

RECORD PACKET COPY

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San Diego Coast District

CONSENT CALENDAR

Wednesday, March 15, 2000

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6-00-6

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CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
 3111 CAMINO DEL RIO NORTH, SUITE 200
 SAN DIEGO, CA 92108-1725
 619-491-8036



Filed: January 7, 2000
 49th Day: February 25, 2000
 180th Day: July 25, 2000
 Staff: GC-SD
 Staff Report: February 24, 2000
 Hearing Date: March 14-17, 2000

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-00-6

Applicant: Wallace Development Company Agent: Craig Ronholm

Description: Subdivision of an existing vacant 18,522 sq. ft. lot into two parcels (Parcel 1 = 7,981 sq.ft.; Parcel 2 = 10,541 sq.ft.) and construction of two one-story single-family residences (2,387 sq.ft. and 2,471 sq.ft.).

	<u>Parcel 1</u>	<u>Parcel 2</u>
Lot Area	7,981 sq. ft.	10,541 sq. ft.
Building Coverage	2,471 sq. ft. (31%)	2,387 sq. ft. (23%)
Pavement Coverage	776 sq. ft. (10%)	776 sq. ft. (7%)
Landscape Coverage	4,734 sq. ft. (59%)	7,378 sq. ft. (70%)
Parking Spaces	2	2
Zoning	MR Medium Residential	
Plan Designation	MR Medium Residential (5-7 du/ac)	
Project Density	4.7	
Ht abv fin grade	16 feet	

Site: 708 Ida Avenue, Solana Beach, San Diego County. APN 298-162-04.

Substantive File Documents: Certified County of San Diego Local Coastal Program (LCP); City of Solana Beach General Plan and Zoning Ordinance; City of Solana Beach Development Review Permit 17-98-15

STAFF RECOMMENDATION:

I. MOTION: *I move that the Commission approve the coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

STAFF RECOMMENDATION TO ADOPT CONSENT CALENDAR:

Staff recommends a **YES** vote. Passage of this motion will result in approval of all the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

II. Standard Conditions.

See attached page.

III. Special Conditions.

1. Landscaping Plans. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, a detailed landscape plan for the proposed development that has been approved by the City of Solana Beach. Said plan shall indicate the type, size, extent and location of all plant materials, the proposed irrigation system and other landscape features. Drought tolerant plant materials, and low-flow irrigation systems shall be utilized. The plans shall include landscaping consisting of trees and ground cover.

The permittee shall undertake development in accordance with the approved landscape plan. 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.

2. Drainage Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, a drainage and runoff control plan documenting that the runoff from the roof, driveway and other impervious surfaces shall be directed into pervious areas on the site (landscaped areas) for infiltration and/or percolation, prior to being collected, where necessary, and conveyed off-site in a non-erosive manner.

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. Import of Grading Materials. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall identify the location of the borrow site for the proposed imported grading material. If the site is located within the coastal zone,

a separate coastal development permit or permit amendment shall be obtained from the California Coastal Commission prior to import.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description. Proposed is the subdivision of a 18,522 sq. ft. lot into two parcels (Parcel 1 = 7,981 sq. ft.; Parcel 2 = 10,541 sq. ft.) and construction of two one-story single-family residences with attached garages. On proposed Parcel 1, the proposed structure will be 2,471 sq. ft. and on proposed Parcel 2, the proposed structure will be 2,387 sq. ft. The subject site is located between Ida Avenue and Castro Street, approximately 200 feet west of Interstate 5 in the City of Solana Beach. Access to proposed Parcel 1 will be from Castro Street, with access to proposed Parcel 2 taken from Ida Avenue.

The proposal also involves grading of approximately 2,650 cu. yds. including approximately 760 cu. yds. to be imported from off-site. Since the application does not indicate the location of the proposed borrow site, Special Condition #3 has been attached. This condition requires the applicant to identify the borrow site prior to release of the subject permit and to obtain an additional coastal development permit or permit amendment if the borrow site is located within the Coastal Zone.

The project site is located within an area that was previously covered by the County of San Diego's Certified Local Coastal Program (LCP). However, the County LCP was never effectively certified and therefore is used as guidance with Chapter 3 Policies of the Coastal Act used as the standard of review.

2. New Development/Visual Resources. Section 30250 (a) of the Coastal Act requires that new development be located within, contiguous with, or in close proximity to existing developed areas able to accommodate it or in other areas with adequate public services, and where it will not have significant adverse impacts, either individually or cumulatively, on coastal resources.

In addition, Section 30251 of the Coastal Act requires that the scenic and visual qualities of coastal areas be protected and the permitted development be sited and designed to protect views to and along the ocean, minimize the alteration of natural land forms, and be visually compatible with the character of surrounding areas.

