

## CALIFORNIA COASTAL COMMISSION

NORTH COAST AREA  
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 SAN FRANCISCO, CA 94105-2219  
 (415) 904-5260

*RSM*

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 Date April 19, 1996

Permit Application No. 1-95-72

ADMINISTRATIVE PERMIT

APPLICANT: **GARRY D. HANAFIN**

PROJECT DESCRIPTION: Construct a 240-square-foot addition to a one-story, 590-square-foot single-family home, elevate the home above flood level, construct attached decking, remove a 66-square-foot shed, and install a new septic system.

PROJECT LOCATION: 26500 Highway 116, Duncans Mills, Sonoma County, (APN 096-090-06 & -07)

EXECUTIVE DIRECTOR'S DETERMINATION: The findings for this determination, and for any special conditions, appear on subsequent pages.

**NOTE:** P.R.C. Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:  
 Date: Friday, May 10, 1996 Tel. No. (310) 491-1234  
 Time: Meeting begins at 9:00 a.m., Item 4.a  
 Place: Hyatt Regency - Long Beach  
 200 South Pine Ave., Long Beach

IMPORTANT - Before you may proceed with development, the following must occur:

Pursuant to 14 Cal. Admin. Code Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgment and evidence of compliance with all special conditions, we will send you a Notice of Administrative Permit Effectiveness.

BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE NOTICE OF PERMIT EFFECTIVENESS FROM THIS OFFICE.

PETER DOUGLAS  
 Executive Director

*Bill Van Beckum*

By: Bill Van Beckum  
 Title: Coastal Planner

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 this permit is reported to the Commission. 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 project during its development, 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.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

The Executive Director hereby determines that the proposed development is a category of development which, pursuant to PRC Section 30624, qualifies for approval by the Executive Director through the issuance of an administrative permit. Subject to Standard Conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, is in conformity with the public access and recreation policies of Chapter 3, is in conformity with the provisions of the certified Sonoma County Local Coastal Program, and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act.

FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION:1. Permit Required.

Section 30610(a) of the Coastal Act exempts improvements to single-family residences from coastal development permit requirements, except those kinds of developments which involve a risk of adverse environmental effect, as set forth in the California Code of Regulations, Title 14, Section 13250. The proposed project, on the Russian River, considered to be an arm of the sea, is one of those kinds of development identified in the regulations that involve a risk of adverse environmental effect, as it is between the first public road and the sea, and it is an increase of more than 10 percent of interior floor area of an existing structure and an increase in height by more than 10 percent of an existing structure (subsection b.4.). Thus a coastal development permit is required.

2. Project/Site Description.

The 43,700-square-foot subject property is located on the north bank of the Russian River approximately one mile west of the town of Duncans Mills. The property, which contains a one-story, 590-square-foot single-family home, is in a one-lot-deep row of properties along the river. Most of these properties are similarly developed with small single-family homes. The proposed development is to remove a 66-square-foot shed, elevate the home above the river's flood level, construct a 240-square-foot addition to the home, construct decking, and install a new septic system on the upland area between the home and the road. The existing structure is shielded from view from the road by intervening trees.

3. New Development.

Section 30250(a) of the Coastal Act states that new development shall be located in or near existing developed areas able to accommodate it and where it will not have significant adverse effects on coastal resources. The intent of this policy is to channel development toward more urbanized areas where services are provided and potential impacts to resources are minimized.

The proposed project is located in a residential neighborhood on a site approved by Sonoma County for installation of a new, replacement septic system. Water service for the residence is available from an existing, on-site well. As the project will be located in a developed area with adequate services to accommodate it, the project is consistent with Section 30250(a).

4. Environmentally Sensitive Habitat Areas.

Section 30240 of the Coastal Act states that environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values and that development near such sensitive habitat areas shall be sited and designed to prevent significant adverse impacts to these areas. Section 30231 requires protection of coastal waters by maintaining natural vegetation buffer areas to protect riparian habitats.

While the subject property is heavily vegetated, there are no environmentally sensitive habitat areas on the property, except for willows along the river's edge. As the proposed development is in a clearing, approximately 40 feet upland from the willows, and separated from the river's edge by substantial non-environmentally sensitive vegetation, there will be no adverse impacts on the willow habitat. The project therefore is consistent with Coastal Act Sections 30231 and 30240.

#### 5. Geologic Hazards.

Coastal Act Section 30253 requires in applicable part that new development minimize risks to life and property in areas of high flood hazard.

The subject property's existing structure is situated with floor elevations slightly below the Russian River's 100-year flood elevation, estimated to be, on the subject property, at 23.8 feet NGVD. Sonoma County Water Agency regulations require the remodelled residence to have a finished floor elevation at least 1-foot above that flood level. The project plans approved by the County, and the FEMA "Elevation Certificate" accompanying the approved plans submitted to the Commission, meet that requirement by elevating the existing structure so that its floor will be approximately 7 feet above existing grade. The new floor level for the existing structure, and for the addition, will therefore be approximately 2 feet above the 100-year flood level. The proposed development will therefore minimize risks to life and property in flood hazard areas, and is consistent with Section 30253 of the Coastal Act.

#### 6. Public Access.

Coastal Act Section 30212 requires that access from the nearest public roadway to the shoreline be provided in new development projects except where it is inconsistent with public safety, military security, or protection of fragile coastal resources, or adequate access exists nearby. Section 30211 requires that development not interfere with the public's right to access gained by use or legislative authorization. In applying Sections 30211 and 30212, the Commission is also limited by the need to show that any denial of a permit application based on these sections, or any decision to grant a permit subject to special conditions requiring public access, is necessary to avoid or offset a project's adverse impact on existing or potential access.

Although the project is located between the first public road and the Russian River, an arm of the sea, it will not adversely affect public access. The project only involves improvements to an existing residence in a manner that will not change the nature or intensity of use, and thus will not create an increased demand for public access. No public access exists on the site that could potentially be affected by the project. Nearby public access to the river is available at Duncans Mills. The project therefore is consistent with Coastal Act Sections 30211 and 30212 policy requirements regarding the provision of public coastal access.

7. California Environmental Quality Act (CEQA).

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)(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.

As discussed above, the project does not have a significant adverse effect on the environment within the meaning of CEQA. For purposes of CEQA, the lead agency for the project is the County of Sonoma. The County determined that the project is categorically exempt from the need to prepare an environmental impact report under categorical exemption class 15303(a).

SPECIAL CONDITIONS:

**NONE.**

ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

**I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.**

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date of Signing