

CALIFORNIA COASTAL COMMISSION

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Staff Report: December 20, 2001
Hearing Date: January 7-11, 2002
Commission Action:

RECORD PACKET COPY**Item Tu 9r****STAFF REPORT: REGULAR CALENDAR**

APPLICATION NUMBER: 5-01-325

APPLICANTS: Jim and Sharon Grace

AGENT: Sherry Braun, Architect

PROJECT LOCATION: 1304 Calle Toledo, San Clemente, Orange County

PROJECT DESCRIPTION: Construction of a new three-level, 24' 6" high, 2377 square foot single-family residence with two (2) attached one-car garages totaling 514 square feet and 701 square feet of deck area on a vacant coastal canyon lot. Approximately 150 cubic yards of grading (80 cubic yards of cut and 70 cubic yards of fill) is proposed for site preparation and drainage. Excess material will be exported to an appropriate disposal site outside the coastal zone.

LOCAL APPROVALS RECEIVED: Approval-in-Concept from the City of San Clemente Community Development Department dated July 26, 2001.

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends the Commission **APPROVE** the proposed development with four (4) special conditions. The site is located adjacent to Toledo Canyon, one of seven coastal canyons in San Clemente identified as containing environmentally sensitive habitat. Primary issues include assurance that the proposed development is consistent with the geologic hazard policies of the Coastal Act, as well as assuring that the development is consistent with protection of environmentally sensitive habitat areas (ESHA). The proposed development conforms to the canyon setback policies in the certified LUP, as development will be set back 30% the depth of the lot and more than 15 feet from the canyon edge.

Special Condition 1 requires the applicant to submit plans that show evidence of conformance with geotechnical recommendations, including those regarding site preparation, foundation design and drainage. Special Condition 2 requires conformance with the landscaping and irrigation plan, which shows no disturbance of the existing canyon vegetation and only drought-tolerant, non-invasive plant species in the front yard. Special Condition 3 requires compliance with the grading and drainage plan. Special Condition 4 informs the applicant that future development requires a coastal development permit.

SUBSTANTIVE FILE DOCUMENTS:

City of San Clemente certified Land Use Plan; Coastal Development Permits 5-01-097 (Moe); 5-99-385 (Reddington); 5-99-380 (Beck) and 5-97-122 (Sawall); *Geotechnical Investigation, New Residence, 1304 Calle Toledo, San Clemente, CA* prepared by Coleman Geotechnical (Job No. 2006) dated June 7, 2001, as supplemented by *Geotechnical Investigation Addendum* dated July 7, 2001.

EXHIBITS:

1. Vicinity Map
 2. Assessor's Parcel Map
 3. Coastal Canyon Map
 4. Coastal Access Point Map
 5. Project Plans
 6. Landscape and Irrigation Plans
 7. Grading and Drainage Plan
 8. Letter from Neighbor
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STAFF RECOMMENDATION:

Staff recommends that the Commission **APPROVE** the permit application with special conditions.

MOTION:

I move that the Commission approve CDP #5-01-325 pursuant to the staff recommendation.

Staff recommends a **YES** vote. This 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:

I. APPROVAL WITH CONDITIONS

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, located between the first public road and the sea, 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

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 this permit is reported to the Commission. 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.

III. SPECIAL CONDITIONS

1. Conformance of Design and Construction Plans to Geotechnical Recommendations
 - A. All final design and construction plans, including foundations, grading and drainage plans, shall be consistent with all recommendations contained in the *Geotechnical Investigation, New Residence, 1304 Calle Toledo, San Clemente, CA* prepared by Coleman Geotechnical (Job No. 2006) dated June 7, 2001, as supplemented by the *Geotechnical Investigation Addendum* dated July 17, 2001.
 - B. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for the Executive Director's review and approval, evidence that an appropriately licensed professional has reviewed and approved all final design and construction plans and certified that each of those final plans is consistent with all of the recommendations specified in the above-referenced geologic evaluation approved by the California Coastal Commission for the project site.
 - C. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.
2. Conformance with Landscaping and Irrigation Plan Submitted
 - A. The applicant shall carry out the project in conformance with the landscaping and irrigation plan prepared by Coastal Surroundings Landscape Company received on September 21, 2001. In addition, the applicant agrees to the following requirements:

- (a) All vegetation, including existing native plantings on the canyon slope, shall be maintained in good growing condition throughout the life of the project, and whenever necessary, shall be replaced with new plant materials to ensure continued compliance with the landscaping plan;
 - (b) Landscaped areas in the rear yard (canyon-facing) areas shall be planted and maintained for erosion control and native habitat enhancement purposes. To minimize the need for irrigation and minimize encroachment of non-native plant species into adjacent existing native plant areas, all landscaping adjacent to Toledo Canyon shall consist of native, drought tolerant plants. Invasive, non-indigenous plant species that tend to supplant native species shall not be used;
 - (c) Landscaped areas in the front yard (street-facing) area can include ornamental or native, drought tolerant plants. Vegetation installed in the ground shall consist of non-invasive, drought tolerant plants. Vegetation which is placed in above-ground pots or planters or boxes may be non-invasive, non-native ornamental plants; and
 - (d) No permanent in-ground irrigation systems shall be installed on the canyon-facing portion of the site. Temporary above ground irrigation is allowed to establish plantings.
- B. The permittee shall undertake development in accordance with the approved plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

3. Conformance with Drainage and Runoff Control Plan

- A. The applicant shall carry out development in conformance with the Grading and Drainage Plan prepared by Alpine Consultants, Inc dated July 23, 2001 and with all recommendations contained in the *Geotechnical Investigation, New Residence, 1304 Calle Toledo, San Clemente, CA* prepared by Coleman Geotechnical (Job No. 2006) dated June 7, 2001, as supplemented by the *Geotechnical Investigation Addendum* dated July 17, 2001. In addition, the applicant shall comply with the following provisions:
- (a) Runoff from all roofs, patios, driveways and other impervious surfaces and slopes on the site shall be collected and discharged via pipe or other non-erosive conveyance to the frontage street or designated canyon outlet point to avoid ponding or erosion either on- or off- site;
 - (b) Runoff shall not be allowed to pond adjacent to the structure or sheet flow directly over the sloping surface to the canyon bottom; and
 - (c) The functionality of the approved drainage and runoff control plan shall be maintained throughout the life of the development.
- B. The permittee shall undertake development in accordance with the approved plan. Any proposed changes to the approved plan shall be reported to the Executive

Director. No changes to the approved plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

4. Future Development

- A. This permit is only for the development described in Coastal Development Permit No. 5-01-325. Pursuant to Title 14 California Code of Regulations Section 13253(b)(6), the exemptions otherwise provided in Public Resources Code Section 30610 (a) shall not apply to the entire parcel. Accordingly, any future improvements to the development authorized by this permit, including but not limited to repair and maintenance activities identified as requiring a permit in Public Resources Section 30610(d) and Title 14 California Code of Regulations Sections 13252(a)-(b), shall require an amendment to Permit No. 5-01-325 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. PROJECT LOCATION AND DESCRIPTION

The proposed development is located at 1304 Calle Toledo in the City of San Clemente, Orange County (Exhibits 1 & 2). The project site is located adjacent to Toledo Canyon, identified in the City of San Clemente Certified Land Use Plan (LUP) as one of seven environmentally sensitive coastal canyon habitat areas (Exhibit 3). Surrounding development consists of low-density single-family residences.

The subject site is a vacant, triangular-shaped sloping lot, descending from a narrow, level pad area adjacent to the street to a natural ravine along the southerly portion of the property. (The applicant's property extends to the canyon bottom.) Due to the curvilinear configuration of the streets in the subject area, the site is considered to be located between the first public road and the sea. The nearest public coastal access is available via the Boca del Canon access point, approximately one-quarter mile southwest of the subject site (Exhibit 4).

The proposed development consists of the construction of a new three-level, 24' 6" high, 2377 square foot single-family residence with two (2) attached one-car garages totaling 514 square feet and 701 square feet of deck area on the vacant coastal canyon lot (Exhibit 5). Approximately 150 cubic yards of grading (80 cubic yards of cut and 70 cubic yards of fill) is proposed for site preparation and drainage. The proposed structure will utilize a conventional continuous footing design after overexcavation and recompaction of the site, as recommended by the geotechnical consultant. All rooftop runoff will be taken to the street, while the southerly, undeveloped canyon slope will continue to drain to the canyon bottom. Landscaping is proposed in a small front yard area (street-facing), but no landscaping is proposed along the canyon-facing portion of the property. Existing vegetation will remain undisturbed.

The proposed development conforms to the canyon setback policies in the certified LUP, as development will be set back 30% the depth of the lot and at least 15 feet from the canyon edge. There is no significant existing native vegetation on the proposed building pad (one coyote bush); however, a sparse grouping of lemonade berry and a mix of native and non-native species exists

along the adjacent canyon slope. Protection of the canyon as an environmentally sensitive habitat area will be discussed in Section C of the current report.

Staff received correspondence from a neighbor expressing private view concerns (Exhibit 8). However, the protection of private views is not a Coastal Act issue and will not be addressed in the current staff report. Public views to the coast will not be affected by the proposed development.

B. GEOLOGIC STABILITY

1. Coastal Act Policies

Section 30253 of the Coastal Act states:

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.

2. Project Site Geotechnical Report

The applicant submitted a geotechnical report prepared by Coleman Geotechnical dated June 7, 2001. The report was supplemented by a letter dated July 17, 2001. The geotechnical investigation includes the results of geologic mapping of the site area, excavation of test borings, and laboratory tests of the soil samples.

The report provides a description of the soil and geologic conditions of the site. The field investigation reveals that the property is underlain immediately below the surface by a layer of *"poorly consolidated manmade fill and residual soils such as topsoil and slopewash."* The fill material is not considered suitable for structural support. The fill is supported by a relatively thin layer of pale brown fine sand, interpreted as a Marine Terrace Deposit. The terrace deposit is underlain by bedrock deposits of the Capistrano Formation.

