

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

3111 CAMINO DEL RIO NORTH, SUITE 200

SAN DIEGO, CA 92108-1725

521-8036

**Wed 23d**

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 Staff: GDC-SD
 Staff Report: 11/18/99
 Hearing Date: 12/7-10/99

REGULAR CALENDAR
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-99-85

Applicant: Michael House

Agent: Max Wuthrich

Description: Construction of an approximately 864 sq. ft. three-stall equine barn (including breezeway) with approximately 2,340 cu.yds. of grading, a horse riding arena and a wood railing fence to be placed along the property lines and surrounding the horse barn and riding arena, on an approximately 2.86 acre lot containing an existing approximately 5,637 sq. ft. two-story single family residence.

Lot Area	124,582 sq. ft.
Building Coverage	5,627 sq. ft. (5%)
Paved Area	10,235 sq. ft. (8%)
Landscape Coverage	102,895 sq. ft. (82%)
Unimproved Area	5,825 sq. ft. (5%)
Zoning	RR-5
Plan Designation	Estate 17
Ht abv fin grade	14.5 feet

Site: 4098 Stonebridge Lane, Rancho Santa Fe, San Diego County
 (APN: 262-190-24)

Substantive File Documents: Certified San Diego County LCP; CDP Nos: 6-83-314 and 6-88-259 and 6-92-165.

STAFF NOTES:Summary of Staff's Preliminary Recommendation:

The subject site is upland and adjacent to San Elijo Lagoon Ecological Reserve and highly visible from a number of public areas. Issues regarding the development relate to protection of sensitive resources and water quality impacts. Staff is recommending

approval of the proposed development with conditions which require relocation of the proposed fence so that it will not encroach into the existing open space easement, the prohibition of grading activities from occurring during the rainy season of October 1st to April 1st of any year, installation of drainage and erosion control improvements, coloring of the fence and barn consistent with the surrounding natural environment, installation of landscaping that promotes natural non-invasive vegetation and protects visual resources, and preparation and implementation of a manure removal plan that protects nearby resources.

PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

MOTION: *I move that the Commission approve Coastal Development Permit No. 6-99-85 pursuant to the staff recommendation.*

I. STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **YES** vote. This will result in adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION TO APPROVE THE PERMIT:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned, will be in conformity with the policies of Chapter 3 of the Coastal Act and 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. Approval of the permit complies with the California Environmental Quality Act because there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. **Revised Final Plans.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, revised final plans for the development. Said plans shall be in substantial conformance with the plans submitted with this application by K & S

Engineering, date stamped received October 7, 1999, except that they shall be revised to document the following:

- a. No development including fencing, grading or detention or desiltation basins shall occur within the onsite 100 foot-wide open space easement, and
- b. the proposed fencing within the open space area shall be relocated to the inland (eastern) side of the open space easement (outside the easement area) and connect up to the proposed perimeter fencing on the north and southwest sides of the property so as to prohibit horses from entering into the open space easement area.

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

2. Drainage/Runoff/Sedimentation Control. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit final drainage and runoff control plans approved by the County of San Diego. Said plans shall be designed by a licensed engineer qualified in hydrology and hydraulics, and assure no increase in peak runoff rate from the developed site as proposed with this application over runoff that would occur from the existing site as a result of a ten-year frequency storm over a six-hour duration (10 year, 6 hour rainstorm). Runoff control shall be accomplished by such means as on-site detention/desilting basins. Energy dissipating measures at the terminus of outflow drains shall be constructed. The runoff control plan, including supporting calculations, shall be submitted to, reviewed and approved in writing by the Executive Director.

The permittee shall undertake the 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.

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 grading and erosion control plans that have been approved by the County of San Diego. The approved plans shall incorporate the following requirements:

- a. No grading activities shall be allowed during the rainy season (the period from October 1st to April 1st of each year). All disturbed areas shall be replanted immediately following grading and prior to the beginning of the rainy season.
- b. All permanent runoff and erosion control devices shall be developed and installed prior to or concurrent with any on-site grading activities. All areas

disturbed, but not completed, during the construction season, including graded pads, shall be stabilized in advance of the rainy season. The use of temporary erosion control measures, such as berms, interceptor ditches, sandbagging, filtered inlets, debris basins, and silt traps shall be utilized in conjunction with plantings to minimize soil loss during construction.

b. Landscaping shall be installed on all cut and fill slopes prior to October 1st with temporary or permanent erosion control methods. Said planting shall be accomplished under the supervision of a licensed landscape architect, shall provide adequate coverage within 90 days, and shall utilize vegetation of species compatible with surrounding native vegetation (non-invasive), subject to Executive Director approval.

The permittee shall undertake development in accordance with the approved grading and erosion control plans. Any proposed changes to the approved grading and erosion control plans or grading schedule 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.

