

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

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Staff Report: 7/17/98
Hearing Date: 8/11-14/98

REGULAR CALENDAR
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-98-54

Applicant: Cyrus Raoufpur

Description: Construction of a two-story, 4,435 sq. ft. single-family residence with a three-car garage on a vacant 1.26 acre lot. The applicant also proposes brush management/revegetation plan and use of fire resistive construction materials in the construction of the proposed residence.

Lot Area	54,855 sq. ft.
Building Coverage	3,150 sq. ft. (6 %)
Pavement Coverage	450 sq. ft. (1 %)
Landscape Coverage	2,340 sq. ft. (4 %)
Unimproved Area	48,915 sq. ft. (89%)
Parking Spaces	3
Zoning	RS 1
Plan Designation	Residential (1 dua)
Ht abv fin grade	18 feet

Site: Lot #16 at cul-de-sac of Rancho Sol Court, Lomas Santa Fe vicinity, San Diego County. APN 302-221-06

Substantive File Documents: County of San Diego Local Coastal Program (LCP); CDP Nos. 6-96-86; 6-97-154; 6-98-23

STAFF NOTES:Summary of Staff's Preliminary Recommendation:

Staff is recommending approval of the proposed project with several special conditions which address grading, site drainage, brush management and permitted density. The site is

very constrained with three-fourths of the site comprised of steep naturally vegetated slopes. The proposed residence will result in an encroachment of 7.2% into steep naturally vegetated slopes. However, in this particular case, given the applicants proposal to construct the proposed residence utilizing fire resistant construction methods/materials and to initiate a detailed brush management program which eliminates the need for clear cut vegetation removal within 30 feet of the structure, staff finds that the proposed development can be found consistent with Coastal Act policies.

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. 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 submitted Site Plan for the Raoufpor Residence (Commission date stamped May 11, 1998). Said plans shall document the use of fire resistant building construction methods and materials as proposed.

The permittee shall undertake 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 determined that no amendment is required

2. Final Revised Brush Management/Revegetation/Landscaping Plans. Prior to the issuance of the coastal development permit, the applicant shall submit to the Executive Director for review and written approval, final detailed brush management/revegetation/landscape plans for the site. Said plans shall be revised to include the following:

- a. Within the area 30 ft. south of, and 45 feet east of, the proposed residence as shown generally on Exhibit No. 4, all invasive and non-native exotic plant species (as indicated on the final plan) shall be identified and flagged by a qualified biologist and then removed by cutting and the use of herbicides by a California licensed pest control applicator.
- b. Within the area 30 ft. south of, and 45 feet east of, the proposed residence as shown in Exhibit No. 4 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 biologist 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. All areas within 30 ft. south of, and 45 feet east of, the proposed residence as shown in Exhibit No. 4 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 coastal sage scrub and mixed chaparral vegetation. Special emphasis shall be placed on the treatment of south and eastern facing portions of the residence with native fire resistant plant materials of sufficient size to help reduce the visual appearance of these areas as viewed from the valley below. All areas planted shall be stabilized with geotextile fabric and temporarily irrigated with drip irrigation.
- d. The area within 30 ft. south of, and 45 feet east of, the proposed residence as shown in Exhibit No. 4 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.
- e. The proposed citrus trees on the south-facing slope of the subject site, as shown on the draft Brush Management Plan, shall be either eliminated or replaced with other fire-retardant, native plants and/or shrubs compatible with the surrounding native coastal Sage Scrub and mixed chaparral vegetation.
- f. The proposed residence shall be constructed utilizing the fire resistant building construction methods and materials detailed in the San Diego County Fire Chief's Association Wildland/Urban Interface Development Standards as required by the Rancho Santa Fe Fire Department.

g. The permittee shall undertake 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

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 #6-98-54. 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. Off-Site Brush Management Agreement. Prior to the issuance of the coastal development permit, the applicant shall submit to the Executive Director for review and written approval, an agreement in writing signed by both the applicant and adjacent property owner to the immediate west of the subject site. The agreement shall indicate that the adjacent landowner agrees to implement items (a-d) listed in Special Condition No. 2 above for the area on his/her property shown generally on Exhibit No. 4.

