

CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST AREA
3111 CAMINO DEL RIO NORTH, SUITE 200
SAN DIEGO, CA 92108-1725
(619) 521-8036

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Permit Application No. 6-95-138/GDC
Date October 25, 1995

ADMINISTRATIVE PERMIT

APPLICANT: Duriso, Inc./Michael Durkin

PROJECT DESCRIPTION: Grade 2,300 cu.yds. balanced cut and fill for building site, driveway and drainage improvements on Lot 17 of existing residential subdivision.

PROJECT LOCATION: Lot 17 on north side of Caminito Mendiola, North City, San Diego, San Diego County. APN 305-060-16

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:

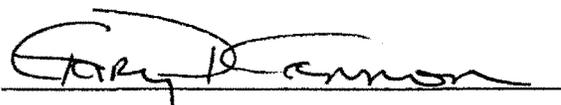
DATE and TIME: November 17, 1995
9:00 a.m., Friday

LOCATION: Wyndham Hotel - LAX
6225 West Century Blvd.
Los Angeles, Ca

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.

PETER DOUGLAS
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. Compliance. All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. 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.
7. 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 applicant is proposing to grade 2,300 cu.yds. of balanced cut and fill to create a building pad on a lot in an existing residential subdivision. A driveway on the site was previously graded in conformity with the approved subdivision permit (Coastal Development Permit #6-86-699, approved by the Coastal Commission in January, 1987), but will be modified with this proposal. The application as initially submitted involved the export of fill to other lots within the subdivision. The applicant has subsequently amended

the project description to eliminate the export and balance the grading on-site which will result in minor modifications to the building pad and associated site improvements. Special Condition #1 has been attached to the permit requiring final grading plans reflecting this minor modification. The site is lot 17, on the north side of Caminito Mendiola. The site is within the Los Penasquitos Lagoon watershed, but all appropriate fees for lagoon enhancement were paid at the subdivision level. The applicant is not proposing the development of a single family residence at this time. Any future development of a single family residence will require review of a separate coastal development permit application.

This site is in the City's Future Urbanizing Area, a currently unplanned region outside the boundaries of any established community planning area, and is, for that reason, an area of deferred certification in the City of San Diego's LCP. The property is zoned A1-10, which normally allows only one dwelling unit per ten acres; the subject site is 1.15 acres in size. However, the initial subdivision clustered the homesites on the most developable portions of the entire property, with the remaining areas held as separate open space parcels. No dedicated open space exists on the homesite parcels, including the subject site. This form of development is fully consistent with the parameters of the A1-10 Zone, and results in a project which, taken as a whole, meets the density requirements of the zone.

Consistent with 30253 of the Coastal Act, the proposed grading will not result in erosion or sedimentation. The proposal includes installation of drainage facilities and landscaping of the manufactured slopes. The project is also consistent with Section 30251 of the Coastal Act, which provides for the protection of scenic coastal areas and for the compatibility of new and existing development, by implementation of the referenced landscaping improvements. Additional landscaping is expected to occur in conjunction with the construction of a future house on the site; any such future improvements will be addressed in a subsequent permit application. Therefore, approval of the proposed development should not result in adverse impacts to any coastal resource.

SPECIAL CONDITIONS: 1. Final Plans. Prior to the authorization to proceed with development, the applicant shall submit final grading plans, documenting balanced cut and fill, with no exported material. The plans shall be submitted to, reviewed and approved in writing by the Executive Director.

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