

## CALIFORNIA COASTAL COMMISSION

NORTH COAST AREA

45 FREMONT, SUITE 2000

SAN FRANCISCO, CA 94105-2219

(415) 904-5260

RSM



# W 20b

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|--------------------|------------------|
| Filed:             | May 13, 1996     |
| 49th Day:          | July 1, 1996     |
| 180th Day:         | November 9, 1996 |
| Staff:             | Robert Merrill-E |
| Staff Report:      | June 21, 1996    |
| Hearing Date:      | July 10, 1996    |
| Commission Action: |                  |

STAFF REPORT: REGULAR CALENDARAPPLICATION NO.: **1-96-22**APPLICANT: **CITY OF FORTUNA REDEVELOPMENT AGENCY**PROJECT LOCATION: Adjacent to the Eel River at 680 South 12th Street,  
Fortuna, Humboldt County, APN 201-152-07

PROJECT DESCRIPTION: Develop a community meeting facility by: (1) demolishing and removing an existing industrial building; (2) excavating 12,000 cubic yards of unengineered fill material underlying the footprint of the proposed building and disposing of the material at licensed landfill; (3) placing approximately 17,000 cubic yards of engineered fill in upland areas to provide a suitable foundation for the building and to expand the raised fill area of the site approximately 40 feet to the south; (4) constructing an approximately 32-foot-high, 200-foot-long retaining wall along a portion of the expanded fill area; (5) constructing an 11,270-square-foot, one-story, 46-foot-high community meeting building; (6) paving approximately 65,000 square feet of area for a 134-car parking lot, driveways, patios, and walkways; (7) installing fences, utilities, and exterior lighting; and (8) landscaping approximately 15,000 square feet of area.

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|---------------------|---------------------------------|
| Lot area:           | 126,324 square feet (2.9 acres) |
| Building coverage:  | 11,270 square feet              |
| Pavement coverage:  | 65,000 square feet              |
| Landscape coverage: | 12,500 square feet              |
| Ht abv fin grade:   | 46 feet (approx.)               |
| Parking spaces:     | 134 spaces (approx.)            |
| Zoning:             | Uncertified: Public Facility    |
| Plan designation:   | Uncertified: Public Facility    |

1-96-22

**CITY OF FORTUNA REDEVELOPMENT AGENCY**

Page 2

LOCAL APPROVALS RECEIVED: Humboldt County Local Agency Formation  
Commission approval of annexation of site, on  
January 24, 1996.

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STAFF NOTES

1. Standard of Review.

The proposed project is located on a parcel recently annexed by the City of Fortuna from Humboldt County expressly for the purpose of developing a City meeting facility. Although the parcel was previously covered by the certified Humboldt County Local Coastal Program (LCP), once the area was annexed out of the County's jurisdiction, the certified County LCP no longer applied to the site. The City of Fortuna has not prepared an LCP for the parcel since annexation of the property. Therefore, the parcel is considered to be an uncertified area within the jurisdiction of the Coastal Commission. The standard of review that the Commission must apply to the project is the Coastal Act.

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SUMMARY OF STAFF RECOMMENDATION:

Staff recommends approval of the proposed community meeting facility. A principal issue raised by the project is the visual compatibility of a proposed 32-foot-high retaining wall with the character of the area. Special Condition No. 1, as recommended by staff, would require the preparation of a landscaping plan for the review and approval of the Executive Director that would provide for the planting and maintenance of vegetation covering at least 50% of the surface of the wall to soften its appearance. The project has been designed to protect the environmentally sensitive habitat on site, withstand geologic hazards, and enhance the existing public access on the Sandy Prairie Levee.

Therefore, staff believes the proposed project as conditioned, is consistent with the Coastal Act and recommends approval.

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 City of Fortuna to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act,

**CITY OF FORTUNA REDEVELOPMENT AGENCY**

is located between the sea and the first public road nearest the shoreline and is in conformance with the public access and public recreation policies 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.

II. Standard Conditions: See attached

III. Special Conditions:

1. Landscaping Plan.

PRIOR TO ISSUANCE of the coastal development permit, the applicant shall submit for the review and approval of the Executive Director a landscaping plan to provide for landscaping that will substantially cover the proposed retaining wall along the slope of the fill pad. The landscaping plan shall provide for a mixture of tree, shrub, vine, and groundcover species to be planted at the top and base of the wall, and within any terrace breaks in the wall in a manner that will result in the physical coverage or screening of at least 50% of the surface of the wall when the vegetation reaches maturity. The plan to be submitted shall include: (1) a planting plan diagram and plant list showing the types and quantities of all proposed seeding mixtures and/or plantings; (2) a narrative description of the planting techniques to be followed (e.g. size and depth of holes to be dug, soil amendments to be added, planting schedule, etc.); (3) a narrative description of the landscape maintenance program (e.g. fertilizing, watering, etc.) for the vegetation to be planted; and (4) a commitment to replace planted vegetation on a one-to-one or greater ratio for the life of the project. The planting techniques and landscape maintenance program shall be designed to maximize the chances of survival of the vegetation to be planted. Applicant shall implement the plan approved by the Executive Director, and the vegetation shall be planted during the first full rainy season occurring after completion of the retaining wall.

IV. Findings and Declarations.

The Commission hereby finds and declares:

1. Project and Site Description:

The City of Fortuna proposes to construct a community meeting facility adjacent to the east bank of the Eel River at the intersection of South 12th Street and Kenmar Road. The approximately three acre site is located just west of the Kenmar Road exit off of Highway 101 (see Exhibits 1-3). The proposed 11,270-square-foot facility will be used for community meetings for the residents of the Eel River Valley, as a convention center.

The pad area of the site has been occupied in recent years by a commercial/industrial use. The previous owners trucked hay to the parcel and would use the site as a distribution center for selling the hay to local

farmers. The site is currently developed with a large metal building that served as a truck shop and office and was also used for hay storage. Much of the rest of the site consists of a gravel parking area previously used for trucks and equipment.

The majority of the parcel consists of an unvegetated, 100,000-square-foot, level fill pad. The top of the pad is at an elevation of 48 feet above Mean Sea Level. The adjacent levee, known as the Sandy Prairie Levee was built by the U.S. Army Corps of Engineers in the 1960s to control flooding along the Eel River. After construction of the levee, the fill pad was created, raising the elevation of the 100,000 square foot area to a level even with the top of the Sandy Prairie Levee. The pad covers all but the southern approximately 100 lineal feet of the parcel, where the edge of the fill slopes steeply downward to a low area that includes some upland area, wetland area, and riparian area that consists of a small grove of willow trees (see Exhibit 4). The willow grove borders a pond area located wholly on the adjacent parcel to the south. The low area is partially drained by two 48-inch-diameter culverts with flood-gates that extend under the Sandy Prairie Levee to the Eel River.

