

## CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE

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RSM



# W13b

## RECORD PACKET COPY

Filed:	October 9, 2001
60 <sup>th</sup> Day:	December 8, 2001
Staff:	Jim Baskin
Staff Report:	October 26, 2001
Hearing Date:	November 14, 2001
Commission Action:	

TO: Commissioners and Interested Parties

FROM: Peter M. Douglas, Executive Director  
Steve Scholl, Deputy Director  
Robert S. Merrill, North Coast District Manager  
Jim Baskin, Coastal Planner

SUBJECT: **Del Norte County LCP Amendment No. DNC-MIN-1-01, W. W. Kelly Zoning Amendment (Coastal Timber (CT) to Timber Preserve (TPZ)). (Meeting of November 14, 2001, in Los Angeles)**

### 1. LCP Amendment Description and Discussion.

Mr. William W. Kelly submitted an application to the County of Del Norte to rezone a 160-acre portion of a 194.62-acre parcel from Coastal Timber (CT) to Timber Preserve Zone (TPZ). The County approved the zoning reclassification for the project and has submitted the subject amendment to the Implementation Plan of the County's Local Coastal Program (LCP) for certification by the Commission.

The affected property is located in the False Klamath Cove area on the inland side of Highway 101 in southwestern Del Norte County (see Exhibit Nos. 1-3). With the exception of a single-family residence, past timber harvest operations, and cattle grazing, the nearly 200-acre parcel is largely undeveloped. Elevations on the parcel range from 20 to 680 feet above mean sea level. The aspect on the southern portion of the property is generally westerly and southwesterly, with the northern portions sloping easterly to southeasterly. Slopes range from 10% to 50%, with an average slope of approximately 40%. Several Class II and III watercourses cross the property and drain westerly into Lagoon Pond, Wilson Creek, and the Pacific Ocean. The affected property has frontage along an approximately ½-mile reach of lower Wilson Creek.

## DEL NORTE COUNTY LCP AMENDMENT (KELLY)

DNC-MIN-1-01

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The property that would be affected by the Local Coastal Program Amendment (LCPA) consists of a portion of one legal parcel. The parcel is designated for property taxation purposes under two assessor parcel numbers (APN 127-050-04 & 127-070-03). The portion of the property that would be affected by the LCPA is currently zoned Coastal Timber (CT). The portion of the parcel not affected by the LCPA consists of an approximately 35-acre pasture area spanning Wilson Creek that is zoned General Agriculture - 20-acre Minimum Parcel Size (A-20) and General Resource Conservation Area (RCA-1).

The standards of the CT zoning district are detailed in Chapter 21.14 of the County's certified LCP (see Exhibit No. 5). The CT designation is intended to protect forested lands within the California Coastal Zone which have not been designated as Timber Preserve Zones (TPZ) but which are considered to be valuable as commercial timberland. These include forested areas with Site III or better timber which comprise a parcel of twenty acres or larger. The property that would be affected by the LCPA has medium-to-high suitability for timber production and is considered to be Site II and III timberlands.

In 1976, the Z'berg-Warren-Keene-Collier Forest Taxation Reform Act required counties to provide for the zoning of land used for growing and harvesting timber as "timberland preserve zones" (TPZ). A TPZ designation sets a 10-year restriction on the use of land, restricting its use to the growing and harvesting of timber, and to compatible uses approved by the county (or city). In return, taxation of timberland under a TPZ designation is based only on use as timberland subject to such restrictions in use rather than the value of the land at its full development potential and its improvements (i.e., timber).

The standards of the Del Norte County's TPZ zoning district are enumerated in Chapter 21.13 of the County's certified LCP (see Exhibit No. 5). Consistent with state law, the purpose of the County's TPZ designation is to provide for timberland zoning and restrictions for a minimum ten-year period as a "timberland preserve." Such zoning allows land to be valued for property taxation, in general, on the basis of its use for growing and harvesting timber only; standing timber stock is not to be taxed as a property improvement. Beginning in fiscal year 1977-78, properties designated TPZ are exempt from *ad valorem* taxation of their timber; however, a yield tax would be imposed at such time the timber is harvested.

The TPZ designation would be applied to the entire 160-acre portion of the Kelly parcel that is currently zoned as CT. The change to TPZ would not change the kind or intensity of land use that is currently allowed under the current CT district standards, as, with the exception of tax deferral benefits provided under the TPZ designation, the standards of these two zoning districts are effectively identical. Consequently, there would be no change to the overall 20-acre-per dwelling-unit density permitted by the parcel's CT zoning district. Similarly the 20-acre density would not exceed the Land Use Plan density for the property, which is designated as General Agriculture - 20 Acres Minimum Parcel Size.