4. Manure Control Plan\BMP's. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval a manure control plan, approved by the County of San Diego, which includes at a minimum:

- a. A manure storage area consisting of a concrete floor with impervious raised sides and covered with a waterproof top. Cleaning generated runoff from the storage area must be filtered to collect and remove manure particles prior to discharge.
- b. Manure shall be removed from the riding arena and other open areas on a weekly basis and from the storage area at least twice per month.
- c. The plan shall require that excess manure be dumped at an authorized solid waste collection facility, be collected by a commercial soils company for processing into a soils additive or be utilized as part of an authorized off-site composting or recycling program.

The permittees shall undertake the development in accordance with the approved plan. Any proposed changes to the approved plan shall be reported to the Executive Director. No change to the plan shall occur without a Commission-approved amendment to the permit unless the Executive Director determines that no such amendment is required.

5. Landscaping Plan/Deed Restriction. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and written approval of the Executive Director, a final landscaping plan that has been

approved by the County of San Diego, and developed in consultation with the California Department of Fish and Game. Said plan shall including the following:

- a. A plan showing the type, size, extent and location of all trees on the site, to consist of, at a minimum, three specimen size trees (24 inch box) and shrubs to effectively screen those portions of the barn structure that will be visible from within San Elijo Lagoon or Manchester Avenue.
- b. Fire-resistant, drought tolerant native or naturalizing, non-invasive plant materials shall be utilized to the maximum extent feasible (no iceplant).
- c. A planting schedule that indicates that the planting plan shall be implemented within 60 days of completion of the construction of the horse barn.
- d. A written commitment by the applicant that all required plantings shall be maintained in good growing conditions, and whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape screening requirements.

PRIOR TO ISSUANCE OF THE PERMIT, the applicant shall record a deed restriction, in a form and content acceptable to the Executive Director, that reflects the above requirements. The restriction shall provide that landscaping shall be implemented in accordance with Special Condition #5 and consistent with those plans approved with CDP #6-99-85. 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.

6. Exterior Treatment/Deed Restriction. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and approval in writing of the Executive Director, a color board or other indication of the exterior materials and color scheme to be utilized in the construction of the proposed horse barn and fences. The color of the structure, roof and fencing permitted hereby shall be restricted to color compatible with the surrounding environment (earth tones) including shades of green, brown, and gray, with no white or light shades, no red tile roof and no bright tones except as minor accents. All windows shall be comprised of non-glare glass.

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 structure approved in this permit, binding all successors and assigns, and shall be recorded free of prior liens and encumbrances 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.

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. Detailed Project Description/History. Proposed is the construction of an approximately 864 sq. ft. three-stall horse barn (including breezeway) that includes approximately 2,340 cu. yds. of grading, an approximately 5,917 sq. ft. open riding arena, a five foot-high, three rail fence to enclose the entire property, horse barn paddock and riding arena on an approximately 2.86 acre lot containing an existing approximately 5,637 sq. ft. single family residence. The site is located east of and adjacent to San Elijo Lagoon in Rancho Santa Fe, a community of San Diego County.

The approximately 2.86 acre parcel was created as part of 26 unit subdivision approved by the Commission in July of 1983 (CDP #6-83-314/Manchester Estates). The approved coastal permit for the subdivision required, among other things, the recordation of an offer to dedicate a 100 foot-wide open space easement to preserve steep slopes and to separate the developable portion of the subject site from San Elijo Lagoon, that no grading occur during the rainy season (October 1st to April 1st) and that drainage and runoff control measures be installed to insure no increase of runoff would occur from development of the site. The open space easement prohibits "any alteration of landforms, placement or removal of vegetation, or erection of structures of any type unless approved by the Coastal Commission or its successor in interest." A coastal development permit for the existing single family residence was approved by the Commission on June 20, 1988 (CDP #6-88-259/Stiles) and also included conditions prohibiting grading during the rainy season and the installation of drainage and runoff control measures to protect the downstream resources of San Elijo Lagoon.

The County of San Diego Local Coastal Program (LCP) was certified by the Commission with suggested modifications, however, the County never accepted the suggested modifications and thus, never assumed permit issuing authority. Therefore, the County LCP is not effectively certified, and Chapter 3 of the Coastal Act is the standard of review.

2. Sensitive Resources. Section 30231 of the Coastal Act states:

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, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

In addition, Section 30240 of the Act 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.

The project site is located east of and immediately adjacent to the San Elijo Lagoon Ecological Reserver, an environmentally sensitive habitat area and Regional Park that is managed jointly by the California Department of Fish and Game and the San Diego County Parks and Recreation Department. In addition, San Elijo Lagoon is one of the 19 priority wetlands listed by the Department of Fish and Game for acquisition. The lagoon provides habitat for at least five State or Federal-listed threatened or endangered birds including the California least tern, the light-footed clapper rail, Belding's savannah sparrow, the brown pelican and the western snowy plover. The California gnatcatcher has also been observed around the lagoon reserve.

