

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
710 E STREET, SUITE 200
EUREKA, CA 95501
(707) 445-7833



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ADMINISTRATIVE PERMIT

Page: 1 of 6

Date: May 23, 2003

Permit Application: 1-03-008

APPLICANT(S):

John R. Johansen

PROJECT DESCRIPTION:

Replace a deteriorating wooden retaining wall with a new reinforced concrete wall securely anchored to the hillside for a safer more adequate driveway and parking area to serve a single-family residence. An existing wood fence would be relocated from the top of the old wooden retaining wall to the top of the new concrete wall. Landscaping would completely screen the concrete wall and wooden fence.

PROJECT LOCATION:

33950 Albion River South Side Road, Albion (Mendocino County)
(APN 123-150-44)

**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: June 13, 2003

PHONE: (562) 435-3511

TIME: Meeting begins at 8:30 a.m.

PLACE: The Queen Mary, 1126 Queen's Highway, Long Beach, CA

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 acknowledgement 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 M. DOUGLAS
Executive Director

By: RANDALL STEMLER
Coastal Program Analyst



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 is 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. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

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 and Special Conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3, and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. If located between the nearest public road and the sea, this development is in conformity with the public access and public recreation policies of Chapter 3.

FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION:

A. Site Description

The project site, as shown in Exhibit 2, is on a 44,153-square-foot (1.01-acre) parcel located between the north bank of the Albion River and Albion River South Side Road. The parcel is situated about 300 feet east of Highway One at its closest point, and is in an area designated highly scenic. The parcel is long and thin measuring about 500 feet at its longest dimension and about 150 feet at its widest. The project site is on a steep slope approximately 100 feet from the north bank of the Albion River, and about 450 feet east of Highway One. Even though the parcel is adjacent and parallel to the river, there are no known ESHA resources within the approximately 510-square-foot project site, which is located on the road-side edge of the property. The existing development on the property consists of a single-family residence and detached office/shop building, other appurtenant structures, and the existing approximately 510-square-foot driveway/parking area that would be improved as proposed by this permit.

B. Project Description

The project as proposed would replace the deteriorating wooden retaining wall currently supporting the driveway/parking area with a new reinforced concrete wall. The project would slightly enlarge the parking area. The existing wall has rotted, and the driveway is beginning to show cracks. The engineered design of the new retaining wall includes a grade beam foundation with concrete piers. Drainage would be provided in the same way as currently existing, with plastic drain line running to well-vegetated ground cover. The height of the proposed concrete wall replacement would be an average 48 inches above the natural grade. The applicant would use existing natural redwood fence material for the above ground wooden-fence- portion of the wall, and would visually landscape the entire wall by planting native wild-cucumber and naturalized blackberry vegetation along the downhill slope as shown on the plans.

C. Protection of ESHA, Water Quality, and Marine Resources

Section 30231 of the Coastal Act requires that the biological productivity and quality of coastal waters be maintained and where feasible restored.

Section 30240 of the Coastal Act requires that environmentally sensitive habitat areas be protected from significant disruption of habitat values, and that only uses dependent on those resources be allowed within those areas. Additionally, Section 30240 requires development in areas adjacent to environmentally sensitive habitat areas, and parks and recreation areas, to be designed to prevent impacts, which would significantly degrade those areas, and must be compatible with the continuance of those habitat and recreation areas.

As previously described, no ESHA resources exist in and around the immediate vicinity of the project site, however, riparian ESHA along the north bank of the Albion River is located down slope about 100 feet away. Native wild cucumber and naturalized blackberry completely dominate the slope below the proposed project site, and the project would not disturb any areas where native vegetation occurs. The outflow from the newly installed drainage pipe would be located in the same heavily vegetated area as currently used for the outflow of the existing drainage pipe. No significant adverse impact from the proposed development would occur to the Albion River habitat.