The proposed development is located in an established residential neighborhood. The site is currently served with all typical urban services, and the surrounding infrastructure of the community will be able to accommodate the increased density of development resulting from the proposed lot split. The proposed subdivision will result in lots that are comparable to other parcels in the area. The area surrounding the proposed development

is a mix of single-family and multiple-family dwelling units, and the proposed structures will be generally consistent with the character of the surrounding neighborhood.

Although the property is located adjacent to Interstate 5, the site is not visible from Interstate 5 due to its substantially lower elevation. The project site is also not located within any designated view corridors and there are no existing public views of the ocean or other coastal areas available across the development site. In addition, the site is not subject to any of the special overlays identified in the previously certified County LCP. Therefore, the Commission finds the proposed development consistent with Sections 30250(a) and 30251 of the Coastal Act.

3. Runoff/Water Quality. Section 30231 of the Coastal Act requires that the biological productivity of coastal waters, streams, etc. be maintained by, among other means, controlling runoff. The project site is currently vacant with minimal vegetation and is not immediately adjacent to any wetland or sensitive resource that could be adversely impacted by runoff from the site. The project site slopes gently from east to west such that all runoff from the site currently consists of sheet flow conveyed to the east onto Castro Street. The proposed development includes site drainage improvements to ensure that all runoff is collected and directed to Castro Street. However, no provisions to address water quality are proposed.

In order to reduce the potential for adverse impacts to water quality resulting from drainage runoff from the proposed development, Special Condition Nos 1 and 2 have been attached. Special Condition #1 requires the installation of drought tolerant landscaping on the site consisting of trees and ground cover. Special Condition #2 requires that runoff from the roof, driveway and other impervious surfaces be directed into the landscaped areas on the site for infiltration and/or percolation, prior to being collected and conveyed off-site. Directing on-site runoff through landscaping for filtration of on-site runoff in this fashion is a well-established Best Management Practice for treating runoff from small developments such as the subject proposal. As conditioned, the proposed landscaping will serve to reduce any impacts to water quality from the project to insignificant levels. Therefore, the Commission finds the proposed project consistent with Section 30231 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 provisions of Chapter 3 of the Coastal Act. In this case, such a finding can be made.

The site is zoned and designated for medium residential development at a maximum allowable density of 5-7 dwelling units per acre (dua) in the City of Solana Beach Zoning Ordinance and draft Land Use Plan, and is zoned for a maximum density of 14.5 dua in the certified County of San Diego LCP, which the Commission uses for guidance in review of development in Solana Beach. The maximum density resulting from the

subject development would be 4.7 dwelling units per acre, consistent with the City and County zone and plan designations. The subject development is consistent with all applicable Chapter 3 policies of the Coastal Act and no adverse impacts to coastal resources are anticipated. Therefore, the Commission finds that the proposed development will not prejudice the ability of the City of Solana Beach to prepare a certifiable Local Coastal Program.

5. Consistency with the California Environmental Quality Act (CEQA).

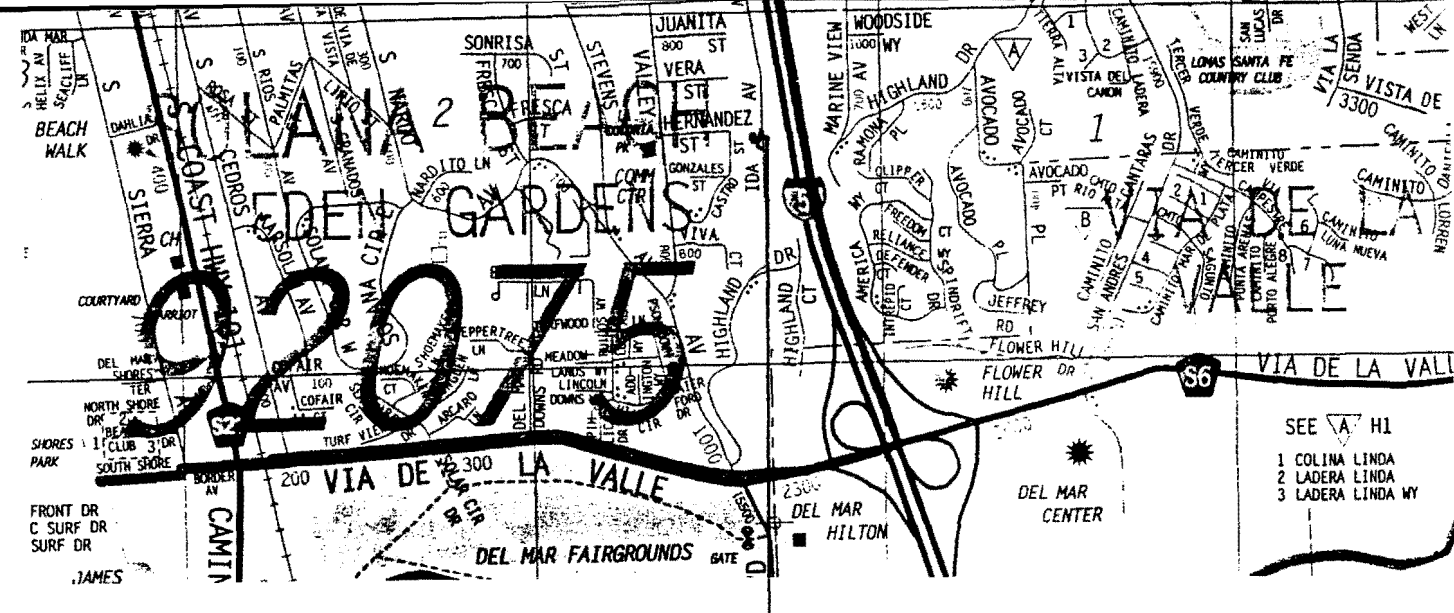
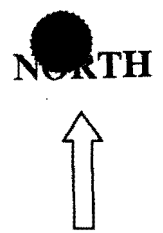
Section 13096 of the Commission's Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits 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 new development, water quality and visual resource protection policies of the Coastal Act. There are no feasible alternatives or additional 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.

