

## CALIFORNIA COASTAL COMMISSION

NORTH COAST AREA

5 FREMONT, SUITE 2000

SAN FRANCISCO, CA 94105-2219

(415) 904-5260

RECORD PACKET COPY

Th.5a

KSM



Date Filed: November 20, 1998  
60th Day: January 19, 1998  
Staff: D. Rance  
Staff Report: December 18, 1998  
Hearing Date: January 14, 1998  
Commission Action:

TO: Commissioners and Interested Parties

FROM: Peter M. Douglas, Executive Director  
Steven Scholl, Deputy Director  
Robert Merrill, North Coast District Manager  
Darryl Rance, Coastal Planner

SUBJECT: **Del Norte County LCP Amendment No. 1-98 Minor, (Ralph Morgan RCA Rezone)** (Meeting of January 14, 1998, in Culver City.)

1. LCP Amendment and Discussion.

The RCA-1 zone (General Resource Conservation Area) is used in Chapters 21.11 and 21.11A of the County's LCP to identify environmentally sensitive lands that may contain wetlands, wetland buffers, farmed wetlands, riparian area, estuaries, and coastal sand dunes. Because the County has extensive environmentally sensitive resource areas, it was not possible to conduct precise, site-specific resource mapping for every property within the County's coastal zone when the County's LCP was prepared and adopted. The RCA-1 zone serves as a transition zone until more precise resource mapping can be done. Before any development within an RCA-1 zone can occur, the LCP requires that the RCA-1 area be rezoned to an appropriate RCA-2 zone (Designated Resource Conservation Area), including Coastal Commission approval as an LCP amendment.

The subject property is a one-acre parcel located on Morgan Court, northeast of Crescent City, on a property identified as Assessor's Parcel Number 112-160-27, in unincorporated Del Norte County (See location Exhibits Nos. 1 – 3). This RCA rezone application is not prompted by a specific request by the property owner to develop the one-acre property at this time. However, an RCA rezone is required for future development of the approximately  $\frac{3}{4}$  of the site that is currently zoned RCA-1. The remaining  $\frac{1}{4}$  of the site is currently zoned RRA-2 (Rural-Residential Agriculture-two acre minimum (Exhibit No. 4). A CDP will be required for the likely future development of the site with a single-family residence. Suitability as a potential building site will not be completely determined until the CDP is applied for from Del Norte County. A Soil analysis for on-site sewage disposal will also be completed at the CDP application stage.

# **Del Norte County LCP Amendment**

## **No. 1-98 Minor (Morgan)**

Page 2

The County has submitted a site reconnaissance report including mapping for the westerly portion of the property that is currently zoned RCA-1. The report is intended to comply with the provisions of Del Norte County's certified Local Coastal Program (LCP). The California Department of Fish and Game viewed the site and confirmed the results of the wetland delineation; therefore, staff from Del Norte County and the Coastal Commission concur (Exhibit No. 5). In summary, the proposed RCA-2(r) zone reflects the actual location of the riparian resources that are found within the former RCA-1 zone area. The adjustment in the zoning district boundaries allowed by the RCA rezone would not allow for an increased density of development at the site because the parcel is too small to be subdivided consistent with the County's minimum parcel size requirements. Thus, the Executive Director finds that the proposed RCA rezone to be consistent with the Coastal Act and minor in nature.

### **2. Public Participation and Commission Review.**

The proposed LCP amendment was the subject of local public hearings before the County Planning Commission and the County Board of Supervisors. All of these public hearings were properly noticed to provide adequate public participation. The LCP amendment submittal was filed as complete on November 20, 1998 and is consistent with Section 30514 of the Coastal Act and Section 13553 of Title 14 of the California Code of Regulations. A County Board of Supervisor's Resolution and Ordinance are attached as Exhibit Nos. 6 & 7 respectively. Commission action must occur by January 19, 1999 (within 60 days of filing).

The Executive Director has determined that the proposed LCP amendment is "minor" in nature under Sections 13554 and 13555 of Title 14 of the California Code of Regulations, since the development will not result in the change to the kind, density, or intensity of use of the subject property. The Executive Director has informed all interested parties by mail of this determination on December 18, 1998. The Commission will consider the Executive Director's determination at the January 14 meeting in Culver City. At that time the Executive Director will report to the Commission any objection to this determination which is received at this office within ten (10) days of the posting of this notice. Anyone wishing to register an objection to the proposed "minor" LCP amendment determination should contact Darryl Rance at (415) 904-5268 at the Commission's North Coast District Office in San Francisco by January 5, 1999.

