

CITY OF POINT ARENA

GENERAL PLAN/LOCAL COASTAL PLAN

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I. OVERVIEW

1. WHAT THE PLAN COVERS

1.1. Scope, Format and Contents

The Point Arena General Plan is a comprehensive, integrated, and internally consistent statement of Point Arena's environmental preservation, economic development, land use, public safety, housing, and development goals, policies, and programs. It is intended to address goals and needs for a period of approximately fifty years from the date of adoption. As a precautionary measure, when the population reaches 50% of projected build-out, or in 50 years (which ever comes first) the City shall undertake steps necessary to reassess and insure the continued ability to meet infrastructure requirements through build-out.

Its authority derives from the California Government Code, and it contains the seven State-mandated elements (land use, housing, open space, conservation, circulation (traffic), safety, and noise) plus two additional elements which are deemed of special concern to Point Arena: The Economic Development Element and the Coastal Element.

This plan was prepared over a period of many years by a volunteer committee of citizens, together with the assistance of several consultants, and the city administrator.

The General Plan consists of four maps and the following text. The text is organized to recognize the interrelationships among planning and development issues and to respond directly to needs and problems facing the City's citizens and decision makers.

Included as part of and incorporated into the General Plan are the following maps:

The Land-Use and Development Map

The Opportunities and Constraints Map; (1) Scenic Corridors; (2) Natural Hazards; and (3) Biological Resources and Trails.

This 2001 plan consolidates, amends, updates and supersedes all other plans for Point Arena that deal with land-use planning, housing, public safety, and environmental preservation matters, including the Land-Use Plan dated June 30, 1980, and the Housing Element adopted September 10, 1985.

This 2001 General Plan is also intended to serve as the policy and program basis for the Local Coastal Program (LCP), which program is required by the California Coastal Act. The General Plan comprises the LCP, and the LCP must be certified by the California Coastal Commission. The 2006 certified LCP consists of the 2001 General Plan, not including the Housing Element, the 2001 Zoning Ordinance (No. 179) and the 1997 Second Dwelling Unit Ordinance (No. 166). The Housing Element is drafted in a different format and style than the other elements, in order to satisfy the requirements and guidelines of the California Department of Housing and Community Development, which agency has reviewed a preliminary Housing Element draft and

submitted its comments on it. The Housing Element is not currently part of the LCP, but will be submitted to the California Coastal Commission at a future date for certification.

The General Plan includes the following:

1. A Statement of Community Character and Overall Goals
2. The General Plan Elements. For each of these there are written goals, policies, plan provisions, and action programs.
3. The General Plan Implementation Program, including a recital of the City's obligations under the plan, and the responsibilities and rights of property owners.
4. Project Review and Permitting: Requirements and Procedures.
5. General Plan Review and Amendments.
6. A Glossary of Terms.

The General Plan covers the entire city of Point Arena and refers to county territory surrounding the incorporated city. While county territory is governed by the Mendocino County General Plan and Zoning Code, it is a Point Arena objective that the immediate surrounding county land-use designations and regulations are enforced; that any county land-use decisions within the surrounding area remain compatible with this city's General Plan; and that any contemplated changes to the County Plan or Zoning Code are referred to the City for comment.

The basic data and information on which this plan is based is set forth and referenced in the body of the following text or may be found in one of the following reference documents:

The Point Arena Zoning Ordinance

The Land Use Plan of the City of Point Arena, Certified by the California Coastal Commission
June 3, 1980

The Housing Element which was adopted on September 10, 1985

The Community Plan, including Appendix A and B November 1988

The Preliminary Draft General Plan, Zoning Ordinance and Local Coastal Program, which was submitted for review on January 1986 by consultant Mintier Harnish & Associates but not adopted by the City

1.2. What Kind of Plan is This?

1. This is an economic development and economic growth plan.
2. This is an environmental protection plan.

3. This is a land-use and zoning plan.

1.3. How this General Plan Provides for Healthy Economic Development

1. Within the core commercial and highway commercial areas. The Plan also permits the inclusion of living units, arts and crafts studios, small businesses and industries, and live-work units, as part of planned mixed-use developments.

2. It reaffirms the suitability of 27.8 acres of land currently (1994) zoned industrial.

3. It reaffirms the suitability of 16.57 acres of land in the Arena Cove area for coastal-dependent and visitor-serving uses, approximately 6.83 acres of which are currently undeveloped.

4. It encourages growth of the in-town population (consumers of local goods and services) by increasing both allowable residential densities and the amount of land available for new housing in and near Downtown.

5. It reaffirms the long-standing city policy that parcels designated for multiple-family residential purposes may also include environmentally- and architecturally- compatible office uses (under certain circumstances).

6. It increases the number of residential zones in which home occupations may be permitted from four to eight, under prescribed circumstances.

7. It encourages the in-fill development of existing undeveloped commercial and residential lots.

1.4. How this Plan Provides for Protection and Preservation of Environmental Quality

1. It reaffirms the long-standing notion that the town's small-town character and special environmental characteristics can and should be maintained for economic, public health and aesthetic reasons by fairly and equitably placing limits on building-to-land intensities of development, grading, residential densities, and the unnecessary depletion of open space resources.

2. It provides for the preservation, in as near natural form as possible, of landscapes and land forms, bluffs, and bluff tops, the coastline, viewsheds, creeks and riparian areas.

3. It affirms the importance to everyone's health and well being the value of Point Arena's exceptional clean air and low ambient noise levels, both of which are typically subject to subtle but irreversible decline as a consequence of incremental unregulated development.

4. It asserts the importance of how the city looks—its views, landscapes and land forms, building designs and landscapes, architectural landmarks—and not only for how the city looks to those who live here but to those traveling through and those contemplating investing in the city's future.

To summarize, the keys to Point Arena's health are (1) economic growth and development, and (2) protection of the city's unique environmental qualities.

This General Plan has as its most fundamental purpose the balancing of these two objectives.

1.5. Legal Basis for this Plan

A general plan is a compilation in one place of policies governing land use, environmental quality, housing, public safety and transportation. A very substantial proportion of the policies contained in this General Plan are already in place. They were adopted years ago and are to be found in the existing Coastal Commission-certified Local Coastal Program (LCP), comprised of the Land Use Plan and the Zoning Ordinance, and in the city's state-certified Housing Element. (The existing [1980] LCP and the existing [1985] Housing Element will no longer be in effect when all elements of this General Plan, including the new Land Use Element and the new Housing Element, are adopted and certified).

After adoption of this plan, the City must formally amend the Zoning Ordinance and Zoning Map, as well as such other ordinances as may be affected by this plan, and those amendments must be consistent with this plan, as per the requirements of California Planning law.

In addition to restating existing policies and development requirements, some of the policies contained in this Plan are new. They have been developed during a three-year period by a committee of local citizens with the assistance of specialized consultants.

State planning law, and other selected state statutes, prescribe exactly what subject matters must be addressed in a local general plan. With some exceptions, which are noted in the body of the plan's text, the city has broad discretion in determining what policies it wants to adopt within the framework the State prescribes by law. The exceptions, noted in the text, represent the few policies enacted by the State which all cities are obliged to implement through local plans and programs.

It is intended that this General Plan satisfy and comply with all of the State's planning, environmental and housing mandates and be judged legally adequate. Pursuant to State law (The California Environmental Quality Act--[CEQA]) the Planning Commission and/or City Council may adopt this plan only after considering all pertinent testimony, written and oral, as well as information contained in the General Plan Environmental Impact Report.

No actions may be taken with respect to planning subjects covered, and policies and programs set forth and adopted, in this Plan without a formal finding first being made that the proposed action is consistent with this plan. The "Project Review and Permitting" section spells out the necessity for findings and the form they must take to make certain discretionary actions of the Planning Commission and City Council legal.

Nothing in this plan precludes the obligations of the city and property owners alike to comply with the spirit and letter of the California Environmental Quality Act (CEQA), and the state's Subdivision Map Act, Open Space Lands Act, Endangered Species Act, and California Coastal Act, as well as other federal and state laws which may take precedence over, or be applicable in

lieu of or in addition to, local ordinances. It is the obligation of all responsible parties to ensure that laws, regulations and processes promulgated by agencies other than the City of Point Arena are complied with.

2. THE GENERAL PLAN PREPARATION PROCESS

The process followed to create this General Plan began in January 1990 when the City Council authorized and instructed that a plan be prepared by a citizens' committee appointed to undertake the work. At that time the city had no general plan. It did have, however, an adopted Local Coastal Program (LCP), which included a Land Use Plan and the Zoning Ordinance, as well as an adopted and State-certified Housing Element.

This comprehensive general plan, the first ever for Point Arena, was prepared by a committee of citizens with the assistance of several consultants. The consultants helped prepare the Housing Element, the Environmental Impact Report (EIR), and the Traffic and Circulation Element. The individuals and firms participating in the preparation of this general plan are acknowledged at the end of this document.

Public Hearings on this Draft General Plan must precede adoption.

The General Plan is subject to environmental review as required by the California Environmental Quality Act (CEQA). An Environmental Impact Report (EIR) must be reviewed by the public and the planning commission/city council before this General Plan may be adopted and become effective.

Any amendments to the General Plan, once it is adopted, or enactment of most programs and ordinances pertaining to the matters addressed in this plan, also require public hearings.

Henceforth, "Findings of Fact" that certain actions are consistent with the General Plan and with CEQA must be made prior to said actions becoming legally valid. (See the sections in this document entitled "Project Review and Permitting: Regulations and Procedures" and "General Plan Review and Amendments".)

3. REFERRAL AGENCIES

The General Plan, in draft form, was referred to the following agencies for review and comment:

State of California:

Department of Conservation (Division of Mines & Geology)

Department of Boating and Waterways

Coastal Commission

Coastal Conservancy

Fish and Game

Historic Preservation

Parks and Recreation

Highway Patrol

Reclamation

Transportation (CalTrans)
Housing and Community Development
Regional Water Quality Control
Forestry and Fire Protection
Office of Planning and Research (OPR)
State Lands Commission
Office of Statewide Health Planning and Development
Office of Emergency Services
Resources Agency
Integrated Waste Management Board
Public Utilities Commission

United States Government:

Department of the Interior (BLM)
National Park Service
Bureau of Reclamation
Army Corps of Engineers
Environmental Protection Agency (EPA)
Federal Emergency Management Agency (FEMA)
Fish and Wildlife Service
Air Resources Board
Housing and Urban Development (HUD)
Department of Agriculture

County of Mendocino:

Council of Governments (MCOG)
Local Agency Formation Commission (LAFCO)
Air Pollution Control District
Departments of Public and Environmental Health
Planning and Building Services Department

Local:

Point Arena Fire Department
Point Arena Joint Union High School
Point Arena Elementary School
Point Arena Water Works
Pacific Gas and Electric
Pacific Bell
AT&T
Coast Life Support District

II. COMMUNITY CHARACTER AND OVERALL GOALS

1. INTRODUCTION

The major goals of this General Plan are described below, along with some of the reasons behind them. These goals set the theme for guiding Point Arena's growth and development; for the conservation of its character, open spaces, and natural resources; and for the general welfare and well-being of its citizens.

This chapter also is concerned with how Point Arena looks and feels. It attempts to translate these intangibles into policies and programs needed to achieve the overall goals cited below.

Also included are the principal characteristics of Point Arena that may constrain or limit development, or define the form development may take, and the characteristics of the town which present tangible opportunities for the future well being of the town's citizens.

2. OVERALL GOALS

2.1. Goal #1: Preserve the Small-Town Rural Character of Point Arena

This means: What kind of a place do we want Point Arena to be 10-20 years from now, 30 years from now? What should it look like? How shall it feel? What do we want to have happen or change? What should stay pretty much the same? What makes Point Arena unique and special? What will we discourage, and what will we not tolerate?

These are among the basic questions we must keep in mind each time we examine a proposed general plan element, consider a rezoning or subdivision map proposal, or deal with a specific development proposal.

The following is the perceived consensus of public opinion regarding the desired character of Point Arena. People like the town's present semi-rural, low-key, modest and unpretentious atmosphere as well as its

- low population density and building intensity
- historic buildings
- absence of "cuteness" and "artiness"
- mixed uses (absence of strict and artificial separations between residential and non-residential uses, for example) "unpretentious" building designs with an absence of any city-imposed mandatory design themes
- features of a real town, not just a wide place in the road or accidental settlement of convenience
- stores; with an "old time" motion picture theater, general stores, and small-town character, with curbs, gutters and sidewalks

- "sense of community" in which people of various ages, educational achievements, socio-economic condition, and points of view co-exist and make the town "work", and cooperate on matters of civic concern
- collection of vacant lots Downtown that may provide start-up business opportunities for people with limited incomes, provided incentives are built into the Zoning Ordinance to make this happen
- open spaces, views and vistas, oceanside bluffs, clean air, quietude, open fields, access to the ocean, and proximity to working farms
- the cove and pier...the first driving north after leaving Bodega Bay and the first driving south after leaving Albion
- absence of strung-out, strip-commercial developments along the highway...a common but unpopular occurrence in most of California.

These are the characteristics that define and give special and unique identity to Point Arena...the characteristics that are to be championed in this plan and preserved through the planning and plan-implementation process.

2.2. Goal #2: Ensure Public Safety

The most significant risks to property, well being, and the environment are geologic and seismic hazards, flooding, non- seismically-induced soils hazards, fires, and possible poor water quality. Secondary issues of public safety are air pollutants and unwanted noise.

The city shall establish acceptable levels of risk and safety, cause vulnerable buildings to be brought up to these standards, and enforce standards for the design of new structures.

The city shall also avoid placement of cultural, educational and high-occupancy structures in areas prone to ground failure during an earthquake.

Furthermore, the city shall ensure through the enactment of public policies and programs that its employees, citizens, and business persons are prepared for effective responses to major seismic and other emergencies.

To the fullest extent possible the city shall avoid approving grading, new land uses and developments, and facility locations that may result in property damage, may threaten the public safety and well-being of its citizens, or may negatively impact the environment.

2.3. Goal #3: Encourage Economic Growth and Development

Population growth and new development are to be encouraged, but indiscriminate growth contrary to and inconsistent with other city goals is not welcome.

Substantial population growth is not likely since North Coast California is and will continue to be a slow-growth region of the state. Some small growth of population will be a function of new arrivals from outside the area.

Development growth should occur within the annexed area and also as a result of city-inspired infilling within and adjoining Downtown on undeveloped and under-developed existing lots.

Local economic development cannot and should not be overly dependent upon tourists, however. New techniques for stimulating all suitable types of economic development are necessary. Among the most significant measures appropriate to Point Arena, over which the city council has direct control are:

- adopting incentive zoning (see Land-Use and Development Element) to inspire income- and tax-producing activities, giving special attention to new small businesses, offices, and small manufacturing, fabricating, and crafts enterprises
- creating Downtown parking that is attractive, free, and convenient
- publicizing the existence and location of the Cove which at present is not boldly identified or signed such that the passing motorist notices
- improving the city's appearance and otherwise giving the driving public a reason to stop
- supporting and seeking funds from public transit programs of county, state and federal agencies.

Other economic development opportunity areas are within the Hay Annexation Area and on commercially-zoned parcels along Highway 1 at the north and south ends of town.

2.4. Goal #4: Preserve Open Spaces, Natural Resources, Coastal Assets and Environmental Quality

Point Arena's natural features, environmental quality, clean air, low ambient noise levels, and open spaces are valuable and precious resources which shall be protected from neglect, careless use, and deliberate destructive actions. The city council shall spearhead actions to accomplish this goal, which is consistent with the California Coastal Act, and warrants reemphasizing as a fundamental component of the General Plan.

Planning must ensure, through specific policies and regulations, the preservation of identifiable open spaces in and adjoining Point Arena as well as the sense of open space within the city, even within the most populated areas. Open space takes the form of parks, greenbelts, farms, open bluffs, undeveloped hillsides, and scenic corridors/viewsheds. A sense of open space is achieved through maintaining low residential densities and building intensities, and through the clustering of buildings so as to leave substantial open land around structures and between developments.

Planning must also protect natural resources and sensitive habitats, stream beds, creeks and wetlands from inappropriate, unnecessary and damaging developments and from pollutants, uncontrolled grading, and neglect.

For county areas adjoining Point Arena and outside the "urban limit line" every effort shall be made to work with the county to keep agriculture lands viable and as long as possible to ensure their preservation.

The techniques for preserving natural resources and open spaces must be a combination of

zoning regulations, including the introduction of open space standards and open space zones/overlay zones; dedications as a condition of development permit approvals; deed restrictions; outright purchases by public agencies or private organizations, and possibly the transfer of development rights.

2.5. Goal #5: Promote Affordable Housing

There are two ways to further the cause of creating additional housing at "affordable" costs. One is to wait for those publicly-financed programs that come and go, which attempt to close the gap between housing prices and personal income. Over recent years housing prices have risen and incomes, especially at the lower economic levels, have remained steady or declined. The federal and state governments have not responded realistically or adequately to deal with these realities (nor are they likely to in the near future), and local governments rarely have sufficient resources to do so. Point Arena has no money for such things as emergency housing, transitional housing, or low-cost permanent affordable housing. Moreover, there are virtually no available rentals (vacancies) in the area, in spite of the high ratio of renter- to owner-occupied housing in the city. The clear conclusion is that housing for very-low, low- and some moderate- income persons and families is very scarce indeed.

Even if the County's less-than-modest housing assistance program, intended for low-income families, funded by the U.S. Department of Housing and Urban Development (HUD, Section 8), were more adequately funded, without a housing stock (available units on the market to live in) the program doesn't do much good for those in need...very low- and low-income individuals and families...who want to live in or near Point Arena. While the County also administers a "public housing program" whereby it owns units and offers them for rent to qualifying persons, without any housing stock the program has no positive impact in Point Arena at the present time.

The second way to deal with housing needs is to include provisions in the General Plan and Zoning Ordinance that affordable housing shall be provided as a proportion of major private development projects. Incentives for property owners/developers to build affordable housing shall be a community goal; incentives can be in the form of density bonuses if such bonuses can be found consistent with all applicable provisions of the certified LCP.

Also, as a condition of approval of large residential subdivisions a proportion of the new lots and/or housing units should be reserved for affordable housing...a common practice throughout California to enlist the private sector in affordable housing solutions through the project-approval process. To accomplish this goal may require mandates as well as residential density-bonus incentives. Implementation of new policies to promote affordable housing will require certification of LCP amendments.

The ultimate goal is for the City to encourage through public policies and programs the ownership of as many housing units as possible by as many people who want them, at affordable costs, not just for persons with more than ample income or assets but also for individuals, families and single parents with limited or modest incomes.

2.6. Goal #6: Improve Public Facilities, Services and Transportation Systems

Various public works and public facilities are presently aging or are non existent, or are in need of maintenance, or may become inadequate in the near future. Included in this category are selected city streets and roads, the waste water (sewer) system, elements of the local water distribution system (a privately- owned utility under California Public Utility Commission oversight), public off-street parking, parks and recreation facilities, public safety facilities, and trails/sidewalks.

To accommodate new as well as the existing population and businesses the city shall undertake a comprehensive program to upgrade and create adequate public facilities and services. This program shall be a combination of city-financed capital improvements, which may require bond issues, and "exactions" (the process whereby as a condition of subdivision and development approval the developer dedicates land and/or pays fees in order that facilities generated by and for the benefit of the development are provided).

Furthermore, the city shall ensure that new streets and trails to be considered for acceptance into the Point Arena street system conform to design standards appropriate to their functional classification. Priority attention should be given to adopting exacting standards as a basis for reviewing tentative subdivision map applications.

Adequate off-street parking Downtown shall be ensured through a combination of the continuing application of existing ordinances and the development by the city of one or more off-street parking lots as a priority public works project.

A schedule of "development impact fees" as a method to finance roadways and other public facilities shall be adopted as soon as possible.

A year-round bridge or crossing of the Garcia River shall be established.

Eventually, a Highway One bypass route to replace the present location of the in-town State highway shall be recognized as a significant transportation improvement and policy objective.

2.7. Goal #7: Promote Energy Conservation and Recycling

Preserving non-renewable energy resources, promoting the recycling of household and industrial products, and minimizing unnecessary disposal of solid wastes when alternatives are available are national, state, and county goals that the City of Point Arena shall adhere to in the small ways available to it. Among the goals are recovering materials from solid wastes, promoting the use of solar energy, and developing land-use regulations and Zoning Ordinance provisions for new subdivisions that mandate the maximum possible reliance upon passive solar heating or other energy-saving features.

2.8. Goal #8: Assist in Implementing the California Coastal Act

In addition to the goals enumerated above, the city shall, to the extent required by law, implement relevant California Coastal Act policies through its certified Local Coastal Program including, but not limited to policies for preserving marine resources; protecting the quality of coastal waters, streams, and wetlands; regulating the diking, filling and dredging of open coastal waters, wetlands and estuaries; protecting environmentally-sensitive habitat areas; giving priority to coastal-dependent uses on or near the coastline; limiting oil and gas developments in accordance with state and local statutes; and, maintaining the viability of existing agricultural uses in accordance with the provisions of California Coastal Act Sections 30241 - 30243.

3. CONSTRAINTS AFFECTING DEVELOPMENT

3.1. Introduction

Development within Point Arena must be limited or constrained by certain realities. First are physical hazards including seismic hazards, as well as slope and soils conditions.

Moreover, the availability or not of water and waste water facilities may constrain development or dictate where and when development may occur or not occur.

Building and development can not occur haphazardly; they must, for reasons of safety to people and property, be limited through public policies (land use, zoning, subdivision, and environmental); and the mapping of hazardous areas, as a component of the General Plan, must be accomplished as a basis for adopting regulations.

Development must also be subject to the availability of sufficient water and sewer capacity and facilities, and in some cases be conditional upon extensions and upgrades of existing infrastructure or upon the provision of new facilities.

Finally, development of Point Arena may well be constrained generally or within specific areas by virtue of a consensus among the populace that certain changes in the status quo, or threats to natural or man-made features and the town's existing identity, will not be tolerated.

3.2. Existing Physical Hazards

Among the non-seismic physical hazards which must be taken into account and may constrain or limit the location or extent of development are the potential for cliff failure or retreat along the coastal bluffs; the potential for non-seismically-induced soils hazards imposing limits on urban-type development; shallow soil depths which may constrain septic sanitation disposal systems; the poor bearing capacity of surface and sub-surface soil materials, which may pose the risk of soil failure on steeper slopes, particularly when water saturated; and the danger of wave actions at the Cove.

Direct risk of land surface rupture (seismic hazards) along a fault trace during an earthquake

would pose a hazard to structures, utilities, or roads which traverse or straddle the fault. The San Andreas Fault and the Hathaway Creek Fault pose the kind of risk potential which must be taken into account as a part of the process of project review.

Secondary seismic risks are created by the energy release by movement along a fault and include: ground shaking, landslides, lurch-cracking of the soil surface, and liquefaction of soils. Tsunamis (tidal wave action which may result during a major earthquake) are an additional risk factor.

Flood dangers exist along the length of Arena Creek and may increase with runoff from up-stream development.

Fire hazards may be due to wildland fires, structural fires, and hazards posed by fuel storage/distribution depots. The degree of risk is related in part to the readiness of fire-fighting authorities and water availability.

3.3. Infrastructure Constraints

Among the possible constraints to further development of Point Arena are any limitations to property access that may be due to the absence or inadequacy of streets and roads; limitations posed by any limited sewer capacity; and limitations posed by the unavailability of water.

To date new sewer hook-ups to new developments are supposed to have been based on the policy of infilling, which, at the time the policy was initially adopted in the 1980 LCP, meant encouraging development on vacant lots within areas of existing development before extending services to outlying areas, with top priority to be given to existing developments within zones not presently served by sewers, and secondary priority given to undeveloped lots in these zones.

The 1980 LCP also specified that a portion of the city's sewage capacity be reserved for commercial uses, namely existing vacant parcels within the infill areas. Residential and commercial parcel sizes were to be limited to one acre minimum in areas not now served by water and sewer facilities.

On the whole these old policies were not strictly adhered to and are not considered appropriate to the new thinking that is going into this new General Plan. The main point is that unless there is some sort of explicit "growth management" plan to be followed, (no such plan is included in this General Plan) then the most reasonable solution is for sewer capacity and sewer facilities to be upgraded to handle need as and where it develops. The same can be said for domestic water services and facilities.

Accordingly, until such time as up-to-date engineering studies are completed the City will rely upon existing available information on the area's water and sewer systems and capacities, and, within a five-year time frame, will re-assess the suitability of the present systems. The City finds that within this five-year time frame the present systems will meet foreseeable needs and will accommodate growth and development as set forth in this General Plan.

3.4. Constraints Imposed By Local Values and Expectations

The following are Point Arena's "Sacred Cows" ... those features which are to be maintained and preserved as the town grows and accommodates more people, businesses, and houses. The General Plan acknowledges these and other features and asserts that they are to be taken into account with respect to all new developments in order to create a more perfect environment and save what is highly regarded by the populace. The "sacred cows" of Point Arena are:

1. Coastal bluffs and access to them by foot
2. Viewsheds and open space features
3. Historic buildings of merit
4. The integrity, water quality and natural condition of Point Arena Creek
5. The town's special air quality
6. The low ambient noise levels
7. The town's overall low population density and building intensity
8. The semi-rural, small-town, unpretentious character of Point Arena
9. The existing relatively-restrained signing of commercial and business establishments
10. The rural countryside surrounding Point Arena

4. OPPORTUNITIES

Every community possesses its own unique set of characteristics and features that present opportunities for the future, and Point Arena is no exception. For Point Arena the most significant opportunities are the potentials that exist for:

1. Increased economic development and recreational opportunities at the Cove, Downtown and along Highway 1
2. "Capturing" more tourist dollars as traffic on Highway 1 increases, provided reasons to stop exist by the side of the road
3. Creating housing opportunities within the underdeveloped Downtown area and as part of new housing built within new subdivisions
4. "Capturing" an increased demand for consumer goods and services because of new houses being built and occupied within rural areas outside the urban limit line of Point Arena
5. Attracting and accommodating craftspeople and artists, and small cottage industries, as part of a privately- initiated City-inspired Downtown revitalization program
6. Allowing a greater proportion of residential units connected with commercial Downtown growth...in order to foster mixed uses, Downtown revitalization, a built-in demand for

Downtown goods and services, and affordable housing (on now undeveloped and underdeveloped lots)

7. "Capitalizing" on the inventory of historical buildings, which buildings contribute to the town's attractiveness, character, and identity

8. Conserving existing natural features, viewsheds, open spaces, air quality, low ambient noise levels...due to the fact that little has occurred so far to irretrievably damage or destroy these resources and assets

9. Accommodating no-negative-impact home occupations within residential areas...in recognition of the fact that increasing numbers of people can and wish to work in their homes, especially those involved in or dependent on high-tech electronic communications activities (use of computers, FAX machines, modems, etc.), and

10. Accommodating light industrial activities (and fostering job opportunities in the presently-zoned industrial area.

5. MAPS

The various resource designations appearing on the General Plan maps represent the best information available at this time and, therefore, create a presumption of accuracy which may be overcome only with additional information that can be shown to be a more accurate representation of the existing situation than the information has been used to determine these boundaries. Such showing shall be done in the context of an amendment to the General Plan/Local Coastal Plan.

Development proposals in or adjacent to environmentally sensitive habitat areas such as wetlands, riparian zones on streams or sensitive plant or wildlife habitats including, but not limited to those shown on the Land Use Map and Opportunities and Constraints Map: "Biological Resources and Trails" shall be subject to special review to determine the current extent of the sensitive resource and appropriate development controls and mitigation measures consistent with the applicable policies of the LCP.

6. INTRODUCTION TO THE ELEMENTS OF THE GENERAL PLAN

To achieve the Overall Goals of this 2001 Point Arena General Plan there are eight General Plan Elements. In this chapter the specific goals, policies, and programs of each of the following elements are set forth.

Land Use and Development

Economic Development

Traffic and Circulation

Open Space and Conservation

Community Health and Safety

Noise

Housing

Coastal

III. LAND USE AND DEVELOPMENT ELEMENT

1. INTRODUCTION

The chief expression of private and public expectations in matters of town planning is the land-use element. In this element every parcel of land is designated for its best use given (1) the feasibility of land usage considering physical conditions and limitations or opportunities, and (2) the perceived ultimate general welfare consistent with the community goals set forth at the beginning of this General Plan document, and consistent with the California Coastal Act and California planning laws.

The "Land-Use and Development Map", which is incorporated as part of this General Plan, portrays the general pattern of future land usage, depicts land-use designations for each parcel of land in the city, and also is an expression of the desired and permissible land-use types and their locations throughout the city. What will occur, ultimately, is the gradual build-out of activities within these patterns of land uses according to specific development standards set forth in this element, elsewhere in the General Plan, and in the Zoning Ordinance.

The purpose of the Land-Use and Development Element of this General Plan is to depict the future pattern of land uses and also to set forth policies, programs, and review procedures governing conservation and development within the land-use designations depicted on the "Land-Use and Development Map" and on the "Opportunities and Constraints Map". The latter map is also incorporated as a part of this general plan.

The "Land-Use and Development Map", upon its adoption, also may become the city's official "Zoning Map".

2. FINDINGS

Point Arena's total land area is 829 net acres (Public streets are not included in this figure). This total is divided into approximately 280 assessor's parcels of various sizes accommodating a variety of rural and urban uses, including open spaces and unbuildable lands. The overall impression is of abundant open space, including properties that have not been developed to their full potential, low residential densities, the presence in town of many urban development opportunities, and an attractive and unique rural and small-town character.

According to the 1990 U.S. Census, Point Arena's population was at that time 407--living in approximately 200 dwelling units. (The State Department of Finance's January 1, 1994 estimate of population was 409). The in-city growth rate is judged to be extremely modest throughout the near term, although the general market-area population (persons living within the city limits plus those living in the surrounding county territory) is likely to increase somewhat. The date by which build-out might occur is unknown and it is an event that will occur very far into the future.

This plan addresses short-term goals and needs (next 5-10 years) and provides more than enough room for residential development to meet all foreseeable needs.

Commercial development is a function of residential growth within the city and within the surrounding market area, and on the growth of tourism. Industrial development, and the formation of cottage industries and small businesses, is a function of factors not easy to predict and not within the direct influence of the city. For the foreseeable future there is ample land set aside in this plan for new and expanding commercial, industrial activities and small-business activities.

3. LAND-USE GOALS

The following are the Land-use Goals of this 1994 General Plan:

1. To accommodate future urban-type development within the city's "urban limit line".
2. To maintain the city's small-town, open and rural character through low residential densities and building intensities, and through the preservation of open spaces.
3. To provide for a strong and healthy downtown commercial core that can also accommodate a mixture of commercial, office, small business, and residential activities.
4. To adopt land-use and development policies that welcome and encourage economic development and growth, job formations, a variety of new housing opportunities, infilling of new development within the Downtown area, increased but limited development at the Cove, and industrial-type uses in the City's industrial area.
5. To require sewer and/or water hookups, and expansion of both systems, within most of the urbanized and urbanizing portions of the urban limit line, so that development may proceed unimpeded in all areas of the city in response to needs and demands for service, provided that the systems are deemed adequate and that extensions of facilities can be shown to be financially and fiscally feasible or will be provided as a condition of development.

To achieve these goals there are included herein six sub-elements: (1) the Land-Use and Development map, (2) the Opportunities and Constraints map, (3) a description of land-use and zoning categories and permissible uses within each, (4) a table of residential density policies, (5) a statement of overriding citywide land-use and development policies and programs, and (6) procedures governing project review and the issuance of permits.

4. LAND-USE AND DEVELOPMENT MAP

The "Land-Use and Development Map" depicts graphically the City's intentions and policies for growth, development, and land usage, and for the preservation and safety of public and private

properties, within the city limits, and records the county plan's land-use designations for the immediate surrounding county territory.

The permitted land-use designations shown on the Map generally echo existing patterns of land usage. A few land-use changes have been made to the current Land-Use Plan (LUP)...the one in effect prior to the adoption of the 1994 Land-Use Element of this General Plan, and these are largely increases in the amount and extent of land available for multi-family residential uses.

5. OPPORTUNITIES AND CONSTRAINTS MAP

In addition to the "Land-Use and Development Map", the "Opportunities and Constraints Maps" serve as "overlays", the purpose of which are to depict the City's intentions and policies regarding open spaces, creeks and stream beds, riparian areas, view sheds and view corridors, conservation areas, safety and seismic safety considerations, natural habitat areas, and trails. The Maps are an "early-warning" depiction of matters that shall be attended to as part of project planning and review; they are further described in the text of this General Plan. Not all wetland and environmentally sensitive areas (ESHA) can be shown on the maps and the determination of what constitutes a wetland and/or ESHA shall not be limited to what is mapped. Any areas meeting the definitions of ESHA and wetlands in the certified LCP shall be subject to the policies and standards of the certified LCP regarding the protection of ESHA and wetlands, respectively.

6. LAND-USE DESIGNATIONS

Each parcel of land in Point Arena (as shown on the "Land-Use and Development Map") falls into one of several land-use categories. In addition to the assignment of a land-use category to each parcel of land in the city, specific development standards pertaining to each land-use category (zone) are to be incorporated into the revised Zoning Ordinance after this General Plan and this element are officially adopted, or amendments made to the existing ordinance, as the case may be.

Since this is the Land-Use and Development Element of the General Plan, and not the Zoning Ordinance, permissible uses (uses by right) and conditional uses (which will require a use permit), which uses are listed below, are not necessarily all-inclusive and may be added to when the Zoning Ordinance itself is evaluated in detail and amended, as the next step following adoption of this General Plan. An amended Zoning Ordinance, by law, must carry out the objectives and policies of this element, and, furthermore, not be found to be inconsistent with those objectives and policies. Accordingly, any additional permissible or conditional uses that may be considered for inclusion when the Zoning Ordinance is in the process of being amended must be consistent with the stated purposes and policies of the land-use category as set forth in this element, and, furthermore, can not be inconsistent with the policies pertaining to any other element of this General Plan.

7. OVERALL CITYWIDE LAND-USE POLICIES AND PROGRAMS

The following policies and programs are not lot-specific or zoning district specific but apply throughout the city where applicable. These policies are in addition to, or shall supersede, as the case may be, the "General Provisions and Exceptions" of the Zoning Ordinance (beginning at Section 5.01).

1. The City shall encourage and allow new development in those areas of the city where adequate water supply, sewage disposal capacity, and traffic capacity exist to serve both the new development and future priority uses planned throughout the City. .
2. The City shall adopt policies and programs in order to meet local public facility and infrastructure needs through exactions; dedications; impact, linkage, in-lieu, and development fees, and other techniques. These policies, programs, and fees shall be established in accordance with various provisions of the Government Code, including the State's AB1600 legislation.
3. Coastal access shall be maintained, and coastal bluffs shall be protected from development and erosion.
4. No new development shall be allowed within or adjacent to riparian corridors along Arena Creek, or other environmentally sensitive habitat areas (ESHA) where mapped (on the Opportunities and Constraints Map: Biological Resources and Trails) or within or adjacent to other unmapped ESHAs that meet the ESHA criteria contained in LUP Chapter X Section 2.4 without first obtaining appropriate permits. New development includes, but is not limited to, vegetation removal, grading, filling, soils or refuse dumping, and the alteration of creek banks.

New development adjacent to ESHA shall provide native vegetation buffer areas to serve as transitional habitat and provide distance and physical barriers to human intrusion. The ESHA Buffer Zone is defined in the Glossary and Appendix A of the Zoning Ordinance. The purpose of this buffer area is to provide for a sufficient area to protect environmentally sensitive habitats from significant degradation resulting from future development. Vegetation removal, vegetation thinning, or planting of non-native or invasive vegetation may not be permitted within buffers. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the ESHA they are designed to protect. The buffer area shall be a minimum of 100 feet and shall be larger if necessary to protect the resources of the particular habitat area from possible significant degradation caused by the proposed development. No buffer may be less than 100 feet unless it can be demonstrated, based on the criteria below and after City consultation with the California Department of Fish and Game, that 100 feet is not necessary to protect the resources of the particular habitat area from possible significant degradation caused by the proposed development. No buffer area may be less than 50 feet in width. Standards for determining an appropriate width of the buffer area are set forth in Zoning Ordinance Section 5.22.

New subdivisions or boundary line adjustments shall not be allowed which will create or provide for new parcels entirely within a buffer area.

Only resource dependent uses such as public nature trails shall be allowed within ESHA or in the ESHA buffer zone including public access trail crossings provided that (1) the length of the trail within the riparian corridor shall be minimized, (2) the trail crosses the stream at right angles to the maximum extent feasible, (3) the trail is kept as far up slope from the stream as possible, (4) trail development involves a minimum of slope disturbance and vegetation clearing, and (5) the trail is the minimum width necessary.

Pre-existing buildings and non-conforming uses within riparian buffer zones may continue as legally non-conforming, but no additions that encroach closer to the stream or creek within said buffer zone shall be permitted, with the following exception contingent upon required findings set forth in Zoning Ordinance Section 5.22:

- a. Accessory structures located at the City's waste water reclamation facility situated entirely within the developed fenced area subject to a coastal development permit consistent with all other applicable provisions of the certified LCP.

5. Sensitive habitat areas shall be preserved.
6. No development and no activity on any property, including site preparation work, earth moving and grading, shall be allowed to discharge harmful pollutants or untreated runoff into the waters at the Cove, or into any creek, or into the air.
7. Comprehensive assessments of risks posed to the general public shall be required for any development proposal as part of CEQA-required environmental assessments, which assessments shall include but not be limited to analyses of noise sources, potential sources of pollutants, and potential risks associated with soils and seismic conditions.
8. All developments in hazardous areas, and on severely constrained or unstable soils, shall be qualified as to the suitability of the site for the proposed development, pursuant to appropriate geological and soils engineering studies prior to approval to grade or develop any property public or private, and findings regarding the results of geologic and related investigations shall be made as per provisions of Section 6.08 of the Zoning Ordinance prior to the issuance of any permit.
9. All required qualifying investigations for grading, site preparation and development in hazardous and constrained areas shall be conducted by a licensed engineering geologist or registered civil engineer with expertise in soils or foundation engineering, mitigation measures identified in these studies shall be required as a condition of all land preparation and development approvals, as per Sections 5.15, 5.20, and 5.21 of the Zoning Ordinance.
10. The City shall prohibit diking, dredging and filling operations which may negatively impact streams, water and marine resources, and sensitive habitats, and all diking, dredging, and filling operations shall conform to all applicable provisions of the LCP. Necessary permits from the California department of Fish and Game and from the Water Resources Control Board shall be required on all such projects before any city permits are issued. Any alteration of wetlands,

including diking, filling and dredging, shall meet all provisions and mitigation requirements of State planning laws, the California Coastal Act, the U.S. Army Corps of Engineers regulations, federal and state statutes governing wetlands and the protection of endangered species, and all other applicable provisions of the LCP.

11. Continuing agricultural uses of lands which have the soils, acreage and water capability to sustain such operations are encouraged but not required. The maximum amount of prime agricultural land (see glossary for definition) shall be maintained in agricultural production; conflicts shall be minimized between agricultural and urban uses; and lands suitable for agricultural use shall not be converted to non-agricultural uses unless continued or renewed agricultural use is not feasible. All actions undertaken by the City governing use and conversion of agricultural lands shall be governed by Sections 30241, 30241.5, 30242, and 30243 of the California Coastal Act.

12. Individual mobile homes qualify as permissible single-family dwellings, and are permitted by right in all residential zones except in the Multi-Family Residential (MR) Zone. Mobile home parks or projects (two or more mobile homes on one parcel of land) may be permitted in the Highway Commercial (HWC) zone only, and are subject to securing a use permit and to the City's mobile home regulations (Zoning Ordinance Section 5.30) and to coastal development permit requirements and all applicable policies of the LCP, including, but not limited to visual resource protection policies and water quality policies.

13. New physical development shall be contained within the boundaries of the City limits of Point Arena. The city shall work with the County of Mendocino to promote continuing agricultural uses in county territory, and to prevent the intrusion of urban uses and rural residential developments into surrounding agricultural lands, except in accordance with presently-allowable policies in the County General Plan and Zoning Code.

14. Public views, viewsheds, view corridors, buildings of architectural and historical merit, existing topographic features, and existing important clusters of trees, shall be preserved and maintained.

15. Lot splits or minor subdivisions (the subdivision of lots into four or less parcels) shall be subject to city coastal development permit approval and to the provisions of the city's Subdivision Ordinance, the State's Subdivision Map Act, and the California Coastal Act.

16. Common Open Spaces are to be provided for in new residential developments in accordance with policies set forth in the Land Use and in the Open Space and Conservation elements of this General Plan, and in the Zoning Ordinance.

17. Approval of new subdivisions and other developments shall be consistent with the policies and standards of the LCP in addition to the provisions of the California Subdivision Map Act and city requirements for the dedication of land for streets, trails and pathways, parks and other public improvements, and shall be subject to the improvement and design standards of the City's subdivision and other development regulations.

18. An Architectural and Historic Preservation Element, an inventory of which has been prepared for the City by the State of California, shall be prepared and adopted as soon as possible. In the interim the Planning Commission or the Design Assistance Committee shall be responsible for implementing the requirements governing such assets in accordance with the provisions of Sections 5.15 and 5.16 of the Zoning Ordinance.
19. Bed and breakfast inns are conditionally permitted uses in all residential areas/zones.
20. Site and building designs shall comply with the requirements of the LCP, including but not limited to Zoning Ordinance provisions governing signs, landscaping and screening, site preparation and development, and building design, and visual resource protection policies of Chapter X and Chapter VI of the General Plan/LUP, and shall be subject to review and approval by the Design Assistance Committee, as provided in the Zoning Ordinance.
21. A second dwelling unit ordinance shall be prepared and enacted into law in accordance with State planning law. Second dwelling units may be allowed by use permit on legally-conforming residential properties, where there is an existing single-family home, but only in accordance with State planning law and all applicable provisions of the LCP.
22. No signs shall be erected unless in compliance with all applicable provisions of the LUP, including, but not limited to, the signing regulations of the Zoning Ordinance and coastal development permit requirements.
23. Home occupations shall be principally permitted uses in residential districts subject to securing a "Home Occupation Permit" and a city business license, and subject to meeting the performance standards for home occupations found in the Zoning Ordinance.
24. (NO SECTION)
25. A system of coastal trails shall be ensured and coastal bluffs shall be protected by setbacks that meet the criteria established by Sections 5.20 and 5.21 of the Zoning Ordinance.
26. Visual corridors of the waterfront shall be protected and enhanced.
27. Public access points to the coast and (linear) foot paths shall be incorporated into development plans.
28. The scenic resources and attributes of lands adjacent to the waterfront shall be considered and protected as resources of public importance.
29. Permitted development shall be sighted and designed to protect scenic views associated with Public Trust lands and resources.
30. In addition to the Chapter 3 policies of the Coastal Act, the following Public Trust resource

management policies of the State of California shall be adhered to:

- a. Fishing: Facilities serving recreational fishing shall be identified and shall be protected and where feasible upgraded.
- b. Scenic Resources: The scenic resources of public trust lands and resources shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect scenic views associated with public trust lands and resources.
- c. Recreation: Areas suited for water-oriented recreational activities, that cannot readily be provided on other lands, shall be protected for such uses unless such uses would interfere with an existing public trust use that has not or does not adversely affect the resource or result in negative impacts to public trust uses or values.

The use of private lands, adjacent or integral to uses on public trust lands, suitable for recreational facilities designed to enhance public water-oriented recreation, shall have priority over private residential, general industrial or commercial development, but not over other appropriate public trust uses.

- d. Marinas and Recreational Boating: Allow new recreational, commercial and marina developments only to the extent that, based upon a carrying capacity study, no significant negative impacts to public trust values, human, ecological or water quality, will result.
- e. Public Access Provisions: Require public access to and along the shoreline in all new developments adjacent to such waterfronts consistent with statutory and constitutional requirements (Government Code Section 66478.1, et seq; Article X, Section 4 of the California Constitution; and Sections 6210.4 and 6210.5 of the Public Resources Code). Requirements for Public Access shall comply with Section 5.10 of the Zoning Ordinance.

31. Adopt a Zoning Ordinance measure that requires development proposals to be planned in a manner to avoid removing trees, if feasible. At least two trees shall be planted for every one removed to accommodate development facilitated by the General Plan. The planting of trees shall be performed in a manner that protects public views to and along the ocean and scenic coastal areas, consistent with the visual resources policies of the LCP. Visually attractive native trees species, such as bishop pine and sargent cypress, shall be the preferred species used, as they require less water, herbicides, pesticides, and are valuable wildlife resources.

32. In order to protect the natural setting of the hillsides that surround the city, the City shall adopt a Zoning Ordinance measure that requires hillside or ridgeline development proposals to be scrutinized with "view from the valley floor" considerations. Proposed development on the crest of bluffs or canyons shall be specifically analyzed in relation to views from the low-lying areas of the city, important view corridors, and scenic gateways. Development shall not silhouette against the ridgeline without adequate visual buffers, and development on lower slopes shall be visually screened by existing or landscaped vegetation to minimize visual impact. These measures may become review standards for the design review process.

33. New development shall (a) be sited and designed to protect views to and along the ocean and scenic coastal areas (b) minimize the alteration of natural land forms, and (c) be visually compatible with the character of surrounding areas.

34. New construction shall provide water conservation measures, and water conservation shall be encouraged for all new development. Water conservation measures shall include low flow water faucets, showerheads, and toilets for all new construction.

35. New developments shall be encouraged to use native plant species that are more drought resistant for landscaping. New commercial development shall be required to use native species for all landscaping.

36. (a) The Opportunities and Constraints Map: Biological Resources and Trails depicting sensitive habitats of the General Plan area shall be updated to include all the riparian habitat in the area as well as associated north-facing slopes with coastal scrub vegetation. North facing slopes of the habitat of the Point Arena Mountain Beaver. Riparian habitat along the entire length of Point Arena Creek within the city boundary shall be designated on the updated map, as well as the north-facing slopes south of the creek in the southeastern portion of the annexation area. A buffer zone for the Point Arena mountain beaver shall be designated in coordination with CDFG and the USFWS. Other riparian zones not represented on existing maps include two tributaries of Hathaway Creek: one in the north-central portion of the city and one in the northeastern corner of the annexation area. Riparian vegetation also exists along ephemeral drainage in the city that drain north to south into Point Arena Creek and shall also be mapped.

(b) All updates to this map or future maps shall be submitted to the California Coastal Commission for certification. All habitat maps shall include a note that states that “the maps may be updated as appropriate and may not include all areas that constitute ESHA.”

37. Suburban development on SR-1 lots proposed for the northeastern portion of the annexation area shall be clustered in flatter, grassy areas or clustered in planned residential developments to reduce grading and cutting on slopes. Consideration shall be given to allowing planned development design based on the natural landform. The yield of the total land area would be one unit to the acre but the forested steep slopes and the riparian canyon bottom would be maintained in a natural state. In this fashion, the same number of residences could be built in the area while avoiding impacts of vegetation removal, wildlife habitat reduction, and potential impacts to sensitive species.

38. North-facing slopes south of Point Arena Creek in the annexation area is confirmed Point Arena Mountain Beaver habitat that shall be set aside for protection of the small populations of this sensitive species. Development proposed in this area, zoned for residential agriculture (two-acre lots), shall be reviewed vigorously to ensure conformance with policies of the General Plan and preservation of the populations of Point Arena mountain beaver that inhabit the area.

39. Those portions of the annexation area in a natural, undisturbed state shall be subject to more detailed biologic field studies prior to the approval of any development application.

40. The City of Point Arena shall avoid developing any road crossings of Arena Creek.

41. To mitigate exterior sound levels, due to transportation or other sources, for new residential or other new projects, consideration shall be given to an increased setback distance; use of property line, patio, and deck barriers; orientation of buildings to achieve a sound shielding benefit at outdoor use areas.

42. To mitigate interior sound levels, due to transportation or other sources, for new residential or other new projects, consideration shall be given to an increased setback distance and use of barriers, insulation measures applied to the building skins, including appropriate designs for windows, walls, doors, roof/ceiling assemblies, weather seals, and other components. Vegetative barriers do not generally provide substantial reductions in noise levels.

43. The City will consider the following measures which can be used to mitigate the sound impacts created at residential or other sensitive receptors as a result of equipment operations or other activities at industrial and commercial facilities:

a. Use buffer zones of open space or "intermediate" type uses. It is desirable, where feasible, to allow at least 200 feet between noisy industrial or commercial sites and residential or other sensitive land uses. Noisy buildings or other noisy facilities shall be well set back from the property line.

b. The City shall require noise studies for potentially noisy facilities which are to be located near sensitive land uses. Industrial and commercial uses likely to create adverse noise impacts include fuel distribution centers served by rail or truck, truck terminals, new or expansion of gravel Batch plants and concrete manufacturing plants, construction activities if hammering is involved and is done outdoors, and animal kennels. Commercial facilities likely to create adverse noise impacts include automobile repair shops, body shops, and heavy equipment rental shops; car washes; drive-in restaurants; and supermarkets and other facilities with rooftop equipment and truck deliveries.

c. The public shall be notified of the proposed placing of noisy industrial or commercial facilities in proximity to sensitive uses and vice versa.

d. Noise studies shall be required for any new industrial use that will generate more than five truck trips per daytime hour, any heavy truck traffic during nighttime hours, or more than 25 trucks in 24 hours. A Noise Ordinance including both quantitative limits and nuisance provisions shall be enacted.

e. All truck loading bays shall be located such that they do not open to the direction where sensitive receptors are located.

f. As far as feasible, truck and loading dock operations near residential receptors shall be limited to the daylight hours.

g. Buffer zones setbacks and/or sound attenuation devices such as landscaped berms shall be interposed between residential and commercial uses and between residential and industrial uses, especially those that are likely to be noisy, as described above.

h. Rooftop and other mechanical equipment shall be shielded, enclosed, silenced, or setback an appropriate distance from the property line. The shielding could be accomplished by either appropriate siting of buildings or appropriate fences or walls.

i. Large exterior pipes or ducts in some cases may need to be shielded, enclosed, or lagged.

j. In some cases, insulation measures may be needed for industrial buildings.

44. Proposals for uses associated with industrial and commercial development should include appropriate designs for walls, roof/ ceilings, doors, windows, vent silencers, interior absorption, and other components. Doors and windows shall be provided with effective weather seals.

a. Trucks idling times shall be limited where feasible. Where personal radios are used, the volume shall be controlled as far as feasible.

b. Where paging systems are required, they shall be designed to minimize "spillover" sound to sensitive receptor properties.

45. The City should require that all future development pay appropriate impact fees to finance the installation of adequate storm drainage infrastructure.

46. The City shall work with local school district officials to determine future school facility needs. Appropriate sites for new facilities shall be closely coordinated between city and school district officials.

47. The City should encourage, where feasible and appropriate, the incorporation of school impact fees as part of the development fee assessment.

48. The City shall encourage the direct negotiation between developers and school officials to determine appropriate mitigation measures to offset the impacts of new development.

49. Stable boundaries shall be established separating urban and rural areas, including, where necessary, clearly defined buffer areas utilized to minimize conflicts between agricultural and urban land uses.

8. LAND-USE CATEGORIES AND DESCRIPTIONS

Following are the land-use categories on the "Land-Use and Development Map", together with a listing of preferred and permitted, or conditionally permitted, uses. These land-use categories and descriptions shall serve as the basis for the amended Zoning Map and Zoning Ordinance. Detailed site planning and development standards shall be set forth in the Zoning Ordinance. Moreover, special standards shall apply when the Planned Residential Development (PRD) or the Planned Commercial Development (PCD) procedures are invoked. (See "Project Review and Permitting" at the end of this section, below).

Also see the description of the overall land-use and development review procedures which attach to all proposed land-uses and developments.

When determining allowable residential densities for any property, the total acreage of the parcel under consideration shall be the basis for all calculations.

In addition to the references to water and sewer service connections that are included below under each land-use (zoning) category, reference must be made in each instance to the City's current policies and ordinances regulating water service connections, waste water disposal, and sewer system hookups.

City of Point Arena 1980 & 2006 Land Use Classification – Acreage Comparison”

City of Point Arena 1980 & 2006 Land Use Classification - Acreage Comparison

1980 Classification	1980 Acreage	% of total	2006 Classification	2006 Acreage	% of total
Agriculture Exclusive (AE)	395.3	45.3%	Agriculture Exclusive (AE)	394.0	45.1%
Commercial Core (C1)	3.6	0.4%	Commercial (C)	13.3	1.5%
Community Commercial (C2)	33.2	3.8%			
			Highway Commercial (HWC)	23.9	2.7%
Harbor Commercial (HC)	17.3	2.0%	Harbor Commercial (HC)	17.2	2.0%
Industrial (I)	29.5	3.4%	Industrial (I)	29.5	3.4%
Multifamily Residential (MFR)	15.3	1.8%	Multifamily Residential (MR)	21.2	2.4%
			Park (P)	5.7	0.7%
Public Facility (PF)	45.0	5.2%	Public Facility (PF)	51.2	5.9%
Residential Agriculture (RA)	105.3	12.1%	Residential Agriculture (RA-2)	100.2	11.5%
Planned Development (PD)	83.9	9.6%	Suburban Residential (SR - 1)	74.7	8.6%
Suburban Residential (SR-1/2)	59.3	6.8%	Suburban Residential (SR-1/2)	51.4	5.9%
Urban Residential (UR)	54.9	6.3%	Urban Residential (UR)	60.3	6.9%
Right of Way (RW)	30.1	3.5%	Right of Way (RW)	30.1	3.5%
Totals	872.7	100.0%		872.7	100%

8.1. AGRICULTURAL AND SUBURBAN AREAS AND USES

The following land-use and zoning classifications accommodate low-density residential activities and agriculture, and contribute to maintaining Point Arena's rural and small-town character and small-scale agricultural activities.

(A) Agriculture Exclusive--(AE)

Applies to properties which are to be reserved primarily for agricultural uses and associated structures, including the following uses by right:

Permissible uses by right

Single-family residence, if incidental to the agricultural use of the land and for the residence of the farmer or for employees engaged in the agricultural use of the land; farming, dairying and grazing; agriculturally-associated and necessary auxiliary buildings; keeping of animals; barns and greenhouses; one home occupation; stable; roadside stands

Maximum residential density by right: one dwelling unit on each twenty-acre parcel.

Minimum lot size: 20 acres.

By use permit

one second dwelling unit not to exceed 1200 square feet of floor area for the owner's family, a farm working lessee or employees, which may be a mobile home or manufactured home; subject to the Second Unit Ordinance and State Law and only where there is an existing single-family home ; roadside stands used for the sale of agricultural products, provided the structures are temporary.

Septic system and wells are acceptable.

Properties in this land-use category are intended to be maintained in agricultural production in order to assure the area's agricultural economy and agricultural usage on a continuing basis. Conversion of agricultural lands to non-agricultural uses and removal of lands from the AE Zone shall be predicated on a conversion analysis and findings in accordance with California Coastal Act provisions 30241, 30241.5, 30242, and 30243 and LUP Chapter X Section 2.5..

(B) Residential Agriculture-Two Acres--(RA 2)

Applies to properties suitable for limited agriculture and very low-density residential purposes on large lots. This land use designation also allows for buffer areas between exclusive agriculture areas and higher density residential areas. It includes the following permissible uses by right:

Permissible uses by right

Dairying, farming, grazing, keeping of animals, barns, greenhouses, auxiliary buildings associated with and essential to agricultural uses; one dwelling unit, which may be a mobile home or a manufactured home; one home occupation.

Maximum residential density by right: one dwelling unit for each two-acre parcel.

Minimum lot size: two acres.

By use permit

bed and breakfast inns; animal hospital and kennel; commercial stable; one second dwelling unit or one live-work space or one “granny” unit, not to exceed 1200 square feet subject to the City’s Second Dwelling Unit Ordinance and State Law and only where there is an existing single-family home; residential care facility

Septic system and wells are acceptable.

(C) Suburban Residential-One Acre--(SR 1)

Applies to properties suitable for low-density residential development.