STANDARD CONDITIONS:

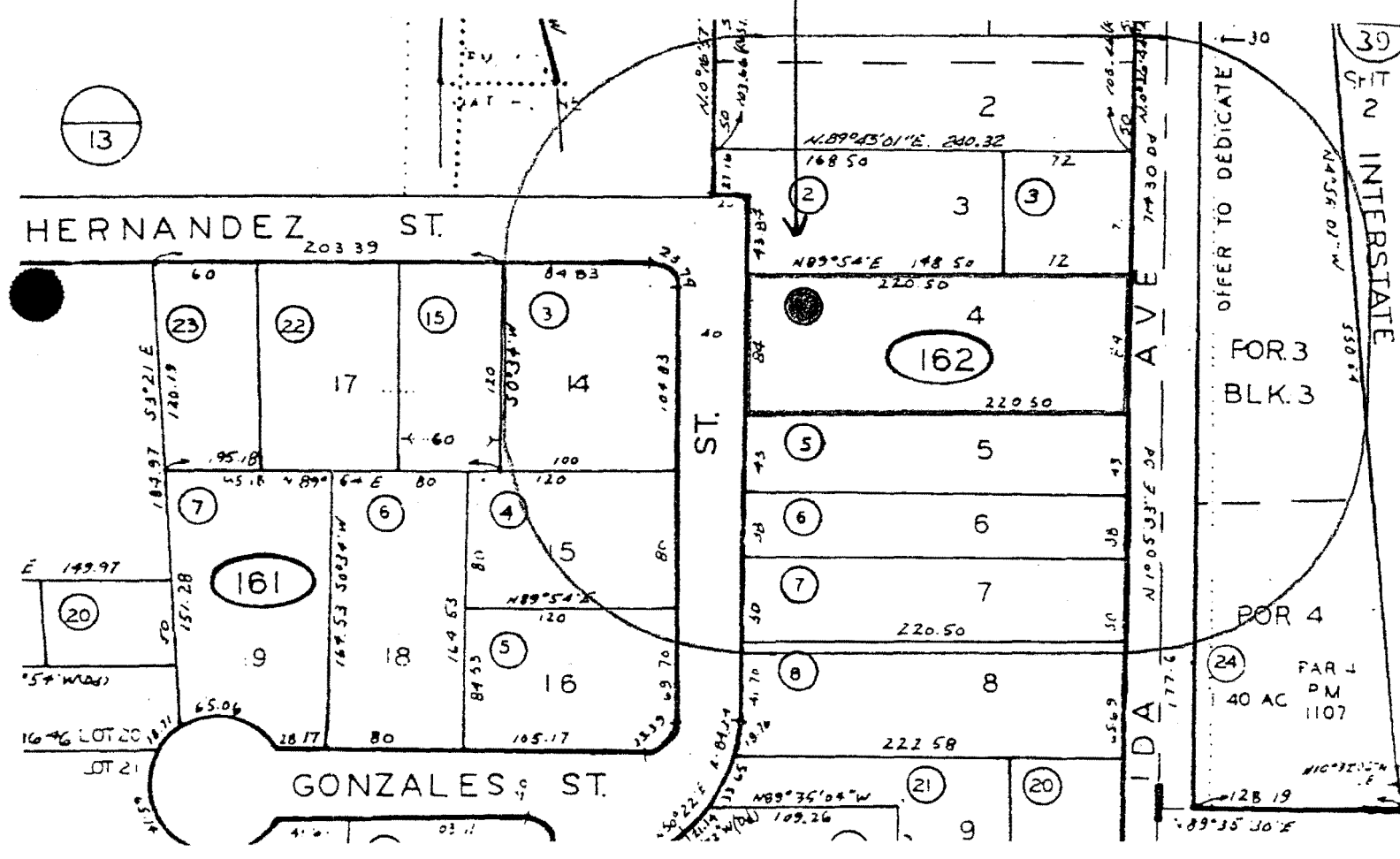
1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. 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.




