

## CALIFORNIA COASTAL COMMISSION

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# W16b

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 Staff: Melissa B. Kraemer  
 Staff Report: April 22, 2010  
 Hearing Date: May 12, 2010  
 Commission Action:

## STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: **1-91-012-A2**

APPLICANT: **Stephen & Deborah Wolfe**

AGENT: LSN Architects

PROJECT LOCATION: 33351 Navarro Ridge Road, approximately one-half mile east of State Highway One, south of the community of Albion, in Mendocino County (APN 123-380-09).

DESCRIPTION OF PROJECT ORIGINALLY APPROVED: Construction of a 20-ft-high, 640-square-foot, one-story single-family residence, a 17-foot-high 1,440-square-foot detached garage, a 15,400-square-foot gravel driveway, an on-site septic system, a well, and landscaping.

DESCRIPTION OF AMENDED PROJECT APPROVED UNDER PERMIT AMENDMENT NO. 1-91-012-A1: Redesign and resite the previously approved residence and garage resulting in a 20.5-foot-high, 640-square-foot single-family residence (with a 320-square-foot loft) and a 960-square-foot, 21-foot-high garage.

DESCRIPTION OF CURRENT AMENDMENT REQUEST: (1) Convert the existing 640-square-foot single-family residence (with a 320-square-foot loft) to a guest cottage by removing the existing kitchen plumbing and appliances; (2) construct a new approximately 17-foot-high, 2,850-square-foot, one-story single-family residence; (3) repaint the trim on and refinish the shingle wall coverings of the

existing structures on the property to colors and finishes that will match the new residence and be more visually subordinate to the surrounding highly scenic area than the existing highly visible white trim and light shingles.

LOCAL PLAN DESIGNATION: Remote Residential – one parcel every 20 acres (RMR-20).

LOCAL ZONING DESIGNATION: Remote Residential with a Special Minimum Lot Size Combining District, minimum lot area of one unit per 20 acres and maximum dwelling density of one unit per 20 acres (RMR:L-20).

LOCAL APPROVALS REQUIRED: None.

OTHER APPROVALS REQUIRED: None.

SUBSTANTIVE FILE DOCUMENTS: (1) CDP File No. 1-91-012 (Price);  
(2) CDP File No. 1-91-012-A (Wolfe);  
(3) *Botanical Survey and ESHA Assessment for the Wolfe Property*, prepared by Playalina Nelson, Santa Rosa, CA, July 2009; and  
(4) Mendocino County Local Coastal Program

### **SUMMARY OF STAFF RECOMMENDATION**

Staff recommends that the Commission approve with conditions the proposed amended development to (1) convert the existing 640-square-foot single-family residence (with a 320-square-foot loft) to a guest cottage by removing the existing kitchen plumbing and appliances; (2) construct a new approximately 17-foot-high, 2,850-square-foot, one-story single-family residence; (3) repaint the trim on and refinish the exterior shingle wall coverings of the existing structures on the property to colors and finishes that will match the new residence and be more visually subordinate to the surrounding highly scenic area than the existing highly visible white trim and light shingles (Exhibit No. 4).

On April 8, 1991 the Commission granted CDP No. 1-91-012 to Robert and Joyce Price for the construction of a 20-foot-high, 640-square-foot, one-story single-family residence, a 17-foot-high, 1,440-square-foot detached garage, a 15,400-square-foot gravel driveway, an on-site septic system, a well, and landscaping (Exhibit No. 6). After approving two permit time extensions for the development in 1993 and 1994, on March 8, 1995 the Commission approved an amendment to the permit (CDP Amendment No. 1-91-012-A1) to allow for the redesign and resiting of the previously approved residence and garage (which had not yet been built) to result in a 20.5-foot-high 640-square-foot single-family

residence (with a 320-square-foot loft) and a 21-foot-high, 960-square-foot garage (Exhibit No. 7).

The subject site, a 10-acre parcel, is located about one-half mile east of Highway One off of Navarro Ridge Road, approximately 1.5-miles south of Albion, on Navarro Ridge approximately 500 feet above the Navarro River estuary (Exhibit Nos. 1-2). The parcel is located near the top of the ridge on gently sloping open terrain with a more or less southern aspect. Portions of the ridge-top lot are highly visible from certain portions of Highway One when driving north, including from the Navarro River bridge. The site also is visible from certain portions of Navarro Beach Road and from Navarro State Beach. Although the site is east of Highway One, it is in a designated "Highly Scenic Area" under the Mendocino County LCP due to the visibility of the ridge from various public vantage points and the extremely scenic nature of this portion of the coast (Exhibit No. 5).

The existing house and garage located on the site appear visually prominent from certain public vantage points, because the existing house currently projects above the ridgeline and the trees required to be planted by the permit conditions (of the original permit and first permit amendment) have not yet grown tall enough to create a backdrop, and because of the prominent white trim used on the structures and the color of exterior siding, which has become weathered and lightened over time. The proposed new residence would be sited west of the existing structures.

The applicants installed story poles at the subject site to delineate the perimeter and height of the proposed new residence for purposes of permit review. Based on a site visit to view the story poles as well as visual simulations developed by the applicant, Commission staff determined that due to the topography of the site and the grading proposed for the new house pad, less than one third of the overall southern elevation of the house will be visible from Navarro Beach (see Exhibit No. 5).

LUP Policy 3.5-4 and CZC Section 20.504.015(C)(8) require that the visual impact of development on ridges be minimized in part by prohibiting development that projects above the ridgeline, unless no alternative site is available below the ridgeline, in which case development shall utilize existing vegetation, structural orientation, and landscaping to reduce visual impacts and shall be limited to a single story above natural elevation. In this case, because the parcel is a ridge-top lot with a gently sloping southerly aspect, there is no alternative to the development projecting at least somewhat above the ridgeline. Constructing the new house immediately downslope of the proposed house site would result in the structure being unacceptably prominent, as less of the development would be screened by the shoulder of the ridge which blocks some views of the proposed development site. Further down the slope beyond the shoulder, the slope becomes too steep to feasibly develop a house. Building north (upslope) of the proposed house site also would result in a more visibly prominent house that projects higher above the ridgeline than building on the proposed site due to rise in slope. Thus, staff believes that the applicants have chosen the site alternative that results in the least visual impact, and the visual impact will be further reduced by excavating the building pad into the ground

several feet to better blend the house into the landscape. Therefore, staff recommends that the Commission find that there are no feasible alternative development sites on the property that would eliminate or further reduce the projection of the new structure above the ridgeline.

To ensure consistency with the visual resources protection (among other) policies of the certified Mendocino County LCP, staff is recommending the following special conditions:

- Add Special Condition No. 5 to require the applicants to execute and record a deed restriction detailing the specific development authorized under the permit; identifying all applicable special conditions attached to the permit; providing notice to future owners of the terms and limitations placed on the use of the property, including restrictions on colors, materials, and lighting; and ensuring that any future buyers of the property are made aware of the development restrictions on the site because the deed restriction will run with the land in perpetuity;
- Add Special Condition No. 6 to require adherence to certain design and lighting restrictions including (a) only the proposed building materials and colors are to be used in the construction of the development; (b) the current owner or any future owner may not repaint or stain the house or other structures on the property with products that would lighten the color of the structures from the proposed and approved colors without a permit amendment; (c) a prohibition on the use of reflective glass, reflective exterior finishings, or reflective roofing; and (d) a requirement that all exterior lights be the minimum necessary for the safe ingress and egress of structures and be low-wattage, non-reflective, shielded, and be cast downward such that no light will be directed to shine beyond the boundaries of the subject parcel;
- Add Special Condition No. 7 to expressly state that any future improvements to the single-family residence would require a coastal development permit such that the County and the Commission would have the ability to review all future development on the site to ensure that future improvements would not be sited or designed in a manner that would result in an adverse environmental impacts; and
- Add Special Condition No. 9 (to replace and supersede Special Condition No. 1 of CDP Amendment No. 1-91-012-A1) to require submittal of a revised final landscaping plan that includes provisions that (i) require all plantings and all existing trees on the parcel be maintained in good condition throughout the life of the project and to be replaced if necessary no later than May 1<sup>st</sup> of the next spring season in-kind or with another native species common to the coastal Mendocino County area that will grow to a similar or greater height; (ii) require all proposed plantings be obtained from local genetic stocks and of native, non-invasive species, (iii) prohibit the use of certain rodenticides; and (iv) monitor the success of the landscaping plan on a regular basis and submit monitoring results annually to the Executive Director by December 31 of each calendar year.

Therefore, as conditioned, staff recommends that the Commission find that the proposed amended development is consistent with all applicable policies of the certified Mendocino County LCP.

**The Motion to adopt the staff recommendation is found on Pages 7-8.**

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### **STAFF NOTES**

#### **1. Procedural Note**

Section 13166 of the California Code of Regulations states that the Executive Director shall reject an amendment request if it lessens or avoids the intent of the approved permit, unless the applicant presents newly discovered material information, which he or she could not, with reasonable diligence, have discovered and produced before the permit was granted.

On April 8, 1991, the Commission granted CDP No. 1-91-012 to Robert and Joyce Price for the construction of a 20-foot-high, 640-square-foot, one-story single-family residence, a 17-foot-high, 1,440-square-foot detached garage, a 15,400-square-foot gravel driveway, an on-site septic system, a well, and landscaping. The Commission subsequently authorized a permit time extension for the development in 1993 and again in 1994. On March 8, 1995 the Commission approved an amendment to the permit (CDP Amendment No. 1-91-012-A1) to allow for the redesign and resiting of the previously approved residence and garage (which had not yet been built) resulting in a 20.5-foot-high 640-square-foot single-family residence (with a 320-square-foot loft) and a 21-foot-high, 960-square-foot garage. Construction of the existing residence and garage structures was completed in 1996.

Under the current amendment request, the applicants propose to (1) convert the existing 640-square-foot single-family residence (with a 320-square-foot loft) to a guest cottage by removing the existing kitchen plumbing and appliances; (2) construct a new approximately 17-foot-high, 2,850-square-foot, one-story single-family residence; (3) repaint the trim on and refinish the exterior shingle wall coverings of the existing structures on the property to colors and finishes that will match the new residence and be more visually subordinate to the surrounding highly scenic area than the existing highly visible white trim and light shingles.

In its findings for approval of the original permit and the amended permit for the house and garage, the Commission found that development on the site could only be found to be subordinate to the character of its setting and consistent with the visual resources protection policies of the Coastal Act (in the case of the original permit, which was approved prior to certification of the Mendocino County LCP) and the LCP (in the case of the amended permit) if the development were conditioned to (1) be provided with a backdrop of trees sited behind the structures so that the structures would not “break the

ridgeline starkly” as well as partially screened with native, drought-tolerant vegetation planted in front of (south of) the new structures to “soften the effect of the development when viewed from Highway One;” and (2) restrict building colors, materials, and lighting to require the use of non-reflective materials and glass to minimize glare, and the requirement that all exterior lights (except those facing north) be low-voltage, non-reflective, sodium lights with a directional cast downward.

Staff believes that with the attachment of the new conditions described below, among others, the proposed amended development as conditioned would be consistent with the Commission’s intent in granting the original permit with conditions to ensure that the development would be subordinate to the visual character of the highly scenic area where it is located:

- Add Special Condition No. 5 to require the applicants to execute and record a deed restriction detailing the specific development authorized under the permit; identifying all applicable special conditions attached to the permit; providing notice to future owners of the terms and limitations placed on the use of the property, including restrictions on colors, materials, and lighting; and ensuring that any future buyers of the property are made aware of the development restrictions on the site because the deed restriction will run with the land in perpetuity;
- Add Special Condition No. 6 to require adherence to certain design and lighting restrictions including (a) only the proposed building materials and colors are to be used in the construction of the development; (b) the current owner or any future owner may not repaint or stain the house or other structures on the property with products that would lighten the color of the structures from the proposed and approved colors without a permit amendment; (c) a prohibition on the use of reflective glass, reflective exterior finishings, or reflective roofing; and (d) a requirement that all exterior lights be the minimum necessary for the safe ingress and egress of structures and be low-wattage, non-reflective, shielded, and be cast downward such that no light will be directed to shine beyond the boundaries of the subject parcel;
- Add Special Condition No. 7 to expressly state that any future improvements to the single-family residence would require a coastal development permit such that the County and the Commission would have the ability to review all future development on the site to ensure that future improvements would not be sited or designed in a manner that would result in an adverse environmental impacts; and
- Add Special Condition No. 9 (to replace and supersede Special Condition No. 1 of CDP Amendment No. 1-91-012-A1) to require submittal of a revised final landscaping plan that includes provisions that (i) require all plantings and all existing trees on the parcel be maintained in good condition throughout the life of the project and to be replaced if necessary no later than May 1<sup>st</sup> of the next spring season in-kind or with another native species common to the coastal Mendocino County area that will grow to a similar or greater height; (ii) require all proposed plantings be obtained from local genetic stocks and of native, non-invasive

species, (iii) prohibit the use of certain rodenticides; and (iv) monitor the success of the landscaping plan on a regular basis and submit monitoring results annually to the Executive Director by December 31 of each calendar year.

The Executive Director has determined that the proposed amended development as conditioned would not lessen or avoid the intent of the approved permit. Therefore, the Executive Director has accepted the amendment request for processing.

## **2. Commission Jurisdiction & Standard of Review**

The Coastal Commission effectively certified Mendocino County's Local Coastal Program (LCP) in October of 1992. Pursuant to Section 30604 of the Coastal Act, after effective acceptance of a certified LCP, the standard of review for all coastal permits and permit amendments for developments located between the first public road and the sea is the certified LCP and the public access policies of the Coastal Act. As the subject development is located inland of the first public road from the sea, the standard of review that the Commission must apply to the project is the certified Mendocino County LCP.

## **3. Scope**

This staff report addresses only the coastal resource issues affected by the proposed permit amendment, provides recommended special conditions to reduce and mitigate significant impacts to coastal resources caused by the development as amended in order to achieve consistency with the LCP, and provides findings for conditional approval of the amended development. All other analyses, findings, and conditions related to the originally permitted development, except as specifically affected by the current permit amendment request and addressed herein, remain as stated within the original permit and amended permit approvals adopted by the Commission on April 8, 1991 and March 8, 1995 (respectively) attached as Exhibit Nos. 6 and 7.

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## **I. MOTION, STAFF RECOMMENDATION, & RESOLUTION:**

The staff recommends that the Commission adopt the following resolution:

### **Motion:**

*I move that the Commission approve the proposed amendment to Coastal Development Permit No. 1-91-012-A1 pursuant to the staff recommendation.*

### **Staff Recommendation of Approval:**

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit amendment as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

### **Resolution to Approve with Conditions:**

The Commission hereby approves the proposed permit amendment and adopts the findings set forth below, subject to the conditions below, on the grounds that the development with the proposed amendment, as conditioned, will be in conformity with the certified Mendocino County Local Coastal Program. Approval of the permit amendment complies with the California Environmental Quality Act because all feasible mitigation measures and alternatives have been incorporated to substantially lessen any significant adverse impacts of the amended development on the environment.

**II. STANDARD CONDITIONS: See Appendix A.**

**III. SPECIAL CONDITIONS:**

**Note:** The original permit (CDP No. 1-91-012) contains three special conditions, one of which (Special Condition No. 1) was modified and superseded by Special Condition No. 1 of CDP Amendment No. 1-91-012-A1, which contains no other special conditions. Special Condition No. 2 of the original permit is replaced and superseded by Special Condition No. 6 of the current amendment, CDP Amendment No. 1-91-012-A2. Special Condition No. 3 of the original permit is reimposed without any changes as a condition of CDP Amendment No. 1-91-012-A2 and remains in full force and effect. Special Condition No. 1 of CDP Amendment No. 1-91-012-A1 is replaced and superseded by Special Condition No. 9 of CDP Amendment No. 1-91-012-A2. Special Condition Nos. 4 through 8 are additional new special conditions attached to CDP Amendment No. 1-91-012-A2. For comparison, the text of the original permit conditions is included in Exhibit Nos. 6 and 7.

Deleted wording within the modified special conditions is shown in ~~strikethrough~~ text, and new condition language appears as **bold double-underlined** text.

**4. Restrictions on Second Structure**

**The following restrictions shall apply with respect to the guest cottage:**

- A. **Any rental or lease of the guest house unit separate from rental of the main residential structure is prohibited.**
- B. **The existing house that is authorized to be converted to a guest cottage may continue to be used as a residence with cooking or kitchen facilities only during construction of the main residence and until an occupancy permit is granted by Mendocino County for use of the new residence. The guest cottage shall not be subsequently converted into a residence or second unit;**
- C. **All cooking and/or kitchen facilities must be removed upon 60 days of completion of the main residence; and**
- D. **The guest cottage shall be subordinate and incidental to the main building.**



**5. Deed Restriction**

**PRIOR TO ISSUANCE OF COASTAL DEVELOPMENT PERMIT AMENDMENT NO. 1-91-012-A2, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the applicant has executed and recorded against the parcel(s) governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.**

**6. Exterior Design & Lighting Restrictions**

- A. **All exterior siding, trim, fascia, and roofing of the proposed new residence authorized by CDP Amendment No. 1-91-012-A2, the existing residence to be converted to a guest house, and the existing garage, shall be composed of the materials and colors proposed in the application (i.e., “duckback red cedar” color penetrating oil finish for exterior wood shingles, Benjamin Moore #441 (“Alligator Alley”) or #1300 (“Tucson Red”) for casings and fascia). The current owner or any future owner shall not repaint or stain the structures with products that would lighten the color of the structures from the approved colors without an amendment to this permit. In addition, to minimize glare, no reflective glass, exterior finishings, or roofing are authorized by this permit, and no roof-mounted structures such as solar panels may be installed on the eastern portion of the south-facing roof of the new residence; and**
- B. **All exterior lights, including any lights attached to the outside of the buildings, shall be the minimum necessary for the safe ingress, egress, and use of the structures, and shall be low-wattage, non-reflective, shielded, and have a directional cast downward such that no light will be directed to shine beyond the boundaries of the subject parcel.**

**7. Future Development Restrictions**

**This permit is only for the development described in Coastal Development Permit Amendment No. 1-91-012-A2. Any future improvements to the single-family residence or other approved structures will require a permit amendment or a new coastal development permit.**

**8. Best Management Practices & Construction Responsibilities**

**The permittee shall comply with the following construction-related requirements:**

- A. **Any and all excess excavated material resulting from construction activities shall be removed and disposed of at a disposal site outside the coastal zone or placed within the coastal zone pursuant to a valid coastal development permit;**
- B. **Straw bales, coir rolls, or silt fencing structures shall be installed prior to and maintained throughout the construction period to contain runoff from construction areas, trap entrained sediment and other pollutants, and prevent discharge of sediment and pollutants downslope toward the Navarro River;**
- C. **On-site vegetation shall be maintained to the maximum extent feasible during construction activities;**
- D. **Any disturbed areas shall be replanted or seeded and if necessary mulched as soon as feasible following completion of construction, but in any event no later than May 1<sup>st</sup> of the next spring season consistent with the final approved landscape plan required by Special Condition No. 9 below;**
- E. **All on-site stockpiles of construction debris shall be covered and contained at all times to prevent polluted water runoff; and**
- F. **The canopy and root zones of existing living trees on site shall be protected through temporary fencing or screening during construction.**

**9. Revised Final Landscaping Plan**

- A. **PRIOR TO ISSUANCE OF COASTAL DEVELOPMENT PERMIT AMENDMENT NO. 1-91-012-A2, the applicant shall submit to the Executive Director, for review and written approval, a final landscaping plan that substantially conforms to the proposed landscape plan shown on sheets L1.1 and L1.2 titled "Landscape Plan" dated July 2, 2009 attached as Exhibit No. 4 of the staff report, but shall be revised to include the following provisions:**
  - 1.) **All plantings and all existing trees on the parcel shall be maintained in good condition throughout the life of the project to ensure continued compliance with the approved final landscape plan. If any of the existing trees or any of the trees and plants to be planted die, become decadent, rotten, or weakened by decay or disease, or are removed for any reason, they shall be replaced no later than May 1st of the next spring season in-kind or with another native species common to the coastal Mendocino County area that will grow to a similar or greater height;**

- 2.) All proposed plantings shall be obtained from local genetic stocks within Mendocino County. If documentation is provided to the Executive Director that demonstrates that native vegetation from local genetic stock is not available, native vegetation obtained from genetic stock outside the local area, but from within the adjacent region of the floristic province, may be used. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council, or by the State of California shall be planted or allowed to naturalize or persist within the development site. No plant species listed as a 'noxious weed' by the State of California or the U.S. Federal Government shall be utilized within the property;
  - 3.) Rodenticides containing any anticoagulant compounds, including but not limited to, Bromadiolone, Brodifacoum, or Diphacinone, shall not be used; and
  - 4.) The success of the landscaping plan shall be monitored on a regular basis, and monitoring results shall be submitted annually to the Executive Director by December 31 of each calendar year.
- 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.