The lot on which the development is proposed consists of an upper, flat pad area containing an existing single-family residence, with a remaining undeveloped area sloping down to the west. The western property line abuts the San Elijo Lagoon Ecological Reserve. The applicant proposes to grade approximately 2,340 cu. yds. of soil to construct an approximately 4,470 sq. ft. building pad, a three-stall horse barn, and riding arena all to be located on the upper area outside of the 100 foot-wide open space easement. However, the applicant also proposes to construct a 5 foot-high, three rail fence around the perimeter of the property lines and around the riding arena and horse barn paddock area. As proposed, the 5 foot-high fence would be located on the property line adjacent to San Elijo Lagoon and within the 100 foot-wide open space easement.

The Commission has typically found that development within 100 feet of wetland (freshwater or saltmarsh) areas will adversely impact the wetland. The purpose of establishing a buffer area between wetlands and development is to reduce the amount of human and domestic animal intrusion into sensitive vegetation, to reduce the impact of human activity on native wildlife species, to provide an area of land which can filter drainage and runoff from developed areas before it impacts the wetlands, and to provide an upland resting retreat area for some wetland animal species. Maintenance of an adequate buffer area between wetlands and areas where horses are located is particularly important, because nutrients associated with horse waste can be carried or washed into the lagoon, damaging native plant species and encouraging the growth of algae and invasive plant species. Even if solid waste material is removed regularly, liquid wastes can enter the soils and leach into the wetlands.

In response to the need to preserve wetlands and sensitive habitat, the County of San Diego developed the Coastal Resource Protection (CRP) overlay zone as part of its certified LCP. The project site is located within the CRP overlay area. Section 2818 (b) requires that the following specific findings be made for projects within the CRP overlay:

1. The proposed use, activity or construction will not have any significant adverse effects on the habitat or scenic values of the wetlands or on associated rare, threatened or endangered species...
2. The proposed use, activity or construction will not: Involve wetland fill...increase sedimentation of the wetland...
3. The proposed use, activity or construction is consistent with the applicable goals and policies of the California Coastal Act...

Therefore, when the Commission approved the original subdivision for the project (CDP #6-83-314), an offer to dedicate an open space easement was placed on the site prohibiting alteration of landforms, placement or removal of vegetation or erection of structures of any type in an area 100 feet in width adjacent to the western property line. The proposed 5 foot-high fence within the open space area would be inconsistent with that condition and would be inconsistent with Sections 30231 and 30233 of the Coastal Act which require the maintenance of natural vegetation buffer areas surrounding environmentally sensitive habitat areas and prohibits the degradation of resources within those areas. A fence in this location would visually degrade the open space transition area between the lagoon and the residential development and could result in increased pressure from neighboring homeowners to construct similar structures within the adjacent open space area, leading to a further degradation of the resources. Horse activity within the open space easement could result in trampling damage to the existing native and non-native vegetation thereby reducing the amount of area that would be capable of filtering storm water runoff into the lagoon. The introduction of horse waste within the open space area would also result in an increase of nutrients into San Elijo Lagoon that encourage the growth of algae and invasive plant species. In addition, horse and human activity within the open space area could inhibit the use of the area by wildlife and lead to erosion and downstream sedimentation. Therefore, Special Condition #1 requires the applicant to submit revised plans that indicate that the proposed fencing will be relocated so that it is outside of the 100 foot-wide open space easement and prevents horses from entering the buffer.

Section 30231 and 30240 of the Coastal Act also require that new development be designed to minimize the adverse impacts of sediments and polluted runoff that enter sensitive habitat areas. The applicant proposes to house up to three horses on the subject property. It is estimated that an average horse produces approximately 1 cubic foot of manure per day, and, therefore, the deposits from three horses over a short period of time on the approximately 3 acre parcel could be significant. Storm water runoff from the site would contain this manure, or pollutants from this manure. Because the subject site is located upland and adjacent to San Elijo Lagoon, an environmentally sensitive habitat, all runoff from the development site will enter into the lagoon. Because of the potential harmful effects of manure to San Elijo Lagoon, it is essential that the manure waste

generated on site be removed in a timely manner and that measures be installed which will prohibit the wastes from entering into the lagoon. Special Condition #4 has been attached which requires the construction of a manure collection facility that will inhibit waste from entering any watercourse and which requires removal of manure from open areas on a weekly basis. The condition prohibits the stockpiling of manure in open unprotected areas and requires that storage occur in a closed container above a concrete floor which will ensure that waste liquids do not leach into the soil. In addition, the condition requires any runoff from the cleaning of the storage facility must be filtered to remove manure particles prior to discharge. With these conditions, potential adverse impacts from runoff associated with the storage of manure onsite will be minimized to the maximum extent feasible.