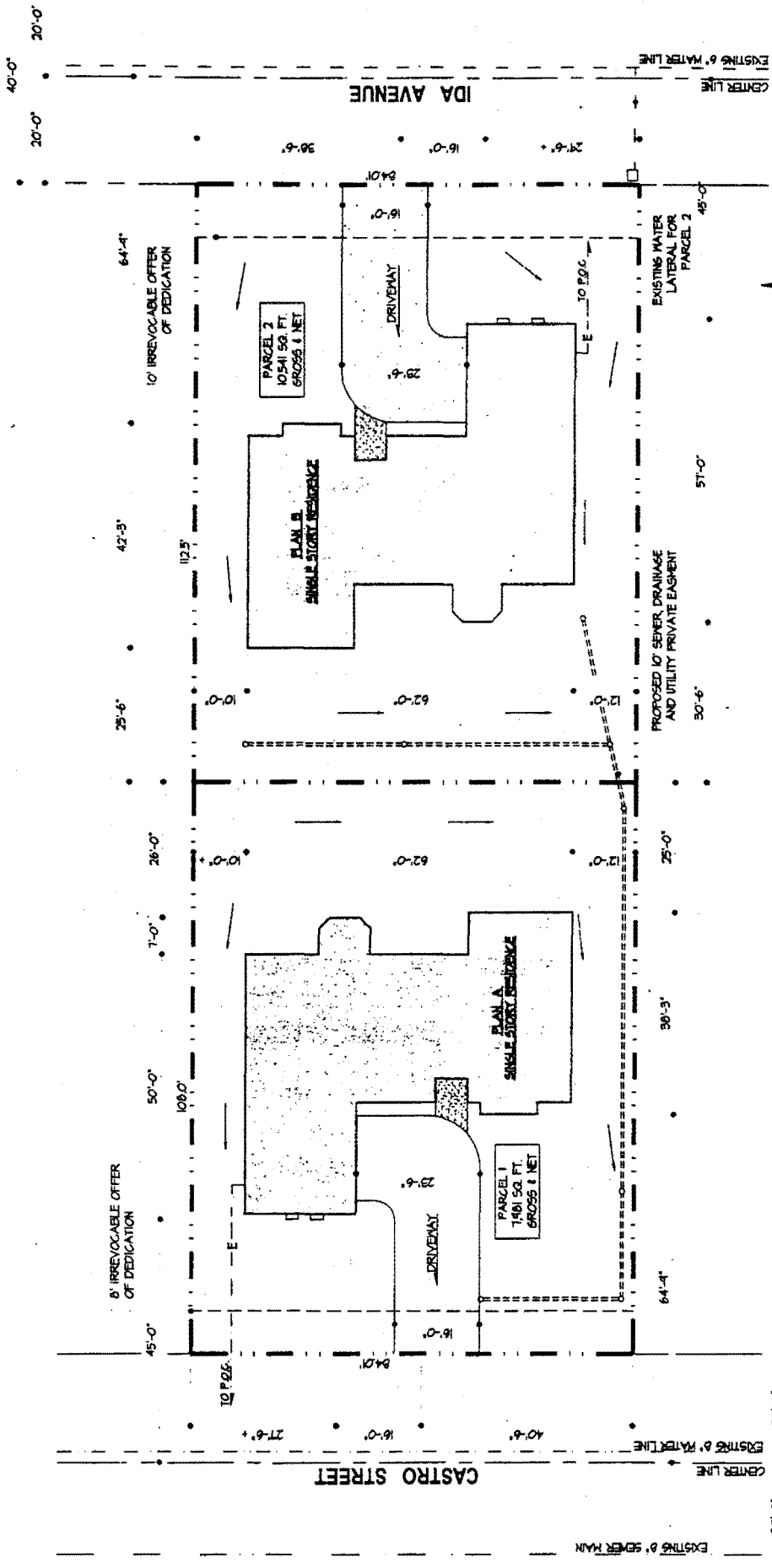
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- 1 COLINA LINDA
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 - 3 LADERA LINDA WY

SITE



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EXHIBIT NO. 1
 APPLICATION NO.
 6-00-6
 Location Map
 California Coastal Commission



NOTE: PLEASE REFER TO TENTATIVE PARCEL MAP AND PRELIMINARY GRADING PLAN (17-08-15 SUBD/P) FOR ADDITIONAL SITEGRADING INFORMATION.

