

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
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F5a

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49th Day: July 12, 2010
180th Day: November 20, 2010
Staff: GDC-SD
Staff Report: June 16, 2010
Hearing Date: July 7-9, 2010

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-10-42

Applicant: Scott and Jessica Billington

Description: Demolish 254 sq. ft. and construct 1,035 sq. ft. first-story additions (including attached accessory unit) to existing one-story 2,080 sq. ft. home, with landscaping and pool on 15,716 sq. ft. lot

Lot Area	15,716 sq. ft.
Building Coverage	3,094 sq. ft. (20 %)
Pavement Coverage	3,490 sq. ft. (22 %)
Landscape Coverage	9,132 sq. ft. (58 %)
Parking Spaces	3
Zoning	LR-Low Residential
Plan Designation	Low Residential
Ht abv fin grade	24.5 feet

Site: 762 North Granados Avenue, Solana Beach, San Diego County.
APN 263-101-13

Substantive File Documents: City of Solana Beach General Plan and Zoning Code; Resolution 2007-057 for Development Review Permit and Structure Development Permit; CDP Nos. 6-87-618/Rimmer; 6-88-193/Morrison, 6-89-32/Pavelko; 6-93-176/Dougherty, 6-98-1/Skerrett, 6-99-68/Roskowski, 6-99-76/ Burger, 6-00-11/MacLeod, 6-04-37-A1/Dudek, 6-05-129/Thomas, 6-05-129-A1 and 6-06-40/Hoover.

I. STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

MOTION: *I move that the Commission approve the coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

STAFF RECOMMENDATION TO ADOPT CONSENT CALENDAR:

Staff recommends a **YES** vote. Passage of this motion will result in approval of all the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Final Plans. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicants shall submit to the Executive Director for review and written approval, final plans for the permitted development that have been stamped approved by the City of Solana Beach. Said plans shall be in substantial conformance with the plans submitted by Stephen Dalton Architects dated 5/20/10.

The permittee 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 an amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

2. Final Landscaping Plan. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit for the review and written approval of the Executive Director, a final landscaping plan approved by the City of Solana Beach that is in substantial conformance with the plans submitted from "The Art of Landscaping" dated 9/8/08 which shall include the following:

a. A plan showing the type, size, and location of all landscape species to be retained, removed or planted on site and shall include, at a minimum, 3 trees (24-inch box or 5-foot trunk height minimum) or 3 similarly sized plants (which at maturity will exceed the roofline of the structure) to be located in a manner so as to maximize screening and to break up the facade of the structure from views from San Elijo Lagoon and Interstate 5.

b. The landscape palate within the inner 30 ft adjacent to the residence shall emphasize the use of drought-tolerant native species, but use of drought-tolerant, non-invasive ornamental species is allowed as a small garden component. All other proposed landscaping shall be drought-tolerant and native, non-invasive plant species that are obtained from local stock, if available. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council, 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 'noxious weed' by the State of California or the U.S. Federal Government shall be utilized.

- c. A planting schedule that indicates that the planting plan shall be implemented within 60 days of completion of construction
- d. A written commitment by the applicant that all required plantings shall be maintained in good growing conditions, and whenever necessary, shall be replaced with new plant materials.
- e. The use of rodenticides containing any anticoagulant compounds (including, but not limited to, Warfarin, Brodifacoum, Bromadiolone or Diphacinone) shall not be used.
- f. Five years from the date of issuance of the coastal development permit, the applicant shall submit for review and written approval of the Executive Director, a landscape monitoring report, prepared by a licensed Landscape Architect or qualified Resource Specialist, that certifies the on-site landscaping is in conformance with the landscape plan approved pursuant to this Special Condition. The monitoring report shall include photographic documentation of plant species and plant coverage.

If the landscape monitoring report indicates the landscaping is not in conformance with or has failed to meet the performance standards specified in the landscaping plan approved pursuant to this permit, the applicant, or successors in interest, shall submit a revised or supplemental landscape plan for the review and written approval of the Executive Director. The revised landscaping plan must be prepared by a licensed Landscape Architect or Resource Specialist and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.

The permittee shall undertake the development in accordance with 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.

