

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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Staff: DL-SD
Staff Report: September 23, 1998
Hearing Date: October 13-16, 1998

REGULAR CALENDAR
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-98-96

Applicant: Michael Marquardt

Description: Construction of a 14 ft. high, 7,080 sq.ft. single-family residence with an attached 942 sq.ft. garage and swimming pool and on a vacant 3.7 acre lot.

Lot Area	160,300 sq. ft. (3.7 acres)
Building Coverage	8,022 sq. ft. (5%)
Pavement Coverage	7,000 sq. ft. (4%)
Landscape Coverage	20,000 sq. ft. (13%)
Unimproved Area	125,278 sq. ft. (78%)
Parking Spaces	2
Zoning	RR 35 (.35 du/ac)
Plan Designation	Estate 17
Project Density	.27 dua
Ht abv fin grade	14 feet

Site: 16814 El Camino Real, Rancho Santa Fe, San Diego County.
APN 268-010-07

Substantive File Documents: Certified County of San Diego Local Coastal Program
(LCP)

STAFF NOTES:Summary of Staff's Preliminary Recommendation:

Staff is recommending approval of the proposed single-family residence subject to special conditions which address grading and erosion control, site drainage, brush management/landscaping and visual appearance of the residence. The proposed development will result in an encroachment of approximately 10% into steep naturally

vegetated slopes on the site. However, in this particular case, given the applicants proposal to initiate a detailed brush management program which eliminates the need for clear-cut vegetation removal surrounding the proposed residence and replants areas where vegetation is removed with native, fire resistant vegetation, staff finds that the proposed development can be found consistent with Coastal Act policies. It is staff's understanding that the applicant is in agreement with staff recommendation.

PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants a permit for the proposed development, subject to the conditions below, on the grounds that 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.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. The permit is subject to the following conditions:

1. Final Plans. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, final building plans (site plan, floor plans and elevations) which have been approved by the Rancho Santa Fe Fire Department and the County of San Diego Building Department. Said plans shall be in substantial conformance with the Plans for R.S.F. Custom, L.L.C. by Roger W. Forburger dated 6/30/98. Said plans shall document the use of fire resistant building construction methods and materials as proposed and outlined in the letter from the Rancho Santa Fe Fire Department dated August 9, 1998.

The permittee shall undertake the proposed development in accordance with the approved plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the plans shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required

2. Final Brush Management/Revegetation/Landscaping Plans. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENTN PERMIT, the applicant shall submit to the Executive Director for review and written approval, detailed brush management/revegetation/landscape plans for the site. Said plans shall be in substantial conformance with the concept landscape plan for the Marquardt Residence, Commission date stamped 9/4/98 and be reviewed and approved by the Rancho Santa Fe Fire Department. Said plans shall include the following:

- a. Within the area 50 ft. from the proposed residence (30 ft. along the southwest corner), all invasive and non-native exotic plant species (as indicated on the final plan) shall be identified and flagged by a qualified landscape architect and then removed by cutting and the use of herbicides (under the supervision of a California licensed pest control applicator).
- b. Within the area 50 ft. from the proposed residence (30 ft. along the southwest corner), in addition to the removal of all invasive and non-native exotic plant species as described in 2(a) above, all remaining high fuel plant species shall be identified and flagged by a qualified landscape architect and then removed. Removal shall be carried-out by manually cutting plants to a height of no less than six (6) inches above grade. To reduce the potential for erosion and off-site sedimentation, no grubbing (removal of roots below the soil surface) shall occur on slopes with gradients of 2:1 or greater.
- c. Within the area 51 ft. to 100 ft. from the proposed residence, 50 percent of all the high fuel plant species (including invasive and non-native exotic species) shall be identified and flagged by a qualified landscape architect and then removed. Removal shall be carried-out by manually cutting plants to a height of no less than six (6) inches above grade. To reduce the potential for erosion and off-site sedimentation, no grubbing (removal of roots below the soil surface) shall occur on slopes with gradients of 2:1 or greater.
- d. All areas within 100 ft. of the proposed residence where vegetation is removed, shall be replanted with native, fire resistant plant species (utilizing a combination of seeding and container plants) compatible with the surrounding native mixed chaparral vegetation. All areas planted shall be stabilized with geotextile fabric and temporarily irrigated with drip irrigation.

e. The area within 100 ft. of the proposed residence shall be monitored annually and maintained as needed to assure the elimination of all invasive and non-native exotic plant species and the regrowth of native fire resistant plantings. Any dead or unhealthy plants shall be replaced.