The applicant also proposes to grade approximately 2,340 cu. yds. of soil to create an approximately 4,470 sq. ft. building pad to support the proposed 3-stall barn. The graded pad and barn will be located at the northwest corner of the developable portion of the property, immediately adjacent to the 100 foot-wide open space easement, and will be located at an approximately 20 foot lower elevation than that of the existing residence. A hydrology report submitted with the application indicates that storm water runoff from the proposed barn facility, as constructed, will be approximately 46% greater than currently exists onsite. Increased runoff at this site could result in scouring effects on the surrounding natural landforms and thereby an increase in sediments that could enter the lagoon. In addition, increased runoff from the horse barn area would increase the likelihood of manure waste and other polluted materials running off into the sensitive habitat areas of San Elijo Lagoon. Special Condition # 2 has been attached which requires the submission of revised drainage plans which will eliminate any increased runoff caused by the subject development. The condition requires that the applicant install a drainage control system that incorporates onsite detention/desilting basins and energy dissipaters that will result in no increase from the peak runoff rate that currently exists on site during a ten-year frequency storm over a six hour duration would occur with the addition of the subject development. It appears that there is adequate room onsite to install such devices without entering into the open space area.

The water quality of the lagoon can also be adversely impacted by construction activities which are not completed in advance of the rainy season. Runoff from an unvegetated graded site located adjacent to coastal waters can lead to significant sediment which can affect water quality and sensitive habitat. Therefore, Special Condition #3 prohibits any grading activities from occurring during the rainy season of October 1st to April 1st of any year and requires that erosion control devices and landscaping be installed prior to the start of the rainy season. This condition will ensure that if any graded areas are exposed at the start of the rainy season, erosion control measures will be in place to prevent runoff from carrying sediment into the lagoon. These conditions are consistent with the conditions of approval for the original subdivision (CDP #6-83-314/Manchester Estates) and the existing single family residence (CDP #6-88-259/Stiles). The applicant has also estimated that approximately 1,980 cu. yds. of grading materials will be removed from the development site. Since the applicant has not indicated where that material will be disposed of, Special Condition #7 has been attached which requires the applicant to

identify the disposition site and advises them that if the site is located within the coastal zone an additional coastal development permit or amendment would be required.

In summary, the subject site is located directly adjacent to San Elijo Lagoon Ecological Reserve, an environmentally sensitive habitat area. Sections 30231 and 30240 of the Coastal Act require that new development be designed in a manner that minimizes adverse impacts to environmentally sensitive habitat through the application of a natural vegetation buffer between development and the sensitive resources and the installation of runoff control measures that prevent sediment and pollution from reaching the sensitive habitat. The subject development has been conditioned to require that no development occur within the 100 foot-wide open space easement, that drainage and erosion control measures be installed to control runoff and that a manure management plan be implemented to inhibit manure waste pollution from entering into the lagoon. As conditioned, the Commission finds that the proposed development is consistent with Sections 30232 and 30241 of the Act.

3. Visual Quality. Section 30251 of the Coastal Act 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, and, where feasible, to restore and enhance visual quality in visually degraded areas...

The proposed development will occur above a slope overlooking the eastern portion of San Elijo Lagoon. Construction of the proposed horse barn and fencing will be visible from numerous trails located throughout the eastern side of the lagoon, and will be visible from Interstate 5 and Manchester Avenue in Encinitas both of which are designated view corridors in the certified City of Encinitas LCP. As noted above, when the original subdivision creating the project site was approved by the Commission, a deed restriction was placed on the property prohibiting grading or erection of any structures on or within the open space easement. These restrictions were placed on the site in order to protect the sensitive resources of the lagoon reserve, and to preserve the scenic quality of the lagoon viewshed.

In addition, the site is located within the County of San Diego's Coastal Resource Protection (CRP) overlay, which evokes the County's Scenic Area regulations. Section 5210 of these regulations states:

...proposed development shall not, to the maximum extent feasible, interfere with or degrade those visual features, natural or man-made, or the site or adjacent sites which contribute to its scenic attractiveness, as viewed from either the scenic highway or the adjacent scenic, historic, or recreational resource....

(a) ...All development shall be compatible with the topography, vegetation and colors of the natural environment...

(b) (2) The placement of buildings and structures shall not detract from the visual setting...and shall be compatible with the topography of the site and adjacent areas.

(f) ...The alteration of the natural topography of the site shall be minimized and shall avoid detrimental effects to the visual setting of the designated area and the existing natural drainage system.

The area surrounding the project site consists of San Elijo Lagoon, to the west with steep vegetated hillsides to the north and southwest. Large lots containing single family residences are located immediately north, south and east of the subject development site. These lots contain a high number of trees and other vegetation to reduce the visibility from offsite locations. The natural landforms surrounding and within San Elijo Lagoon provide a gradual visual transition to the upland areas containing the single family residential structures. The proposed horse barn and the fencing will be located at the western edge of the upland portion of the property and will therefore be visible from lagoon trails, surrounding hillsides, Interstate 5 to the west and Manchester Avenue to the northwest. Special Conditions #5 and 6 require the applicant to reduce the maximum extent feasible the effects of the proposed development by installing trees and other landscaping and by coloring the barn and fences with earth tones colors consistent with the surrounding environment. These conditions will reduce the development's visibility within the designated view corridors consistent with the requirements placed on the original subdivision and the existing single family residence. The proposed barn, riding ring, and fencing will be placed in locations that, as conditioned, will not have an adverse impact on the existing scenic and visual quality of the lagoon environment. Therefore, the Commission finds that the proposed development is consistent with Section 30251 of the Coastal Act.