4. 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 #5, except for brush management/revegetation for fire safety as approved by Special Condition #2 in CDP #6-98-54.

PRIOR TO ISSUANCE OF THE 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.

5. 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 approved by the County. The plans shall incorporate the following requirements:

- a. All grading activity shall be prohibited between October 1st and April 1st of any year.
- b. 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 prior to October 1st, and shall utilize vegetation of species compatible with surrounding native vegetation. The species list shall be subject to Executive Director approval, prior to issuance of the permit.

The permittee shall undertake 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 determined that no amendment is required.

6. 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 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 determined that no amendment is required.

7. Disposal of Graded Spoils. Prior to the issuance of the coastal development permit, the applicant shall identify the location for the disposal of graded spoils. If the site is located within the coastal zone, a separate coastal development permit or permit amendment shall first be obtained from the California Coastal Commission or its successors in interest.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Project Description/Permit History. The proposed development involves the construction of a two-story, 4,435 sq.ft., single-family residence with an attached three-

car garage on a vacant 1.26 acre lot at the cul-de-sac of Rancho Sol Court, north of Via de la Valle, in the Lomas Santa Fe vicinity of the unincorporated County of San Diego. The development also includes implementation of detailed brush management/standards for the proposed residence. The site is currently vacant, and consists of a level graded building pad near the street elevation which drops off to the south into a steep canyon consisting of slopes containing native sage scrub vegetation. In order to prepare the site for development, grading consisting of 620 cu. of cut and 610 sq. yds. of fill is proposed. Special Condition No. 7 has been attached advising the applicant of the need to obtain a coastal development permit if the export site is within the coastal zone.

The site is located within the unincorporated County of San Diego, east 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.

The Commission approved the original 22-lot subdivision which created the subject site as well as grading and construction of building pads (reference CDP #F5164/Sun Valley Bluffs). A subsequent permit (CDP #6-86-593) was approved by the Commission in 1986 for construction of a single family residence on the subject site, however, the permitted development never occurred.

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 the San Dieguito River, which flows into the San Dieguito Lagoon, measures to control runoff and sedimentation are especially critical.

As noted previously, the County of San Diego LCP was certified with suggested modifications by the Commission in 1985. However, because the County never formally accepted the Commission's suggested modifications, the LCP never became effectively certified. As a result, the LCP is not the standard of review, but acts as guidance for the Commission in its 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 included Coastal Resource Protection (CRP) overlay zone in the LCP. The CRP ordinance addresses the development of naturally-vegetated slopes in excess of 25 percent 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.

In the case of the proposed development, a small portion of the residence will involve some direct encroachment into the steep naturally vegetated slopes. The site contains coastal sage chaparral mix as well as ice plant, deer weed, California sagebrush and California encelia. Based on the slope analysis and vegetation survey submitted by the applicant, approximately 39,479 sq.ft. or 71% of the site contains naturally vegetated steep slopes. The proposed development will encroach directly onto 2,348 sq.ft. or 4% of the naturally-vegetated steep slopes on the subject site.

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.

It should also be noted that the applicant has worked diligently with the County of San Diego and the fire department over the past two years to design a residence that will be as closely sited to the street frontage as possible to minimize encroachment into the steep natural slopes as possible. In order to help achieve this goal, the front yard setback has been reduced through a variance from 60 feet to 44 feet and the easterly side yard setback has been reduced from 15 feet to 7 1/2 feet through variance provisions.

In addition, the applicant met with the Rancho Santa Fe Fire Department to discuss alternatives that would reduce encroachment into the steep slope areas for brush management purposes. The fire department indicated that at the Department's discretion, up to 100 feet of clear-cut could be required around any structure, but in this particular case, if all flammable native vegetation within 30 feet of the south side and 45 feet of the west side of the proposed residence was removed and replaced with fire retardant native vegetation, a requirement for 100 feet of brush clearance would not be necessary. In this brush management area, the existing Toyon plants, which are native and not highly flammable, would be permitted to remain. These areas are shown on Exhibit 4. In order to remove all flammable native vegetation within 45 feet west of the proposed residence, the applicant would need the cooperation of his neighbor because only 15 feet of this area is within the subject site. The remaining 30 feet is on the property to the west of the site. The applicant has indicated that the owner of the property to the west has agreed to remove flammable native vegetation from this area and replant with nonflammable native vegetation.