The area north of the parcel across Kenmar Road has recently been developed into a commercial center catering primarily to travelers using Highway 101, and includes a variety of motels, service stations, eating establishments and related services (see Exhibit 3). The site is bordered to the east by an active landfill, to the south by wetlands and seasonal dairy pasture, and to the west by the river.

The specific development proposed by the City includes the approximately 11,270-square-foot, one-story, 46-foot-high meeting facility building which will include a large conference room and stage area with movable partitions, visitor center, executive meeting room, kitchen, restrooms, staff office and storage. A tentative elevation and floor plan are shown in Exhibits 5 and 6. There may be some change in final design details, but the building footprint, size and height will remain the same. Landscaped patio areas will extend to the rear and sides of the building. The front of the building will border a proposed 134-car parking lot covering 58,000 square feet of area (see Exhibit 4). A total of 7,245 square feet of additional will be devoted to walkways, and patios. A total of approximately 15,000 square feet of landscaping will be provided within the patios, in islands within the parking lot, along the levee, and along the southern slope of the fill pad as it drops down to the willow grove at the south end of the property. The project also includes fencing, utilities, and exterior lighting.

To provide a more stable foundation for the building, approximately 12,000 cubic yards of the old unengineered fill placed beneath the proposed building site will be excavated and replaced with engineered fill that will be imported to the site. The excavated fill to be removed from the site will be placed on the adjacent property to the east at a permitted landfill. Additional fill will be placed in upland areas along portions of the south edge of the

existing fill pad to extend portions of the top of the pad southward as much as 40 feet. A total of approximately 17,000 cubic yards of fill material will be imported to the site. To better support the edge of the fill pad, a curvilinear concrete retaining wall will be constructed (see Exhibits 4 and 7). The wall will rise a maximum of 32 feet from base to top. No fill will be placed in existing wetland and riparian areas.

The Sandy Prairie Levee has historically been used for public access to the river, and the City recently constructed an overlook adjacent to the meeting facility site. This overlook includes a covered picnic area and affords panoramic views of the Eel River and the coastal mountains. The proposed project includes the construction of pathways to connect the overlook with the meeting facility.

The parcel comprises an area that is currently uncertified. The parcel is the only portion of the City of Fortuna that lies within the coastal zone. The coastal zone boundary in this area extends northward along Highway 101 to Kenmar Avenue, then Along Kenmar Avenue to the Sandy Prairie levee.

## 2. 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 areas where services are provided and potential impacts to resources are minimized.

The proposed project is located within an existing visitor serving commercial area that is served by municipal sewer and water facilities with plenty of capacity to accommodate the proposed community meeting facility. Therefore, the proposed development is consistent with Section 30250(a) to the extent that the development will be located in an existing developed area able to accommodate it.

## 3. Environmentally Sensitive Habitat

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 in areas near such sensitive habitat areas shall be sited and designed to prevent significant adverse impacts to these areas.

The vast majority of the site consists of a barren gravel fill pad devoid of any environmentally sensitive habitat areas (ESHAs). However, a low area exists at the southeastern corner of the parcel where a small area of riparian vegetation is growing (see Exhibit 4). The riparian vegetation is composed primarily of a cluster of willow trees that extend off the parcel to an adjoining pond. Riparian habitats such as these typically support a variety of resident and migratory birds, small mammals, reptiles, and other wildlife and are considered to be ESHAs.

1-96-22

## CITY OF FORTUNA REDEVELOPMENT AGENCY

Page 6

None of the proposed development will encroach into the riparian area. Although the project includes filling a portion of the lowland area to expand the fill pad, all of the area to be filled is outside of the riparian area.

The project does involve development adjacent to the riparian area. The base of the fill slope and the proposed retaining wall will come within several feet of the willow area. In addition, the proposed meeting facility building will be located as close as 30 feet or to the riparian area. Furthermore, the paved parking lot will extend to within approximately 60 feet of the ESHA. However, none of the proposed development will adversely affect the riparian area. The slope of the fill area will be landscaped which will minimize the potential for erosion and resulting sedimentation of the riparian area. The combination of the 30-60 foot horizontal setback and the approximately 40-foot vertical separation between the top of the fill pad and the base of the riparian area will provide an adequate buffer between the proposed building and parking lot and the riparian area, such that human use of these facilities should not significantly disturb wildlife usage of the riparian area.

Therefore, the Commission finds that the project is consistent with Section 30240 of the Coastal Act as the ESHA on the site will be protected from disturbance.

#### 4. Visual Resources.

Coastal Act Section 30251 requires that the scenic and visual qualities of coastal areas shall be protected, and that permitted development shall be sited and designed to protect views to and along the ocean, and to be visually compatible with the character of surrounding areas.

Motorists traveling on Kenmar Road and Highway 101 currently are afforded scenic views through the project site of the Eel River and the coastal mountains behind. The proposed 11,270-square-foot, 46-foot-high meeting facility structure will block views of these areas to some extent. However, the view blockage is not significant as the building will only occupy approximately 150 lineal feet of the approximately 400-foot-long river frontage of the parcel, and no other buildings are proposed that would block views through the site. In addition, large unobstructed areas north and south of the parcel also afford views of the river and coastal mountains. Furthermore, the proposed project will enhance viewing opportunities as it will provide parking, landscaping, and restroom facilities to those members of the public who choose to drive out to the site and enjoy the spectacular vistas available from the levee and the existing Eel River Overlook immediately adjacent to the north.

The design of the proposed meeting facility itself will be compatible with the visual character of the surrounding area. As previously mentioned, the site is adjacent to an existing tourist oriented commercial area, developed with a variety of motels, restaurants, service stations, and related land uses. Several of the existing buildings are of similar height and size as the

proposed meeting facility. The existing buildings have been built according to a great variety of architectural styles. The proposed 46-foot-high building with wood siding and a pitched roof will not appear out of character with existing development (see Exhibits 5-7). Although the design of the building has not been fully finalized, only minor design changes are expected that will not affect the basic visual character of the building.

Although the proposed building would be compatible with the character of the area, the proposed retaining wall would not. The City is considering two different designs for the wall, as shown in Exhibit 7. One design involves constructing a terrace wall, to be built in two or three separate sections step-wise up the side of the fill slope. The second design involves just a simple vertical wall. In either case, the total height of the wall will be approximately 32 feet from the base of the wall to the top. As viewed from the Sandy Prairie Levee, which is accessible to public access users, the wall will appear V-shaped, as the ends of the wall will extend into the side of the sloped edge of the fill pad on the east and the sloped side of the levee on the west. The stark, 32-foot-high, approximately 200-foot-long face of the wall will be visually prominent from the levee and from locations to the south. The wall will be especially prominent as no other large retaining walls exist in the vicinity and the area east of the wall is heavily vegetated.

