

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
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 SAN DIEGO, CA 92108-4402
 767-2370



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RECORD PACKET COPY

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REGULAR CALENDAR
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-01-087

Applicant: Calvary Lutheran Church, Bruce Seiler Agent: Richard Yen & Assoc.

Description: Construction of improvements to existing church facilities including a fellowship hall, classrooms and administrative offices, and of a new 55.5 ft. high, 400 seat, 17,720 sq. ft. sanctuary and classroom building, new entry plaza, site stairs, walkways and landscaping, along with expansion of the parking lot, on a 95,179 sq. ft. site.

Lot Area	95,179 sq. ft. (2.19 acres)
Building Coverage	18,134 sq. ft. (19%)
Pavement Coverage	50,977 sq. ft. (54%)
Landscape Coverage	26,068 sq. ft. (27%)
Parking Spaces	97
Zoning	Public Institutional
Plan Designation	Public Institutional
Ht abv. fin. grade	55'-6"

Site: 424 Via de la Valle, Solana Beach, San Diego County. APN: 298-260-23

STAFF NOTES:

Summary of Staff's Preliminary Recommendation:

Staff is recommending approval of the subject project with special conditions. The subject proposed development is to improve existing church facilities and construct a new sanctuary. The primary issues raised by the proposed development relate to protection of scenic views, water quality, and traffic. Special Conditions address drainage, landscaping, signage, and grading disposal issues such that the proposal can be found consistent with all applicable Coastal Act policies.

Substantive File Documents: Previously Certified County of San Diego Local Coastal Program; City of Solana Beach General Plan and Zoning Code; CDP #6-92-71;

Hydrology Report by Burkett and Wong, 9/10/01; Traffic Impact Analysis by Linscott, Law, & Greenspan, 7/21/01; Parking Study by Linscott, Law, & Greenspan, 10/3/01; Geotechnical Investigation by Petra Geotechnical, 6/5/01.

I. PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

MOTION: *I move that the Commission approve Coastal Development Permit No. 6-01-087 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. Drainage and Polluted Runoff Control Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and approval of the Executive Director, final drainage and runoff control plans that are in substantial conformance with submitted plans by Burket & Wong, dated June 2, 2000. Said plans shall first be approved by the City of Solana Beach and include supporting calculations. The plans shall be prepared by a licensed engineer and shall incorporate

structural and non-structural Best Management Practices (BMPs) designed to control the volume, velocity and pollutant load of stormwater leaving the developed site. In addition to the specifications above, the plan shall be in substantial conformance with the following requirements:

- (a) Selected BMPs (or suites of BMPs) shall be designed to treat, infiltrate or filter stormwater from each runoff event, up to and including the 85th percentile, 24-hour runoff event for volume-based BMPs, and/or the 85th percentile, 1-hour runoff event, with an appropriate safety factor, for flow-based BMPs.
- (b) Runoff shall be conveyed off site in a non-erosive manner.
- (c) Drainage from all roofs, parking areas, driveway area, and other impervious surfaces on the building pad shall be directed through vegetative or other media filter devices effective at removing and/or mitigating contaminants such as petroleum hydrocarbons, heavy metals, and other particulates.
- (d) Opportunities for directing runoff into pervious areas on-site for infiltration and/or percolation of rainfall through grassy swales or vegetative filter strips, shall be maximized where geotechnical concerns would not otherwise prohibit such use.
- (e) The plan shall include provisions for maintaining the drainage system, including structural BMPs, in a functional condition throughout the life of the approved development. The plan shall include an identification of the party or entity(ies) responsible for maintaining the various drainage systems over its lifetime and shall include written acceptance by the responsible entity(ies). Such maintenance shall include the following: (1) BMPs shall be inspected, cleaned and repaired when necessary prior to and during each rainy season, including conducting an annual inspection no later than September 30th each year and (2) should any of the project's surface or subsurface drainage/filtration structures or other BMPs fail or result in increased erosion, the applicant/landowner or successor-in-interest shall be responsible for any necessary repairs to the drainage/filtration system or BMPs and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Executive Director to determine if an amendment or new coastal development permit is required to authorize such work.
- (f) Sweeping of all impervious surfaces, including parking lots, walkways, and plazas, shall be annually conducted prior to and during each rainy season, to be performed no later than September 30th of each year.

