

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

3111 CAMINO DEL RIO NORTH, SUITE 200

SAN DIEGO, CA 92108-1725

(619) 521-8036

W46



Filed: 5/12/98
49th Day: 6/30/98
180th Day: 11/8/98
Staff: LRO-SD
Staff Report: 6/9/98
Hearing Date: 7/9-12/98

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-98-55

Applicant: Rancho La Noria, LLC

Agent: San Dieguito Engineering

Description: Boundary adjustment of four legal parcels totaling approx. 30.85 acres resulting in the re-configuration of the lot lines of each parcel. Existing improvements (single family residence, barn and horse corrals will remain).

Site: West side of La Noria, north of El Puente, Rancho Santa Fe, San Diego County.
APNs 266-040-3, -4, -12, -16 and -18.

Substantive File Documents: Certified County of San Diego LCP; CDP #6-98-46

STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

I. Approval.

The Commission hereby grants a permit for the proposed development 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. Findings and Declarations.

The Commission finds and declares as follows:

1. Project Description. Proposed is a boundary adjustment of four legal lots totaling approx. 30.85 acres. Although the site represents four legal lots--there are a total of six covenant (tax) lots (reference Exhibit No. 2. Coastal Development Permit #6-98-46 was approved in June of 1988 for the construction of a private easement road to provide access to the four existing legal parcels. The easement road is contiguous with one lot line of each of the newly configured lots in such a manner as to provide access to each of the four lots. The existing configuration of the four lots is such that two lots exist to the north of the access road and two lots exist to the south of the access road. The proposed boundary adjustment will result in the re-configuration of the lot lines such that three lots will be located north of the access road and one lot located south of the road. No other development is proposed at this time and all existing improvements which consist of a horse ranch facility including a single family residence, barn, horse corrals, stables, etc., including an existing dirt road, will remain. The approved access road will provide vehicular access to each of the lots. The site is relatively flat. The northern portions of two of the parcels are located within the floodplain; however, inasmuch as no development is proposed other than the boundary adjustment, no impacts associated with flooding or hazards will occur through the subject proposal. As each of the lots will be developed through future coastal development permits, any pertinent issues associated with development in the floodplain will be addressed at that time.

The County of San Diego's Local Coastal Program (LCP) has been certified by the Commission; however, the County has not assumed permitting authority. Therefore, the County LCP is not effectively certified. Although the certified LCP is used for guidance, Chapter 3 of the Coastal Act is the standard of review.

2. Sensitive Resources. The site is located within the Coastal Resource Protection (CRP) overlay zone contained in the certified County of San Diego Local Coastal Program. The CRP regulations govern grading on steep, natural slopes in order to minimize alteration of natural landforms and reduce sedimentation impacts to downstream resources, in this case, Escondido Creek and San Elijo Lagoon. None of the parcels contain steep slopes. The proposed boundary adjustment results in the re-configuration of four existing legal lots. The reconfigured lots will contain adequate buildable area consistent with zoning, located outside of the floodplain, consistent with the CRP Regulations.

3. Visual Resources. Section 30251 of the Coastal Act requires that the scenic and visual qualities of coastal areas be considered and protected and that development be sited and designed to protect views along scenic coastal areas. The proposed project site is located well inland and far removed from San Elijo Lagoon which is located southwest of the site. As such, it will not be visible from any scenic roadways or recreational areas. Many of the surrounding properties contain horse ranches and the subject site itself was previously used as a horse ranch and contains single family residence, barn, corrals, etc.

The project will not adversely impact the visual quality of the area, and can be found consistent with Section 30251 of the 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 subject site is planned and zoned for large-lot estate residential development at a density of .35 dwelling units per acre in the certified County of San Diego Local Coastal Program. Buildout of the subject site with four single family residences would be consistent with that LUP designation. The proposed boundary adjustment does not alter the number of existing legal lots and as such, is consistent with that designation. The project is consistent with all applicable Chapter 3 policies of the Coastal Act and the Commission finds that approval of the subject project will not prejudice the ability of the County of San Diego to implement its certified Local Coastal Program.

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, 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.

As discussed herein, the proposed project will not cause significant adverse impacts to the environment. Specifically, the project has been found consistent with the sensitive resource and visual resource policies of the Coastal Act. There are no feasible alternatives or mitigation measures available which would substantially lessen any significant adverse impact which the activity might 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.