As stated previously, the majority of the site consists of naturally-vegetated slopes. As such, the site is very constrained. In addition, the applicant obtained variances to site the structure as closely as possible to the street frontage. Even with these measures, a portion of the proposed residence and necessary brush management will encroach into the steep slope areas of the site. The amount of native vegetation that will be directly impacted (removed) for brush management purposes on the subject site is 1,647 sq.ft. (3%). As such, the total encroachment for both development and brush management combined totals to 7.2%. In addition, approximately 3,700 sq.ft. of encroachment into steep slopes will occur onto the adjacent property to the west of the site for brush management, as well. 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 and replanting with fire resistant native plants. As such, the required brush management zone will remain native.

In past recent projects involving fire department requirements for brush clearance, staff has met with the Fire Department. The Fire Department has indicated that in some cases, zones may be established where clear-cutting is required around structures, with selective thinning of vegetation required further away from the structures. In this particular case, the Rancho Santa Fe Fire Department has indicated that no additional clearing of vegetation on steep slopes would be required for this site at this time, as long as the applicant removes the high fuel species within 30 feet of the proposed residence on the south and 45 feet on the west, leaving the Toyon species in place and replants the area with native fire resistant plant species.

The applicant has also proposed to plant citrus trees on the site south of the proposed residence in open areas of the slope and canyon where there presently is no native vegetation. The fire department has indicated citrus trees are one of the varieties that it is recommended to be fire resistive and they support such plantings. However, the Commission finds that citrus trees which are non-native, would alter the natural character of the canyon which is mostly vegetated with native coastal sage chaparral plant communities. The fire department did not have a concern with the type of vegetation that is planted on the southern portion of the site where the citrus trees are proposed which contains less steep slopes, however, they did indicate the citrus trees were very fire retardant. However, there are other native, fire-retardant shrubs which could be planted in the canyon in place of the citrus trees which would be more naturalizing and compatible with the surrounding naturally vegetated area. For this reason, Special Condition No. 2(e) requires that the brush management plan be revised to either eliminate or replace the citrus trees with other native, fire-retardant plant species compatible with the surrounding native species. The proposed plant elements shall be reviewed and approved by the Rancho Santa Fe Fire Department.

In order to further address Commission staff concerns relative to fire safety and protection of existing natural areas, the applicant has proposed a number of measures. These measures include removal and eradication all non-native, flammable plant species located within 30 ft. of the south side of the residence and within 45 feet of the west side of the residence. The areas where the plants will be removed will be revegetated with native, fire-resistant plant species which will be maintained. The native vegetation on the steep slopes is important to retain for its value from a visual resource perspective and habitat area for bird species, consistent with the CRP policies of the certified County of San Diego LCP.

Additionally, native plants which will be removed for fire protection purposes will be replaced with native 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 #s 1, 2 and 3 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. Special Condition #3 requires the applicant to submit a written agreement with the property owner of the lot to the immediate west to remove and replace flammable vegetation on that portion of his site that is within 45 feet of the applicant's proposed residence, in accordance with items a-d of Special Condition # 2. Specifically, those requirements include removal of flammable plant materials a distance of 30 feet onto the adjacent property (which is 45 feet away from the proposed residence). Although the two property owners have already consented to the brush management requirements, a written agreement will formalize their commitment to do so. Because the proposed development does involve some encroachment into naturally vegetated steep slopes, it is appropriate to limit further encroachments in the future. Special Condition #4 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 for brush management/revegetation for fire safety as approved by this permit. This will serve to further protect the natural canyon on site and minimize the extent of steep slopes alteration or encroachment of natively vegetated steep slopes.