Therefore to reduce the visual prominence of the wall, and to make the wall visually compatible with the character of its setting, as required by Section 30251, the Commission attaches Special Condition No. 1. The condition requires the submittal of a landscaping plan for the review and approval of the Executive Director prior to issuance of the permit. The plan must provide for the planting of a mixture of tree, shrub, vine, and groundcover species at the top and base of the wall, and within any terrace breaks, in a manner that will result in the physical coverage or screening of at least 50% of the surface of the wall when the vegetation reaches maturity.

The intended effect of the landscaping is to soften the appearance of the wall by creating (1) a backdrop of vegetation at the top of the wall, (2) a drapery of plants that would extend over the face of the wall to partially cover it, and (3) a vegetative screen at the base of the wall to partially screen the wall. To ensure the continued survival and effectiveness of the landscaping in softening the appearance of the wall, the condition requires the submittal as part of the landscaping plan of a maintenance and replacement plan.

As conditioned, the Commission finds that the proposed project is consistent with the visual resource policies of Section 30251 of the Coastal Act as the project will not significantly block views to and along the coast and will be compatible with the visual character of the surrounding area.

#### 5. Natural Hazards

Section 30253 of the Coastal Act requires that new development minimize risks to life and property in areas of high geologic, flood and fire hazard and neither create nor contribute significantly to erosion or geologic instability.

As the site has already been protected from flooding by the Corps of Engineers' construction of the Sandy Prairie levee in the 1960s, and by the placement of fill materials to raise the elevation of the site above flood stage, the primary natural hazards associated with development of the community meeting facility are geologic in nature. The City of Fortuna conducted a geotechnical investigation and prepared a preliminary foundation report for the project in 1995. The investigation determined that the fill pad on the property consists of a one-foot layer of base rock placed over an unengineered fill composed of semi-consolidated timber detritus, sand, and gravel. The timber detritus, which occupies about 20% of the fill mass, is decomposing and renders the building site subject to greater risk of differential settlement, liquefaction, and earthquake shaking. The preliminary foundation report recommends that the unengineered fill beneath the building site be removed and replaced with alluvial sands or gravels placed in an engineered fashion. With the engineered fill in place, a conventional foundation system can be used.

The proposed project includes the removal and replacement of the existing unengineered fill with engineered fill material in the manner recommended in the report. As proposed, the project will not contribute significantly to geologic instability and will minimize risks to life and property. Therefore, the Commission finds that the proposed project is consistent with Section 30253 of the Coastal Act.

The Commission notes that this determination is based on the City's plans to replace the fill below the proposed building with engineered fill. With the geotechnical and foundation information provided by the applicant to date, the Commission could not find the project consistent with Section 30253 if some other construction method were followed. Standard Condition No. 3 requires that the development occur in strict compliance with the proposal as set forth in the application, subject to any conditions imposed by the Commission, and any deviation from the approved plans may require a permit amendment. The applicant is advised that any decision to not replace the unengineered fill and follow an alternative approach to protecting the proposed building from geologic hazards would thus require a permit amendment. The request for an amendment would give the Commission the opportunity to review the proposed change and the needed additional geotechnical and engineering information to evaluate the consistency of the proposed change with Section 30253 of the Act.

#### **6. Coastal Agriculture**

Section 30241 of the Coastal Act states in applicable part that the maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the area's agricultural economy, and that conflicts between agricultural and urban land uses shall be minimized through various means, including limiting the conversion of agricultural lands, establishing stable boundaries separating urban and rural areas, and by developing available lands not suitable for agriculture prior to the conversion of agricultural lands.



The Humboldt County LCP designated and zoned the property as Agriculture Exclusive with a 60-acre minimum parcel size. After annexation, the City of Fortuna, designated and zoned the site as Public Facility to accommodate the proposed community meeting facility. The change in designations and zonings suggests that the proposed project may somehow involve a conversion of coastal agricultural land to a non-agricultural use, contrary to the intent of Section 30241.

In fact, no conversion of land that is either currently used, or potentially usable for agricultural will occur. As noted earlier, the project site has been devoted to a warehouse and distribution use. The property owners trucked in hay, stored the hay on site in a large metal warehouse building, and later sold and distributed the hay to farmers. Although the warehouse and distribution use involved an agricultural product, hay, the use did not involve any grazing or growing activity on site, and was really an industrial use more than an agricultural use. The use could have been located anywhere in the vicinity where three acres of flat ground was available and industrial uses were allowed. The use was not dependent on soil conditions in the same way that farming and ranching uses are.

In addition, the site is not suitable for agricultural use. The fill pad that was constructed on the site in the 1960s rendered the site useless for agriculture. Crops and forage cannot be grown in the fill material which is composed of sand, gravel, and wood debris. Even if suitable soil conditions did exist, the three-acre size of the parcel is too small to support any viable agricultural use. It is also not practicable to combine the parcel with other agricultural parcels to create one larger piece of property of a size suitable for agricultural use. The only adjacent agricultural parcel is the parcel to the south, but the grazing area of that parcel and the fill area of the subject parcel are separated by a pond, the riparian habitat and the fill slope, preventing the two from being combined into one continuous grazing area.

It is not clear why the County originally designated and zoned the site as Agricultural Exclusive in its LCP. The designation and zoning may simply reflect the broad-brush way in which the County designated and zoned virtually all of the surrounding area in the coastal zone as Agricultural Exclusive (AE). The only property in this area of the coastal zone not designated for agricultural use are three relatively small areas that were designated for industrial uses (MG), a small site that was designated for commercial recreational use (CR), and the communities of Fernbridge and Waddington which were designated and zoned for rural exurban use (RX). See Exhibit 8, which shows the County land use designations in that area. The County may have attached the Agricultural Exclusive designation to a lot of parcels not entirely suitable for agricultural use but which are located adjacent to lands actually used for coastal agricultural purposes as a way of buffering the true agricultural lands from the encroachment of other land uses.

1-96-22

**CITY OF FORTUNA REDEVELOPMENT AGENCY**

Page 10

In this case, the proposed community meeting facility use will have no effect on the use of agricultural lands in the vicinity. The site is surrounded on the west by the Eel River, on the north by a commercial area, and on the east by an operating land fill. The only nearby parcel that is used for agriculture is the parcel adjacent to the south. However, the grazing lands to the south will be physically buffered from the proposed community meeting facility use by a minimum 200-foot-long area that includes the slope of the fill pad, the riparian willow area, and an existing pond. Furthermore, the building and parking area will be separated vertically from the grazing area, as the top of the fill pad where these facilities will be built is approximately 40 feet above the elevation of the grazing lands. Thus, the area between the meeting facility and the grazing lands will form an effective buffer, and as the wetland and riparian areas are protected from development by Sections 30240 and 30233 of the Coastal Act as well as the provisions of other state and federal laws, the buffer will be a stable boundary between the meeting facility and the grazing lands.

