

CALIFORNIA COASTAL COMMISSION

SOUTH COAST AREA  
245 W. BROADWAY, STE. 380  
P.O. BOX 1450  
LONG BEACH, CA 90802-4416  
(310) 590-5071

Filed: 06-17-96  
49th Day: 08-05-06  
180th Day: 12-14-96  
Staff: RMR/LB RMR  
Staff Report: August 19, 1996  
Hearing Date: Sept. 10-13, 1996  
Commission Action:



STAFF REPORT: PERMIT AMENDMENT

APPLICATION NO.: 5-94-017A

APPLICANT: Donald Colucci

AGENT: None

PROJECT LOCATION: 124 Trafalgar Lane, San Clemente, Orange County

DESCRIPTION OF PROJECT PREVIOUSLY APPROVED: Demolition and removal of an existing deck and installation of caissons to stabilize the residence foundation and support a new wooden deck.

DESCRIPTION OF AMENDMENT: Enclosure of area beneath the deck for non-living storage room purposes only, 100 cubic yards of cut and 17 cubic yards of fill, installation of a concrete slab and construction of side walls.

LOCAL APPROVALS RECEIVED: Approval in concept from the City of San Clemente

SUBSTANTIVE FILE DOCUMENTS: Coastal Development Permits 5-94-017 (Colucci), 5-91-664 (Steele), City of San Clemente Certified Land Use Plan

PROCEDURAL NOTE: The Commission's regulations provide for referral of permit amendment requests to the Commission if:

- 1) The Executive Director determines that the proposed amendment is a material change,
- 2) Objection is made to the Executive Director's determination of immateriality, or
- 3) the proposed amendment affects conditions required for the purpose of protecting a coastal resource or coastal access.

If the applicant or objector so requests, the Commission shall make an independent determination as to whether the proposed amendment is material. 14 Cal. Admin. Code 13166. The proposed amendment would revise the special conditions of coastal development permit 5-94-017, and therefore requires action by the Commission.

SUMMARY OF STAFF RECOMMENDATION:

There are no issues of controversy associated with the proposed development. The staff recommends that the Commission determine that the proposed development with the proposed amendment is consistent with the requirements of the Coastal Act.

STAFF RECOMMENDATION:

Staff recommends the Commission adopt the following resolution:

1. Approval with Conditions

The Commission hereby grants a permit for the proposed development, subject to the conditions below, on the grounds that, as conditioned, the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

I. Special Conditions1. Conditions of the Underlying Permit

Special conditions 2 and 3 of permit 5-94-017 are not affected by this amendment and remain in effect.

II. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description and Location

The project site is located on Trafalgar Canyon inland from the coast, close to El Camino Real and the San Diego Freeway. The canyon commences where a 60 inch reinforced concrete pipe outlets from an alley just west of El Camino Real St. The proposed development is located fifty feet from the drainage, over 15 feet from native vegetation and conforms with the 30% depth of lot line setback required by the City of San Clemente. The Commission has previously allowed development such as grading, landscaping, hardscape improvements, decks and patios.

Prior to the submittal of coastal development permit application 5-94-017 development in the rear canyon-fronting portion of the site included a 10 foot long, at-grade concrete slab with a deck above it. The concrete slab had been used as a patio prior to the deck being constructed. The deck was undermined during the winter storms of 1993 and the applicant demolished the deck prior to the application for a coastal development permit. As a result of the storm damage, the rear concrete slab and retaining wall had separated from the residence by 1 to 4 inches. The house foundation had settled as much as 6

inches. Rear yard settlement and foundation distress was caused by collapsible silty clays, aggravated by storm rains.

A Coastal Development Permit (CDP) was approved in 1994 for residence foundation stabilization and replacement of a 25 foot long by 14 foot wide rear yard wooden deck. The Commission also included special conditions removing the grading and enclosed area under the deck. The support foundation for the deck consists of nine 24 inch wide, 12 foot deep caissons. Adjacent to the residence steel beams anchored to the caissons provide the vertical structural support for the deck. The existing foundation footings of the residence are underpinned laterally by steel beams welded onto the vertical steel beam supports which extend under the foundation.

The plans for permit 5-94-017 show that an enclosed area was planned underneath the proposed rebuilt deck. The applicant did not submit plans of how the enclosure would be constructed and what it would be constructed of and submittal of these plans would have delayed the application going to hearing. The applicant wanted to proceed with the repairs to the foundation and deck and therefore staff proceeded with a recommendation for approval with a special condition deleting the enclosed space. In permit 5-94-017 the Commission found that the proposed development did not conform with subsection "a" of the City of San Clemente Coastal Canyon Preservation Policy. However, the proposed amendment would be consistent with subsection "b" of this policy and thus an amendment application can be accepted.

#### B. Environmentally Sensitive Habitat Area

Section 30240 of the Coastal Act states:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

The certified San Clemente LUP also has policies guiding development in coastal canyons.

In most cases, coastal canyons are designated for nature open space, which limits potential development and helps to ensure preservation.

The coastal canyon preservation policy in the certified LUP provides guidelines for limiting development on coastal canyons and applies primarily to setbacks for residential development.

Policy 8 in the certified LUP states:

The removal of native vegetation and the introduction of non-native vegetation in the canyons shall be minimized. The use of native plant species in and adjacent to the canyons shall be encouraged.

The Coastal Canyon Preservation policy states:

New development shall not encroach into coastal canyons and shall be set back either:

- a. a minimum of 30% of the depth of the lot, and not less than 15 feet from the canyon edge; or

- b. a minimum of 30% of the depth of the lot, and set back from the primary vegetation line (not less than 15 feet from coastal sage scrub vegetation or not less than 50 feet from riparian vegetation); or
- c. in accordance with house and deck/patio stringlines drawn between the nearest corners of the adjacent structures.

