

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
(619) 767-2370

**W7a**

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Permit Application No. 6-14-0734/RCDate: 9/17/14ADMINISTRATIVE PERMIT

APPLICANT: Mark Lees and Caitlin Costello

PROJECT DESCRIPTION: Demolition of an existing 2,311 square foot, 1-story, single-family residence, and construction of a new 3,649 square foot, 2-story, single-family residence on a 10,662 square foot lot.

PROJECT LOCATION: 734 North Granados Avenue, Solana Beach, San Diego County (APN #263-101-17-00)

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

NOTE: The Commission's Regulations provide that this permit shall be reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, a permit will not be issued for this permit application. Instead, 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 and TIME: Wednesday, October 8, 2014
9:00am

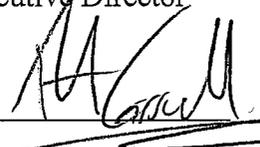
LOCATION:
City of Newport Beach
100 Civic Center Drive
Newport Beach, CA 92660

Phone: (415) 407-3211

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

For this permit to become effective you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgment and evidence of compliance with all special conditions, we will send you an authorization to proceed with development. BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE PERMIT AUTHORIZATION FROM THIS OFFICE.

CHARLES LESTER
Executive Director

By: 

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 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.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

Pursuant to Public Resources Code Section 30624, the Executive Director hereby determines that the proposed development, subject to Standard and Special Conditions as attached, 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. Any development located between the nearest public road and the sea is in conformity with the public access and public recreation policies of Chapter 3.

The proposed project involves the demolition of an existing 2,311 square foot, one-story, single-family residence, and construction of a new 3,649 square foot, two-story, single-family residence on a 10,662 square foot lot. The project site is located at 734 North Granados Avenue, in the City of Solana Beach. The site is approximately half a mile east of the shoreline and abuts the southernmost reaches of the San Elijo Lagoon to the east.

A number of remodel and addition projects have been waived by the Commission at neighboring properties within recent years, including the abutting properties to the north (742 North Granados Avenue) and south (726 North Granados Avenue) of the subject property. A CDP (#6-02-019) was issued for a very similar project (also involving the demolition of a single-story, single-family residence and construction of a new two-story single-family residence) located at 774 North Granados Avenue.

The City of Solana Beach has a certified Land Use Plan (LUP), but the City has not yet completed an Implementation Plan (IP) and, therefore, there is currently no certified Local Coastal Program (LCP). Thus, the standard of review for the proposed development is the Chapter 3 policies of the Coastal Act, with the City's LUP used as guidance.

Coastal Act policies 30240 and 30251 restrict the alteration of natural landforms and protect sensitive habitats. In addition, the certified LUP includes environmentally sensitive habitat area (ESHA) maps for the City, which identify a number of areas within the City's boundaries that contain ESHA. The portion of the San Elijo Lagoon which abuts the subject property to the east has been identified by the LUP's ESHA maps as containing primarily wart-stemmed ceanothus (*Ceanothus Verrucosus*), along with Nuttall's scrub oak (*Quercus dumosa*). Both of these native plants are listed as sensitive resources on Exhibit 3-6 of the LUP.

Policy 3.22 establishes that buffers around non-wetland ESHA shall be a minimum of 100 feet in width, or a lesser width may be approved by the Planning Department and Fire Marshal in accordance with Policy 3.65 (but, in no case can the buffer be reduced to less than 50 feet). Policy 3.65 asserts that, with the consultation and approval of the California Department of Fish and Wildlife (CDFW), that a reduced buffer is appropriate to that particular site (but shall not be less than 50 feet). In addition, Policy 4.71 requires new development adjacent to ESHA to be sited and designed to minimize required fuel modification to the maximum extent feasible so as to avoid ESHA disturbance. Policy 4.79 requires that new development shall be sited and designed so that no brush management or the 100 ft. fuel modification encroaches into ESHA.

