

**RECORD PACKET COPY**

**WED 3a-d**

# **San Diego Coast District**

## **CONSENT CALENDAR**

**Wednesday, May 10, 2000**

### **Table of Contents**

**6-00-18**

**6-00-23**

**6-00-28**

**6-00-32**

**CALIFORNIA COASTAL COMMISSION**

SAN DIEGO AREA

3111 CAMINO DEL RIO NORTH, SUITE 200

SAN DIEGO, CA 92108-1725

(619) 521-8036



Filed: March 23, 2000  
49th Day: May 11, 2000  
180th Day: September 19, 2000  
Staff: EL-SD  
Staff Report: April 19, 2000  
Hearing Date: May 9-12, 2000

**STAFF REPORT: CONSENT CALENDAR**

Application No.: 6-00-18

Applicant: Steven Parkes

Agent: Johnny Marotta

Description: Demolition of two existing single-family residences, subdivision of a 12,096 sq. ft. site into two parcels, and construction of two 2-story single-family residences, 2,764 sq.ft. and 3,507 sq.ft. in size.

Lot Area	12,096 sq. ft.
Building Coverage	3,484 sq. ft. (29%)
Pavement Coverage	3,050 sq. ft. (25%)
Landscape Coverage	5,562 sq. ft. (46%)
Parking Spaces	4
Zoning	Medium High Residential
Plan Designation	Medium High Residential 8-12 du/ac
Project Density	7.2 du/a
Ht abv fin grade	20 feet

Site: 160 & 162 Via De La Valle, Solana Beach, San Diego County.  
APN 298-420-04

**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 County of San Diego Local Coastal Program (LCP); City of Solana Beach General Plan and Zoning Ordinance; City of Solana Beach Development Review Permit 17-98-09; 17-99-22.

---

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following 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 final 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 final 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 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 proposed project is demolition of two existing single-family residences, subdivision of the 12,096 sq. ft. site into two parcels, and construction of two, 2-story single-family residences. The site is being subdivided for condominium purposes, and will not actually appear as two separate lots. The project site is located on the north side of Via de la Valle, approximately 800 feet east of Highway 101, in the City of Solana Beach. The southernmost residence adjacent to Via de la Valle will be approximately 2,323 sq.ft. with an attached 441 sq.ft. garage, and the northern residence will be approximately 3,037 sq.ft. with an attached 470 sq.ft. garage. Approximately 500 cubic yards of balanced grading is proposed. Access to both lots will be from a driveway off of Via de la Valle in the same location as access to the existing houses.

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 neighborhood consisting of a variety of multi-family and single-family residential uses, and the proposed structures will be generally consistent with the character of the surrounding 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 condominium subdivision.

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 developed with two existing single-family residences and is not immediately adjacent to any wetland or sensitive

resource that could be adversely impacted by runoff from the site. Runoff from the site currently drains south to the improved street/drainage system in Via de la Valle. The proposed development includes site drainage improvements to ensure that all runoff is collected and directed to the existing municipal system. 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 Conditions No. 1 and 2 have been attached. The applicants have submitted a draft landscape and drainage plan. 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 conveyed off-site. Directing 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-high residential development at a maximum allowable density of 8-12 dwelling units per acre (dua) in the City of Solana Beach Zoning Ordinance and draft Land Use Plan, and 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 7.2 dwelling units per acre, consistent with the City and County zone and plan designations. As conditioned, 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, as conditioned, 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, 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 new development, visual quality, and water quality policies of the Coastal Act. Mitigation measures, including conditions requiring submission of landscape and drainage plans, 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.