Permissible uses by right:

one dwelling unit, which may include a mobile or manufactured home; tot lot; one home occupation; truck gardening, small-scale farming and grazing; structures associated with truck gardening, small-scale farming and grazing including outbuildings and sheds not exceeding 1,000 square feet.

Maximum residential density by right: one dwelling unit for each one-acre parcel.

Minimum lot size: one acre, except for a Planned Residential Development (PRD) project, in which case lot and building site sizes may vary and be less provided the overall resulting density does not exceed the allowable density.

By use permit:

Bed and breakfast inns; live-work spaces/studios in-lieu of the one permissible single-family house; churches; schools; libraries; day care centers; one "granny" unit or one second dwelling unit subject to the City's Second Dwelling Unit Ordinance and State Law and only where there is an existing single-family home; shared living facility; rooming and boarding; residential care facility

Development proposals on lots (initial planning areas) of ten (10) acres or more or any 2 or more abutting parcels of less than 10 acres in the same ownership or under the same control which total 10 acres or more shall be processed as Planned Residential Developments (PRD).

Septic system and/or wells may be acceptable in lieu of connection to the city sewer system and to the water system only if in compliance with City ordinance(s) and Mendocino County Environmental Health regulations in effect at time of permit application.

(D) Suburban Residential-One-Half Acre--(SR 1/2)

Applies to properties suitable for low-density residential use.

Permissible and Conditional Uses

Same as SR 1 except that maximum residential density is one dwelling unit for each half-acre (two dwelling units per acre), and minimum lot size is one-half acre except when a Planned Residential Development (PRD) project.

Development proposals on lots (initial planning areas) of ten (10) acres or more shall be processed as a Planned Residential Development (PRD).

Septic systems and/or wells may be acceptable in lieu of connections to the municipal sewer and water systems on parcels greater than one acre in size, and only if in compliance with City ordinances and Mendocino County Environmental Health regulations in effect at the time of permit application. Parcels less than one acre must connect to the municipal sewer system.

8.2. URBAN AREAS AND USES

The central portion of the city is appropriate for relatively dense urban uses. Included is the Downtown area and the surrounding areas of limited multiple-family units and single-family homes. While the single-family areas are largely built up there is a substantial area within the annexed area east of Main Street which is designated for new dwelling units, and large areas of land within and abutting Downtown that are suitable for multiple-family developments.

Point Arena's destiny is likely to include infilling that can take place on available parcels within the Downtown and within the areas surrounding Downtown, areas that have not yet realized their full potential. This 2001 General Plan provides for development opportunities that have not existed heretofore. They consist of allowing and fostering mixed commercial and residential uses, increasing the land area available for multiple-family housing, and opening up opportunities for expanding retail and commercial service uses within the Downtown and along Highway 1 at the north and south ends of the city.

Within areas designated commercial the predominant uses are to be retail commercial, personal and professional service uses, and tourist-oriented activities. Also permitted are a mixing in with commercial uses of live-work and studio spaces, limited residential units, and offices.

It is an objective of this plan that the Downtown area be served with one or more off-street parking lots in order to meet current demand as well as future demand. New developments within the (C) Core Commercial area shall be required to provide off-street parking, or to contribute funds in lieu thereof, in order that the City may acquire and improve off-street parking lots within and to serve the Downtown area. All required off-street parking in other zones shall be provided on site.

(A) Urban Residential--(UR)

Suitable for single-family residential uses, including manufactured homes, individual mobile homes, and co-housing projects, in protected residential settings where both city-approved water

and sewer services are provided or will be provided.

Permissible uses by right

single-family residential units, including a manufactured home or mobile home; co-housing projects; one home occupation.

Maximum residential density by right: one dwelling unit per 8,625 square foot parcel (5.05 DU per acre).

Minimum lot size: 8,625 square feet.

By use permit:

live-work spaces and studios in lieu of a permissible single-family dwelling; churches; schools; libraries; day care facilities; bed and breakfast inns; rooming and boarding; one granny unit or a second dwelling unit where there is an existing single-family home, subject to the City's second unit ordinance and State Law; residential care facility.

Development proposals on lots (initial planning areas) of ten (10) acres or more or any 2 or more abutting parcels of less than 10 acres in the same ownership or under the same control which total 10 acres or more shall be processed as Planned Residential Development (PRD) projects.

Connections to municipal water and sewer systems shall be required. Appropriate and adequate water and sewer services as well as adequate roadway capacity must be demonstrated prior to approval of development in these areas.

(B) Multi-Family Residential--(MR)

Reserved and suitable for multi-family medium-density apartment developments, or mixed residential building types, including offices under certain circumstances, with city-approved water and sewer services and a high-level of residential design and amenities in residential settings.

Permissible uses by right:

All types of living units and residential building types, including shared living and co-housing facilities, and live-work spaces, except mobile homes parks and mobile homes, in any mix, provided the maximum residential density limits are not exceeded; tot lots and mini parks; home occupations.

Maximum residential density: One dwelling unit for each 5800 square feet of lot area (7.5 dwelling units per acre) which may include live-work spaces or any mix of single-family dwellings, multiple dwellings, town houses, duplexes or apartments, including manufactured housing.

Minimum lot size: 5800 square feet.

By use permit:

churches; schools; libraries; day care centers; inns, bed and breakfast inns and boarding houses; professional offices provided they do not exceed 50% of a project's total building floor area, subject to design standards that ensure a predominantly residential character throughout the development; nursing homes, hospices and convalescent hospitals.

Open Space Requirement:

Fifteen percent of each lot shall be reserved for use as Multi-Family Useable Open Space, in addition to required yards, and private decks and patios associated with a living unit, and in addition to required off-street parking, and in addition to any open space that may be set aside and not useable due to hazardous conditions or excessive slope.

Connections to municipal water and sewer systems shall be required. Appropriate and adequate water and sewer services as well as adequate roadway capacity must be demonstrated prior to approval of development in these areas.

8.3. COMMERCIAL AREAS AND USES

(A) Core Commercial--(C)

Applies to urban core types of retail and consumer/professional service uses that are appropriate for the maintenance of the city's Downtown purposes and character and which will further the objective of strengthening Downtown as a viable commercial, business and cultural center. To achieve these objectives Downtown uses may also include a limited number of dwelling units, and shall include adequate off-street parking, including improved commercial or public parking lot with easy access from Main Street. It shall also be a public objective to maintain the unique and historic small-town character of the Downtown by maintaining and preserving the architecture, scale, building heights, and building designs of the area and by ensuring that new designs and renovations conform with an architectural style appropriate for Downtown and to respect the area's historic building resources and designs.

Permissible uses by right:

general retail goods and services; offices; existing dwellings and dwelling units; public and quasi-public uses, services and facilities: restaurants; delis and food stores; visitor-serving facilities and services including but not limited to hotels, motels, hostels and inns; bed and breakfast inns; medical and dental offices and clinics; other small businesses if entirely enclosed; public or quasi-public library; churches; public offices and facilities; tot lots and mini parks; dance studios and fitness centers; art galleries; farmers' markets; flea markets

Commercial activities by use permit:

commercial and public parking facilities; restaurants with bars; second hand stores; brew pubs; small-scale vehicle repair and services; emergency shelter and transitional housing; commercial recreation and social halls; the outdoor display and sale of locally-produced or created arts and crafts; nursing homes and hospices.

Dwelling units by use permit:

Dwelling units of any type and mixture, including live-work spaces, but excluding mobile home parks and mobile homes, provided that (1) the full amount of required off-street parking for each use or activity is provided on site or fees in lieu thereof are paid in accordance with the City's Zoning Ordinance and schedule of fees in effect on the date of the use permit; (2) all yard, landscaping and screening requirements as set forth in the Zoning Ordinance are adhered to. The Planning Commission may require that a Comprehensive Development Plan be submitted for review and approval before any development consisting of multiple uses including live/work spaces begins.

The Planning Commission may deny applications for new dwelling units within the Core area if a finding is made that such units will not advance the principal purposes of the Downtown or are sited or designed in a fashion that is incompatible with the City's architectural design or historic preservation standards. The Planning Commission shall deny applications for new dwelling units within the Core area for any inconsistency with the provisions of the LCP, including, but not limited to a lack of appropriate and adequate water and sewage disposal services or traffic capacity to support the proposed development, or that the proposed development would displace present or future priority uses, inconsistent with Coastal Act Sections 30222, 30223, and 30255.

Connections to municipal water and sewer systems shall be required. Appropriate and adequate water and sewer services as well as adequate roadway capacity must be demonstrated prior to approval of development in these areas.

(B) Highway Commercial--(HWC)

Applies to areas requiring maximum exposure along Highway 1 on larger lots, with ease of access and all parking provided on site.

Minimum lot size and frontage: 10,000 square feet and 100 feet.

Permissible uses by right:

All uses permitted by right in the C Commercial Core district plus small truck, vehicle, and boat sales; physical fitness facility; emergency shelters and transitional housing

By Use Permit:

Very light goods production and assembly, and very light industrial uses, provided production, assembly, repair work and storage are enclosed and screened and are found not to negatively impact adjoining or nearby properties or become an eyesore to those traveling on Highway 1, nor impact negatively on adjoining commercial or residential properties, nor create any noticeable noise; vehicle storage and repair garages; mortuaries; nursing homes and convalescent hospitals; brew pubs; business parks; used vehicle sales; automobile and other vehicle services; hardware and lumber sales; social halls and commercial recreation, including bowling alleys; warehouses provided goods are largely stored within buildings and where stored outside are screened and landscaped; animal-care hospitals and clinics; short-term RV parks (RV timeshares are not

permissible); comprehensively- planned mobile home parks and associated facilities; the production and sale of locally- manufactured or -created goods or crafts for sale to the passing public; farmers' markets.

Also by use permit, in accordance with a Comprehensive Development Plan:

Multi-family dwellings of any type or mixture, including a mobile home park, provided that (1) said units occupy no more than 25% of the land area of any lot and the units are situated on the rear 40% of said parcel; (2) all required off-street parking is provided on site; (3) all yard, landscaping and screening requirements set forth in the Zoning Ordinance are adhered to; (4) for each residential project at least 15% of the residential project area is reserved for and improved as "multiple-family useable open space"; (5) the project density is no greater than 15 dwelling units per acre, which requires that for each dwelling unit there must be at least 2900 square feet of residential land area; and (6) a Comprehensive Development Plan" for the entire parcel is submitted for review and approval before any development begins.

Connections to municipal water and sewer systems shall be required.

Appropriate and adequate water and sewer systems as well as adequate roadway capacity shall be demonstrated prior to approval of the permit.

The Planning Commission shall deny applications for new dwelling units within the Highway Commercial area for any inconsistency with the provisions of the LCP, including, but not limited to a lack of appropriate and adequate water and sewage disposal services or traffic capacity to support the proposed development, or that the proposed development would displace present or future priority uses, inconsistent with Coastal Act Sections 30222, 30223, and 30255.

8.4. SPECIAL AREAS

(A) Harbor Commercial--(HC)

This area comprises Arena Cove and is suitable and is to be reserved for commercial activities in conjunction with commercial and recreational fishing and other coastal-dependent activities, including visitor-serving uses. It is also an area of exceptional environmental and ecological significance due to the joining of Arena Creek, the wetlands, the Ocean, the coastal bluffs, and the beach. It is also an area of significant economic and fiscal benefit to the city, and of historical and communitywide significance.

Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided in the California Coastal Act, coastal developments shall not be sited in the wetland areas of Arena Cove. Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced and shall be protected unless written findings are made that present and foreseeable future demand for the facilities that could be accommodated on the property is already adequately provided for in the area. Proposed recreational boating facilities shall, where feasible, be designed and located in

such a fashion as not to interfere with the needs of the commercial fishing industry (Sec. 30234 California Coastal Act).

Permissible and Preferred Uses by right:

Boat launching and public facilities related to coastal dependent activities; boat building and repair; retail sales or rentals of fishing supplies, scuba supplies and surf-related sports supplies; purchasing, selling, and processing of fish and shellfish; coastal-dependent aquaculture facilities; visitor-serving uses already at the cove (24-room inn with mgr's. residence; 10-room bed and breakfast inn with mgr's. residence; two-story commercial building containing restaurants and gift shops).

Uses Subject to Securing a Use Permit or Comprehensive Development Plan approval:

Other visitor-serving uses: bed and breakfast inns; restaurants; restaurants with bar; cafes; hotels, motels and inns; campground; campground with short-term R/V use; short-term R/V park for seasonal uses (not to exceed a total of 44 RV spaces overall), with R/V timeshares being impermissible; housing units in each case for the owner or manager; art galleries; non-coastal-dependent aquaculture activities; gift and antique shops; City-managed public facilities; expansion of existing visitor-serving uses.

Land Use and Development Guidelines:

Uses are to be located and designed so as not to inhibit access to the ocean and riparian areas. Uses may include roads, trails, parks, and parking facilities. A bike path shall be established on Iversen and Port Road to ensure the safety of pedestrians and bicyclists, provided it is consistent with the wetland and ESHA policies of the LCP and Section 30233 of the Coastal Act. A small public park/picnic area near the creek, and a dedicated trail along the creek, shall be provided. The safety of pedestrians and bicyclists is to be ensured.

Uses shall be sited to ensure that they neither interfere with existing coastal-dependent uses nor preclude potential coastal-dependent uses in the Cove area. Generally, development in the flats near Arena Cove shall not preclude coastal-dependent uses.

All federal, state and LCP regulations pertaining to wetlands and endangered species (if any) shall be adhered to and permits gained prior to any earth moving or site preparation or development.

Property owners and/or applicants shall prepare and the City shall review for consistency with all applicable provisions of the LCP, and shall approve Comprehensive Development Plans for each parcel or all parcels in one ownership, before a coastal development permit for any new development is approved.

In the near future a Specific Plan shall be prepared by the City and shall serve as the City's policy statement and basis for public programs and the review of private development plans. The above guidelines shall be incorporated into the Specific Plan, and the Plan, upon adoption, shall govern all private and public actions within the HC area. The Specific Plan shall be submitted to the Coastal Commission for certification as an amendment to the LCP.

Connection to municipal water and sewer systems shall be required and the availability of adequate municipal water and sewer systems as well as adequate roadway capacity shall be demonstrated prior to approval of the permit.

(B) Industrial--(I)

This land use exists in order to accommodate non-nuisance industrial activities that are not suitable by virtue of their performance for location in commercial districts or proximate to living and tourist areas, and can be expected to contribute to Point Arena's economic development and tax revenues. All uses shall be by conditional use permit.

By use permit:

Because environmental quality concerns must be accommodated this plan provides that all uses are subject to obtaining a Conditional Use Permit, and that findings shall be required in each instance, in addition to the other required findings in Section 6.08 of the Zoning Ordinance, that the proposed development will not create any significant negative environmental impacts which can not be mitigated within the industrial area and upon surrounding areas, such as noxious or offensive emissions including noise, glare, dust, dirt, chemical pollutants; and that all manufacturing, repairing, and fabricating shall be enclosed in buildings; and that all equipment and materials storage areas shall be screened, except from other industrial use areas, by sight-obscuring fences, berms, or plant materials to a height of not less than six (6) feet.

Retail, professional service, and office uses should be excluded unless directly associated with an industrial activity.

Septic system and/or wells may be acceptable in lieu of connection to the city sewer system and to the water system only if in compliance with City ordinance(s) and Mendocino County Environmental Health regulations in effect at time of permit application, and the adequacy and availability of water supply and sewage disposal to serve the proposed use shall be substantiated prior to approval of the permit.

(C) Public Facility--(PF)

This designation accommodates such uses as schools, public utilities, public facilities, publicly-owned libraries and publicly-owned parking lots and facilities, public utility service and storage yards, sewer facilities, community centers, and similar uses. All proposed uses and developments shall be subject to securing a use permit.

(D) Park--(P)

All publicly-owned parks, recreation areas, and trails, except tot lots.

(E) Open Space--(OS)

Lands owned by and dedicated to a public agency, quasi-public agency, or by deed and in perpetuity to a home owners' association or equivalent, or otherwise permanently set aside by an owner and his/her assigns for open space, may be designated OS, in which case usage may be strictly limited. (Dedications or other guarantees may be the subject of Development Agreements and may not necessarily be depicted on the city's Zoning Map.)

8.5. SPECIAL NOTE

Assessor's parcels # 027-081-18 and # 027-101-23 total approximately 16.30 acres. A maximum total of three (3) dwelling units may be permitted within this total acreage, subject to the execution of a mutually-binding Development Agreement (as defined in this General Plan and in California Planning Law) by the City and the property owner, and subject to the provisions of the Planned Residential Development Procedure and to the fifty percent open space requirement and shall require the execution and recording of the Development Agreement. The development of residential units and other developments shall require a coastal development permit and only development consistent with the Certified LCP may be approved.

TABLE 2 Exhibit 20/Pt Arena 2006 LCP Amendment Residential Buildout Calculations

City of Point Arena 1980 Residential Buildout Calculations

1980 Classification	1980 Acreage	% of Total	Dwelling units/acre		Acreage Basis			Residential Unit Calculation			
			Principal	Conditional	Principal 100%	Principal 80%	Conditional	Principal 100%	Principal 80%	Cond. 100%	Cond. 80%
Agriculture Exclusive (AE)	398.9	45.7%	0.05	0.05	398.9	319.1	0.0	19	15	19	15
Commercial Core (C1)	3.6	0.4%	0.00	5.81	0.0	0.0	3.6	0	0	21	17
Community Commercial (C2)	33.2	3.8%	0.00	5.81	0.0	0.0	33.2	0	0	192	154
Harbor Commercial (HC)	13.7	1.6%	0.00	0.00	0.0	0.0	0.0	0	0	0	0
Industrial (I)	29.5	3.4%	0.00	0.00	0.0	0.0	0.0	0	0	0	0
Multifamily Residential (MR)	13.3	1.5%	15.02	0.00	13.3	10.7	0.0	200	160	0	0
Public Facility (PF)	45.0	5.2%	0.00	0.00	0.0	0.0	0.0	0	0	0	0
Residential Agriculture (RA)	105.3	12.1%	0.50	0.00	105.3	84.3	0.0	52	42	0	0
Planned Development (PD)	83.9	9.6%	0.00	1.00	0.0	0.0	83.9	0	0	83	66
Suburban Residential (SR-1/2)	59.3	6.8%	2.00	0.00	59.3	47.4	0.0	118	94	0	0
Urban Residential (UR)	56.8	6.5%	15.02	0.00	56.8	45.5	56.8	853	682	0	0
Right of Way (RW)	30.1	3.5%	0.00	0.00	0.0	0.0	0.0	0	0	0	0
Totals	872.7	100.0%						1242	993	315	252

Notes on basis for Calculating Land Use Density:

AE: Principally permitted: one unit/20 acres. Conditionally permitted: one farm dwelling (additional) associated with agricultural use

C1: Principally permitted: no dwelling units. Conditional: one SF dwelling associated with business. Min. lot size: 7,500 sq.ft.

C2: Principally permitted: no dwelling units. Conditional: one SF dwelling associated with business. Min. lot size: 7,500 sq.ft.

HC: Principally permitted: no dwelling units. Conditional: no dwelling units.

I: Principally permitted: no dwelling units. Conditional: no dwelling units.

MR: Principally permitted: one dwelling unit/2,900 sq.ft (15 units/ac). Conditional: none - different unit types same density

PF: Principally permitted: no dwelling units. Conditional: no dwelling units.

RA: Principally permitted: one dwelling unit, Conditional: no units

PD: Principally permitted: no dwelling units. Conditional: 15 acre min. lot size. One dwelling unit per acre.

SR: Principally permitted: one dwelling unit per one-half acre. Conditional: no dwelling units.

UR: Principally permitted: one dwelling unit/2,900 sq.ft (15 units/ac). Conditional: none - different unit types same density

Limited dwelling units may be permitted by Use Permit in the (C) Core Commercial District, not to exceed the allowable residential density for the relevant commercial district; and in the HWC Highway Commercial District, not to exceed the allowable residential density for that zoning district.

9. PROJECT REVIEW PROCEDURES

Land uses are either permitted by right or conditionally permitted. In the latter case the property owner does not hold a right to a proposed use or development, and the city has the sole discretion about permitting a use or not; a Conditional Use Permit, or in lieu thereof an approved Comprehensive Development Plan, will be required, according to the provisions of the Zoning Ordinance.

In both cases land use and development plans are also subject to coastal development permit requirements, environmental review determinations according to the provisions of the California Environmental Quality Act (CEQA); design review by the City's Design Assistance Committee, according to Section 5.15 of the Zoning Ordinance; and geologic studies as specified in the Safety Element of this plan and in the Zoning Ordinance, and to site and development standards set forth in the Zoning Ordinance, Subdivision Ordinance, other applicable city ordinances, and all other applicable provisions of the LCP.

10. PLANNED RESIDENTIAL DEVELOPMENTS (PRD)

This procedure shall be applied to any proposed development, including land divisions, on residential parcel of ten (10) acres or more, or where any two or more abutting parcels of less than ten acres are each in the same ownership or under the same control and total ten acres or more. Owners of parcels less than ten acres may also apply for PRD approval.

PRD is an "overlay" land-use and zoning technique. It sets forth opportunities for the flexible application of development standards associated with zoning districts, and is a procedure for arriving at development permits for large project areas. It is to be complied with in connection with the underlying residential zones (SR, UR and MR) except that the Planning Commission may not require strict adherence to the zone's yard, set-back and building height limit and minimum lot size requirements of the zone and is hereby authorized to encourage innovative mixtures of permissible land uses, building types, and site layouts.

The residential density limits established for the underlying zone shall remain in effect and may not be exceeded, although density bonuses for providing very-low, low- and moderate-income, and senior, housing units may be approved in accordance with provisions of California's codes governing density bonuses (Sections 65915 - 65918 of the Government Code) and Implementation Action No. 6 of Section 2 of Chapter 11 of the LUP.

The principal objectives of the PRD are (1) to encourage and allow flexibility in site design (planned departures from conventional and strict site standards that do not easily accommodate

innovation, special conditions in the housing economy and market, and do not allow for unique physical constraints and opportunities of hillside sites), (2) to ensure that open spaces are preserved and provided for as part of the development process, and (3) to allow careful and comprehensive public review of proposed larger projects that may have unusual or substantial community impacts.

Unimproved properties which are zoned SR, UR or MR and are ten acres or more in size or where any two or more abutting parcels of less than ten acres are each in the same ownership or under the same control and total ten acres or more shall be treated as Planned Residential Developments (PRD), in which case a Comprehensive Development Plan shall be prepared and approved as a prerequisite for filing a proposed Parcel Map, Tentative Subdivision Map, or Coastal Development Permit. A PRD designation "overlays" the underlying residential zone and signals that the following shall apply:

1. Residential densities (number of dwelling units per acre of land) shall be the same as in effect for the underlying zone, although lot sizes may vary
2. Common Open Space shall make up fifty (50) percent of the subdivision or development
3. Approved Comprehensive Development Plans may suffice in lieu of required use permits.

11. COMPREHENSIVE DEVELOPMENT PLAN

These are privately-initiated land-use/development proposals which consist of one or more maps and a text describing in detail all features of a new development or uses on a lot or on an assemblage of commonly-held contiguous lots. It must be prepared and approved in any circumstance where called for in the regulations pertaining to a land-use category or zone. Comprehensive Development Plans may also be prepared at the discretion of a property owner when appropriate.

The purpose of the Plan is to supply all of the relevant information about the property and the proposed uses and development as may be necessary for the public and the Planning Commission to evaluate the merits and consequences of the proposal. It is also intended to facilitate creative and flexible modifications of the adopted standards associated with the base zone of the Zoning Ordinance, provided that greater public benefits will be achieved by such modifications. Such benefits may include, but are not limited to, improved and innovative site and building designs, provisions for housing to meet special needs, provision of special amenities, and provisions for protecting valuable natural and coastal resources.

Comprehensive Development Plans are part of the coastal development permit application, and may be approved only if found to be consistent with all policies and provisions of the General Plan and the Local Coastal Program. The Planning Commission may require that (1) both conceptual (generalized) plans and precise plans be submitted and approved; (2) development proceed in phases; (3) plan approval lapse within a reasonable period of time if the approved

project is not initiated; (4) Development Agreements between the City and the property owner are signed and recorded.

The precise requirements for Comprehensive Development Plan submission, review, public hearings, and adoption shall be set forth in the Zoning Ordinance.

12. MEMO OF UNDERSTANDING ASSOCIATED WITH THE HAY ANNEXATION

On April 13, 1990, the California Coastal Commission certified the successful completion of the City's Local Coastal Plan Amendment No. 1-89. This amendment, known as the "Hay Annexation", rezoned 20 acres located within the eastern-most boundary of the City limits and then annexed an additional 156 acres to it. In order to finalize the annexation/amendment, a Memo of Understanding (dated 11/14/89 with an amendment dated 2/27/90) was executed between the developer and the City which sets forth certain conditions necessary to ensure an orderly progression for development and infrastructure. The City hereby reaffirms its intent to uphold the terms of this Memo of Understanding.

The following policies shall apply to proposed development in the Hay annexation area: 12.1 Where required, the necessary extension of road, water, and sewer services within the Mill Street/Hay Annexation area shall be in two phases, as shown on Exhibit B of the Memo of Understanding City of Point Arena/Hay Annexation as amended dated January 10, 1990. Phase I includes: 13 acres of Urban Residential, 3 acres of Multifamily, and 20 acres of Suburban Residential Zoned lands. Phase II includes: 10 acres of Suburban Residential (1/2 acre minimum), 32.6 acres of Suburban Residential (1-acre minimum) and 62 acres of Residential Agriculture zoned lands. Phase 1 would commence upon approval by the City Council of necessary permits needed for construction of road and utility installations. Subdivision plans would be processed. Phase II can commence no earlier than 2 years from the commencement of Phase I and when the developer can provide verification that 50% of the Phase I site have been sold.

12.2 All lands and acreages described in the MOU and policy 12.1 above represent the maximum potentially allowable development, and neither the MOU nor Policy 12.1 represents an entitlement to develop. Any and all proposed development or development agreements in the Hay annexation area shall conform to all applicable provisions of the certified LCP. 12.3 All proposed developments in the Hay annexation area, including subdivisions, shall be processed according to the Planned Residential Development Process. While construction may proceed in phases as required by policy no. 12.1, approval of any development proposals and comprehensive development plans related to the Hay annexation area shall include plans for all lands in common contiguous ownership, and shall be processed at one time. A coastal development permit shall not be approved unless all residential lands in the Hay annexation area are included in a single proposed development, and unless the proposal conforms with all applicable provisions of the LCP.

13. ANNEXATION OF THE COVE

To better serve the public interest the City shall research the possibility of annexing submerged lands totaling all water area within sight of the Pier running from the south point to the farthest north point in Arena Cove. The annexation will connect existing City boundaries from south to north on the City's western boundary. The City finds that annexation of this territory will improve protection of this natural resource, improve management of the harbor facilities and activities, and foster enforcement through City ordinances and by City personnel of boating and other activities within the cove. This annexation is recommended by the State Lands Commission, which agency's approval is required prior to annexation taking effect. All proposed development on any submerged lands, tidelands, or on public trust lands in the Cove, whether filled or unfilled, shall obtain a coastal development permit from the Coastal Commission

IV. ECONOMIC DEVELOPMENT ELEMENT

1. FINDINGS

For decades, Point Arena has experienced little growth in population and employment. The city lies outside the mainstream of small town development in Northern California, and it is too distant from major population centers to have benefited from the exodus of those fleeing congested cities.

Nevertheless, the growth of nearby settlements--Gualala to the south and Mendocino to the north--may indicate that Point Arena has prospects for more growth in the future.

Point Arena has maintained its population at about 400. Residents earn their incomes from both white-collar and blue-collar jobs, in consumer and tourist-serving jobs, in government employment, in retail sales and personal services, and in various small businesses. These are classified in the following table. Point Arena's businesses and jobs are divisible into several types: consumer-based retail and personal services for the resident population; tourist oriented; and small businesses serving out-of-area markets and customers.

Meanwhile, fishing, logging and lumbering, and military services (a Coast Guard station and an Air Force station) that were major income and employment sources in Point Arena's immediate hinterland have declined or disappeared entirely. To have more or less retained its population is, in this context, a notable achievement for the city, reflecting its strength and resilience. Agriculture continues as a strong economic activity in the area.

From the viewpoint of some of Point Arena's residents, however, the lack of job growth has meant a limited potential for local employment in the industrial, construction and resource sectors, and in high-tech enterprises; the job scarcity has translated into the emigration of many young job seekers.

The lack of growth also means a very limited revenue base for city operations and services, and for needed capital improvements. City resources are scarcely sufficient to maintain minimum services and facilities.

Table 3 Businesses and Jobs in Point Arena December 1991

Business Type	Number of Establishments	Jobs
Retail Sales and Services – not including markets and restaurants	22	63
Restaurants, cafes, bars	9	58
Food markets and delis	4	19
Lodging	3	10
Government	4	8
Schools	2	67
Public/Semi-Public Utilities	3	11
Manufacturer's representative (retail and wholesale sales)	1	3
Churches, day care, senior center, social services	6	16
Printing, book publishing, computer graphics	3	22
Auto repair & services	3	6
Sale of arts/gallery	1	2
Industrial and semi-ind	3	26
Home Occupations	11	11
Miscellaneous	5	8
TOTAL	70	324

Source: City Business License Records 1992

The reasons for improving the economic climate in Point Arena are the classic ones: providing livelihoods and jobs for the existing and emerging resident population of all ages; and providing investment and small business opportunities. Equally important is the modern-day reality of municipal finance, which requires that properties and businesses produce tax revenues to pay for city services, public facilities, and basic infrastructure.

The City's principal sources of revenue are shown in the following table. Each of these are subject to increases or decreases depending upon both local and statewide economic conditions, the level of the tourist trade, and population growth or decline. The city's fiscal health depends upon increases in all of the categories listed.

Table 4 Principal Sources of General Fund Municipal Revenue

	1990-91 Actual	1991-92 Actual	1992-93 Actual	1993-94 Actual
Property Tax	\$21,190	\$22,212	\$22,979	\$25,832
Sales Tax	32,444	43,429	65,297	63,460
Transient Occupancy Tax	11,668	17,316	38,798	45,512
Business Licenses/Permits	11,952	9,213	9,689	9,512
Gas Tax	13,186	12,643	12,763	13,200
DMV "In Lieu" Tax	16,150	13,928	14,413	13,538

Source: City of Point Arena Budgets

2. SHORT TERM POTENTIALS

In spite of findings that there is likely to be no dramatic improvement in the local economic and job creation picture, the local business climate nevertheless has recently improved, and new investments have produced increases in employment of about 30 jobs, and an increase in sales tax and bed tax revenues--relatively healthy percentage increases in one year in both cases. Sources of new jobs in recent years, which are also sources of sales tax revenues, were a magazine publisher, a book publisher, three new retail establishments at the Cove, a Laundromat, a manufacturer's representative (mail-order retail sales), a sizeable bed and breakfast inn at the Cove, and a pharmacy (which replaces a food store). One employer (8 jobs) discontinued operations during the same period of time, but the net gain in jobs and tax revenues is notable and good news for Point Arena.

There have also been significant investments, resulting in job expansion, by existing businesses during the past year. In addition to employment growth these economic activities also contribute to the local municipal revenue base.

There is no foolproof basis for projecting Point Arena's economic growth into the future, but it is worth noting that the city has substantial short-run potential. Considerable growth could occur with minimal public expenditures based on the physical and economic infrastructure already in place, especially in and adjoining the core area.

There are also abundant developable and redevelopable residential, commercial and industrial parcels in the city, which means that there is no scarcity of land should property owners and developers wish to proceed with new developments.

Moreover, an often-unrecognized potential for Point Arena is that it is a desirable location for entrepreneurs who could locate in any area with good communication and yet they have chosen, or will choose, to locate in Point Arena. This is demonstrated by the fact that the city has recently attracted several small businesses owned by one individual or a family doing business with suppliers and customers located outside the area. Customers and Point Arena businesses of this type are connected by telephone, FAX machines, computer communications, the postal service, and commercial delivery systems. These developments may also indicate an ability to attract "footloose" industries (small businesses not dependent upon any natural resource base or local market and therefore able to locate anywhere that the owner wants to live).

By California standards Point Arena still has comparatively cheap land. It is also blessed with the availability of urban services in place and capable of handling an influx of new customers, a low local tax burden, and a very modest business license fee. All classes of land are available and designated for a wide variety of business development purposes.

This General Plan not only encourages and allows small-business developments, it also permits and encourages mixed land uses if there are no negative environmental impacts, and permits businesses to operate out of homes in many cases (as a home occupation or by use permit). Point Arena also includes a municipally-owned and managed commercial and recreational pier, and a partially-developed cove, giving access to substantial seasonal employment (for example, about 80 urchin fishermen, in season). At the Cove there is also additional potential for tourist, recreation and other coastal dependent activities.

To summarize, Point Arena provides a unique physical, comparatively inexpensive, and developable context for investments in housing, tourist facilities, retail establishments, and small businesses. Whether the city's assets and opportunities in fact will lead to substantial economic development and job formations can only be guessed. As other potential North Coast locations run into development limits, however, Point Arena can expect to receive serious attention from home builders and investors. And, as individuals and small business owners discover the merits of locating in Point Arena it can be expected that they will invest in and locate their businesses in the city rather than somewhere else.

The following sections set out the goals, policies and programs that are intended to guide Point Arena in taking advantage of its setting, amenities, and locational advantages. Perhaps one of the first steps in the process of realizing the city's potential is for the citizens to raise their sights as to what is possible and what is desirable, because the North Coast in general and Point Arena in particular are on the verge of moving away from no-growth local economies based largely upon fishing, logging and lumbering and towards local economies that are based on growth industries such as tourism and small business development, with the latter dependent upon regional and statewide markets and upon modern communication methods and equipment, and not on local markets.

3. ECONOMIC DEVELOPMENT GOALS

To provide job opportunities for the local population, and new tax revenues for the City, by making it possible for the city's economic base Downtown, along Highway 1, at the Cove, and in the city's industrial area, to expand and grow.

To provide a high-quality and attractive habitat for the area's residents and business owners, and for those who are evaluating Point Arena as a place in which to live, invest and start (or transfer) a business. This implies that protection of the physical environment and enhancement of the beauty of the built environment in the city and its surroundings must be a top municipal objective for two reasons: a high-quality environment contributes to everyone's well being and health; and, a high-quality environment begets an interest in Point Arena by those whose investments are essential to help pay for environmental protection as well as public infrastructure improvements and municipal services.

4. POLICIES AND PROGRAMS TO PROMOTE ECONOMIC DEVELOPMENT

1. Encourage Retailing. Approve all reasonable retail use proposals for development and redevelopment Downtown, including mixed commercial and residential uses, as well as at the Cove, and along Highway 1, all according to the regulations set forth in the Land-Use Element and subject to design review and applicable citywide zoning requirements governing off-street parking, etc.

2. Promote Housing. Allow for additional areas to be zoned higher-density housing within and adjoining Downtown, and allow such housing to be combined with commercial activities, or to be developed as live-work spaces and studios, provided residential neighborhoods are not negatively impacted, and adequate off-street parking for all uses is provided.

3. Develop the Cove to Its Full Potential. With due care not to destroy the beauty and natural integrity of the beach, shoreline, cove and wetlands, promote business development while also maximizing retention of the slopes and open spaces of the area. Discourage or prohibit activities or uses that can be readily accommodated in less scenic and fragile areas of the city. Support

and enhance opportunities for commercial and recreational fishing; recreational boating, including boat mooring and launching; fish cleaning and processing; fish equipment sales; and other coastal- and marine-dependent activities as well as urchin harvesting and processing.

4. **Develop Tourist Facilities.** Encourage development and expansion or upgrading of tourist facilities and opportunities, and prioritize lower cost visitor and recreational facilities, in the core area, along Highway 1 and at the Cove, including bed and breakfast inns in residential areas by use permit.

5. **Promote Small Business Development.** Point Arena's setting and potential for small business development (non industrial) suggests that through zoning it is possible to accommodate modern small business and office uses within commercial areas or within multi-family areas. Very small businesses may be accommodated in homes as home occupations, in live-work spaces, in studios, and as commercial enterprises within commercial districts. In addition to accommodating such activities and uses, the City should positively promote the creation of such small businesses and the opportunities they present for job creation and increased municipal revenues.

6. **Attract Industry.** Through the development of promotional literature industry can be positively attracted to locate in the city's designated industrial area. Design and publicize an illustrative package of development opportunities, including an illustrative list of desired industries, the availability of urban services, and components of the approval process.

7. **Obtain Funds for Infrastructure Expansion.** Levy fair and equitable development fees for needed infrastructure in connection with new development; consider including a charge for maintaining existing infrastructure along with the ordinary monthly service charges; evaluate the need for and the City's ability to pay for capital improvements; and research the availability of state and federal funding sources, including Community Development Block Grants (CDBG).

8. **Beautify and Protect the Environment.** Through the Design Assistance Committee encourage private improvements, perhaps as a unified effort for particular parts of town, and enforce the spirit and letter of the laws pertaining to screening, signing, landscaping, and site and building designs. Develop the city park as a pleasant place to congregate and as a play/recreation area for children, teens, and adults. Encourage private (perhaps joint) efforts at sidewalk and street cleaning, as well as public-private Downtown tree planting and maintenance, and development of lanes and walkways.

9. **Promote Point Arena.** There is a general perception that North Coast local governments and communities are anti growth and anti development. It is time to communicate a message closer to reality about Point Arena's goals. In connection with the publication of this General Plan the City should prepare an abstract of its main business-encouraging and growth-and- development objectives and should advertise these through various channels. For example, include such information in Chamber of Commerce information bulletins; and circulate simple handouts throughout the county. Include factual information, lists and descriptions of recent developments, some facts about the local employment base, and about factors that distinguish

and define Point Arena, especially in terms that will interest investors. Try for a modest bandwagon effect. Designate a promoter as an informed and sympathetic contact person to provide information to any potential investor.

5. PROVISIONS OF THE GENERAL PLAN PERTAINING TO ECONOMIC DEVELOPMENT

1. The Downtown Core is defined as the Core Commercial (C) zoning district in the Land-Use Element and on the General Plan Land-Use and Development map, and on the Zoning Map. Permitted uses include a full array of retail sales, personal services, limited housing mixed with offices and commercial activities, overnight lodging, commercial recreation, public facilities and services, and live-work accommodations. The total area so designated is 12.31 acres.

Within this area is a substantial amount of land for new developments and for expansion of existing businesses and facilities.

Among the essential priority programs for improving Downtown are creation of off-street parking as part of the development process; creation of a publicly accessible off-street parking lot; preparation of a street-tree and general physical improvement program; and sidewalk/curb improvements.

In order to foster refurbishing of some existing properties and development of attractive new ones, there is a dual role for the Design Assistance Committee. One is to encourage private improvements, perhaps as a unified effort of Downtown merchants and property owners. The other is to carry out the spirit and letter of the Zoning Ordinance which gives the committee specific powers to review and comment on site and building designs brought before it as part of the permit-granting processes of the City.

2. Directly related to the first policy/program is the "upzoning" of properties adjoining the Downtown core in order to establish a total of 20.86 acres of land for multi-family uses. Within this zone (MR) it would be possible to create multi-family structures at residential densities of 7.51 units per acre, as well as combined residential and office projects. The purposes are to "redevelop" now undeveloped parcels or parcels currently developed at less than their full potential by increasing the economic incentive to do so, and to establish over time a residential and working population within walking distance of Downtown, which population will enliven the core with new activity, increase local in-town buying power and property values, and minimize the home-to-work commute.

3. At both ends of town along Highway 1 are a combined 23.84 acres of land designated for highway commercial. Unlike in the Downtown core, where lots are small and building intensity is expected to be relatively high in comparison, and where parking cannot in all instances be provided on site, the highway commercial areas, for the most part, include large parcels that will and must accommodate off-street parking, where creative site layouts are possible, where commercial uses that cannot be accommodated Downtown may be situated, and where visibility

along the highway may be essential for economic success. Light electrical/electronic or parts assembly facilities and other very light industrial activities are desirable uses, as may be "heavy" retail sales and services, tourist- accommodating businesses, and limited housing at the rear of parcels.

4. Home occupations, often essential for some people's livelihood, will continue to be permitted in residential districts provided no negative environmental or coastal resource impact or parking problems will result, and provided the home occupation in no way changes the predominantly residential character, appearance, peace, quiet or tranquility of the residential neighborhood.

5. Industrial activities that are environmentally compatible with the environmental goals and policies of the General Plan are provided for through the designation along Eureka Hill Road of 27.8 acres of Industrial (I) zoned land. Proposed uses are subject to the securing of a use permit in accordance with Section 4.10 of the Zoning Ordinance, provided they are also in conformity with all elements of the General Plan.

6. Coastal-dependent activities with an emphasis on fishing and the harvesting and processing of ocean products, coastal- dependent commercial and public recreation, and related activities, including lower cost overnight accommodations, are encouraged and permitted within the Harbor Commercial (HC) zone at the Cove. Further changes in land forms, Arena Creek, and the wetlands shall be subject to City policies and regulations, and may be subject to federal and state wetlands and endangered species acts.

7. While the local pride that goes along with being a good looking and environmentally healthy city is very important, how the city looks, and what motorists and potential investors see, and what impressions are gained driving into or through town, are equally important and can make a difference economically. Indifference on the part of Point Arena can make a big difference if the result is to repel rather than to attract. Accordingly, this plan focuses special attention on public appearance policies and programs, and provides for implementation of various sections of the Zoning Ordinance that deal with landscaping and screening, the design of signs, and the design of sites and buildings.

A secondary objective of these provisions is to make the city attractive to the tourist and to those who are comparing Point Arena with other locales in their search for business sites and homes. Important considerations in the search for civic improvement are clean streets and sidewalks; attractively- designed buildings; the presence of well-maintained historic buildings of merit; sitting and play areas within parks or park-like settings; sidewalks and trails for strolling in comfort and safety; interesting and appealing shops offering locally-produced arts, crafts and goods; appealing delis, coffee shops and cafes; and that special small-town character that is so appealing to so many, and so rare in California. Reference is made to Sections 5.15 and 5.16 of the Zoning Ordinance which delineates the design standards to be met and the specific role of the Design Assistance Committee in encouraging that these standards are achieved.

8. Use of the U.S. Airforce facility and of any other state and federal properties that may be vacated should be considered for other public uses or for private economic development.

V. TRAFFIC AND CIRCULATION ELEMENT

1. BACKGROUND

This element deals with topics associated with traffic, transportation and Point Arena's street and pedestrian systems. Included are issues of:

Traffic safety. Much of the Point Arena street system was constructed prior to development of modern standards. Conditions such as narrow streets, steep (for Point Arena) grades, an incomplete street network, and poor sight distances at some intersections are inherent in the system. These conditions may contribute to traffic safety hazards unless mitigated by street improvements, traffic engineering activities, and traffic law enforcement.

Parking. An inadequate supply of parking Downtown on and near Main Street may be hindering business activity now and surely will do so in the future unless improvements are implemented and contribute to congestion, safety problems, and frustration.

Street Capacity and Service. As the city grows, increased traffic on the street system will follow. There is a need to balance growth and accommodate additional traffic with the goal of maintaining the rural character of the community and the safety of the public. The level of service (LOS) and the volume- to-capacity (V/C) ratio need improvement now and will require additional attention as soon as the city grows.

Street Network Completion. State Route 1 provides the only opportunity for through north-south traffic. There is a need to provide new streets to meet local north-south circulation needs. As the city grows there also will be an increased need for improved east-west circulation. Both are long-range needs.

Non-motorized Transportation. The city needs to provide a safe transportation system for pedestrians and bicyclists, which system shall include the upgrading of existing curbs and sidewalks.

Public Transportation. Two forms of public transportation provide service for Point Area: the MTA service and the South Coast Senior's Service. Both should be increased as growth occurs and demand increases.

Aesthetics. Increased attention needs to be given to how Point Arena looks from its roadways, and to designing streets and pedestrian ways having in mind the quality and visual appearance of streetscapes.

2. GOALS

1. Improve safety on all streets.
2. Preserve peace and quiet in residential areas.
3. Improve parking downtown.
4. Provide pleasant and safe systems for pedestrians and bicyclists.
5. Create an efficient system of streets for the movement of vehicles through town and for the circulation of vehicles within the city.

3. POLICIES AND PROGRAMS

The following policies and programs with respect to various aspects of traffic and circulation shall apply:

3.1. Traffic Safety Policies and Programs

1. New streets to be considered for acceptance into the Point Arena street system shall conform to design standards appropriate to their functional classification.
2. The segment of Port Road between Main Street and Iversen Avenue shall continue to be de-emphasized as an access to Arena Cove. Adequate curbs, gutters, and sidewalks shall be completed along the north side of Port Road between Main Street and the intersection with Iversen Avenue to allow safe pedestrian passage during rainy weather.
3. The city shall resolve traffic and safety impacts of development at Arena Cove, and along Iversen/Port roads. Of immediate concern is the junction of Iversen at Main Street. Safety and operational characteristics of this intersection shall be identified and problems mitigated prior to approval of new developments.
4. The city shall investigate methods of improving sight distances at intersections. Possible solutions may include: trimming or removing weeds, shrubbery, or limbs; relocating signs or other obstructions; removing on-street parking near intersections; prohibiting large-vehicle parking near intersections; and adjusting traffic control devices to provide better views.
5. Curbs and gutters should be installed on existing streets, which are built on steep topography where traffic safety would be improved by doing so. (The availability of curbs would permit drivers to curb their wheels when parked to prevent runaway vehicles).
6. Through traffic should be diverted from local streets insofar as possible.
7. New development in areas that create parcels of one-half acre and smaller shall be required to provide adequate curbs, gutters and sidewalks.

3.2. Parking Policies and Programs

1. The city shall ensure adequacy of off-street parking and compliance with city requirements and accepted standards prior to approval of new developments. Where off-street parking can not be provided in accordance with Section 5.28 of the Zoning Ordinance, the city shall continue to apply its "fees in-lieu" requirements.
2. The city shall encourage joint use of parking facilities where it can be shown that such uses do not conflict in time of use, are functionally and conveniently located, provide for safe use, and provide sufficient parking for all uses.
3. The city should pursue acquisition and development of off- street parking lots and facilities. The feasibility of a parking district Downtown should be investigated, and if feasible implemented as a high priority.
4. Alleys should be developed east (Center Street) and west of Main Street to permit service access to Main Street businesses by trucks. Availability of service alleys would eliminate some of the need for double parking on Main Street.
5. The city shall not install parking meters.
6. The City shall designate a two-hour parking limit Monday- Friday, 8 a.m. - 6 p.m., in the Downtown area along Main Street, from the area of the Post Office to the Shell Station on the west side of the street, and from Riverside Drive to Mill Street on the east side.
7. New developments in the cove area shall be required to provide off-street parking to serve the approved use in order to minimize impacts to public parking available for coastal access and recreation and in order to distribute parking throughout the area.

3.3. Street Capacity Policies and Programs

1. Level of Service (LOS) B, as defined in the Glossary, is the desired standard for the Point Arena Street system, and all new Local and Collector streets shall be designed to operate at that level.
2. City streets shall be classified according to function, as follows:

Local Streets shall be low-speed, low-volume facilities which are used primarily to access property. Lake Street, Scott Place, Mill Street, Starboard Way, Center Street, Port Street (east of Iversen), and Gillmore Alley, serve these local functions.

Collector Streets shall be moderate-speed, low-to medium-volume facilities which serve to collect traffic from local streets and distribute to the arterial system. Collector streets also provide for direct property access, but their role of serving traffic is equally

important. Riverside Drive, Windy Hollow Drive, Iversen Avenue, and Port Road west of Iversen are streets, which serve as collectors.

Arterial Streets are designed to move traffic efficiently. Property access is de-emphasized, whereas traffic movement is emphasized. In larger communities a complete system of arterials would link a collector system to local streets. In Point Arena only State Route 1 functions as an arterial. Downtown, Highway 1 functions equally as a collector as it assumes the role of Main Street.

3. Existing collector streets or intersections, which operate below Level of Service (LOS) B may continue to operate at the lower level. New development shall not cause collector streets to degrade to a lower level of service.
4. The City shall have the right to review and approve internal circulation plans for all new developments.
5. All new private streets shall meet minimum city standards.
6. Traffic studies shall be required for all major development proposals and may be required at the discretion of the city under other circumstances where there may be significant effects on the street system overall, and including but not limited to whenever the City processes Planned Residential Development (PRD) or commercial development proposals or tentative subdivision maps or when any proposal would potentially increase a Level of Service. Traffic studies shall identify, as a minimum:
 - (a) the amount of traffic to be added to the system by the proposed development
 - (b) other known planned projects and their effects on the street system
 - (c) the direct, indirect and cumulative adverse impacts of project traffic on street system operations, safety, and public access to the coast.
 - (d) mitigation measures necessary to provide for project traffic while maintaining city level-of-service standards
 - (e) the responsibility of the developer to provide improvements
 - (f) the timing of all improvements.
7. Direct, indirect, and cumulative adverse impacts to Highway 1 capacity in the rural areas surrounding Point Arena shall be considered during the review of proposed LCP amendments that would increase density or change land use classifications to ensure that Highway 1 in rural areas remains a scenic two-lane road.

3.4. Street Network Completion Policies and Programs

1. Development of a north-south collector street between Port Road and State Route 1, and development of an alternative access road to Arena Cove from Highway 1 north should be pursued if technically and financially feasible, and if consistent with the policies of the certified LCP, including but not limited to the wetland and ESHA policies.
2. The city should pursue abandonment of Gillmore Alley and develop a new street between Iversen Avenue and Port Road. The preferred alignment would improve internal circulation in this area of town, provide a direct access to high-density units on Port Street, eliminate the poorly-located Iversen/Gillmore Alley intersection, and maintain the residential character of the neighborhood.
3. Port Road is very narrow and should be widened from the intersection of Port Road and Iversen westward, and the junction at State Route 1 should be improved immediately. Any and all improvements to Port Road shall be consistent with the policies of the LCP, including, but not limited to the ESHA and wetland fill policies.
4. "Devil's Cutoff" and/or "Harper Easement" should be improved sufficiently to allow emergency access to and from Arena Cove in a manner consistent with the policies of the certified LCP, including, but not limited to, the wetland and ESHA policies.
5. New street networks shall avoid grid patterns. Optimum use of Tee intersections shall be employed in the design of local streets to discourage through traffic, control speeds, and minimize the need for traffic control devices.
6. Collector streets in new subdivisions shall be designed to limit tangent (straight) sections to one-eighth mile unless longer tangents are needed to integrate the collector into the city street system.
7. Through traffic should be diverted to collectors off of residential streets.
8. Standards for street rights-of-way, paved widths, and improvements in new subdivisions should be consistent with the goal of maintaining the city's small-town rural character and should result in minimum grading of existing land forms where feasible. (Also see # 7 under "Traffic Safety Policies and Programs" above).
9. Highway 1 leading north and south out of Point Arena, Riverside Drive and Windy Hollow Road should be designated as the only available evacuation routes in case of an emergency.
10. The City recognizes the eventual need for a Highway 1 bypass route to replace the present in-town state route location.

3.5. Non-Motorized Transportation Policies and Programs

1. The City shall as a condition of land subdivisions and development require the dedication of land for the development of public pathways and trails where appropriate.
2. Accommodations for bikeways shall be considered in all new developments and on all new collector and arterial streets unless right-of-way or physical constraints preclude their inclusion.
3. The city shall pursue Transportation Development Act funds, Proposition 116 funds, and other sources of funding which may be available to implement the city's bikeway, trail and pathway system.
4. Improvement of a pedestrian walkway within the right-of-way along Port Road/Iversen Avenue to and from the Cove should receive initial priority attention. Any and all improvements to the pedestrian walkway within the right-of-way along Port Road shall be consistent with LCP ESHA policies, including, but not limited to, those policies governing wetland fill.
5. The City shall develop all existing city trail/pedestrian easements as permanent and safe trails or pathways and shall develop all existing, undeveloped city road easements, initially, as safe trails or pathways.
6. The City shall require an offer to dedicate a twenty-five (25) foot wide easement along all trails designated for access to the shoreline and to trails along the bluff top to provide lateral access as a condition of approval for any development that will require a Coastal Development Permit. These easements shall take effect when a public or private party accepts the responsibility for improvement and maintenance of the access easement. (See Zoning Ordinance for authority and specific requirements).
7. Trails and trail easements shall include but not be limited to those depicted on the "Opportunities and Constraints Map."

3.6. Public Transportation Policies and Programs

1. Bus service should continue to be provided to and from Point Arena for all those dependent upon public transportation.
2. The South Coast Senior's Van Service should continue to be supported.
3. The City should support and seek assistance from county, state and federal agencies in order to preserve and enhance public transit for use by area citizens.

3.7. Policies and Programs for Circulation System Aesthetics

1. The City shall ensure that design standards for roadways, pathways and trails also emphasize and include (a) landscaping and screening; (b) street tree planting; and (c) continuing

maintenance. Where trees must be removed to accommodate essential improvements they should be replaced and earthmoving operations and road cuts should be followed with reseeded and re-vegetation programs.

2. The City will establish an underground committee with representation from the City Council, the utilities and the community. This committee will develop a prioritized list of underground districts to be established by the City. Rule 20 funds will be used to underground the existing facilities within these districts.

3. In no case shall off-site advertising signs and billboards be permitted, except that directional signs shall be installed by the city as necessary to properly identify the Cove and other significant features. The City should install, or cause to be installed, a business/services directory sign at the north and south ends of town facing Highway 1.

4. Building setback standards or lines shall be established along major public rights-of-way to assure that building placement is compatible with the preservation of scenic values and viewsheds.

5. All off-street parking lots shall be dust free and landscaped and screened to the satisfaction of the City's Design Assistance Committee or the Planning Commission.

4. IMPLEMENTATION OF THE TRAFFIC CIRCULATION ELEMENT

Four principal methods shall be adopted and utilized to finance the implementation of the policies and programs of this element.

1. New public rights-of-way, streets and other facilities that are not provided as part of new developments, and the improvement of existing public rights-of-way, streets and facilities, shall be among the required future capital expenditures of the City and shall be included in the City's Capital Improvement Program (CIP). Funds for carrying out the CIP shall be raised in accordance with standard municipal finance methods, subject to the limitations of State law.

2. The City shall require dedications of land, or fees in lieu of such dedications, as part of the development process, in accordance with the provisions and limitations of State law, in order to ensure that new developments provide land or in lieu fees for the benefit of the public.

3. The City should adopt policies for and a schedule of "development impact fees" and "traffic impact fees", in accordance with the provisions and limitations of State law, in order to finance the development of infrastructure caused by new developments, including such infrastructure as roads, curbs, gutters, storm drains, sidewalks, bicycle paths, trails, and pedestrian ways.

4. The City's current off-street parking requirements (Section 5.28 of the Zoning Ordinance, and Section 5.19 (D) of the Zoning Ordinance governing the payment of fees in-lieu of providing

required off-street parking spaces) shall continue to accomplish the goals and the off-street parking policies and provisions of this element.

5. The City shall implement the following measures:

- a. Require traffic studies for all new development contributing 50 peak hour traffic trips to Main Street, School Street, or any intersection of State Route 1 as determined by the Institution of Transportation Engineers (ITE) standards for trip generation or whenever the City processes Planned Residential proposals or tentative subdivision maps or when any proposal would potentially increase a Level of Service or where there would be significant direct, indirect, or cumulative impacts to Highway One traffic capacity in rural areas north and south of the City.
- b. Require new development to pay a pro-rata share of all traffic improvements needed as a result of project implementation.
- c. Apply to all future transportation projects, where applicable, the recommended mitigation measures outlined in the State Route 1 Corridor Study for the County of Mendocino, prepared by TJKM Transportation Consultants.

6. To mitigate exterior sound levels, due to transportation or other sources, for new residential or other new projects, consideration shall be given to an increased setback distance; use of property line, patio, and deck barriers; orientation of buildings to achieve a sound shielding benefit at outdoor use areas.

