

**CALIFORNIA COASTAL COMMISSION**

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**RECORD PACKET COPY**

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 49th Day: July 27, 2000  
 180th Day: December 5, 2000  
 Staff: GDC-SD  
 Staff Report: July 20, 2000  
 Hearing Date: August 7-11, 2000

REGULAR CALENDAR  
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-00-63

Applicant: City of Solana Beach

Agent: Neil Cole

Description: Widen Stevens Avenue from existing two lanes to four lanes for approximately 1500 linear feet, realign intersection of Stevens Avenue and Nardo, install retaining walls, curbs, drainage improvements, sidewalks, signal lights and other improvements.

Site: Stevens Avenue commencing approximately 1000 feet south of Genevieve St. for approximately 1500 feet to the south of Nardo Avenue, Solana Beach, San Diego County.

Substantive File Documents: Final EIR for Stevens/Nardo Intersection Improvements  
 SCH No. 92061046; Certified San Diego County Local Coastal Plan

STAFF NOTES:

Summary of Staff's Preliminary Recommendation: Staff recommends approval of the proposed road alignment and widening with a special condition requiring the applicant to treat all runoff from the proposed development prior to its entry into coastal waters. While the development will actually result in a decrease in the amount of impervious surface area, the development does drain directly into Stevens Creek and ultimately to San Dieguito Lagoon. Thus, treatment of onsite runoff will assure that potential impacts from polluted runoff will be minimized to the maximum extent feasible.

I. PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

**MOTION:** *I move that the Commission approve Coastal Development Permit No. 6-00-63 pursuant to the staff recommendation.*

**STAFF RECOMMENDATION OF APPROVAL:**

Staff recommends a YES vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

**RESOLUTION TO APPROVE THE PERMIT:**

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. **Standard Conditions.**

See attached page.

III. **Special Conditions.**

The permit is subject to the following conditions:

1. **Runoff Control Plans.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, a runoff control plan that incorporates "good housekeeping practices" and /or Best Management Practices (BMPs), designed to reduce both the volume and pollutant load of runoff from the proposed development, to the greatest extent feasible. The plan shall be subject to the following criteria and at a minimum, include the following components:

- (a) Post-development peak runoff rates and volumes leaving the site shall not exceed current levels as a result of the proposed development.
- (b) Catch basins receiving drainage from the developed site shall be fitted with trash racks or comparable debris trapping devices.

- (c) Opportunities for directing runoff from the proposed roadway surfaces to permeable space for infiltration shall be maximized, where geotechnical concerns would not otherwise prohibit such use.
- (d) The runoff control plan shall include provisions for regular inspection, cleaning and maintenance of BMP devices. Such maintenance shall include the following:
  - (a) All BMP traps/separators and/or filters must be cleaned prior to the onset of the storm season, no later than September 30<sup>th</sup> each year.
  - (b) Debris and other water pollutants contained in BMP device(s) shall be contained and disposed of in a proper manner.
  - (c) The permittee shall inspect the filter devices each year at the time of cleaning, and replaced if found to be damaged or nonfunctional.

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 development involves the realignment of Stevens and Nardo Avenues, the widening of an approximately 1500 foot-long section of Stevens Avenue from its existing two lane width to its ultimate width of four lanes and will include bike lanes, construction of 6 to 14 foot-high retaining walls, concrete curbs, gutters, sidewalks, street lighting and traffic control signage. Stevens Avenue, which is located approximately 1 mile east of the shoreline, is an approximately 1 ¼ mile-long north-south road that connects two major east-west coastal access routes for the City of Solana Beach, Via De La Valle and Lomas Santa Fe Drive. The project is located on Stevens Avenue approximately 1000 feet south of Genevieve Street extending south to Nardo Avenue. Stevens Avenue north of the proposed improvement site is currently at its ultimate four lane width.

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. Resource Protection/Water Quality. Section 30231 of the Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing

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

The proposed development involves the widening of Stevens Avenue and the realignment of the Nardo and Stevens Avenues intersection in order to improve the safety of the intersection. Currently the intersection forms a "Y" (which does not meet safety standards) and will instead be realigned into a "T" intersection. The City estimates that the existing amount of impervious surfaces for the subject roadway is approximately 135,000 sq. ft. Following completion of the subject development, the City estimates that even with the widening of Stevens Avenue the proposal will actually reduce the existing amount of impervious surfaces by approximately 20,000 sq. ft. because of significant reduction in size of the existing Nardo/Stevens Avenues intersection. The proposal also includes the movement of existing catch basins that serve the current roadway. The City's engineering department has advised Commission staff that these catch basins do not currently include filters or other devices to collect and treat polluted runoff. However, the City has indicated their support of low-cost measures to collect and treat runoff from the proposed development site prior to its entry into nearby Stevens Creek which is approximately one lot east of Stevens Avenue.