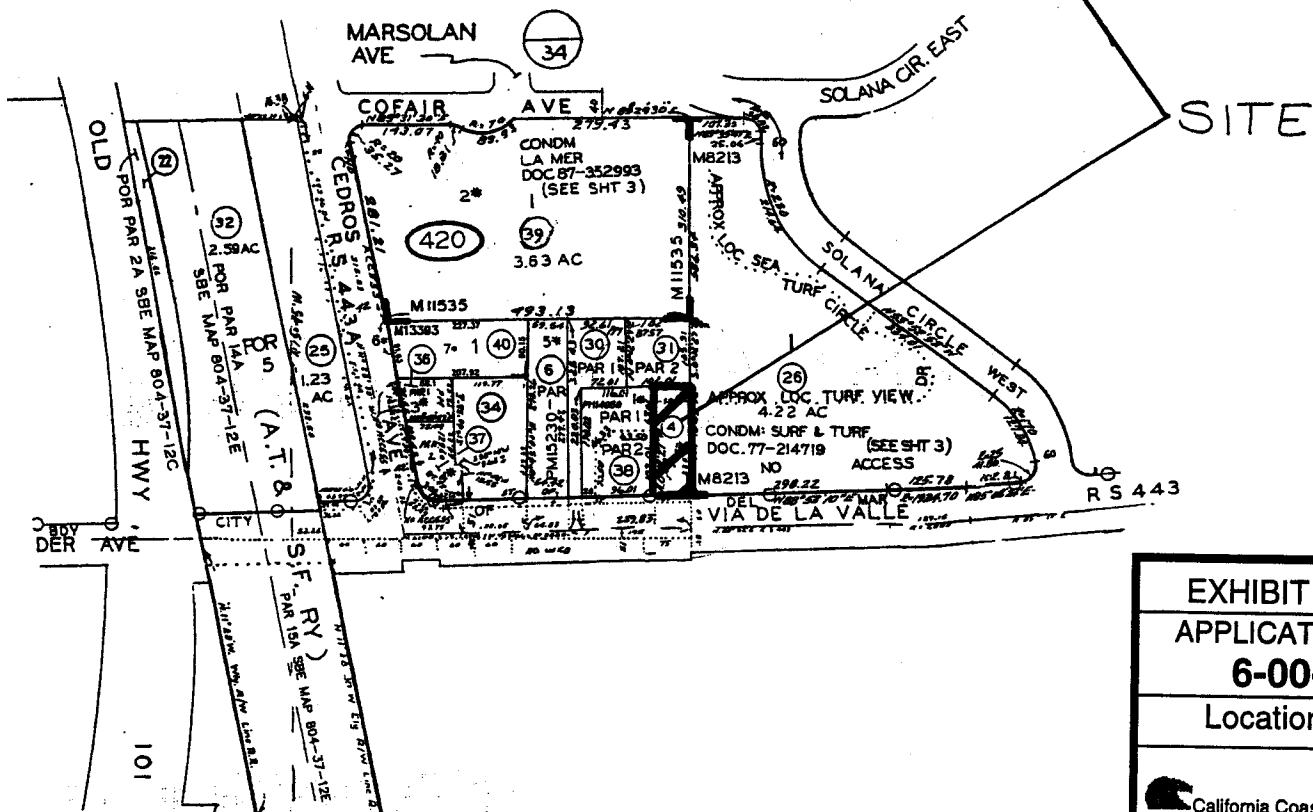
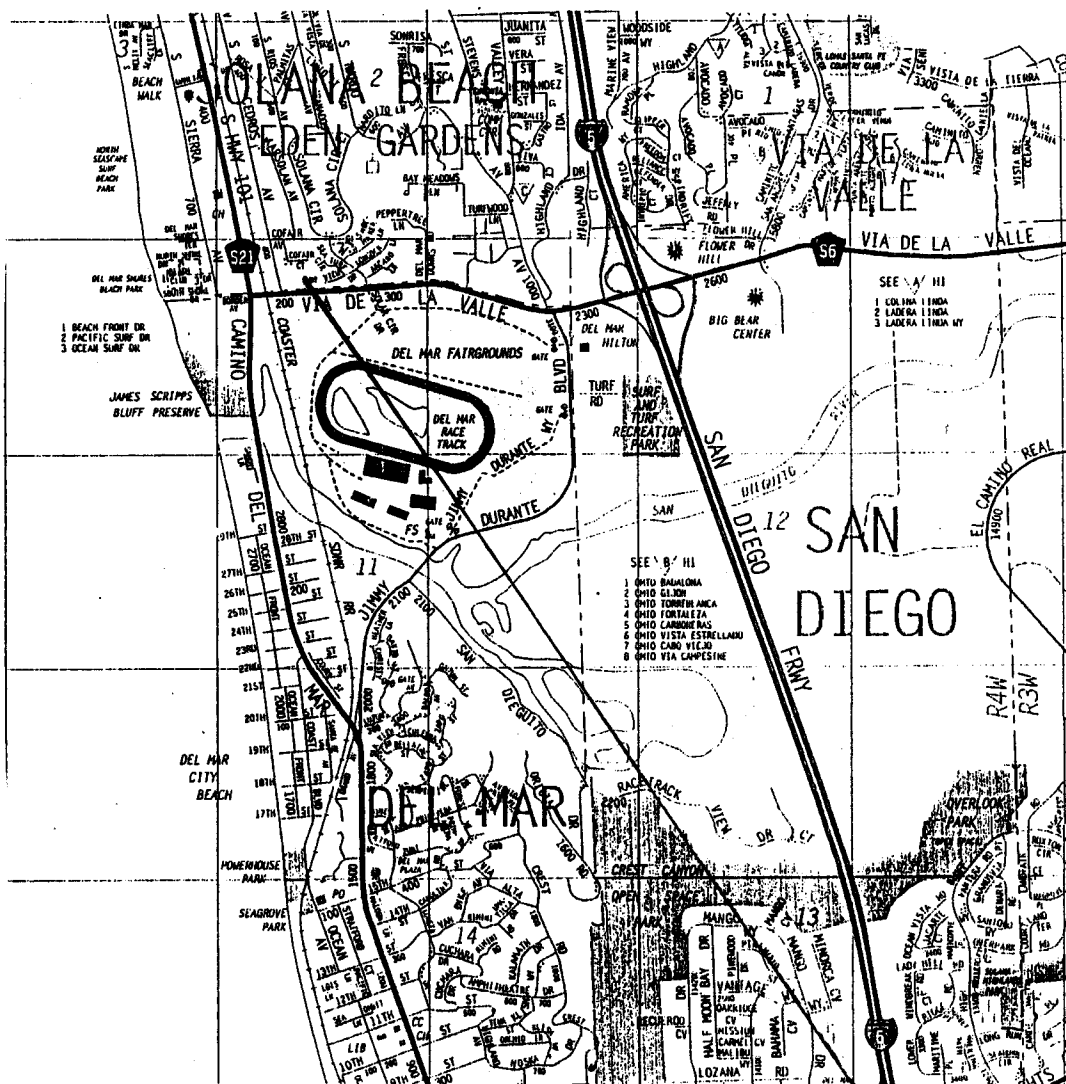
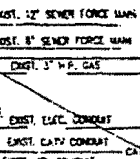


EXHIBIT NO. 1  
APPLICATION NO.  
**6-00-18**  
Location Map

**AN**

MAP B213

 California Coastal Commission



## CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

3700 CAMINO DEL RIO NORTH, SUITE 200

SAN DIEGO, CA 92108-1725

(619) 521-8036



Filed: April 10, 2000  
49th Day: May 29, 2000  
180th Day: October 7, 2000  
Staff: GDC-SD  
Staff Report: April 20, 2000  
Hearing Date: May 9-12, 2000

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-00-23

Applicant: David Hodges

Description: After-the-fact request to subdivide a .93 acre lot into two lots (Lot 1 = 20,221 sq. ft.; Lot 2 = 20,222 sq. ft.), demolition of two existing duplex units, two detached two-car garages and a storage building, and construction of an eight-unit condominium development in two separate structures totalling 14,200 sq. ft. with 18 on-site parking spaces on proposed Lot 2.

Existing Lot Area	40,443 sq. ft.
Proposed Lot 1	20,221 sq. ft. (No additional development proposed)
Proposed Lot 2	20,222 sq. ft.
Building Coverage	9,383 sq. ft. (46%)
Pavement Coverage	6,063 sq. ft. (30%)
Landscape Coverage	3,526 sq. ft. (17%)
Unimproved Area	1,250 sq. ft. ( 6%)
Parking Spaces	18
Zoning	MHR (8-12 dua)
Plan Designation	Medium-High Residential
Project Density	18 dua
Ht abv fin grade	25 feet

Site: 247-249 and 301-303 N. Rios Avenue, Solana Beach  
APN #263-341-06

Substantive File Documents: Certified County of San Diego Local Coastal Program; City of Solana Beach General Plan and Zoning Code; City Resolution No. 92-85 (MUP/TMP); City Resolution No. 2000-17 (DRP/PUD).

---

**STAFF RECOMMENDATION:**

The staff recommends the Commission adopt the following resolution:

- 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.**

The permit is subject to the following 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, non-invasive 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 roofs, driveway and other impervious surfaces shall be directed into pervious areas on the site (landscaped areas), for infiltration and/or percolation 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. Proposed are the demolition of two duplex units, two detached two-car garages and storage building and the construction of an eight-unit condominium complex that includes a two-car garage with each unit. One of the units will be reserved as a very low income rental unit. The condominiums will consist of two separate structures totalling approximately 14,200 sq. ft. Grading for the proposed development will involve approximately 630 cu. yds. with approximately 610 cu. yds. proposed to be exported to a location outside of the Coastal Zone. The development also includes an after-the-fact subdivision request to divide the existing approximately .93 acre site into two approximately equal sized lots (Lot 1 = 20,221 sq. ft.; Lot 2 = 20,222 sq. ft.). The western half of the parcel is zoned commercial and contains several commercial structures, storage sheds and a residential unit. A storage building that straddles the two proposed lots is proposed to be demolished with all other existing structures on the proposed Lot 1 will remain. The proposed eight-unit condominium complex will be placed on proposed Lot 2.

The Commission previously approved a similar eight-unit condominium project and subdivision of the subject parcel in August of 1997 (CDP #6-97-69/Hodges). The applicant, however, failed to comply with a Special Condition of approval for the permit, and the permit expired in August 1999. Although a coastal development permit had not been issued, the applicant preceded to record the final map. Therefore, the applicant has requested this after-the-fact approval to resolve the matter.

