

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071

Permit Application No. **5-03-284**

Date: September 18, 2003

Page 1 of 4

**Tu 3a****ADMINISTRATIVE PERMIT****APPLICANT:** Mike Asay**AGENT:** Fred Yielding**RECORD PACKET COPY****PROJECT
DESCRIPTION:**

Addition of 214 square feet to an existing 2477 square foot one-story, single-family residence with an attached three-car garage on a bluff top lot. The resultant structure will be a 2691 square foot one-story, single-family residence with an attached three-car garage. Patio pavers on the seaward side will be replaced. No seaward encroachment is proposed. No work to the rear slope is proposed. No grading is proposed.

**PROJECT
LOCATION:**

4038 Calle Ariana, San Clemente, Orange County

EXECUTIVE DIRECTOR'S DETERMINATION: The findings for this determination, and for any special conditions, appear on subsequent pages.

NOTE: P.R.C. Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

Tuesday, October 7, 2003**10:00 am**

Hotel Del Coronado
1500 Orange Avenue
Coronado, CA 92118

IMPORTANT - Before you may proceed with development, the following must occur:

Pursuant to 14 Cal. Admin. Code Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgement and evidence of compliance with all special conditions, we will send you a Notice of Administrative Permit Effectiveness.

BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE NOTICE OF PERMIT EFFECTIVENESS FROM THIS OFFICE.

PETER DOUGLAS
Executive Director

By: Anne L. Blemker
Title: Coastal Program Analyst

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 term or 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.

SPECIAL CONDITIONS: See page four.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

The Executive Director hereby determines that the proposed development is a category of development which, pursuant to PRC Section 30624, qualifies for approval by the Executive Director through the issuance of an Administrative Permit. Subject to Standard and Special Conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976 and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. If located between the nearest public road and the sea, this development is in conformity with the public access and public recreation policies of Chapter 3.

FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION:

A. Project Location, Description and Background

The subject site is located between the first public road and the sea on a bluff top lot in the Cyprus Shore private, gated community at 4038 Calle Ariana in the City of San Clemente, Orange County (Exhibits 1 & 2). The proposed project involves the addition of 214 square feet to the seaward side of an existing 2477 square foot one-story, single-family residence with an attached three-car garage (Exhibit 3). The resultant structure will be a 2691 square foot one-story, single-family residence with an attached three-car garage. No encroachment is proposed beyond the seawardmost point of enclosed living area. The project will conform to the 15' stringline setback imposed throughout the subject area. The project also involves the replacement of patio pavers on the seaward side of the property. The reconstructed patio will not encroach farther seaward than the existing patio. No work to the rear slope (bluff face) is proposed. No grading is proposed.

Pursuant to Section 13250 of the California Code of Regulations, the project requires a coastal development permit because the applicant is proposing improvements to a single-family structure located within 50 feet of the edge of a coastal bluff.

The proposed development provides parking which exceeds the Commission's regularly used standard of two spaces per residential unit. The proposed project is compatible with the character of surrounding development and will not create any new adverse impacts on existing public access. Public coastal access exists in the project vicinity at Calafia Beach/ San Clemente State Park to the north and at Trestles accessway in San Diego County to the south. The proposed development will not result in adverse impacts to coastal access, coastal resources, public recreation, or coastal views. The proposed development would not prejudice the City's ability to prepare a Certified Local Coastal Program, and is consistent with past Commission actions in the area, including 5-03-250-W, 5-95-121, 5-90-504, and 5-89-071.

B. Future Improvements

The development is located within an existing developed area and is compatible with the character and scale of the surrounding area. However, the proposed project raises concerns that future development of the project site potentially may result in a development which is not consistent with the Chapter 3 policies of the Coastal Act. To assure that future development is consistent with the Chapter 3 policies of the Coastal Act, the Executive Director finds that a future improvements special condition must be imposed. As conditioned the development conforms to the Chapter 3 policies of the Coastal Act.

C. Public Access

The proposed development will not affect the public's ability to gain access to, and/or to make use of, the coast and nearby recreational facilities. Therefore, as proposed the development conforms to Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

D. Local Coastal Program

Coastal Act section 30604(a) states that, prior to certification of a local coastal program ("LCP"), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3. The Land Use Plan for San Clemente was effectively certified on May 11, 1988. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified Land Use Plan for the area. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare an LCP that is in conformity with the provisions of Chapter 3 of the Coastal Act.

E. California Environmental Quality Act

As conditioned, there are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effect that the activity may have on the environment. Therefore, the Executive Director 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.

