property towards the river. Thus, the proposed project will not block any existing access and will not adversely affect any existing rights of access acquired through use. Furthermore, the proposed project will not increase the demand for access facilities as the development does not increase the density of residential use.

Therefore, the Commission finds that the proposed development, which does not include public access, is consistent with the public access policies of the Coastal Act.

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6. CEQA.

Section 13096 of the Commission's administrative regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) of CEQA prohibits a proposed development from being approved 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.

The project does not have a significant adverse effect on the environment, within the meaning of CEQA, as it is located in an area able to accommodate it, and as there will be no significant adverse impacts on coastal resources.

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ATTACHMENT A

Standard Conditions

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

EXHIBIT NO. 1
APPLICATION NO.
1-97-11 LORENZO
Regional Location

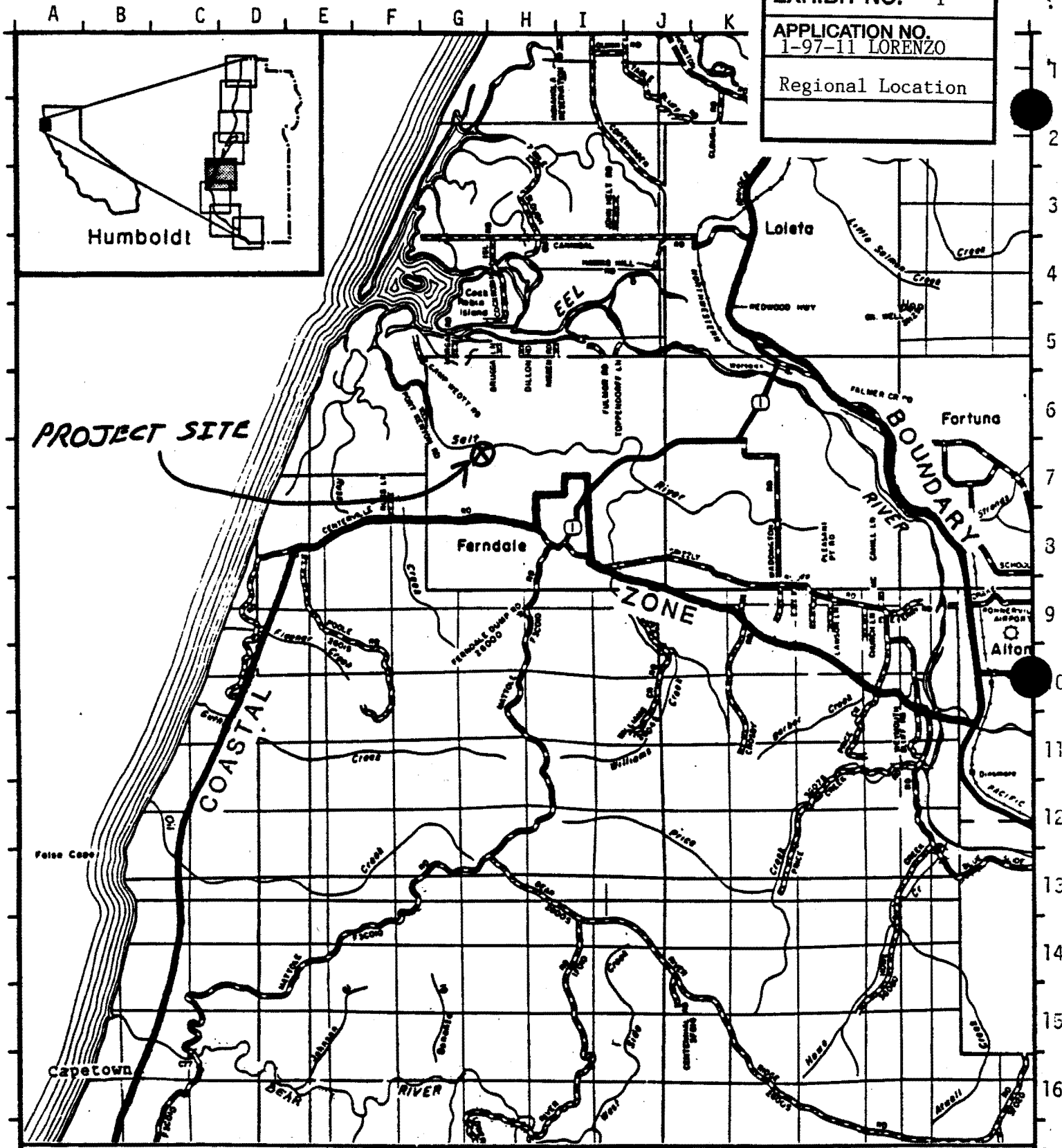
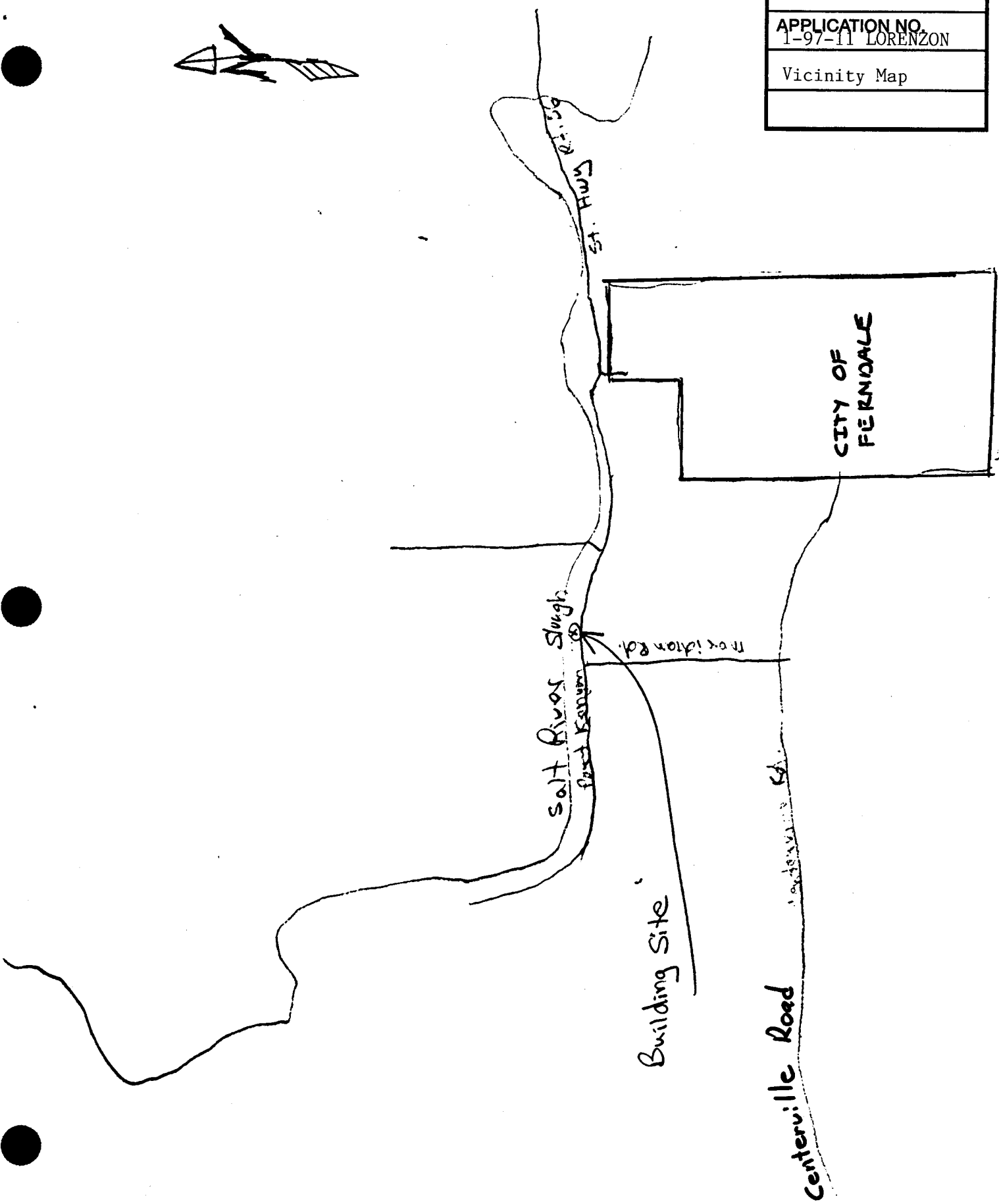