The development setback shall be established depending on site characteristics.

The proposed development, consisting of an enclosed area under a deck, is located on Trafalgar Canyon, one of seven canyons designated in the certified LUP as an Environmentally Sensitive Habitat Area (ESHA). The residence was constructed prior to enactment of the Coastal Act and there are no permits on file for development at this location prior to 5-94-017 (Colucci). The coastal canyons are designated as ESHAs because they contain remnants of coastal sage/chaparral and riparian communities. However, there is no native vegetation in the rear yard portion of the lot affected by the development because the rear yard area was already developed with a patio and deck.

The deck which was replaced in permit 5-94-017 was 25 feet long by 14 feet wide. The proposed enclosed storage area will be located within the footprint of the existing deck. The proposed storage area and deck conform with subsection (b) of the City of San Clemente Coastal Canyon Preservation policy which states that new development shall be set back a minimum of 30% of the depth of the lot, 15 feet from coastal sage scrub or not less than 50 feet from riparian vegetation. The proposed development conforms with the 30% depth of lot line, is 15 feet from any coastal sage scrub, and is not less than 50 feet from riparian vegetation. Therefore, the proposed development conforms with subsection "b" of the City of San Clemente's coastal canyon preservation policy.

In addition, the area at the top of slope where the development is proposed is degraded and has been utilized for residential purposes in that the top of slope area had been graded, a concrete patio installed and later a deck constructed over the patio. In coastal development permit 5-94-017 the Commission approved the placement of a deck extending out over the top of slope. The Commission also approved the placement of caissons and deck supports at and beyond the top of slope, to stabilize the residence foundation and to support the new deck.

The Commission has approved ancillary improvements on coastal canyons so long as the development conforms with the 30% depth of lot line and other requirements of subsections "a", "b" or "c" of the Coastal Canyon Preservation Policy. In this case the proposed grading and enclosure conforms with subsection "b" and is within the footprint of the existing deck. Additionally, the development will not result in the disturbance or removal of native vegetation and will not result in a canyonward encroachment of development. Therefore, the proposed development conforms with prior Commission actions and the canyon preservation policies of the certified LUP.

The proposed development will have no affect on coastal resources. No vegetation has been removed as a result of the grading and construction of an enclosed storage area under the deck. The size of the deck remained the same

and the area beneath the deck was developed with a concrete slab when the 1994 application was approved. Finally, the enclosed area beneath the deck is not constructed for living space and will be utilized for storage. No access is available from the interior of the residence.

However, the proposed development does involve construction adjacent to an Environmentally Sensitive Habitat area. In order to prevent any adverse impacts to the existing vegetation in the area, the Commission finds that the applicant shall not store any construction materials on the canyon slope and shall remove any construction materials at the termination of construction. Therefore, special condition 2 of permit 5-94-017 remains in effect. Only as conditioned does the Commission find that the proposed development conforms with Section 30240 of the Coastal Act.

#### C. Local Coastal Program

Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act.

The Commission certified the Land Use Plan for the City of San Clemente on May 11, 1988 and amended it in November 1995. The proposed development, as conditioned, is consistent with the policies contained in the certified Land Use Plan. Therefore, approval of the proposed development will not prejudice the City's ability to prepare a Local Coastal Program for San Clemente that is consistent with the Chapter 3 policies of the Coastal Act as required by Section 30604(a).


#### D. California Environmental Quality Act

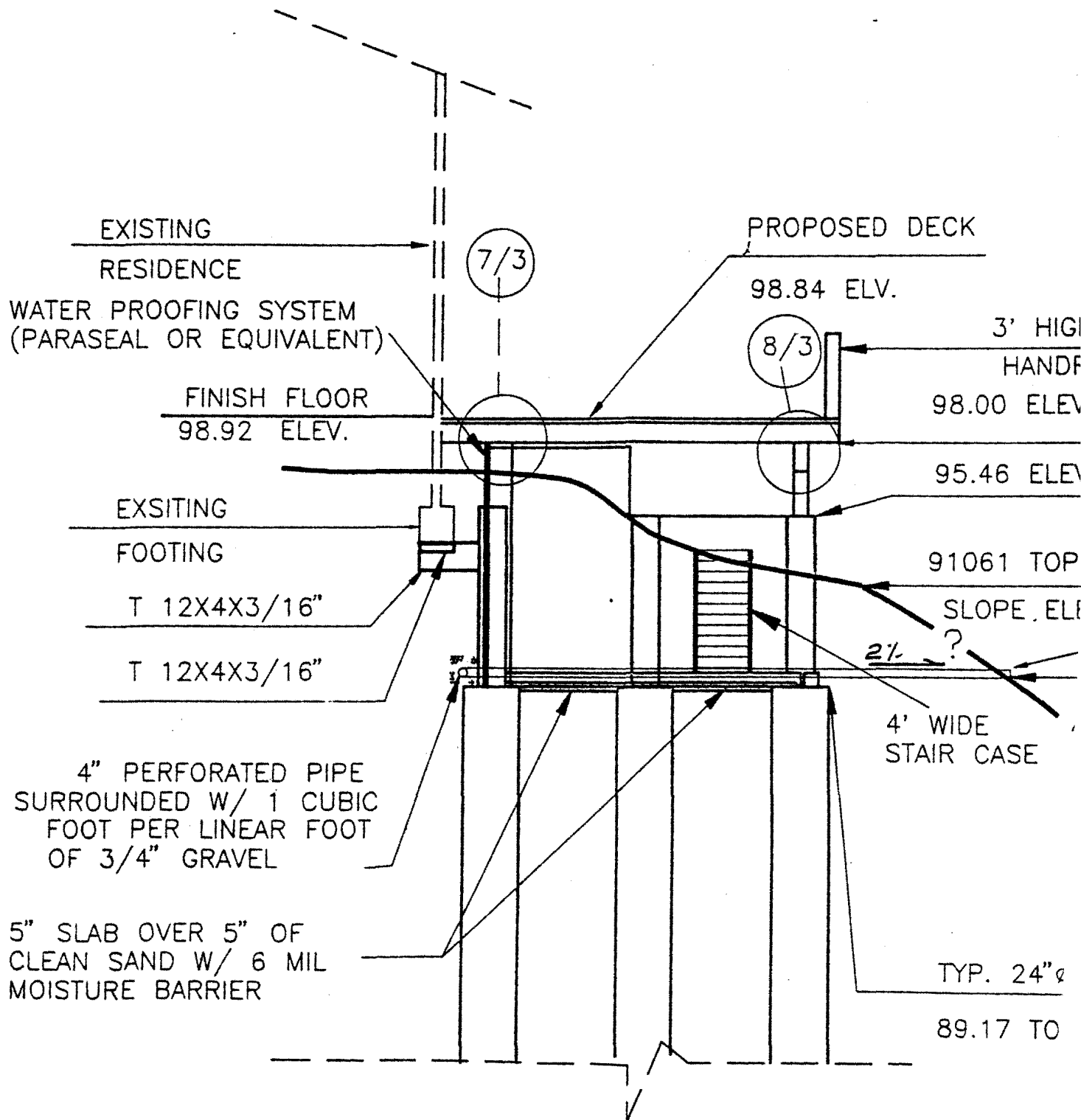
Section 13096 of the California Code of Regulations requires Commission approval of Coastal Development Permit application to be supported by a finding showing the application to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