Since there is no resulting increase in land use density, the LCP amendment would not create any additional demand on coastal resources, would not result in cumulative impacts, and is thus consistent with Section 30250 of the Coastal Act. In addition, the taxation deferral benefits of

**DEL NORTE COUNTY LCP AMENDMENT (KELLY)**

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the TPZ designation would reduce the annual tax burden on the owner, reducing the likelihood of the property owner having to subdivide the property for sale or prematurely convert the use of the property from timberland to less compatible uses to meet property tax responsibilities. Furthermore, the 10-year restriction established by the TPZ zoning on the use of the land for growing and harvesting of timber will also serve to protect use of the land for timber production. Therefore, the LCP amendment is consistent with the requirements of Section 30243 of the Coastal Act that the long-term productivity of soils and timberland shall be protected. Therefore, the Executive Director finds the proposed rezoning 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 Board of Supervisors. All of these public hearings were properly noticed to provide for adequate public participation. The LCP amendment submittal was filed as complete on October 9, 2001 and is consistent with Section 30514 of the Coastal Act and Section 13553 of Title 14 of the California Code of Regulations. Copies of the Board of Supervisors' Resolution and Ordinance are attached as Exhibits 6 and 7.

The Executive Director has determined that the proposed LCP amendment is "minor" in nature under Sections 13554 and 13555 of the Commission's regulations, since the amendment would not result in a change to the kind, density, or intensity of use of the land on the subject parcel. The Executive Director informed all interested parties by mail of his determination on October 26, 2001. The Commission will consider the Executive Director's determination at the November 14, 2001 meeting in Los Angeles. At that time, the Executive Director will report to the Commission any objection to the determination that is received within ten days of the posting of this notice. Anyone wishing to register an objection to the Executive Director's determination that the proposed LCP amendment is "minor" should contact Jim Baskin at (707) 445-7833 at the Commission's North Coast District Office in Eureka by November 9, 2001.

If one-third of the appointed members of the Commission so requests, the Executive Director's determination that the proposed amendment is minor shall not become effective and the amendment shall be processed as a "major" LCP amendment consistent with Section 13555(b) of the Commission's regulations. In that event, staff recommends that the Commission extend the time period for Commission action on the proposed LCPA pursuant to Section 30517 of the Coastal Act as Commission action must otherwise occur by December 8, 2001 (within 60 days of filing). If the Commission concurs with the Executive Director's determination that the LCP amendment is minor in nature, then the amendment shall take effect ten working days after the Commission meeting and notice to Del Norte County consistent with 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.

