

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
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 SAN DIEGO, CA 92108-1725
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Permit Application No. 6-98-32/LJMDate April 17, 1998ADMINISTRATIVE PERMIT

APPLICANT: County of San Diego Parks and Recreation Department.

PROJECT DESCRIPTION: Construction of improvements to an existing interpretive center to include new restroom facilities, 900 sq. ft. storage and maintenance area, bench seating and a windscreen.

PROJECT LOCATION: 2710 Manchester Avenue, Cardiff, Encinitas, San Diego County.
 APN 261-191-03, 261-200-28

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, 1998
 10:30 a.m., Thursday

LOCATION: Resources Building
 Auditorium, Main Floor
 1416 - 9th Street
 Sacramento, CA 95814

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: 

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.

The proposed development involves several improvements to an existing interpretive center to include the construction of restroom facilities (including handicapped access), a 900 sq. ft. storage and maintenance area, several benches for seating and a windscreen. No grading is

proposed and all the proposed improvements, with the exception of the windscreen, will occur within the concrete footprint of the existing interpretive center.

A coastal development permit is required because the proposed development represents a change in intensity of use for the site and the proposed windscreen is a significant non-attached structure. The City of Encinitas' LCP was approved by the Commission in November of 1994 and on May 15, 1995, the City began issuing coastal development permits for projects within the City's Coastal Zone. The subject site is located within the Commission's area of original jurisdiction. As such, Chapter 3 policies of the Coastal Act are the standard of review, with the certified LCP used as guidance.

The subject site is located on the south side of Manchester Avenue, east of Highway 101 in the Cardiff community of the City of Encinitas. The existing nature center was previously approved by the Commission in two phases: Phase I was approved under CDP #6-87-582 and included grading of the site, construction of parking facilities, fencing and landscaping. Phase II was approved under CDP #6-90-309 and included the placement of two integrated 12.5 ft. high, approximately 2,292 sq. ft. hexagonal pavilions over a concrete slab to be utilized for interpretive purposes and storage of supplies and materials. In addition, the Commission approved under CDP #6-95-107, the construction of a concrete pad for placement of a recreational vehicle to house an on-site volunteer and the placement of a crushed granite surface over an existing dirt access road leading to the volunteer pad.

Section 30240 of the Coastal Act requires that environmentally sensitive habitat areas be protected and that development in areas adjacent to environmentally sensitive habitat areas and park and recreation areas be sited to prevent impacts which could degrade/impact such areas. The project site is located within the San Elijo Lagoon Ecological Reserve and Regional Park, which is an environmentally sensitive habitat area managed jointly by the California Department of Fish and Game (DFG) and the San Diego County Parks and Recreation Department.

As stated, with the exception of the windscreen, the proposed development will occur entirely within the footprint of the existing interpretive center. An area of the existing concrete pad will be enclosed to accommodate the proposed restrooms and storage area. In addition, the proposed bench seating will be installed on the concrete slab adjacent to existing bench seating. The windscreen is proposed to be located adjacent to and west of the existing interpretive center. While the windscreen is not proposed within the footprint of the center, it is proposed within an area that has been previously disturbed by the already permitted development and does not involve the removal or disturbance of any existing vegetation or habitat. In addition, the proposed improvements will all be located greater than 100 ft. from the wetland resources located within the ecological reserve. Additionally, no direct or indirect adverse impacts to sensitive habitat areas resulting from runoff/sedimentation from the proposed development is anticipated as the development will occur within the existing building footprint and no grading is proposed. Therefore, the proposed development is consistent with Section 30240 of the Coastal Act.

Section 30251 of the Coastal Act requires that the scenic quality of coastal areas be protected. The subject site is visible from some areas on Manchester Avenue, from a number of points along the south side of the Lagoon and to a limited extent, from Interstate 5 to the east and Highway 101 to the west. The proposed development will not result in any public view impacts as it only involves enclosing a portion of an existing interpretive center building. In addition, the proposed windscreen will be a "see-through" material and will not block or adversely affect public views to the lagoon. Therefore, the proposed development is consistent with Section 30251 of the Coastal Act.

The subject site is located between San Elijo Lagoon and Manchester Avenue, the designated first public roadway. In accordance with Section 30604(c) of the Coastal Act, a finding that the project is consistent with Coastal Act public access policies must be made. In the case of the proposed development, installation of public restrooms and seating benches will enhance public opportunities for passive viewing of the lagoon resources in this area. In addition, the proposed windscreen will facilitate educational programs conducted at the center by blocking the constant wind that can disrupt such programs. Therefore, the proposed development is consistent with the public access policies of the Coastal Act.

The subject site is zoned and designated for Ecological Resource/Open Space/Parks in the City of Encinitas LCP. The proposed development is consistent with this designation, which does allow for interpretive facilities. The site is also located within the Special Study Overlay area indicating the presence of sensitive resources and the application of specific provisions for the protection of such resources. As noted above, the proposed development will not directly or indirectly adversely affect the adjacent sensitive resources of San Elijo Lagoon. Therefore, the proposed development will not prejudice the ability of the City of Encinitas to continue to implement its certified LCP.

As discussed above, the proposed project will not cause significant adverse impacts to the environment. There are no feasible alternatives or mitigation measures available which would substantially lessen any significant adverse impact which the proposed activity may have on the environment. Therefore, 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.

SPECIAL CONDITIONS: NONE

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