

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE

725 FRONT STREET, STE. 300

SANTA CRUZ, CA 95060

(408) 427-4863

HEARING IMPAIRED: (415) 904-5200

Filed: 12/27/95
49th Day: 2/14/96
180th Day: 6/24/96
Staff: RHyman-SC
Staff Report: 1/23/96 1734P
Hearing Open: 2/9/96
Hearing Date: 3/14/96
Commission Action:

STAFF REPORT: APPEALNO SUBSTANTIAL ISSUE

TH10C

LOCAL GOVERNMENT: Santa Cruz County

DECISION: Approval with conditions

APPEAL NO.: A-3-SCO-95-85

APPLICANT: JOHN & JULIA KING AGENT: KATY KINGPROJECT LOCATION: West side of Margarita Rd., 400 ft. from Cresta Way,
La Selva Beach, Santa Cruz CountyPROJECT DESCRIPTION: Repair, replace and reconstruct an existing culvert
and outlet

APPELLANT: James Fairbanks

SUBSTANTIVE FILE DOCUMENTS: Santa Cruz County LCP; Santa Cruz County permits
95-0280, Emergency 4901, 89-0806; Coastal Commission permits: P-79-117, P-2034SUMMARY OF STAFF RECOMMENDATION AND MOTION:

I. SUMMARY OF STAFF RECOMMENDATION: NO SUBSTANTIAL ISSUE

The staff recommends that the Commission, after public hearing, determine that no substantial issue exists with respect to the grounds on which the appeal has been filed for the following reasons:

The appellant contends that the approved culvert project is not adequately engineered. However, the record indicates that a hydrologic analysis was completed, the project was engineered, the installation was inspected by an engineer, and conditions of approval required an engineer to direct, observe, and approve construction. Also, erosion control was required pursuant to local coastal program provisions.

II. MOTION FOR "NO SUBSTANTIAL ISSUE".

Staff recommends a YES vote on the following motion:

MOTION:

I move that the Commission determine that Appeal No. A-3-SCO-95-85 raises no Substantial Issue with respect to the grounds on which the appeal has been filed.

Staff recommends a "YES" vote. To pass the motion, a majority of the Commissioners present is required. Approval of the motion means that the County coastal permit 95-0280 is valid.

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Exhibits:

1. Location Map
2. Project Plans
3. Emergency Permit
4. County Coastal Permit

1. APPELLANT'S CONTENTIONS:

The Commission received an appeal on this matter from James Fairbanks which contends in full:

1. This matter was continued several times from the original 10-6-95 hearing. I attended two hearings. Although I made attempts to obtain information regarding the last hearing date from Joe Hanna the project planner he did not call me back. I did not have notice of the last hearing.

2. This culvert project directly impacts the flow of water across my property. The original culvert was constructed without permit and resulted in massive damage to my property in 1982. Now the same design sits and awaits the next major storm. This culvert system is without benefit of adequate engineering.

2. LOCAL GOVERNMENT ACTION:

The proposed project is a culvert repair and replacement in La Selva Beach in southern Santa Cruz County (see Exhibits 1 and 2). The County approved the project originally through an emergency permit on January 19, 1995 (see Exhibit 3). Conditions of approval required a regular permit application. This subject follow-up permit was heard by the zoning administrator on October 6, 1995 and continued until November 17, 1995, when it was approved with three conditions (see Exhibit 4). A notice of this action was received in the Commission's office on December 26, 1995. The appellant did not appeal through the County's process, rather he appealed directly to the Commission (which is his option because the County charges appeal fees). The appeal was filed on December 27, 1995. The Coastal Commission opened and continued the hearing on February 9, 1996, pending receipt of project plans.

3. APPEAL PROCEDURES:

After certification of Local Coastal Programs (LCPs), the Coastal Act provides for limited appeals to the Coastal Commission of certain local government actions on coastal development permits. Developments approved by cities or counties may be appealed if they are located within the mapped appealable areas, such as those located between the sea and the first public road paralleling the sea. Furthermore, developments approved by counties may be appealed if they are not the designated "principal permitted use" under the certified LCP. Finally, developments which constitute major public works or major energy facilities may be appealed, whether approved or denied by a city or county. (Coastal Act Sec. 30603(a))

In this case, development on the subject site is appealable because it is located seaward of the first public road. The grounds for appeal are limited to the allegation that the development does not conform to the standards set forth in the certified LCP or to the Coastal Act's public access policies.

Section 30625(b) of the Coastal Act requires the Commission to hear an appeal unless the Commission determines that no substantial issue is raised by the appeal. If the staff recommends "substantial issue," and no Commissioner objects, the substantial issue question will be considered moot, and the Commission will proceed directly to a de novo public hearing on the merits of the project.