The permittee shall undertake development in accordance with the approved drainage and runoff control plans. Any proposed changes to the approved drainage and runoff control plans shall be reported to the Executive Director. No changes to the approved plans shall

occur without an amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

2. 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 erosion control plans that have been approved by the City of Solana Beach and which shall incorporate the following:

- a. All runoff and erosion control devices shall be developed and installed prior to or concurrent with any on-site grading activities.
- b. The use of best management practices including, but not limited to, temporary erosion control measures, such as fiber rolls, berms, interceptor ditches, sandbagging, filtered inlets, debris basins, and silt traps shall be utilized to minimize soil loss from the construction site. Any management practices or erosion control measures implemented for the project must be regularly inspected and maintained in operating condition for the duration of the rainy season.

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

3. Disposal of Graded Spoils. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall identify the location for the disposal of graded spoils. If the site is located within the coastal zone, a separate coastal development permit or permit amendment shall first be obtained from the California Coastal Commission or its successors in interest

4. Landscaping Plan. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and written approval of the Executive Director, a detailed landscape plan indicating the type, size, extent and location of all plant materials, the proposed irrigation system and other landscape features. Drought tolerant native or naturalizing plant materials shall be utilized to the maximum extent feasible. At least ten specimen size trees (24 inch box minimum) shall be placed to effectively screen the new sanctuary structure from views from Via de la Valle, Interstate 5, and the San Dieguito Lagoon. Also, landscaping shall screen views of parking areas located along Via de la Valle. Said plan shall be submitted to, reviewed and approved in writing, by the Executive Director and shall include the following:

- (1) A planting schedule that indicates that the planting plan shall be implemented within 60 days of completion of grading and construction.

(2) 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 landscaping plans. Any proposed changes to the approved landscaping plans shall be reported to the Executive Director. No changes to the approved plans shall occur without an amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

5. Sign Program. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit a comprehensive sign program, documenting that only monument signs, not to exceed eight (8) feet in height, or facade signs are proposed. No tall, freestanding pole or roof signs shall be allowed. Said plans shall be subject to the review and written approval of the Executive Director.

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

6. Exterior Treatment. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and approval in writing of the Executive Director a color board or other indication of the exterior materials and color scheme to be utilized in the construction of the proposed development. Earth tones including deep shades of green, brown and grey, with no white or light shades, and no bright tones, except as minor accents, shall be utilized to minimize the development's contrast with the surrounding scenic areas.

The permittee shall undertake development in accordance with the approved exterior treatment plans. Any proposed changes to the approved exterior treatment plans shall be reported to the Executive Director. No changes to the approved plans shall occur without an 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. Proposed is the reconstruction of the existing sanctuary, fellowship hall, classrooms and administrative offices and the construction of a new 55.5 ft. high, 400 seat, 17,720 sq. ft. sanctuary and classroom building, new entry plaza, site stairs, walkways and landscaping along with expansion of the parking lot on a 2.19 acre site. The proposed development would demolish a portion

and remodel the existing sanctuary into a 2,292 sq. ft. classroom building, expand the existing 1,197 sq.ft. administration building by 337 sq. ft., as well as build an addition of 1,976 sq. ft. to the existing 2,192 sq. ft. fellowship hall. Existing landscaping on the northeast corner of the lot will be removed and a new parking lot will be built, adding 28 additional stalls to the 69 existing spaces, for a total of 97 on-site parking stalls.

The proposed project is to include about 11,500 cubic yards of cut and 500 cubic yards of fill in order to prepare the site for development. No disposal site for the export materials has been identified. Therefore Special Condition #3 requires the applicant to identify the export site prior to the issuance of the Coastal Development Permit.

The site of the proposed development is zoned Public Institutional in both the previously certified County of San Diego Local Coastal Program (LCP) and in the zoning ordinance of the City of Solana Beach. The site is currently designated "Public/Institutional" in the City's general plan. The site is located on the north side of Via de la Valle, at Del Mar Downs Road, in the City of Solana Beach in San Diego County.