#### **IV. FINDINGS & DECLARATIONS**

The Commission hereby finds and declares as follows:

##### **A. Environmental Setting & Background**

The subject site, a 10-acre parcel, is located about one-half mile east of Highway One off of Navarro Ridge Road, approximately 1.5-miles south of Albion, on Navarro Ridge approximately 500 feet above the Navarro River estuary (Exhibit Nos. 1-2). Portions of the ridge-top lot are highly visible from certain portions of Highway One when driving north, including from the Navarro River bridge. The site also is visible from certain portions of Navarro Beach Road and from Navarro State Beach. Although the site is east of Highway One, it is in a designated "Highly Scenic Area" under the Mendocino County LCP due to the visibility of the ridge from various public vantage points and the extremely scenic nature of this portion of the coast (Exhibit No. 5).

On April 8, 1991 the Commission granted CDP No. 1-91-012 to Robert and Joyce Price for the construction of a 20-foot-high, 640-square-foot, one-story single-family residence, a 17-foot-high, 1,440-square-foot detached garage, a 15,400-square-foot gravel driveway, an on-site septic system, a well, and landscaping (Exhibit No. 6). The permit was

approved with three special conditions: (1) Special Condition No. 1 required submittal of a landscaping plan for the Executive Director's review and approval that includes the planting of native, drought-tolerant trees and/or shrubs in the area surrounding the house and garage for the purpose of partially screening the structures from public view and also to provide a backdrop of vegetation to minimize the visual impact of the development as viewed from Highway One and from Navarro Beach Road; (2) Special Condition No. 2 imposed certain exterior design and lighting restrictions on the new development including the use of earth-tone colors only for all siding and roof materials, the use of non-reflective materials and glass to minimize glare, and the requirement that all exterior lights (except those facing north) be low-voltage, non-reflective, sodium lights with a directional cast downward; and (3) Special Condition No. 3 required the applicants to execute and record a deed restriction for the property stating that the permit is only for the specific authorized development, and any future additions or improvements to the structures will require a permit amendment or a new coastal development permit.

After approving two permit time extensions for the development in 1993 and 1994, on March 8, 1995 the Commission approved an amendment to the permit (CDP Amendment No. 1-91-012-A1) to allow for the redesign and resiting of the previously approved residence and garage (which had not yet been built) to result in a 20.5-foot-high 640-square-foot single-family residence (with a 320-square-foot loft) and a 21-foot-high, 960-square-foot garage (Exhibit No. 7). The amended permit was approved with one special condition. Special Condition No. 1 of the original permit was modified and reimposed as a special condition of CDP Amendment No. 1-91-012-A1 to supersede Special Condition No. 1 of the original permit. Special Condition No. 1 of CDP Amendment No. 1-91-012-A1 again required submittal of a landscaping plan for the Executive Director's review and approval. The plan was to provide for the planting of native and/or naturalized, non-native drought-tolerant and frost-tolerant trees and/or shrubs in the area surrounding the house and garage for the purpose of partially screening the structures from public view and also to provide a backdrop of trees and other vegetation to minimize the visual impact of the development as viewed from Highway One, Navarro Beach Road, and from Navarro State Beach. The plan was to include no less than 25 trees that were to grow to at least 30 feet in height to be planted as a backdrop to the new structures. Also, trees and shrubs were to be planted south of the house and garage to partially screen the structures from public view. Finally, the plan was to include a tree maintenance program for the newly planted trees and a tree replacement program on a one-to-one or greater ratio for the life of the project.

Construction of the existing residence and garage structures was completed in 1996. Pursuant to the approved landscaping plan, various native and non-native drought- and frost-tolerant trees and shrubs were planted around the approved structures. Many of the plants, especially those planted behind (upslope and north of) the garage and house structures, survived and still are still growing today (Exhibit No. 5). Many of the trees planted as a backdrop to the structures have survived, although they have not yet grown tall enough to soften the manner in which the existing residence projects above the ridgeline. In addition, many of the plants that were planted south (downslope) of the approved structures failed to develop due to the harsh environmental conditions on the

site (e.g., intense wind), and thus have not served to screen the structures from public view as intended by Special Condition No. 1 of the amended permit described above. In addition, the white trim used on the house and garage structures and the exterior siding on the existing structures, which has become weathered and lightened over time, appear visually prominent from certain public vantage points.

The project site is not the only developed parcel in the public viewshed on Navarro Ridge, but it is one of the most visually prominent. As summarized in the staff reports for the original permit and for the permit amendment, there are approximately 25 parcels lining the ridge north of the Navarro River that are visible to motorists on Highway One approaching the Navarro Headlands area from the south. Of these 25, approximately half are developed, with the majority of the development occurring on parcels east of the subject parcel. To the west of the subject parcel is a dramatic stretch of steep, bluffs continuing west to the coast where Highway One turns northward. Most of the development visible on the ridge predates enactment of coastal development permit regulations. However, the Commission and the County, after certification of the Mendocino County LCP in 1992, have approved a number of residences on the ridge in the midst of other developed parcels. Most of the developed parcels on the ridge are at least partially screened by vegetation, with trees as a backdrop.

The proposed building site is located on gently sloping terrain near the top of the ridge and over 100 feet away from any steep slopes. The project site is on land planned and zoned Remote Residential (RMR). Most lands in this land use and zone district category have minimum parcel sizes of 20 acres or 40 acres, with a maximum dwelling density of one unit per 20 acres or 40 acres. As the subject lot is just 10 acres in size, it is considered a legal nonconforming lot for its land use classification and zone district.

The applicants hired a botanical consultant to survey the property for special-status plant species and other environmentally sensitive habitats as part of the permit amendment application review process. The field survey, which was conducted in May and June of 2009, detected no rare species or sensitive habitats on the project site. Almost the entire property is vegetated with nonnative perennial grassland, which intergrades with northern coyote brush scrub downslope from the project site.

## **B. Project Description**

Under the current amendment request, the applicants propose to (1) convert the existing 640-square-foot single-family residence (with a 320-square-foot loft) to a guest cottage by removing the existing kitchen plumbing and appliances; (2) construct a new approximately 17-foot-high, 2,850-square-foot, one-story single-family residence; (3) repaint the trim on and refinish the exterior shingle wall coverings of the existing structures on the property to colors and finishes that will match the new residence and be more visually subordinate to the surrounding highly scenic area than the existing highly visible white trim and light shingles (Exhibit No. 4). The applicants also propose to install additional landscaping on the site to help screen the existing and proposed new development from public vantage points (see sheets L1.1 and L1.2 of Exhibit No. 4).

The applicants propose to use dark earth-tone colors for the exterior siding and trim new residence and existing structures on the property (“duckback red cedar” color penetrating oil finish for shingles and Benjamin Moore #441 “Alligator Alley” or #1300 “Tucson Red” for trim). Additionally, the new residence would be equipped with roof-mounted solar photovoltaic panels on the west side of the southerly elevation of the new residence as well as 20 ground-mounted photovoltaic panels on the north side of the new residence. None of the solar panels would be visible from public vantage points. Furthermore, the building pad for the new house would be graded and excavated into the ground (approximately 250 cubic yards of grading is proposed) to reduce the structure’s exposure from public vantage points and to keep the new house from projecting significantly higher than the existing structures on the site.

### **E. Locating New Development**

#### **Summary of LCP Provisions**

Policy 3.9-1 of the Mendocino County LUP states that new development shall be located in or in close proximity to existing areas able to accommodate it and shall be regulated to prevent any significant adverse effects, either individually or cumulatively, on coastal resources. Policy 3.8-1 of the LUP requires consideration of Highway One capacity and availability of water and sewage disposal when considering applications for coastal development permits. The intent of the policy is to channel development toward more urbanized areas where services are provided and potential impacts to resources are minimized. Section 20.380.010 of the CZC allows single-family residential development as a principal permitted use in the RMR zoning district. Furthermore, CZC Section 20.380.025 provides for one dwelling unit per 20 acres located in the Remote Residential (RMR) zoning district. CZC Section 2.380.045 provides for a building height limit of 28 feet above natural grade for highly scenic areas east of Highway One. The RMR zone district also permits “not more than one accessory living unit for each legal parcel” (CZC Section 20.456.015). “Accessory Living Unit” is defined to include in part a “guest cottage,” which in turn is defined as “*a detached building (not exceeding six hundred forty (640) square feet of gross floor area), of permanent construction, without kitchen, 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*” (CZC Section 20.308.050).

#### **Discussion:**

The subject parcel is planned and zoned in the certified LCP as Remote Residential (RMR). As cited above, CZC Section 20.380.010 allows single-family residential development as a principal permitted use in the RMR zoning district, and CZC Section 20.380.025 allows a development density of one single-family dwelling per 20 acres in addition to one accessory living unit per each legal parcel. The proposed amended development involves the construction of a 17-foot-high single-family residence located in an area planned for single-family residential use with a building height limit of 28 feet.

Therefore, the proposed single-family residential use is consistent with the LUP and zoning designations for the site.

Development of the site as a single-family residence is envisioned under the certified LCP. The significant cumulative adverse impacts on traffic capacity of Highway One from development approved pursuant to the certified LCP were addressed at the time the LCP was certified. Therefore, as conditioned, the proposed single-family residence is located in an area able to accommodate traffic generated by the proposed development and will not result in adverse impacts to the traffic capacity of Highway One consistent with the applicable provisions of LUP Policy 3.8-1.

The proposed amended development will be served by an existing on site well and an onsite septic system, including a primary and replacement leachfield. Both the existing water and septic systems currently serve the residence on site that is proposed to be converted to a guest cottage. The Mendocino County Division of Environmental Health (DEH) reviewed the proposed project and commented on August 11, 2008 that the existing systems on site are adequate to serve the proposed new development.

As cited above, CZC Section 20.456.015 allows for not more than one “accessory living unit” on most residential parcels in Mendocino County because of a concern that the increase in density could potentially result in cumulative adverse impacts on highway capacity, groundwater resources, and scenic values, inconsistent with LUP Policies 3.9-1 and 3.8-1. The applicants are proposing to convert the existing residence on the property to a guest cottage by removing the kitchen appliances and plumbing. As the existing house is 640 square feet in size, if the kitchen and cooking facilities are removed and the use of the structure is truly limited to use as a guest cottage and not as a separate residence, the house to be converted to a guest cottage will be consistent with the definitions of an “accessory living unit” and “guest cottage” contained in CZC Section 20.308.050. To ensure that the existing residence is converted to a guest cottage as proposed and to prevent significant cumulative adverse impacts on highway capacity, groundwater resources, and scenic values inconsistent with LUP Policies 3.9-1 and 3.8-1, **Special Condition No. 4** requires that all cooking and/or kitchen facilities be removed from the existing residence upon 60 days of completion of the main residence and that the guest cottage be subordinate and incidental to the main building and not be rented or leased separate from the main residential structure. The condition allows for use of the existing house as a residence with cooking or kitchen facilities only during construction of the main residence and only until an occupancy permit is granted by Mendocino County. The condition prohibits the guest cottage from subsequently being converted into a residence or second unit. In addition, **Special Condition No. 5** requires that a deed restriction be recorded informing future buyers of the property of the special conditions of the permit, including the limitation on use of the guest cottage. Such notice to future buyers will better ensure that in the future, the development is not used as a second unit inconsistent with the requirements of the certified LCP.

To help in the establishment of vegetation, rodenticides are sometimes used to prevent rats, moles, voles, and other similar small animals from eating the newly planted

saplings. Certain rodenticides, particularly those utilizing blood anticoagulant compounds such as brodifacoum, bromadiolone and diphacinone, have been found to pose significant primary and secondary risks to non-target wildlife present in urban and urban/wildland areas. As the target species are preyed upon by raptors or other environmentally sensitive predators and scavengers, these compounds can bio-accumulate in the animals that have consumed the rodents to concentrations toxic to the ingesting non-target species. Therefore, to minimize this potential significant adverse cumulative impact to environmentally sensitive wildlife species consistent with LUP Policy 3.9-1 requiring new development to be regulated to prevent significant adverse cumulative impacts on coastal resources, the Commission attaches **Special Condition No. 9(A)(3)** prohibiting the use of specified rodenticides on the property governed by CDP No. 1-91-012-A2.

As discussed in the above findings, the proposed amended development has been conditioned to include mitigation measures, which will minimize all significant adverse environmental impacts. Therefore, the Commission finds that as conditioned, the proposed amended development is consistent with LUP Policies 3.9-1 and 3.8-1, and with CZC Section 20.38.025, because (1) there will be only one residential unit on the parcel, (2) there will be adequate services on the site to serve the proposed development, and (3) the project will not contribute to adverse cumulative impacts on highway capacity, scenic values, water quality, or other coastal resources.

#### **D. Protection of Visual Resources**

##### **Summary of Applicable LCP Provisions:**

Policy 3.5-1 of the certified Land Use Plan (LUP) states as follows, in applicable part (emphasis added):

...

*The scenic and visual qualities of Mendocino County 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 designated by the County of Mendocino Coastal Element shall be subordinate to the character of its setting.*

Policy 3.5-3 of the certified LUP states as follows, in applicable part (emphasis added):

*The visual resource areas listed below are those which have been identified on the land use maps and shall be designated as "highly scenic areas," within which new development shall be subordinate to the character of its setting. Any development permitted in these areas shall provide for the protection of ocean and coastal views from public areas including highways, roads, coastal trails, vista points, beaches, parks, coastal streams, and waters used for recreational purposes.*

...

- *Portions of the coastal zone within the Highly Scenic Area west of Highway 1 between the Ten Mile River estuary south to the Navarro River as mapped with noted exceptions and inclusions of certain areas east of Highway 1.*



...

*In addition to other visual policy requirements, new development west of Highway One in designated "highly scenic areas" is limited to one-story (above natural grade) unless an increase in height would not affect public views to the ocean or be out of character with surrounding structures. Variances from this standard may be allowed for planned unit development that provides clustering and other forms of meaningful visual mitigation. New development should be subordinate to natural setting and minimize reflective surfaces. All proposed divisions of land and boundary line adjustments within "highly scenic areas" will be analyzed for consistency of potential future development with visual resource policies and shall not be allowed if development of resulting parcel(s) could not be consistent with visual policies.*

Land Use Plan Map No. 19 shows the project site as being within a designated Highly Scenic Area.

Policy 3.5-4 of the certified LUP states as follows (emphasis added):

*Buildings and building groups that must be sited within the highly scenic area shall be sited near the toe of a slope, below rather than on a ridge, or in or near the edge of a wooded area. Except for farm buildings, development in the middle of large open areas shall be avoided if an alternative site exists.*

*Minimize visual impact of development on hillsides by (1) requiring grading or construction to follow the natural contours; (2) resiting or prohibiting new development that requires grading, cutting and filling that would significantly and permanently alter or destroy the appearance of natural landforms; (3) designing structures to fit hillside sites rather than altering landform to accommodate buildings designed for level sites; (4) concentrate development near existing major vegetation, and (5) promote roof angles and exterior finish which blend with hillside. Minimize visual impacts of development on terraces by (1) avoiding development in large open areas if alternative site exists; (2) minimize the number of structures and cluster them near existing vegetation, natural landforms or artificial berms; (3) provide bluff setbacks for development adjacent to or near public areas along the shoreline; (4) design development to be in scale with rural character of the area. Minimize visual impact of development on ridges by (1) prohibiting development that projects above the ridgeline; (2) if no alternative site is available below the ridgeline, development shall be sited and designed to reduce visual impacts by utilizing existing vegetation, structural orientation, landscaping, and shall be limited to a single story above the natural elevation; (3) prohibiting removal of tree masses which destroy the ridgeline silhouette. Nothing in this policy shall preclude the development of a legally existing parcel.*

Policy 3.5-5 of the certified LUP states as follows, in applicable part (emphasis added):

*Providing that trees will not block coastal views from public areas such as roads, parks and trails, tree planting to screen buildings shall be encouraged. In specific areas, identified and adopted on the land use plan maps, trees currently blocking views to and along the coast shall be required to be removed or thinned as a condition of new development in those specific areas. New development shall not allow trees to block ocean views.*

...

Policy 3.5-15 of the certified LUP states as follows (emphasis added):

*Installation of satellite receiving dishes shall require a coastal permit. In highly scenic areas, dishes shall be located so as to minimize visual impacts. Security lighting and floodlighting for occasional and/or emergency use shall be permitted in all areas. Minor additions to existing nightlighting for safety purposes shall be exempt from a coastal permit. In any event no lights shall be installed so that they distract motorists and they shall be shielded so that they do not shine or glare beyond the limits of the parcel wherever possible.*

Section 20.504.015 (“*Highly Scenic Areas*”) of the certified Coastal Zoning Code (CZC) states as follows, in applicable part (emphasis added):

*(A) The visual resource areas listed below are those which have been designated highly scenic and in which development shall be subordinate to the character of its setting:*

...