If the staff recommends "no substantial issue" or the Commission decides to hear arguments and vote on the substantial issue question, proponents and opponents will have 3 minutes per side to address whether the appeal raises a substantial issue. It takes a majority of Commissioners present to find that no substantial issue is raised. If substantial issue is found, the Commission will proceed to a full public hearing on the merits of the project. If the

Commission conducts a de novo hearing on the permit application, the applicable test for the Commission to consider is whether the proposed development is in conformity with the certified Local Coastal Program.

In addition, for projects located between the sea and the first public road paralleling the sea, Sec. 30604(c) of the Act requires that a finding must be made by the approving agency, whether the local government or the Coastal Commission on appeal, that the development is in conformity with the public access and public recreation policies of Chapter 3. In other words, in regard to public access questions, the Commission is required to consider not only the certified LCP, but also Chapter 3 policies when reviewing a project on appeal.

The only persons qualified to testify before the Commission during the substantial issue stage of the hearing are the applicant, persons who opposed the application before the local government (or their representatives), and the local government; all other testimony from other persons must be submitted in writing. Any person may testify during the de novo stage of an appeal.

4. STAFF RECOMMENDATION ON SUBSTANTIAL ISSUE:

The staff recommends that the Commission determine that no substantial issue exists with respect to the grounds on which the appeal was filed, pursuant to PRC Section 30603. The appropriate motion is found on page 2 of the staff report.

5. RECOMMENDED FINDINGS AND DECLARATIONS.

The Commission finds and declares for Appeal No. A-3-SCO-95-85 the following:

a. Appellant's Contention

The appellant objects to the County's issuance of a coastal permit to repair and replace a storm damaged culvert. The appellant contends that the subject culvert project was approved without adequate engineering. He is concerned that, like the previous culvert, this one will fail and cause damage to his property (see pages 2-3 for his verbatim contention).

b. Governing Local Coastal Program Provisions

The appellant did not cite specific instances of Local Coastal Program policies that he felt were violated. No LCP policies explicitly require adequate engineering. The most relevant Land Use Plan policy for analyzing the proposed culvert repair appears to be:

6.3.4: Require approval of an erosion control plan for all development.
... Vegetation removal shall be minimized. ...

This policy is in the Public Safety and Noise chapter, which has an overall goal of protecting human life, private property, and the environment. Chapter 16.22 of the County Code (certified Coastal Implementation Plan), entitled, "Erosion Control" provides further guidance.

A series of Land Use policies (5.2.1-5.2.11) requires protection of riparian corridors and wetlands. Setbacks are required; exceptions may be allowed only under certain circumstances pursuant to environmental review. Evidence of California Department of Fish and Game approval is necessary (5.2.3). Management plans are required for development in or adjacent to wetlands (5.2.9). Specific implementation provisions are found in County Code Chapters 16.30 "Riparian Corridor and Wetland Protection" and 16.32 "Sensitive Habitat Protection."

c. County Action

On November 17, 1995 the County approved the subject permit to repair, replace and reconstruct the existing culvert and outlet (see Exhibit 4). This was a follow-up to an emergency permit granted for the work on January 19, 1995 (#4901E) (see Exhibit 3). That permit was conditioned for engineering approval, engineered backfill, erosion control, and obtaining a regular permit. The follow-up permit required erosion control to be completed and permanently maintained.

d. Substantial Issue Analysis

The County approval raises some procedural and format concerns, but no substantial issues. The subject site in La Selva Beach is approximately two acres in size. It was once part of the Trestle Beach condominium site (approved under coastal permit P-79-117). It contains a coastal lagoon (identified as Las Barrancas drainageway in the Commission ReCAP report) at the confluence of two culverted streams. The easterly watercourse, which is in a culvert as it traverses the subject property, is the subject of this appeal.

A new culvert segment is necessary to replace a failed 80 foot section of 48" culvert and is already installed, pursuant to the emergency permit mentioned above. Although project plans lack detail and clarity, the permitted culvert was engineered. It was designed based on hydrologic calculations for the entire drainage basin. An engineer was required to and did monitor the installation. The Commission is not in a position to independently evaluate or challenge the engineering's technical adequacy. At worst, the culvert could fail again. It would then have to be repaired and replaced, pursuant to subsequent approval.

Although the appellant claims that the original culvert, which goes under a roadway on his property, was not permitted, the record indicates otherwise. The Coastal Commission approved the culvert as part of the Trestle Beach permit in 1979.