The site is bounded by multi-family residential development to the north, and a senior residential facility to the east (CDP #6-85-490). A commercial office complex is located to the west (CDP#6-86-465). The Del Mar Fairgrounds and racetrack is located across Via de la Valle to the south of the project site.

The history of the site includes one previous coastal development permit (#6-92-71). The original buildings were constructed in 1965 and the site has undergone several alterations over the past thirty-five years. On May 15, 1992, the Commission approved CDP #6-92-71, for the partial demolition of the existing church sanctuary building, the construction of a new 14,000 sq. ft sanctuary building and the construction of a 3,500 sq. ft education building, as well as an 89 space parking lot. The permit was approved subject to three special conditions, requiring the submittal of sign and landscaping plans for the approval of the Executive Director, as well as the identification of the location of off-site disposal of graded materials. Only a portion of this larger project was built, however; the existing sanctuary, education and administration buildings total approximately 15,000 sq. ft. (Chapter 3 policies of the Coastal Act are the standard of review).

2. Runoff/Water Quality. Section 30230 of the Coastal Act states requires the protection of coastal resources and states that:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate.

Section 30231 and of the Coastal Act requires that:

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 entrapment, 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.

Section 30231 of the Act requires that the biological productivity of coastal waters, streams, etc., be maintained by, among other means, controlling runoff. The proposed development involves the reconstruction of the church sanctuary, fellowship hall, classrooms, and administrative offices, as well a new parking area on the northeast section of the site. These improvements increase the amount of impervious surfaces on the site by approximately 30%, and raise substantial concerns about runoff control into the neighboring San Dieguito River and Lagoon.

The proposed project involves improvements on a site that is located .62 miles from the ocean and less than .2 miles from the San Dieguito River and includes the provision of ground level areas that could result in adverse water quality impacts to the ocean and lagoon. Runoff from the site is conveyed through the storm drain system and will be discharged to ocean waters. Polluted runoff entering the storm drain system can have harmful effects on marine life, and may pose a risk to human health which can result in beach closures, limiting public access and recreational opportunities if not controlled or managed properly. Therefore, in order to find the proposed development consistent with the water and marine resource policies of the Coastal Act, the Commission finds it necessary to require the incorporation of Best Management Practices designed to control the volume, velocity and pollutant load of stormwater leaving the developed site. Critical to the successful function of post-construction structural BMPs in removing pollutants in stormwater to the Maximum Extent Practicable (MEP) is the application of appropriate design standards for sizing BMPs. The majority of runoff is generated from small storms because most storms are small. Additionally, storm water runoff typically conveys a disproportionate amount of pollutants in the initial period that runoff is generated during a storm event. Designing BMPs for the small, more frequent storms, rather than for the large infrequent storms, results in improved BMP performance at lower cost.

The Commission finds that sizing post-construction structural BMPs to accommodate (infiltrate, filter or treat) the runoff from the 85th percentile storm runoff event, in this case, is equivalent to sizing BMPs based on the point of diminishing returns (i.e. the BMP capacity beyond which insignificant increases in pollutants removal (and hence water quality protection) will occur, relative to the additional costs). Therefore, the Commission requires the selected post-construction structural BMPs be sized based on design criteria specified in Special Condition #1, and finds this will ensure that the proposed development will be designed to minimize adverse impacts to coastal resources, in a manner consistent with the water and marine policies of the Coastal Act.

Special Condition #1 specifically requires the applicant to implement a drainage and runoff control plan which includes BMPs designed to treat, infiltrate, or filter stormwater runoff from each runoff event up to and including the 85th percentile, 24-hour runoff event and/or the 85th percentile, 1-hour runoff event, with an appropriate safety factor, for flow-based BMPs. At a minimum, these BMPs must include directing drainage from all impervious surfaces such as parking lots through BMPs such as vegetative or other media filter devices effective at removing and/or mitigating pollutants, sweeping the parking lots susceptible to stormwater on a regular basis, on-going maintenance of the drainage and filtration system and replacement and repair of such structures in event of failure. With such BMP's, potential problems are treated at the source such that most pollutants never enter the storm water system. With implementation of BMPs, the potential water quality impacts resulting from the proposed development will be reduced to the maximum extent feasible. Therefore, as conditioned, the Commission finds the proposed development consistent with the cited policies of the Coastal Act.