*(2) Portions of the Coastal Zone within the Highly Scenic Area west of Highway 1 between the Ten Mile River estuary south to the Navarro River as mapped with noted exceptions and inclusions of certain areas east of Highway 1.*

...

*(C) Development Criteria.*

*(1) Any development permitted in highly scenic areas shall provide for the protection of coastal views from public areas including highways, roads, coastal trails, vista points, beaches, parks, coastal streams, and waters used for recreational purposes.*

...

*(3) New development shall be subordinate to the natural setting and minimize reflective surfaces. In highly scenic areas, building materials including siding and roof materials shall be selected to blend in hue and brightness with their surroundings.*

...

*(5) Buildings and building groups that must be sited in highly scenic areas shall be sited:*

- (a) Near the toe of a slope;*
- (b) Below rather than on a ridge; and*
- (c) In or near a wooded area.*

...

*(8) Minimize visual impact of development on ridges by the following criteria:*

- (a) Prohibiting development that projects above the ridgeline;*
- (b) If no alternative site is available below the ridgeline, development shall be sited and designed to reduce visual impacts by utilizing existing vegetation, structural orientation, landscaping, and shall be limited to a single story above the natural elevation;*
- (c) Prohibiting removal of tree masses which destroy the ridgeline silhouette.*

...

*(10) Tree planting to screen buildings shall be encouraged, however, new development shall not allow trees to interfere with coastal/ocean views from public areas.*

...

Section 20.504.035 (“*Exterior Lighting Restrictions*”) of the CZC states as follows, in applicable part (emphasis added):

*(A) Essential criteria for the development of night lighting for any purpose shall take into consideration the impact of light intrusion upon the sparsely developed region of the highly scenic coastal zone.*

*(1) No light or light standard shall be erected in a manner that exceeds either the height limit designated in this Division for the zoning district in which the light is located or the height of the closest building on the subject property whichever is the lesser.*

*(2) Where possible, all lights, whether installed for security, safety or landscape design purposes, shall be shielded or shall be positioned in a manner that will not shine light or allow light glare to exceed the boundaries of the parcel on which it is placed.*

*(3) Security lighting and flood lighting for occasional and/or emergency use shall be permitted in all areas.*

*(4) Minor additions to existing night lighting for safety purposes shall be exempt from a coastal development permit.*

*(5) No lights shall be installed so that they distract motorists.*

### Discussion:

The subject site is an approximately 10-acre parcel located in a designated “highly scenic” area near the top of a ridge above the Navarro River estuary on the east side of Highway One (Exhibit Nos. 1 and 2). The site is located off of Navarro Ridge Road and slopes gently southward before it drops off steeply to Highway One and the river below (Exhibit No. 5). The parcel is one of the westernmost developed parcels on Navarro Ridge visible from public vantage points. The site is primarily vegetated with grasses and low shrubs with clusters of coniferous evergreens that were planted by and have been maintained by the applicants over the past 15 or so years. With the exception of these trees, the majority of the property is generally very exposed. As discussed above in Section IV-A, portions of the subject site are highly visible from certain portions of Highway One when driving north, from certain locations along Navarro Beach Road, and from Navarro State Beach. The principal public vantage points affording views of the development site are from the southern portion of Navarro State Beach. Also as discussed above, the existing house and garage located on the parcel appear visually prominent from certain public vantage points, because the existing house currently projects above the ridgeline, the trees required to be planted by the permit conditions have not yet grown tall enough to create a backdrop, and because of the prominent white trim used on the structures and the color of the exterior siding, which has become weathered and lightened over time (Exhibit No. 5).

Under the current amendment request, the applicants propose to (1) convert the existing 640-square-foot single-family residence (with a 320-square-foot loft) to a guest cottage by removing the existing kitchen plumbing and appliances; (2) construct a new approximately 17-foot-high, 2,850-square-foot, one-story single-family residence; (3) repaint the trim on and refinish the exterior shingle wall coverings of the existing structures on the property to colors and finishes that will match the new residence and be more visually subordinate to the surrounding highly scenic area than the existing highly visible white trim and light shingles (Exhibit No. 4). The applicants also propose to install additional landscaping on the site to help screen the existing and proposed new development from public vantage points (see sheets L1.1 and L1.2 of Exhibit No. 4). Although the new residence will be equipped with roof-mounted solar photovoltaic

panels on the west side of the southerly elevation of the new residence as well as 20 ground-mounted photovoltaic panels on the north side of the new residence, none of the solar panels will be visible from public vantage points, because the roof-mounted panels will be shielded by site topography as viewed from public vantage points to the south, and the ground-mounted panels will be on the north side of the new residence, entirely out of public view.

The proposed new residence will be sited west of the existing structures, and due to the topography of the site and the grading proposed for the new house pad, less than one third of the overall southerly elevation of the house will be visible from Navarro Beach, and the roof lines of the new house will not project higher above the ridgeline than the existing house as viewed from the public vantage points that afford views of the development site (see Exhibit No. 5). The character of the subject viewshed as seen looking up towards the site from Highway One or from Navarro Beach is largely defined by sparsely populated wind-swept bluffs and ridges overlooking scenic Navarro Head and the Navarro River.

As cited above, the LCP sets forth numerous policies regarding the protection of visual resources, including several policies specific to development in designated highly scenic areas. LUP Policy 3.5-1 states that the scenic and visual qualities of Mendocino County coastal areas must be considered and protected by requiring 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, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. Additionally, LUP Policy 3.5-1 requires that in highly scenic areas new development must be subordinate to the character of its setting. LUP Policy 3.5-3 similarly requires that new development located within areas designated highly scenic must be subordinate to the character of its natural setting and requires any development permitted in these areas to provide for the protection of ocean and coastal views from public areas including highways, roads, coastal trails, vista points, beaches, parks, coastal streams, and waters used for recreational purposes. Section 20.504.015 of the CZC reiterates these requirements. LUP Policy 3.5-4 and CZC Section 20.504.015 sets forth further development criteria intended to minimize the visual impact of development on hillsides and ridges.

The LCP policies and standards governing the protection of visual resources at the site, which is a ridge-top parcel in a designated highly scenic area, require conformance with a number of visual criteria, including criteria related to: (1) minimizing the impacts of development on a ridge; (2) minimizing landform alteration; (3) utilizing tree planting to screen development; (4) utilizing appropriate building materials, colors, and lighting; (5) protecting views to and along the coast; and (6) ensuring the development is visually compatible with and subordinate to the character of its setting. The project's consistency with these criteria is discussed below. For the reasons discussed below, the Commission finds that the proposed amended development as conditioned is consistent with the LUP policies and zoning standards affecting development within highly scenic areas.

1. Minimizing Impacts of Development on Ridges

LUP Policy 3.5-4 and CZC Section 20.504.015(C)(8) require that the visual impact of development on ridges be minimized in part by prohibiting development that projects above the ridgeline, or if no alternative site is available below the ridgeline, development should utilize existing vegetation, structural orientation, and landscaping to reduce visual impacts and should be limited to a single story above natural elevation.

The project parcel is located on Navarro Ridge, near the top of the ridge on gently sloping open terrain with a more or less southern aspect. As discussed above in Section IV-A, the subject site is visible from certain portions of Highway One when driving north, from certain portions of Navarro Beach Road, and is particularly visible from the southern portion of Navarro State Beach. Also as discussed above, the existing house and garage located on the project parcel appear visually prominent from certain public vantage points, because the existing house currently projects above the ridgeline and the trees required to be planted by the permit conditions have not yet grown tall enough to create a backdrop, and because of the prominent white trim used on the structures and the color of exterior siding, which has become weathered and lightened over time. The proposed new residence will be sited west of the existing structures.

The applicants installed story poles at the subject site to delineate the perimeter and height of the proposed residence for purposes of permit review. Based on a site visit to view the story poles as well as visual simulations developed by the applicant, Commission staff determined that due to the topography of the site and the grading proposed for the new house pad, less than one third of the overall southern elevation of the house will be visible from Navarro Beach (see Exhibit No. 5). LUP Policy 3.5-4 and CZC Section 20.504.015(C)(8) require that the visual impact of development on ridges be minimized in part by prohibiting development that projects above the ridgeline, unless no alternative site is available below the ridgeline, in which case development shall utilize existing vegetation, structural orientation, and landscaping to reduce visual impacts and shall be limited to a single story above natural elevation. In this case, because the parcel is a ridge-top lot with a gently sloping southerly aspect, there is no alternative to the development projecting at least somewhat above the ridgeline. Constructing the new house immediately downslope of the proposed house site would result in the structure being unacceptably prominent, as less of the development would be screened by the shoulder of the ridge which blocks some views of the proposed development site. Further down the slope beyond the shoulder, the slope becomes too steep to feasibly develop a house. Building north (upslope) of the proposed house site also would result in a more visibly prominent house that projects higher above the ridgeline than building on the proposed site due to rise in slope. Thus, the applicants have chosen the site alternative that results in the least visual impact, and the visual impact will be further reduced by excavating the building pad into the ground several feet to better blend the house into the landscape. Therefore, the Commission finds that there are no feasible alternative development sites on the property that would eliminate or further reduce the projection of the new structure above the ridgeline.

The proposed new residence will be limited to a single-story above natural elevation, with a maximum height of approximately 17 feet. The new structure will be oriented so that is mostly hidden behind the bluff topography, as seen in Exhibit No. 5, as viewed from public vantage points such as Navarro Beach Road and Navarro Beach. Additional landscaping is proposed to further screen the house from public vantage points (Exhibit No. 4). Specifically, the applicants propose to install 20 drought- and frost-resistant evergreen trees and shrubs (including holly oak, shore pine, and wax myrtle) south of the proposed new residence and guest cottage.

To ensure that the applicants implement the landscaping concept as proposed, and to ensure that the final plan includes provisions specific to ensure appropriate planting and maintenance of the landscaping and existing vegetation at the site, the Commission attaches **Special Condition No. 9** to supersede and replace Special Condition No. 1 of CDP Amendment No. 1-91-012-A1. Special Condition No. 9 requires the applicants to submit a final landscaping plan for the review and approval of the Executive Director prior to issuance of the permit amendment that substantially conforms to the proposed landscape concept plan included as Exhibit No. 4, but is revised to include provisions that (i) require all plantings and all existing trees on the parcel be maintained in good condition throughout the life of the project to ensure continued compliance with the landscape plan and that if any of the existing trees or any of the trees and plants to be planted die, become decadent, rotten, or weakened by decay or disease, or are removed for any reason, they shall be replaced no later than May 1<sup>st</sup> of the next spring season in-kind or with another native species common to the coastal Mendocino County area that will grow to a similar or greater height; (ii) require all proposed plantings be obtained from local genetic stocks and of native, non-invasive species, (iii) prohibit the use of certain rodenticides, and (iv) monitor the success of the landscaping plan on a regular basis and submit monitoring results annually to the Executive Director by December 31 of each calendar year. The requirements for monitoring and replanting trees that do not survive will help ensure that the proposed landscaping will be successful at the windswept site.

Therefore, as conditioned, the Commission finds that the proposed amended development as conditioned is consistent with LUP Policy 3.5-4 and CZC Section 20.504.015(C)(8), as the development will (1) be sited and designed to minimize visual impacts of development on its ridgeline setting by utilizing existing vegetation, structural orientation, and landscaping, and (2) be limited to a single story above natural elevation.

## 2. Minimizing Landform Alteration

LUP Policy 3.5-1 in part requires that new development in highly scenic areas minimize the alteration of natural landforms. The proposed residence has been sited and designed to follow the natural contour of the gently sloping site. Although construction of the proposed residence will require creating a cut slope to integrate the residence into the hillside, the proposed grading will not alter or destroy the appearance of the natural topography of the site beyond the introduction of a new residence to the existing developed hillside.

Therefore, the Commission finds that the proposed amended development as conditioned is consistent with LUP Policy 3.5-1, in that the proposed amended development will minimize the alteration of natural landforms.

3. Utilizing Tree Planting to Screen Development

LUP Policy 3.5-5 encourages tree planting to screen buildings, provided that the trees not block coastal views from public areas. As discussed above, the applicants have proposed a landscaping plan that includes planting 20 additional trees and shrubs to screen portions of the development as viewed from public vantage points. In particular, the proposed landscaping plan will partially screen the new residence and the existing residence (to be converted to a guest house) as viewed from the south by various evergreen drought- and frost-tolerant trees and shrubs (holly oak, shore pine, and wax myrtle).

Therefore, the Commission finds that the proposed amended development as conditioned is consistent with LUP Policy 3.5-5, as the proposed project includes landscaping to screen the proposed residence in a manner that will not block coastal views from public areas.

4. Utilizing Appropriate Building Materials, Colors, and Lighting

LUP Policy 3.5-3 and CZC Section 20.504.015(C)(3) require that new development in highly scenic areas minimize reflective surfaces. Section 20.504.015(C)(3) of the CZC further requires that in highly scenic areas, building materials shall be selected to blend in hue and brightness with their surroundings. Additionally, LUP Policy 3.5-15 and CZC Sections 20.504.035 and 20.504.020(C)(4) set forth standards for exterior lighting.

As noted in the project description finding, the applicants propose to use dark earth-tone colors for the exterior siding and trim (“duckback red cedar” color penetrating oil finish for shingles and Benjamin Moore #441 “Alligator Alley” or #1300 “Tucson Red” for trim), which will help make the new development subordinate to the character of its setting. Because the project site sits near the top of the ridge in a sparsely populated area, choosing brighter, non-earth-tone colors would cause the proposed residence to be more visually prominent in a manner that would not blend with its surroundings. This effect is evident in the existing garage and residence structures on the property, which have white trim and light shingles that are highly visible from public vantage points below (see Exhibit No. 5). The applicants, as part of this permit amendment application, are proposing to repaint and refinish the existing structures on the property in the same darker colors and finishes proposed for the new residence, which will make the structures more visually subordinate to the surrounding highly scenic area than the existing highly visible white trim and light shingles.

To ensure the construction materials and colors used for the proposed amended development are subordinate to the natural setting and minimize reflective surfaces consistent with the above-cited LCP policies, the Commission adds **Special Condition No. 6**. This condition requires that only the proposed building materials and colors are to

be used in the construction of the development; (i.e., (“duckback red cedar” color penetrating oil finish for shingles and Benjamin Moore #441 “Alligator Alley” or #1300 “Tucson Red” for trim). The Commission finds that if the applicant or future owner(s) choose to change the materials or colors of the new house to brighter, non-earth tone colors or materials, the development may no longer blend in hue and brightness with its surroundings and could create an adverse visual impact as viewed from public vantage points. Thus, Special Condition No. 6(A) further requires that the current owner or any future owner shall not repaint or stain the house or other structures on the property with products that would lighten the color of the structures from the proposed and approved colors without a permit amendment.

As proposed, the south-facing elevation as viewed from public vantage points does not contain a significant amount of glass. By excavating into the slope to create a lower building pad, the surrounding topography will be utilized to help screen the windows. In addition, windows will be largely screened by the existing and proposed vegetation and landscaping. The applicants are proposing to put solar photovoltaic panels on the west side of the southerly house elevation, but they too will be shielded by the site’s natural topography and thus will be out of public view. An additional set of photovoltaic panels will be mounted on a ground-mounted rack placed on the north side of the residence, which also will not be visible from any public vantage points (see Exhibit No. 5). To ensure that the proposed development does not result in increased glare as viewed from public vantage points, Special Condition No. 6(A) prohibits the use of reflective glass, exterior finishings, or roofing, and prohibits roof-mounted structures such as solar panels from being installed on the eastern portion of the south-facing roof of the new residence. To further minimize potential glare from any exterior lighting, Special Condition No. 6(B) requires that all exterior lights be the minimum necessary for the safe ingress and egress of structures and be low-wattage, non-reflective, shielded, and be cast downward such that no light will be directed to shine beyond the boundaries of the subject parcel.

Furthermore, as discussed above in Finding IV-C, **Special Condition No. 5** requires that the applicants record a deed restriction detailing the specific development authorized under the permit, identifying all applicable special conditions attached to the permit, and providing notice to future owners of the terms and limitations placed on the use of the property, including restrictions on colors, materials, and lighting. The condition will ensure that any future buyers of the property are made aware of the development restrictions on the site because the deed restriction will run with the land in perpetuity.

The Commission finds that while the proposed amended development as conditioned will not result in significant adverse visual impacts, future development or further improvements to the residence at the site could result in potential adverse visual impacts if such new development or improvements are not properly sited and designed. The Commission further notes that Section 30610(a) of the Coastal Act and Chapter 20.532.020(C) of the CZC exempt certain improvements to single-family residences from coastal development permit requirements. Pursuant to this exemption, once a residence has been constructed, certain improvements that the applicant might propose in the future are normally exempt from the need for a permit or permit amendment. However, in this



case because the project site is located within a highly scenic area, future improvements to the approved project would not be exempt from permit requirements pursuant to Section 30610(a) of the Coastal Act, Section 13250 of the Commission's regulations, and CZC Section 20.532.020(C), which incorporates Section 13250 of the Commission's regulations. Section 30610(a) requires the Commission to specify by regulation those classes of development which involve a risk of adverse environmental effects and require that a permit be obtained for such improvements. Pursuant to Section 30610(a) of the Coastal Act, the Commission adopted Section 13250 of Title 14 of the California Code of Regulations, which specifically authorizes the Commission to require a permit for improvements to existing single-family residences that could involve a risk of adverse environmental effect. In addition, Section 13250(b)(1) indicates that improvements to an existing single-family residence in an area designated as highly scenic in a certified land use plan involve a risk of adverse environmental effect and therefore are not exempt. As discussed previously, the entire subject property is within an area designated in the certified Mendocino Land Use Plan as highly scenic. Therefore, pursuant to Section 13250(b)(1) of the Commission's regulations and CZC Section 20.532.020(C), **Special Condition No. 7** expressly states that any future improvements to the single-family residence will require a coastal development permit such that the County and the Commission will have the ability to review all future development on the site to ensure that future improvements will not be sited or designed in a manner that would result in an adverse environmental impacts.

Therefore, the Commission finds that proposed amended development as conditioned is consistent with LUP Policies 3.5-3 and 3.5-15 and CZC Sections 20.504.015(C)(3) and 20.504.035, as (1) building materials and colors will blend in hue and brightness with their surroundings, (2) reflective surfaces will be minimized, and (3) exterior lighting will be designed to minimize glare and not shine beyond the boundaries of the parcel.

#### 5. Protecting Views To and Along the Coast

LUP Policies 3.5-1 and 3.5-3 and CZC Section 20.504.015(C)(1) require permitted development to be sited and designed to protect views to and along the ocean and scenic coastal areas from public areas including highways and roads.