Brush management/revegetation/landscaping shall be installed in accordance with the approved plans. Additionally, PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall execute and record a deed restriction in a form and content acceptable to the Executive Director, which shall reflect the requirements of Special Condition #2 of CDP #6-98-96. The recorded document shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. The deed restriction shall not be removed or changed without a Coastal Commission-approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

3. Grading/Erosion Control. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, final site, grading and erosion control plans that are in substantial conformance with the plans for RSF Custom, LLC by Tri-Dimensional Engineering, Inc dated 8/25/98 submitted with this application. The plans shall first be approved by the County and include the following:

- a. All grading activity shall be prohibited between December 15, 1998 and April 1, 1999.
- b. All permanent and temporary erosion control measures shall be developed and installed prior to or concurrent with any on-site grading activities. Sediment basins (debris basins, desilting basins, or silt traps) shall be installed in conjunction with the initial grading operation and maintained throughout the development process as necessary to remove sediment from runoff waters draining from the land undergoing development.
- c. Areas disturbed but not completed prior to December 15, shall be suitably prepared to prevent soil loss during the rainy season. All graded slopes shall be stabilized prior to December 15 by means of native vegetation. The use of vegetation as a means to control site erosion shall be accomplished pursuant to plans and specifications prepared by a licensed landscape architect or other qualified professional.
- d. Temporary erosion control measures shall include the use of berms, interceptor ditches, sandbagging, hay bales, filtered inlets, debris basins, silt traps, or other similar means.

The permittee shall undertake development in accordance with the approved grading plans. Any proposed changes to the approved grading plans shall be reported to the Executive Director. No changes to the grading plans shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required

4. Drainage Plans. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and written approval of the Executive Director, a drainage and runoff control plan, with supporting calculations. This plan shall document that runoff from the roof, driveway and other impervious surfaces will be collected and appropriately discharged into the existing street drainage system and away from the hillside in order to protect the scenic resources and habitat values of the hillside from degradation by scouring or concentrated runoff. The project shall be constructed in accordance with the approved plans.

The permittee shall undertake development in accordance with the approved drainage plans. Any proposed changes to the approved drainage plans shall be reported to the Executive Director. No changes to the drainage plans shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required

5. Structural Appearance. The color of the residential structure and roofs permitted herein shall be restricted to earthen tones compatible with the surrounding environment (white tones shall not be acceptable) as depicted on the color board submitted with application.

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director, which reflects the restrictions stated above on the proposed development. The document shall run with the land for the life of the structures approved in this permit, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Coastal Commission-approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

The permittee shall undertake development in accordance with the approved color board. Any proposed changes to the approved color board shall be reported to the Executive Director. No changes to the color board shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required

6. Open Space Deed Restriction. No development, as defined in Section 30106 of the Coastal Act, shall occur beyond the edge of the building pad of the subject site containing steep, natively vegetated slopes, as shown on Exhibit #3, except for grading for site access, installation of retaining walls and brush management/revegetation for fire safety and landscaping as approved by CDP #6-98-96.

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall execute and record a deed restriction in a form and content acceptable to the Executive Director which reflects the restrictions stated above on the proposed development in the designated open space. The document shall run with the land for the life of the structures approved in this permit, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Coastal Commission-approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description. The proposed project involves construction of a one-story, 14 ft. high, approximately 7,080 sq.ft. single-family residence with an attached 942 sq.ft. garage and swimming pool. The vacant 3.7 acre project site is located on the west side of El Camino Real overlooking San Elijo Lagoon in an unincorporated area of San Diego County. To prepare the site for development, grading consisting of approximately 1,700 cubic yards of balanced cut and fill is proposed.

