

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071



Filed: September 24, 2008
49th Day: November 12, 2008
180th Day: March 23, 2009
Staff: Liliana Roman-LB
Staff Report: December 18, 2008
Hearing Date: January 7-9, 2009
Commission Action:

Item Th7a

STAFF REPORT: REGULAR CALENDAR

APPLICATION NUMBER: 5-08-254

APPLICANT: TRG Investment LLC

AGENTS: James Glover

PROJECT LOCATION: 4036 Calle Ariana, San Clemente, County of Orange

PROJECT DESCRIPTION: Demolition of an existing two-level 5,211 sq. ft. single-family residence and construction of a new two-level 6,177 sq. ft. single-family residence, 819 sq. ft. three-car garage and 536 cubic yards of grading (all cut) and hardscape and landscape improvements on a coastal blufftop lot.

LOCAL APPROVALS RECEIVED: San Clemente Planning Division Approval-in-Concept dated September 16, 2008.

SUMMARY OF STAFF RECOMMENDATION:

The applicant is proposing to demolish and replace a single-family home on a blufftop lot located within the private gated community of Cypress Shores in San Clemente. The primary issue addressed in the staff report is assurance that the proposed development is appropriately set back from the bluff edge to be consistent with the geologic hazard and visual resource policies of the Coastal Act.

Staff recommends the Commission **APPROVE** the proposed project subject to ten (10) special conditions regarding: 1) final revised plans; 2) final grading/drainage and runoff control plans; 3) conformance with geotechnical recommendations; 4) use of drought tolerant, non-invasive plants; 5) best management practices; 6) bird strike prevention; 7) assumption of risk; 8) no future protective device; 9) future improvements be submitted to the Commission for a new permit or permit amendment; 10) deed restriction referencing all of the Special Conditions contained in this staff report.

SUBSTANTIVE FILE DOCUMENTS: City of San Clemente Certified Land Use Plan; *Preliminary Geotechnical Investigation for Foundation Design* prepared by Geofirm dated August 20, 2008.

LIST OF EXHIBITS:

1. Location Map
 2. Assessors Parcel Map
 3. Project Plans
 4. Landscape Plan
-

STAFF RECOMMENDATION:

Staff recommends that the Commission **APPROVE** the permit application with special conditions.

MOTION:

I move that the Commission approve CDP No. 5-08-254 pursuant to the staff recommendation.

Staff recommends a **YES** vote. This will result in adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of Commissioners present.

RESOLUTION:

I. APPROVAL WITH CONDITIONS

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

II. STANDARD CONDITIONS

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. **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.

III. **SPECIAL CONDITIONS:**

1. **Final Revised Plans**

A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicants shall submit to the Executive Director for review and written approval, two (2) sets of final site and building plans that substantially conform with the project plans by James L Glover Jr., dated 9/15/08, and the preliminary landscape plans by James Pekarske dated 9/18/08 but shall be revised to include the following:

- 1) The wooden bluff face stairway located seaward of the bluff edge shall be shaded and clearly marked *“this element not permitted by any coastal development permit”* on each set of plans, including grading and landscaping plans;
- 2) The patio hardscape improvements on the bluff side of the lot shall be setback five (5) feet from the top of slope at approximately the 42’ contour line as depicted on the site plan.

B. The permittees shall undertake the development authorized by the approved plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the plans shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

2. **Submittal of Final Grading and Drainage Plan**

A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicants shall submit, in a form and content acceptable to the Executive Director, two (2) sets of a final grading and drainage plan prepared by an appropriately licensed professional. The plan shall incorporate the following criteria:

- (a) Runoff from all roofs, patios, driveways and other impervious surfaces and slopes on the site shall be directed to dry wells or vegetated/landscaped areas to the maximum extent practicable within the constraints of City requirements;
- (b) Where City code prohibits on-site infiltration, runoff shall be collected and discharged via pipe or other non-erosive conveyance to the frontage street to the maximum extent practicable;
- (c) Runoff shall not be allowed to pond adjacent to the structure or sheet flow directly over the sloping surface; and

(d) The functionality of the approved drainage and runoff control plan shall be maintained throughout the life of the development.

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

3. Conformance of Design and Construction Plans to Geotechnical Report Geologic Hazard

A. All final design and construction plans, including foundations, grading and drainage plans, shall be consistent with all recommendations contained in the Preliminary Geotechnical Investigation for Foundation Design prepared by Geofirm dated August 20, 2008. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicants shall submit, for the Executive Director's review and approval, evidence that an appropriate licensed professional has reviewed and approved all final design and construction plans and certified that each of those final plans is consistent with all of the recommendations specified in the above-referenced geologic evaluation approved by the California Coastal Commission for the project site.

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

4. Landscaping - Drought Tolerant, Non Invasive Plants

Vegetated landscaped areas shall only consist of native plants or non-native drought tolerant plants, which are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the 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. All plants shall be low water use plants as identified by California Department of Water Resources (See: <http://www.owue.water.ca.gov/docs/wucols00.pdf>).

5. Construction Best Management Practices

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

- (1) No construction materials, debris, or waste shall be placed or stored where it may be subject to wave, wind, rain, or tidal erosion and dispersion;
 - (2) Any and all debris resulting from construction activities shall be removed from the project site within 24 hours of completion of the project;
 - (3) Construction debris and sediment shall be removed from construction areas each day that construction occurs to prevent the accumulation of sediment and other debris which may be discharged into coastal waters. Debris shall be disposed of outside the coastal zone.
 - (4) Erosion control/sedimentation Best Management Practices (BMP's) shall be used to control dust and sedimentation impacts to coastal waters during construction. BMPs shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into coastal waters; and
 - (5) All construction materials, excluding lumber, shall be covered and enclosed on all sides, and as far away from a storm drain inlet and receiving waters as possible.
- B. Best Management Practices (BMPs) designed to prevent spillage and/or runoff of construction-related materials, sediment, or contaminants associated with construction activity shall be implemented prior to the on-set of such activity. Selected BMPs shall be maintained in a functional condition throughout the duration of the project. Such measures shall be used during construction:
- (1) The applicant shall ensure the proper handling, storage, and application of petroleum products and other construction materials. These shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. It shall be located as far away from the receiving waters and storm drain inlets as possible;
 - (2) The applicant shall develop and implement spill prevention and control measures;
 - (3) The applicant shall maintain and wash equipment and machinery in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems. Washout from concrete trucks shall be disposed of at a location not subject to runoff and more than 50-feet away from a stormdrain, open ditch or surface water; and
 - (4) The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during construction.

6. **Bird Strike Prevention**

- A. Where the backyard of the residence abuts coastal bluffs, there shall be walls, fences, gates, safety devices and boundary treatments, as necessary, to protect coastal bluff

habitat. Bluff top fences and gates subject to this permit shall use materials designed to minimize bird-strikes with the fence, or gate. Material selection and structural design shall be made in consultation with a qualified project biologist, the California Department of Fish and Game and the United States Fish and Wildlife Service (herein 'Resource Agencies') as necessary, and the Executive Director of the Commission. Such materials may consist, all or in part, of wood; wrought iron; frosted or partially-frosted glass, Plexiglas or other visually permeable barriers that are designed to prevent creation of a bird strike hazard. Clear glass or Plexiglas shall not be installed. All materials shall be maintained throughout the life of the development to ensure continued effectiveness at addressing bird strikes and shall be maintained at a minimum in accordance with manufacturer specifications and as recommended by the Executive Director. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the permittees shall submit final revised plans showing the location, design, height and materials of fences, and gates for the review and approval of the Executive Director. Said plans shall reflect the requirements of this special condition. The plans shall have received prior review and approval by the City of San Clemente.

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

7. **Assumption of Risk, Waiver of Liability and Indemnity**

By acceptance of this permit, the applicants acknowledge and agree (i) that the site may be subject to hazards from geologic instability and erosion; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

8. **No Future Protective Device**

- A. By acceptance of this permit, the applicants agree, on behalf of themselves and all successors and assigns, that no protective device(s) shall ever be constructed to protect the development approved pursuant to 5-08-254 including, but not limited to, the residence, foundation, concrete patio and planters, and any other future improvements in the event that the development is threatened with damage or destruction from bluff retreat, landslides, or other natural hazards in the future. By acceptance of this permit, the applicants hereby waive, on behalf of themselves and all successors and assigns, any rights to construct such devices that may exist under Public Resources Code Section 30235.

- B. By acceptance of this permit, the applicants further agree, on behalf of themselves and all successors and assigns, that the permittee and/or landowner shall remove the development authorized by this permit, including the residence, foundation, concrete patio and planters, if any government agency has ordered that the areas are not to be occupied due to any of the hazards identified above. In the event that portions of the development fall to the bluff and/or beach before they are removed, the landowner shall remove all recoverable debris associated with the development from the bluff and/or beach and lawfully dispose of the material in an approved disposal site. Such removal shall require a coastal development permit.

9. Future Development

This permit is only for the development described in Coastal Development Permit No. 5-08-254. Pursuant to Title 14 California Code of Regulations Section 13253(b)(6) and/or 13250(b)(6), the exemptions otherwise provided in Public Resources Code Section 30610(a) and (b) shall not apply to the development governed by Coastal Development Permit No. 5-08-254. Accordingly, any future improvements to the structure authorized by this permit, including but not limited to, repair and maintenance identified as requiring a permit in Public Resources Section 30610(d) and Title 14 California Code of Regulations Sections 13252(a)-(b), shall require an amendment to Permit No. 5-08-254 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government

10. Deed Restriction

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit to the Executive Director for review and approval documentation demonstrating that the applicants have executed and recorded against the parcel 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 all 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.

IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. PROJECT LOCATION AND DESCRIPTION

Project Location

The proposed development is located at 4036 Calle Ariana in the private gated community of Cypress Shores in the City of San Clemente, Orange County (Exhibits 1 & 2). The subject site is designated RL (Residential Low Density) in the San Clemente certified Land Use Plan (LUP).