The proposed project, as conditioned, has been found consistent with the Chapter 3 resource protection policies of the Coastal Act. There are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

NO SCALE

SITE

EXHIBIT NO. 1
APPLICATION NO. 5-94-017A
VICINITY
 California Coastal Commission



SEC. 1

SCALE 1" =

EXHIBIT NO. 2
APPLICATION NO. 5-94-017A
DECK PLAN
California Coastal Commission

SIMPSON U24  
HANGER.

22"

18"

Existing 2"x12" joists @ 16" o.c.

84"

72"

32"

36"


Pressure  
Treated  
Wood

Existing 12" concrete retaining wall  
new 2"x4" wall to enclose storage area  
slabs 16" o.c. with 1/2" anchors @ 32" o.c.

8'1"

Existing 6" concrete slab

new 2"x4" rafters  
24" o.c.  
3 on 12 pitch  
1/2" ply roof sheathing  
6" @ 6" Boundary Nailing  
6" Edge Nailing  
12" Field Nailing  
Composition Roofing  
Class "A" over  
30lb felt.

EXHIBIT NO. <b>3</b>
APPLICATION NO. <b>S-94-017A</b>
<b>SITE PLAN</b>
 California Coastal Commission



**CALIFORNIA COASTAL COMMISSION**

SOUTH COAST AREA  
245 W. BROADWAY, STE. 280  
P.O. BOX 1450  
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Th 6p  
Filed: 02-08-94  
49th Day: 03-29-94  
180th Day: 08-07-94  
Staff: RMR-LB **RMR**  
Staff Report: 04-27-94  
Hearing Date: May 10-13, 1994  
Commission Action:

**STAFF REPORT: REGULAR CALENDAR****APPLICATION NO.: 5-94-017****APPLICANT: Don Colucci****AGENT: Peter & Associates****PROJECT LOCATION: 124 Trafalgar Lane, City of San Clemente, Orange County**

**PROJECT DESCRIPTION:** Demolition and removal of an existing deck, installation of nine (9) concrete caissons to stabilize the existing foundation and support the proposed wooden deck, and construction of a new wooden deck. Grading consists of 110 cubic yards of cut and 17 cubic yards of fill.


Lot area:	NA
Building coverage:	NA
Pavement coverage:	NA
Landscape coverage:	NA
Parking spaces:	NA
Zoning:	Multiple Family Residential (R3)
Plan designation:	Medium High Density Residential
Project density:	NA
Ht abv fin grade:	NA

**LOCAL APPROVALS RECEIVED:** Approval in concept by the Community Development Department of the City of San Clemente.

**SUBSTANTIVE FILE DOCUMENTS:** City of San Clemente Certified Land Use Plan, Coastal Development Permits 5-93-058 (Charley), 5-93-293 (Rieniets), 5-93-031 (Chrislip), 5-91-323 (Berger), 5-93-202 (Anhorn)

**SUMMARY OF STAFF RECOMMENDATION:**

Staff recommends the Commission approve the proposed project with special conditions pertaining to revised plans, placement of construction materials, and geologic recommendations.

<b>EXHIBIT NO. 4</b>
<b>APPLICATION NO. 5-94-017A</b>
<b>ORIGINAL STAFF REPORT</b>
 <b>California Coastal Commission</b>

**STAFF RECOMMENDATION:**

The staff recommends that the Commission adopt the following resolutions:

**1. Approval with Conditions**

The Commission hereby grants a permit for the proposed development, subject to the conditions below, on the grounds that, as conditioned, the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act. The project is not located between the sea and the first public road.

**II. 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 this permit is reported to the Commission. 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 in the application for permit, subject to any special conditions 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 project during its development, 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.

