

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. 6-96-3/GDC

Date February 15, 1996

ADMINISTRATIVE PERMIT**F4C**

APPLICANT: Jennifer J. Davidson

PROJECT DESCRIPTION: Construction of a one-story, 321 sq. ft. detached guest house on a 10,700 sq. ft. lot with an existing 1,748 sq. ft. single family residence.

PROJECT LOCATION: 1807 Valencia Avenue, Carlsbad, San Diego County.
 APN 207-250-66

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.

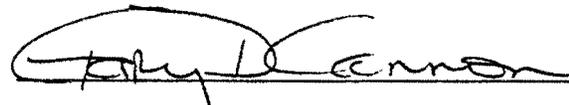
This permit will be reported to the Commission at the following time and place:

DATE and TIME: March 15, 1996 9:00 a.m., Friday	LOCATION: Radisson Hotel - Santa Barbara 1111 East Cabrillo Boulevard Santa Barbara, Ca
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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.

Proposed is the construction of a 321 sq. ft. detached one-bedroom guest house on a 10,700 sq. ft. site with an existing 1,748 sq. ft. single-family residence and attached two-car garage. No additional parking is proposed and none is required since the City of Carlsbad has determined the proposed guest house does not qualify as a living unit. The subject site is located on the west side of Valencia Avenue in the City of Carlsbad within 300 feet of Agua Hedionda Lagoon.

The subject site is planned and zoned for medium density residential development in the City of Carlsbad's Zoning Ordinance and the certified Agua Hedionda Lagoon Land Use Plan. Up to two living units would be permitted

under the City's zoning ordinance and the certified LUP. However, because the proposed guest house has been designed without a kitchen, the City of Carlsbad has determined that the project will not create a living unit. If in the future the applicant should propose a kitchen in the guest house, the City of Carlsbad would require an administrative permit be processed for an assessor living unit. Similarly, the addition of a kitchen to the guest house would require a coastal development permit. As such, Special Condition #1 has been attached to this permit advising the applicant that any future conversion of the guest house to an accessory unit or separate living unit will require a new coastal development permit.

Section 30251 of the Coastal Act provides for the protection of scenic coastal areas and for the compatibility of new and existing development. The proposed development is located in the north-west corner of Valencia Avenue and Park Drive within 300 feet of Agua Hedionda Lagoon. Park Drive has been designated as a scenic roadway in the certified Agua Hedionda Lagoon Land Use Plan segment of the City of Carlsbad's certified LCP. The proposed development, however, will not exceed the scale and bulk of surrounding homes and should have no impact on any visual resource along Park Drive or Agua Hedionda Lagoon. Thus, it is consistent with Section 30251 of the Coastal Act.

In summary, the proposed development, as conditioned, is consistent with the existing zoning and can be found consistent with the Coastal Act and the certified Agua Hedionda Lagoon LUP. As such, project approval will not prejudice the ability of the City of Carlsbad to implement its certified LCP nor result in adverse impacts to any coastal resources.

SPECIAL CONDITIONS:

1. Future Development. No portion of the guest house permitted on this site shall be rented, leased, occupied, sold or otherwise used as a second separate dwelling unit without the prior review and approval of the Coastal Commission or its successor in interest.

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

(6003R)