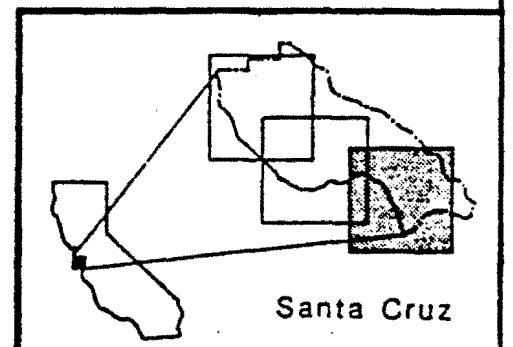
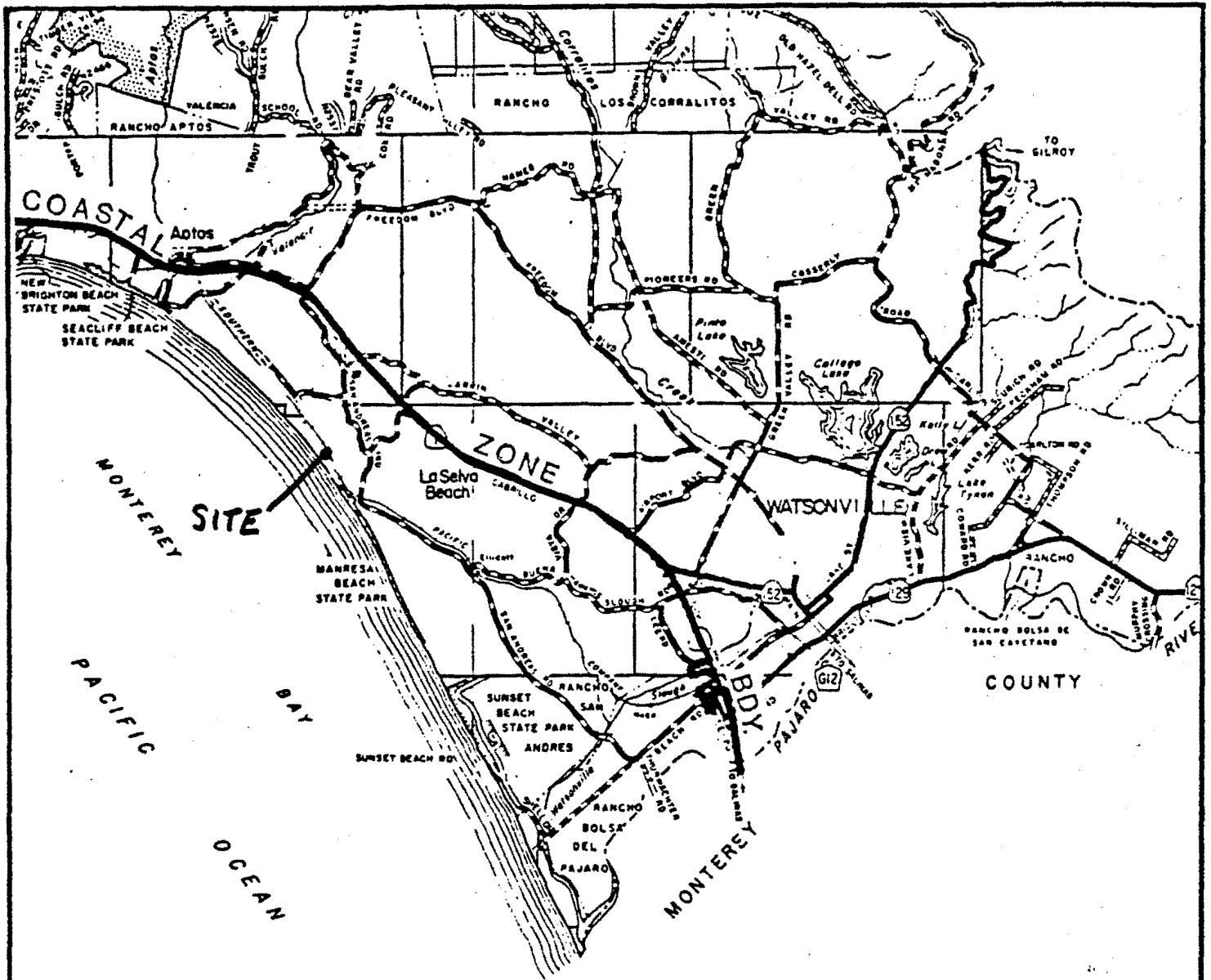
The subject County coastal permit is conditioned for erosion control, as required by the cited County policy.