### III. Special Conditions

#### 1. Revised Plans

Prior to issuance of the coastal development permit, the applicant shall submit for the review and approval of the Executive Director revised construction plans showing that the enclosed room beneath the deck and associated grading have been eliminated.

#### 2. Placement of Construction Materials

Prior to issuance of the coastal development permit, the applicant shall agree in writing that no construction materials, dirt or machinery shall be stored on the canyon slope beyond the footprint of the proposed deck during construction.

#### 3. Geologic Recommendations

All recommendations contained in the Geologic Report dated October 21, 1993 and letters dated February 8, 1994 and February 23, 1994 by Peter and Associates, shall be incorporated into all final design and construction including foundations and drainage. All plans must be reviewed and approved by the consultants prior to commencement of development. Prior to issuance of the coastal development permit the applicant shall submit, for review and approval of the Executive Director, final design plans signed by the consultant incorporating the recommendations made in the referenced report.

The final plans approved by the consultant shall be in substantial conformance with the plans approved by the Commission relative to construction. Any substantial changes in the proposed development approved by the Commission which may be required by the consultant shall require an amendment to the permit or a new coastal permit.

### IV. Findings and Declarations

The Commission hereby finds and declares:

#### A. Project Description and Location

The applicant is proposing to demolish and remove a wooden deck, install caissons and a foundation stabilization system, and construct a new wooden deck. The project is located on Trafalgar Canyon, one of seven canyons designated in the certified LUP as an Environmentally Sensitive Habitat Area (ESHA). The residence was constructed prior to enactment of the Coastal Act and there are no permits on file for development at this location. Aerial photographs taken in the 1970's and 1980's show that there was a deck at the rear yard of the residence.

The residence is located in the eastern inland portion of Trafalgar Canyon close to El Camino Real and the San Diego Freeway (see Exhibit 1). The canyon commences where a 60 inch reinforced concrete pipe outlets west of an alley prior to El Camino Real St. (see Exhibit 2). From the mouth of the pipe west

the canyon is deeply incised from urban runoff. Vegetation in the canyon consists of both native and introduced vegetation. All proposed development is within the 30% canyon setback (see Exhibit 3).

The applicant's project description in the permit application calls for removal and replacement of an existing storm-damaged patio deck structure and stabilization of the rear house foundation. However, the applicant's plans also show that an enclosed room is proposed underneath the rear yard deck (see Exhibit 4). The previous wooden deck has been demolished.

#### **B. Geologic Hazard**

Section 30253 of the Coastal Act states:

New development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

A geologic report was prepared by Peter and Associates on October 21, 1993. Additional letters were provided by the consulting geologists on February 8, 1994 and February 23, 1994.

The October 21, 1993 geological report states that the rear portion of the residence is located 50 feet from the southern bank of the drainage, which drops 15 feet to the flowline of the canyon drainage. The drainage in this portion of the canyon is deeply incised due to runoff scour and the canyon walls are near vertical. There is very little vegetation on the channel bottom or banks.

The February 23, 1994 letter was submitted with a request for an emergency permit, which was not granted by the Executive Director. In this letter, the consulting geologist states that there is evidence of cracking and separation on the rear house wall and also evidence that the rear area has settled approximately 6 inches. In addition, the consultant states:

The rear yard area and the rear wall of the house is underlain by approximately 15 feet thick unsuitable non-marine terrace deposits. Settlement of the unsuitable collapsible silty clay material is considered the primary culprit causing the distress observed at the site. The January/February 1993 heavy rain caused substantial settlement of the underlying materials, and severe distress to the structures occurred.

Without mitigation, additional settlement and lateral movement will happen, and additional distress to the residential unit will occur.

To address the potential safety problems the consulting geologist has recommended that nine 24 inch in diameter 12 foot deep caissons be installed (see Exhibit 4). The caissons closest to the perimeter foundation of the residence will also underpin the foundation of the residence.

The geologic report concludes that the rear portion of the residence can be repaired and the new deck constructed provided the work is conducted according to geologic recommendations. For this reason, the Commission finds that the applicant shall submit plans signed and stamped by the consulting geologist. Only as conditioned does the proposed development conform with Section 30253 of the Coastal Act.

**C. Environmentally Sensitive Habitat Area**

Section 30240 of the Coastal Act states:

- (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.
- (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

San Clemente's Certified Land Use Plan states:

In most cases, coastal canons are designated for nature open space, which limits potential development and helps to ensure preservation.

The Coastal Canyon Preservation Policy states:

New development shall not encroach into coastal canyons and shall be set back either:

- a. a minimum of 30% of the depth of the lot, and not less than 15 feet from the canyon edge; or
- b. a minimum of 30% of the depth of the lot, and set back from the primary vegetation line (not less than 15 feet from coastal sage scrub vegetation or not less than 50 feet from riparian vegetation); or
- c. in accordance with house and deck/patio stringlines drawn between the nearest corners of the adjacent structures.

The development setback shall be established depending on site characteristics.

The proposed development is located adjacent to Trafalgar Canyon, one of seven coastal canyons in the City of San Clemente designated as ESHAs. There are existing residences on either side of the residence and across the canyon. As with most other coastal canyons, the vegetation on site consists of a mixture of native coastal plants and introduced non-native plants and trees.

The residence and deck pre-date the Coastal Act. Prior to submittal of an application, the wooden deck was demolished. The geologic report of October 21, 1993 states that the slope underneath the former deck was devoid of vegetation. In addition, the geologist's letter of February 8, 1994 states that no construction will occur outside the limits of the original deck. Therefore, no vegetation is proposed to be removed.