4. Public Access. Section 30212 of the Coastal Act requires, in part, that:

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

(1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,

(2) adequate access exists nearby, . . .

The project site lies between the sea (San Elijo Lagoon) and the designated first coastal roadway in the area, Stonebridge Lane. Public access to San Elijo Lagoon is not accommodated by this proposed development or through the previously approved subdivision. A 100 foot-wide open space easement separates the developable portions of the site from San Elijo Lagoon and use of the area for public access would be inconsistent with the intent of the open space easement which is to provide an undisturbed natural area for vegetation and wildlife transition and visual buffer. However, adequate public access to the lagoon currently exists in the form of trails and trailheads located around the perimeter of the lagoon which accommodates both pedestrian and equestrian users of the park. The proposed project will not adversely impact these existing access points. As such, since adequate public access currently exists, the proposed development is consistent with Section 30212 of the Act.

5. 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 identified in the County LCP which calls for the protection of environmentally sensitive habitat areas and visual resources. The development 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 or visual resources 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.

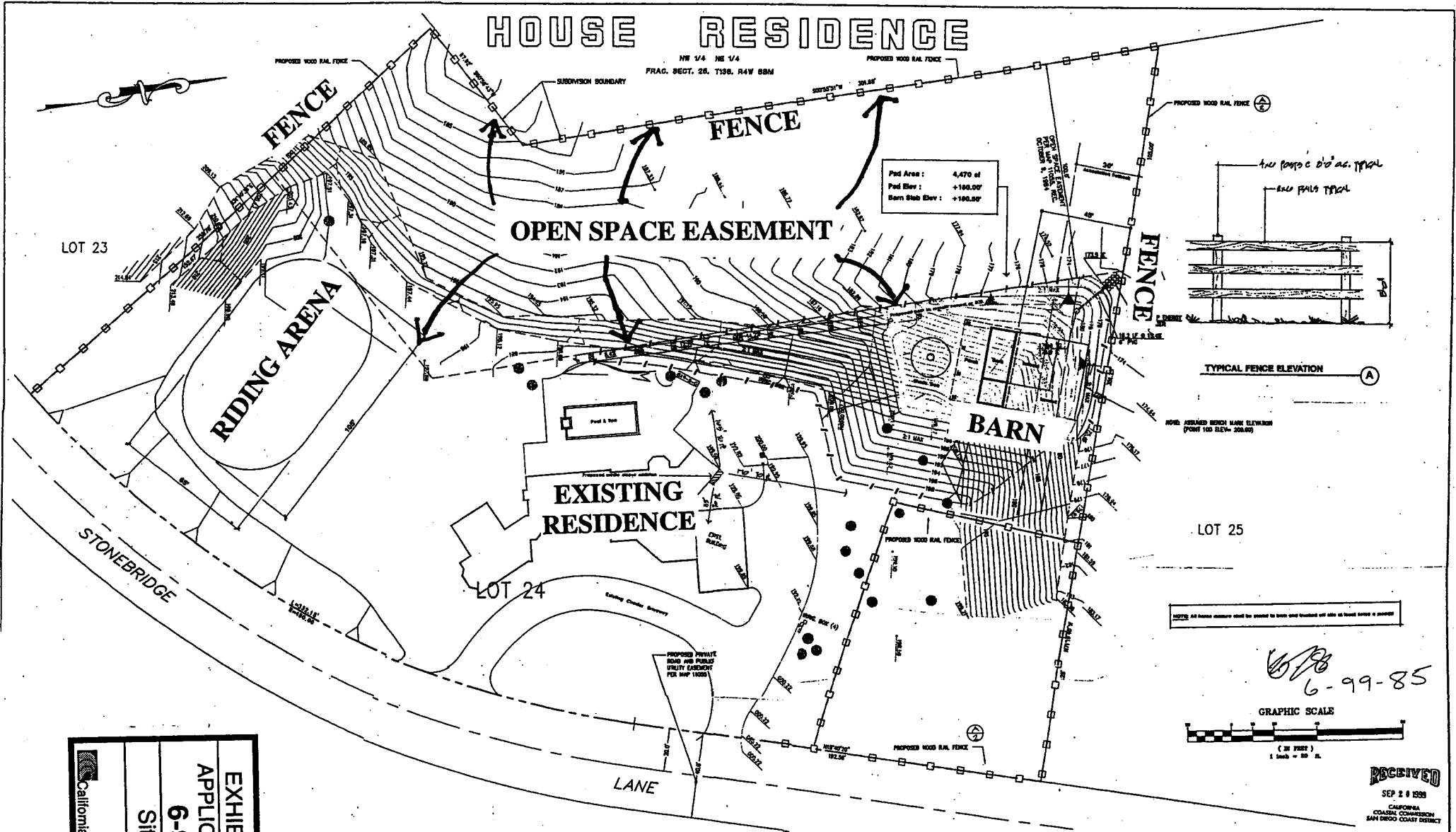
5. Consistency with the California Environmental Quality Act (CEQA). Section 13096 of the Commission's Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of 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 prohibit development within the open space easement, limit grading to the non-rainy season, incorporate the use of Best Management Practices with revised drainage and erosion control plans to protect against polluted run-off, and coloring and landscaping conditions to protect visual resources 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.





