

**Wed 3a-b**

**RECORD PACKET COPY**

**San Diego Coast District**

**ADMINISTRATIVE CALENDAR**

**Wednesday, June 14, 2000**

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**6-00-41**

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## CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA  
3111 CAMINO DEL RIO NORTH, SUITE 200  
SAN DIEGO, CA 92108-1725  
(619) 521-8036



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Permit Application No. 6-00-41/DL  
Date May 24, 2000

ADMINISTRATIVE PERMIT

APPLICANT: Michael E. Turk

PROJECT DESCRIPTION: Replacement of an existing 3 to 4-foot high wooden fence with a new 5 to 6-foot high masonry wall/wrought iron fence. Construction of the wall has already partially occurred, in an apparent violation of the Coastal Act.

PROJECT LOCATION: 1025 Pacific Beach Drive, Pacific Beach, San Diego, San Diego County. APN: 423-350-24.

EXECUTIVE DIRECTOR'S DETERMINATION: The findings for this determination, and for any special conditions, are discussed on subsequent pages.

NOTE: The Commission's Regulations provide that this permit shall be reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, a permit will not be issued for this permit application. Instead, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

DATE and TIME: June 14, 2000	LOCATION: Radisson Hotel
9:00 a.m., Wednesday	1111 East Cabrillo Blvd. Santa Barbara, CA 93103

IMPORTANT - Before you may proceed with development, the following must occur:

For this permit to become effective you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgment and evidence of compliance with all special conditions, we will send you an authorization to proceed with development. BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE PERMIT AUTHORIZATION FROM THIS OFFICE.

PETER DOUGLAS  
Executive Director

By: Diana Gilly

**STANDARD CONDITIONS:**

1. **Notice of Receipt and Acknowledgement.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Compliance.** All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. **Inspections.** The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

**EXECUTIVE DIRECTOR'S DETERMINATION (continued):**

Pursuant to Public Resources Code Section 30624, the Executive Director hereby determines that the proposed development, subject to Standard and Special Conditions as attached, is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3, and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. Any development located between the nearest public road and the sea is in conformity with the public access and public recreation policies of Chapter 3.

The proposed fence/wall construction requires a coastal development permit because it involves a significant non-attached structure located between the sea and the first public road. The subject site is located on the bayward side of Pacific Beach Drive, in the Briarfield crescent, a street which consists of nine wedge-shaped lots each with an existing single-family residence. The properties include both a developed pad area

adjacent to Briarfield Circle/Pacific Beach Drive, and a sandy beach and water area known as Briarfield Cove. The site is located in the Pacific Beach community of the City of San Diego, adjacent to Mission Bay. The subject site is located within an area of the Commission's original jurisdiction.

The Commission has approved many redevelopment and remodeling projects in this crescent (#6-82-220; #6-94-42-W; #6-97-113-W; #6-97-146-W; #6-98-19-W), including demolition and reconstruction of a single-family residence on the subject site (#6-99-36-W) in April 1999. Like all of nine of the lots in the crescent, the subject site includes an existing patio located on the sandy beach, although the concrete patio on the subject site extends further bayward than the other lots. The Commission has previously determined that entire site, including the beach and water area on the bayward side of these residences, is private property (#6-93-199). Public access to the private sand and water area is blocked by an existing public pedestrian bridge crossing Briarfield Cove that was approved by the Commission in March 1983 (#6-83-27).

Sections 30210 through 30224 of the Coastal Act include requirements to preserve, enhance and provide maximum public access to and along the coast, and to public recreational facilities. Section 30251 provides for the protection of scenic coastal areas. The Commission-approved redevelopment of the subject site in April 1999 involved a total renovation of the site; however, no new or additional encroachment on the beach beyond the existing concrete patio was proposed or approved. The subject project involves construction of a masonry wall topped by wrought iron fencing located on both sides of the existing residence and on the bayward-most portion of the patio; again, no encroachment beyond the existing patio onto the private sandy beach is proposed. The wall will be located entirely on private property, will follow the existing fence alignment, and will have no impact on public access or recreation.

The wall will be clearly visible from the public pedestrian bridge crossing Briarfield Cove; however, the fence is of the type typically associated with single-family residences, and will not have an adverse impact on the visual quality of the area. All of the other residences in the Cove and along the Bay in this area have some form of wall or fence along their patio, back or side yards, several of which are similar in nature to the proposed masonry wall/railing structure. The wall will not block any public views from the pedestrian bridge or any bay views from Pacific Beach Drive/Briarfield Drive.

Some residents adjacent to the subject site have expressed concern over the height and design of the wall; however, these concerns relate to the impact the wall will have on private views; there are no impacts to public views or public access associated with the proposed project. Therefore, the Commission finds the proposed wall consistent with the public access, recreation, and visual resource policies of the Coastal Act. The wall is consistent with the planning and zoning ordinances of the City of San Diego.

Although development has taken place prior to the submission of this permit request, consideration of the request has been based solely upon Chapter 3 policies of the Coastal Act. Approval of this 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.