The proposed project would have an adverse affect on the Albion River riparian ESHA and water quality if all portions of the existing retaining wall to be demolished and associated materials are not properly disposed of and allowed to pollute the river. To ensure consistency with the provisions of Section 30240(b) of the Coastal Act requiring that impacts be prevented that would significantly degrade ESHA habitat, and the requirements of Section 30231 that the quality of coastal waters be maintained, the Executive Director attaches Special Condition No. 1. The special condition requires that 1) all portions of the existing retaining wall to be demolished be removed from the site and recycled or disposed of in a lawful manner either outside the coastal zone or hauled to an approved disposal site, 2) no materials, debris, or waste shall be placed or stored where it may enter coastal waters, including existing excavated fill material, imported fill material, or cement wash-out.

Therefore, the Executive Director finds that the proposed project as conditioned will not degrade or significantly disrupt habitat values of the ESHA down slope of the project site and will

maintain the biological productivity and quality of coastal waters consistent with the requirements of Coastal Act Section 30240 and 30231.

D. Public Access

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

The subject parcel is located east of Highway One near the bottom of a steep slope where the Albion River borders the north side of the property. The proposed development involves repair of an existing retaining wall supporting the driveway of a single-family residence and would not increase the intensity of use of the site. In addition, there are no trails or other evidence of public use of the property. Since the proposed development would not interfere with any possible public prescriptive rights and would not result in any increase in intensity of the use of the site, the proposed project would not create any new burden on public access.

Therefore, the Executive Director finds that the project as proposed without new public access is consistent with the requirements of Coastal Act Sections 30210, 30211, and 30212, and the coastal access policies of the County's LCP.

E. Geologic Hazard

Section 30253 of the Coastal Act requires that new development minimize the risks to life and property in areas of high geologic hazard, assure stability and structural integrity of the project site; and neither create nor contribute significantly to erosion, geologic stability, or destruction of the site or surrounding area.

The fact that the proposed project would be conducted on a steep slope above the Albion River raises concerns about geologic stability of the site and the structural adequacy of the proposed development. The applicant retained a registered professional engineer to design the project appropriate to the site. The applicant's engineer, Eric Jahelka, submitted a letter dated May 1, 2003, with calculation sheets attached, which verify the structural adequacy of the proposed retaining wall. The engineer states: "Our design to utilize a 'dead man' pier and tieback system was prompted by the recommendations in North Coast Testing, Inc's Geotechnical report for an adjacent property. The surface soil conditions are unfavorable for a gravity wall application. By extending the grade beam/ties across the drive entrance, we are taking advantage of the existing cut to reach the firm Brown Sandy Clay that lies approximately 6 feet below the native surface. We feel that this design is much more predictable given the steepness of the slope. Design is based on the requirements of the 1997 Uniform Building Code & 2001 California Building Code." The plans incorporate an infiltration drainage system to alleviate hydrostatic pressure on the uphill side of the wall. The drainage outfall would be as existing with the current wall, and would discharge onto a very well-vegetated slope.

To ensure that the development will maintain the stability and structural integrity of the project site, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area, the proposed development must be constructed according to the engineered plans as submitted. Therefore, the Executive Director attaches Special Condition No. 4, requiring that the proposed project be constructed according to the engineer's stamped letter and attachments and submitted plans. Therefore, the Executive Director finds that the proposed project as conditioned will be consistent with Coastal Act Section 30253.

F. Protection of Visual Resources

Section 30251 of the Coastal Act requires that the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance; and that new development be sited and designed to protect views to and along the ocean and scenic coastal areas, minimize alteration of natural land forms, and be visually compatible with the character of surrounding areas. New development shall be subordinate to the character of its setting.

The proposed project is located several hundred feet east of Highway One in an area where the development would not affect views to the ocean. However, the site is designated as highly scenic, and the wall could have a significant adverse impact on visual resources if not screened to make it visually subordinate to the character of its setting. The applicant has proposed to completely obscure the wall and fence with vegetation and to use earth tone colors so that the development would blend and be compatible with the character of the otherwise vegetated surroundings and be subordinate to its setting.

To ensure that the project would blend with the vegetated slope in the foreground, and be visually compatible with the character of surrounding areas and subordinate to the character of its setting the Executive Director attaches Special Condition No. 2, to require that the proposed project use earth tone colors and be visually screened with native wild cucumber and naturalized back berries growing in the vicinity of the project area. The Executive Director finds that the proposed project as conditioned will protect visual resources consistent with the requirements of Coastal Act Section 30251.