The subject parcel is geographically situated such that the proposed residential development will not block or otherwise significantly affect views to the ocean from public areas including highways, roads, coastal trails, beaches, or coastal streams. As described above, the subject site is located on the east side of Highway One, and therefore the proposed development will not obstruct any views to or along the coast between the highway and the ocean. Minimal views of the ocean are afforded across the site from Navarro Ridge Road, a public road that extends more or less east-west adjacent to the northern property boundary and intersects with Highway One approximately one-half mile west of the site. However, views of the ocean and even the development site itself from this road are largely obstructed by natural topography and existing trees located along the property line adjacent to the road. No other public vantage points afford views to the ocean across the development site.

Therefore, the Commission finds that the proposed amended development as conditioned will be sited and designed to protect public views to and along the ocean and scenic coastal areas consistent with the provisions of LUP Policies 3.5-1 and 3.5-3 and CZC Section 20.504.015(C)(1).

6. Visually Compatible with and Subordinate to the Character of the Setting

LUP Policies 3.5-1 and 3.5-3 and CZC Section 20.504.015 require that new development in highly scenic areas be visually compatible with and subordinate to the character of its setting. In addition, LUP Policy 3.5-5 states that tree planting to screen buildings shall be encouraged. Furthermore, CZC Section 20.504.015(C)(3) requires that in highly scenic areas, building materials, including siding and roof materials, shall be selected to blend in hue and brightness with their surroundings.

Several aspects of the proposed amended development as conditioned will cause the development to be visually compatible with and subordinate to the character of its setting. As discussed in detail above, the proposed development will (1) be oriented so that is mostly hidden behind the bluff topography, as seen in Exhibit No. 5, (2) be one-story, and (3) be sited and designed to follow the natural contour of the gently sloping site to minimize alteration of natural landforms and to minimize the projection of the new structure above the ridgeline. The visible parts of the new building will project no higher above the ridgeline than the existing house as viewed from Navarro State Beach, which will help blend the proposed development into its surroundings. In addition, existing vegetation will be utilized to screen and soften the visual impact of the development. Furthermore, the development, as conditioned, will utilize exterior materials of dark earth tone colors that will help to blend the development with the surrounding vegetated landscape and minimize reflective surfaces, thereby causing the development to be visually compatible with and subordinate to the character of its setting. Moreover, as discussed above, the applicant will implement a landscaping plan that will plant evergreen trees and shrubs south of the new residence and existing structures on the property to screen the development from public vantage points. The Commission attaches Special Condition Nos. 5, 6, 7, and 9 to require (a) execution and recordation of a deed restriction for the property; (b) adherence to certain design and lighting restrictions; (c) that future improvements to the approved development require a coastal development permit or permit amendment; and (d) implementation of the proposed landscaping plan.

Therefore, the Commission finds that proposed amended development as conditioned will be visually compatible with and subordinate to the character of its setting as required by LUP policy 3.5-1, 3.5-3, 3.5-4, and CZC Section 20.504.015.

**Conclusion**

Therefore, for all of the reasons discussed above, the Commission finds that the proposed amended development as conditioned is consistent with the visual resource protection

policies of the certified LCP, including LUP Policies 3.5-1, 3.5-3, 3.5-4, 3.5-5, and 3.5-15 and CZC Sections 20.504.015 and 2.504.035.

**E. Protection of Water Quality & Surrounding Habitats**

**Summary of Applicable LCP Provisions:**

LUP Policy 3.1-25 states as follows:

*The Mendocino Coast is an area containing many types of marine resources of statewide significance. Marine resources shall be maintained, enhanced and, where feasible, restored; areas and species of special biologic or economic significance shall be given special protection; and the biologic productivity of coastal waters shall be sustained.*

Section 20.492.015 (“*Erosion Standards*”) of the CZC states as follows, in applicable part:

...

*(B) Existing vegetation shall be maintained on the construction site to the maximum extent feasible. Trees shall be protected from damage by proper grading techniques.*

*(C) Areas of disturbed soil shall be reseeded and covered with vegetation as soon as possible after disturbance, but no less than one hundred (100) percent coverage in ninety (90) days after seeding; mulches may be used to cover ground areas temporarily....*

...

*(G) Erosion control devices shall be installed in coordination with clearing, grubbing, and grading of downstream construction; the plan shall describe the location and timing for the installation of such devices and shall describe the parties responsible for repair and maintenance of such devices.*

Section 20.492.020 (“*Sedimentation Standards*”) of the CZC states as follows:

*(A) Sediment basins (e.g., debris basins, desilting basins, or silt traps) shall be installed in conjunction with initial grading operations and maintained through the development/construction process to remove sediment from runoff wastes that may drain from land undergoing development to environmentally sensitive areas.*

*(B) To prevent sedimentation of off-site areas, vegetation shall be maintained to the maximum extent possible on the development site. Where necessarily removed during construction, native vegetation shall be replanted to help control sedimentation.*

*(C) Temporary mechanical means of controlling sedimentation, such as hay baling or temporary berms around the site, may be used as part of an overall grading plan, subject to the approval of the Coastal Permit Administrator.*

*(D) Design of sedimentation control devices shall be coordinated with runoff control structure to provide the most protection.*

*(E) The grading plan when required shall set forth a schedule for the construction and maintenance of any structure to be developed under this section, and shall include a statement designating who shall be responsible for the long-term management of the devices.*

Section 20.492.025 (“*Runoff Standards*”) of the CZC states as follows, in applicable part (emphasis added):

*(A) Water flows in excess of natural flows resulting from project development shall be mitigated.*

...

*(D) Retention facilities and drainage structures shall, where possible, use natural topography and natural vegetation. In other situations, planted trees and vegetation such as shrubs and permanent ground cover shall be maintained by the owner.*

*(E) Provisions shall be made to infiltrate and/or safely conduct surface water to storm drains or suitable watercourses and to prevent surface runoff from damaging faces of cut and fill slopes.*

...

Discussion:

LUP Policy 3.1-25 requires in part that the biological productivity of coastal waters be sustained. CZC Section 20.492.015 sets forth erosion standards to minimize the effects of erosion from new development. Specifically, the provision requires in part that existing vegetation be maintained to the maximum extent feasible, and areas of disturbed soil are to be reseeded and fully revegetated. Section 20.492.020 of the CZC sets forth sedimentation standards to minimize sedimentation of off-site areas, and it too requires that the maximum amount of vegetation existing on the development site shall be maintained to prevent sedimentation of off-site areas. Section 20.492.020(B) also requires where vegetation is necessarily removed during construction, native vegetation shall be replanted afterwards to help control sedimentation. CZC Section 20.492.020(C) of the CZC suggests the use of temporary mechanical methods as a means of controlling sedimentation. Finally, CZC Section 20.492.025 specifies runoff standards and includes in part a provision that planted vegetation shall be maintained to help mitigate runoff impacts.

The proposed amended development involves the construction of a 17-foot-high, 2,850-square-foot, one-story single-family residence. As discussed previously, the subject parcel is located near the top of a ridge above the Navarro River. Runoff originating from the development site that is allowed to drain down the hillside toward the river could contain entrained sediment and other pollutants in the runoff that would contribute to degradation of the quality of coastal waters and any intervening sensitive habitat. Furthermore, the increase in impervious surface area from the proposed development will decrease the infiltrative function and capacity of the existing permeable land on site, and the reduction of permeable surface area will lead to an increase in the volume and velocity of stormwater runoff that can be expected to leave the site. However, other than removing vegetation from within the building envelope, the applicants propose to retain the majority of the 10-acre site in its natural, vegetated condition and to plant additional landscaping throughout the site, which will continue to allow for infiltration of stormwater, thereby greatly reducing the potential that runoff from the completed development would affect coastal waters.

Therefore, erosion and sedimentation impacts from runoff will be of greatest concern during construction. Construction of the proposed development will expose soil to

erosion and entrainment in runoff, particularly during the rainy season. To ensure that best management practices (BMPs) are implemented to control the erosion of exposed soils and minimize sedimentation of coastal waters during construction, the Commission attaches **Special Condition No. 8**. This condition requires the implementation of BMPs to control erosion and sedimentation during and following construction. These required BMPs include (a) disposing of any excess excavated material resulting from construction activities at a disposal site outside the coastal zone or within the coastal zone pursuant to a valid coastal development permit; (b) installing straw bales, coir rolls, or silt fencing structures prior to grading activities and maintaining the devices throughout the construction period to prevent runoff from construction areas from draining down the hillside toward the Navarro River, (c) maintaining on-site vegetation to the maximum extent feasible during construction activities; (d) replanting and if necessary mulching any disturbed areas as soon as feasible following completion of construction, but in any event no later than May 1<sup>st</sup> of the next spring season consistent with the final approved landscape plan required by Special Condition No. 9; (e) covering and containing all on-site stockpiles of construction debris at all times to prevent polluted water runoff; and (f) protecting the canopy and root zones of existing living trees on site through temporary fencing or screening during construction.

Therefore, the Commission finds that proposed amended development as conditioned is consistent with CZC Sections 20.492.015, 20.492.020, and 20.492.025 because erosion, sedimentation, and runoff will be controlled and minimized. Furthermore, the Commission finds that the proposed amended development as conditioned is consistent with the provisions of LUP Policy 3.1-25 requiring that the biological productivity of coastal waters be sustained because stormwater runoff from the proposed development will be directed to extensive vegetated areas at the site to allow for infiltration into the ground and avoid drainage down the hillside to the Navarro River.

#### **F. California Environmental Quality Act**

Section 13096 of the Commission's administrative regulations requires Commission approval of coastal development permit applications to be supported by a finding showing the application as modified by any conditions of approval to be consistent with any applicable requirements 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 which the activity may have on the environment.

The Commission incorporates its findings on LCP and Coastal Act consistency at this point as if set forth in full. These findings address and respond to all public comments regarding potential significant adverse environmental effects of the project that were received prior to preparation of the staff report. As discussed above, the proposed amended development as conditioned is consistent with the policies of the certified Mendocino County Local Coastal Program. Mitigation measures which will minimize all adverse environmental impacts have been required as permit amendment special

conditions. 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 may have on the environment. Therefore, the Commission finds that the proposed amended development, as conditioned to mitigate the identified impacts, can be found to be consistent with the requirements of the Coastal Act to conform to CEQA.

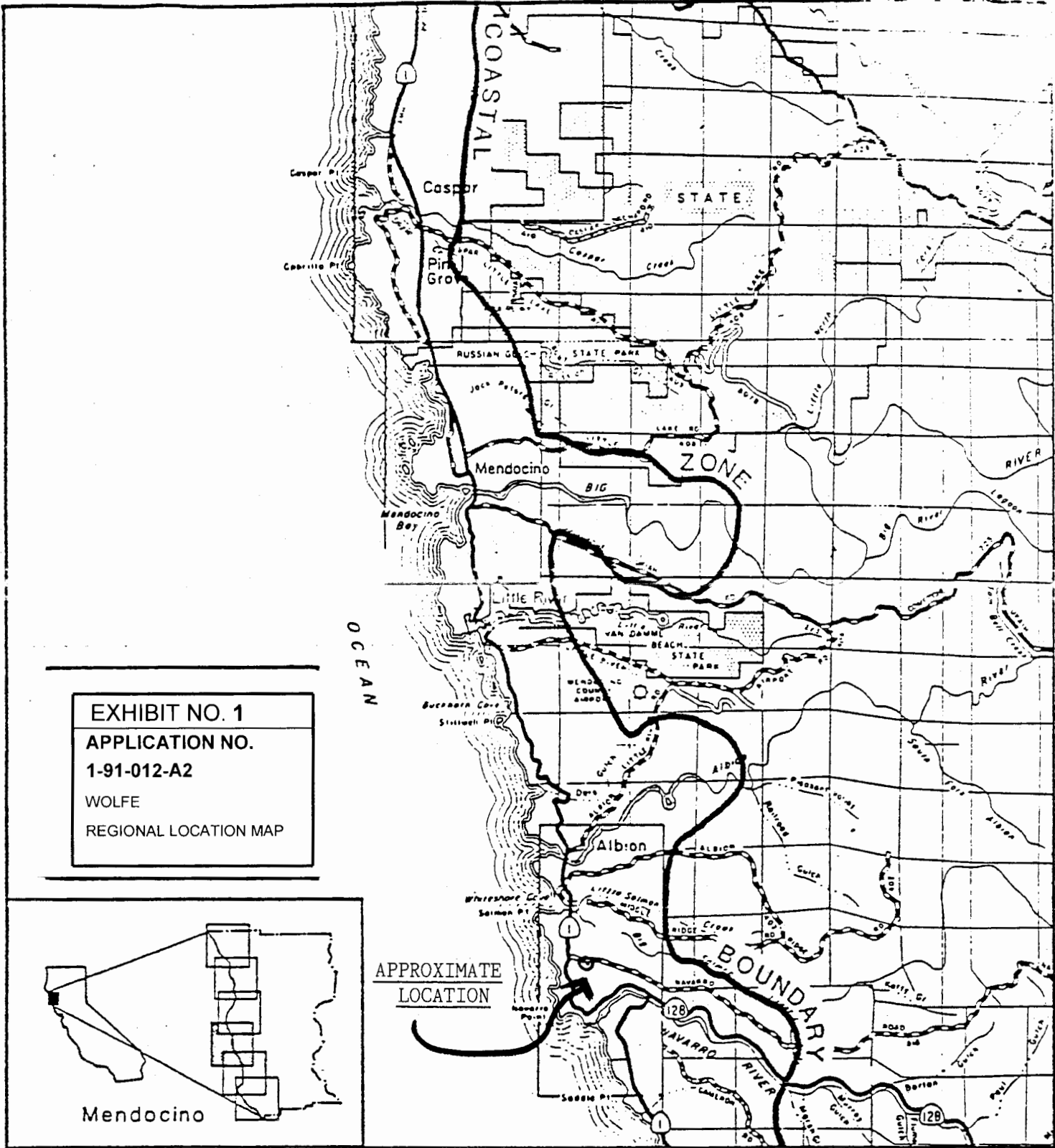
**V. EXHIBITS:**

1. Regional Location Map
2. Vicinity Map
3. Assessor's Parcel Map
4. Proposed Project Plans
5. Site Photographs
6. Staff report for original permit (CDP No. 1-91-012)
7. Staff report for first permit amendment (CDP No. 1-91-012-A1)

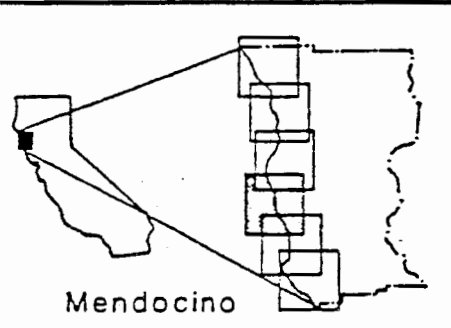
## APPENDIX A

### STANDARD CONDITIONS

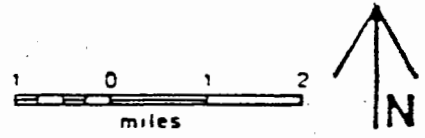
1. Notice of Receipt and Acknowledgement. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. 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 amount 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 of 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. 1**  
**APPLICATION NO.**  
**1-91-012-A2**  
 WOLFE  
 REGIONAL LOCATION MAP



APPROXIMATE  
 LOCATION

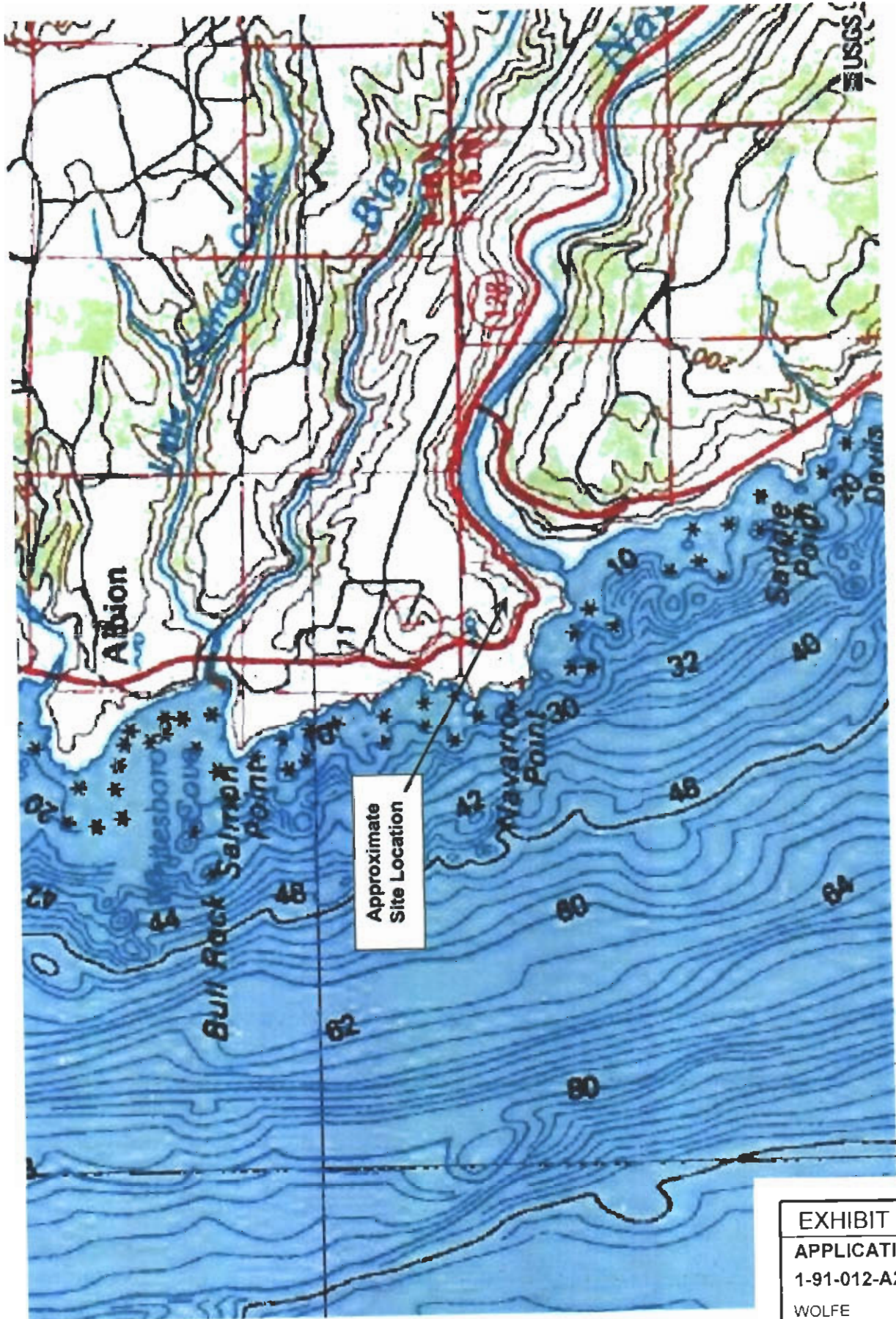



 California Coastal Commission

**LOCATION MAP**

County of Mendocino

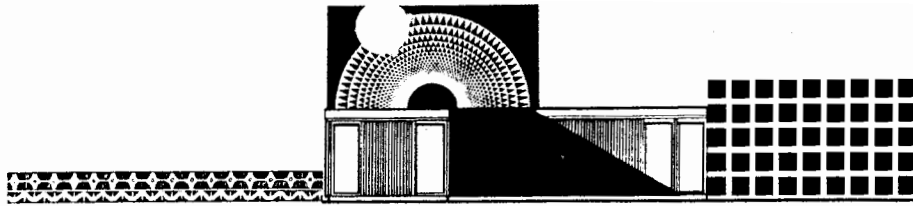




Approximate Site Location

EXHIBIT NO. 2  
APPLICATION NO.  
1-91-012-A2  
WOLFE  
VICINITY MAP





*Leventhal, Schlosser, Newberger, Architects*

March 19, 2010

California Coastal Commission  
North Coast District Office  
710 E. Street, Suite 200  
Eureka, CA 95501-1865

RECEIVED

MAR 24 2010

CALIFORNIA  
COASTAL COMMISSION

Attn: Robert Merrill, District Manager and Melissa Kraemer  
Subject: Wolfe Residence -Coastal Development Permit Amendment Application No. 1-91-012-A2 for Conversion of Existing Residence to Guest House and Construction of New Residence at 33351 Navarro Ridge Road, Albion, Mendocino County.