To provide additional protection to the adjacent natural habitat area and the sensitive habitat areas of the San Dieguito River Valley and Lagoon, Special Condition Nos. 5 and 6 have been attached. These conditions call for the provision of drainage, grading and erosion control plans and limit site grading to the non-rainy season months (April 1st through September 30 of any year). In addition, the conditions require that all graded areas on the site be stabilized during the rainy season to reduce the potential for erosion and associated downstream adverse impacts from sedimentation. The conditions further require that all runoff from impervious surfaces of the site be collected and appropriately discharged into the existing street drainage system.

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 rear portion of the project site abuts the top of a canyon area and will be visible from portions of Via de la Valle to the south as well as other areas within the San Dieguito River Valley. As such, the development has the potential to affect public views of this natural canyon area. Special Condition #2c. requires the applicant to submit a final landscape plan for the site which includes provisions for special treatment of the south and eastern facing portions of the residence with native fire resistant plants of sufficient size to help break up the facade of the structure and effectively screen the proposed residence from views from Via de la Valle and the river valley. In summary, with this condition, the potential for the proposed residence or other development on the site in the future to become a visual intrusion into the river valley will be minimized to the maximum extent feasible, consistent with Section 30251 of the Coastal Act. As such, the development will not result in any adverse visual impacts and can be found 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 one 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 may result from the subject development, the

encroachment is minimal and will not adversely impact any environmentally sensitive habitat areas. As conditioned to require detailed brush management, the proposed development can be found consistent with the CRP provisions. 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 certifiable 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, 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.