SITE PLAN
SCALE: 1" = 20'-0"

EXHIBIT NO. 2
APPLICATION NO.
6-00-6
Site Plan
California Coastal Commission

CALIFORNIA COASTAL COMMISSION

SAÑ DIEGO AREA
 3111 CAMINO DEL RIO NORTH, SUITE 200
 SAN DIEGO, CA 92108-1725
 619-21-8036



Filed: January 12, 2000
 49th Day: March 1, 2000
 180th Day: July 10, 2000
 Staff: EL-SD
 Staff Report: February 22, 2000
 Hearing Date: March 14-17, 2000

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-00-8

Applicant: Mr. & Mrs. Gary Harden

Agent: Jack Smyer

Description: Demolition of an existing single-family residence and garage and construction of a new single-story, 2,302 sq.ft. single-family residence with 2-car garage and associated patio, deck and landscaping improvements.

Lot Area	6,256 sq. ft.
Building Coverage	2,502 sq. ft. (40%)
Pavement Coverage	1,200 sq. ft. (19%)
Landscape Coverage	2,554 sq. ft. (41%)
Parking Spaces	4
Zoning	RM-East 8.8 - 17.6 dua
Plan Designation	Medium Density Mixed Residential
Ht abv fin grade	26 feet

Site: 261 - 27th Street, Del Mar, San Diego County. APN 299-062-08

STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

MOTION: *I move that the Commission approve the coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

STAFF RECOMMENDATION TO ADOPT CONSENT CALENDAR:

Staff recommends a YES vote. Passage of this motion will result in approval of all the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

Substantive File Documents: Certified City of Del Mar Local Coastal Program
Floodplain Development Permit (FDP-99-03)
Design Review Board Approval (DRB-99-39)

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Assumption of Risk. 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 shall provide: (a) that the applicant understands that the site may be subject to extraordinary hazard from flooding during storms and the applicant assumes the liability from such hazards; and (b) the applicant unconditionally waives any claim of liability on the part of the Commission or its successors in interest for damage from such hazards and agrees to indemnify and hold harmless the Commission, its officers, agents, and employees relative to the Commission's approval of the project for any damage due to natural hazards. The 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. 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.

2. Landscaping Plans. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, a final, detailed landscape plan for the proposed development that has been approved by the City of Del Mar. Said plan shall indicate the type, size, extent and location of all plant materials, the proposed irrigation system and other landscape features. Drought tolerant plant materials, and low-flow irrigation systems shall be utilized. The plans shall include landscaping consisting of trees and ground cover.

The permittee shall undertake development in accordance with the approved landscape plan. 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. Drainage Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, a drainage and runoff control plan documenting that the runoff from the roof, driveway and other impervious surfaces shall be directed into pervious areas on the site (landscaped areas) for infiltration and/or percolation, prior to being collected, where necessary, and conveyed off-site in a non-erosive manner.

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.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description. The applicants are proposing to demolish an existing single-family residence and attached garage and construct a new, single-story, 2,302 sq.ft. single-family residence with an attached 200 sq.ft., two-car garage. Also proposed are patios, decks and landscaping improvements. The applicants propose four parking spaces total, two in the garage and two uncovered spaces within the driveway; this is fully consistent with the requirement of Section 30252 of the Coastal Act that new development provide adequate parking.

The site is located in the northern portion of Del Mar, a few blocks inland from the beach, within an existing developed residential neighborhood and adjacent to the railroad right-of-way. The City of Del Mar does not have an effectively-certified Local Coastal Program as yet. Therefore, coastal permit jurisdiction remains with the Coastal Commission and Chapter 3 of the Coastal Act is the standard of review.

2. Visual Resources/Intensity of Development. 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 project site is located three blocks inland from the beach, east of Camino del Mar and just west of the railroad tracks. The proposed new one-story single-family residence will be 26 feet in height. This is compatible with the surrounding residential

development and accessory facilities, which represent a mixture of one and two-story structures of varying architectural styles. The site, due to its location and surrounding development, is not within any identified public viewshed nor visible from any public recreational areas, such as the beach. Therefore, the Commission finds the proposed development consistent with Section 30251 of the Coastal Act.

3. Hazards. The project site is located within the 100-year floodplain of the San Dieguito River. Section 30253 of the Coastal Act is applicable, and states in part:

New development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs....