The October 21, 1993 geologic report states that the residence is located 7 feet from the top of northwesterly facing slope (see Exhibit 5). This northwesterly slope descends 50 feet and terminates in a 15 foot high bluff cut by the Trafalgar Canyon drainage. Both the former deck and the proposed deck extend 15 feet from the residence out over the top of slope.

The three LUP canyon preservation policies are guidelines for development on coastal canyons. The applicable policies for this project are policy "a" and "b". Policy "c" is not applicable because the pattern of development and location of the lots is not conducive to stringlines. In past development on coastal canyons, the stringline policy has been used for development on lots which are wide rather than deep. In addition, the site plan submitted by the applicant shows that due to the configuration of the adjoining residences, a stringline would be impractical. The policy on deep lots has been the 30% depth of lot setback line and setbacks from vegetation.

In permit 5-92-058 (Charley) the Commission approved the placement of a deck at the rear yard of a residence on a coastal bluff. The underlying reasoning was that historically there had been a deck attached to the residence. In other permit actions on development on coastal canyons, the Commission has allowed the placement of 3 foot walls, decks, and fences within the 30% depth of lot setback in cases where there was no disturbance or removal of native coastal vegetation.

In this instance, the applicant is proposing to sink 9 caissons to support the residence foundation and proposed new deck. The prior deck was demolished. The applicant has submitted photographs of the deck prior to demolition. Staff has reviewed the historic aerial photographs in the Commission office and determined that there was a deck attached to the residence as far back as the late 1970's. The residence itself predates the Coastal Act. The consulting geologist has submitted written evidence that the construction will take place within the footprint of the former deck area. Plans submitted by the applicant show that the development is well within the 30% depth of lot setback. The consulting geologist also states that the development will not "change, alter, or interrupt the original drainage nor landscape."

The proposed deck will be situated in the location of the former deck, is within the 30% depth of lot line, is 50 feet from the riparian corridor, and will not involve the removal of terrestrial vegetation. However, the plans submitted by the applicant indicate that a room will be constructed under the deck. The applicant is proposing 110 cubic yards of cut and 17 cubic yards of fill in order to construct this room. The deck extends out over the top of slope as identified in Exhibit 5. Ordinarily, new development would be set back from the top of slope as stated in policy "a" which reads: "a minimum of 30% of the depth of the lot, and not less than 15 feet from the canyon edge;". The Commission finds that replacement of the deck is an allowable

use, however, creation of a new enclosed area under the deck would not be in conformance with the canyon setback policies of the certified LUP, would set a precedent for residential encroachment into the canyons, and would not conform with Section 30240 of the Coastal Act. Therefore, the Commission finds that the applicant shall submit revised plans for the review and approval of the Executive Director illustrating that the room under the deck is removed and that no grading will be conducted.

Section 30240 of the Coastal Act states that ESHAs shall be protected against significant disruption of habitat values and that development be designed to prevent impacts which would degrade these areas. The proposed development will take place in the footprint of the former deck. The consulting geologist has stated that no work will be conducted outside the limits of the original deck. Grading is proposed in the area under the house and under the former deck. No vegetation will be removed or impacted by this construction. However, in order to ensure that vegetation beyond the proposed deck is not impacted by construction, the Commission determines that the applicant shall not conduct any grading beyond the scope of the project nor shall stockpile construction materials or place dirt canyonward of the footprint of the proposed deck.

Only as conditioned for placement of construction materials and elimination of both the enclosed room and grading does the Commission find that the proposed development conforms with Section 30240 of the Coastal Act and the canyon preservation policies of the certified LUP.

#### D. Local Coastal Program

Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act.

The Commission certified the Land Use Plan for the City of San Clemente on May 11, 1988. Among the policies contained in the certified LUP are those discussed in the preceding sections regarding the proposed development. Previous findings have demonstrated the project's consistency with Chapter 3 of the Coastal Act. It has also been shown that the proposal is consistent with the certified land use plan which includes these Chapter 3 policies. Therefore, the Commission finds that the project approval would not prejudice the ability of the City to prepare a certifiable LCP for the City of San Clemente.

#### E. CEQA

Section 13096(a) of the Commission's administrative regulations requires Commission approval of Coastal Development Permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

The project is located in a coastal canyon. This development will not result in adverse impacts to native vegetation. The Commission has included special conditions regarding submittal of revised plans, conformance with geologic recommendations, and placement of construction materials. The proposed project as conditioned is the least environmentally damaging alternative. Therefore, the Commission finds that the proposed project is consistent with CEQA and the policies of the Coastal Act.

