

**CALIFORNIA COASTAL COMMISSION**

SAN DIEGO AREA  
3111 CAMINO DEL RIO NORTH, SUITE 200  
SAN DIEGO, CA 92108-1725  
(619) 521-8038



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Permit Application No. 6-99-037/BP  
Date 4/21/99

**ADMINISTRATIVE PERMIT**

APPLICANT: Beach King, Inc.

PROJECT DESCRIPTION: Construction of two 3,830 sq. ft., 28-ft. high, single-family dwellings with attached garages, one each on two adjacent 4,500 sq.ft. vacant lots.

PROJECT LOCATION: On the north side of Chiquapin Avenue between Garfield Street and Carlsbad Blvd., Carlsbad, San Diego County, APN 206-013-12, 13

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 12, 1999  
9:00 a.m.

LOCATION:

Flamingo Resort Hotel  
2777 Fourth Street  
Santa Rosa, CA

**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: Bill Ponder

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgement. 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.

Proposed is the construction of two 3,830 sq. ft., 28 ft. high, single-family dwellings, one each on two adjacent 4,500 sq.ft. vacant lots. A total of 2 off-street parking spaces are proposed in attached garages on each lot.

The project site consists of two adjacent legal lots located on the north side of Chinquapin Avenue between Garfield Street and Carlsbad Blvd., approximately 300 feet north of Agua Hedionda Lagoon in the City of Carlsbad. The Agua Hedionda Lagoon plan area is the only uncertified segment in the City of Carlsbad's LCP; therefore, the Commission retains permit jurisdiction in this area with the standard of review being the Chapter 3 policies of the Coastal Act.

Section 30251 of the Coastal Act requires new development to be sited and designed to preserve the scenic quality of the coastline. As noted, the project site is near Agua Hedionda Lagoon and Carlsbad Blvd., a designated scenic corridor. The structures would be a maximum of 28-ft. in height. The surrounding area is characterized by a mixture of older, single-family homes and duplexes, and newer high density, multi-family housing. The proposed structures would be consistent in scale and character with the surrounding area. The proposed projects are not located within the viewshed of the lagoon nor Carlsbad Boulevard and will not impact any existing public views; thus, the Executive Director determines no potential exists that scenic resources of the area will be impacted. Therefore, the project can be found consistent with Section 30251 of the Coastal Act.

The site is designated Residential High (RH) with a Residential Multi-Family (R-3) zoning designation in the Agua Hedionda Lagoon LUP. The proposed development is consistent with these designations. The project sites are not located within any overlays identified in the LCP. Based on the above, the project has been found consistent with the Chapter 3 policies of the Coastal Act and the certified Agua Hedionda Lagoon LUP. Approval of the project will not prejudice the ability of the City of Carlsbad to prepare and implement a certifiable LCP for this area.

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.

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date of Signing