7. To mitigate interior sound levels, due to transportation or other sources, for new residential or other new projects, consideration shall be given to an increased setback distance and use of barriers, insulation measures applied to the building skins, including appropriate designs for windows, walls, doors, roof/ceiling assemblies, weather seals, and other components. Vegetative barriers do not generally provide substantial reductions in noise levels.

VI. OPEN SPACE AND CONSERVATION ELEMENT

1. INTRODUCTION

This element addresses the very considerable environmental assets of Point Arena, as well as the policies, General Plan provisions, and action programs required to protect and enhance those assets.

This element is largely concerned with matters of open space preservation and the conservation of natural resources. The overall environmental goals of this General Plan are also achievable through implementation of the Land-Use Element of this General Plan.

Identifying, preserving and conserving the area's open spaces and natural resources is the chief objective of this element. These two subjects, both of which are mandated by state law for inclusion in local general plans, are often interrelated. Accordingly, they are presented together in this general plan as one element. Reference is also made in the text that follows to air and water quality, which are concerns and matters of related public policy. They are raised here because sometimes they need to be addressed in the context of open space and natural resources policy and program development, but they are covered in depth in the Health and Safety Element and in the Noise Element.

2. BACKGROUND AND FINDINGS: OPEN SPACE

State Government Code Sec. 65560 defines open space as any parcel or area of land or water which is essentially unimproved and devoted to an open space use for the purposes of (a) preservation of natural resources; (b) managed production of resources; (c) outdoor recreation; and (d) public health and safety.

Additionally, this General Plan recognizes that the relative densities of the city's residential areas are considerably less than densities for other cities, and that this feature has much to do with giving Point Arena its special open space feeling.

This general plan sets forth a network of open spaces to provide relief from urbanization, access to natural areas, protection of slopes and viewsheds, protection from natural hazards, and access via open space corridors to destinations throughout the city. The network is created by fitting together components in a continuous series so that even if all the open spaces do not physically touch they bear a positive relationship to each other.

The inventory of existing open spaces includes the following:

1. Arena Creek, its riparian corridor, and its trail and open space easements
2. The South Fork of Hathaway Creek and its riparian corridor.

3. Existing trail easements, or recorded offers to dedicate such easements, at various locations within the city
4. The undeveloped coastal bluffs
5. City-owned parks, and school district playgrounds
6. The Arena Cove undeveloped areas, especially the riparian corridor of Arena Creek, the wetlands area, and the beach
7. Undeveloped non-agricultural lands throughout the city
8. Agricultural lands within the city.
9. Areas precluded from development by virtue of their severe slope or other physical hazards.

These existing and potential open space resources are not identified as to precise use, type of open space, potential for development or non development, ownership, or quality. This is merely an inventory of what constitutes the supply of existing and potential open spaces in Point Arena as of 1993.

3. BACKGROUND AND FINDINGS: NATURAL RESOURCES

Identifying and establishing policies and programs for the conservation of natural resources is the responsibility of the "conservation element" and is prescribed by Sec. 65301 (d) of the Government Code. The Code is concerned with water resources, soils, beaches and coastlines, watersheds, flood control, marine life, harbors and fisheries, wildlife, and other natural resources peculiar to the area under consideration, including significant plants and animals in the local ecosystem.

The unique natural features and natural resources inventory of Point Arena and its sphere of influence includes the following:

1. The area's high air quality
2. The area's low ambient noise levels
3. Arena Creek as an ecosystem, riparian corridor and wildlife habitat revival as a healthy habitat for animal and plant life and for fish
4. The bluff tops north and south of Arena Cove, and the informal trail systems at both locations (which are connectible to the county's trail system)

5. The sometimes steep-sloped and undeveloped open lands directly within the urbanized area of Point Arena, and the magnificent open lands, hillsides, and mountains off into the distance.
6. The presence of working farms on the very edge of the town.
7. The array of scenic sites, views and vistas wherever one looks and from many vantage points.
8. The various marine resources associated with Arena Cove and the ocean waters, including marine life and biological resources within the sea and on the shore, and the commercial and recreational fishing opportunities available within the Cove and beyond.
9. The fresh-water habitats of the Garcia River and Plain, the associated wetlands, the river itself and its ecosystem... the source of the City's principal water supply.
10. Other fresh-water habitats and riparian areas, as well as the salt water ocean habitat, the coastline, and the beaches.
11. Numerous wildlife resources: salmon spawning grounds, nesting and feeding grounds for migratory birds (Arctic Loon, White Pelican, Great White Egret, Red-Necked Grebes, Tundra Swans, Great Blue Heron, Brown Pelican, White-Faced Ibis), deer, raccoon, skunks, fox, various song and game birds, kelp, sea urchin, abalone, and the Federally-listed-as-endangered Point Arena Mountain Beaver.
12. Absence of excessive artificial lighting, which facilitates star gazing while also contributing to the pleasant and much-appreciated rural small-town atmosphere of Point Arena.

4. OPEN SPACE AND CONSERVATION GOALS

1. To preserve identifiable open space and conservation resources, as well as the "sense of open space" that now contributes to the town's character.
2. To create an open space system adequate to serve local needs and expectations, and to provide visual and psychological relief from the built-up environment that will result when the city is more fully urbanized, which system shall be comprised of parks and recreation areas, urban pathways and trails, waterways and riparian corridors, permanently-preserved urban open space lands held in a single or common ownership, and the coastline and beaches.
3. To preserve key scenic corridors, vistas and viewsheds, and the special open space and scenic qualities of ocean bluffs, hillsides, hilltops, and farmlands.
4. To strive to preserve existing open space lands: farmlands and ranches, and forested areas, located outside Point Arena and yet within its sphere of influence.

5. To protect all sensitive and endangered habitats from grading, diking, dredging, filling and development, and from water and air pollutants.
6. To retain waterways and associated riparian buffer areas, marshes and wetlands, and beaches, in as close to a natural state as possible.
7. To promote opportunities for outdoor recreation within open spaces, at Arena Cove, and within the waters of the Cove.
8. To attempt to conserve existing natural land contours.
9. To promote the planting of trees for wind protection and scenery, and to work to conserve existing trees of significance.
10. To preserve and improve coastal access by foot and vehicle, and for the handicapped.
11. To promote coastal-dependent economic development and visitor-serving uses at Arena Cove, subject to the environmental-protection policies and regulations of this general plan.
12. To protect the integrity and quality of the City's domestic water supply.
13. To ensure that all pollutants, including unwanted sounds, are not allowed to impact negatively on the environment.
14. To preserve the existing qualities associated with a low level of artificial lighting on public and private properties.
15. In order to protect the environmental integrity of its marine resources, to oppose the construction of a breakwater at Arena Cove.
16. To preserve the City's unique archaeological, architectural, and historic resources.

5. OPEN SPACE AND CONSERVATION POLICIES

The following policies shall guide and regulate the actions of the City, other public agencies, property owners, and developers in order that the open space and conservation goals of this general plan are achieved:

1. Environmentally-sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.
2. To prevent non-agricultural activities from being developed in county agriculturally-zoned areas adjoining and nearby Point Arena, the City and Mendocino County should cooperate in preserving the integrity of the County's land use plan for these county territories.

3. Every effort should be made to enhance wildlife habitats and maintain wildlife travel corridors along waterways and within riparian corridors, within the city and its environs.
4. The City shall protect the non-developed flat areas of Arena Cove as a flood basin, wildlife habitat, and critical link in the Arena Creek life-chain...insofar as possible given the objective of enhancing the area's economic development potential. Any portions of this area that are environmentally sensitive habitat areas (ESHAs) as defined in Section 30107.5 of the Coastal Act shall be subject to the policies and standards of the certified LCP regarding the protection of ESHA.
5. The City recognizes the marine resources and seashore habitats of the area, which include the kelp beds as important feeding and breeding places for the myriad of organisms inhabiting coastal waters, and shall strive to protect these resources.
6. The City shall protect water resources and quality, both of which are vital to the health of the city's residents and important to the area's ecology, and shall allow no discharging of harmful pollutants into any waterway.
7. The City shall strive to reduce the likelihood of sediment entering waterways as a result of working the land or developing it.
8. Only resource dependent uses such as public nature trails shall be allowed within the riparian corridor of any stream or creek provided that (1) the length of the trail within the riparian corridor shall be minimized, (2) the trail crosses the stream at right angles to the maximum extent feasible, (3) the trail is kept as far up slope from the stream as possible, (4) trail development involves a minimum of slope disturbance and vegetation clearing, and (5) the trail is the minimum width necessary. Development in areas adjacent to environmentally-sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.
9. The City recognizes that the main values of Arena Creek are its aesthetic qualities, its potential as a trail site, its natural habitats, and its contribution to the biology of the waters of Arena Cove.
10. The City shall strive to stabilize where necessary the banks of Arena Creek and ensure a continuous strip of native vegetation along the creek, through direct city actions and by regulating private developments, consistent with LCP policies, including but not limited to the LCP wetland and ESHA policies.
11. Keeping waterways in their natural state, rather than allowing them to be concrete lined or placed underground, shall be achieved during the development process.

12. New development should be required to: (a) avoid creating concentrated runoff, particularly over steep slopes and bluff faces, by installing energy dissipating devices, (b) create drainage swales, detention, and retention basins, (c) control the timing and manner of new construction so that there are no bare soil slopes during the rainy season, etc.

13. Riparian buffer areas shall be maintained to preserve and protect the valuable wildlife habitats provided by riparian areas (riparian corridors) along streams and creeks shown on the official General Plan maps, as well as unmapped streams and creeks that meet the definition of an environmentally sensitive habitat area (ESHA). Uses and use restrictions pertaining to riparian buffers shall be regulated by Sections 5.22 and 5.23 of the Zoning Ordinance, and pre-existing non-conforming uses and structures may continue in the buffer area, but no additions that may encroach upon the buffer area shall be permitted, with the following exception:

a. accessory structures located at the City's waste water reclamation facility situated entirely within the developed, fenced area subject to securing a coastal development permit consistent with all other applicable provisions of the certified LCP.

14. Since the Point Arena Mountain Beaver was listed as an endangered species on December 12, 1991, with beaver habitat potentially located along Point Arena Creek, the City shall establish a 500 feet riparian setback area ("Mountain Beaver Buffer Area") from the centerline of the stream as recommended by the United States Fish and Wildlife Service (USFWS). In addition, fences are prohibited within 15 feet of the center line to allow for wildlife migration along the travel corridor. Disturbance of the streambed is prohibited. Through zoning and subdivision regulations, the City shall restrict development in areas which contain identified rare or endangered species of plants and animals, including the Point Arena Mountain Beaver.

15. The City may require the establishment of conservation easements along streams, or require dedications of easements at the time of development.

16. The City shall ensure that new development proposals include provisions for public parks and/or recreation facilities, the need for which must be found to be generated by the new development and intended to serve the development, and shall be open to the public.

17. The City recognizes the need for recreational and cultural opportunities in response to a diverse population, and shall strive to meet these needs; these may include but not be limited to habitat restoration projects; community gardens; athletic fields; picnic areas; specially-designed areas for seniors and for teenagers; multi-use public parks, and tot lots; and joint use of city lands/facilities and school lands/facilities.

18. The City shall consider the merits of a citywide assessment district in order to maintain parks and recreation facilities.

19. The City shall encourage new residential developments of any size to provide their own recreation facilities and common- ownership open spaces in order to meet all or a portion of the open space and recreation needs that will be generated by the new development.

20. The City shall require that developers give consideration to the impacts on wildlife and the natural landscape of their development plans, and consider the use of native plant species that provide wildlife cover and food sources while also requiring low maintenance and low water usage.

21. The City shall maintain Arena Cove as an integral part of the City; all specific policies must reflect the notion that the Cove must not become a separate entity, and that it should continue to be part of, and an enhancement to, the entire city.

22. The City shall analyze proposed property developments on the crest of hills and bluffs, and in canyons, in relation to views potentially lost, in order to preserve important view corridors and viewsheds, scenic roadways, gateways to the city, and the integrity and merits of existing land forms.

23. Five view sheds and scenic corridors are depicted on the Opportunities and Constraints Map and shall be protected from inappropriate developments and siting of buildings; significant unavoidable alterations to view sheds and scenic corridors shall require mitigations that may be caused by such new developments. These viewsheds/view corridors are: to the south from School Street; along Windy Hollow Road; along and from Riverside Drive; along Port Road; at Arena Cove.

24. No development may be situated closer to a cliff edge along an ocean bluff than is absolutely safe, and such development may only be approved if it will not engender the need for a shoreline protective device.

25. City shall be obliged to advise property owners in the Cove that any proposed development is subject to securing a coastal development permit, and they may be required to conduct wetland delineation. If wetlands are discovered, they shall be required to obtain the appropriate federal and/or state permits, as well as a Coastal Development Permit, prior to undertaking any earth moving, diking, dredging, land alterations, re-vegetation, fill or other development activity. In addition, all property owners shall comply with all of the policies and standards of the certified LCP, including but not limited to the General Plan's wetland policies, and if the wetland is also an environmentally sensitive habitat area (ESHA), they shall also comply with the General Plan's ESHA policies, and that they shall comply with Sections 5.22, 5.23 and 5.27 of the City's Zoning Ordinance.

Furthermore, the marine environment of Point Arena shall be governed by Coastal Act Policies, particularly Section 30233, which shall hereby be incorporated into this document by reference. The requirements of Section 30233 are detailed in Chapter X Section 2.3.

26. There shall be no off-shore uses which could affect the integrity of the kelp beds and off-shore fisheries.

27. The City shall participate with other agencies in (a) maintaining the Garcia River's water availability and water quality for domestic water purposes, (b) protecting the micro-organisms which serve as the basis for the river's food chain, and thereby maintaining the viability of commercial and recreational fishing, and (c) protecting the river from unwarranted impounding, diversions, vegetation removal, grading, refuse dumping, or alteration.

28. The City shall require a general plan amendment for any proposed on-shore facility to support off-shore oil and gas exploration or development. Any such amendment shall not be effective until a majority of the voters in Point Arena, in a general or special election, approve the proposed amendment, unless such amendment is approved by the Coastal Commission pursuant to Section 30515 of the Coastal Act.

29. Consistent with Section 5.10 of the Point Arena Zoning Ordinance, the City of Point Arena shall require a 25-foot-wide easement along all trails designated on the Opportunities and Constraints Map as a condition of approval to mitigate impacts of development that would require a coastal development permit where such impacts cannot be avoided. For any project where such mitigation is required, the preferred implementation should be through a recorded grant of easement to the City or to a designated private nonprofit association acceptable to the City who is willing to accept the easement and willing to operate and maintain the public accessway or trail. Where grants of easement are not feasible because neither the City nor private nonprofit association is willing to accept, maintain and operate the accessway, implementation of required access mitigation shall be implemented through a recorded Offer to Dedicate (OTD) an easement to a public agency or a designated private nonprofit association acceptable to the City. Offers of dedication shall last for a period of 21 years from the date of recordation of the offer.

30. The City will develop and maintain an "open space parcel list within the City."

31. New utility easements (if any) should be integrated into the city's open space system.

32. The City shall establish the following system of interconnecting trails and pathways (also see the Land-Use and Development Map and the Opportunities and Constraints Map) in a manner consistent with LCP policies, including but not limited to the LCP wetland and ESHA policies:

- a. From Downtown to Harper Park
- b. From Harper Park to the Cove
- c. Along Devil's Cutoff
- d. From School Street to Harper Park
- e. From the Hay Annexation to Downtown
- f. Along the bluffs, and connecting to the system, as shown on said map

33. The City shall facilitate or support establishment of the following trails within county territory:

- a. Mote Creek to the Cove
- b. The Cove to the Lighthouse

34. The City shall maintain the very-low building density, scenic qualities and open space character of the bluff tops north and south of Arena Cove.

35. The City shall adopt a Zoning Ordinance measure that requires development proposals to be planned in a manner to avoid removing trees, if feasible. At least two trees shall be planted for every one removed to accommodate development facilitated by the General Plan. The planting of trees shall not block public views to the ocean, consistent with the visual resources policies of the LCP. Visually attractive native trees species, such as bishop pine and sargent cypress, shall be the preferred species used, as they require less water, herbicides, pesticides, and are valuable wildlife resources.

36. New development shall (a) be sited and designed to protect views to and along the ocean and scenic coastal areas (b) minimize the alteration of natural land forms, and (c) be visually compatible with the character of surrounding areas.

37. Suburban development on SR-1 lots proposed for the northeastern portion of the annexation area shall be clustered in flatter, grassy areas or clustered in planned unit developments to reduce grading and cutting on slopes. Consideration shall be given to allowing planned development design based on the natural landform. The yield of the total land area would be one unit to the acre but the forested steep slopes and the riparian canyon bottom would be maintained in a natural state. In this fashion, the same number of residences could be built in the area while avoiding impacts of vegetation removal, wildlife habitat reduction, and potential impacts to sensitive species.

38. New development shall protect and preserve archaeological and paleontological resources from destruction, and shall avoid and minimize impacts to such resources.

39. The City shall require a determination of the significance of all archaeological finds discovered during development activity to determine appropriate actions taken.

40. Coastal Development Permits for new development within archaeologically sensitive areas shall be conditioned upon the implementation of appropriate mitigation measures: If there is the potential that prehistoric traces such as human remains, artifacts, or concentrations of shell, bone, or ash may be encountered during development activity, the City shall require the following actions be taken as a condition of any CDP approval:

- a. All construction activities on the project site shall be halted and the Planning Commission and a qualified archaeologist shall be consulted immediately. Prompt evaluation of the importance of the find shall be made and the proper course of action, acceptable to all parties concerned, shall be adopted.

b. If human remains are encountered, the county coroner and the Mendocino County Archaeological Commission shall be contacted immediately. If the county coroner or archaeological commission officials determine that the remains are those of a Native American, local representative Native American organizations shall be consulted as to courses of action.

41. New development on sites identified as archaeologically sensitive shall include on-site monitoring of all grading, excavation and site preparation that involve earth moving operations by a qualified archaeologist(s) and appropriate Native American consultant(s).

6. ACTION PROGRAMS

In addition to causing the above open space and conservation policies to be implemented through the Zoning and Subdivision Ordinances (by amending those ordinances as necessary), or adhered to as part of the project review and development processes, or accomplished in cooperation with other agencies and with property owners, the City itself should initiate and carry out the following specific actions:

1. Amend the Zoning Ordinance so that the open space requirements that are spelled out for Planned Residential Developments (PRD) are incorporated into the appropriate section of the Zoning Ordinance, together with the procedures that must be followed to process projects using the PRD method.
2. Establish, zone as Park-P, and improve the following in-city parks:
 - a. The Downtown Park
 - b. Harper Park
 - c. A park at Arena Cove
 - d. A park east of Downtown
3. Prepare and adopt a comprehensive ecosystem restoration and management plan for all of Arena Cove before more substantial development activities commence.
4. Adopt as part of the Land-Use Element of this general plan, and as part of the Zoning Ordinance, a land-use category for public park, namely Park-P.
5. Prepare or cause to be prepared, and adopt, a comprehensive ecosystem restoration and management plan for Arena and Hathaway Creeks and for their riparian corridors.
6. Establish a program for trees to be designated as Heritage Trees so that if designated they will be saved from unnecessary or unwarranted destruction.
7. Prepare a "Habitat Conservation Plan" for the Point Arena Mountain Beaver in accordance with the provisions of the US Endangered Species Act, for Coastal Commission certification as

an LCP amendment, which includes specifications governing the issuance of permits where endangered species habitats are determined to be included in or affected by a proposed development; and enforce Sections 6.25 5.13, 5.22, 5.23, 5.24, and 5.27 of the City's Zoning Ordinance which governs development in and adjacent to environmentally sensitive habitat areas.

8. Establish a process whereby a project proponent is notified that in addition to obtaining a coastal development permit a "Stream Bed Alteration Permit" must be obtained from the California Department of Fish and Game prior to commencing any development project that may alter any stream and that such development shall be consistent with the Local Coastal Program.

9. Adopt specific regulations, for inclusion in the Zoning Ordinance, to provide acceptable alternative means for ensuring that lands required for open space, parks, or recreation areas will be guaranteed; among the options are outright purchase by the city, or dedications to the city; recorded easements; or the establishment of open space or park/recreation areas in common ownership by home owners' associations.

10. Adopt specific regulations and procedures governing dredging, diking, damming, channelization, filling or similar activities within any floodplain or stream in the city, the proposals for which shall be subject to securing a Coastal Development Permit and to Sections 5.13, 5.23, and 5.27 of the City's Zoning Ordinance and all other applicable policies of the LCP.

11. Adopt a Zoning Ordinance provision that at least fifteen (15) percent of the lot area of a multi-family residential project in any MR or HWC zone be reserved and improved for multi-family common useable open space purposes.

12. Adopt specific policies, set-back criteria, and design standards appropriate for the future planning and development within the five viewshed/view corridors provided for in this general plan.

13. In order to protect the natural setting of the hillsides that surround the city, the City shall adopt a Zoning Ordinance measure that requires hillside or ridgeline development proposals to be scrutinized with "view from the valley floor" considerations. Proposed development on the crest of bluffs or canyons shall be specifically analyzed in relation to views from the low-lying areas of the city, important view corridors, and scenic gateways. Development shall not silhouette against the ridgeline without adequate visual buffers, and development on lower slopes shall be visually screened by existing or landscaped vegetation to minimize visual impact. These measures may become review standards for the design review process.

14. (a) Maps depicting sensitive habitats of the General Plan area shall be updated to include all the riparian habitat in the area as well as associated north-facing slopes with coastal scrub vegetation. North-facing slopes with coastal scrub vegetation shall be identified on the habitat maps as habitat of the Point Arena Mountain Beaver. Riparian habitat along the entire length of Point Arena Creek within the city boundary shall be designated on the updated map, as well as the north-facing slopes south of the creek in the southeastern portion

of the annexation area. A buffer zone for the Point Arena mountain beaver shall be designated in coordination with CDFG and the USFWS. Other riparian zones not represented on existing maps include two tributaries of Hathaway Creek: one in the north-central portion of the city and one in the northeastern corner of the annexation area. Riparian vegetation along ephemeral drainages in the city that drain north to south into Point Arena Creek shall also be mapped.

(b) Updated habitat maps shall be submitted to the California Coastal Commission for certification. All habitat maps shall include a note that states that “the maps may be updated as appropriate and may not include all areas that constitute ESHA.”

15. North-facing slopes south of Point Arena Creek in the annexation area confirmed Point Arena mountain beaver habitat that shall be set aside for protection of the small populations of this sensitive species. Development proposed in this area, zoned for residential agriculture (two-acre lots), shall be reviewed vigorously to ensure conformance with policies of the General Plan and preservation of the populations of Point Arena mountain beaver that inhabit the area.

16. Those portions of the annexation area in a natural, undisturbed state shall be subject to more detailed biologic field studies prior to the approval of any development application.

17. The City of Point Arena shall avoid developing any road crossings of Arena Creek.

VII. COMMUNITY HEALTH AND SAFETY ELEMENT

1. INTRODUCTION

This chapter covers safety, as prescribed by Safety Element provisions of the California Government Code, Section 65302(g); air quality; and water supply and quality, which are parts of the State-mandated Conservation Element, Section 35602(d) but are included as part of this element rather than as a part of the conservation element.

The underlying assumption of this element is that the City can reduce the hazards caused by certain natural occurrences if the probabilities of such conditions are known in advance and plans for dealing with them are prepared.

State law requires that the Safety Element address the protection of the community from unreasonable risks associated with the effects of seismically-induced surface rupture, ground shaking, ground failure, tsunami and seiche; slope instability due to mudslides and landslides; subsidence and other known geologic hazards; flooding; and wildland and urban fires.

State law requires that local communities also adopt measurable noise standards as well as programs that will ensure that they are adhered to. These are to be found in the separate Noise Element of this general plan.

After setting forth public health and safety goals, the implementing policies and programs of this element are presented. They are divided into eight sections: seismic safety; flood hazards and control; slope stability; fire protection; air quality; water supply and quality; waste water collection and treatment; emergency preparedness; and hazardous materials transportation and storage.

2. COMMUNITY SAFETY GOALS

1. Strive to protect the community from injury, loss of life, and property damage resulting from natural catastrophes and hazardous conditions.
2. Strive to reduce the impact of pollutants on the well-being of Point Arena citizens, and on plants and wildlife.
3. Provide an adequate, consistent, and safe supply of water to meet Point Arena's domestic, commercial and fire fighting needs, and protect the city's ground water from pollutants.
4. Recognize the importance of the Garcia River and of the Garcia River Watershed and ecosystem to the City's well being.

5. Ensure that the city and its citizens, and businesses, are prepared for an effective response to major emergencies.

3. COMMUNITY SAFETY POLICIES AND PROGRAMS

The following are the City's policies and programs with respect to community health and safety, by category of concern:

1. New development shall: (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard. (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. (c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.

2. All proposed land divisions, including lot line adjustments, shall be prohibited unless potential future development on all proposed parcels can be demonstrated to be safe from flooding, erosion, and geologic hazards and will be provided with a safe, legal, all-weather access road(s), which can be constructed consistent with all policies of the LCP.

3.1. Seismic Safety Policies and Programs

Seismic hazards originate from sources both inside and outside of the city's corporate boundaries and pose both direct (primary) and indirect (secondary) risks to inhabitants. Primary hazard risks are land surface ruptures along a fault trace during an earthquake of moderate to major magnitude. Such an occurrence would pose a hazard to structures, utilities, and roads which traverse or straddle the fault.

Although Hathaway Creek Fault is not a major one it does traverse part of the city and may be a source of a primary risk. It is likely any seismic activity on this fault would be associated with major seismic activity on the San Andreas Fault north of the city.

Secondary seismic risks include ground shaking, lurch cracking of soil surfaces, liquefaction of soils, and lateral spreading, and may occur on unstable soils, of which there are those (Santa Lucia) shown on the Opportunities and Constraints Map of this general plan. Another secondary risk is a tsunami tidal wave action.

The following policies and programs shall apply:

1. The City shall undertake studies that establish acceptable levels of risk/safety standards, and shall cause existing buildings to be brought up to those standards.

2. The City shall require dynamic ground-motion analyses and responsive structural design for all new privately owned, high-occupancy structures (e.g., theaters, apartment houses, places of public assembly) and for structures for whose continued function in the event of a seismic disaster is critical (for example, public assembly buildings), and have plan checks for these buildings performed by a licensed structural engineer. The City shall also continue to invoke Sections 5.20 and 5.21 of the Zoning Ordinance in connection with all new proposed developments.
3. The City shall avoid placement of critical facilities and habitable structures in areas prone to ground failure during an earthquake or within areas subject to Tsunami wave run-up.
4. The City shall prepare a more detailed Seismic Safety sub- element that translates general plan seismic safety policies into specific programs, mitigation measures, and specifications... largely with respect to potentially seismically-hazardous buildings constructed prior to enactment of codes requiring earthquake-resistant design. The sub-element shall be submitted to the Coastal Commission as an LCP amendment for certification.
5. The City shall determine the precise location and map the Hathaway Creek Fault as generally shown on the “Natural Hazards” Opportunities and Constraints Map of the General Plan. The City shall require site-specific qualifying engineering studies for all new construction within any fault zone. The map shall be submitted to the Coastal Commission as an LCP amendment for certification.
6. The City shall review local- and distant-source tsunami inundation maps for Point Arena and adjacent coastal communities as they are developed to identify susceptible areas, plan evacuation routes or location suitable for vertical evacuation and make evacuation plans available to all emergency responders and other appropriate parties.
7. The City shall identify and map potential tsunami inundation zones for land use planning. Maps should identify generalized tsunami inundation zones on a probabilistic basis (e.g., 100-year event). These maps shall be submitted to the Coastal Commission for certification.
8. The City shall periodically review and update tsunami preparation response policies/practices to reflect current inundation maps and design standards, and submit these updated policies to the Coastal Commission for certification.
9. If new development is proposed within a potential tsunami inundation zone as identified by policy nos. 6 and 7, the City shall require a site-specific hazard analysis for a 100-year tsunami event. Where feasible, development shall be sited outside of the area identified as a tsunami inundation zone in the site specific wave run-up analysis.
10. If it is not feasible to site new development outside of tsunami inundation zones identified by the site-specific analysis required in policy no. 8, development shall be located and designed to minimize tsunami losses and damage.

11. The City shall avoid where feasible siting new critical facilities, including fire and police stations and hospitals in tsunami inundation zones. If it is necessary to site such facilities in tsunami inundation zones to provide adequate population protection, new critical facilities shall be located and configured to be functional immediately after a 100-year tsunami event.

12. The City shall develop a local response plan and/or participate in any regional effort to develop and implement workable response plans for distribution of information on tsunami alerts, watches, and warnings, to appropriate emergency responders and City personnel.

13. The City shall include tsunami evacuation route information as part of any overall evacuation route sign program implemented in the City. Evacuation routes should be clearly posted. An evacuation route traffic monitoring system that provides real-time information on the traffic flow at critical roadways should be considered.

14. The City shall develop and implement a tsunami educational program for residents, visitors, and people who work in the susceptible areas. 15. The City shall require that overnight visitor-serving facilities in susceptible areas to provide tsunami information and evacuation plans.

3.2. Flood Hazard Policies and Programs

Flood hazards in the city are limited to the area along Arena Creek and to the present parking area at Arena Cove. The latter is a result of heavy seas during winter storms, and the former a function of both heavy seas and heavy runoff along Arena Creek. At times the creek may run high and partially inundate properties located at various points along its length.

The following policies and programs shall apply:

1. The City shall maintain an updated flood control plan. It should address issues such as (a) natural flooding resulting from major rain storms that cause overflows of Arena Creek and may be aggravated by the City's inadequate storm drainage facilities, (b) mud and debris flows that may originate in hill areas having deep top soils with poor drainage characteristics, and (c) improvements in drainage systems sufficient to handle increases in storm drainage capacity as development increases.

2. Buildings within flood prone areas subject to inundation or erosion shall be prohibited unless no alternative building site exists on the property and proper mitigation measures are provided to minimize or eliminate risks to life and property from flood hazard.

3. The City shall establish standards to mitigate downstream impacts associated with new development.

4. Drainage channels shall be improved or maintained so as to preserve the natural character of waterways.

5. The City shall continue to be guided by the Federal Emergency Management Agency

(FEMA) and/or the Federal Insurance Administration with respect to "special flood hazards" identified in the scientific and engineering report entitled "Flood Insurance Study for Point Arena" dated June 3, 1986 together with the accompanying "Flood Insurance Rate Map".

6. No structure on land shall be located, constructed, extended, converted, or altered without full compliance with the terms of the City's Flood Damage Prevention Ordinance (Ordinance # 126) and without first obtaining a development permit as per Section 4.1 of said ordinance.

3.3. Slope Stability Policies and Programs

Soils hazards are largely limited to engineering constraints posed to urban development given the city's Santa Lucia soils. Slopes which exceed 20% in grade clearly must be acknowledged as constraints on development. Poor bearing capacity and surface and subsurface soil materials pose the greatest risk of soil failure, particularly when water-saturated. Within Point Arena such slopes in excess of nine percent may be unstable.

Considerable hazard to public safety is apparent with regard to coastal bluffs and their uses, and the potential for sea-cliff retreat is significant, posing a considerable hazard for development occurring along the vacant coastal bluffs. Open space and agricultural uses are appropriate with very-low residential uses allowed only subject to site specific and qualified geologic and soils studies. Areas south of Arena Cove are especially vulnerable.

In addition, landslides are most likely in hillside locations under conditions where (a) rock strata parallels surface slopes; (b) high clay content absorbs excess water; (c) displacement has fractured a fault zone; or (d), the bases of slopes have been removed by erosion or by people. Landslides can be triggered by heavy rains, human actions, or earthquakes.

The following policies and programs apply:

1. Applications for new development, where applicable and as required in the Sections 5.20 and 5.21 of the City's ordinance, shall include a geologic/soils/geotechnical study that identifies any geologic hazards affecting the proposed project site, any necessary mitigation measures, and contains a statement that the project site is suitable for the proposed development and that the development will be safe from geologic hazard. Such reports shall be conducted by a licensed Certified Engineering Geologist (CEG) or Geotechnical Engineer (GE). Both on-site and off-site hazardous impacts shall be considered.

2. Development shall not be permitted until necessary mitigation measures are implemented to limit potential damage to levels of acceptable risk.

3. The City shall encourage clustering of developments away from areas unsuitable for development because of slope instability problems.

4. Replanting of non-invasive vegetation following development shall be required on slopes prone to instability, and drought-resistive non-invasive plants shall be used for landscaping

slopes where excessive watering might induce landslides or erosion.

5. On ancient landslides, unstable slopes and other geologic hazard areas, new development shall only be permitted where an adequate factor of safety can be provided, consistent with the applicable provisions of Section 5.21 of the City's zoning ordinance.

6. The remediation or stabilization of landslides that affect existing structures or that threatens public health or safety may be permitted. Alternative remediation or stabilization techniques shall be analyzed to determine the least environmentally damaging alternative. Maximum feasible mitigation shall be incorporated into the project in order to minimize adverse impacts to resources.

7. Grading and/or development-related vegetation clearance shall be prohibited where the slope exceeds 40 percent (2.5:1), except that driveways and/or utilities may be located on such slopes, where there is no less environmentally damaging feasible alternative means of providing access to a building site, provided that the building site is determined to be the preferred alternative and consistent with all other policies of the LCP.

8. New development shall provide adequate drainage and erosion control facilities that convey site drainage in a non-erosive manner in order to minimize hazards resulting from increased runoff, erosion and other hydrologic impacts to streams.

8.5 New development shall: (1) avoid creating concentrated runoff, particularly over steep slopes and bluff faces, by installing energy dissipating devices, (2) create drainage swales, detention, and retention basins, (3) control the timing and manner of new construction so that there are no bare soil slopes during the rainy season.

9. All swimming pools proposed near coastal bluffs and within 100 feet of fault zones shall contain double wall construction with drains and leak detection systems.

10. New development on or along the shoreline or a coastal bluff requiring on-site waste disposal systems shall site systems as far landward as possible in order to avoid the need for protective devices to the maximum extent feasible.

11. New development in the cove or on an oceanfront bluff shall be sited outside areas subject to inundation or wave up-rush at any time during the full projected 75-year economic life of the development. If complete avoidance of hazard areas is not feasible, all new cove or oceanfront bluff development shall be elevated above the base Flood Elevation (as defined by FEMA) and setback as far landward as possible. All development shall be setback a minimum of 10 feet landward of the most landward surveyed mean high tide line. Whichever setback method is most restrictive shall apply. Development plans shall consider hazards currently affecting the property as well as hazards that can be anticipated over the life of the structure.

12. All new development located on a bluff top shall be setback from the bluff edge a sufficient distance to ensure that it will be stable for a projected 75- year economic life. Stability shall be

defined as maintaining a minimum factor of safety against sliding of 1.5. This requirement shall apply to the principle structure and accessory or ancillary structures. Ancillary structures such as decks, patios and walkways that do not require structural foundations may extend into the setback area to a minimum distance of 15 feet from the bluff edge. Ancillary structures shall be removed or relocated landward when threatened by erosion. Slope stability analyses and erosion rate estimates shall be performed by a licensed Certified Engineering Geologist or Geotechnical Engineer.

13. All new ocean-front and bluff top development shall be sized, sited and designed to minimize risk from wave run-up, flooding and beach and bluff erosion hazards without requiring a shoreline protection structure at any time during the life of the development.

14. As a condition of approval of new development on a vacant ocean-front or bluff top lot, or where demolition and rebuilding is proposed, where geologic or engineering evaluations conclude that the development can be sited and designed to not require a shoreline protection structure as part of the proposed development or at any time during the life of the development, the property owner shall be required to record a deed restriction against the property that ensures that no shoreline protection structure shall be proposed or constructed to protect the development approved and which expressly waives any future right to construct such devices that may exist pursuant to Public Resources Code Section 30235.

15. No permanent structures shall be permitted on a bluff face, except for engineered stairways or accessways to provide public beach access. Such structures shall be constructed and designed to not contribute to further erosion of the bluff face and to be visually compatible with the surrounding area to the maximum extent feasible.

16. Existing shoreline protection structures which do not conform to the provisions of the LCP may be repaired and maintained to the extent that such repairs and/or maintenance conform to the provisions of Title 14 CCR Section 13252 and Section 6.11(B)(5) of the Zoning Ordinance.

17. Land divisions, including subdivisions, lot splits, lot line adjustments, and certificates of compliance which create new shoreline or bluff top lots, shall not be permitted unless the subdivision can be shown to create lots which can be developed without requiring a current or future bluff or shoreline protection structure. No new lots shall be created that could require shoreline protection or bluff stabilization structures at any time during the full 75-year life of the development.

18. Siting and design of new shoreline development and shoreline protective devices shall take into account anticipated future changes in sea level. In particular, an acceleration of the historic rate of sea level rise shall be considered. Development shall be set back a sufficient distance landward and elevated to a sufficient foundation height to eliminate or minimize to the maximum extent feasible hazards associated with anticipated sea level rise over the expected 75-year economic life of the structure.

3.4. Fire Protection Policies and Programs

Fire hazards in Point Arena are either site-specific or generalized. In the case of site-specific fires, the local volunteer fire department is capable of responding adequately, and the combination of personnel, infrastructure (hydrants) and equipment is adequate to yield a rating of "8" or "9" on the general fire insurance rate schedule.

The most significant risk of fire in town is to the Downtown area where there are a number of older buildings and relatively high building densities. On a more generalized level the California Department of Forestry rates the area as having a "moderate" rating on the Fire Hazard Severity Scale during the peak summer season. This is because of the usually higher humidity levels and low fuel vegetation components of coastal terrace lands.

A major problem for the city is the absence of an alternative emergency route to and from Arena Cove. The lack of a secondary route is addressed in the Traffic and Circulation element of this general plan.

The following policies and programs apply:

1. Potential fire hazards, including existing fire-vulnerable buildings, shall be mitigated where appropriate, through proper fire-protection methods and fire-fighting practices, by clearing vacant land of excessive vegetation, and by updating fire- protection regulations for new construction and remodeled buildings.
2. The City shall strive to assure a five-minute response time for emergency vehicles, and to improve the ISO rating to "7" overall.
3. An adequate and safe supply of water to meet fire fighting needs shall be ensured. The City shall allow new development only in areas where adequate water pressure for fire suppression is available.
4. The City shall establish a program to upgrade fire fighting vehicles, equipment and storage facilities.
5. The City should consider establishing a fire control assessment district and/or a focused development impact fee policy and schedule to carry out its upgrade program.
6. Woodstoves and fireplaces in buildings with common walls should be prohibited or potential risks satisfactorily mitigated.
7. The City should ensure that all new wood stove installations or replacements meet prevailing and current State requirements.
8. Roads and streets shall be designed and constructed to satisfy up-to-date Fire Safety Regulations of the State Board of Forestry, where applicable.

9. The City should require maintenance of a 500-gallon per minute fire flow standard in all existing and future city fire hydrants, with higher pressure standards to apply in higher density and industrial areas.
10. The City should require all new building and remodeling plans to be in conformance with applicable building and fire code standards. Prior to commencement of grading or construction, plans shall be submitted for approval to the City of Point Arena.
11. The City shall evaluate the feasibility of expanding the existing fire station or acquiring a new fire station that would facilitate the housing of additional fire-fighting equipment and personnel.
12. When brush clearance is required for fire safety, brushing techniques that minimize impacts to native vegetation, ESHA and that minimize erosion, runoff, and sedimentation shall be utilized.
13. Applications for new development, which require fuel modification, shall include a fuel modification plan for the project, prepared by a landscape architect or resource specialist that incorporates measures to minimize removal of native vegetation and to minimize impacts to ESHA, while providing for fire safety, consistent with the requirements of the applicable fire safety regulations. Such plans shall be reviewed and approved by the Forestry Division.

3.5. Police Protection Policies and Programs

The City should maintain and periodically renegotiate contractual arrangements with the Mendocino County Sheriff's Department to ensure that a satisfactory level of traffic enforcement and general law enforcement is provided to the City, its residents, and visitors.

The City should work to provide a sufficient level of police service to maintain a minimum 20-minute response time to emergency calls.

4. AIR QUALITY POLICIES AND PROGRAMS

Point Arena is in a unique location with respect to air quality because of its proximity to the ocean and the pathway of prevailing winds. One exception is the Mill Street corridor where woodstove smoke often lingers and becomes bothersome and may prove unhealthy to some.

The Point Arena area is located in the North Coast Air Basin, and the Mendocino County Air Pollution Control District (MCAPCD) is the regional agency with the responsibility for enforcing State of California Ambient Air Quality Standards (CAAQSA) and the National Ambient Air Quality Standards.

Sources of air pollution within the area are divided into stationary sources and mobile sources, the latter mostly along Highway 1. The former consist of fireplaces and wood stoves, and

activities at the industrial site on Riverside Drive. Residential fuel burning on days with a marine inversion layer leads to local accumulations in low-lying areas, mostly along Mill Street.

To maintain Point Arena's high air quality and to reduce significant impacts caused by growth and development to less- than-significant levels, the following policies shall apply:

1. Development which would result in the violation of any State ambient air quality standard or generate a significant amount of air pollutants will not be permitted.
2. The City shall ensure that all new wood stove installations or replacements meet clean air standards (EPA Phase 2 requirements), except that wood stoves and fireplaces in high- density low inversion residential areas may not be approved if the effect is to contribute to a reduction of air quality.
3. The City will prohibit the burning of non-vegetative materials, garbage, clothes, plastics, and construction or demolition wastes.
4. The City will require that new and upgraded/modified industrial and commercial developments utilize BMP (Best Management Practices) for pollution control.
5. To mitigate local and regional impacts due to dust and emissions from construction activities, and to prevent fugitive dust from being transported off-site, a "construction dust control policy" should be adopted and implemented. The following measures shall be considered when adopting a construction dust policy:
 - a. Areas of soil redistribution shall be watered down twice daily or as necessary to trap fugitive dust and particulate during construction until plants, grass growth, or building coverage reduce the need for such measures.
 - b. If water is limited, soil binders such as soil cement may be spread in conjunction with watering, or sheet coverings such as burlap may be used on small areas. Areas with soil binders shall be turned over prior to re-vegetation.
 - c. During periods of excessive wind speeds, construction shall be temporarily suspended.
 - d. Disturbed areas shall be re-vegetated or paved as soon as possible to reduce dust during construction activities.

5. AIR QUALITY POLICIES AND PROGRAMS, PER THE COUNTY OF MENDOCINO AIR QUALITY MANAGEMENT DISTRICT

1. The City shall require all air quality mitigation measures to be reasonable, effective, feasible, measurable, and implementable concurrent with project development.

Implementation Strategy: Consult with the Air Quality Management District regarding the effectiveness of mitigation measures proposed by the applicant. When using mitigation measures suggested by the Air Quality Management District, consider site-specific factors, which may make a measure infeasible. Consider measures to reduce traffic in other parts of the community to offset emissions (or traffic) not mitigated by site-specific measures.

2. In the short-term planning period, the City shall support the development and use of Air Quality Impact Assessment Guidelines that will provide: A) standard criteria for determining significant environmental effects, B) a uniform method of calculating project emissions, C) a list of standard mitigation measures.

Implementation Strategy: Work with the Air Quality Management District and other planning agencies to develop and implement standards that are uniform throughout the county. The Air Quality Management District will act as primary author of the Air Impact Quality Assessment Guidelines. The District will hold workshops and meetings to gather ideas from citizens and affected agencies, with a completed product ready within three years.

3. The City shall consult with the Air Quality Management District during CEQA review for all discretionary projects. The City shall consult with the Air Quality Management District prior to accepting applications for development projects meeting or exceeding Air Quality Management District emissions thresholds, and other projects as appropriate.

Implementation Strategy: Conduct a pre-application air quality review to identify issues or problems that might require re-design or major alterations of the project. The District may also review formal air quality impact analyses submitted by the applicant for adequacy. This will ensure that the environmental document bases its conclusions on accurate information.

4. The City shall request Caltrans and other transportation agencies to construct or improve facilities for all travel modes on Highway 1.

Implementation Strategy 1: Identify the location of all bicycle, pedestrian, and transit facilities on General Plan maps, and consider developing additional signage to help residents and visitors use these routes. Request Caltrans to help fill gaps in needed facilities.

Implementation Strategy 2: Work with Mendocino Council of Governments and other agencies to pursue funding for alternative transportation facilities under STA (d1), TDA, federal TEA, state bike lane account, and other sources.

5. The City shall support and participate in the air quality education programs of the Air Quality Management District.

Implementation Strategy 1: The City shall assist the Air Quality Management District in educating developers and the public on the benefits of pedestrian and transit friendly development. A key tool will be joint participation by City staff and council members in District seminars on planning for air quality and other community values.

Implementation Strategy 2: During the short term planning period, the City shall develop community education programs about the possibilities of reducing air pollution through personal life-style choices. This program would include the importance of using wood burning appliances appropriately, alternatives to open-burning such as chipping and composting, and use of alternative transportation.

6. The City shall support agricultural education programs that increase the awareness among farmers of techniques to reduce PM-10 emissions.

Implementation Strategy: During the short-term planning period, work with the Farm Bureau, the University of California, the Air Quality Management District and farm organizations on educational programs.

7. The City shall require measures to reduce particulate emissions from road and site construction, grading, and demolition to the maximum extent feasible. Developers must cover all access roads, driveways, and parking areas with pavement or other appropriate material serving new commercial and industrial development.

Implementation Strategy: Utilize recommendations from the Air Quality Management District on appropriate dust-control activities, suitable for soil, wind, slope, and other site particulars. Provide for regular inspection of the projects' dust-suppression measures. Incorporate dust-control enforcement provisions in all construction permits, and consult with District enforcement staff if a nuisance issue arises from project earth-moving or construction-equipment exhaust. Include paving requirements as part of the development standards of the Zoning Ordinance.

8. In consultation with the Air Quality Management District, the City shall develop a program to reduce PM-10 emissions from City and County maintained roads within the planning area.

Implementation Strategy 1: Inventory unpaved roads (private and public) within the planning area. Conduct regular traffic counts (ADT) on these roads during dry months (May through October). Require application of dust palliatives when traffic levels exceed 300 ADT during this period. During drought periods, monitor traffic and dust levels as appropriate. Over the intermediate planning period, develop plans and funding sources to pave heavily-used dirt roads.

Implementation Strategy 2: Maintain a street sweeping program throughout the planning area. Landscape shoulders and medians. Consider lowering speed limits on roads which cannot be paved during the short-term period, and implementing traffic calming measures

to keep speeds low.

9. The City shall work with Caltrans, Mendocino Council of Governments, and other local agencies or institutions to develop programs that reduce the impact of automobile commuting.

Implementation Strategy 1: During the short-term planning period, request Caltrans and MCOG to identify suitable sites for park-and-ride lots within the planning area. Designate these sites within the Circulation Element.

Implementation Strategy 2: Encourage Banks, Savings and Loans, and other lending institutions to consider commute distances and associated travel costs when reviewing mortgage applications. This review should encourage people to live and work in the same community whenever possible.

Implementation Strategy 3: The City should construct appropriate park-and-ride lots on public land or other available areas as needed. The City (or County) may require new projects to construct park-and-ride lots as traffic and air quality mitigation.

Implementation Strategy 4: Utilize park-and-ride lot construction as an offset for new project traffic-created air pollution. Incorporate park-and-ride lot construction in standard CEQA mitigation measures for developments expected to generate over 500 ADT. Coordinate with MTA and major employers to establish express buses and vanpools to increase patronage of park-and-ride lots.

10. The City shall, through the development process, reduce air quality impacts resulting from space heating. The City shall require primary heat sources in all new development, room additions, or remodels involving space heating to utilize solar, pellet stoves, propane, butane, fuel oil, vented kerosene heaters or electricity. The City may restrict or prohibit installation of wood burning appliances in new development, especially in multi-family rental units.

Implementation Strategy 1: Commencing within 180 days of Plan adoption, City plan reviews and inspections should verify that solar access is optimized and primary heat sources come from low-polluting sources (cited above). Secondary heat should come only from EPA certified wood stoves, or fireplace inserts.

Implementation Strategy 2: Where wood stoves or fireplace inserts are permitted, (a) dwellings should incorporate increased insulation or reduced window area sufficient to exceed insulation requirements of Title 24 of the state energy code by 25% or more.

Implementation Strategy 3: Pursuant to Strategy 2 above, all new wood stoves, fireplaces, and fireplace inserts must pay an offset fee of \$700 at the time of permitting. This fee will be used to replace existing non-certified wood-burning devices used for primary heat sources with butane, propane or other very clean heaters. Increased insulation or weatherization of low-income family homes may be part of the replacement

process. The City may request the Air Quality Management District to provide assistance in administering the replacement program.

11. Little air monitoring is available for the coastal area near Point Arena. Conducting regular monitoring of Respirable Particulate Matter (PM10) and other ambient air pollutants such as ozone will help ensure that air quality remains good, and provide immediate notice if unhealthful conditions occur.

Implementation Strategy: Support establishment of a monitoring station for PM10 or other ambient air pollutants. The City can assist the Air Quality Management District to locate a suitable site for monitoring equipment and might provide electric power or other services.

6. WATER SUPPLY AND WATER QUALITY POLICIES AND PROGRAMS

The Point Arena Water Works, a privately-owned utility under California Public Utility Commission oversight, supplies water to most of Point Arena. The exceptions are users who have individual wells. The major source of water is a well adjacent to the Garcia River. The main storage tank is just east of Downtown. It is estimated that the present system produces 33,000 gallons per day and delivers water to approximately 179 homes and businesses.

Existing water permits allow the Point Arena Water Works to pump 0.22 cubic feet per second (142,000 gallons per day) or a maximum of 100 acre feet per year (90,000 gallons per day). Existing water storage is capable of holding 575,000 gallons.

Under the current water permits, a maximum of 1,385 people may be served (90,000 gallons per day maximum at 65 gallons per person).

A new water line has been installed at the north end of town by the Point Arena Water Works (Permit 03-93) rendering more-than-adequate water pressure to the northern sections of the City.

Lacking is an emergency contingency plan in the advent of loss of water at its source or within the system due to a natural disaster, particularly seismic activity at the river or seismic activity in the vicinity of any water lines or storage tanks.

Water quality is regulated by the State Department of Health Services, which agency conducts regular inspections to ensure continuing water quality.

A. The following policies governing the supply and delivery of water shall apply:

1. The City will continue to work with the PAWW ownership to ensure that maintenance of the Garcia River's water quality and water supply for domestic purposes is guaranteed and meets State standards for operation and testing.

2. The city and PAWW will maintain an updated water service plan to incorporate the changing

needs of the city, and to consider the impacts of drought or peak fire-fighting demand.

3. Care shall be taken to ensure that the quality of the city's ground water supply is maintained. This can be assured by limiting or prohibiting private septic tanks.

4. The City shall consider, as a long-range possibility, the merits of purchasing, operating and maintaining the existing water supply system. In the interim, the City should complete or cause to be completed a satisfactory capacity study of the current water system, to include data on system capacity (pumps, filters, storage capacity, delivery system) and source capacity. Included should be studies of the capacity of the Garcia River in drought-year conditions.

5. Extension of the water system and new hookups should be permitted within the urban limit line, and hookups of new developments on lots smaller than one acre shall be required.

6. The City should monitor land-use activities and development projects within the Garcia River watershed and oppose those activities and projects that may have an adverse effect on the city's water supply or quality.

7. The State Board of Forestry should be asked to notify the City of any timber harvesting plans submitted within the watershed, with full consideration to be given to possible impacts on the watershed of practices that might increase turbidity, runoff, and debris.

8. Due to the proximity of the water system's Garcia River well to a known fault zone, the City shall assess the seismic risk the fault poses to the well, pumps, and the eight inch main which extends from the water source to the city, and shall develop an emergency contingency plan in cooperation with the County of Mendocino.

9. The City shall request from the PAWW a yearly assessment of the condition of the city's water system in general and a report on any circumstances or conditions that would limit water connections in any area or zone for any reason.

10. New construction shall provide water conservation measures, and water conservation shall be encouraged for all new development. Water conservation measures shall include low flow water faucets, showerheads, and toilets for all new construction.

11. New developments shall be encouraged to use native plant species that are more drought resistant for landscaping. New commercial development shall be required to use native species for all landscaping.

12. New water wells shall minimize individual and cumulative adverse impacts on groundwater, streams, springs, or seeps, and their associated riparian habitats.

13. The construction of a new water well may only be permitted where it will not have significant adverse individual or cumulative impacts on groundwater, streams, or ESHA.

B. The following policies governing water quality shall apply:

Minimize Introduction of Pollutants and Increases in Runoff

1. Development shall be designed and managed to minimize the introduction of pollutants into coastal waters (including the ocean, estuaries, wetlands, rivers, streams, and lakes) to the maximum extent practicable.
2. Development shall be designed and managed to minimize increases in runoff volume and peak runoff flow rate, to avoid detrimental water quality impacts caused by excessive erosion and sedimentation.
3. Consistent with section 30230 and 30231 of the Coastal Act, development shall not result in the degradation of coastal waters caused by the introduction of pollutants, or by changes to the landscape that adversely impact the quality, quantity, and flow dynamics of coastal waters. Development shall not discharge runoff in a manner that adversely impacts the biological productivity and the quality of coastal waters appropriate to maintain optimum populations of marine organisms and protect human health.

Coastal Act Policies:

30230. Marine resources shall be maintained, enhanced, and, where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

30231. The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Incorporate Site Design and Source Control BMPs; add Treatment Control BMPs as Required

4. All development shall incorporate Site Design and Source Control Best Management Practices (BMPs) to the maximum extent practicable, to minimize polluted runoff and water quality impacts resulting from the development. BMPs shall be selected to mitigate both construction-phase and post-construction water quality impacts. Where required (see 4.3), structural Treatment Control BMPs shall supplement Site Design and Source Control BMPs as necessary to protect coastal water quality.

The definitions of Site Design, Source Control, and Treatment Control BMPs are as follows:

Site Design BMPs: Project design features that reduce the generation of pollutants or reduce the alteration of natural landscape features that protect water quality (e.g., minimizing impervious surfaces, or minimizing grading).

Source Control BMPs: Practices that reduce the entrainment of pollutants in runoff (e.g., covering trash receptacles, or minimizing the use of landscaping chemicals and irrigation).

Treatment Control BMPs: Structural systems designed to remove pollutants from runoff (using processes such as gravity settling, filtration, biological uptake, media adsorption, or any other physical, chemical, biological process) and/or to reduce runoff volume and peak flow rates (using systems such as grassy swales, infiltration basins, detention ponds, or dry wells).

5. The selection of appropriate BMPs to protect water quality shall be guided by the California Stormwater Quality Association (CASQA) Stormwater BMP Handbooks dated January 2003 (or the current edition), or an equivalent BMP manual that describes the type, location, size, implementation, and maintenance of BMPs suitable to address the pollutants generated by the development.

6. All development shall be evaluated by the City during the Coastal Development Permit (CDP) review process for potential adverse impacts to water quality. The applicant shall submit information that details how Site Design and Source Control BMPs will manage or mitigate polluted runoff and water quality impacts resulting from the development, consistent with Zoning Ordinance Section 5.33. These proposed measures shall be submitted for review and approval as part of the CDP application, or prior to issuance of the CDP.

7. All Coastal Development Permit approvals shall include conditions requiring the continued application, inspection, and maintenance of required BMPs as necessary to ensure their effective operation for the life of the development.

