

**CALIFORNIA COASTAL COMMISSION**

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# W19b & W19c

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Staff: B. Laver -SD  
Staff Report: 6/19/14  
Hearing Date: 7/9-11/14

## STAFF REPORT: REGULAR CALENDAR

**Application Nos.:** 6-14-0238 & 6-14-0241

**Applicant:** Laura Limber and Robert Sayler

**Agent:** John Jensen

**Location:** El Camino Real, approximately ¼ mile north of Sun Valley Road, Rancho Santa Fe, San Diego County. APN 268-230-32 (6-14-0238) & APN 268-230-33 (6-14-0241)

**Project Descriptions:** **6-14-0238:** Construction of a 5,002 sq. ft. 1-story single family residence and 1,230 sq. ft. detached guest house including attached garages, pool and spa on a 2.52 acre lot.  
**6-14-0241:** Construction of a 6,002 sq. ft. 1-story single family residence including attached garages, 667 sq. ft. detached guest house, pool and spa on a 2.5 acre lot.

**Staff Recommendation:** Approval with Conditions

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## SUMMARY OF STAFF RECOMMENDATION

This staff report is for two interrelated applications from the same applicant for the construction of two single family residences and associated structures on two adjacent vacant parcels in the unincorporated community of Rancho Santa Fe in San Diego County.

Staff is recommending approval of the proposed developments with special conditions to minimize impacts to native upland vegetation and steep slopes. The primary issues raised by the projects are the proposed impacts to the on-site native vegetation and steep slopes due to grading and brush management. Grading for the proposed developments would impact 9,816 sq. ft. of the on-site steep slopes, and the development would impact approximately one acre of native chaparral vegetation. However, the Commission's staff ecologist has reviewed the project and determined that while there is native vegetation present on the subject site, it is not EHSA, as it is too small and fragmented. The subject sites are located approximately one mile north of San Dieguito Lagoon, and 1.5 miles southeast of San Elijo Lagoon, and are separated from both of these coastal lagoons by extensive residential development, and are not part of a contiguous habitat area. The development on both lots would be located on the western, flatter portion of the subject sites which have partially been disturbed due to the fuel modification zones for the existing adjacent homes, and the landform alteration on the site as a whole will not be substantial. The site is not visible from any scenic area and no public views will be blocked by the development.

To address potential adverse impacts, the Commission staff is recommending six special conditions that would require **(1)** planting of only native, non-invasive species with any new landscaping, **(2)** maintenance of the brush management areas so as to avoid the introduction of non-native or invasive species, **(3)** utilization of erosion control devices and revegetation of all areas disturbed by grading to minimize potential grading impacts, **(4)** drainage plans showing that all storm water runoff will be directed to on-site pervious areas to avoid water quality impacts, **(5)** recordation of open space deed restrictions against the subject properties to protect the remaining on-site native vegetation and steep slopes, and **(6)** recordation of deed restrictions against the subject properties to assure all future owners are aware of the restrictions imposed on the subject properties.

As conditioned, the proposed developments will not have any adverse impacts on coastal resources. Commission staff recommends **approval** of coastal development permit applications 6-14-0238 and 6-14-0241 as conditioned.

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Exhibit 5 – Sensitive Species Sightings

Exhibit 6 – Impact Summary Tables

## **I. MOTIONS AND RESOLUTIONS**

### **A. Application #6-14-0238**

#### **Motion:**

*I move that the Commission **approve** Coastal Development Permit Application No. 6-14-0238 subject to the conditions set forth in the staff recommendation.*

Staff recommends a **YES** vote on the foregoing motion. Passage of this motion will result in conditional approval of the permit and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

#### **Resolution:**

*The Commission hereby approves coastal development permit 6-14-0238 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.*

### **B. Application #6-14-0241**

#### **Motion:**

*I move that the Commission **approve** Coastal Development Permit Application No. 6-14-0241 subject to the conditions set forth in the staff recommendation.*

Staff recommends a **YES** vote on the foregoing motion. Passage of this motion will result in conditional approval of the permit and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

#### **Resolution:**

*The Commission hereby approves coastal development permit 6-14-0241 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

This permit is granted subject to the following 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 of 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

Both permits are granted subject to the following special conditions:

1. **Final Landscaping Plans. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT,** the applicant shall submit for the review and written approval of the Executive Director, final landscaping plans stamped approved by the Rancho Santa Fe Fire Department and County of San Diego. Said plans shall be in substantial conformance with the plans submitted with this application by Steve Murko & Associates Inc. dated May 14, 2014 and 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. A planting schedule that indicates that the planting plan shall be implemented within 60 days of completion of residential construction.

c. 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 to ensure continued compliance with applicable landscape screening requirements.

d. The use of rodenticides containing any anticoagulant compounds (including, but not limited to, Warfarin, Brodifacoum, Bromadiolone or Diphacinone) is prohibited.

e. 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.

