

CALIFORNIA COASTAL COMMISSION

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

RECORD PACKET COPY

**Wed 3c**

Filed: September 1, 2002
49th Day: November 19, 2002
180th Day: March 30, 2003
Staff: DL-SD
Staff Report: November 19, 2002
Hearing Date: December 10-13, 2002

STAFF REPORT: CONSENT CALENDAR**Application No.:** 6-02-143**Applicant:** Stephen I. Ostrow**Agent:** Paul Disch

Description: Construction of a 1,170 sq.ft. first story and second story addition to an existing one-story 3,176 sq.ft. single-family residence on a 13,071 sq.ft. lot.

Lot Area	13,071 sq. ft.
Building Coverage	4,346 sq. ft. (33%)
Pavement Coverage	700 sq. ft. (5%)
Landscape Coverage	8,025 sq. ft. (62%)
Parking Spaces	2
Zoning	LR Low Residential 3 du/ac
Plan Designation	LR Low Residential
Project Density	3.33 du/ac
Ht abv fin grade	25 feet

Site: 668 Canyon Drive, Solana Beach, San Diego County.
APN 263-270-37.

Substantive File Documents: Certified County of San Diego Local Coastal Program (LCP); City of Solana Beach General Plan and Zoning Ordinance; City of Solana Beach DRP/SDP 17-02-07.

I. STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

MOTION: *I move that the Commission approve the coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

STAFF RECOMMENDATION TO ADOPT CONSENT CALENDAR:

Staff recommends a YES vote. Passage of this motion will result in approval of all the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Drainage Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, a drainage and runoff control plan in substantial conformance to submitted plans by Disch Designs, dated 03/20/02, documenting that the runoff from the roof, driveway and other impervious surfaces shall be collected and directed into pervious areas on the site (landscaped areas) for infiltration and/or percolation in a non-erosive manner, prior to being collected, and conveyed off-site to storm drain(s) within Canyon Drive.

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 legally required.

2. Exterior Treatment. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and written approval 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 residence. This document shall comply with the following requirements:

- a. The color of the proposed addition and roof permitted herein shall be restricted to colors compatible with the surrounding environment (earth tones) including shades of green, brown, and gray, with no white or light shades and no bright tones except as minor accents.
- b. All proposed external windows on the second floor of the north side of the residence visible from Manchester Avenue shall be comprised of non-glare glass.

The permittee shall undertake the development in accordance with the approved color board. Any proposed changes to the approved color board shall be reported to the Executive Director. No changes to the color board shall occur without a Coastal

Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

3. 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 final landscape plan that includes the following:

- a. The type, size, extent and location of all trees on the northern portion of the site, that provide screening of the structure from views from San Elijo Lagoon and Manchester Avenue. The plan shall identify a minimum of three existing trees on the north side of the residence that shall be preserved for screening purposes.
- b. New plantings on the site shall consist of drought-tolerant native or non-invasive plant materials.
- c. A written commitment by the applicant that the three required trees shall be maintained in good growing conditions, and, whenever necessary, shall be replaced with new specimen size trees similar in screening ability to ensure continued compliance with applicable landscape screening requirements.
- d. Five years from the date of issuance of the coastal development permit, the applicant shall submit for review and written approval of the Executive Director, a landscape monitoring report, that certifies the on-site landscaping is in conformance with the landscape plan approved pursuant to this Special Condition. The monitoring report shall include photographic documentation of plant species and plant coverage.

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 legally required.

4. Deed Restriction. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the applicant has executed and recorded a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property (hereinafter referred to as the "Standard and Special Conditions"); and (2) imposing all Standard and Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the applicant's entire parcel or parcels. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either

this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property

IV. Findings and Declarations.

The Commission finds and declares as follows:

A. Detailed Project Description/History. Proposed is the construction of an approximately 1,170 sq. ft. first and second story addition to an existing one-story 3,176 sq. ft. single-family residence located on an approximately 13,071 sq. ft. lot. The development will occur on a previously graded portion of the property with no additional grading proposed. The project site is located on Canyon Drive on an inland hillside in Solana Beach overlooking Holmwood Canyon and San Elijo Lagoon to the north and west. The northern portion of the lot slopes steeply down to Holmwood Canyon below and contains landscaping features. The site itself is visible from major coastal access roads Interstate 5 and Manchester Avenue; however, because of the existing mature landscaping on the site, the residence itself is well-shielded from public views.

The proposal requires a coastal development permit because the project proposes an increase of more than 10% internal square footage and 10% increase in height to an existing single family residence located between the sea (San Elijo Lagoon) and the first public roadway.

The project site is located within an area that was previously covered by the County of San Diego's Local Coastal Program (LCP). However, the County LCP was never effectively certified and is used as guidance with Chapter 3 Policies of the Coastal Act used as the standard of review.

B. Biological Resources. Coastal Act policies 30240 and 30251 restrict the alteration of natural landforms and protect sensitive habitats. Section 30231 of the Coastal Act requires that coastal waters are protected and runoff minimized.