Developments of Special Concern

8. Certain categories of development have a greater potential for adverse coastal water quality impact, due to the development size, type of land use, or proximity to coastal waters. A development in one or more of the following categories shall be considered a Development of Special Concern, and shall be subject to additional requirements (see Policy 9, below) to protect coastal water quality:

Developments of Special Concern:

- a. Housing development of ten units or more
- b. Hillside residential development on slopes > 20 percent (as indicated on the “Natural Hazards” Opportunities and Constraints Map)
- Industrial developments

c. Commercial development if such development creates more than 5,000 square feet of impermeable surface or increases the impermeable surface on the property by more than 10%

d. Retail gasoline outlet or automotive service facility

e. Restaurant

f. Parking lot of 5,000 square feet or more of impervious surface area, or with 25 or more parking spaces

g. Re-development project that results in the creation, addition, or replacement of 5,000 square feet or more of impervious surface area on an already developed site, Commercial or industrial outdoor storage area

h. All development within 200 feet of the Pacific Ocean, or of a stream or river (including Point Arena Creek and Hathaway Creek), or discharges directly to a surface water (including wetlands, streams, or other coastal waters), if such development creates more than 2,500 square feet of impermeable surface or increases the impermeable surface on the property by more than 10% Development that discharges directly to the Pacific Ocean

9. All Developments of Special Concern (as identified in Policy 8, above) shall be subject to the following three additional requirements to protect coastal water quality:

a. The applicant for a Development of Special Concern shall be required to submit a Water Quality Management Plan (WQMP), certified by a California Registered Civil Engineer, estimating increases in pollutant loads and runoff flows resulting from the proposed development, and detailing the BMPs that will be implemented to minimize post-construction water quality impacts.

b. If the combination of Site Design and Source Control BMPs proposed for a Development of Special Concern is not sufficient to protect water quality, structural Treatment Control BMPs shall also be required. The Treatment Control BMPs to be implemented will be specified in the WQMP.

Concern shall be sized according to the following numerical design standard:

Where structural BMPs are required for post-construction treatment of runoff, structural BMPs (or suites of BMPs) shall be designed to treat, infiltrate, or filter the amount of stormwater runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th percentile, 1-hour storm event (with an appropriate safety factor of 2 or greater) for flow-based BMPs.

10. In addition to all other applicable water quality requirements, developments with land use activities that have a high potential for generating pollutants shall be required to incorporate

BMPs to address the particular pollutants of concern. For example:

- a) Require parking lots to incorporate BMPs to minimize runoff of oil, grease, car battery acid, coolant, gasoline, sediments, trash, and other pollutants to receiving waters.
- b) Require commercial developments to incorporate BMPs to minimize polluted runoff from structures, landscaping, parking areas, repair and maintenance areas, loading /unloading areas, and vehicle/equipment wash areas.
- c) Require automotive service stations, car washes, and vehicle repair facilities to incorporate BMPs to minimize runoff of oil, grease, solvents, car battery acid, coolant, gasoline, and other pollutants to the stormwater conveyance system from areas including fueling areas, repair and maintenance areas, loading/unloading areas, and vehicle/equipment wash areas.
- d) Require restaurants to incorporate BMPs to minimize runoff of oil, grease, solvents, phosphates, suspended solids, and other pollutants.
- e) Require outdoor material storage areas to be designed (e.g., with a roof or awning cover) to minimize runoff of toxic compounds, oil and grease, heavy metals, nutrients, suspended solids, and other pollutants.
- f) Require roof or awning covers over trash storage areas to minimize off-site transport of trash and other pollutants.

Other Land Use Activities

11. New development shall be encouraged to use drought-resistant native plant species for landscaping, to reduce the need for irrigation and landscaping chemicals (e.g., pesticides and fertilizers), and thus reduce polluted runoff. New commercial development shall be required to use native plant species for all landscaping.
12. Development shall be sited and designed to avoid, where feasible, construction on areas particularly susceptible to erosion, such as steep slopes. Development in these areas shall incorporate both construction and post-construction BMPs to reduce erosion and sedimentation.

Municipal Activities

13. The City should promote both the protection of good water quality and the restoration of impaired water quality. Water quality degradation can result from a variety of factors, including but not limited to the introduction of pollutants, increase in runoff discharge rate, generation of dry weather runoff, and alteration of physical, chemical, or biological features of the landscape.
14. The City should encourage and support public outreach and education regarding the water quality impacts of development. The City shall coordinate with other agencies in the watershed area, as feasible, to develop public education programs on urban runoff issues and the appropriate roles of individuals, businesses, and government in the implementation of BMPs for pollution prevention.
15. Storm drain stenciling or signage shall be provided for all new storm drain construction, to discourage dumping and other illicit discharges into the stormwater conveyance system.
16. The city should ensure that municipal maintenance activities and other public projects not requiring a Coastal Development Permit also integrate appropriate water quality BMPs.
17. Development shall be sited and designed to preserve the infiltration, purification, and retention functions of natural drainage systems that exist on the site, to the maximum extent practicable.
18. Drainage conveyed from the developed area of the site shall be conveyed in a non-erosive manner, to protect downstream areas from erosion and sedimentation.
19. Development shall be sited and designed to comply with the following principles to help protect water quality:
 - a) Protect areas that provide important water quality benefits, areas necessary to maintain riparian and aquatic biota, and/or that are susceptible to erosion and sediment loss;
 - b) Analyze the natural resources and hazardous constraints of planning areas and individual development sites to determine locations most suitable for development;

- c) Preserve and protect riparian corridors, creek channels, wetlands, and buffer zones;
- d) Minimize disturbance of natural areas, including significant trees, native vegetation, and root structures;
- e) Ensure adequate setbacks from creeks, wetlands, Pacific Ocean, and other surface waters;
- f) Promote clustering of development on the most suitable portions of a site, taking into account geologic constraints, sensitive resources, and natural drainage features.

Minimize Impervious Surfaces

20. New development shall minimize the creation of impervious surfaces, especially directly connected impervious areas, to the maximum extent practicable. Redevelopment shall increase the area of pervious surfaces, where feasible.

21. The City shall promote the use of permeable pavement materials and techniques (e.g., paving blocks, porous asphalt, and permeable concrete).

Infiltrate Runoff

22. To the maximum extent practicable, development shall maximize on-site infiltration of runoff (to preserve natural hydrologic conditions, recharge groundwater, and prevent transport of pollutants), except where site conditions preclude infiltration (e.g., where geologic instability would be exacerbated, or pollutant concentrations are high). In developments where infiltration is precluded, appropriate Treatment Control BMPs such as filtration shall be implemented to reduce the discharge of polluted runoff. Single family residences are excluded from the requirement for treatment control BMPs where infiltration is precluded, unless the development is a Development of Special Concern.

23. Development shall divert runoff resulting from new impervious surfaces into landscaped areas or permeable surface areas, wherever feasible, to increase onsite infiltration and attenuate runoff.

24. To the maximum extent practicable, development shall limit the use of curb drains to avoid conveying runoff directly to the City's stormwater conveyance system.

Minimize Polluted Runoff from Construction

25. Development shall minimize erosion, sedimentation, and other polluted runoff from construction-related activities, to the maximum extent practicable.

26. All development shall address construction-phase erosion and sedimentation, as well as other potential pollutants from construction sites (e.g., paint, solvents, vehicle fluids, and debris). Such

measures shall include controls on timing of grading, BMPs for storage and disposal of construction materials, and/or design specifications for sedimentation basins.

27. Grading shall be prohibited during the rainy season (from October through April) in areas with slopes of 20 percent or greater (as indicated on the "Natural Hazards" Opportunities and Constraints Map), except in response to emergencies.

Minimize Land Disturbance During Construction

28. Construction shall minimize land disturbance activities (e.g., clearing, grading, and cut-and-fill), especially in erosive areas (including steep slopes, unstable areas, and in erosive soils), to minimize the water quality impacts of excessive erosion and sedimentation.

29. Construction shall minimize disturbance of natural vegetation (including significant trees, native vegetation, and root structures), and other physical or biological features important for preventing erosion and sedimentation.

30. Development shall incorporate soil stabilization BMPs on disturbed areas as soon as feasible, including, but not limited to, revegetation of graded or disturbed areas.

7. SEWAGE COLLECTION AND DISPOSAL POLICIES

The city's sewage collection and disposal system is owned and operated by the City of Point Arena. Sewer lines serve most of the existing developed area. The treatment includes aerated pond treatment, and chlorination, and percolation and evaporation for disposal. Areas not served are accommodated by individual septic tank systems.

A wastewater system capacity analysis was completed in January of 1996 by Bonneau Dickson, P.E. This study used buildout figures from density and Zoning allowed by this General Plan and it determined that: "The City of Point Arena wastewater system has adequate capacity to handle and treat the highest foreseeable flows and biochemical oxygen demand (BOD) loads that will be generated under the current General Plan, with the following exceptions:

1. The Capacity of the existing percolation ponds has been reached. It is extremely important to acquire additional area for percolation as soon as practicable.
2. Some parts of the sewer system might become hydraulically overloaded at some point in the future.
3. Slightly larger aerators might be needed in the distant future.

The average flows to the system, which currently are just under 30,000 gallons per day (GPD) in dry weather, are not important. The capacity of the system is limited not by the average flows but by the peak flows, which are occasionally 20 to 30 times higher than the average dry weather flows. Similarly, the ability of the plant to treat BOD does not impose a limit on the capacity of

the system. At worst, slightly larger aerators will have to be purchased as the existing units wear out. Earlier analyses of the capacity of the City's wastewater system which were based on average flows or BOD loads are not relevant.

The capacity of the sewer system is determined by the peak instantaneous flow that it will pass and will become inadequate only when there is an overflow from the system. The sewer system has never been known to overflow due to a lack of hydraulic capacity although some lines may have been close to their hydraulic capacities during the winter of 1995, at which time an instantaneous peak flow of 980,000 GPD was noted it is very difficult to predict the future maximum instantaneous peak flow. It may increase very little as new connections are made to the sewer system because the system may already be leaking at the maximum rate possible.

Sustained peak flows are caused by infiltration rather than by inflow into the sewer system, i.e. by leakage of ground water through many small places in the sewer system rather than by relatively large openings that allow stormwater to flow directly into the sewer system. There is unlikely to be any single leak that accounts for a large percentage of the total leakage, instead of the small leaks that are probably occurring in a large number of places. Correcting infiltration is very expensive because only a small amount of leakage is stopped by each repair.

Most of the leakage into the sewer system probably is coming from house laterals. Approximately two-thirds of the sewer mains were slip lined in the early 1980's and most of the manholes were replaced at that time. By contrast to the relatively new sewer mains, many of the sewer laterals were built in the 1930s, when materials and construction methods were not nearly as advanced as they are today.

It is less costly and more certain to expand the percolation facilities than to undertake a large scale, general improvement of the sewer system."

The recommended improvements and activities and the recommended capital improvements of the Bonneau Dickson study have been accomplished or are incorporated into the policies below.

The following policies and programs shall apply:

1. The City shall take immediate steps to expand percolation capacity to accommodate sustained peak flows. This is of highest priority.
2. In order to protect ground water resources, all new development of more than one dwelling unit per acre of land will be required to connect to the municipal sewer system.
3. No sewer service may be extended to lands zoned Agriculture Exclusive-AE or to areas outside the "urban limit line".
4. All buildings that generate waste water must be connected with the sewer system if said buildings are within 100 feet of the system, or if said buildings are on a parcel less than one acre in size that is within 100 feet of the system.

5. New private disposal systems shall not be permitted within the city, except those authorized by the City Council.
6. Improvements and or expansions to collection and treatment facilities that are necessitated by new development shall be financed all or in part by development fees.
7. The City should require that all future development also pay appropriate impact fees to finance the installation of adequate storm drainage infrastructure.
8. To reduce the sewage collection infiltration problem, and to further expand wet-weather sewage treatment capacity, the City should continue applying a testing and repair program to the sewage collection system.
9. The City should consider establishing a "sewer impact fee" that would replace the present "connection fee" (City Ordinance # 143). This fee shall be charged per ESD per connection and should be established by ordinance in connection with the actual cost of facilities replacement, repair, and maintenance to serve the use.
10. The City shall adopt an ordinance which requires that sewer laterals be tested when a building is sold and that leaky laterals be repaired or replaced and that adequate cleanouts be installed.
11. The City shall adopt a "capital improvement program" upon completion of the capacity and facilities study.
12. As a precautionary measure, when the population reaches 50% of projected buildout or in 50 years, whichever comes first, the City shall review sewer capacity to insure continue ability to meet waste water needs through buildout.
13. The City will require that the costs of sewer extensions and hookups for new developments be borne by the customer.
14. The City shall establish a protocol for visually observing the flows in various branches of the sewer system so that this information will be available for future sewer system analyses.
15. The City shall measure and map the depth of solids in the aeration basins on a yearly basis to determine rate of increase and estimate when solids will need to be removed. Test solids to help estimate cost of solids removal.
16. All sewer improvement programs shall conform with the provisions of the environmentally sensitive habitat areas (ESHA) policies, including but not limited to the riparian buffer zone for Point Arena Creek.

8. EMERGENCY PREPAREDNESS POLICIES

Emergency preparedness is a term used in this general plan to refer to emergency medical and rescue services and police protection, and to disaster preparedness. Fire protection planning is addressed elsewhere in this element. Defense against catastrophes combines emergency response capabilities with policies and programs to minimize hazards. Minimizing hazards through planning is the principal focus of this element.

To prepare for emergencies the City shall accomplish the following:

1. The city shall update as necessary and maintain its disaster response plan.
2. The city shall prepare a specific earthquake preparedness plan and implementation program to deal specifically with preparation for and responses during an earthquake.
3. The City shall ensure continued fire and rescue services to the citizens of Point Arena through a joint powers agreement with the Redwood Coast Fire Protection District. City shall require all new developments to be in conformance with Uniform Fire Code.
4. The City shall establish an emergency alternative north-south route through or just outside of Point Arena.
5. Highway 1 leading north and south out of town, Riverside Drive, and Windy Hollow Road should be designated as the only available evacuation routes in case of an emergency.

9. POLICIES AND PROGRAMS GOVERNING HAZARDOUS MATERIALS

To protect citizens and visitors alike the following policies shall apply:

1. No hazardous waste dumps or incinerators will be allowed in the city.
2. The City shall work with the appropriate local, state and federal agencies to determine the extent of existing toxic waste sites. As of July, 1992, the California Environmental Protection Agency, Office of Environmental Information, has produced the following list of "Identified Hazardous Waste and Substances Sites:

- a. 170 Main Street
- b. 185 Main Street
- c. 720 Port Road
- d. 44900 Port Road
- e. 415 School Street

All of the sites are listed for having leaking underground fuel storage tanks.

3. The City shall consider adopting a policy governing the transport of toxic and hazardous materials through town on local streets and on Highway 1.

VIII. NOISE ELEMENT

1. BACKGROUND AND FINDINGS: GENERAL

The intent of the Noise Element is to provide a framework for evaluating sound in the community, both qualitatively and quantitatively, and to set forth noise reduction or noise suppression policies and programs. This is done by describing the current local environment of sounds, identifying and measuring local noise sources, identifying and mapping noise-sensitive land uses, projecting future noise levels, and prescribing policies and programs for achieving the city's noise-control goals. The objectives are to minimize exposure of local citizens to excessive noise and to preserve the unique low-ambient noise levels of the Point Arena soundscape.

Point Arena is characterized by its citizens as a quiet town. It is a small rural community, with sound levels at different locations inside the city limits ranging from very quiet to moderately loud.

In this predominantly quiet environment are the following esteemed features of the local soundscape: the sound of winter storm surf rolling up from Arena Cove; the tolling of the off-shore bell buoy; a rich variety of birdsong; the lowing cattle in nearby pastures; water flowing over rocks in Arena Creek; the peal of morning Church bells; the immediacy and personal involvement of emergency sirens from ambulances and fire trucks.

Of course, there are also some unpleasant noises: heavy truck traffic noises on Highway 1 in particular, and along Riverside Drive, unattended barking dogs, and, at times, noises emanating from the industrial area.

The small, quiet nature of the town produces a low level of sound measurement (technically described as "low ambient noise level"), which, in turn, makes it noticeably susceptible to incremental increases in sound levels. Point Arena citizens appreciate and enjoy this very low ambient sound level, which compares very favorably to most urban areas.

It is so quiet at night that the loudest sound is the surf at Arena Cove, which is approximately one mile from Downtown. The most prominent sources of noticeable noise are the Highway 1 corridor (Main Street and School Street), truck traffic on Riverside Drive, and the industrial site on Riverside Drive east of Downtown. The only other notable source of noise is the sound made by people congregating at night along Main Street where the theater and several restaurants are located. Noise from bands/ jukeboxes can be heard when bar doors are opened. In many other communities such noises would not be significant, but they are noticeable in Point Arena primarily because the night-time background noise level is quite low (approximately 20-25 dBA).

In this context, individual sounds or noises have greater contrast, and as ambient levels rise, the quieter features of the soundscape are lost. The local soundscape characterized by a low ambient noise level should be viewed as a public resource to be preserved.

2. BACKGROUND AND FINDINGS: DEFINITIONS AND MEASUREMENTS

2.1. Introduction

State of California noise guidelines require that noise contours depicting major noise sources be in terms of Ldn or CNEL (See definitions in the Glossary), which impose a 10dB "penalty" on sound levels between the hours of 10PM and 7AM. The reason for this is to account for the fact that noise at night can be more noticeable and bothersome. 10dB is generally accepted to be the average difference between day and night levels. However, Point Arena has a much wider spread between day and night levels. And, while Ldn is useful to describe some aspects of noise levels in the city, it gives a distorted view as to the actual sound level experienced by the area's residents. Therefore, Ldn measurements must be taken over a twenty-four hour period, or use must be made of a noise model that matches Point Arena's low night-time sound levels.

Moreover, seasonal factors contribute to the annual average of sound levels in the city, including tourist traffic on Highway 1 during the spring, summer and fall, and on some long holiday weekends, and truck traffic at Arena Cove, and logging traffic on Riverside Drive and Highway 1.

State noise guidelines allow and encourage local jurisdictions to employ considerable flexibility in describing a local situation in order to more fully quantify local sound levels. Two different units of measurement are used. First, noise contours are to be shown in terms of Ldn. Second, where appropriate, Leq is to be used to better quantify the true noise levels. (Definitions of the terms used in this element are located in the Glossary of the General Plan).

2.2. Noise Sources and Existing Measurements

Specific identifiable sources of noise in Point Arena are shown in part on the noise contour map (located at the end of this element) and additionally are listed in the table below. Noise contours are intended to illustrate the general location and extent of projected future noise levels.

The most prominent sources of noise in Point Arena are:

1. Traffic on Highway 1, including along Main Street
2. Heavy truck traffic on Highway 1 and Riverside Drive
3. Operations at the BedRock industrial facility
4. Compressor noise from the refrigerator trucks at Arena Cove
5. Barking dogs, especially on Mill Street and Eastwood Drive
6. Jet aircraft overhead.

The following table summarizes noise levels at various locations;

Table 5 Existing Noise Measurements

Location	Daytime				Night	Ldn
	Lmin	Leq	Lmin	Leq	Leq(24)	
Highway 1 Corridor	40	55	21	24	39	47
Riverside Dr @ Hwy	1	35	55	21	23	39
Arena Cove	6	50	40	40	45	50
Mill Street	25	33	22	23	28	33
Bedrock Plant	25	55	21	23	39	46
New Industrial Site on Riverside	28	32	21	23	27	32
Outside HS Gym 9 a.m.	25	34	22	24	29	34
City Hall Park Lot	22	33	21	23	28	33
Port Street Apts	35	38	22	24	31	36

Leq(24) values range from 27 to 45.

Ldn values range from 32 to 50.

Source: Measurements are a compilation of data from the following studies/surveys:

Brown-Buntin Associates Noise Study (1984)
 Mintier Draft General Plan (1987)
 Administrative Draft EIR for the 1992
 preliminary draft General Plan (1991)
 Field survey conducted by members of the
 Noise Element sub-committee, using a County of
 Mendocino noise meter

2.3. Noise-Sensitive Areas: Existing and Future

The following are the areas where the impact of noise generated off site can be expected to be the most severe:

1. In existing and future single-family and multiple-family areas
2. At school and church sites

3. At the Point Arena Medical Center on Mill Street
4. At similar areas and sites where the absence of noise is essential to the health and welfare of the residents or occupants.

Various conditions affecting future noise levels and noise contours in Point Arena include the following:

1. Possible reduced logging truck traffic due to a decline in the logging industry
2. Increased tourist traffic on Highway 1
3. Increased residential development, especially in the newly-annexed area east of Downtown
4. Increased truck traffic and other activities associated with development of the city's industrial area and of Arena Cove.

The noise contour map for the noise element, which appears at the end of this element ("Noise Contours Based on General Plan Buildout", prepared by Earth Metrics) shows "worst case" projected levels for the next 5-10 years. The increase in noise levels along the Highway 1 corridor are estimated to increase 2-3 dB (Ldn) in the next 5-10 years. The city's residential areas, as they get built up, are not expected to generate any significant increase in ambient noise levels.

3. NOISE CONTROL GOALS

1. To preserve low ambient noise levels in residential neighborhoods, especially at night (8PM - 7AM)
2. To protect existing developed areas from excessive noise levels
3. To encourage low-noise commercial and industrial developments
4. To implement planning and zoning regulations that will guard against the loss of the low ambient sound levels, especially at night
5. To implement and enforce the State of California Noise Insulation Standards for all new developments.

4. NOISE CONTROL POLICIES AND PROGRAMS

1. Noise levels shall not be permitted to exceed 60 Leq(1) anywhere within the community.
2. The City may require an acoustical report for new multi-family dwellings within the 60dB (Ldn) noise exposure contour, as required by Title 25 of the California Administrative Code-Noise Insulation Standards.
3. New development in all zones must not raise the ambient noise levels in any residential zone within the city. Where residential zoning is adjacent to other zones, the lower residential noise limits will apply.
4. New developments in commercial and industrial zones shall be designed, sited and screened in such a way as to avoid or suppress noise and the impact of any noise on existing and proposed residential settings; and, noise buffers (walls, trees, landscaping, open spaces, berms, other buildings) between industrial/commercial activities and residential and other noise-sensitive activities shall be required as a condition of development permits.
5. No noise-generating industries shall be allowed to operate between the hours of 8 p.m. and 7 a.m.
6. A city noise ordinance based on Leq and Lmax noise measurements for day and night, and based on and capable of implementing the above goals and policies, shall be enacted, and shall conform to the requirements of State law and State noise guidelines. Exemptions should be made for temporary construction and repair activities, and for emergencies.
7. The following Leq and Lmax noise limits shall be incorporated into said ordinance:

Daytime limits: (7AM - 8PM)

Residential: 50 Leq(1) at the property line of the property within which the noise generated is located, 80dB (Lmax) at the source

Commercial: 60 Leq(1) at the property line 80dB (Lmax) at the source

Industrial: 60 Leq(1) at the property line 90dB (Lmax) at the source

Night-time limits: (8PM - 7AM)

Residential: 25 Leq(1) at the property line 60Db (Lmax) at the source

Commercial: 30 Leq(1) at the property line 60dB (Lmax) at the source

Industrial: 30 Leq(1) at the property line 60dB(Lmax) at the source

Note 1: Leq(1) denotes average sound level for one hour.

Note 2: "at the property line" shall be interpreted to mean "at the property line or at reasonable and sensitive receptors such as residences, schools, churches, hospitals and other similar commercial and residential receptors which are deemed appropriate."

8. To mitigate exterior sound levels, due to transportation or other sources, for new residential

or other new projects, consideration shall be given to an increased setback distance; use of property line, patio, and deck barriers; orientation of buildings to achieve a sound shielding benefit at outdoor use areas.

9. To mitigate interior sound levels, due to transportation or other sources, for new residential or other new projects, consideration shall be given to an increased setback distance and use of barriers, insulation measures applied to the building skins, including appropriate designs for windows, walls, doors, roof/ceiling assemblies, weather seals, and other components. Vegetative barriers do not generally provide substantial reductions in noise levels.

10. The City will consider the following measures which can be used to mitigate the sound impacts created at residential or other sensitive receptors as a result of equipment operations or other activities at industrial and commercial facilities:

a. Use buffer zones of open space or "intermediate" type uses. It is desirable, where feasible, to allow at least 200 feet between noisy industrial or commercial sites and residential or other sensitive land uses. Noisy buildings or other noisy facilities shall be well set back from the property line.

b. The City shall require noise studies for potentially noisy facilities which are to be located near sensitive land uses. Industrial and commercial uses likely to create adverse noise impacts include fuel distribution centers served by rail or truck, truck terminals, new or expansion of gravel Batch plants and concrete manufacturing plants, construction activities if hammering is involved and is done outdoors, and animal kennels. Commercial facilities likely to create adverse noise impacts include automobile repair shops, body shops, and heavy equipment rental shops; car washes; drive-in restaurants; and supermarkets and other facilities with rooftop equipment and truck deliveries.

c. The public shall be notified of the proposed placing of noisy industrial or commercial facilities in proximity to sensitive uses and vice versa.

d. Noise studies shall be required for any new industrial use that will generate more than five truck trips per daytime hour, any heavy truck traffic during nighttime hours, or more than 25 trucks in 24 hours. A Noise Ordinance including both quantitative limits and nuisance provisions shall be enacted.

e. All truck loading bays shall be located such that they do not open to the direction where sensitive receptors are located.

f. As far as feasible, truck and loading dock operations near residential receptors shall be limited to the daylight hours.

g. Buffer zones setbacks and/or sound attenuation devices such as landscaped berms shall be interposed between residential and commercial uses and between residential and industrial uses, especially those that are likely to be noisy, as described above.

h. Rooftop and other mechanical equipment shall be shielded, enclosed, silenced, or setback an appropriate distance from the property line. The shielding could be accomplished by either appropriate siting of buildings or appropriate fences or walls.

i. Large exterior pipes or ducts in some cases may need to be shielded, enclosed, or lagged.

j. In some cases, insulation measures may be needed for industrial buildings.

11. Proposals for uses associated with industrial and commercial development should include appropriate designs for walls, roof/ ceilings, doors, windows, vent silencers, interior absorption, and other components. Doors and windows shall be provided with effective weather seals.

a. Trucks idling times shall be limited where feasible. Where personal radios are used, the volume shall be controlled as far as feasible.

b. Where paging systems are required, they shall be designed to minimize "spillover" sound to sensitive receptor properties.

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IX. HOUSING ELEMENT

1. INTRODUCTION

This is an update and amendment to the "Housing Element" adopted by the Point Arena City Council on September 10th, 1985, and is one of the elements of the City's 1994 General Plan.

Housing is one of the seven "elements" of the general plan every California city and county is required by state law to prepare. State law also requires that all housing elements must be updated not less than every five years.

A housing element must include "...an identification and analysis of existing and projected housing needs and a statement of goals, qualified objectives, and scheduled programs for the presentation, improvement and development of housing."

A major objective of state housing law and the housing element preparation requirement is to encourage each city and county to do its "fair share" in providing for the housing needs of the state, particularly the needs of low and moderate-income persons and families.

This updated housing element has been prepared according to the guidelines issued by the California State Department of Housing and Community Development (HCD). At the time of preparation of this Element, the available data from the 1990 U.S. census was incomplete. Forecasts by the State Department of Housing and Mendocino County have been used, where possible and appropriate, to update the 1980 census data. Because Point Arena is quite small in population and area, it has been possible to provide accurate current information, perhaps in some instances even more accurate than the 1990 census data. In general, there have been few significant changes in the overall population characteristics of Point Arena since the adoption of the Housing Element in 1985.

2. CITIZEN PARTICIPATION

Particular attention has been given in this revision to the implications of the goals and policies for Point Arena currently being discussed by Point Arena citizens and elected officials who have participated in the preparation of a Point Arena General Plan. Because the Housing Element revision has been part of the general plan preparation, there have been many opportunities for interested citizens to participate in the formulation of housing goals and objectives and, therefore, to understand the stated objectives and programs of this Housing Element. A twelve-member citizen's committee appointed by the City Council participated in the initial and final stages of preparation of the Element. This committee, which is a sub-committee of a larger citizens' committee for preparation of a general plan, will continue to function on behalf of the Council to monitor progress on the housing plan and program for Point Arena (Also see Appendix A).

A series of public hearings were held prior to the adoption of the General Plan and this Housing Element. Copies of the proposed General Plan and Housing Element were made available to all interested parties upon request and notices were posted of the availability of copies at City Hall. A cross section of Pt. Arena residents attended the hearings. Comments and testimony at the hearings were predominantly expressions of concern or questions about the implications of the land use categories, preservation of open space, and conservation of resources. The Housing Element is intended to be an integral part of the new General Plan.

3. POPULATION CHARACTERISTICS

The official (1990 census) population of Point Arena is 407, a decline of 18 persons since 1980. Table I is a summary of certain characteristics of the current population. Based upon the data available thus far, the 1990 population is similar to the 1980 population in several respects:

- a) Predominantly White (94%);
- b) Predominantly young (more than one half under 40 years of age);
- c) Majority (65%) lives in rented housing units;
- d) Majority of households consists of families (105 of 175 households).
- e) Approximately 20% of the population is "below poverty status".

As more data becomes available, it can be determined in what respects the population characteristics have changed. As noted in the introduction, by observation, there have been few, if any, major changes in the composition of the population since 1980. The employment situation has changed somewhat and the housing situation has changed (improved) considerably. These topics will be discussed in the section which follows.

TABLE IX-1 POINT ARENA SELECTED POPULATION AND HOUSEHOLD CHARACTERISTICS, 1990

Population		
	Male	215
	Female	192
	TOTAL	407
Race:		
	White	381
	Black	1
	American Indian	4
	Other	21*
Age:		
	Under 6 Years	43
	Under 21 Years	131
	Under 40 Years	260
	60 Years or Older	70
Marital Status (15 years or older):		
	Never Married	94
	Separated	8
	Divorced	38
	Widowed	38
Households:		
	Persons Living in Family Households	105
	Persons Living in Non-Family Households	70
	One Person Households	53
	Two or More Person Households	122
	Five or More Person Households	13
	Female w/Children, No Husband Present	19
	TOTAL	175

*Includes persons of Hispanic origin; however, persons of Hispanic origin may also be included in White and other racial categories.

Source: U.S. Census, 1990. Summary Tape File 1.

4. HOUSING CHARACTERISTICS

4.1. Housing Supply

According to the 1990 census figures, Point Arena has lost not only population but housing units since 1980. Part of this "loss" can be easily explained: There are 22 fewer mobile homes in Point Arena in 1990 than in 1980. By actual count, Point Arena has 215 housing units of all types, compared to the 196 in the 1990 census count.* While there has been a reduction in single-family units there has been a substantial increase in multifamily units. This increase is largely due to a concerted effort by Point Arena since 1985 to increase the supply of multifamily units. Table II is a compilation of residential building and demolition permits issued in Point Arena since 1986 (following the 1985 adoption of the Housing Element). The principal "subtraction" from the housing stock has been the closing out of a mobile home park at Arena Cove. The relevance of mobile homes to housing needs is discussed in a following section (Housing Needs).

* Actual housing unit count, June, 1991.

TABLE IX-2 POINT ARENA RESIDENTIAL BUILDING AND DEMOLITION PERMITS

New Construction

<u>Year</u>	<u>Single Family</u>	<u>2-4 Units</u>	<u>5+ Units</u>	<u>Total</u>
1986	1	0	0	1
1987	1	0	0	1
1988	0	0	0	0
1989	2	6	26	34
1990	4	0	0	4
1991	2	2	0	4
1992	0	0	0	0

Rehabilitation/Addition

1986	1	0	0	0
1987	1	0	0	1
1988	10	0	2	12
1989	2	0	0	2
1990	3	0	0	3
1991	3	0	0	3
1992	0	0	0	0

Demolition

1988	1	0	0	1
1991	0	3	0	3

Source: City of Point Arena

4.2. Composition

As shown in Table III, the majority of housing units in Point Arena are in single-family type structures. As previously noted, the majority of residents in Point Arena are renters and, in 1980, more than one half of the single family structures were occupied by renters. Although corresponding 1990 figures are not yet available, field observations and deductions from other data supports the conclusion that much of the single-family housing supply remains in absentee ownership, as was true in 1980. Also, there continue to be 4-6 structures "off the market", held for occasional use by the owners.

Mobile homes no longer constitute a significant supply of housing in Point, Arena, although the potential remains. The 1990 census indicates 17 mobile homes, while a field survey in June, 1991, lists only 6 (Table III).

TABLE IX-3 HOUSING TYPES Point Arena and Mendocino County Universe: Total Housing Units

	1980		1986		1990-1991	
Type	Point Arena	Mendocino	Point Arena	Mendocino	Point Arena	Mendocino County
Single Units	132	19,193	142	21,202	127 (59%)	22,459 (66%)
Multi-Family(2 - 4)	34	2,604	32	2,961	39 (18%)	3,012 (8.8%)
Multi-Family	29	3,034	29	3,485	43 (20%)	3,759 (11.1%)
Mobile Homes	28	4,162	22	4,679	6 (3%)	4,812 (14.1%)
TOTALS:	223 ¹	28,998 ²	225 ³	32,227 ⁴	215 ⁵	34,042 ⁶

NOTE: Total units 1990 Census = 196

¹ U.S. Census Bureau, 1980

² California Department of Finance

³ Housing Element, Point Arena, 1985

⁴ California Department of Finance

⁵ Field Survey, Point Arena, June 1991

⁶ California Department of Finance

4.3. Tenure

As previously noted, the majority (65%) of the Point Arena population live in rented (non-owner) housing units. A large number (137/34%) live in single-family structures. The 1990 pattern for occupancy in tenure of persons per unit and persons per room is similar to the 1980 pattern (Table IV). Although it is difficult to extract any meaningful measure from the available data, it appears that the trend is toward higher density (persons) per unit.

TABLE IX-4 POINT ARENA Selected Housing Characteristics, 1980 & 1990 Census
Universe: Occupied Housing Units

	Occupied Units		Renter Occupied Units	
<u>Persons per Unit/Room</u>	<u>1980</u>	<u>1990</u>	<u>1980</u>	<u>1990</u>
1 Person per Unit	63	53	45	37
2 Persons per Unit	57	69	29	34
3 Persons per Unit	39	20	26	11
4 Persons per Unit	18	19	9	15
5 Persons per Unit	6	10	5	9
6 or More Persons per Unit	4	4	3	3
1 Person per Room or Fewer	180	159	113	98
1.01 to 1.50 Persons per Room	3	6	1	5
1.50 or More Persons per Room	4	10	3	6
<u>Rooms in Structure</u>	<u>1980</u>	<u>1990</u>		
1 Room	17	8		
2 Rooms	20	16		
3 Rooms	40	39		
4 Rooms	58	49		
5 Rooms	37	47		
6 or More Rooms	49	37		

4.4. Vacancy Rate

The 1990 census records 21 vacancies of the total housing units (11%). State Department of Finance projections for 1991 indicate a vacancy rate of 10.71%, the highest for a city in Mendocino County (Table V). In fact, a field survey in June, 1991, indicated 10 vacant units, but these were badly in need of repair or beyond repair. If these units were to be subtracted from the supply of available housing, Point Arena would have a "0" vacancy rate which would indicate a shortage of available housing. However, the majority of available rental housing supply is detached single-family residences. The vacancy rate for detached, single-family houses is normally less than the vacancy rate for multi-unit structures.

TABLE IX-5 Mendocino County Population and Housing Estimates, April 1, 1990

City	Population			Housing Units			
	TOTAL	Household	Group Quarter	TOTAL	Occupied	Percent Vacant	Persons Per Household
Fort Bragg	6,078	5,952	126	2,629	1,499	4.94	2.382
Point Arena	407	407	0	196	175	10.71	2.326
Ukiah	14,599	14,042	557	5,825	5,662	2.80	2.480
Willits	5,027	4,970	57	1,968	1,905	3.20	2.609
Total Incorporated	26,111	25,371	740	10,618	10,241	3.55	2.477
Unincorporated	54,234	52,862	1,372	23,031	20,178	12.39	2.260
County Total	80,345	78,233	2,112	33,649	30,419	9.60	2.572

Source: California Department of Finance, Demographic Research Unit

Note: For Point Arena, "Household" is equated with "Population."

4.5. Overcrowding

The U.S. Census Bureau defines overcrowding as more than one person per room in a housing unit. While overcrowding is not a significant problem in Point Arena, overcrowding has increased from 7 units in 1980 to 16 units in 1990 (Table IV). This trend toward overcrowding is addressed in a following section, "Housing Needs".

4.6. Unit Size

In 1980, nearly two thirds of the housing units had 3 or more rooms. This proportion remains true in 1990 (Table IV), which is not surprising since much of the available housing is single--family dwellings.

4.7. Housing Condition

A 100% survey conducted in Point Arena in 1984 revealed that nearly one half of the residential structures were substandard and in need of major repairs. A field survey conducted in June, 1991, indicated a substantial improvement in residential housing conditions; only 19% of the structures were classified as substandard (Table VI). When more complete 1990 census data for housing is available it can be compared to the 1991 field survey. Clearly, however, the overall condition of the housing stock has improved since 1984. This improvement is accounted for partially by the building permits issued since 1986 (Table II), some of which were for major repairs and rehabilitation. Another factor contributing to the decrease in substandard units since 1984 is the reduction (by moving) of a number of mobilehomes, which were in substandard condition.

TABLE IX-6 HOUSING CONDITIONS Point Arena, 1984 & 1991*

	Standard Units			Substandard Units		
	-----Occupied-----			-----Unoccupied-----		
	Sound	Need Major Repairs	Need Major Repairs	Sound	Need Major Repairs	Beyond Repair
TOTAL						
1984	62 (31%)	6 (3%)	124 (63%)	-----	6 (3%)	198
1991	170 (80%)	4 (2%)	31 (14%)	5 (2%)	5 (2%)	215

Source: City of Point Arena field surveys (1984 & 1991)

NOTE: Total number differs from 1984 & 1991 State Department of Finance projections based upon the 1980 census; total units in 1980 was 223. It is not known if the same criteria (measure) of "standard" and "substandard" were used in the 1984 and 1991 surveys.

4.8. Housing Costs

In 1980, the median value of a housing unit in Point Arena was \$55,500 compared to \$69,800 for Mendocino County. According to the 1990 census, the median value for Point Arena in 1990 was \$91,200 and \$123,900 for Mendocino County (Specified Owner-Occupied Housing Units, 1990 Census).

Median Value, Single Housing Unit 1980/1991

	<u>Point Arena</u>	<u>Mendocino Co.</u>
1980	\$55,500	\$ 69,800
1990/91	\$91,200	\$123,900
Increase:	\$35,700 (64%)	\$ 54,100 (78%)
Average Annual Increase	5.3%	6.5%

The current monthly costs to finance and maintain a house selling for \$91,200 are approximately:

Assume a Mortgage for 80% of selling price @ 10% interest:

Mortgage Payment	\$650
Utilities	\$200
<u>Taxes/Insurance</u>	<u>\$125</u>
Total Monthly Costs	\$975

In terms of "affordability," if the above figure represented 25% of gross monthly income, an annual income of \$46,800 would be required to "afford" the median priced house.

"Affordability" is discussed in the next section.

4.9. Renter Occupied

The median monthly rent in 1980 was estimated to be \$119; in 1990 the median monthly rent was estimated to be \$318 for specified (selected) units. These figures are subject to adjustment when all census data becomes available. However, a survey of local realtors indicates that \$500 per month is considered to be the "high end" of the current rental market and that \$350-\$400 per month, not including utilities, is more typical. Using \$375, plus \$150 for utilities as a "typical" monthly rent, a person would need a monthly income of \$2,100 to "afford" the rent and utilities using the standard of 25% of income as the maximum amount "affordable" for housing.

The median monthly rent in Point Arena was approximately \$66 less than the median for Mendocino County as a whole (Table VII).

4.10. Affordability

"Overpayment for rent, mortgage payments and other housing costs is one criteria for determining housing "needs" in a defined jurisdiction, such as Point Arena. State agencies have used 25% of monthly income as the maximum a household should be paying for monthly housing costs. Paying more than this amount is considered "overpayment" and, therefore, "not affordable". Federal agencies now use 30% as the criteria, in some instances.

In 1980, more than one half (213) of Point Arena residents could not afford to buy the median priced house while a third (142) could not afford the median rent (Point Arena Housing Element P-III-36; affordability = 25% of monthly income).

Census figures for 1989 indicate 6 owner households paying between 25% and 30% of income for housing costs and 8 owner households paying more than 35% of income for housing costs. Of the renters, 12 households were paying between 25% and 30% and 55 households were paying 35% or more of their income for rent. (H50/59, Selected Monthly Owner/Renter Costs). These figures indicate that 81 Point Arena residents are "overpaying" for monthly housing costs and that a large proportion of Point Arena households cannot afford to buy a median-priced house.

The housing "needs" projected by Mendocino County (Table VIII) were based upon "multipliers", i.e., a percentage of the 1980 Census income categories. In the "very low" category the multiplier was 1.08, indicating a projected increase (8%) of persons in the "very low" income category. In "other lower" and "moderate" the increases were .94 and .87, respectively, indicating a decreasing number in these categories.

TABLE VII Contract Rent

Point Arena		Mendocino County	
With Cash Rent:	#Units*	With Cash Rent:	#Units
Less than \$100	0	Less than \$100	309
\$100 to \$149	10	\$100 to \$149	497
\$150 to \$199	13	\$150 to \$199	555
\$200 to \$249	11	\$200 to \$249	600
\$250 to \$299	13	\$250 to \$299	860
\$300 to \$349	15	\$300 to \$349	1,162
\$350 to \$399	10	\$350 to \$399	1,248
\$400 to \$449	9	\$400 to \$449	1,385
\$450 to \$499	8	\$450 to \$499	904
\$500 to \$549	11	\$500 to \$549	648
\$550 to \$599	2	\$550 to \$599	396
\$600 to \$649	2	\$600 to \$649	436
\$650 to \$699	0	\$650 to \$699	282
\$700 to \$749	1	\$700 to \$749	154
\$750 to \$999	0	\$750 to \$999	202
\$1,000 or more	0	\$1,000 or more	28
No Cash Rent:	3	No Cash Rent:	699
H32A/B/C/33. Contract Rent		H32A/B/C/33. Contract Rent	
*(Universe: Specified Renter-Occupied Housing Units		*(Universe: Specified Renter-Occupied Housing Units	
Paying Cash Rent.)		Paying Cash Rent.)	
Aggregate Rent:	34,365	Aggregate Rent:	3,749,101
Lower Cont. Rent Quartile:	215	Lower Cont. Rent Quartile:	276
Upper Cont. Rent Quartile:	438	Upper Cont. Rent Quartile:	485
Median Contract Rent:	318	Median Contract Rent:	384

Source: 1990 Census of Population and Housing, Summary Tape File 1, Complete Tables.

In the "Housing Needs" section that follows, it will be assumed that "affordability" is a primary objective in the projection of housing needs.

5. HOUSING NEEDS

This section identifies Point Arena's need for housing based upon regional (county) demand, current affordability, termination or depletion of existing subsidized units, and special needs such as elderly, handicapped, large households and households headed by single females.

5.1. Regional Housing Needs Determination

To assist local governments in Mendocino County in making projections of future housing needs, the Mendocino County Council of Governments has prepared a Mendocino County Housing Needs Plan (June, 1991). The projection for the County has been reproduced in its entirety for comparison with other cities in the County (Table VIII). For Point Arena, the projections of households by income group is as follows:

TABLE VIII, p. 1 MENDOCINO COUNTY Estimated Households by Income Group, January 1, 1990 and Projected Households on July 1, 1997 with Income Group Allocations

Market Area	Household Income Group	<u>1990</u> Number (%)		<u>1997</u> Number (%)	
Point Arena	Very Low	80	48	88	48
	Other Lower	17	10	18	10
	Moderate	23	14	26	14
	Above Moderate	<u>46</u>	<u>28</u>	<u>52</u>	<u>28</u>
	TOTAL:	166	100	184	100
Fort Bragg	Very Low	728	28	812	28
	Other Lower	416	16	464	16
	Moderate	598	23	667	23
	Above Moderate	<u>859</u>	<u>33</u>	<u>958</u>	<u>33</u>
	TOTAL	2,601	100	2,901	100
Willits	Very Low	510	30	578	30
	Other Lower	221	13	250	13
	Moderate	374	22	424	22
	Above Moderate	<u>595</u>	<u>35</u>	<u>673</u>	<u>35</u>
	TOTAL	1,700	100	1,925	100

TABLE VIII, p. 1 MENDOCINO COUNTY Estimated Households by Income Group, January 1, 1990 and Projected Households on July 1, 1997 with Income Group Allocations

Market Area	Household Income Group	<u>1990</u> Number (%)		<u>1997</u> Number (%)	
Ukiah	Very Low	1,560	28	1,749	28
	Other Lower	780	14	874	14
	Moderate	1,002	18	1,124	18
	Above Moderate	<u>2,228</u>	<u>40</u>	<u>2,498</u>	<u>40</u>
	TOTAL	5,570	100	6,245	100
Ukiah Unincorporated	Very Low	1,042	18	1,584	24
	Other Lower	926	16	1,049	16
	Moderate	1,215	21	1,312	20
	Above Moderate	<u>2,604</u>	<u>45</u>	<u>2,629</u>	<u>40</u>
	TOTAL	5,787	100	6,574	100
Ukiah Market Area	Very Low	2,602	23	3,333	26
	Other Lower	1,706	15	1,923	15
	Moderate	2,217	19	2,436	19
	Above Moderate	<u>4,832</u>	<u>43</u>	<u>5,127</u>	<u>40</u>
	TOTAL	11,357	100	12,819	100
Mendocino County Unincorporated Area	Very Low	4,177	29	4,354	27
	Other Lower	2,139	15	2,432	15
	Moderate	2,786	20	3,231	20
	Above Moderate	<u>5,065</u>	<u>36</u>	<u>6,079</u>	<u>38</u>
	TOTAL	14,167	100	16,096	100
County Total	Very Low	8,097	27	9,165	27
	Other Lower	4,499	15	5,087	15
	Moderate	5,998	20	6,784	20
	Above Moderate	<u>11,397</u>	<u>38</u>	<u>12,899</u>	<u>38</u>
	TOTAL	29,991	100	33,925	100

Source: Mendocino County Housing Needs Plan, Mendocino County Council of Governments, June 1991.

The projection, which is based upon a State Department of Finance projection of County-wide growth, indicates a decreasing number of households over the next five-year period. The projection is consistent with the actual decline in households since 1980; however, the 1990 census records a larger number of households for Point Arena than the projection indicates (175 compared with 166).

FAIR SHARE HOUSING CONSTRUCTION NEEDS, 1991-1996: 25 Units.

The projection of "construction needs" based upon the projected households was initially "0" units (Draft Mendocino County Housing Needs Plan, April, 1991). However, because Point Arena has recently annexed 156 acres of land, much of it suitable for residential development, Point Arena has accepted 25 units of the projected basic construction needs of the County over the next 5 years. By income levels, the need is as follows:

Very Low	12
Other Low	2
Moderate	4
Above Moderate	7

5.2. Special Housing Needs

Low Income: The Mendocino County projections for housing needs indicate a large percentage of Point Arena households in the "very low" income category (48%, Table VIII). For some, low income is a temporary situation because of the current California high unemployment rate. For others, low or very low income is a prospect for the future. According to current census figures in 1989, 40 households had some form of public assistance, 39 had retirement income, 49 had social security and 16 had no earnings (Table V111-A). Currently 57 families are receiving food stamps.

In terms of housing and supply and ability to pay, it is not possible, from the figures available, to make any direct correlations between the persons in the above categories and housing "need". In terms of overpayment for rent or monthly housing costs, it is safe to assume that a larger supply of affordable housing for low and very low-income persons is a "need" in Point Arena. According to the 1990 census, between 60 and 70 persons were "overpaying" for monthly housing costs in 1989 (page 16). How many of these are temporarily in this condition cannot be determined. Although a direct correlation cannot be made from the above statistics, the Mendocino County projection of 80 persons in the "very low" income category is probably realistic (page 18). The 1990 census record 81 persons in the "below poverty category in 1989 (Summary Tape File 3, page 117).

TABLE VIII-A POINT ARENA Household and Mean Income in 1989 by Income Source

	Households	Mean Income
With Wage or Salary	145	\$19,630
No Wage or Salary	32	
With Nonfarm Self-Employment	34	\$ 9,969
No Nonfarm Self-Employment	143	
With Farm Self-Employment	24	\$ 9,895
No Farm Self-Employment	153	
With Int. Div. or net Rental	41	\$11,810
No Int. Div. or Net Rental	136	
With Social Security	49	\$ 6,783
No Social Security	128	
With Public Assistance	40	\$ 4,533
No Public Assistance	137	
With Retirement	39	\$ 8,587
No Retirement	138	
With Other Income	34	\$ 1,951
No Other Income	143	
With Earnings	161	\$21,259
No Earnings	16	

SOURCE: 1990 CENSUS SUMMARY TAPE FILE 3 - SELECTED TABLE 1, Pages 89-105

5.3. Female Head of Household

Preliminary census data indicates that there continues to be a relatively large number (19) of female-headed households in Point Arena (11% of households, Table I), slightly less than in 1980 (13%). Of these, 14 have one or more children present and have incomes below poverty level (1990 Census, Summary Tape, File 3, page 126).

All of these households currently receive some assistance from County and State sources. As such assistance is cut back or becomes more restricted, as has been the trend since the mid-1980's, it will become increasingly difficult for these households to pay the increasing costs of food and shelter.

5.4. Large Households

Comparatively, there are few large households in Point Arena. Only 14 housing units housed 5 or more persons (1990 Census, Summary Tape, File 1, H-17). Data is not available on the number of large households with "low" or "very low" incomes. In terms of housing supply, Point Arena has 47 units with 5 rooms, 19 with 6 rooms and 18 with 7 or more rooms (Summary Tape File 1, H-13).

5.5. Homeless

Currently, the problem of homelessness in Point Arena is limited in comparison to most other California cities. Occasionally, there are transient persons in emergency situations who need temporary shelter. There are no permanent transit or transitional housing facilities in Point Arena. In the past, local churches have provided temporary shelter and funds to persons seeking help, including transportation to agencies that offer more extended assistance. Usually, referral is made to the Mendocino County Social Services Department, which can provide some assistance through the AFDC program.

As long as the local churches provide some emergency service and referral information, the occasional need for emergency shelter and services can be met. If the problem becomes perennial, as in some cities, a more permanent solution must be found.

In the General Plan, transitional housing and emergency shelters are permitted in the Commercial (C) and Highway Commercial (HWC) zones. Provisions for conditional use will be incorporated in the revision to the Zoning Ordinance to be completed in 1994.

5.6. Handicapped/Elderly

The 1990 census identified 70 persons 60 years or older in Point Arena in 1989, divided exactly 1/2 male and 1/2 female (Summary Tape File 1, page 12). Eighteen persons (18) were 80 years or older. By tenure, the majority of elderly households lived in owner-occupied houses. Only 15 elderly households lived in rented housing (20-25 persons). None of the persons 60 years or older were listed in the "below poverty" category (Summary Tape, File 3, page 117). From these figures it would appear that housing is more readily available, affordable and in sufficient supply for the elderly (60 years or older) who currently live in Point Arena than for younger persons.

A senior center (South Coast Senior Center) provides limited meal service to elderly "shut-ins" and transportation (through Mendocino County Agencies) to medical appointments. The center is staffed by volunteers augmented by the services of trained personnel from Mendocino County agencies, as required. The Center provides a meeting place for events and a place for the dissemination of information. Members of the Center and staff are interested in the possibility of some form of cooperative housing for seniors that includes on-site medical services. The nearest medical facility is the Redwood Coast Medical Center in Gualala, approximately 20 miles south of Point Arena. One of the programs in this Housing Element is for the City to provide assistance to the Center in determining the feasibility of a senior housing project and/or

residential care facility, and including such housing in the City's land-use and zoning provisions and regulations.

The 1990 census listed 20 persons with mobility or self-care limitations under age 65 and 28 with self-care limitations who were 65 years or older, a total of 48 persons, about the same as in 1980 (Summary Tape, File 3, page 68). For those requiring wheel chair access, some accommodation has been made in the commercial area for access and all new assisted housing has wheel chair access. For persons on disability incomes, limited transportation services are available through County agencies and, for persons on Medicare, meal delivery and at-home health care services are provided, as needed, by local and county agencies.

5.7. Seasonal and Migratory Employment

Mendocino County characteristically has a proportionally large number of seasonal and migratory workers living in the County. Point Arena, in the past, had a proportionally large share of these workers but, in 1990, only 21 persons were listed (combined) in the occupations of farming, forestry and fishing, which tend to be seasonal occupations. Construction, to some extent, is also seasonal, and 17 persons were listed in this occupation (Summary Tape, File 3, page 77). There are few, if any, migratory workers in Point Arena, i.e., those that move from place to place each year. Farming and fishing provide few jobs in the Point Arena area because both industries have greatly diminished in the past 10 years; to the extent that there are short-term housing needs they are met at a commercial campground and RV park one mile north of Point Arena. The need for housing for migratory workers has diminished accordingly.

6. AVAILABILITY OF LAND AND SERVICES FOR RESIDENTIAL DEVELOPMENT

6.1. Residential Zoning

A recent annexation of 156 acres has increased the area of Point Arena to approximately 828 acres of land. The urban limit now includes approximately 390 acres, of which approximately 300 acres may include residential uses.

The land-use designations used in the 1985 Housing Element have been revised, principally to allow higher residential density in the urban core and to encourage commercial stability and growth. The current land uses permitting residential development are as indicated in Table IX.

6.2. Vacant Land Suitable for Residential Development

In 1985, approximately 136 acres of land in Point Arena were designated as potentially available for residential development (Point Arena Housing Element Table III - 34). Potential residential development for this potentially available land was an estimated 176 units.

With the annexation of 156 acres into the urban boundary in 1989/1990, the amount of vacant land potentially available for residential development within the urban limits of Point Arena has

increased by approximately 144 acres. If all land zoned by residential use were to be fully developed to the current maximum allowed, many additional housing units could be built within the urban limits of Point Arena. This maximum "build out" is not likely to occur soon, if ever. The sites identified in Table X provide location and capacity for approximately 789 additional housing units, more than a sufficient number to meet the expected "demand" during the next 5-10 years.

In addition to residential areas added by annexation, the land use designations and allowable density in the General Plan have substantially increased the amount of land and potential development available for residential use since 1985. These increases are included in the "Inventory of Sites" (Table X). There are sufficient vacant parcels of land in the Multi-family (MR) land use classification to provide sites for additional "affordable" (income-restricted) housing to meet the projected housing needs for low-income persons. The permitted density of one dwelling unit per 2900 sq. ft. should encourage further development of housing by non-profit agencies. Using a conservative 10 du's per acre, the available sites could accommodate as many as 260 additional multi-family units.

TABLE IX POINT ARENA Residential Land Use: Density/Acres

Classification	Density	Acres	Potential*
AE-Agriculture Exclusive	1 du/20 ac.	391	19
RA-2 Residential Agricultural.	1 du/2 ac.	98	49
SR-1 Suburban Residential	1 du/acre	79	65
SR-1/2 Suburban Residential	2 du/acre	53	107
UR-Urban Residential	1 du/8625 sf	53	269
MR-Multi-Family Residential.	1 du/5800 sf	21	156
C-Core Commercial/Limited Residential.	**	12	25**
HWC-Highway Commercial/Ltd. Residential.	**	24	48**
TOTAL		731	738

(Table IX includes a mixture of principally and conditionally allowed residential units; however, it does not have an allowance for granny units or second units.)

* A dwelling unit (du) is a house or apartment with a separate entrance, not necessarily with a separate kitchen, occupied by a single household.

** Residential use is limited in the Commercial Core and Highway Commercial districts, subject to special criteria. Figures represent total available acreage; existing residential uses are not included in the calculation.

TABLE X POINT ARENA Inventory of Sites for Residential Development

<u>Location</u>	<u>Size (Acres)</u>	<u>Potential DU*</u>
a) Large-parcel mandatory Planned Residential areas west of Main Street and south of School Street (Hwy 1). Minimum parcel size: 10 acres.		
Low Density	31	47
Multi-Unit	8	120
b) Large-parcel mandatory Planned Residential areas east of Main Street and north of School Street (Hwy 1). Minimum parcel size: 10 acres.		
Very Low Density	78	21
Low Density	13	76
Multi-Unit	13	195
c) Infilling of existing scattered/undeveloped lots within existing urban area, both sides of Hwy 1. Minimum parcel size: 10 acres.		
	9	52
d) "Hay" Annexation Area		
Single Family 1/2 Acre Lots	30	60
Single Family 1 Acre Lots	32	32
Single Family 2 Acre Lots	62	31
e) Mixed commercial/limited residential within proposed C-1 and Highway Commercial areas.		
	<u>60</u>	<u>120</u>
Total Dwelling Units Potential		754

*Conservative estimates based upon proposed land-use and allowable densities in the General Plan if built to maximum potential.