Dear Mr. Merrill and Ms. Kraemer,

I am writing to amend our application for the above referenced project as follows:

1. Change the color of all painted trim proposed for the project AND repaint the trim at all of the existing structures on the property from white to either Benjamin-Moore Alligator Alley #414 or Benjamin-Moore Tucson Red #1300.
2. Relocate the solar photovoltaic panels from the eastern portion of the south facing roof to the western portion of the south facing roof where the natural topography of the land will hide them from public view AND add an additional 20 photovoltaic panels mounted on a ground mounted rack directly to the north of the proposed new residence. The maximum height of the array shall not exceed the height of the ridge of the proposed new residence so that either the natural topography of the land or the new residence will hide them from public view.
3. Change the exterior treatment of all natural shingle wall covering proposed for the project AND refinish all natural shingle wall covering at all of the existing structures on the property from clear oil to Duckback "Red Cedar" color penetrating oil finish.

We have included the following items with this submittal:

1. Samples of the color choices for your files.
2. A revised photomontage showing the new location of the roof mounted solar panels.
3. Revised sheet A1.2- Site Plan showing the ground mounted solar panels.
4. Revised sheet A3.1- Exterior Elevations showing the new location of the roof mounted solar panels and the revised Exterior Materials List.

Thank you for your consideration of this project. It is our understanding that our application, as herein revised, will be placed on the May agenda of the Coastal Commission. If you have additional questions, please contact me at 707-961-0911.

Sincerely,

Robert Schlosser, Architect  
cc. Steven and Deborah Wolfe

EXHIBIT NO. 4

APPLICATION NO.

1-91-012-A2

WOLFE

PROPOSED PROJECT PLANS

(1 of 9)



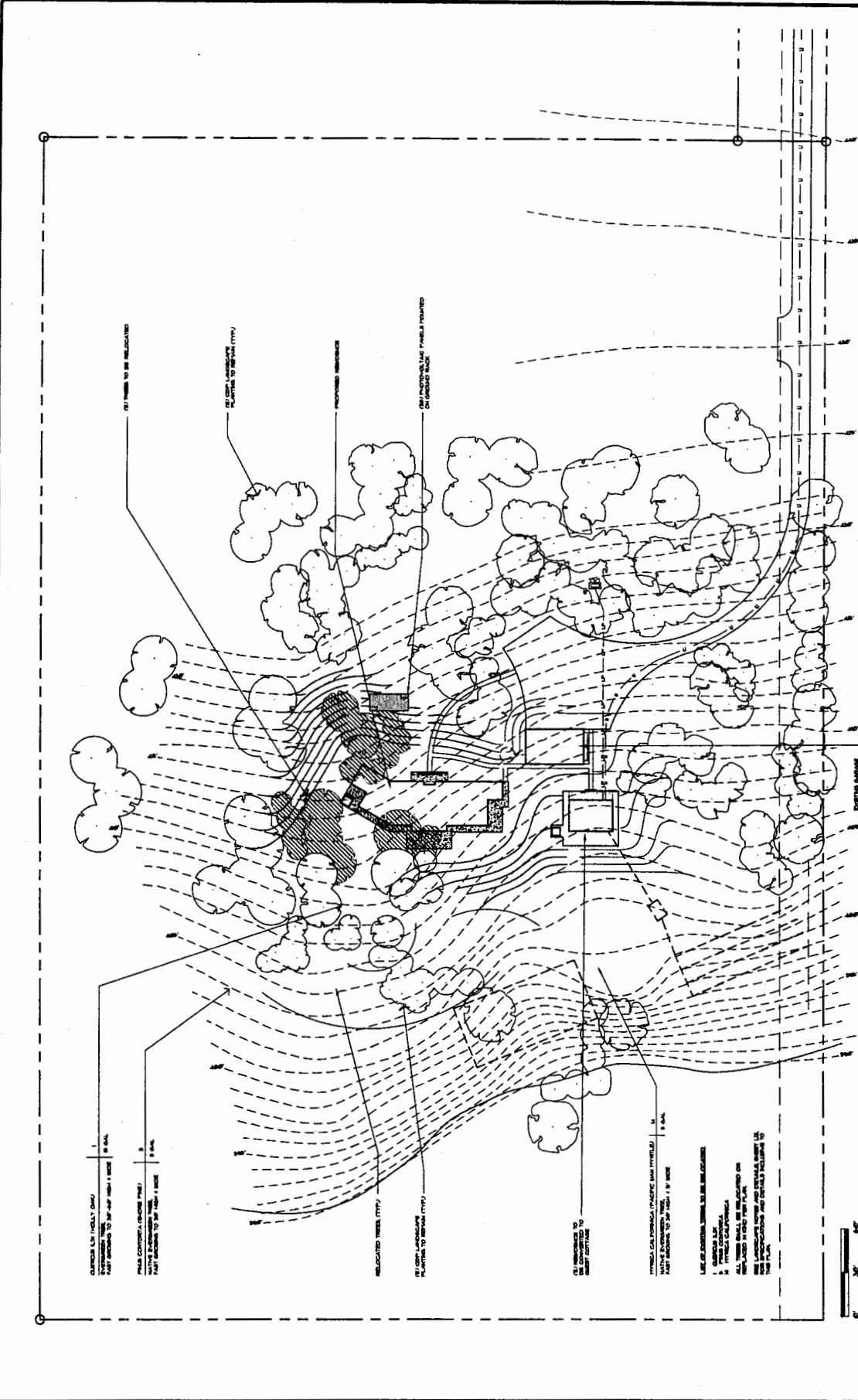
LAYERS: 1. SITE PLAN  
 2. CONTOUR LINES  
 3. TREE PLANTINGS  
 4. EXISTING UTILITIES  
 5. PROPOSED UTILITIES  
 6. PROPOSED ROADS  
 7. PROPOSED DRIVEWAYS  
 8. PROPOSED PATIO  
 9. PROPOSED DECK  
 10. PROPOSED PORCH  
 11. PROPOSED STAIRS  
 12. PROPOSED FENCE  
 13. PROPOSED SIGN  
 14. PROPOSED LIGHTING  
 15. PROPOSED LANDSCAPE  
 16. PROPOSED HEDGING  
 17. PROPOSED BOUNDARY  
 18. PROPOSED SETBACK  
 19. PROPOSED EASEMENT  
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 100. PROPOSED ENCROACHMENT

SITE PLAN

NEW SINGLE FAMILY RESIDENCE FOR  
 Steven and Deborah  
**WOLF**  
 33951 NAVARRO RIDGE RD.  
 ALBANY, ALBERTA T5B 4T0

NO. 1	DATE	BY
NO. 2	DATE	BY
NO. 3	DATE	BY
NO. 4	DATE	BY
NO. 5	DATE	BY
NO. 6	DATE	BY
NO. 7	DATE	BY
NO. 8	DATE	BY
NO. 9	DATE	BY
NO. 10	DATE	BY

**A1.2**  
 SHEET NO. 2 OF 2



ENLARGED SITE PLAN



6 of 2

LEVENTHAL, SCHUBERT, KEMMERER ARCHITECTS  
 10000 Wilshire Blvd., Suite 1000  
 Beverly Hills, CA 90210  
 Phone: (310) 277-1111  
 Fax: (310) 277-1112  
 www.lskarchitects.com

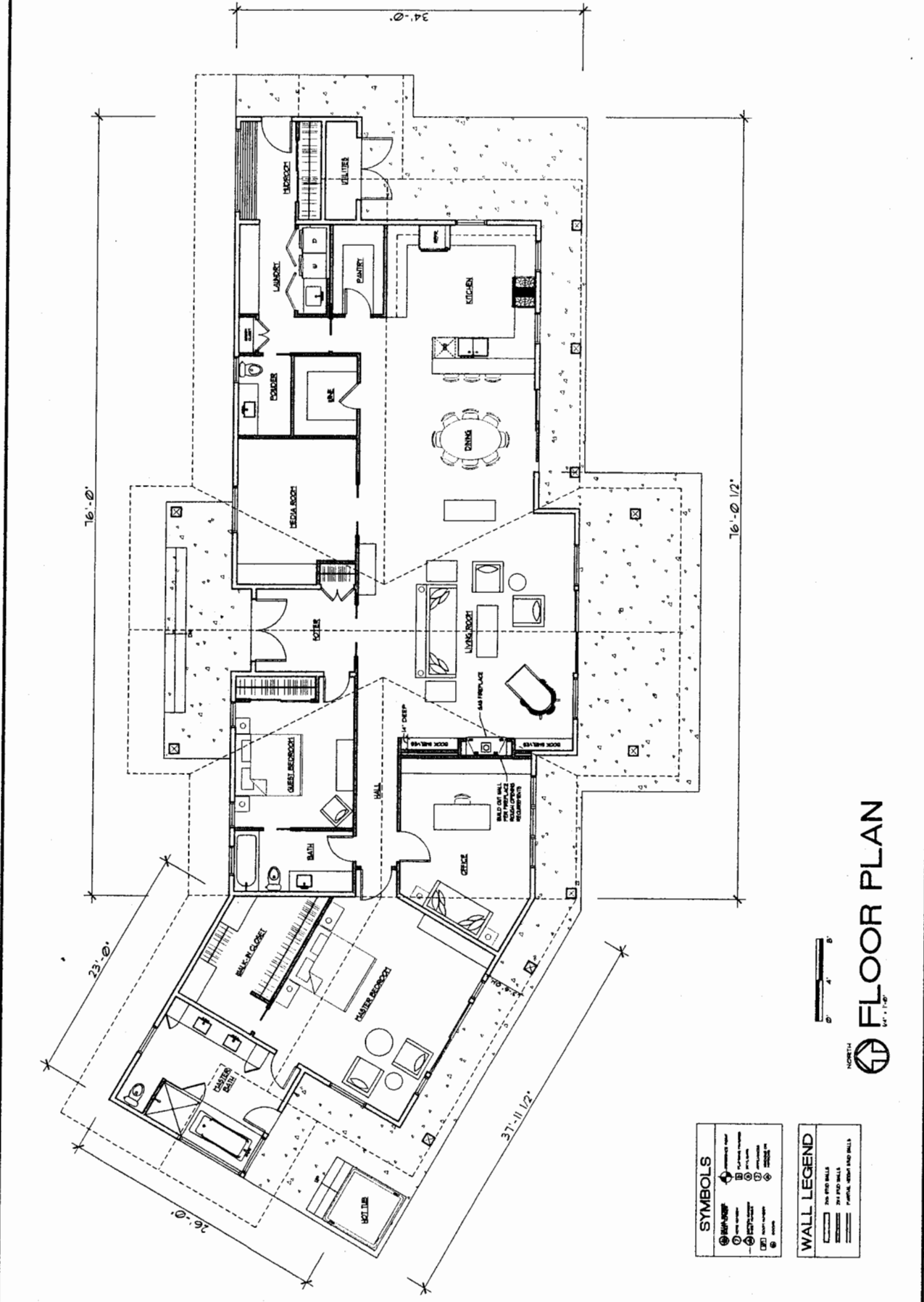
FLOOR PLAN

NEW SINGLE FAMILY RESIDENCE FOR  
**Steven and Deborah**  
 WOLFE  
 4, NAVARRO RIDGE RD.,  
 CALIFORNIA 95410

DATE	NO.
PAT 11.2006	1

OWNER	NO. / IN.

A2.1



**SYMBOLS**

○	DOOR SWING
○	DOOR OPENING
○	DOOR
○	DOOR
○	DOOR
○	DOOR
○	DOOR
○	DOOR
○	DOOR
○	DOOR

**WALL LEGEND**

—	2X6 END WALL
—	2X4 END WALL
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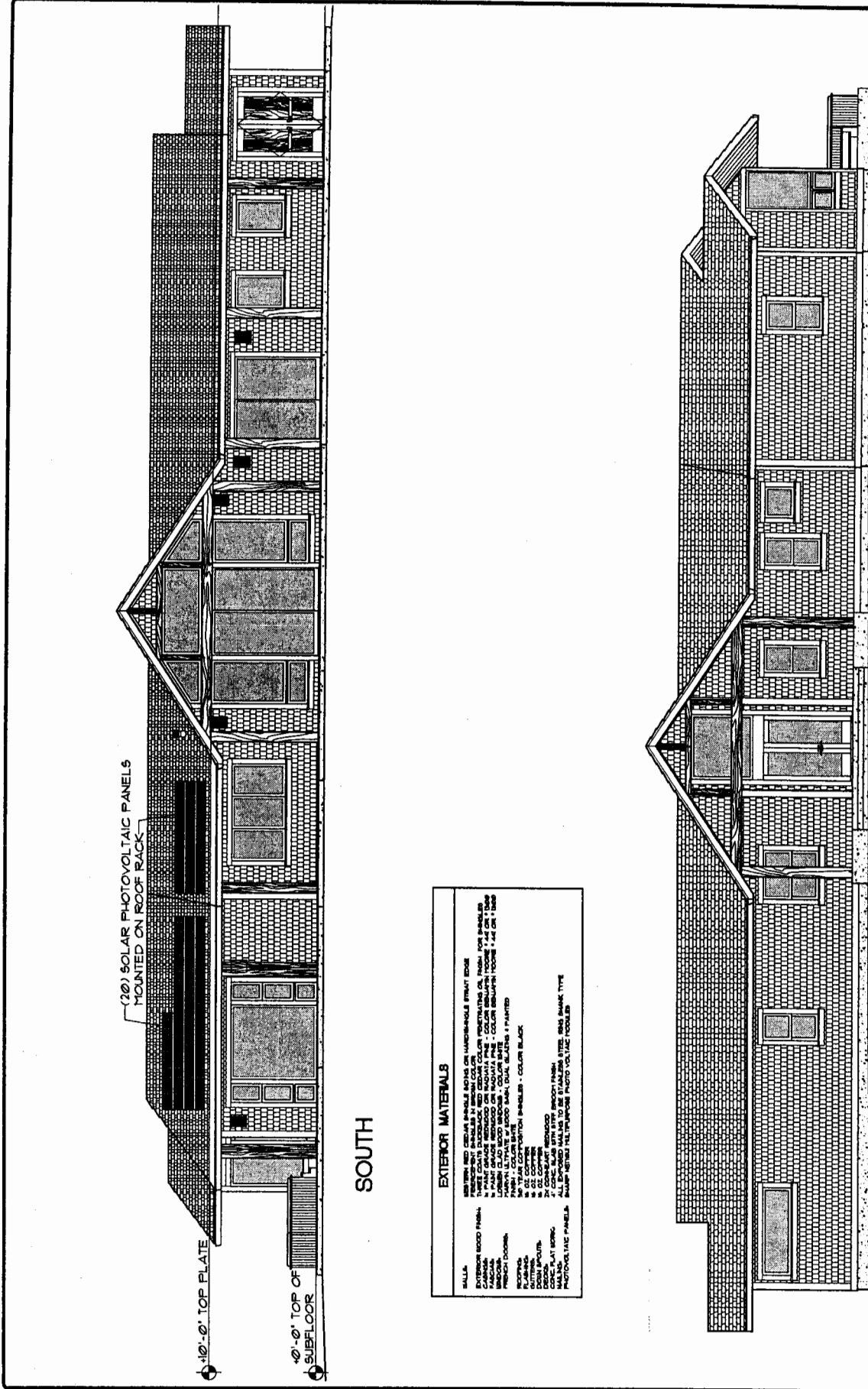
L. J. WILSON ARCHITECTS  
 1000 S. GARDEN ST. SUITE 100  
 ANAHEIM, CALIFORNIA 92805  
 TEL: (714) 771-1111  
 FAX: (714) 771-1112  
 WWW: WWW.LJWILSON.COM

EXTERIOR ELEVATIONS

NEW SINGLE FAMILY RESIDENCE FOR  
 Steven and Deborah  
 WOLF  
 33951 NAVARRO RIDGE RD.  
 ALBION, CALIFORNIA 95410

NO. 1	DATE
NO. 2	DATE
NO. 3	DATE
NO. 4	DATE
NO. 5	DATE
NO. 6	DATE
NO. 7	DATE
NO. 8	DATE
NO. 9	DATE
NO. 10	DATE

**A3.1**  
 SHEET NO.  
 PROJECT NO.  
 DATE



(20) SOLAR PHOTOVOLTAIC PANELS MOUNTED ON ROOF RACK

40'-0" TOP PLATE

40'-0" TOP OF SUBFLOOR

SOUTH

**EXTERIOR MATERIALS**

WALLS: BRICK  
 ROOFING: ASBESTOS/FLUTE SHINGLES - COLOR BLACK  
 CEILING: 1/2" GYP BOARD  
 FLOORING: 3/4" OAK PLANK  
 INTERIORS: 1/2" GYP BOARD  
 DOORS: 1 1/2" OAK  
 WINDOWS: 1 1/2" OAK  
 TRIM: 1 1/2" OAK  
 PORCH: 1 1/2" OAK  
 STAIRS: 1 1/2" OAK  
 PHOTOVOLTAIC PANELS: MONOCRYSTALLINE SILICON PHOTOVOLTAIC PANELS

NORTH  
**EXTERIOR ELEVATIONS**  
 1/8" = 1'-0"