The 8,468 square foot site is currently developed with a two-level single-family residence with rear yard (ocean-facing) hardscape improvements, landscaping and a bluff face stairway. The existing residence was constructed in 1973.¹ The seaward most portion of the residence is sited 10' from the bluff edge. Hardscaping currently extends to the bluff edge. The site is surrounded to the north by a single-family residence, to the south by a single-family residence, to the east by the frontage street (Calle Ariana) and to the west by an approximately 30 foot high coastal bluff. The bluff slope descends to the Orange County Transportation Authority (OCTA) railroad and sandy beach below.

The coastal bluffs in San Clemente are not subject to direct wave attack because they are separated from the beach by the railroad tracks and right-of-way. The railroad tracks have a rip-rap revetment which protects the tracks from erosion and wave overtopping. Though not subject to direct wave attack, the bluffs are subject to weathering caused by natural factors such as wind and rain, poorly structured bedding, soils conducive to erosion and rodent burrowing. Bluffs may also be subject to erosion from human activities, such as irrigation, improper site drainage and grading.

The nearest public vertical access is located to the southeast of the subject lot, beyond the adjacent military housing development at the Trestles accessway through an easement granted by the Federal government until the year 2021. Lateral public access is located seaward of the railroad right-of-way at the beach below the subject site.

Project Description

The applicant proposes to demolish an existing two-level 5,211 square foot single-family residence and construct a new two-level 6,177 square foot single-family residence supported by a caisson and grade beam foundation system with a 819 square foot three-car garage as shown in Exhibit 3. All new structural development (including the foundation system) will be sited 12-13' from the bluff edge, consistent with the pattern of development and past Commission actions in the subject area. The new residence will be located further landward than the existing structure and will conform to the stringline. The existing hardscape development, which extends to the bluff edge, is proposed to be removed. The new hardscape will be required to conform to a 5' bluff edge setback.

¹ Coastal Development Permit #P-3-9-73-276 was issued for a single family dwelling at this site. However, no plans are on file. The City of San Clemente Building Department records for the site do not have the Coastal Commission stamp of approval but do confirm construction of the residence in 1973. Furthermore, the plans show a stairway down the bluff face but in a different location and configuration than the existing stairway. There is no description of a stairway in the Commission's authorization from 1973. No authorization for modification/construction of the stairway is requested or granted as part of the subject application.

The proposed split-level residence will measure 14' in height from grade on the inland (street facing) side of the property and 25' in height from grade on the seaward side. Approximately 536 cubic yards of grading (all cut) is proposed to enlarge the existing lower level. The existing basement cut area is 3,364 square feet; the proposed new basement area is 3,795 square feet. The additional 431 square feet addition to the basement area will be added towards the front (street side) portion of the lot (Exhibit #4). Excess material will be taken to an appropriate disposal site outside the Coastal Zone.

B. GEOLOGIC STABILITY

Section 30253 of the Coastal Act states:

New development shall:

(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

LUP Policy VII.13:

Development shall be concentrated on level areas (except on ridgelines and hilltops) and hillside roads shall be designed to follow natural contours. Grading, cutting, or filling that will alter landforms (e.g.; bluffs, cliffs, ravines) shall be discouraged except for compelling reasons of public safety. Any landform alteration proposed for reasons of public safety shall be minimized to the maximum extent feasible.

Bluff stability has been an issue of historic concern throughout the City of San Clemente. Coastal bluffs in San Clemente are composed of weak sedimentary bedrock and unconsolidated surface soils which are subject to sloughing, creep, and landsliding.

Development on a coastal bluff is inherently risky due to the potential for bluff failure. Bluff development poses potential adverse impacts to the geologic stability of bluffs and the stability of residential structures and ancillary improvements. In general, bluff instability is caused by environmental factors and human impacts. Environmental factors include seismicity, wave attack, drying and wetting of soils, wind erosion, salt spray erosion, rodent burrowing, percolation of rain water, poorly structured bedding and soils conducive to erosion. Factors attributed to human intervention include bluff over steepening from cutting roads and railroad tracks, irrigation, over-watering, building too close to the bluff edge, grading into the bluff, improper site drainage, use of impermeable surfaces that increase runoff, use of water-dependent vegetation, pedestrian or vehicular movement across the bluff top and toe, and breaks in water or sewage lines.

Project Site Geotechnical Report Recommendations

The applicant submitted a geotechnical study conducted by Geofirm dated August 20, 2008. The geotechnical investigation consisted of the review of available geologic maps, geotechnical reports

and other geotechnical data for the site and surrounding area; reconnaissance level geologic mapping of the site and immediate vicinity; excavation, sampling, and logging of one exploratory boring, and two shallow trenches; laboratory testing of soil samples; and geotechnical analysis of the site conditions in relation to proposed improvements.

The Preliminary Geotechnical Investigation concludes that the proposed development is considered geotechnically feasible provided the recommendations of the reports are incorporated in design, construction and maintenance of the site. Additionally, the geotechnical report includes recommendations focusing on grading and site preparation, foundation design, and drainage. The report states that there is no manifest evidence of existing or former gross instability detected onsite. However, the rear fill slope may be subject to surficial instability and slope creep and appropriate foundation setbacks are required. Caisson supported retaining wall/shoring elements will be required for the north, east and south side construction.

Section 30253(2) of the Coastal Act states that new development shall assure stability and structural integrity and shall not contribute to erosion, geologic instability or destruction of the site or require the construction of protective devices which would substantially alter natural landforms.

The existing residence is a two-story single family residence with into-slope, terraced partially subterranean construction situated on the upper-central portion of the lot. The new proposed residence is also a two-story single family residence with into-slope, terraced partially subterranean construction and proposes to enlarge the existing subterranean cut area of 3,364 sq. ft. to 3,795 sq. ft. The additional 431 sq. ft. basement area will be added towards the front (landward side) portion of the lot.

Fourteen out of twenty-two single-family lots along the stretch of Calle Ariana in the Cypress Shores community are terraced into the bluff top. The geotechnical report states that the original grading plan for the housing tract indicates site grades are modified with fill placement occurring throughout the site. The maximum fill thickness observed in one exploratory boring was six (6) feet. Therefore, the proposed extra grading (cut) for a larger basement level will not be cut from a natural landform, but pre-existing fill.

The proposed residence is sufficiently setback for geologic concerns approximately twelve feet from the edge of bluff and meets a stringline between adjacent homes. A minimum five foot setback for accessory structures (i.e., patios, planter walls) is typically required on bluff top lots to account for erosion. Additionally, the five foot setback will also make the patio improvements less visually intrusive to beachgoers at the public beach below.

New hardscape and landscape improvements are proposed at the top of slope adjacent to new construction. Landscaping is not proposed on the bluff face. However, to decrease the potential for bluff instability, low water use plants should be selected for general landscaping purposes throughout the site (bluff top) in order to minimize irrigation requirements and saturation of underlying soils. Low water use, drought tolerant, native plants require less water than other types of vegetation, thereby minimizing the amount of water introduced onto the site. Drought resistant plantings and minimal irrigation encourage root penetration that increases slope stability. The term drought tolerant is equivalent to the terms 'low water use' and 'ultra low water use' as defined and used by "A Guide to Estimating Irrigation Water Needs of Landscape Plantings in California" (a.k.a. WUCOLS) prepared by University of California Cooperative Extension and the California Department of Water Resources dated August 2000 available at <http://www.owue.water.ca.gov/landscape/pubs/pubs.cfm>. No work is proposed to an existing stairway along coastal bluff face on the seaward side of the property. No irrigation currently exists, nor is any proposed, along the seaward side of the property. New drainage improvements,

including a sump pump, are proposed to ensure that all surface and roof runoff will be directed to the frontage street as part of the proposed development.

Since the recommendations provided by the geotechnical consultant include measures to mitigate any adverse geologic effects, the Commission finds that **Special Condition 3** ensures that the consulting geotechnical expert reviews the final revised development plans (per Special Condition 1) and verifies their conformance with the geotechnical recommendations. As such, these special conditions guarantee that the final development plans are consistent with Section 30253 of the Coastal Act.

Future Development

In order to ensure that development on the site does not occur which could potentially adversely impact the geologic stability concerns expressed in this staff report, the Commission imposes **Special Condition 9**. This condition informs the applicant that future development at the site requires an amendment to this permit (5-08-254) or a new coastal development permit. Future development includes, but is not limited to improvements or additions on the property, including hardscape improvements, grading, landscaping, vegetation removal and structural improvements, and require a coastal development permit from the Commission or its successor agency. This condition ensures that development on coastal bluffs, which may affect the stability of the bluffs and residential structures or may require future bluff protective structures, requires a coastal development permit.

Special Condition 7 requires the applicant to assume the risk of development. By this means, the applicant is notified that the proposed development is built in an area that is potentially subject to bluff erosion that can damage the applicant's property. The applicant is also notified that the Commission is not liable for such damage as a result of approving the permit for development. Finally, the condition requires the applicant to waive claims against the Commission and indemnify the Commission for third-party claims.

Development on coastal bluffs is inherently hazardous. Development which may require a protective device in the future cannot be allowed due to the adverse impacts such devices have upon, among other things, landform alteration, visual resources and shoreline processes. To minimize the project's impact on shoreline processes, and to minimize risks to life and property, **Special Condition 8** which prohibits the construction of a shoreline or bluff protective device in the future is imposed.

Only as proposed and conditioned to require assumption of risk, no future protective devices, and that future improvements require a permit amendment or new permit; and a deed restriction recording the requirements of the permit, does the Commission find the proposed development in conformance with Sections 30253 of the Coastal Act.

C. RESOURCES

Section 30240(b) of the Coastal Act states:

Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

The City of San Clemente Certified LUP includes coastal bluffs and canyons under the “Environmentally Sensitive Habitat” heading. The LUP reads,

“The coastal bluffs and canyons contain important natural habitat...The coastal bluffs support Coastal Bluff Scrub habitat, a variation or subset of Coastal Sage Scrub. This habitat is characterized by species especially tolerant of coastal conditions...The primary environmental value of these habitat areas is that they represent an ever diminishing resource within urbanized portions of the coast.”