If one-third of the appointed members of the Commission so requests, the determination of a minor amendment shall not become effective and the amendment shall be processed as a "major" amendment under Section 13555(b) of Title 14 of the California Code of Regulations. If the Commission concurs with the Executive Director's determination that the LCP amendment request is minor in nature, then the amendment will take effect ten (10) working days after the Commission meeting and notice to Del Norte County under Section 30514(C) of the Coastal Act.

### **3. Staff Recommendation.**

Staff recommends that the Commission concur with the Executive Director's determination that the LCP amendment is minor.

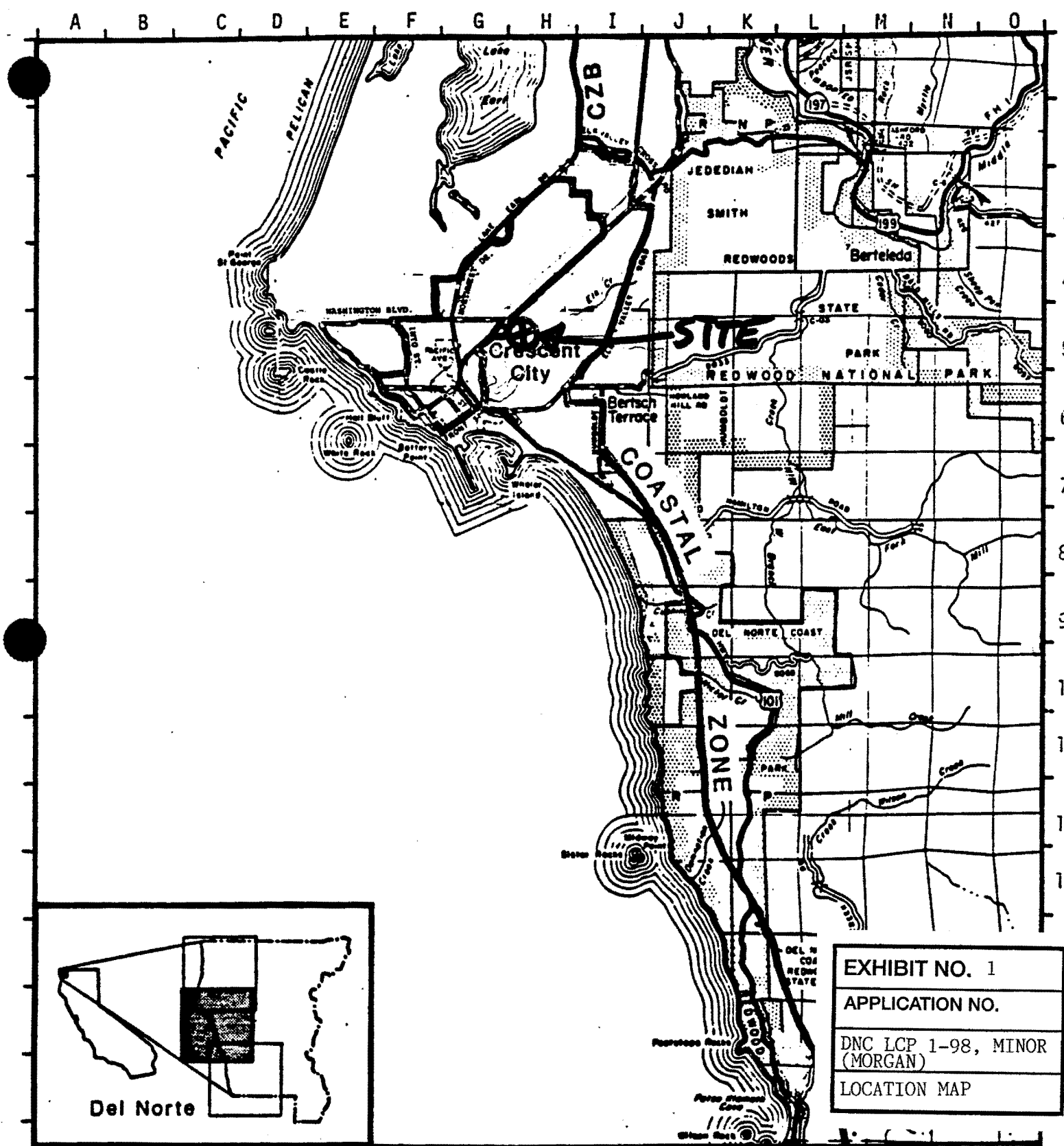
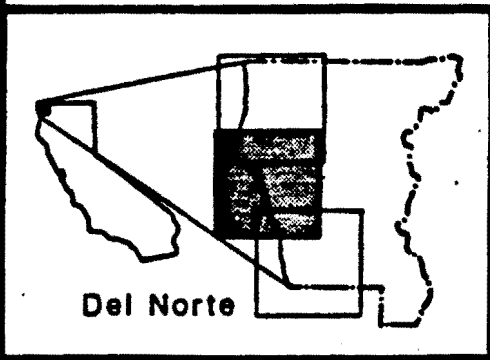