599

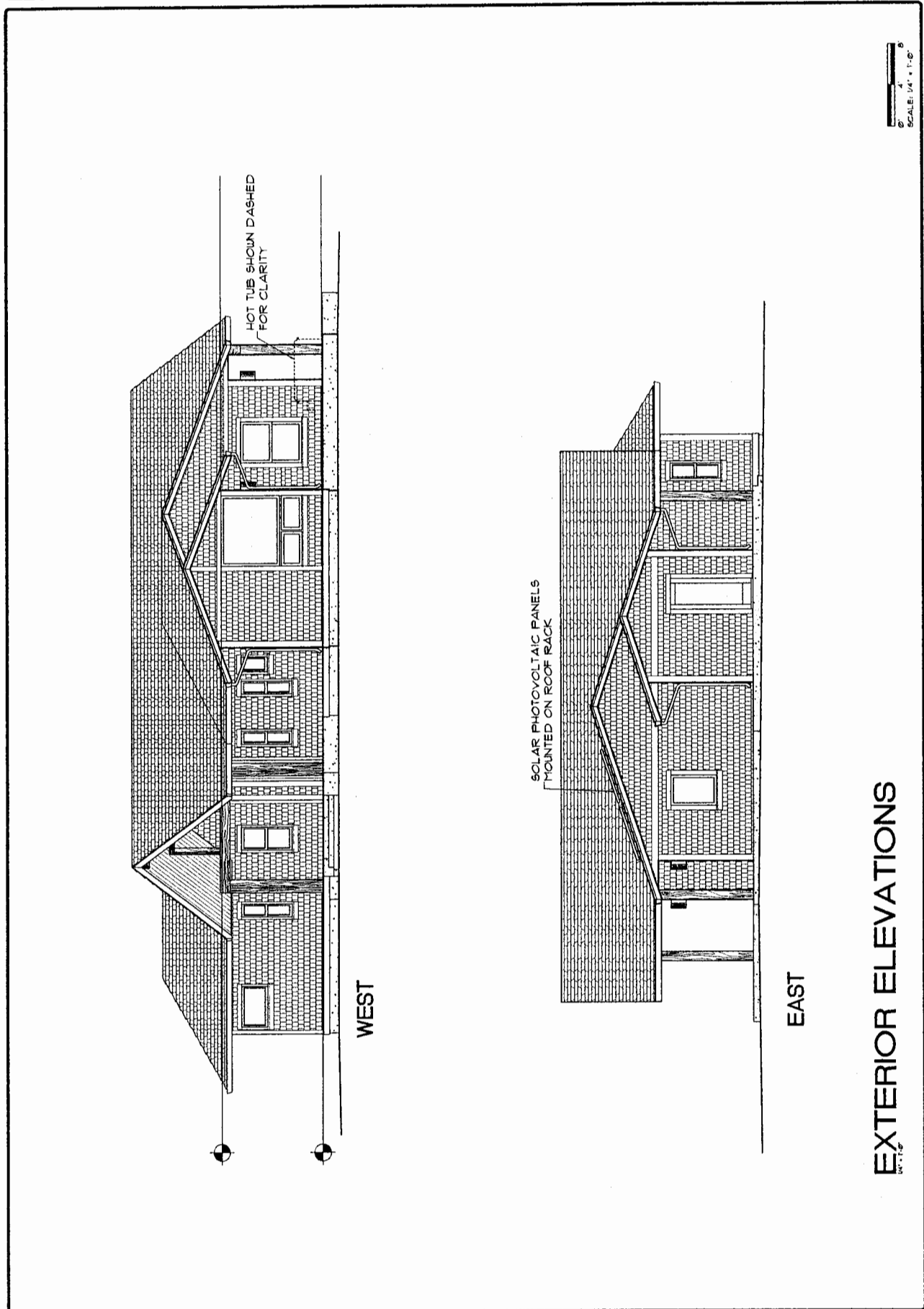
LEVENTHAL, SCHLOSSER, HENNINGSEN ARCHITECTS  
 10000 LEWIS AND CLARK BLVD., SUITE 100  
 FORT COLLINS, COLORADO 80526  
 PHONE: 970.223.1111 FAX: 970.223.1112

EXTERIOR ELEVATIONS

NEW SINGLE FAMILY RESIDENCE FOR  
 Steven and Deborah WOLFE  
 1 NAVARRO RIDGE RD.  
 FORT COLLINS, CALIFORNIA 95410

DATE	
BY	
CHECKED	
SCALE	
PROJECT	
NO.	
DATE	

A3.2



EXTERIOR ELEVATIONS

SCALE: 1/4" = 1'-0"

6 of 9



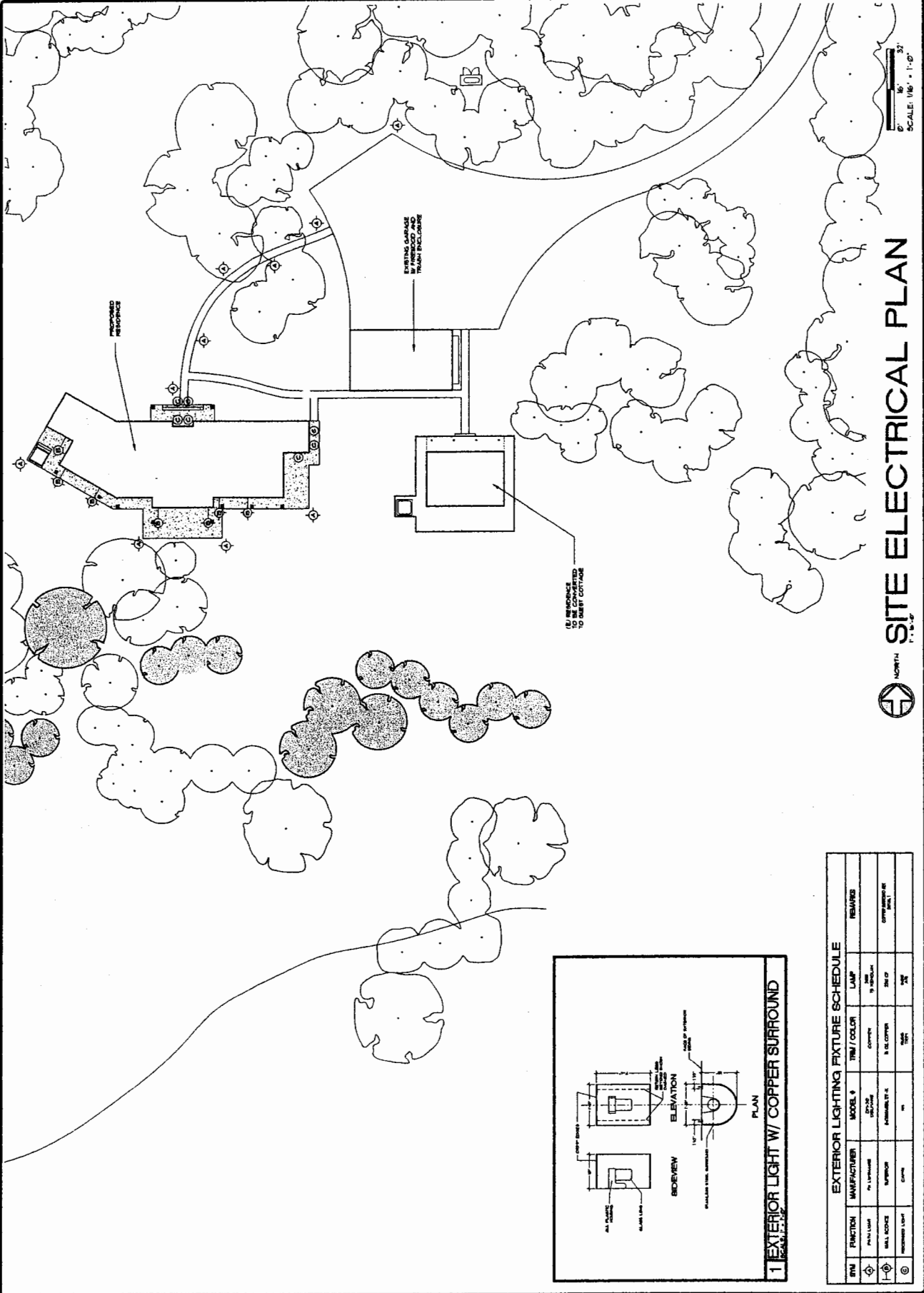


SITE ELECTRICAL PLAN

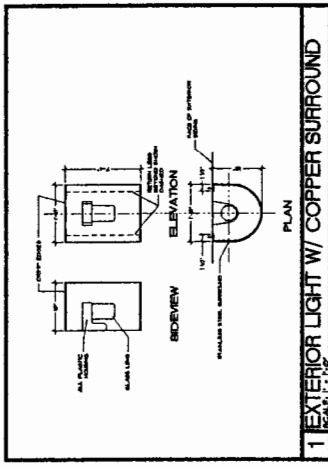
NEW SINGLE FAMILY RESIDENCE FOR Steven and Deborah WOLFE  
 1, CALIFORNIA 95410  
 JUL 11, 2009

DATE	APR 11, 2009
BY	
CHECKED	
DESIGNED	
SCALE	
PROJECT	

**E1.1**



**SITE ELECTRICAL PLAN**



**1 EXTERIOR LIGHT W/ COPPER SURROUND**

EXTERIOR LIGHTING FIXTURE SCHEDULE						
SYM	FUNCTION	MANUFACTURER	MODEL #	FIN / COLOR	LAMP	REMARKS
⊕	POLE LIGHT	BY LUMINANCE	BY LUMINANCE	COPPER	BY LUMINANCE	BY LUMINANCE
⊙	WALL LIGHT	BY LUMINANCE	BY LUMINANCE	BY LUMINANCE	BY LUMINANCE	BY LUMINANCE
⊕	RECESSED LIGHT	BY LUMINANCE	BY LUMINANCE	BY LUMINANCE	BY LUMINANCE	BY LUMINANCE

602

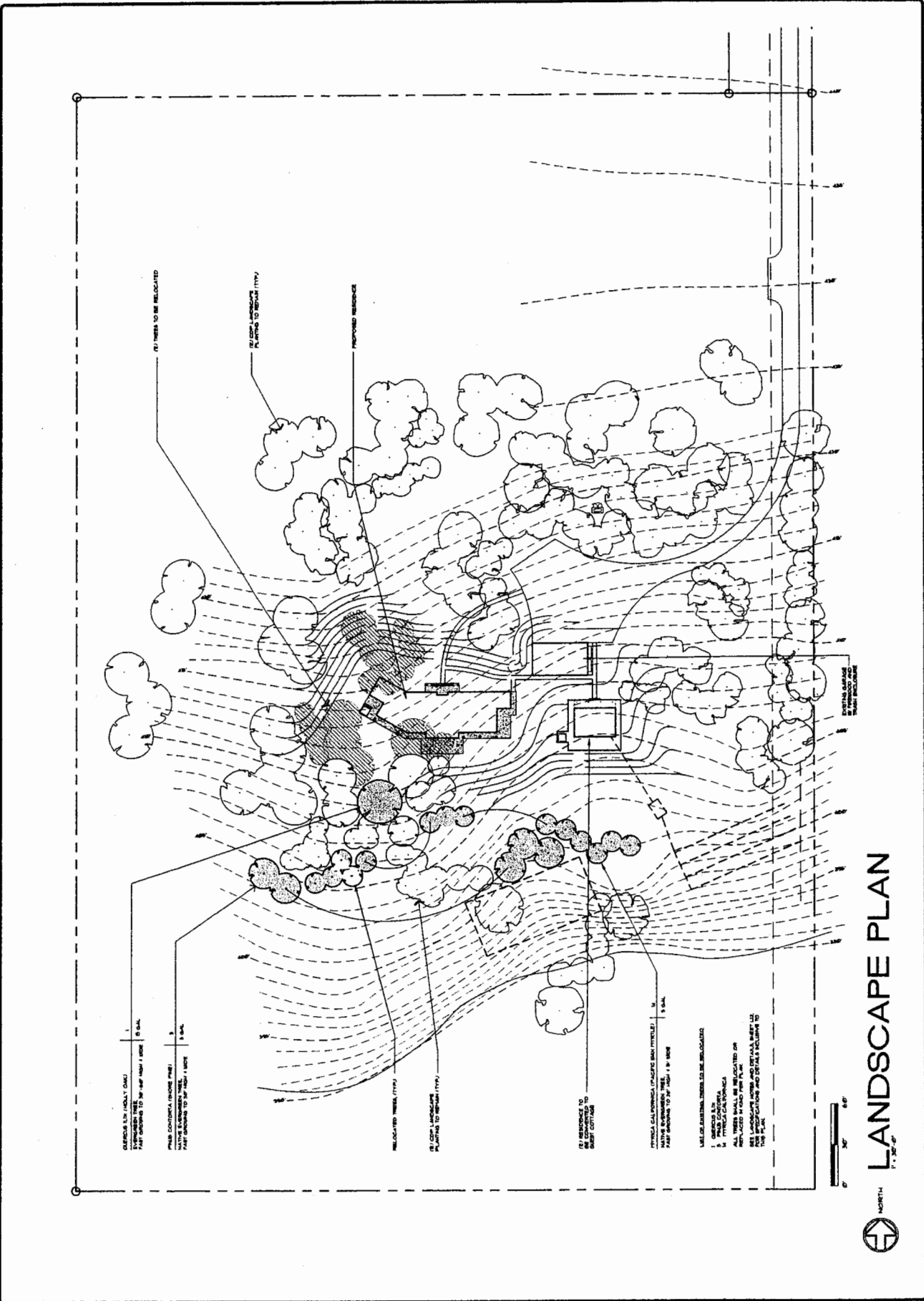


LANDSCAPE PLAN

NEW SINGLE FAMILY RESIDENCE FOR  
 Steven and Deborah  
**WOLFE**  
 1. CALIFORNIA 95410  
 YAVARRO RIDGE RD.

DATE	NO.

NO. / N  
 SHEET  
 OF  
 11  
**L1.1**



LANDSCAPE PLAN

6 of 8

- ORIGINAL CONDITIONS:**
1. EXISTING GRASS & HORNWORMS SHALL CONFORM TO THE MOST RECENT EDITIONS OF THE CALIFORNIA BUILDING CODE, CA ELECTRIC CODE, CA MECHANICAL CODE AND CA PLUMBING CODE WITH CURRENT STATE AND LOCAL AMENDMENTS.
  2. ALL WORK SHALL BE DONE IN A PROFESSIONAL MANNER AND BE OF THE HIGHEST QUALITY STANDARDS.

- PLANT MATERIAL:**
1. ALL PLANT MATERIAL TO BE DROUGHT TOLERANT AND HAVE LOW WATER USAGE.
  2. PLANTS MUST BE SUITABLE TO THE CLIMATE.
  3. ALL PLANTS SHALL BE NORMAL SIZE FOR CONTAINER, VERTICALLY AND TRUNK TO TRUNK AND VARIETY.
  4. PLANT STOCK TO BE USED IS LISTED ON PLAN WITH APPROPRIATE NUMBER, CONTAINER SIZE AND SPECIES.
  5. SPACING OF PLANTS ON CENTER IN PLANTING BEDS IS EQUAL TO THEIR GROWTH WIDTH.

- PLANT PREPARATION:**
1. PLANT ROOTS SHALL BE FREE OF CONSTRUCTION DEBRIS AND MUDS.
  2. ADD 3 ORGANIC COMPOST UNIFORMLY TO PLANTING AREAS AND ACCORDING TO A DEPTH OF 12".
  3. PLANT HOLES SHALL BE TWICE THE DIAMETER AND DEPTH OF THE ROOT BALL.
  4. PLANT HOLES SHALL BE FILLERED WITH 1/2" GRAVEL AND 1/2" SAND.
  5. AFTER FORM (10-15) SLOW RELEASE 21 GRAM FERTILIZER TABLETS OR EQUAL SHALL BE PLACED EVENLY AROUND THE PLANT CIRCUMFERENCE, HALF WAY DOWN ROOT BALL AND 4" AWAY. USE 3 TABLETS PER TREE OR SHRUB.

- PLANTING:**
1. WATER PLANTS IN CONTAINER THOROUGHLY PRIOR TO PLANTING AND DIRECTLY AFTER TO ELIMINATE AIR BUBBLES AND WET PLANT ROOTS.
  2. WATER PLANTS IN CONTAINER UNTIL ALL EXCESS GRADE SURFACES AWAY FROM PLANT CROWN. PREPARE A WATER BASIN BY FORMING A SOILING AT LEAST 2" HIGH AND WIDE AROUND THE OUTER EDGE OF THE NEW PLANT HOLE. SEE DETAILS 7 AND 2.
  3. ALL PLANTS AND PLANTING AREAS SHALL RECEIVE 3" MINIMUM OF 1/2" WALK ON FIBER BARK. PLANTS SHALL BE KEPT MOIST FOR TWO WEEKS FOLLOWING PLANTING AND THEN WATERED WELL ONCE PER WEEK UNTIL RAINY SEASON BEGINS.

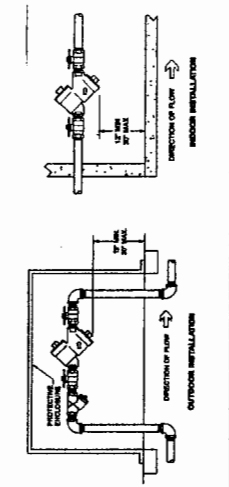
- BRACING AND WIND PROTECTION:**
1. SET THREE (3) 2" DIAMETER X 8' TALL PRESSURE TREATED DOUGLAS FIR (PT. OF), REDWOOD OR LODGE POLE TREE STAKES FORMING A 90 DEGREE ANGLE ON THE WINDWARD SIDE OF THE TREES. SPRING AWAY FROM THE DIRECTION OF PREVAILING WIND. SET ALL STAKES 12" AWAY FROM THE TRUNK OF THE TREE.
  2. SECURE FOUR (4) RUBBER OR POLY TREE TIES FASTENED IN A FIGURE 7" AROUND TREE PER DETAIL. TIES SHALL BE PLACED ON THE TWO STAKES THAT ARE PERPENDICULAR TO THE PREVAILING WINDS. SECURE TIES TO TREE STAKES WITH 1/4" GALV. STEEL WIRE.
  3. STABLE HIGH QUALITY WOVEN LANDSCAPE FABRIC 4" TALL SECURELY TO THE POLES FOR WIND PROTECTION.
  4. WIND PROTECTION SHALL REMAIN FOR A MINIMUM OF TWO YEARS OR UNTIL TREE IS WELL ESTABLISHED.