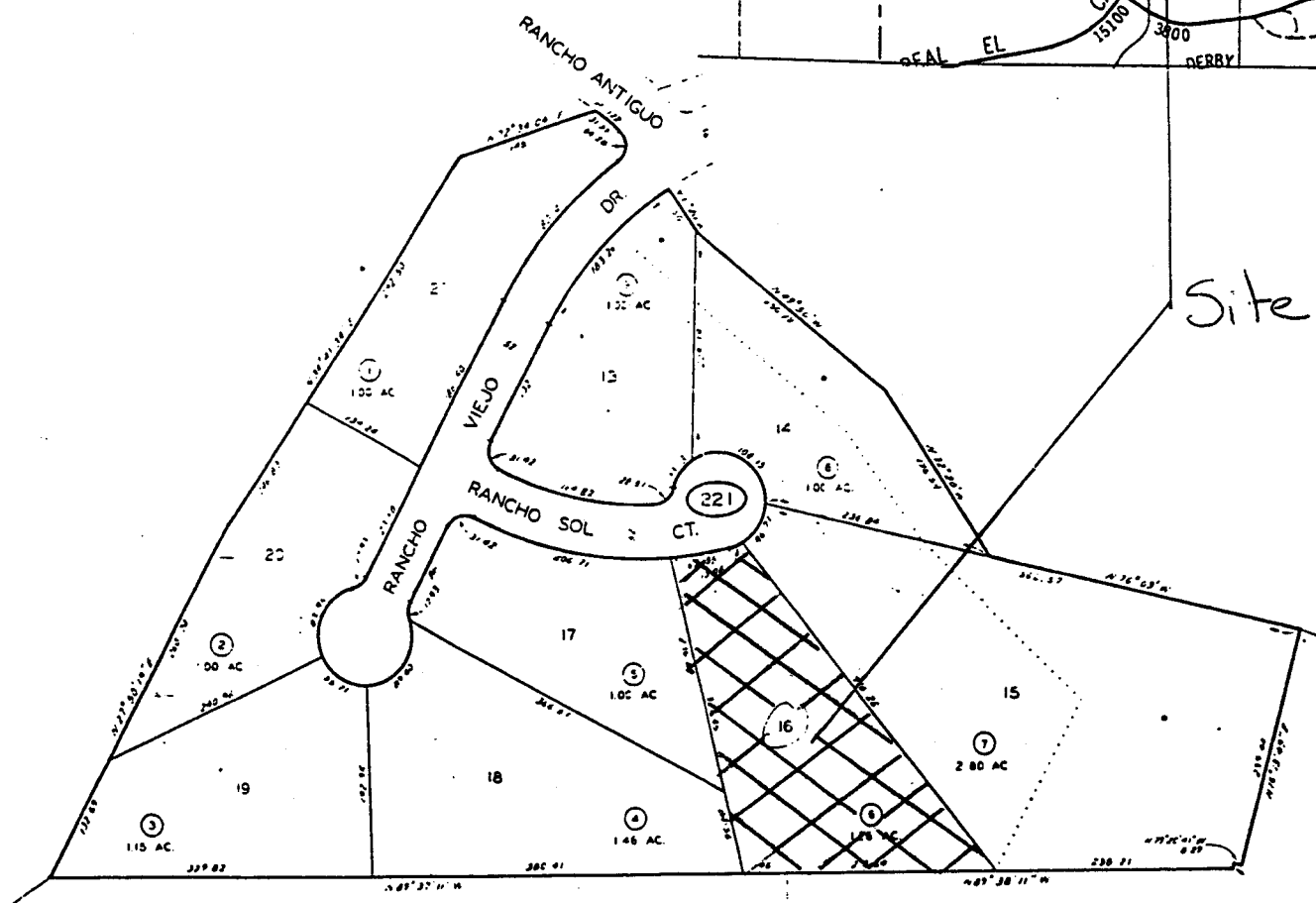
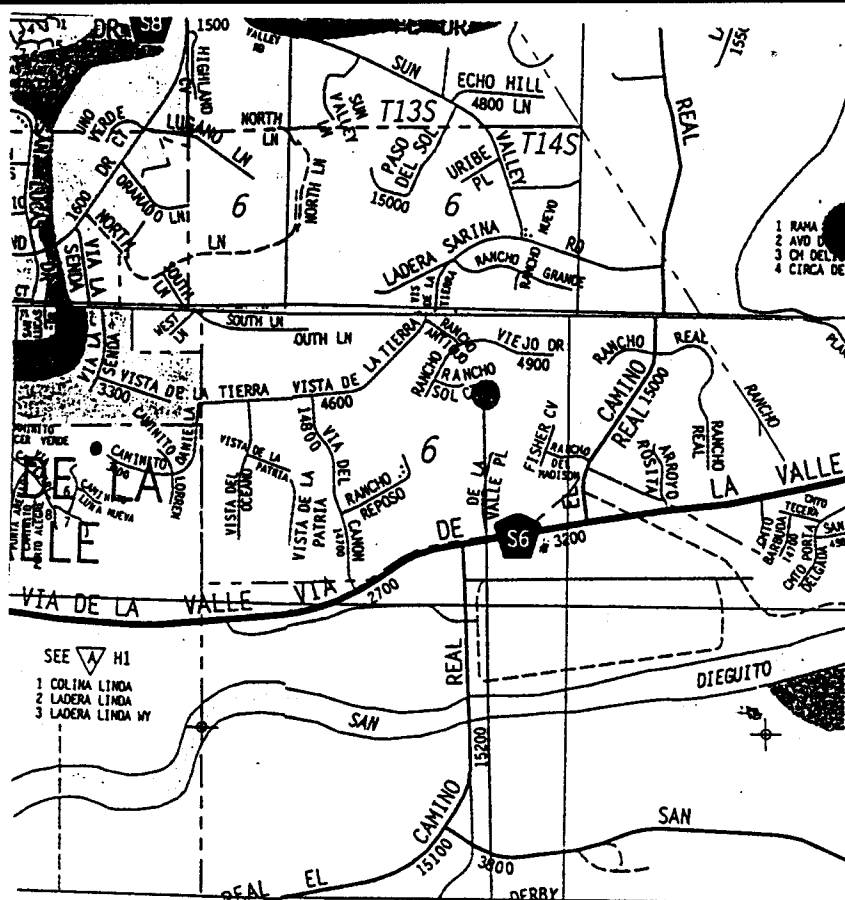
The proposed project has been conditioned in order to be found consistent with the resource and visual protection policies of the Coastal Act. Mitigation measures, including conditions which require submittal of a brush management plan approved by the Fire Department which does not result in any clear-cutting of native vegetation on steep slopes, as well as planting of native vegetation to visually screen the proposed development from the river valley to the south, 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.

