

CALIFORNIA COASTAL COMMISSION

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Staff: Tiffany S. Tauber
Staff Report: February 15, 2002
Hearing Date: March 6, 2002
Commission Action:

STAFF REPORT: REVISED FINDINGS

APPLICATION NO.:	1-01-052
APPLICANT:	THE ELEUTHERIAN PAN-COMMUNION OF ADIDAM
PROJECT LOCATION:	1512 Stagecoach Road, north of Trinidad, Humboldt County, (APN 517-011-05)
PROJECT DESCRIPTION:	After-the-fact authorization of a six-foot-high, wooden perimeter fence, gate, and landscaping.
GENERAL PLAN DESIGNATION:	Rural Residential, 5-acre minimum
ZONING DESIGNATION:	Rural Residential, Non-Certified Area
LOCAL APPROVALS REQUIRED:	None Required
OTHER APPROVALS REQUIRED:	None
COMMISSIONERS ON THE PREVAILING SIDE:	Commissioners Dessler, Dettloff, Hart, Susskind, Ruddock, Nava, Potter, Reilly, Woolley, and Wan
SUBSTANTIVE FILE DOCUMENTS:	CDP File No. 1-83-96 (Knight)

STAFF NOTES:

1. Procedure

On December 14, 2001, the Commission approved the permit with conditions to mitigate impacts related to visual resources different from the conditions originally recommended by staff. The original staff recommendation dated November 21, 2001 recommended three special conditions. Special Condition No. 2 of the staff report would have required the applicant to submit revised fence plans that would provide for a more open-style gate across the driveway. At the hearing, staff deleted Special Condition No. 2 requiring an open-style gate from the staff recommendation. In addition, at the hearing, the Commission added a special condition (a new Special Condition No. 2) requiring the applicant to submit revised plans that would provide for lowering the portion of the fence extending along the eastern property boundary (along Stagecoach Road) and the driveway gate from approximately six-feet-high to a maximum of four-feet-high. No changes were made to recommended Special Conditions No. 1 and 3. Special Condition No. 1 requires the applicant to submit a landscaping plan that would provide for extensive native landscaping to screen the fence. Special Condition No. 3 requires the applicant to satisfy all prior to issuance conditions within 60 days of Commission action on the coastal development permit. As the Commission's actions on the project differed from the written staff recommendation dated November 21, 2001, staff has prepared the following set of revised findings for the Commission's consideration as the needed findings to support its action on the permit.

The changes from the original staff report dated November 21, 2001 include the new Special Condition No. 2 found on page 5 and the associated findings under Finding No. 3, "Visual Resources," beginning on page 7.

The Commission will hold a public hearing and vote on the revised findings at its March 6, 2002 meeting. The purpose of the hearing is to consider whether the revised findings accurately reflect the Commission's previous action rather than to reconsider whether the appeal raises a substantial issue or to reconsider the merits of the project or the appropriateness of the adopted conditions. Public testimony will be limited accordingly.

2. Concurrent Review of Reconsideration Request

After the Commission's action on the permit application at the December meeting, the applicant submitted a Reconsideration Request. The Commission will consider the Reconsideration Request on CDP 1-01-052 at the same March, 2002 meeting and may decide to have a joint hearing on both the Revised Findings and the Reconsideration Request, with two separate votes.

3. Standard of Review

The proposed project is located on the west side of Stagecoach Road north of the City of Trinidad in Humboldt County. Humboldt County has a certified LCP. However, the project is located in an area of deferred certification (ADC). Therefore, the standard of review that the Commission must apply to the project is the Chapter 3 policies of the Coastal Act.

I. MOTION, STAFF RECOMMENDATION AND RESOLUTION:

Staff Recommendation:

The staff recommends that the Commission adopt the revised findings in Section IV below in support of the Commission's action on December 14, 2001 approving the project with conditions. The proper motion is:

Motion:

I move that the Commission adopt the revised findings, in support of the Commission's action on December 14, 2001, approving Coastal Development Permit No. 1-01-052, with conditions.

Staff Recommendation of Approval

Staff recommends a YES vote on the motion. Passage of this motion will result in the adoption of revised findings as set forth in this staff report. The motion requires a majority vote of the members from the prevailing side present at the December 14, 2001 hearing, with at least three of the prevailing members voting. Only those Commissioners on the prevailing side of the Commission's action are eligible to vote on the revised findings. See the listing of eligible Commissioners on Page 1.

Resolution to Adopt Revised Findings:

The Commission hereby adopts the findings set forth below for the approval with conditions of Coastal Development Permit No. 1-01-052 on the ground that the findings support the Commission's decision made on December 14, 2001 and accurately reflect the reasons for it.

ACTION ON COASTAL DEVELOPMENT PERMIT ON DECEMBER 14, 2001

Adopted Resolution to Approve Permit:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. Standard Conditions: See Attachment A.