**DEL NORTE COUNTY LCP AMENDMENT (KELLY)**

**DNC-MIN-1-01**

**PAGE 4**

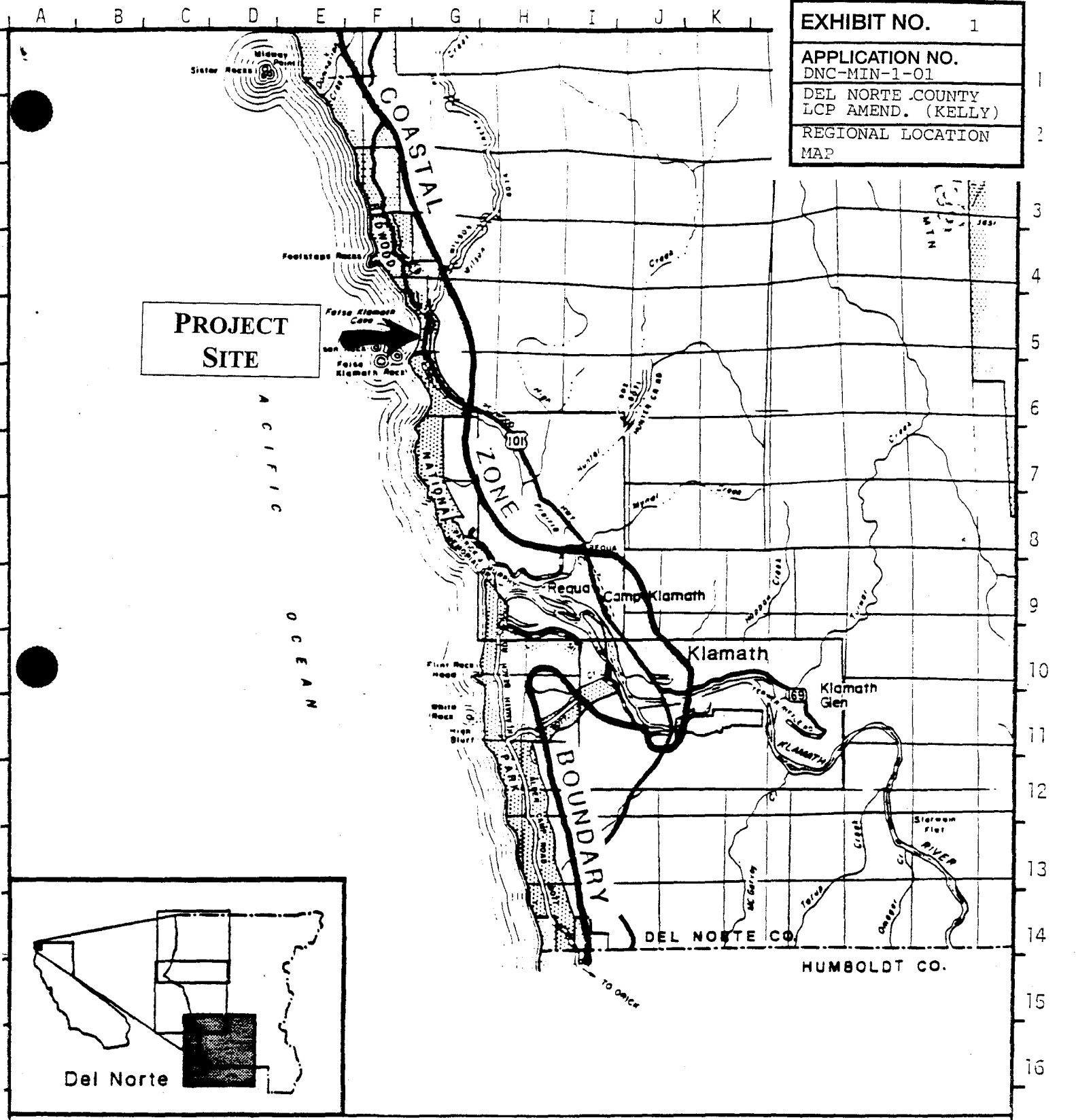
**4. Additional Information.**

For further information, please contact Jim Baskin at the North Coast District Office (707) 445-7833. Correspondence should be sent to the District Office at the above address.

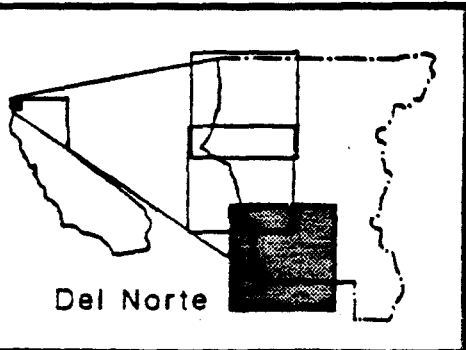
**EXHIBITS:**

1. Regional Location Map
2. Vicinity Maps
3. Zoning Map
4. Excerpts, County of Del Norte Local Coastal Program Zoning Enabling Ordinance
5. County Resolution No. 2001-077 – Submittal of LCPA Application
6. County Ordinance No. 2001-011 – Kelly Rezone