Access to the proposed condominium site will be provided from North Rios Drive, via the creation of an access driveway to the project site. Adequate parking will be provided consisting of 18 on-site parking spaces. The project site is located between Cedros Avenue to the west and North Rios Avenue to the east, two blocks east of Highway 101 and the existing railroad right-of-way in the City of Solana Beach. The 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 Act requires in part, that new development be designed to protect views to and along the ocean and that it be visually compatible with the character of the surrounding area.

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. As noted previously, the subject site is located on the west side of North Rios Avenue two blocks east of Highway 101 in an established residential neighborhood surrounded by other residential development. The proposed condominium structures are compatible in size and scale with the surrounding development. The applicant has submitted a conceptual landscape plan for the proposed development which does not document the type, size and extent of all plant materials. Therefore, Special Condition #1 has been attached which requires the submittal of a detailed landscape plan to assure that the site will be adequately landscaped with appropriate plant materials in order to maintain the visual quality of the surrounding area.

In addition, the project is not visible from any scenic vistas or viewpoints identified in the certified County of San Diego LCP. The site is also not visible from Highway 101 to the west, due to the presence of existing structures on the western half of the subject parcel, as well as existing vegetation along the Highway 101 and Cedros Avenue frontages. Therefore, the Commission finds that the proposed development, as conditioned, does not pose any significant visual impacts, consistent with Section 30251 and all other applicable Chapter 3 policies 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 developed with two duplexes and two detached garages on the eastern portion of the lot and commercial structures, storage sheds and a residential unit on the western portion of the lot. The proposed eight-unit condominium project on the east side of the existing lot will result in an increase of impervious services. Although the project site is not immediately adjacent to any wetland or sensitive resource that could be adversely impacted by runoff from the site, drainage from the proposed development is proposed to be collected through drain pipes to the southwest corner of proposed condominium parcel and then sheet-flow over the proposed Lot 1 (which currently contains commercial and residential development) to the storm drains within Cedros Avenue. The storm drain within Cedros Avenue at this location connects to drains that empty into the Pacific Ocean at Fletcher Cove approximately 1 mile southwest of the subject site. The storm drain outlet at Fletcher Cove is designed to provide low-flow diversion into the City's sewer system. However, during periods that the low-flow diversion is not in operation, runoff from the proposed development could affect water quality of coastal waters.

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, pedestrian path and other impervious surfaces be directed into the landscaped areas for infiltration and/or percolation, prior to being conveyed off-site. Directing on-site runoff through landscaping for filtration 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, as conditioned, such a finding can be made.

The site is currently zoned and designated for medium-high residential uses in the previously certified County of San Diego LCP and in the City of Solana Beach General Plan and Zoning Ordinance. The proposed development includes the provision of one very low-income rental unit and, thus, the City's approval involves a higher density reflecting a density bonus. While the project will result in a density higher than designated to the site by the City and the previously certified LCP, the increase in density, in this particular case, will not result in significant adverse impacts on coastal resources. As conditioned, the project will be consistent with all applicable Chapter 3 policies of the Coastal Act. No adverse impacts to any coastal resources are anticipated as a result of the proposed development. Therefore, as conditioned, the Commission finds the proposed development will not prejudice the ability of the City of Solana Beach to prepare a certifiable local coastal program.

5. No Waiver of Violation. As part of the subject project, the applicant is proposing an after-the fact subdivision of an approximately .93 acre lot into two lots of approximately equal size. The subdivision is unpermitted development which is therefore a violation of the Coastal Act. The Commission notes that although development has taken place prior to the submission of this permit request, consideration of the request by the Commission has been based solely upon Chapter 3 policies of the Coastal Act. Commission action upon the permit does not constitute a waiver of any legal action with regard to the alleged violation of the Coastal Act that may have occurred; nor does it constitute admission as to the legality of any development undertaken on the subject site without a coastal development permit.

6. 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.

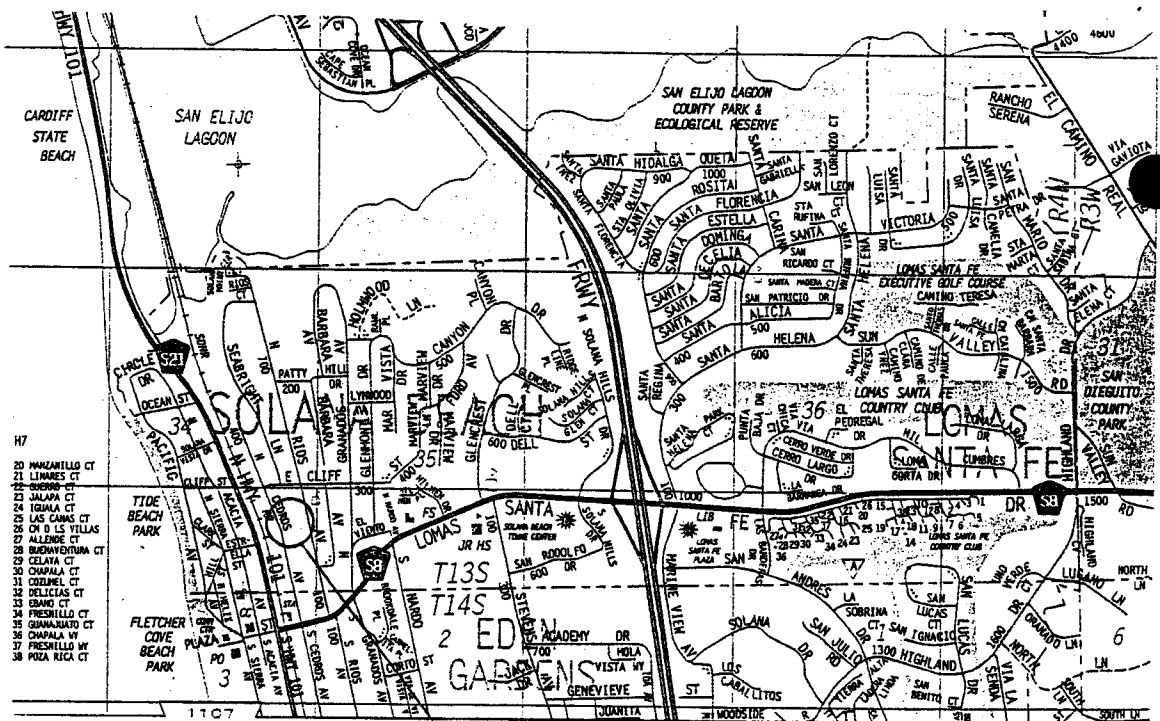
As discussed herein, the proposed project will not cause significant adverse impacts to the environment. Specifically, the project, as conditioned, has been found consistent with the water quality and visual resource protection policies of the Coastal Act. There are no feasible alternatives or additional 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.