San Clemente’s certified LUP advocates the preservation of native vegetation and discourages the introduction of non-native vegetation in coastal bluffs. While no rare or endangered species have been reported to exist within the coastal bluffs at Cypress Shores, the City has designated all coastal bluffs, as environmentally sensitive habitat. No portion of the applicant’s site contains resources that rise to the level of ESHA.

As part of the project, the applicant proposes to install a tempered glass screenwall along the first floor balcony. Due to the coastal bluff top location of the proposed tempered glass screenwall, there is a substantial risk of bird strikes to the screenwall. Glass walls are known to have adverse impacts upon a variety of bird species. Birds are known to strike glass walls causing their death or stunning them which exposes them to predation. Some authors report that such birds strikes cause between 100 million to 1 billion bird deaths per year in North America alone. Birds strike the glass because they either don't see the glass, or there is some type of reflection in the glass which attracts them (such as the reflection of bushes or trees that the bird might use for habitat). Some type of boundary treatment is typically required where the backyards of residences abut coastal bluffs. To provide further protection to coastal avian species, **Special Condition 3** requires the applicant submit final revised plans for a screenwall that addresses bird strike issues, which is necessary to protect against significant disruption of habitat values.

There are a variety of methods available to address bird strikes against glass. For instance, glass can be frosted or etched in a manner that renders the glass more visible and less reflective. In the case of fences or walls, alternative materials can be used, such as wood, stone, or metal (although this approach isn't usually palatable when there is a desire to see through the wall). Use of frosted or etched glass, wood, stone or metal material is preferable to other types of treatments such as appliqué because of the lower maintenance and less frequent replacement that is required.

Additionally, since the proposed development is adjacent to a coastal bluff where the protection and enhancement of habitat values is sought, the placement of vegetation that is considered to be invasive which could supplant native vegetation should not be allowed. Invasive plants have the potential to overcome native plants and spread quickly. Invasive plants are generally those identified by the California Invasive Plant Council (<http://www.cal-ipc.org>) and California Native Plant Society (www.CNPS.org/) in their publications.

The applicant has submitted a landscape plan that indicates no disturbance of vegetation on the bluff slope and the use of ‘low water use’ non-invasive plant species throughout the site. **Special Condition 1** requires submittal of a revised landscape plan that provides the appropriate five (5) foot buffer from the bluff edge. **Special Condition 4** requires the use of drought tolerant, non-invasive plants. Therefore, as conditioned, the Commission finds that the proposed development is consistent with Section 30240(b) of the Coastal Act and the policies of the certified LUP.

C. SCENIC RESOURCES

Section 30251 of the Coastal Act pertains to visual resources. It states:

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

The proposed development is located on the bluff top and face immediately adjacent to the public beach. Although the site is located within a private community, the site is highly visible from the shoreline or when traveling along the public beach below. The bluffs along this stretch of shoreline in San Clemente extend about 30 feet above beach level. From the beach, the houses on the top of the bluff are visible. There is little structural development other than stairways and minor landscape improvements along the face of the bluffs.² For the most part, the bluff faces—particularly the lower portions—are vegetated and largely undisturbed.

The Coastal Act requires new development to be sited to “*minimize the alteration of natural land forms.*” The proposed project would be located upon a coastal bluff top.. The existing bluff is a natural landform visible from public vantage points such as the adjacent beach. Additionally, pursuant to Section 30251 of the Coastal Act, new development must be visually compatible with the surrounding area.

The proposed residence is sufficiently setback for geologic concerns approximately twelve feet from the edge of bluff and meets a stringline between adjacent homes. A minimum five foot setback for accessory structures (i.e., patios, planter walls) is typically required on bluff top lots to account for erosion. Additionally, the five foot setback will also make the patio improvements be less visually intrusive to beachgoers at the public beach below.

The proposed preliminary plans show an existing unpermitted wooden bluff face stairway. The stairway presents an adverse visual effect when viewed from public vantage points along the beach. To ensure conformance with Section 30251 of the Coastal Act, staff imposes Special Condition No. 2 requiring revised plans to show the existing wooden bluff face stairway shaded and clearly marked “this element not permitted by any coastal development permit.”

As discussed previously, **Special Condition 8** ensures that any future development on the site, which may affect the stability or appearance of the bluff, requires a coastal development permit. The “future development” condition will ensure that improvements are not made at the site that could affect the visual appearance of the coastal bluff or affect the stability of the bluff. Therefore, the Commission finds that, as conditioned, the project is consistent with the visual resource protection policies of Section 30251 of the Coastal Act.

D. WATER QUALITY AND MARINE ENVIRONMENT

Section 30230 of the Coastal Act states:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic

² Commission staff has determined that many of the existing stairways are either unpermitted or constructed prior to passage of the Coastal Act. Further investigation is required.

significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30232 of the Coastal Act states:

Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.

The protection of water quality is an important aspect of the Coastal Act. Water from the project site will flow into the City of San Clemente's storm drain system ultimately draining to the Pacific Ocean. Beach closures occurring throughout Orange County, are typically attributed to polluted urban runoff discharging into the ocean through outfalls. As illustrated by these beach closures, polluted runoff negatively affects both marine resources and the public's ability to access coastal resources.

The applicant has indicated in the project description that all site drainage will be directed away from the bluff face to the front (street side) of the property via sump pump then discharging to existing City on-street storm drains. However, as a preliminary grading plan/drainage plan depicting such was not submitted, **Special Condition 2** requires submittal of final grading/drainage and run off control plans prior to the issuance of the permit.

Construction Impacts to Water Quality

Storage or placement of construction materials, debris, or waste in a location subject to erosion and dispersion or which may be discharged into coastal water via rain or wind would result in adverse impacts upon the marine environment that would reduce the biological productivity of coastal waters. For instance, construction debris entering coastal waters may cover and displace soft bottom habitat. Sediment discharged into coastal waters may cause turbidity, which can shade and reduce the productivity of foraging avian and marine species' ability to see food in the water column. In order to minimize adverse construction-related impacts upon marine resources, **Special Condition 4** provides construction-related requirements to provide for the safe storage of construction materials and the safe disposal of construction debris. These best management practices (BMP) are designed to minimize erosion and prevent debris from entering the storm drain system. This condition requires the applicant to remove any and all debris resulting from construction activities within 24 hours of completion of the project. In addition, all construction materials, excluding lumber, shall be covered and enclosed on all sides, and as far away from a storm drain inlet and receiving waters as possible. Finally, requiring drought tolerant landscaping also minimizes runoff.

Only as conditioned does the Commission find that the proposed project is consistent with Section 30230, 30231 and 30232 of the Coastal Act.

E. PUBLIC ACCESS AND RECREATION

Section 30212(a)(2) of the Coastal Act states, in pertinent part:

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

(2) adequate access exists nearby

Section 30604(C) of the Coastal Act requires that permit applications between the nearest public road and the shoreline of any body of water within the coastal zone shall include a public access and recreation finding. The proposed development is located between the sea and the first public road in the private gated community of Cypress Shores. The nearest vertical coastal access is available approximately ¼ mile southeast of the subject site via the Trestles public access point. Lateral access to the Pacific Ocean and sandy beach is available immediately adjacent to the proposed development, seaward of the railroad tracks located at the toe of the adjacent slope.

The development is located between the sea and the first public road, however, it does not impact access either directly or indirectly to the ocean. The project site is currently developed with a single-family residence and the proposed demolition and re-construction of a new single-family residence will not result in an intensification of use. The development will not create adverse impacts, either individually or cumulatively, on public access and will not block public access from the first public road to the shore. Additionally, adequate access exists nearby. Therefore, the Commission finds that the proposed development is consistent with Section 30212 of the Coastal Act.

F. UNPERMITTED DEVELOPMENT

Development consisting of wood stairway down the bluff face is present on the site without benefit of a required coastal development permit. The undertaken work constitutes development that requires a coastal development permit application.

Special Conditions 1 and 2 require revised project and landscaping plans showing the existing wooden bluff face stairway shaded and clearly marked “this element not permitted by any coastal development permit.” **Special Condition 10** is imposed to require the applicant to record a deed restriction against the property so as to notify all prospective future property owners of the terms and conditions of approval to which they will also be required to adhere. It thus ensures that future owners of the property will be informed of the conditions as well as of the risks and the Commission’s immunity for liability.

Consideration of the permit application by the Commission has been based solely on the consistency of the proposed development with the policies of Chapter 3 of the Coastal Act. The certified San Clemente Land Use Plan was used as guidance by the Commission in reaching its decision. Approval of this permit does not constitute a waiver of any legal action with regard to the alleged unpermitted development, nor does it constitute admission as to the legality of any development undertaken on the subject site without a coastal development permit. The Commission’s enforcement division will evaluate further actions to address unpermitted development not resolved under this permit.