III. Special Conditions:

1. Revised Landscaping Plan

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit a revised landscaping plan prepared by a qualified professional with expertise in the fields of landscaping or botany, such as a landscape architect or botanist, for the review and approval of the Executive Director. The landscaping plan shall substantially conform with the plan received by the Commission on November 6, 2001 from James Caledine except that the plan shall also provide for the following:

- (a) Landscaping shall be planted along all three lengths of the fence to minimize the visual impacts to Stagecoach Road and shall include the planting of plants or shrubs on at least three-foot centers along the entire span of each of the three lengths of fence;
- (b) The landscaping shall include only native species or non-invasive, non-native species commonly found along Stagecoach Road and shall include a planting plan detailing the specific locations where individual plants and shrubs would be planted;
- (c) Specifications shall be included to indicate species, size at planting, height at maturity, and establishment techniques (e.g., irrigation, fertilization, etc.);
- (d) A site map showing the type, size, and location of all plant materials that will be planted at site, the irrigation system, and all other landscape features;

- (e) A schedule for installation of the plants;
 - (f) All planting shall be completed within 60 days of receipt of the coastal development permit. The applicant shall notify the Executive Director in writing when the vegetation has been planted, and Commission staff shall verify the planting via a site visit or by examining photographs submitted by the applicant.
 - (g) All required plantings shall be maintained in good growing condition throughout the life of the project, and wherever necessary, shall be replaced with new plant materials to ensure continued compliance with the approved landscaping plan.
 - (h) The installed landscaping shall achieve 80% coverage of the fence within three years of planting. Monitoring to determine if the success standard has been achieved shall be conducted in the fall after the summer dry season. Monitoring shall continue each year for three years or until the success standard has been achieved. Monitoring reports shall be submitted to the Executive Director by October 1 of each year and shall contain accurate counts of the numbers of plants that survived or died, a plan showing the location of plants that did not survive, a narrative assessment of the general condition of the vegetation along the fence, an analysis of reasons for any failure of the planting, photographs of the landscaping, and an evaluation of whether the 80% coverage standard will be or has been achieved within three years of planting. If a report indicates that the plants will not be or have not been successful in part, or in whole, the applicant shall submit for the review and approval of the Executive Director a revised landscaping program containing recommendations for any additional planting and other corrective measures needed to achieve the 80% coverage performance standard. The revised landscaping program shall require an amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.
- B. The permittee shall undertake development in accordance with the approved final plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.
2. Revised Fence Plans
- A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit a revised plan for the design of the fence to the Executive Director for review and approval. The revised plan shall provide for lowering the portion of the fence extending along the eastern property boundary (along

Stagecoach Road) and the driveway gate from approximately six-feet-high to a maximum of four-feet-high.

- B. The permittee shall undertake development in accordance with the approved final plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

3. Condition Compliance

- A. **WITHIN 60 DAYS OF COMMISSION ACTION ON THIS COASTAL DEVELOPMENT PERMIT APPLICATION**, or within such additional time as the Executive Director may grant for good cause, the applicant shall satisfy all requirements specified in the conditions hereto that the applicant is required to satisfy prior to issuance of this permit. Failure to comply with this requirement may result in the institution of enforcement action under the provisions of Chapter 9 of the Coastal Act.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

1. Site Description & Project Description

The project site is a blufftop lot located on the west side of Stagecoach Road approximately ¼ mile south of the northern intersection with Patricks Point Drive and approximately 2.2 miles north of Trinidad (Exhibit Nos. 1 & 2). The site is located in an area of low-density, rural residential development along a densely vegetated, narrow road corridor. The blufftop lot is at an elevation of approximately 200 feet above sea level and is developed with a single-family residence built pursuant to a coastal development permit approved by the Commission in 1983 (CDP No. 1-83-96, Knight). The site and surrounding area is vegetated with a spruce forest community containing spruce, alder, wax myrtle, ferns, huckleberry, salal, and related undergrowth species.

The applicant seeks after-the-fact authorization of a six-foot-high, solid wood perimeter fence, gate, and landscaping. The fence is constructed of 1' x 6' vertical redwood slats, 2' x 8' horizontal redwood slats across the top, 6" x 6" vertical posts spaced every ten feet, and a similarly designed gate across the driveway (Exhibit No. 5). The fence extends along the north, east, and south property boundaries for approximately 124, 186, and 127 linear feet respectively (Exhibit No. 3). The applicants indicate that the purpose of the fence is to provide security and privacy, as the residence is used from time to time as a retreat for the applicants' spiritual leader. The project does not involve a change of use, as the property and existing residence is not used for church assembly.