**2. Final Brush Management Plans. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT,** the applicant shall submit to the Executive Director for review and written approval, final brush management plans addressing the area within 100 feet of the proposed homes, garages and guesthouses. Said plans shall be in substantial conformance with the plans submitted with this application by Steve Murko

& Associates Inc. dated May 14, 2014. Said plans shall be approved by the Rancho Santa Fe Fire Department and shall include the following:

- a. The brush management requirements are as follows:
  - i) Zone 1 is the area from the inhabitable structures to a point 50 feet away. This area must be modified and planted with drought-tolerant, fire resistive plants. Grass and other vegetation located more than 50 feet from the inhabitable structures and less than 6 inches in height above the ground need not be removed where necessary to stabilize the soil and prevent erosion. Irrigation is required.
  - ii) Zone 2 is the area between 50 to 100 feet from the inhabitable structures. The native vegetation in this area may remain, but all native, unbroken vegetation must be thinned out by 50 percent. All dead and dying vegetation in addition to undesirable plants and weeds as listed in the Wildland/Urban Interface Development Standard must be removed. Irrigation is optional.
- b. The property owner shall be responsible for at least annual maintenance within the designated 100 ft. brush management area to remove any introduced non-native or invasive plant species.
- c. Fuel modification activities are prohibited during the breeding season of the California Gnatcatcher, February 15<sup>th</sup> through August 31<sup>st</sup> of any year.
- d. Any future vegetation clearance within the proposed fuel modification area other than removal of invasive and non-native plant species and dead or dying plants shall require approval of a coastal development permit or amendment to the subject permit, unless the Executive Director determines no permit or amendment is legally required.

The permittee shall undertake development in accordance with the approved plans. Any proposed changes to the approved brush management plans should be reported to the Executive Director. No changes to the approved plans shall occur without an amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

**3. Grading/Erosion Control & Construction Best Management Practices.** **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicants shall submit to the Executive Director for review and written approval, final grading and erosion control plans that have been stamped approved by the County of San Diego and a construction BMP plan.

The grading/erosion control plans shall contain written notes or graphic depictions demonstrating that all permanent and temporary erosion control measures will be

developed and installed prior to or concurrent with any on-site grading activities and include, at a minimum, the following measures:

- a. Placement of a silt fence around the project anywhere there is the potential for runoff. Check dams, sand bags, straw bales and gravel bags shall be installed as required in the City's grading ordinance. Hydroseeding, energy dissipation and a stabilized construction entrance shall be implemented as required. All disturbed areas shall be revegetated after grading.
- b. The site shall be secured daily after grading with geotextiles, mats and fiber rolls; only as much grading as can be secured daily shall be permitted. Concrete, solid waste, sanitary waste and hazardous waste management BMP's shall be used.
- c. Demonstration that all on-site temporary and permanent runoff and erosion control devices are installed and in place prior to commencement of construction to minimize soil loss from the construction site.

The construction BMP plan shall be prepared by a qualified biologist and shall demonstrate how the sensitive vegetation and lizard species identified on the project site will be avoided and protected, and shall include at a minimum, the following measures:

- a. Temporary fencing to keep personnel and equipment outside of any areas identified as sensitive shall be installed.
- b. Parking and staging of equipment shall be located outside of the area proposed as open space.
- c. Details on the specific measures that will be implemented to prevent injury to lizards. These may include the presence of an on-site biologist during construction and/or sweeping the site before machines begin work.

The permittee shall undertake development in accordance with the plans. Any proposed changes to the approved plans or grading schedule 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. Drainage Plans. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and written approval, drainage and runoff control plans stamped approved by the County of San Diego documenting that the runoff from the roof, driveway and other impervious surfaces 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.

5. **Open Space Restriction.** No development, as defined in section 30106 of the Coastal Act shall occur without the review and written approval of the Executive Director in the area generally described as all undeveloped naturally vegetated areas exceeding 25% grade beyond the extent of the 100-foot fuel modification zones as identified in the minor grading plan and vegetation map submitted on June 12, 2014, as depicted in an Exhibit attached to the Notice of Intent to Issue Permit (NOI) that the Executive Director issues for this permit except for:

- a. Planting Wart-stemmed Ceanothus with non-mechanized hand tools.

**PRIOR TO ISSUANCE BY THE EXECUTIVE DIRECTOR OF THE NOI FOR THIS PERMIT**, the applicant shall submit for the review and approval of the Executive Director, and upon such approval, for attachment as an Exhibit to the NOI, a formal legal description and graphic depiction of the portion of the subject property affected by this condition, as generally described above and shown on Exhibit 4 attached to this staff report.

6. **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.

## **IV. FINDINGS AND DECLARATIONS**

### **A. PROJECT DESCRIPTIONS**

This staff report is for two interrelated applications from the same applicant for the construction of two single family residences and associated structures on two neighboring undeveloped parcels in the unincorporated community of Rancho Santa Fe in San Diego

County. The subject properties were part of a pre-Coastal Act subdivision and lot line adjustment that resulted in three parcels; Parcel A (APN 268-230-31), the property immediately west of the subject parcels that has been developed with a single-family residence; Parcel B (APN 268-230-32), the parcel associated with subject application #6-14-0238; and Parcel C (APN 268-230-33), the parcel associated with subject application #6-14-0241 (Exhibit 3). The subject properties will hereinafter be referred to as Parcel B and Parcel C. The parcels are located on the west side of El Camino Real, about a quarter mile north of Sun Valley Road in the unincorporated Rancho Santa Fe community of the County of San Diego.