G. LOCAL COASTAL PROGRAM

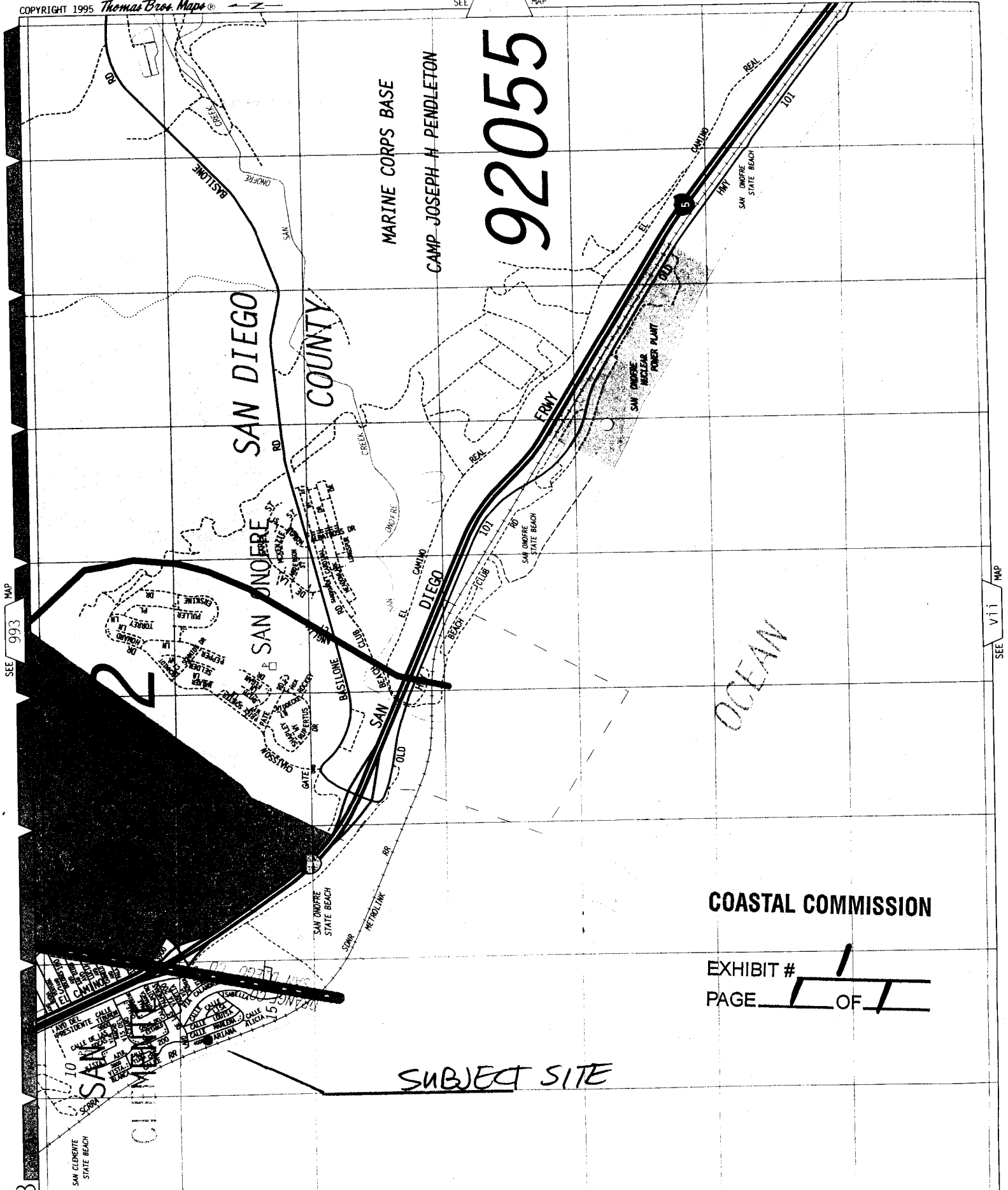
Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. The Commission certified the Land Use Plan for the City of San Clemente on May 11, 1988, and certified an amendment in October 1995. On April 10, 1998, the Commission certified with suggested modifications the Implementation Plan portion of the Local Coastal Program. The suggested modifications expired on October 10, 1998. The City re-submitted on June 3, 1999, but withdrew the submittal on October 5, 2000.

The proposed development is consistent with the policies contained in the certified Land Use Plan. Moreover, as discussed herein, the development, as conditioned, is consistent with the Chapter 3 policies of the Coastal Act. Therefore, approval of the proposed development will not prejudice the City's ability to prepare a Local Coastal Program for San Clemente that is consistent with the Chapter 3 policies of the Coastal Act as required by Section 30604(a).

H. 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)(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 project is located within an existing residential neighborhood. Development already exists on the subject site. In addition, the proposed development has been conditioned, as follows, to assure the proposed project is consistent with policies of the Coastal Act: 1) final revised plans; 2) final grading/drainage and runoff control plans; 3) conformance with geotechnical recommendations; 4) best management practices; 5) drought tolerant, non-invasive plants; 6) bird strike prevention; 7) assumption of risk; 8) no future protective device; 9) future improvements be submitted to the Commission for a new permit or permit amendment; 10) deed restriction referencing all of the Special Conditions contained in this staff report. As conditioned, no feasible alternatives or feasible mitigation measures are known, beyond those required, which would substantially lessen any identified significant effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned, is consistent with CEQA.