The applicants are proposing landscaping along the eastern fence line paralleling the road to screen the view of the fence from Stagecoach Road. The applicants propose to plant two types of vegetation native to the area including 32 Garrya bushes (silk tassel) and 22 Clematis vines (Exhibit No. 4). The applicants also propose to install landscaping irrigation to help establish the vegetation.

2. Need for a Permit

Section 30601(a) of the Coastal Act exempts certain improvements to existing single-family residences from coastal development permit requirements. Section 30610 states in applicable part that:

Notwithstanding any other provision of this division, no coastal development permit shall be required pursuant to this chapter for the following types of development and in the following areas:

(a) Improvements to existing single-family residences; provided, however, that the commission shall specify, by regulation, those classes of development which involve a risk of adverse environmental effect and shall require that a coastal development permit be obtained pursuant to this chapter.

The proposed development is the kind of improvement to an existing single-family residence that the Commission, pursuant to Section 13250 of its administrative regulations, has determined involves a risk of adverse environmental effect and shall require a permit. Section 13250 of the Commission's administrative regulations states in applicable part:

(b) Pursuant to Public Resources Code Section 30610(a), the following classes of development require a coastal development permit because they involve a risk of adverse environmental effect:

(4) On property...that is located between the sea and the first public road paralleling the sea...any significant non-attached structure such as garages, fences, shoreline protective works, or docks.... (emphasis added)

The project site is located between the sea and the first road paralleling the sea and the proposed development, a fence, is specifically listed as a significant non-attached structure requiring a permit. Therefore, the improvement to an existing single-family residence is not exempt from permit requirements under Coastal Act Section 30610 (a).

3. Visual Resources

Section 30251 of the Coastal Act states that the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance, and requires in applicable part that permitted development be sited and designed to protect views to and along the ocean and

scenic coastal areas, to minimize the alteration of natural land forms, and to be visually compatible with the character of surrounding areas.

The applicant seeks after-the-fact authorization for a six-foot-high, solid wood fence along the north, east, and south property boundaries of the subject parcel with a gate and landscaping. The installation of the fence does not involve any grading and thus, the alteration of natural land forms is minimized as required by Section 30251. Therefore, the proposed project raises two issues with regard to consistency with the visual resource protection standards of Section 30251 including whether the fence (1) is visually compatible with the character of the surrounding area and (2) protects views to and along the ocean and coastal scenic areas.

Visual Compatibility with the Character of the Surrounding Area

The site is located on the west side of Stagecoach Road in an area of low-density, rural residential development on heavily forested lots. Stagecoach Road is a narrow, public road within a densely vegetated travel corridor that provides public access to several coastal recreation areas including Trinidad State Beach to the south and Patricks Point State Park to the north. The proposed project does not involve the removal of any trees or major vegetation and would not be visible from any park or public recreation area, only from the public road.

The character of the area is largely defined by the dense, native spruce forest and coastal scrub vegetation along the east and west sides of the road corridor. As a result of the densely vegetated character of the area, very little development is actually visible from Stagecoach Road with the exception of occasional rooftops and scattered property fences. While there are some other fences along the road that are of a solid design and similar height as the proposed fence, they are scattered along the length of the road and are not present on most properties. The dense vegetation is the dominant characteristic of the area; fences themselves do not define the character of the area.

The vegetation planted and proposed along the fence will help to partially screen the fence from view and, in part, increase the compatibility of the fence with the densely vegetated character of the surrounding area. However, the Commission finds that planting vegetation alone is not sufficient to find consistency with the character compatibility requirement of Section 30251, as the mass of the fence itself is out of character with the surrounding area. There are no other significantly visible fences along the street frontage of the properties on either side of the subject property, which results in the proposed fence being even more visually prominent among the adjacent dense vegetation. Fences elsewhere along the road are at a lower, three to four foot height and of an open-style design, such as wooden posts and wire, that provides greater compatibility with the character of the area in that they are less visually prominent. Many of these open-style fences are also covered with vegetation common to the area that furthers their compatibility with the character of the area. Although a few solid tall fences exist along the west side of Stagecoach Road, none of these are in the immediate vicinity of the subject property, and such fences are not typical of fences found in the area. Therefore, these tall, solid fences are not an element of the character of the particular setting in which the applicant's fence is located.

Thus, as the proposed fence is both tall and solid in its design, and creates a structural mass at the front of the subject property that is not present along the street frontage of adjacent properties and is not typical of the properties along Stagecoach Road, the Commission finds it necessary to require the height of the fence to be lowered in addition to planting vegetative screening to find consistency with the character compatibility requirement of Section 30251. Thus, the Commission attaches Special Condition No. 2 which requires the applicant to submit a revised plan for the design of the fence to the Executive Director for review and approval prior to issuance of the coastal development permit. The revised plan is required to provide for lowering the portion of the fence extending along the eastern property boundary (along Stagecoach Road) and the driveway gate from approximately six-feet-high to a maximum of four-feet-high.