SPECIAL CONDITIONS:

1. Future Development

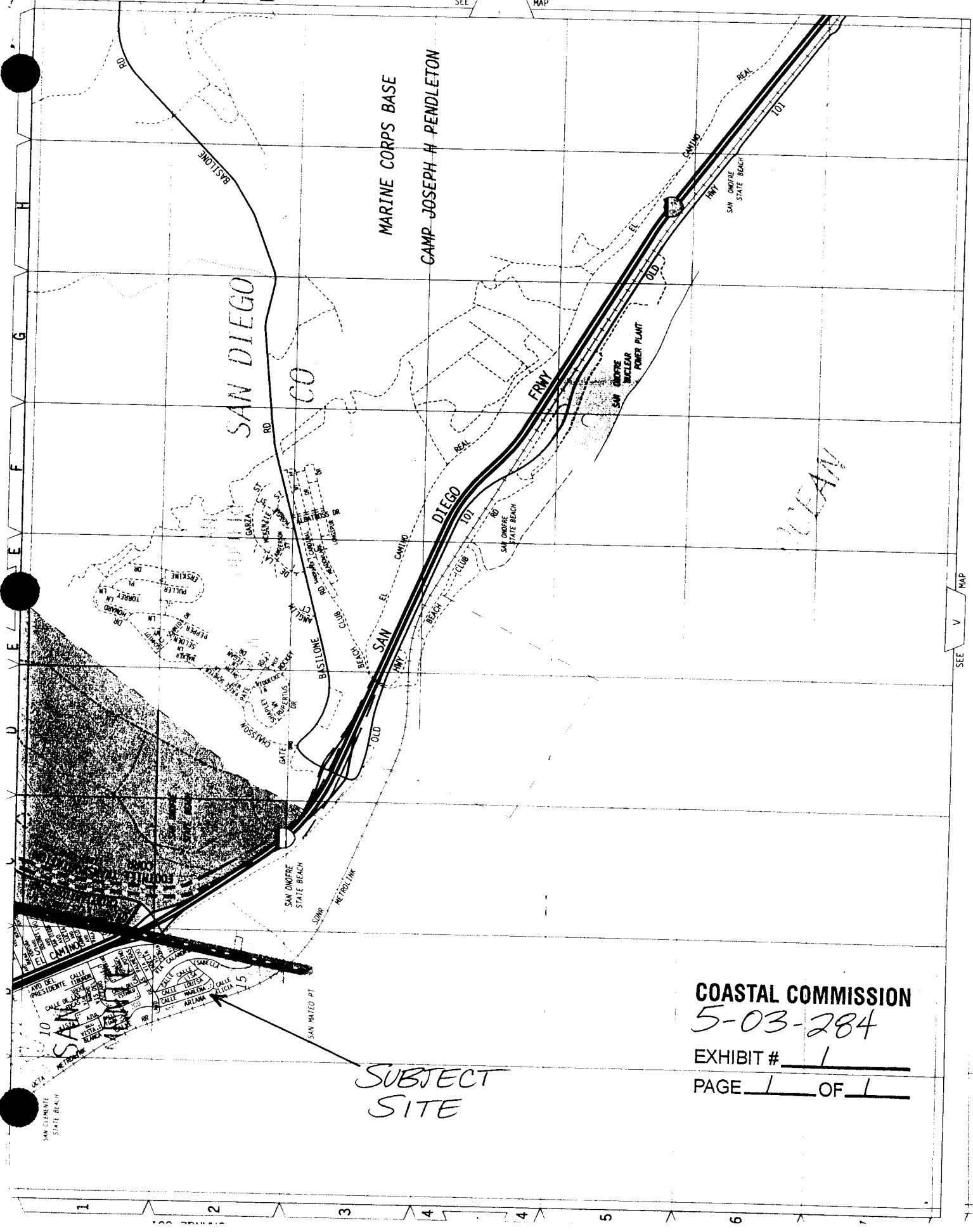
This permit is only for the development described in Coastal Development Permit No. 5-03-284. Pursuant to Title 14 California Code of Regulations Section 13253(b)(6) and/or 13250(b)(6), the exemptions otherwise provided in Public Resources Code Section 30610(a) and (b) shall not apply to the development governed by Coastal Development Permit No. 5-03-284. Accordingly, any future improvements to the development authorized by this permit, including but not limited to, repair and maintenance 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. 5-03-284 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government

ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

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

Applicant's Signature

Date of Signing

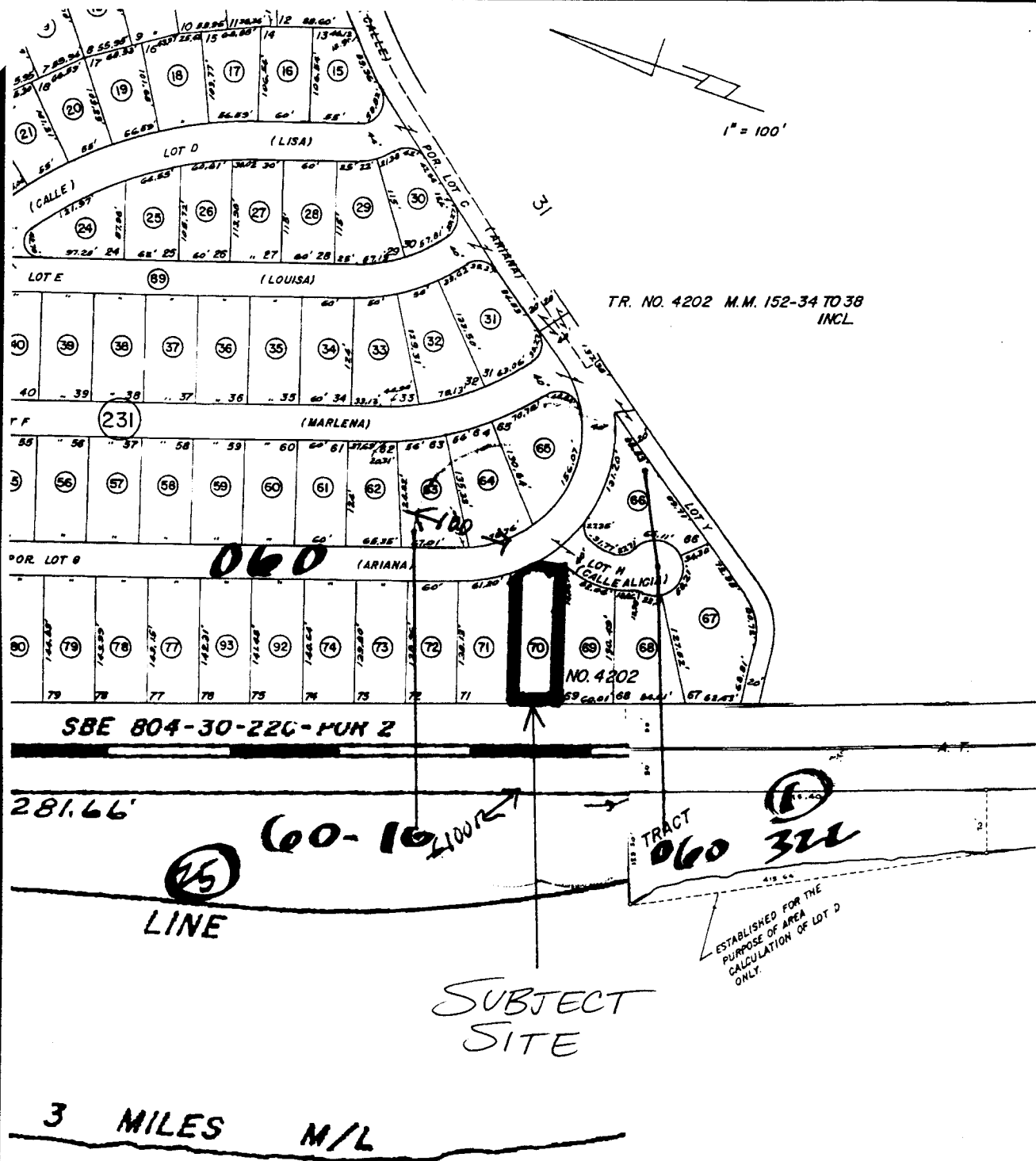


COASTAL COMMISSION

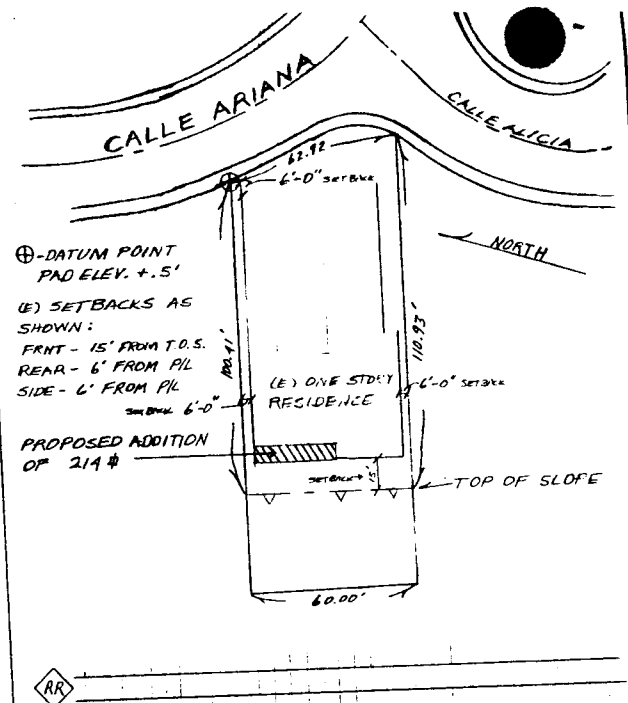
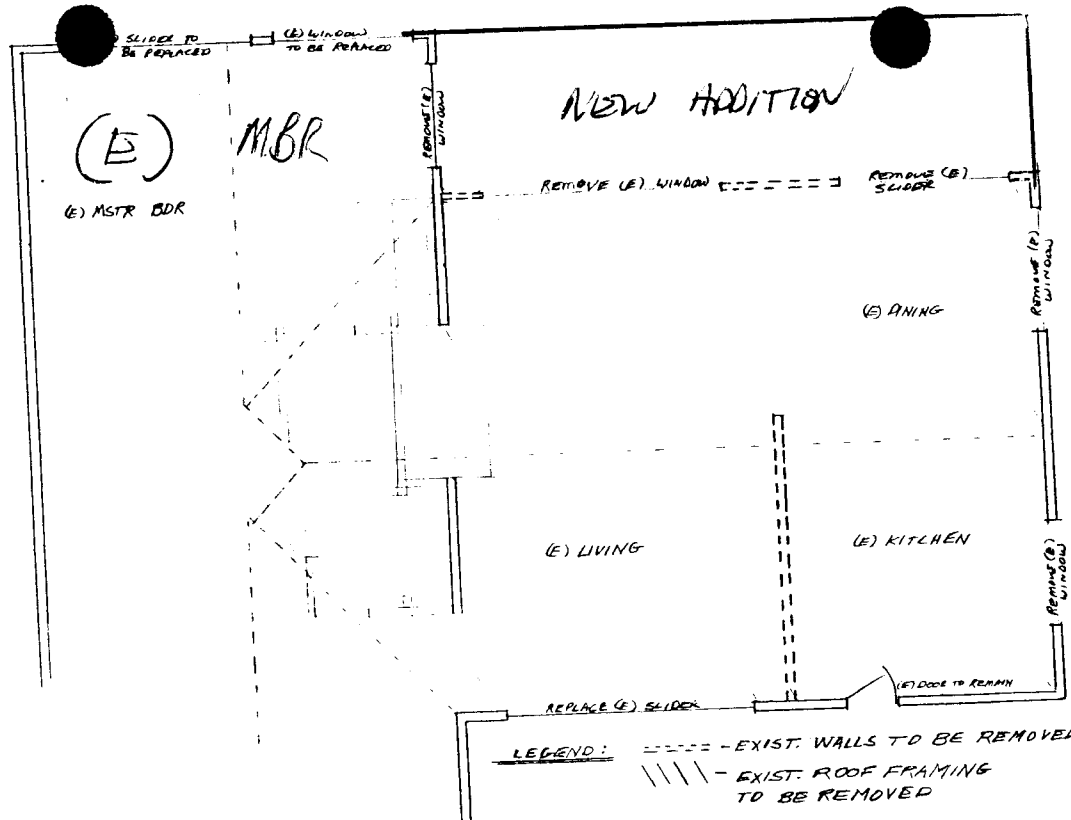
5-03-284

EXHIBIT # 1

PAGE 1 OF 1



COASTAL COMMISSION
 5-03-284
 EXHIBIT # 2
 PAGE 1 OF 1



DEMOLITION PLAN 1/4" = 1 FOOT

PACIFIC OCEAN
 SITE PLAN N.T.S.

PROJECT DATA

HEIGHT LIMIT DATA:
 ⊕ DATUM FROM GRADING PLAN 18.8'
 (E) PAD ELEVATION +.5' 19.3'
 (E) F.F. OF RESIDENCE 19.8'
 (N) TOP OF RIDGE 63.3'
 NET HEIGHT OF (N) RIDGE 13.6'

SQUARE FOOTAGES: EXISTING: PROPOSED: TOTAL:
 FIRST FLOOR: 2477 SF 214 SF 2691 SF

LOT COVERAGE:
 GITE AREA: 9922 SF
 BLDG AREA: 2691 S.F. = 27%

ADDRESS:
 4038 CALLE ARIANA
 SAN CLEMENTE, CA 92672
 LEGAL DESCRIPTION:
 LOT: # 70
 TRACT: 1202
 OWNER:
 MIKE ACAY
 4038 CALLE ARIANA
 SAN CLEMENTE, CA 92672
 ZONE:
 OCCUPANCY: RL-10
 BLDG TYPE: SEN MON SPRINKLED

