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State of California

California Coastal Commission
North Coast District Office

MEMORANDUM

Date: January 28, 2000

TO: Commissioners and Interested Parties
FROM: Steve Scholl, Deputy Director
Robert S. Merrill, North Coast District Manager
Tiffany Tauber, Coastal Planner

SUBJECT: **Briefing on Humboldt County's Review of Revised Tentative Map for Sand Pointe Development, A-1-96-70 (Steve Moser)**

At the Commission meeting of December 10, 1999, the Commission considered the revised findings for the Sand Pointe project (A-1-HUM-96-70). The item was continued and the Commission directed staff to review a transcript of the July 8, 1998 de novo hearing to further address issues raised at the hearing. The public hearing on the revised findings has been continued to February 16, 2000 (Item W 17c). The revised findings will be a separate agenda item from this briefing (Item W 12b).

This briefing is intended to update the Commission on Humboldt County's review of a revised tentative map for the Sand Pointe residential subdivision required pursuant to Special Condition No. 7 of Coastal Development Permit No. A-1-HUM-96-70. That permit approved a CDP application by Steve Moser to divide a 26.5-acre bluff top property into 37 lots along the north side of Murray Road near the Mad River in McKinleyville, Humboldt County.

Special Condition No. 7 required that prior to issuance of the coastal development permit, the applicant submit for the review and approval of the Executive Director, a copy of the revised tentative map for the proposed subdivision that incorporates several specific

changes the Commission made to the project and that has been approved by Humboldt County. The full text of Special Condition No. 7 is presented below:

7. Revised Tentative Map:

PRIOR TO ISSUANCE of the Coastal Development Permit, the applicant shall submit for the review and approval of the Executive Director a copy of the revised tentative map for the proposed subdivision that has been approved by the County. The revised tentative map shall incorporate the following: (a) the proposed westernmost 21 parcels shall be eliminated; (b) there shall be no more than 37 lots; (c) the remaining 37 lots may be reconfigured, but the building envelopes must be located at least 100 feet back from the bluff edge, and at least 50 feet back from the fault line; and (d) the proposed recreational parking and storage area shall be eliminated. The revised tentative map shall also be consistent with the other terms and conditions of Coastal Development Permit No. A-1-HUM-96-70 and shall depict all easement areas consistent with Coastal Development Permit No. ~~A-1-HUM-96-70~~. The applicant shall record the revised map approved by the Executive Director.

All development shall take place consistent with the revised tentative map, as approved by the Executive Director.

The special condition requires the applicant to submit the revised tentative map for the review and approval of the Executive Director, but does not require that the administrative review of the revised tentative map be the subject of a public hearing before the Commission. Staff will review whatever map is ultimately submitted for conformance to the terms of the condition. The County is presently reviewing the revised map and has tentatively scheduled the item to be heard before the Planning Commission on Thursday, March 2, 2000.

The revised tentative map currently before the County provides for: (see Exhibit 1)

- a) Elimination of the westernmost 21 parcels;
- b) A maximum of 37 lots;
- c) Reconfiguration of the 37 lots with building envelopes setback at least 100 feet from the bluff edge and 50 feet back from the fault line;
- d) Elimination of the recreational parking and storage area; and
- e) Other terms and conditions of Coastal Development Permit No. A-1-HUM-96-70.

In an effort to resolve the on-going controversy surrounding the proposed development, the applicant has indicated in discussions with Commission staff that he is voluntarily amending his revised tentative map application to the County to include: 1) an access

easement on the north end of the project, and 2) 5 public parking spaces within the subdivision.

The proposed 20-foot-wide public access easement would be located between lots no. 19 and no. 20, coinciding with the 20-foot water easement. This access easement would connect with the 20-foot easement extending from Wilbur Avenue and allow for pedestrian access to the Hammond Trail through the north end of the subdivision. (see Exhibit 1)

The five proposed parking spaces would be located between lots no. 14 and no. 15. The parking spaces would be oriented west toward the river and ocean to provide a coastal viewing area to the public within the subdivision for those who choose to simply drive to the site to view the ocean from their cars. The proposed parking spaces would also accommodate the public seeking access to the north end of the Hammond Trail from within the subdivision.

The applicant's voluntary additions to the revised tentative map would not require an amendment to Coastal Development Permit No. A-1-HUM-96-70. Special Condition No. 7 which requires the revised tentative map states that "the remaining 37 lots may be reconfigured" as long as the reconfiguration conforms to the requirements specified in the condition. Such reconfiguration necessitates and allows for changes to the original project design. A permit amendment would be required if the tentative map ultimately submitted includes changes to any requirements imposed by the Commission. As the proposed additions of the vertical accessway and parking area would not change any requirement imposed by the Commission and would not conflict in any way with the Commission's action, no permit amendment would be necessary.

The revised tentative map has not yet been acted upon by the County and has not yet been submitted for the Executive Director's review and approval. In addition, the Commission has not yet acted on the revised findings for Coastal Development Permit No. A-1-96-70. Therefore, it would be premature for the staff to comment on the conformance of the proposed revised tentative map to the terms and conditions of Coastal Development Permit. However, staff is supportive of the proposed addition of the vertical public accessway and the 5 public parking spaces at the north end of the development. The proposed vertical accessway would facilitate public access circulation through and around the proposed subdivision, providing for a continuous loop system. The parking area would make the portion of the Hammond Trail along Widow White Creek easier to reach, and would provide an alternative to the public parking within the adjacent Pacific Sunset subdivision to reach this area.

At future Commission meetings, staff intends to brief the Commission on the progress of the revised tentative map as it progresses through the County hearing process and review by Commission staff.