EXHIBIT NO.	1
APPLICATION NO.	DNC-MIN-1-01
DEL NORTE COUNTY LCP AMEND. (KELLY)	
REGIONAL LOCATION MAP	

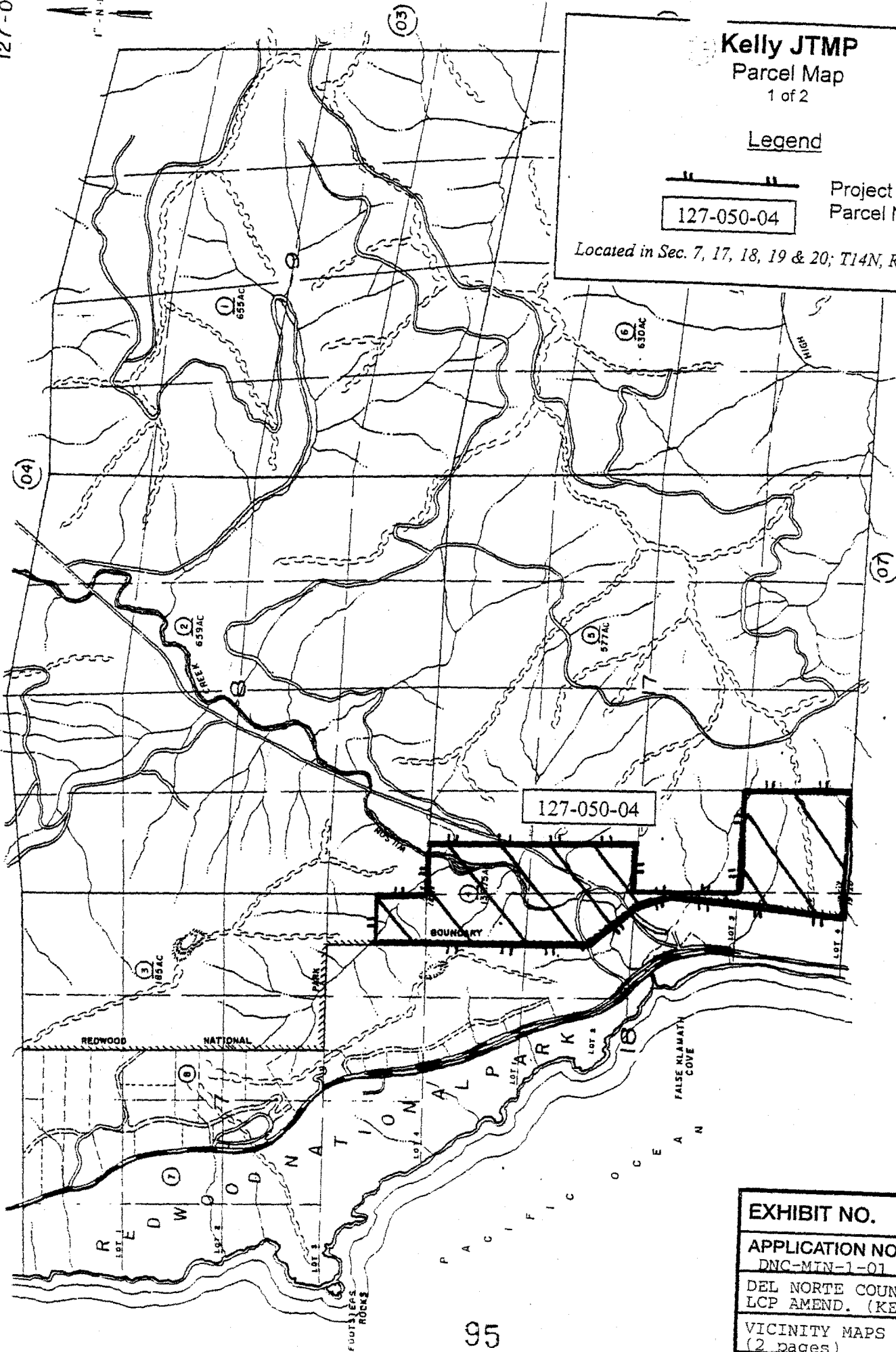


**PROJECT  
SITE**



**LOCATION MAP**

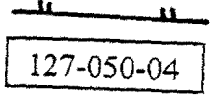




# Kelly JTMP

Parcel Map  
1 of 2

## Legend



Project Boundary  
Parcel Number

Located in Sec. 7, 17, 18, 19 & 20; T14N, R1E, HB&M



127-050-04

BOUNDARY

REDWOOD NATIONAL

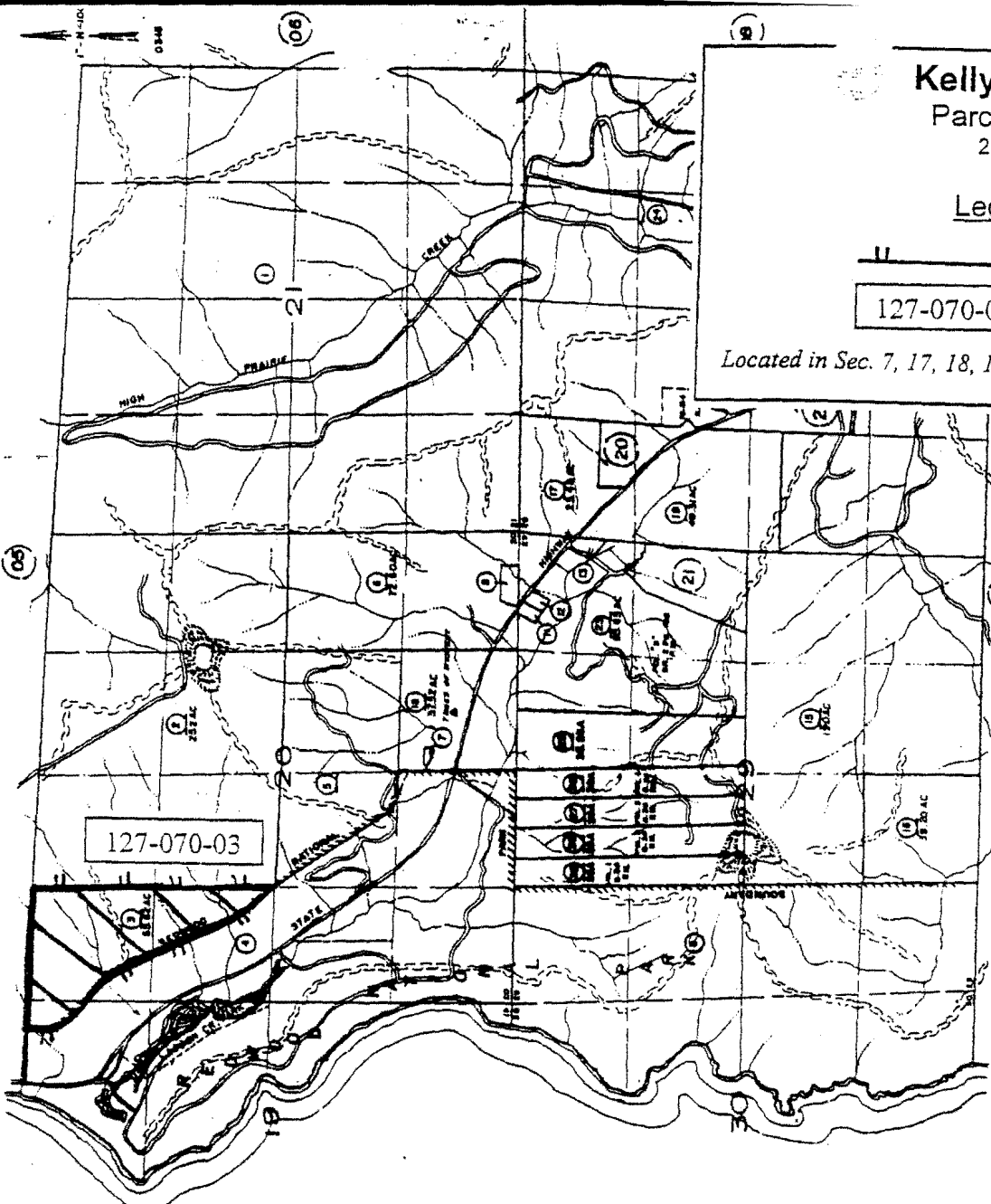
NATIONAL PARK  
 PACIFIC OCEAN  
 FALSE KLAMATH COVE  
 LOT 1  
 LOT 2  
 LOT 3  
 LOT 4  
 LOT 5  
 LOT 6  
 LOT 7  
 LOT 8  
 LOT 9  
 LOT 10  
 LOT 11  
 LOT 12  
 LOT 13  
 LOT 14  
 LOT 15  
 LOT 16  
 LOT 17  
 LOT 18  
 LOT 19  
 LOT 20  
 FOOTSTEPS ROCKS

EXHIBIT NO.	2
APPLICATION NO.	DNC-MIN-1-01
DEL NORTE COUNTY LCP AMEND. (KELLY)	
VICINITY MAPS (2 pages)	

THIS IS NOT AN OFFICIAL MAP  
FOR ASSESSMENT PURPOSES ONLY

T14N, R1E., H.B.8M.