**Area to be developed as a planned residential development for sale at "affordable" prices.

6.3. Services

The recent annexation of land was reviewed and approved by the California Coastal Commission (April 15, 1990). In that review and approval it was determined that the water supply and sewer capacity of Point Arena are sufficient to meet the requirements of the potential new development both within the existing area and the annexed area provided development occurs according to a plan for phased development. The Point Arena water and sewer capacity is sufficient for the expected time horizon of this plan or project life of this plan. The extension of roads and utilities would be a condition of approval of any subdivision within the annexed area.

7. CONSTRAINTS TO AFFORDABLE HOUSING

7.1. Government Constraints

Certain governmental regulations can, unintentionally increase the cost of development, and, thus, the cost of housing. These government constraints include: land-use controls, building codes, local permit processing, various special fees (such as traffic mitigation fees and development fees), and environmental/site condition studies. Limitations on density is also a controlling factor in cost.

To what extent do Point Arena's policies and regulations contribute to higher housing costs and to what extent can these regulatory measures be reduced or off-set?

7.2. Land Use Controls

Land use is controlled primarily by the locally adopted land-use plans (part of the Point Arena General Plan), the local zoning and building codes, which must be consistent with the General Plan, and the Point Arena Land Use Plan certified by the California Coastal Commission. In addition to the limitations specified in the land use classifications and the zoning classifications, the Point Arena General Plan contains provisions for the requirement of open space in new planned developments of 10 acres or more, and an "Opportunities and Constraints Map", the purpose of which is to enforce City policies concerning open space, protection of creeks and stream beds, riparian areas, natural habitats, view corridors and view areas, and seismic safety provisions.

As previously noted, Point Arena has recently taken action to increase allowable densities in the General Plan and in the local zoning ordinances. These increased density allowances will make multi-family development more attractive to investors and developers. Point Arena land-use controls also permit mixed residential/commercial construction and the conduct of certain "cottage" industries and live/work spaces in the urban core area. To a large extent, higher density allowances will off-set some of the costs of land-use restrictions imposed by local policies and ordinances.

7.3. Building Codes

Point Arena has a contractual agreement with Mendocino County to conduct building and health inspections and to implement the uniform building codes and other building regulations required by state and federal laws. The uniform codes are designed to establish safety and health standards in construction. To the extent that these requirements add to the cost of housing construction, they will remain as a constraint which will not be changed unless some are determined to be unnecessary or can be reduced to less significant requirements. Point Arena does not have codes that supersede or augment the State's uniform building code. Permits for the rehabilitation and alteration of older structures require only the minimum code compliance to assure health and safety. No systematic or retroactive code enforcement is practiced, except as required by State law.

7.4. Permit Processing

While building applications are received and approved by Mendocino County Agencies, fees and processing which require local government approval, subdivisions for example, are established and administered by Point Arena officials. Because of the low volume of applications and the relatively small agenda of the City Council, permits are processed quickly compared to most communities. In general, the cost and time for permit processing cannot be considered a constraint of any consequence to the production of affordable housing.

7.5. Fees

The fees for permit processing have increased only modestly since 1985 and remain quite low compared to more densely populated areas (Table XI). For new developments, for example new subdivisions, the City will impose development fees that will insure the construction of adequate infrastructure to support the development. These fees, which will be established before the end of 1994, will almost certainly increase the overall cost of new housing.

TABLE XI Fee Schedule - Point Arena

1. Coastal Development Permit.....	\$150
2. Environmental Impact Report.....	Cost plus \$400 Adm. Fee
3. Focused review or Single Impact Review.....	Cost plus \$300 Adm. Fee
4. Subdivisions:	
A. Minor.....	\$100 plus \$25 per Parcel plus City Engineer's preliminary and final map check review, billed at cost.
B. Major.....	\$200 plus \$10 per Parcel plus City Engineer's preliminary and final review, billed at cost.
5. Lot Line Adjustment.....	\$150 plus City Engineer's preliminary and final review, billed at cost.
6. Reversion to Acreage.....	\$ 0
*7. Use Permit.....	\$150
Request for Extension.....	\$ 50
*8. Variance Permit.....	\$150
*9. Encroachment Permit.....	\$ 75
10. Sign Permit.....	\$ 25
11. Satellite Dish Permit.....	\$ 20
12. Sewer Connection Fee.....	Established by Sewer Fees Ordinance
13. Building Permit (not associated with a Coastal Dev. Permit) \$	30
14. Engineer's Service.....	Billed at Cost
15. Annexation Fee: \$250 plus \$10 per Acre.....	\$800 Deposit
16. General Plan/LCP Amendment.....	\$600
17. Agenda Mailing Annual Fee.....	\$ 15
18. Requested Mailings (Hearing Notices) Annual Fee....	\$ 12
19. Local Coastal Plan.....	\$ 8
20. Copies.....	\$.25

*Does not include Coastal Development Permit Fee

NOTE: All the above planning applications include environmental assessment and processing, negative declarations or notice of exemptions.

General Plan amendments, zoning changes, and applications requiring environmental review require from 45 to 90 days for processing.

Building permits and plan checks can usually be completed in 20 days or less.

Fees are charged for new utility hook-ups in new subdivisions. These fees are consistent with those charged by Mendocino County and are not considered to be, nor intended to be, "extraordinary" charges to increase revenue to the City or to mitigate adverse impact of development.

The City's water is supplied by a private company. Sewage is handled with modern treatment facilities operated by the City. Water and sewer service costs are somewhat comparable to the costs in a large urban area. For very low-income families, the cost of utilities is a major expense in housing costs--as much as 30% or more in some cases.

7.6. Growth Management

The City's growth management policies are directed toward encouraging development in or near the downtown (built) area and "cluster" development in undeveloped areas. Thus, these policies tend to encourage rather than constrain the development of affordable housing. However, new development will be permitted only where utility connections and standard streets are already in place or will be in place prior to development.

7.7. Infrastructure

The lack of water and sewer services and adequate street capacity have been constraints to housing development in some communities. This is not true in Point Arena. It was determined in 1967 that the City has the water capacity to serve a population of 1,500 (Wilsey & Ham). In approving the recent annexation of 156 acres, The California Coastal Commission found that the City's water supply and waste water disposal facilities were adequate to handle the potential growth allowed by current land use regulations (California Coastal Commission, #1-89). The current water and sewer capacities are adequate for the expected life of this plan. Approval of new subdivisions in the annexed area will be conditioned upon having all water, sewer, and power connections and all street improvements in place prior to or as a part of construction. Within the annexed area, only limited portions are mandated to connect to City provided sewer services.

7.8. Environmental Protection Requirements

In addition to restrictions imposed by the California Coastal Commission, Point Arena has policies to limit construction near creek beds and riparian rights-of-way and which might intrude on or adversely affect view corridors, public open space, and natural habitat areas. Permits for grading must include measures to protect both the short-term and the long-term interest of the public from harmful erosion, pollution, or unnecessary removal of natural planting and soil. Enforcement of these environmental protection measures may add to the cost of constructing housing.

7.9. Coastal Zone Limitations

The entire area of Point Arena, including recent annexations, is within the California Coastal Commission jurisdiction. As previously noted, the recent annexation of land to be within the urban boundary of Point Arena has been approved by the California Coastal Commission. The only restriction imposed by the CCC that may limit development is the requirements for "phased" development; however, such limitations would affect only the outlying low-density areas and industrial zones where roads and utilities would have to be constructed in order for development to take place. Although the land-use provisions of the 1993 Point Arena General Plan have not been reviewed and acted upon by the CCC, the provisions in the General Plan are not substantially different from the land-use policies reviewed by the CCC in approving the "Hay" annexation. Therefore, it can be anticipated that the General Plan will be found to be consistent with CCC policies and that no new requirements that may limit residential

development or impose unusual or cost-increasing restrictions will be required by the CCC. The CCC does not have specific requirements for low/moderate housing in Point Arena that supersede or which are different from the provisions for housing contained in this Housing Element.

7.10. Non-Governmental Constraints

Non-governmental constraints are those limiting the availability of affordable housing over which local government has little or no control. These constraints include: cost of living, price of land, cost of materials and labor, speculative ownership and availability of jobs and economic opportunity. Environmental constraints may also contribute to the lack of or increased cost of housing; for example, geologic conditions, susceptibility to flooding, etc.

7.11. Land/Housing Prices

Nation wide, the price of housing has been rising at a much faster rate than income. National prices affecting interest rates, wage and material costs and availability of subsidies are cost factors, which are not subject to local control.

Land prices in the Point Arena area are lower than land prices in other parts of Mendocino County and much lower than for small towns which are near large urban centers. Land speculation, i.e., land held for future development when demand increases, is doubtless a factor in land prices in Point Arena. All developable coastal land is, to a varying extent, a diminishing commodity with increasing attractiveness for development as the population grows. Because Point Arena is isolated from other urban centers such as San Francisco, Santa Rosa, Sacramento, etc., the pressure for development is not such that land prices have been driven up as in most urban areas or even areas such as the village of Mendocino. Also, there is no shortage of land for housing development. A typical parcel within the urban boundary of Point Arena sells currently for \$90,000 to \$100,000 per acre, a somewhat lower figure than a comparable parcel in the village of Mendocino, further north on the coast. A factor which keeps land prices stable in Point Arena is the relatively large supply of land available for development.

7.12. Construction Costs

Residential construction costs in Point Arena range from \$70 to \$90 per square foot. These costs are comparable to Mendocino County as a whole. Labor costs seem to be less in Point Arena than for large urban areas, but material costs tend to be higher. Because factory-built housing tends to cost less than site-built housing, it can be expected that manufactured housing, including mobile homes, will become more and more an alternative for affordable housing.

7.13. Availability of Financing

Fluctuating interest rates and more conservative lending policies have had the effect of slowing housing development in general and particularly in areas where demand is uncertain because of changing economic conditions. In Point Arena, the availability of employment is a key factor in

the production of affordable housing, not only in terms of demand, or need for housing, but in the economic viability of building housing.

7.14. Energy Costs

Utility costs, including water and sewage, are a significant part of monthly costs for households of very low income. In 1991, the cost of all utilities including water, sewer, gas and electricity for a typical two bedroom house was \$200 per month (peak use).

8. ANALYSIS OF "AT-RISK" HOUSING UNITS

The following analysis of the housing units in Point Arena that have been financed in some manner with loans or grants from public sources and carry some income eligibility restrictions has been prepared pursuant to Government Code Section 65583. Housing units that have been financed with the intention and provision of providing housing affordable to low/moderate income persons are identified, and an assessment has been made concerning the status of these units. The purpose is to identify those units that may be "at risk" because of the termination of restrictions that make the units available and affordable to persons of low and moderate income. The analysis covers the ten-year period, 1992-2002.

The units "at risk" in the following list are those units with loans that may be paid off before the final payment date. For rental units financed with rehab loans, the restrictions accompanying the loan remain in force as long as the loan is outstanding. Of the units listed below, it has been estimated that not more than one loan involving two units will be paid off before the final due date. No "notices of intent" have been filed with the City indicating that termination is pending for any units. For the owner-occupied single family housing loans, the original 15 year restrictions on owner occupancy is maintained, even if ownership changes. Thus, none of these units are at risk during the ten year period. Of the new units created expressly for availability to low/moderate income persons, none are at risk. Eligibility can be renewed every five years or sooner. Point Arena Village Apartments consists of 26 units of which 18 are available to eligible persons of low/moderate income. The non-profit management agency for the complex (CBM Management Co., Auburn, CA.) have stated the policy of maintaining eligibility during the ten year period.

In summary: only two rental units with rehabilitation loan restrictions are "at risk" during the ten year period. An owner occupancy loan may be terminated, following the death of the original applicant (loan may be paid off at time of transfer of ownership).

Total units possibly at risk during the period: 3 units.

Possible mitigation: loans will be assumed by eligible borrowers.

New Construction:

Units: 18 units in a 26 unit development. (Point Arena Village Apartments).

Source of Funds: FMHA Mortgage Interest Credits to Non-Profit Developers.
 Terms: Lower rents or rent subsidies according to prescribed income levels.
 Status: All 18 units occupied by income eligible persons/households.

Rehabilitation/Rental Units

Loan	#Units	Amount	Monthly Payments	Final Payment
1	2	\$16,900	\$142.72	12/01/02
2	1	21,000	177.24	06/01/02
3	2	26,900	277.24	12/01/02
4	1	9,000	75.96	04/01/03
5	2	13,000	109.72	04/01/03

Source of Funds: CDBG-City of Point Arena Revolving Loan Fund.
 Location: all units are located in or near the downtown area of Point Arena.
 Status: all units retain rent cost restrictions.

Rehabilitation/Owner Occupied

Loan	#Units	Amount	Monthly Payments	Final Payment
1	1	\$19,000	deferred	04/21/02
2	1	11,000	deferred	08/13/02
3	1	12,900	deferred	09/02/02
4	1	6,800	deferred	11/10/02
5	1	21,000	deferred	02/04/03

Source of Funds: CDBG-City of Point Arena Revolving Loan Fund
 Location: all units are located in or near the downtown area of Point Arena.
 Status: all units remain owner-occupied by the original loan recipients, except one. (Owner deceased). Heirs and successors will assume the remaining owner-occupancy restrictions, if the loan is maintained.

9. EVALUATION OF THE 1985 HOUSING ELEMENT IN PROMOTING GOALS, OBJECTIVES, POLICIES AND PROGRAMS

9.1. Goals and Policies, 1985

(A) TO IMPROVE AND CONSERVE THE EXISTING HOUSING STOCK

Housing units rehabilitated during the period, 1985-1990, included 13 units utilizing State/Federal loans for low-income tenancy. A net increase of three (3) units occurred through the rehabilitation of units that were otherwise uninhabitable. The publicly-assisted rehabilitation efforts produced a "ripple effect" in the Downtown area. Four (4) units were rehabilitated by private (non-assisted) owner/developers, reflecting the general "upgrading" of buildings in the downtown area since 1985. Private rehabilitation efforts greatly reduced the number of sub-standard units and several units were brought into compliance with the most recent State codes.

Two (2) structures that were beyond economic salvage were demolished.

Information about the availability of State/Federal rehabilitation loans became widely known in the community because of the small size of the population and the high visibility of the rehabilitated units. The Mendocino County housing and planning agencies provided loan information and assistance to interested applicants who were referred to them by the Point Arena City Clerk.

(B) TO ENCOURAGE THE PROVISION OF AFFORDABLE HOUSING

Of the 34 housing units constructed during the period, 1985-1991, eighteen (18) were Farmer's Home Administration-assisted rental units developed by a non-profit agency (Point Arena Village Apartments) for low-income tenants. Thirteen (13) units were rehabilitated for low/moderate-income occupancy through the use of Federal/State rehabilitation loans.

The feasibility of offering a density bonus and other incentives, including the waiving of certain utility hook-up fees were included as part of a preliminary study of a possible redevelopment project for the downtown and cove area. The redevelopment project was not pursued. The Point Arena Village Apartment complex was developed by a non-profit sponsor without the benefit of incentives. Because of declining population during the period, private developers did not seek to build new housing. The few houses that were built were constructed by owner/occupants who recently moved to Point Arena or by the nonprofit agency mentioned above.

Although preparation of a General Plan and subsequent updating of the Zoning Ordinance were pending in 1985, no action was taken during the period to adopt a General Plan or up-date the Zoning Ordinance. Consequently, some of the land-use changes and provisions projected as actions in the 1985 Housing Element were not accomplished during the period. For example, provisions for second units in existing single-family structures have not been enacted. Such provisions have been included in the current General Plan. The number of mobile homes was greatly reduced during the period because of the closure of the mobile home park on the outskirts of the downtown area. The park, which historically had provided low-cost housing for as many as 30 owner occupants, was closed for economic reasons. This closure accounts for part of the population loss during the period; however, the closure did not significantly reduce the number of rental units because a majority of the mobile homes were owner occupied. The current General Plan, and subsequent zoning provisions, permit mobile or manufactured homes in all residential zones of the City as a conditional use.

(C) TO PROVIDE ADEQUATE SITES FOR ALL TYPES OF HOUSING

A surplus of sites has been available during the period for the development of all types of housing. Efforts have been made to attract developers to the downtown area where many "infill" sites are available. A redevelopment project contemplated in 1985 was never adopted. Renewal of certain areas, the cove area for example, has been accomplished with the assistance of Federal/State funds (CDBG) and private investment. The new Point Arena Village Apartments in the downtown area were developed under regulations that were current in 1985 and no public

assistance of and no public assistance for land acquisitions was required. Mobile housing was, until 1993, permitted only in designated areas outside the downtown area. The new General Plan and proposed zoning codes permit mobile housing in all residential zones, as a conditional use. Historically, residential uses have been mixed with commercial uses in Point Arena. The current zoning ordinance encourages and conditionally permits residential use in commercial areas as well as mixed residential building types in certain areas.

(D) TO PROVIDE A MIX OF HOUSING FOR ALL INCOME GROUPS

The supply of affordable housing was increased in the period 1985-1991, with the construction and rehabilitation referred to above. Nearly half of the new units are available for low/moderate income persons. The majority of houses in Point Arena are single-family type houses, and the majority of these are occupied by renters. A policy stated in the 1985 Housing Element to encourage ownership of these houses and /or convert them to multiple units has not been actively pursued. Most renters cannot afford the median priced house in Point Arena, and condominium projects are not attractive to those who might be able to afford them. Residents, owners and tenants alike, generally live in small towns to enjoy, among other things, open space and low-density living. A number of houses are kept by the owners for seasonal use and are rented out only part time. The rental population has been and still is very mobile. There is a constant turn-over of tenants in many of the larger houses. The current zoning ordinance permits the conversion of such units to multi-family use in certain areas, subject to density and site development standards of the Zoning Ordinance.

For persons of very low income, estimated to be approximately 35 of the population, affordable housing is not available except by "overpaying" for rent or by income or rental assistance. There are no public housing units in Point Arena. The available public housing in Mendocino County is concentrated in Ukiah, Fort Bragg and Mendocino.

(E) TO INSURE EQUAL HOUSING OPPORTUNITY

The supply of housing available to low/moderate-income persons was increased during the period, thus, providing more choices for housing to a large segment of the community. All the new "affordable" housing has wheel chair access and is near shopping and schools. Single women with dependent children and elderly on fixed income have more opportunity for suitable housing than they did in 1985. The pattern of occupancy in Point Arena is generally a mix of low and higher-income persons in all areas of the City. Low income "ghettos" are not evident.

(F) TO ENCOURAGE ENERGY CONSERVATION

All the new housing built since 1985 has been constructed with certain energy conserving materials, methods and fixtures. Because of the coastal weather, residents of Point Arena, owners and tenants alike, tend to be energy conscious and use weather stripping where possible and affordable. The City has no regular program or assistance for conservation of energy except as provided for by the local utility company, which encourages energy conservation by publication of newsletters and programs to assist in the purchase of energy-saving devices.

9.2. Progress in Implementation (1985-1992)

(A) New Construction

Projected need, 1985-1991: 16 units
Constructed, 1985-1991: 34 units

(B) Rehabilitation

Goal, 1985-1991: 55 units
Actual, 1985-1991: 21 (permits issued)

(C) Other Housing Needs

1. Persons handicapped or with work disability: The 26 new units built in the downtown area all have wheel chair access and are near shopping.
2. Female head of household: Progress has been made to the extent that an increased supply of low/moderate-income housing in the downtown area has provided more housing opportunity. Half of the new units have two or more bedrooms
3. and 4. Low-income households/large renter population: As previously noted, at least 18 housing units have been added to the supply of "affordable" housing since 1985.
5. Substandard Units: As previously noted, substantial progress has been made in reducing the number of sub-standard units: Substandard 1985: 163 Substandard 1991: 41
6. Overpayment for Rent: For most persons "overpaying" for rent in Point Arena, the solution would be to have increased income. For some who are unable to work or choose to work only part time, the increased supply of low/moderate-income has provided more opportunities for permanent, affordable housing.

(D) Projection of Needs

The Housing Element adopted in 1986 identified housing "needs" for the 1985-1991 period as follows:

1. Overall new construction need: 18 units not including replacement of units demolished because of deteriorated condition (p. III-42). This number (18) includes Point Arena's "fair share" of regional housing needs.
2. Special Needs:
 - a) Female-headed household with children under eighteen years: 18 (persons);
 - b) Large number of low-income households (54.4% of total); 31 persons receiving public assistance;

- c) Large renter population (117 housing units); problems associated with absentee ownership;
- d) "Under-utilization" of housing (62% of housing units occupied by 2 or fewer persons);
- e) Sub-standard units (58% of units sub-standard and needing rehabilitation; 83% of mobile homes needed rehabilitation or replacement);
- f) Overpayment (68 renters with incomes of less than \$10,000 per year were overpaying).

(E) Progress in Meeting Projected Needs

1. New construction: Since 1986, permits have been issued for 40 residential units; 34 have been constructed. These include:

8 single family houses
 0 units in 2-4 unit structures
 26 units in 5 or more unit structures

2. Rehabilitation: As previously noted, a recent field survey revealed that extensive rehabilitation of structures has occurred since 1986 as evidenced by the number of units classified as "substandard" (163 structures in 1986 compared to 41 structures in 1991).

Only one demolition permit has been issued since 1986, although, at least 2 demolitions are known to have occurred. These buildings were beyond redemption). Some rehabilitation may also have occurred without permits. Three residential units were approved in 1989-90 for inclusion in rehabilitated or new commercial uses.

3. Assistance Through Government Policies and Programs Government Loans and Grants Assistance:

- a) REHABILITATION LOANS: 10 (5 deferred owner-occupied)
Source of Funding: Federal/State Rehabilitation Loan Funds
Number of Units: 13 (5 owner-occupied).
Conditions: Rent to persons of low income and/or not more than 25% of tenant's income.
Term: 15 years (beginning June 1987). None of these units is at risk of conversion before the year 2008 (HUD Inventory, 1989).

- b) NEW CONSTRUCTION LOANS: 1

Source of Funding: FMHA Mortgage Interest Credits to Non-profit developers.
Number of Units: 18 units in 26-unit development.
Conditions: Lower rents to eligible persons (income limits).

Terms: Eligibility can be renewed every 5 years. Current eligibility expires in 1996 but can be renewed prior to expiration. The non-profit management company (CBM Management Co., Auburn, CA) has stated that the eligibility will be renewed before the end of 1996 for all units.

4. Local Government Policies and Actions to Encourage Affordable Housing:

a) City has encouraged and assisted non-profit developers in the development of affordable housing units in the urban area (26 units). This development has not only met the City's overall construction "needs" goal of 18 units, the housing has also become available to meet some of the special needs identified in the 1985 Housing Element, for example, the large number of low-income households, female-headed households and in general people who rent.

b) City has encouraged and assisted individual property owners (16 units) to rehabilitate their properties with low-interest loans and grants.

c) City has adopted a 1993 General Plan, is revising its Zoning Ordinance and the Coastal Zone Land Use Plan, all of which encourage and permit higher-density development in the downtown core area. Private owners and developers are likely to respond to these changes with proposals for multi-unit housing and mixed residential/commercial development.

d) City has encouraged, through the securing of grants, promotion, and approval of utility hook-ups, the development of labor-intensive industries to increase or maintain employment opportunities within the city limits.

Example: new pier, parking lots, utility extensions and improvements at Arena Cove were financed through a series of grants from State and Federal agencies. New development includes a restaurant and a new hotel development. One of the objectives of this project was to generate employment, particularly for persons in the fishing industry. A goal of 30 new jobs was achieved. Unfortunately, due to diminishing supply and high costs, only a few persons are currently employed in this industry, but seven new jobs were created upon the opening of the hotel in 1992.

e) The City has a need for jobs which pay higher than minimum wage service jobs in order to have citizenry who can afford their own housing. The city encourages jobs which are provided by businesses which are carefully chosen and sited to minimize environmental disturbance and which are sized to fit into the City's character.

5. Private Efforts: Much of the credit for meeting Point Arena's housing goals and objectives since 1985 belongs to individuals, separately and collectively, who have believed in Point Arena and who have worked to improve economic and social conditions in Point Arena and to maintain its desirable features and characteristics. A collective awareness of the need for increasing the supply of affordable housing has enabled the City's elected and appointed officials to take

appropriate action to apply for grants, to change zoning, and to adopt policies favorable to the construction of housing.

9.3. Principal Constraints to Meeting Goals, Objectives, and Projected Needs (1985-1992)

The City has met most of the projected housing needs for the period 1985-1991. To the extent it has not, for example, the need of persons "overpaying" for rent, the principal constraints are economic. Point Arena has been gradually losing population since 1985 due principally to lack of economic opportunity rather than to lack of housing opportunity. Some businesses, for example the harvesting of sea urchins, have been drastically reduced for lack of supply, increasing costs and other factors. Other businesses, such as restaurants, have failed for lack of customers and/or rising costs.

The City recognizes that it is a service center for the south coast between Elk and Gualala. It has provided for that future needs by and through the "Hay Annexation" and it will continue to encourage the creation of small businesses to serve the requirements of a service center. This is considered to be a high priority in the creation of better paying jobs which will, in turn, allow residents to purchase their own housing.

As previously noted, the City has made and continues to make efforts to attract industries and businesses to Point Arena. It is difficult to do because Point Arena is a small market, isolated from larger business and population concentrations. Owners of developable land have not been motivated to build houses. Some multi-family units have been built by non-profit developers in the downtown area with the use of low-interest loans. As the job and business situation improves, the motivation for new housing construction will improve.

10. APPROPRIATENESS OF GOALS, OBJECTIVES AND POLICIES

The goals and policies of the 1994 Housing Element are basically the same as those adopted in 1985. The principal difference is the context in which the goals and policies were set and formulated. First, there has been experience in implementing housing programs with the use of funding assistance and active local participation, which was not true in 1985. Citizens and elected officials are much more aware of what can and cannot be done to implement housing policies and of the availability and suitability of funding assistance than were their counterparts in 1985. The "Implementation Programs" listed in the 1985 Housing Element were little more than a catalog of possible sources of funding and assistance. If these were construed by anyone at the time to be a list of the programs to be undertaken by the City, they were being unrealistic. Point Arena then and now does not have departments or staff to pursue programs that require on-going staff work and the accumulation of information necessary to keep such programs going. There are no departments of planning, redevelopment, housing engineering or public works, as most larger cities have to initiate or carry out programs and services. The initiative must come from individuals and the assistance must be provided, for the most part, by State and County agencies. The 1993 Housing Element has been prepared within the context of these limitations.

Second, and most importantly, the 1994 Housing Element has been developed as an integral part of the comprehensive 1994 General Plan. The elected officials and the many citizens participating in the development of the Plan, including the Housing Element, have a comprehensive understanding of the issues and considerations facing Point Arena in the future and, therefore, have formulated goals and policies that are realistic in terms of the City's current political, social and economic structure and conditions.

Finally, while some of the programs listed in the 1985 Housing Element were, perhaps, merely a listing of possibilities, the City met or exceeded its objective for construction of new housing units for low/moderate-income persons, and substantially reduced the number of sub-standard houses in the City. The 1985 Housing Element provided a beginning for the adoption of the 1993 General Plan and codes which increase the allowable density for housing and encourage mixed uses and residential building types. The City now has a basis for adopting policies and legislation such as density bonuses, second units in single-family homes, and mixed commercial/residential use.

11. CONSISTENCY WITH OTHER ELEMENTS OF THE GENERAL PLAN

The Housing Element was prepared as an integral part of the General Plan which is to be adopted in 1994. All housing policies and programs in this Element would be permitted and encouraged by other provisions of the General Plan, such as the land-use classifications, and the revisions to the Zoning Ordinance, which will be enacted in 1994.

12. HOUSING GOALS, POLICIES AND PROGRAMS: 1993 HOUSING ELEMENT

12.1. Goal 1: Housing Production and Affordability

To provide housing to meet the present and future needs of residents and to provide a fair share of the market area housing needs within identified governmental, market, and other constraints.

Quantified Objectives

Income Level	New Construction	Rehabilitation.	Conservation
Very Low	12	5	8
Low	2	5	5
Moderate	4	10	5
Above Moderate	7	10	5
Total	25	30	23

(A) Policy 1: Housing Production

Programs/Actions:

- a) Assist private and non-profit housing developers in making application for construction loans that may be available through State and Federal agencies.

Objective: Construction of a minimum of 6 new affordable housing units in the urban core area.

Time Frame: 1993-1997

Responsible Agency: City Clerk by referral to appropriate agencies.

- b) Encourage application by non-profit developers and managers for grant eligibility to convert existing units to eligibility for low/moderate-income rental units in the urban core area.

Objective: Conversion of 4 Units.

Time Frame: 1993-1997

Responsible Agency: City Clerk/Council Housing Committee

- c) Encourage the inclusion of affordable housing in new subdivisions by adopting a density-bonus ordinance which implements the State's density bonus regulation.

Objective: To utilize funding resources that may be available from State and County agencies.

Time Frame: Adopt ordinance provisions by January, 1994.

Responsible Agency: City Council

- d) Adopt zoning regulations to implement General Plan policies and provisions, including provisions for mixed residential/commercial use in the downtown core area.

Objective: Increase the supply of smaller rental units in or near the downtown area by at least 12 units by 1996.

Time Frame: August, 1995

Responsible Agency: City Council

- e) Identify sites for mobile homes and manufactured housing and assist interested parties in developing such sites.

Objective: Increase the supply of affordable ownership housing and rental housing by 10-12 units.

Time Frame: Identify sites and adopt appropriate ordinances by August, 1995.

Responsible Agency: City Council

- f) Assist organizations and agencies interested in the development of group or cooperative housing, for example, housing with medical facilities for elderly residents.

Objective: To meet the needs of particular groups such as elderly or handicapped.

Time Frame: 1993-1996

Responsible Agency: City Council/City Clerk

12.2. Goal 2: Housing Conservation

To promote adequate maintenance and, where needed, the rehabilitation of the city's housing stock

(A) Policy 2: Conservation of Existing Housing

Programs/Actions:

- a) Assist and encourage owners to apply for rehabilitation and repair loans that may be available through public agencies. Possible sources include: HUD and CDBG
Objective: To continue the progress made during the period 1985-1990 in the rehabilitation of seriously deteriorated structures with minimal cost to the owners so that the rental prices will not be significantly increased to offset the rehabilitation costs, i.e., rehabilitation is a feasible option for owners.

Limitations: Availability of low-interest loans and qualifications of owner/applicants.

Objective: Minimum of 20 units

Time Frame: On going

Responsible Agency: City Clerk by referral to appropriate agencies

- b) Encourage absentee owners to maintain their property with a combination of diligent code enforcement and prompt and efficient permit processing.

Objective: To maintain in good repair the residential structures of absentee owners.

Time Frame: On going

Responsible Agency: City Council with assistance of County officials.

- c) Regulate the rehabilitation and demolition of housing units to conserve as much as possible the overall supply of housing. (Use permits now required by Zoning Ordinance.)

Objective: To maintain and increase the number of available housing units.

Time Frame: On going

Responsible Agency: City Council (adopt regulations)

12.3. Goal 3. Housing Choice

To preserve a diversity of type, price and tenure in the city's housing stock including, but not limited to, condominium and co-housing development.

(A) Policy 3: Develop and Maintain Affordable Housing in the Urban Area

Programs/Actions:

- a) Through zoning regulations, encourage the development of a larger supply of housing units by permitting residential units in conjunction with new commercial developments.
Objective: To increase the supply of smaller rental units within the urban core by 6 units.

Time frame: Adopt zoning regulations by August, 1995.

Responsible Agency: City Clerk/City Council

- b) Through zoning regulations and policies, permit mobile home parks within the urban boundary.

Objective: Increase the supply of small, affordable units by 10-20 units.

Time Frame: Adopt zoning regulations by August, 1995.

Responsible Agency: City Clerk/City Council

- c) Discourage and prevent deterioration of structures to the point of inhabitability through code enforcement.

Objective: To encourage timely repair of structures and compliance with health and safety codes.

Time Frame: Ongoing City/County enforcement

Responsible Agency: City Council/County Agencies

- d) City will encourage the development of co-housing projects wherever feasible and will also adopt language in the zoning ordinance supporting this program.

12.4 Goal 4: Special Needs

To address the housing needs of a large number of renters with low incomes, including female-headed households

(A) Policy 4: Increase and Maintain a Supply of Housing in the Lower Rent Quartile (\$100 - \$300 per Month)

Programs/Actions:

- a) Provide a larger supply of available housing through the implementation of the policies and programs under Goals 1, 2, and 3.

Objective: Increase housing opportunities for persons of low income.

Time Frame: On going

Responsible Agency: City Council/Council Housing Committee

- b) Increase and maintain income levels by encouraging businesses to stay in or locate in Point Arena.

Objective: Maintain a variety of employment opportunities.

Time frame: Enact land-use and zoning policies by August, 1995 that permit and encourage commercial and appropriate industrial development and mixed commercial/residential housing projects.

Responsible Agency: City Council

- c) Enforce codes for safety and access requirements for disabled persons in rental housing.

Time Frame: On going City/County enforcement

Responsible Agency: City Clerk/County officials

- d) Encourage the development of housing to meet special needs, for example, elderly residents.

Objective: To meet special housing needs

Time Frame: On going

Responsible Agency: City Council/City Clerk

12.5. Goal 5: Resource Conservation

TO PROMOTE ENERGY AND WATER CONSERVATION IN NEW AND EXISTING RESIDENTIAL UNITS THROUGH RESOURCE-EFFICIENT DESIGN, SITING, AND LANDSCAPING.

(A) Policies and Programs

- a) Encourage, through zoning, the construction of new housing within or close to the downtown core area to reduce the need for long extension of utilities and to reduce commuting time.
- b) Encourage, through zoning, the development of new houses in clusters or attached structures to reduce use of land and materials.
- c) Encourage, through code provisions and requirements, the use of solar energy systems and water-saving devices.
- d) Identify and help educate residents about the availability of consumer programs, such as P.G. & E. services, to assist seniors and income-eligible customers with replacement or repair of older appliances.

Time Frame: On going

Responsible Agency: City Clerk/City Council

12.6. Goal 6: Fair Housing

To ensure decent, safe living environments for the City's residents regardless of age, sex, family composition, race, ethnicity, religion, physical or mental ability, or income.

(A) Policies and Programs

a) Through the City Clerk's office, periodically distribute to all residents, property owners, and real estate firms and agents, information on the laws forbidding discrimination in housing.

b) Implement the goal of increasing the number of available affordable housing units so that a wider choice of housing units is available to renters and prospective buyers.

Time Frame: On going.

12.7. Goal 7: Housing Element Implementation

To assure the implementation of all housing policies and to promote broad participation in the programs

(A) Policies and Programs

a) Provide review by the City Council of progress on development of additional housing units; determine what constraints, if any, may be prohibiting or slowing the production of new housing.

b) Outreach to non-profit developers and owners of property to encourage the development of housing.

c) Establish a "clearing house" for problems or concerns of local residents with housing problems.

Primary responsibility: City Council-appointed Citizens Committee and City Council.

Time Frame: Ongoing, beginning not later than Mar. 1994

Responsible Agency: City Clerk/City Council

APPENDIX "A"

POINT ARENA HOUSING ELEMENT OF THE
GENERAL PLAN

Response to
Review by the California Department of
Housing and Community Development of the
Draft Housing Element for Point Arena.

Prepared By

John H. Anderson
Urban Planning Consultant
August, 1992

Introduction

An initial draft Housing Element of the Point Arena Housing Element was submitted to the California Department of Housing and Community Development (HCD) for review on November 27, 1991.

By letter dated December 17, 1991, from Thomas B. Cook, Director, HCD, the comments of HCD staff were relayed to the Point Arena City Clerk, Fred Patten. A copy of that letter is attached to the response which follows.

Summary Response

The current (August, 1992) draft of the Point Arena Housing Element contains revisions and additions to the initial draft which respond directly to the comments of HCD. These are noted in the following item-by-item response to the HCD letter of December, 1991.

Some of the inadequacies and short-comings noted in the HCD letter can be accounted for very simply: the initial draft of the Housing Element was prepared from the Element that was incorporated into the 1985 General Plan draft. The HCD comments were based upon a later draft, which apparently had been adopted by Point Arena separately from the LCP of 1981. This later draft contained information and programs not contained in the earlier initial draft; consequently, some items were not adequately addressed in the draft Housing Element submitted to HCD in November 1991. The current draft does address the items noted by HCD.

The 1985 Housing Element made reference to the adoption of land-use policies and regulations that would permit higher densities and which would accommodate such measures as conversion of large units into condominiums, and the adoption of the redevelopment project plan, which would provide certain housing benefits. The answer to the question of what happened as a result of these actions is: nothing happened because no enabling legislation was enacted during the period.

The HCD letter noted that some of the programs listed in the 1985 draft were not accounted for in the current draft, i.e., no account was given of the progress made in implementing these programs. The answer, in short, is that very few of these programs were utilized. The "Implementation Programs" listed on the 1985 Housing Element appear to be no more than a listing of the possible sources of financing, not necessarily a list of the programs Point Arena intended to pursue in fulfillment of specific goals and policies. The only quantified objectives were listed on one page with no specific reference to funding sources or how the programs were to be accomplished. Point Arena, then and now, does not have the staff required to initiate and carry out most of the implementation programs listed.

The quantified goals, however, were realistic. In fact, Point Arena exceeded the "fair share" construction goal of 16 units by 50%. Eighteen of the 34 units constructed were for low/moderate-income renters. In addition, the number of sub-standard units was reduced from 124 in 1984 to 36 in 1991; again, more than meeting the goal of 55 units.

Following is an item-by-item response to the HCD letter of December 27, 1991:

PAGE 1, A. REVIEW AND REVISION

1. Effectiveness of the Element

Response: The 1992 Housing Element contains information responding to the request for more information about the effectiveness of the 1985 Element (pages 37 through 48). Noted in this section is the fact that a General Plan and Redevelopment Plan were not adopted during the period, which accounts for many of the programs listed in 1985 not having been implemented.

2. Progress on Implementation

Response: Pages 37 through 43 contain information on specific programs accomplished during the period. For those not accomplished, the overall explanation is that the programs listed were too ambitious for Point Arena to undertake and/or were not possible because enabling legislation was not enacted.

a) Activities of the Redevelopment Agency and Programs

Response: As previously noted, a redevelopment plan has not been prepared or adopted. The funds and programs that would have been available in a redevelopment project were, therefore, not available. The City will determine, during the current period, if a redevelopment project is feasible. Changes in State redevelopment law and lack of State and Federal funding have greatly diminished the prospects for a feasible project in Point Arena.

3. Status of Programs

a) Denial of income tax deductions to encourage up-grading of substandard units

Response: Legislation to implement this program was never enacted. Nevertheless, a large portion of units identified as sub-standard in 1985 were rehabilitated and brought up to code during the period.

b) HUD Sec. 8 Rental Assistance

Response: Sec. 8 Rental Assistance was obtained for 8 households.

c) Article 34 Referendum

Response: No programs have been utilized which are under the Article 34 Referendum requirements.

d) Density Bonus Ordinance

Response: The City has not adopted a density-bonus ordinance.

A density bonus ordinance will be prepared simultaneously, with or soon after, the preparation of a revised Zoning Ordinance and subdivision ordinance, which will be presented to the Council for adoption in 1993.

e) Limited Equity Housing Cooperative/Condominium Conversion

Response: The non-profit organizations that wanted to develop housing in Point Arena concluded that a limited-equity cooperative housing project was not feasible in Point Arena. The City did not make any attempt to enact condominium conversion regulations because there was and is little interest in condominiums in Point Arena under the new zoning provisions, and as more housing is built at higher densities, condominium projects may become more attractive as an affordable alternative to a single-family house.

f) Housing Needs, Resources, and Constraints

Response: The need has been quantified as follows: 12 "very low"; 2 "other low"; 4 "moderate"; 7 "above moderate" (page 22, HE). In addition, an analysis of special housing needs is presented on page 21, HE. If all the construction and rehabilitation goals are met, a total of 36 units would be added to the housing supply that, potentially, would be in the low/moderate-income rent range. (In proportion, this would be the same as San Francisco adding 5000-8000 units to the San Francisco housing supply during the period.)

2. Inventory of Land Suitable for Residential Development

Response: An inventory has been provided, including specific sites based upon the land use classifications in the 1992 General Plan page (29 HE).

3. (a) (b) (c) (d) Analysis of Special Housing Needs

Response: An analysis has been provided:

Low Income	Pages 21-22	HE
Female Head of Household	Page 24	HE
Large House Households	Page 24	HE
Homeless	Page 24-25	HE
Elderly/Handicapped	Pages 25-26	HE
Seasonal and Migratory Workers	Page 26	HE

4. Land Use Controls, Etc./Government Constraints

Response: Analysis has been provided on pages 30-34, HE. The 1992 General Plan provides for higher-density (than 1985) residential development and provisions for second units in single-family structure, mixed residential/commercial use, mobile home parks and day care centers. The inventory of sites potentially available for residential development is summarized on Table X, page 29, HE.

Building Codes/Permit Processing

Response: Additional information has been provided pages 30-34, HE.

PAGE 5, C. HOUSING PROGRAMS

1. (a) Construction Loans

Response: The City will assist interested developers by referral to State and County agencies, and will cooperate with developers in the timely processing of application for developments that are feasible and which meet the City's objectives (page 49, HE).

b) Rehabilitation Loans

Response: The City will attempt to make property owners aware of available sources of funding by posting notice in City Hall. Because Point Arena is small, information is easily disseminated by word of mouth. If an owner succeeds in getting loan assistance, most of the other interested owners will know about it. The City can assist by referring these interested owner/developers to the appropriate State or County agency.

c) Zoning Regulations (Clarification)

Response: The 1985 HE indicated that provision for higher density conversion of single family to multiple family density homes, etc., would be enacted during the period 1985-1991. As previously noted, these provisions were not adopted during this period. The revised Zoning Ordinance which will be adopted in 1993 will provide for the higher densities referred to on page 52, HE, and other provisions, such as mobile home parks, restriction of demolition etc.

2. Adequate Sites (a) and (b)

Response: As previously noted, Table X, Page 29, HE, is an inventory of land potentially available for a variety of housing types. Emergency housing and transitional housing will be permitted as conditional uses in the Commercial (C) and Highway Commercial (HWC) zones.

3. Removal of Government Constraints

Response: No constraints have been identified that warrant mitigation or revision.

4. Equal Housing Opportunity

Response: The City will post notices and send periodic notices concerning discrimination in housing. Individuals with complaints or questions will address them to the City Clerk who will refer them to the Councils' Housing Committee. If the Committee and City Clerk cannot accomplish a resolution of the problem, the matter will be referred to the appropriate State/County agency for possible resolution.

5. Use of Redevelopment Project Funds for Housing

Response: As previously noted, the City has not adopted a redevelopment project area plan.

PAGE 7, D. PUBLIC PARTICIPATION

Response: As previously noted, the adoption of the General Plan was preceded by a series of workshops and informal meetings in which a cross-section of the City's owners and renters participated. The Housing Element was an integral part of the review and public hearing process.

PAGE 7, E. QUANTIFIED OBJECTIVES

Response: The construction goal of 25 units is quantified on page 21, HE. The rehabilitation goal of 20 units is specified on page 51, Policy #2 HE.

PAGE 7, F. CONSISTENCY

Response: Because the Housing Element was developed as an integral part of the 1992 General Plan, consistency has been assured. The principal concern for consistency will be in the preparation and adoption of revisions to the Zoning Ordinance to make sure that all policies in the Housing Element can be accommodated by land-use regulation. By law, the Zoning Ordinance must be consistent with the General Plan.

PAGE 7, G. COASTAL ZONE HOUSING (1), (2), (3), (4)

Response: The California Coastal Commission has no requirements for approval of new construction in Point Arena, all of which is included in the California Coastal Zone. The California Coastal Commission must certify any proposed subdivision, annexation, and all land-use changes affecting the land use map (zoning), the Zoning Ordinance or the land use element, prior to final approval. The General Plan and the Housing Element are consistent with all applicable requirements of the California Coastal Commission.

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X. COASTAL ELEMENT

Section 1 of this Coastal Element describes the purpose of, and need for, this element of the Point Arena General Plan. The subjects addressed are:

- 1.1 THE COASTAL ACT
- 1.2 THE LOCAL COASTAL PROGRAM (LCP)
- 1.3 ADOPTION, CERTIFICATION AND IMPLEMENTATION

Section 2 addresses each of the relevant planning subjects relating to the Coastal Act. At the head of each sub-section are listed the relevant section numbers of the Coastal Act to aid in land use planning decisions, and which are included in this document by reference. The subjects addressed are:

- 2.1 PUBLIC ACCESS
- 2.2 RECREATION
- 2.3 MARINE ENVIRONMENT
- 2.4 ENVIRONMENTALLY SENSITIVE HABITAT AREAS
- 2.5 AGRICULTURAL LANDS
- 2.6 LOCATING NEW DEVELOPMENT

Section 3 is a list of the sources of information used to generate this document.

1. INTRODUCTION

1.1. The Coastal Act

The City of Point Arena is located in the County of Mendocino and is entirely within and is subject to the regulations (see Title 14 CCR 13000 et. sec.) set forth by the California Coastal Act of 1976 as amended. The California State Legislature enacted the California Coastal Act to regulate the conservation and development of California's coastline and established the California Coastal Commission as a permanent state coastal management and regulatory agency to assure that public concerns of state wide importance are reflected in local decisions about coastal development.

The Coastal Act [Section 30001.5] sets the following goals for all Land Use Plans for the coastal zone:

- a. Protect, maintain and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources.
- b. Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.

- c. Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners.
- d. Assure priority for coastal-dependent and coastal-related development over other development on the coast.
- e. Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

The spirit and intent of the Act can be summarized as requiring that coastal planning:

- a. Protect the scenic beauty of the coastal landscape.
- b. Maintain productive coastal agricultural lands.
- c. Protect access to the coast for the enjoyment and use of as many people as possible, regardless of their income or place of residence, consistent with private rights and environmental protection.
- e. Protect marine and land resources, including wetlands; rare and endangered habitat areas; environmentally sensitive areas; tide pools; stream channels.
- f. Direct new housing and other development to urbanized areas with adequate services rather than allowing a scattered, sprawling, wasteful pattern of subdivision.
- g. Locating any needed coastal energy and industrial facilities where they will have the least adverse impact.

The Coastal Act also establishes a framework for resolving conflicts among competing uses for limited coastal lands. The following table lists land use priorities from highest to lowest, as established by the Coastal Act [Sections 30213, 30220-23 30234, 30241-43, 30250, 30253 and 30255]:

(A) Development Priorities

1. Preservation and protection of natural resources, including environmentally sensitive habitats, and prime agricultural and timber lands.
2. Coastal dependent industry and commerce (in non-environmentally sensitive habitat areas) and commercial fishing.

3. Coastal or water dependent public recreation.
4. Non-coastal or non-water dependent public recreation.
5. Visitor serving commercial recreational, lower cost.
6. Visitor serving commercial recreational, higher cost.
7. Private residential, general industrial or commercial development.

1.2. The Local Coastal Program (LCP)

Local governments are to incorporate the Coastal Act policies into their own Local Coastal Program (LCP). LCPs are the specific long-term management plans prepared by each of the state's coastal cities and counties for its section of the coast located within the Coastal Zone, which in this case is the entire City of Point Arena. Each LCP consists of a land use plan, and implementation plan, which includes zoning ordinances and other implementing actions.

The Coastal Act, Section 30200 presents policies which provide the standards for determining the adequacy of the local coastal programs.

The City of Point Arena's LCP shall be a combined document of this General Plan and it's subsequent Zoning Ordinance (with associated maps). Thus, as referenced herein, LCP refers to the City's General Plan, otherwise known as the Land Use Plan, including the Opportunities and Constraints Maps but not including the Housing Element, the Land Use and Development Map and associated support documents, and the Implementation Plan (IP), which includes the Zoning Ordinance, Zoning Map, and Second Dwelling Ordinance.

The Coastal Act requires that the LCP be more detailed and specific than the City General Plan and cover issues such as coastal access, that are not mandated by State Planning Law to be included in the General Plan. The City General Plan contains elements, or covers issues, that are not specifically required by the Coastal Act.

General policies regarding the LCP and General Plan:

- a. Development shall be consistent with all of the policies of the LCP. Where policies within the LCP overlap or conflict, the policy which on balance is the most protective of coastal resources shall take precedence.
- b. Chapter 3 of the Coastal Act [Sections 30210 - 30263] provide the standard for the determination of legal adequacy of the LCP and shall guide its implementation.

1.3. Adoption, Certification and Implementation

The Coastal Commission works with local governments to help them tailor LCPs that reflect the coastal issues and concerns of each area, while simultaneously meeting the state wide goals and policies of the Coastal Act. The Commission reviews each LCP to determine that it conforms with the policies and requirements of the Coastal Act.

This Coastal Element is designed to be adopted as an element of the Point Arena General Plan. The General Plan must be considered in at least one public hearing by the City Council, approved with any changes the Council believes are desirable, and then adopted.

Either concurrently with evaluation of the General Plan or at a later date, the Coastal Commission also must review the City's proposed Zoning Ordinance.

(a) The certified local coastal program and all local implementing ordinances, regulations, and other actions may be amended by the City, which includes the City adoption of this General Plan/Land Use Plan and Zoning Ordinance, but no such amendment shall take effect until it has been certified by the commission.

(b) Any proposed amendments to a certified local coastal program shall be submitted to, and processed by, the commission in accordance with the applicable procedures and time limits specified in Public Resources Code Sections 30512 and 30513, except that the commission shall make no determination as to whether a proposed amendment raises a substantial issue as to conformity with the policies of Chapter 3 (commencing with Section 30200) as would otherwise be required by Section 30512. In no event shall there be more than three of these submittals of proposed amendments in any calendar year. However, there are no limitations on the number of amendments included in each of the three submittals.

(c) The commission shall certify a land use plan, or any amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3 (commencing with Section 30200) of the Coastal Act. Except as provided in paragraph (1) of subdivision (a) of Coastal Act Section 30512, a decision to certify shall require a majority vote of the appointed membership of the commission. The commission may only reject zoning ordinances, zoning district maps, or other implementing actions on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan.

(d) Proposed amendments to a certified local coastal program may be reviewed and designated by the executive director of the commission as being minor in nature or as requiring rapid and expeditious action. Proposed amendments that are designated as being minor in nature or as requiring rapid and expeditious action shall not be subject to (b) or PRC Sections 30512 and 30513 and shall take effect on the 10th working day after designation. Amendments that allow changes in uses shall not be so designated. A minor amendment to an LCP includes but is not limited to, the following:

(1) changes in wording which make the use as designated in the zoning ordinances, zoning district maps or other implementing actions more specific and which do not change the kind, location, intensity, or density of use and which are found by the executive director of the Commission or the Commission to be consistent with the land use plan as certified by the Commission.

(2) for annexed or detached areas, certification of zoning ordinances, zoning district maps or other implementing actions where either:

(i) the certified land use plan and zoning designations of the city and county jurisdictions for the geographic area are equivalent; or

(ii) the Commission has certified proposed pre-annexation zoning for the annexing jurisdiction.

(3) change in the notification and hearing procedures that is consistent with the requirements of the Coastal Act.

(4) for land use plans:

(i) revisions or deletion of housing policies certified pursuant to Public Resources Code Section 30213 prior to January 1, 1982.

(ii) correction, reorganization, revisions, or deletion of certified language which when taken together does not change the kind, location, intensity or density of use or modify the resource protection measures for any area or property.

(iii) additions or revisions to certified policies which impose further conditions, restriction or limitations on any use which might adversely affect the resources of the coastal zone, if those amendments do not conflict with any policy of Chapter 3 of the Coastal Act or with any other certified land use plan policy.

(iv) changes in the kinds, location, intensity or density of uses covering areas specifically certified by the Commission as acceptable alternative land uses that become effective upon the occurrence of specific events authorized in a certified LCP or LRDP, such as annexations or the availability of water or sewer services.

The executive director of the Coastal Commission or the Commission may determine whether or not a proposed amendment is minor in nature. If the executive director determines the proposed amendment is minor, notice of such determination including a summary of procedures set forth in Article 15 of Title 14 of the CCR shall be mailed to all parties the executive director has reason to know may be interested in the amendment to the LCP. The executive director shall report in writing to the Coastal Commission at the next meeting, his or her determination and objections to the determination, if any, that have been received within ten (10) working days of

the posting of notice. The report shall include sufficient description of the proposed amendment to allow the Commission to understand the proposal. If one-third of the appointed members of the Commission requests, the determination of minor amendment shall not become effective and the amendment shall be processed in accordance with Section 13555(b) of Title 14 of the CCR. Proposed amendments that are designated as minor amendments by the executive director with concurrence by the Commission or the Commission shall take effect upon completion of the requirements of Section 13547 of Title 14 of the CCR.

If the executive director or the Commission determine that the proposed amendment is not minor, the application shall be processed by the Commission after notice to all parties the executive director has reason to know may be interested in the matter. Amendments that are not designated minor in nature shall be subject to the provisions of this Article and Articles 9-12 OF Title 14 of the CCR.

(e)(1) The executive director of the Coastal Commission may determine that a proposed local coastal program amendment is de minimis if the executive director determines that a proposed amendment would have no impact, either individually or cumulatively, on coastal resources, is consistent with the policies of Chapter 3 (commencing with Section 30200), and meets the following criteria:

(A) The City, at least 21 days prior to the date of submitting the proposed amendment to the executive director, has provided public notice, and provided a copy to the commission, that specifies the dates and places where comments will be accepted on the proposed amendment, contains a brief description of the proposed amendment, and states the address where copies of the proposed amendment are available for public review, by one of the following procedures:

(i) Publication, not fewer times than required by Section 6061 of the Government Code, in a newspaper of general circulation in the area affected by the proposed amendment. If more than one area will be affected, the notice shall be published in the newspaper of largest circulation from among the newspapers of general circulation in those areas.

(ii) Posting of the notice by the City both onsite and offsite in the area affected by the proposed amendment.

(iii) Direct mailing to the owners and occupants of contiguous property shown on the latest equalized assessment roll.

(B) The proposed amendment does not propose any change in land use or water uses or any change in the allowable use of property.

(2) At the time that the City submits the proposed amendment to the executive director of the Coastal Commission, the City shall also submit to the executive director of the Coastal Commission any public comments that were received during the comment period provided

pursuant to subparagraph (A) of paragraph (1).

(3)(A) The executive director of the Coastal Commission shall make a determination as to whether the proposed amendment is de minimis within 10 working days of the date of submittal by the City. If the proposed amendment is determined to be de minimis, the proposed amendment shall be noticed in the agenda of the next regularly scheduled meeting of the commission, in accordance with Section 11125 of the Government Code, and any public comments forwarded by the City shall be made available to the members of the Coastal Commission.

(B) If three members of the Coastal Commission object to the executive director's determination that the proposed amendment is de minimis, the proposed amendment shall be set for public hearing in accordance with the procedures specified in subdivision (b), or as specified in subdivision (c) if applicable, as determined by the executive director of the Coastal Commission, or, at the request of the local government, returned to the City. If set for public hearing under subdivision (b), the time requirements set by Sections 30512 and 30513 shall commence from the date on which the objection to the de minimis designation was made. (C) If three or more members of the Coastal Commission do not object to the de minimis determination, the de minimis local coastal program amendment shall become part of the certified local coastal program 10 days after the date of the commission meeting.

Once the Coastal Commission has certified an LCP for an area, the Commission's regulatory authority over most types of development is delegated to the local government.

The Commission retains permanent permit jurisdiction over tidelands, submerged lands, and public trust lands [Section 30519(b)]. The Commission also continues to advise, monitor, and review ~~the~~ local coastal programs, hear appeals from certain local decisions, and review proposed LCP amendments.