HOUSE RESIDENCE

NW 1/4 NE 1/4
FRAG. SECT. 26, T138, R4W 88M

OPEN SPACE EASEMENT

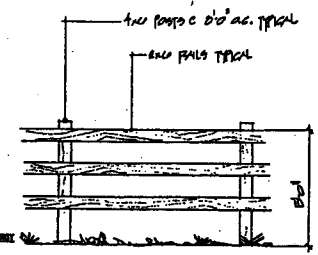
RIDING ARENA

EXISTING RESIDENCE

BARN

STONEBRIDGE LANE

Pad Area : 4,470 sf
Pad Elev : +100.00'
Barn Slab Elev : +100.00'



TYPICAL FENCE ELEVATION (A)

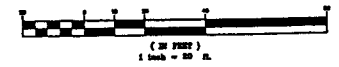
NOTE: FURNISH BENCH MARK ELEVATION (POINT 100 ELEV. = 200.00)

LOT 25

NOTE: All fence markers shall be placed in line and marked off site at least twice a year.

6-99-85

GRAPHIC SCALE



RECEIVED

SEP 20 1999
CALIFORNIA COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

California Coastal Commission

EXHIBIT NO. 2

APPLICATION NO. 6-99-85

Site Plan

COUNTY APPROVED CHANGES			
No.	Description	Approved by	Date

BENCH MARK

DESCRIPTION: METAL SPIKE IN PAVEMENT CORNER INDICATED ON GRADING PLAN, SHEET 2

LOCATION: APPROX. 42.5' NORTHWESTERLY OF NORTHWEST CORNER OF EXISTING BUILDING ON LOT

RECORD FROM: TBM

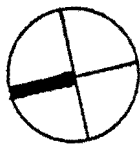
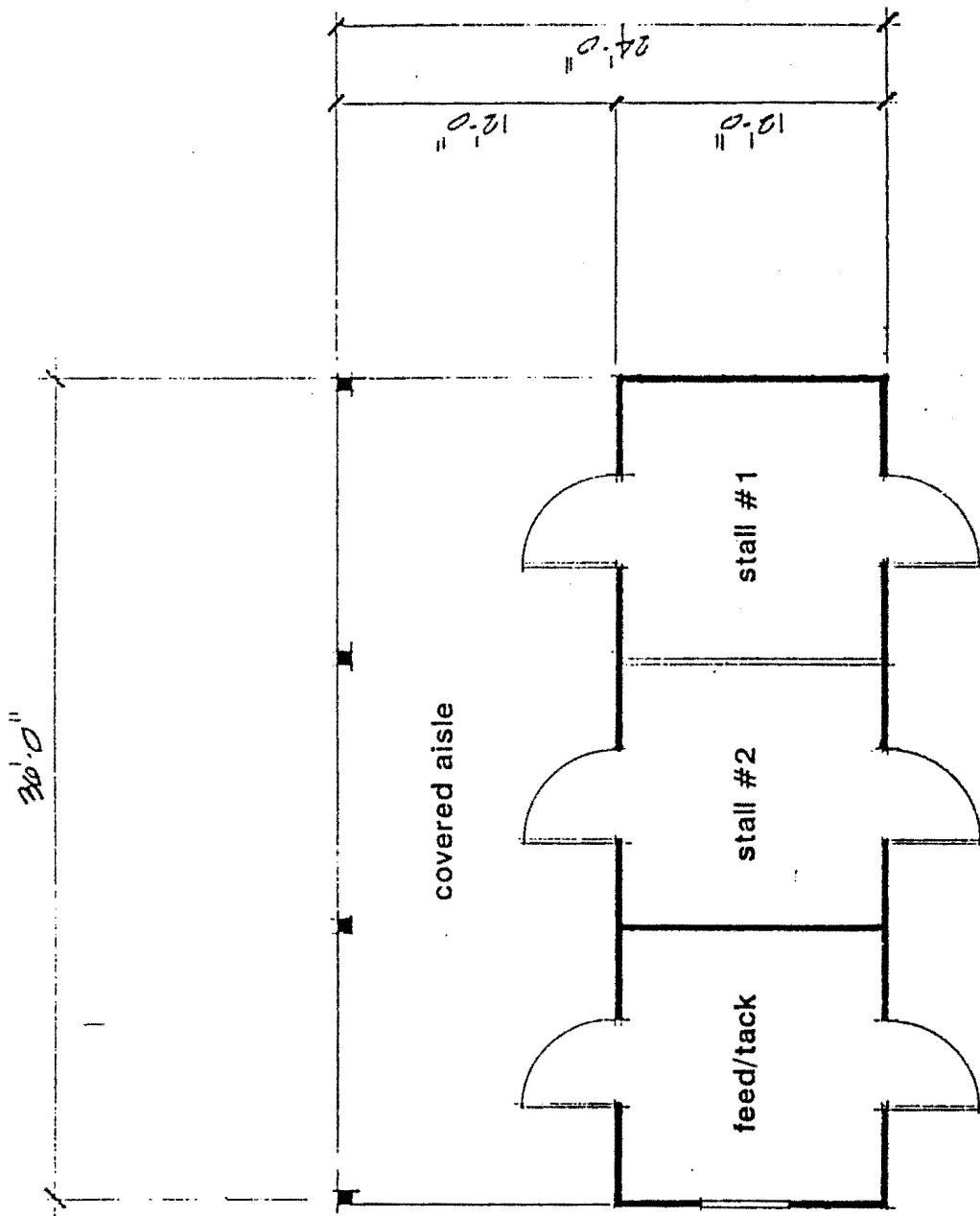
ELEVATION: 200.00