127-0



**Kelly JTMP**  
Parcel Map  
2 of 2

Legend

Project Boundaries  
Parcel Number  
**127-070-03**

Project Boundaries  
Parcel Number

Located in Sec. 7, 17, 18, 19 & 20; T14N, R1E, H.B.8M.

P A C I F I C O C E A N

WILSON ROCK  
FALLEN KLAMATH ROCK

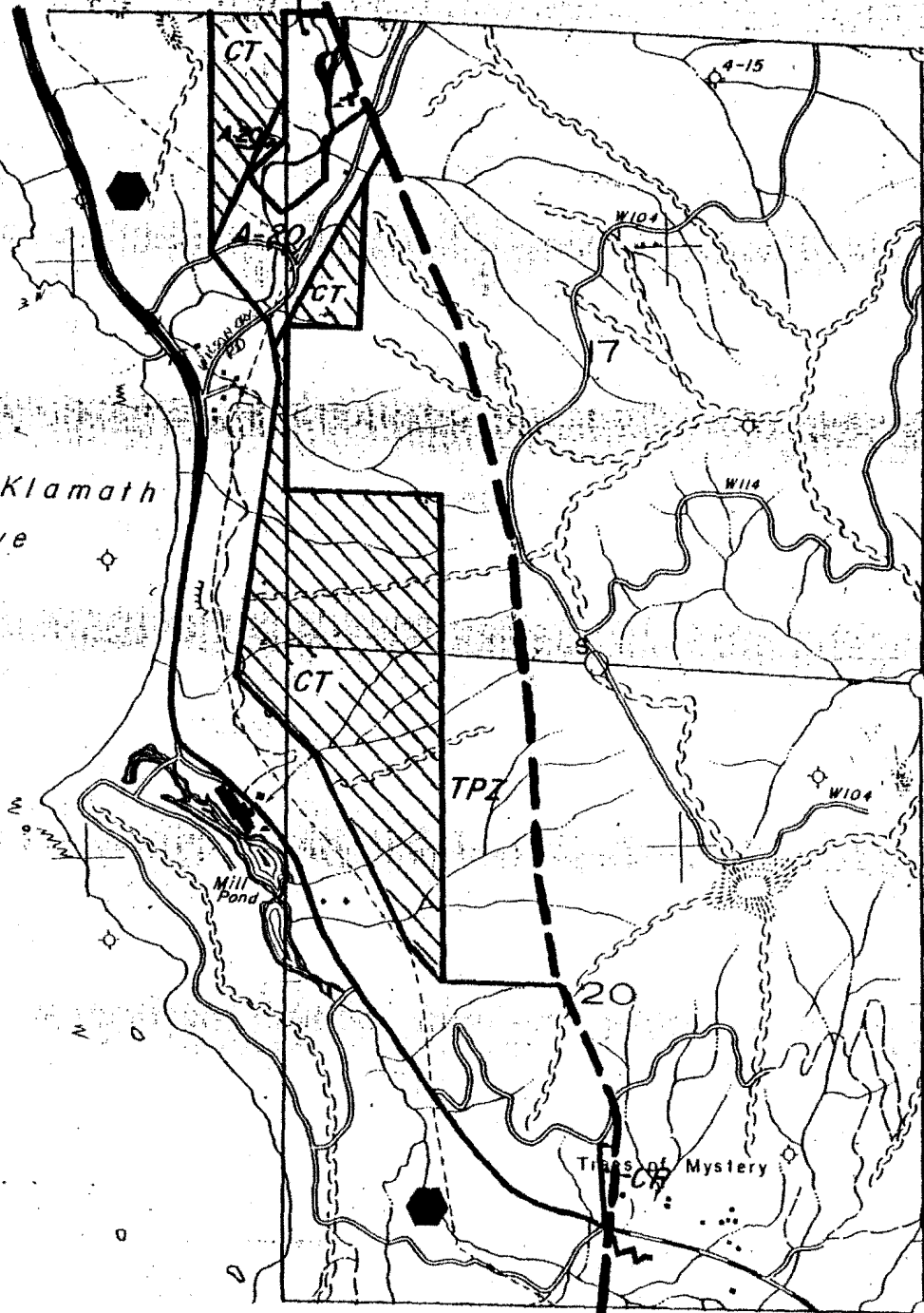


WILLIAM W. KELLY

R0106C

127-050-04

Rezone



////// - DESIGNATES AREA OF PROPOSED REZONE CT TO TPZ

Section 21.06.050 Ordinance 83  
 DEL NORTE CO. ZONING MAP  
 AREA E-15  
 SECTIONS 17, 18, 19, 20  
 TWP 14 N RGE 1 E HB&M  
 KLAMATH AREA