SPECIAL CONDITIONS

1. Debris Disposal

Any and all materials and debris resulting from the demolition of the existing retaining wall and construction of a replacement wall shall be removed from the site, and either recycled or disposed of in a lawful manner outside of the coastal zone or at an approved disposal site. No materials, debris, or waste shall be placed or stored where it may enter coastal waters.

2. Visual Resource Protection

The new concrete wall and the redwood fence shall be maintained in the natural gray color of concrete and the natural color of weathered redwood. The finished project shall be visually screened with native wild cucumber and naturalized blackberry found in the vicinity of the site so that the development will be visually compatible with the character of surrounding areas and subordinate to the character of its setting.

3. Permit Amendment

The permittee shall conduct the project in accordance with the proposal as set forth in the application for permit, as conditioned. No changes to the approved project shall occur without an amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

4. Minimization of Adverse Geologic Impacts

The proposed project shall be constructed in accordance with the engineered design as depicted in the May 1, 2003 letter and attachments from Registered Professional Engineer Eric Jahelka, and the project plans as submitted.

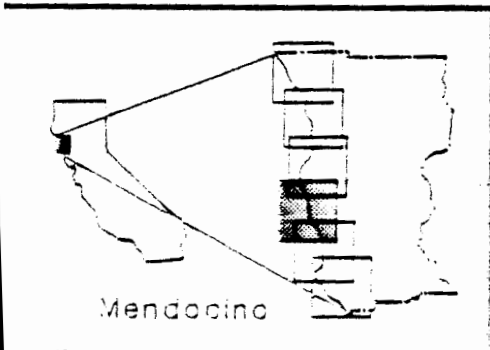
ACKNOWLEDGEMENT OF PERMIT RECEIPT / ACCEPTANCE OF CONTENTS:

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

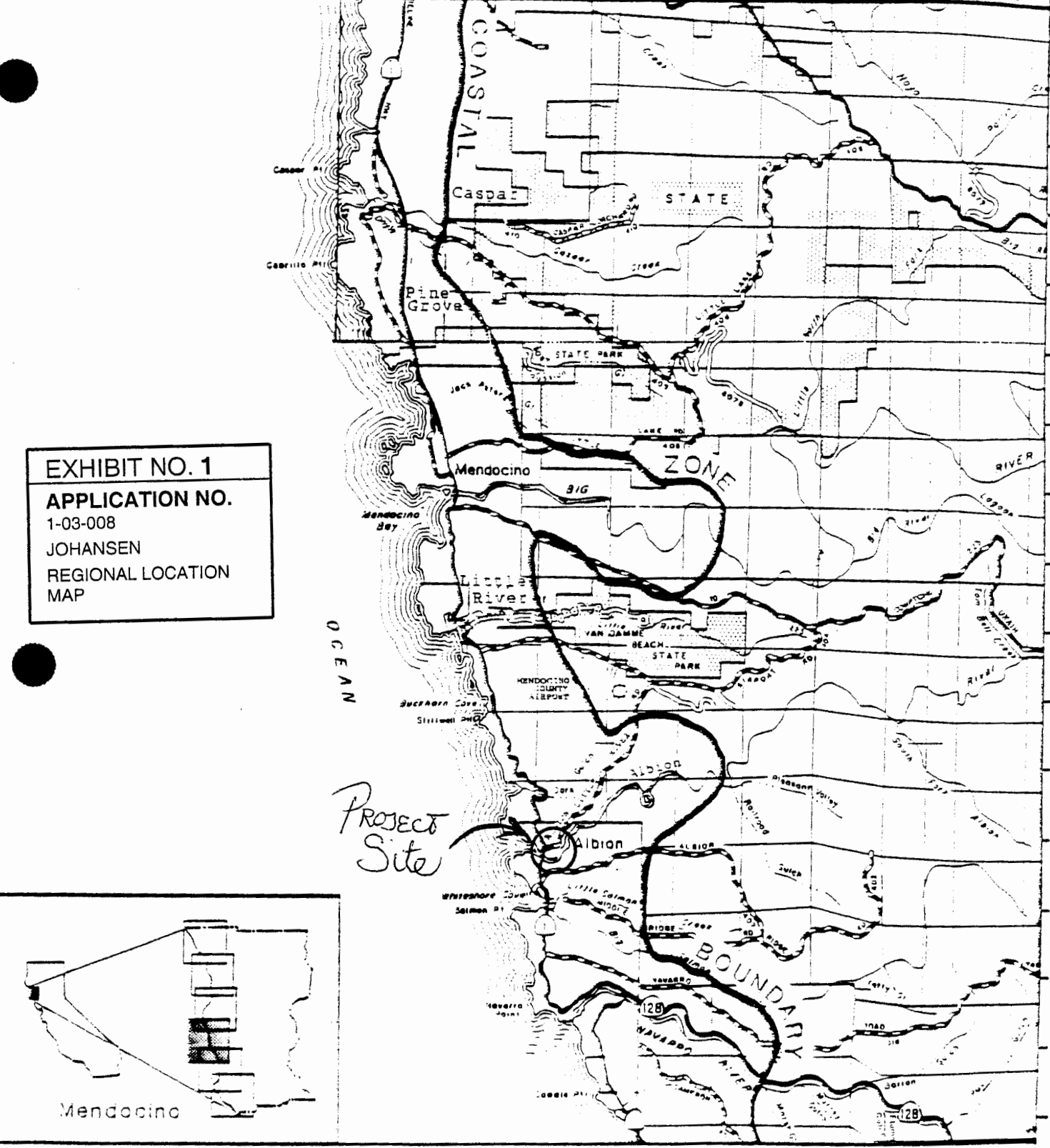
Applicant's Signature

Date of Signing

EXHIBIT NO. 1
 APPLICATION NO.
 1-03-008
 JOHANSEN
 REGIONAL LOCATION
 MAP



Project Site

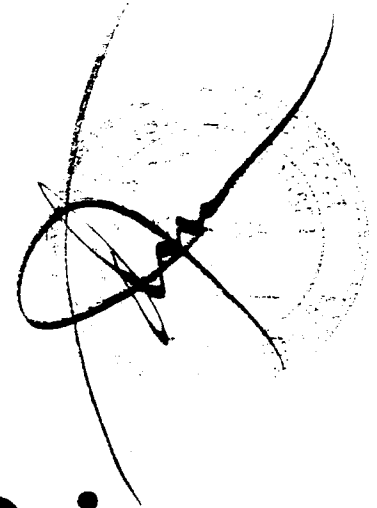


California Coastal Commission

LOCATION MAP



County of Mendocino



PROJECT NARATIVE

THIS PROJECT WILL REPLACE AN EXISTING DETERIORATING WOOD RETAINING WALL AT OUR DRIVEWAY ENTRANCE WITH A REINFORCED CONCRETE WALL SECURELY SECURELY ANCHORED TO THE HILLSIDE. AN EXISTING WOOD FENCE WILL BE RELOCATED TO THE TOP OF THE NEW CONCRETE WALL. NEW PLANTING ALONG THE NORTH BASE OF THE WALL WILL COMPLETELY OBSCURE THE WALL AND FENCE FROM THE RIVER BELOW BY THE END OF ONE GROWING SEASON.

DRAWING INDEX

A.1 THIS DRAWING
A.2 DETAILS

ABBREVIATIONS

(E)	EXISTING
FD	FLOOR DRAIN
G	GROUND
HGT	HEIGHT
(N)	NEW
NIC	NOT IN CONTRACT
REQ	REQUIRED
SF	SQUARE FOOT
TYP	TYPICAL
UON	UNLESS OTHERWISE NOTED
VIF	VERIFY IN FIELD
WH	WATER HEATER
WP	WEATHERPROOF

EXHIBIT NO. 2

APPLICATION NO.
1-03-008
JOHANSEN
SITE PLANS
(1 of 5)