SPECIAL CONDITIONS: None.

ACKNOWLEDGEMENT 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.

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.

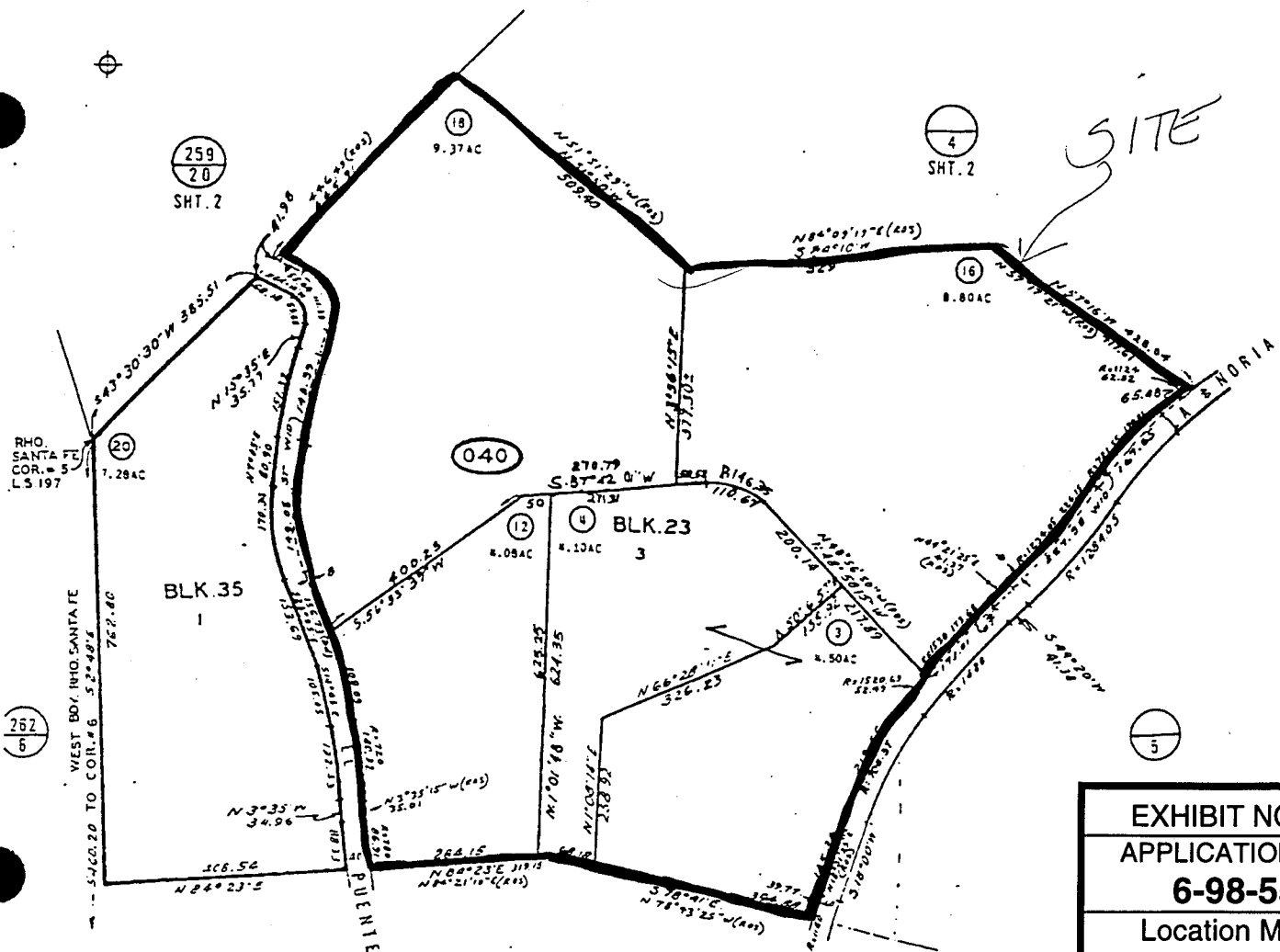
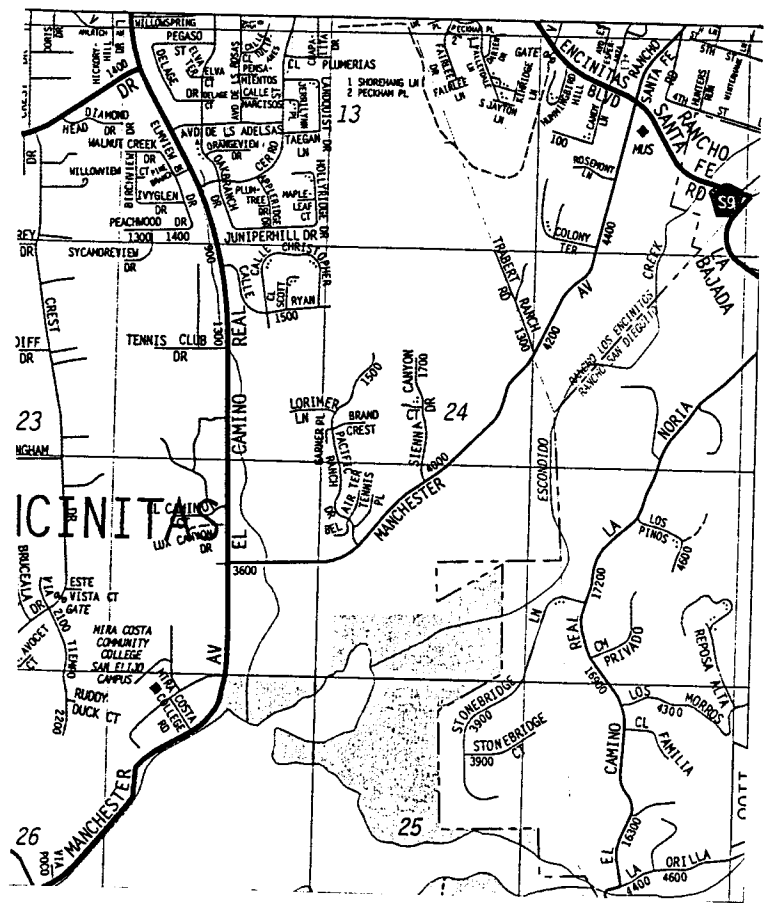