APPROVED BY PLANNING COMMISSION *[Signature]*  
 APPROVED BY BOARD OF SUPERVISORS *[Signature]*  
 COUNTY OF DEL NORTE, CALIFORNIA  
 83-03: Sept 6, 83

EXHIBIT A

W.W. KELLY REZONE 01060  
 APR 127-056-04  
 127-070-03

EXHIBIT NO. 3
APPLICATION NO. DMC-MIN-1-01
DEL NORTE COUNTY LCP AMEND. (KELLY)
ZONING MAP

85

3



of being restored. Small, extremely isolated wetland parcels that are being restored to biologically productive systems may be filled and developed for reclassification only if such actions establish stable and logical boundaries between urban and wetland areas and if the applicant provides funds sufficient to accomplish the approved restoration program in the same general region. All the following criteria must be satisfied before this exception can be granted.

1. The wetland to be filled is so small (e.g., less than one acre) and so isolated (e.g., not contiguous or adjacent to a larger wetland) that it is not capable of recovering and maintaining a high level of biological productivity without major restoration activities.

2. The wetland must not provide significant habitat value to wetland fish and wildlife species, and must not be used by any species which is rare or endangered. (For example: such a parcel would usually be completely surrounded by urban commercial, residential or industrial development which are incompatible with the existence of the wetland as a significant habitat area.)

3. Restoration of another wetland to mitigate for fill can most feasibly be achieved in conjunction with filling a small wetland.

4. Restoration of a parcel to mitigate for the fill must occur at a site which is next to a larger, contiguous wetland area providing significant habitat value to fish and wildlife which would benefit from the addition of more area. In addition, such restoration must occur in the same general region (e.g., within the general area surrounding the same wetland or estuary where the fill occurred).

5. The Department of Fish and Game and the U.S. Fish and Wildlife Service have determined the proposed restoration project can be successfully carried out.

B. Degraded Wetlands. The California Department of Fish and Game must identify an area as a degraded wetland. The requirements for the restoration of such a designated wetland shall be as set forth in the "Statewide Interpretive Guideline for Wetlands and Other Wet Environmentally Sensitive Habitat Areas" adopted by the California State Coastal Commission on February 4, 1981. (Ord. 83-03(part))

### Chapter 21.13

#### TPZ TIMBERLAND PRESERVE ZONE DISTRICT

#### Sections:

- 21.13.010 Intent.  
21.13.020 The principal permitted use.

EXHIBIT NO.	4
APPLICATION NO.	DNC-MIN-1-01
EXCERPTS, CO. OF	DEL NORTE LOCAL
COASTAL PROGRAM	ZONING ENABLING
ORDINANCE	( 7 pages)

- 21.13.030 Uses permitted subject to a conditional use permit.
- 21.13.035 Uses within resource conservation areas.
- 21.13.040 Other regulations.
- 21.13.050 Requirements.
- 21.13.060 Minimum lot size.

21.13.010 Intent. The timber preserve zone, or TPZ, is intended to provide for timberland zoning and restrictions for a minimum ten-year period as a "timberland preserve." Such zoning allows land to be valued for property taxation, in general, on the basis of its use for growing and harvesting timber only. Beginning in fiscal year 1977-78, timber would be exempt from ad valorem taxation; however, a yield tax would be imposed at such time the timber is harvested. Changes of district from timberland preserve zone district to another classification are to be made only where such uses are in accord with the General Plan or adopted specific plan.

For the purposes of Section 21.52.020(A)(4), the timberland preserve zone district uses listed under principal permitted use section herein shall be considered as the principal permitted use in the California Coastal Zone. Variances and adjustments to the district's requirements and standards shall not be considered a principal permitted use for purposes of Section 21.52.020(A)(4).

The regulations set forth in this chapter shall apply in all timberland preserve zone districts, subject to the provisions of Chapters 21.02 through 21.60. (Ord. 83-03 (part))

21.13.020 The principal permitted use. The principal permitted timberland preserve zone use includes: growing and harvesting timber and uses accessory (compatible) thereto. (Ord. 83-03 (part))

21.13.030 Uses permitted subject to a conditional use permit. Permits authorized under this section cannot be approved if such use will significantly detract from the use of the property for, or inhibit, growing and harvesting timber:

A. Timber products processing plants (buildings) for commercial processing of wood and wood products, including sawmills, lumber and plywood mills but not including a pulp mill;

B. Public camps, public stables and similar recreational uses, not including recreational vehicle parks or mobilehome parks;

C. Single-family dwelling, mobilehome or a manufactured home and normal accessory uses and structures for owner or caretaker. (Ord. 95-06 §4 (part), 1995; Ord. 83-03 (part))

21.13.035 Uses within resource conservation areas. A. Where the land use plan of the General Plan Coastal Element designates a portion of a TP zoned parcel as a resource conservation area, the extent and type of environmentally sensitive habitat shall be determined prior to development in the manner set forth in Section 21.11.060; however, no rezoning shall be required.