Therefore, the Commission finds that as the proposal (1) does not involve a conversion of agricultural lands, (2) will create a stable boundary between the non-agricultural uses proposed and the adjoining agricultural use, (3) involves developing a property not suitable for agricultural use, and (4) will have no adverse effect on coastal agriculture, the proposed project is consistent with Section 30241 of the Coastal Act.

7. Public Access.

Coastal Act Section 30210 requires in applicable part that maximum public access and recreational opportunities be provided when consistent with public safety, private property rights, and natural resource protection. Section 30211 requires in applicable part that development not interfere with the public's right of access to the sea where acquired through use (i.e. potential prescriptive rights or rights of implied dedication). Section 30212 requires in applicable part that public access from the nearest public roadway to the shoreline and along the coast be provided in new development projects, except in certain instances, such as when adequate access exists nearby or when the provision of public access would be inconsistent with public safety.

In applying Sections 30210, 30211, and 30212, the Commission is limited by the need to show that any denial of a permit application based on those 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 public access.

The Sandy Prairie Levee in the vicinity of the project site has historically been used for public access to the river. An existing vehicular gate across the levee near the southern end of the subject property bars vehicles, but is constructed in a manner that allows pedestrians, fishermen, and bicyclists to pass around it. The public can currently access the site via Kenmar Avenue, and as previously mentioned, an existing overlook has been constructed

adjacent to the meeting facility site. This overlook includes a covered picnic area and affords panoramic views of the Eel River and the coastal mountains.

The proposed project will not eliminate any of the existing access at the site and will not otherwise adversely affect public access. On the contrary, the proposed project will greatly enhance access use. The proposed project will provide a great deal of additional parking that will be available to public access users. In addition, the proposed project includes the construction of pathways to connect the overlook with the meeting facility as well as landscaping along the levee. Furthermore, bathrooms at the proposed meeting facility will also be made available to the public using the overlook and visitor center in the meeting facility. Overall, the public meeting facility with its Visitor Center will help make the site a focal point for public access use, along the Eel River, drawing many more people to the riverfront in an area where visitors can be adequately accommodated.

Therefore, the Commission finds that as the proposed project will greatly enhance and expand public access use of the site, the project is consistent with the public access policies of the Coastal Act.

8. Prejudice to LCP

The project site is within an area that is currently uncertified. The parcel was recently annexed by the City of Fortuna from Humboldt County for the purpose of developing the proposed project. Although the parcel was previously covered by the certified Humboldt County Local Coastal Program (LCP), once the area was annexed out of the County's jurisdiction, the certified County LCP no longer applied to the site. The City of Fortuna has not prepared an LCP for the parcel since annexation of the property. Until such time as an LCP is prepared and certified by the Commission as being consistent with the Coastal Act, the site will remain within the permit jurisdiction of the Coastal Commission. Prior to certification, the standard of review that the Commission must apply to any proposed development for the site is the Coastal Act.

Section 30604 of the Coastal Act allows permit issuance for a project if it is consistent with Chapter 3 of the Coastal Act and 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. As discussed in the previous findings, approval of the project, as conditioned, is consistent with Sections 30250, 30251, 30241, 30240, and all other policies of the the Coastal Act. In addition, no basis has been identified for asserting that approving the project will in any way prejudice the City of Fortuna's ability to implement a certifiable LCP for this uncertified area.

1-96-22

**CITY OF FORTUNA REDEVELOPMENT AGENCY**

Page 12

9. 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 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. As discussed above, alternatives have been considered and the project has been mitigated to avoid or minimize impacts to coastal resources, specifically to prevent impacts on visual resources. The project, as conditioned, will not have a significant adverse effect on the environment, within the meaning of CEQA.

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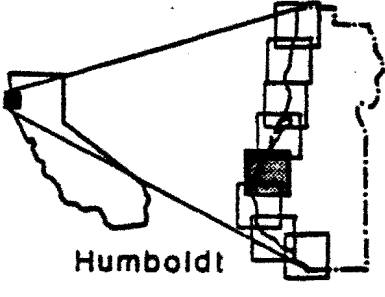
ATTACHMENT A

Standard Conditions

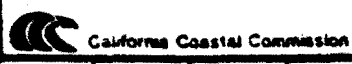
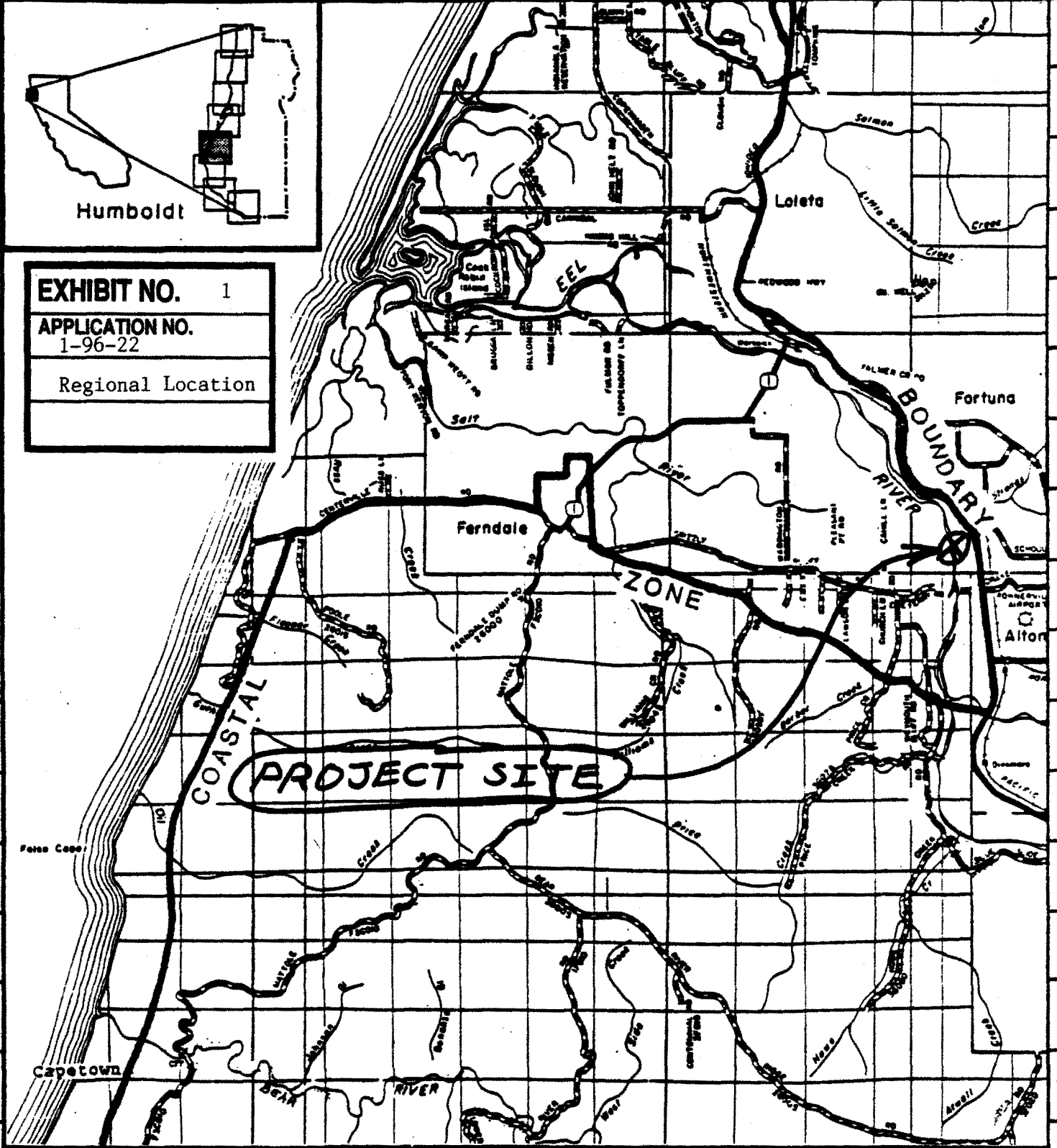
1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. 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.