EXHIBIT NO. 1
APPLICATION NO.
6-98-55
Location Maps

SCALE: 1" in. = 300' ft.
ZONING: RR35/A-70 & (P)A-70
MIN. PARCEL
SIZE: 2.86AC/44.8AC

LEGAL: PORTIONS OF LOT 3 AND 4, BLOCK 23,
MAP NO. 1742



DATE FILED _____
REC'D BY _____

PRELIMINARY ACTION DATE: _____
SIGNED BY: _____

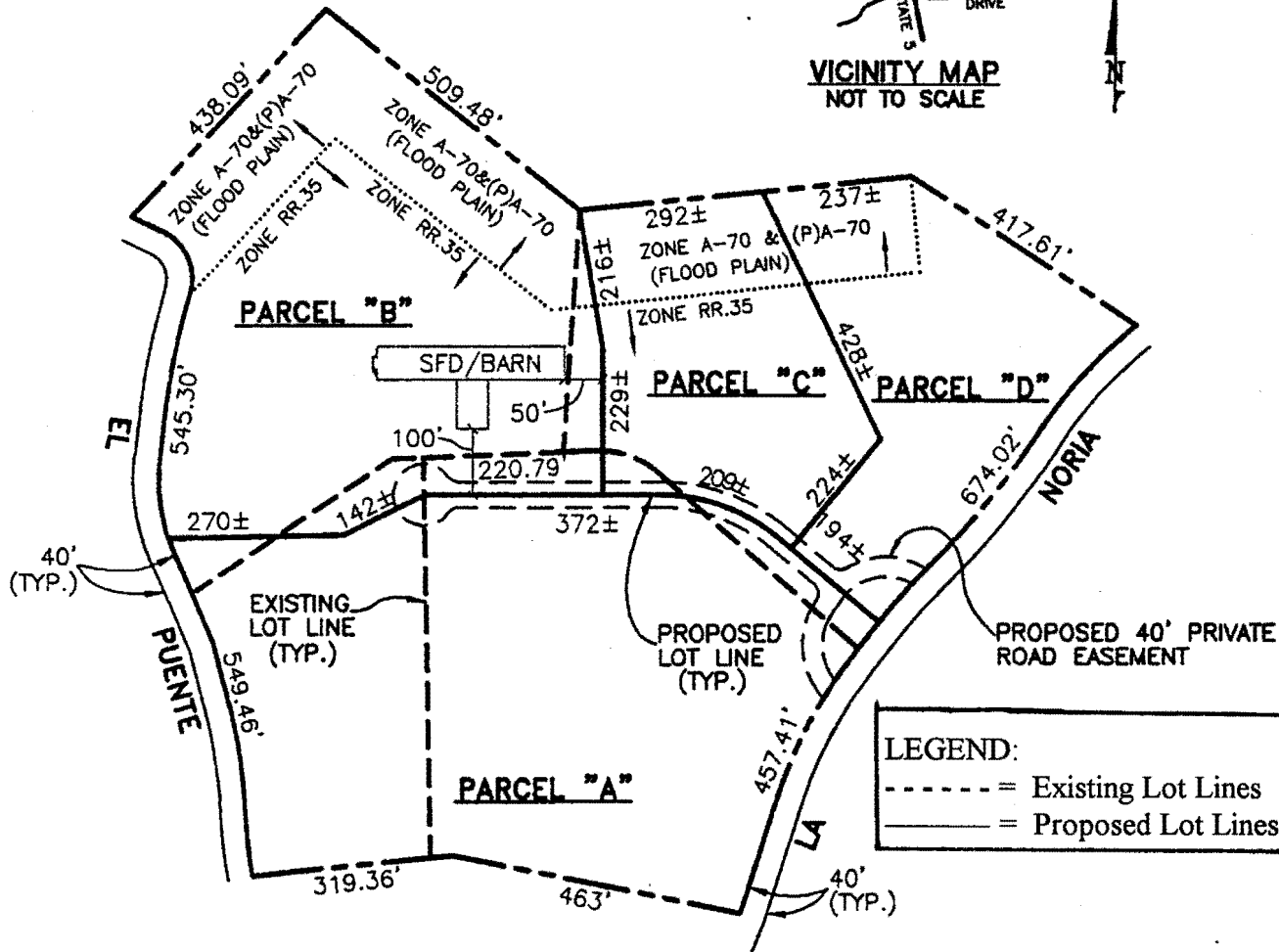
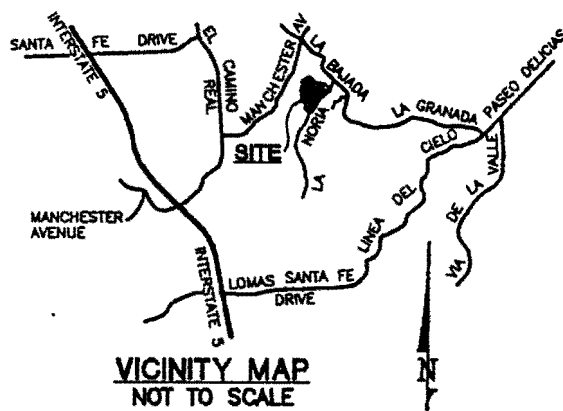
FINAL ACTION DATE: _____
SIGNED BY: _____

PARCEL "A"
NET AC.: 11.71
APN NO(S): 266-040-03
266-040-04
266-040-12

PARCEL "B"
NET AC.: 8.90
APN NO(S): 266-040-18

PARCEL "C"
NET AC.: 3.94
APN NO(S): 266-040-16

PARCEL "D"
NET AC.: 4.47
APN NO(S): 266-040-16



HEALTH DEPARTMENT CERTIFICATION (if nec.)

PROPOSED BOUNDARY: ————
EXISTING BOUNDARY: ————
DIFFERENT ZONES:

OPTIONAL USE AREA: Vicinity map, Details, License Seal Stamp, etc.

CHECKLIST

Fill in all items above.
Vicinity map/engr. scale
Legal description (abbrev)
Label "Parcel A", etc.
Assessors Parcel No.
Label Existing Line
Label Proposed line
All owners must sign
Sign as Trustees if Trust
Parcel(s) net area only
Parcel(s) dimensions
Existing structures
Structure setback*
(if less than 100')
Structure(s) Use
Street name & width
dedicated Open space
for 100' or more

EXHIBIT NO. 2
APPLICATION NO.
6-98-55
Boundary
Adjustment Plat

California Coastal Commission