3. Exterior Treatment. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit for the review and approval in writing of the Executive Director, a color board or other indication of the exterior materials and color scheme to be utilized in the construction of the proposed residential additions. The color of the structure and roof permitted herein shall be restricted to colors compatible with the surrounding environment (earth tones) including shades of green, brown, and gray, with no white or light shades and no bright tones except as minor accents. All windows on the north side of the residence shall be comprised of non-glare glass.

The permittee shall undertake the development in accordance with 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.

4. Future Development Restriction. This permit is only for the development described in coastal development permit No. 6-10-42. Pursuant to Title 14 California Code of Regulations section 13250(b)(6), the exemptions otherwise provided in Public Resources Code section 30610(a) shall not apply to the development governed by coastal development permit No. 6-10-42. Accordingly, any future improvements to the single family house authorized by this permit, shall require an amendment to Permit No. 6-10-42 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

5. Deed Restriction. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the applicant has executed and recorded against the parcel(s) governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

This required deed restriction shall supersede and replace the deed restriction recorded on September 17, 2008 as document number 2008-0493335 in the official records of San Diego County.

IV. Findings and Declarations.

The Commission finds and declares as follows:

A. Detailed Project Description/History. Proposed is the demolition of approximately 254 sq. ft. of the existing 2,080 sq. ft. one-story single-family residence and construction of 1,322 sq. ft. additions (including an attached accessory living unit) to the residence along with swimming pool and landscaping. Grading for the proposed additions will involve approximately 150 cubic yards of export which will be taken to a site outside the coastal zone.

In March of 2008, the Commission approved a similar project for the subject site, but the coastal development permit expired before the permit could be released and development commenced (ref. 6-07-84/Billington). The applicant has subsequently revised the proposal to eliminate a second-story addition that was proposed. At the March 2008 hearing, the Commission determined that the proposed additions toward the lagoon (identical to the subject proposal) would not have adverse impacts on the resources of San Elijo Lagoon Regional Park. In addition, the proposed conditions for the subject development are similar to those required by the Commission in 2008 for coastal development permit #6-07-84.

The 15,716 sq. ft. lot is located on North Granados Avenue on an inland hillside overlooking and adjacent to San Elijo Lagoon Regional Park. The northern portion of the lot slopes down to San Elijo Lagoon Regional Park. The site is distantly visible from Manchester Avenue, a major coastal access road.

While the proposed additions will be located closer to the environmentally sensitive resources within San Elijo Lagoon Regional Park than the existing residence, the proposed development will not increase impacts to those resources over what currently exists in terms of fuel modification requirements of the fire department. (The fuel modifications required for the proposed additions overlap the fuel modifications that could be required for the homes on either side of the subject site.)

The applicant has submitted a hydrology plan documenting that the runoff from the roof, driveway and other impervious surfaces shall be collected and directed into pervious areas on the site (landscaped areas) for infiltration and/or percolation in a non-erosive manner.

The project site is located within an area that was previously covered by the County of San Diego's Local Coastal Program (LCP). However, the County LCP was never effectively certified and is used as guidance with Chapter 3 Policies of the Coastal Act used as the standard of review.

B. Biological Resources. Coastal Act policies 30240 and 30251 restrict the alteration of natural landforms and protect sensitive habitats. Section 30231 of the Coastal Act requires that coastal waters are protected and runoff minimized.

In addition, non-native or invasive landscaping on the subject site has the potential to impact San Elijo Lagoon to the north or San Dieguito Lagoon to the south either through runoff from the site or seeds that could be transported offsite by winds or animals. Therefore, Special Condition #2 has been attached which requires the site be landscaped with drought-tolerant native and non-invasive species and that the landscaping be maintained over the lifetime of the development. The proposed development will not have an adverse impact on any sensitive habitat and, as conditioned, will not result in erosion or adverse impacts to water quality, as adequate drainage controls will be

provided. Thus, the project is consistent with the resource protection policies of Chapter 3 of the Coastal Act.

As conditioned, the proposed development will not have an adverse impact on any sensitive habitat, and, as conditioned, will not result in erosion or adverse impacts to water quality, as adequate drainage controls will be provided. Thus, the project is consistent with the resource protection policies of Chapter 3 of the Coastal Act.