(G:\San Diego\Reports\2000\6-00-23 Hodges Fnlstfpt.doc)



SITE

NT

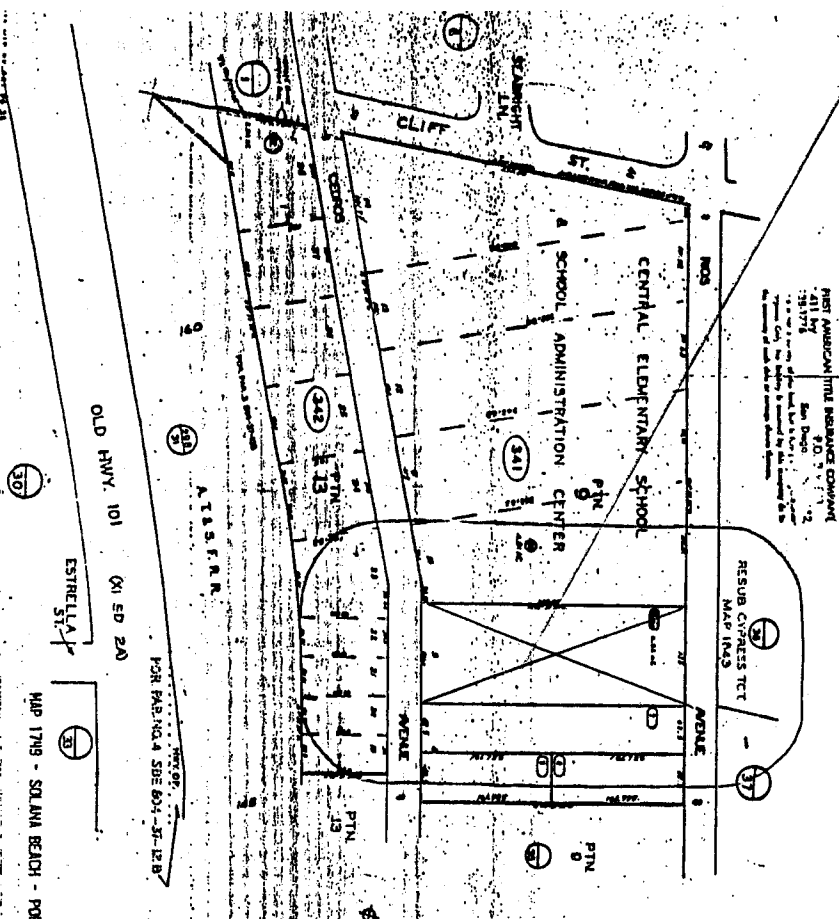
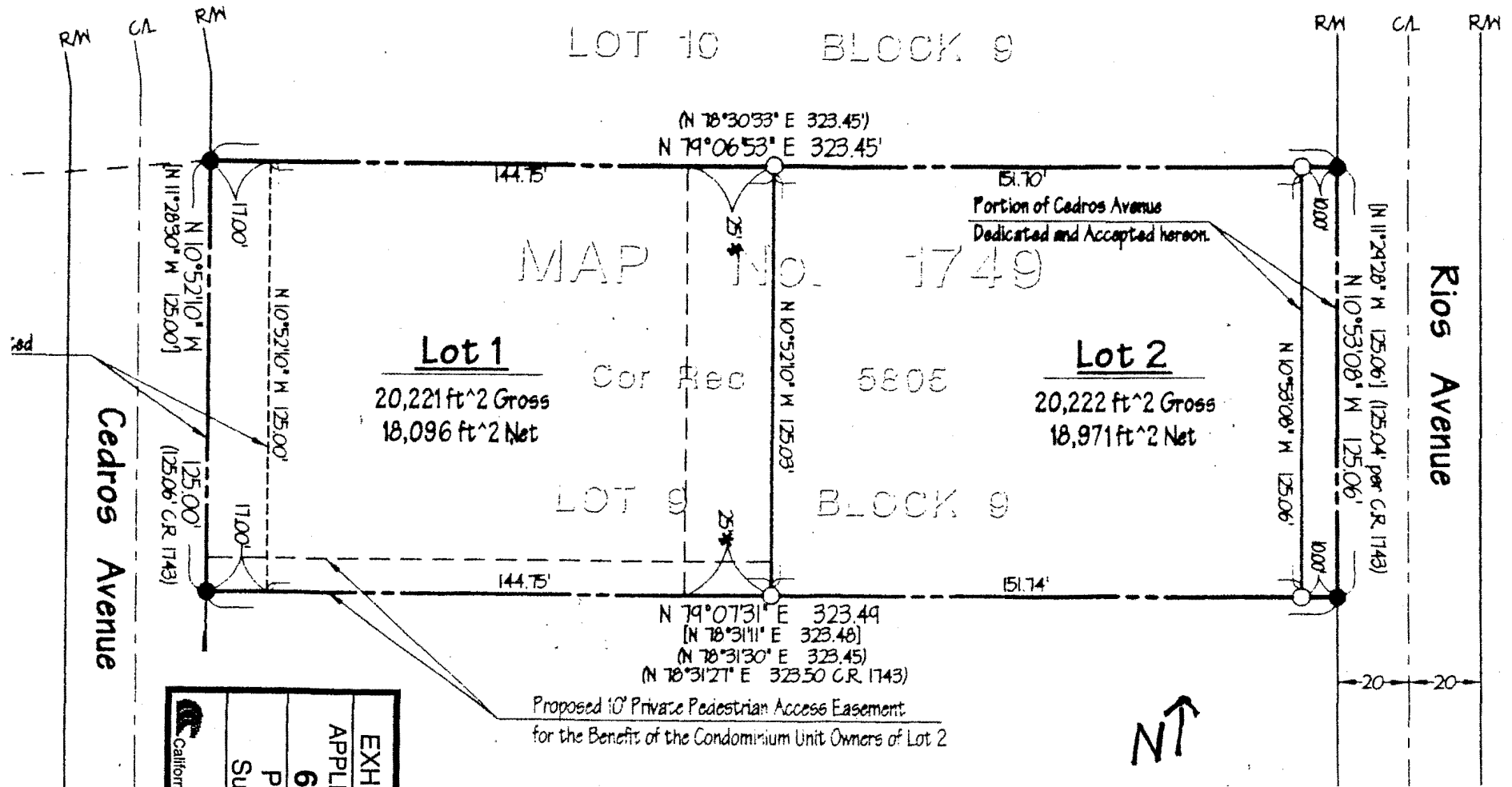