92055

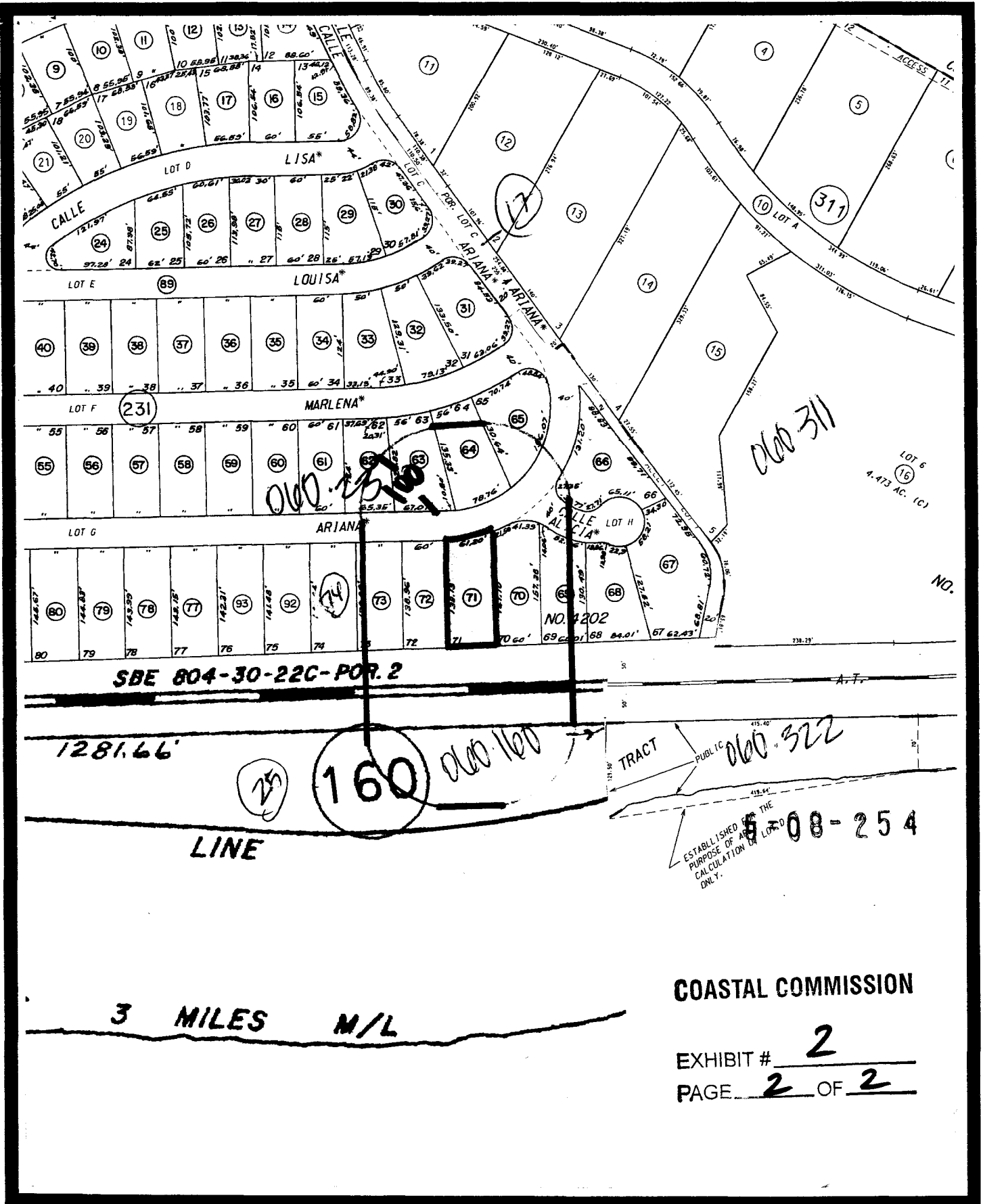
SUBJECT SITE

COASTAL COMMISSION

EXHIBIT # 1
PAGE 1 OF 1

SEE 993 MAP

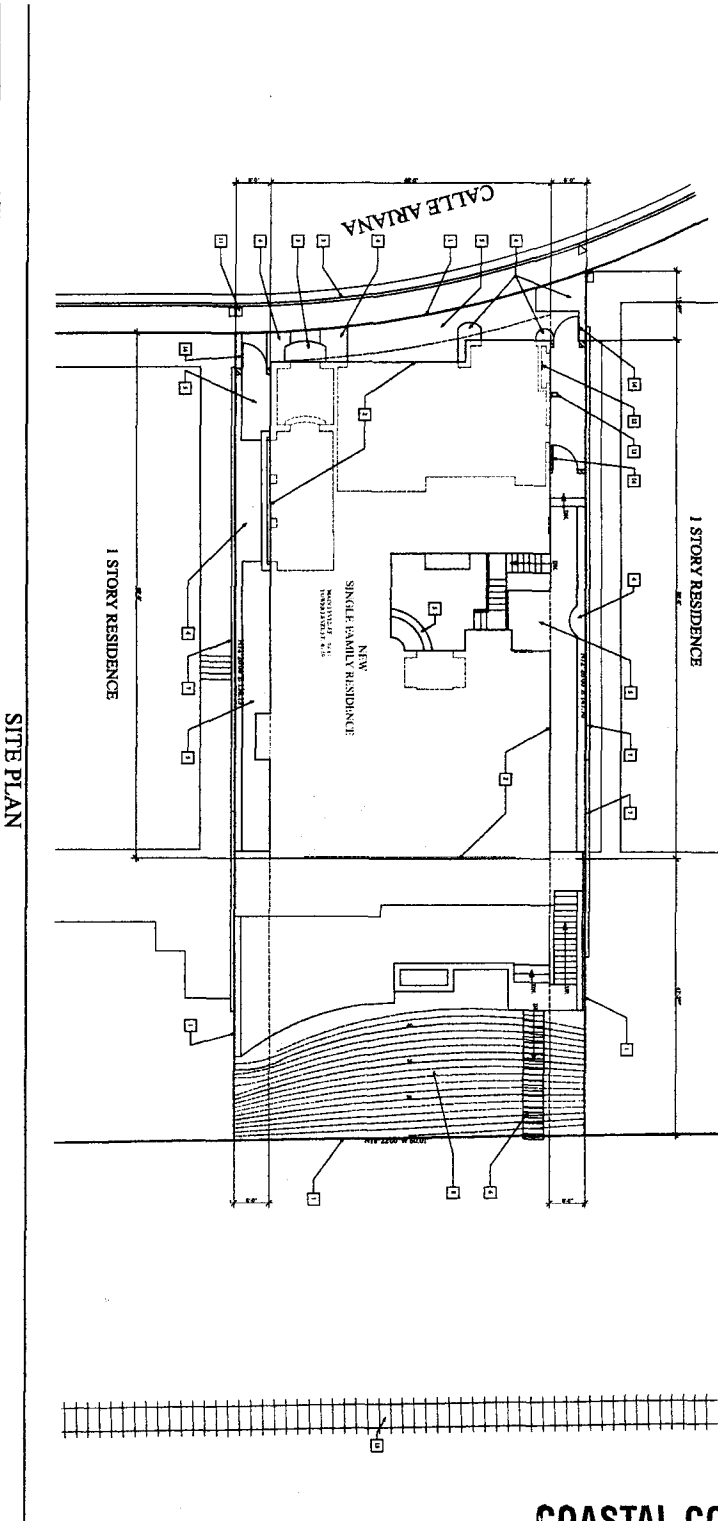
SEE vii MAP



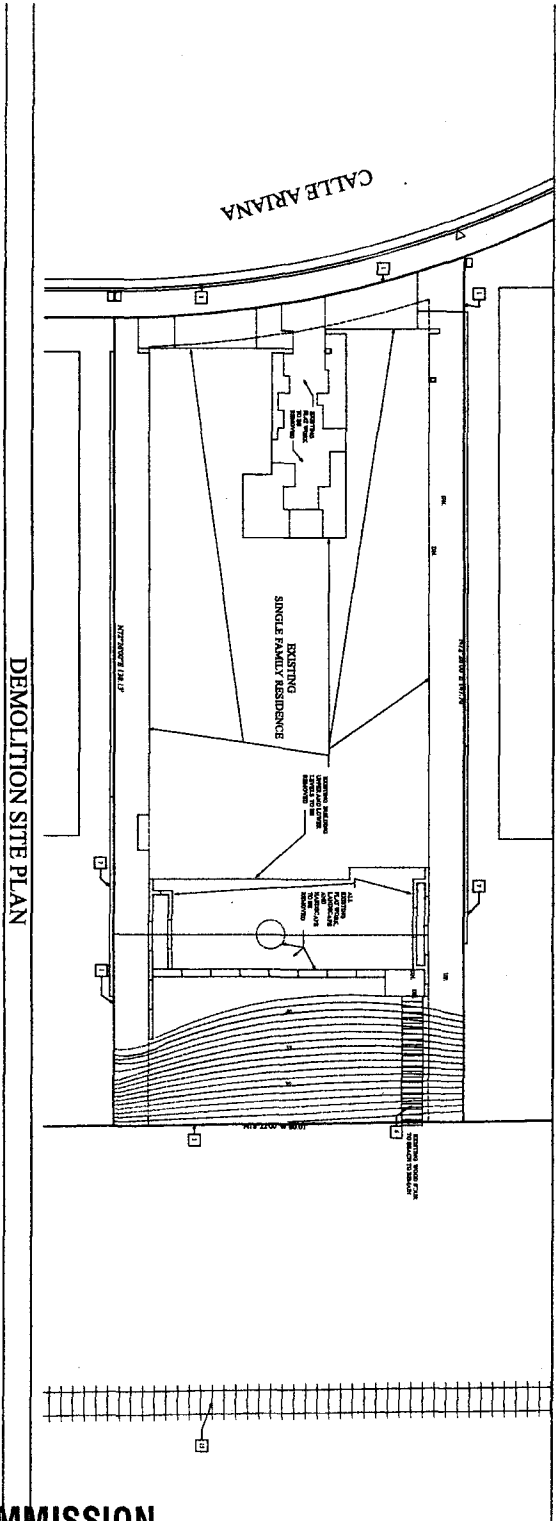
Ownership Map

SUSAN W. CASE, INC.
 917 GLENNEYRE ST #7
 LAGUNA BEACH CA 92651
 949-494-6105
 SUSANCASE@PRODIGY.NET

COASTAL COMMISSION
 EXHIBIT # 2
 PAGE 2 OF 2



SITE PLAN



DEMOLITION SITE PLAN

COASTAL COMMISSION

EXHIBIT # 3
PAGE 1 OF 7

ADDITIONAL NOTES

- SITE PLAN NOTES
1. PROPERTY LINE
 2. EXISTING LOT
 3. SEE TO DETERMINE EXISTING LOT AND PROPERTY LINE
 4. SEE TO DETERMINE EXISTING LOT AND PROPERTY LINE
 5. EXISTING LOT AND PROPERTY LINE
 6. EXISTING LOT AND PROPERTY LINE
 7. EXISTING LOT AND PROPERTY LINE
 8. EXISTING LOT AND PROPERTY LINE
 9. EXISTING LOT AND PROPERTY LINE
 10. EXISTING LOT AND PROPERTY LINE
 11. EXISTING LOT AND PROPERTY LINE
 12. EXISTING LOT AND PROPERTY LINE
 13. EXISTING LOT AND PROPERTY LINE
 14. EXISTING LOT AND PROPERTY LINE
 15. EXISTING LOT AND PROPERTY LINE
 16. EXISTING LOT AND PROPERTY LINE
 17. EXISTING LOT AND PROPERTY LINE
 18. EXISTING LOT AND PROPERTY LINE
 19. EXISTING LOT AND PROPERTY LINE
 20. EXISTING LOT AND PROPERTY LINE

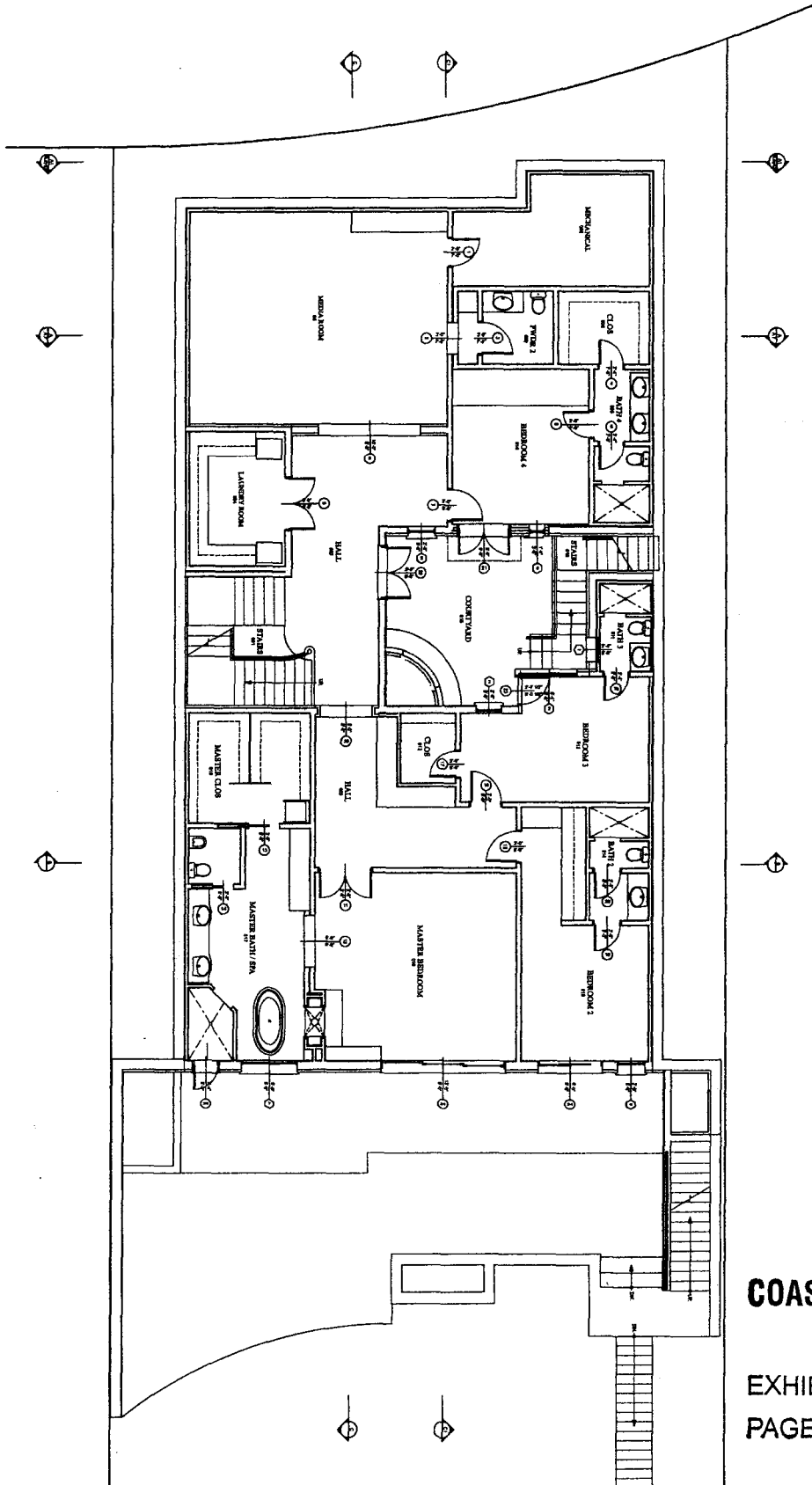
A1

JAMES L. GLOVER JR., DESIGNER
103 1/2 AVENIDA DEL MAR, SAN CLEMENTE, CALIFORNIA 92672 (949) 492-7618

PLAN PREPARED BY JAMES L. GLOVER, JR.
DATE: _____

REVISIONS:

LOWER LEVEL FLOOR PLAN



COASTAL COMMISSION

EXHIBIT # 3
PAGE 2 OF 7

NOTES

ADDITIONAL NOTES

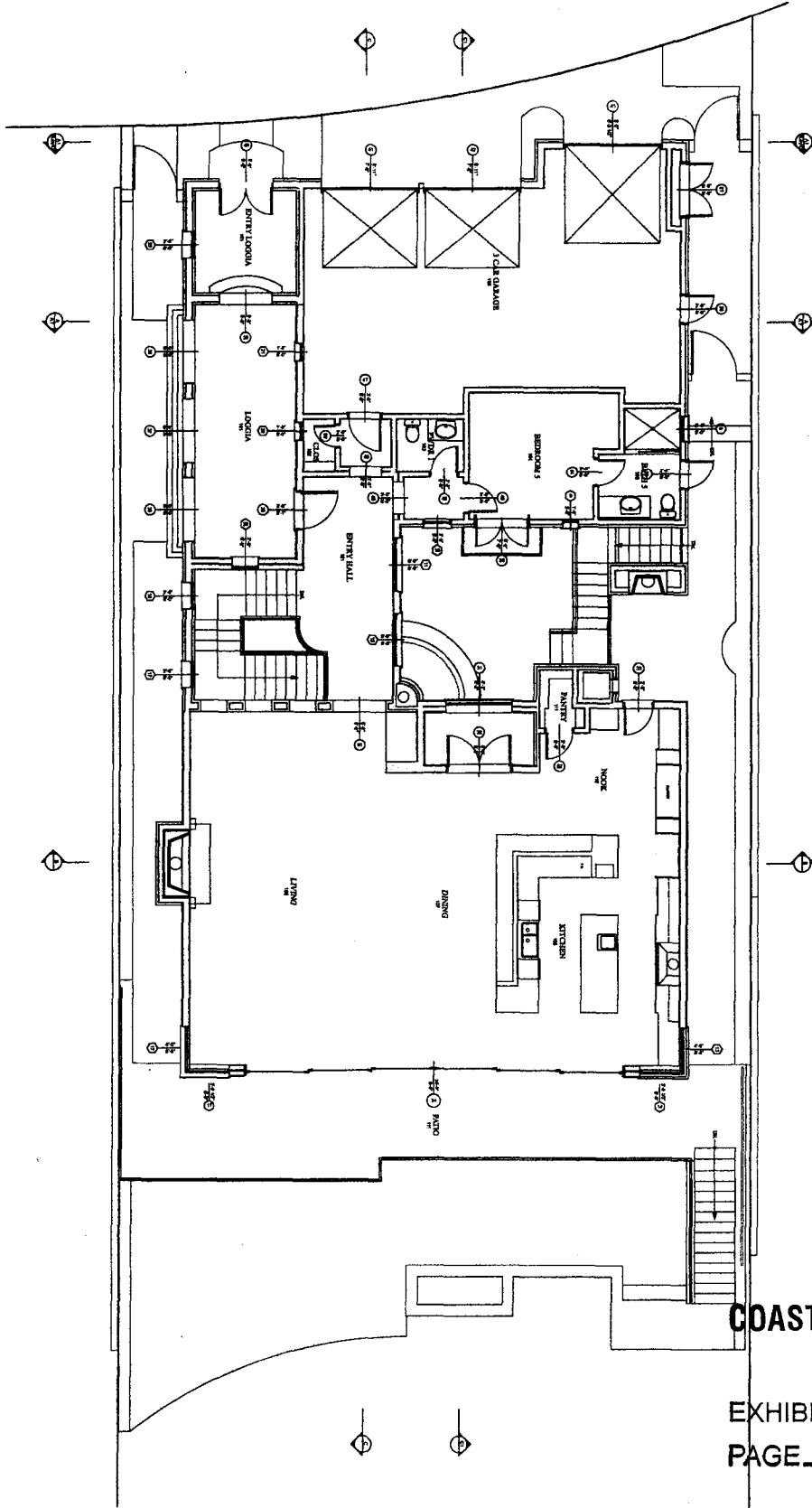
REVISIONS:

JAMES L. GLOVER JR., DESIGNER
103 1/2 AVENIDA DEL MAR, SAN CLEMENTE, CALIFORNIA 92672 (949) 492-7618

PLAN PREPARED BY JAMES L. GLOVER, JR.
DATE: _____

A2

UPPER LEVEL FLOOR PLAN



COASTAL COMMISSION

EXHIBIT # 3
PAGE 3 OF 7

NOTES

ADDITIONAL NOTES

REVISIONS

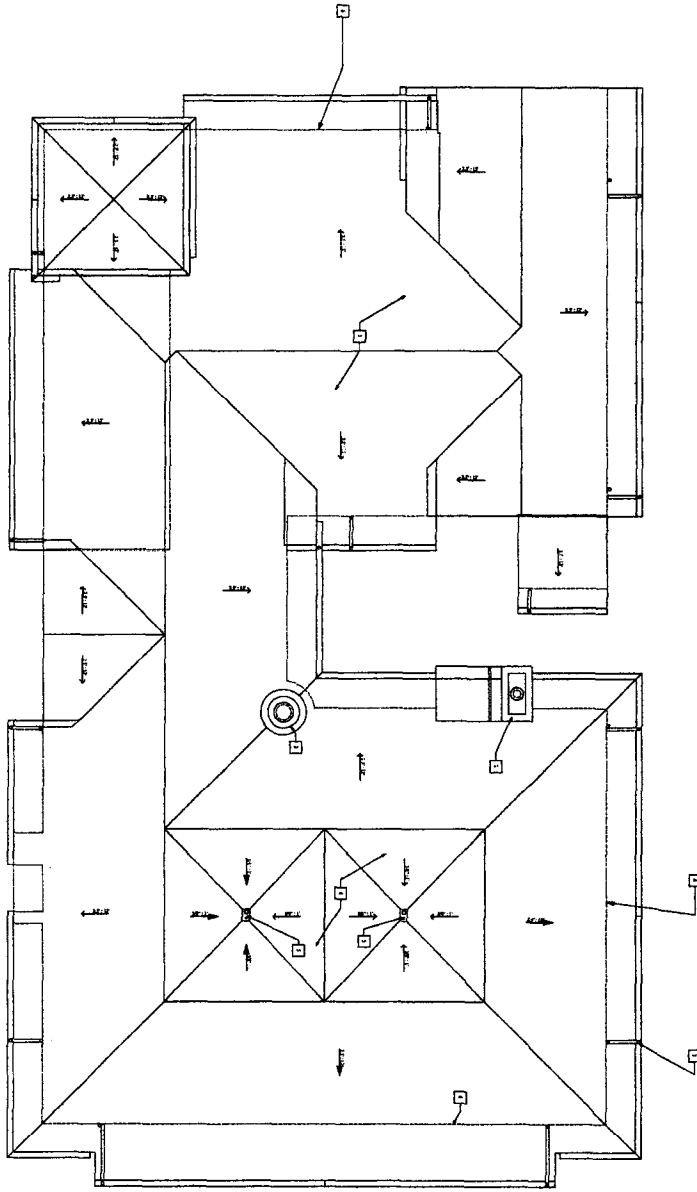
A3

JAMES L. GLOVER JR., DESIGNER

103 1/2 AVENIDA DEL MAR, SAN CLEMENTE, CALIFORNIA 92672 (949) 492-7618

PLANS PREPARED BY JAMES L. GLOVER, JR.
DATE

ROOF PLAN



COASTAL COMMISSION

EXHIBIT # 3
PAGE 4 OF 7

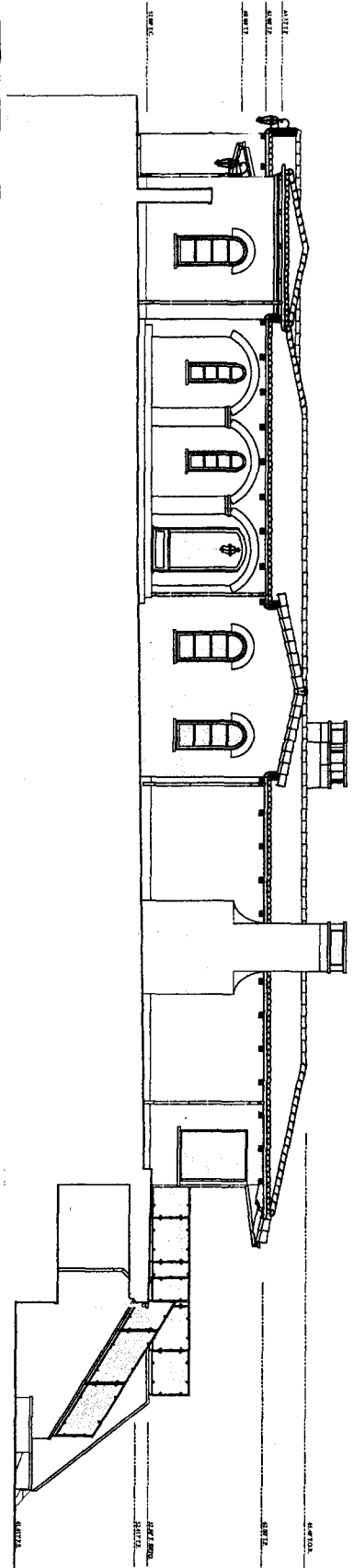
ROOF PLAN NOTES

- THE ROOF PLAN SHALL BE CONSIDERED AS A PART OF THE ARCHITECTURAL CONTRACT AND SHALL BE SUBJECT TO THE SAME TERMS AND CONDITIONS AS THE ARCHITECTURAL CONTRACT.
- THE ROOF PLAN SHALL BE CONSIDERED AS A PART OF THE ARCHITECTURAL CONTRACT AND SHALL BE SUBJECT TO THE SAME TERMS AND CONDITIONS AS THE ARCHITECTURAL CONTRACT.
- THE ROOF PLAN SHALL BE CONSIDERED AS A PART OF THE ARCHITECTURAL CONTRACT AND SHALL BE SUBJECT TO THE SAME TERMS AND CONDITIONS AS THE ARCHITECTURAL CONTRACT.
- THE ROOF PLAN SHALL BE CONSIDERED AS A PART OF THE ARCHITECTURAL CONTRACT AND SHALL BE SUBJECT TO THE SAME TERMS AND CONDITIONS AS THE ARCHITECTURAL CONTRACT.
- THE ROOF PLAN SHALL BE CONSIDERED AS A PART OF THE ARCHITECTURAL CONTRACT AND SHALL BE SUBJECT TO THE SAME TERMS AND CONDITIONS AS THE ARCHITECTURAL CONTRACT.
- THE ROOF PLAN SHALL BE CONSIDERED AS A PART OF THE ARCHITECTURAL CONTRACT AND SHALL BE SUBJECT TO THE SAME TERMS AND CONDITIONS AS THE ARCHITECTURAL CONTRACT.
- THE ROOF PLAN SHALL BE CONSIDERED AS A PART OF THE ARCHITECTURAL CONTRACT AND SHALL BE SUBJECT TO THE SAME TERMS AND CONDITIONS AS THE ARCHITECTURAL CONTRACT.
- THE ROOF PLAN SHALL BE CONSIDERED AS A PART OF THE ARCHITECTURAL CONTRACT AND SHALL BE SUBJECT TO THE SAME TERMS AND CONDITIONS AS THE ARCHITECTURAL CONTRACT.
- THE ROOF PLAN SHALL BE CONSIDERED AS A PART OF THE ARCHITECTURAL CONTRACT AND SHALL BE SUBJECT TO THE SAME TERMS AND CONDITIONS AS THE ARCHITECTURAL CONTRACT.
- THE ROOF PLAN SHALL BE CONSIDERED AS A PART OF THE ARCHITECTURAL CONTRACT AND SHALL BE SUBJECT TO THE SAME TERMS AND CONDITIONS AS THE ARCHITECTURAL CONTRACT.

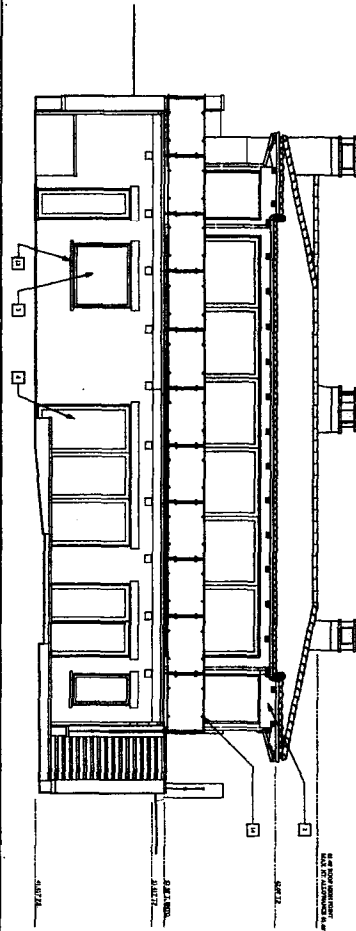
ADDITIONAL NOTES

ATTIC VENTILATION

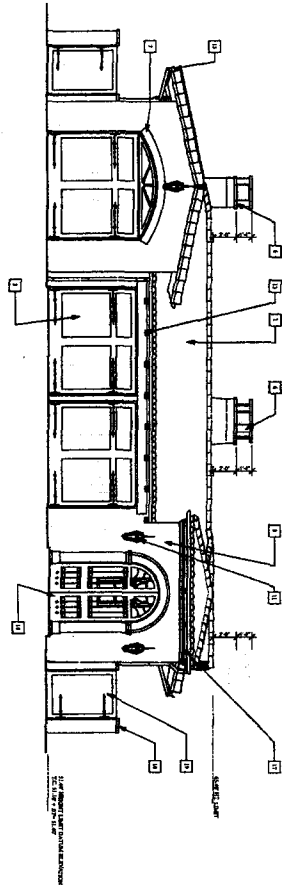
NORTH ELEVATION



WEST ELEVATION



EAST ELEVATION



COASTAL COMMISSION

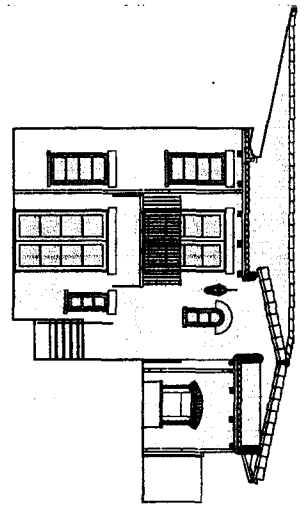
EXHIBIT # 3
PAGE 5 OF 7

ADDITIONAL NOTES

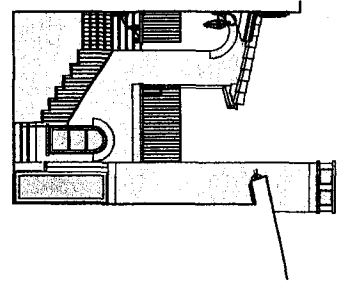
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.
2. ALL MATERIALS SHALL BE OF THE BEST QUALITY AVAILABLE AND SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL BUILDING DEPARTMENT.
3. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
5. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE SPECIFICATIONS AND DRAWINGS.
6. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
7. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE LOCAL BUILDING DEPARTMENT'S REQUIREMENTS.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
9. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
10. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
11. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE SPECIFICATIONS AND DRAWINGS.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
13. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
14. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
15. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE SPECIFICATIONS AND DRAWINGS.
16. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
17. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
18. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
19. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE SPECIFICATIONS AND DRAWINGS.
20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.

ELEVATION NOTES

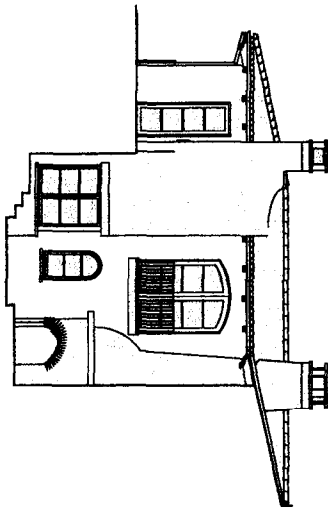
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.
2. ALL MATERIALS SHALL BE OF THE BEST QUALITY AVAILABLE AND SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL BUILDING DEPARTMENT.
3. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
5. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE SPECIFICATIONS AND DRAWINGS.
6. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
7. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE LOCAL BUILDING DEPARTMENT'S REQUIREMENTS.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
9. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
10. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
11. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE SPECIFICATIONS AND DRAWINGS.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
13. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
14. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
15. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE SPECIFICATIONS AND DRAWINGS.
16. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
17. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
18. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
19. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE SPECIFICATIONS AND DRAWINGS.
20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.



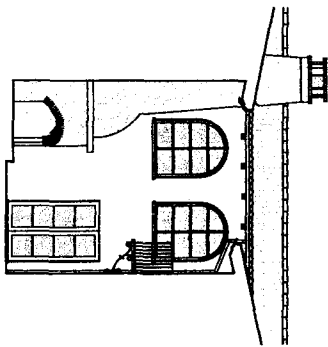
COURTYARD EAST ELEVATION



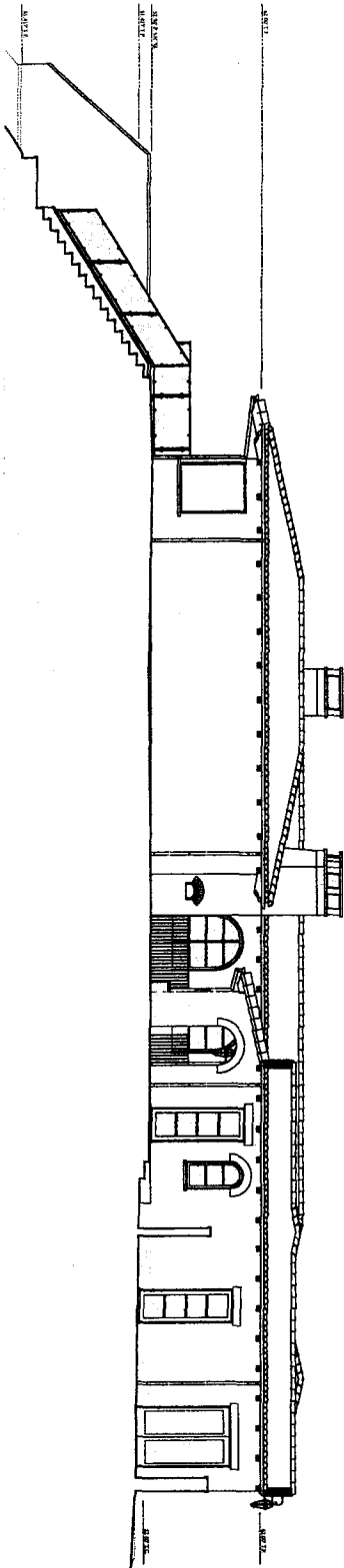
COURTYARD SOUTH ELEVATION



COURTYARD WEST ELEVATION



COURTYARD NORTH ELEVATION



SOUTH ELEVATION

COASTAL COMMISSION

EXHIBIT # 3
PAGE 6 OF 7

ADDITIONAL NOTES

- 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
- 2. ALL MATERIALS SHALL BE NEW UNLESS OTHERWISE NOTED.
- 3. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
- 4. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
- 5. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
- 6. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
- 7. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
- 8. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
- 9. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
- 10. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.