Proposed on Parcel B is the construction of a 24-foot high, one-story, 4,478 sq. ft. single family dwelling with an attached 524 sq. ft. garage, a 667 sq. ft. guest house with an attached 563 sq. ft. garage, 1,546 sq. ft. of covered porch area, a pool and spa, driveway, and septic system on an undeveloped 2.52-acre lot. To prepare the site for development, 58,304 sq. ft. of grading is proposed, 9,682 sq. ft. of which would occur on slopes over 25% grade.

Proposed on Parcel C is the construction of a 19-foot high, one-story, 4,841 sq. ft. single family dwelling with an attached 1,164 sq. ft. garage, a 667 sq. ft. guest house, 1,206 sq. ft. of covered porch area, a pool and spa, driveway, and septic system on an undeveloped 2.5-acre lot. To prepare the site for development, 43,326 sq. ft. of grading is proposed, 134 sq. ft. of which would occur on slopes over 25% grade. Both parcels will include septic systems, which have been approved by the County of San Diego Department of Environmental Health. A total of 350 cubic yards of soil will be exported to a site outside of the Coastal Zone.

The Commission previously certified the County of San Diego Local Coastal Program; however, the County never assumed permit issuing authority and the LCP was never effectively certified. Therefore, the standard of review for the subject developments is the Chapter 3 Policies of the Coastal Act.

## **B. ENVIRONMENTALLY SENSITIVE HABITAT**

Section 30240 of the Coastal Act is applicable and states:

*(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.*

*(b) 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.*

Section 30250 of the Coastal Act provides, in relevant part:

*(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close*

*proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.*

Section 30253(1) states:

*New development shall:*

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

The proposed developments primarily consist of a large single family home being constructed on each of two adjacent undeveloped lots. The development on both lots would be located on the western, flatter portion of the subject sites which have partially been disturbed due to the fuel modification zones for the existing homes on adjacent parcels. The properties are approximately three miles inland from the shore, approximately 0.5 miles southeast of the San Dieguito County Park, approximately one mile north of San Dieguito Lagoon, and approximately 1.5 miles southeast of San Elijo Lagoon. The subject properties are separated from both of these coastal lagoons, as well as the County Park, by extensive residential development, and are not connected to a larger habitat area.

Based on the biological survey submitted by the applicant, the subject sites are predominantly vegetated with non-native eucalyptus woodland. However, the lots are also vegetated with native chaparral, specifically 0.8 acres of chaparral association on Parcel B and 0.6 acres on Parcel C (Exhibit 4). The biological survey also identified two sensitive plant species: an individual Wart-stemmed Ceanothus on Parcel B and two small populations of Ashy Spike-moss, one on each parcel. Lastly, an Orange-throated Whiptail, a sensitive lizard species, was seen on Parcel C during the biological survey (Exhibit 5). As proposed, the developments, associated grading, and the required 100' brush management zones around each of the residences would result in the removal of 0.99 acres of the native chaparral that provides habitat for the Orange-throated Whiptail. However, the Commission's staff ecologist has reviewed the biological survey and development plans and other pertinent information and has determined that the fragmented southern maritime chaparral and the Ceanothus onsite is too small and isolated to be considered an Environmentally Sensitive Habitat Area (ESHA). Nevertheless, the native vegetation is considered a coastal resource that should be preserved as much as possible.

To mitigate for the loss of 0.99 acres of native chaparral, the applicant has proposed to restrict development on 0.7 acres on Parcel B and 1.0 acre on Parcel C (Exhibit 6). This would preserve a total of 0.41 acres of the on-site native vegetation and the majority of the on-site steep slopes. The only development allowed in the restricted open space area on Parcel C is the transplantation of the sensitive Wart-stemmed Ceanothus species from Parcel B, which will be conducted under the supervision of a biologist. While there is no proposed direct mitigation for the loss of the Ashy Spike-moss, the Commission's staff

ecologist has noted that the Ashy Spike-moss is not a species considered to be rare, and the loss of this individual plant is not considered a significant impact. **Special Condition #5** requires the identification of the proposed open space area in both a graphic depiction and legal description consistent with the minor grading plan and vegetation map submitted by the applicant on June 12, 2014, to ensure the habitat is properly identified in the NOI which will be recorded in the deed restriction that is required under Special Condition #6, imposing Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. **Special Condition #5** prohibits all development, as defined in section 30106 of the Coastal Act, in the open space restricted area without the review and written approval of the Executive Director with the exception of planting Wart-stemmed Ceanothus with non-mechanized hand tools.

The Commission has historically limited grading of slopes over 25% grade to minimize the visual impacts associated with such grading, to preserve the habitat values of significantly vegetated steep slopes areas, and to avoid the increased likelihood of erosion, runoff and sedimentation which can occur when steep slopes are graded. Although the proposed residences and associated structures are sited and designed almost entirely in the previously disturbed portions of the subject parcels, site preparation and driveway construction would result in 9,682 sq. ft. of grading on steep slopes in Parcel B and 134 sq. ft. in Parcel C. Overall, this amount of grading is not expected to result in a significant alteration to the landform of the site. In addition, **Special Condition #3** requires the installation of temporary and permanent erosion control devices and the revegetation of areas disturbed by grading to reduce any potential impacts of grading on steep slopes to insignificant levels. To ensure protection of the sensitive vegetation and lizard species identified in the biological survey, the condition also requires construction best management practices including temporary fencing-off of areas identified as sensitive and having a biologist on site during construction. The naturally vegetated steep slopes beyond the extent of the area to be graded or cleared for brush management will be protected in the proposed open space restricted area identified in **Special Condition #5**.