REV. 28 APRIL 2003
12 NOVEMBER 2002

Driveway Alterations at the Johansen Residence Albion, California

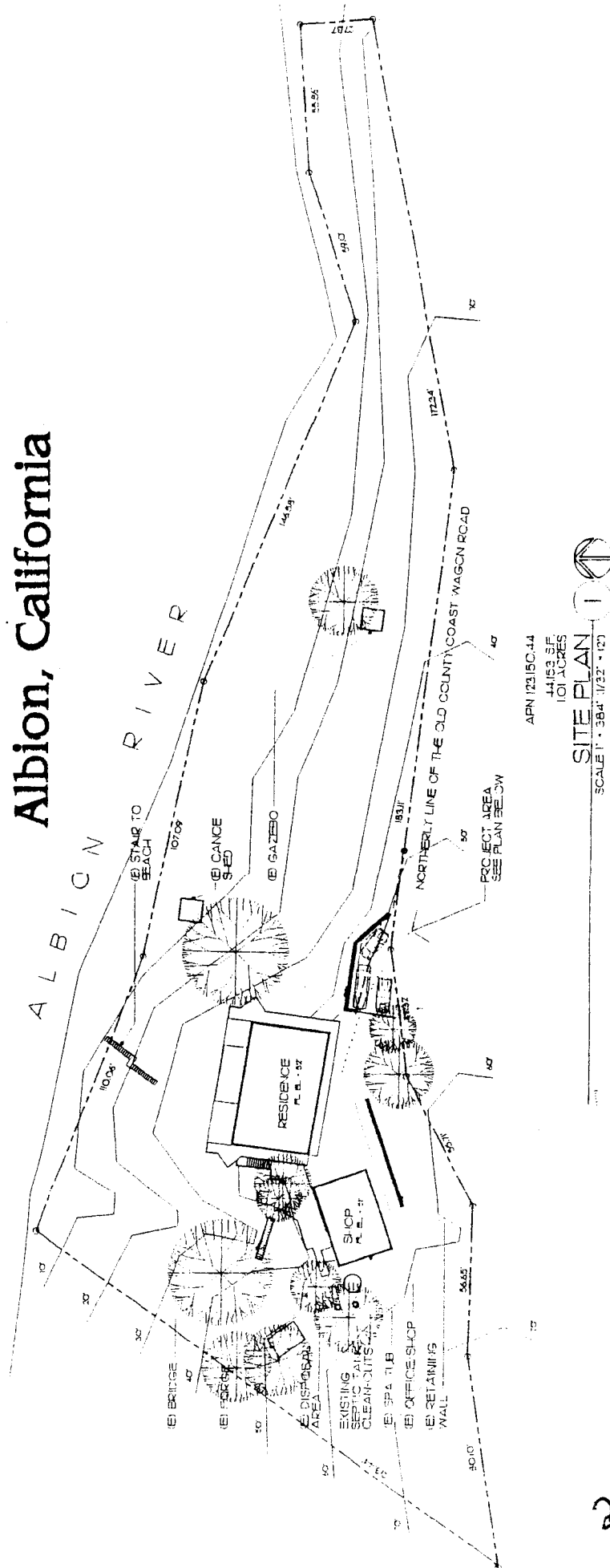
Title Site Plan Enlarged Project Area Plan