The site is located within the Rancho Santa Fe Covenant of the unincorporated County of San Diego, northeast of the City of Solana Beach, and is planned and zoned for residential development. While the County of San Diego did receive approval of its Local Coastal Program from the Commission in 1985, it never became effectively certified. As such, the standard of review is Chapter 3 policies of the Coastal Act with the County LCP used as guidance.

2. Environmentally Sensitive Habitats/Steep Slopes. Section 30231 of the Coastal Act is applicable to the proposed development and states, in part:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff...

In addition, Section 30240 of the Coastal Act is applicable and 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.

(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.

Because the project site and area drains into San Elijo Lagoon, measures to control runoff and sedimentation are especially critical. As noted previously, the County of San Diego LCP was certified by the Commission in 1985. However, because the County never formally accepted the Commission's modifications, the LCP was never effectively certified. However, the Commission has continued to use the County's LCP as guidance in review of permit requests in the County. In response to the habitat protection policies of the Coastal Act and the need to preserve sensitive habitats and steep slopes, the County of San Diego developed the Coastal Resource Protection (CRP) overlay zone as part of its certified LCP. The CRP overlay, which regulates the development of naturally-vegetated slopes in excess of 25% grade, states, in part:

Steep slopes. No development, grading, planting, excavation, deposit of soil or other material, or removal of natural vegetation, except as may be necessary for fire safety or installation of utility lines, shall be permitted on steep natural slopes of 25% grade or greater...No alteration of such natural steep slopes shall be permitted in order to obtain use of a property in excess of the minimum reasonable use. For purposes of this provision, the term "minimum reasonable use" shall mean a minimum of one (1) dwelling unit per acre. Any encroachment into steep slope areas over 25% shall not exceed 10% of the steep slope area over 25% grade.

The project site is located within the CRP overlay zone. The intent of the CRP's restrictions on grading steep slopes is to minimize the visual impacts associated with such grading, to preserve the habitat values of significantly vegetated steep slopes areas, and to avoid the increased likelihood of erosion, runoff and sedimentation which can occur when steep slopes are graded. These concerns are addressed by eliminating or significantly reducing grading on steep slopes. While encroachments into steep slopes can be allowed in some instances, where there is the possibility to develop sites without such encroachments, they are to be avoided.

Since the time when the County LCP was certified by the Commission and the other permit decisions by the Commission in this area, the California Gnatcatcher has been listed by the U.S. Fish and Wildlife Service as an endangered species. As a result of this

listing, preservation of naturally vegetated (coastal sage/chaparral) slopes is even more significant, particularly when they are located within large contiguous areas of native habitat.

Additionally, in recent years, the issue of fire safety in areas of "wildland/urban interface" has become increasingly pertinent. Local governments and fire departments/districts have become increasingly aware of the need to either site new development away from fire-prone vegetation, or to regularly clear vegetation surrounding existing structures (ref. Section 4291 of the Public Resource Code). Since fire department requirements for vegetation thinning and clear-cutting can adversely effect coastal resources, the Commission has in past actions included a 30-foot brush-management zone around proposed structures when calculating the amount of proposed encroachment on steep, naturally vegetated-slopes, with the idea that vegetation at least 30 feet from any structure may have to be cleared to meet fire safety regulations. Brush management for fire safety needs to be addressed in review of the proposed residence.

In order to address Commission staff concerns relative to protection of naturally vegetated steep slopes, the applicant met with the Rancho Santa Fe Fire Department to discuss alternatives that would reduce encroachment into the naturally vegetated steep slope areas for fire safety purposes. The fire department indicated that at the Department's discretion, up to 100 feet of clear-cut could be required around any structure. However, in this particular case, the fire department has indicated that if all flammable vegetation within 50 feet of the residence (except on the southwest corner where 30 ft. is sufficient with the implementation of specific fire construction standards incorporated in to the residence) is removed and replaced with fire retardant native vegetation and if flammable vegetation within 51 to 100 ft. of the residence is thinned by 50%, a requirement for 100 feet of clear-cut would not be necessary. The applicant has agreed to incorporate these requirements into the proposed development.

