

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. 6-97-41/DL

Date May 22, 1997

ADMINISTRATIVE PERMIT

APPLICANT: Congregation Beth Am

PROJECT DESCRIPTION: Conversion of a light industrial (tire sales and installation) use to a religious assembly use, placement of two portable classroom trailers on a 25,200 sq.ft. site containing 5,310 sq.ft. of existing structures and reconfiguration of parking layout to provide 23 parking spaces. The use conversion and placement of trailers have already occurred without a coastal development permit.

PROJECT LOCATION: 525 Stevens Avenue, Solana Beach, San Diego County. APN 298-111-36.

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: June 11, 1997
9:00 a.m., WednesdayLOCATION: Marin County
Brd. of Supervisors Chambers
Administration Building., Rm.322
Marin County Civic Center
San Rafael, CAIMPORTANT - 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 DirectorBy: Diana Gilly

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 conversion of a light industrial use (tire sales and installation) to a religious assembly use, the placement of two portable classrooms trailers on the site, and reconfiguration of the parking layout to provide 23 parking spaces. The 25,200 sq.ft. site currently contains a 5,310 sq.ft. of building area consisting of a 2,000 sq.ft. assembly hall, a

kitchen, social hall, and offices, and is located near the western terminus of Stevens Avenue West (formerly Jack Drive), less than 1/2 mile west of Interstate 5 in the City of Solana Beach.

The proposed conversion of use and placement of trailers has already occurred without the benefit of a coastal development permit, in an apparent violation of the Coastal Act. Although an apparent violation of the Coastal Act has taken place, consideration of the application by the Commission has been solely based upon Chapter 3 policies of the Coastal Act. Action on this permit does not constitute a waiver of any legal action with regard to this violation of the Coastal Act that may have occurred; nor does it constitute admission as to the legality of any development undertaken on the subject site without a coastal development permit.

The Congregation Beth Am originally took occupancy of the subject site in 1982. In 1994, three portable classroom trailers were placed on the site. The placement of these trailers eliminated approximately 15 of the 23 parking spaces previously on the site. Since that time, one of the trailers has been removed. Currently, with the proposed trailers on the site, there are only five parking spaces available to general patrons; two additional spaces are reserved for employees, and one additional handicapped space is blocked by a dumpster. The applicant is proposing to redesign the parking so that 23 spaces are again available. The Congregation has not placed any monument signs or roof signs on the structures, and no signage is proposed through this application. Approximately 23% (5,762 sq.ft.) of the site will be landscaped, consistent with City of Solana Beach requirements.

Section 30252 of the Act requires that new development maintain and enhance public access to the coast by such means as providing adequate parking facilities. In the City of Solana Beach, one parking space per 35 square feet of non-fixed seating area is required for religious assembly uses. With a total square footage of approximately 2,000 sq.ft. in the principal sanctuary area, this equates to a requirement of 58 parking spaces. Thus, even with the proposed 23 parking spaces, the project would have a 35 space deficiency. The trailers themselves are not expected to worsen the parking deficit because use of the trailers as classrooms will occur on Monday and Wednesday afternoons and Sunday morning, while the assembly hall will be used on Friday evening and Saturday morning.

The subject site is located approximately 3/4 miles from the coast and 1,800 feet from Lomas Santa Fe Drive, the nearest major coastal access route. The project site is not within walking distance of the beach and there are no major public recreational facilities in the area which could be impacted by an "over-flow" of cars from the development. In its review of the project, the City of Solana Beach found that most of the congregation does use the street parking along Stevens Avenue West and Stevens Avenue. However, this situation has existed since the use was established in 1982. No complaints from the public concerning the deficiency in parking or the use have been received by City staff or Commission staff. The applicant has indicated they have purchased property in Carmel Valley for future use as a new site for their religious assembly, and are currently pursuing

permits to develop the site. It is expected to take approximately 2 years to complete the process and begin building.

As required by the City of Solana Beach, the applicant is proposing to reconfigure the parking on the site to provide for 23 parking spaces to at least maintain the number of spaces that were available prior to placement of the proposed classroom trailers. Given the fact that neither the project nor the deficit in parking will adversely effect public access or recreation, or have an impact on any coastal resources, the Commission finds that the development is consistent with Section 30252. Because the City of Solana Beach has only approved the use in its existing state for a three-year period, Special Condition #1 limits approval of the development to a three-year period. If the applicants wish to retain the use beyond three years from the date of Commission approval, additional review and approval from the Commission is required. At that time, the Commission will be able to re-assess any potential impacts which may result from retention of the development.

The site is zoned and designated for light or limited industrial uses in the City of Solana Beach and the previously certified County of San Diego LCP. A religious assembly is a permitted use in this zone with a Condition Use Permit, which the applicant has obtained from the City Council. The proposed use and placement of two trailers will not have an adverse impact on the surrounding warehouse/light industrial uses, and, as conditioned, the project is consistent with all applicable planning and zoning requirements, all applicable Chapter 3 policies of the Coastal Act. Therefore, the Commission finds that approval of the subject project will not prejudice the ability of the County of San Diego to implement their certified Local Coastal Program.

SPECIAL CONDITIONS: 1. Term of Permit. This development is approved for a period of three years from the date of Commission action. Retention of the permitted development beyond June 11, 2000 will require a coastal development permit or amendment from the California Coastal Commission or local government pursuant to a certified local coastal program.

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