EXHIBIT NO. 1  
APPLICATION NO.  
6-00-23  
Location Map



# CITY OF SOLANA BEACH T.M. 92-02 PROCEDURE OF SURVEY AND MAP SHEET

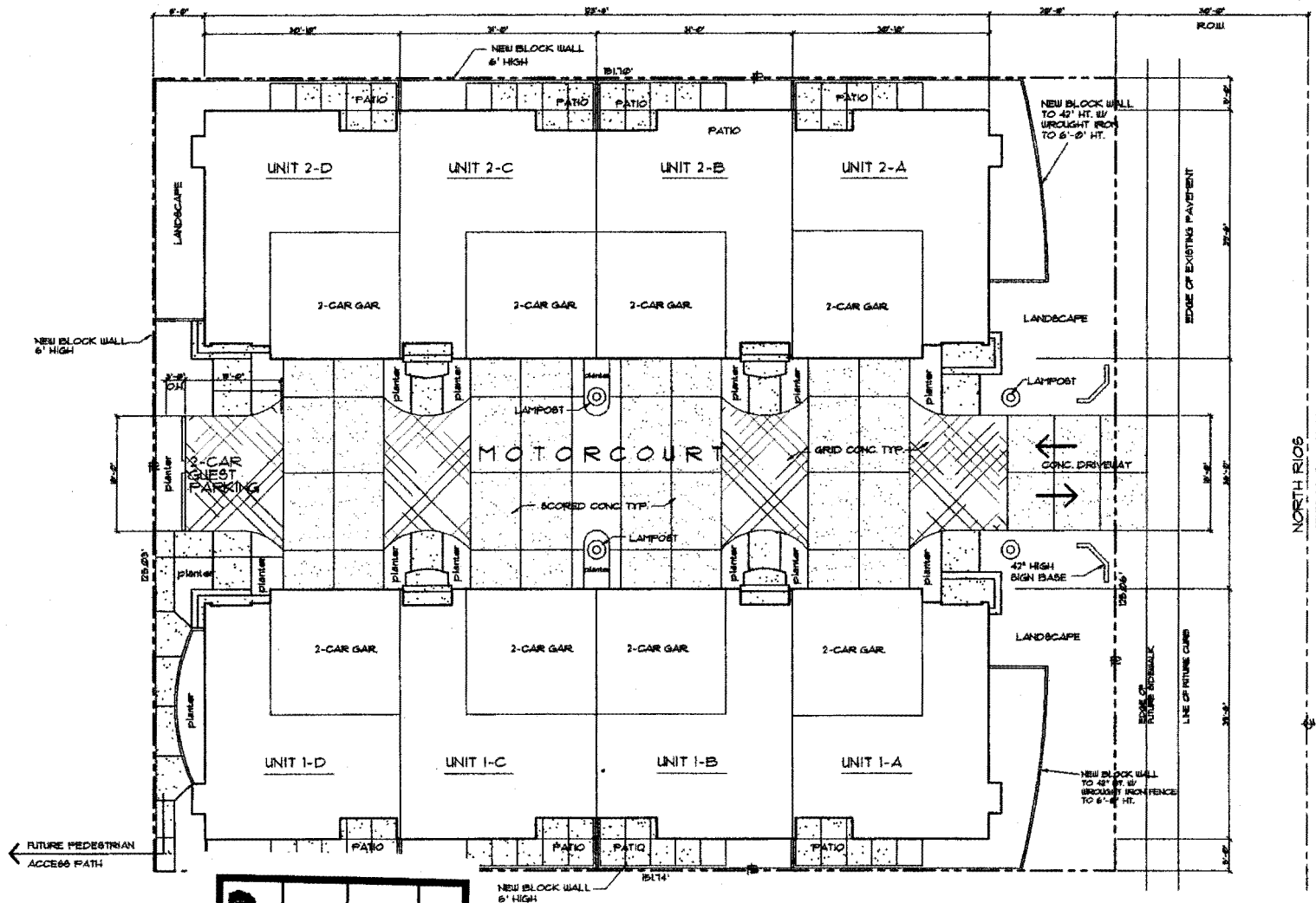
LOT 10 BLOCK 9



 California Coastal Commission	EXHIBIT NO. 2
	APPLICATION NO.
	6-00-23
Proposed Subdivision	

MAP NO. 1843

6-00-23



**PROJECT INFORMATION:**

APPLICANT:  
THE CEDROS GROUP  
814 VIA DE LA VALLE, SUITE 210  
SOLANA BEACH, CA 92075

PROJECT ADDRESS:  
241-303 NORTH RIOS AVE.  
SOLANA BEACH, CA 92075

APN: 263-341-06

ZONE: MHR  
OCCUPANCY: GROUP R, DIVISION 3  
CONST. TYPE: V-N SPRINKLERED  
STORIES: 2-STORY  
MAXIMUM HEIGHT: 25'

SITE AREA: 19,371 SQ. FT.  
BULK FLOOR AREA:  
LIVING SPACE (EACH UNIT) 1,175 SQ. FT.

TOTAL 14,280 SQ. FT.  
GARAGE (EACH UNIT) 400 SQ. FT.  
TOTAL 3,200 SQ. FT.

FLOOR AREA RATIO:  
ALLOWED: 75% OF 14,278 SQ. FT.  
PROPOSED: 14,280 SQ. FT.  
LOT COVERAGE:  
OPEN SPACE REQ'D 2,000 SQ. FT.  
2,400 SQ. FT. PROVIDED  
LANDSCAPED AREA: 3,576 SQ. FT.  
DRIVEWAY + PAVED AREA: 6,043 SQ. FT.  
BUILDING FOOTPRINT AREA: 9,383 SQ. FT.

SETBACKS:  
FRONT 20'  
INTERIOR SIDE 5'  
REAR 5'

**SITE PLAN**

1/8" = 1'-0"

California Coastal Commission

**EXHIBIT NO. 3**

**APPLICATION NO.**

**6-00-23**

**Site Plan for Lot 2**

N↑

**NORTH RIOS**  
**CONDOMINIUMS**  
Solana Beach, California

job no: 98013

date: OCT. 22, 1999

title: SITE PLAN



**WARREN W. SCOTT**  
Associates, Inc.

4105 MacArthur Avenue  
Suite 101  
Carlsbad, California 92008  
TEL: 760/431-1890  
FAX: 760/431-7377

**A 1.2**

**CALIFORNIA COASTAL COMMISSION**

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



Filed: March 16, 2000  
49th Day: May 4, 2000  
180th Day: September 12, 2000  
Staff: EL-SD  
Staff Report: April 19, 2000  
Hearing Date: May 9-12, 2000

**STAFF REPORT: CONSENT CALENDAR**

Application No.: 6-00-28

Applicant: Robert Masterson Agent: Bokal & Sneed Architects, APC

Description: Construction of a 579 sq.ft., two-story addition to an existing two-story 1,096 sq.ft. single-family residence with attached garage.

Lot Area	3,763 sq. ft.
Building Coverage	1,201 sq. ft. (32%)
Pavement Coverage	1,053 sq. ft. (28%)
Landscape Coverage	1,509 sq. ft. (40%)
Parking Spaces	2
Zoning	RM-West 8.8 dua/ac
Plan Designation	Medium Density Single-Mixed Residential
Ht abv fin grade	26 feet

Site: 1933 Ocean Front, Del Mar, San Diego County. APN 299-146-25

**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-99-4); Design Review Board  
Approval (DRB-99-65)

---

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 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 applicant is proposing to construct an approximately 579 sq.ft. first and second-story addition to an existing 1,096 sq.ft. single-family residence, resulting in a 1,675 sq. ft. residence. Also proposed are patios, decks and landscaping improvements. Because the property is located in the floodplain, the only habitable portions of the ground floor consist of a bathroom and stairwell; the remainder of the existing habitable area is located above the garage. The proposed improvements will add a ground floor patio behind the garage and expand the existing residence over the patio. The site is located in the northern portion of Del Mar, one block inland from the beach, within an existing developed residential neighborhood.