The report concludes that the site bedrock is stable, no faults are located on the property, and no evidence of groundwater was found in the test borings. With regard to existing slope stability, the consultant's test results indicate *"a minimum safety factor of 1.95, which exceeds the required 1.5."* The consultant states that the existing slope is *"suitably stable and under normal conditions and with proper maintenance will remain stable."* However, the report also notes that the site will require overexcavation and recompaction below the building areas or the use of drilled, cast-in-place concrete caissons for structural support. Lastly, the report states, *"the subject site is suitable for the planned improvements without detrimental effects on the adjacent properties if the design and construction methods are carefully implemented."* (Recommendations are discussed in the subsequent section.)

3. Project Analysis/Special Conditions

Section 30253(2) of the Coastal Act states that new development shall assure stability and structural integrity and shall not contribute to erosion, geologic instability or destruction of the site or require the construction of protective devices which would substantially alter natural landforms.

Geotechnical Recommendations

The geotechnical report states that the construction of the proposed residence is feasible provided the applicant complies with the recommendations contained in the report. The geotechnical report includes recommendations focusing on foundation design and drainage. To provide long term vertical and lateral support, the consultant recommends overexcavation and recompaction below the building areas or use of a drilled cast-in-place concrete caisson system for support. For cost purposes, the applicant has selected the overexcavation and recompaction option.

The report also advises, *"concrete swales and collection devices should be placed to control all surface water which impact the building area, driveway and slopes descending from the improvements areas."* As submitted, all rooftop runoff will be directed to the street. Along the front (streetside) of the property, runoff will be captured in drains within the permeable driveway and turf area and taken to the street. Runoff from the undeveloped canyon slope and rear deck area will continue to drain to the lower canyon slope.

As discussed previously, approximately 150 cubic yards of grading is proposed (80 cy cut and 70 cy fill) is proposed. Excess material will be taken to an appropriate disposal site outside the coastal zone. The geotechnical report provides recommendations for site preparation and construction of the foundation and retaining walls. To ensure that all earthwork is carried out in accordance with their recommendations, the report concludes that *"all grading and fill compaction should be observed and/or tested by this firm, including rough grading, installation of special drainage devices, retaining wall backfills, utility trench backfills, precise grading, and pavement subgrade and aggregate base, as applicable."*

Since the recommendations provided by the geotechnical consultant include measures to mitigate any adverse geologic effects, the Commission finds that Special Condition 1 ensures that the consulting geotechnical expert has reviewed the development plans and verified their conformance with the geotechnical recommendations. As such, Special Condition 1 guarantees that the final development plans are consistent with Section 30253 of the Coastal Act.

Coastal Canyon Setback

The City's certified LUP (Policy VII.15), to which the Commission may look for guidance, requires new development on coastal canyon lots to be set back as follows:

"New development shall not encroach into coastal canyons and shall be set back either: a. a minimum of 30% of the depth of the lot, and not less than 15 feet from the canyon edge; or b. a minimum of 30% of the depth of the lot, and set back from the line of native vegetation (not less than 15 feet from coastal sage scrub vegetation or not less than 50 feet from riparian vegetation); or c. in accordance with house and deck/patio stringlines drawn between the nearest corners of the adjacent structures."

The development setback shall be established depending on site characteristics."

These canyon setback requirements serve the purpose of appropriately siting new development to avoid geologic hazard and/or adverse impacts to environmentally sensitive habitat areas (ESHA). (ESHA impacts will be discussed in Section D.)

The proposed development conforms to the canyon setback requirements in the certified LUP, as development will be set back 30% the depth of the lot (or 30% from the rear of the lot at the canyon bottom) and at least 15 feet from the canyon edge (Exhibit 5). The project will also be sited more than 15' from the line of native vegetation. Based on the information provided in the geotechnical report, the siting of the proposed development is found to be appropriate in this case.

Landscaping

Developments on both coastal canyon and blufftop lots in San Clemente are required to submit landscaping and irrigation plans, consisting primarily of native, drought-tolerant plants, in order to be found in conformance with Section 30253 of the Coastal Act. Review of landscaping plans is necessary to assure that appropriate plant species are selected and limited watering methods are applied. Appropriate vegetation can help to stabilize slopes. Native, drought-tolerant plants common to the local area do not require watering after they become established, have deep root systems which tend to stabilize soils, are spreading plants and tend to minimize the erosive impact of rain, and provide habitat for native animals. Landscaping that involves in-ground irrigation may lead to overwatering or sprinkler line breaks that can contribute to slope instability. Therefore, review and approval of landscaping and irrigation plans is necessary prior to the issuance of a coastal development permit.

The applicant has submitted Landscape and Irrigation Plans prepared by Coastal Surroundings Landscape Company (Exhibit 6). The plans demonstrate that no new landscaping is proposed adjacent to the canyon. Existing native vegetation along the canyon will remain undisturbed. A small landscaped area with permeable driveways is proposed in the front yard (streetside) of the property. The plant species included in the proposed plant palette for the front yard consist of drought tolerant, non-invasive species. Irrigation will be limited to the small landscaped area in the front yard. As proposed, the need for water application will be minimized and potential breaks in irrigation lines will easily be detected. No in-ground irrigation is proposed canyonward of the residence.

To ensure that development is carried out in conformance with the landscape plan submitted and that non-native plant species do not encroach into the adjacent canyon, the Commission imposes Special Condition 2. The condition states that only drought tolerant, non-invasive plant species may be planted on-site and affirms that no in-ground irrigation systems may be installed adjacent to the canyon. The special condition allows non-native, non-invasive ornamental plants to be utilized in above-ground pots and planters and in the front yard area. Lastly, the condition requires that all vegetation be maintained in good growing condition throughout the life of the project, and whenever necessary, shall be replaced with new plant materials to ensure continued compliance with the landscape plan. These requirements are necessary to protect nearby environmentally sensitive habitat area (ESHA) and to minimize erosion from uncontrolled site runoff. In this instance, monitoring of the landscaping is not required, as no landscaping is proposed along the canyon slope.

Site Drainage

Since the manner in which a site drains is important to site stability on canyon lots, a grading and drainage plan has been submitted which documents how site drainage will be accomplished. The plan (prepared by Alpine Consultants, Inc.) shows how the majority of runoff from impervious surfaces will be diverted toward the street. However, the plan has reduced the amount of impervious surface by incorporating decomposed granite and turf block into the driveway design.

In addition, as shown in Exhibit 7, all rooftop runoff will be directed to the street. Along the front (streetside) of the property, excess runoff will be captured in drains within the permeable driveway and turf area and taken to the street. Runoff from the canyon slope and rear deck areas will continue to drain to the lower canyon slope.

To ensure that the project is carried out in accordance with the plan, the Commission imposes Special Condition 3. Special Condition 3 requires the applicant to carry out the project in conformance with the grading and drainage plan submitted, which incorporates the recommendations of the geotechnical report. The special condition also requires that drainage devices be maintained throughout the life of the development.

As noted above, the geotechnical report provides recommendations regarding site drainage. These recommendations are provided by the geologist in order to avoid any adverse effects that improper site drainage may have upon site stability. For instance, improper site drainage could cause an area subject to slope creep and/or failure to activate and cause damage to the structure. Excessive water infiltration can result in potentially hazardous conditions on sloping lots. The geologist's recommendations regarding site drainage are designed to avoid such adverse effects.

Future Development

In order to ensure that development on the site does not occur which could potentially adversely impact the geologic stability and/or environmentally sensitive habitat area concerns expressed in this staff report, the Commission imposes Special Condition 4. This condition informs the applicant that future development at the site requires an amendment to this permit (5-01-325) or a new coastal development permit. Future development includes, but is not limited to, structural additions, landscaping and fencing. (ESHA will be discussed further in the following section.)

4. Conclusion/Project Consistence with Coastal Act

The Commission has found that in order to assure that the proposed development minimizes risks to life and property in areas of high geologic hazard and assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area the applicant shall be conditioned to: 1) conform to recommendations prepared by the geotechnical consultant, Coleman Geotechnical, Inc.; 2) conformance with the landscape plan; 3) conform to the grading and drainage plan submitted and the recommendations of the geotechnical consultant; and 4) obtain Commission approval for future improvements to the subject site. Only as conditioned does the Commission find that the proposed development is consistent with Section 30253 of the Coastal Act.

C. ENVIRONMENTALLY SENSITIVE HABITAT AREA (ESHA)

1. Coastal Act and Land Use Plan (LUP) Policies

Section 30240 of the Coastal Act 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.*

San Clemente's certified Land Use Plan (LUP) discusses the importance of coastal canyons and states:

In most cases, coastal canyons are designated for natural open space, which limits potential development and helps to ensure preservation.

Policy VII.12 of the certified LUP states:

Encourage activities which improve the natural biological value, integrity and corridor function of the coastal canyons through vegetation restoration, control of alien plants and animals, and landscape buffering.

Policy XV.13 of the certified LUP states:

The removal of native vegetation and the introduction of non-native vegetation in the canyons shall be minimized. The use of native plant species in and adjacent to the canyons shall be encouraged.

The policy in the certified LUP concerning setbacks on coastal canyons is found in Chapter 3, Section 302 G, policy VII.15, and states:

New development shall not encroach into coastal canyons and shall be set back either:

- a. a minimum of 30% of the depth of the lot, and not less than 15 feet from the canyon edge; or*
- b. a minimum of 30% of the depth of the lot, and set back from the line of native vegetation (not less than 15 feet from coastal sage scrub vegetation or not less than 50 feet from riparian vegetation); or*
- c. in accordance with house and deck/patio stringlines drawn between the nearest corners of the adjacent structures.*

The development setback shall be established depending on site characteristics.