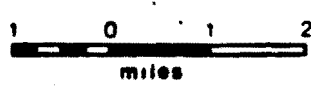
EXHIBIT NO. 1  
APPLICATION NO.  
DNC LCP 1-98, MINOR  
(MORGAN)  
LOCATION MAP



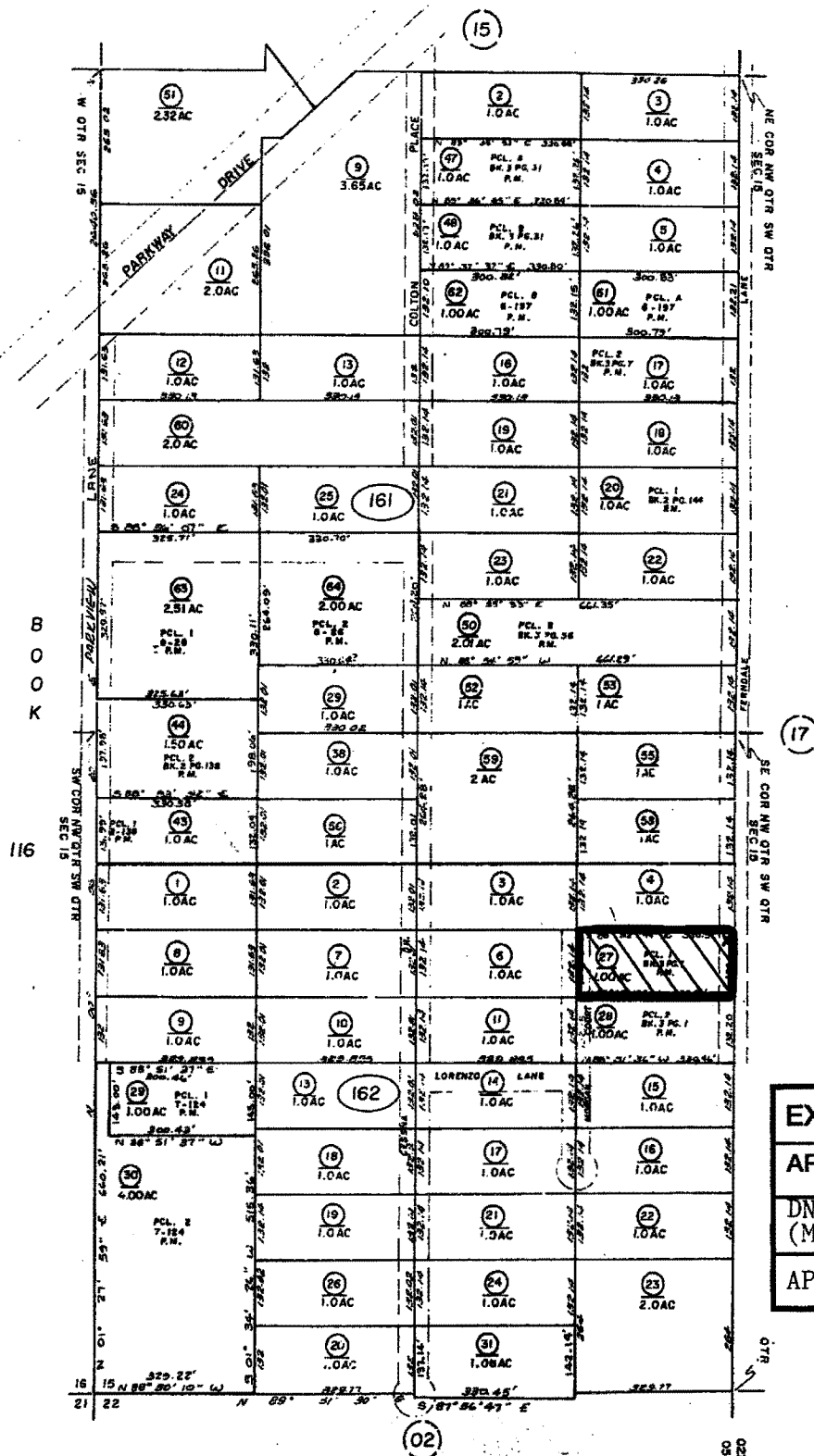
Del Norte



# LOCATION MAP



W 1/2 SW 1/4 SEC 15 T.16N., R.1W., H.B&M.