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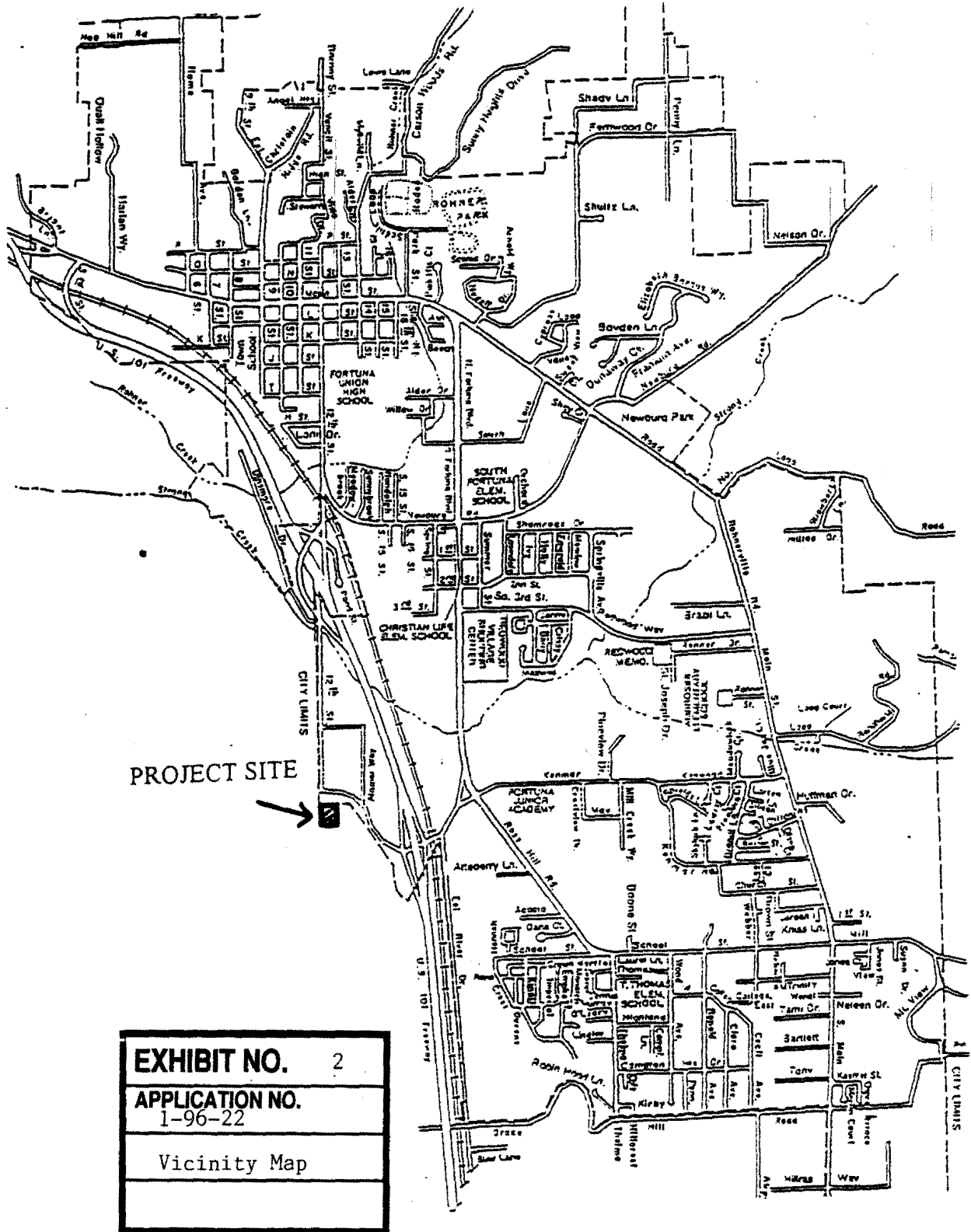
**EXHIBIT NO.** 1  
**APPLICATION NO.**  
1-96-22  
Regional Location