C. Community Character /Visual Quality. The development is located within an existing developed area and, as conditioned, will be compatible with the character and scale of the surrounding area and will not impact public views. Special Condition #2 has been attached to assure adequate landscaping will break up the façade of the additions and Special Condition #3 has been attached to assure the colors of the additions will be consistent with the natural surrounding area. Therefore, the Commission finds that the development, as conditioned, conforms to Section 30251 of the Coastal Act.

D. Public Access. The proposed development will not have an adverse impact on public access to the coast or to nearby recreational facilities. The proposed development conforms to Sections 30210 through 30214, Sections 30220 through 30224, Section 30252 and Section 30604(c) of the Coastal Act.

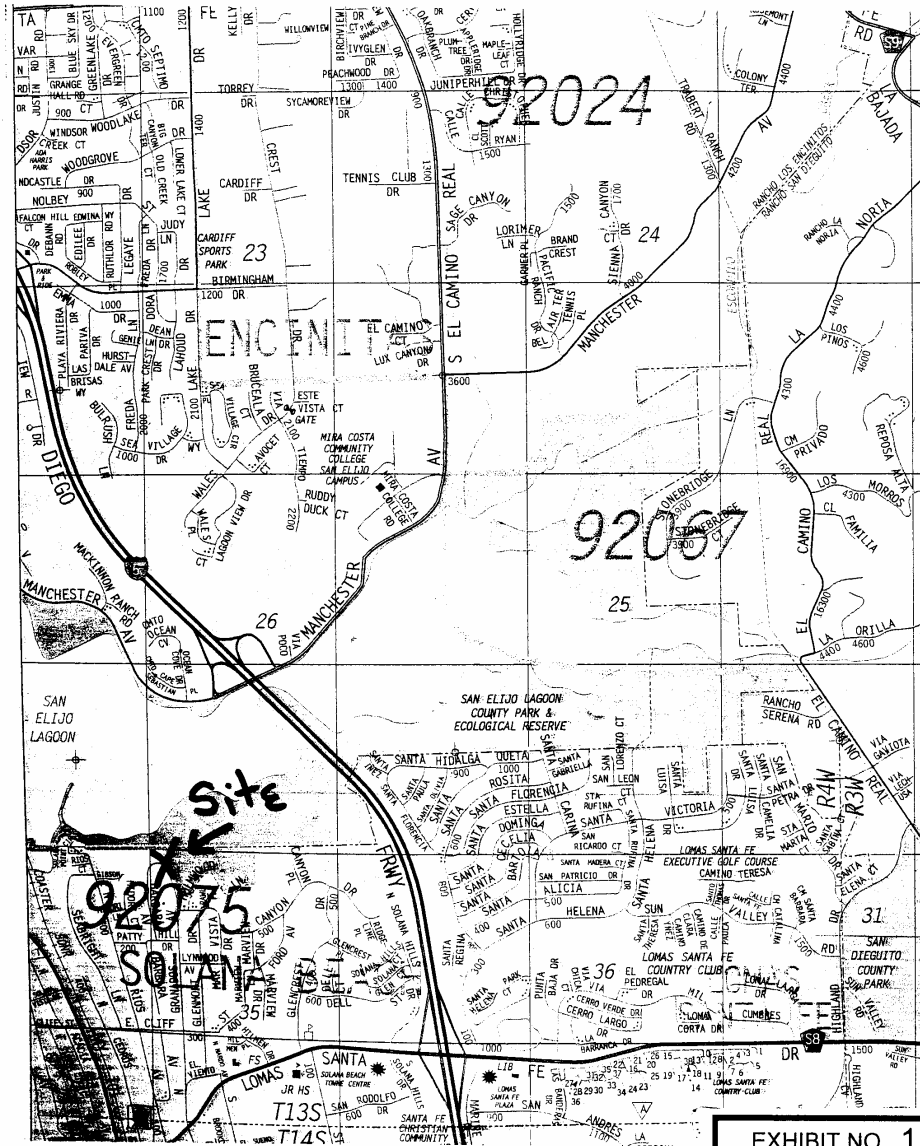
E. Local Coastal Program. The City of Solana Beach does not have a certified LCP at this time. Thus, the Coastal Commission retains permit jurisdiction in this community and Chapter 3 of the Coastal Act remains the legal standard of review. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act. Approval of the project, as conditioned, will not prejudice the ability of the City of Solana Beach to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3.

