

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
3111 CAMINO DEL RIO NORTH, SUITE 200
SAN DIEGO, CA 92108-1725
(619) 521-8038



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Permit Application No. 6-96-86/DLDate July 25, 1996**ADMINISTRATIVE PERMIT**

APPLICANT: John D. Norman

PROJECT DESCRIPTION: Construction of a 2-story, 2,172 sq.ft. single-family residence with a 973 sq.ft. attached garage on a 1.58 acre lot.

PROJECT LOCATION: East side of Via Del Cañon between Rancho Reposa and Vista De La Tierra, Lomas Santa Fe vicinity, San Diego County. APN #302-032-22

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: August 14, 1996
10:00 a.m., WednesdayLOCATION: Crowne Plaza Holiday Inn - LAX
5985 W. Century Boulevard
Los Angeles, CA 90045-5463**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: Diana Lilly

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. 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 2-story, 2,172 sq.ft. single-family residence with a 973 sq.ft. attached garage. The 1.58 acre site is located on the east side of Via del Cañon, north of Via de la Valle, in the County of San Diego. The site is currently vacant, and characterized by patches of native sage scrub vegetation and non-native grasses.

Approximately 25% of the site contains steep slopes (greater than 25% grade). The easternmost portion of the site is a slope overlooking a natural canyon above the San Dieguito river valley. Four hundred seventy-five cubic yards of balanced cut and fill grading is required to prepare the site for development.

Section 30240 of the Coastal Act requires that environmentally sensitive habitat areas be protected. Section 30251 of the Act provides for the protection of scenic coastal areas, the compatibility of new and existing development, and the minimization of alteration of natural landforms. Section 30231 of the Act states that the biological productivity and quality of coastal waters be maintained through controlling runoff. In response to these policies and the need to preserve sensitive habitats and steep slopes, the County of San Diego developed the Coastal Resource Protection (CRP) overlay zone as part of its certified LCP, which is used for guidance in this area. The project site is located within the CRP overlay area. The CRP ordinance regulates the development of naturally vegetated slopes in excess of 25% grade. Any encroachment into natural steep slope areas may not exceed 10% of the total steep slope area. The regulations further require that drainage and runoff be controlled by appropriate measures.

The majority of native vegetation on the site is patchy, isolated, and does not make up part of a larger wildlife corridor. The native vegetation on the northeastern edge of the lot does continue into a large natural canyon. However, no encroachment into this area of the site is proposed. In total, construction of the house and driveway, including brush clearing for fire management, will encroach on less than 7% of the steep slopes on the site (approximately 4,597 sq.ft.), including only approximately 1,500 sq.ft. of encroachment on naturally vegetated steep slopes. An additional approximately 1,000 sq.ft. of native vegetation on the flat portions of the site will be disturbed, leaving over 8,000 sq.ft. of undisturbed native vegetation remaining on the site.

The applicant has indicated an intent to leave the remaining naturally vegetated areas on the site in their natural condition. However, because final project and landscaping plans have not been developed yet, in order to ensure that no additional encroachment on naturally vegetated slopes will take place, Special Conditions #1 and #2 require the submission of final project and landscaping plans. The native vegetation on the site will continue to be protected in the future through Special Condition #5, which notifies the applicant that future development on the site will require the review of the Commission to make certain that additional impacts to natural vegetation and steep slopes will not occur. The condition is in the form of a deed restriction so that future property owners will be notified of the terms of the condition.

To protect the sensitive habitat and slope resources of the canyon to the east of the project site and the nearby San Dieguito River Valley, Special Conditions #3 and #4 have been attached. These conditions call for the submittal of drainage, grading, and erosion control plans. The conditions are designed to assure the site does not remain in an unstabilized state during the rainy season (October 1 to April 1), the time in which the potential for erosion and associated downstream impacts is greater. The conditions further require that

all runoff from impervious surfaces of the site be collected and appropriately discharged. Such controls will serve to minimize the potential for sedimentation in the downstream sensitive resources of the San Dieguito River Valley, and are consistent with the CRP provisions of the certified County of San Diego LCP.