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 approximately one block inland from the beach, on the west side of Coast Boulevard. The proposed addition will be 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 located well south of the San Dieguito River, and the proposed addition 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 15<sup>th</sup> 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 9 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 first floor elevation of 9 feet NGVD for the one room and stairwell on the first floor. All other habitable area is on the second floor at finished floor elevations not lower than 17 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 6-00-8, 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, two-story single-family home and attached garage, which will be enlarged pursuant to the proposed additions. The site is flat and drainage is currently directed into the City's municipal stormdrain system. Construction of the proposed 579 sq.ft/ addition 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 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 proposed residential addition. 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.

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 for the development, as conditioned.

The site is designated for Medium Density Single-Mixed Residential uses in the certified City of Del Mar Land Use Plan, and is currently zoned RM-West. These designations allow a density of 8.8 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-99-65) and a Floodplain Development Permit (FDP-99-4) 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.

6. 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, 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

SITE

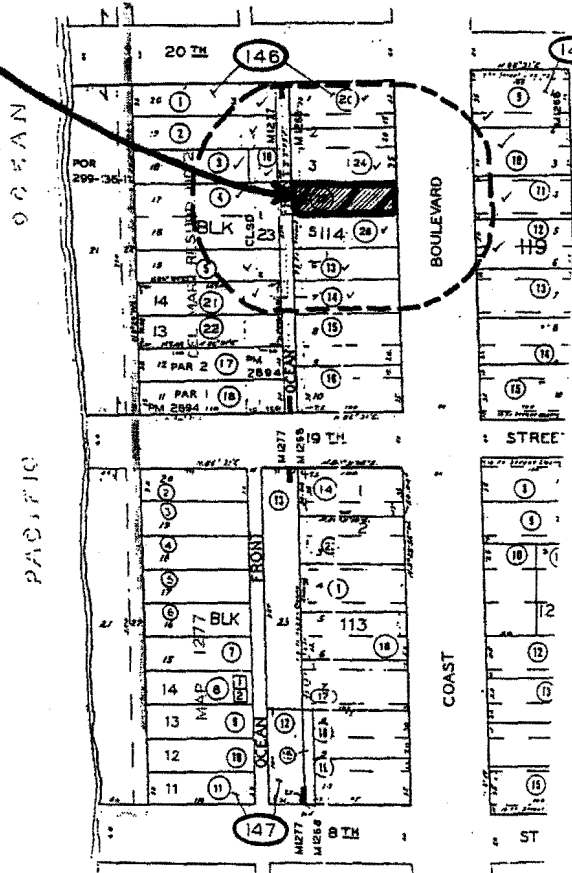
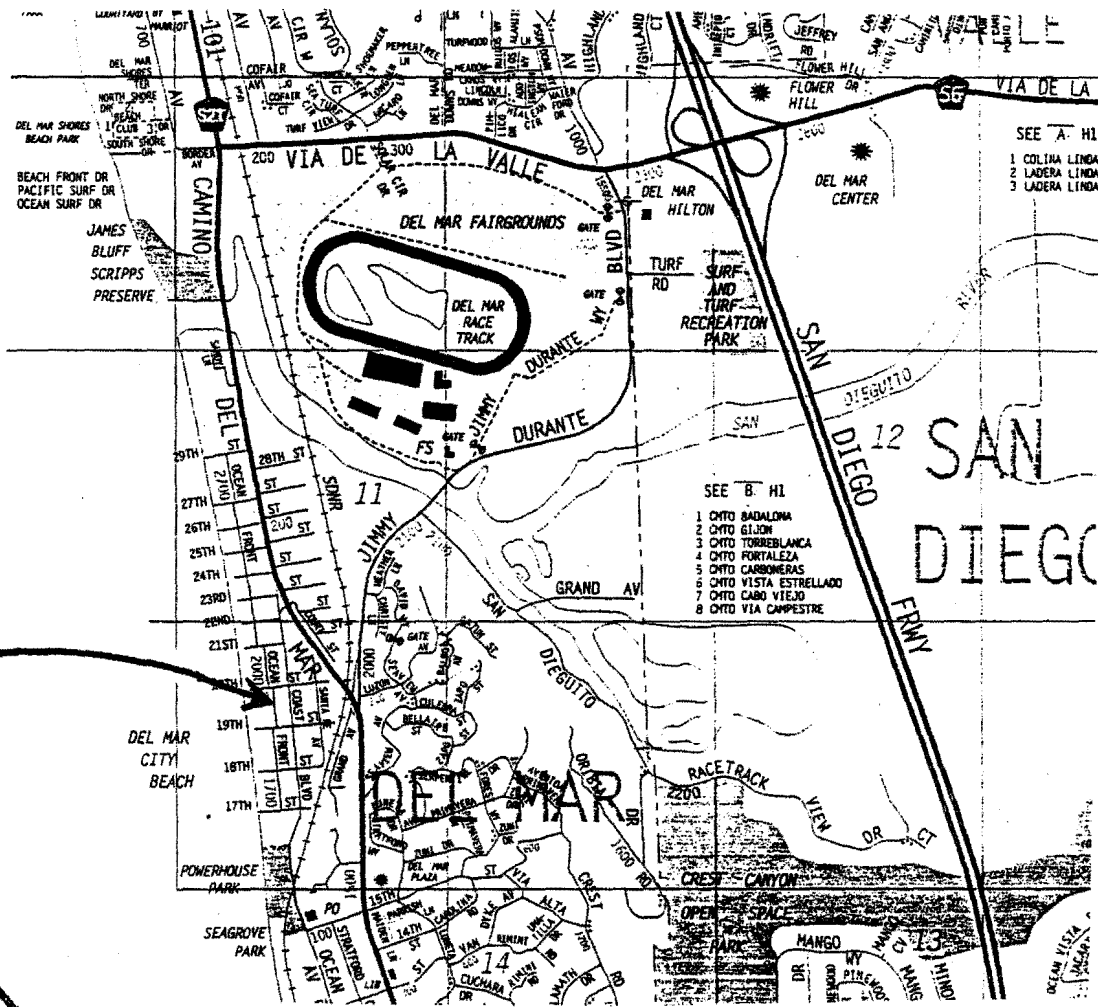


EXHIBIT NO. 1
APPLICATION NO.
6-00-28
Location Map
California Coastal Commission





**CALIFORNIA COASTAL COMMISSION**

SAN DIEGO AREA

3111 CAMINO DEL RIO NORTH, SUITE 200

SAN DIEGO, CA 92108-1725

621-8036



Filed: 3/22/00  
49th Day: 5/10/00  
180th Day: 9/18/00  
Staff: BP-SD  
Staff Report: 4/19/00  
Hearing Date: 5/9-12/00

**STAFF REPORT: CONSENT CALENDAR**

Application No.: 6-00-32

Applicant: Hanson Family Trust

Agent: Joe Astorga

Description: Construction of a two-story, 30-foot high, 8,684 sq.ft. single-family residence with attached 993 sq.ft. and 1,287 sq.ft. garages and motorcourt on a vacant 2.86 acre lot. Approximately 2,900 cu.yds. of balanced cut and fill grading is proposed.