The culvert does empty into a coastal lagoon. The County permit file does not contain a biotic report, nor are specific requisite findings made to authorize work in and adjacent to a wetland. However, the permitted project is less extensive than one previously approved, involves no additional wetland fill, does not cause any noticeable significant resource impacts, and is already installed. While some procedural aspects of the Local Coastal Program were not followed, the substantive protection policies have not been violated. Therefore, the lack of paperwork does not give rise to a significant issue.

The certified Local Coastal Program contains provisions not only to protect riparian corridors, but to restore degraded ones. There are two drainages on site. The subject drainage, which flows under a road, has been altered to such an extent that restoration would be difficult. The other drainageway, which is not the subject of this appeal, is in poorer condition, with evidence of erosion and lack of groundcover and offers more opportunities for restoration (e.g., bridge, shorter culvert). The coastal lagoon also suffers from the presence of debris (asphalt and concrete pieces, discarded sections of culvert) and a lack of native buffer vegetation. County Code Section 16.32.090b3 requires restoration commensurate with the scale of the proposed development. Given the limited scale and location of the subject development, more extensive protective and restorative measures are not justified by this permit. Should an application to develop the vacant site be submitted, the issues of an appropriate access road location and design and associated stream crossing/restoration would deserve reappraisal as part of that coastal permit consideration. (Note: this finding is not an endorsement of any future development; in an earlier file this site is denoted "unbuildable."). Also, nothing in this substantial issue determination regarding the subject culvert limits the ability of either the County to enforce its ordinances and previous permit that apply to the other culvert and remainder of the site or the Coastal Commission to enforce its previous permits that apply to the site.

The appellant also claims that he was not notified of the final hearing on this matter. While substantiation of this claim is beyond the scope of this report, evidence of his participation in the process does exist in the form of his correspondence in the file. Any procedural problems, if they occurred, do not in this case independently give rise to substantial issue. No substantial issues with regard to this project's conformance with Local Coastal Program policies are raised by this appeal.

Additionally, there is no impact from this project on public access to the nearby beach and consistency with Coastal Act access policies is maintained.





January 12, 1995

County of Santa Cruz
Planning Department
701 Ocean Street
Santa Cruz, CA 95060

Attn: Joe Hanna
Re: King Property, 'APN 045-022-27/30

As you know, approximately 80 lineal feet of existing 48" diameter corrugated metal pipe, which crosses the property from east to west, has failed. As a result, the soil over and around the failed section of pipe has eroded, creating an open and apparently unstable gully. This is a hazardous condition that will probably get worse with additional storm runoff. In order to mitigate this hazardous condition, the owner has asked Granite Construction Company to remove and replace the existing failed section of pipe. As requested by the owner, Granite will perform the following work:

1. Excavate and remove the existing failed section of pipe.
2. Place 6" minimum drain rock bedding on the bottom of the excavation, underneath the new pipe.
3. Furnish, install, and backfill approximately 80 lineal feet of new galvanized, bituminous-coated 48" diameter CMP.
4. Place 12" minimum native soil at top of the pipe backfill and grade to match the contour of the surrounding area. *^ LEFT LOW*

I have attached a sketch of the proposed trench section for your records. If you have any questions or comments, please notify me immediately.