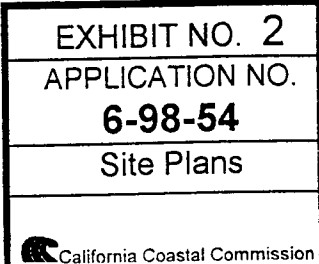
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Site

Location Maps

N
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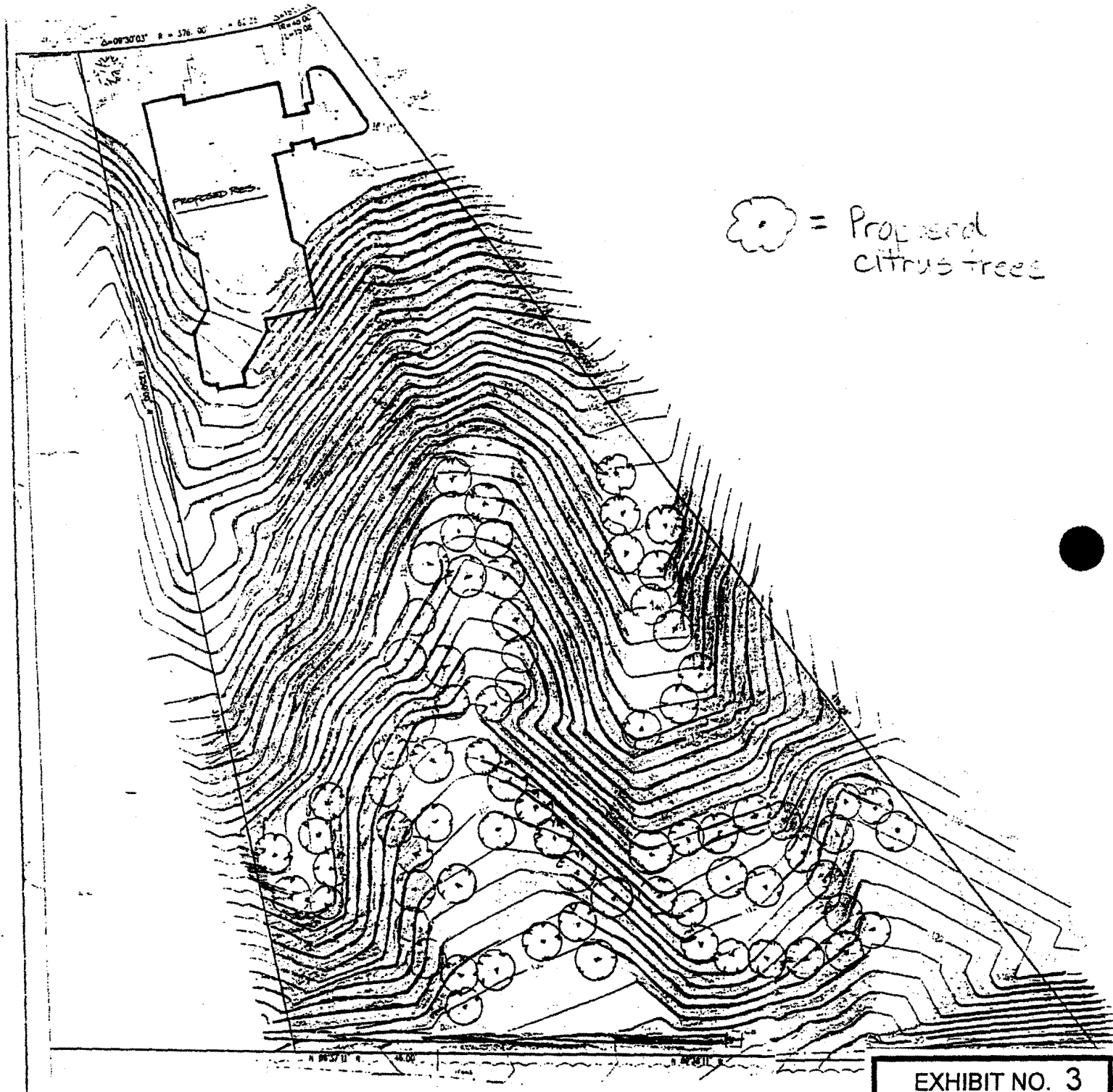


