

## CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE  
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# F6b

DATE: June 23, 2006

TO: Commissioners and Interested Parties

FROM: Peter Douglas, Executive Director  
Robert S. Merrill, District Manager  
Tiffany S. Tauber, Coastal Planner

SUBJECT: **City of Point Arena LCP Amendment No. PTA-MAJ-2-04, (Wasserman):** Concurrence with the Executive Director's determination that the action of the City of Point Arena accepting the Commission's certification of LCP Amendment No. PTA-MAJ-2-04 (Wasserman) and adopting implementing ordinance is legally adequate (For Commission review at the meeting of July 14, 2006 in San Diego).

## 1. **BACKGROUND:**

The Commission acted on City of Point Arena LCP Amendment No. PTA-MAJ-2-04 (Wasserman) on August 12, 2005. The changes involved an amendment to the LUP and coastal zoning maps to redesignate and rezone a 7.4-acre parcel located west of Highway 1, at 240 Port Road, within the urban area identified by the urban/rural boundary line, from Agriculture Exclusive (minimum lot size 20 acres) to Residential Agriculture (minimum lot size 2 acres). The parcel presently contains one single family residence.

The Commission rejected the amendment to the LUP as submitted and then ultimately approved the amendment with one suggested modification as recommended by staff. Suggested Modification No. 1 would add text to existing Policy 38 Port Road (West) to ensure that the proposed redesignation component of the LUP amendment is consistent with sections 30250(a) (locating new development), 30251 (visual resources), and 30253 (minimizing impacts) of the Coastal Act and with applicable provisions of the certified LUP.

The Commission also rejected the amendment to the Implementation Program and then ultimately approved the amendment with one suggested modification as recommended by staff. Suggested Modification No. 2 would add the B-3 and B-7 combining designations to the subject parcel to modify the 2-acre minimum lot size to require a minimum lot size of three acres, and require that a building site be shown on the Parcel or Final Map of Record.

**CITY OF POINT ARENA LCP AMENDMENT NO. PTA-MAJ-2-04  
(WASSERMAN)  
CERTIFICATION REVIEW  
PAGE 2**

Pursuant to Section 13535(c) of the Commission's Regulations, on February 9, 2006, the Commission extended the six-month time limit for City action to accept and agree to the Commission's certification of the amendment with suggested modifications until February 12, 2007.

**2. EFFECTIVE CERTIFICATION:**

On March 28, 2006, the City of Point Area City Council held a public hearing and adopted Resolution No. 2006-07 which acknowledges receipt of the Commission's resolution of certification, accepts and agrees to the Coastal Commission's modifications, agrees to issue permits in conformance with the modified LCP, and formally approves the necessary changes to the County's LUP and Implementation Program (see Exhibit No. 2).

As provided in Sections 13544 and 13544.5 of the California Code of Regulations, for the amendment to become effective, the Executive Director must determine that the City of Point Arena's actions are legally adequate and report that determination to the Commission. Unless the Commission objects to the determination, the certification of the City of Point Arena LCP Amendment No. PTA-MAJ-2-04 (Wasserman) shall become effective upon the filing of a Notice of Certification for the LCP amendment with the Secretary of Resources, as provided in Public Resources Code Section 2180.5(2)(V).

**3. STAFF RECOMMENDATION:**

Staff recommends that the Commission concur with the determination of the Executive Director that the actions of the City of Point Area to accept the Commission's certification of the City of Point Arena's LCP Amendment No. PTA-MAJ-2-04 (Wasserman) and adopt the necessary changes to the City's LUP and coastal zoning maps are legally adequate, as noted in the attached letter, Exhibit No. 1 (to be sent after Commission concurrence).

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July 14, 2006

Mayor Leslie Dahlhoff  
City of Point Area  
P.O. Box 67  
Point Arena, CA 95468

SUBJECT: Effective Certification of City of Point Arena LCP Amendment No.  
PTA-MAJ-2-04 (Wasserman)

Dear Mayor Dahlhoff:

The Executive Director of the Coastal Commission has reviewed City Council Ordinance No. 197 and Resolution No. 2006-07 for effective certification of the City of Point Arena LCP Amendment No. PTA-MAJ-2-04 (Wasserman).

The City's resolution indicates that the City acknowledges receipt of and accepts the Commission's resolution for certification and that the City agrees to issue permits in conformance with the modified certified local coastal program.

The Executive Director has found that the City's resolution and ordinance fulfills the requirements of Section 13544(a) of the California Code of Regulations. In accordance with Section 13544(b) of the regulations, the Director has determined that the City's actions are legally adequate.

The Coastal Commission concurred with this determination at its meeting of July 14, 2006 in San Diego. Commission approval and the amendment process are now complete. If you have any questions, please contact Tiffany S. Tauber in our Eureka office at (707) 445-7833 or [ttauber@coastal.ca.gov](mailto:ttauber@coastal.ca.gov).

Sincerely,

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ROBERT S. MERRILL  
District Manager

**EXHIBIT 1**