Even after the portion of the fence along the street frontage is lowered, as required by Special Condition No. 2, the solid nature of the fence would still create more visual impact than the more open style fences, or those that are overgrown with vegetation. When the fence was originally constructed, the applicants planted vegetation along the eastern fenceline which has been only partially successful in screening the fence, as some of the plantings did not survive due to what the applicants attribute to lack of light and irrigation. The applicants are proposing to provide additional native landscaping along the eastern fence line facing Stagecoach Road including *Garrya* shrubs (silk tassel) and *Clematis* vines.

To ensure that the fence is adequately screened in a manner consistent with the character of the area, the Commission attaches Special Condition No. 1 which requires the applicant to submit a revised landscaping plan for review and approval of the Executive Director. In addition to the length of fence on the eastern property boundary that parallels the road, the lengths of fence that are perpendicular to the road along the north and south property boundaries are also visible when traveling northbound and southbound along Stagecoach Road. As the applicants are proposing only to provide landscaping along the eastern fence line, Special Condition No. 1 requires that the revised landscaping plan provide for native landscaping along all three lengths of the fence to screen the fence from view in all directions along the public road. Furthermore, due to the limited success of previous landscaping attempts, the Commission finds that it is also necessary to require a mechanism to monitor and maintain the health of the vegetation to ensure its successful establishment. The landscaping plan requires specifications including species, size at planting, height at maturity, and establishment techniques including irrigation and fertilization. Special Condition No. 1 also requires that the installed landscaping achieve 80% coverage of the fence within three years of planting to ensure that it achieves consistency with the character of the area as discussed above. Monitoring reports are required to be submitted to the Executive Director by October 1 of each year and a narrative assessment of the general condition of the vegetation along the fence, an analysis of reasons for any failure of the planting, photographs of the landscaping and an evaluation of whether the 80% coverage standard will be or has been achieved within three years of planting. If a report indicates that the plants will not be or have not been successful in part, or in whole, the applicant is required to submit for the review and approval of the Executive Director a revised landscaping program containing recommendations for any additional planting and other corrective measures needed to achieve the 80% coverage

performance standard and obtain a permit amendment unless the Executive Director determines that no amendment is legally required.

Protection of Views To and Along the Ocean and Coastal Scenic Areas

As noted above, views of the ocean from Stagecoach Road are limited by the intervening dense spruce forest vegetation and the distance from the road to the ocean (approximately 125 feet at the subject property). As seen from Stagecoach Road, the subject property affords only a minimal blue water view corridor across the property down the area of the driveway entrance. The majority of the former ocean view across the property was obstructed with the construction of the single-family residence approved under CDP No. 1-83-96. The Commission notes that CDP No. 1-83-96 did not require the establishment of a view corridor across the site, or otherwise require the view to be maintained. The permit did include a condition that limited additional tree removal beyond the project proposal and required the maintenance of native vegetation on the site to maintain compatibility with the densely vegetated character of the area. However, maintenance of the densely forested site also minimizes any ocean view across the property. Thus, the Commission finds that the proposed fence would not result in a significant adverse impact on views to or along the coast.

Conclusion

The fence for which the applicant is seeking after-the-fact authorization is not visible from any public beach or public park lands and does not involve grading or any other form of natural landform alteration. However, the fence has been constructed along a public roadway that provides access to coastal recreation areas and visitor serving facilities and the fence is not compatible with the character of the area as tall solid fences along the street frontage are not typical for the area. As conditioned, the height of the fence would be lowered from six-feet-high to a maximum of four-feet-high to minimize the overall mass of the fence to ensure its compatibility with the character of the area. Furthermore, as conditioned, additional landscaping would be planted and maintained along the fence to ensure that the fence would be screened from view with vegetation in a manner that is visually compatible with the character of the surrounding area, namely the densely vegetated road corridor and similarly vegetated property fences. Therefore, the Commission finds that the proposed development as conditioned is consistent with Section 30251.

4. Public Access

Section 30210 of the Coastal Act requires that maximum public access shall be provided consistent with public safety needs and the need to protect natural resource areas from overuse. Section 30212 of the Coastal Act requires that access from the nearest public roadway to the shoreline be provided in new development projects except where it is inconsistent with public safety, military security, or protection of fragile coastal resources, or adequate access exists nearby. Section 30211 requires that development not interfere with the public's right to access gained by use or legislative authorization. Section 30214 of the Coastal Act provides that the

public access policies of the Coastal Act shall be implemented in a manner that takes into account the capacity of the site and the fragility of natural resources in the area. In applying Sections 30210, 30211, 30212, and 30214, the Commission is also limited by the need to show that any denial of a permit application based on these sections, or any decision to grant a permit subject to special conditions requiring public access, is necessary to avoid or offset a project's adverse impact on existing or potential access.