Lot Area	124,581 sq. ft. (2.86 acres)
Building Coverage	6,302 sq. ft. ( 5 %)
Pavement Coverage	14,000 sq. ft. (11%)
Landscape Coverage	45,008 sq. ft. (36%)
Unimproved Area	59,271 sq. ft. (48%)
Parking Spaces	8
Zoning	Estate Residential
Plan Designation	Estate Residential 1 du/2-4 ac
Project Density	. 5 du/ac
Ht abv fin grade	30 feet

Site: 4025 Stonebridge Lane, Rancho Santa Fe, San Diego County, APN 262-190-04

**STAFF RECOMMENDATION:**

The staff recommends the Commission adopt the following resolution:

- 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.

---

Substantive File Documents: Certified County of San Diego Local Coastal Program;  
CDP #6-98-50; CDP #6-89-274; CDP #6-83-314

---

**II. Standard Conditions.**

See attached page.

**III. Special Conditions.**

The permit is subject to the following conditions:

1. 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 and grading plans approved by the County with plan notes specifically incorporating the following requirements:

- a. All grading activity shall be prohibited between October 1st and April 1st of any year. All areas disturbed shall be replanted immediately following grading and prior to the beginning of the rainy season.
- 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 shall utilize vegetation of species compatible with surrounding native vegetation, subject to Executive Director approval.
- c. 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.

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 an approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

2. Final Landscape Plans/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 landscape plan, in substantial conformance with the submitted landscape plan by Concepts West, dated March 20, 2000. The plan shall include the following:

- a. The type, size, extent and location of all plant materials, the proposed irrigation system and other landscape features. Drought tolerant native or naturalizing non-invasive plant materials shall be utilized to the maximum extent feasible.
- b. A minimum of twenty eight 24-inch box size trees and fifty one vertical screening trees shall be installed around the perimeter of the building pad and proposed residence as shown on the preliminary plan. Special emphasis shall be placed on screening views of the residence from Manchester Avenue, the lagoon trails, and Interstate 5.
- c. A planting schedule indicating that the required trees shall be planted within 60 days of completion of residential construction
- 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.

The permittee shall undertake development in accordance with the approved final landscaping plan. Any proposed changes to the required screening trees on approved final plans shall be reported to the Executive Director. No changes to the required screening trees on the approved final plans shall occur without an amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

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 planted and maintained in accordance with Special Condition #2 and consistent with those plans approved with CDP #6-00-32. 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.

3. Exterior Treatment/Deed Restriction. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit a color board or other indication of the exterior materials and color scheme to be utilized in the construction of the proposed residence. The color of the residential structures and roofs permitted herein shall be restricted to earthen tones compatible with the surrounding environment (i.e., shades of green, brown and grey, 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).

The permittee shall undertake development in accordance with the approved color board. Any proposed changes to the approved colors shall be reported to the Executive Director. No changes to the exterior colors shall occur without an approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

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 the color of the residential structures and roofs permitted herein shall be restricted to earthen tones compatible with the surrounding environment (white tones shall not be acceptable) in accordance with Special Condition #3 of CDP #6-00-32. 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.

4. 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 collected and directed into pervious areas on the site (landscaped areas) for infiltration and/or percolation 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/History. The proposed development includes the construction of a two-story, 30-foot high, 8,684 sq.ft. single-family residence with attached 993 sq.ft. and 1,287 sq.ft. garages and motorcourt. Approximately 2,900 cu.yds. of balanced cut and fill grading is proposed. The 2.86 acre lot is located west of El Camino Real, on the northeast corner of Stonebridge Lane and Stonebridge Court, in the Rancho Santa Fe vicinity of the County of San Diego. The Stonebridge subdivision is located on the northeast side of San Elijo Lagoon; the subject site is located on the east side of Stonebridge Lane, separated from the lagoon and floodplain by one row of houses and Stonebridge Lane.

The subject parcel was created as part of a 26-lot subdivision approved by the Commission in July 1983 (CDP #6-83-314). The subdivision was approved with a variety of conditions regarding open space, drainage, grading, etc., designed to address future development of the individual estate sites so as to avoid and minimize adverse impacts to the adjacent floodplain, downstream San Elijo Lagoon, and its viewshed. In November 1989, the Commission approved a permit for grading and construction of a single-family home on the subject site (ref. CDP #6-89-274) with conditions limiting grading to the non-rainy season, requiring natural coloring on the exterior of the residence, and a landscape plan screening the site from the adjacent regional park and scenic highways. The permit was issued and the site was graded; however, the house was never constructed. A row of trees has been planted along the western and southern side of the property which the applicant has indicated is maintained by the homeowners association. The proposed project would retain these trees. In August, 1998, the Commission approved a similar permit for grading and construction of a single-family home on the subject site (ref. CDP #6-98-50) with conditions limiting grading to the non-rainy season, requiring natural coloring on the exterior of the residence, and a landscape plan screening the site from the adjacent regional park and scenic highways. However, the house was not constructed and the permit expired. The currently proposed project would also retain the trees.

The County of San Diego Local Coastal Program (LCP) was previously certified by the Commission with suggested modifications; however, the County has never formally accepted the suggested modifications and begun issuing permits. Therefore, the County LCP is not effectively certified, and the Chapter 3 policies of the Coastal Act are the standard of review.

2. Environmentally Sensitive Habitats/Steep Slopes. Section 30240 of the Coastal Act is applicable to the proposed project 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.

Section 30240 of the Coastal Act calls for the protection of environmentally sensitive habitat areas. The subject site does not contain any wetland resources or steep slopes and is separated from the lagoon wetlands by Stonebridge Lane and another residential lot (a minimum of 250 feet). A large pad area has been previously graded and the proposed development will not encroach into any naturally vegetated steep slopes. Therefore, since there will be no direct or indirect impacts to steep slopes or wetlands the proposed project can be found consistent with Section 30240 of the Act.

3. Runoff/Water Quality. 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...

Coastal lagoons and waters in San Diego County have suffered from extensive siltation impacts, reducing the biological productivity of the lagoons. As such, the Commission has historically not permitted grading to occur during the rainy season (October 1 to April 1 of any year) in areas that drain directly to such sensitive areas. The subject site, while separated by a street and a row of houses, is close to the lagoon and on-site drainage will eventually drain to the lagoon. As such, the Commission finds it necessary to apply a grading restriction, due to potential impacts on downstream resources. Special Condition #1 prohibits grading activities during the rainy season and requires that all permanent and temporary erosion controls be developed and installed prior to or concurrent with on-site grading activities and that all areas that are disturbed by grading shall be stabilized prior to the onset of the rainy season.

Although there are no direct impacts to sensitive resources associated with the project, indirect impacts to water quality and surrounding biological resources can result from sedimentation and runoff during construction and from an increase in impervious surfaces and pollutants associated with buildings, driveways and roads. Stormwater runoff from this site eventually drains into San Elijo Lagoon. During construction, graded areas can cause runoff to carry sediments into the stream and thus into the lagoon. Similarly, after the residence, driveway and associated improvements are constructed, runoff can carry oil, grease, and other pollutants associated with automobiles and residential use into the stream and subsequently the lagoon.