In addition to polluted runoff, sediment entering into the storm drain system or downstream to San Dieguito Lagoon could have adverse impacts to water quality. The applicant proposes approximately 11,500 cu. yds. of grading, approximately 11,000 cu. yds. of which is proposed to be exported from the site. Special Condition #2 requires the applicant to implement erosion control measures such as berms, interceptor ditches, debris basins concurrent with any proposed grading to minimize soil loss during construction. In other developments in close proximity to environmentally sensitive resources such as the San Dieguito Lagoon, the Commission has required that grading be prohibited during the rainy season in order to reduce the possibility of sediment entering into the sensitive habitat during storms. In this case, that requirement is not necessary because the erosion control measures required by Special Condition #2 will effectively control sediment from leaving the generally flat development site.

In summary, the proposed institutional development and parking lot improvements have been conditioned to assure that BMP's are incorporated into the development proposal. With these conditions, the Commission is assured that all runoff generated by the proposed development is treated to the maximum extent feasible. 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 Sections 30230 and 30231.

3. Parking and Traffic/Public Access. Section 30212 (a) requires that:

Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects...

Section 30250 (a) of the Coastal Act requires, in part:

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.

Section 30252 of the Act states, in part:

The location and amount of new development should maintain and enhance public access to the coast by...

(4) providing adequate parking facilities or providing substitute means of serving the development with public transportation.

The site of the proposed development is located along Via de la Valle in the City of Solana Beach. Via de la Valle is the dividing line between the Cities of Solana Beach and Del Mar, and is a major coastal access route. This roadway leads directly to Highway 101 and the beach recreation areas of north Del Mar and Solana Beach, as well as serving as a major access road to the Del Mar Fairgrounds and racetrack facility. Because of the role Via de la Valle plays as a major coastal access corridor and conduit to recreational facilities, the intensification of use of a site at this location has the potential to adversely affect public access in this area.

The previously certified County of San Diego LCP, which the Commission uses for guidance in this area, and the City's zoning ordinance place the same parking standard on religious assembly facilities. On this basis, the proposed church facility will have a maximum occupancy of 400 seats. The City of Solana Beach parking requirements for the church itself is 76 parking spaces, plus those for the secondary on site uses (i.e administrative offices). When at capacity the facility will require 100 parking spaces for the full 400 seat sanctuary. As proposed, the project development provides 97 spaces and thus, is 3 spaces short of the number required by the cities zoning code.

As stated above, based on City standards, the full 400 seat sanctuary is deficit by only three spaces, and it can be assumed that the highest occupancy use will occur only when the sanctuary is at capacity. Therefore, it can be predicted that true parking demand on site during most services will be less than 100 parking spaces, based on the traffic analysis performed by Linscott, Law, and Greenspan (LL&G), 7/27/01. This higher number can be anticipated to occur very infrequently, probably only for special services or events (Easter and Christmas). Even so, Chapter 3 policies of the Coastal Act is the standard of review and the concern is whether or not the proposed development will adversely affect public beach access. However, in this particular case, the surrounding streets would most likely not serve as a parking area for the public heading to nearby beaches, as the site is located .66 miles from Highway 101, and almost a mile from the nearest public beach access. Thus, because the site provides adequate parking for church facilities and is unsuitable for beach parking due to its distance from the coast, no significant impacts from parking for the expanded use are anticipated.

The issues of traffic generation, and its potential to adversely affect public access to the beach, are also raised by the proposed development. The expanded church on the site raises the potential for increased traffic generation. LL&G's July 27, 2001 traffic analysis indicates that on a Sunday during the Del Mar Fair, the street segment of Via De La Valle between highway 101 and Del Mar Downs Road experiences 29,600 average daily trips (ADT's) and that the church expansion will add an additional 325 ADT's on this segment of road on any given Sunday between 10 a.m. and 12 p.m. (Traffic Impact Analysis, July 27, 2001). The Analysis also indicates that this segment of road experiences 20,103 ADT's on a Sunday during the Del Mar Horse Race Season. The traffic generation due to the proposed project, then, is approximately an increase of 0.02 % over what already exists during the busiest times of the year.

