

CALIFORNIA COASTAL COMMISSION

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STAFF REPORT AND RECOMMENDATION**ON CONSISTENCY DETERMINATION**

Consistency Determination No.	CD-023-97
Staff:	JRR-SF
File Date:	2/27/97
45th Day:	4/13/97
60th Day:	4/28/97
Commission Meeting:	4/8/97

FEDERAL AGENCY: U.S. POSTAL SERVICE**DEVELOPMENT****LOCATION:**

Intersection of El Camino Real and Garden View Road,
City of Encinitas, San Diego County (Exhibit 1)

DEVELOPMENT**DESCRIPTION:**

Construction of a new post office (Exhibit 2)

SUBSTANTIVE FILE DOCUMENTS:

1. CD-046-87, Consistency Determination by U.S. Postal Service for construction of a post office in Encinitas.

EXECUTIVE SUMMARY

The U.S. Postal Service submitted a consistency determination for constructing a post office at the intersection of El Camino Real and Garden View Road, City of Encinitas. The Commission previously approved a post office at this location, CD-46-87, in 1987.

The Postal Service never constructed that facility. The revised proposal expands the size of the post office from 21,895 square feet to 32,044 square feet. The consistency determination for the original post office is still valid and the new submittal would amend the original consistency determination to allow for the larger facility.

The major issue raised by the original consistency determination for this project was protection of prime agricultural land. However, the previous land owner and the Postal Service resolved that issue through the use of a deed restriction protecting other agricultural land. The postal office is located inland from the shoreline in an urban area that is capable of accommodating it. Additionally, the proposed post office will not affect visual resources of the coastal zone. The development of a post office on this site will not increase traffic in manner that affects access to the shoreline. Finally, the project will not affect environmentally sensitive habitat areas and the Postal Service will use best management practices to control runoff. Therefore, the Commission finds that the project is consistent with the agricultural, concentration of development, visual, access, habitat, and water quality policies of the California Coastal Management Program (CCMP).

STAFF SUMMARY AND RECOMMENDATION:

I. Project Description.

The Postal Service proposes the construction of a 32,044 square-foot post office, located at the intersection of El Camino Real and Garden View Road, City of Encinitas. In addition, the facility includes customer, employee, and carrier parking and a loading dock.

II. Status of Local Coastal Program.

The standard of review for federal consistency determinations is the policies of Chapter 3 of the Coastal Act, and not the Local Coastal Program (LCP) of the affected area. If the Commission certified the LCP and incorporated it into the CCMP, the LCP can provide guidance in applying Chapter 3 policies in light of local circumstances. If the Commission has not incorporated the LCP into the CCMP, it cannot guide the Commission's decision, but it can provide background information. The Commission has fully incorporated the Encinitas LCP into the CCMP.

III. Federal Agency's Consistency Determination.

The Postal Service has determined the project to be consistent to the maximum extent practicable with the California Coastal Management Program.

IV. Staff Recommendation:

The staff recommends that the Commission adopt the following resolution:

A. Concurrence.

The Commission hereby **concurs** with the consistency determination made by the Postal Service for the proposed project, finding that the project is consistent to the maximum extent practicable with the California Coastal Management Program.

V. Findings and Declarations:

The Commission finds and declares as follows:

A. Agricultural Resources. Section 30241 of the Coastal Act provides that:

The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:

(a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.

(b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.

(c) By permitting the conversion of agricultural land surrounded by urban uses where the conversion of the land would be consistent with Section 30250.

(d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.

(e) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.

(f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b), and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.

Section 30250(a) of the Coastal Act provides that:

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

The original consistency determination for this project raised agricultural issues. The proposed post office site was part of a larger agricultural preserve. The Commission approved a permit for the subdivision of the property, allowing for the creation of this post office site. However, that permit contained conditions requiring the placement of a deed restriction over the other property protecting its agricultural value. The original property owner has properly recorded that deed restriction. Additionally, since the previous consistency determination, the City of Encinitas has annexed the project site, and has adopted a Local Coastal Program (LCP), which the Commission has certified and incorporated into the CCMP. That LCP zones this area for urban development including commercial and residential uses. Additionally, the LCP identifies the Green Valley area (which includes the post office site) as an area for concentration of development to preserve remaining agricultural lands. The City has allowed other urban development in this area and has developed the services necessary to support this type of development. Therefore, the Commission finds that the proposed post office is in an area that is capable of accommodating it and will not adversely affect agricultural resources. Therefore, the Commission finds that the proposed project is consistent with the agricultural and concentration of development policies of the CCMP.

B. Visual Resources. Section 30251 of the Coastal Act provides that:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

The proposed post office is located inland from the shore and will not affect views of coast. Additionally, the Postal Service will construct the facility in an already developed area that includes other commercial and residential uses. Therefore, the proposed post office is visually consistent with the surrounding area. In conclusion, the Commission finds that the proposed project is consistent with the visual resource policy of the CCMP.

C. Habitat and Water Quality Resources. Section 30231 of the Coastal Act provides that:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30240 of the Coastal Act provides that:

(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.