The CRP designator also invokes the Scenic Area regulations. The proposed single-family residence will be consistent with the character of the large estate-type single-family residences in the surrounding neighborhood. The proposed development will not be visually prominent from any designated scenic roadway, the San Dieguito River Valley, or from any designated vista point or park. Therefore, approval of the proposed project, as conditioned, is consistent with the environmentally sensitive habitat, steep slope, and visual resource policies of the Coastal Act.

The County of San Diego has a certified Local Coastal Program for this area; however, the County is not currently issuing Coastal Development Permits under its LCP. As the LCP has not been effectively certified, Chapter 3 of the Coastal Act is the standard of review. The LCP designates this area for residential development at one dwelling unit per acre. The proposed project is consistent with this designation. As discussed above and conditioned, the project is consistent with the CRP area regulations. Therefore, approval of this project as conditioned, is consistent with Chapter 3 policies of the Coastal Act and will not prejudice the ability of the County of San Diego to implement its certified LCP.

SPECIAL CONDITIONS: 1. **Final Plans.** Prior to the authorization to proceed with development, the applicant shall submit final site and building plans in substantial conformance with the plans dated 5/24/96. The plans shall indicate that no more than 7% of the steep slopes on the site, as shown on the slope analysis/vegetation survey submitted 7/19/96, will be disturbed. Said plan shall be submitted to, reviewed and approved in writing by the Executive Director, and construction shall subsequently occur consistent with the approved plans.

2. **Landscaping Plan.** Prior to the authorization to proceed with development, the applicant shall submit a detailed landscape plan indicating the type, size, extent and location of all plant materials, the proposed irrigation system and other landscape features. Drought tolerant native or naturalizing plant materials compatible with the on-site natural vegetation shall be utilized to the maximum extent feasible. The plan shall indicate that all of the existing native vegetation on the site shall be retained, with the exception of the approximately 2,500 sq.ft. encroachment on naturally vegetated areas as shown on the slope analysis/vegetation survey submitted 7/19/96. Said plan shall be submitted to, reviewed and approved in writing by the Executive Director, and landscaping shall subsequently occur consistent with the approved plans.

3. **Grading/Erosion Control.** Prior to the authorization to proceed with development, the applicant shall submit to the Executive Director for review and written approval, final site and grading plans stamped and approved by the County of San Diego which incorporate the following requirements included as written notes on the plans:

- a. All grading activity shall be prohibited between October 1 and April 1 of any year.
 - b. All areas disturbed by grading shall be planted within 60 days of the initial disturbance and prior to October 1 with temporary or permanent (in the case of finished slopes) erosion control methods. Said planting shall be accomplished under the supervision of a licensed landscape architect, shall provide adequate coverage within 90 days, and shall utilize vegetation of species compatible with surrounding native vegetation, subject to Executive Director approval.
4. Drainage Plan. Prior to the authorization to proceed with development, the applicant shall submit for the review and written approval of the Executive Director, a drainage and runoff control plan, with supporting calculations. This plan shall document that runoff from the roof, driveway and other impervious surfaces will be collected and appropriately discharged. Runoff shall be directed away from the hillside where appropriate, and any runoff directed over the hillside shall be retained and discharged at a non-erosive velocity (less than 6 cfs) and elevation in order to protect the scenic resources and habitat values of the hillsides from degradation by scouring or concentrated runoff.
5. Future Development. Prior to the issuance of the coastal development permit, the applicant shall execute and record a document, in a form and content acceptable to the Executive Director, stating that the subject permit is only for the development described in the coastal development permit #6-96-86; and that any future additions or other development as defined in Public Resources Code Section 30106, and including improvements otherwise exempt under Section 30610(a), will require an amendment to permit #6-96-86 or an additional coastal development permit from the California Coastal Commission, or the local government pursuant to a certified local coastal program. The document shall be recorded as a covenant running with the land binding all successors and assigns in interest to the subject property.

ACKNOWLEDGMENT 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