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San Diego Coast District

ADMINISTRATIVE CALENDAR

Wednesday, September 13, 2000

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CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
(619) 767-2370



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Permit Application No. 6-00-94
Date 8/23/00

ADMINISTRATIVE PERMIT

APPLICANT: John and Elizabeth Chadwick

PROJECT DESCRIPTION: Remodeling of an existing two-story, 1,410 sq.ft. single family residence including the construction of an addition to the second level and new third story (with balconies) resulting in a 2,694 sq.ft. residence and removal of an existing garage and construction of a new garage on a 2,456 sq.ft. beachfront lot.

PROJECT LOCATION: 2605 Ocean Front Walk, Mission Beach, San Diego, San Diego County. APN 423-761-14

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: September 13, 2000 LOCATION: Eureka Inn
10:00 a.m., Wednesday 7th and "F" Streets
Eureka, CA 95501

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: Laurinda R. Owens

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. 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.

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 applicant is proposing to remodel an existing two-story, 1,410 sq.ft. single family residence and construct additions to the second floor and a new third story including balconies at the second and third levels. The remodeled residence will be 30 ft. high with three stories and contain 2,694 sq.ft. when completed. Also proposed is the demolition of an existing two-car garage and construction of a new two-car garage. The site is a 2,456 sq.ft. beachfront lot located on Ocean Front Walk in Mission Beach. The neighborhood is characterized by large single family and multi-family development of similar scale to the proposed project. The applicants' property abuts South Mission Beach Park to the southwest and is the next to last lot in the block.

Ocean Front Walk is an improved concrete boardwalk that typically runs in a north/south direction along the western limits of oceanfront development in Mission Beach.

However, in the area of the subject development (between Asbury Court and Anacapa Court), the improved boardwalk meanders seaward of the private properties along Ocean Front Walk in a westerly direction, with a large area of sandy beach between the improved boardwalk and the actual Ocean Front Walk right-of-way which is adjacent to the private properties. This sandy area is owned by the City of San Diego and is part of South Mission Beach Park.

Sections 30210 and 30212 of the Coastal Act require that public access to the shoreline and along the coast be maximized and provided in all new development located between the inland extent of any coastal waters and the first coastal roadway. The subject site is located between the sea and Strandway, the first coastal roadway in this area. Vertical access exists one lot south of the subject site at Anacapa Court and 14 lots to the north at Asbury Court.

There is an existing 12-foot wide right-of-way east of the existing boardwalk that extends over private property, for the majority of Ocean Front Walk. Many of the existing residential developments abutting the improved public boardwalk contain accessory improvements such as planters, patios, decks, walls or fences, which encroach into the public right-of-way adjacent to the boardwalk. When such is the case, the City has typically required the property owner complete an Encroachment Removal Agreement for such improvements. In the case of the subject block where the subject site is located (Asbury Court to Anacapa Court), the improved concrete boardwalk does not exist adjacent to the private properties; in this area it extends to the west, leaving a sandy beach area between the improved boardwalk and the private properties. However, the Ocean Front Walk right-of-way still exists directly adjacent to these properties (although not improved at this time).

Typically, the Commission has been concerned with the potential for elimination of right-of-way area available for any future expansion of the public boardwalk. However, in the case of the proposed development the applicant had indicated that there are no existing private accessory improvements that would encroach into the right-of-way nor are any proposed with the subject remodeling and additions to the residence. The existing residence currently observes a setback from its western property line of 11 ½ feet. A patio area exists seaward of the residence and an existing low level retaining wall (approximately 3 ft. in height) is situated on the western property line. No other private accessory improvements are located seaward of this wall.

However, should improvement of Ocean Front Walk be considered appropriate in the future in this location, the Executive Director wants to be sure any proposed private encroachments are addressed. As such, Special Condition #1 requires that the applicant submit evidence that an encroachment removal agreement from the City of San Diego has been obtained for any encroachments or is not necessary for the proposed development. With this condition, the proposed development will not alter or impede existing public access in the area, consistent with all of the pertinent Chapter 3 policies of the Coastal Act regarding public access.

Section 30251 of the Act calls for the protection of the coastal zone's scenic amenities and requires that new development be visually compatible with the character of the surrounding community. The proposed development is located in a well-established residential neighborhood consisting of apartment units, condominiums and single-family residences of varying heights and architecture. As such, the proposed residential remodel will be compatible with the character of the mixed development in this community. Public views will be preserved along existing east-west access corridors, and no view blockages of regional or statewide significance should occur. The Executive Director therefore finds the proposed project consistent with Section 30251 of the Act.