The Rancho Santa Fe Fire Department requires that only fire-resistant, native and irrigated vegetation may be present within Brush Management Zone 1 (first 50 ft. from the inhabitable structures). Within Brush Management Zone 2 (50-100 ft. from the inhabitable structures), the Fire Department requires that 50% of the area must be thinned and all dead and dying vegetation must be removed. To ensure consistency with these requirements while protecting the remaining natural areas on the site, **Special Condition #1** requires that all landscaping within the entire brush management zone be limited to fire-resistant, drought-tolerant, native and non-invasive species. **Special Condition #2** requires the applicant to implement the brush management requirements consistent with the Fire Department's standards and, in addition, requires the property owner to maintain the brush management area and avoid introduction of non-native or invasive species. These conditions will assure that on-site and nearby native habitat and recreation areas are protected against significant disruption. While the subject sites do not contain ESHA, the project sites are located approximately a half-mile east of San Dieguito County Park, a 125 acre multi-purpose park that includes ball fields, basketball courts, grassy picnic areas and hiking trails through native habitat.

Therefore, with conditions to record the open space restriction against the subject properties, to plant only native, non-invasive species with any new landscaping and to maintain the brush management areas so as to avoid the introduction of non-native or invasive species, the proposed developments will not have any adverse impacts on the subject sites or on the surrounding area. To ensure that any prospective future owners of the properties are made aware of the applicability of the conditions of these permits, **Special Condition #6** requires that the property owner record a deed restriction against each subject property, referencing all of the above Special Conditions of these permits. Thus, the projects can be found consistent with Sections 30240, 30250, and 30253(1) of the Coastal Act.

### **C. VISUAL RESOURCES/COMMUNITY CHARACTER**

Section 30251 of the Coastal Act states in part:

*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, and, where feasible, to restore and enhance visual quality in visually degraded areas...*

Section 30251 of the Coastal Act protects the scenic and visual quality of the coastal zone as a resource of public importance. The subject sites are located on adjacent sloping parcels west of El Camino Real and north of Sun Valley Road (Exhibit 1). The site is not visible from any scenic area and no public views will be blocked by the development.

In addition, the proposed size and design of the homes are comparable to the existing surrounding residential developments such that they will be in character with the surrounding neighborhood. The applicant is also proposing to construct the homes on the already graded and disturbed areas of the subject lots such that alteration to the natural land forms would be minimized. The size of the lots are also consistent and in character with the surrounding lot sizes. Thus, as designed, the proposed projects will not have adverse impacts on the scenic resources of the area and are consistent with Section 30251 of the Coastal Act.

### **D. EROSION/RUNOFF/WATER QUALITY**

Section 30231 of the Coastal Act is applicable to the proposed development and 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.*

Although the proposed project will not impact ESHA on-site because none exists, all runoff from the development sites will potentially reach the waters of San Dieguito Lagoon or San Elijo Lagoon. In order to reduce the potential for adverse impacts to water quality resulting from drainage runoff from the proposed developments, Special Condition Nos. 1, 3 and 4 have been attached. **Special Condition #1** requires the maintenance of existing drought tolerant, native landscaping on the sites. **Special Condition #3** requires installation of temporary and permanent erosion control devices to prevent potential impacts from grading, as well as revegetation of any disturbed area after grading is completed. **Special Condition #4** requires that runoff from the roof, driveway and other impervious surfaces be directed into the landscaped areas on the sites 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 developments such as the subject proposals. As conditioned, the landscape, drainage and grading/erosion control plans will serve to reduce any impacts to water quality from the projects to insignificant levels. Therefore, the Commission finds the proposed projects consistent with Section 30231 of the Coastal Act.

#### **E. LOCAL COASTAL PLANNING**

Section 30604(a) also requires that a coastal development permit shall be issued only if the Commission finds that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program (LCP) in conformity with the provisions of Chapter 3 of the Coastal Act. In this case, such a finding can be made.

The County of San Diego previously received approval, with suggested modifications, of its Local Coastal Program (LCP) from the Commission. However, the County did not assume permit issuing authority. Therefore, the LCP was not effectively certified, and the standard of review for development in the unincorporated County of San Diego is the Chapter 3 policies of the Coastal Act.

The subject sites are designated for estate residential use in the County LCP, and as conditioned herein, the proposed projects conform to all applicable Chapter 3 policies of the Coastal Act. Therefore, as conditioned, the projects will not prejudice preparation of a certifiable LCP by the County of San Diego.