It should also be noted that the applicant has also worked diligently with the Rancho Santa Fe Association to not only design a residence that will be sensitively sited to minimize potential visual impacts, but that will also minimize encroachment into the steep slopes that comprise a good portion of the site. The residence is proposed to be located on the flatter portion of the site, set back significantly from El Camino Real. To reduce the visibility of the proposed residence from off-site locations, it incorporates only one-story structure. While a two-story residence would reduce somewhat the encroachment onto steep natural slopes over a single-story residence of the same size, the two-story residence would be far more visible from off-site locations. In addition, steep slopes on the site are located both north and south of the proposed residence, but native vegetation only occurs on the slopes to the south. The applicant has also indicated that if the proposed residence were to be resited to the north to avoid encroachment into the steep naturally vegetated slopes on the south, more encroachment into steep slopes would occur with substantially more grading.

Even with the measures discussed above, the proposed development will still involve encroachment into some steep naturally vegetated slope areas of the site. Based on the slope analysis and vegetation survey submitted by the applicant, approximately 15,571 sq.ft. or 10 % of the 3.7 acre site contains naturally vegetated steep slopes which are located in isolated patches in the southeasterly portion of the site. The proposed project will involve encroachment into 1,625 sq.ft. or approximately 10 % of the naturally-vegetated steep slopes contained on the site. This encroachment is associated with grading for the residence and driveway and required brush management for fire safety. As discussed above, while there is some encroachment for brush management, as proposed and required by the Fire Department, it does not involve clear-cut, just removal of flammable plant species. Additionally, native plants which will be removed for fire protection purposes will be replaced with native fire resistant species which contain comparable habitat value. Given the existing site constraints, the lack of significant amount of native vegetation within the required brush management area, and the proposal by the applicant to address fire safety through the use of fire resistant construction methods and materials and elimination of highly flammable plant materials, the Commission finds the proposed development is acceptable.

In order to formalize the applicant's agreement to incorporate a brush management program into the proposal, Special Condition Nos. 1 and 2 are proposed. Special Condition #1 requires the applicant to submit final plans for the project that have been approved by both the Rancho Santa Fe Fire Department and the County of San Diego. Special Condition #2 requires the applicant to submit final brush management/revegetation/landscape plans which have been approved by the Rancho Santa Fe Fire Department. This condition also requires that the provisions of the approved brush management program be recorded in a deed restriction to notify future property owners of the requirements to maintain native vegetation cover and remove invasive species for fuel management purposes.

Because the proposed development does involve some encroachment into naturally vegetated steep slopes, it is appropriate to limit further encroachments into such remaining areas on the site in the future. Special Condition #6 requires the applicant to record a deed restriction to limit any further improvements, grading, or development beyond the edge of the graded building pad, except as permitted by this permit. In this way, the remaining natural areas on site will be protected and future owners will be made aware of such a restriction.

Another concern raised by the proposed development relates to the potential for off-site impacts due to sedimentation and runoff from the site. While the project site is not directly adjacent to any natural drainages, wetlands or lagoon areas, it is in close proximity to San Elijo Lagoon. As such, drainage and runoff from the site will ultimately end up in San Elijo Lagoon. This and other coastal lagoons in San Diego County have

suffered from extensive siltation impacts, reducing the biological productivity of the lagoons. As such, the Commission has historically not permitted grading to occur during the rainy season (October 1 to April 1 of any year) in areas that naturally drain to lagoons or other environmentally sensitive habitat areas. This is because grading that occurs in these areas, especially during the rainy season, can result in runoff from unprotected soils causing off-site sedimentation.

In this particular case, the applicant has proposed with this application to grade into the winter rainy season. The proposed development only involves approximately 1,700 cubic yards of balanced grading that, according to the applicants engineer, can be accomplished in approximately five (5) days. The Commission has, in limited circumstances, permitted grading to occur into the rainy season on sites where the potential for off-site runoff and sedimentation is substantially reduced through the installation of extensive temporary and permanent erosion control measures. In the case of the proposed development, because only a small area of steep slopes will be graded and the site is somewhat removed from downstream sensitive resources, the Commission can allow grading to occur up to December 15, after the installation of emergency, temporary and permanent drainage facilities and erosion control measures that will prevent erosion and off-site sedimentation.