1728F



# LOCATION MAP

124 TRAFALGAR LN.  
SAN CLEMENTE, CALIF.

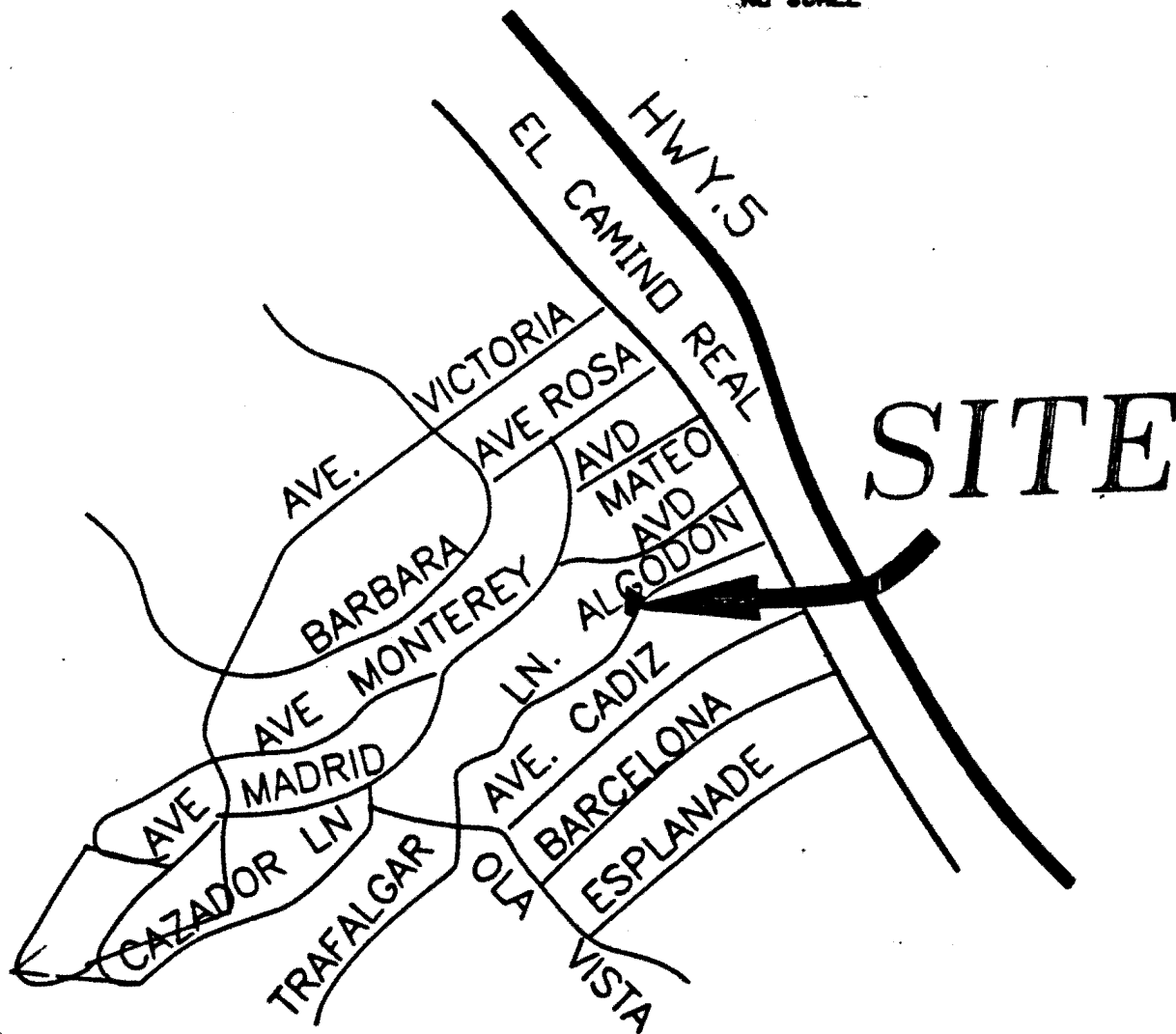

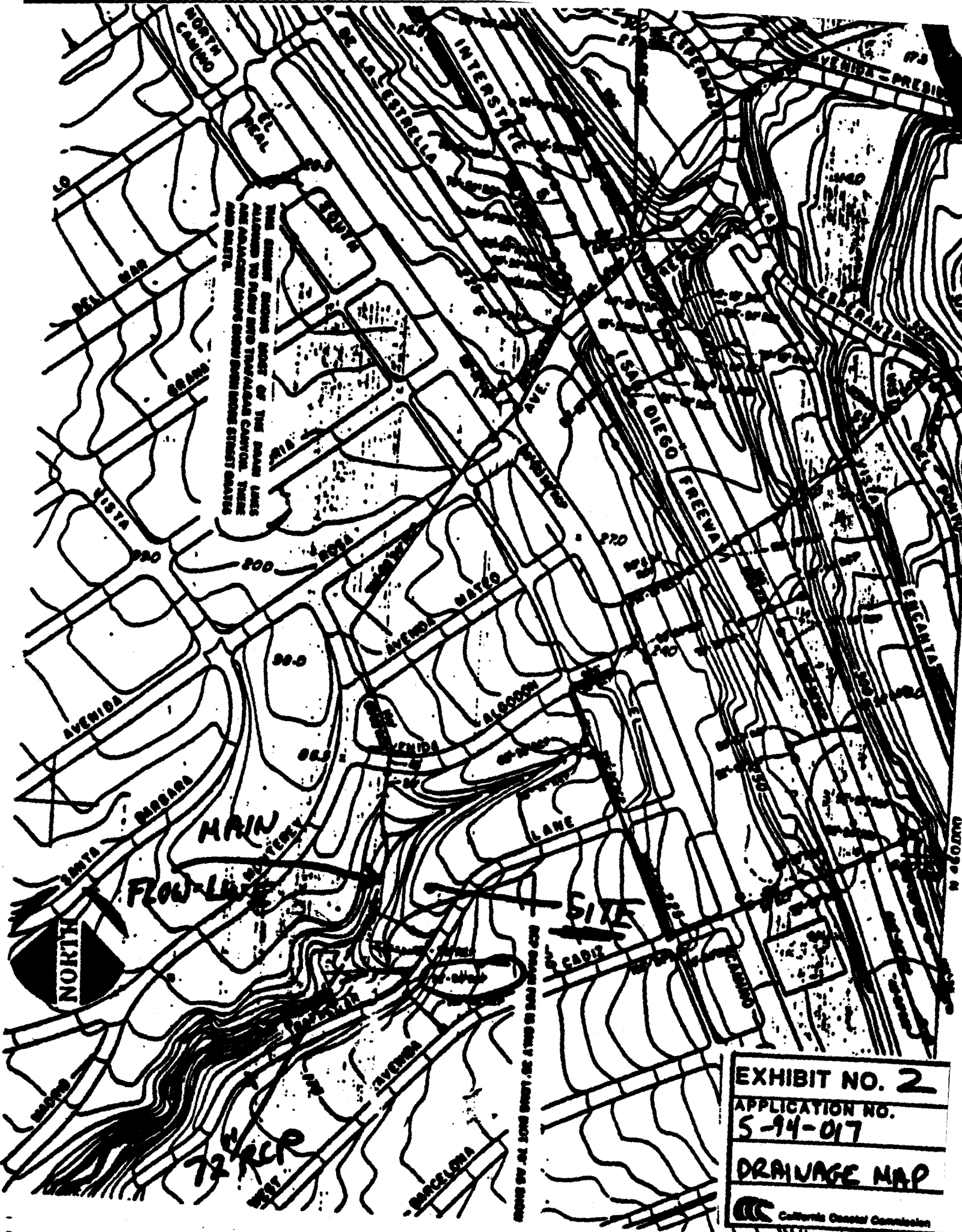
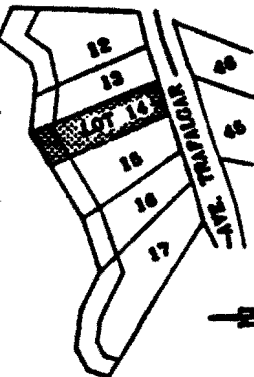