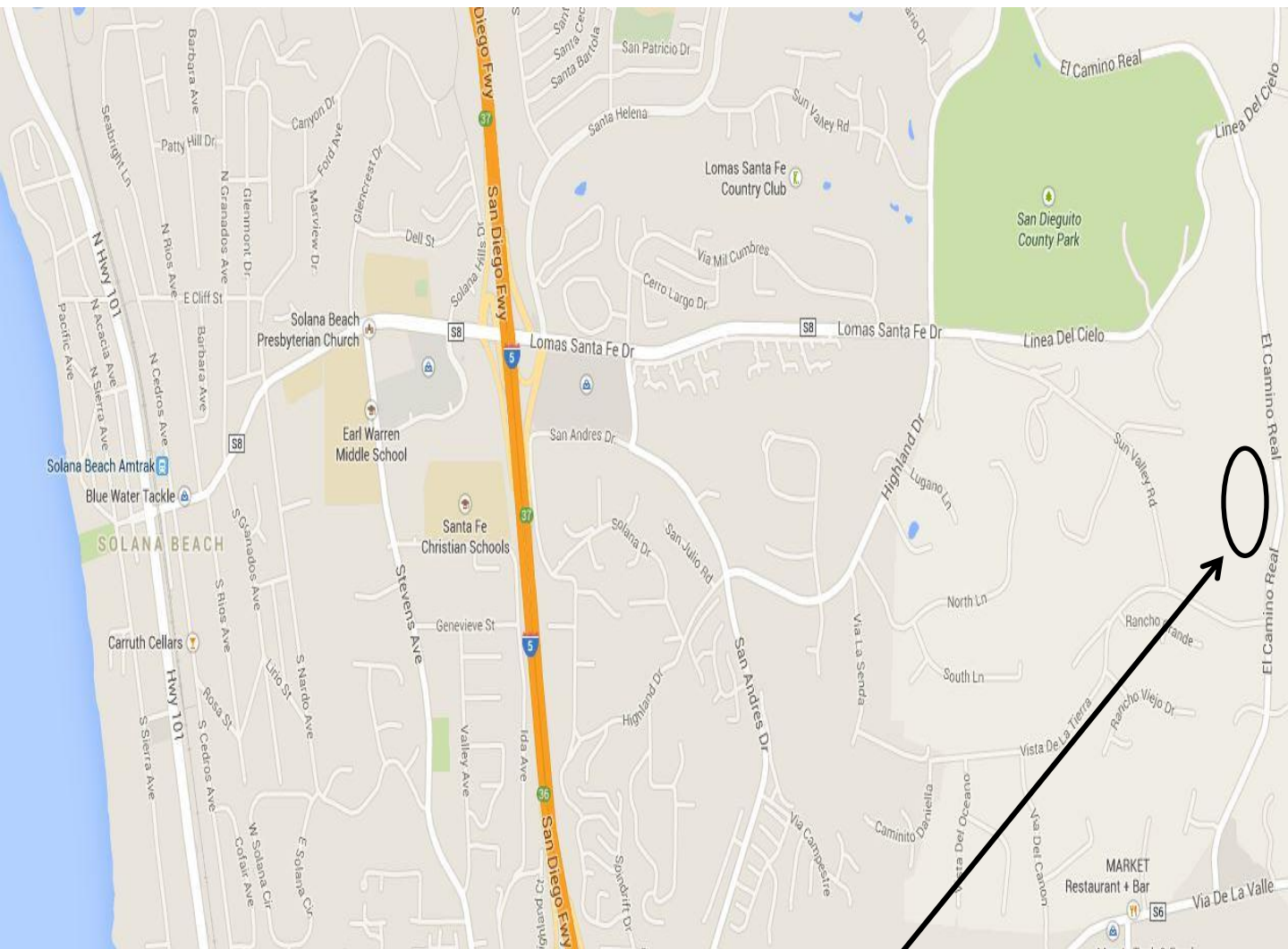
#### **F. CALIFORNIA ENVIRONMENTAL QUALITY ACT**

Section 13096 of the Commission's Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, 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 proposed project is consistent with the resource and visual protection policies of the Coastal Act as modified herein. The attached conditions will minimize all adverse environmental impacts. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed projects, as conditioned to mitigate the identified impacts, are the least environmentally damaging feasible alternatives and are consistent with the requirements of the Coastal Act to conform to CEQA.

