

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

3111 CAMINO DEL RIO NORTH, SUITE 200

SAN DIEGO, CA 92108-1725

(619) 521-8036



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Permit Application No. 6-97-117/DL

Date November 13, 1997

ADMINISTRATIVE PERMIT

APPLICANT: Louise Hay

PROJECT DESCRIPTION: Construction of a 590 sq.ft. detached accessory living unit over a new approximately 610 sq.ft. 2-car garage on a 1 acre lot with an existing 2-story, approximately 4,929 sq.ft. single-family residence. Approximately 430 cubic yards of grading will be required.

PROJECT LOCATION: 1568 Highland Drive, Solana Beach, San Diego County. APN 298-510-01.

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: December 10, 1997
10:00 a.m., Wednesday

LOCATION: Marin County Brd. of Supervisors Chambers
Administrative Building Room 322
Marin County Civic Center
San Rafael, 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: Diana J. [Signature]

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 590 sq.ft. detached accessory living unit over a new, approximately 610 sq.ft. 2-car garage. Under the City of Solana Beach zoning ordinance, the proposed project is considered an accessory living unit, rather than a guesthouse, because the unit includes kitchen facilities. The garage/accessory unit would be located on a 1 acre lot currently developed with an existing 2-story, approximately 4,929 sq.ft. single-family

residence (approved under CDP #F6450). Approximately 430 cubic yards of grading will be required, with 50 cubic yards of export. Because an export site has not yet been identified, Special Condition #1 requires the applicant to identify the location of export site and ensure that all required permits for the site have been received. The subject site is located on the northwest side of Highland Avenue, south of Lomas Santa Drive and east of Interstate 5, in the City of Solana Beach.

Section 30250(a) of the Coastal Act requires that new residential development be located where adequate public services are available and where it will not have significant adverse impacts on coastal resources. Section 30252 requires that adequate parking for new development be provided. The site is planned and zoned for Estate Residential use in the City of Solana Beach, which allows one dwelling unit per acre. The site is also designated for 1 unit per acre residential development in the previously certified County of San Diego Local Coastal Program, which is used for guidance in the City of Solana Beach. Accessory living units are permitted in the City of Solana Beach if the site has a minimum of area of 6,000 sq.ft., the accessory unit is between 350 and 640 sq.ft., and the structure is "attached" to the principal structure on the site, which can include a detached garage. The City also requires that occupancy of the unit be limited to two people, at least one of whom must be a member of the primary occupant's family, or at least 60 years old, or handicapped. One additional off-street parking space must be provided.

The proposed unit is consistent with the City's regulations. There are currently three parking spaces on the site, and two additional spaces are proposed; thus, there will be adequate parking on the site. Although the proposed development represents a density of 2 dwelling units per acre, the project is consistent with the zoning and land use designations since the accessory unit is allowed by right, within the guidelines adopted by the City. The Commission has approved numerous second units subject to the provisions of State Law pertaining to second units, and finds that in this case, the proposed accessory unit is consistent with past Commission action and the State laws governing second units. The project site is located in an area where all typical urban services such as water and sewer are available, and the surrounding infrastructure of the community will be able to accommodate the increased density of development resulting from the project. The site is located on the east side of Interstate 5 in an area that does not have the potential to impact beach or public recreation parking. Thus, the proposed density does not in itself raise any coastal access issues, and the project can be found consistent with Sections 30250(a) and 30252 of the Coastal Act.

Section 30251 of the Coastal Act provides for the protection of scenic coastal resources and for the compatibility of new and existing development. The site is located within an established residential neighborhood consisting of large-scale single-family residences. The proposed structure will be compatible in size and scale with the surrounding development. The subject site is not located within any of the special overlay areas identified in the County LCP, is not visible from Interstate 5 or any other designated coastal access routes or scenic corridors. Although the site will require construction on slopes greater than 25% in grade, the slopes are landscaped with non-native exotic plants and are not contiguous with a larger

native plant community. Therefore, the project will not have an adverse visual impact on the community and the project can be found consistent with Section 30251 and all other applicable Chapter 3 policies of the Coastal Act. Approval of the project will not prejudice the ability of the City of Solana Beach to prepare a certified local coastal program.

SPECIAL CONDITIONS: : 1. Disposal of Graded Spoils. Prior to the authorization to proceed with development, the applicant shall identify the location for the disposal of graded spoils. If the site is located within the coastal zone, a separate coastal development permit or permit amendment shall first be obtained from the California Coastal Commission or its successors in interest.

2. Accessory Apartments. The applicant shall comply with City of Solana Beach zoning ordinance Section 17.20.040 (D) and the definition of accessory living unit contained in that ordinance. No portion of the accessory unit shall be used as a second separate dwelling unit or as any status other than an accessory living 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

(7177R)