To assure such, Special Condition Nos. 3 and 4 have been proposed. Special Condition #3 requires the applicant to submit final grading and erosion control plans, approved by the County of San Diego, that document grading may only occur up to December 15 and that all area disturbed by grading will be immediately planted. In addition, this condition requires that all erosion control measures that are required and approved by the County be installed and operating prior to the commencement of grading and that they be maintained and monitored throughout the rainy season.

In addition, to provide additional protection to the downstream natural areas and the sensitive habitat areas of the San Elijo Lagoon to the west, Special Condition #4 requires the submittal of runoff control plans which document that no increase in the peak runoff rate from the developed site will occur as a result of a ten-year frequency storm over a six-hour duration (10 year, 6 hour rainstorm). The conditions further require that all runoff from impervious surfaces of the site be collected and appropriately discharged.

With the proposed conditions, the Commission can be assured that the existing naturally vegetated steep slopes will not be adversely impacted through the need to provide brush clearance for fire safety or from runoff or sedimentation, and that these natural areas on the site will be enhanced through the proposed revegetation/brush management plan. In addition, the direct encroachment proposed for grading and development of the proposed residence is consistent with the CRP policies of the County's certified LCP. Therefore, the Commission finds the proposed development, as conditioned, consistent with Sections 30231 and 30240 of the Coastal Act.

3. Visual Resources. Section 30251 of the Coastal Act is applicable and states, in part:

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...

The site is located above San Elijo Lagoon, east of the Stonebridge subdivision. Although the views of any structure on the site would be partially blocked by existing residences west of the site, the proposed two-story structure will be partially visible from San Elijo Lagoon, Manchester Avenue, and southbound Interstate 5. The proposed project will be a maximum of 14 feet in height. The applicant has submitted a preliminary landscape plan indicating the provision of extension landscape improvements that include the provision of numerous trees and shrubs. These trees will help to screen the residence as it appears from the lagoon trails and Manchester Avenue to the west. Special Condition #2 requires the applicant to submit a final landscape plan which is in substantial conformance with the plan submitted with this application and which has been reviewed and approved by the County.

To further reduce potential visual impacts associated with the proposed residence, Special Condition #5 has been attached to the permit. The condition requires that the residence be constructed utilizing earthen tone construction materials for all exterior surfaces. The applicant has submitted a color board depicting proposed colors for the residence that are in conformance with this requirement. However, to assure such a requirement is maintained in the future, Special Condition #5 also requires that a deed restriction be recorded against the property. In this way, future owners will be aware of the condition. Therefore, as conditioned, potential impacts on visual resources have been reduced to the maximum extent feasible, consistent with Section 30251 of the Coastal Act.

4. Local Coastal Planning. Section 30604(a) also requires that a coastal development permit shall be issued only if the Commission finds that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program (LCP) in conformity with the provisions of Chapter 3 of the Coastal Act. In this case, such a finding can be made.

The County of San Diego previously received approval, with suggested modifications, of its Local Coastal Program (LCP) from the Commission. However, the suggested modifications were never accepted by the County and therefore, the LCP was never effectively certified. While the LCP was never effectively certified and the standard of review for development in the unincorporated County of San Diego is Chapter 3 policies

of the Coastal Act, the Commission does use the County LCP as guidance. The County designates this area for residential development as a maximum density of .35 dwelling unit per acre. The proposed development is consistent with that designation.

The project site is also located within the Coastal Resource Protection (CRP) Overlay area which calls for the protection of steep naturally vegetated areas. While some encroachment into steep natural areas will result from the subject development, the encroachment is minimal and as conditioned, can be found consistent with the CRP provisions of the County LCP. As discussed above, the Commission finds that approval of the proposed development, as conditioned, will not adversely impact environmentally sensitive habitat areas and is consistent with all applicable Chapter 3 policies of the Coastal Act. Therefore, approval of the proposed development, as conditioned, will not prejudice the ability of the County of San Diego to prepare a certified LCP.