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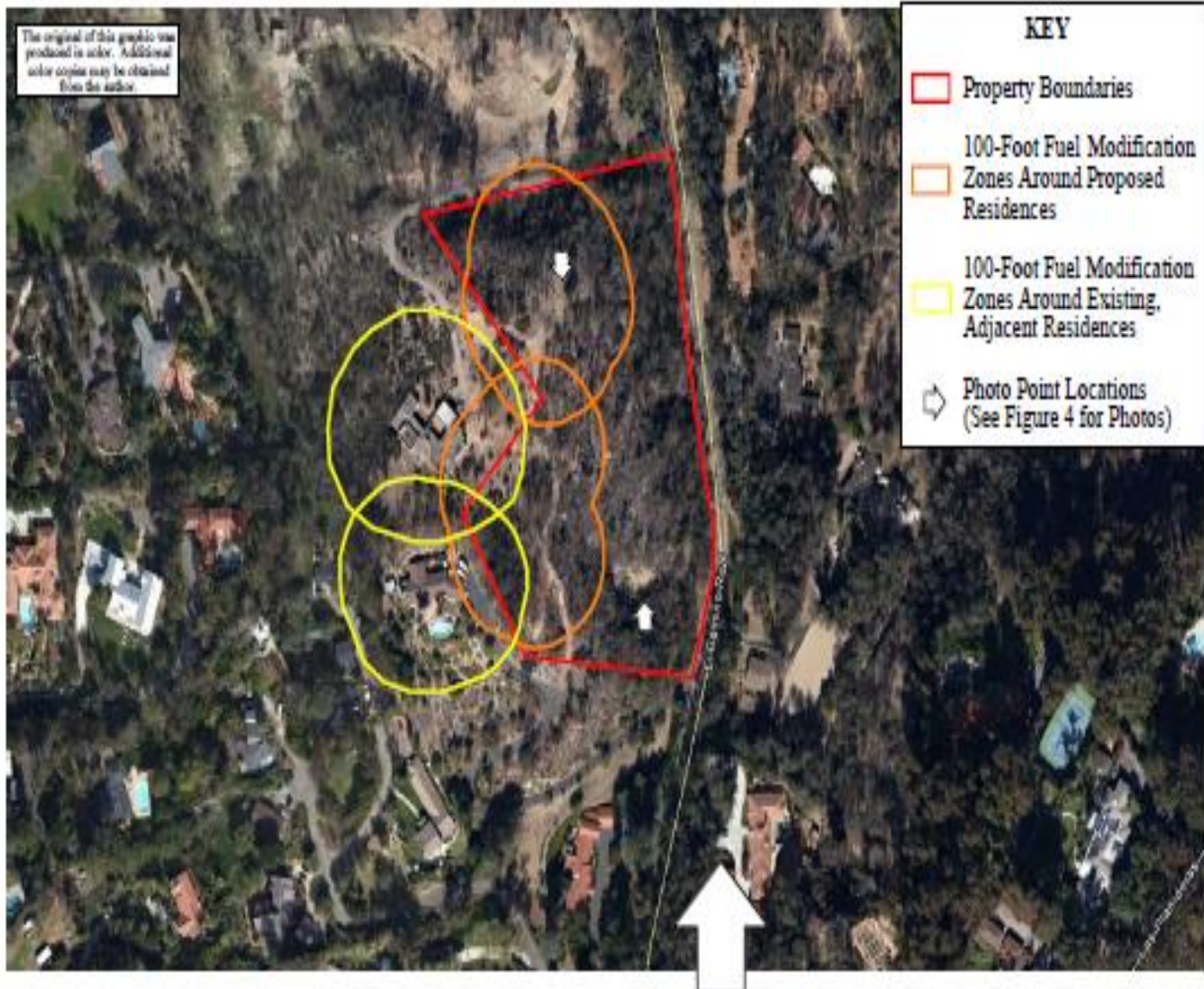
## Subject Sites



EXHIBIT NO. 1
APPLICATION NO.
<b>6-14-0238; 6-14-0241</b>
Vicinity Map
 California Coastal Commission



The original of this graphic was produced in color. Additional color copies may be obtained from the author.



**KEY**

-  Property Boundaries
-  100-Foot Fuel Modification Zones Around Proposed Residences
-  100-Foot Fuel Modification Zones Around Existing, Adjacent Residences
-  Photo Point Locations (See Figure 4 for Photos)

Scale: 1-inch = 200-feet

Cummings and Associates Job Number 1691.228 11 December 2013

[1691-Fig-2.wpg]



EXHIBIT NO. 2
APPLICATION NO. <b>6-14-0238; 6-14-0241</b>
Aerial View
 California Coastal Commission



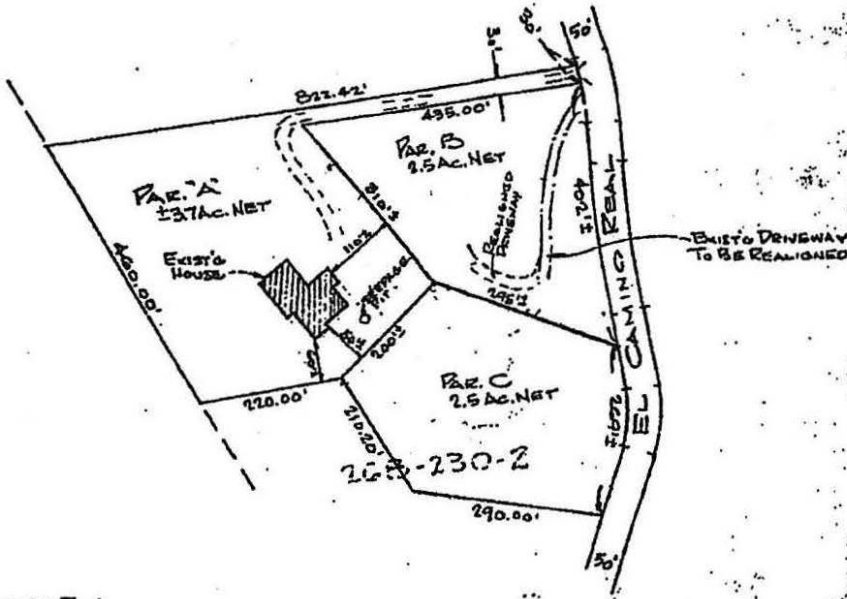
BUYER \_\_\_\_\_ DATE \_\_\_\_\_

# PROPOSED DIVISION OF LAND

SAN DIEGO COUNTY PLANNING DEPARTMENT

SCALE 1 IN = 200 FT.