A.1

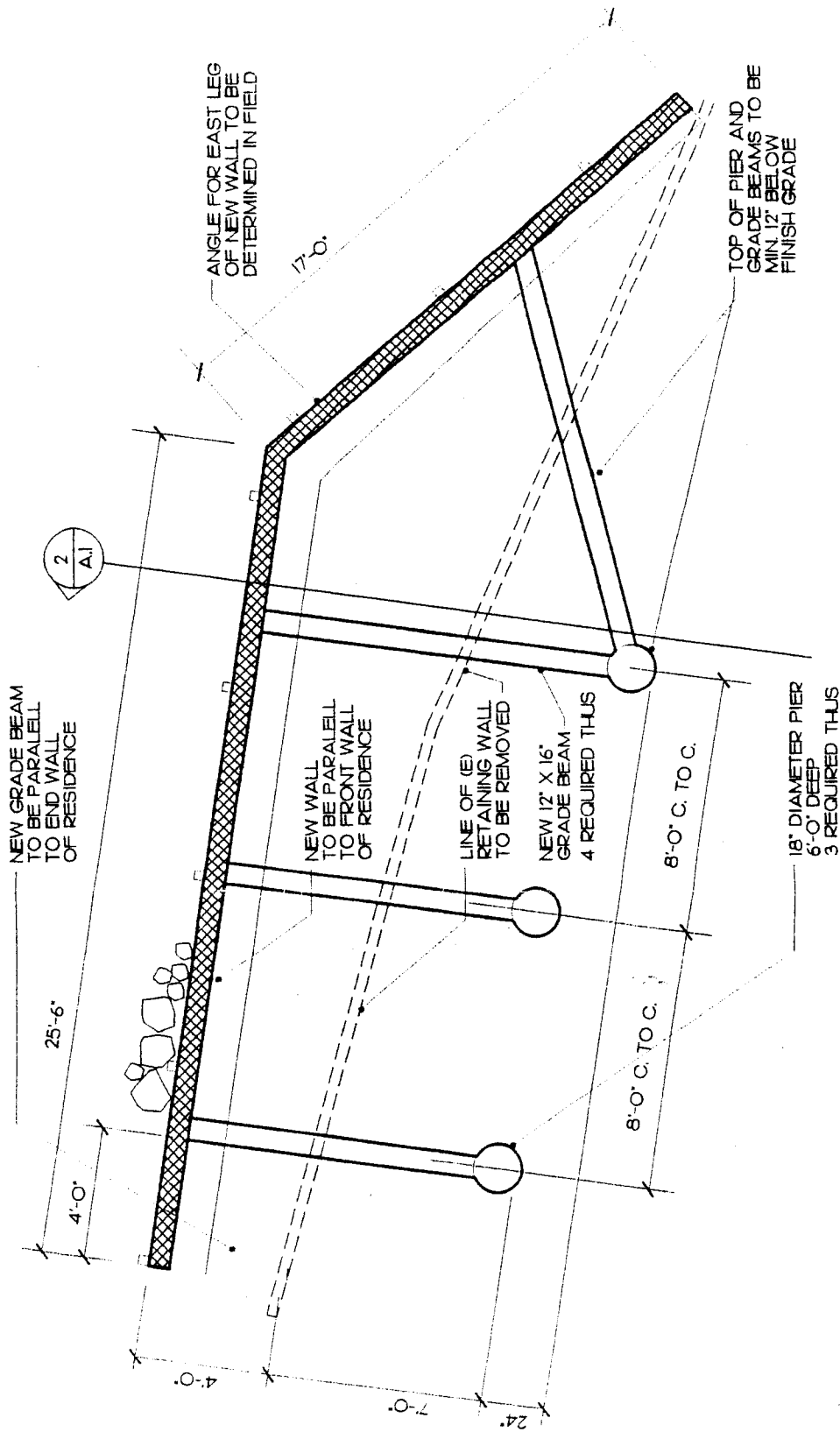
Driveway Alterations

Johansen Residence

Albion, California



225

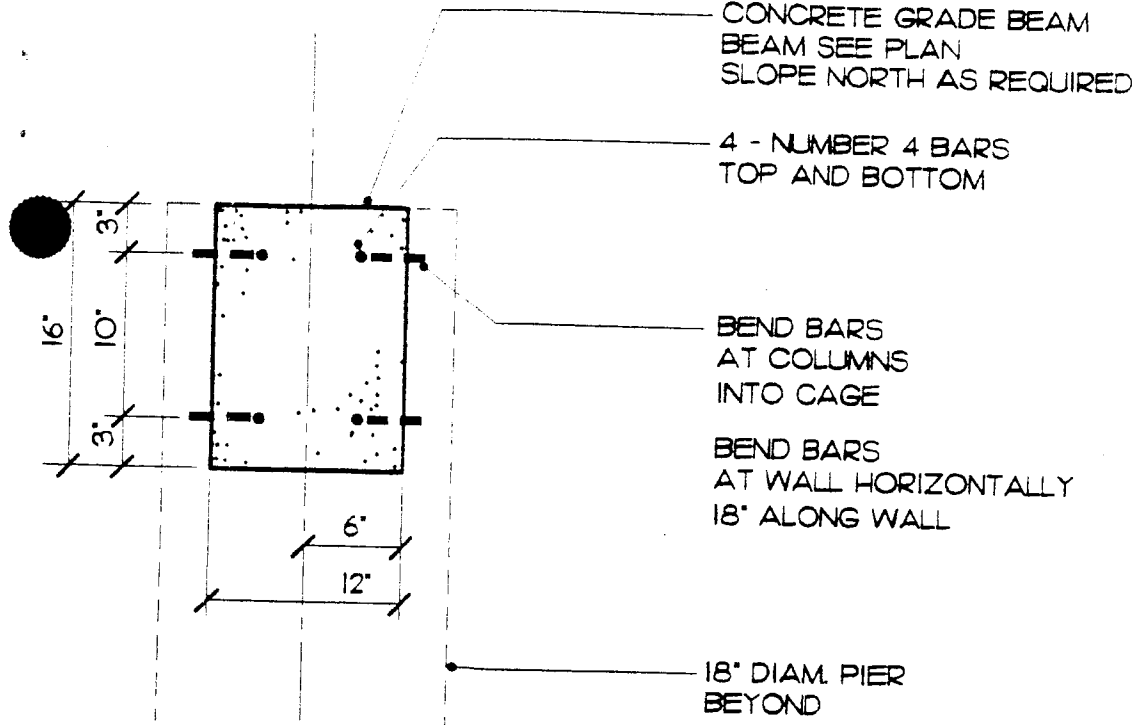