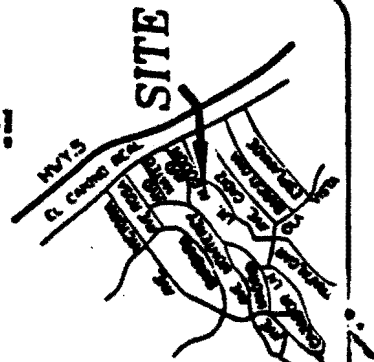
EXHIBIT NO. 1
APPLICATION NO. 5-94-017
VICINITY
 California Coastal Commission



## TRACT NO. 822, BLOCK 1, LOT 14,



124 TRAFALGAR LN  
SAN CLEMENTE, CALIF.



# SITE PLAN

APPLICATION NO.  
5-94-017

# SITE PLAN

**California Coastal Commission**

## CONSTRUCTION MANAGEMENT!

- [illegible]

**2019-2020**

**CUT: 110.00 C.Y.**

**Full: 17.00 C.Y.**

# THE

**EXPORT: 80.5 C.Y.**

30% (ann)  
Setback  
Line

**SECRET**

## TABLE OF CONTENT

DATE: 11/1/68  
TIME: 11:00 AM  
LOCATION: 11111  
NAME: 11111

**SHEET 2. TERMINATING SLACKERAYNES PLAN  
AND CROSS SECTIONS**

**NOTE 3: STRUCTURAL DETAILS & GENERAL NOTES**

**DIVIDER / CLIENT:**

MARIANA GILBERT  
 124 NW. WALTON  
 SAN CLEMENTE, CA  
 92672  
 (714)381-0292

**PROJECT ADDRESS :**

110 Ave. Washington  
San Clemente, CA  
92672

DESIGN ENGINEER/ PE 19  
CIVIL ENGINEER/ 34  
SONL ENGINEER/ 17  
GEOLOGIST.

**DESIGN ENGINEER/  
CIVIL ENGINEER/  
SOIL ENGINEER/  
GEOLOGIST:**  
PETER & ASSOCIATES, INC.  
1509 CALLE VALLE  
SAN CLEMENTE, CA 95062  
(714) 492-3735

## LEGEND

- EXISTING BLOCK WALL  
PROPERTY LINE  
EXISTING FOUNDATION LINE  
SLOPE  
LINE OF PREPARED DECK  
EXISTING BRICK PATIO  
RETAINING AND SRETABLE

**NOTES/EXISTING CONDITIONS**

1. **CONSTRUCTING THE PROPOSITIONAL**
2. **PROPOSITIONS TYPE AND THE NEW VARY**

## REVIEWS

## REVISIONS

## EXISTING SITE PLAN

23 MAY 1963

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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1330763 NOV 1