REPLACEMENT MAP - THIS PLAT REPLACES  
PLAT NO. 268-230-3 & REALIGNS PARCEL  
"A" ON PLAT NO. 268-230-2



ZONING: E-1  
WATER: S.F.I.D.  
LEGAL: P22. LOT 4 BLOCK 46  
RHO. SANTA FE, MAP 1742  
T.B. 30/045

Parcels B, C shall have a layout of the sewage disposal system approved by the S.D. Dept. of Public Health prior to the approval of a Bldg. Permit. The system shall include a septic tank, aeration tank, and a filter. An additional expansion area of 60% of the in-lot area shall be provided for potential expansion in the event of failure, by gravity flow.

**El Camino Real**

IS A PART OF THE ADOPTED SAN DIEGO COUNTY GENERAL PLAN OF MAJOR HIGHWAYS AND IS PLANNED FOR DEVELOPMENT WITH AN ULTIMATE RIGHT OF WAY WIDTH OF 102'-126' FEET. ROAD

**HEALTH DEPARTMENT CERTIFICATION**  
REC. SEWAGE PITS

*Boundary City Only*  
EACH PARCEL IS APPROVED FOR A REDUCED SEPTIC TANK CONNECTED TO \_\_\_\_\_ FEET OF TILE DRAIN FIELD TO SERVE \_\_\_\_\_ THREE BEDROOM DWELLING PROVIDED NO EXTENSIVE LAND CUTS OR FILLS ARE MADE. THIS DOES NOT CONSTITUTE APPROVAL FOR COMMERCIAL ESTABLISHMENTS.  
*X-Per. Test to be submitted and approved for each parcel & before septic tank permit for Bldg. approval to be issued 12-20-77*

**FOR DEPARTMENTAL USE ONLY**

This is a redesign of parcels A and B of previous plat 268-230-5 and parcel A of previous plat 268-230-2.

Prelim. Fee 25.00 Final Fee 5.00  
Rec. No. H25582 Rec. No. H25582

OWNER ROBERT O. BRIGGS  
PHONE NO. 755-3262

ADDRESS P.O. Box 403  
CITY RHO. SANTA FE, CALIF.

THIS PLAT WAS PREPARED WITH MY KNOWLEDGE AND CONSENT

APPLICANT RHO. SANTA FE ENG. CO.  
ADDRESS P.O. Box 1532 RHO. SANTA FE CALIF.  
PHONE NO. 756-1107  
20A PLAN-REV.

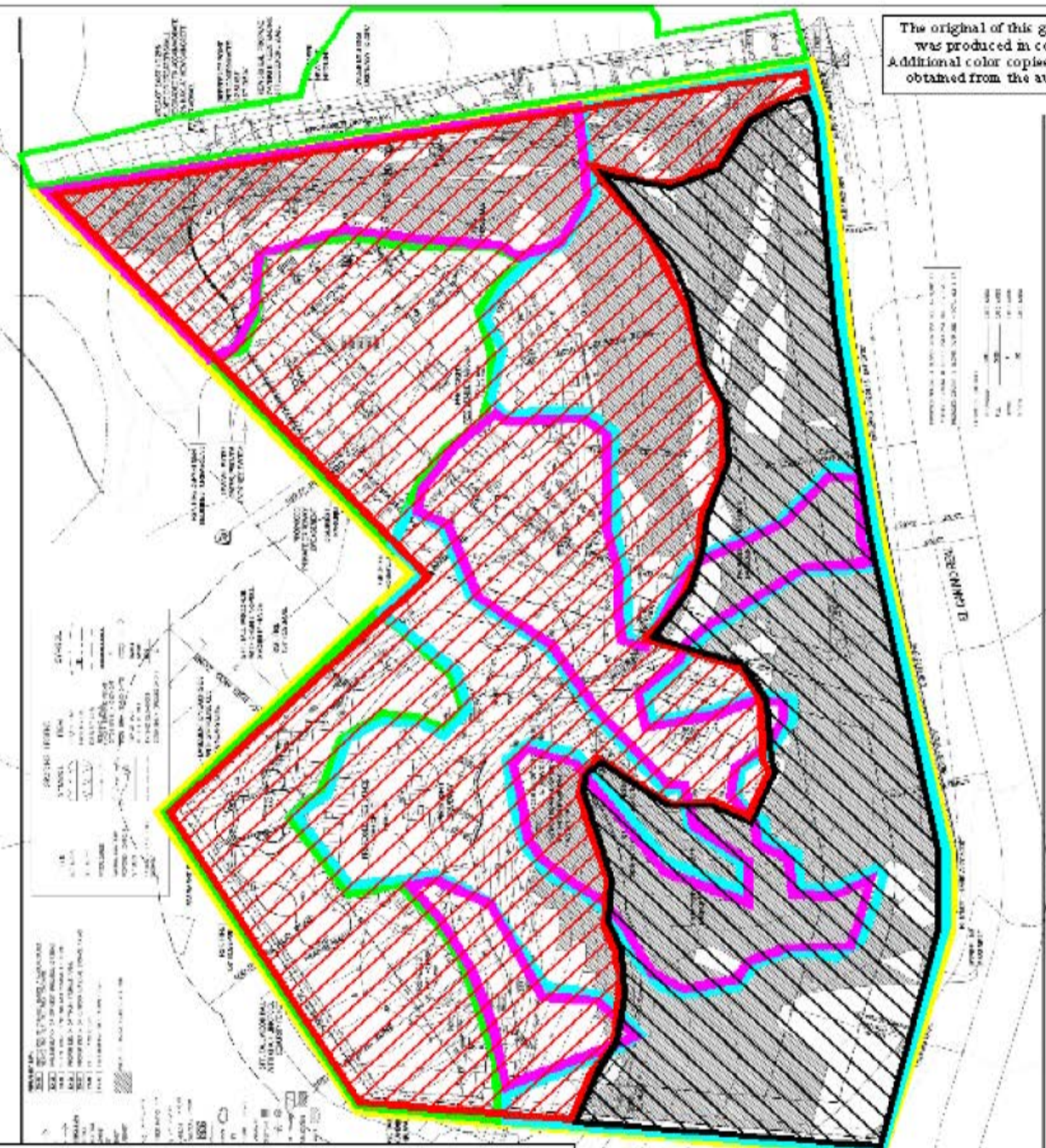
MAP PREPARED BY RHO. SANTA FE ENG. CO.  
ADDRESS P.O. Box 1532 RHO. SANTA FE CALIF.  
PHONE NO. 756-1107 R.E. OR L.S. NO. 2065