Although Stevens Creek itself is not a pristine, natural creek, polluted runoff entering the channel could harm any vegetation growing in the channel downstream, and will eventually reach coastal waters (San Dieguito Lagoon and the Pacific Ocean). Therefore, run-off from the proposed development could adversely impact the sensitive biological resources of both Stevens Creek and San Dieguito Lagoon downstream if the run-off contains pollutants.

Run-off from the development site is likely to contain oil, grease and other hydrocarbons as a result of automotive use. The City asserts that dry weather monitoring of Stevens Creek over the previous years indicates that oil or hydrocarbons are not an identified problem within Stevens Creek. However, the monitoring reports submitted by the applicant indicate that testing for the presence or absence of oils or hydrocarbons was performed twice on August 18, 1999 and once on September 9, 1999 and was limited to a visual inspection for oil sheens on water or stains on the ground. Therefore, City's monitoring report is not sufficient to address the cumulative impact of oil, hydrocarbons, and other heavy metals on downstream resources. The City has documented that Stevens Creek experiences other pollutants such as ammonia, chlorine, trash and detergents and that street sweeping in the area occurs on a monthly basis.

In order to protect the water quality and resources of the creek and lagoon, the Commission finds that the proposed project must take steps to reduce the potential for pollutants to contaminate the site run-off. Accordingly, Special Condition #1 requires the applicant to implement a polluted run-off control plan that will filter and minimize contaminants (petroleum hydrocarbons, heavy metals, trash and other pollutants) from entering coastal waters. The condition requires the use of Best Management Practices

(BMP's) such as catch basins, drain filters, grassy swales, landscaping or other filtering devices to treat run-off from the proposed development. In addition, the applicant is required to maintain the polluted run-off system to ensure that debris and other pollutants are removed on a regular basis and especially prior to the onset of the rainy season (October 1<sup>st</sup>). With this condition, the Commission is assured that the runoff from the project site is treated to the maximum extent feasible to minimize impacts to sensitive downstream resources. 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.

3. Growth Inducement. Section 30250 (a) of the Coastal Act is applicable and states, in part:

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources....

The proposed development involves the realigning the intersection of Nardo and Stevens Avenues and the widening of an existing two-lane section of Stevens Avenue near the intersection to four lanes. The project is proposed to address a safety concern. The EIR for the subject development documents that the intersection has an average accident rate that exceeds Caltrans expected rate for a "T-type" intersection. The higher than expected accident rate is believed to be because Stevens Avenue at this location is too narrow and the site distance for vehicles turning from Nardo Avenue to Stevens Avenue is too short.

The proposed development although representing an increase of traffic lanes from two to four for a short distance will not have a significant growth inducement effect, either directly or indirectly, upon the surrounding community. The project involves the expansion of Stevens Avenue to its planned ultimate width for safety purposes. This 1500 foot-long widening will connect to the previously widened section of Stevens Avenue to the north in order to reduce traffic congestion near its intersection with Nardo Avenue and improve traffic safety. The proposal will not foster development or population growth and is proposed to serve existing users and services. Therefore, the Commission finds that the proposed project is consistent with Section 30250 (a) 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.

Stevens Avenue is designated as a "collector" street in the Circulation Element of the City's General Plan providing a connection of local traffic to major arterials. The proposal to widen and realign this intersection to its ultimate width is consistent with the previously certified County of San Diego Local Coastal Program (used by the Commission for guidance in review of development in the City of Solana Beach) which designates Stevens Avenue as a four lane undivided road. The site is not located within any of the special overlay designations contained in the certified County LCP. As conditioned, 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.

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, 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 water quality protection policies of the Coastal Act. Mitigation measures that include the use of Best Management Practices to filter polluted runoff 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. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.

4. 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.
5. 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.

Solana Beach

Solana Beach County Park

OCEAN

PACIFIC

Del Mar

Lomas Santa Fe Drive

Amtrak Railroad

Railroad

Via De La Valle

Del Mar Race Track

Jimmy

Durante Blvd.

San

Dieguito

River

Freeway 5

Camino Del Mar

Nardo Ave.