- IRRIGATION:**
1. SYSTEM DESIGNED FOR 10 G.P.M. AND 90 P.S.I. MAX. CONTRACTOR TO VERIFY G.P.M. AND P.S.I. TO INSURE PROPER SYSTEM PERFORMANCE.
  2. ALL PIPING IS SCH. 40 PVC WITH SIZES LISTED ACCORDINGLY.
  3. 3/4" GARDEN HOSE BIB MUST BE PROVIDED FOR MANUAL WATERING AT TIME OF PLANTING.
  4. PRESSURE REGULATOR SHALL BE INSTALLED AT MAIN VALVE AND PRESSURE REGULATOR SHALL BE MAINTAINED FOR THE LIFE OF THE STRUCTURE.
  5. SYSTEM SHALL BE INSTALLED IN THE FOLLOWING MANNER:
    - A 1" VALVE SHALL BE INSTALLED AT EACH PLANTING AREA.
    - A 1" VALVE SHALL BE INSTALLED AT EACH VALVE BOX.
    - A 1" VALVE SHALL BE INSTALLED AT EACH BACKFLOW PREVENTION OR EQUAL TO BE LOCATED IN A NON-PUBLICLY VISIBLE PLACE IF POSSIBLE.
    - A 1" BRONZE TO BRASS ULTRA FLOW AUTOMATIC IN LINE VALVE SHALL BE INSTALLED AT EACH PLANTING AREA.
    - A 1" NET AIRM PRESSURE REGULATOR WITH 30 P.S.I. SPRING SHALL BE INSTALLED AT EACH PLANTING AREA.
    - TRANSITION TO 1/2" POLY DRIP TUBING AND NEXT TO EACH PLANT CROWN.
    - DRIP TUBING SHALL BE INSTALLED IN A MANNER TO ENSURE VALVES USER WATER TO EACH PLANT TO ENSURE BALANCED WATERING. LOCATE EMITTERS IN THE FOLLOWING MANNER:
      1. AGRIFORM ONE GALLON PER HOUR (GPH) DRIP EMITTERS SHALL BE PLACED 14" FROM CROWN OF PLANT.
      2. AGRIFORM ONE GALLON PER HOUR (GPH) DRIP EMITTERS SHALL BE PLACED 17" FROM CROWN SURROUNDING EACH 3 GAL. SHRUB.
  6. BACKFLOW PREVENTION DEVICE TO BE INSTALLED PER DETAIL 3.1 APPLICABLE CODES SHALL BE INSTALLED AT EACH VALVE BOX AND SHALL BE INSTALLED WITH 1/2" AIR GAP.
  7. A JUMBO SIZE VALVE BOX WITH TOP MOUNTED PLUMB WITH 1/2" AIR GAP SHALL BE INSTALLED AT EACH VALVE BOX WITH TOP MOUNTED PLUMB WITH 1/2" AIR GAP.
  8. A HARDIE RAIN DIAL STATION CONTROLLER SHALL BE INSTALLED IN NUMBER APPROVED BY CITY AND COUNTY. CONTROLLER SHALL BE INSTALLED AT EACH VALVE BOX.
  9. VALVE BOXES SHALL BE INSTALLED AT EACH VALVE BOX AND SHALL BE INSTALLED WITH 1/2" AIR GAP.
  10. THIS SYSTEM WILL PROVIDE 13 TO 15 YEARS OF SERVICE.
  11. THIS SYSTEM WILL PROVIDE 13 TO 15 YEARS OF SERVICE.
  12. THIS SYSTEM WILL PROVIDE 13 TO 15 YEARS OF SERVICE.
  13. THIS SYSTEM WILL PROVIDE 13 TO 15 YEARS OF SERVICE.
  14. THIS SYSTEM WILL PROVIDE 13 TO 15 YEARS OF SERVICE.

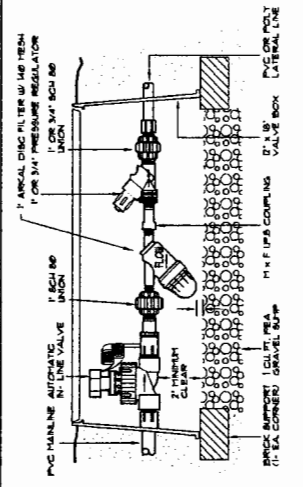
- MAINTENANCE AND REPLACEMENT:**
1. PROVIDE A MONTHLY MAINTENANCE CHECK ON IRRIGATION AND PLANT CONDITIONS TO ENSURE SUCCESS OF THE PLANTING AND IRRIGATION SYSTEM.
  2. PLANTS SHALL BE REPAIRED AND REPLANTED AT OWNERS RISK AND WRITTEN REPORT TO BE SUBMITTED TO ARCHITECT. REPAIRS SHALL BE INSTALLED IN ACCORDANCE WITH THESE CONDITIONS APPLY TO THE LIFE OF THE STRUCTURE.

- PROTECTION OF EXISTING VEGETATION:**
1. EXISTING VEGETATION SHALL BE PROTECTED AND REMOVED AT OWNERS RISK AND WRITTEN REPORT TO BE SUBMITTED TO ARCHITECT. REPAIRS SHALL BE INSTALLED IN ACCORDANCE WITH THESE CONDITIONS APPLY TO THE LIFE OF THE STRUCTURE.
  2. EXISTING VEGETATION SHALL BE PROTECTED AND REMOVED AT OWNERS RISK AND WRITTEN REPORT TO BE SUBMITTED TO ARCHITECT. REPAIRS SHALL BE INSTALLED IN ACCORDANCE WITH THESE CONDITIONS APPLY TO THE LIFE OF THE STRUCTURE.

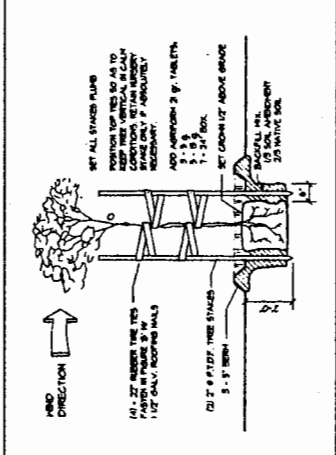
- PROTECTION OF EXISTING VEGETATION:**
1. EXISTING VEGETATION SHALL BE PROTECTED AND REMOVED AT OWNERS RISK AND WRITTEN REPORT TO BE SUBMITTED TO ARCHITECT. REPAIRS SHALL BE INSTALLED IN ACCORDANCE WITH THESE CONDITIONS APPLY TO THE LIFE OF THE STRUCTURE.
  2. EXISTING VEGETATION SHALL BE PROTECTED AND REMOVED AT OWNERS RISK AND WRITTEN REPORT TO BE SUBMITTED TO ARCHITECT. REPAIRS SHALL BE INSTALLED IN ACCORDANCE WITH THESE CONDITIONS APPLY TO THE LIFE OF THE STRUCTURE.



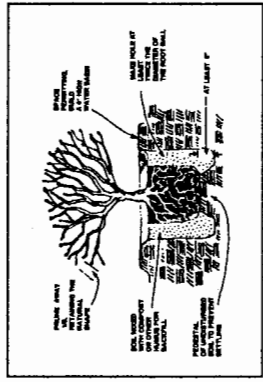
11.2 BACKFLOW PREVENTION DEVICE



11.3 VALVE BOX SET UP



11.4 TREE PLANTING DETAIL



11.5 SHRUB PLANTING DETAIL

Existing residence  
and garage

State Highway One

Navarro  
River

Navarro  
Head



EXHIBIT NO. 5

APPLICATION NO.

1-91-012-A2

WOLFE

SITE PHOTOGRAPHS (1 of 4)

2 of 4

Existing residence as  
viewed from Navarro  
Beach parking lot

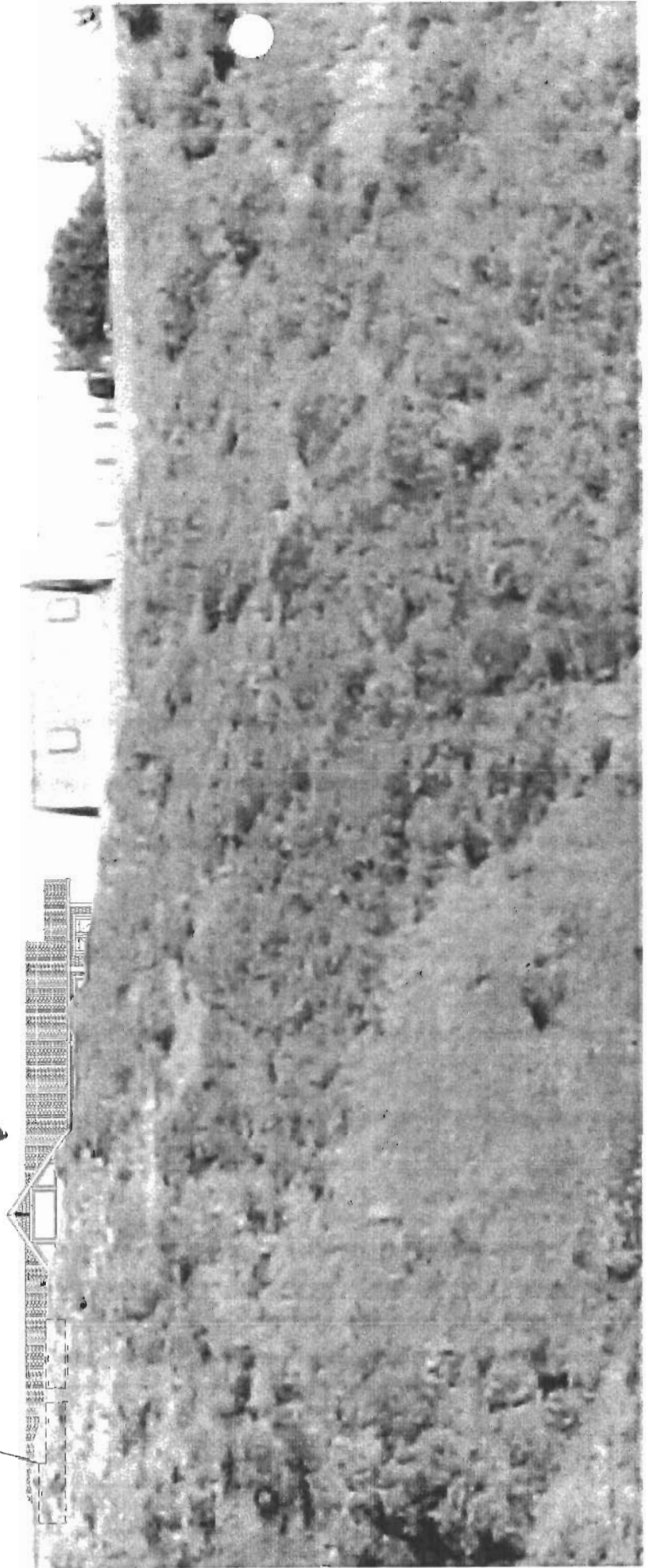


Simulated view of the proposed new residence.  
Note that due to site topography, only about one third  
of the structure will be visible above the ridgeline.

LOCATION OF  
PHOTOVOLTAIC  
PANELS

3 of 4

Zoomed in view of existing residence & garage.  
Note light trim and shingles, which are to be refined  
in darker earth-tone colors under the subject permit amendment.



4 of 4


Existing residence and garage  
as viewed from driveway entrance  
off of Navarro Ridge Road

Existing trees planted as backdrop  
for residence and garage structures  
under CDP No. 1-91-012-A1

Item  
8.4

CALIFORNIA COASTAL COMMISSION  
 NORTH COAST AREA  
 45 FREMONT, SUITE 2000  
 SAN FRANCISCO, CA 94105-2219  
 (415) 904-5260

EXHIBIT NO. 6
APPLICATION NO. 1-91-012-A2
WOLFE
STAFF REPORT FOR ORIGINAL PERMIT (1 of 8)

**MITB** *PK* 

Filed: March 21, 1991  
 49th Day: May 9, 1991  
 180th Day: September 17, 1991  
 Staff: Jo Ginsberg  
 Staff Report: March 29, 1991  
 Hearing Date: April 8, 1991  
 Commission Action:

STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 1-91-12

APPLICANT: ROBERT AND JOYCE PRICE

PROJECT LOCATION: 33351 Navarro Ridge Road, south of Albion, Mendocino County, APN 123-380-09.

PROJECT DESCRIPTION: Construction of a one-story single-family residence, detached garage, gravel driveway, septic system, well, and landscaping.

Lot area:	10 acres	
Building coverage:	SFR: 640 sq.ft.	Garage: 1440 sq.ft.
Pavement coverage:	Patios: 360 sq.ft.	Driveway: 15,400 sq.ft.
Landscape coverage:	1,000 sq.ft.	
Parking spaces:	3	
Plan designation:	Remote Residential-20 (RMR-20)	
Project density:	1 du/10 acres	
Ht abv fin grade:	SFR: 20 ft.	Garage: 17 ft.

LOCAL APPROVALS RECEIVED: Mendocino County LCP Consistency Review and Department of Environmental Health well and septic approval.

SUBSTANTIVE FILE DOCUMENTS: Mendocino County Land Use Plan.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants a permit, subject to the conditions below, for the proposed development on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.



7-91-12

Robert and Joyce Price

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II. Standard Conditions: See attached.

III. Special Conditions:

1. Landscaping:

PRIOR TO ISSUANCE of the Coastal Development Permit, the applicant shall submit for the Executive Director's review and approval, a landscaping/tree management plan that includes planting of native, drought-tolerant trees and/or shrubs in the area surrounding the proposed house and garage for the purpose of partially screening the structures from public view and also to provide a backdrop of trees and other vegetation to minimize the visual impact of the proposed development as viewed from Highway One and from Navarro Beach Road.

The plan shall further include a tree maintenance program (e.g., pruning, fertilizing, watering, etc.) for newly planted trees and a tree replacement program on a one-to-one or greater ratio for the life of the project. The new trees and shrubs shall be planted within 60 days of completion of the project.

2. Design Restrictions:

All exterior siding of the structures shall be of natural materials of earthtone colors only. The roofs shall also be of earthtone color. Also, all exterior materials shall be non-reflective, including roofs, and windows shall be tinted to minimize glare. Finally, all exterior lights (except those facing north), including any lights attached to the outside of the house, shall be low-voltage, non-reflective, sodium lights and shall have a directional cast downward.

3. Future Development:

PRIOR TO ISSUANCE of the Coastal Development Permit, the applicant shall execute and record a document, in a form and content acceptable to the Executive Director, stating that the subject permit is only for the development described in coastal development permit No. 7-91-12, and that any future additions or other development as defined in Public Resources Code section 30106 will require an amendment to Permit No. 7-91-12 or will require an additional coastal development permit from the California Coastal Commission or from its successor agency. The document shall be recorded as a covenant running with the land binding all successors and assignees in interest to the subject property.

IV. Findings and Declarations:

The Commission hereby finds and declares as follows:

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1. Project Description.

The applicant proposes to construct a one-story, 20-ft.-high, single-family residence with a detached garage, septic system, well, driveway, and landscaping on a blufftop parcel situated some 500 feet above the Navarro River estuary. The subject parcel is located approximately a half-mile east of Highway One on Navarro Ridge Road, approximately 1 1/2 miles south of Albion, in a visually sensitive portion of the coast.

The subject parcel is designated Remote Residential-20 (RMR-20) in the Mendocino County Land Use Plan, meaning that there may be one parcel for every 20 acres. The subject parcel, which is 10 acres in size, is a legal, non-conforming lot. The subject parcel is located in an area designated in the certified Land Use Plan as being "highly scenic."

2. Locating and Planning New Development:

Coastal Act Section 30250(a) states that new development shall be located in or near existing developed areas able to accommodate it, or in other areas with adequate public services and where it will not have significant adverse effects on coastal resources. The intent of this policy is to channel development toward areas where services are provided and potential impacts to resources can be minimized. Septic and well approval for the subject parcel has been obtained from the County Department of Environmental Health. As the proposed development is located in an area able to accommodate it, it is consistent with Coastal Act Section 30250(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 that permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas and to be visually compatible with the character of surrounding areas. New development in highly scenic areas shall be subordinate to the character of its setting.

The subject parcel is located on an extremely steep bluff approximately 500 feet above the Navarro River estuary, and is highly visible from certain portions of Highway One when driving north, including the Navarro River bridge, and somewhat visible from certain portions of Navarro Beach Road. Although east of Highway One, the subject parcel is in a designated "highly scenic" area of the coast due to its visibility from the public road and the extremely scenic nature of this portion of coast.

The Commission has a long history of concern for development in the Navarro Headlands area. The findings for the Commission's approval of the County's Land Use Plan state:

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Robert and Joyce Price

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In numerous permit decisions, the Commission has found that this area possesses extremely high visual resource values of public importance (1-83-29, 1-83-35, 1-82-110). In denying application 1-82-110 (Ravenna-Nogle) for a single-family residence, the Commission found that this area 'is perhaps the most scenic of the entire Mendocino Coast...'

Not only is the natural beauty of this rocky, open headland important, but its location on the Mendocino coastline adds to its significance. The area is adjacent to the Navarro River where Highway 128 intersects with Highway One. Highway 128 is heavily used and is the only State Highway connecting the inland area to the Mendocino central and southern coastal areas...

There are approximately 25 parcels lining the ridge north of the Navarro River that are visible to drivers on Highway One approaching the Navarro Headlands area from the south (see Exhibit No. 3). Of these 25, approximately one-third are developed, with all the development occurring on parcels east of the subject parcel. In other words, the subject parcel, when developed, will be the westernmost developed parcel visible along the ridge. To the west of the subject parcel is a dramatic stretch of steep, undeveloped bluffs continuing west to the coast where Highway 1 turns northward. This stretch of coast provides breathtaking views from Highway One.

Except in three cases, all development visible on the ridge pre-dates Proposition 20. The houses approved by the Commission include Kroen (NCR-76-CC-600), a one-story residence set back 30 feet from the break in slope (never built); Olsen (NCR-76-CC-710), a 30-foot-high residence set back 100 feet from the break in slope; and Gallo (1-85-30), a 25-foot-high house set back 50 feet from the break in slope. These three permitted residences are situated in the midst of the other developed parcels, which are set back from the break in slope at distances ranging from approximately 10 feet to 100 feet. All of these residences, including the permitted as well as the pre-Commission structures, are partially screened by vegetation, and have trees as a backdrop so that the houses do not appear to break the ridgeline.

In contrast, the proposed development is located several lots west of any developed visible parcel along Navarro Ridge Road, and will be the westernmost developed parcel visible from Highway One. It may be noted that the Commission recently approved a mobile home (1-90-141, Creasey) on a lot adjacent to the subject parcel. The mobile home, however, is so far set back on the property that it is not visible whatsoever from Highway One or from Navarro Beach Road.

In order to be consistent with the existing development in the area, as per Coastal Act Section 30251, the Commission finds that the proposed development must be partially screened with landscaping, and a backdrop of trees must be sited behind the proposed house so that the house will not break the ridgeline

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Robert and Joyce Price

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starkly. If the proposed development were approved without such landscaping, the proposed residence would dramatically break the ridgeline in a way that would not be in character with the existing residences along Navarro Ridge Road, and would not be subordinate to its setting. It would also set a precedent for those as yet undeveloped parcels west of the subject lot.