While the City of San Diego has a certified LCP, the subject site is within an area of original jurisdiction, where the Commission retains permanent permit authority. The site is zoned R-S in the Mission Beach Planned District Ordinance (PDO). The proposed development consisting of a single family residence is consistent with this designation. The Mission Beach Planned District Ordinance (PDO) requires 1.5 parking spaces per unit for residences in the R-S zone. The existing residence currently has 2 spaces which will continue to be provided. The proposed project can be found consistent with the certified Mission Beach Precise Plan and Planned District Ordinance, and all applicable Chapter 3 policies of the Coastal Act. Therefore, approval of the proposed development, as conditioned, will not prejudice the ability of the City of San Diego to implement its certified LCP for the Mission Beach community.

SPECIAL CONDITIONS:

1. Encroachment Removal Agreement. Prior to the authorization to proceed with development, the applicant shall submit evidence, for review and written approval of the Executive Director, that an Encroachment Removal Agreement from the City of San Diego for any existing or proposed improvements in the public right-of-way of Ocean Front Walk has been obtained or that no such agreement is necessary.

ACKNOWLEDGEMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

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

Applicant's Signature

Date of Signing

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
(619) 767-2370



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Permit Application No. 6-00-101/DLDate August 23, 2000ADMINISTRATIVE PERMIT

APPLICANT: Frank C. Naliboff

PROJECT DESCRIPTION: Construction of an approximately 822 sq.ft. one-story single family residence with a 1,478 sq.ft. attached garage on an 8,938 sq.ft. vacant lot.

PROJECT LOCATION: 302 Nardo Avenue, Solana Beach, San Diego County.
APN 298-081-11.

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:	September 13, 2000	LOCATION:	Eureka Inn
	10:00 a.m., Wednesday		7 th and "F" Streets
			Eureka, CA 95501

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. **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.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

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

Proposed is the construction of a 1-story, 822 sq.ft. single-family residence with an attached 1,478 sq.ft. garage. The applicant has indicated his intent to demolish the residential portion of the structure in the future, and construct a new residence elsewhere on a subject site, while retaining the proposed garage as a detached garage. Special Condition #2 advises the applicant that construction of a new residence in the future requires a coastal development permit.

The 87,938 sq.ft. vacant lot is located on the east side of Nardo Avenue in the City of Solana Beach, approximately ¼ mile east of Highway 101. The site consists of a graded flat pad fronting Nardo Avenue, which then drops off steeply towards the east. The sloping portion of the site is contains debris and patches of vegetation, mostly weeds, non-native ornamental ground cover and eucalyptus trees. All of the proposed structure

is set back at least 12 feet from the edge of the slope. In November 1999, the Commission approved construction of a 2-story, 8,819 sq.ft. single-family residence on the site (#6-99-119-W). However, this project was never constructed and the site is currently vacant.

Section 30251 of the Coastal Act requires that new development be visually compatible with the character of the surrounding neighborhood. The proposed structure will be visible from Interstate 5; however, the proposed single-family residence is consistent with the developed nature of the area and will be compatible with the surrounding residential community. No public views will be blocked by the proposed structure.

Section 30231 of the Coastal Act requires that the biological productivity and the quality of coastal waters shall be maintained and restored through minimizing runoff and maintaining natural vegetation buffer areas. Portions of the site contain vegetation consisting of a variety of exotic plants and grasses. Although there are steep slopes on the site no grading or development is proposed on the slopes and, there is no native vegetation that would be disturbed by the proposed development. All drainage will be directed away from the edge of the slope.

In order to reduce the potential for adverse impacts to water quality resulting from drainage runoff from the proposed development, Special Condition #1 has been attached. Special Condition #1 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.

The site is planned and zoned for low-density residential uses by the City of Solana Beach and in the previously certified County of San Diego Local Coastal Program. The proposed residential construction is consistent with these designations. The site is not located within any of the special overlay designations in the County LCP. As proposed, the project is consistent with all applicable Chapter 3 policies of the Coastal Act. The Commission finds that approval of the subject project will not prejudice the ability of the City of Solana Beach to prepare a certifiable Local Coastal Program.

SPECIAL CONDITIONS:

1. Drainage Plan. PRIOR TO THE AUTHORIZATION TO PROCEED WITH DEVELOPMENT, 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.

2. Future Development. This permit is for construction of a 1-story, 822 sq.ft. single-family residence with an attached 1,478 sq.ft. garage. All other development proposals for the site including construction of a new residential structure, shall require review and approval by the Coastal Commission, or its successor in interest, under a separate coastal development permit or an amendment to this permit.

ACKNOWLEDGEMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:
I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

Applicant's Signature

Date of Signing