

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. 6-97-24/DLDate April 24, 1997ADMINISTRATIVE PERMIT

APPLICANT: Abe and Pammi Oswal

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PROJECT DESCRIPTION: Construction of a 2-story, 5,599 sq.ft. single-family residence with 1,087 sq.ft. of attached garages and a detached gazebo with 980 sq.ft. of balanced grading on a 2.86 acre lot.

PROJECT LOCATION: Lot 10, Stonebridge Court, Rancho Santa Fe, San Diego County.
APN 262-192-10.

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: May 14, 1997 LOCATION: Radisson Hotel - Santa Barbara
9:00 a.m., Wednesday 1111 E. Cabrillo Boulevard
Santa Barbara, 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 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, 5,599 sq.ft. single-family residence with 1,087 sq.ft. of attached garages and a detached gazebo. The 2.86 acre vacant lot is located west of El Camino real, east of Stonebridge Lane, in the Rancho Santa Fe area of the County of San

Diego. The site consists of a previously graded pad on the upper, northwestern portion of the site, which slopes gently down to the southeast. The site is covered by a variety of native grasses and shrubs. There is a small area on the northeastern portion of the site which contains steep slopes. Grading on the site to create a terraced lawn area would involve approximately 980 sq.ft. of balanced cut and fill grading. Drainage improvements consisting of installation of two 4-inch diameter poly-vinyl chloride pipes discharging into rip-rap energy dissipaters would be installed on the northeast and south portions of the lot to direct drainage from the south side of the lot into an existing natural drainage channel on the site.

The parcel was created through the subdivision of a large 74-acre site approved by the Commission in July 1983 (CDP #6-83-314). The subdivision was approved with a variety of condition regarding open space, drainage, grading, coloring, etc., designed to address future development of the individual estate sites so as to avoid adverse impacts to the adjacent floodplain, downstream San Elijo Lagoon, and its viewshed.

Section 30231 and 30240 of the Coastal Act call for the protection of coastal waters and environmentally sensitive habitat areas. The subject site does not contain any wetland resources and does not directly abut the lagoon, although runoff from the site does eventually drain into the lagoon. The upper portion of the site drains towards the street, but the southern portion of the site drains into a natural drainage channel on the site and towards the lagoon. Currently, drainage on the site consists of sheet flow into this channel. The applicant is proposing to direct runoff from the roof of the proposed residence towards the street, and to construct drainage improvements including rip-rap energy dissipaters to capture drainage from the southern portion of the site. A drainage study submitted by the applicant indicates that the proposed energy dissipater will adequately reduce runoff from the site to a non-erosive velocity.

In its original approval of the subdivision, the Commission required that a deed restriction be recorded prohibiting the grading or erection of any structure on slopes greater than 25% in grade. The applicant has proposed to avoid any grading or alteration of the steep slope area, except for installation of the drainage improvements. However, because preliminary plans had indicated minor encroachments into steep slopes, Special Condition #1 requires the applicant to submit final plans showing that there will be no encroachment in the steep slope area.

To reduce the potential for erosion and sedimentation entering the lagoon during construction activities, Special Condition #1 also prohibits grading activities during the rainy season and ensures that the site will not remain in an unstabilized state during the rainy season. Thus, as conditioned, the project can be found consistent with Section 30231 and 30240 of the Coastal Act.

Section 30251 of the Coastal Act protects the scenic and visual quality of the coastal zone as a resource of public importance. The site is located on the upper portion of the hillside

at the east edge of San Elijo Lagoon, and development on the site will be fairly visible from the trails around the lagoon and from Manchester Avenue. The proposed structure will be two stories, a maximum of 30 feet in height. In order to reduce the visual impact of the residence, Special Condition #2 has been attached, which calls for earthen tone construction materials to be used for the exterior surfaces of the residence. In addition, the provision of landscaping is critical to mitigating the visual impact of the residence. Special Condition #3 requires the submittal of a landscape plan which, while not eliminating views from the residence, will break up the facade and monolith appearance of the structure from the surrounding scenic area. Therefore, as conditioned, the project will have only a minimal impact on the scenic resources of the area and can be found consistent with both Section 30251 of the Act and the Commission's original concern that development of the site be subordinate to the natural surroundings.

The site is located between the first coastal roadway and San Elijo Lagoon. Although no access to the lagoon reserve is provided either at this project site or in the subdivision, lateral access around the lagoon is available, as the lagoon area is an existing County public park. The County has developed trailheads for both pedestrian and equestrian users at other locations around the perimeter of the park. The proposed project will not adversely impact these existing access points. Because some development categories in this location require coastal development permits even though they are improvements to a single-family residence, Special Condition #4 notifies the applicant and any future successors in interest that future development may require coastal development permits.

The proposed single-family residence is consistent with the Estate land use designation (1 dwelling per 2 and 4 acres) contained in the certified County of San Diego LCP Land Use Plan. The subject site is located within the Coastal Resource Protection Area identified in the LUP. The CRP regulations were utilized in the original review of the subdivision to determine the appropriate lot development restrictions applied to the permit. As conditioned, the project is in conformance with those special area regulations of the certified LCP and is also consistent with the Chapter 3 policies of the Coastal Act. Therefore, approval, as conditioned, will not prejudice the ability of the County of San Diego to implement its certified Local Coastal Program.

SPECIAL CONDITIONS: 1. Final Plans/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, grading, and drainage plans approved by the County, and subsequently implemented, which specifically incorporate the following requirements:

- a. No grading or erection of any structures shall occur on slopes greater than 25% in grade as proposed in the revised plans submitted 4/21/97, other than for drainage improvements. Said drainage improvements shall be in substantial conformance with the submitted plans dated 4/9/97.

b. All grading activity shall be prohibited between October 1st and April 1st of any year.

c. All areas disturbed by grading shall be planted within 60 days of the initial disturbance and prior to October 1st 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.

2. Exterior Treatment. Prior to the authorization to proceed with development, the applicant shall submit for the review and approval in writing of the Executive Director a color board or other indication of the exterior materials and color scheme to be utilized in the construction of the proposed residence. Earth tones designed to minimize the project's contrast with the surrounding hillside shall be utilized.

3. Landscaping. Prior to the authorization to proceed with development, the applicant shall submit for the review and approval in writing of the Executive Director a detailed landscape plan indicating the type, size, extent and location of all plant materials, the proposed irrigation system and other landscape features, which shall be subsequently implemented. Drought tolerant plant materials shall be utilized to the maximum extent feasible. Special emphasis shall be placed on the treatment of landscaping along the northwest portion of the site designed to reduce the visual impact of the proposed residence as viewed from the adjacent Regional Park and Manchester Avenue.

4. Future Development. This permit is for the construction of the residence and gazebo only. All other development proposals for the site including any accessory structures not specifically approved herein, shall require review and approval by the Coastal Commission (or local government pursuant to an effectively certified local coastal program), under a separate coastal development permit or amendment to this permit.

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