ELEVATION NOTES

REVISIONS:

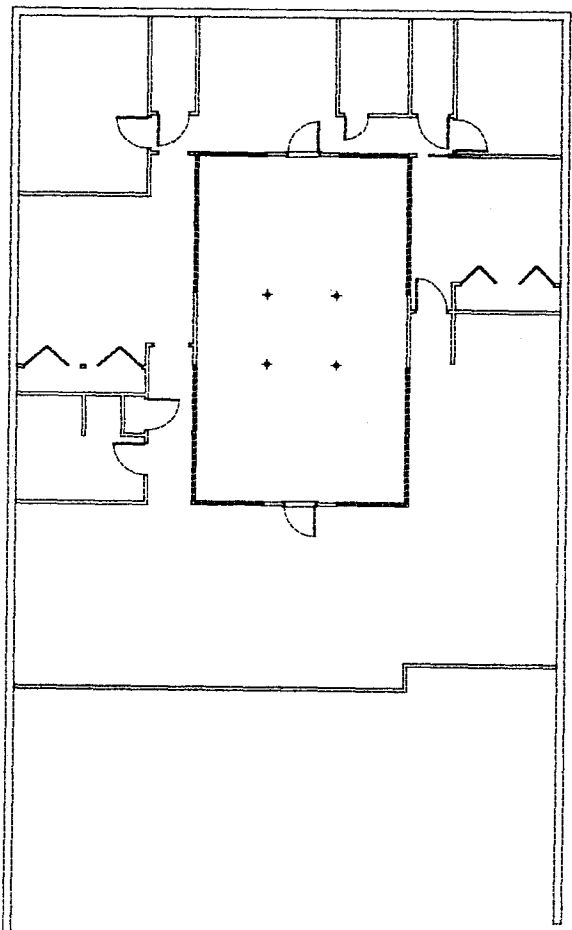
DESIGNED BY JAMES L. GLOVER, JR.

JAMES L. GLOVER JR., DESIGNER

103 1/2 AVENIDA DEL MAR, SAN CLEMENTE, CALIFORNIA 92672 (949) 492-7618

A 6

LOWER LEVEL DEMOLITION FLOOR PLAN



COASTAL COMMISSION

EXHIBIT # 3
PAGE 7 OF 7

LEGEND

NOTES

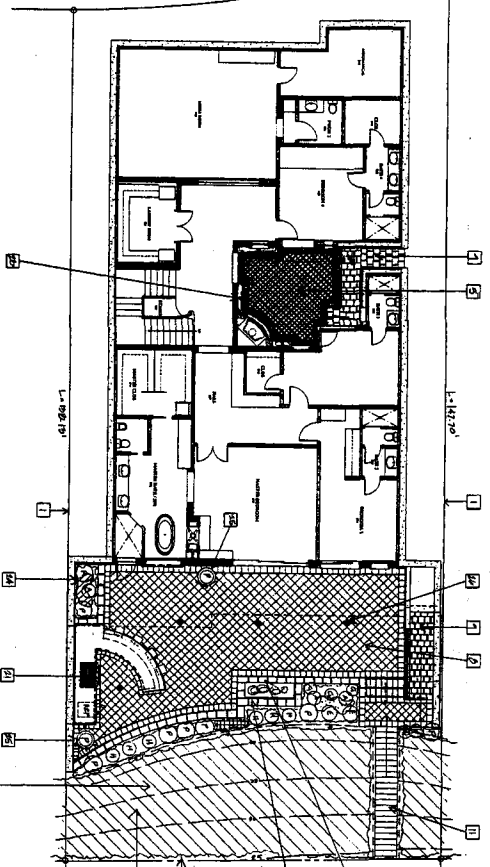
D1

JAMES L. GLOVER JR., DESIGNER
103 1/2 AVENIDA DEL MAR, SAN CLEMENTE, CALIFORNIA 92672 (949) 492-7618

PLAN PREPARED BY JAMES L. GLOVER JR.
DATE

SPROCKET

LOWER LEVEL

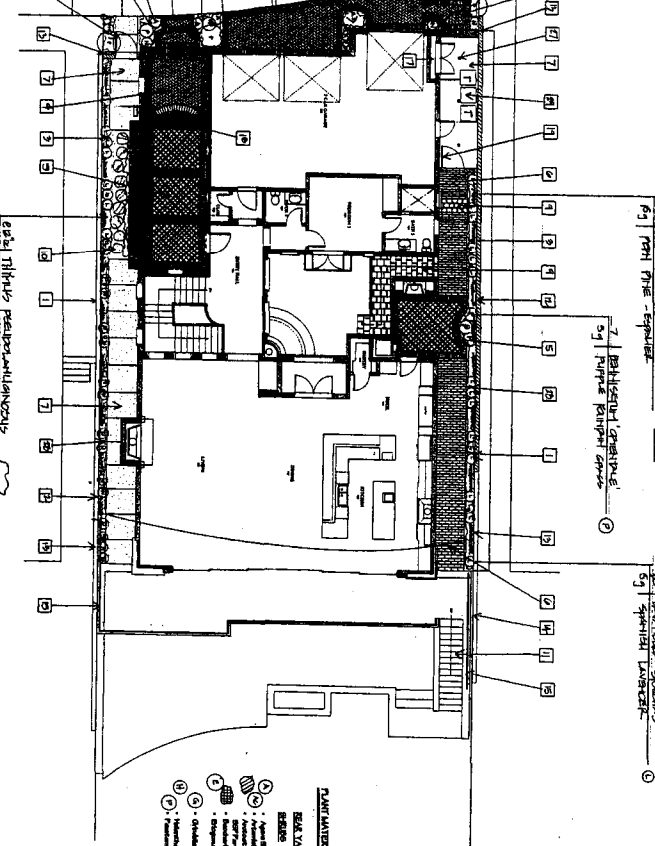


Existing ground slope (from finished grade) to be protected in place. New Veneer Ground Retention and Control at any of slope requires retaining wall or excavation.



COASTAL COMMISSION
 EXHIBIT # **4**
 PAGE **1** OF **1**

STREET LEVEL

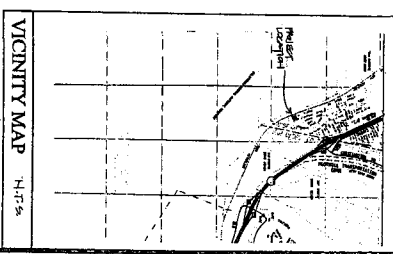


each tile is recessed and the pool is slightly higher - create a cover over open area, possibly only

IRREGULAR WATERING STATEMENT
 No guarantee is given regarding the accuracy of the information provided in this statement. The information is provided for informational purposes only. The user of this information is advised to consult with a professional engineer or other qualified person for a complete analysis of the site conditions and to determine the appropriate watering system for the site.

- PLANT MATERIAL**
- 1. *Plant Material* (See Schedule)
 - 2. *Plant Material* (See Schedule)
 - 3. *Plant Material* (See Schedule)
 - 4. *Plant Material* (See Schedule)
 - 5. *Plant Material* (See Schedule)
 - 6. *Plant Material* (See Schedule)
 - 7. *Plant Material* (See Schedule)
 - 8. *Plant Material* (See Schedule)
 - 9. *Plant Material* (See Schedule)
 - 10. *Plant Material* (See Schedule)
 - 11. *Plant Material* (See Schedule)
 - 12. *Plant Material* (See Schedule)
 - 13. *Plant Material* (See Schedule)
 - 14. *Plant Material* (See Schedule)
 - 15. *Plant Material* (See Schedule)
 - 16. *Plant Material* (See Schedule)
 - 17. *Plant Material* (See Schedule)
 - 18. *Plant Material* (See Schedule)
 - 19. *Plant Material* (See Schedule)
 - 20. *Plant Material* (See Schedule)
 - 21. *Plant Material* (See Schedule)
 - 22. *Plant Material* (See Schedule)
 - 23. *Plant Material* (See Schedule)
 - 24. *Plant Material* (See Schedule)
 - 25. *Plant Material* (See Schedule)
 - 26. *Plant Material* (See Schedule)
 - 27. *Plant Material* (See Schedule)
 - 28. *Plant Material* (See Schedule)
 - 29. *Plant Material* (See Schedule)
 - 30. *Plant Material* (See Schedule)

- GENERAL NOTES**
1. Landscape Contractor to provide a fully automatic, non-walk-behind irrigation system with a minimum of 1600 GPH flow rate. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.
 2. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.
 3. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.
 4. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.
 5. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.
 6. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.
 7. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.
 8. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.
 9. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.
 10. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.
 11. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.
 12. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.
 13. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.
 14. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.
 15. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.
 16. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.
 17. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.
 18. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.
 19. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.
 20. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.
 21. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.
 22. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.
 23. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.
 24. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.
 25. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.
 26. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.
 27. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.
 28. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.
 29. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.
 30. The system shall be designed to provide adequate water to all plants and shall be installed in accordance with the manufacturer's instructions.



VICINITY MAP N.T.S.

LEGAL DESCRIPTION

Lot 71 Tract 4202 San Clemente, CA 92672

DATE	1/11/08
BY	J.P.
SCALE	AS SHOWN
PROJECT	PARDOE RESIDENCE
CLIENT	LOT 71 TRACT 4202
ADDRESS	4036 CALLE ARIANA
CITY	SAN CLEMENTE, CA
ZIP	92672
PHONE	(949) 365-8885
FAX	(949) 365-8885
EMAIL	info@jpekarске.com
WEBSITE	www.jpekarске.com
PROJECT NO.	08-001
DATE	1/11/08
BY	J.P.
SCALE	AS SHOWN
PROJECT	PARDOE RESIDENCE
CLIENT	LOT 71 TRACT 4202
ADDRESS	4036 CALLE ARIANA
CITY	SAN CLEMENTE, CA
ZIP	92672
PHONE	(949) 365-8885
FAX	(949) 365-8885
EMAIL	info@jpekarске.com
WEBSITE	www.jpekarске.com
PROJECT NO.	08-001

Master Landscape Plan

PARDOE RESIDENCE
 Lot 71 Tract 4202
 4036 Calle Ariana
 San Clemente, CA 92672

LANDSCAPE ARCHITECT
JAMES PEKARSKA
 1219 Geneva
 San Clemente, CA 92673
 PH/FAX: (949) 365-8885
 Cell: (949) 365-8885 Fax: (949) 365-8885

DATE	1/11/08
BY	J.P.
SCALE	AS SHOWN
PROJECT	PARDOE RESIDENCE
CLIENT	LOT 71 TRACT 4202
ADDRESS	4036 CALLE ARIANA
CITY	SAN CLEMENTE, CA
ZIP	92672
PHONE	(949) 365-8885
FAX	(949) 365-8885
EMAIL	info@jpekarске.com
WEBSITE	www.jpekarске.com
PROJECT NO.	08-001