ENLARGED PROJECT AREA PLAN 3

SCALE 1" = 48' (1/4" = 12')

4-1-3

395

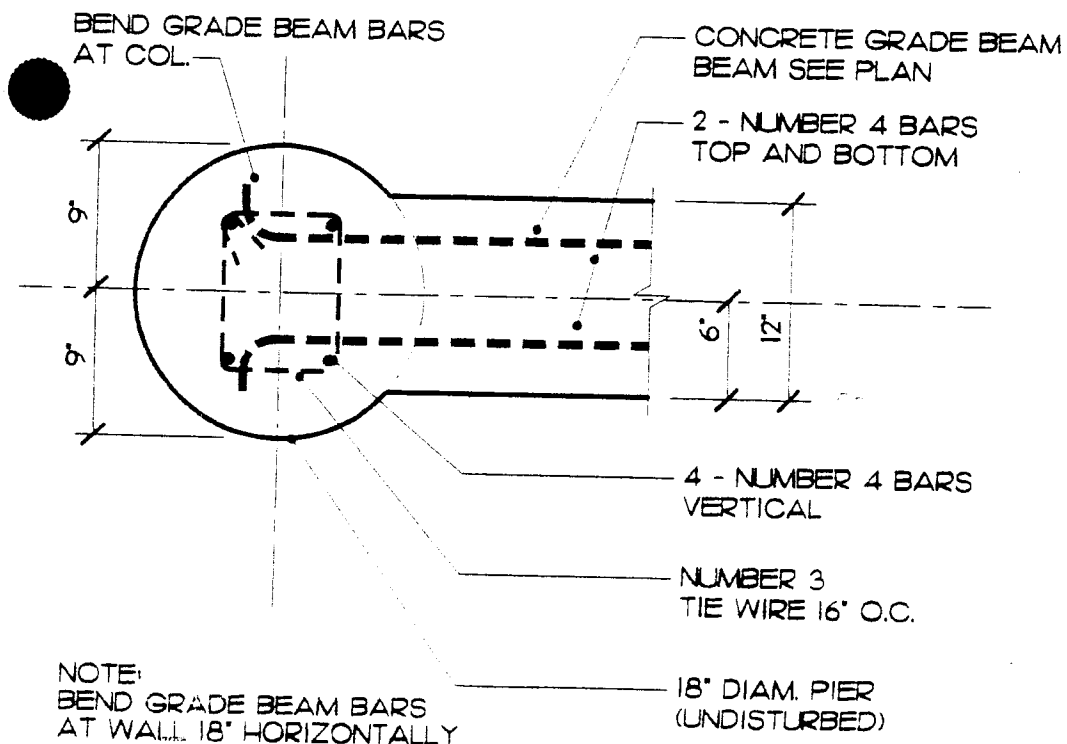


TYPICAL GRADE BEAM DETAIL

A-2-3

SCALE 1" = 12"