2. Site Analysis

The proposed development is located adjacent to Toledo Canyon, one of seven coastal canyons designated as environmentally sensitive habitat area (ESHA) in the certified LUP. Toledo Canyon is located in the central portion of San Clemente. The proposed development is consistent with LUP canyon setback policies contained in the City's LUP. The structure will not be sited within 15' of native vegetation, within 50' of riparian vegetation or within 15' of the canyon edge.

The currently proposed development conforms to the required canyon setback. Additionally, Commission staff has visited the subject site and determined that the existing building pad contains only annual grasses and weeds. Vegetation in the adjacent coastal canyon consists of a mixture of natives and exotics. The canyon bottom supports a dense growth of pine trees, palm trees, a pepper tree and a few eucalyptus trees. The canyon slope contains various non-native and native species.

The Landscape and Irrigation Plan provided by the applicant shows that the front yard area will be landscaped with drought-tolerant trees, shrubs, and groundcovers. The rear yard portion of the site and upper canyon slope will remain largely undisturbed. No development will occur in the

canyon bottom. The applicant does not intend to physically displace or disturb any existing native plant species on the slope.

3. Special Conditions

The previous section on geologic hazards includes findings to support the special conditions requiring conformance with geologic recommendations, conformance with the planting plan, replanting of the slope if disturbed, conformance with the grading and drainage plan, assumption of risk deed restriction and future development deed restriction. These conditions are necessary to ensure compliance with Section 30253 of the Coastal Act concerning prevention of erosion and promotion of geologic stability. They also serve to ensure conformance with the certified LUP and Section 30240 of the Coastal Act with regard to protection and enhancement of environmentally sensitive habitat area (ESHA).

San Clemente's certified LUP advocates the preservation of native vegetation and discourages the introduction of non-native vegetation in coastal canyons. While no rare or endangered species have been reported to exist within the coastal canyon habitat of San Clemente, the City has designated all coastal canyons, including Toledo Canyon (adjacent to the subject site) as environmentally sensitive habitat areas. The coastal canyons act as open space and potential wildlife habitat, as well as corridors for native fauna. Decreases in the amount of native vegetation due to displacement by non-native vegetation have resulted in cumulative adverse impacts upon the habitat value of the canyons. As such, the quality of canyon habitat must be assessed on a site-by-site basis. The canyon adjacent to the subject site is considered a somewhat degraded ESHA due to the presence of both native and non-native plant species.

To ensure that the proposed development does not have any significant adverse effects on the canyon as an environmentally sensitive habitat area, the Commission imposes Special Conditions 2, 3 and 4. Special Condition 2 requires that the applicant conform to the landscape plan submitted, which demonstrates that all in-ground landscaping consists of drought tolerant, non-invasive species. The condition also affirms that only native species and no irrigation are allowed on the canyon side of the property. As such, non-native species will not be allowed to encroach into the adjacent canyon.

The applicant is informed through Special Condition 3 that all water intercepted by the proposed structure must be conveyed in a non-erosive manner to the street by the use of roof and area drains to reduce excessive runoff, erosion, and sedimentation. The condition requires that the grading and drainage plan ensure that sedimentation in the canyon, which may adversely affect the designated environmentally sensitive habitat area, will be prevented. Special Condition 4, the future development special condition, ensures that no development, including landscaping, takes place that would adversely impact the existing designation of the adjacent Toledo Canyon as an environmentally sensitive habitat area.

4. Consistency with Section 30240 and Land Use Plan (LUP) Policies

The proposed development is sited on a building pad adjacent to Toledo Canyon, which is identified in the certified LUP as an environmentally sensitive habitat area (ESHA). The special conditions of this staff report are designed to protect and enhance Toledo Canyon as an environmentally sensitive habitat area. Therefore, as conditioned, the Commission finds that the proposed development is consistent with Section 30240(b) of the Coastal Act and the policies of the certified LUP.

D. PUBLIC ACCESS

Section 30212(a)(2) of the Coastal Act states, in pertinent part:

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

(2) adequate access exists nearby

Section 30604(C) of the Coastal Act requires that permit applications between the nearest public road and the shoreline of any body of water within the coastal zone shall include a public access and recreation finding. Due to the winding configuration of the streets in the surrounding area and the presence of a cul-de-sac seaward of the property, the proposed development is located between the first public road and the sea. The nearest public coastal access is available via the Boca del Canon access point, approximately one-quarter mile from the subject site (Exhibit 4). Lateral access to the Pacific Ocean and sandy beach is available adjacent to the Boca del Canon access point, seaward of the OCTA railroad tracks.

The proposed development is located between the sea and the first public road; however, it does not impact access either directly or indirectly to the ocean. As such, the development will not create adverse impacts, either individually or cumulatively, on public access and will not block public access from the first public road to the shore. Therefore, the Commission finds that the proposed development is consistent with Section 30212 of the Coastal Act.

E. LOCAL COASTAL PROGRAM

Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. The Commission certified the Land Use Plan for the City of San Clemente on May 11, 1988, and certified an amendment approved in October 1995. On April 10, 1998, the Commission certified with suggested modifications the Implementation Plan portion of the Local Coastal Program. The suggested modifications expired on October 10, 1998. The City re-submitted on June 3, 1999, but withdrew the submittal on October 5, 2000.

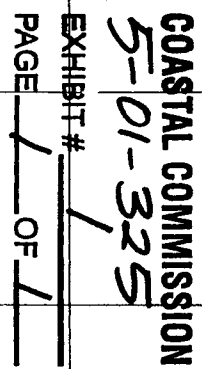
The proposed development is consistent with the policies contained in the certified Land Use Plan. Moreover, as discussed herein, the development, as conditioned, is consistent with the Chapter 3 policies of the Coastal Act. Therefore, approval of the proposed development will not prejudice the City's ability to prepare a Local Coastal Program for San Clemente that is consistent with the Chapter 3 policies of the Coastal Act as required by Section 30604(a).

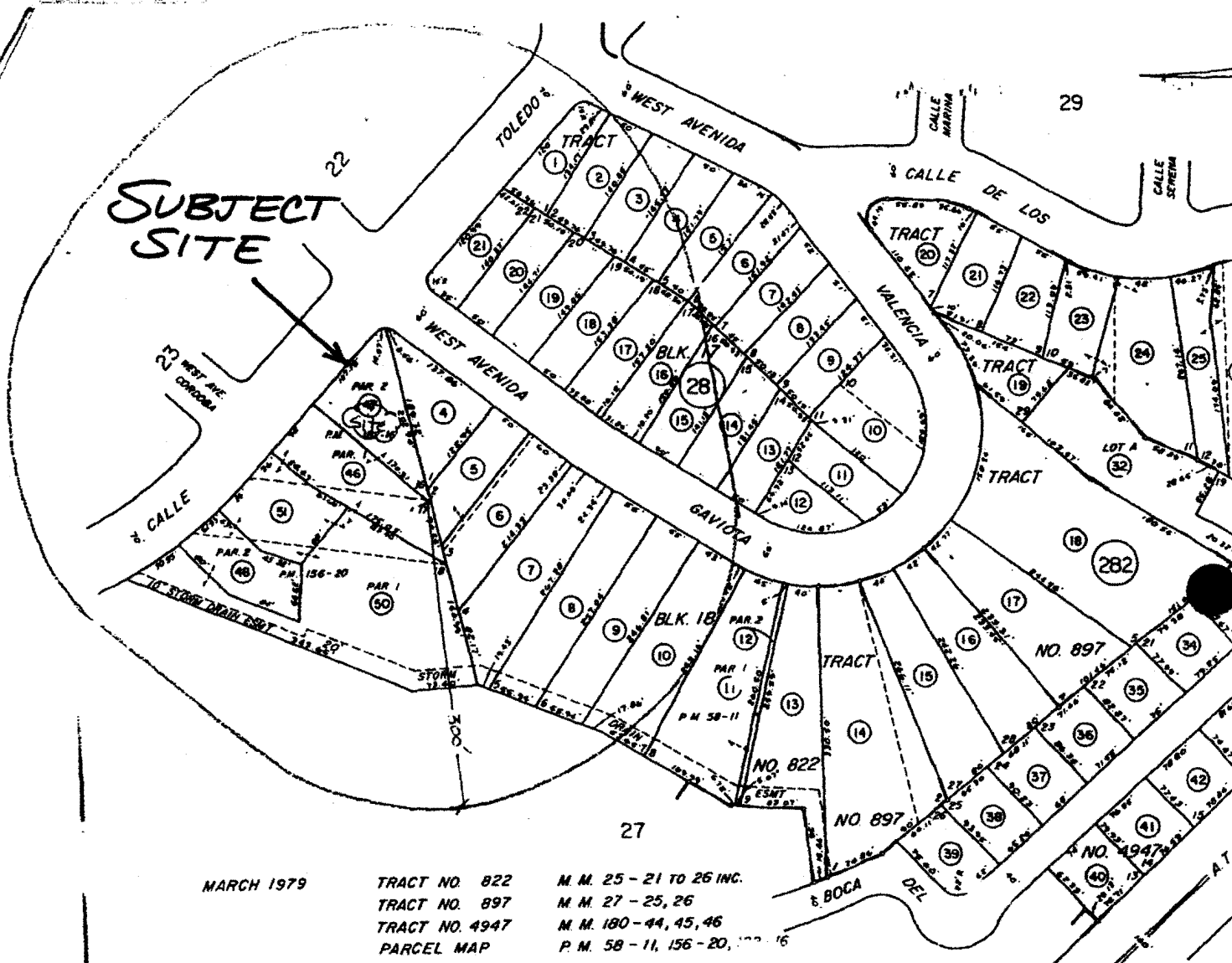
F. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