**LOCATION MAP**

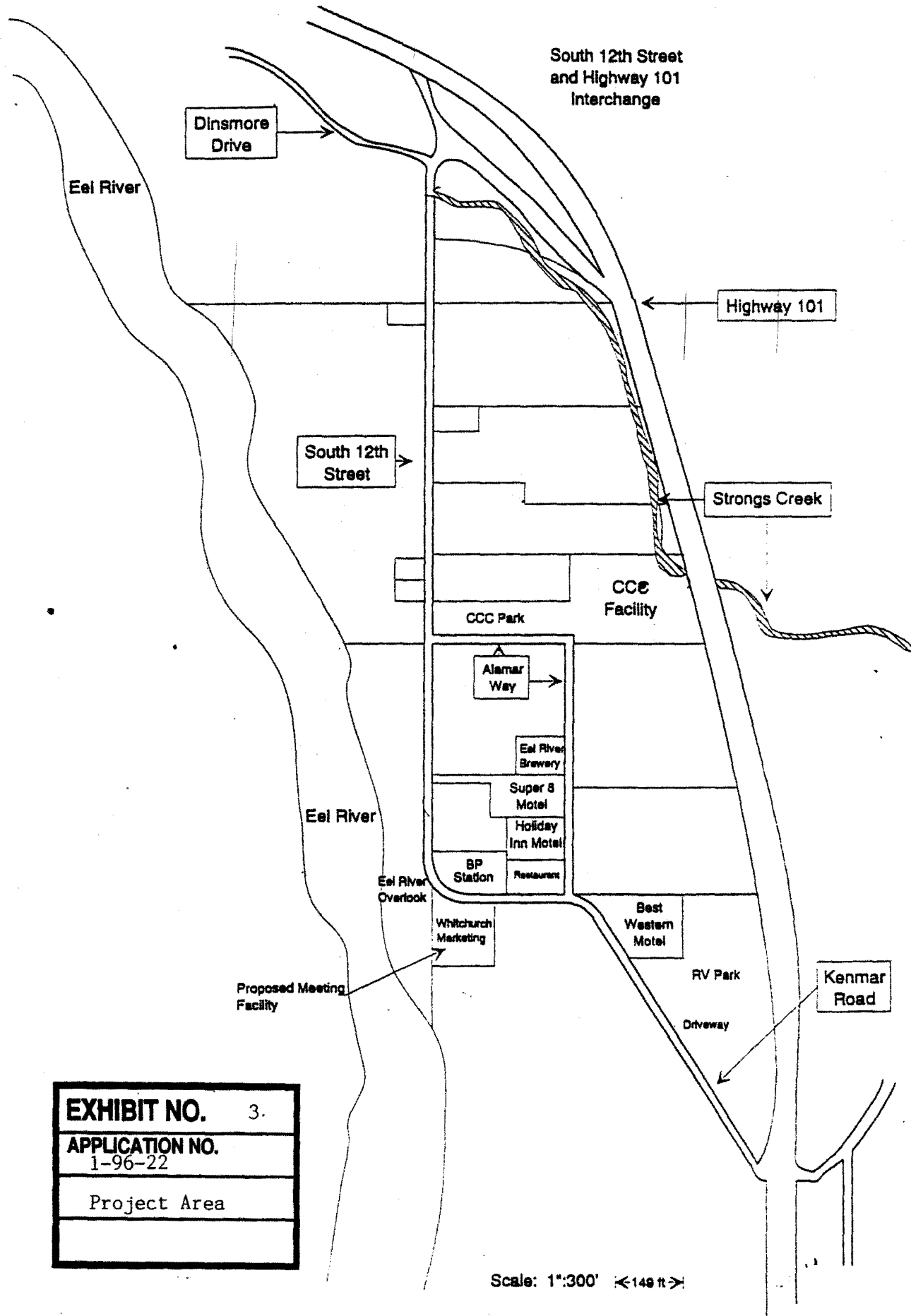


# PROJECT SITE IN RELATION TO FORTUNA



|                        |         |
|------------------------|---------|
| <b>EXHIBIT NO.</b>     | 2       |
| <b>APPLICATION NO.</b> | 1-96-22 |
| Vicinity Map           |         |

# PROJECT AREA

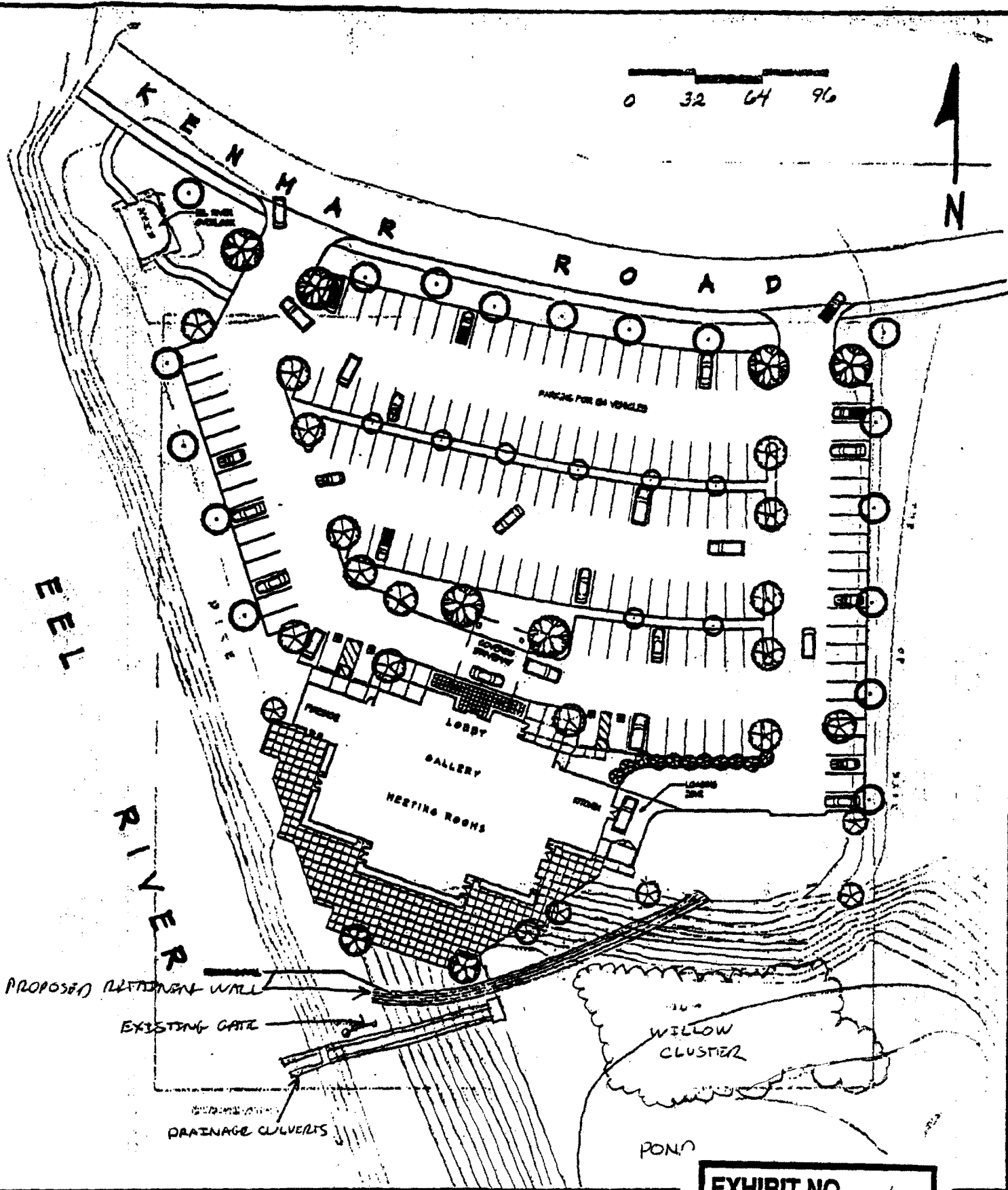


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| <b>EXHIBIT NO.</b>     | 3.      |
| <b>APPLICATION NO.</b> | 1-96-22 |
| Project Area           |         |