3



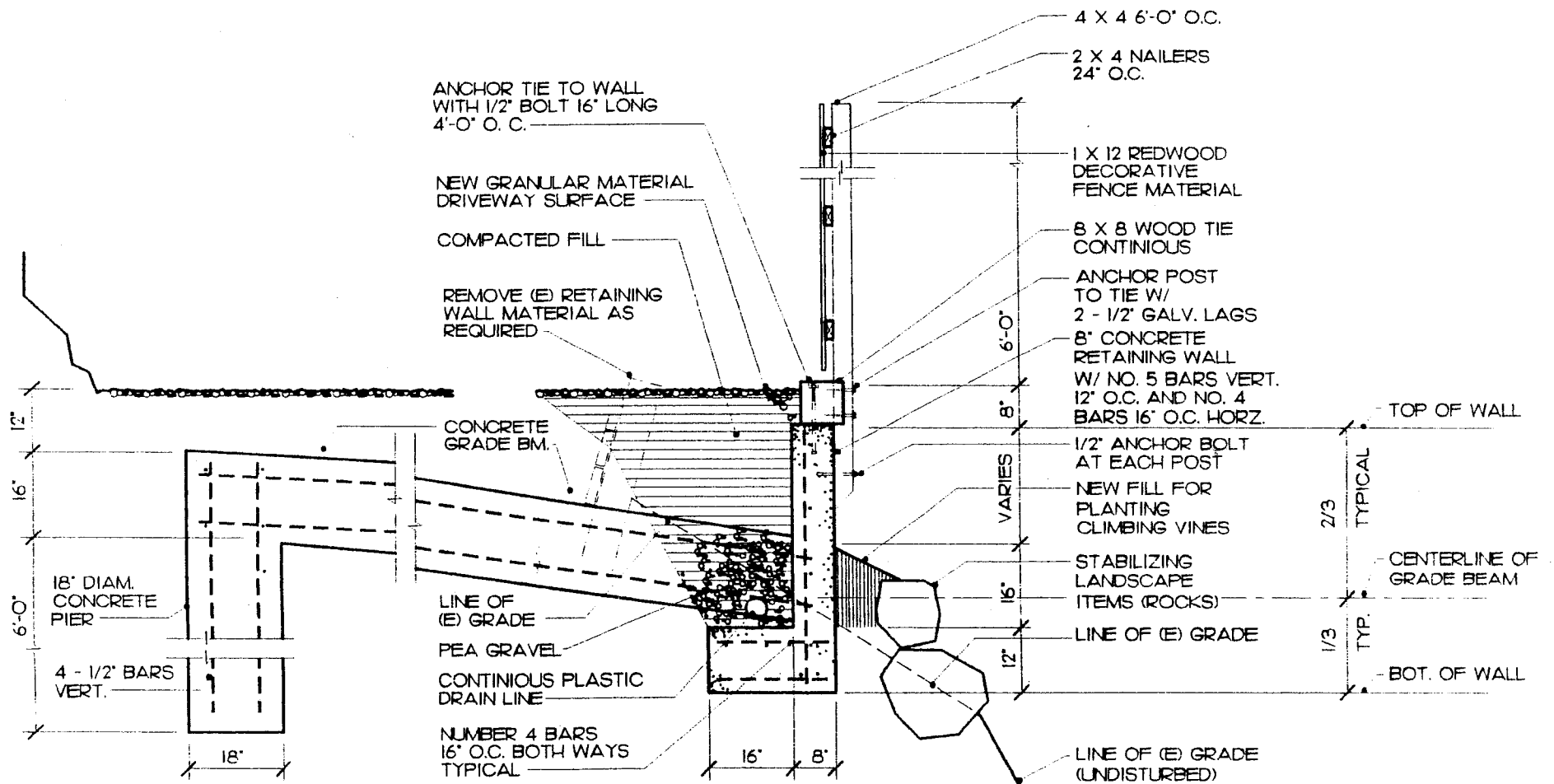
TYPICAL CONCRETE PIER PLAN

A-2-4

SCALE 1" = 12"

2

445



TYPICAL WALL REPLACEMENT DETAIL

SCALE 1" = 24" (1/2" = 12")

1

595