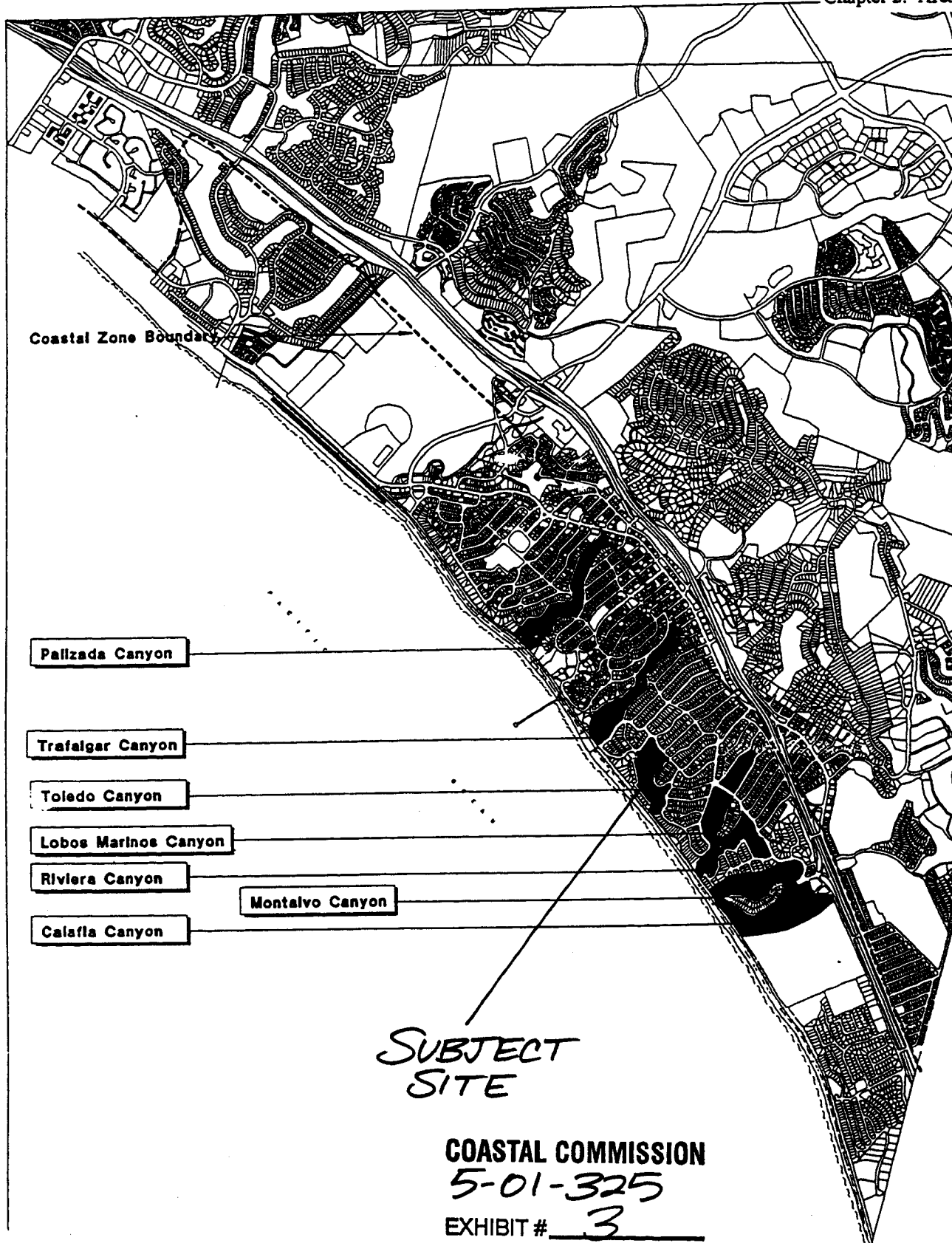
Section 13096 of Title 14 of the California Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental 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 geologic hazards and environmentally sensitive habitat policies of the Coastal Act. Mitigation measures, in the form of special conditions, require 1) conformance with geologic recommendations; 2) conformance with the landscaping plan submitted; 3) conformance with the drainage and runoff plan; and 4) future development informational condition, will minimize all adverse effects. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect that the activity may have on the environment. Therefore, the Commission finds that the proposed project can be found consistent with the requirements of the Coastal Act to conform to CEQA.

SEE 993 MAIL







COASTAL COMMISSION

5-01-325

EXHIBIT # 3

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FIGURE 2-1



CITY OF SAN CLEMENTE

COASTAL CANYONS/ ENVIRONMENTALLY SENSITIVE HABITAT AREAS

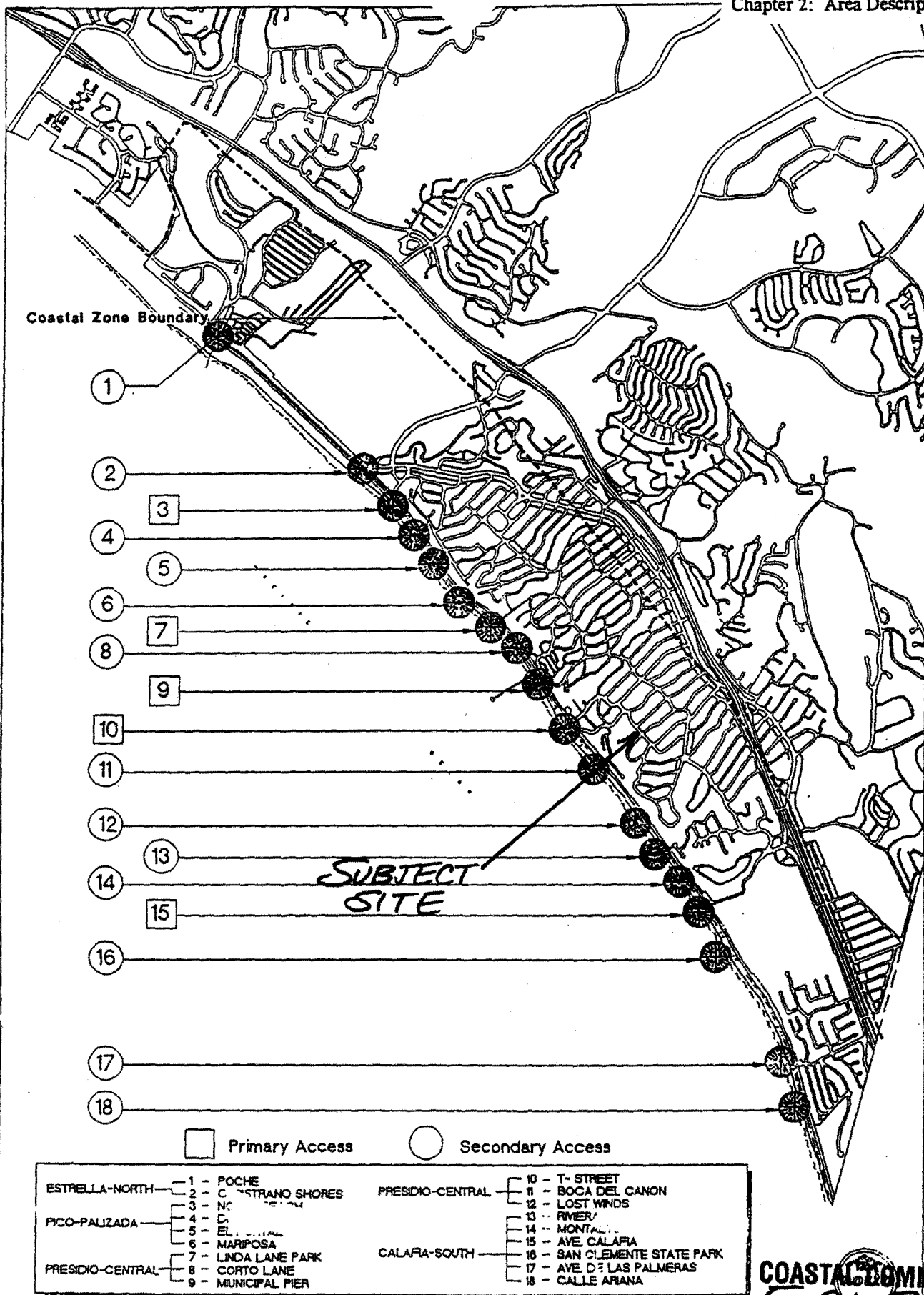


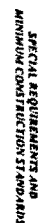
FIGURE 2-5



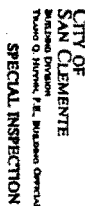
CITY OF SAN CLEMENTE COASTAL ACCESS POINTS

COASTAL COMMISSION
5-06-325

EXHIBIT # 4
PAGE 1 OF 1



SPECIAL REQUIREMENTS AND MINIMUM CONSTRUCTION STANDARDS

[illegible]

SPECIAL INSPECTION LIST

PROJECT NO:

PRIMAVER INC.

Project Address:	City
Description of Type of Inspection Requested	

[illegible]

- 1 The general impression that we address is that local government requests by letter from the relevant authorities.
- 2 Customers' requests for a change in payment are handled during the presentation of the bill, with advice available from the relevant authorities.
- 3 The general impression is that the City of London is a very good example of a local government that is able to provide a high level of service to its customers.
- 4 The general impression is that the City of London is a very good example of a local government that is able to provide a high level of service to its customers.
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- 7 The general impression is that the City of London is a very good example of a local government that is able to provide a high level of service to its customers.
- 8 The general impression is that the City of London is a very good example of a local government that is able to provide a high level of service to its customers.
- 9 The general impression is that the City of London is a very good example of a local government that is able to provide a high level of service to its customers.
- 10 The general impression is that the City of London is a very good example of a local government that is able to provide a high level of service to its customers.