DATE FILED DEC 20 1971 PRELIMINARY ACTION BY [Signature] DATE [Signature] FINAL ACTION BY [Signature] APPROVED DATE JAN 5 1972 PLAT NO. 268-230-1







EXHIBIT NO. 3  
APPLICATION NO.  
**6-14-0238; 6-14-0241**  
Pre-Coastal Act  
Subdivision  
California Coastal Commission



The original of this graphic was produced in color. Additional color copies may be obtained from the author.



**KEY**

-  Property Boundary
-  Disturbed Habitat
-  Eucalyptus Stand
-  *Adenostoma fasciculatum* - *Eriogonum fasciculatum* Association
-  Limits of Disturbance (100-foot fuel modification and grading)
-  Proposed Open Space

Cummings and Associates Job Number 1691.22B 10 June 2014

**Cummings  
and  
Associates**

**Vegetation Map With Proposed Open Space  
Shown on the Limber-Sayler Grading Plan**  
[Plan Prepared by North County Environmental Design]

Scale: 1 inch = 100 feet

<b>EXHIBIT NO. 4</b>
APPLICATION NO.
<b>6-14-0238; 6-14-0241</b>
Vegetation Map with
Prop. Open Space
 California Coastal Commission



The original of this graphic was produced in color. Additional color copies may be obtained from the author.



**KEY**

- ⊕ Wart-stemmed Ceanothus - Existing (*Ceanothus verrucosus*)
- ▲ Wart-stemmed Ceanothus - Transplant Location
- Ashy Spike-Moss (*Selaginella cinerascens*)
- ⊕ Orange-throated Whiptail (*Aspidoscelis hyperythra beldingi*)

↑  
Scale: 1-inch = 100-foot

Cummings and Associates Job Number 1691.2211 28 February 2014

EXHIBIT NO. 5
APPLICATION NO.
<b>6-14-0238; 6-14-0241</b>
Sensitive Species
Sightings
 California Coastal Commission

### Impact Summary Table for Parcel B

Habitat Classifications	Acres On-site	Impacts NOT on Steep Slopes Due to Clearing/ Grading	Impacts on Steep Slopes Due to Clearing/ Grading	Open Space Outside of 100-foot Fuel Modification
Eucalyptus Woodland	1.1	0.15	0.34	0.61
<i>Adenostoma fasciculatum</i> - <i>Eriogonum fasciculatum</i> Shrub Association	0.8	0.42	0.29	0.09
Disturbed Habitat	0.7	0.7	0.0	0.0
<b>Subtotals</b>	<b>2.6</b>	<b>1.27</b>	<b>0.63</b>	<b>0.7</b>
<b>TOTALS</b>	<b>2.6</b>	<b>1.9</b>		<b>0.7</b>

### Impact Summary Table for Parcel C

Habitat Classifications	Acres On-site	Impacts NOT on Steep Slopes Due to Clearing/ Grading	Impacts on Steep Slopes Due to Clearing/ Grading	Open Space Outside of 100-foot Fuel Modification
Eucalyptus Woodland	1.3	0.537	0.083	0.68
<i>Adenostoma fasciculatum</i> - <i>Eriogonum fasciculatum</i> Shrub Association	0.6	0.21	0.07	0.32
Disturbed Habitat	0.7	0.7	0.0	0.0
<b>Subtotals</b>	<b>2.6</b>	<b>1.447</b>	<b>0.153</b>	<b>1.0</b>
<b>TOTALS</b>	<b>2.6</b>	<b>1.6</b>		<b>1.0</b>

EXHIBIT NO. 6
APPLICATION NO. <b>6-14-0238; 6-14-0241</b>
Impact Summary
Tables
 California Coastal Commission