Although the project site is located between the first public road (Stagecoach Road) and the sea, it will not otherwise adversely affect public access. There are no trails that provide shoreline access through the subject property and therefore, the fence would not result in a barrier to public coastal access. Furthermore, the proposed fence would not change the nature or intensity of use of the site and thus, would not create any new demand for public access or otherwise create any additional burdens on public access.

Therefore, the Commission finds that the proposed project does not have any significant adverse effect on public access, and that the project as proposed without new public access is consistent with the requirements of Coastal Act Sections 30210, 30211, 30212, and 30214.

5. Religious Land Use And Institutionalized Persons Act of 2000

The Commission notes that its action on the proposed development is not based upon any animus toward the religious affiliation of the applicant. The Commission has reviewed the provisions of the Religious Land Use and Institutionalized Persons Act (RLUIPA), which prohibit certain actions even if *not* based upon animus, to ensure that its actions are not in violation of federal law in any other way. Section 2 of RLUIPA ("Protection of Land Use as Religious Exercise"), 42 U.S.C. § 2000cc, contains four separate prohibitions on government action.¹

Pursuant to that section, the Commission may not "implement a land use regulation . . ."

- "in a manner that imposes a substantial burden on the religious exercise of a[n] . . . institution, unless the imposition of the burden . . . (A) [furthers] . . . a compelling governmental interest; and (B) is the least restrictive means of furthering that compelling governmental interest" (RLUIPA Section 2(a));
- "in a manner that treats a religious assembly or institution on less than equal terms with a non-religious assembly or institution" (RLUIPA Section 2(b)(1));
- "that discriminates against any assembly or institution on the basis of religion or religious denomination" (RLUIPA Section 2(b)(2)); or
- "that (A) totally excludes religious assemblies from a jurisdiction; or (B) unreasonably limit religious assemblies, institutions, or structures within a jurisdiction" (RLUIPA Section 2(b)(3)).

¹ These prohibitions apply to all state agencies, including the Commission. 42 U.S.C. § 2000cc-5(4).

These sections are inapplicable, initially, because the Commission's action does not involve the implementation of a "land use regulation" as RLUIPA defines that phrase. RLUIPA specifically defines "land use regulation" to mean "a zoning or landmarking law . . . that limits or restricts a claimant's use or development of land . . . if the claimant has an ownership, leasehold, easement, servitude, or other property interest . . . or a contract or option to acquire such an interest." RLUIPA Section 8(5); 42 U.S.C. § 2000cc-5(5). The Coastal Act provisions implemented by the Commission's decision are neither zoning nor landmarking laws that limit or restrict the applicant's use or development of the subject property.

Furthermore, even if the Commission's action were to constitute implementation of a "land use regulation" for purposes of RLUIPA, it meets none of the four criteria listed above. Regarding the first prohibition, in RLUIPA Section 2(a), the Commission notes that the subject site is not used for church assembly and therefore, the Commission's action imposes no substantial burden on the applicant's religious exercise. The proposed development is not designed to facilitate the exercise of religion (much less is it central to such exercise). Thus, the imposition of conditions on the project does not burden the applicant's exercise of religion, much less substantially burden it.

Secondly, with respect to RLUIPA Section 2(b)(1), the Commission's action treats the applicant on terms that are identical to those it would apply to any non-religious entity applying for the same development. It is the nature of the proposed development, and the fact that it involves coastal resource impacts, rather than the nature of the applicant, that is critical to the Commission's decision.

Finally, the Commission's action does not discriminate against the applicant on the basis of religion or religious denomination, and it does not exclude or unreasonably limit religious assemblies or institutions from any jurisdiction. Consequently, the Commission concludes that its action is not in violation of the Religious Land Use and Institutionalized persons Act of 2000.

6. Alleged Violation

As noted above, the fence was constructed at the site in an area within the Commission's jurisdiction without the benefit of a coastal development permit. Consideration of this application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act. Review of this permit does not constitute a waiver of any legal action with regard to the cited alleged violation nor does it constitute an admission as to the legality of any development undertaken on the subject site without a coastal permit.

7. California Environmental Quality Act (CEQA)

Section 13096 of the Commission's administrative regulations requires Commission approval of a coastal development permit application to be supported by findings showing that the application, as modified by any conditions of approval, is consistent with any applicable requirement of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of

CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available, which would substantially lessen any significant adverse effect the proposed development may have on the environment.

The Commission incorporates its findings on Coastal Act consistency at this point as if set forth in full. As discussed above, the proposed project has been conditioned to be found consistent with the policies of the Coastal Act. These findings address and respond to all public comments regarding potential significant adverse environmental effects of the project. Mitigation measures which will minimize or avoid all significant adverse environmental impact have been required. As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse impact that the activity would have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, can be found consistent with the requirements of the Coastal Act and to conform to CEQA.