Following certification of the LCP, an action taken by the City on a coastal development permit application may be appealed to the Commission for only the following types of developments:

1. Developments approved by local government between the sea and the first public road paralleling the sea, or within 300 feet of the inland extent of any beach or the mean high tide line of the sea where there is no beach, whichever is the greater distance.
2. Developments approved by local government not included within paragraph (1) located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary or stream.
3. Developments approved by local government not included within paragraph (1) or (2) located within 300 feet of the top of the seaward face of any coastal bluff.
4. Developments approved by local government that are located in a sensitive coastal resource area.

5. Any development which constitutes a major public works project or a major energy facility.

The grounds for appeal are limited by Section 30603(b) of the Coastal Act.

The grounds for an appeal pursuant to paragraphs 1 through 5 above shall be limited to an allegation that the development does not conform to the standards set forth in the certified local coastal program and/or the public access policies of the Coastal Act. The grounds for an appeal of a denial of a permit pursuant to paragraph 5 above shall be limited to an allegation that the development conforms to the standards set forth in the certified local coastal program and the public access policies of the Coastal Act.

Any action shall become final at the close of business on the 10th working day after the date which the Coastal Commission receives notice of local action taken, unless an appeal is filed with the Coastal Commission within that time. The city shall send notification of its final action on a coastal development permit application to the Commission by certified mail within seven calendar days from the date of taking the action.

2. COASTAL POLICIES

2.1. Public Access

(A) Relevant Coastal Act Sections, included by reference

30210

Access; recreational opportunities; posting.

30211

Development not to interfere with access.

30212

New development projects; provisions for access; exceptions

30212.5

Public facilities; distribution.

30213

Lower cost visitor and recreational facilities; encouragement and provision; overnight room rentals.

30214

Implementation of public access policies; legislative intent.

30252

Maintenance and enhancement of public areas.

(B) Background

Point Arena lies in the southern coastal region of Mendocino County and is bisected by State Highway 1, the sole state highway providing north-south vehicle transportation along the California Coast. The two lane and winding nature of Highway 1 together with its relatively

small coastal population relegates its commercial transportation use to a local rather than a state wide significance. On the other hand, because of its alignment along rugged, highly scenic, coastal bluffs and natural resource land, Highway 1 acts as the transportation artery serving nearly all forms of coastal recreation in the state and directly affects the recreational economies of all of the communities along its path, including Point Arena.

Public roads providing local access to Point Arena act as a "short cut" across mountain ridges from Route 128 in Anderson Valley. These roads offer scenic, direct access to the south coastal areas of the County and, because they are narrow and winding they are more frequently used by local people than by out-of-County travelers. The roads which are probably more significant to Point Arena coastal access are the Greenwood-Philo Road and the Mountain View Road. The roads intersect Highway 1 at Elk and 1.5 miles south of Manchester, respectively.

The high, sheer bluffs characterizing the Point Arena coastline are broken only at the Arena Cove wharf area, where Arena Creek flows from the east and empties into the ocean. The coastal bluffs to the north and south of the cove are under private ownership.

1. Vehicular Access to Arena Cove

Primary public access to the ocean in Point Arena is achieved by way of Iversen Avenue (at Highway 1) to Port Road, which extends approximately one mile to the harbor and wharf at Arena Cove. Because of the steep character of coastal bluffs within the City, Port Road is the only vehicular access route currently available.

2. Parking at Arena Cove

Facilities and/or spaces to accommodate vehicle parking are essential parts of the City's Coastal Access component. Parking is currently available at Arena Cove and serves a variety of uses, including off-street parking which serves the Arena Cove commercial complex and a public parking area which serves mixed recreational and coastal dependent uses, as well as a designated area for commercial boat storage.

Levels of use and demand for public parking varies seasonally with boat launching, abalone diving, and urchin diving placing the heaviest demand on available parking.

3. Pedestrian Access to Arena Cove

A pedestrian path runs from Main Street through the City Park to Port Road. Pedestrian access to the ocean via this road is currently available only by walking along and in the road, which has neither sidewalk nor improved shoulders. There are remnants of an inadequate bike trail along portions of the road.

A graded strip of land on the south side of Point Arena Creek offers a potential connecting trail from the City Park pedestrian path to the Cove, but the land is privately owned and fenced.

As conditions of permit approval, "Offers to Dedicate" trail easements along portions of Arena Creek at the cove were required, but these have not yet been recorded.

Due to the hazardous and restrictive nature of the City's coastline, Port Road should remain the major source of public access to the ocean. The trails indicated on the Opportunities and Constraints Map, were generally established by historic use, with initiation of new trails that could be "formalized" into a City Trail System, once landowner approval is obtained and matters of liability are established and resolved.

The location of trails on the Opportunities and Constraints Map are not meant to be exact; rather they are meant as a planning guide and exact trail placement must take into account geography, safety and other issues.

4. South Coastal Bluff Trail Potential

The bluff top to the south of Arena Cove affords spectacular views of the ocean and surrounding coastal lands. Most of the parcels are undeveloped, except for a few single family homes. The zoning is AE (20 acre minimum).

Access to the bluffs south of the cove is via Blufftop Road, a private road owned and maintained by land owners, including the City. There is an existing "Offer to Dedicate" a portion of a trail along the south bluffs. (See Opportunity and Constraints Map.)

The Mendocino County General Plan Coastal Element plans for an eventual trail connecting Schooner Gulch State Beach in the south and the City of Point Arena's southern boundary. The following is a list of relevant policies in the County Coastal Element:

Policy 4.11-14	Point Arena to Whiskey Shoals Trail
Policy 4.11-15	Mote Creek
Policy 4.11-17	Ross Creek
Policy 4.11-18	Schooner Gulch / Bowling Ball Beach
Policy 4.11-19	Bowling Ball Beach

5. North Coastal Bluff Trail Potential

The bluff top to the north of Arena Cove also affords spectacular views of the ocean and surrounding coastal lands, including the Point Arena Lighthouse, as well as foot access to small coves and beaches. There is currently no public access. The zoning is AE (20 acre minimum). Access is via a private road along the City's northern boundary.

The Mendocino County General Plan Coastal Element plans for an eventual trail connecting the City of Point Arena's northern boundary and Manchester State Beach. Other lateral access points along this route are also planned. The following is a list of relevant policies in the County Coastal Element:

Policy 4.11-13	P.G. & E. Road
Policy 4.11-12	Mendo-Lake Community College Field Station
Policy 4.11-10	Point Arena Light Station
Policy 4.11-9	Garcia River

Policy 4.11-7	Manchester Beach / Garcia River Mouth
Policy 4.11-6	Stoneboro Road
Policy 4.11-5	Alder Creek Beach Road
Policy 4.11-4	Irish Gulch
Policy 4.11-3	Irish Beach
Policy 4.11-2	Irish Beach-Manchester Alternative Trail

(C) Findings

Pedestrian and bicycle access along Port Road is severely restricted due to the lack of sidewalks or trails, and the lack of visibility along the winding road. (See Circulation Element)

Although the condition of roads serving the Arena Cove area is adequate for the existing level of usage, for safety reasons an alternate vehicular access to the cove is needed.

The current usage of access and parking facilities on the Point Arena coast is not impactive, except for a short period in the spring during abalone fishing season. Day and night parking are generally well met for recreational purposes, although overnight parking is prohibited in the City lot.

In connection with the County of Mendocino, a coastal trail system could eventually be realized from Schooner Gulch State Beach in the south, through the City and connecting to Manchester State Beach in the north.

(D) Goals

Develop policies, programs and land use designations to carry out the provisions of the Coastal Act regarding public access. Require new development projects to provide public access to the shoreline and along the coast. Develop policies and programs to address and provide for upgrades to Port Road, including widening and improving sight distances provided they are consistent with the LCP ESHA policies..

(E) Policies

1. The City of Point Arena shall require a 25 foot wide easement along all trails designated on the Opportunities and Constraints Map as a condition of approval to mitigate impacts of development that would require a coastal development permit where such impacts cannot be avoided. For any project where such mitigation is required, the preferred implementation should be through a recorded grant of easement to the City or to a designated private nonprofit association acceptable to the City who is willing to accept the easement and willing to operate and maintain the public accessway or trail. Where grants of easement are not feasible because neither the City nor private nonprofit association is willing to accept, maintain and operate the accessway, implementation of required access mitigation shall be implemented through a recorded Offer to Dedicate

(OTD) an easement to a public agency or a designated private nonprofit association acceptable to the City. Offers of dedication shall last for a period of 21 years from the date of recordation of the offer.

2. For all grants of easement to the City, the City shall open the easement to the public as soon as is feasible, and shall be responsible for operating and maintaining the accessway, or the City shall grant the easement to a private nonprofit association that is willing to accept, maintain and operate the accessway.

3. For all grants of easement from the City to a private non-profit association, the City shall require the submittal of a management plan that indicates that the association will open, operate, and maintain the easement in accordance with terms of the recorded grant of easement, and that the association will open the easement to the public as soon as is feasible.

4. For all offers to dedicate an easement that are required as conditions of Coastal Development Permits approved by the City, the City has the authority to approve a private association that seeks to accept the offer. Any government agency may accept an offer to dedicate an easement if the agency is willing to operate and maintain the easement. The City shall approve any private association that submits a management plan that indicates that the association will open, operate, and maintain the easement in accordance with terms of the recorded offer to dedicate the easement.

5. The City shall pursue improvements to Port Road, or an alternate route, in order to complete a safe pedestrian and bike path from downtown to the cove. This shall include the adoption of a Development Impact Fee schedule and a Capital Improvement Program. Any improvements to Port Road shall be consistent with LCP ESHA policies, including, but not limited to, those policies governing wetland fill.

6. The City shall pursue the development of "Devil's Cutoff" as an emergency or alternate vehicular access to the cove.

7. The City Council shall adopt the policy of protecting areas where public prescriptive access rights may exist but which have not been specifically defined to date.

8. Pedestrian access shall be designated along trails designated on the Opportunities and Constraints Map. This map contains previously mapped trails as well as an expanded trail system.

9. New developments in the cove area shall be required to provide off-street parking to serve the approved use in order to minimize impacts to public parking available for coastal access and recreation and in order to distribute parking throughout the area; and,

10. The City shall protect, encourage, and, where feasible, provide lower-cost visitor and recreation facilities in the Cove area and other areas in the Town. The City shall

encourage, and give preference to, developments providing public recreational opportunities, including a public park in Arena Cove.

11. The City shall strive to complete the links in the California Coastal Trail (CCT) by participating and consulting with the National Park Service, the State Department of Parks & Recreation, the State Coastal Conservancy, Mendocino County, and other appropriate public and private entities and interested parties in designing, locating, funding, acquiring, and implementing the Point Arena California Coastal Trail (CCT) segment, including opening trails for vertical access designated on the Opportunities and Constraints Map: Biological Resources and Trails.

12. The CCT shall be identified and defined as a continuous trail system traversing the length of the state's coastline and designed and sited as a continuous lateral trail traversing the length of the City's Coastal Zone and connecting with contiguous trail links in adjacent Coastal jurisdictions (Mendocino County).

13. The CCT shall be designed and implemented to achieve the following objectives:

- Provide a continuous walking and hiking trail as close to the ocean as possible;
- Provide maximum access for a variety of non-motorized uses by utilizing alternative trail segments where feasible;
- Maximize connections to existing and proposed local trail systems;
- Ensure that all segments of the trail have vertical access connections at reasonable intervals;
- Maximize ocean views and scenic coastal vistas;
- Provide an educational experience where feasible through interpretive facilities.

14. CCT Siting and Design Standards: The trail should be sited and designed to be located along or as close to the shoreline where physically and aesthetically feasible. Where it is not feasible to locate the trail along the shoreline due to natural landforms or legally authorized development that prevents passage at all times, inland bypass trail segments located as close to the shoreline as possible should be utilized. Shoreline trail segments that may not be passable at all times should provide inland alternative routes.

15. Where gaps are identified in the trail, interim segments should be identified to ensure a continuous coastal trail. Interim segments should be noted as such, with provisions that as opportunities arise, the trail shall be realigned for ideal siting. Interim trail segments should meet as many of the CCT objectives and standards as possible.

16. The CCT should be designed and located to minimize impacts to environmentally sensitive habitat areas to the maximum extent feasible. Where appropriate, trail access should be limited to pass and repass. Where necessary to prevent disturbance of nesting birds, sections of the trail may be closed on a seasonal basis. Alternative trail segments shall be provided where feasible.

17. The CCT should be located to incorporate existing oceanfront trails and paths and support facilities of public shoreline parks and beaches to the maximum extent feasible.

18. To provide a continuously identifiable trail along the base and shoreline of Mendocino County, the trail should be integrated with the CCT in Mendocino County which borders the City.

19. The CCT should be designed to avoid being located on roads with motorized vehicle traffic where feasible. In locations where it is not possible to avoid siting the trail along a roadway, the trail should be located off of the pavement and within the public right-of-way, and separated from traffic by a safe distance. In locations where the trail must cross a roadway, appropriate directional and traffic warning signing should be provided.

20. CCT Acquisition and Management: A. Trail easements should be obtained by encouraging private donation of land, by public purchase, or by dedication of trail easements. Trail easement dedications shall be required as a condition of approval of a Coastal Development Permit for development on property located on the CCT route or on designated vertical accessways to the route, when the dedication will mitigate adverse impacts on public access and/or recreation by the project. B. The CCT plan should identify the appropriate management agency(s) to take responsibility for trail maintenance.

21. CCT Signage Program Standards: A. The trail should provide adequate signage at all access points, trailheads, parking lots, road crossings, and linkages or intersections with other trails or roads which incorporate the CCT logo (to be designed). B. The trail should provide adequate safety signage, including but not limited to, road crossing signs and yield/warning signs on multi-use trail segments. Where appropriate signs should be developed in coordination with Caltrans and/or City and County Public Works Departments and any other applicable public agencies. C. Signs shall be posted in Spanish and in English.

22. CCT Support Facilities: To maximize access to the CCT, adequate parking and trailhead facilities should be provided.

23. CCT Mapping: A. The final CCT map shall identify all planned or secured segments, including existing segments, all access linkages and planned staging areas, public and private lands, existing easements, deed restricted sections and sections subject to an Offer-to-dedicate (OTD). The map shall be updated on a regular basis. B. The CCT shall be identified on all applicable City Trail Maps contained in the LCP Access Component.

24. Inclusion of CCT in LCP: The LCP shall be amended to incorporate all plans and designs for locating and implementing the CCT within the City including the final mapped alignment.

25. New development shall be sited and designed to minimize impacts to public access and recreation along the shoreline and trails. If there is no feasible alternative that can eliminate or avoid all access impacts, then the alternative that would result in the least significant adverse impact shall be required. Impacts may be mitigated through the dedication of an access or trail easement where the project site encompasses an LCP mapped access or trail alignment, where the City, County, State, or other public agency has identified a trail used by the public, or where there is substantial evidence that prescriptive rights exist. Mitigation measures required for impacts to public access and recreational opportunities shall be implemented prior to or concurrent with construction of the approved development.

26. Mitigation shall not substitute for implementation of a feasible project alternative that would avoid impacts to public access.

27. Public prescriptive rights may exist in certain areas along the shoreline and trails within the City. Development shall not interfere with the public's right of access to the sea where acquired through historic use or legislative authorization. These rights shall be protected through public acquisition measures or through permit conditions for new development, which incorporate measures to provide or protect access when there is substantial evidence that prescriptive rights exist.

28. Public accessways and trails to the shoreline and public parklands shall be a permitted use in all land use and zoning designations. Where there is an existing, but unaccepted and/or unopened public access Offer-to- Dedicate (OTD), easement, or deed restriction for lateral, vertical or trail access or related support facilities e.g. parking, construction of necessary access improvements shall be permitted to be constructed, opened and operated for its intended public use.

29. The City shall not close, abandon, or render unusable by the public any existing accessway which the City owns, operates, maintains, or is otherwise responsible for unless determined to be necessary for public safety without first obtaining a Coastal Development permit. Any accessway which the City or any other managing agency or organization determines cannot be maintained or operated in a condition suitable for public use shall be offered to another public agency or qualified private association that agrees to open and maintain the accessway for public use.

2.2. Recreation

(A) Relevant Coastal Act Sections, included by reference

30220

Protection of certain water-oriented activities.

30221

Ocean front land; protection for recreational use and development.

30222

Private lands; priority of development purposes.

30222.5

Ocean front lands; protection for aquaculture use and development.

30223

Upland areas.

30224

Recreational boating use; encouragement; facilities.

(B) Background

The wharf area supports a diverse marine industry with a major portion devoted to commercial and recreational boating and fishing. The spring and summer seasons are busy and the reputation of Arena Cove as a lucrative fishing area is very good.

Facilities which are supportive of the fishing and tourist industries include the Galley Restaurant, Arena Cove Sporting Goods, Wharfmaster's Inn, and the City-offered skiff rack storage rentals (primarily for commercial uses), commercial and recreational boat launching services and fish cleaning facilities.

Among persons who surf on the northern California coast, Arena Cove is known to be an excellent surfing area.

1. Recreational Boating and Fishing

The wharf provides a launching service. Launching activity is highest on weekends, averaging 20/day. Sport fish landings include ling cod, rock cod, salmon, shad, red snapper and abalone. In addition to private launchings, the overall recreational fishing picture is supplemented by pier fishing and shore fishing. Fishing from the wharf does not require a license. Species of importance to these "non-boating" forms of recreation include sea trout, perch, ling cod, black snapper, cabezon and abalone.

Perhaps the largest, single, recreational activity generated at the Arena Cove is the "crush" of people who visit the wharf area during the early abalone season in the spring.

2. Surfing

The City Council has recently adopted a resolution stating that it does not support the development of a breakwater at Arena Cove. It is the City's intent to preserve the balance of recreational and commercial activities at the Cove, promoting commercial and recreational boating and fishing as well as surfing, which is dependent upon the breaking wave patterns at the Cove.

3. Tourism

The visitor serving facilities at Arena Cove have grown considerably in recent years with the addition of the Wharfmaster's Inn, the Coast Guard House Bed & Breakfast Inn, two restaurants,

and other shops. The scenic value inherent in the location is one of the highest potential tourist draws that the City of Point Arena has to offer.

(C) Findings

The balance between the multiple uses at Arena Cove of commercial and recreational fishing, including boat mooring, storage and launching, as well as surfing and tourism, is a major component of the recreational activities available to residents and visitors.

There is ample available undeveloped land at the cove to provide continuing development opportunities, while maintaining a balance between recreational and other coastal dependant uses.

(D) Goals

To maintain a balance between protecting coastal areas suited for water-oriented recreational activities, such as fishing and surfing, and developing appropriate supportive facilities and uses to facilitate the expansion of commercial fishing activities and tourism.

(E) Policies

1. The City shall reaffirm the policy statement of establishing the priority of marine/coastal dependent development in the wharf area, such as commercial and recreational fishing, boat mooring, storage and launching, and surfing. The cove shall be protected for such uses: "The City of Point Arena, recognizing the key role that commercial and recreational fishing and boating plays in the local and regional coastal economy, shall continue to encourage the enhancement of coastal dependent industry at Arena Cove by assigning a high priority status to improvement and/or expansion of existing coastal or marine dependent uses at Arena Cove as well as encouraging new uses which directly enhance or supplement the existing commercial/recreational boating and fishing opportunities at the Cove."

2. Expand coastal dependent activities such as: a skin and/or scuba diving supply outlet, a fresh fish market, boat and/or kayak rental, boat repair, marine engine repair.

3. The City shall reaffirm the policy statement of opposing a breakwater at Arena Cove.

4. The use of private lands in the cove suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

5. Existing, lower cost visitor-serving and recreation facilities, including overnight accommodations, shall be protected to the maximum feasible extent. Removal or

conversion of existing lower cost opportunities shall be prohibited unless the use will be replaced with another offering comparable visitor serving or recreational opportunities.

6. Priority shall be given to the development of visitor-serving and commercial recreational facilities designed to enhance public opportunities for coastal recreation. On land designated for visitor-serving commercial and/or recreational facilities, priority shall be given to such use over private residential or general commercial development. New visitor serving uses shall not displace existing low-cost visitor-serving uses unless an equivalent replacement is provided.

7. Adequate parking should be provided to serve coastal access and recreation uses to the extent feasible. Existing parking areas serving recreational uses shall not be displaced unless a comparable replacement area is provided.

2.3. Marine Environment and Wetlands

(A) Relevant Coastal Act Sections, included by reference

30230

Marine resources; maintenance.

30231

Biological productivity; waste water.

30232

Oil and hazardous substance spills.

30233

Diking, filling or dredging.

30234

Commercial fishing and recreational boating facilities.

30234.5

Fishing; economic, commercial, and recreational importance.

30235

Revetments, breakwaters, etc.

30236

Water supply and flood control.

(B) Background

There are four important biological marine related resources in the Point Arena area that are dealt with in this section. They are:

1. Arena Cove
2. Arena Creek
3. Hathaway Creek
4. The Garcia River

In addition, there are numerous small springs and seasonal creeks in the City that provide semi-riparian habitat and shelter for birds and other animals, including Point Arena Mountain Beaver.

1. Arena Cove

Arena Cove is the most important biological resource within the City boundary. The upwelling offshore provides a rich source of nutrients for a variety of marine life.

The small Cove provides mooring space for commercial fishing boats during the fishing season and acts as a major south coastal landing pier for small recreational and sport fishing skiffs. Party boat and shore fishing also occur at Arena Cove during spring and summer seasons, attracting substantial participation from local residents and non-residents alike. Abalone and Urchin harvesting are the largest attractants of business and activity to the harbor.

The biological health of Arena Cove and the surrounding waters is of the utmost importance in maintaining a viable commercial fishing industry. The commercial fishing activities are summarized below:

1. Commercial Fishing: Commercial fishing activities are year round, although most of the commercial fisheries have experienced a major collapse in recent years. Crabbing is another important commercial activity within and around the Cove.
2. Commercial Urchin Harvesting: The urchin industry created a significant new source of commercial activity in the Cove area, although it too has declined in recent years.
3. Other activities directly related to commercial fishing include boat mooring, fish processing and sales, skiff rack storage rentals and private boat launching from the pier.

The Point Arena municipal pier was destroyed by an ocean storm in January, 1983 and through a joint funding effort a new pier was built and completed in 1987. With the advent of a new pier, the harvesting of urchins took root. Since that time, the sea urchin resources in and around Arena Cove have become a focus for commercial activity. Sea urchin roe provides a significant source of animal protein purchased almost exclusively by the Japanese. Urchin harvesting is done by diving. Prices of whole urchins average \$1.00 lb. In 1990 Arena Cove was the number one producer of sea urchin in the nation.

Private companies lease two hoists on the public pier and nearly all activity on those hoists is dedicated to urchin harvesting. There is currently a loading area in the wharf area, leased by a private property owner, utilized for the loading and shipping of the sea urchin. Although there was a tremendous amount of urchin harvesting in the first few years, new regulations placed on urchin harvesting coupled with depletion of the resource have combined to cause a decline in the harvest within the past few years. It is expected that the local industry will become more static with a certain sustainable yield expected annually.

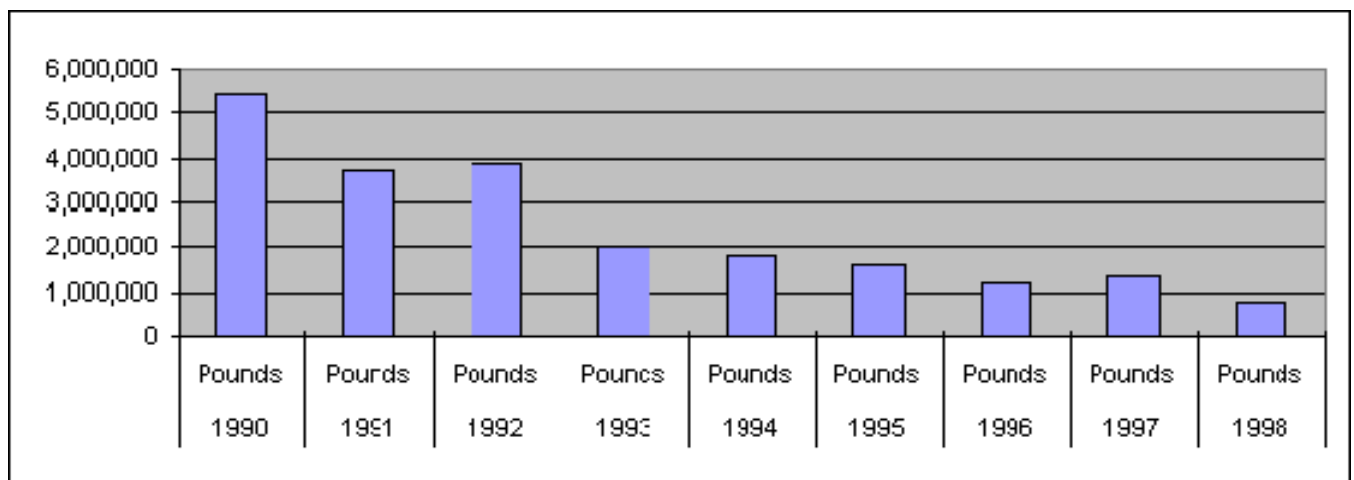
The kelp beds located near the mouth and to the north and south of Arena Cove provide

important cover and feeding areas for many of the species listed above. It is usually in kelp bed areas where fish and other sea life populations are the largest and most diverse. Because of the ecological vitality of kelp beds, it is a favored habitat for exploration by scuba and skin divers, underwater photographers, and sea lions. Kelp, while often a nuisance to boaters and shore fishermen, is an important feeding and breeding place for the myriad of organisms inhabiting coastal waters. Thus, to assure the continued vitality of the local kelp beds the City should protect them from degradation by pollutants and toxic substances. This can be realized by establishing land uses which are relatively clean in the harbor and along Arena Creek, and to adopt a policy of vigilance toward off-shore uses which may pose a threat to the biological productivity of the kelp beds.

The following tables list commercial fishery landings at Arena Cove for recent years. (source: Arena Cove Harbor Master records)

Species	1990 lbs.	1991 lbs.	1992 lbs.	~~	1996 lbs.	1997 lbs.	1998 lbs.
Purple Sea Urchin	2,663	6,115	5,060				
Dungeness Crab	10,366	68,625	9,058		35,453	19,148	34,758
Chinook Salmon	1,649	4,219	9,124		10,218	9,363	6,940
Coho Salmon	730	3,730	22				Closed
Ling Cod	102	270	1,120				
Rockfish	308	498	2,080				
Live Fish						13,350	9,981
Other	12	1,149	940				

Red Sea Urchin	1990 Pounds	1991 Pounds	1992 Pounds	1993 Pounds	1994 Pounds	1995 Pounds	1996 Pounds	1997 Pounds	1998 Pounds
	5,428,245	3,748,831	3,897,132	1,993,883	1,787,861	1,621,113	1,197,943	1,352,092	759,119



2. Arena Creek

A biologically important resource, Point Arena Creek, is a small year round stream descending to Arena Cove from three miles east of the City. It bisects the southern portion of the City, following a deep draw to the harbor. In past years there was an abundant steelhead population, of which only a remnant remains. The creek was substantially impacted by the direct discharge of sewage wastes over the years, until the early 1980's. The riparian plant community consists of willows interspersed with alders and various sedges and berry vines along its length. Nearly all storm drains in the city eventually empty into Arena creek.

The western section runs through an area that may be designated as wetlands, near the cove area. The stream bed near the mouth was re-routed in 1989/90 and has been the subject of an investigation by the Army Corp. of Engineers.

The eastern section of the creek runs through pasture lands in the Hay Annexation, where grazing cows have unrestricted access to the creek. Most of this land inside the City is zoned RA-2 and will eventually be developed.

The main value of Point Arena Creek to the City is its aesthetics and potential as a trail area. It is also possible that with proper care and restoration efforts the creek will again support a native fishery. Arena Creek directly affects the waters of Arena Cove and it is, therefore, important that the creek be as clean as possible during periods of runoff and that it be protected from degradation by pollutants and/or impactive land uses.

The Point Arena Mountain Beaver, a federally listed Endangered Species, resides in burrows in the Arena Creek canyon, primarily on north facing slopes.

3. Hathaway Creek Wetlands and The Garcia River and Wetlands

A significant biological resource for the Mendocino coast, including Point Arena, is located within 1/2 to 2 miles from the City's northern boundary. This is the Garcia River and it's tributary Hathaway Creek and their associated wetlands and flood plains.

The Garcia River is a major drainage of the southern Mendocino coastal mountains and, as such, is a major spawning run for anadromous fish such as Silver Salmon and Steelhead. The Garcia River is unique among other local streams in that it's mouth is open to the ocean all year. The wetland/riparian habitat is one of two areas within Mendocino County that have been designated by the Department of Fish and Game as "Key Marsh, Wetland and Riparian Habitat". The other "key" area is the Big River wetland in the north coastal region of the county. The Garcia River is recognized by the County as an "Environmental Sensitive Habitat Area" (ESHA).

The Garcia wetland is a key resting and feeding ground for migratory and resident bird populations and also provides a winter nesting site for Whistling or Tundra Swans; a note of distinction as they haven't been observed on other wetlands in Mendocino County.

The wetlands and flood plains harbor a variety of Sensitive Species including:

1. Point Arena Mountain Beaver, a federally listed Endangered Species.
2. Northern Spotted Owl, a federally listed Threatened Species.
3. Rare Whistling/Tundra Swan
4. Foothill Yellow-legged frog
5. California Red-legged frog
6. Coast Lily
7. Northwest pond turtle

Of particular concern to the City of Point Arena is the maintenance of the river's water quality for use as a domestic water source. Point Arena Water Works has a permit from the State Water Resources Control Board to draw 100 acre feet of water annually from a well next to the river for use by City residents. Recent studies (Gualala Aggregates DEIR 1993) indicate that the water allocation in the Garcia River may be greater than the annual low flow.

A second reason to maintain the water quality of the Garcia is to protect micro-organisms which serve as the basis for the river's food chain. This chain includes sport and commercial fish in coastal waters and ends with the coastal residents themselves. Thus, it is to the benefit of wildlife and Point Arena citizens to assure that the biotic integrity of the Garcia River is maintained, even enhanced, when warranted.

Anadromous fish spawning streams are ecologically fragile and very sensitive to degradation. Both Coho Salmon and Steelhead have been listed as "Threatened" under the Federal Endangered Species Act (ESA). It is imperative that the spawning vitality of the Garcia River be maintained if the local, and ultimately regional, salmon and Steelhead fishery resources are to be restored. Biological productivity is maintained in the Garcia by the ecological relationships which occur between the diverse plant and animal communities along its course to the sea.

(C) Findings

The water and marine resources of the Point Arena area are highly diverse and contribute substantially to the economy and the character of the City. Even though the Garcia River is outside the City's jurisdiction, it is the source of the City's domestic water supply and its importance to local fisheries and the overall biological productivity of the Point Arena coast cannot be overstated. The City should be directly involved in protecting the Garcia River and its wetlands through collaborative efforts with County and State agencies.

Arena Cove is directly important to the commercial and recreational economies of the City and can be enhanced by maintaining a protective policy towards the Cove and planning harbor land uses which increase use of the harbor without impacting marine resources.

The water quality of Point Arena Creek can directly affect water quality near the shoreline. In this regard, a new waste water treatment facility was constructed in the early 1980s.

Point Arena Creek is the collection point for nearly all storm drains in the City, and as such is impacted to an unknown degree by non-point source pollution such as motor oil from roads.

(D) Goals

Manage the marine resources in a manner that will sustain the biological productivity of stream and coastal environments for long-term commercial, recreational, scientific and educational purposes. Clearly define the priority of coastal dependent development at Arena Cove.

(E) Policies

1. The City shall indicate to the County that important marine/sensitive habitat areas adjacent to its boundaries are of direct interest to Point Arena and emphasis of planning should be directed toward maintaining and enhancing fishery resources in the Garcia River.
2. The City shall request from the State Water Resources Control Board (SWRCB) an accounting of the total available water for use by Point Arena Water Works (PAWW) from the Garcia River and shall determine what portion of the water available to PAWW is available for current and future residential use.
3. The City shall request that the SWRCB require a minimum in-stream flow in the Garcia to protect the fishery resources.
4. The City recognizes that the main values of Arena Creek are its biologic importance, its aesthetic qualities, its natural habitats, and its contribution to the biology of the waters of Arena Cove, and shall strive to protect this resource.
5. The City may require the establishment of conservation easements along streams, or require an "offer to dedicate" easements at the time of development.
6. The City recognizes the marine resources and seashore habitats of the area, which include the kelp beds as important feeding and breeding places for the myriad of organisms inhabiting coastal waters, and shall strive to protect these resources.
7. The City shall protect the non-developed flat areas of Arena Cove as a flood basin, wildlife habitat, and critical link in the Arena Creek life-chain, insofar as possible given the objective of enhancing the area's economic development potential. Any portions of this area that are environmentally sensitive habitat areas (ESHAs) as defined in Section 30107.5 of the Coastal Act shall be subject to the policies and standards of the certified LCP regarding the protection of ESHA.

8. Coastal dependent uses shall be given priority in the Arena Cove area over non-coastal dependent uses. (Refer to the "Development Priority" table in Section 1.1 of this element and the Harbor Commercial (HC) land use category of the LAND USE AND DEVELOPMENT ELEMENT)
9. No off-shore uses which could affect the integrity of kelp beds and off-shore fisheries shall be allowed. Uses which conflict with the continued biological productivity of off-shore areas shall be discouraged; all ocean areas within the "3 mile limit" should be planned jointly between City, County and State planning agencies to assure this objective.
10. The City shall continue to oppose the development of a breakwater at Arena Cove.
11. The City shall require a general plan amendment for any proposed on-shore facility to support off-shore oil and gas exploration or development. Any such amendment shall not be effective until a majority of the voters in Point Arena, in a general or special election, approve the proposed amendment, unless such amendment is approved by the Coastal Commission pursuant to Section 30515 of the Coastal Act.
12. The City should support the establishment of the California Ocean Sanctuary
13. Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.
14. The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.
15. Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such

materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.

16. (a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:
- (1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.
 - (2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.
 - (3) In wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411 of the Coastal Act, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland. The size of the wetland area used for boating facilities, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, shall not exceed 25 percent of the degraded wetland.
 - (4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.
 - (5) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.
 - (6) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.
 - (7) Restoration purposes.
 - (8) Nature study, aquaculture, or similar resource dependent activities.

(b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable longshore current systems.

(c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary.

(d) Erosion control and flood control facilities constructed on watercourses can impede the movement of sediment and nutrients which would otherwise be carried by storm runoff into coastal waters. To facilitate the continued delivery of these sediments to the littoral zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a coastal development permit for such purposes are the method of placement, time of year of placement, and sensitivity of the placement area.

17. Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.

18. The economic, commercial, and recreational importance of fishing activities shall be recognized and protected.

19. Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.

20. Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing

structures in the floodplain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.

21. Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

22. As set forth in Section 2.4 (Environmentally Sensitive Habitat Areas), any marine area that meets the ESHA criteria, including, but not limited to, kelp beds, Areas of Special Biological Significance and Marine Protected Areas (as designated by the California Department of Fish and Game) is ESHA, and shall be subject to the policies and standards of the certified LCP regarding the protection of ESHA.

23. Marine ESHAs shall be protected against significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas. Residential, commercial, or institutional uses shall not be considered resource dependent uses.

24. Permitted land uses or developments shall have no significant adverse impacts on marine ESHA.

25. Development on beach or ocean bluff areas adjacent to marine and beach habitats shall be sited and designed to prevent impacts that could significantly degrade the Environmentally Sensitive Habitats Areas. All uses shall be compatible with the maintenance of the biological productivity of such areas.

26. New development shall prevent or reduce non-point source pollution in the near shore environment through implementation of the non-point source pollution and private sewage disposal system policies in Chapter VII Sections 6 and 7 respectively.

27. Grading and landform alteration shall be limited to minimize impacts from erosion and sedimentation on marine resources. 28. Marine mammal habitats, including haul-out areas shall not be altered or disturbed by development of recreational facilities or any other new land uses.

28. Marine mammal habitats, including haul-out areas shall not be altered or disturbed by development of recreational facilities or any other new land uses.

29. Efforts by the California Department of Fish and Game and Regional Water Quality Control Board to increase monitoring to assess the conditions of near shore species, water quality and kelp beds, and to rehabilitate or enhance areas that have been degraded by human activities shall be encouraged and allowed.

30. Near shore shallow fish habitats and shore fishing areas shall be preserved, and where appropriate and feasible, enhanced.

31. Lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens shall be designated as wetland. Both mapped and unmapped areas that meet these criteria are wetlands and shall be accorded all of the protections provided for wetlands in the LCP. The determination of what constitutes a wetland shall not be limited to areas that are mapped. Any mapped wetland area or otherwise determined to have previously been wetlands shall not be deprived of protection, as required by the policies and provisions of the LCP, on the basis that the wetland habitat has been illegally removed, filled or degraded.

2.4. Environmentally Sensitive Habitat Areas (ESHA)

(A) Relevant Coastal Act Sections, included by reference

30240

Environmentally sensitive habitat areas; adjacent developments.

(B) Background

Section 30107.5 of the California Coastal Act defines "environmentally sensitive areas" as "areas in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments. include, but are not limited to certain coastal wetlands, lagoon tide pools, creeks and riparian habitat, off-shore rocks, and kelp beds.

All of these areas are represented within and adjacent to Point Arena in varying degrees.

1. Garcia River Wetlands

The Garcia River is home to a variety of rare, threatened and endangered species including Salmon, Spotted Owl and Point Arena Mountain Beaver. This wetland area is comprised of an integrated network of salt, brackish and fresh water marsh systems interspersed with sand flat

areas at the River's mouth.

2. Hathaway Creek/Garcia Riparian System

The Hathaway Creek riparian habitat provides abundant cover for a variety of wildlife species, including Point Arena Mountain Beaver. The acreage of the Garcia/Hathaway systems represent nearly 20% of all coastal marsh and 43% of all coastal riparian habitat systems in Mendocino County. The city's sole supply of water comes from the Garcia River.

3. Arena Creek

Point Arena Creek provides cover for various song and game birds as well as other wildlife forms, including the Point Arena Mountain Beaver, Lotus Blue Butterfly, Behrens Silverspot and Coast Lily. Its main attributes are it's scenic quality and its potential for hiking uses and, hopefully, a restored fishery.

4. Other Sensitive Habitat Areas

There are numerous small springs, seasonal creeks, marsh, vernal pools and other areas displaying wetlands characteristics through-out the City.

(C) Findings

The relative remoteness of the Garcia and Hathaway Creek wetlands has offered a certain amount of protection from human disturbance and development. The watershed has been severely impacted to a point that the once abundant fishery is near collapse.

Impoundment of water on the Garcia River/Hathaway Creek for agriculture or domestic purposes could significantly impact the wetland systems if the impoundment and/or diversions are not adequately regulated and monitored.

An illegal dump is located near the intersection of Windy Hollow Road and the Garcia River, just upstream from the PAWW well.

Arena Creek has been heavily impacted over the years, but still contains a remnant Steelhead population and has potential for restoration. The creek area contains considerable prime Mountain Beaver Habitat.

(D) Goals

To work with Mendocino County to manage the sensitive habitat areas outside the city limits in a manner that will sustain the biological productivity of stream and coastal environments for long-term commercial, recreational, scientific and educational purposes.

To protect and restore Point Arena Creek, it's fishery and riparian habitat, including Mountain Beaver habitat.

To protect other sensitive habitat areas within the city including, but not limited to, seasonal creeks, vernal pools, marshes, certain wetlands, other riparian habitats, Point Arena Mountain Beaver habitat, rare plant habitat, off-shore rocks, and kelp beds.

(E) Policies

1. Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas. Development adjacent to environmentally sensitive habitat areas shall be sited and designed to prevent impacts that could significantly degrade the environmentally sensitive habitat areas and shall be compatible with the continuance of these habitat areas.

2. The City shall indicate to the County that important sensitive habitat areas adjacent to its boundaries are of direct interest to Point Arena and emphasis of planning should be directed toward maintaining and enhancing fishery resources in the Garcia River watershed.

3. To the maximum extent feasible, the City shall map environmentally sensitive habitat areas inside the city including, but not limited to, certain wetlands, seasonal creeks, springs, habitat for rare, threatened, or endangered species, and riparian habitat. The determination of what constitutes ESHA shall not be limited by what is mapped. Restrictions shall apply to development in and adjacent to sensitive habitat areas. Any area not designated on the LUP ESHA Map that meets the ESHA criteria is ESHA and shall be accorded all the protection provided for ESHA in the LCP. Revisions to the map depicting ESHA shall be treated as LCP amendments and shall be subject to the approval of the Coastal Commission.

Any area mapped as ESHA shall not be deprived of protection as ESHA, as required by the policies and provisions of the LCP, on the basis that habitat has been illegally removed, degraded, or species that are rare or especially valuable because of their nature or role in an ecosystem have been eliminated.

The following areas shall be considered ESHA:

- Any habitat area that is rare or especially valuable from a local, regional, or statewide basis. ·
- Areas that contribute to the viability of plant or animal species designated as rare, threatened, or endangered under State or Federal law. ·
- Areas that contribute to the viability of species designated as Fully Protected or Species

of Special Concern under State law or regulations. ·

- Areas that contribute to the viability of plant species for which there is compelling evidence of rarity, for example, those designated 1b (Rare or endangered in California and elsewhere) or 2 (rare, threatened or endangered in California but more common elsewhere) by the California Native Plant Society.

4. The City shall implement Best Management Practices (BMP) to control non-point source pollution from the storm drain system and Point Arena Creek. New development shall be required to mitigate Non-point Source (NPS) pollution caused by the development.

5. Development restrictions apply to the Riparian Buffer Zone along Arena Creek (see "Overall City-wide Land-Use Policies and Programs".) The Riparian Buffer Zone is defined in the Glossary of this General Plan as a minimum of 100 feet from the outward edge of riparian vegetation on each side of the Creek. Only resource dependent uses such as public nature trails shall be allowed in the riparian area and buffer zone including public access trail crossings provided that (1) the length of the trail within the riparian corridor shall be minimized, (2) the trail crosses the stream at right angles to the maximum extent feasible, (3) the trail is kept as far up slope from the stream as possible, (4) trail development involves a minimum of slope disturbance and vegetation clearing, and (5) the trail is the minimum width necessary. Pre-existing non-conforming uses may continue in the buffer area, but no additions that may encroach upon the Buffer Zone shall be permitted, with the following exceptions:

- a. accessory structures located at the City's waste water reclamation facility situated entirely within the developed, fenced area subject to securing a coastal development permit consistent with all other applicable provisions of the certified LCP.

6. Additional development restrictions shall apply within the Mountain Beaver Buffer Area along Arena Creek (measured 500 feet from the centerline of the creek). The city has incorporated the development restrictions recommended by the U.S. Fish & Wildlife Service Mountain Beaver Recovery Plan into Section 5.24 of the Zoning Ordinance.

7. The City may require the establishment of conservation easements along streams, or require an "offer to dedicate" easements at the time of development.

8. The City shall protect the non-developed flat areas of Arena Cove as a flood basin, wildlife habitat, and critical link in the Arena Creek life-chain, insofar as possible given the objective of enhancing the area's coastal dependent uses consistent with the Coastal Act. Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas. Development adjacent to environmentally sensitive habitat areas shall be sited and

designed to prevent impacts that could significantly degrade the environmentally sensitive habitat areas and shall be compatible with the continuance of these habitat areas.

9. The City will work with the county to insure the clean-up of the illegal dump located upstream from the city water supply well.

10. The City shall continue to oppose the development of a breakwater at Arena Cove.

11. The City shall require a general plan amendment for any proposed on-shore facility to support off-shore oil and gas exploration or development. Any such amendment shall not be effective until a majority of the voters in Point Arena, in a general or special election, approve the proposed amendment, unless such amendment is approved the Coastal Commission pursuant to Section 30515 of the Coastal Act.

12. Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

13. Public nature trails are considered a resource dependent use provided that (1) the length of the trail within the riparian corridor shall be minimized, (2) the trail crosses the stream at right angles to the maximum extent feasible, (3) the trail is kept as far up slope from the stream as possible, (4) trail development involves a minimum of slope disturbance and vegetation clearing, and (5) the trail is the minimum width necessary.

14. Interpretive signage may be used in ESHA accessible to the public to provide information about the value and need to protect sensitive resources.

15. "Environmentally sensitive area" shall be defined as any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

16. North-facing slopes south of Point Arena Creek in the annexation area are confirmed Point Arena Mountain Beaver habitat. Development proposed in this area, zoned for residential agriculture, shall be reviewed to ensure compliance with policies of the General Plan, Zoning Ordinance, and LCP regarding the protection of environmentally sensitive habitat areas to ensure the preservation of the populations of Point Arena Mountain Beaver that inhabit the area.

Wherever the Planned Residential Development procedure is required for development in this area, the Comprehensive Development Plan shall include provisions to protect Point Arena Mountain Beaver habitat consistent with the certified LCP regarding the protection of environmentally sensitive habitat area.

17. New septic systems shall be sited and designed to ensure that impacts to ESHA are minimized, including those impacts from grading and site disturbance as well as the introduction of increased amounts of water. Adequate setbacks and/or buffers shall be required to protect ESHA and to prevent lateral seepage from the leachfield(s) or seepage pit(s) into stream waters or the ocean.

18. Land divisions of property, including certificates of compliance and lot line adjustment, which include area within or adjacent to an ESHA or parklands shall only be permitted if each new parcel being created could be developed (including construction of any necessary access road), without building in ESHA or ESHA buffer, or removing ESHA for fuel modification.

19. Earthmoving during the rainy season (extending from October 15 to April 15) shall be prohibited for development that is 1) located within or adjacent to ESHA, or 2) that includes grading on slopes greater than 20%. In such cases, approved grading shall not be undertaken unless there is sufficient time to complete grading operations before the rainy season. If grading operations are not completed before the rainy season begins, grading shall be halted and temporary erosion control measures shall be put into place to minimize erosion until grading resumes after April 15, unless the City determines that completion of grading would be more protective of resources.

20. Where grading is permitted during the rainy season (extending from October 15 to April 15), erosion control measures such as sediment basins, silt fencing, sandbagging, installation of geofabrics, shall be implemented prior to and concurrent with grading operations. Such measures shall be maintained through final grading and until landscaping and permanent drainage is installed.

21. Grading during the rainy season may be permitted to remediate hazardous geologic conditions that endanger public health and safety.

22. Cut and fill slopes and other areas disturbed by construction activities (including areas disturbed by fuel modification or brush clearance) shall be landscaped or revegetated at the completion of grading. Landscape plans shall provide that:

- (a) Plantings shall be native, drought-tolerant plant species, and blend with the existing natural vegetation and natural habitats on the site, except as noted below.

(b) Invasive plant species that tend to supplant native species and natural habitats shall be prohibited.

(c) Landscaping or revegetation shall provide 90 percent coverage within five years, or that percentage of ground cover demonstrated locally appropriate for a healthy stand of the particular native vegetation type chosen for restoration.

(d) Any landscaping, or revegetation shall be monitored for a period of at least five years following the completion of planting. Performance criteria shall be designed to measure the success of the plantings. Midcourse corrections shall be implemented if necessary. If performance standards are not met by the end of five years, the monitoring period shall be extended until the standards are met.

23. Disturbed ESHAs shall not be further degraded, and if feasible, shall be restored. If new development removes or adversely impacts native vegetation, measures to restore any disturbed or degraded habitat on the property shall be included as mitigation.

24. Fencing or walls that do not permit the free passage of wildlife shall be prohibited in any wildlife corridor. Fencing adjacent to ESHA shall be sited and designed to be wildlife permeable, enabling wildlife to pass through.

25. Exterior night lighting shall be minimized, restricted to low intensity fixtures, shielded, and directed away from ESHA in order to minimize impacts on wildlife. High intensity perimeter lighting and lighting for sports courts or other private recreational facilities in ESHA, ESHA buffer, or where night lighting would increase illumination in ESHA is prohibited.

26. To protect seabird-nesting areas, no pedestrian access shall be provided on bluff faces except along existing, formal trails or stairways. New structures shall be prohibited on bluff faces, except for stairs or accessways to provide public beach access.

27. The conversion of vacant land in ESHA or ESHA buffer to a new use, including an agricultural use, shall not be permitted. Existing, legally established agricultural uses shall be allowed to continue.

Development Adjacent to ESHA:

28. Development adjacent to ESHAs shall minimize impacts to habitat values or sensitive species to the maximum extent feasible. Native vegetation buffer areas shall be provided around ESHAs to serve as transitional habitat and provide distance and physical barriers to human intrusion. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the ESHA they are designed to protect. All buffers shall be a minimum of 100 feet in width

and shall be larger if necessary to protect the resources of the particular habitat area from significant degradation caused by the proposed development. No buffers may be less than 100 feet unless it can be demonstrated, based on criteria in Zoning Code Section 5.22 and after City consultation with the California Department of Fish and Game, that 100 feet is not necessary to protect the resources of the particular habitat area from possible significant degradation caused by the proposed development. No buffer area may be less than 50 feet in width.

29. Required buffer areas shall extend from the following points:

- The outer edge of the canopy of riparian vegetation for riparian ESHA.
- The upland edge of a wetland for a wetland ESHA.
- The top of bluff for coastal bluff ESHA
- The outer edge of the plants that comprise the rare plant community for rare plant community ESHA

30. Modifications to required development standards that are not related to ESHA protection (street setbacks, height limits, etc.) shall be permitted where necessary to avoid or minimize impacts to ESHA

31. Development on beach or ocean bluff areas adjacent to marine and beach habitats shall be sited and designed to prevent impacts that could significantly degrade the Environmentally Sensitive Habitats Areas. All uses shall be compatible with the maintenance of the biological productivity of such areas.

2.5. Agricultural Land Conversions

(A) Relevant Coastal Act Sections, included by reference

30241

Prime agricultural land; maintenance in agricultural production.

30241.5

Agricultural lands; viability of.

30242

Lands suitable for agricultural use; conversion.

30243

Productivity of soils and timberlands; conversions.

(A) Background

The Coastal Act requires that "The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the area's agricultural economy...".

The City of Point Arena is surrounded by agricultural lands on all sides except for the coast. Historically, agricultural products in the area have included potatoes, beef, lamb and dairy products. At this time, most agriculture use of land in the area is confined to grazing and livestock feed. Agricultural Exclusive (AE) zoning in the City requires a minimum 20 acre parcel size, although there are many existing smaller parcels with AE zoning.

The larger AE zoned parcels, particularly in the northwestern and eastern portions of the City, are comprised of high quality agricultural soils (Kneeland Loam; Agricultural II, III).

In 1989/90 the City completed the annexation and conversion of approximately 176 acres of AE zoned land to the east, known as the Hay Annexation. This land is now zoned: Industrial (I), Multi-Family Residential (MR), Suburban Residential 1/2 acre (SR-1/2), Suburban Residential 1 acre (SR-1), Residential Agriculture 2 acre (RA-2).

(B) Findings

While soils within the boundaries of Point Arena offer high potential for agricultural use, there is a limited potential for modern commercial agriculture, except on the few larger parcels.

The main reasons for protecting small parcels of AE lands inside the City are for Open Space,

buffer zones and small scale farming, especially when utilized in connection with Co-Housing and other Planned Development projects.

(C) Goals

To formulate policies and land use designations necessary to protect and maintain the maximum amount of agricultural land in production pursuant to Coastal Act Policies 30241.5 and 30242.

To encourage land owners to maintain agricultural land uses on smaller sized parcels and in conjunction with planned development.

To change existing non-conforming AE designations of small size parcels to more realistic zoning designations only if consistent with the agricultural protection provisions of the Coastal Act.

(D) Policies

1. The maximum amount of prime agricultural land shall be maintained in agricultural production; and conflicts shall be minimized between agricultural and urban land uses; and lands suitable for agricultural use shall not be converted to non-agricultural uses unless continued or renewed agricultural use is not feasible. All actions undertaken by the City governing use and conversion of agricultural lands shall be governed by Sections 30241, 30241.5, 30242 and 30243 of the Coastal Act.

2. The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas, agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:

a. Stable boundaries and buffer areas where necessary shall be established separating urban and agriculturally zoned areas, including, where necessary, clearly defined buffer areas on residential lands abutting Mendocino County rangelands, utilized to minimize conflicts between agricultural and urban land uses.

b. Agricultural lands around the periphery of urban areas shall not be converted to non-agricultural uses unless the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development;

c. Lands not suited for agriculture shall be developed prior to the conversion of agricultural lands;

d. Public service and facility expansions and nonagricultural development shall not impair agricultural viability, either through increased assessment costs or degraded air and water quality;

e. All divisions of prime agricultural lands except those conversions approved pursuant to subdivision (a), and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.

3. Lands suitable for agriculture shall not be converted to non-agricultural uses unless continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250 of the Coastal Act. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.

4. The City shall encourage the recombination of agricultural parcels , through Conservancy or other appropriate action.

5. The City shall not encourage the change of existing non-conforming (less than minimum size) parcels on the south bluffs from AE zoning to RA-10, unless a conversion analysis and findings made in accordance with the provisions of Coastal Act Sections 30241, 30241.5, 30242, and 30243 show that continued agricultural use is no longer feasible, or shall encourage the recombination of said parcels.

6. Lands may not be converted from AE in order to change an existing non-conforming use into a conforming use unless a conversion analysis is conducted and findings are made in accordance with the provisions of the Coastal Act, and such conversion is certified by the Coastal Commission as an LCP Amendment.

7. Stable boundaries shall be established separating urban and rural areas, including, where necessary, clearly defined buffer areas utilized to minimize conflicts between agricultural and urban land uses. Conversion of agricultural lands around the periphery of urban areas shall be limited to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development, and where the conversion of the land would be consistent with Section 30250 of the Coastal Act.

8. Confined animal facilities shall be sited and designed to manage, contain, and dispose of animal waste using BMPs to insure that waste is not introduced to surface runoff or groundwater.

2.6.Locating New Development

(A) Relevant Coastal Act Sections, included by reference

30250

Location, generally

30251

Scenic and qualities

30252

Maintenance and enhancement of public areas

30253

Safety, stability, pollution, energy conservation, visitors

30254

Public works facilities

30254.5

Sewage treatment plants and conditions

30255

Priority of coastal-dependent developments

30260 - 30265.5

Location or expansion (industrial), offshore oil.

(B) Background

The general policies governing new development are discussed in detail elsewhere in this General Plan including:

Community Character and Overall Goals

Land Use and Development Element

Open Space and Conservation Element

Community Health and Safety Element

This section addresses only those aspects of new development that are specific to the Coastal Element:

1. Publics Services for New Development
2. Protection of Visual Resources
3. Off-shore Oil Development

(C) Findings

1. Point Arena population growth is historically very slow. At the current rate of development it is projected to take 400+ years to reach build-out.
2. The treated sewage percolation ponds are not adequate to deal with the peak flows caused by infiltration during major storms.

3. PAWW has a permit from the Department of Water Resources to divert a maximum of 100 ac/ft per year from the underflow of the Garcia River.

4. Offshore oil development is opposed by the majority of city residents.

5. The scenic qualities in and around Point Arena are what make it special and desirable by its residents.

(E) Policies

1. Public Services for New Development

Development may only be approved where it has been demonstrated that adequate services are available during the project review process and provided as a condition of development consistent with the provisions of Policy 2.5 below.

The City will develop a Capital Improvement Program, including a Development Fee Schedule, as part of the implementation of this General Plan.

2. Reassessment of Public Services

2.1. The City will assess the domestic water supply source capacity and work with PAWW to insure that adequate water is available for future development.

2.2. The City will implement plans to increase the capacity of the treated sewage percolation system and reduce infiltration. Any proposed development to improve the sewage percolation system and reduce infiltration shall be consistent with the policies of the certified LCP.

2.3. The City will implement plans to correct potential traffic problems at the Highway 1 / Iversen Rd. intersection, as recommended in the July 1999 study by TJKM Transportation Consultants. Any proposed development at the intersection shall be consistent with the policies of the certified LCP.