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

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. 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.



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EXHIBIT NO. 1
APPLICATION NO.
6-10-29
Location Map

 California Coastal Commission

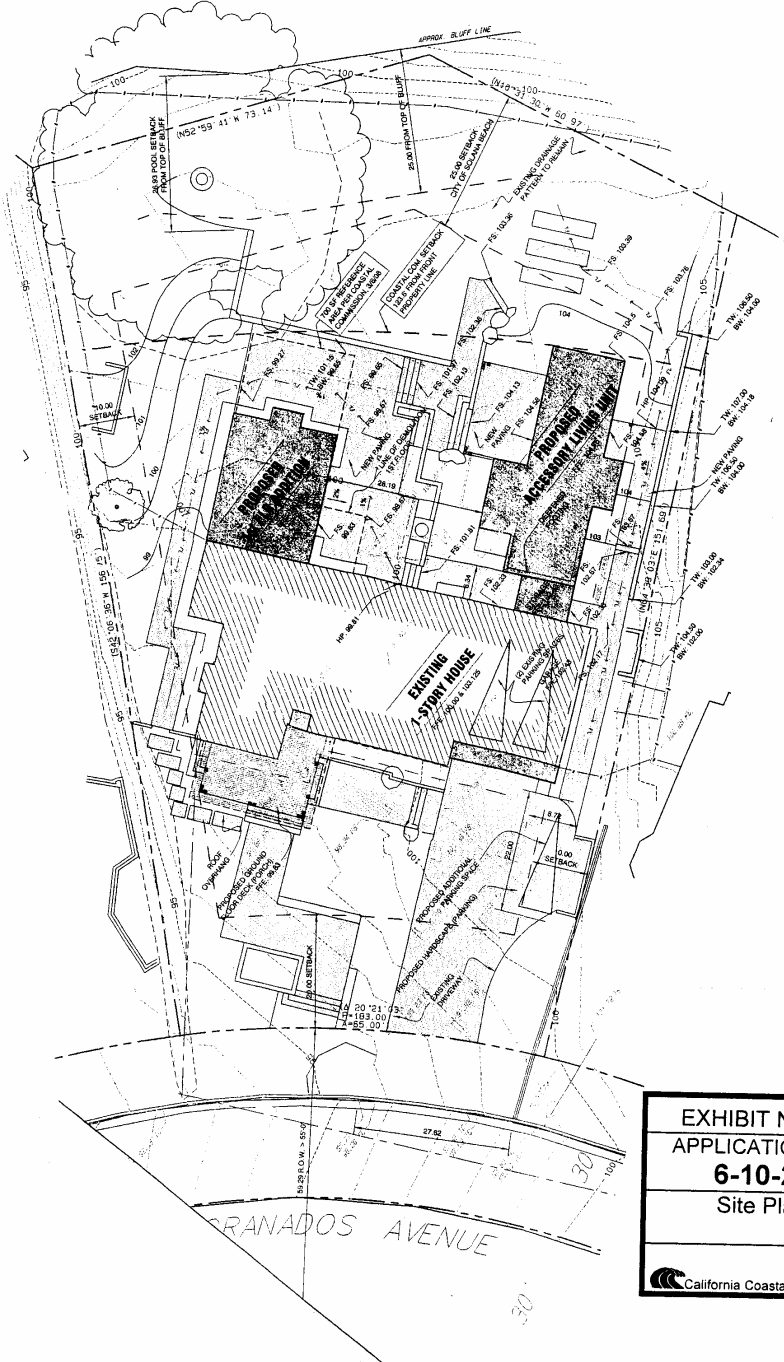
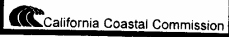


EXHIBIT NO. 2
APPLICATION NO.
6-10-29
Site Plan
 California Coastal Commission