EXHIBITS:

1. Regional Location
2. Vicinity Map
3. Site Plan
4. Landscaping Plan
5. Fence Typical

ATTACHMENT A

Standard Conditions:

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Interpretation. Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.



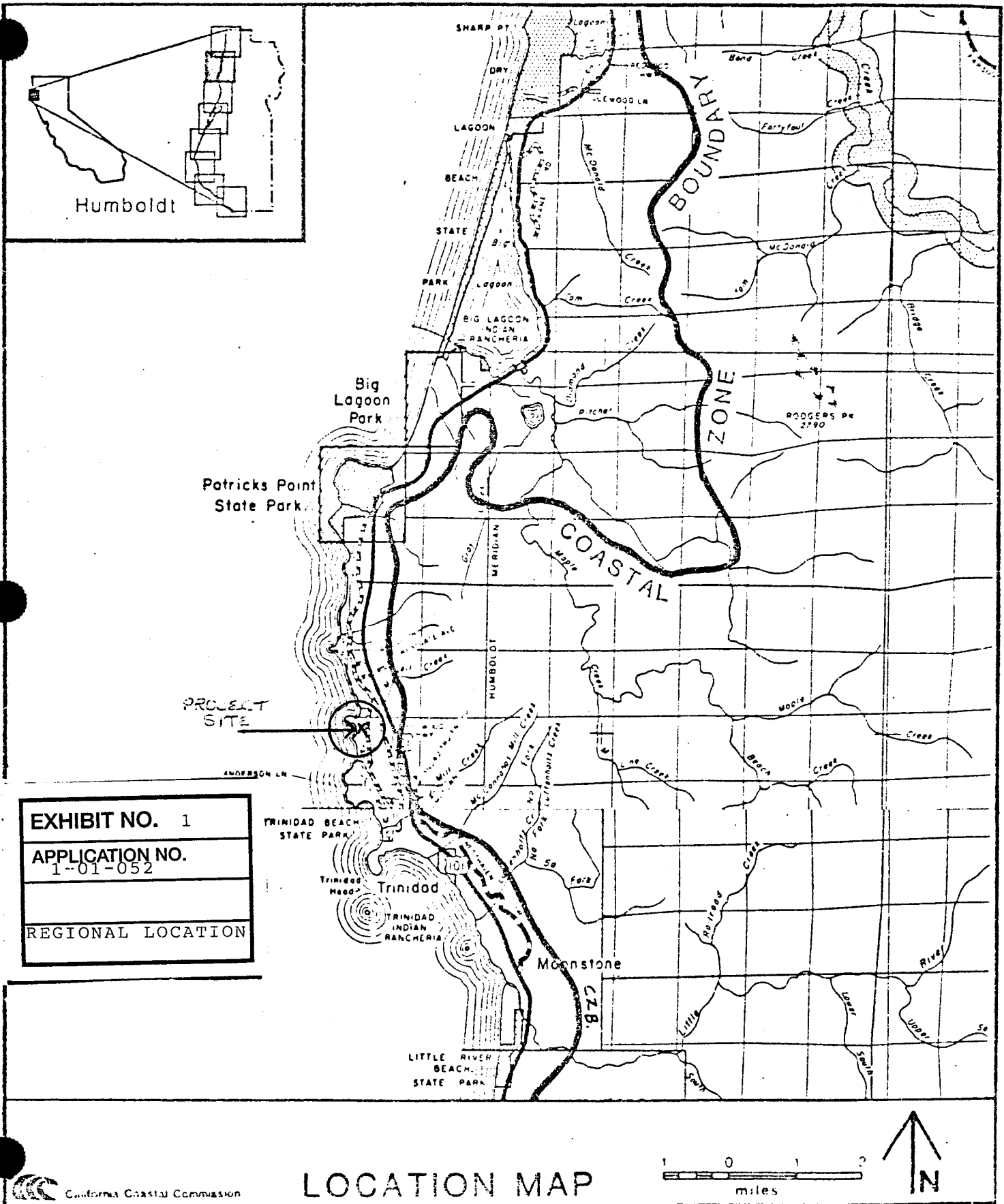
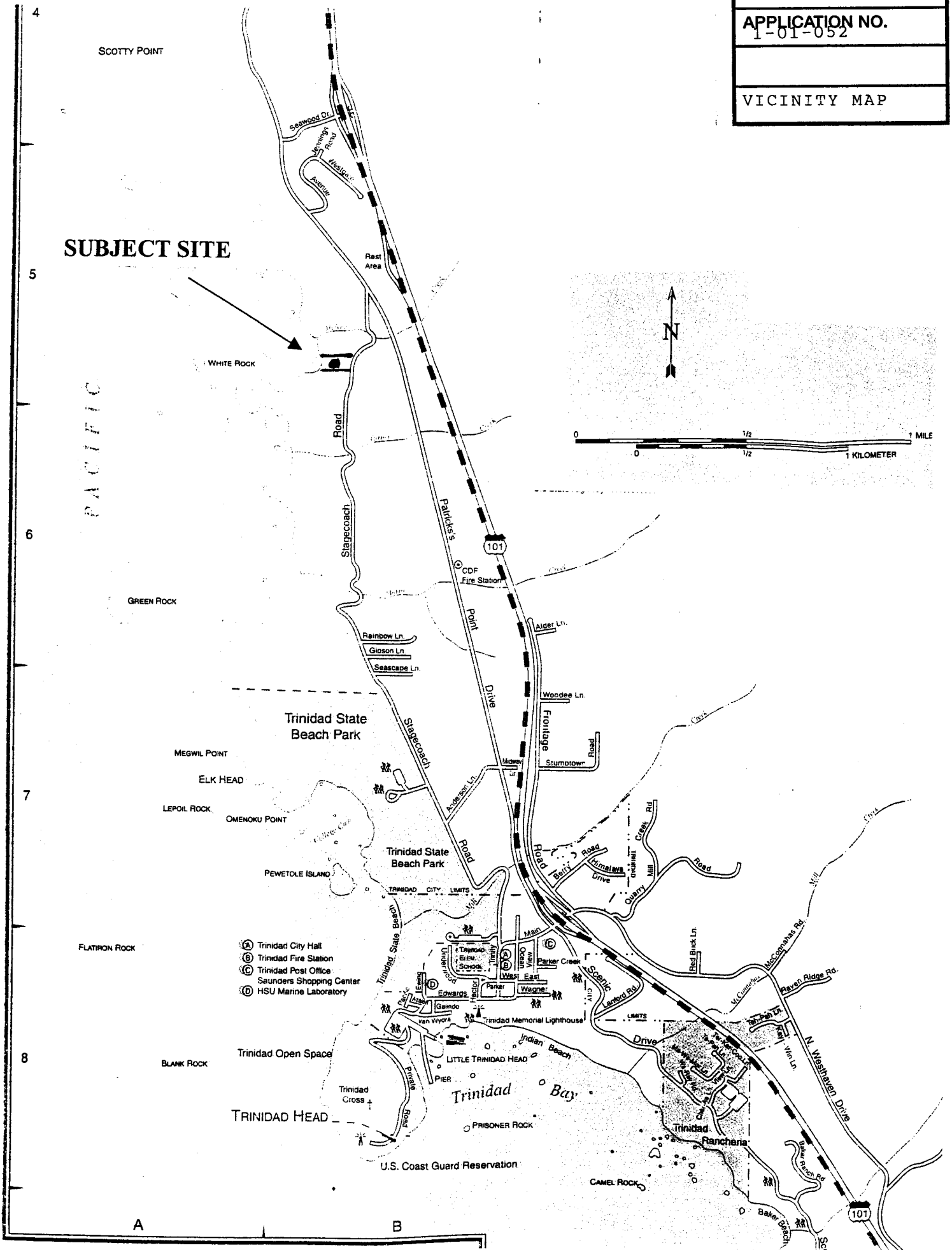