VICINITY MAP

PERMIT DATA

[illegible]

SHEET INDEX

- SWT5 CEILING BRACKET
- SWT6 FLOOR
- SWT7 DOWNSTAIR HALLWAY
- SWT8 DOWNSTAIR HALLWAY
- SWT9 LOWER FLOOR HALLWAY / FIRST FLOOR HALLWAY
- SWT10 DOWNSTAIR HALLWAY
- SWT11 EXTENSION ELIMINATING
- SWT12 EXTENSION ELIMINATING
- SWT13 EXTENSION
- SWT14 DOWN - "WINDOW" / GREEN ROOFSIDE
- SWT15 DOWNSTAIR AND FIRST FLOOR BATHROOM PLUMBING
- SWT16 DOWNSTAIR FLOOR ELECTRICAL PLUMB
- SWT17 DOWNSTAIR FLOOR
- SWT18 DOWNSTAIR FLOOR
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- SWT98 DOWNSTAIR FLOOR
- SWT99 DOWNSTAIR FLOOR
- SWT100 DOWNSTAIR FLOOR



COASTAL COMMISSION

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GRACE RESIDENCE

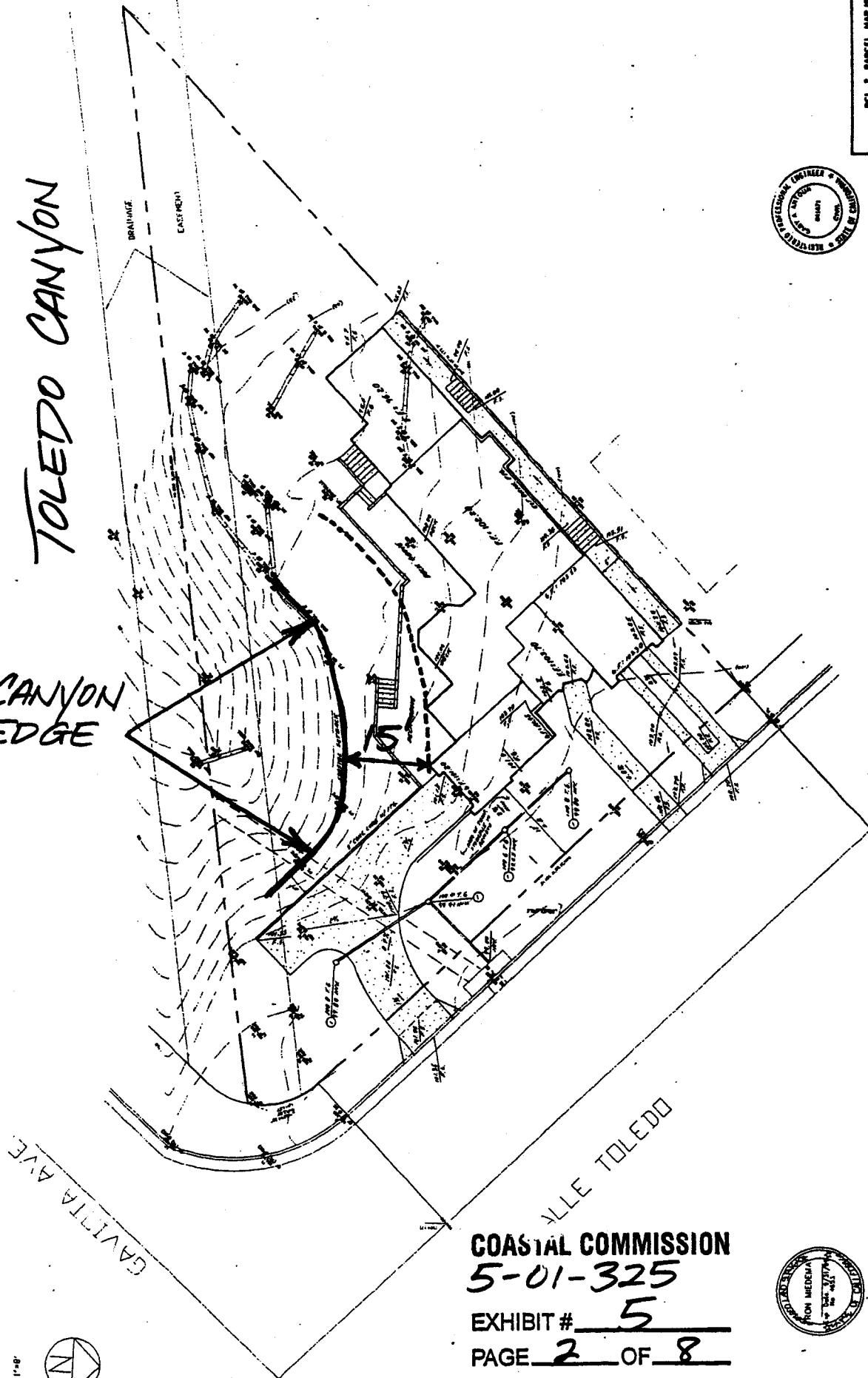
1304 CALLE TOLEDO , SAN CLEMENTE , CA.

[illegible]

Q

TOLEDO CANYON

CANYON
EDGE



SCALE 1"=8'

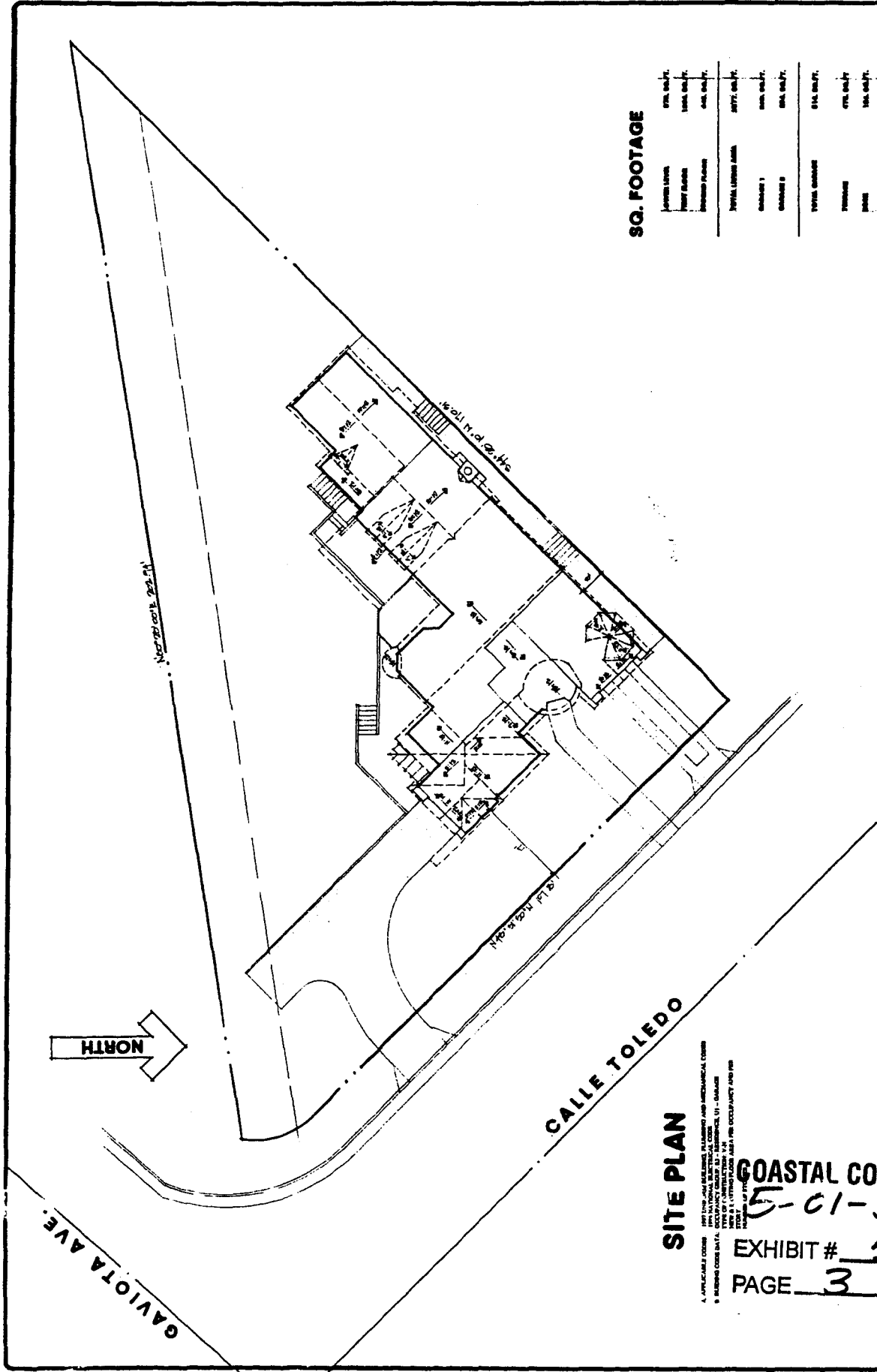


COASTAL COMMISSION
5-01-325
EXHIBIT # 5
PAGE 2 OF 8



PCL 2, PARCEL MAP NO. 14 1301 CALLE TOLEDO, SAN CLEMENTE, CALIF.	
GRADING PLAN	
PREPARED BY MR. JIM GRACE 2022 CALLE DE LOS ALAMOS SAN CLEMENTE, CA 95072 (949) 438-8211	DATE 3-10-84 7-11-84 8-17-84

JOHN LIVEN	07/11/07	07/11/07	JOHN LIVEN	07/11/07	07/11/07	JOHN LIVEN	07/11/07	07/11/07
JOHN LIVEN	07/11/07	07/11/07	JOHN LIVEN	07/11/07	07/11/07	JOHN LIVEN	07/11/07	07/11/07
JOHN LIVEN	07/11/07	07/11/07	JOHN LIVEN	07/11/07	07/11/07	JOHN LIVEN	07/11/07	07/11/07
JOHN LIVEN	07/11/07	07/11/07	JOHN LIVEN	07/11/07	07/11/07	JOHN LIVEN	07/11/07	07/11/07