In this case, the increased traffic generation due to the proposed development will add very little traffic to Via de la Valle during six of the seven days of the week and will only add a negligible amount on Sunday mornings, prior to the beginnings of the horse races (2:00pm. start) and only for the very beginning of the Del Mar Fair (opens at 10:00am.). The facilities are used for Church services and educational classes on Sunday's only, and no substantial use occurs during the week. Therefore, the site will not generate any additional traffic Monday through Saturday.

Thus, although the project will raise some parking issues and increase traffic volume to Via de la Valle on Sunday's, the proposed development generates traffic only during off-peak times, specifically Sunday mornings, and no foreseeable problems exist with respect to beach access. Therefore, no significant impacts upon traffic or impacts to public access are anticipated to occur, and the Commission finds that the subject development is consistent with sections 30212 (a), 30250 (a), and 30252 of the Coastal Act.

4. Visual Impacts. Section 30251 of the Coastal Act addresses protection of visual resources within the coastal zone and states, in part, that:

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. . .

Via de la Valle has been identified in the previously certified County of San Diego Local Coastal Program as a scenic corridor in the area between I-5 and Old Highway 101, due to the views to the shoreline, to the wetland areas of San Dieguito Lagoon, and due to its status as a major coastal access route. As a result of this status, the protection of the visual quality of this corridor is warranted. Although the development along the roadway has not necessarily provided optimum protection of visual resources in the past, the views along the roadway are still suitable for protection.

Special Condition #4 requires the submittal of a detailed landscape plan for the proposed development. The current configuration of the site proposes the new sanctuary be built on the front half of the property, placing a large structure within direct view of the roadway. The proposed height of the structure rises 55.5' above the finished grade and 64.5' above the centerline of Via de la Valle. This presents a sizable building that will be located directly along a scenic corridor.

Because of the overall height and bulk of the structure, and its proximity to Via De La Valle, the provision of adequate vegetation to soften and screen the mass is essential. Though there are no views blocked by the structure, the proposed sanctuary is visible from Interstate 5, the Del Mar Fairgrounds, the San Dieguito Lagoon, and Via De La Valle. Therefore, Special Condition #4 would provide the mechanism to allow the review of the landscape plan to insure that landscaping would provide the necessary vegetative buffer (minimum of 10 specimen size trees along Via De La Valle) for the new sanctuary and parking lot, in order that they might be screened from these view corridors.

Special Condition #5 requires the submittal of a sign plan and would limit the maximum height of any sign to eight feet, thereby reducing a major visual impact along a scenic corridor. Although the proposed development is a church, as opposed to a commercial facility, many churches have large freestanding signs that could have visual impacts. By limiting the church to smaller signs, the visual impacts of the proposed development will be minimized.

Lastly, due to the site's proximity to, and visibility from, Interstate 5, Highway 101, and the San Dieguito Lagoon, the final exterior materials and color scheme to be utilized in the construction of the proposed development is essential in minimizing the visual impacts of the site. Special Condition # 6 requires that the applicant submit a color board, or other indication of the exterior materials and color scheme to be utilized in the construction of the proposed development, to the Commission, and that earth tones designed to minimize the project's contrast with the surrounding hillside be utilized.

Thus, in order to minimize visual impacts to a heavily traveled scenic corridor, Special Conditions # 4, 5, and 6 require the screening of sanctuary and parking areas, a maximum height of eight feet for any Church sign, and the appropriate use of colors for the final exterior color scheme. With these conditions, potential impacts on visual resources have been reduced to the minimum extent feasible. Therefore, no significant impacts upon visual resources are anticipated to occur, and the Commission finds that the subject development is consistent with sections 30251 of the 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. As conditioned, the subject proposal is consistent with the applicable policies of Chapter 3 of the Coastal Act and would not prejudice the ability of the City of Solana Beach to prepare a LCP. In addition, the

subject development is consistent with the general plan designation applied to the site by the city of Solana Beach, and by the County in its previously certified LCP.