EXHIBIT NO. 3
APPLICATION NO.
6-98-54

Slope Analysis
shaded areas =
25% slopes or
greater

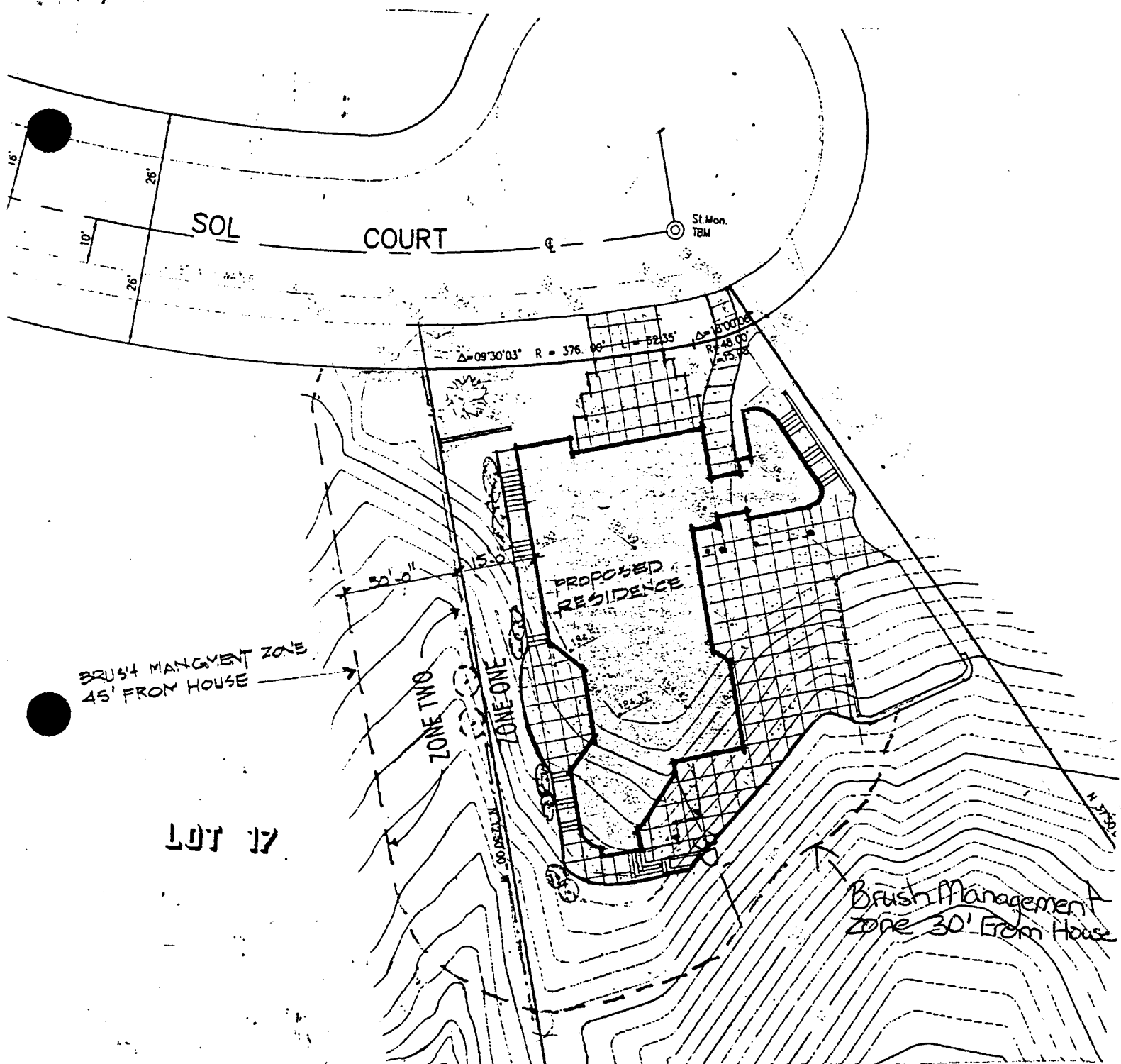


EXHIBIT NO. 4
APPLICATION NO.
6-98-54
Brush Management Plan (In Concept)
California Coastal Commission