The applicant has submitted a preliminary drainage and grading plan which indicates that on-site drainage from the pad area will be directed into a proposed 6-inch outlet drainpipe and riprap energy dissipater located at the northern portion of the site. This runoff would

be discharged into a riprap energy dissipater near the existing building pad. On the western portion of the lot, site drainage will sheet flow into the street drainage improvements on Stonebridge Lane that were installed as part of the original subdivision. While the proposed structure is large, the subject site is also large, and will be heavily landscaped. Therefore, in order to reduce the potential for adverse impacts to water quality resulting from drainage runoff from the proposed development, Special Condition #4 has been attached. The condition 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 conveyed off-site. Directing on-site runoff through landscaping for filtration in this fashion is a well-established Best Management Practice for treating runoff. The landscaping will serve to reduce any impacts to water quality from the project to insignificant levels. Therefore, as conditioned, the proposed development will not result in adverse impacts to the biological productivity or quality of coastal waters, and the project can be found consistent with Section 30231.

4. Visual Resources/Community Character. 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...

Section 30251 of the Coastal Act protects the scenic and visual quality of the coastal zone as a resource of public importance. The site is located part way up a hillside at the east side of San Elijo Lagoon and is highly visible from San Elijo Lagoon, Manchester Avenue, and southbound Interstate 5. The proposed project will be two stories, a maximum of 30 feet in height. The project will be consistent with the existing scale and character of development in the area. The applicant has submitted a preliminary landscape plan indicating that a minimum of twenty eight 24-inch box size trees and fifty one vertical screening trees shall be installed around the perimeter of the building pad and proposed residence; in addition, the existing landscaping around the western and southern perimeter of the site will remain. The proposed trees will help screen and break up the facade of the residence as it appears from the lagoon trails and Manchester Avenue.

Special Condition #2 requires the applicant to submit a final landscape plan indicating the provision of mature trees as shown on the submitted preliminary plan. Drought tolerant native or naturalizing non-invasive plant materials shall be utilized to the maximum extent feasible. For visual purposes, special emphasis shall be placed on screening views of the residence from Manchester Avenue, the lagoon trails, and Interstate 5. To assure the above provisions will be maintained in perpetuity, they shall be deed restricted as requirements that run with the land. Additionally, in order to further reduce potential visual impacts associated with the proposed residence, Special Condition #3 has been attached to the permit. The condition calls for earthen tone construction materials to be

used for the exterior surfaces of the residence and shall be deed restricted as such. Therefore, as conditioned, the visual impact of the project will be minimized to the maximum extent feasible, consistent with both Section 30251 of the Coastal Act and the Commission's original concern in review of the subdivision that development of the site be subordinate to the natural surroundings.

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 estate residential development as a maximum density of 1 dwelling unit per 2-4 acres. The proposed development is consistent with that designation.

The subject site is located within the Coastal Resource Protection Area (CRP) identified in the previous LCP. The CRP regulations were utilized in the original review of the subdivision to determine the appropriate lot development restrictions applied to the permit. As conditioned, the project is in conformance with the CRP regulations of the County LCP and is also consistent with the Chapter 3 policies of Coastal Act. Therefore approval, as conditioned, will not prejudice the ability of the County of San Diego to obtain an effectively certified Local Coastal Program.

6. California Environmental Quality Act (CEQA) Consistency. Section 13096 of the Commission's administrative regulations requires Commission approval of a Coastal Development Permit to be supported by a finding showing the permit is 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 to be found consistent with the resource protection and visual resource policies of the Coastal Act. The attached special conditions 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.

Site

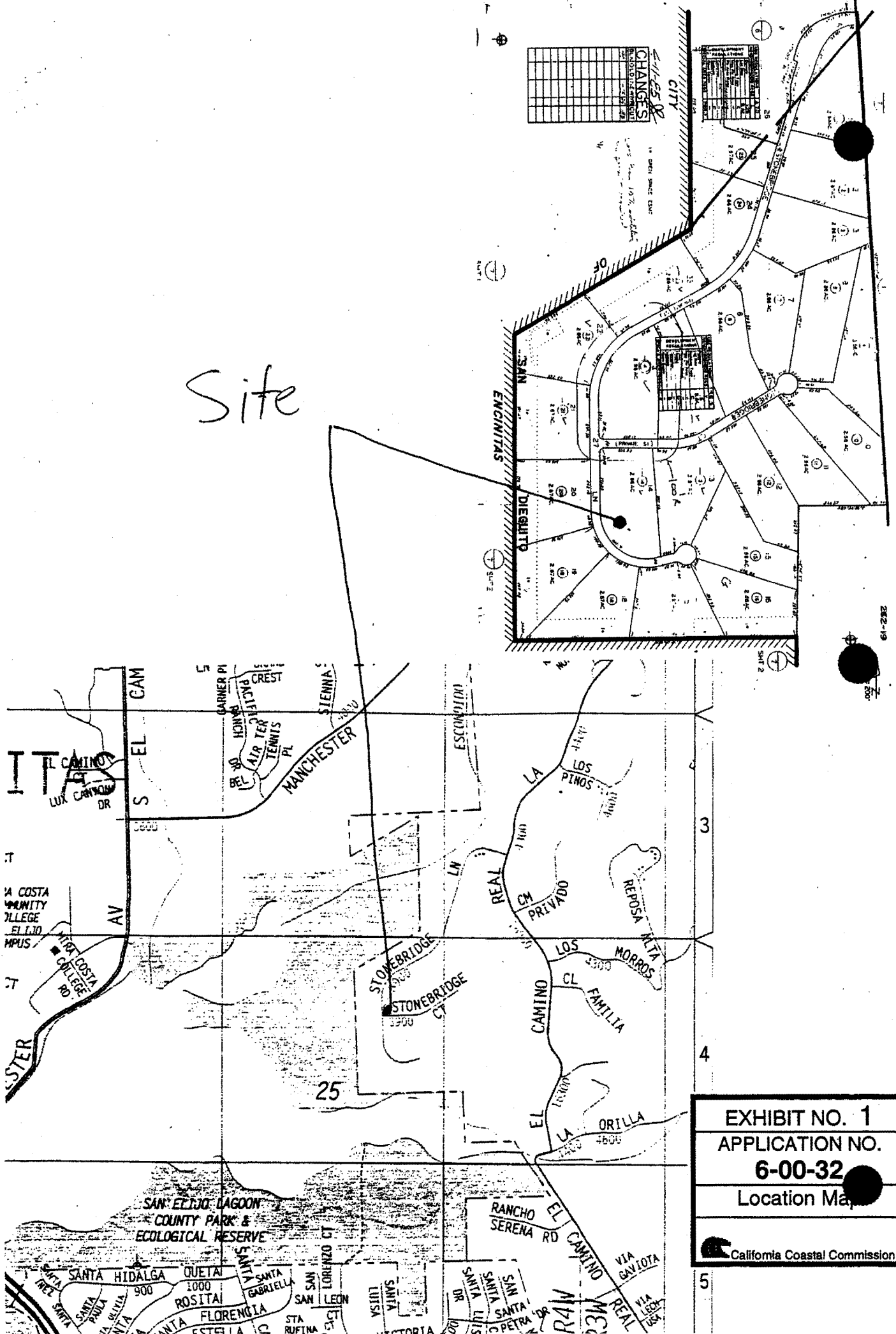


EXHIBIT NO. 1

APPLICATION NO.

6-00-32

Location Map

California Coastal Commission