2.4. As a precautionary measure, when the population reaches 50% of projected build-out, or when the LCP is next updated (which ever comes first) the City shall undertake steps necessary to reassess and insure the continued ability to meet infrastructure requirements through build-out.

2.5 No permit for development shall be approved unless the applicant has demonstrated that such development will be served upon completion with adequate services, including but not limited to water, sewer, and road facilities when applicable to the proposed development.

a. Demonstration of adequate sewer facilities shall include either (i) a written commitment

from the managers of the municipal sewage system that adequate capacity exists within the system to serve the development and that the municipal system will provide such service for the development; or (ii) a septic system site evaluation study and a preliminary approval from the Mendocino County Environmental Health Division that a septic system site meeting Division standards adequate to serve the proposed development exists on the subject property.

b. Demonstration of adequate water shall include either (i) a written commitment from the Point Arena Water Works or its successor that that adequate capacity exists within the water system to serve the development and that the water purveyor will provide such service for the development; or (ii) evidence that the Mendocino County Division of Environmental Health has determined that the water quality of a proposed well or spring water source meets the chemical and bacteriological standards of the California Domestic Water Regulations and that a water quantity test performed consistent with the Division's requirements indicates that sufficient water is available to serve the proposed development.

c. Demonstration of adequate road facilities shall include information demonstrating that (i) access roads connecting to a public street can be developed in locations and in a manner consistent with LCP policies and (ii) that the traffic generated by the proposed development will not cause Levels of Service (LOS) of roads, streets, and intersections within the City to reduce below LOS (E).

Lack of adequate services to serve the proposed development shall be grounds for denial of the development or reduction in the density otherwise indicated in the Land Use Plan.

2.6. Certain development, including but not limited to (i) Land divisions, including lot line adjustments, mergers and issuance of conditional certificates of compliance, (ii) multi-family dwellings allowed by use permit in areas designated with the Highway Commercial or Core Commercial land use classification, and (iii) mobile home parks allowed by use permit in areas designated with the Highway Commercial, land use classification may be approved only if (a) adequate services exists to serve the proposed parcels and building sites consistent with the requirements of Policy 2.5 above, and (b) adequate service capacity would be retained to accommodate existing and projected future coastal dependent industrial (including commercial fishing facilities), visitor serving, and recreational priority uses in HC, HWC, and Commercial areas within the City allowed under the Land Use Plan. Prior to approval of a coastal development permit, the Planning Commission or City Council shall make the finding that these criteria have been met. Lack of adequate services to serve the proposed development and existing and projected future priority uses shall be grounds for denial of the development or a reduction in the density otherwise indicated in the Land Use Plan.

2.7 The following policies shall apply to proposed development in the Hay annexation area:

a. Where required, the necessary extension of road, water, and sewer services within the Mill Street/Hay Annexation area shall be in two phases, as shown on Exhibit B of the Memo of Understanding City of Point Arena/Hay Annexation as amended dated January 10, 1990.

Phase I includes: 13 acres of Urban Residential, 3 acres of Multifamily, and 20 acres of Suburban Residential Zoned lands. Phase II includes: 10 acres of Suburban Residential (1/2 acre minimum), 32.6 acres of Suburban Residential (1-acre minimum) and 62 acres of Residential Agriculture zoned lands. Phase 1 would commence upon approval by the City Council of necessary permits needed for construction of road and utility installations. Subdivision plans would be processed. Phase II can commence no earlier than 2 years from the commencement of Phase I and when the developer can provide verification that 50% of the Phase I site have been sold.

b. All lands and acreages described in the MOU and policy 2.7(a) above represent the maximum potentially allowable development, and neither the MOU nor policy 2.7(a) represent an entitlement to develop. Any and all proposed development or development agreements in the Hay annexation area shall conform to all applicable provisions of the certified LCP.

c. All proposed developments in the Hay annexation area, including subdivisions, shall be processed according to the Planned Residential Development Process. While development may proceed in phases as required by policy no. 2.7(a), approval of any development proposals and comprehensive development plans related to the Hay annexation area shall include plans for all lands in common contiguous ownership, and shall be processed at one time. A coastal development permit shall not be approved unless all residential lands in the Hay annexation area are included in a single proposed development, and unless the proposal conforms with all applicable provisions of the LCP.

2.8 (a) New residential, commercial, or industrial development, except as otherwise provided in the LCP, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

b. Where feasible, new hazardous industrial development shall be located away from existing developed areas.

c. Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

2.9 The location and amount of new development shall maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving

the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

2.10 New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

2.11 Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

3. Protection of Visual Resources

3.0 Section 30251 of the Coastal Act set forth below, is incorporated herein as a policy of the Land Use Plan.

Section 30251.

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

3.1. No new development shall be allowed in the Riparian Buffer Zone along Arena Creek. Pre-existing non-conforming uses may continue, but no additions that may encroach upon the Buffer Zone shall be permitted, with the following exceptions:

- a. accessory structures located at the City's waste water reclamation facility situated entirely within the developed, fenced area subject to coastal development permitting requirements.

3.2. No new development, excluding trails, shall be allowed closer than 100 feet from the edge of a cliff or bluff top.

3.3. Five view sheds and scenic corridors are depicted on the Opportunities and Constraints Map and shall be protected from development that would significantly block views or would not be subordinate to the character of its setting. These viewsheds/view corridors are: to the south from School Street; along Windy Hollow Road; along and from Riverside Drive; along Port Road; at Arena Cove.

3.4. The City shall analyze proposed property developments on the crest of hills and bluffs, and in canyons, in relation to views potentially lost, in order to preserve important view corridors and viewsheds, scenic roadways, gateways to the city, and the integrity and merits of existing land forms.

3.5. Places on and along public roads, trails, parklands, and beaches that offer scenic vistas are considered public viewing areas. Existing public roads where there are views of the ocean and other scenic areas are considered Scenic Roads. Public parklands and riding and hiking trails which contain public viewing areas. The LUP Opportunities and Constraints Map: "Biological Resources and Trails" shows public trails and other areas accessible to the public that serve as public viewing areas.

3.6. Places on, along, within, or visible from scenic roads, trails, beaches, parklands and state waters that offer scenic vistas of the beach and ocean, coastline, mountains, canyons and other unique natural features are considered Scenic Areas. Scenic Areas do not include inland areas that are largely developed or built out such as residential subdivisions and existing commercial development.

3.7. New development shall be sited and designed to minimize adverse impacts on scenic areas visible from scenic roads or public viewing areas to the maximum feasible extent. If there is no feasible building site location on the proposed project site where development would not be visible, then the development shall be sited and designed to minimize impacts on scenic areas visible from scenic highways or public viewing areas, through measures including, but not limited to, siting development in the least visible portion of the site, breaking up the mass of new structures, designing structures to blend into the natural hillside setting, restricting the building maximum size, reducing maximum height standards, clustering development, minimizing grading, incorporating landscape elements, and where appropriate, berming.

3.8. All proposed divisions of land and boundary line adjustments shall be analyzed for consistency of potential future development with the visual resource protection policies of the LCP, and no division of land or boundary line adjustment shall be approved if development of resulting parcel(s) would be inconsistent with these policies.

3.9 New development shall minimize removal of natural vegetation. Existing native trees and plants shall be preserved on the site to the maximum extent feasible.

3.10 Signs shall be designed and located to minimize impacts to visual resources. Signs approved as part of commercial development shall be incorporated into the design of the project and shall be subject to height and width limitations that ensure that signs are visually compatible with surrounding areas and protect scenic views.

3.11 Existing offsite outdoor advertising billboards shall be phased out and the construction of new billboards is prohibited.

4. Off-shore Oil and Gas Development

In 1987 the City enacted Ordinance No. 124 which provides that development of on-shore facilities intended to support off-shore oil and gas exploration must be approved by a majority of voters in an election.

The City shall require a general plan amendment for any proposed on-shore facility to support off-shore oil and gas exploration or development. Any such amendment shall not be effective until a majority of the voters in Point Arena, in a general or special election, approve the proposed amendment, unless such amendment is approved by the Coastal Commission pursuant to Section 30515 of the Coastal Act.

3. **REFERENCE MATERIAL USED IN PREPARING THIS DOCUMENT**

1. City of Point Arena Certified LCP (June 3, 1980)
2. Point Arena -Light by the Sea- Community Plan (November, 1988)
3. Existing Conditions: 1990-91 General Plan Program (October 1, 1990)
4. Mendocino County General Plan Coastal Element (March 11, 1991)
5. City of Point Arena Draft General Plan (October 26, 1992)
6. California Coastal Commission Comments to Draft GP (January 22, 1993)
7. California Coastal Act of 1976 (as of January 1993)
8. Point Arena City Council Public Hearing Minutes (March 31, 1993)
9. Gualala Aggregates Inc. Draft EIR for The Garcia River (July 1993)
10. Marine Resources Protection Act of 1990 Draft EIR (August, 1993)
11. California Coastal Commission Staff Comments to Draft LCP (April, 1998)
12. State Route 1 corridor operation at General Plan Build-out for the City of Point Arena, by TJKM Transportation Consultants (July 1999)
13. Entomological Consulting Services, Ltd. study of butterfly habitat at Arena Cove (June 1999)
14. Kim Fitts, Wildlife Biologist, study of Mountain Beaver at Arena Cove (May 1999)

XI. GENERAL PLAN IMPLEMENTATION: AN OVERALL PROGRAM

1. INTRODUCTION

To be effective the goals and policies of this general plan must be put into effect and carried out. Implementation is the responsibility of the planning commission/city council. Within each element described in the previous chapter programs or actions are set forth to indicate what steps are necessary in each case to implement the general plan. The following is a summary focusing on the major actions the city is required to or chooses to initiate.

2. STATE-MANDATED PLAN-IMPLEMENTATION ACTIONS

There are required tasks or actions the city council must (by State law) undertake. Adoption of the general plan goals and policies includes a commitment to taking the following actions:

1. Updating the Zoning Map to reflect the land-use designations on the Land-Use Plan map of this general plan. This must be done, as a legislative act, according to provisions of the California Government Code, within a reasonable time.
2. Updating of the city's Subdivision Ordinance to reflect the land-use element and other policies of the General Plan, which policies and plan provisions must be set forth in ordinance form (a legislative act) and certified by the Coastal Commission before they are effective. According to State planning law this must occur within "a reasonable time" after General Plan adoption. The target date is hereby established as within six months of General Plan adoption.

Revising the city's subdivision regulations and procedures should include setting forth land division policies and standards, design standards, and conditions precedent to Tentative and Final subdivision map approval, including requirements for dedications, exactions, and development fees.

The city's subdivision ordinance must comply with the State's Subdivision Map Act (Government Code Section 66410 et seq) with respect to land subdivisions, lot splits, and minor subdivisions (parcel maps), and with respect to all procedural and filing matters. The ordinance must also comply with and be adequate to carry out the provisions of the Local Coastal Program, and it must be submitted to the California Coastal Commission for certification before it is effective. In the meantime the city may establish interim measures to process subdivisions provided they do not conflict with State law, and provided they are consistent with the General Plan.

State law mandates that tentative maps shall not be approved if they fail to be consistent with the State's Subdivision Map Act and the city's general plan/certified LCP (Government Code Section 66473.5). The specific requirements that must be met are set forth in the chapter on permitting of this General Plan document and in the certified zoning ordinance. As is the case with all other

development, subdivisions shall only be approved if they are consistent with all of the applicable provisions of the certified LCP.

3. An "Open Space Action Program" shall be prepared and adhered to in accordance with Section 65564-65567 of the Government Code which, in addition to mandating the open space action program, requires (a) that any action by which identified open space land or any interest therein is acquired or disposed of, or its use restricted or regulated, shall be consistent with the Open Space Element of the General Plan, and (b) that no building permit can be issued, no subdivision map approved, and no open space zoning regulations adopted, unless the proposed construction, subdivision, or ordinance is consistent with said element.

Accordingly, implementation of the General Plan with respect to open space involves adoption of an "open space action program" and appropriate open space zoning regulations.

4. As required by State planning law, preparing a capital improvement program in order to spell out the public needs for public buildings, facilities and infrastructure. The CIP must be reviewed annually, and updated periodically. The annual review must include a finding that the program is consistent with the General Plan, and with any amended General Plan, pursuant to Sections 65400, 65401 of the Government Code.

The city and all other public agencies having property within the city shall submit to the city a list of proposed public works projects recommended for the ensuing fiscal year, and the city shall prepare a report as to the conformity of said project with the General Plan.

Under Section 65402 no real property shall be acquired by dedication or otherwise for a street, square, public park or other public purpose, and no public building or structure authorized or constructed, until such proposed action has been submitted to the planning commission and a report made as to conformity with the General Plan.

5. Receiving recommendations from the planning commission regarding means for implementing the General Plan, so that the General Plan will serve as an effective guide for orderly growth and development, preservation and conservation of open space and natural resources, and the efficient expenditure of public funds relating to the subjects addressed in the General Plan. A progress report on such matters shall be prepared annually. (Government Code, Section 65400).

When required by Government Code Section 65915, the City shall grant a density bonus that allows the applicant to build a minimum of 25% and a maximum of 35% more units than a property's zoning would ordinarily allow, if the City finds:

A. The project is for any one of the types of residential projects described in Government Code Section 65915(b);

B. The project complies with all standards set forth in Government Code Section 65915;

C. The project is a housing development consisting of five or more units.

In accordance with Government Code Section 65915 (g), the density bonus shall be calculated based on the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the LCP. The “otherwise maximum allowable residential density” shall mean the maximum density determined by applying all site-specific environmental development constraints applicable under the zoning ordinance and land use plan certified by the Coastal Commission.

Any housing development approved pursuant to Government Code Section 65915 shall be consistent with all applicable certified local coastal program policies and development standards. In reviewing a proposed density increase, the City shall identify all feasible means of accommodating the density increase and consider the effects of such means on coastal resources. The City shall only grant a density increase if the City determines that the means of accommodating the density increase proposed by the applicant does not have an adverse effect on coastal resources. If, however, the City determines that the means for accommodating the density increase proposed by the applicant will have an adverse effect on coastal resources, the City shall not grant the density increase.

In addition to a density bonus, the City shall grant to a housing development that complies with the provisions of Section A. above, one of the incentives or concessions identified in Government Code Section 65915(h), unless the City finds that an incentive or concession is not required in order to provide for affordable housing costs or rents. In reviewing a proposed incentive or concession, the City shall consider all feasible alternative incentives and concessions and their effects on coastal resources. The City shall only grant an incentive or concession if the City determines that the development incentive or concession requested by an applicant pursuant to this section will not have any adverse effects on coastal resources. The City may grant one or more of those incentives or concessions that do not have an adverse effect on coastal resources. If all feasible incentives or concessions would have an adverse effect on coastal resources, the City shall not grant any incentive or concession.

For the purposes of this section, “coastal resources” means any resource which is afforded protection under the policies of Chapter 3 of the Coastal Act, California Public Resources Code section 30200 et seq., including but not limited to public access, marine and other aquatic resources, environmentally sensitive habitat, and the visual quality of coastal areas.

7. Adopting a special ordinance, or a Zoning Ordinance amendment, that provides for the construction of second dwelling units on already-developed residential lots, for rental purposes only, as required by the California Government Code.

8. As necessary, amending or adopting ordinances that will ensure that the city is in local compliance with State building and housing regulations, including regulations for fire safety, emergency responses, noise insulation, soils reports, earthquake protection, energy conservation, and access for the physically handicapped.

9. Adopting policies and procedures for environmental review in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines; establishing that the City is responsible for an Environmental Impact Report's (EIR's) adequacy and objectivity even though the EIR may be prepared by others; and reserving the right to determine who may prepare an EIR on any public or private project proposal for which it (the City) is the Lead Agency.
10. Preparing a noise ordinance that is consistent with and implements the Noise Element of this General Plan and includes monitoring and enforcement mechanisms.
11. Adopting such other programs as may be necessary, appropriate and feasible to implement the housing, community safety and other elements of this General Plan.
12. Adhering to the provisions of the present Zoning Ordinance (Section 6.08) with respect to the making of findings prior to granting variances and use permits and coastal development permits, which provisions are consistent with the mandates of California case law governing situations whereby the City must issue written findings in certain circumstances.

3. ADDITIONAL IMPLEMENTATION ACTIONS REQUIRED TO IMPLEMENT THIS GENERAL PLAN

The following are other actions the City intends taking in order to implement the policies and provisions of this General Plan; they are not state-mandated but are found to be prudent for proper implementation of this plan:

1. Reaffirm existing Zoning Ordinance provisions requiring soil and geologic investigations prior to the issuance of a development permit and the commencement of property improvements where appropriate and where required by the Zoning Ordinance.
2. Develop a downtown core/Main Street plan and program in order to (a) establish at least one off-street parking lot, and (b) ensure improvements in the area's appearance and amenities, including sidewalk and curb improvements, benches, and street tree plantings.
3. Adopt a precise plan for establishing acceptable levels of risk in the event of an earthquake, and for bringing existing structures up to code.
4. Prepare and adopt a Historic and Architectural Preservation element of the General Plan. (The basis for this element has been prepared by the State of California and a copy of that report is available at City Hall).
5. Adopt an ordinance or procedure permitting the use of Development Agreements between the City and developers of large parcels of land, as per Section 65865 of the Government Code.

In connection with sizeable projects where Development Agreements are entered into

consideration may well be given to utilization of the "Mello-Roos Bonds" financing scheme. This method allows establishment of a special financing district designed to relieve general taxpayers of the burden of paying for new infrastructure serving new subdivisions or developments. The bonds, in such cases, are paid off by the newly-housed property owners and are secured by the value of the property within the subdivision or new development. These are not public obligations. (See more below under "Financing Implementation of the General Plan).

6. Adopt an ordinance or procedure permitting the use of the Specific Plan provisions of the Government Code Sections 65450- 65457, which allow for the preparation and adoption of detailed plans and programs for special areas or projects, including projects involving the use of Development Agreements. Specific Plans may be prepared and submitted by property owners for consideration by the City, or may be prepared and adopted by the City for special planning areas. In both cases Specific Plans can supersede or serve as a substitute for standard zoning regulations for the property in subject to the plan, however Specific Plans shall be submitted to the Coastal Commission for certification as an LCP amendment before they are effective.

7. Put into effect the provisions of the General Plan related to guaranteeing the provision of infrastructure as part of the development process by amending existing ordinances or adopting a new one, setting forth such procedures, filing fees, development fee schedules, and provisions for dedications and exactions as may be necessary to implement the General Plan and ensure that costs or needs generated by a development, such as infrastructure, are paid according to a fair-share formula by those who are seeking permission to develop land within the city's jurisdiction. The imposition of development fees is governed by State law (AB 1600), which requires preparation by the City of detailed economic/fiscal analyses to justify the fees to be charged. Moreover, there must be supportable direct "nexus" between the fees charged and the development being charged the fee.

8. Reaffirm, and amend as necessary to make consistent with the General Plan, the City's existing ordinances and Zoning Ordinance provisions related to off-street parking, sewer connection requirements and fees, landscaping and screening, and the placement and design of signs.

9. Adopt standards of site and building design for use by the Design Assistance Committee.

10. Develop a program to enforce safety standards and architectural design standards for the design of new structures, and the rehabilitation of existing structures, and to enforce violations of grading and site preparation ordinances and Zoning Ordinance provisions.

11. Adopt provisions and standards for inclusion in the Zoning Ordinance which will implement the General Plan policy for mandatory use of the Planned Residential Development procedure as required in the several residential land-use/zoning categories, where the parcel at the time of adoption of the General Plan is ten (10) acres or more.

12. Consider the adoption of a redevelopment project for the core area as a possibly available means for implementing the General Plan and attacking problems of urban decay and Downtown

economic development. The California Redevelopment Law gives cities extraordinary powers and authority to use "tax increment financing" and federal/state programs and assistance to initiate improvements and to pay for needed infrastructure through the establishment of plans and agreements with land owners and developers which are based on both public goals and the needs of the business community. Redevelopment in other cities has permitted projects to improve access, circulation and parking, to foster job creation, to build "affordable" housing, to develop physical improvement programs such as improved facades, installation of sidewalks, creation of parking lots, rehabilitation of historic buildings, improvement of parklands, and to rebuild failing sewage collection and treatment facilities and establish or update drainage and runoff facilities.

13. Prepare an up-to-date sewage/wastewater treatment/drainage plan and capital improvement program.

14. Adopt a local ordinance to regulate local point sources to control air pollutant discharges and to not allow any development which would result in singly or cumulatively causing violation of any regional, county or state ambient air quality plan or standard, or the location or expansion of any use that would emit more than 0.05 tons of emissions per day, and to limit wood- burning stove and fireplace emissions.

15. Prepare and adopt such new plans, ordinances, and regulations, or amend existing ones, that protect and defend citizens and property alike against threats and danger from fire, seismic, soil erosion, surface runoff, and natural hazards, and that make provisions for emergency facilities and services.

Included should be regulations assuring adequate mitigation of safety hazards on sites having a history or threats of safety hazards, seismic activity, inundation from surface runoff or flooding, and fire. Also included should be proper drainage facilities and mitigation of possible impacts that may be experienced downstream of development sites during and after construction. Safety standards for design of new and existing structures, and geologic/seismic/soils investigations should continue to be prepared and reviewed, as per the Zoning Ordinance, and required prior to issuance of permits for all developments proposed on sites prone to erosion or instability.

16. Undertake road improvements as identified in the Transportation Element, and integrate required improvements in to the Capital Improvement Program in order to achieve Level of Service (LOS) objectives of the General Plan.

17. Utilize the established Rule 20 program to maximize the undergrounding of existing utility facilities and establish underground districts to facilitate underground utility facilities for new developments.

18. In order to meet the social service goals of the General Plan, the City will work with the school district to ensure (a) maximum joint use of school facilities and grounds, and city parks, for the special needs of children, youth, and senior citizens, and (b) use of public school sites for before- and after-school child care, and (c)

development of indoor and outdoor facilities and recreation opportunities for teens.

19. Prepare and adopt a Specific Plan for Arena Cove, according to the Guidelines set forth in the Harbor Commercial Area (HC) land-use designation, and in accordance with the provisions of State planning law governing the use and status of Specific Plans.

20. Prepare precise amendments to the Zoning Ordinance to provide for the Home Occupation Permit.

4. FINANCING IMPLEMENTATION OF THE GENERAL PLAN

The City may use a variety of methods to finance the facilities, services and infrastructure needed to implement the General Plan.

There are six principal funding sources:

1. Taxes. The City levies taxes to raise revenue for general government purposes. The property tax is the principal one; it depends upon the assessed value of property in the city, and as assessed values rise so do city revenues. Other taxes are sales taxes, admission's taxes, hotel/motel room taxes, parking taxes, payroll and gross receipts taxes, and business license taxes. By a two-thirds favorable vote of the people the city may also levy special taxes to finance specific facilities and services. Not all of the allowable taxes listed above are levied in Point Arena. The sales and room taxes currently produce most of the city's tax revenue.

The Mello-Roos Community Facilities Act of 1982 authorizes cities to create community facility districts and to levy special taxes within these districts to finance new public improvements, police and fire protection, and school construction.

2. Special Assessments. These are for funding construction of such physical improvements as sidewalks, sewers, streets, storm drainage facilities, lighting, and flood control. Special assessment bonds are the traditional tool for accomplishing these purposes for the benefit of property owners within a given area.

3. Bonds. General Obligation bonds are secured by local government's ability to levy property taxes and are intended to raise funds for citywide benefits. Revenue bonds are secured by the proceeds from the enterprise or service they fund.

4. Exactions. These are dedications of land, improvements, or in-lieu payments that are imposed on new developments to ensure or fund the construction of capital facilities. The California Subdivision Map Act specifically authorizes cities and counties to impose exactions on subdivision maps and parcel maps. Exactions may be levied upon developments to cause the construction of low- and moderate-income housing as a condition of map approvals or other permits.

5. Impact/Development Fees. The power to charge fees is available to the city in order to finance a specific activity, facility or service which confers as direct, identifiable benefit on those paying the fee. The Subdivision Map Act authorizes a city to impose fees in lieu of dedication of lands or improvements as a condition of subdivision approval. At present, there is a city ordinance authorizing collection of in-lieu fees for off-street parking in connection with new developments Downtown. Other fees are sewer connection fees, sewer standby fees, processing fees, large-scale urban development fees, and user fees.

6. State Funding. In addition to funds that are collected in the city and returned to the city by the state, the gas tax and the DMV fees being the most significant, the California Legislature has created a broad range of categorical programs of grants and loans which local governments use to finance the implementation of their general plans. These include funds for energy conservation programs, historic preservation, affordable housing, noise mitigation, parks and recreation facilities, solid waste management, preservation and enhancements of coastal resources, and trafficways. All state programs are subject to change and availability of funding.

7. Federal Funding. The federal government also has a broad range of grant and loan programs. Most are available from the US Department of Housing and Urban Development (HUD), and the most immediately available program is the Community Development Block Grant program, which may be used to fund urban redevelopment, housing, and public facility projects. The Small Cities component of this block grant program is administered by the California Department of Housing and Community Development. The U.S. Department of Commerce's Economic Development Administration makes grants and loans to local governments for public works and economic development projects. All federal programs are also subject to change and to availability of funds.

XII. PROJECT REVIEW & PERMITTING: REQUIREMENTS & PROCEDURES

1. PERMITS

Located throughout this General Plan document are policies and regulations that place limits or conditions on, or prescribe desirable outcomes for, the alteration, usage, site preparation and development of all parcels in the city, or seek to secure for the benefit of the general public dedications of land and exactions as part of the development process. These policies and regulations may apply to the city, other public agencies, and property owners alike, depending upon the particular policy, regulation or circumstance.

In this chapter these various regulations and conditions, and the circumstances under which they apply, are summarized. Reference should be made in each case to the General Plan element where the policies are set forth, or to existing city ordinances or State codes.

1. Zoning Regulations and Permits. Every parcel of land in Point Arena has a zoning classification, and for each classification, with the exception of the Industrial zone, there are listings of principal permitted uses (uses permitted by right) and conditional uses (uses permitted only by use permit if certain conditions are met, at the discretion of the planning commission/city council). As well, in the Zoning Ordinance, each zone has been assigned certain "standards of development" that must be adhered to, such as, for example, building set back and yard requirements, building height limits, open space provisions, landscaping and screening. All development, whether for a principal permitted use or conditional use, shall require a coastal development permit that may be approved with conditions.

The most significant public policy governing each residential parcel, in addition to its permitted and conditional uses, is its density: the number of dwelling units permitted on the amount of land available.

Reference should be made to the Zoning Ordinance and the Zoning Map for the particulars with respect to each lot in the city.

Zone changes (i.e, the changing of a zoning classification on any parcel of land) after adoption of the General Plan may not by State law occur without there first being an official amendment to the Land-Use Element of the General Plan and a Coastal Commission-approved amendment to the City's Local Coastal Program (LCP). (See also the chapter in this document regarding General Plan amendments).

2. Subdivision Regulations and Approvals/Denials. All parcels for which there are proposals to subdivide into two or more parcels are subject to the city's subdivision ordinance and to coastal development permitting requirements. All subdivisions are subject to the provisions and policies of the Certified LCP, and require a coastal development permit.

Parcels may be subdivided only if consistent with the Subdivision Map Act, California Coastal Act, and the City's certified LCP. The State Subdivision Map act is absolute and specific with respect to (a) the time frames within which decisions must be made by the City, and (b) situations mandating denial by the City of a Tentative Map.

The Act mandates that a proposed subdivision not be approved if the City Council makes any of the following findings:

- a. the map is inconsistent with the General Plan.
- b. the site is not physically suitable for the type or density of the development proposed.
- c. the design or improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat
- d. the subdivision is likely to cause serious public health problems.
- e. the design or types of improvements will conflict with easements of record acquired by the public at large for access through or use of property within the proposed subdivision. (See California Subdivision Map Act).

Since proposed subdivisions are defined as "projects" under CEQA they also are subject to environmental review prior to approval of tentative and parcel maps, and findings must be made regarding potential environmental damage. In addition, since subdivisions are "development" as defined by the Coastal Act, they are subject to coastal development permitting requirements.

The California Subdivision Map Act sets forth in detail specific requirements which may be imposed by local ordinance, including but not limited to dedications of lands for public purposes, fees for various public purposes, certain investigations and reports, grading and erosion control standards, public access to public resources, energy conservation, standards and criteria for public improvements, various design and improvement standards, and environmental protection standards.

The Coastal Act sets forth in Section 30600(a) that a coastal development permit must be obtained before development is undertaken in the coastal zone. "Development" is defined in Coastal Act Section 30106 to expressly include subdivisions. That statute provides in relevant part that development includes:

change in the density or intensity of the use of land, including, but not limited to subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits.

Thus, in addition to any approval required by the California Subdivision Map Act, the Coastal Act requires a CDP before lands within the coastal zone may be subdivided.

3. Environmental Review (CEQA actions). The environmental review process is mandated by State law (The California Environmental Quality Act - CEQA) and is administered by the City on behalf of the State in order to implement State environmental goals and in order to ensure that the public is fully informed as to possible negative environmental impacts associated with a proposed land use or development project whether public or private. The process can be complicated and time consuming where a large-scale, potentially environmentally-damaging or controversial project is under consideration, or where mitigation measures require continuing study and/or agreements between the project proponent and the City. For most small projects the environmental review process is handled in connection with securing a zone change, minor subdivision approval, or use permit.

The process for review is set forth in the State's "CEQA Guidelines", as are the obligations of the City to conduct proper environmental review. The City must follow CEQA procedures, and ensure that Environmental Impact Reports (EIRs) or Negative Declarations are objective, that they are prepared by individuals or firms acceptable to the City Council, and that the environmental document reflects the independent judgment of the City, which is responsible for the adequacy and objectivity of any EIR or Negative Declaration.

4. Design Review Approvals. In order to implement the overall public appearance policies of the General Plan, as well as the building and site design standards, the historic preservation and architectural standards, the off-street parking standards, and the sign standards of the Zoning Ordinance, most substantial alterations and all new developments other than single-family dwelling projects, are subject to review by and approval of the Design Assistance Committee before a building permit can be issued. The significance of design review and the role of the Design Assistance Committee is hereby confirmed.

The features of any site or building design that shall be subject to design review are: landscaping and screening (Section 5.14) and architectural and historic significance (Section 5.16).

5. Coastal Development Permits. Since all of Point Arena is within the State coastal zone, coastal development permits are required under provisions of the California Coastal Act for all proposed "development" as defined in Section 30106 of the Coastal Act and as listed in the General Plan/LCP glossary and in all circumstances set forth in the Act. The standard of review when considering an application for or appeal of a CDP is the City's "Local Coastal Program (LCP", which is comprised of the General Plan, otherwise known as the Land Use Plan, including the Opportunities and Constraints Maps and not including the Housing Element, the Land Use and Development Map and associated support documents and the Implementation Plan (IP), which includes the Zoning Ordinance, Zoning Map and Second Dwelling Ordinance. The standard of review for projects located between the first through road and the sea shall be the certified LCP and the public access and recreation policies of the Coastal Act. The City shall attach conditions to ensure compliance with the LCP and shall "make findings" as a precedent to adopting any conditions. Actions taken by the City to amend the LCP are not legally final, nor may development be approved under the proposed amended provisions, until the Commission has certified the LCP or any amendment to it and such certification becomes effective consistent

with Section 13544 of Title 14 of the California Code of Regulations.. (See Sections 6.02 and 6.03 of the Zoning Ordinance.)

Properties designated AE-Agricultural Exclusive in this General Plan may not be re-designated or rezoned, or a Coastal Development Permit issued, unless and until it is found that the proposal complies with the following sections of the California Coastal Act: 30212, 30241, 30241.5 and 30243.

City ordinances should be amended where appropriate to place a two-year time limit for commencement of development authorized by Coastal Development Permits, with extensions possible with City Council approval.

6. Site Preparation. The removal of existing residential buildings, the alteration of existing land forms including tree removal and any grading, or any action that might affect any stream or riparian area, or natural habitat, shall not proceed without a coastal development and any other necessary permits first being secured from the City to do so, subject to all applicable policies and provisions of the LCP.

7. Use Permits and Variances. Where use permits are required by the Zoning Ordinance, the public policy intent is to give the City discretion as to whether a "conditional use permit" may be acceptable, and if so under what specific conditions. Conditional uses, as contrasted to principal permitted uses, are not allowed by right. They may be permitted, or not permitted, at the discretion of the City Council, and if they are permitted the City may attach conditions to ensure compliance with and implementation of the policies of the General Plan, Zoning Ordinance and other relevant city ordinances and State statutes. The conditions must be related to a public purpose, environmental goal or policy, or matter of public safety as set forth in the General Plan and Zoning Ordinance, or in other City ordinances. The City is obliged by California case law to "make findings" as a precedent to adopting any conditions.

The requirements governing the use permit process, as well as the variance process, are set forth in Section-6.08 of the Zoning Ordinance, and are hereby reaffirmed.

8. Sewer Connection Policies and Requirements. Current City policies as set forth in the city sewer ordinance shall continue to remain in effect and shall be implemented.

9. Planned Residential Developments. In all instances where the initial planning area (parcel, portion of a parcel, one or more entire parcels or portions of one or more parcels, as shown on the latest County Assessor's rolls) is ten (10) acres or more or any two or more abutting parcels of less than 10 acres in the same ownership or under the same control totals 10 acres or more, the Planned Residential Development procedure as defined in the Zoning Ordinance and Glossary shall be followed and adhered to.

Any land owner/developer may voluntarily elect to use this procedure in other residential zones or for planning areas less than ten (10) acres.

This procedure shall be provided for in the Zoning Ordinance, which shall set forth the specific steps required to secure a Planned Residential Development approval. The objectives of the procedure are (a) to allow and encourage flexibility and creativity in lot layout and design, and in building placement and design, and to relax conventional standards for minimum required yards, street widths and street pavement widths, lot sizes, and building types; and (b) to require as a condition of plan approval the designation of a fixed percentage of the planning area of a planned residential project in any residentially-zoned area as open space (see Open Space Element for definitions and methods of providing open space). Flexibility of use types and encouragement of mixed uses are additional objectives.

In all such planned development proposals the City may also require that "development agreements" (as defined by Sections 65864-65869.5 of the California Government Code and as summarized in the Glossary) be executed between itself and the land owner/developer. However, any such development agreement may only be approved consistent with the provisions of the certified LCP.

The underlying zone within which this procedure shall or may apply shall be set forth in the Zoning Ordinance and on the Zoning Map. Said zone shall set forth permitted and conditionally permitted uses, as well as the maximum residential densities allowed.

10. Geologic Studies. As required by Sections 5.20 and 5.21 of the city's existing Zoning Ordinance, proposed development approval in all zones shall continue to be subject to a determination by the Planning Commission that proposed developments shall not significantly increase erosion and slope instability, or be subject to risk from ground shaking, and that all adverse environmental impacts will have been mitigated prior to or as part of the development process. The Planning Commission's determination shall be based on an independent report by a registered geologist, a certified engineering geologist, or a professional civil engineer with expertise in soils or foundation engineering.

11. Wetland and Sensitive Habitat Mitigation Review. As a condition for a Coastal Development Permit the Planning Commission shall require that a developer mitigate impacts to wetland or other sensitive habitat areas as a result of earth moving, diking, dredging, filling and excavation. Mitigation may include restoration, open space dedications, dike or fill removal, and plantings. Approvals may be denied if proposed mitigation measures are not satisfactory. The Planning Commission is required by law to be, and shall continue to be, governed by Sections 5.22, 5.23 and 5.27 of the City Zoning Ordinance, and by both federal and state wetland regulations, and by the federal Endangered Species Act, if and where applicable in Point Arena.

12. Performance Bonds. A common means for ensuring that infrastructure is built according to plan and as agreed to as part of the development approval process, or landscaping and screening is installed, or other conditions met, is the posting with the City of a performance bond by the developer. The City will study this technique and be ready to employ it where necessary or prudent to guarantee project performance according to the city's expectations and standards.

2. THE NECESSITY FOR FINDINGS

Under the following circumstances the City is required by California case law and the California Coastal Act to set forth in writing how it arrives at certain land-use decisions...especially when acting in a non- legislative capacity. The record must show the legally-relevant subconclusions that reveal the City's mode of analysis in arriving at a final decision. There must be evidence in the record to support all findings (staff reports, written and oral testimony, EIRs or Negative Declarations, exhibits, etc.).

Findings of fact are not normally required for legislative acts: adoption of ordinances and rezonings for example, although there are several exceptions. (For legislative acts, consistency requirements must be met).

Findings of fact are required in the following circumstances: when the City issues a variance, conditional use permit, tentative subdivision map approval or denial, development agreement approval, design review approval, planned residential or commercial development approval, or any other permit relating to matters addressed in the General Plan and required by a city ordinance. For all approvals of Coastal Development Permits, the City must make findings that the proposed development is in conformity with the Local Coastal Program, and for development between the nearest public road and the sea, shall also include a specific finding that the development is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act.

Section 6.08 of the City's Zoning Ordinance implements California requirements by setting forth the findings of fact that must be made prior to the taking of any action to deny, -approve, or approve with conditions, an application for a permit.

Moreover, The State Subdivision Map Act specifies that findings must be made when approving a Tentative Map, or when denying one. The City's list of findings of fact that must be made in writing is as follows (Section 6.08 of the Zoning Ordinance):

A. That the proposed development at the size and intensity contemplated, and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community; and

B. That such use as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:

- 1) The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

2) The accessibility and traffic pattern for persons and vehicles, and the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

4) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; and

C. That such use or feature as proposed will comply with the applicable provisions of this ordinance, will be consistent with the policies and programs of the Land Use Plan and will assist in carrying out and be in conformity with the Point Arena Coastal Program; and

D. That the proposed use or feature will have no significant adverse environmental impact or there are no feasible alternatives, or feasible mitigation measures, as provided in the California Environmental Quality Act, available, which would substantially lessen any significant, adverse impact that the actions allowed by the conditional use permit may have on the environment.

3. MONITORING AND ENFORCEMENT

Requirements and conditions attached to permits issued by the city often require compliance by the permittee and imply monitoring and enforcement by city officials. Section 6.09 of the existing Zoning Ordinance states that "violation of any specification or condition...imposed shall constitute a violation of this ordinance and may constitute grounds for revocation of the...permit". Section 6.15 sets forth the procedure for permit revocation. Sections 7.01 through 7.05 further prescribe the duties and authority of the City Clerk to enforce the Zoning Ordinance. (Section 7.01 shall be amended to include all land-use violations).

With respect to State laws, such as the Subdivision Map Act, the Coastal Act, and the California Environmental Quality Act (CEQA), the City is obliged not only to act within the laws and to implement them locally, but also to ensure that they are lived up to in all their particulars. Reference is made to each act for the provisions that detail enforcement procedures, including Coastal Act Sections 30800 – 30822.

Under California law, cities may by ordinance adopt procedures setting forth enforcement processes, including mandatory citation hearings and the imposition of infractions. More serious violations may be brought as legal actions in superior court.

4. CONSISTENCY IS REQUIRED

The city is required by State law to base its land-use and development controls (including zoning and subdivision regulations) on its general plan policies. This means the controls and regulations in effect in Point Arena must be "consistent" with (conform to and not conflict with) the city's General Plan.

Consistency must exist between tentative and final map approvals, zoning ordinance and map changes, and a host of other actions. It must also exist among the various elements of the General Plan itself, including the Coastal Element, given that the entire City of Point Arena is in the Coastal Zone.

Consistency with the General Plan (and consistency findings also may be required) is either required or advised when the City Council adopts or approves any of the following:

- Amendments to the zoning ordinance or map;
- Subdivision and other General Plan implementing ordinances;
- Adoption of any new General Plan element;
- Adoption of a capital improvement program;
- Creation of a redevelopment project area and plan;
- Adoption of the State-mandated open space action program;
- Approval of assisted housing programs and projects;
- Adoption of any ordinance requiring dedications, fees, and exactions in connection with any development approval or permitting procedures;
- Development agreements;
- Specific plans as the term is defined by state planning law;
- Issuance of conditional use permits;
- Adoption of design review procedures,
- Criteria and standards of design;
- Project review under CEQA;

Tentative subdivision map approval, including requirements to reserve land for public purposes.

All proposed amendments to the Certified Local Coastal Program shall be submitted to the California Coastal Commission for certification. Such certification shall become effective consistent with Section 13544 Title 14 CCR. Amendments to the Land Use Plan shall be consistent with the California Coastal Act. Amendments to the Implementation Plan (i.e. Zoning Ordinance) shall adequately conform with and carry out the Land Use Plan.

5. RIGHTS OF THE REGULATED

The California Legislature has adopted the Permit Streamlining Act (Section 65920 et seq of the Government Code) to require that localities clearly specify the requirements which must be met in connection with the approval or denial of development projects, and to expedite decisions on such projects. The Act requires cities and counties to follow a standardized process and to finish their review within strict time limits. Cities are required to compile one or more lists specifying in detail the information needed from a project applicant, and to make such list or lists available to anyone who requests them.

Reference to the Act itself is an essential responsibility of the City Council and the City Clerk, whose duties include complying with this act in all of its particulars.

In addition, property owners and developers who are subject to city policies and requirements are entitled to the constitutional rights of equal protection and due process. Accordingly, the City must act reasonably in exercising its planning and zoning powers, must give proper notices, and must make proper findings where findings by state law or local ordinances are required.

Above all, the city must take its actions in procedurally correct fashion, for it is here that suits brought by citizens against cities and counties are most often upheld by the courts: for failure to correctly follow the procedures outlined by California law and local ordinances, and for failing to properly make the necessary findings in writing, for not conducting the necessary public hearings, and for failing to follow the letter of CEQA.

Furthermore, the City is obligated to avoid land-use regulations that are unduly restrictive so that an action or decision causes a "taking" of a landowner's property without just compensation. As well, land-use regulations must substantially advance a legitimate public purpose or interest. The issue of unlawful "takings" is the subject of much litigation throughout the United States and is not discussed here, except to make two valid statements: (a) "too much regulation" can be the basis for legal action, but "too much" is difficult to define except on a case- by-case basis, and (b) the courts tend toward giving cities the benefit of the doubt with respect to the adoption of local regulations, provided they do not damage property through a taking, violate civil rights, or deny due process and equal protection. Consistent with Coastal Act Section 30010, the Point Arena Certified LCP is not intended, and shall not be construed as authorizing the City to exercise its power to grant or deny a permit in a manner which will take or damage private property for public use, without the payment of just compensation therefore. The LCP is not intended to increase or decrease the rights of any owner of property under the Constitution of the State of California or the United States.

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XIII. GENERAL PLAN REVIEW AND AMENDMENTS

Once adopted the General Plan is the official statement of policies and programs required by California planning law to direct and guide decision-makers in determining the city's appropriate physical development. However, it is not a fixed and static document in that it may and should be amended from time to time, and should be updated approximately each five years.

Once certified by the California Coastal Commission, the General Plan and all its associated maps and subsequent amendments will become the Land Use Plan (LUP) portion of the Point Arena Local Coastal Program (LCP) as required by the California Coastal Act.

State law permits up to four General Plan amendments per year. (Section 65358[b]). The California Coastal Act permits no more than three LCP amendment applications to the California Coastal Commission per calendar year (Coastal Act Section 30514). Any citizen wishing to amend the plan should follow the rules and procedures for doing so that may be adopted from time to time by the city council and which are incorporated into the zoning ordinance. The council shall be governed and guided by the same rules and procedures. Environmental review as required by the California Environmental Quality Act (CEQA) will be required of every proposed General Plan amendment.

No amended land-use designation or zoning map change, or Zoning Ordinance amendment, or other proposal to amend a land-use ordinance, or to adopt any new land-use policies or regulations, may be processed without there first being a General Plan amendment. Any such change shall be accompanied by a development plan, or other documentation, of sufficient scope and detail as to make it possible for the public and the city council to ascertain the potential impacts of the proposed use, project, or change on the site, the surrounding area, and the city as a whole. What constitutes "sufficient detail" shall be determined by the planning commission and city council and shall include information consistent with the definitions of Land Use Plan and Implementing Actions contained in Sections 30108.5 and 30108.4 of the Coastal Act and shall include the filing information required for a Local Coastal Program amendment pursuant to Section 13553 of Title 14 California Code of Regulations. Any decision on a General Plan amendment must be supported by findings that the proposed amendment is (a) in the public interest, (b) is consistent with the rest of the General Plan, (c) will not cause negative environmental impacts, and (d) has been processed in accordance with the applicable planning provisions of the California Government Code and CEQA. Any and all amendments to the Local Coastal Program must be certified by the California Coastal Commission for certification before the amendment can take effect.

At adoption the City Council needs to confirm that this General Plan will be comprehensively reviewed not later than five years from the date of adoption. This time frame is mandatory for the Housing Element (Government Code Section 65588). It is to be borne in mind that any amendment to any one element may impact on the integrity of the remaining elements, so a favorable finding needs to be made in the case of each amendment that the element being amended will not cause any inconsistency among or conflict with the various other elements of this plan.

XIV. PARTICIPANTS IN PLAN MAKING

The following citizens, staff, consultants and city officials participated in the preparation of this plan:

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Leif Farr (Cartography)

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GLOSSARY

Acceptable Risk. A hazard which is deemed to be a tolerable exposure to danger given the expected benefits to be obtained. Different levels of acceptable risk may be assigned by the City according to the potential danger and the criticality of the threatened structure. The levels are defined by the City and may range from an acceptable risk "near zero" for nuclear plants and natural gas transmission lines to "moderate" for open spaces, ranches and low-intensity warehouse uses.

Access/Egress. The ability to enter a site from a roadway (access) and exit a site onto a roadway (egress) by motorized vehicle.

Accessible Housing. Units that are accessible and adaptable to the needs of the physically disabled.

Accessory Uses. Accessory uses are uses customarily associated with, and appropriate, incidental, and subordinate to the principal use. Accessory uses are typically located on the same lot as the principal use, and do not alter or change the character of the premises.

Acres, Gross. The entire acreage of a site, used for density calculations.

Acres, Net. The portion of a site remaining after public or private rights-of- way and land not developable (see "Developable Land") are subtracted from the total acreage.

Advertise. To call public attention to a product, business, service, person, institution or location. To make public announcement of, especially to proclaim a product or a business so as to increase sales.

Advertising Area. See "Display Surface."

Affordable Housing. Capable of being purchased or rented by a household with very low, low, or moderate income, based on a household's ability to make monthly payments necessary to obtain housing. The state HCD measure of affordable housing is: spending no more than 25% of gross income on housing costs.

Affordable Units. All dwelling units made available at prices or rents below market rate. Affordable units include units affordable to households with very low incomes, low incomes, and moderate incomes.

Aggregate Display Surface. The sum of all Display Surfaces of all Signs on one parcel.

Aggrieved Person. Any person who, in person or through a representative, appears at a public hearing of the City of Point Arena in connection with the decision or action appealed, or who, by

other appropriate means prior to a hearing, informs the City of Point Arena of the nature of his or her concerns or who for good cause is unable to do either. "Aggrieved person" includes the applicant for a permit.

Agriculture. The tilling of the soil, the raising of crops, horticulture, viticulture, small livestock farming, dairying, and/or animal husbandry, including all uses customarily incidental thereto but not including slaughter houses, fertilizer yards, bone yards, or plants for the reduction of animal matter or any other industrial use which is similarly objectionable because of noise, odor, smoke, dust, or fumes.

Agriculture-related Business. Feed mills, dairy supplies, poultry processing, creameries, auction yards, veterinarians and other businesses supporting local agriculture.

Allow. Implies refraining from any hindrance. To let do or happen.

Ambient. Surrounding on all sides; used to describe measurements of existing conditions with respect to traffic, noise, air and other environments.

Appropriate. An act, condition, or state which is considered suitable.

Aquaculture. Aquaculture means a form of agriculture as defined in Section 17 of the Fish and Game Code. Aquaculture products are agricultural products, and aquaculture facilities and land uses shall be treated as agricultural facilities and land uses in all planning and permit-issuing decisions governed by this division.

Architectural Control. Regulations and procedures requiring the exterior design of structures to be suitable, harmonious, and in keeping with the general appearance, historical character, and/or style of surrounding structures or areas.

Architectural Review. The processes used to exercise architectural control. Also referred to as design review.

Assessor's Parcel. A unit of land for taxation purposes, only.

Automobile-intensive or Automobile-oriented Use. A use of a retail area which depends on exposure to continuous auto traffic.

Auxiliary Building. A secondary structure clearly subordinate to a main building, such as a tool shed, residential garage, or pump house and not for human occupancy.

B.A.C.T. Best Available Control Technology (per the California Clean Air Act of 1988).

Bed and Breakfast Inn. A residential structure with one family in permanent residence where a maximum of 12 bedrooms without individual cooking facilities are rented for overnight lodging,

and where one meal daily is provided. This use type does not include boarding houses, hotel or motels.

Below-market-rate (BMR) Housing Unit. Any housing unit specifically priced to be sold or rented to very low, low, or moderate-income households for an amount less than the fair-market rent or value of the unit. The U.S. Department of Housing and Urban Development sets standards for determining which households qualify as "very low income", "low income", or "moderate income".

Benefit Assessment District. An area within a public agency's boundaries which receives a special benefit from the construction of a public facility. A benefit assessment district has no legal life of its own and cannot act by itself. It enables property owners in a specific area to cause the construction of public facilities or to maintain them by contributing their fair share of the construction and/or installation and operating costs.

Biotic Community. A group of living organisms characterized by a distinctive combination of both animal and plant species in a particular habitat.

Blight. A condition of deterioration of a site, structure, or area that may cause nearby buildings and/or areas to decline in attractiveness and/or utility.

Bluff. A scarp or steep face of rock, decomposed rock, sediment or soil resulting from erosion, faulting, folding or excavation of the land mass. The bluff may be simple planar or curved surface or it may be steplike in section. For the purposes of this plan, "bluff" is limited to those features having vertical relief of ten feet or more. "Bluff edge" is the upper termination of a bluff. When the top edge of the bluff is rounded away from the face of the bluff as a result of erosional processes related to the presence of the steep bluff face, the edge shall be defined as that point nearest the bluff beyond which the downward gradient of the land surface increases more or less continuously until it reaches the general gradient of the bluff. In a case where there is a steplike feature at the top of the bluff face, the landward edge of the topmost riser shall be taken to be the bluff edge. Where a coastal bluff curves landward to become a canyon bluff, the termini of the coastal bluff edge, shall be defined as a point reached by bisecting the angle formed by a line coinciding with the general trend of the coastal bluff line along the seaward face of the bluff, and a line coinciding with the general trend of the bluff line along the canyon facing portion of the bluff. Five hundred feet shall be the minimum length of bluff line or edge to be used in making these determinations.

Boarding House. A dwelling or part thereof where meals or meals and lodging are provided for compensation for three (3) or more persons not transient.

Buffer Zone. An area of land separating two distinct land uses which acts to soften or mitigate the effects of one land use on the other.

Building. Any structure having a roof supported by columns and/or by walls and intended for

the shelter, housing and/or enclosure of any person, animal, or chattel. When any portion thereof is completely separated from every other portion thereof by a masonry division or fire wall without any window, door or other opening therein, which common wall extends from the ground to the upper surface of the roof at every point, then each such portion shall be deemed to be a separate building.

Building, Accessory. A subordinate building, the use of which is incidental to that of a main building on the same lot. On any lot upon which is located a dwelling, any building which is incidental to the conducting of any agricultural use shall be deemed an accessory building.

Building Code. Refers to the Uniform Building Code as adopted by reference by the City of Point Arena and as administered and enforced under contract with the County of Mendocino Building Department.

Buildout; Build-out. Development of land to its full potential or theoretical capacity as permitted under current or proposed planning or zoning designations.

Business Park. A comprehensively planned collection of offices, businesses, research and development (R & D) activities, and low-intensity/enclosed warehousing, in a park-like setting, not including industrial uses involving manufacturing, production and processing of goods.

California Environmental Quality Act (CEQA). A State law which (a) defines State environmental goals and the responsibilities of local governments to assist in achieving those goals; and (b) sets forth the requirements for the environmental analysis of proposed public and private projects, including the preparation and/or review of environmental impact reports or the issuance of exemptions and negative declarations.

California Housing Finance Agency (CHFA). A State agency, established by the U.S. Housing and Home Finance Act of 1975, which is authorized to sell revenue bonds and generate funds for the development, rehabilitation, and conservation of very low, low, and moderate-income housing.

CalTrans. California Department of Transportation.

Campground. A lot on which two or more recreational vehicles or tents are parked or located and used for sleeping or eating purposes on a strictly transient basis.

Canopy. A permanent covering over a walkway or driveway wholly supported on each side by posts or walls or partially supported by posts or a wall and an adjacent building.

Capital Improvements Program. A program which schedules permanent improvements five or six years into the future to fit the City's projected fiscal capability and to implement the General Plan or a Specific Plan. The program generally is reviewed annually, and the first year of the program is adopted in the City's annual budget.

CEQA. See California Environmental Quality Act.

Clustered Development. Development in which a number of dwelling units are placed in closer proximity than usual, or are attached, with the purpose of retaining an open space area.

CNEL. See "Community Noise Equivalent Level."

Co-housing. An owner-occupied residential project combining the benefits of private housing with the advantages of communal living whereby each owner has a home, often with a yard, while also co-owning and sharing common spaces and facilities with fellow residents.

Coastal Commission. The California Coastal Commission as established in the California Coastal Act of 1976.

Coastal Development Permit. A permit for any development within the coastal zone that is required pursuant to Section 30600 (a) of the California Coastal Act of 1976. (Also known as Development Permit.)

Coastal Zone. That land and water area of the State of California in the City limits of the City of Point Arena, specified on the maps identified and set forth in Section 17 of the California Coastal Act of 1976.

Coastal-dependent development or use. Any development or use which requires a site on, or adjacent to, the sea to be able to function at all.

Coastal-related development or use. Any development or use that is dependent on a coastal-dependent development or use.

Commercial Coach. A structure transportable in one or more sections, designed and equipped for human occupancy for industrial, professional or commercial purposes, which is required to be moved under permit, and shall include a trailer coach.

Common Open Space. Refers to the required unimproved area (land or water) of a Planned Residential Development (PRD) project, including permanent open space lands, unbuildable land, and land reserved for outdoor recreational purposes. Common open space shall be in addition to land required or provided for off-street parking, required side, rear or front yards, private decks and patios.

Common Wall. See "Building".

Community Care Facility. Elderly housing licensed by the State Health and Welfare Agency, Department of Social Services, typically for residents who are frail and need supervision. Services normally include three meals daily, housekeeping, security and emergency response, a

full activities program, supervision in the dispensing of medicine, personal services such as assistance in grooming and bathing, but no nursing care. Sometimes referred to as residential care or personal care.

Community Development Block Grant (CDBG). A grant program administered by the U.S. Department of Housing and Urban Development (HUD) and the State Department of Housing and Community Development (HCD). This grant allots money to cities and counties for housing and community development. Jurisdictions set their own program priorities within specified criteria.

Community Noise Equivalent Level (CNEL). A 24-hour energy equivalent level derived from a variety of single-noise events, with weighting factors of 5 and 10 dBA applied to the evening (7:00 to 10:00 pm) and nighttime (10:00 pm to 7:00 am) periods, respectively, to allow for the greater sensitivity to noise during these hours.

Community Park. Land with full public access intended to provide recreation opportunities beyond those supplied by neighborhood parks. Community parks are larger in scale than neighborhood parks but smaller than regional parks.

Compatible. Capable of existing together without conflict or ill effects.

Comprehensive Project Development Plan. A thorough depiction in maps, diagrams and text of a proposal to develop one or more parcels of land as one unit, showing development phases at a level of detail sufficient to communicate all information that the Planning Commission may require in order to have a full picture of a development proposal and its likely impacts.

Conditional Use. Use that is not an entitlement or use by right, which may or may not be acceptable to the City, or may be acceptable only if certain conditions are met. At its sole discretion the City may or may not issue a Conditional Use Permit, or may, after making appropriate findings, attach such reasonable conditions as it sees fit and are in the public interest, which conditions are binding on the owner/developer.

Condominium. An estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interest in a space in a residential, industrial or commercial building on such real property, such as an apartment, office, or store. A condominium may include, in addition, a separate interest in other portions of such real property.