The subject site was previously in the County of San Diego Local Coastal Program (LCP) jurisdiction, but is now within the boundaries of the City of Solana Beach. While the Commission certified the County LCP, the County never accepted the Commission's modifications and therefore the LCP was never effectively certified and thus Chapter 3 policies of the Coastal Act are the standard of review. However, the Commission will continue to utilize the San Diego County LCP documents for guidance in its review of development proposals in the City of Solana Beach until such time as the Commission certifies an LCP for the City

Furthermore, the only special overlay zone applied to the site by the previously certified LCP is the "unsewered" overlay. The site is served with sewer, and the provisions of the overlay zone do not apply. Therefore, the Commission finds that the subject development, as conditioned, will not prejudice the ability of the City of Solana Beach to prepare a certifiable LCP.

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, 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 that the activity may have on the environment.

The proposed project has been conditioned in order to be found consistent with the water quality, community character and visual resource protection policies of the Coastal Act. Mitigation measures, including conditions addressing landscaping, erosion control and Best Management Practices will minimize all potential adverse environmental impacts. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact that the activity may have on the environment. Therefore, the Commission finds that the proposed project is the least environmentally-damaging feasible alternative and is consistent with the requirements of the Coastal Act to conform to CEQA.

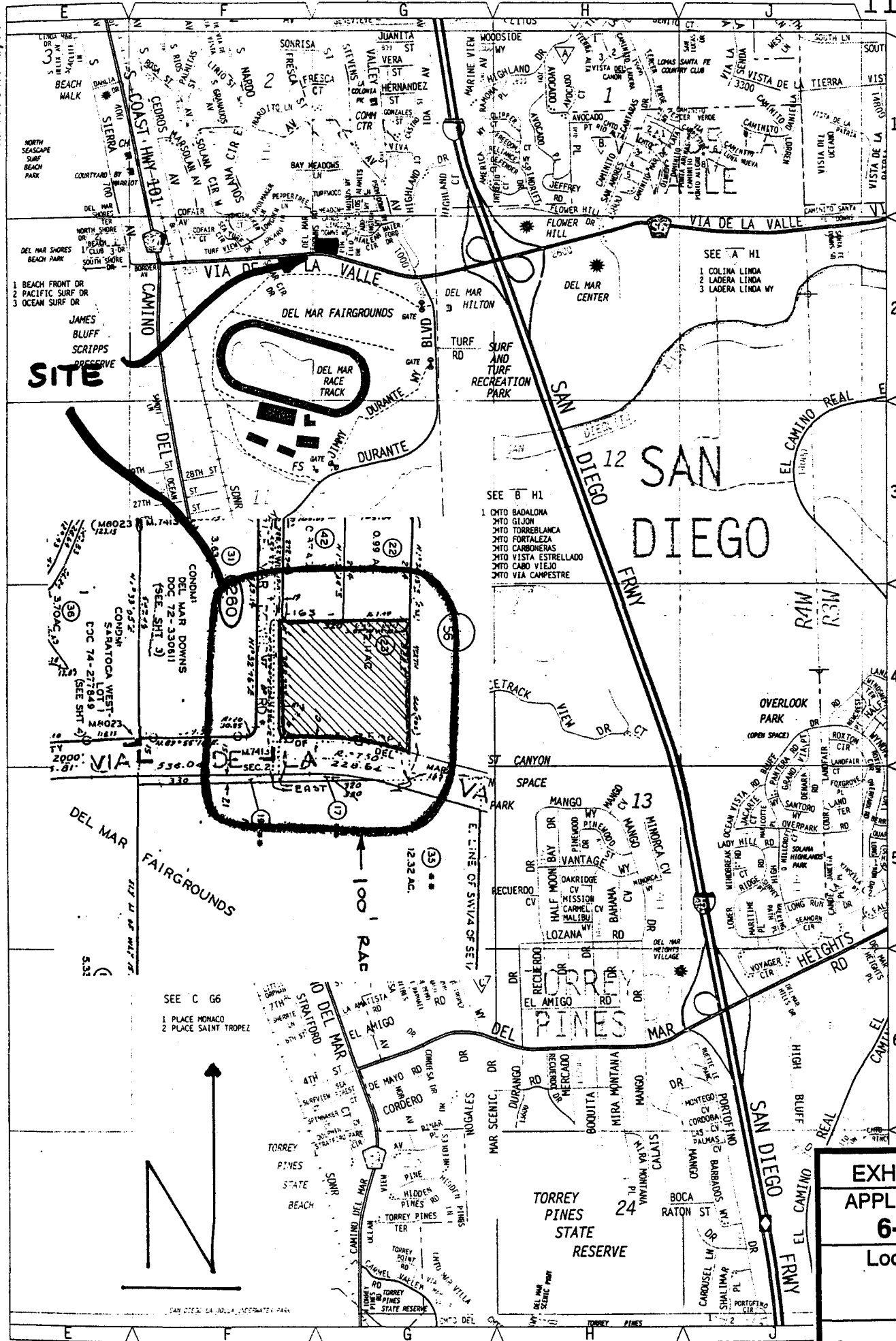
STANDARD CONDITIONS:

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.

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SITE

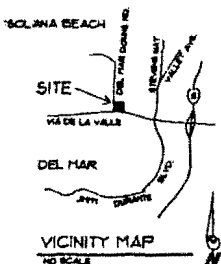
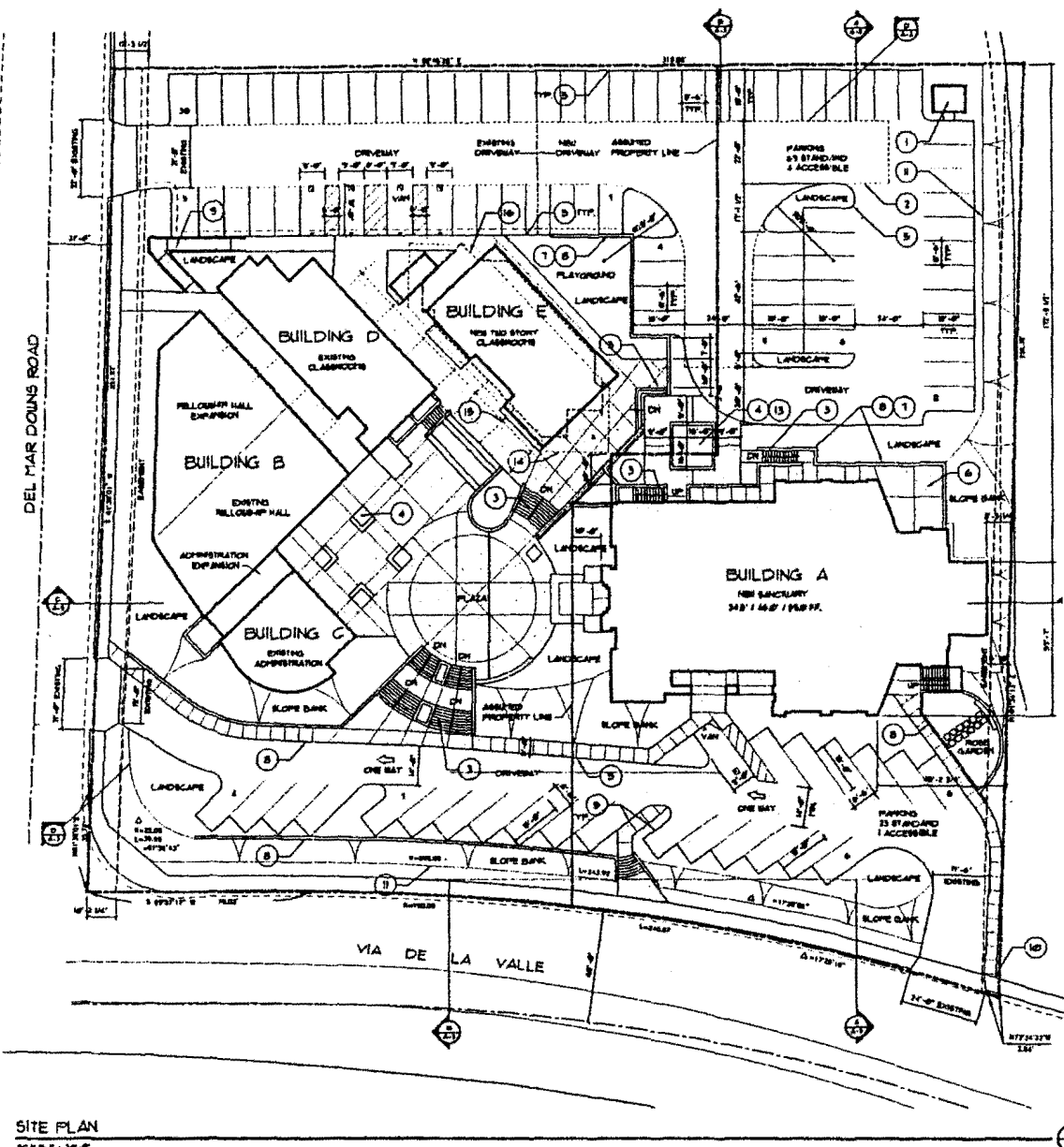
SAN DIEGO