Sincerely,

Todd A. Hill

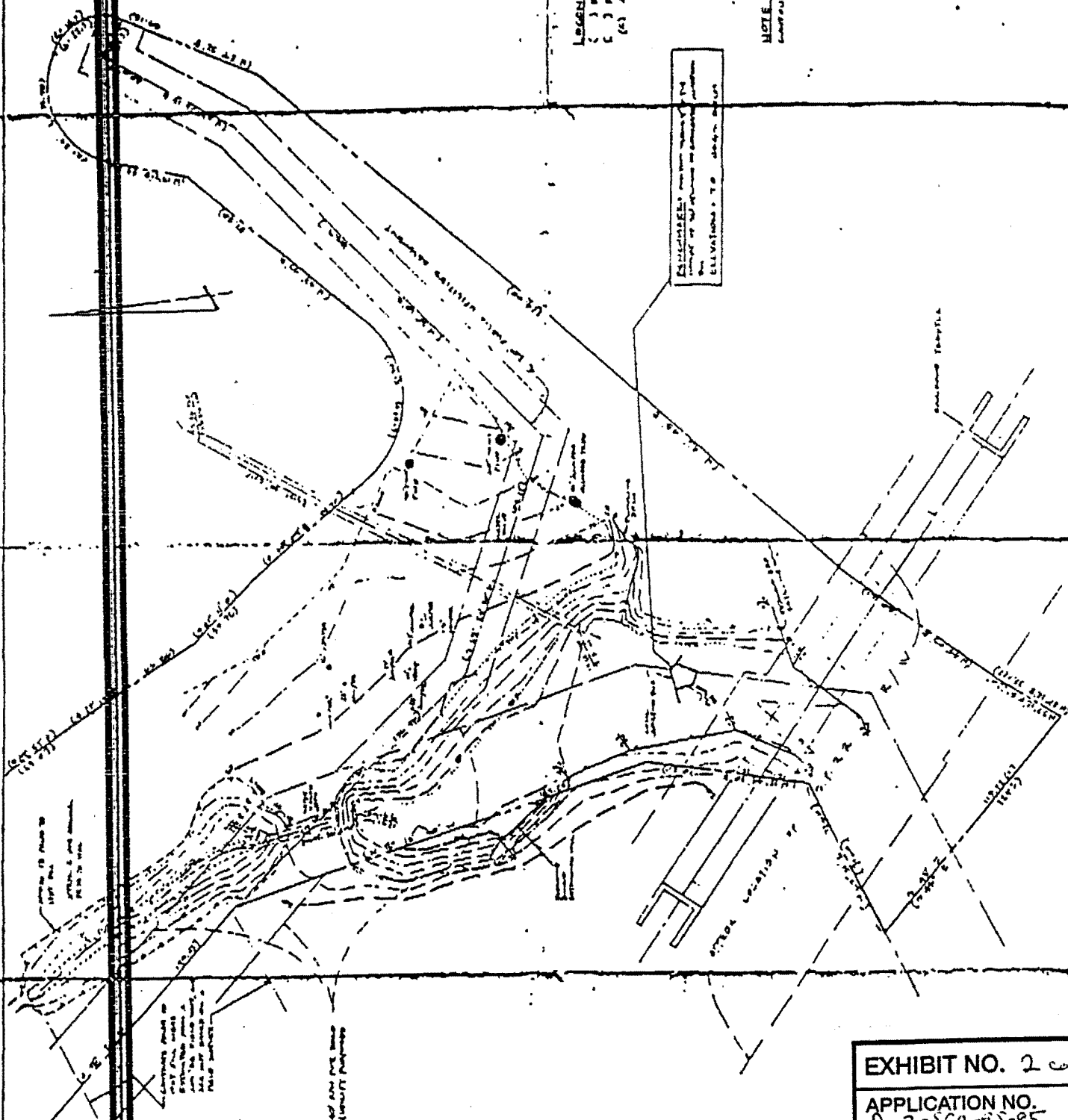
Todd A. Hill
Estimator

cc: Dr. Jerry King.

EXHIBIT NO. 2

APPLICATION NO.
A-3-SC0-95-85 King

Proposed Project



Legend

- [illegible]

NOTE

TOP SECRET JERRY KING	100-44-220-64 N.Y.
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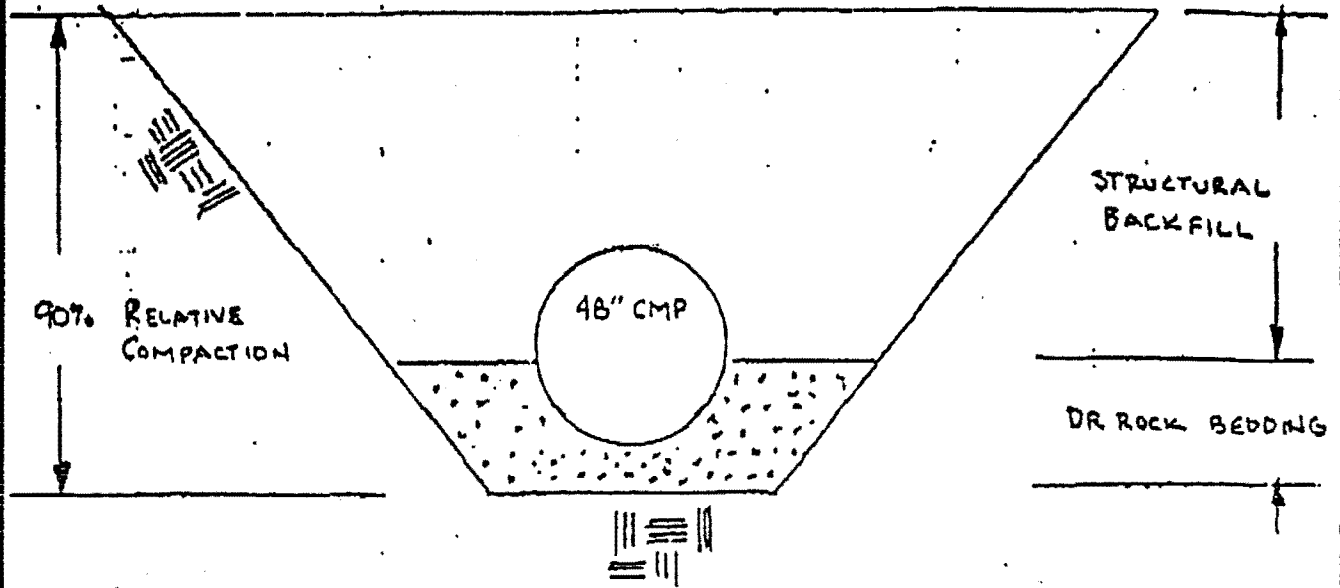
EXHIBIT NO. 2 cont