SITE PLAN

1997 UFGJAM BUILDING PLUMBING AND MECHANICAL CODES
1994 NATIONAL ELECTRICAL CODE
B. BUILDING CODE DATA: OCCUPANCY GROUP, U1 - RESIDENCE, U1 - GARAGE
TYPE OF CONSTRUCTION: V-4
NEW & EXISTING FLOOR AREA PER OCCUPANCY AND PER

COASTAL COMMISSION

5-01-325

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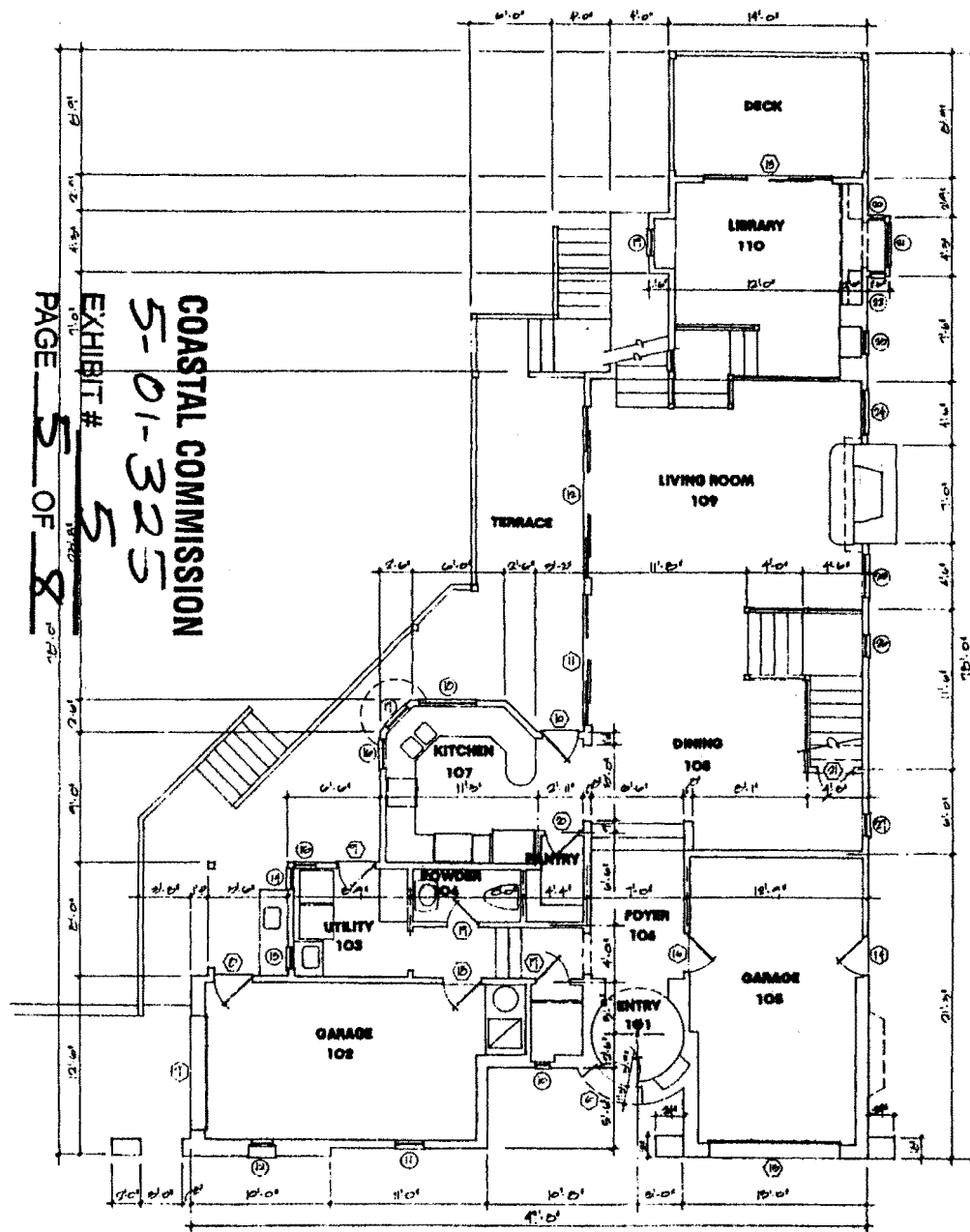
[illegible][illegible]

FOUNDATION / FLOOR FRAMING PLAN

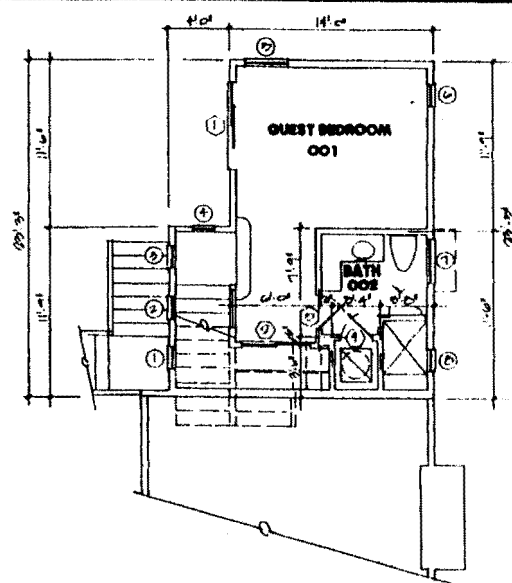
5-01-325

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FIRST FLOOR PLAN



LOWER FLOOR PLAN

SQ. FOOTAGE

LOWEST LEVEL	276.00/27
FIRST FLOOR	1264.00/27
GARAGE 1	660.00/27
GARAGE 2	664.00/27
PORCHES	476.00/27
ROOF	100.00/27

NOTES

FLOOR PLAN NOTES:

- [illegible]



FOERSTEL ENGINEERING & DESIGN

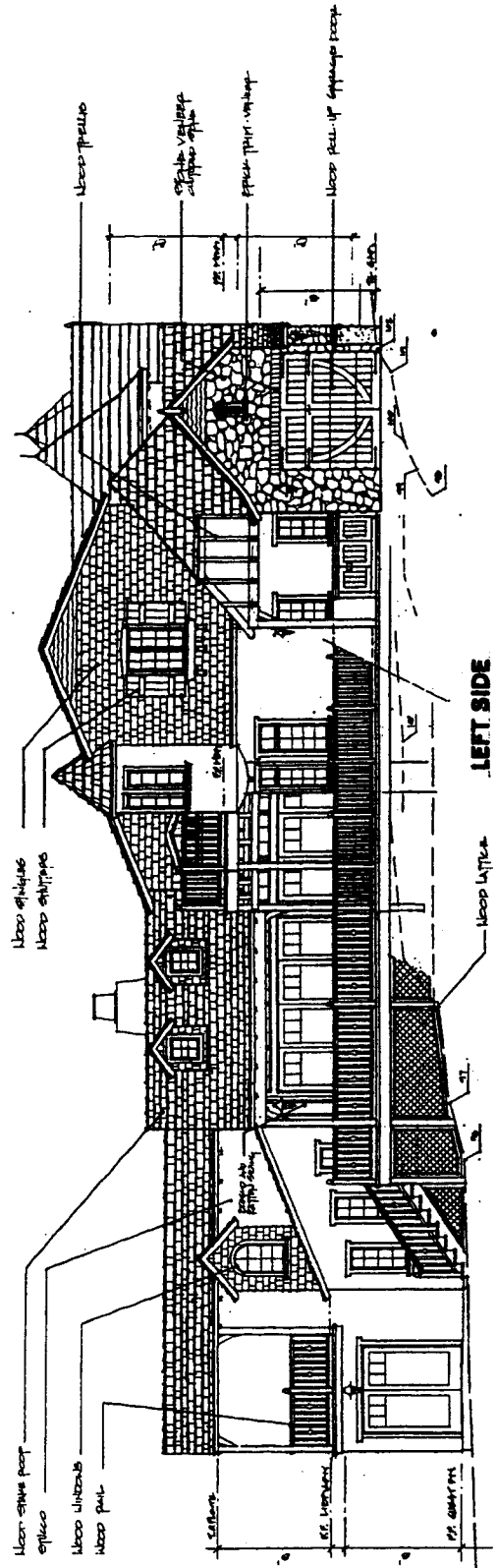
GRACE RESIDENCE
1304 CALLE TOLEDO, SAN CLEMENTE, CA.