APN MAP

JUL 05 1995

R SW QTR



SE CC

R9804C

112-162-27

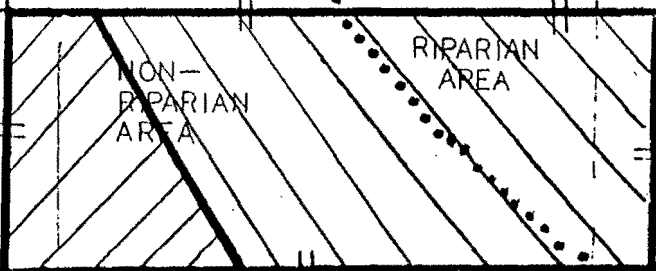
**RALPH MORGAN REZONE**  
In a portion of  
Section 15, 16N-R1W, II.B.M.  
APN 112-162-27  
Del Norte County

2  
1.0 AC

4  
1.0 AC

7  
1.0 AC

6  
1.0 AC



10  
1.0 AC

11  
1.0 AC

28  
1.00 AC

PCL. 2  
BK. 3 PG. 1  
P.M.

110

13  
0 AC

162

LORENZO LANE

14  
1.0 AC

CURRENT ZONING

RRR-2-MFH  
RCA-1

LEGEND

PARCEL BOUNDARY  
BREAK IN SLOPE/  
TRANSITION LINE

Scale: 1" = 100'

16  
1.0 AC

22

MORGAN, RALPH C.

RCA Rezone

21  
1.0 AC

CESSNA

MORGAN

EXHIBIT NO. 3  
APPLICATION NO.

DNC LCP 1-98, MINOR  
(MORGAN)  
EXISTING ZONING

R SW QTR  
N ↑

SE

29804C  
112-162-27

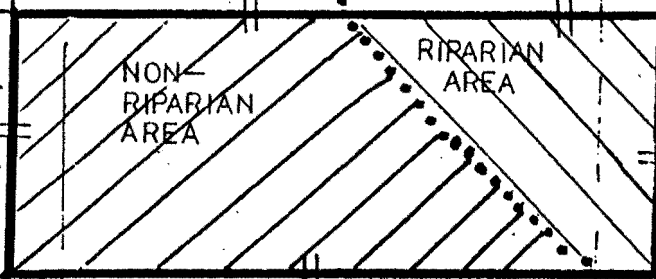
**RALPH MORGAN REZONE**  
In a portion of  
Section 15, 16N-R1W, H.B.M.  
APN 112-162-27  
Del Norte County

2  
1.0 AC

4  
1.0 AC

7  
1.0 AC

6  
1.0 AC



10  
1.0 AC

11  
1.0 AC

28  
1.00 AC

PCL. 2  
BK. 3 PG. 1  
P.M.

111

13  
0 AC

162

LORENZO LANE

14  
1.0 AC

**PROPOSED ZONING**

RRR-2-MFH

RCA-2(r)

**LEGEND**

—+— PARCEL BOUNDARY

..... BREAK IN SLOPE/  
TRANSITION LINE

Scale: 1" = 100'

16  
1.0 AC

21  
1.0 AC

22

MORGAN, RALPH C.  
RCA Rezone

EXHIBIT NO. 4  
APPLICATION NO.  
DNC LCP 1-98, MINOR  
(MORGAN)  
PROPOSED ZONING

## DEPARTMENT OF FISH AND GAME

19 SECOND STREET  
REDA, CA 95501  
(707) 445-6493



RECEIVED  
DEC 07 1998

November 30, 1998

CALIFORNIA  
COASTAL COMMISSION

Mr. Darryl Rance  
California Coastal Commission  
45 Fremont, Suite 2000  
San Francisco, California 94105-2219

Dear Mr. Rance:

The California Department of Fish and Game reviewed the Ralph Morgan Resource Conservation Area Rezone in Del Norte County. The area was well described in the "Site Description." The two levels described differ by several feet in elevation, with an embankment between them. There is also substantial difference in vegetation at the two levels. The higher area closest to Morgan Court is upland redwood forest. The lower area is riparian wetland. The substantial differences at the top and bottom of the embankment make this an easy site to evaluate for the riparian/upland interface. The break is sharp and obvious.