Scale: 1"=300' < 149 ft >



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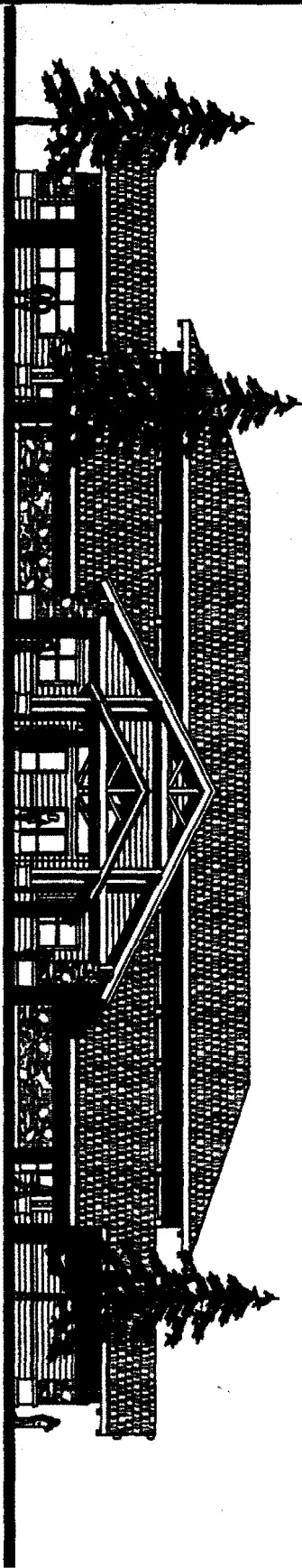
TITLE  
**SITE PLAN (B)**

PROJECT  
**FORTUNA MEETING FACILITY**

**EXHIBIT NO.** 4

**APPLICATION NO.**  
 1-96-22

Site Plan



|                        |         |
|------------------------|---------|
| <b>EXHIBIT NO.</b>     | 5       |
| <b>APPLICATION NO.</b> | 1-96-22 |
| Building Elevation     |         |
|                        |         |

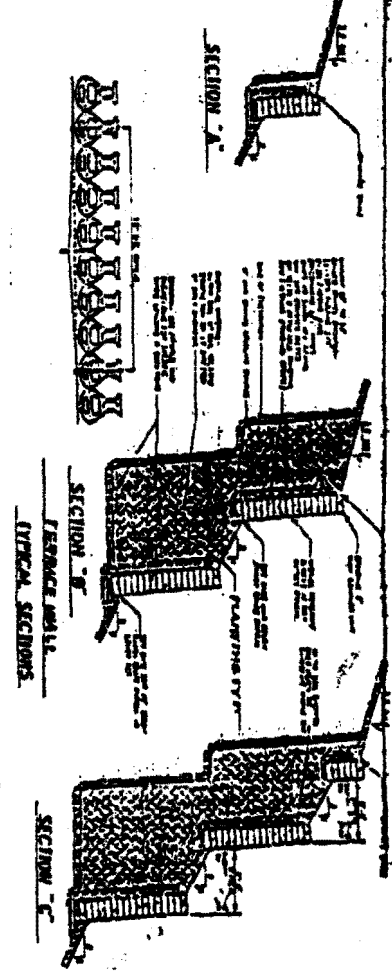
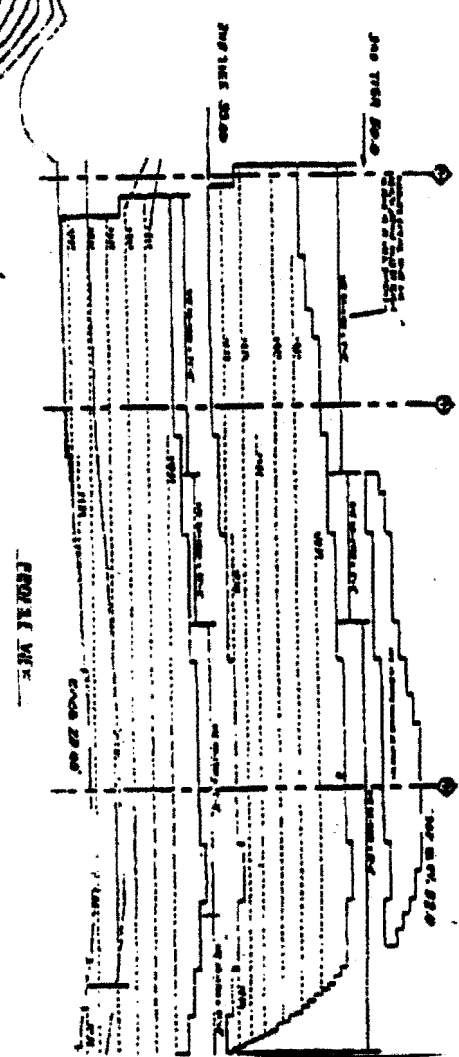
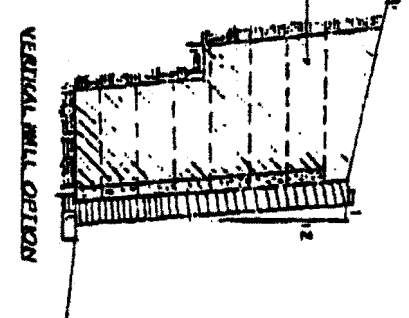
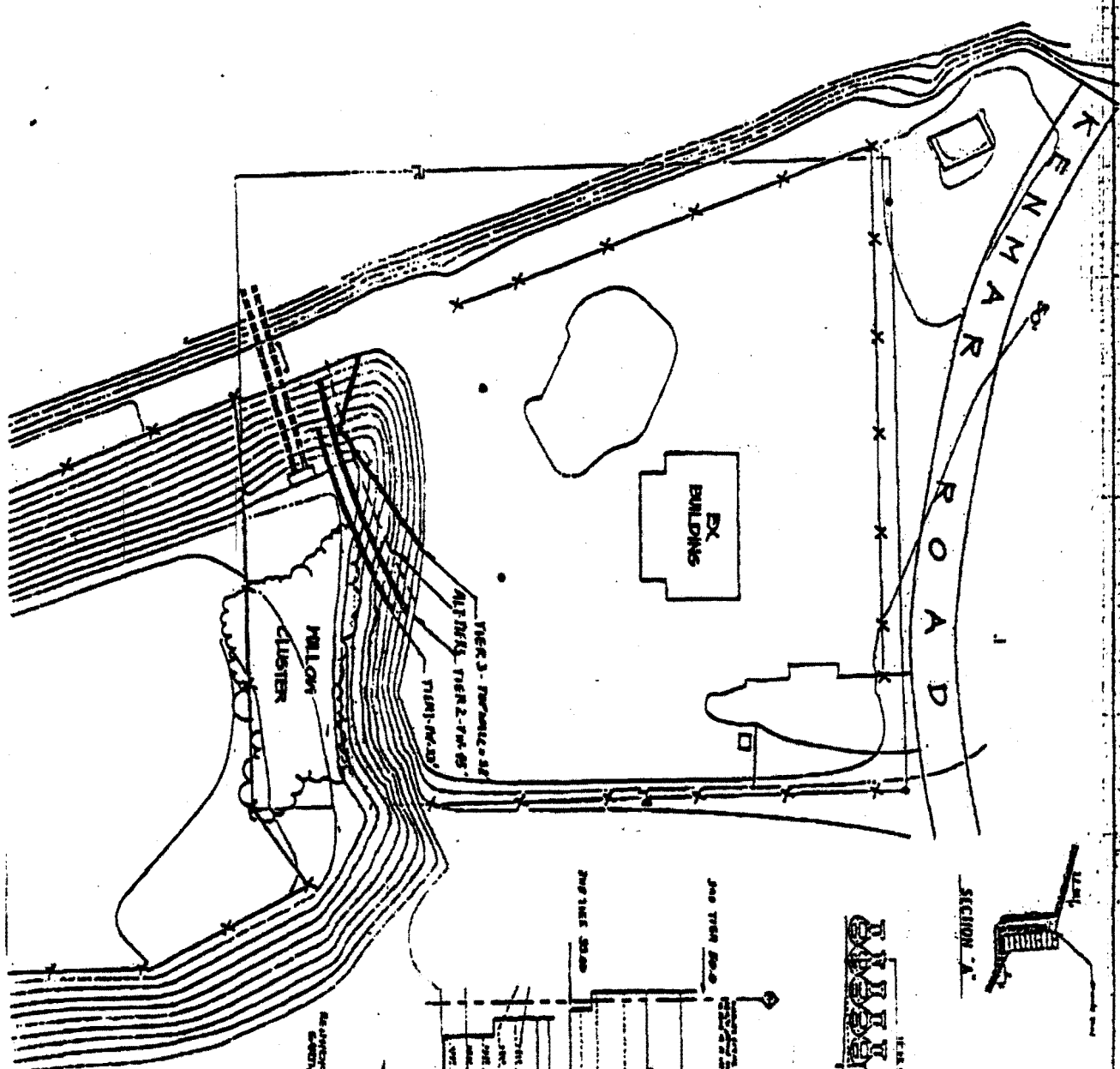


