

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. 6-96-5/WNP

Date February 14, 1996

ADMINISTRATIVE PERMIT**F4d**

APPLICANT: Tom Jones, Ray Grimm

PROJECT DESCRIPTION: Construction of a two-story 4,063 sq. ft. single family residence with attached 871 sq. ft. garage and swimming pool on a 20,552 sq. ft. lot.

PROJECT LOCATION: 4470 Adams Street, Carlsbad, San Diego County.
APN 206 192 39

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

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: Bill Ponder

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 two-story 4,063 sq. ft. single family residence with an attached 871 sq. ft. garage and swimming pool on a 20,552 sq. ft. hillside lot located on the north (inland) side of Adams Street, which is the first public roadway nearest the north shore of Agua Hedionda Lagoon in the City of Carlsbad.

The Coastal Commission approved the subject lot in CDP #6-90-83 as part of a two lot parcel map. The site has been graded in accordance with the previous approval and two building sites exist; however, no residential development exists at this time. The Commission's previous approval imposed a number of special conditions on the parcel map including: an open space deed restriction to ensure preservation of all revegetated slopes on the subject lot, a brush management plan, a landscape plan, a revegetation plan for the required open space area, timing of work provisions requiring restoration of the open space in a timely manner; and grading, runoff and erosion control plans. The required open space area on the subject lot has been restored consistent with the restoration plan and contains native plant species compatible with coastal sage/chaparral vegetation in nearby areas.

Section 30240 of the Coastal Act provides that new development be sited and designed to not adversely impact coastal resources such as native vegetation which provides habitat (coastal sage scrub/chaparral) for a number of sensitive plants and animals. Section 30251 of the Coastal Act provides that new development be sited and designed to not adversely impact visual resources. The resource protection and visual resource provisions of the certified Agua Hedionda LUP restrict project related encroachment onto steep, naturally vegetated slopes (25% grade or steeper). In CDP #6-90-83 the Commission approved the creation of a two lot parcel map which proposed encroachment onto steep slope areas with the condition that the most northern and steepest portion of the site be retained in open space and revegetated with native species compatible with the adjacent naturally vegetated hillside. In its findings the Commission recognized that unauthorized removal of vegetation had occurred on this site (brushing for fire prevention); however, the Commission was uncertain as to the full extent of natural vegetation which had occurred on the site prior to the brushing. In its permit decision the Commission required the revegetation of steep slopes comprising the upper area of the subject lot (beginning at elevation 90 ft.), required this area be reserved as open space, and required that fuel modification be kept to the minimum required for fire protection. To mitigate visual impacts of the subsequent residential development of the lots, the Commission required implementation of a landscape plan that placed special emphasis on screening the lots and future residences from views from Adams Street through use of a minimum of eight (8) mature specimen-sized trees (24 inch box) on the slope between the proposed lots and along the street frontage. This is consistent with Policy 8.1 of the Agua Hedionda lagoon LUP which identifies Adams Avenue as a "Scenic Roadway" and requires landscaped setbacks adjacent to the road. With these provisions the Commission found that there was no significant net loss of coastal resources and the existing public viewshed would not be significantly adversely impacted by subsequent residential development of this property.

As noted, the property has been subdivided and graded in accordance with the Commission's previous approval. The proposed residence is sited on the previously identified building site and no grading or additional encroachment into the required open space on the upper portion of the subject lot is proposed. Additionally, the applicant has restored the open space area with native vegetation, also consistent with the previous approval. Finally, all previous conditions of the Commission's previous approval remain in effect. Thus, the Executive Director determines the project can be found consistent with the Agua Hedionda LUP and Sections 30240 and 30251 of the Coastal Act.