The site is within an established urbanized area currently committed to residential development, and further infilling is deemed appropriate and consistent with past Commission action in this area. This is one of the older portions of Del Mar. It is fully built-out, with the only new construction consisting of redevelopment of existing properties or additions to existing structures. The subject site is south of the San Dieguito River, and the proposed structure, which will replace an existing home and attached garage on the site, will not channelize the river nor have any significant effect on flood flows. When the river runs especially high (as during severe winter storms), the storm drain outlets are covered and the existing storm drain system backs up. Thus, flooding in this area tends to occur due to storm drain system failure, rather than from the river itself overflowing its banks. The Floodplain Overlay applies to nearly all the low-lying properties in the city located north of 15th Street and west of the railroad tracks, as well as to some sites east of the railroad and in the far southern end of the city.

The provisions of the approvals issued by the City required special design criteria for the structure, and stipulate that certain types of machinery and equipment not be located below 12 feet NGVD and that any interior walls, floors and ceilings located below this elevation be constructed to resist flood damage. The residence is proposed with a finished floor elevation of 12 feet NGVD. Nevertheless, the potential for damage resulting from flooding still exists. Continuing development in the area has decreased the amount of permeable land, thus increasing the amount of storm runoff. That increased runoff, along with the area's history of flooding, leads the Commission to find that the risk of flooding, either from storms or improper drainage, is not eliminated.

Therefore, the Commission is requiring, through Special Condition #1, that the applicant record a waiver of liability/indemnification. Recordation insures that the applicant and

all future property owners understand that flooding and/or failure of drainage channels, etc. to adequately convey or drain runoff associated with storm events could occur and cause damage to life or property, and that the Commission will not be liable for such damages. The indemnification further insures that the Commission will not incur damages as a result of the applicant's decision to build in an area subject to risk of flooding. This condition has also been placed on other residential projects (Coastal Development Permits 6-97-17, 6-97-61, 6-98-42, 6-99-73 and many more) in the floodplain areas of Del Mar. Therefore, as conditioned, the Commission finds the project consistent with Section 30253 of the Act.

4. Runoff/Water Quality. Section 30231 of the Coastal Act requires that the biological productivity of coastal waters, streams, etc. be maintained by, among other means, controlling runoff. The project site is currently occupied by an existing single-family home and attached garage, which are proposed for demolition. The site is flat and drainage is currently directed into the City's municipal stormdrain system. Construction of the proposed single-family residence and attached garage will not significantly increase impervious surfaces on the site and drainage will not be directed to any wetland or sensitive resource.

In order to reduce the potential for adverse impacts to water quality resulting from drainage runoff from the proposed development, Special Conditions #2 and #3 have been attached. Special Condition #2 requires the installation of drought tolerant landscaping on the site consisting of trees and ground cover. Special Condition #3 requires that runoff from the roof, driveway and other impervious surfaces be directed into the landscaped areas on the site for infiltration and/or percolation, prior to being collected and conveyed off-site. Directing on-site runoff through landscaping for filtration of on-site runoff in this fashion is a well-established Best Management Practice for treating runoff from small developments such as the subject proposal. As conditioned, the proposed landscaping will serve to reduce any impacts to water quality from the project to insignificant levels. Therefore, the Commission finds the proposed project consistent with Section 30231 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 for the development, as conditioned.

The site is designated for Medium Density Mixed Residential uses in the certified City of Del Mar Land Use Plan, and is currently zoned RM-East. These designations allow a density of 8.8 - 17.6 dwelling units per acre (dua). The proposed single-family residence is fully consistent with the land use plan and zoning designations and density provisions. The proposal has received Design Review Board approval (DRB-99-39) and a Floodplain Development Permit (FDP-99-03) and is consistent with all provisions of the certified City of Del Mar LCP Land Use Plan. As conditioned, it is also fully consistent with the

applicable Chapter 3 policies of the Coastal Act. Therefore, the Commission finds that approval of the proposed development, as conditioned herein, will not prejudice the ability of the City of Del Mar to complete it's LCP certification process.

5. 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, as conditioned, has been found consistent with the hazards, water quality, access and community character 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.

STANDARD CONDITIONS:

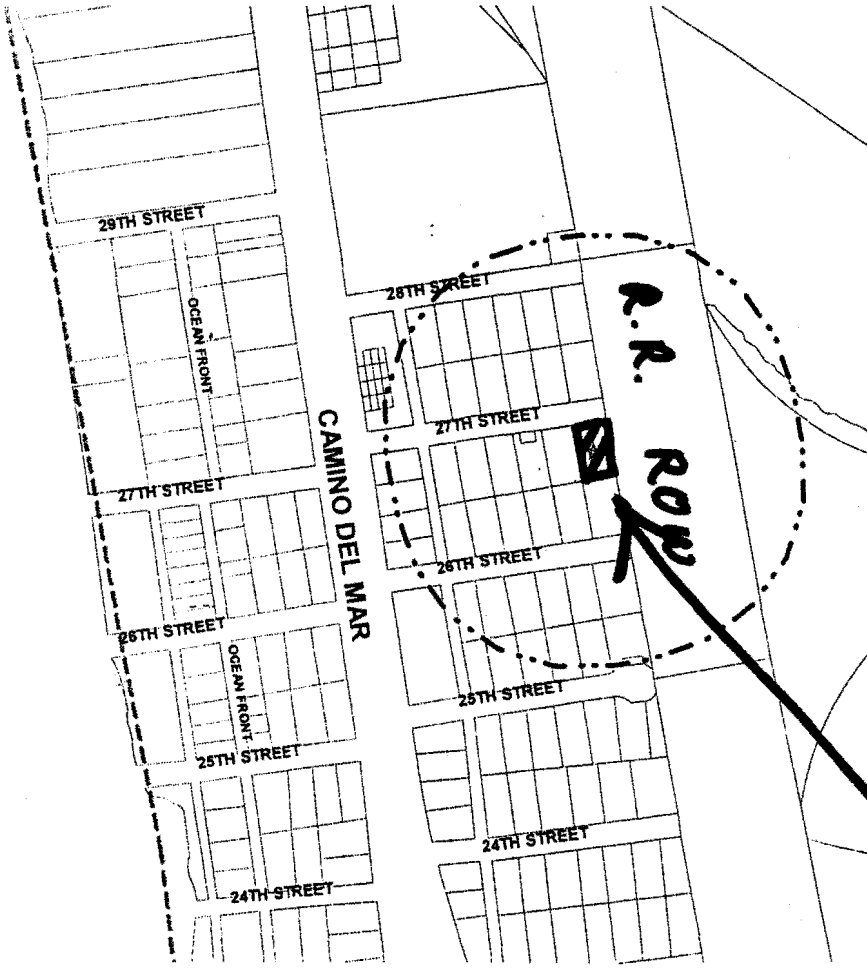
1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. 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.

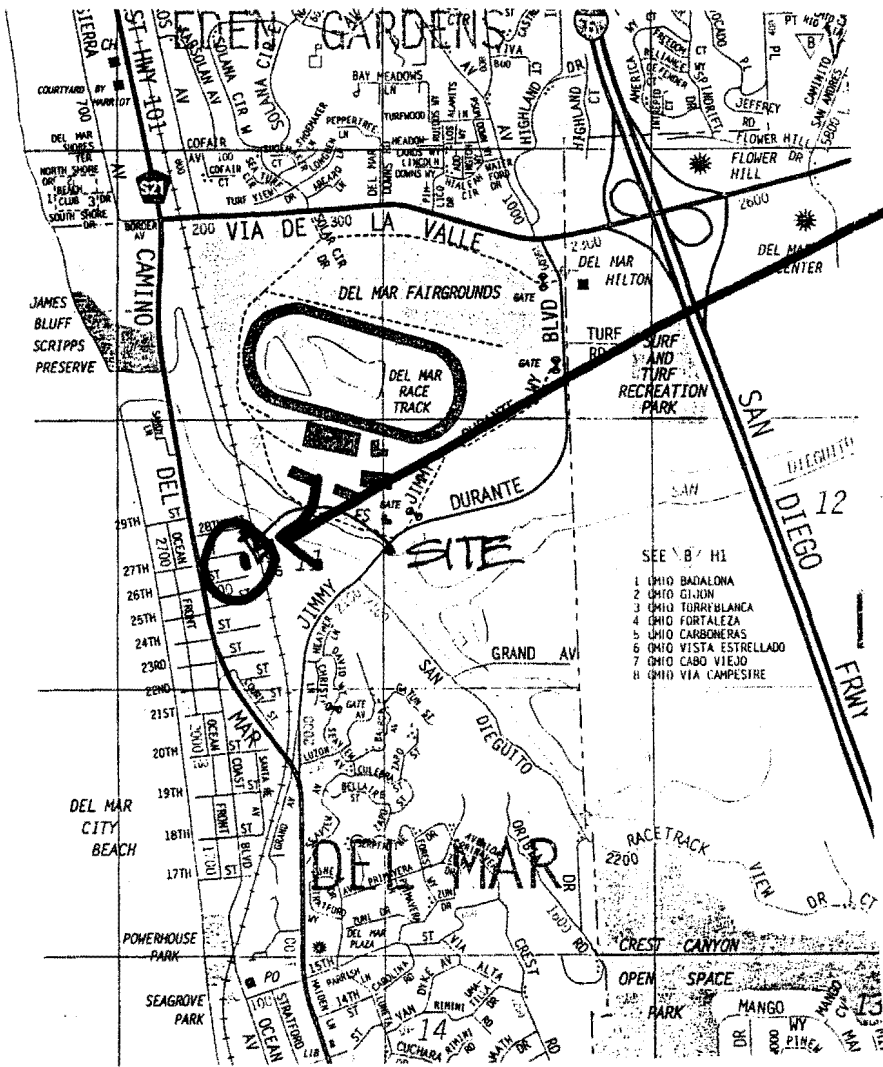
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions

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6-00-8

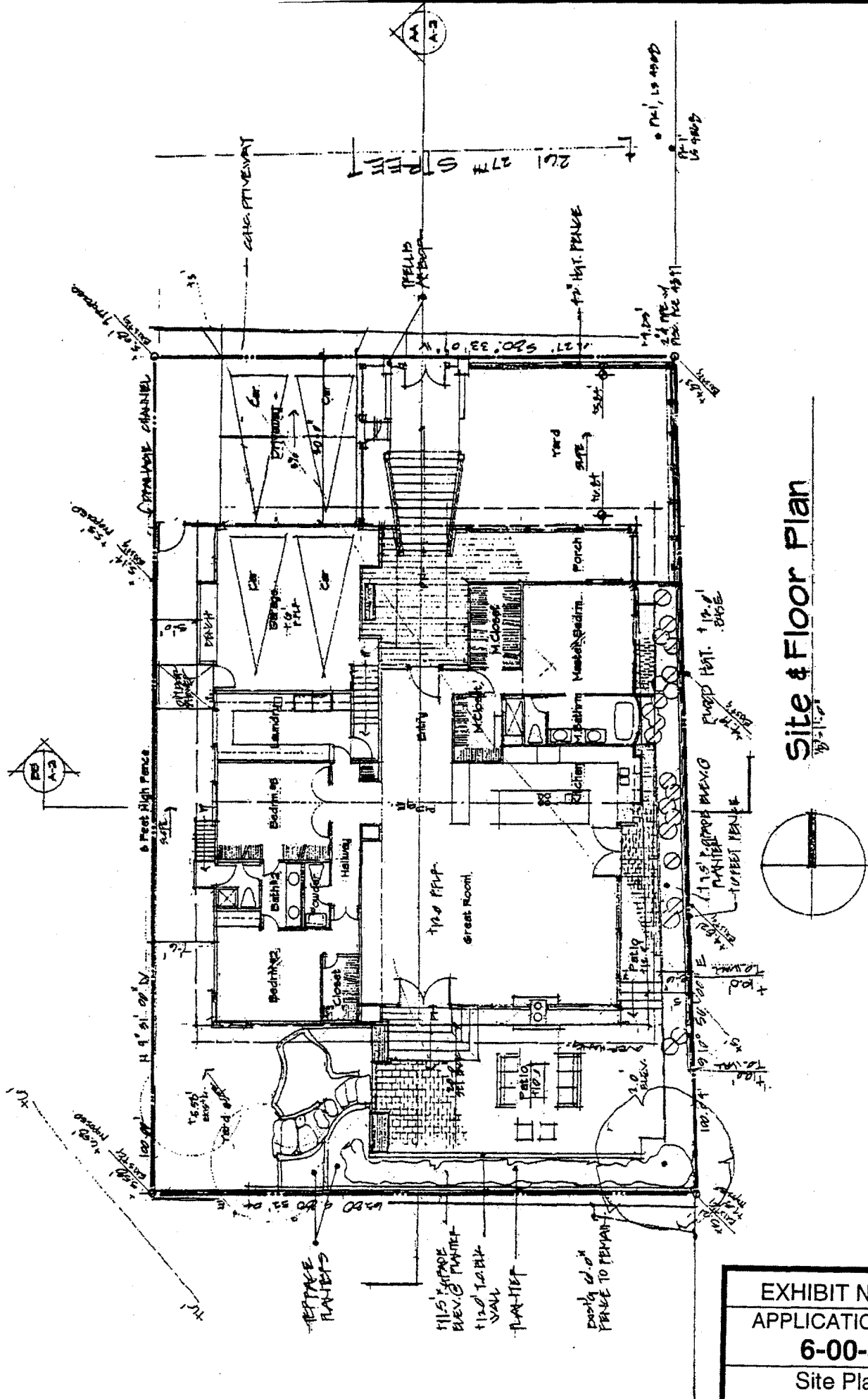


Site



- SEE B/H I
- 1 OHIO BADALONA
 - 2 OHIO GIJON
 - 3 OHIO TORREBLANCA
 - 4 OHIO FORTALEZA
 - 5 OHIO CARBONERAS
 - 6 OHIO VISTA ESTRELLADO
 - 7 OHIO CABO VIEJO
 - 8 OHIO VIA CAMPESTRE

EXHIBIT NO. 1
APPLICATION NO.
6-00-8
<i>Vicinity Maps</i>



Site & Floor Plan

EXHIBIT NO. 2
 APPLICATION NO.
 6-00-8
 Site Plan