B. Uses within such environmentally sensitive habitat areas (including uses permitted by use permit) shall be as set forth in Sections 21.11A.030 and 21.11A.040. Sections 21.13.020 and 21.13.030 shall not apply. (Ord. 83-03(part))

21.13.040 Other regulations. A. The following accessory uses are deemed to be compatible with the growing and harvesting of timber provided they do not significantly detract from the use of the property for, or inhibit, growing and harvesting timber:

1. Management for watershed;
2. Management for fish and wildlife habitat;
3. A use integrally related to the growing, harvesting and processing of forest products, including but not limited to roads, log landings, and log storage areas (portable chippers and portable sawmills are considered a part of "processing");
4. The erection, construction, alteration or maintenance of gas, electric, water or communication transmission facilities;
5. Grazing and uses accessory to grazing;
6. Mineral extraction subject to the requirements of Chapter 7.36 of the Del Norte County Code;
7. Temporary labor camps, less than one year in duration, accessory to timber harvesting or planting operations;
8. Recreational use of the land for any of the following: walking, hiking, picnicking, swimming, boating, fishing, hunting and skiing.

B. Provisions of Article 1, "General Provisions" (Section 51100), Article 2, "Establishment of Timberland Preserves" (Sections 51110 through 51119.5), Article 3, "Rezoning" (Sections 51120 and 51121), Article 4, "Immediate Rezoning" (Sections 51130 through 51134) and a portion of Article 5, "Removal from Zone" (Sections 51140 through 51146), of the Government Code of the state as it now reads or may be hereinafter amended shall apply.

C. The board of supervisors, in accordance with Section 51113 of the Government Code, shall adopt a list of criteria required to be met by parcels being considered for zoning as timberland preserve initiated by the owner or authorized agents. The minimum parcel size shall be one hundred sixty acres.

After November 1, 1977, owners of timberland not included on List A (Section 51110.1 of the Government Code) or

List B (Section 51110.1 of the Government Code) may petition the board to zone his land as timberland preserve, provided all criteria to be adopted are met. (Ord. 83-03(part))

21.13.050 Requirements. An applicant who petitions the county to zone his land as timberland preserve shall submit the appropriate information to meet the following requirements:

A. A map shall be prepared showing the legal description of the assessor's parcel number of the property desired to be zoned.

B. A plan for forest management must be prepared or approved as to content for the property by a registered professional forester. Such plan shall provide for the eventual harvest of timber within a reasonable period of time as determined by the preparer of the plan.

C. The parcel shall currently meet the timber-stocking standards as set forth in Section 4561 of the Public Resources Code and the Forest Practice Rules adopted by the State Board of Forestry for the district in which the parcel is located, or the owner must sign an agreement with the board or council to meet such stocking standards and Forest Practice Rules by the fiftieth anniversary of the signing of such agreement. If the parcel is subsequently zoned as timberland preserve under subdivision (a), failure to meet such stocking standards and Forest Practice Rules within this time period provides the board or council with a ground for rezoning of the parcel pursuant to Section 51121.

D. The land area to be zoned timberland preserve shall be in the ownership of one person as defined in Section 38106 of the Revenue and Taxation Code, and shall be comprised of single or contiguous parcels which constitute twenty acres or more in size.

E. The land to be included in timberland preserve shall be Timber Site IV or better. (Ord. 83-03(part))

21.13.060 Minimum lot size. Parcels zoned as timberland preserve under this chapter may be considered for division into parcels containing twenty acres or more provided the following conditions are complied with:

A. The owners of the resulting parcels submit or the present owner makes sufficient provisions for a joint timber management plan prepared or approved as to content by a registered professional forester.

B. Such owners enter into a binding contract with the board of supervisors, representing the county, to manage and harvest timber on the timberland jointly and are bound by the provisions of the management plan for a minimum period of ten years.

C. Any division shall be approved by a four-fifths vote of the full board of supervisors provided the project has been reviewed by the planning commission. (Ord. 83-03 (part))

Chapter 21.14

CT COASTAL TIMBER ZONE DISTRICT

Sections:

- 21.14.010 Intent.
- 21.14.020 The principal permitted use.
- 21.14.030 Uses permitted subject to a conditional use permit.
- 21.14.040 Minimum lot size.

21.14.010 Intent. The coastal timber zone is intended to protect forested lands within the California Coastal Zone which have not been designated as timber preserve zones (TPZ) but which are considered of commercial value. These include forested areas with Class III or better timber which comprise a parcel of twenty acres or larger. Changes of district from coastal timber zone to another classification are to be made only where such uses are in accord with the General Plan or adopted specific plan.

For the purposes of Section 21.52.020 (A) (4), the coastal timber zone uses listed under the principal permitted use section herein shall be considered as the principal permitted use in the California Coastal Zone. Variances and adjustments to the district's requirements and standards shall not be considered a principal permitted use for purposes of Section 21.52.020 (A) (4).