The proposed development will not have an adverse impact on any sensitive habitat, and, as conditioned, will not result in erosion or adverse impacts to water quality, as adequate drainage controls will be provided. Thus, the project is consistent with the resource protection policies of Chapter 3 of the Coastal Act.

C. Community Character /Visual Quality. The development is located within an existing developed area and, as conditioned, will be compatible with the character and scale of the surrounding area and will not impact public views. Therefore, the Commission finds that the development, as conditioned, conforms to Section 30251 of the Coastal Act.

D. Public Access. The proposed development will not have an adverse impact on public access to the coast or to nearby recreational facilities. The proposed development

conforms to Sections 30210 through 30214, Sections 30220 through 30224, Section 30252 and Section 30604(c) of the Coastal Act.

E. Local Coastal Program. The City of Solana Beach does not have a certified LCP at this time. Thus, the Coastal Commission retains permit jurisdiction in this community and Chapter 3 of the Coastal Act remains the legal standard of review. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act. Approval of the project, as conditioned, 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.

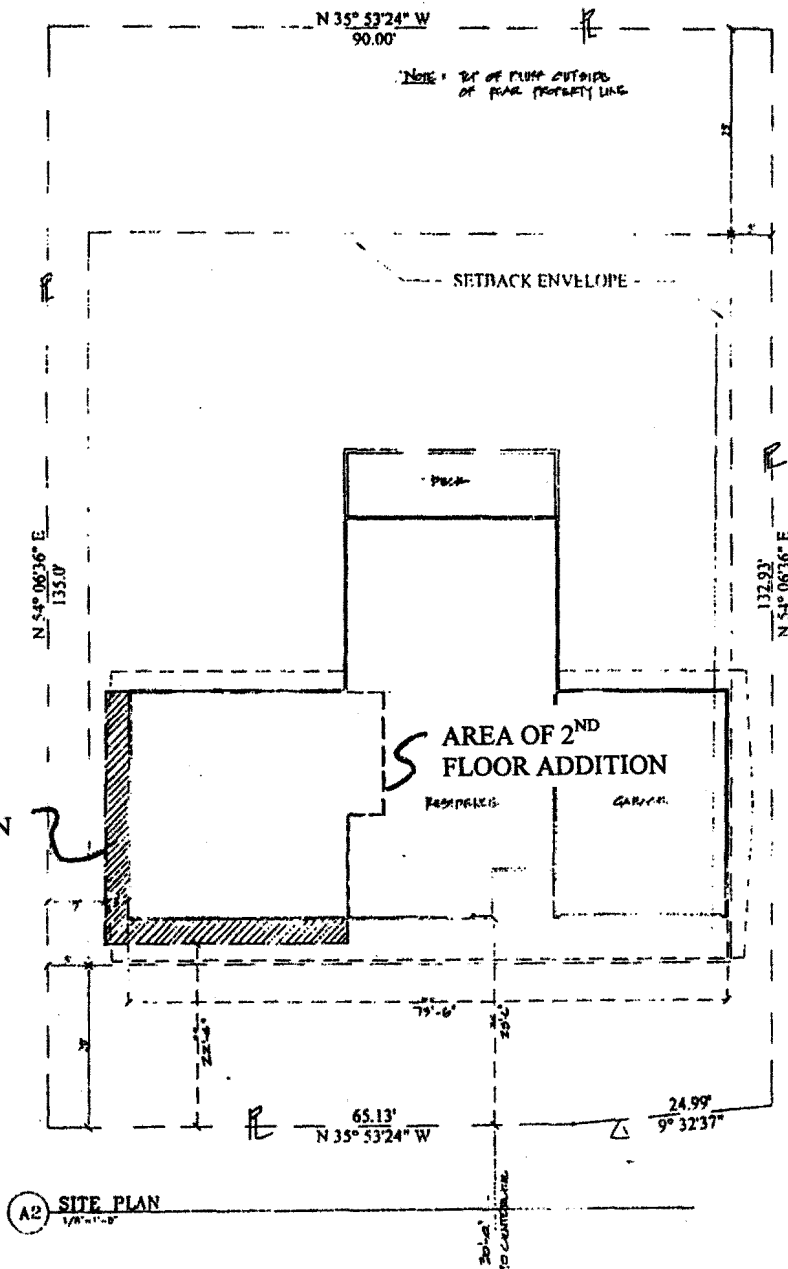
F. California Environmental Quality Act. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

STANDARD CONDITIONS:

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

6-02-143

AREA OF 1ST
FLOOR ADDITION



CANYON DRIVE

RECEIVED

APR 19 2002

Planning-Comm Dev Dept.
City of Solana Beach



DISCH
DESIGN

Paul E. Disch
P.O. Box 2200
Del Mar, CA
Tel. (858) 755-5472

OSTROW RESIDENCE
668 CANYON DRIVE SOLANA BEACH, CA

SHEET TITLE

SITE
PLAN

DATE: P.R. NO.
DRAWN BY: M. J. N. M. G.
REVISIONS:

2

ATTN

EXHIBIT NO.
APPLICATION NO.
6-02-143

Site Plan