|                |                          |
|----------------|--------------------------|
| <b>TITLE</b>   | FRONT ELEVATION - A      |
| <b>PROJECT</b> | FORTUNA MEETING FACILITY |

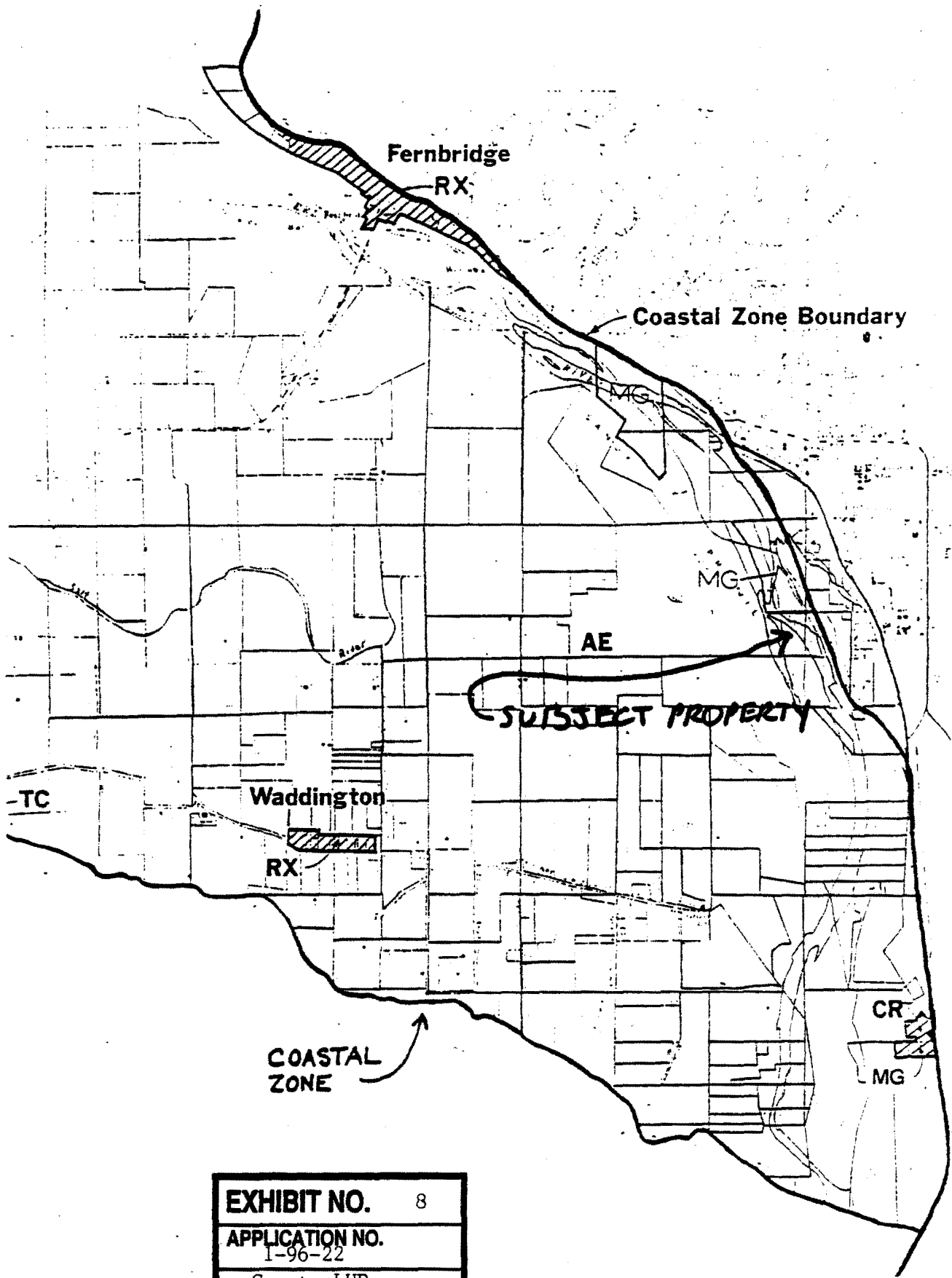
|                    |         |
|--------------------|---------|
| <b>DATE</b>        | 5/30/96 |
| <b>SCALE</b>       | NTS     |
| <b>PROJECT NO.</b> | 9615    |
| <b>DRAWN BY</b>    | AGL     |

|                |      |
|----------------|------|
| <b>DRAWING</b> | A3.1 |
|----------------|------|





|                 |         |
|-----------------|---------|
| EXHIBIT NO.     | 7       |
| APPLICATION NO. | 1-96-22 |
| Retaining Wall  |         |



|                         |         |
|-------------------------|---------|
| <b>EXHIBIT NO.</b>      | 8       |
| <b>APPLICATION NO.</b>  | I-96-22 |
| County LUP Designations |         |
| Surrounding Area        |         |