**PETER and ASSOCIATES**

RECEIVED

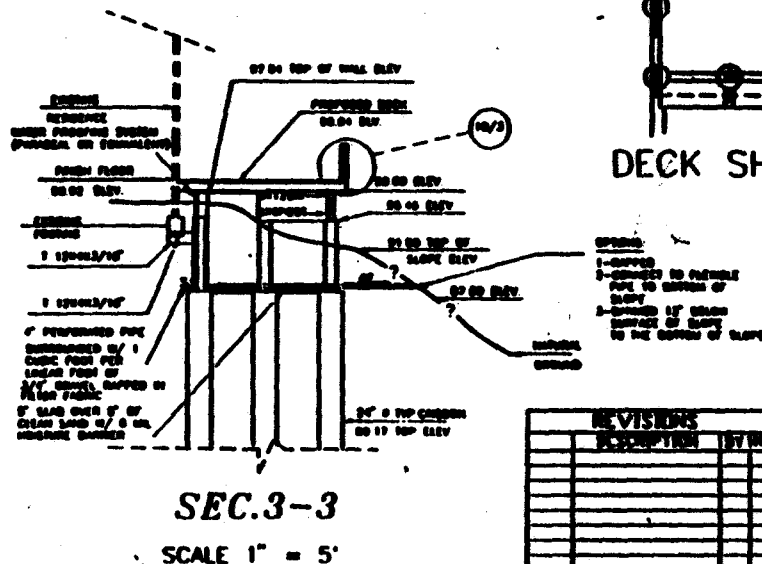
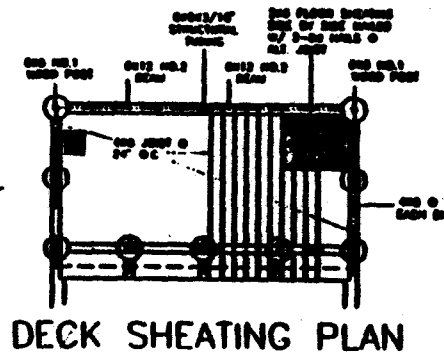
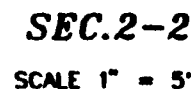
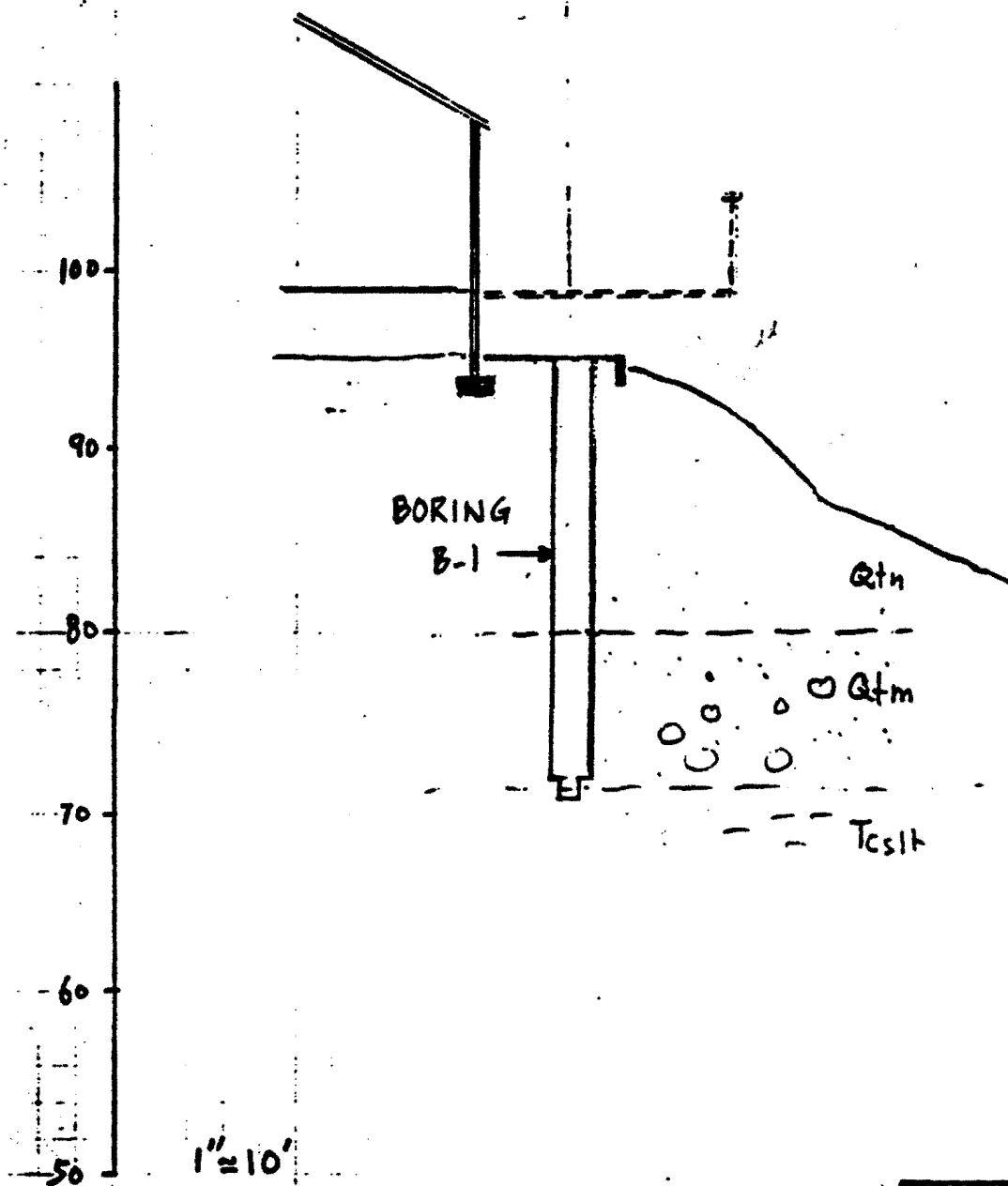

[illegible]

EXHIBIT NO. 4  
APPLICATION NO.  
S-94-017  
CHSS005



## TYPICAL CROSS SECTION

<b>EXHIBIT NO. 5</b>
APPLICATION NO. <b>5-94-017</b>
<b>SECTION</b>
 California Coastal Commission

**FIGURE 2**

<b>COLUCCI RESIDENCE</b>		JOB NUMBER <b>9363205</b>	Drawn by <b>LAN</b>
<b>124 AVE. TRAFALGAR, SAN CLEMENTE, CALIFORNIA</b>		CLIENT <b>DON COLUCCI</b>	CHECKED BY
<b>PETER &amp; ASSOCIATES</b>		DATE <b>8/93</b>	REVISED
1519 CALLE VALLE SAN CLEMENTE CALIF. ENGINEERS GEOLOGISTS & SURVEYORS, INC.		SCALE	SHEET OF