APPLICATION NO.
A-3-50-15-85

King- Plans (best
available)

TYPICAL TRENCH SECTION
NO SCALE

22-141 50 SHEETS
22-142 100 SHEETS
22-143 200 SHEETS



STRUCTURAL
BACKFILL

DR ROCK BEDDING

Ex 2 cont.

PLANNING DEPARTMENT

GOVERNMENTAL CENTER



COUNTY OF SANTA CRUZ

701 OCEAN STREET SANTA CRUZ, CALIFORNIA 95060
FAX (408) 454-2131 TDD (408) 454-2123

January 18, 1995

Mr. John King
595 Soquel Drive, Ste. 400
Santa Cruz CA 95062

SUBJECT: Permit conditions for Emergency Permit 4901, APN: 045-022-30

Permit Conditions:

1. A State-registered civil engineer shall direct, observe and approve all pertinent aspects of the culvert construction.
2. The trench backfill shall be installed as engineered fill with a minimum 90% relative compaction.
3. It is the property owner's responsibility to control erosion at all times. Sediment may not leave the project site and enter the adjacent watercourse.

Kingcul

EXHIBIT NO. 3

APPLICATION NO.
A-3-SC0-95-85

Emergency Permit



RECEIVED
DEC 26 1995

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

COUNTY OF SANTA CRUZ
Planning Department

PERMIT

REFERENCE #

APPEAL PERIOD 12/27/95 - 1/10/96

Owner John King

Permit Number 95-0280

Address 1595 Soquel Dr Suite 400

Parcel Number(s) 045-022-30

Santa Cruz CA 95062

PROJECT DESCRIPTION AND LOCATION

Proposal to repair, replace and reconstruct an existing culvert and outlet. Requires a Coastal Zone Permit and a Grading Permit. Located on the west side of Margarita Road, 400 feet south of Cresta Way. SUBJECT TO ATTACHED CONDITIONS.

Approval Date: 11/17/95

Effective Date: 12/01/95

Exp. Date (if not exercised) 12/01/97

Coastal Appeal Exp. Date: Call Coastal Comm.

Denied by: _____

Denial Date: _____

_____ This project requires a coastal zone permit which is not appealable to the California Coastal Commission. It may be appealed to the Planning Commission. The appeal must be filed within 10 working days of action by the decision body.

☒ This project requires a Coastal Zone Permit, the approval of which is appealable to the California Coastal Commission. (Grounds for appeal are listed in the County Code Section 13.20.110.) The appeal must be filed with the Coastal Commission within 10 working days of receipt by the Coastal Commission of notice of local action. Approval or denial of the Coastal Zone Permit is appealable. The appeal must be filed within 10 working days of action by the decision body.

This permit cannot be exercised until after the Coastal Commission appeal period. That appeal period ends on the above indicated date. Permittee is to contact Coastal staff at the end of the above appeal period prior to commencing any work.

A Building Permit must be obtained (if required) and construction must be initiated prior to the expiration date in order to exercise this permit. **THIS PERMIT IS NOT A BUILDING PERMIT.**

By signing this permit below, the owner agrees to accept the terms and conditions of this permit and to accept responsibility for payment of the County's costs for inspections and all other actions related to noncompliance with the permit conditions. This permit shall be null and void in the absence of the owner's signature below.

Signature of Owner/Agent

[Signature]

Staff Planner

Date

11-17

Date

EXHIBIT NO. 4

APPLICATION NO.
A-3-SC0-95-85

King: County Coastal
Permit

Distribution: Applicant - white, File - yellow, Clerical - pink, Coastal Commission - goldenrod

COUNTY OF SANTA CRUZ
PLANNING DEPARTMENT

Date: 10-6-95
Agenda Item: 1
Time: 10:00 A.M.

STAFF REPORT TO THE ZONING ADMINISTRATOR

APPLICATION NO: 95-0280
APPLICANT: John & Julia King
OWNER: John & Julia King

APN: 045-022-30

PROJECT DESCRIPTION: Proposal to repair, replace and reconstruct an existing culvert and outlet. Requires a coastal and grading permit.