DRAWN
 577
 2000000
 DATE
 9.01
 114.5 1.01
 200 NO.
 690000 2
 2000000

COASTAL COMMISSION
5-01-325
EXHIBIT # 5
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FOERSTEL ENGINEERING & DESIGN

FORSTEL ENGINEER
ORNL FORSTEL ATLAS
AND J. C. ATLAS MANAGER
PORT OFFICE BOX 300
2400 CLARKSON, CA 94521
TEL. 925 492-0200 FAX 925 492-0200



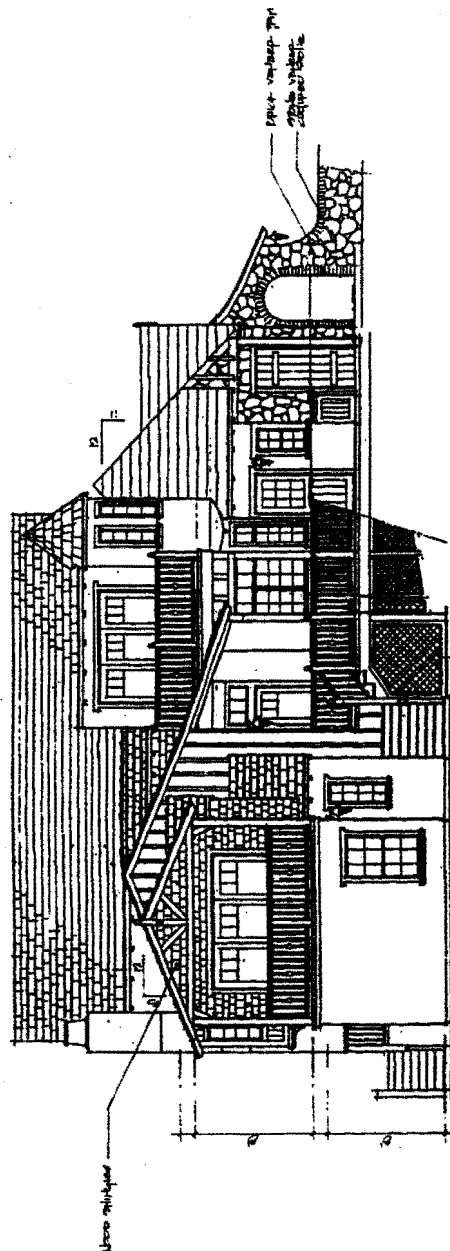
LEFT SIDE

EXTERIOR ELEVATIONS

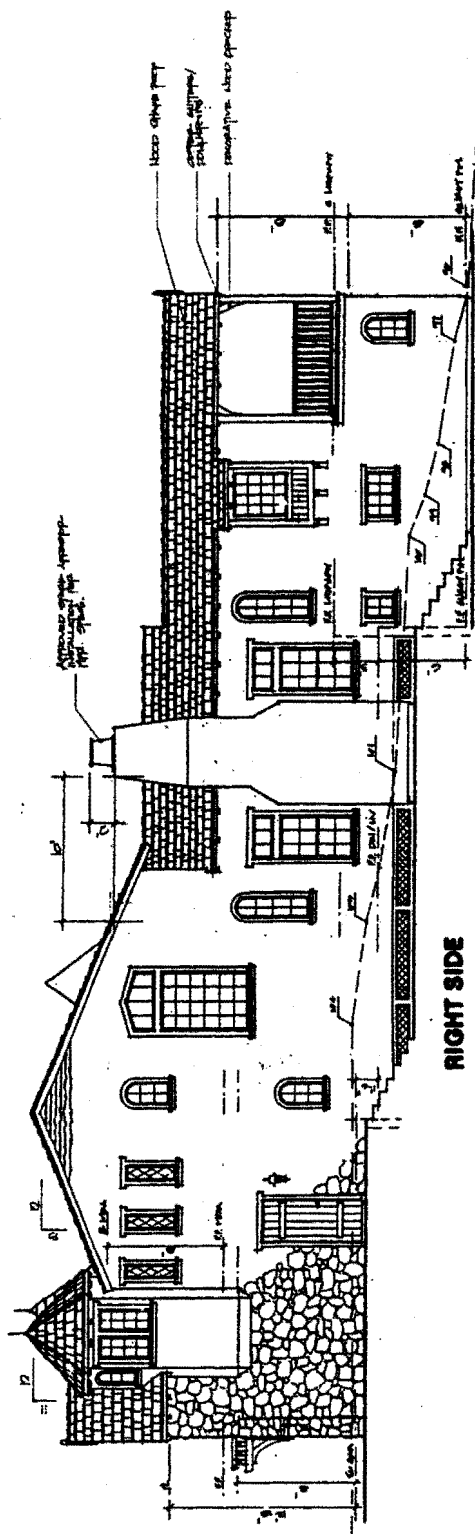
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EXTERIOR ELEVATIONS

REAR



RIGHT SIDE



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GRACE RESIDENCE

1304 CALLE TOLEDO, SAN CLEMENTE, CA.

FORRESTEL ENGINEERING & DESIGN
1304 CALLE TOLEDO, SAN CLEMENTE, CA. 95060
TEL: (408) 922-1111
FAX: (408) 922-1112
WWW.FORRESTEL-ENGINEERING.COM

DATE	1/1/01
BY	JAC
CHECKED BY	JAC
SCALE	1/4" = 1'-0"
PROJECT	GRACE RESIDENCE
SHEET	8 OF 8

COASTAL COMMISSION

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EXHIBIT # 6

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Native-untouched

PLANT LIST

SYMBOL	QTY	SIZE	BOTANICAL NAME	COMMON NAME
T-1	4	24" Box	Betula pendula	European White Birch
T-2	1	15 Gal.	Juniperus scopularum	Blue Point Juniper
T-3	2	15 Gal.	Rapidoceps indica 'Majestic Beauty'	Patio Tree
S-1	24	5 Gal.	Ligustrum texanum	Texas Privet
S-2	17	5 Gal.	Buxus japonica	Japanese Boxwood
S-3	8	5 Gal.	Azalea spp.	Azalea 'Orange Tuber'
S-4	6	5 Gal.	Camellia japonica	Camellia 'Debutante'
S-5	27	1 Gal.	Hemerocallis spp.	Daylily 'Yellow'
	1800	1 Gal.	Impatiens spp.	Impatiens 'mixed colors'
	6000		Marathon Sod	Marathon Sod

Trees

Shrubs

Grass

Turf

owner
112. Jim Grace
2022 Calle de los
Llanos
San Clemente CA
92672

Note: Native-untouched denotes no new planting and no irrigation

DESIGN - Sept. 15, 2001

Jim Miller
Coastal Surroundings
Landscape Co.
LICENSE # C-27 472325
P.O. Box 3466
San Clemente, CA 92674
Phone (949) 492-2479

Native-untouched

Driveway

Garage

Garage

Turf

Turf

Turf

Turf

Native-untouched

1204 Calle Tolosa San Clemente CA 92672

SPRINKLER PLAN / diagrammatic

- NOTE -
- Valves to be Taps - 1"
 - All piping to be Schedule 40
 - All heads to be pop-ups - Tiro - 6"
 - Piping system and heads to be installed for 100% coverage
 - Timer to be installed in garage Hardie "HR-6100" dual program
 - All piping under concrete to be installed inside 4" - size pipe sleeves
 - Native-untouched denotes no new casting and no irrigation

native - untouched

owner
Jim Grace
2022 Calle de los Alamos
San Clemente
CA
92672

DESIGNED: Sept. 15, 2001

Jim Miller
Coastal Surroundings
Landscaping Co.
LICENSE # C-2747225
P.O. Box 3466
San Clemente, CA
92674

P.O.C.
(Point of Connection)
- separate ball valve
Plaster Valve
Turf Valve
Plaster Valve