5. Consistency with the California Environmental Quality Act (CEQA).

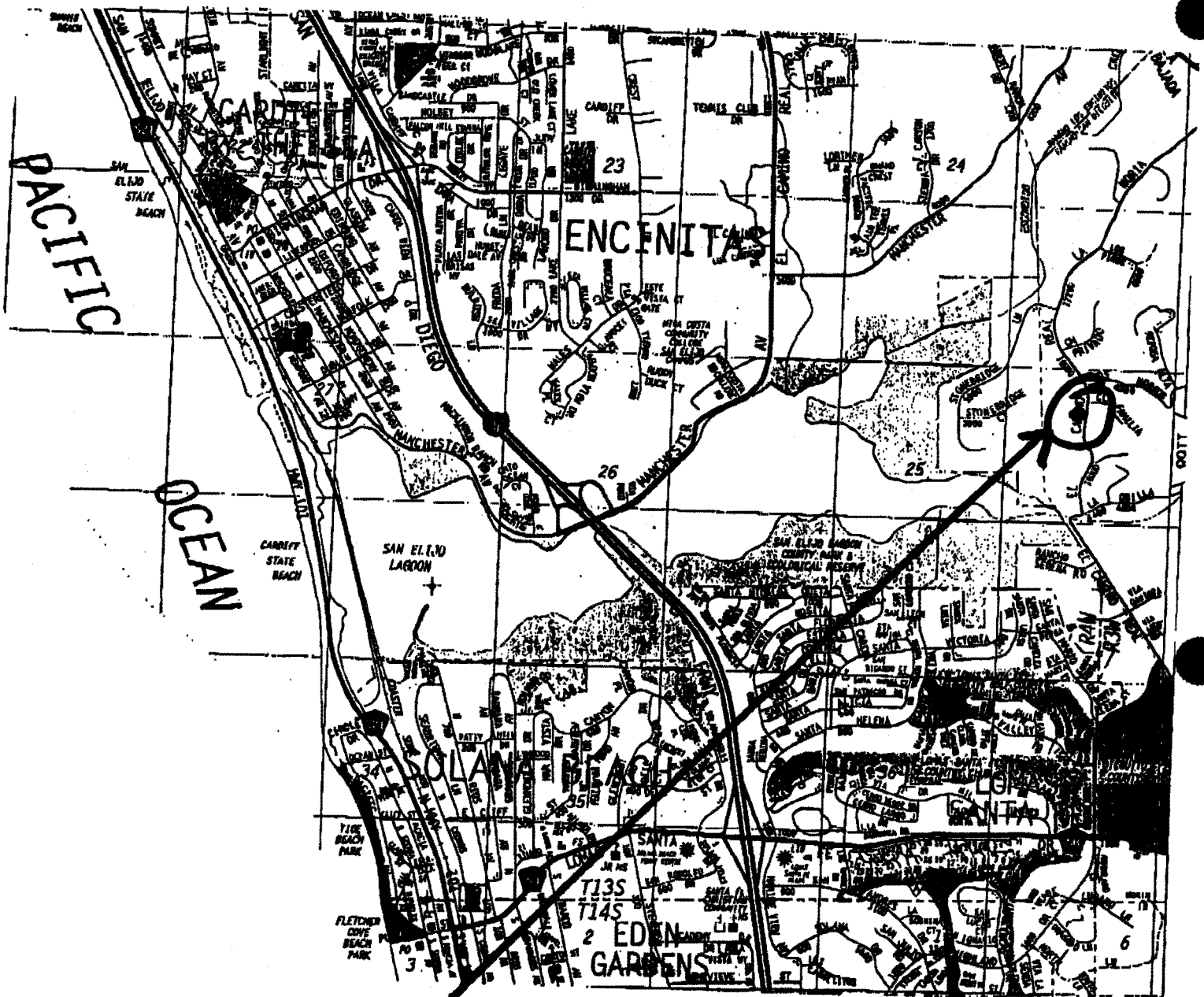
Section 13096 of the Commission's Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) 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 effect which the activity may have on the environment.

The proposed project has been conditioned in order to be found consistent with the resource protection policies of the Coastal Act. Mitigation measures, including conditions which require the submittal of brush management plans, grading, drainage and erosion control plans and the recordation of open space deed restriction over the remaining undisturbed steep naturally vegetated areas of the site will minimize all adverse environmental impacts. As conditioned, there are no feasible alternatives or feasible mitigation measures available 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.

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.



Project
Site



EXHIBIT NO. 1
APPLICATION NO.
6-98-96
Location Map
California Coastal Commission