In the case of the subject property, the site is fully developed with an existing single-family residence and a terraced sloped on the eastern side of the property, adjacent to the lagoon reserve. The existing home's footprint is set back from the rear (east) property line approximately 51 feet, or 49 feet closer than the 100-foot wide ESHA and brush management setback established in the LCP. However, the proposed residence will be set back approximately 4 feet further back than the existing structure, or 55 feet from the property line. The City's Fire Marshal has also approved the proposed development plans, and determined that no brush clearance or fuel modifications would be required beyond the rear property line. In addition, existing structures on either side of the subject site are located closer to the lagoon reserve than the proposed project, and thus, much of the potential brush clearance area associated with the subject project would already be required in association with existing adjacent structures. The CDFW reviewed the proposed project, and agreed that a reduced buffer would not result in any adverse impacts to sensitive habitat. Since the proposed project will be further away from the sensitive habitat and will not require any off-site brush clearance, no impacts to ESHA are anticipated. **Special Condition #1** requires submittal of a final landscaping plan that requires the applicant to limit brush management activities to on-site, consistent with the Fire Department's agreement and requires the property owner to use drought-tolerant species and avoid introduction of non-native or invasive species.

Section 30231 of the Coastal Act requires protection and maintenance of the biological productivity of coastal waters. In order to reduce the potential for adverse impacts to the water quality of San Elijo Lagoon resulting from drainage runoff from the proposed development, **Special Condition #2** requires that runoff from the proposed structure and other impervious surfaces be directed into the landscaped areas on the site for infiltration and/or percolation, prior to being collected and conveyed off-site. Directing on-site runoff through landscaping for filtration of on-site runoff in this fashion is a well-established Best Management Practice for treating runoff from small developments such as the subject proposal.

The subject site is not oriented directly towards San Elijo Lagoon, and there is considerable mature vegetation around the site. Thus, the existing residence is only slightly and briefly visible from surrounding public vantage points, including Interstate 5 (I-5), Manchester Avenue, and from public trails within the San Elijo Lagoon. Additionally, the development is located within an existing developed residential area also containing mostly two-story homes of a similar bulk and scale. Thus, the proposed development will be compatible with the character and scale of the surrounding area and will not impact public views. Therefore, as conditioned, the Commission finds that the development conforms to Section 30251 of the Coastal Act.

Coastal Act sections 30210 and 30211 provide for maximum public access to coastal resources and prohibit development from interfering with the public's right of access to said coastal resources. As proposed, the reconstructed residence will be entirely on private property and will not have any impact on nearby public trails or other public access points to or around the lagoon. Thus, the project is consistent with the public access and recreation policies of the Coastal Act.

The project is consistent with all applicable Chapter 3 policies of the Coastal Act. The Executive Director finds that approval of the subject property will not prejudice the ability of the City of Solana Beach to obtain a fully certified local coastal program.

SPECIAL CONDITIONS:

This permit is subject to the following conditions:

1. **Final Landscape Plans. PRIOR TO THE AUTHORIZATION TO PROCEED WITH DEVELOPMENT**, the applicant shall submit for review and written approval by the Executive Director, final landscape plans for the proposed project stamped approved by the City of Solana Beach Planning and Fire Department. Said plans shall be in substantial conformance with the plans submitted with this application by George Mercer Associates, Inc., dated September 9, 2014. Said plan shall include the following:

- a. All proposed landscaping shall be drought-tolerant, native, fire resistant, non-invasive plant species that are obtained from local stock, if available, but use of drought-tolerant, non-invasive ornamental species and lawn area is allowed as a small component. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Exotic Pest 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.
- b. The use of rodenticides containing any anticoagulant compounds (including, but not limited to, Warfarin, Brodifacoum, Bromadiolone or Diphacinone) is prohibited.
- c. No brush clearing or fuel modification shall occur beyond the property line.
- d. Any changes to the brush management requirements from the Fire Marshal shall be reported to the Executive Director. No changes to the required brush management shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

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.

2. **Final Drainage Plans. PRIOR TO THE AUTHORIZATION TO PROCEED WITH DEVELOPMENT**, the applicant shall submit to the Executive Director for review and written approval, a drainage and runoff control plan approved by the City of Solana Beach documenting that the runoff from the roof, driveway and other impervious surfaces of the proposed structures will be collected and directed into pervious areas on the site (landscaped areas) for infiltration and/or percolation prior to being discharged off site in a non-erosive manner.

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.

ACKNOWLEDGEMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

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

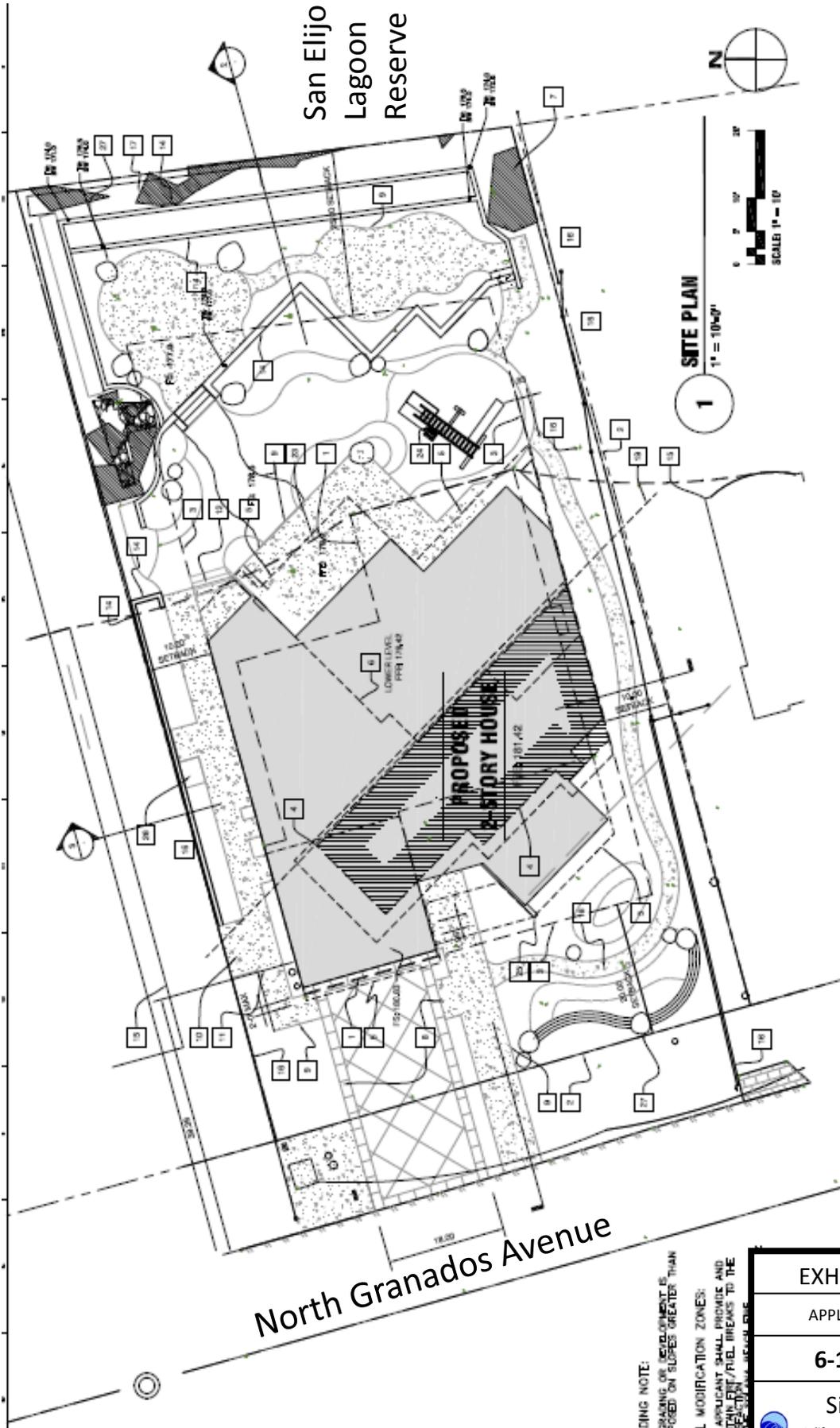
Applicant's Signature

Date of Signing

San Elijo
Lagoon
Reserve



1
SITE PLAN
1" = 10'-0"



North Granados Avenue

GRADING NOTE:
NO GRADING OR REDEMPTION IS
PROPOSED ON SLOPES GREATER THAN
25%.

FUEL MODIFICATION ZONES:
THE APPLICANT SHALL PROVIDE AND
MAINTAIN FIRE/RISK BREAKS TO THE
SEPARATION OF FUEL MODIFICATION ZONES.

EXHIBIT NO. 2
APPLICATION NO.
6-14-0734
Site Plan
 California Coastal Commission