We appreciate the opportunity to work with the Coastal Commission. Please contact me at (707) 441-5790 if you have any questions about our comments.

Sincerely,

Herbert J. Pierce  
Assoc. Wildlife Biologist

EXHIBIT NO. 5

APPLICATION NO.

DNC LCP 1-98, MINOR  
(MORGAN)

CDFG LTR

CBO

**BOARD OF SUPERVISORS  
COUNTY OF DEL NORTE  
STATE OF CALIFORNIA**

**RESOLUTION NO. 98- 041**

**A RESOLUTION OF THE DEL NORTE COUNTY BOARD OF SUPERVISORS  
SUBMITTING AN ORDINANCE AMENDING ORDINANCE NO. 83-08 AND  
COUNTY CODE TITLE 21 BY ADOPTING NEW COASTAL ZONING MAP C-9 (MORGAN)  
TO THE COASTAL COMMISSION AS AN LCP AMENDMENT**

**WHEREAS**, the County of Del Norte has adopted an ordinance amending the local Coastal Plan and Title 21 Coastal Zoning Ordinance; and

**WHEREAS**, this amendment has been reviewed and processed pursuant to the provisions of the Local Coastal Plan and Title 21 (Coastal Zoning); and

**WHEREAS**, a negative declaration has been prepared for the rezone in compliance with the California Environmental Quality Act; and

**WHEREAS**, this ordinance is intended to be carried out in a manner in conformity with the Coastal Act and the implementing Local Coastal Plan; and

**WHEREAS**, this amendment shall take effect and be enforced thirty (30) days after the date of the passage of the companion ordinance, and after approval of the amendment by the Coastal Commission, whichever is later.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of the County of Del Norte, State of California do hereby approve the changes as outlined by the attached Ordinance; and

**BE IT FURTHER RESOLVED**, that by submission of such changes to the Coastal Commission for certification, the Board of Supervisors is requesting the subject amendments be identified as requiring rapid and expeditious action.

**PASSED AND ADOPTED** this 12th day of May 1998, by the following polled vote:


**AYES:** Supervisors Finigan, Reese, Clausen, McClure and Eller

**NOES:** None

**ABSENT:** None

  
CLYDE ELLER, Chairman  
Board of Supervisors

**ATTEST:**

  
KAREN L. WALSH, Clerk of the  
Board of Supervisors, County  
of Del Norte, State of California

|                                 |
|---------------------------------|
| EXHIBIT NO. 6                   |
| APPLICATION NO.                 |
| DNC LCP 1-98, MINOR<br>(MORGAN) |
| BOS RESOLUTION                  |

BOOK



**BOARD OF SUPERVISORS  
COUNTY OF DEL NORTE  
STATE OF CALIFORNIA**

**ORDINANCE NO. 98- 002**

**AN ORDINANCE AMENDING ORDINANCE NO. 83-08 AND  
COUNTY CODE TITLE 21 BY DELETING  
COASTAL ZONING MAP C-9 AND ADOPTING  
NEW COASTAL ZONING MAP C-9 (MORGAN)**

The Board of Supervisors, County of Del Norte, State of California, does ordain as follows:

SECTION I: Section 2.D.2 of the Coastal Zoning Enabling Ordinance No. 83-08, County Code Title 21 is hereby amended by deleting therefrom Coastal Zoning Map C-9 by replacing same with a new Coastal Zoning Map C-9 as specified in attached Exhibit "A".

SECTION II: This Ordinance shall take effect and be enforced thirty (30) days after the date of its passage or after approval of the rezone by the Coastal Commission whichever is the later.

FINDINGS OF FACT: This Ordinance is passed and adopted based upon the findings cited in the Staff Report and the Board of Supervisors hereby makes said findings as more particularly described in said Staff Report, which is herein incorporated by reference (Section 65804(c) (d) of the Government Code).

PASSED AND ADOPTED this 12th day of May 1998, by the following polled vote:


AYES: Supervisors Finigan, Reese, Clausen, McClure and Eller

NOES: None

ABSENT: None

  
CLYDE ELLER, Chairman  
Board of Supervisors

ATTEST:

  
KAREN L. WALSH, Clerk of the  
Board of Supervisors, County  
of Del Norte, State of California

BOOK

|                                 |
|---------------------------------|
| EXHIBIT NO. 7                   |
| APPLICATION NO.                 |
| DNC LCP 1-98, MINOR<br>(MORGAN) |
| COUNTY ORDINANCE                |