EXHIBIT NO.	2
APPLICATION NO.	1-97-11 LORENZON
Vicinity Map	



PTN SEC 34, 3N 2W

100-28

1" = 200'

PORT KENYON MAPS 6-25

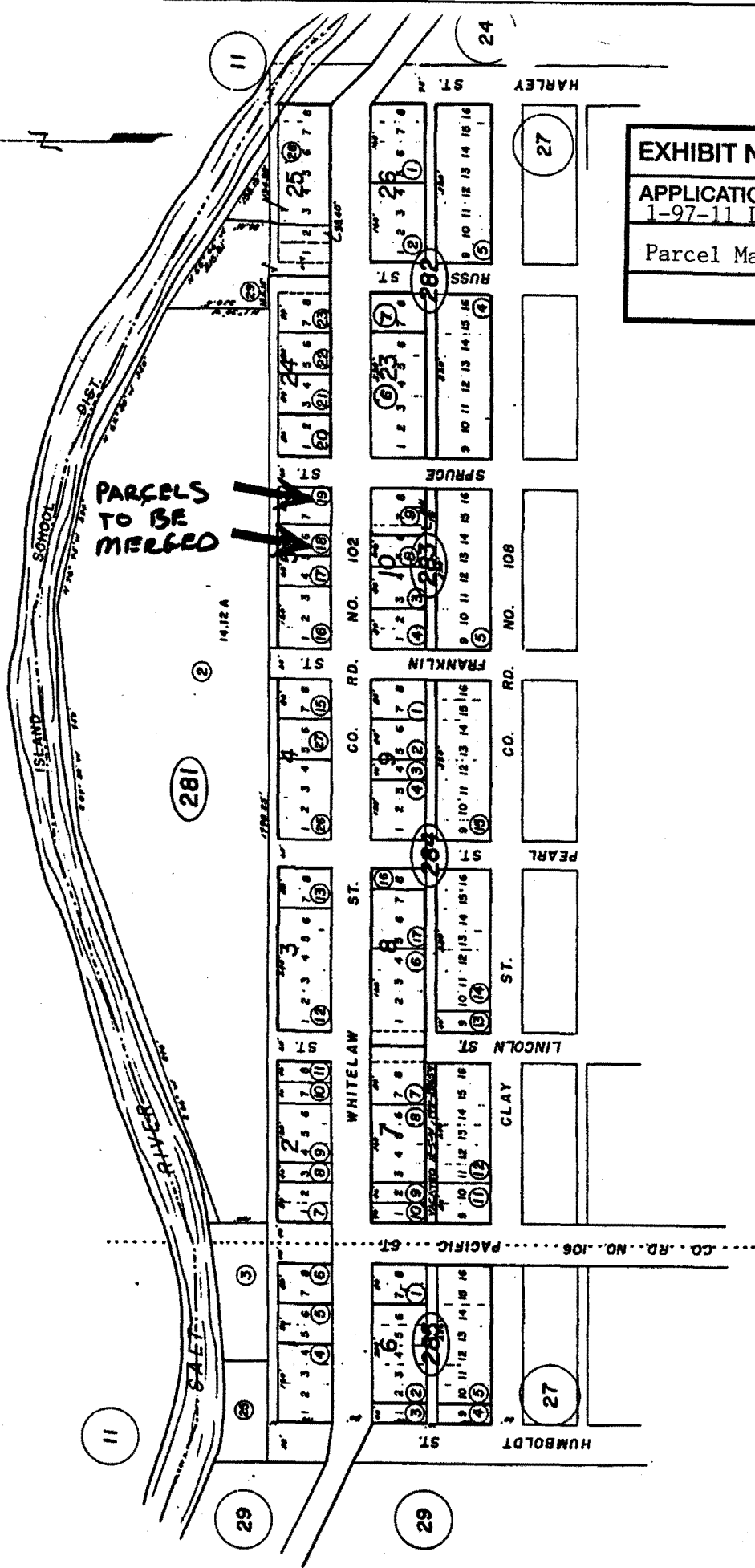
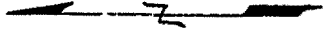
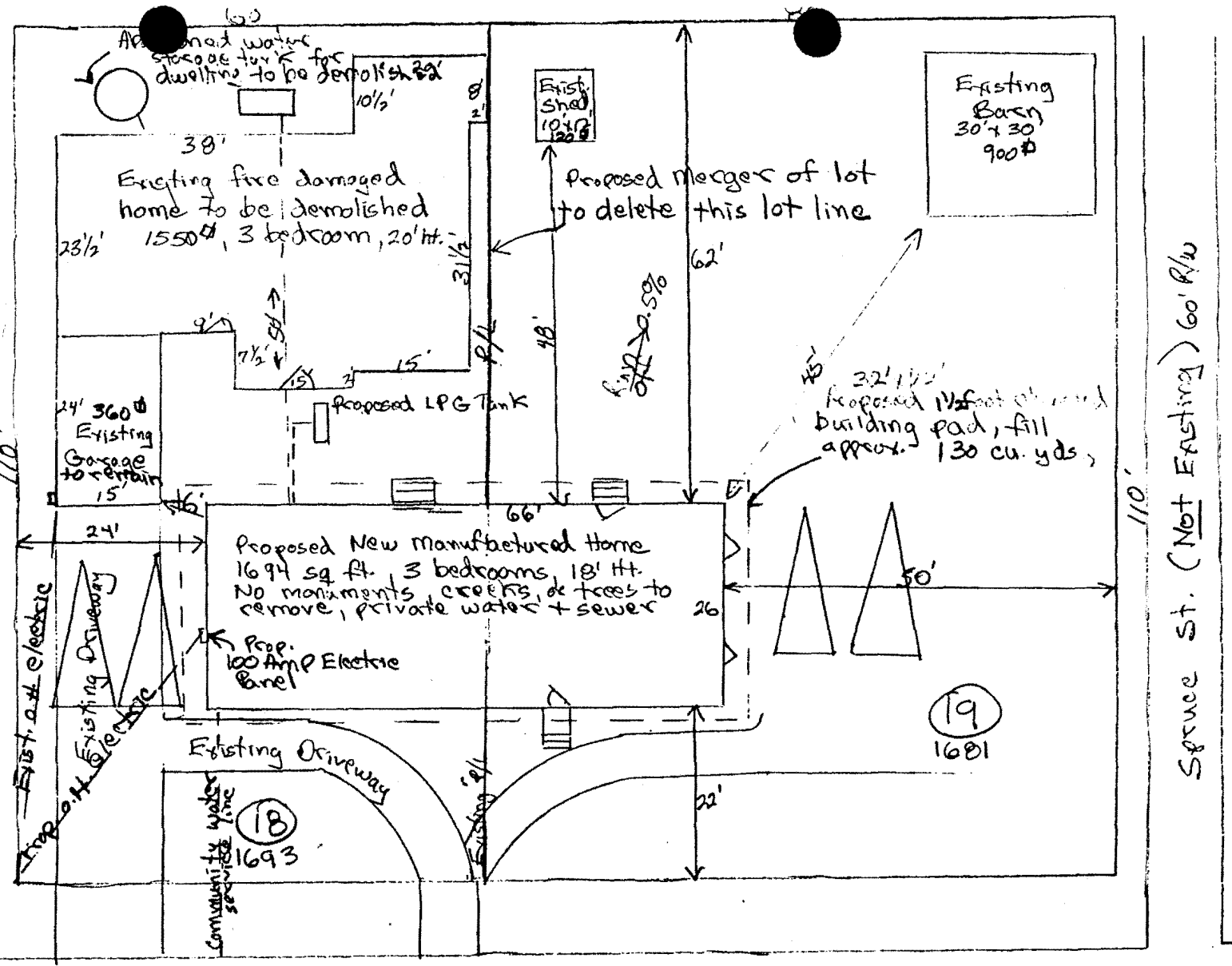