P-1
T-1
P-2

Native - untouched

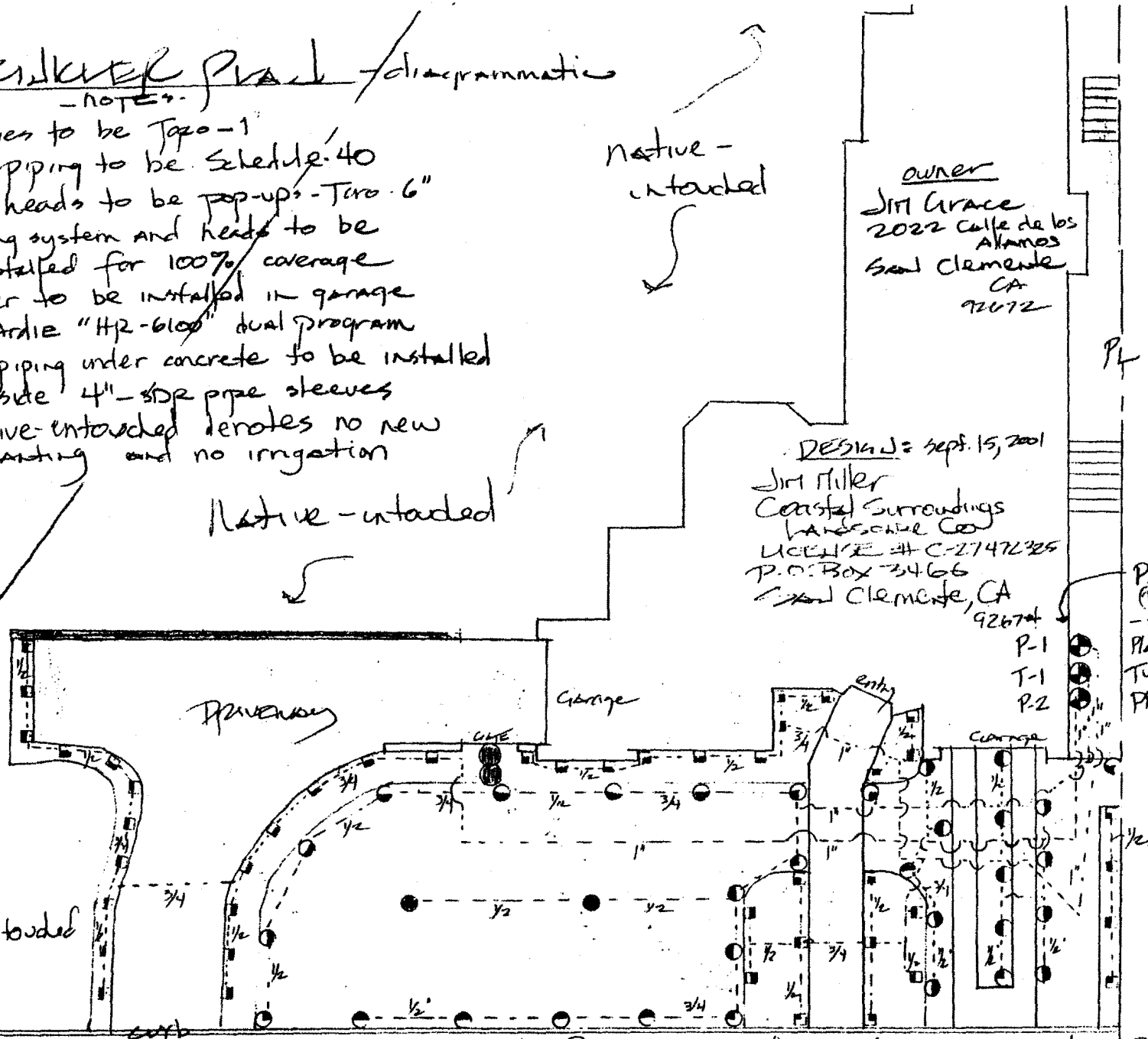
COASTAL COMMISION
5-01-325

EXHIBIT #

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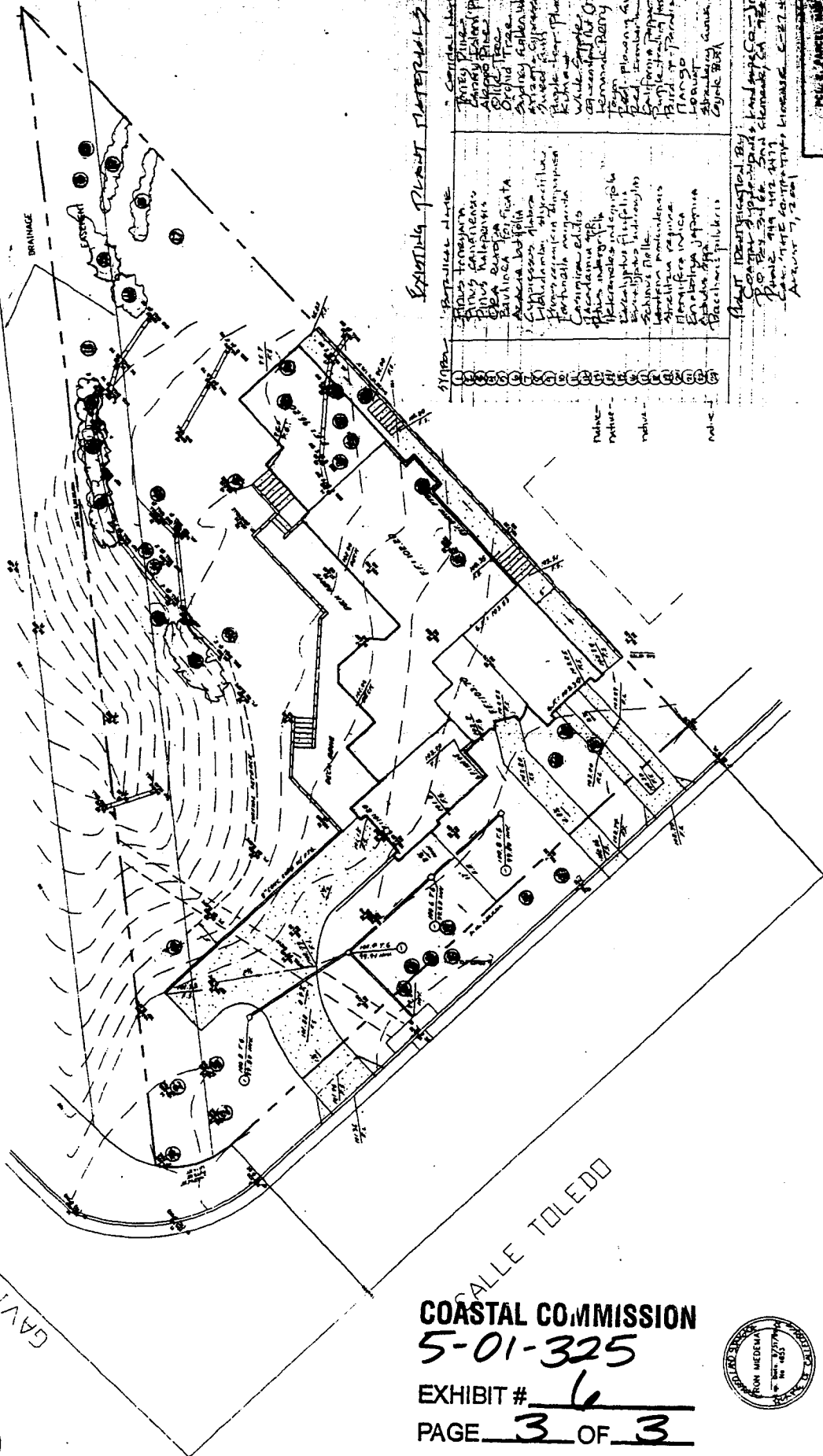
Native-untouched



1304 Calle Toledo San Clemente CA 92672

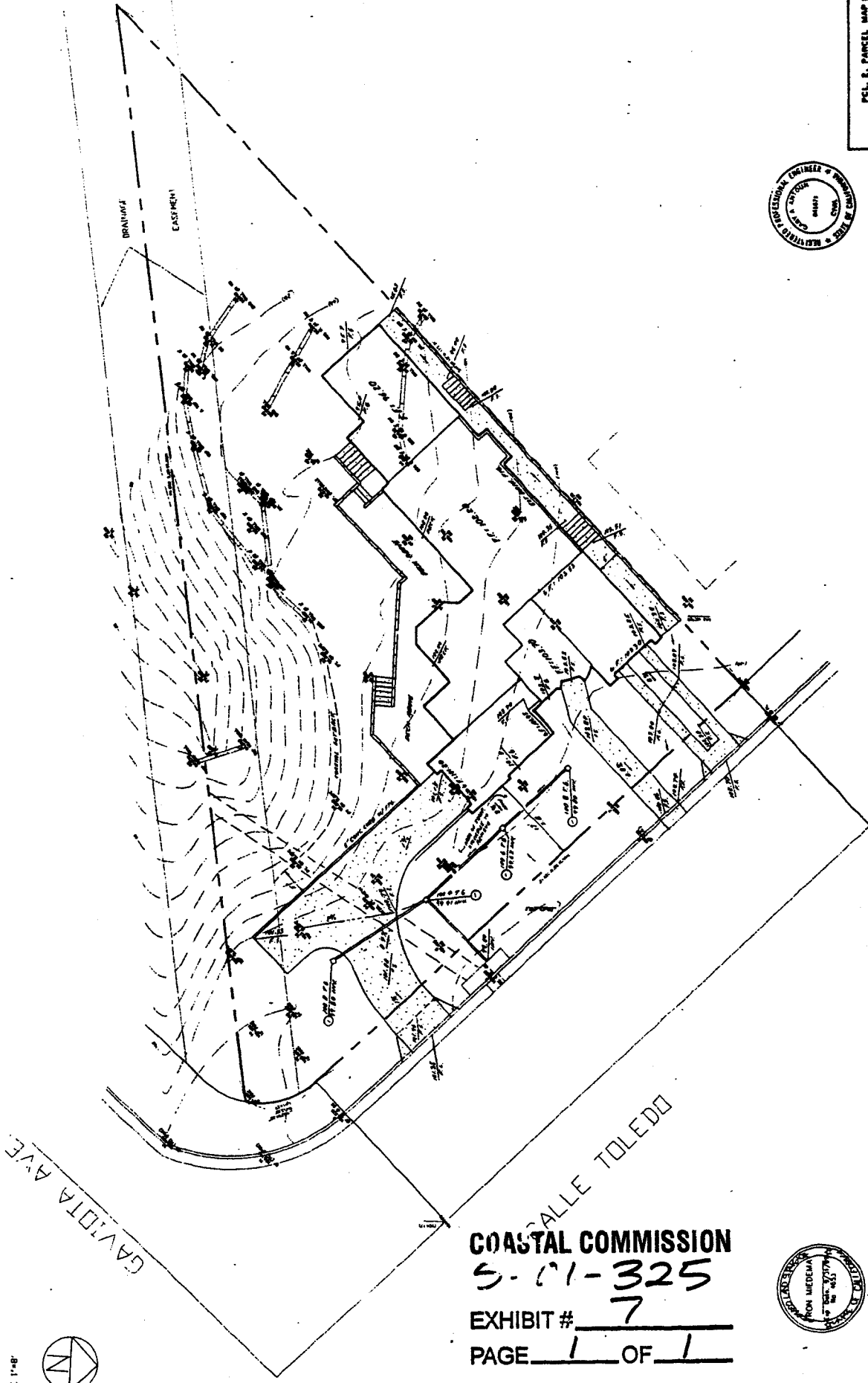
GAVIOTA AVE.

SCALE 1"=8'



Existing Plant Materials

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SCALE 1"=8'



COASTAL COMMISSION
 S-01-325
 EXHIBIT # 7
 PAGE 1 OF 1



OWNER:
 MR. JIM GRACE
 2022 CALLE DE LOS ALAMOS
 SAN CLEMENTE, CA 95072
 (949) 498-8811

THESE PLANS WERE PREPARED UNDER THE SUPERVISION OF:
 R.A. Quint
 3-11-88 7-12-88
 DATE

PCL. 2, PARCEL MAP 982-10
 1301 CALLE TOLEDO, SAN CLEMENTE, CALIF.

GRADING PLAN

CONTRACT NO. 1

RECEIVED
NOV 1 2001
CALIFORNIA
COASTAL COMMISSION

October 29, 2001

California Coastal Commission
200 Oceangate, Suite 1000
Long Beach, CA 90802-4325

Attention: Ann Blemker

Dear Ms. Blemker:

Re: Application 5-01-235

We are the owners/residents of property located at 232 West Avenida Gaviota, San Clemente. Our property faces (on Toledo Avenue) the property referenced by the above noted application.

We are concerned about our ocean view which may be obstructed by the proposed development. Although you have informed us that the Coastal Commission has no requirement to protect private views, we would appreciate any consideration that the Coastal Commission and the applicant can give us in this regard.

Thank you for the opportunity to comment.

Mary & Paul Whisenand

Mr. and Mrs. Paul Whisenand

COASTAL COMMISSION
5-01-325
EXHIBIT # 8
PAGE 1 OF 1