SPECIAL CONDITIONS: NONE

ACKNOWLEDGEMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

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Applicant's Signature

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Date of Signing

**CALIFORNIA COASTAL COMMISSION**

SAN DIEGO AREA  
3111 CAMINO DEL RIO NORTH, SUITE 200  
SAN DIEGO, CA 92108-1725  
(619) 521-8036



Page 1 of 4

Permit Application No. 6-00-50/gdcDate May 25, 2000ADMINISTRATIVE PERMIT

APPLICANT: Neighborhood House Association

PROJECT DESCRIPTION: Remove an existing approximately 1,440 sq. ft. modular classroom from an 11.41 acre church complex site and re-install on a nearby approximately 66,392 sq.ft. church site that contains approximately 9,315 sq.ft. of structures.

PROJECT LOCATION: Remove from 625 South Nardo Avenue in Solana Beach, San Diego County and install at 936 Genevieve Street in Solana Beach, San Diego County (APN's: 298-260-26 and 298-11-29)

EXECUTIVE DIRECTOR'S DETERMINATION: The findings for this determination, and for any special conditions, are discussed on subsequent pages.

NOTE: The Commission's Regulations provide that this permit shall be reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, a permit will not be issued for this permit application. Instead, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

DATE and TIME: June 14, 2000  
9:00 a.m., Wednesday

LOCATION: Radisson Hotel - Santa Barbara  
1111 East Cabrillo Blvd.  
Santa Barbara, Ca

IMPORTANT - Before you may proceed with development, the following must occur:

For this permit to become effective you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgment and evidence of compliance with all special conditions, we will send you an authorization to proceed with development. BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE PERMIT AUTHORIZATION FROM THIS OFFICE.

PETER DOUGLAS  
Executive Director

By: 

**STANDARD CONDITIONS:**

1. **Notice of Receipt and Acknowledgement.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Compliance.** All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. **Inspections.** The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

**EXECUTIVE DIRECTOR'S DETERMINATION (continued):**

Pursuant to Public Resources Code Section 30624, the Executive Director hereby determines that the proposed development, subject to Standard and Special Conditions as attached, is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3, and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. Any development located between the nearest public road and the sea is in conformity with the public access and public recreation policies of Chapter 3.

The proposed development involves the removal of a 1,440 sq.ft., one-story modular classroom structure from a 11.41 acre church complex site and re-installation of the classroom on a 66,392 sq. ft. church complex site located approximately 1 ½ miles away. The existing church complex at the installation site includes a sanctuary, several buildings associated with a Head Start program, a food service building, a dental

education building and playgrounds. The proposed building will be used by existing Head Start students and staff for child day care/preschool activities.

The installation site is located on the northwest corner of Genevieve and Ida Streets, just west of Interstate 5 in the City of Solana Beach. Previous permits on the site include a November 1990 approval of construction of a 2,080 sq.ft. modular Head Start building on the site (CDP #6-90-257) and a February 1999 approval of construction of a 602 sq. ft. dental education building (CDP #6-98-166). Because the City of Solana Beach does not have a certified LCP, the standard of review in this area is Chapter 3 policies of the Coastal Act.

Section 30252 of the Act requires that new development provide adequate parking facilities so as not to compete with or preclude the public's access to the coast by usurping on-street public parking spaces. There are currently 16 parking spaces on the installation site and additional 44 spaces in a lot across the street to the south of the church site, which is also owned by the applicant. The Major Use Permit issued by the City of Solana Beach for the church operation requires that the 44-space parking lot be maintained for the church. The proposed child care/preschool building will serve existing students and staff and will operate at times that will not conflict with the peak parking demand on the site, which occurs on Sunday. In addition, the site is well removed from the coastline and Genevieve Street is not used as a beach access route. Thus, no impacts to public access are expected to result from the project. Therefore, the Executive Director finds the proposed development consistent with Section 30252 of the Coastal Act.

Section 30251 of the Coastal Act requires that scenic coastal areas be preserved, that existing and new development be compatible, and that visually degraded areas be enhanced where feasible. The proposed building at the church site will be compatible with the existing buildings on the site and will not adversely impact the character of the surrounding community. The building will be located within the church complex and will not be visible from surrounding streets. There are no existing public views across the site that would be impacted by the proposed addition. Therefore, the Executive Director finds the proposed project consistent with the visual protection policies of the Coastal Act.

The site has been planned and zoned for Public Institutional uses in the City of Solana Beach General Plan and Zoning Ordinance, and for high-density residential uses in the previously certified County of San Diego Local Coastal Program, which is used for guidance in the City of Solana Beach. The site is not located within any of the special overlay designations in the County LCP. The proposed development is compatible with these designations. The proposed project is consistent with all applicable Chapter 3 policies of the Coastal Act. Thus, the proposed development will not prejudice the ability of the City of Solana Beach to prepare a certifiable local coastal program.

SPECIAL CONDITIONS: NONE



ACKNOWLEDGEMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

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Applicant's Signature

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Date of Signing