(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 those areas, and shall be compatible with the continuance of those habitat and recreation areas.

Historically, the proposed project site was used for agricultural purposes and any habitat values on the site was eliminated by that activity. Therefore, the site does not contain any habitat for endangered, threatened, or otherwise sensitive species. There is a strand of pine trees located on the southern border of the site on an adjacent property, which the project will not affect. Although the project is near a creek that drains into Batiquitos Lagoon, the Post Office will not affect the water quality of the stream or the lagoon. The project site is relatively flat and with adequate runoff control, as is proposed by the Postal Service, the project will not degrade the water quality of the stream. Therefore, the Commission finds that the project is consistent with habitat and water quality policies of the CCMP.

D. Access. Section 30210 of the Coastal Act provides that:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30252 of the Coastal Act provides, in part, that:

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads

The project site is approximately two miles from the shoreline and is not located on a road that provides direct access to the beach. Additionally, project is inland of Highway 5. Therefore, any effect that the project has on traffic or parking will not affect access to the shoreline. In conclusion, the Commission finds that the project is consistent with the access policies of the CCMP.

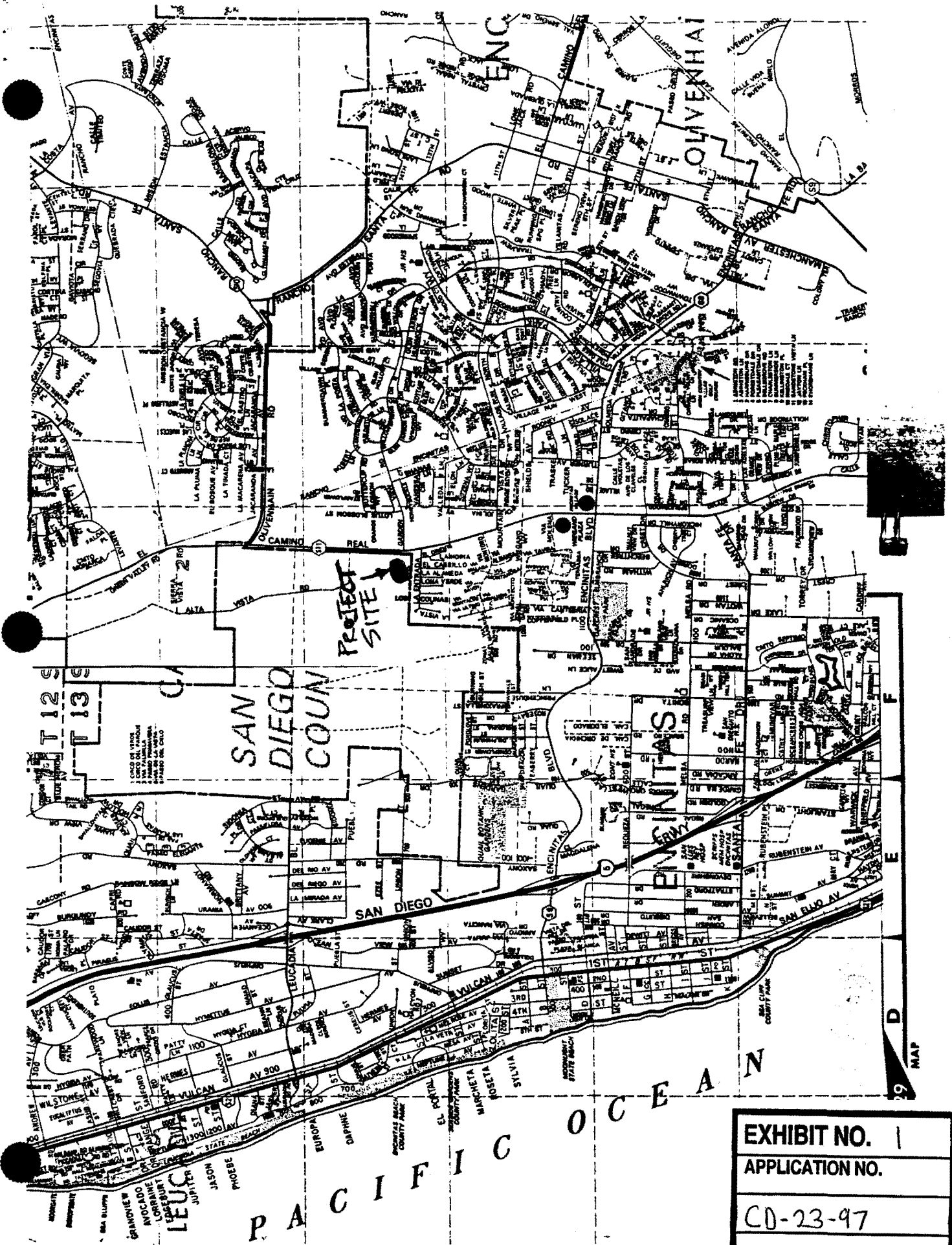


EXHIBIT NO. 1
APPLICATION NO.
CD-23-97

EXHIBIT NO. 3

APPLICATION NO.

C0-23-97