The proposed development has been set back more than 100 feet from the edge of the bluff, in a flat bench area where it will reduce adverse impacts on public views; if the house were set farther back from the bluff edge, it would be more visible from Highway One due to the rise in slope. In addition, Special Condition No. 1 requires the planting of native, drought-tolerant trees and plants to partially screen the proposed development, and to provide a backdrop of trees that will soften the effect of the development when viewed from Highway One.

Furthermore, Special Condition No. 2 requires that any exterior lighting be non-reflective and have a downward cast, and that windows be tinted so as to reduce adverse impacts to visual resources, and also requires that all exterior siding of the structures shall be of natural materials of earthtone colors only, so as to blend in with its setting, and that the roof also be of earthtone colors.

Finally, to ensure that any future development on the subject parcel is not located where it will have a significant adverse impact on public views, Special Condition No. 3 requires recordation of a deed restriction regarding future development. This condition requires that any future development on the subject parcel, including additions or other structures that might otherwise be exempt from coastal permits under the administrative regulations, be reviewed by the Commission so that the Commission can ensure that the development will be located where it will not disrupt the visual resources of this highly scenic portion of the coast.

As conditioned, therefore, the proposed development is consistent with Coastal Act Section 30251, as the impact of the proposed development on the public view will be minimized, and the proposed development will be sited where it will not have a significant adverse impact on visual resources.

#### 4. Geologic Hazards:

Section 30253 of the Coastal Act states that new development shall minimize risks to life and property in areas of high geologic hazard and shall assure stability and structural integrity, neither creating nor contributing significantly to erosion, geologic instability, or destruction of the site or surrounding area.

The proposed development consists of a single-family residence, garage, driveway, well, septic system, and landscaping on a blufftop lot east of Highway One, above the Navarro River estuary on Navarro Ridge Road. The house and garage will be located in excess of 100 feet back from the edge of the

bluff, on a fairly flat portion of the parcel. In addition, the Commission attaches Special Condition No. 3, requiring recordation of a deed restriction regarding future development. This condition requires that any future development be reviewed by the Commission so that the Commission can ensure that the development will be located where it will not create a geologic hazard. Therefore, as conditioned, the proposed development is consistent with Coastal Act Section 30253, as no geologic hazard will be created, and the proposed development will be sited and designed where it will minimize risks to life and property.

5. Mendocino County LUP/Prejudice to LCP:

Policy 3.4-7 of the Mendocino County Land Use Plan requires that new structures be set back a sufficient distance from the edges of bluffs to ensure their safety from bluff erosion and cliff retreat. As the proposed project is set back more than 100 feet from the break in slope, the project is consistent with Policy 3.4-7 of the LUP.

Policy 3.5-1 of the LUP states that 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 alteration of natural land forms, and to be visually compatible with the character of surrounding areas.

The subject parcel is in an area designated as "highly scenic" in the LUP, subject to special view protection because it is visible from Highway One. Section 3.5-3 of the LUP states that any development permitted in such a highly scenic area shall provide for the protection of ocean and coastal views from public areas including highways, roads, coastal trails, vista points, beaches, parks, etc. New development should be subordinate to the natural setting and minimize reflective surfaces.

The Commission attaches Special Condition No. 1, which requires landscaping to minimize visual disruption; Special Condition No. 2, which requires minimization of impacts from exterior lighting and reflective surfaces; and Special Condition No. 3, which requires that all future development be reviewed by the Commission to ensure that visual resources will be protected. The proposed development, therefore, is consistent with Policies 3.5-1 and 3.5-3 of the Land Use Plan.

On March 15, 1991, the Commission approved the Mendocino County Implementation Plan (coastal zoning ordinances) with suggested modifications. The proposed development is consistent with the approved implementation plan.

Section 30604 of the Coastal Act authorizes permit issuance if the project is consistent with Chapter 3 of the Coastal Act. Approval of this project, as conditioned, is consistent with Chapter 3 policies of the Coastal Act as discussed above, and thus will not prejudice local government's ability to implement a certifiable LCP.

1-91-12

Robert and Joyce Price

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6. CEQA:

The project, as conditioned, does not have a significant adverse effect on the environment, within the meaning of CEQA, as the project is located in an area able to accommodate it, is not located where it will create a geologic hazard, and will not have any significant adverse impact on visual resources.

8831P

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. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. 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.
7. 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.

**CALIFORNIA COASTAL COMMISSION**  
 NORTH COAST AREA  
 45 FREMONT, SUITE 2000  
 SAN FRANCISCO, CA 94105-2219  
 (415) 904-5260



**W/15a**

<b>EXHIBIT NO. 7</b>
<b>APPLICATION NO.</b>
<b>1-91-012-A2</b>
WOLFE
STAFF REPORT FOR FIRST PERMIT AMENDMENT (1 of 9)

Filed: February 14, 1995  
 49th Day: April 4, 1995  
 180th Day: August 13, 1995  
 Staff: Jo Ginsberg  
 Staff Report: February 24, 1995  
 Hearing Date: March 8, 1995  
 Commission Action:

STAFF REPORT: PERMIT AMENDMENT

**APPLICATION NO.:** 1-91-12-A

**APPLICANT:** DEBORAH AND STEVEN WOLFE

**AGENT:** Leventhal/Schlosser, Architects

**PROJECT LOCATION:** 33351 Navarro Ridge Road, south of Albion, Mendocino County, APN 123-380-09.

**DESCRIPTION OF PROJECT PREVIOUSLY APPROVED:** Construction of a one-story, 640-square-foot single-family residence, 1,440-square-foot detached garage, gravel driveway, septic system, well, and landscaping.

**DESCRIPTION OF AMENDMENT:** Redesign and resite the previously approved residence and garage, resulting in a 960-square-foot, 20'6"-high single-family residence and a 960-square-foot, 21-foot-high garage.

**SUBSTANTIVE FILE DOCUMENTS:** Mendocino County LCP; Coastal Permits No. 1-91-12 (Price), NCR-76-CC-600 (Kroen), NCR-76-CC-710 (Olsen), and 1-85-30 (Gallo).

1. PROCEDURAL AND BACKGROUND NOTE: Pursuant to Section 13166 of the California Code of Regulations, the Executive Director has determined that this amendment is material and therefore is bringing it to the Commission for their review. If the applicants or objector so request, the Commission shall make an independent determination as to whether the proposed amendment is material. 14 Cal. Code Reg. 13166.



**1-91-12-A**  
**DEBORAH AND STEVEN WOLFE**

Page Two

Section 13166 of the Regulations also states that the Executive Director shall reject an amendment request if it lessens or avoids the intent of the approved permit unless the applicant presents newly discovered material information, which he or she could not, with reasonable diligence, have discovered and produced before the permit was granted.

Coastal Permit No. 1-91-12 was approved by the Commission on April 8, 1991 with three special conditions that were intended to ensure that the development would be subordinate to the visual character of the highly scenic area where it will be constructed. Special Condition No. 1 required that prior to issuance of the coastal permit, the applicant shall submit for the Executive Director's review and approval a landscaping/tree management plan. Special Condition No. 2 imposed various design restrictions, such as requiring earthtone colors for the structures. Special Condition No. 3 required that prior to issuance of the coastal permit, the applicant shall record a future development deed restriction over the entire property stating that any future additions or other development as defined in Public Resources Code section 30106 will require an amendment to Permit No. 1-91-12 or a new coastal permit.

The conditions of the permit were met, and remain in effect. The coastal permit was issued on September 23, 1993. The permit has been extended twice, and has been assigned from the original applicants, Robert and Joyce Price, to the present applicants, Deborah and Steven Wolfe. No development has taken place.

This amendment request seeks to redesign and resite the previously approved residence and garage. As conditioned, these proposed changes keep the development subordinate to the character of the area and will not conflict with the intent of the conditions attached to Coastal Permit No. 1-91-12. Since this amendment request would not result in a lessening or avoidance of the intent of the approved permit, the Executive Director accepted the amendment request for processing.

2. STANDARD OF REVIEW: The Coastal Commission effectively certified Mendocino County's LCP in October of 1992. Therefore, the LCP, not the Coastal Act, is the standard of review for this amended project.

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STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

2 of 9

**1-91-12-A**  
**DEBORAH AND STEVEN WOLFE**

Page Three

I. Approval with Conditions:

The Commission hereby approves the amendment to the coastal development permit, subject to the conditions below, on the grounds that the development with the proposed amendment is consistent with the requirements of Chapter 3 of the California Coastal Act of 1976, is consistent with the provisions of the Mendocino Local Coastal Program, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions: See attached.

III. Special Conditions:

All conditions attached to Coastal Permit No. 1-91-12 remain in effect, with the exception of Special Condition No. 1, which is superseded by the following special condition.

1. Landscaping Plan:

PRIOR TO ISSUANCE of the amended Coastal Development Permit, the permittees shall submit for the review and approval of the Executive Director a revised landscaping/tree management plan. This plan shall provide for the planting of native and/or naturalized, non-native drought-tolerant and frost-tolerant trees and/or shrubs in the area surrounding the proposed house and garage for the purpose of partially screening the structures from public view and also to provide a backdrop of trees and other vegetation to minimize the visual impact of the proposed development as viewed from Highway One, from Navarro Beach Road, and from Navarro State Beach. The plan shall include no less than 25 trees that will grow to at least 30 feet in height to be planted around the house and the garage to provide a backdrop. Trees and shrubs must also be planted south of the house and garage to partially screen the structures from public view; these trees may be of a type and height so as not to completely obstruct coastal views from the house.

The plan shall further include a tree maintenance program (e.g., pruning, fertilizing, watering, etc.) for newly planted trees and a tree replacement program on a one-to-one or greater ratio for the life of the project. The new trees and shrubs shall be planted within 60 days of completion of the project.

IV. Findings and Declarations.

The Commission hereby finds and declares:

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1. Project and Site Description.

The subject site is located about a half-mile east of Highway One on Navarro Ridge Road, approximately 1-1/2 miles south of Albion above an extremely steep bluff approximately 500 feet above the Navarro River estuary. The subject parcel is situated in an area designated as "Highly Scenic" in the County's certified LCP, in a visually sensitive portion of the coast.

The original permit approved by the Commission authorized construction of a one-story, 640-square-foot single-family residence located approximately 280 feet back from the break in slope; a one-story, 1,440-square-foot detached garage located approximately 240 feet back from the break in slope; a gravel driveway, a septic system, a well, and landscaping. None of the development approved by the original permit has yet been built.

The proposed amendment request seeks to redesign and resite the two approved structures such that the residence will be a one-story, 640-square-foot structure with a 320-square-foot loft, and will be located approximately 240 feet back from the break in slope, while the garage will be a one-story, 960-square-foot structure located approximately 280 feet back from the break in slope, in the location of the previously approved residence. Thus the southernmost extent of the relocated residence will be 50 feet closer to the break in slope than the previously approved development.

The subject parcel is designated Remote Residential-20 (RMR-20) (RMR:L-20), meaning that there may be one parcel for every 20 acres, with one residence allowed per parcel, and that the parcel is designated for residential use or light agriculture. The subject parcel, which is approximately 10 acres in size, is a legal, nonconforming lot.

2. Visual Resources:

Policy 3.5-1 of the County's LUP states that the scenic and visual qualities of Mendocino County coastal areas shall be considered and protected as a resource of public importance, and that 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, and to be visually compatible with the character of surrounding areas. New development in highly scenic areas designated by the County of Mendocino Coastal Element shall be subordinate to the character of its setting.

Policy 3.5-3 of the LUP states that in addition to other visual policy requirements, new development west of Highway One in designated "highly scenic areas" is limited to one-story (above natural grade) unless an increase in height would not affect public views to the ocean or be out of character with

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surrounding structures. New development should be subordinate to the natural setting and minimize reflective surfaces.

Policy 3.5-5 states that providing that trees will not block coastal views from public areas, tree planting to screen buildings shall be encouraged.

Section 20.504.015 (C) of the certified Zoning Code for Mendocino County states in relevant part:

(1) Any development permitted in highly scenic areas shall provide for the protection of coastal views from public areas including highways, roads, coastal trails, vista points, beaches, parks, coastal streams, and waters used for recreational purposes.

(2) In highly scenic areas west of Highway One, new development shall be limited to 18 feet above natural grade, unless an increase in height would not affect public views to the ocean or be out of character with surrounding structures.

(3) New development shall be subordinate to the natural setting and minimize reflective surfaces. In highly scenic areas, building materials including siding and roof materials shall be selected to blend in hue and brightness with their surroundings.

Section 20.504.020(D) requires the protection of scenic and visual qualities of coastal areas, and states that permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, and to be visually compatible with the character of surrounding areas.

As noted above, the subject parcel is located on an extremely steep bluff about 500 feet above the Navarro River, and is highly visible from certain portions of Highway One when driving north, including the Navarro River bridge, and somewhat visible from certain portions of Navarro Beach Road and Navarro State Beach. Although east of Highway One, the subject parcel is in a designated "Highly Scenic Area" of the coast due to its visibility from the public road and the extremely scenic nature of this portion of the coast.

The Commission has a long history of concern for development in the Navarro Headlands area. The Commission has found that this area possesses extremely high visual resource values of public importance, and that not only is the natural beauty of this rocky, open headland important, but that its location on the Mendocino coastline adds to its significance. The area is adjacent to the Navarro River where Highway 128 intersects with Highway One; Highway 128

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is heavily used and is the only State Highway connecting the inland area to the Mendocino central and southern coastal areas.

There are approximately 25 parcels lining the ridge north of the Navarro River that are visible to motorists on Highway One approaching the Navarro Headlands area from the south (see Exhibit No. 2). Of these 25, approximately one-third are developed, with all the development occurring on parcels east of the subject parcel. In other words, the subject parcel, when developed, will be the westernmost developed parcel visible along the ridge. To the west of the subject parcel is a dramatic stretch of steep, undeveloped bluffs continuing west to the coast where Highway One turns northward. This stretch of coast provides breathtaking views from Highway One.

Except in three cases, all development visible on the ridge pre-dates Proposition 20. The houses approved by the Commission include Kroen (NCR-76-CC-600), a one-story residence set back 30 feet from the break in slope (never built; the permit is now expired); Olsen (MCP-76-CC-710), a 30-foot-high house set back 100 feet from the break in slope; and Gallo (1-85-30), a 25-foot-high house set back 50 feet from the break in slope. These three permitted residences are situated in the midst of the other developed parcels, which are set back from the break in slope at distances ranging from approximately 10 feet to more than 100 feet. All these residences, including the permitted as well as the pre-Commission structures, are partially screened by vegetation, and have trees as a backdrop so that the houses do not appear to break the ridgeline.

In contrast, the proposed development is located several lots west of any developed visible parcel along Navarro Ridge Road, and will be the westernmost developed parcel visible from Highway One. It may be noted that the Commission approved in 1991 a mobile home (1-90-141, Creasey) on a lot adjacent to the subject parcel. The mobile home, however, is so far set back on the property that it is not visible whatsoever from Highway One or from Navarro Beach Road.

To be consistent with the existing development in the area, as per the County's LCP, the Commission finds that the proposed development must be partially screened with landscaping, and a backdrop of trees must be sited behind the proposed house so that the house will not break the ridgeline starkly. If the proposed development were approved without such landscaping, the proposed residence would dramatically break the ridgeline in a way that would not be in character with the existing residences along Navarro Ridge Road, and would not be subordinate to its setting. It would also set a precedent for those as yet undeveloped parcels west of the subject lot.

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The originally approved development was for a 20-foot-high, 640-square-foot house and a 17-foot-high, 1,440-square-foot garage set back from the break in slope more than 200 feet, in a flat bench area where adverse impacts on public views would be reduced; if the structures were set farther back from the bluff edge, they would be more visible from Highway One due to the rise in slope. The proposed amendment request seeks to redesign and resite the structures such that the proposed residence will now be 20'6" in height, 960 square feet in size, and located approximately 50 feet closer to the break in slope than any structures previously approved. The garage as redesigned and resited will be reduced in size to 960 square feet, will be 21 feet high, and will be relocated to a site approximately 280 feet back from the break in slope, at the location where the previously approved house had been sited. The structures as resited are still located in the flat bench area where adverse impacts to public views are reduced.

The redesigned residence will be six inches higher than the residence approved in the original permit, and the redesigned garage will be three feet higher. However, the redesigned structures are in keeping with the height and size of residences on surrounding parcels; and are located farther back from the break in slope than most of the surrounding structures. The Commission concludes, therefore, that if the structures are properly screened by landscaping, the slight increase in height of these two structures will not result in significant adverse impacts to visual resources.

Coastal Permit No. 1-91-12, as originally approved, included a special condition requiring submittal of a landscaping/tree management plan. Such a plan was submitted and approved, but the landscaping and the development were never installed. Because the proposed development will be moved closer to the break in slope and arranged differently on the site, the Commission requires that a new landscaping plan be submitted that provides for appropriate screening of the development as redesigned. The Commission thus attaches Special Condition No. 1, which supercedes the similar condition of the original permit.

Special Condition No. 1 requires submittal of a revised landscaping/tree management plan that includes planting of native and/or naturalized, non-native drought- and frost-tolerant trees and/or shrubs in the area surrounding the proposed house and garage for the purpose of partially screening the structures from public view and also to provide a backdrop of trees and other vegetation that will soften the effect of the development when viewed from Highway One, from Navarro Beach Road, and from Navarro State Beach. The plan shall include no less than 25 trees that will grow to at least 30 feet in height to be planted around the house and the garage to provide a backdrop. Trees and shrubs must also be planted south of the house and garage to partially screen the structures from public view; these trees

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may be of a type and height so as not to completely obstruct coastal views from the house. The plan shall further include a tree maintenance program.

Special Condition No. 2 of the original permit, which is still in effect, requires design restrictions that will minimize adverse impacts to visual resources. Special Condition No. 3 of the original permit required recordation of a deed restriction regarding future development. This condition required that any future development on the subject parcel, including additions or other structures that might otherwise be exempt from coastal permits under the administrative regulations, be reviewed by the Commission so that the Commission can ensure that the development will be located where it will not disrupt the visual resources of this highly scenic portion of the coast. This deed restriction remains in effect.

As conditioned, therefore, the proposed amended project is consistent with LUP Policies 3.5-1, 3.5-3, and 3.5-5, and Zoning Code Sections 20.504.015(C) and 20.504.020(D), as impacts of the proposed development on the public view will be minimized, and the proposed development will be sited where it will not have a significant adverse impact on visual resources.

3. California Environmental Quality Act (CEQA).

Section 13096 of the California Code of Regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) 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 impact which the activity may have on the environment.

The proposed project has been conditioned in order to be found consistent with the policies of the Mendocino County LCP. Mitigation measures, including requirements that trees and/or shrubs be planted in the area surrounding the proposed house and garage to screen the structures from public view and also to provide a backdrop of trees and other vegetation to minimize the visual impact of the proposed development as viewed from public areas, will minimize all adverse environmental impacts.

As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act and to conform to CEQA.

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. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. 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.
7. 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.