LOCATION: The project is located on the westside of Margarita Road at 400 feet from Cuesta Way.

FINAL ACTION DATE: October 30, 1995

PERMITS REQUIRED: Coastal Zone Permit and Grading Permit for grading of approximately 400 cubic yards.

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA per Section 1802 of the CEQA guidelines.

COASTAL ZONE: XXXXyes no APPEALABLE TO CCC: XXXXyes no

PARCEL INFORMATION

PARCEL SIZE: 80,803.8 square feet

EXISTING LAND USE: PARCEL: non-developed residential lot

SURROUNDING: Residential and recreational

PROJECT ACCESS: Margarita Road

PLANNING AREA: La Selva Beach

LAND USE DESIGNATION: Urban Low Density Residential

ZONING DISTRICT: Rural Residential/Public & Community Facility

SUPERVISORIAL DISTRICT: 2

ENVIRONMENTAL INFORMATION

<u>Item</u>	<u>Comments</u>
A. Scenic	A. Within scenic corridor; visible from beach
B. Drainage	B. Culvert replaced under observation of a geotechnical engineer.

SERVICES INFORMATION

W/in Urban Services Line: yes XX no

Water Supply: Private water system

Sewage Disposal: Septic system

Fire District: County Fire

Drainage District: Zone 4 Drainage District

EXHIBIT 4
cont

Applicant: John & Julia King
Application # 95-0280
APN: 045-022-03

Page 2

DISCUSSION

Replacement of the culvert on the King property became necessary due to failure of a pre-existing culvert. The pre-existing culvert apparently failed due to corrosion, poor placement, and heavy storm activity. The original culvert placement took place in 1987 without County authorization. After several years of project review, permit application no. 89-0806 was issued (January 16, 1990) to rectify the unauthorized grading. The current permit authorized the replacement of this previous work. Mr. King requested an emergency permit to repair the damaged culvert and this emergency permit was issued in January 19, 1995. The proposed scope of work of the emergency permit is the same as this application.

RECOMMENDATION

Staff recommends approval of Application No, 95-0280, based on the attached finding and conditions.

EXHIBITS

- A. Findings
 - 1. Coastal Zone Permit Findings
 - 2. Development Permit Findings
- B. Conditions
- C. Environmental
- D. Location Map
- E. Assessor's Map
- F. Zoning Map
- G. Project Plans

SUPPLEMENTARY REPORTS AND INFORMATION REFERRED TO IN THIS REPORT ARE ON FILE AND AVAILABLE FOR VIEWING AT THE SANTA CRUZ COUNTY PLANNING DEPARTMENT, AND ARE HEREBY MADE A PART OF THE ADMINISTRATIVE RECORD FOR THE PROPOSED PROJECT.

Report Prepared By: Joe Hanna
Phone Number (408) 454-3175
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

EXHIBIT 4
Cont.

COASTAL ZONE PERMIT FINDINGS

1. THAT THE PROJECT IS A USE ALLOWED IN ONE OF THE BASIC ZONE DISTRICTS, OTHER THAN THE SPECIAL USE (SU) DISTRICT, LISTED IN SECTION 13.10.170(d) AS CONSISTENT WITH THE LUP DESIGNATION.

The proposed grading use allowed in the R-1-6 zone district and consistent the Rural Residential General Plan Land Use Classification.

2. THAT THE PROJECT DOES NOT CONFLICT WITH ANY EXISTING EASEMENT OR DEVELOPMENT RESTRICTIONS SUCH AS PUBLIC ACCESS, UTILITY, OR OPEN SPACE EASEMENTS.

Public access exists to the beach to the north of the project site. No public access exists along or through this parcel. One water line and easement exists on site. No other utility easements exist across the lot. It is not within an open space easement.

3. THAT THE PROJECT IS CONSISTENT WITH THE DESIGN CRITERIA AND SPECIAL USE STANDARDS AND CONDITIONS OF THIS CHAPTER PURSUANT TO SECTION 13.20.130 ET SEQ.

Section 13.20.130 of the County Code established the design criteria for coastal zone developments. It requires that new development be sited, designed and landscaped to be visually compatible and integrated with the character of the surrounding neighborhood. The proposed work will be a replacement and restoration of the pre-existing conditions. It is proposed that the existing vegetation remain undisturbed to the extent possible. Therefore, the project as proposed will minimize site disturbance and will be visually compatible with the surrounding area.