EXHIBIT NO.	3
APPLICATION NO.	1-97-11 LORENZO
Parcel Map	



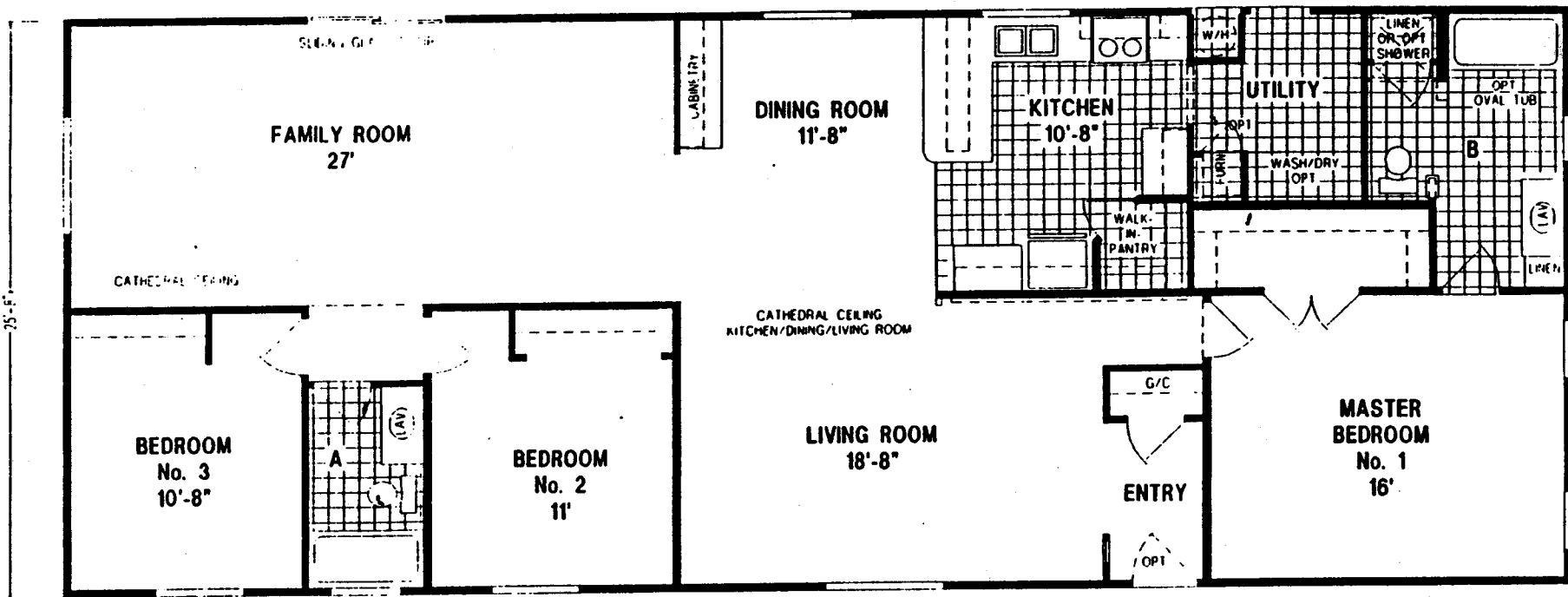
2/11/97
 scale 1" = 20' / 1" = 2'
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 A.P. #'s
 100-281-18 & 19

EXHIBIT NO.	4
APPLICATION NO.	1-97-11 LORENZO
Site Plan	

Port Kenyon Rd. 60' R/W

Proposed Demolition of Existing fire damaged dwelling and replace with a new manufactured home, and lot merger for:

Antone R. Lorenzo
 P.O. Box 82
 Ferndale, CA 95536
 Tel 707-786-9710



2204B/6626 3BEDROOM - 2BATHS - CATHEDRAL (1,694 SQ.FT.)

EXHIBIT NO.	5
APPLICATION NO.	1-97-11 LORENZO
Floor Plan	