The regulations set forth in this chapter shall apply in all coastal timber zone districts, subject to the provisions of Chapters 21.02 through 21.60. (Ord. 83-03(part))

21.14.020 The principal permitted use. In the CT zone the principal permitted use is the growing and harvesting of timber and uses accessory (compatible) thereto. The following accessory uses are deemed to be compatible with growing and harvesting of timber provided they do not significantly detract from the use of the property for, or inhibit, growing and harvesting timber:

- A. Management for watershed;
- B. Management for fish and wildlife habitat;
- C. A use integrally related to the growing, harvesting and processing of forest products, including but not limited

to roads, log landings, and log storage area (portable chippers and portable sawmills are considered a part of "processing");

D. The erection, construction, alteration or maintenance of gas, electric, water or communication transmission facilities;

E. Grazing and uses accessory to grazing;

F. Mineral extraction subject to the requirements of Chapter 7.36;

G. Temporary labor camps, less than one year in duration, accessory to timber harvesting or planting operations;

H. Recreational use of the land for any of the following: walking, hiking, picnicking, swimming, boating, fishing, hunting and skiing. (Ord. 83-03 (part))

21.14.030 Uses permitted subject to a conditional use permit. Permits authorized under this section cannot be approved if such use will significantly detract from the use of the property for, or inhibit, growing and harvesting timber:

A. Timber products processing plants (buildings) for commercial processing of wood and wood products, including sawmills, lumber and plywood mills but not including a pulp mill;

B. Public camps, public stables and similar recreational uses, not including recreational vehicle parks or mobilehome parks;

C. Single-family dwelling, mobilehome or a manufactured home and normal accessory uses and structures for owner or caretaker. (Ord. 95-06 §4 (part), 1995; Ord. 83-03 (part))

21.14.040 Minimum lot size. A. Parcels zoned as coastal timberland under this chapter may be considered for division into parcels containing twenty acres or more provided the following conditions are complied with:

1. The owners of the resulting parcels submit or the present owner makes sufficient provisions for a joint timber management plan prepared or approved as to content by a registered professional forester.

2. Such owners enter into a binding contract with the county of Del Norte to manage and harvest timber on the timberland jointly and are bound by the provisions of the management plan for a minimum period of ten years.

B. Parcels less than twenty acres in size may be created when the one unit/twenty acres density is not exceeded but where the parcels shall not be smaller than that allowed utilizing the rural land division criteria as set forth in the land use categories section of the Local Coastal Plan and in Title 16 of the Del Norte County Code. Such a project shall be subject to conditions (A)(1) and (2) of this

section and to the D district combining zone (Chapter 21.36) to ensure that there is no further division than that permitted by the Local Coastal Plan density. (Ord. 83-03 (part))

## Chapter 21.16

### RR-1 RURAL RESIDENTIAL DISTRICT

#### Sections:

- 21.16.010 Intent--Purpose.
- 21.16.020 The principal permitted use.
- 21.16.030 Uses permitted with a use permit.
- 21.16.040 Building height limit.
- 21.16.050 Minimum lot area required.
- 21.16.060 Minimum lot width required.
- 21.16.070 Percentage of lot coverage permitted.
- 21.16.080 Front yard required.
- 21.16.090 Side yard required.
- 21.16.100 Rear yard required.
- 21.16.110 Special yards and distances between buildings required.

21.16.010 Intent--Purpose. This district classification is designed for the orderly development of rural home-sites in the one acre category to encourage a suitable environment for family life for those who desire rural residential land.

Since there is a limited area within the county which is suitable for rural residential land, this district is intended to protect rural residential uses against encroachment by other uses which may be in conflict therewith. The provisions of this section, therefore, shall be liberally interpreted to apply to rural residential and related services to the end that no other use shall be permitted, and no regulation shall be deemed or construed to interfere with any normal accessory use conducted in conjunction therewith. It is the intention of this section to prevent the further subdividing of rural residential land into lot sizes which might threaten the rural quality of areas zoned RR-1, and changes of zone from RR-1 to another classification are to be made only where such uses are in accord with the General Plan or an adopted specific plan.

For the purposes of Section 21.52.020 (A) (4), the rural residential districts uses listed under the principal permitted use section herein shall be considered as the principal permitted use in the California Coastal Zone. Variances and adjustments to the district's requirements and standards

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

**RESOLUTION NO. 2001-077**

**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 E-15 (KELLY)  
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 7th day of August 2001, by the following polled vote:

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

NOES: None

ABSENT: None

  
MARTHA McCLURE, Chair  
Board of Supervisors

ATTEST:


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

EXHIBIT NO.	5
APPLICATION NO.	DNC-MIN-1-01
COUNTY RESOLUTION NO. 2001-077 -	
SUBMITTAL OF LCPA APPLICATION	



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

**ORDINANCE NO. 2001- 011**

**AN ORDINANCE AMENDING ORDINANCE NO. 83-08  
AND COUNTY CODE TITLE 21 BY DELETING  
COASTAL ZONING AREA MAP E-15 AND ADOPTING  
NEW COASTAL ZONING AREA MAP E-15 (KELLY)**

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 and County Code Title 21 is hereby amended by deleting therefrom Coastal Zoning Area Map E-15 and amending same with a new Coastal Zoning Area Map E-15 as specified in attached Exhibit "A" and subject to the following condition:

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

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 (§ 65804(c)(d) of the Government Code).

PASSED AND ADOPTED this 7th day of August, 2001, by the following polled vote:

AYES: Supervisors Blackburn, Finigan, Eller, Reese and McClure  
NOES: None  
ABSENT: None

*Martha McClure*  
MARTHA McCLURE, Chair  
Board of Supervisors

ATTEST:

*Karen L. Phillips*  
KAREN L. PHILLIPS, Clerk of the  
Board of Supervisors, County  
of Del Norte, State of California

EXHIBIT NO. 6
APPLICATION NO. DNC-MIN-1-01
COUNTY ORDINANCE NO. 2001-011 - KELLY REZONE