DATUM: ASSUMED

PRIVATE CONTRACT		
SHEET 2	COUNTY OF SAN DIEGO BUILDING DEPARTMENT	2 SHEETS
TITLE SHEET FOR: HOUSE RESIDENCE		
		2 of 8




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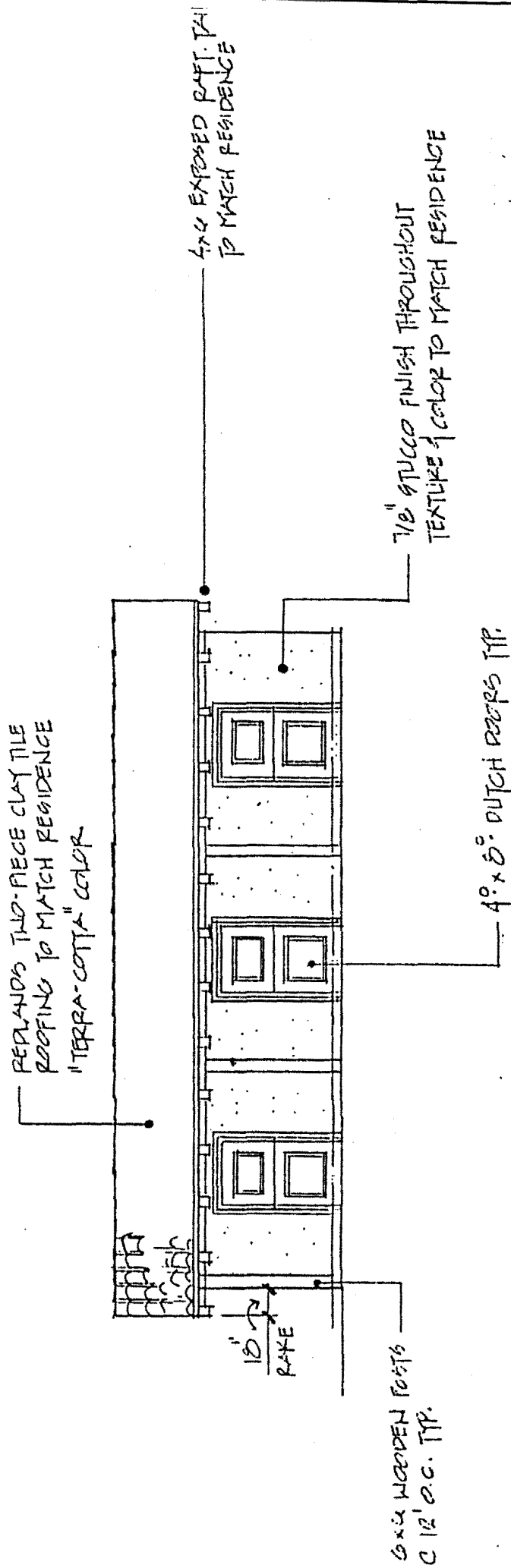


Barn 432 sf + Aisle 432 sf = 864 sf

BARN PLAN
1/8" = 1'-0"

