

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
EUREKA, CA 95501-1865
VOICE (707) 445-7833
FACSIMILE (707) 445-7877



W 23b

DATE: August 20, 2009

TO: Coastal Commissioners and Interested Parties

FROM: Peter Douglas, Executive Director
Robert Merrill, North Coast District Manager
Melissa B. Kraemer, Coastal Program Analyst

SUBJECT: **HUMBOLDT COUNTY LCP AMENDMENT NO. HUM-MAJ-3-09
(Race Investments, LLC Zoning Amendment)**
For the Commission meeting of September 9, 2009

AMENDMENT DESCRIPTION

On April 24, 2009, the Commission received an LCP amendment transmitted by Humboldt County known as the Race Investments, LLC amendment. As submitted, Humboldt County LCP Amendment No HUM-MAJ-3-09 would amend the current zoning designation of approximately 45 acres of land east of Eureka from a Commercial Timber (CT) designation to a Timber Production Zone (TPZ) designation. The site is located approximately one mile south of the intersection of Mitchell Road with Myrtle Avenue. The site is surrounded by agricultural and timberland resources as well as areas planned and zoned for rural residential development. The stated purpose of the amendment is for the property owner to benefit from a tax reduction under the proposed zoning designation. An effect of the amendment would be to eliminate General Agriculture as a principally permitted use type for the property, as the proposed TPZ zoning designation limits the principally permitted uses to Single Family Residential, Timber Production, Cottage Industry, and Minor Utilities to serve these uses.

Coastal Act Section 30510 requires proposed LCP amendment submittals to contain materials sufficient for a thorough and complete review. Once that requirement is satisfied and an amendment is deemed submitted (or “filed”), the Coastal Act requires the Commission to act on Implementation Plan (IP) amendments within 60 days, and on Land Use Plan (LUP) amendments and combined LUP/IP amendments within 90 days (Coastal Act Sections 30510, 30512, 30513, and 30514).

The LCP amendment application was deemed submitted on July 13, 2009. This proposed LCP amendment would amend the Implementation Plan only, and thus the 60-day

HUMBOLDT COUNTY LCP AMENDMENT NO. HUM-MAJ-3-09

Time Extension

Page 2

requirement applies. The 60th day after the date this LCP amendment application was deemed submitted is September 11, 2009. Therefore, unless the Commission extends the deadline, the Commission will need to complete its action on the LCP Amendment at or prior to the Commission's September 9, 2009 hearing.

The need for the staff in the Commission's North Coast office to process other LCP amendments and permit applications already pending before the Commission prior to submittal of LCP Amendment No. HUM-MAJ-3-09, coupled with recent state budget cuts and directed furloughs, has lengthened the time needed for staff review of the amendment. Thus, a time extension is necessary to allow staff to conduct further research and analysis of the conformance of the proposed Implementation Plan amendment with the provisions of the certified Land Use Plan and prepare an appropriate staff recommendation to the Commission.

Coastal Act Section 30517 states that the Commission may extend for good cause the 60-day time limit for Commission action on an LCP amendment for a period not to exceed one year.

STAFF RECOMMENDATION

Staff recommends that the Commission vote to extend the deadline for Commission action for one year.

MOTION:

I move that the Commission extend the time limit to act on Humboldt County Local Coastal Program Amendment No. HUM-MAJ-3-09 for a period of one year.

Staff recommends a YES vote. Passage of this motion will result in a one year extension of the period in which the Commission must act on the proposal, changing the deadline for Commission action from September 11, 2009 to September 11, 2010. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.