EXHIBIT NO. 2

APPLICATION NO.
1-01-052

VICINITY MAP

SUBJECT SITE



1512 Stagecoach Road

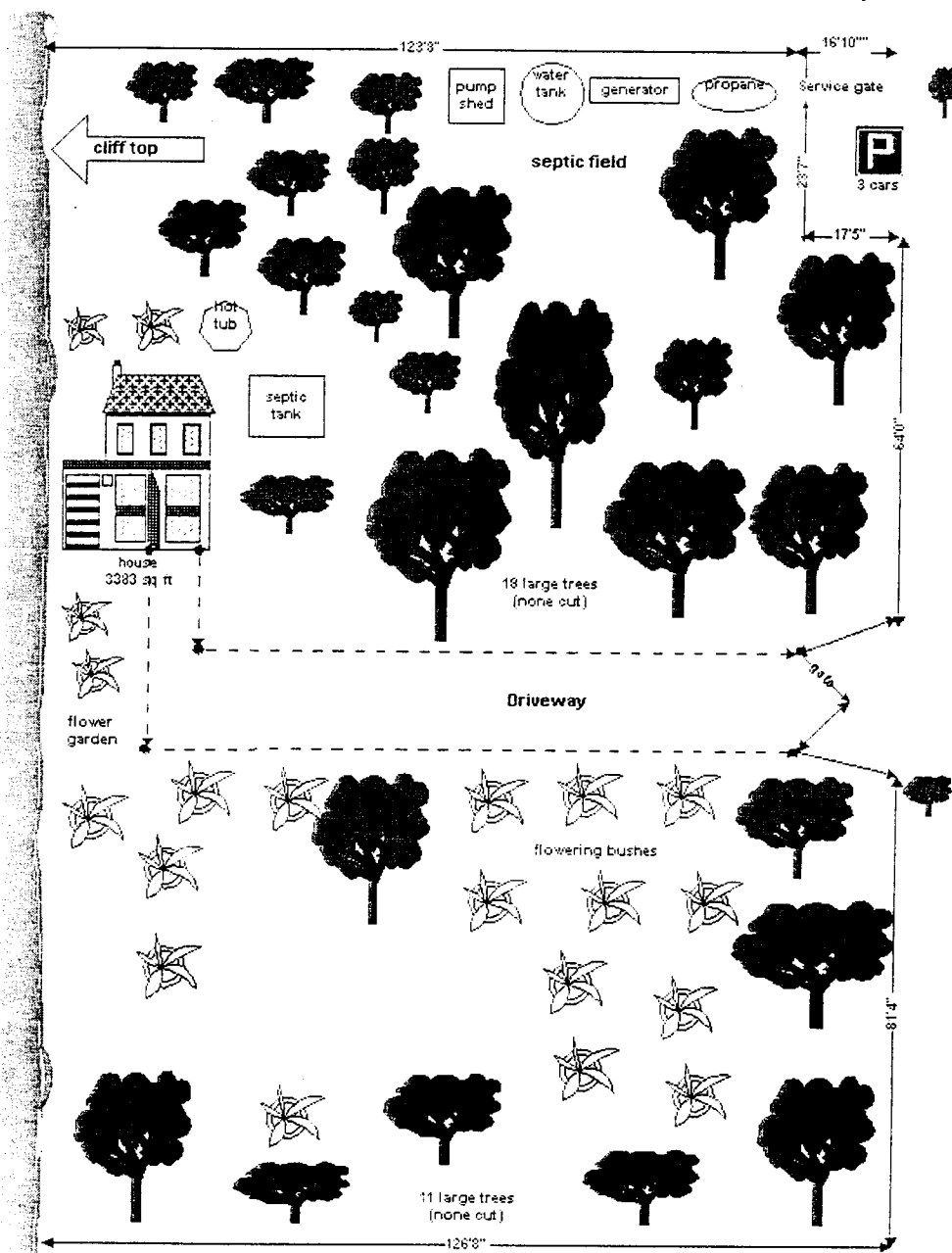


EXHIBIT NO. 3
APPLICATION NO. 1-01-052
SITE MAP

The Eleutherian Pan Communion of Adidam

EXHIBIT NO.	4
APPLICATION NO.	1-01-052
LANDSCAPING PLAN (2 pages)	

Reply to:
North Coast Office,
636 Patrick's Point Drive,
Trinidad, California,

Tiffany S. Tauber,
Coastal Planner,
California Coastal Commission,
710 E Street, Suite 200,
Eureka, CA 95501-1865

RECEIVED
NOV 06 2001
CALIFORNIA
COASTAL COMMISSION

Dear Ms. Tauber,

In conjunction with our development permit application relative to 1512 Stagecoach Road, here is the additional information you requested:

- 1) **LANDSCAPING:** Landscaping is proposed as part of the development. Information is contained in the section immediately below.
- 2) **LANDSCAPING PLAN:** At the time of initial construction, approximately \$600 was spent for nursery stock, for plantings across the front of the fence. These plantings have not done well due to:
 - a) lack of sunlight, particularly on the north section of the fence
 - b) lack of irrigation

There are three sections of the fence which run parallel to Stagecoach Road; from north to south, first there is a section of 28'7"; the second is 64'0"; the third is 81'4"

Each of these sections will receive plantings having as their intention to increase overall vegetation, and enhance the beauty of the area.

The first area will receive 6 Garrya bushes, placed about 4' apart; The second will receive 16 Garrya buses, about 4' apart; the third will also received 16 Garrya bushes averaging 5' apart, for the reason that there is significantly more vegetation in this area at present.

The bushes when planted will be approximately 40" tall on planting, and will be very thick and dense. They can be expected to equal or significantly exceed the height of the fence in about 2 years. They should also do well in the light conditions that exist.

In addition, along the entire front area of the fence we will plant approximately 22 Clematis vines, which will densely cover the face of the fence, while also offering attractive white flowers at certain times.


The Eleutherian Pan Communion of Adidam

We will also add irrigation to cover all of these plantings. We estimate the total cost of these improvements to be \$1750

- 3) **FENCE PLAN:** We enclose drawings of the fence construction. The post caps, however, have not been used.

I hope this gives you the information you need.

THE ELEUTHERIAN PAN COMMUNION OF ADIDAM



James Calladine
Regional Manager

EXHIBIT NO. 5
APPLICATION NO. 1-01-052
FENCE TYPICAL