EXHIBIT NO. 1
APPLICATION
6-01-087
Location Map

SAN DIEGO CO.

MAP

SEE 1188 MAP



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

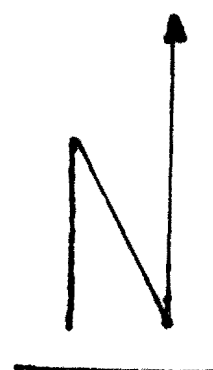
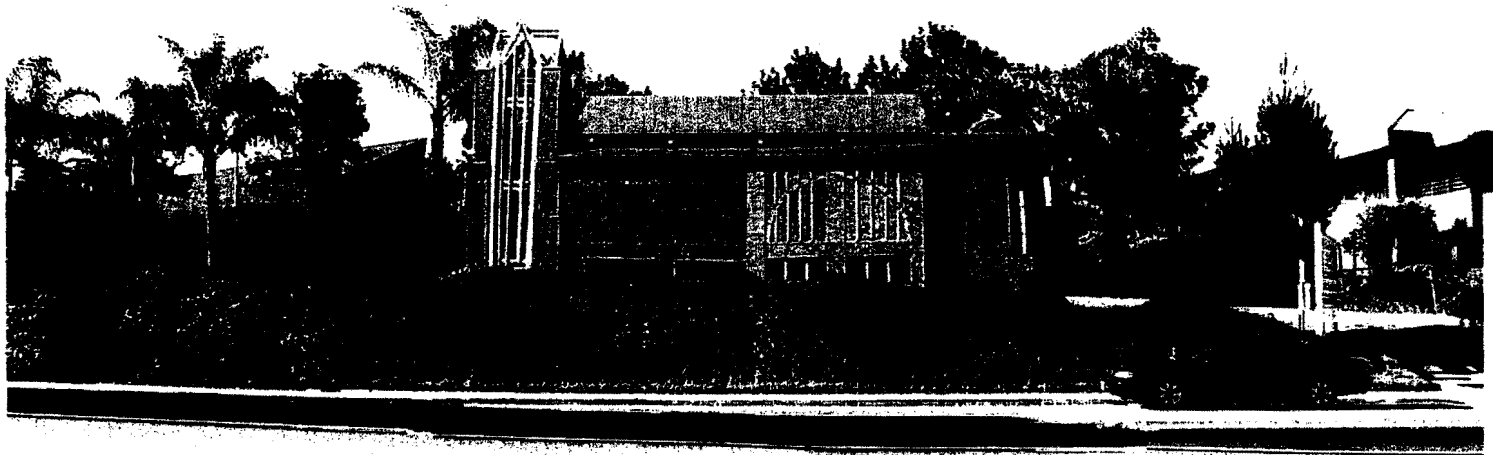



EXHIBIT NO. 2
APPLICATION NO.
6-01-087
Site Plan



EXISTING VIEW FROM VIA DE LA VALLE



VIEW FROM VIA DE LA VALLE WITH PROPOSED SANCTUARY

EXHIBIT NO. 3
APPLICATION NO.
6-01-087
Existing Site & Computer Generated Proposal
 California Coastal Commission