Conservation. The management of natural resources to prevent waste, destruction, or neglect.

Consistent. Free from variation or contradiction. Policies and programs in the General Plan are to be consistent with each other, not contradictory or preferential. State law requires consistency between a general plan and implementation measures such as the zoning ordinance.

Convalescent Home. A structure or part of a structure operated as a lodging house in which nursing, dietary, and other personal services are rendered to convalescents, invalids, or aged persons, not including persons suffering from contagious or mental diseases, in which primary treatment, such as customarily are given in hospitals or sanitariums, is not provided.

Day Care Center. Any type of group child day-care program, including nurseries of children of working mothers; nursery schools for children under minimum age for education in public schools; privately-conducted kindergartens when not part of a public or parochial school; programs covering after-school care for school children... all of which must be conducted in accordance with State and local requirements.

dB. (decibel) A unit of sound measurement used to express the relative intensity of a sound. The decibel measuring scale is logarithmic. Zero (0 dB) on the scale is the lowest sound level that a normal ear can detect under very quiet ("laboratory") conditions, and is referred to as the "threshold of hearing."

dB(A). Sound pressure level in decibels (dB) as measured on a sound level meter using the "A-weighted" filter network. "A-weighting" de-emphasizes very low and very high frequencies in a manner similar to the response of the human ear. An increase of 10 dB(A) is equivalent to a doubling in perceived sound level. When used by itself, dB(A) denotes either a sound level at a given instant, a maximum level, or a steady-state level.

Dedication. The turning over by an owner or developer of private land for public use, and the acceptance of land for such use by the governmental agency having jurisdiction over the public function for which it will be used. Dedications for roads, parks, school sites, open spaces, or other public uses often are made conditions for City approval of a development.

Dedication, In lieu of. Cash payments which may be required of an owner or developer as a substitute for a dedication of land, usually calculated in dollars per lot or square foot of land or building area, and referred to as "in lieu fees" or "in lieu contributions."

Density. For housing, density is the number of permanent residential dwelling units per gross amount of land. All densities specified in the General Plan are expressed in maximum number of units per gross acre or square feet. Density can be controlled through zoning in the following ways: minimum lot-size requirements, floor area ratio, land use-intensity ratio, setback and yard requirements, minimum house-size requirements, ratios comparing number and types of housing units to land area, limits on units per acre, and other means. Maximum allowable density often serves as the major distinction between residential districts.

Density Bonus. The allocation of development rights that allow a parcel to accommodate additional square footage or additional residential units beyond the maximum for which the parcel is zoned, usually in exchange for the provision or preservation of an amenity, or inclusion of affordable housing units, at the same site or at another location. Density bonuses governed by Government Code Section 65915 are defined as a density increase over the otherwise maximum

allowable residential density under the applicable zoning ordinance and land use element of the general plan as of the date of application by the applicant to the city, county, or city and county. The applicant may elect to accept a lesser percentage of density bonus. The amount of density bonus to which the applicant is entitled shall vary according to the amount by which the percentage of affordable housing units exceeds the percentage established in subdivision (b) of Government Code Section 65915.

Design Assistance/Design Review. The process of subjecting a development proposal to technical and public scrutiny and review, and to possible modification, in order to ensure that suitable attention is given in site and building design to landscaping and screening, preservation of natural resources, preservation of architectural and significant historic resources, preservation of coastal resources, and to site planning. A "design assistance committee" is authorized by the Zoning Ordinance to carry out the city's design assistance and review functions.

Developable Acres, Net. The portion of a site remaining after removing or deducting public or private road rights-of-way and land not developable, and which can then be built upon. Net acreage includes required yards or setbacks.

Developable Land. Land which is suitable as a location for structures or uses and which can be developed free of development hazards, and without disruption of, or significant impact on, natural resource areas and coastal resources.

Developer. The person, group of persons, corporation, partnership, firm or association proposing to undertake a development as defined in this General Plan.

Development. Development means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting and timber operations, which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511).

As used in this plan, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

Development Agreement. A legal and enforceable instrument binding the city and a developer equally, which may specify conditions, terms, restrictions and regulations pertaining to all

aspects of a development. Development agreements are subject to: public hearings, the making of findings as to consistency with the city's general plan, and recordation with the County Recorder. If consistent with the certified LCP, development agreements are authorized by California Planning Law as a means for "locking in" the specific terms of a city-developer arrangement and for formalizing vested rights in a development plan.

Development Fees. A monetary exaction, other than a tax or special assessment, which is charged by the City in connection with a development project, the purpose of which is to defray all or a portion of the costs of public facilities related to the development project, and subject to the provisions of Sections 66000-66025 of the California Government Code.

Development Permit. Same as "Coastal Development Permit."

Directional Sign. A sign providing information that is limited to describing the location of a building, facility, group of buildings, event, town, city, or other place.

Discourage. To advise or persuade to refrain from.

Display Surface. The area of the smallest plane figure which can be made to enclose the message, word, symbol, design, picture or visual medium visible on the surface of any Sign. Where a Sign includes surfaces facing in different directions, the Display Surface shall be the largest total area of Display Surface visible from any one direction. In the case of a volumetric Sign, the Display Surface shall be the largest plane cross section thereof.

Diversion. The direction of water in a stream away from its natural course (i.e., as in a diversion that removes water from a stream for human use).

Double Faced Sign. A sign with two faces back-to-back, and not less than three hundred forty-five degrees between display surfaces.

Duplex. A freestanding building designed for and/or occupied by two families living independently of each other and with individual and separate cooking facilities.

Dwelling, Multi-Family. A building or portion thereof, or a complex of two or more buildings, used and or designed as residence for three or more families living independently of each other, and doing their own cooking in said building(s), including apartment houses, but not including transient accommodations.

Dwelling, Single-Family. A freestanding building designed for and/or occupied exclusively by one family.

Dwelling, Townhouse. A dwelling unit with a ground-level story located in a building which includes two or more such dwelling units and each dwelling unit, together with the underlying lot, is owned separately from any other dwelling unit and lot.

Dwelling Unit. One room or a suite of two (2) or more rooms in a building designed for, intended for, or used by one family, which family lives, sleeps, and cooks therein and which unit has one kitchen or kitchenette.

Easement. Usually the right to use property owned by another for specific purposes. Easements are either for the benefit of land, such as the right to cross A to get to B, or "in gross", such as a public utility easement. For example, "rear" lots without street frontage may be accessed via an easement over the "front" lots. Utility companies use easements over the private property of individuals to be able to install and maintain utility facilities.

Easement: Conservation. A tool for acquiring open space at a cost less than full-fee purchase, whereby a public agency buys only certain specific rights from the land owner. These may be positive rights (providing the public with the opportunity to hunt, fish, hike, or ride over the land), or they may be restrictive rights (limiting the uses to which the land owner may devote the land in the future).

Easement, Scenic. A tool that allows a public agency to use, at nominal or no cost, private land for scenic enhancement, such as roadside landscaping or vista preservation.

Ecosystem. An interacting system formed by a biotic community and its physical environment.

Element. A chapter or section of the Point Arena General Plan which addresses a specific topic and sets forth public policies and programs pertaining to that topic. California Planning Law mandates that each city and county prepare and adopt a general plan containing at least seven specified elements (land use, circulation, open space, conservation, noise, safety, and housing).

Emergency Shelter. A facility that provides immediate and short-term housing and supplemental services for the homeless. Shelters come in many sizes, but an optimum size is considered to be 20 to 40 beds. Supplemental services may include food, counseling, and access to other social programs. (See "Homeless" and Transitional Housing.)

Encourage. To stimulate or foster a particular condition through direct or indirect action by the private sector or governmental agencies.

Enhance. To improve existing conditions by increasing the quantity or quality of beneficial uses.

Environment. CEQA defines environment as "the physical conditions which exist within the area which will be affected by a proposed project, including land, air, water, mineral, flora, fauna, noise, and objects of historic or aesthetic significance". This General Plan defines environment to also include social and economic conditions.

Environmental Analysis. The process mandated by the California Environmental Quality Act (CEQA) to ensure that state environmental policies are implemented and that the impacts of

proposed projects in Point Arena are systematically evaluated and subject to public review before said project is approved and permits are issued to alter any site or commence any development public or private.

Environmental Impact Report (EIR). A report that assesses all the environmental characteristics of an area and determines what effects or impacts will result if the area is altered or disturbed by a proposed action. (See "California Environmental Quality Act.")

Environmentally Sensitive Area. Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and development.

Environmentally Sensitive Habitat Area (ESHA). Area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in the ecosystem and which could be easily disturbed or degraded by human activities and developments.

ESHA Buffer Zone. A native vegetation buffer provided around environmentally sensitive habitat areas to serve as transitional habitat and provide distance and physical barriers to human intrusion. The ESHA buffer is a sufficient size to ensure the biological integrity and preservation of the ESHA it is designed to protect. All buffers are a minimum of 100 feet in width and shall be larger if necessary to protect the resources of the particular habitat area from possible significant degradation caused by the proposed development. No buffer may be less than 100 feet unless it can be demonstrated, based on criteria in Zoning Code Section 5.22 and after City consultation with the California Department of Fish and Game, that 100 feet is not necessary to protect the resources of the particular habitat area from significant degradation caused by the proposed development. The buffer area may be less than 50 feet in width.

Erosion. The loosening and transportation of rock and soil debris by wind, rain, or running water; and/or the gradual wearing away of the upper layers of earth.

ESD. The use equivalent to single family dwelling units.

Exaction. A contribution or payment required as an authorized precondition for receiving a development permit; usually refers to mandatory dedication (or fee in lieu of dedication) requirements found in subdivision and other local land-use regulations.

Family. One person; or two or more persons related by blood, marriage or adoption; or a group not in excess of five unrelated persons living together as a single housekeeping unit.

Farmers Home Administration (FmHA). A federal agency providing loans and grants for improvement projects and low-income housing in rural areas.

Fast-food Restaurant. Any retail establishment intended primarily to provide short-order food services for on-site dining and/or take-out, including self-serve restaurants (excluding cafeterias where food is consumed on the premises), drive-in restaurants, and formula restaurants required by contract or other arrangement to offer standardized menus, ingredients, and fast-food preparation.

Feasible. Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic environmental, social, and technological factors.

Feasible, Technically. Capable of being implemented because the industrial, mechanical, or application technology exists.

Fence. A masonry wall, or a barrier composed of posts connected by boards, rails, panels, or wire for the purpose of screening, enclosing space or separating parcels of land, but not including retaining walls.

Fill. Earth or any other substance or material, including pilings placed for the purposes of erecting structures thereon, placed on any lands, including submerged areas.

Final Map. The official map recording a subdivision or parcel split, which map must conform in all respects to the state Subdivision Map Act and substantially conform with an approved Tentative Map or Parcel Map.

Finding(s). The result(s) of an investigation and the basis upon which decisions are made. Findings are made by government agents and bodies prior to taking action, and are a record of the justifications for such action(s). Further defined in the Point Arena Zoning Ordinance.

Finished Grade. The average of the finished ground level at the center of all walls of a building.

Fiscal Impact Analysis. A projection of the direct, public costs and revenue resulting from population or employment change to the local jurisdiction in which the change is taking place; enables local governments to evaluate the fiscal merits of proposed projects.

Flood, 100 Year. The magnitude of a flood expected to occur on the average every 100 years, based on historical data. The 100-year flood has a 1/100, or one percent, chance of occurring in any given year.

Flood Insurance Rate Map (FIRM). The official map on which the Federal Insurance Administration has delineated areas of special flood hazard and the risk premium zones applicable to the City (copy available for review at City Hall).

Flood Plain. The relatively level land area on either side of the banks of a stream regularly subject to flooding. That part of the flood plain subject to a one percent chance of flooding in

any given year is designated as an "area of special flood hazard" by the Federal Insurance Administration.

Floor Area, Gross. The enclosed area of a building measured from an exterior surface to exterior surface, but excluding the following: Exterior balconies and galleries covered but not enclosed; patios, atriums, and the like if not covered; common-use areas for all tenants; garages and carports; major mechanical equipment rooms.

General Plan. A compendium of the City's policies and programs regarding its long-term development, in the form of official maps and accompanying text. The General Plan is a legal document required of each local agency by the State of California Government Code Section 65301 and is adopted by the City Council.

Geologic Review. The analysis of geologic hazards, including all potential seismic hazards, surface ruptures, liquefaction, landsliding, mudsliding, flooding, tsunamis, and the potential for erosion and sedimentation.

Goal. A general, overall, and ultimate purpose, aim, or end toward which the City will direct effort (See the Point Arena General Plan).

Grade. To move earth or native material by mechanical means.

"Granny" Unit. A dwelling unit for the sole occupancy of one adult or two adult persons who are age 62 of age or over. The area of floor space, in the case of an attached unit, may not exceed 30% of the existing living area; the area of floor space of a detached "granny unit" may not exceed 1200 square feet. "Granny units" are authorized by and subject to Section 65852.1 of the California Government Code and are subject to coastal development permitting requirements.

Grasslands. Land preserved for pasturing or mowing, in which grasses are the predominate vegetation.

Groundwater. Water under the earth's surface, often confined to aquifers capable of supplying wells and springs.

Groundwater Recharge. The natural process of infiltration and percolation of rainwater from land areas or streams through permeable soils into water-holding rocks which provide underground storage.

Growth Management. The use by a community of a variety of techniques in combination to establish the amount, type, and rate of growth desired by the community and to channel that growth into designated areas. Growth management policies can be implemented through growth rates, zoning, capital improvements programs, public facilities ordinances, urban limit lines, and other programs.

Guest House. A structure accessory to a dwelling with sleeping and bathroom facilities that is not continuously occupied for residential purposes, and lacking any kitchen facilities clearly subordinate and incidental to the primary dwelling on the same lot, and intended for use without compensation by guests of the occupants of the primary dwelling.

Guidelines. General statements of policy direction around which specific details may be later established.

Habitat. The physical location or type of environment in which an organism or biological population lives or occurs.

Handicapped. A person determined to have a physical impairment or mental disorder expected to be of long or indefinite duration. Many such impairments or disorders are of such a nature that a person's ability to live independently can be improved by appropriate housing conditions.

Hazardous Material. An injurious substance, including (among others) pesticides, herbicides, poisons, toxic metals and chemicals, liquified natural gas, explosives, volatile chemicals, and nuclear fuels.

Height. The vertical distance from the average finished grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the average height of the highest gable of a pitch or hip roof, whichever is the highest.

Highly Scenic Areas. --generally include:

- (1) landscape preservation projects designated by the State Department of Parks and Recreation in the California Coastline Preservation and Recreation Plan;
- (2) open areas of particular value in preserving natural landforms and significant vegetation, or in providing attractive transitions between natural and urbanized areas; and
- (3) other scenic areas and historical districts designated by cities and counties.

High-Occupancy Structure. Any building the use of which may include public assembly or occupancy at any time by large numbers of people, including but not limited to school, churches, social halls, and theaters.

Historic Preservation. The preservation of historically significant structures and neighborhoods in as near authentic form and design as possible.

Home Occupation. A use, which may be a commercial enterprise, customarily conducted within a dwelling or accessory building by the inhabitants of the dwelling and which use is clearly incidental and secondary to the use of the premises for dwelling purposes and does not change the

character of the dwelling, premises or neighborhood, or cause significant impact or nuisance.

Home Occupation Permit. A permit that the City may issue to a home owner or renter on a conditional basis to authorize a home occupation, which permit becomes valid upon the paying of a business license fee.

Homeless. Persons and families who lack a fixed, regular, and adequate nighttime residence. Includes those staying in temporary or emergency shelters or who are accommodated with friends or others with the understanding that shelter is being provided as a last resort. California Housing Element law, Section 65583(c)(1), requires all cities and counties to address the housing needs of the homeless. (See "Emergency Shelter" and "Transitional Housing.")

Hospice. A home for people who are ill (especially terminally) or destitute.

Hotel. Any building or portion thereof containing living quarters or dwelling units and designed for or intended to be used by six (6) or more transient guests, whether the compensation or hire be paid directly or indirectly, and shall include resort hotel, lodging house or inn.

Household. One or more persons who share a dwelling unit. Not to be confused with "Family."

Household Income. Classifications:

Very Low - not exceeding 50% of the area (Mendocino County) median income.

Other Lower - between 50% and 80% of the area median income.

Moderate - between 80% and 120% of the area median income.

Above Moderate - above 120% of the area median income.

Housing and Community Development Department of the State of California (HCD). The State agency principally charged with assessing whether, and planning to insure that, communities meet the housing needs of very low, low, and moderate-income households.

Housing and Urban Development, U. S. Department of. A cabinet-level department of the federal government (HUD) which administers housing and community development programs.

Housing Authority, Local (LHA). Local housing agency established in State law, subject to local activation and operation. Originally intended to manage certain federal subsidies, but vested with broad powers to develop and manage other forms of affordable housing. The LHA for Point Arena is the County of Mendocino.

Housing Need. A local share of the regional housing units assumed by the Mendocino County Council of Governments (MCOG) to be "needed." Housing need is distinguished from housing demand, which is a function of marketing activities. Housing projections represent probable

levels of housing construction activity in each jurisdiction of the county.

Housing Unit. The term used by the U.S. Census Bureau. A housing unit must have a separate entrance from other housing units but need not have separate kitchen facilities.

Illuminated Sign. Any sign provided with light either internally or by turning or focusing a light source upon it.

Impact Fees. Fees levied on the developer of a project by the City as compensation for unmitigated impacts the project will produce.

Impervious Surface. Surface through which water cannot penetrate, such as roof, road, sidewalk, and paved parking lot. The amount of impervious surface increases with development and establishes the need for drainage facilities to carry the increased runoff.

Implementation. Actions, procedures, programs, or techniques that carry out policies. "Implementing actions" means the ordinances, regulations, or programs which implement the policies of the certified local coastal program and which have been certified by the Coastal Commission.

Industrial. The manufacture, production, processing or reprocessing, and storage of goods, including quarrying, factories, chemical storage, corporation yards, mining, etc.

Industrial Park. A planned assemblage of buildings designed for and restricted to industrial activities such as: manufacturing, processing and production of goods (to be distinguished from Business Park, for which, see "Business Park").

Infill. Development of vacant land (usually individual lots or left-over properties) within areas which are already largely developed such as downtown Point Arena.

Infrastructure. The grid of public roads and utilities that is necessary to make urban development, including housing, occur.

Initial Study. A preliminary analysis by the City of a proposed project that is intended to determine whether an Environmental Impact Report (EIR) must be prepared or a Negative Declaration will be sufficient. The term is more fully defined in CEQA.

Inn. A building or portion thereof containing living quarters or dwelling units and designed for or intended to be used by six (6) or fewer transient commercial guests.

Interagency. Between and among agencies. Indicates cooperative actions between or among two or more discrete city, county, special district and State agencies in regard to a specific program.

Interest, Fee. A share or right in property that entitles a land owner to exercise complete control

over disposition and use of land, subject only to government land-use regulations ("fee" is synonymous with "fee simple" or ownership).

Interest, Less-than-fee. An interest in land other than outright ownership; includes the purchase of development rights via conservation, open space, or scenic easements. (See "Development Rights," and "Easement, Scenic.")

Intermittent Stream. A stream that normally flows for at least thirty (30) days after the last major rain of the season and is dry a large part of the year.

Joint Powers Authority (JPA). A legal arrangement that enables two or more units of government to share authority in order to plan and carry out a specific program or set of programs that serves both units.

Kennel. Any premises, except those accessory to an agricultural use, where five (5) or more small domestic animals, not sick or injured, are boarded for compensation or cared for or trained for hire, or are kept for sale or breeding purposes.

Landmark. Refers to a building or site having historic, architectural, social, or cultural significance and designated for preservation by the local, state, or federal government. Also a significant tree.

Landscaping. Planting--including trees, shrubs, and ground covers-- suitably designed, selected, installed, and maintained so as to permanently enhance a site, the surroundings of a structure, or the sides or medians of a roadway.

Lands Suitable for Agriculture: Lands on which existing or potential agricultural use is feasible, including dry farming, animal grazing, and timber harvesting.

Land-Use and Development Map. One of the official maps of the Point Arena General Plan, certified by the California Coastal Commission, which depicts the land-use and traffic circulation policies of said plan. Also known as the Land Use Plan Map.

Land-Use Categories. A classification system for the designation of appropriate and legal use of properties. Land-use categories are used on the General Plan Land Use and Development Map to designate permissible uses, and in the City's Zoning Ordinance.

Land-Use and Development Element. A Land Use and Development Element is a basic component of the General Plan/LUP, it combines text and maps to designate the future use or reuse of land within the City's planning area. The land-use and development element serves as a guide to the structuring of zoning and subdivision controls and capital improvement programs, and to official decisions regarding the distribution and intensity of development and the location of public facilities and open spaces.

Land-Use Plan. The relevant portion of a local government's general plan, or local coastal element which are sufficiently detailed to indicate the kinds, location, and intensity of land uses, the applicable resource protection and development policies and, where necessary, a listing of implementing actions. The Land Use Plan for Point Arena is a component of the Point Arena Local Coastal Program (LCP) which was adopted by the Point Arena City Council and certified by the State Coastal Commission in 1980, and is scheduled for re-certification upon adoption of the 2001 General Plan. Subjects required in the Land-Use Plan include: Coastal access, marine/water resources, sensitive habitats, hazard areas, recreational/ commercial boating, public works/agriculture, recreation/visitor- serving facilities, industrial/energy facility development, housing, visual resources, planning/locating new development and diking, dredging and filling. Once certified by the Coastal Commission, the 2001 General Plan, not including the Housing Element, will be the Point Arena Land Use Plan.

Land-use Permit. Same as "Coastal Development Permit."

Ldn. Day-Night Average Sound Level. The A-weighted average sound level for a given area (measured in decibels [dB]) during a 24-hour period with a 10 dB weighing applied to night-time (10 pm - 7 am) sound levels.

Leq. The energy equivalent level, defined as the average sound level on the basis of sound energy (or sound pressure squared). The Leq is a "dosage" type measure and is the basis for the descriptors used in current standards, such as the 24-hour CNEL used by the State of California. The steady-state A-weighted sound level containing the same energy as a time-varying signal; an average of the sound levels for a given sample time, typically 1-24 hours. Leq(5) would indicate a five hour sample time.

Level of Service (LOS). A scale that measures the operating capacity likely to be encountered on a roadway or at the intersection of roadways, based on a volume-to-capacity ratio, with levels ranging from A to F, with A representing the lowest volume-to-capacity ratio and the highest level of service. (See "Volume-to-Capacity Ratio.")

Level-of-Service A represents free flow. Individual users are virtually unaffected by the presence of others in the traffic stream. The general level of comfort and convenience provided to the motorist or passenger is excellent.

Level-of-Service B is in the range of stable flow, but the presence of other users in the traffic stream begins to be noticeable. There is a slight decline in the freedom to maneuver within the traffic stream. The level of comfort and convenience provided is somewhat less than at LOS A, because the presence of others in the traffic stream begins to affect individual behavior.

Level-of-Service C is in the range of stable flow but marks the beginning of the range of flow in which the operation of individual users becomes affected by interactions with others in the traffic stream. Maneuvering within the traffic stream requires vigilance on

the part of the user. The general level of comfort and convenience declines at this level.

Level-of-Service D represents high-density but stable flow. Freedom to maneuver is severely restricted, and the driver experiences a generally poor level of comfort and convenience. Small increases in traffic flow will generally cause operational problems at this level.

Level-of-Service E represents operating conditions at or near the capacity level. Freedom to maneuver within the traffic stream is extremely difficult, and it is generally accomplished by forcing a vehicle or pedestrian to "give way" to accommodate such maneuvers. Comfort and convenience levels are extremely poor, and driver frustration is generally high. Operations at this level are usually unstable, because small increases in flow or minor disturbances within the traffic stream will cause breakdowns.

Level-of-Service F is used to define forced or breakdown flow. This condition exists wherever the amount of traffic approaching a point exceeds the amount which can traverse the point. Queues form behind such locations. Operations with the queue are characterized by stop-and-go waves, and they are extremely unstable. Vehicles may progress at reasonable speeds for several hundred feet or more, then be required to stop in a cyclic fashion.

Live-Work Space. A studio, workroom or loft, together with a living space including a kitchen and bath, which space is not necessarily divided into separate rooms.

L_{max}. The maximum A-weighted sound level during a noise event, or sample period.

L_{min}. The minimum A-weighted sound level at a given location. This corresponds to the ambient background noise level.

Local Agency Formation Commission (LAFCO). A County commission that reviews and evaluates all proposals for formation of special districts, incorporation of cities, annexation to special districts or cities, consolidation of districts, and merger of districts with cities. Each county's LAFCO is empowered to approve, disapprove, or conditionally approve these proposals.

Local Coastal Program (LCP). A local government's (a) land use plans, (b) zoning ordinances, (c) zoning district maps, and (d) within sensitive coastal resource area, other implementing actions, which, when taken together, meet the requirements of, and implement the provisions and policies of, the Coastal Act, , and upon re-certification must be adhered to, implemented by the City, and monitored by the Coastal Commission. [The pre-2006 LCP consisted of the 1981 Land Use Plan and the Zoning Ordinance. The 2006 certified LCP consists of the General Plan/LUP, not including the Housing Element, the Zoning Ordinance, and the Second Dwelling Unit Ordinance].

Lot. A tract of land lawfully established and officially recorded in the County Recorder's office,

which constitutes a unit of land the ownership of which is legally transferable and is considered a unit for purposes of development.

Lot Area. The total horizontal area included within lot lines excluding any street rights of way.

Lot, Corner. A lot at the junction of and abutting on two or more intersecting streets where the angle of intersection is 130 degrees or less.

Lot Frontage. The line separating a lot from the street, in the case an interior lot, and the line separating the narrowest street frontage from the street in the case of a corner lot.

Lot, Interior. A lot other than a corner lot.

Lot Lines. The lines bounding a lot as defined herein.

Lot Line, Rear. The boundary of a lot opposite and most nearly parallel to the front lot line.

Lot, Non-conforming. Any lot existing and recorded as a separate parcel in the office of the County Assessor at the effective date of the Zoning Ordinance which does not conform to the area or width requirements of the district in which it is located or does not conform to the subdivision regulations of the City of Point Arena.

Low-income Household. Households with incomes of 51 - 80% of the area median household income. It is determined by a survey of incomes conducted by the City or by Mendocino County, or in the absence of such a survey, based on the latest available findings for the County as provided by the U.S. Department of Housing and Urban Development (HUD).

Manufactured Housing. Houses which are constructed entirely in the factory, and which since 1976 have been regulated by the federal Manufactured Home Construction and Safety Standards under the administration of the U. S. Department of Housing and Urban Development (HUD).

Market-Rate Units. Those dwelling units available at prices or rents at or above the market rate, which are those prices determined by market demand.

May. That which is permissible.

Median Household Income. The middle point at which half of the City's households earn more and half earn less. In 1991 the median household income for Mendocino County is \$30,500 per year.

Minimize. To reduce or lessen, but not necessarily to eliminate.

Minipark. Small neighborhood park of approximately one acre or less. It may also be referred to as "tot lot" when reserved for very young children.

Mitigate. To ameliorate, alleviate, or avoid to the extent reasonably feasible. According to CEQA, mitigations include: (a) avoiding an impact by not taking a certain action or parts of an action; (b) minimizing an impact by limiting the degree or magnitude of the action and its implementation; (c) rectifying an impact by repairing, rehabilitating, or restoring the environment affected; (d) reducing or eliminating an impact by preserving and maintaining operations during the life of the action; (e) compensating for an impact by replacing or providing substitute resources or environments.

Mixed-use. Properties on which various uses, such as office, commercial, institutional, and residential, are combined in a single building or on a single site in an integrated development project with significant functional interrelationships and a coherent physical design. A "single site" may include contiguous properties.

Mobile Home. An independent structure equipped with a toilet for sewage disposal that is transportable in one or more sections, to be used with or without a foundation system. Mobile home does not include a recreational vehicle, commercial coach or factory-built housing.

Mobile Home Park. A lot on which two or more mobile homes are located and used for sleeping, cooking or eating purposes, subject to the City's special mobile home park regulations (See Ordinance No. 118).

Moderate-Income Household. Households with incomes of 81 - 120% of the area median income, as determined by a survey of incomes conducted by Mendocino County, or in the absence of such a survey, based on the latest available findings for the County as provided by the U. S. Department of Housing and Urban Development (HUD).

Modular Unit. A factory-fabricated, transportable building or major component designed for use by itself or for incorporation with similar units on-site into a structure for residential, commercial, educational, or industrial use. A modular unit does not have any chassis for future movement. (See "Mobile Home".)

Motel. A building or group of buildings comprising dwelling units for the accommodation of transient guests, which is designed so that parking is on the same building site and is conveniently accessible from the living units without having to pass through any lobby or interior court. This definition includes auto court, tourist court, and motor hotel; but does not include a hotel, accommodations for mobile homes or trailers.

Mountain Beaver Buffer Area. A 500 feet wide area measured from the centerline of Point Arena Creek or the edge of or centerline of (if a creek) any other area which may contain species of the Point Arena Mountain Beaver and where special consideration may be necessary if signs of the mountain beaver are found within this radius.

Multi-Family Dwelling or Area. A building or site legally accommodating more than one family or units or complexes housing more than one family.

Multi-Family Useable Open Space. Any useable outdoor area of a multi-family residential project in a MR or HWC zone, which area is reserved and designed for common use by the project's occupants. This space is in addition to space provided for required yards and off-street parking, and for private patios and decks.

Must. That which is mandatory (equivalent to "shall").

Natural State. The condition existing prior to any development or change in site conditions.

Necessary. Essential or required.

Need. A condition requiring supply or relief. The City may act upon findings of need within or on behalf of the community.

Negative Declaration. A written statement prepared by a public agency describing reasons that a proposed project will not have a significant effect on the environment and, therefore, does not require an environmental impact report (EIR).

Neighborhood Park. Publicly-owned land intended to serve the recreation needs of people living or working within a one-half mile radius of the park and also intended to contribute to a distinct neighborhood identity.

New. Any use established, building or structure constructed, development undertaken, or lot created after the effective date of this plan or an amended Zoning or other ordinance.

Noise Attenuation. Reduction of the level of a noise source using a substance, material, or surface, such as earth berms and/or solid concrete walls.

Noise Contour. A line connecting points of equal noise level as measured on the same scale. Noise levels greater than the 60 Ldn contour (measured in dBA) require noise attenuation in residential development. New residential development within the 60 Ldn contour (60 Ldn and greater) must meet noise attenuation standards as required by Title 25 of the California Administrative Code--Noise Insulation Standards.

Non-attainment. The act of not achieving a desired or required level of performance. Frequently used in reference to air quality.

Non-conforming. A structure and/or land use which was lawfully established but which does not now conform with the land use, yard, height, or other requirements and conditions of the Zoning Ordinance.

Non-conforming Sign. A sign lawfully erected, established and maintained prior to the effective date of this Ordinance, but which could no longer be allowed due to changing sign code

restrictions.

Non-Prime Agricultural Land. Coastal agriculture lands that are not in use for crops or grazing, or that are suitable for agriculture but do not qualify as "prime."

Nursing Home. "See Convalescent Home".

Objective. A specific statement of desired future conditions toward which the City will expend effort in the context of striving to achieve a broader goal.

Off-site Sign. A sign which is located on a parcel other than that occupied by the product, service, business, person, institution, or location advertised (also called an "off-premise sign").

Off-street Loading. A site, or portion of a site, devoted to the loading or unloading of vehicles, including loading berths, aisles, access drives, and landscaped areas.

Off-street Parking. A site, or portion of a site, devoted to the off-street parking of vehicles, including parking spaces, aisles, access drives, and landscaped areas.

Open Space Lands. Any area of land or water which is essentially unimproved and devoted to an open-space use such as (1) the preservation of natural resources; (2) managed production of resources; (3) outdoor recreation; (4) public health and safety. (Government Code Section 65560 and Public Resource Code 5076)

Opportunities and Constraints Maps. Three of the four official maps of the 2001 General Plan, which depict sites, areas, conditions and situations which may constrain development, or suggest opportunities, which constraints and opportunities shall be taken into account in the project planning process and prior to commencing any development. The Opportunities and Constraints Maps include: (1) the Scenic Corridors map; (2) the Natural Hazards map; and (3) the Biological Resources and Trails map.

Outdoor Recreation Use. A privately-owned or publicly-owned or operated use providing facilities for outdoor recreational activities.

Overlay. A land-use designation on the Land Use and Development Map, or other map, or a zoning designation on a zoning map, which modifies the basic underlying designation in some specific manner.

Ownership. Ownership of property (or possession thereof under a contract to purchase or under a lease, the term of which is not less than ten (10) years) by a person or persons, firm, corporation, or partnership--individually, jointly, in common, or in any other manner--whereby such property is under single or unified control. The term shall include condominium ownership. The term "Owner" shall be deemed to mean the person, firm, corporation, or partnership holding legal or equitable title or recorded contract of purchase of property, or any person authorized by written

instrument to act for the owner.

Parcel. A lot, or contiguous group of lots, in single ownership or under single control, usually considered a unit for purposes of development (also see "Lot").

Parcel Map. A map depicting the establishment of up to four new lots by splitting a recorded lot. Parcel maps are subject to the California Subdivision Map Act and the City's subdivision regulations, the Coastal Act and the CDP requirements of the certified LCP.

Parking Area, Common. A public or private parking area used jointly by two or more uses.

Parking Lot, Public. An open area, other than a street or alley, used for the parking or storage of vehicles, and available for public use.

Peak Hour. For any given traffic facility, the daily, 60-minute period during which traffic volume is highest.

Performance Standards. Zoning regulations that admit uses based on a particular set of standards of operation rather than on the basis of a particular type of use. Performance standards may be established to limit noise, air pollution, emissions, odors, vibration, dust, dirt, glare, heat, fire hazards, wastes, traffic generation, and visual impact of a use, and may be used to distinguish which uses, based on their likely standards of performance, are acceptable in a particular setting.

Permitted/Permissible Uses. Same as "Use by Right."

Person. Any individual, public, or private corporation, political subdivision, partnership, firm, trust or estate or any other legal entity whatsoever which is recognized in law as to rights or duties.

Personal Services. Services of a personal convenience nature, as opposed to products. Personal services include barber and beauty shops, shoe and luggage repair, fortune tellers, photographers, laundry and cleaning services and pick-up stations, copying, repair and fitting of clothes, and similar services.

Physical Diversity. A quality of a site, city, or region in which are found a variety of architectural styles, natural landscapes, and/or uses.

Planned Community. A large-scale development whose essential features are a definable boundary; a consistent, but not necessarily uniform, character; overall control during the development process by a single development entity and in accordance with a comprehensive development plan; private ownership of recreation amenities; and enforcement of covenants, conditions, and restrictions by a master community association.

Planned Commercial Development (PCD). Same as Planned Residential Development (PRD),

except pertains to properties designated on the Zoning Map as commercial.

Planned Residential Development (PRD). A procedure for plan preparation, review and approval of large-scale, comprehensively-planned residential projects. Allows for flexibility of design and layout, and mixed uses, as well as creative approaches to site and building designs. Functions as an "overlay" of residential zoning and is a mandatory procedure for the development of parcels ten acres and larger.

Planning Area. A term referring to the entire area of jurisdiction and concern for the City of Point Arena's planning purposes. Also refers to the lot or lots included within a planned development.

Policy. A specific statement of principle which implies clear commitment. A duly-adopted directive that all development in the City must satisfy.

Pollution, Non-Point. Sources of pollution which are difficult to define and which usually cover broad areas of land, such as the carrying of fertilizers from agricultural land by runoff or the carrying of smog from one area to another.

Pollution, Point. A discrete source from which a pollution is generated before it enters receiving waters, such as a sewer outfall or an industrial waste pipe.

Preserve. See "Protect."

Prime Agricultural Land. Per California Government Code Section 51201 the term means:

- (1) all land which qualifies for rating as Class I or Class II in the Soil Conservation Service land use capability classifications.
- (2) land which qualifies for rating 80 through 100 in the Storie Index Rating.
- (3) land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the U.S.D.A.
- (4) land planted with fruit or nut bearing trees, vines, bushes or crops which have a non-bearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than \$200 per acre.
- (5) land which has returned from the production of unprocessed agricultural plant products on an annual gross value of not less than \$200 per acre for three of the five previous years.

Professional Office Use. A use providing professional or consulting services in the fields of, but not limited to, law, architecture, design, engineering, accounting, and similar professions and activities.

Program. An action, activity, or strategy carried out in response to adopted policy to achieve a specific objective. Policies and programs establish the "who", "how", and "when" for carrying out the "what" and "where" of goals and objectives.

Project. "See Development".

Pro Rata. Refers to the proportionate distribution of the cost of infrastructure improvements associated with new development to the users of the infrastructure on the basis of projected use.

Protect. To maintain and preserve beneficial uses in their present condition as nearly as possible. (See "Enhance.")

Public Works Project. Any project by a public agency that is included in Section 30114 of the California Coastal Act of 1976 and any energy facility development within the meaning of Section 30107 of the California Coastal Act of 1976.

Rare or Endangered Species. A species of animal, fish, wildlife or plant listed in: Sections 670.2 or 670.5, Title 14, California Administrative Code; or Title 50, Code of Federal Regulations, Section 17.11 or Section 17.2, pursuant to the Federal Endangered Species Act designating species as rare, threatened, or endangered.

Recognize. To officially (or by official action) identify or perceive a given situation.

Recreation, Commercial. Recreation facilities open to the general public for a fee, or restricted to members, when operated for profit as a business.

Recreation, Passive. Recreational uses often associated with beach or open space use (e.g., walking, sight-seeing, swimming, jogging, sunbathing, fishing, surfing), which requires little or no alteration of the environment.

Recreational Vehicle or RV. A motor home, travel trailer, truck camper or camping trailer, with or without motive power, designed for human habitation for recreational or emergency occupancy, with a living area less than 220 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures, bath and toilet rooms.

Recreational Vehicle Park. A designated area for the temporary (transient) parking of RVs, which may also include related facilities for RV user use only.

Redevelopment. The legally-authorized process of rehabilitating or rebuilding a deteriorated section of a city using municipal powers and finances to assemble properties, replace

infrastructure, or otherwise assist in creating new facilities and stimulating private development.

Regulation. A rule or order prescribed for management of government.

Residential. Land designated by the City's General Plan and Zoning Ordinance for buildings consisting only of dwelling units. May be vacant or unimproved. (See "Dwelling Unit.")

Residential Care Facility. Elderly housing, usually licensed by the State Health and Welfare Agency, Department of Social Services, typically for residents who are frail and need supervision but no nursing care.

Resources, Non-renewable. Refers to natural resources, such as fossil fuels and natural gas, which, once used, cannot be replaced and used again.

Rest Home (Group Homes for Adults). Residential homes of any capacity that provide services to adults who need or desire care or supervision, and in which medical services are not provided.

Restaurant/Cafe. An establishment intended for the preparation and consumption of food and beverages, which may or may not include a bar.

Restore. To renew, rebuild, or reconstruct to a former state.

Restrict. To check, bound or decrease the range, scope, or incidence of a particular condition.

Retrofit. The addition of materials and/or devices to an existing building or system to improve its operation or efficiency.

Right-of-way. The strip of land over which certain transportation and public use facilities are built, such as roadways, railroads, and utility lines.

Riparian Buffer Zone. That portion of a riparian corridor directly adjacent to a stream or creek, 100 feet from the outward edge of riparian vegetation, the regulations for which are set forth in the Zoning Ordinance.

Riparian Corridor. A general term for lands running parallel to and along a creek, which lands constitute the ecosystem and potentially sensitive habitat for animal and plant life for said creek or stream. A riparian corridor includes both a riparian habitat area and an adjacent riparian buffer area on either side of the riparian habitat area.

Riparian Vegetation. Vegetation commonly occurring adjacent to stream banks and including such plants as willows, alders, cottonwood, wax myrtle, big leaf maple, California bay-laurel, red elderberry, nettle, Snow Berry, California Blackberry, Salmon berry, Thimbleberry, Wild Rose, Watercress, Western Azalea, ferns, Wild Cucumber, Honeysuckle, Baltic Rush, Cow parsnip, Common Horsetail, Creeping Wild-Rye, Fairy Bells, Hazelnut, Mugwort, Pipevine, Vine Maple,

etc.

Risk. The danger or degree of hazard or potential loss.

Satellite TV Receiving Dish. Satellite television antenna is an apparatus capable of receiving communications from a transmitter or a transmitter relay located in planetary orbit, the purpose of which is to receive television or radio signals from orbiting satellites.

Second Dwelling Unit. A technical term defined in the California Government Code (Section 65252.150 - 65852.2) referring to legal second residential units in residential zones on existing lots that contain an existing single-family dwelling that conforms to all local codes, which second unit may be rented but not sold and must not exceed in floor area 30% of an existing living area if attached, or exceed 1200 square feet of floor area if a detached structure.

Section 8 Rental Assistance Program. A federal (HUD) rent-subsidy program which is the main source of federal housing assistance for low-income households. The program operates by providing "housing assistance payments" to owners, developers, and public housing agencies to make up the difference between the "Fair Market Rent" of a unit (set by HUD) and the household's contribution toward the rent, which is calculated at 30% of the household's adjusted gross monthly income (GMI). "Section 8" includes programs for new construction, existing housing, and substantial or moderate housing rehabilitation. (Administered in Point Arena by the County of Mendocino.)

Senior Housing. Housing designed for and typically reserved for senior citizens.

Sensitive Habitat Area. Areas in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in the ecosystem and which could be easily disturbed or degraded by human activities and developments.

Services, Personal and Professional. Beauty and barber shops; offices for doctors, dentists and others engaged in the human healing arts, provided no overnight care is given; offices for engineers, attorneys, architects, real estate sales, insurance, travel agencies, ambulance services, bail bonds, art and photography studios, and other such services which in the opinion of the Planning Commission are similar to the above (also see "Personal Services").

Shall. That which is mandatory.

Shared Living. The occupancy of a dwelling unit by persons of more than one family in order to reduce housing expenses and provide social contact, mutual support, and assistance. Shared living facilities serving six or fewer persons are permitted in all residential districts by Section 1566.3 of the California Health and Safety Code.

Should. Signifies a directive to be honored if at all possible.

Sign. Any structure, object or other physical contrivance, whether located inside or outside a building, that is visible from any lot line and the primary purpose of which is advertising, endorsement, identification, or information, by means of visual symbols, lettering, illustration, or any other means of directing attention or communicating; including any Display Surface together with such structures, objects or other physical contrivances as are used in supporting, maintaining, and illuminating the Display Surfaces.

Sign, Freestanding. A sign which is supported by one or more uprights, poles, or braces in or upon the ground, and which is self-supporting in a fixed location and not attached to a building or structure.

Sign, Off-site. A sign which is located on a parcel other than that occupied by the product, service business, person, institution or location advertised. Also called an "off-premise sign."

Sign, Temporary. Any sign, including banners, pennants or other advertising display not permanently installed or affixed to a sign structure or building.

Siltation. The accumulating deposition of eroded material; the gradual filling in of streams and other bodies of water with sand, silt, and clay.

Single-family Dwelling, Attached. A dwelling unit occupied or intended for occupation by only one family that is structurally connected with other such dwelling units.

Single-family Dwelling, Detached. A dwelling unit occupied or intended for occupation by only one family that is structurally independent from any other such dwelling unit or structure intended for residential or other use.

Site. A parcel of land used or intended for one use or a group of uses and having frontage on a public or an approved private street or right-of-way.

Slope. Land gradient described as 100 times the vertical rise divided by the horizontal run. For example, a hill or road which rises in elevation 15 feet in a horizontal length of 100 feet has a slope of 15 percent.

Solar Access. The provision of direct sunlight to an area specified for solar energy collection when the sun's azimuth is within 45 degrees of true south.

Solar System, Active. A system using a mechanical device, such as a pump or a fan, and energy in addition to solar energy, to transport a conductive medium (air or water) between a solar collector and the interior of a building for the purpose of heating or cooling.

Solar System, Passive. A system that uses direct heat transfer from thermal mass instead of mechanical power to distribute collected heat. Passive systems rely on building design and materials to collect and store heat and to create natural ventilation for cooling.

Solid Waste. General category that includes organic wastes, paper products, metals, glass, plastics, cloth, brick, rock, soil, leather, rubber, yard wastes, and wood.

Special Purpose Commercial Coach. A vehicle with or without motive power, designed and equipped for human occupancy for industrial, professional or commercial purposes, which is not required to be moved under permit, and shall include a trailer coach.

Specific Plan. A tool for detailed design and implementation of a defined portion of the area covered by a General Plan. A specific plan may include all detailed regulations, conditions, programs, and/or proposed legislation which may be necessary or convenient for the systematic implementation of any General Plan element(s) or a portion thereof or for designating, in a comprehensive and detailed fashion, the City's or a developer's intentions with respect to a property's use and development. (Authorized and further defined in California Planning, Zoning, and Development Laws, Article 8., Sections 65450 through 65457.) Specific plans shall be part of the City's certified LCP and are subject to California Coastal Commission Certification.

Sphere of Influence. The probable ultimate physical boundaries and service area of the City as determined by the Local Agency Formation Commission (LAFCO) of Mendocino County.

Standards. Usually refers to site design regulations, such as lot area, height limit, frontage, landscaping, and floor area ratio, as distinguished from use restrictions; loosely refers to all requirements in the Zoning Ordinance and in other city ordinances.

Storm Runoff. Surplus surface water generated by rainfall that does not seep into the earth but flows overland to flowing or stagnant bodies of water.

Story. That portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, the space between the floor and the ceiling next above it.

Stream. A stream mapped by USGS on the 7.5 minute quadrangle series, or identified in a local coastal program. The bank of a stream shall be defined as the watershed and relatively permanent elevation or acclivity at the outer line of the stream channel which separates the bed from the adjacent upland, whether valley or hill, and serves to confine the water within the bed and to preserve the course of the stream. In areas where a stream has no discernable bank, the boundary shall be measured from the line closest to the stream where riparian vegetation is permanently established. Channelized streams not having significant habitat value should not be considered streams.

Street. Land owned and designated by the City of Point Arena, Mendocino County or the State of California as a public thoroughfare and which affords the primary means of access to abutting property.

Street Furniture. Those features associated with a street that are intended to enhance that street's physical character and use by pedestrians, such as benches, trash receptacles, kiosks, lights, newspaper racks, etc.

Street Tree Plan. A comprehensive plan for all city street trees which sets goals for tree canopy densities and solar access, and sets standards for species selection, maintenance, and replacement criteria, and for planting trees in patterns that will define neighborhood character while avoiding monotony or maintenance problems.

Streets, Local. Low speed/low volume roadways that provide direct access to abutting land uses; may allow for driveways to individual units, on-street parking, pedestrian access, and sidewalks or walkways.

Structure. Anything constructed, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground.

Structure, Accessory. A detached building or structure, other than a sign, the use of which is incidental to that of a main building or use; any building or structure which is incidental to the conducting of any agricultural use.

Studio. A workroom, which may include a shop, for use by an artist, photographer or craftsman, which contains no kitchen but may include a lavatory and sinks, and is not intended for use as a dwelling unit, and which, unlike a gallery, is not open to the public.

Subdivision. The splitting into new lots or parcels of a larger piece of property, as defined in and subject to the City's subdivision regulations and the State Subdivision Map Act.

Substandard Housing. Residential dwellings which, because of their physical condition, do not provide safe and sanitary housing.

Substantial. Considerable in importance, value, degree, or amount.

Tax Increment Financing. A technical term that refers to a method available to cities for financing a redevelopment project.

Tentative Map. The initial map setting forth in detail a proposed land subdivision, which map must comply with the City's subdivision and zoning regulations, the LCP, and the state Subdivision Map Act. The subdivision of land depicted on the tentative map does not take effect until approval and recordation of the Final Map.

Tot Lot. See "Minipark".

Tourism. The business of providing services for persons traveling for pleasure.

Townhouse; Townhome. A one-family dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more common and fire-resistant walls. Townhouses usually have separate utilities; however, in some condominium situations, common areas are serviced by utilities purchased by a homeowners association on behalf of all townhouse members of the association.

Transitional Housing. Shelter provided to the homeless for an extended period, often as long as 18 months, and generally integrated with other social services and counseling programs to assist in the transition to self-sufficiency through the acquisition of a stable income and permanent housing.

Travel Trailer. A vehicle other than a motor vehicle, which is designed or used for human habitation and which may be moved upon a public highway without a special permit or chauffeur's license or both, without violating any provision of the Vehicle Code.

Trees, Heritage. Trees planted by a group of citizens or by the City in commemoration of an event or in memory of a person figuring significantly in the history of the city.

Trees, Landmark. Trees whose size, visual impact, or association with a historically significant structure or event have led the City to designate them as landmarks.

Trees, Street. Trees strategically planted--usually in parkway strips, sidewalks or road medians--to enhance the visual quality of a street.

Trip. A one-way journey that proceeds from an origin to a destination via a single type of vehicular transportation; the smallest unit of movement considered in transportation studies.

Trip Generation. The dynamics that account for people making trips in automobiles or by means of public transportation. Trip generation is the basis for estimating the level of use for a transportation system and the impact of additional development or transportation facilities on an existing, local transportation system.

Undevelopable. Specific areas where topographic, geologic, and/or surficial soil conditions indicate a significant danger to future occupants, or where public policy limits development in order to accomplish a public purpose (i.e. a riparian buffer zone).

Undue. Not proper, or more than necessary.

Unit. The basic term for counting homes. The number of units is the number of homes. A unit may be a single family house or an apartment in a multi-unit structure.

Urban Design. The attempt to give form, in terms of both beauty and function, to selected urban

areas or to whole cities. Urban design is concerned with the location, mass, and design of various urban components and combines elements of urban planning, architecture, and landscape architecture.

Urban Limit Line. That line drawn on a map and officially designated by the City which designates the extent to which urban services will be provided. Any change to the urban limit line is subject to certification by the California Coastal Commission.

Urban Open Space. The absence of buildings or development, usually in well-defined volumes, within an urban environment.

Use. The purpose for which a lot or structure is or may be leased, occupied, maintained, arranged, designed, intended, constructed, erected, moved, altered, and/or enlarged pursuant to the City's Zoning Ordinance and General Plan land-use designation.

Use by Right. Refers to land uses and activities which are designated in the City's General Plan/LCP as acceptable and legally permissible within a particular zoning district or land-use category, subject only to standards of development set forth in the General Plan/LCP, said ordinance, and to the provisions of CEQA, the city's design review requirements, the building code and other pertinent ordinances, and not otherwise conditional. (See "Use, Principal Permitted".)

Use, Principal Permitted. The primary use of land or of a main building, which use is intrinsically compatible with the purpose of the zone and which is permitted in the zone. If a use is listed in a specific zone as a principal permitted use, it means that the owner, lessee, or other person who has legal right to use the land has a vested right to conduct such principal permitted use in accordance with the other zoning regulations and policies of the General Plan/LUP without securing special permission (ie. a use permit) therefore, subject only to design and environmental and coastal resource impact review procedures and a Coastal Development Permit if in the Coastal Zone.

Useable Common Open Space. Space required as part of a multi-family residential development that is located and designed in such a way that it is useable by humans and is in addition to required yards, patios, and decks.

Utility Corridors. Rights-of-way or easements for utility lines on either publicly- or privately-owned property. (See "Right-of-way" or "Easement".)

Variance. A permit issued by the City, after making appropriate findings, to construct or carry on an activity not otherwise explicitly permitted under zoning regulations. The legal justification for a variance is that the property owner would otherwise suffer unique hardship under the zoning regulations because his or her particular parcel is different from others to which the regulations apply due to size, shape, topography, or location. As prescribed by California law, variances may not be granted to authorize a use or activity which is not otherwise authorized by the local zoning regulations.

Vendor. Any person who sells, offers for sale, any goods, wares, or merchandise at other than from a fixed place of business; provided, however, these words shall not be construed to apply to commercial travelers selling their goods to merchants or other business establishments licensed by the City, for present or future delivery.

Very Low-Income Household. Households with incomes not exceeding 50% of the area median income, as determined by a survey of incomes conducted by a city or a county, or in the absence of such a survey, based on the latest available eligibility limits established by the U.S. Department of Housing and Urban Development (HUD) for the Section 8 housing program.

Vested Right. The right to proceed with a development project or to continue with a project in progress. A vested right is achieved only when prior to February 1, 1973, a building permit has been obtained and substantial work has been done, and substantial liability has been incurred, all in good faith reliance upon permits obtained, provided the project complies and permits issued comply with all laws applicable at the time permits are issued. Once a land owner has secured a vested right, governmental bodies may not, by virtue of a change in zoning laws, prohibit construction duly and properly authorized by the permit upon which the developer relied. Vested rights may be achieved by the filing of "vesting tentative maps" and "development agreements", which are consistent with all of the provisions of the certified LCP.

View Corridor. The line of sight - identified as to height, width, and distance - of an observer looking toward an object of significance to the community (e.g., ridgeline, river, historic building, etc.).

Viewshed. The area within view from a defined observation point.

Volume-to-Capacity Ratio. The ratio of demand flow rate to capacity for a traffic facility.

Warehousing Use. A use engaged in storage, wholesaling, and distribution of manufactured products, supplies, and equipment, excluding bulk storage of materials that are flammable or explosive or that present hazards or conditions commonly recognized as offensive.

Watershed. The total area above a given point on a waterway that contributes water to its flow; the entire region drained by a waterway or watercourse which drains into a lake, reservoir or stream.

Waterway. Natural or once-natural flowing (perennially or intermittently) water including rivers, streams, and creeks; includes natural waterways that have been channelized, but does not include manmade channels, ditches, and underground drainage and sewage systems.

Wetland.

- (1) Wetland means lands which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water

marshes, swamps, mudflats, and fens. Wetlands are usually lands where the water table is at, near or above the land surface long enough to do either of the following: a) promote the formation of (hydric) soils that are saturated with water at or near the surface and are deficient of oxygen long enough during the growing season to result in soil properties that reflect dominate wetness characteristics near the soils surface (within 10"); or b) support the growth of hydrophytic plants which grow in water or in wet habitats, and include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deep-water habitats. The upland limit of a wetland shall be defined as:

(A) the boundary between land with predominantly hydrophytic cover and land with predominantly mesophytic or xerophytic cover;

(B) the boundary between soil that is predominantly hydric and soil that is predominantly nonhydric; or

(C) in the case of wetlands without vegetation or soils, the boundary between land that is flooded or saturated at some time during years of normal precipitation, and land that is not.

(2) The term "wetland" shall not include wetland habitat created by the presence of and associated with agricultural ponds and reservoirs where:

(A) the pond or reservoir was in fact constructed by a farmer or rancher for agricultural purposes; and

(B) there is no evidence (e.g., aerial photographs, historical survey, etc.) showing that wetland habitat pre-dated the existence of the pond or reservoir. Areas with drained hydric soils that are no longer capable of supporting hydrophytes shall not be considered wetlands.

Workplace Use. Businesses, from office to research and development to light industry to warehousing, located in structures built with open floor plans, so as to leave most interior improvements to the tenants to design to their needs.

Yard. An open space abutting a lot line unobstructed and unoccupied from the ground upward except for certain exceptions allowed herein. A yard shall be measured at right angles to the lot line and shall extend into the lot to the exterior wall of the building.

Yard, Front. A yard extending the full width of the lot abutting the front lot line.

Yard, Rear. A yard extending the full width of the lot abutting the rear lot line.

Yard, Side. A yard which extends from the front yard, or front lot line where no front yard exists, to the rear yard or rear lot line where no rear yard exists, and abutting the side lot line.

Zone. A portion of the territory of the City of Point Arena within which certain uniform regulations and requirements or combination thereof apply under the provisions of these Regulations. (Also see "Land-use Categories")

Zoning. The division of the City by legislative regulations into areas, or zones, which specify allowable uses for real property and size restrictions for buildings within these areas; a program that carries out policies of the General Plan.

Zoning District. A designated section of the City for which prescribed land-use requirements and building and development standards are uniform. (See also "Land-use Categories")