Stevens Ave.

Project Site

EXHIBIT NO. 1
APPLICATION NO.
6-00-63
Location Map

California Coastal Commission

Brian F. Mooney Associates



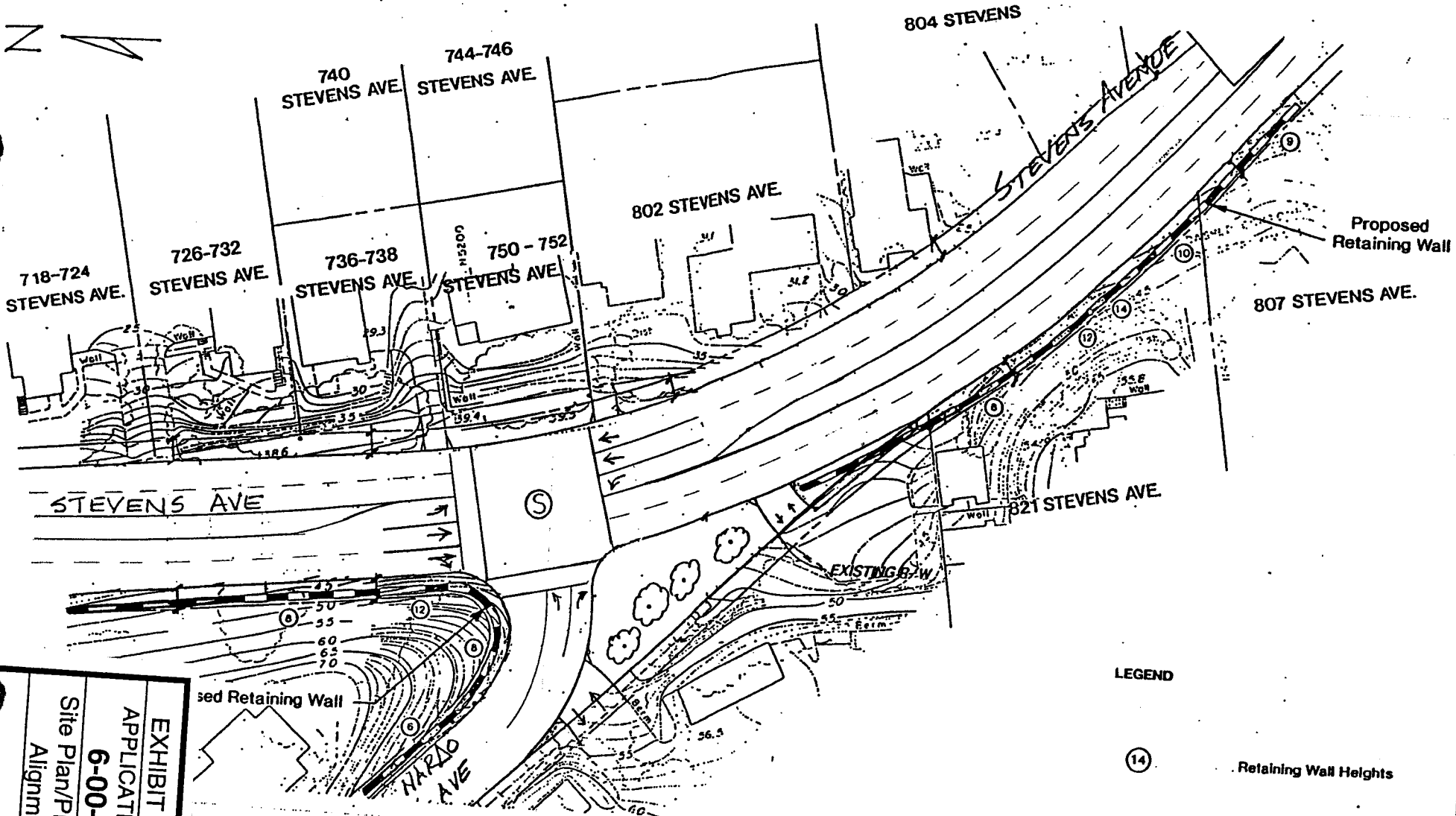
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Vicinity Map

Figure 2

Stevens/Nardo Intersection






 California Coastal Commission  
**EXHIBIT NO. 2**  
**APPLICATION NO.**  
**6-00-63**  
**Site Plan/Proposed**  
**Alignment**

LEGEND

(14)

Retaining Wall Heights