4. THAT THE PROJECT CONFORMS WITH THE PUBLIC ACCESS, RECREATION, AND VISITOR-SERVING POLICIES, STANDARDS AND MAPS OF THE LOCAL COASTAL PROGRAM LAND USE PLAN, SPECIFICALLY SECTION 2 AND 7, AND, AS TO ANY DEVELOPMENT BETWEEN AND NEAREST PUBLIC ROAD AND THE SEA OR THE SHORELINE OF ANY BODY OF WATER LOCATED WITHIN THE COASTAL ZONE, SUCH DEVELOPMENT IS IN CONFORMITY WITH THE PUBLIC ACCESS AND PUBLIC RECREATION POLICIES OF CHAPTER 3 OF THE COASTAL ACT COMMENCING WITH SECTION 30200.

The project site is not priority site within the coastal zone. It is not designated for recreational or visitor serving purposes. The residential lot is not appropriate for public shoreline access due to the lagoon between this parcel and the structure. Pedestrian access to the beach already exists nearby.

Applicant: John & Julia King
Application # 95-0280
APN: 045-022-03

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5. THAT THE PROPOSED DEVELOPMENT IS IN CONFORMITY WITH THE CERTIFIED LOCAL COASTAL PROGRAM.

The project site is within the scenic corridor of the Local Coastal Program require that development minimize visual intrusion from the beach and from scenic highways. Grading on this site will be visible from nearby homes and the beach. After completion of the grading, the site will eventually return to the pre-storm damage appearance.

DEVELOPMENT PERMIT FINDINGS:

1. THAT THE PROPOSED LOCATION OF THE PROJECT AND THE CONDITIONS UNDER WHICH IT WOULD BE OPERATED OR MAINTAINED WILL NOT BE DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OR THE GENERAL PUBLIC, AND WILL NOT RESULT IN INEFFICIENT OR WASTEFUL USE OF ENERGY, AND WILL NOT BE MATERIALLY INJURIOUS TO PROPERTIES OR IMPROVEMENTS IN THE VICINITY.

The proposal to reconstruct the culvert will not effect public health and safety in the area. The grading will not impact any property or improvements in the area.

2. THAT THE PROPOSED LOCATION OF THE PROJECT AND THE CONDITIONS UNDER WHICH IT WOULD BE OPERATED OR MAINTAINED WILL BE CONSISTENT WITH ALL PERTINENT COUNTY ORDINANCES AND THE PURPOSE OF THE ZONE DISTRICT IN WHICH THE SITE IS LOCATED.

The proposed replacement of a storm damaged culvert meets the objectives for development within the Rural district.

3. THAT THE PROPOSED USE IS CONSISTENT WITH ALL ELEMENTS OF THE COUNTY GENERAL PLAN AND WITH ANY SPECIFIC PLAN WHICH HAS BEEN ADOPTED FOR THE AREA.

The accomplished re-grading and culvert placement comply with all provisions of the General Plan and are consistent with the zoning.

4. THAT THE PROPOSED USE WILL NOT OVERLOAD UTILITIES AND WILL NOT GENERATE MORE THAN THE ACCEPTABLE LEVEL OF TRAFFIC ON THE STREETS IN THE VICINITY.

The project will not increase the use of utilities or level of traffic.

EXHIBIT 4
cont

5. THAT THE PROPOSED PROJECT WILL COMPLEMENT AND HARMONIZE WITH THE EXISTING AND PROPOSED LAND USES IN THE VICINITY AND WILL BE COMPATIBLE WITH THE PHYSICAL DESIGN ASPECTS, LAND USE INTENSITIES, AND DWELLING UNIT DENSITIES OF THE NEIGHBORHOOD.

The culvert replacement will not alter pre-existing physical conditions and consequently will not have an adverse impact on land use intensities and dwelling unit densities of the neighborhood.

Conditions of approval

Coastal Zone and Grading Permit
Application No. 95-0280 APN: 045-022-03

PLANNING AREA: La Selva Beach
LOCATION: Margarita Road

EXHIBITS

- I. Prior to final inspection, the following shall be complied with.
- A. All grading shall be completed.
 - B. Erosion control shall be completed.
- II. Operational Conditions.
- A. Erosion Coastal plantings, drainage, improvements, and erosion control shall be permanently maintained.
- III. Special Permit Conditions.
- A. A state-registered civil engineer shall direct, observe and approve all pertinent aspects of the culvert construction.
 - B. The trench back fill shall be installed as engineered fill with a minimum 90% of relative compaction. A final compaction report is required.

MINOR VARIATIONS TO THIS APPROVED MINOR LAND DIVISION OR DEVELOPMENT PERMIT WHICH DO NOT AFFECT THE OVERALL CONCEPT OR DENSITY MAY BE APPROVED BY THE PLANNING DIRECTOR AT THE REQUEST OF THE APPLICANT OR THE PLANNING DEPARTMENT STAFF.

EXHIBIT 4
Cont