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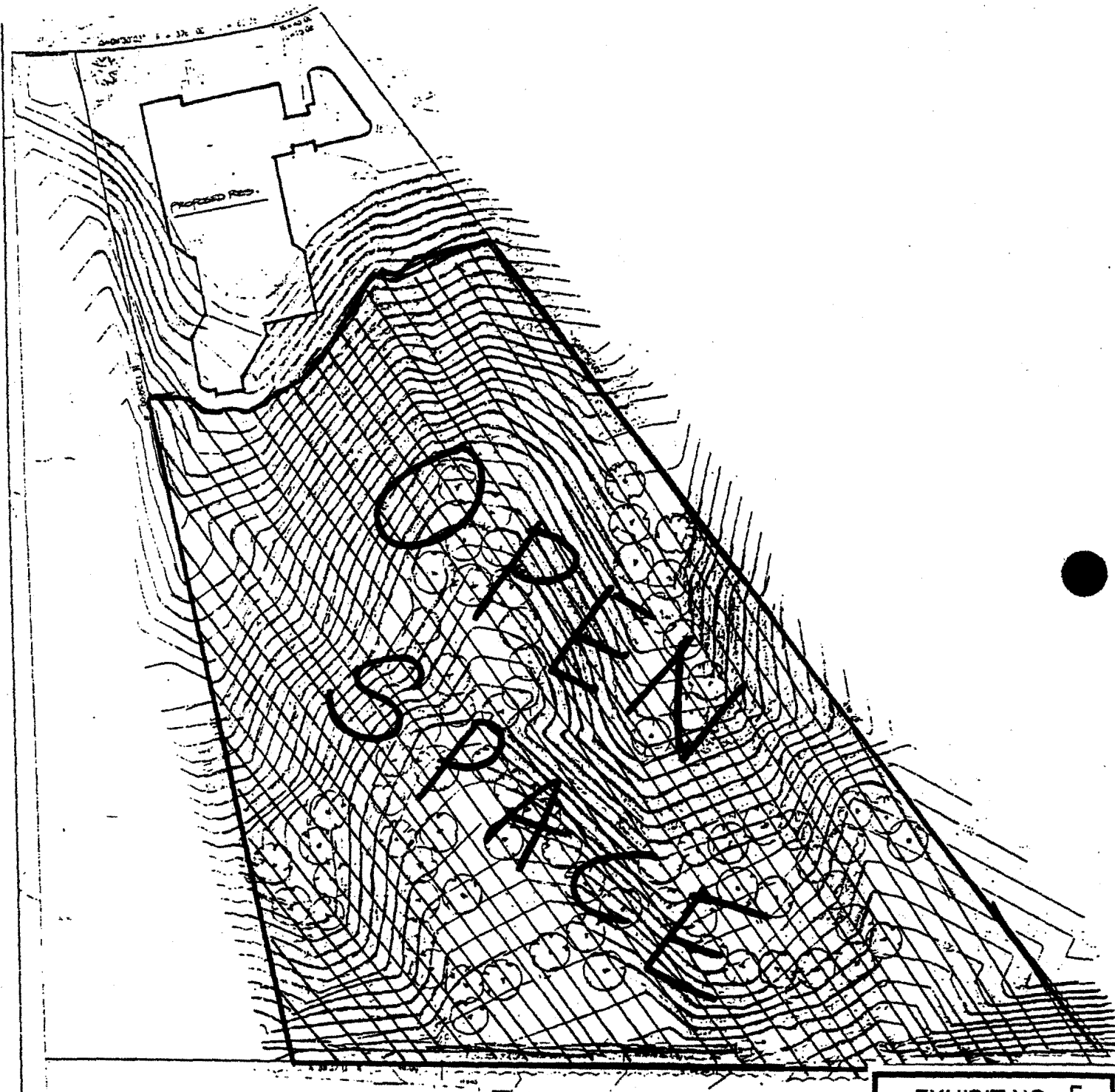


EXHIBIT NO. 5
APPLICATION NO.
6-98-54

Open Space Design
Restricted Area
(in concept only)