EXHIBIT NO. 3
APPLICATION NO.
6-99-85
Barn Plan
 California Coastal Commission

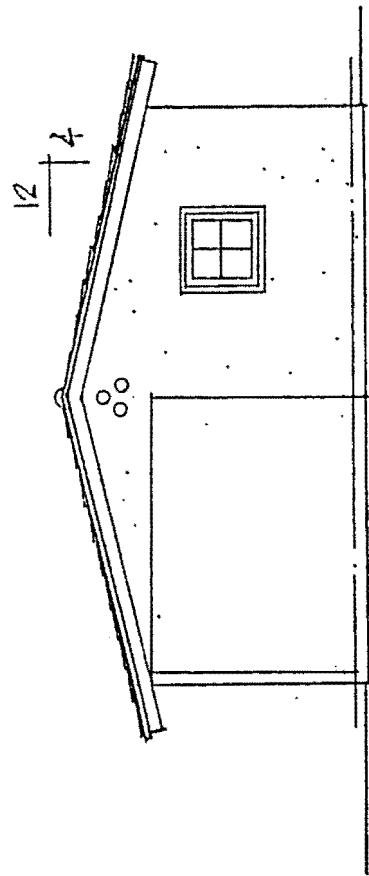
JUN 15 1999




FRONT ELEVATION
1/8"=1'-0"

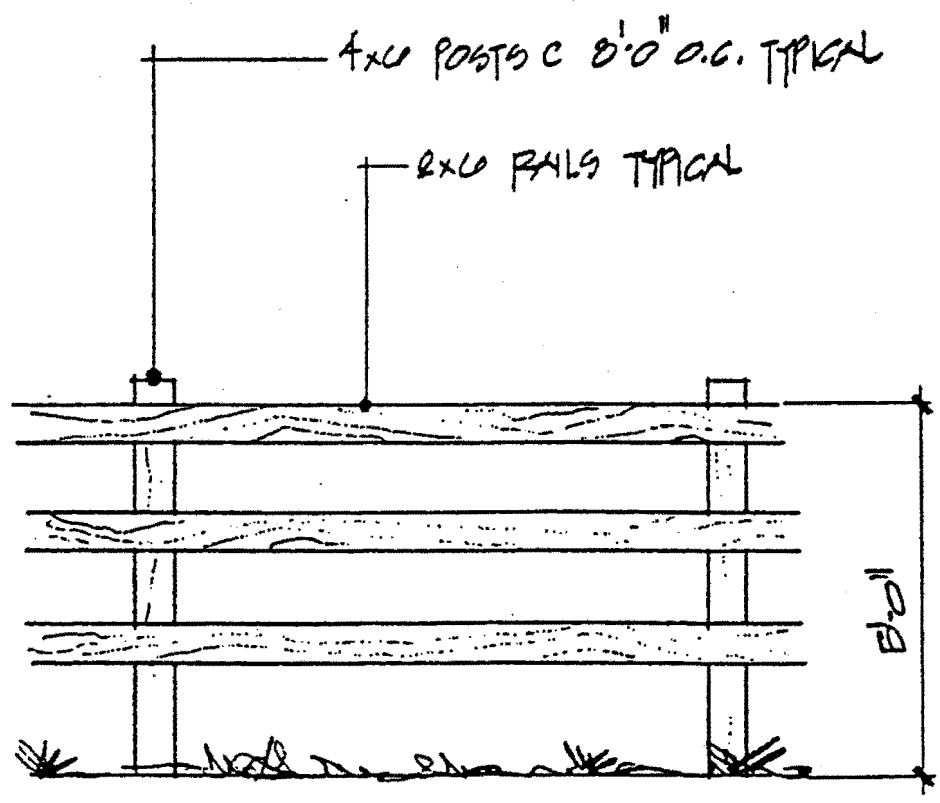
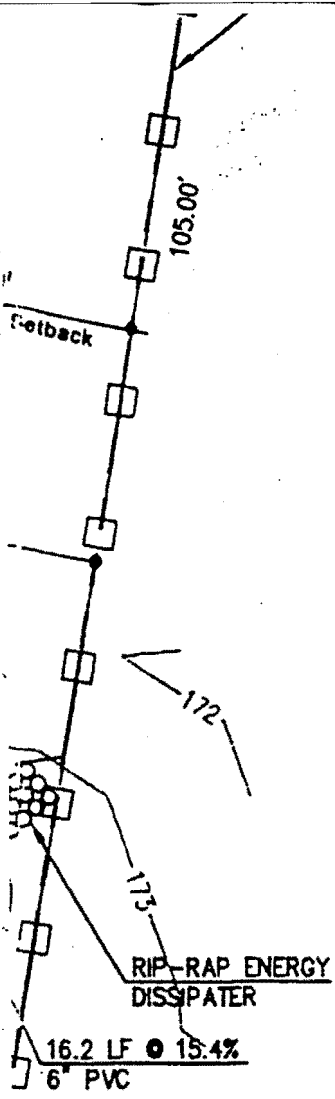
EXHIBIT NO. 4
APPLICATION NO. 6-99-85
Elevations
Page 1 of 2
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RIGHTSIDE ELEVATION
1/8" = 1'-0"

EXHIBIT NO. 4
APPLICATION NO. 6-99-85
Elevations
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 California Coastal Commission



TYPICAL FENCE ELEVATION A

NOTE: ASSUMED BENCH MARK ELEVATION
(POINT 100 ELEV= 200.00)

EXHIBIT NO. 5
APPLICATION NO. 6-99-85
Typical Fence
California Coastal Commission