DESIGNER:
 FRED YEILDING 949-992-0435
 1617 S. OLA VISTA
 SAN CLEMENTE, CA 92672
 ENGINEER:

ASAY ADDITION
 1038 CALLE ARIANA SAN CLEMENTE
 SCALE: AS NOTED APPROVED BY: DRAWN BY: F.Y.
 DATE: DRAWING NUMBER:

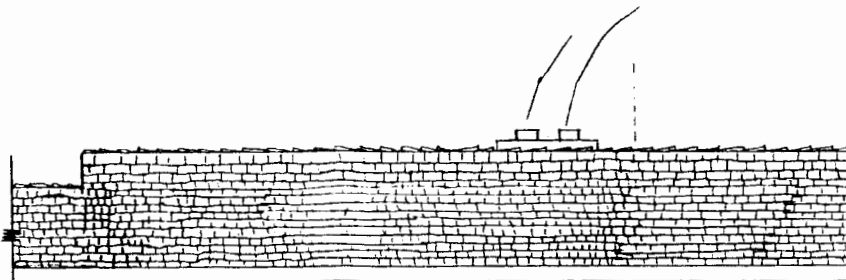
COASTAL COMMISSION
 EXHIBIT # 5-03-284
 PAGE 1 OF 4

RECEIVED
 CALIFORNIA COASTAL COMMISSION



SCALE:		APPROVED BY	EXPIRATION BY
DATE:			
			SPENDING NUMBER

PAGE 2 OF 4

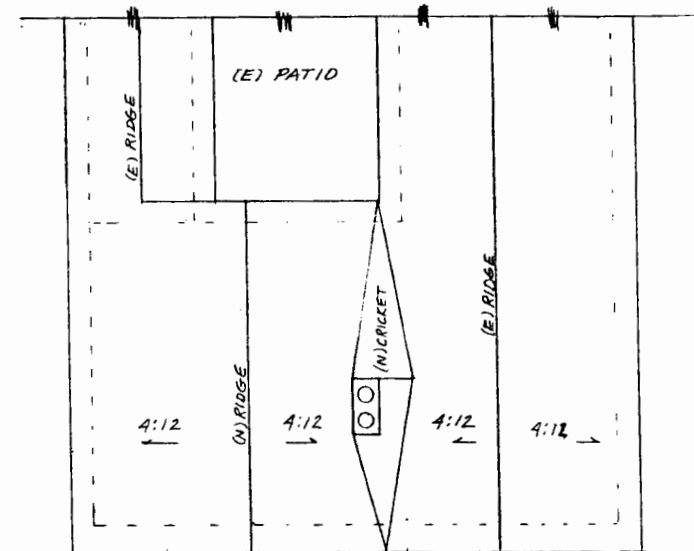


COASTAL COMMISSION
EXHIBIT # 5-03-284
PAGE 3 OF 4

EXISTING

NEW

NORTH ELEVATION $\frac{1}{4}" = 1 \text{ FT.}$



ROOF PLAN

$\frac{1}{8}" = 1 \text{ FOOT}$

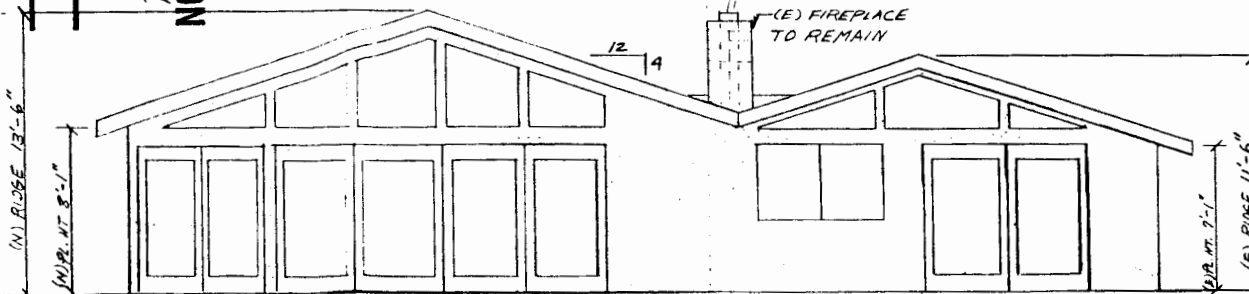
ROOF NOTES:

1. ROOFING - CLASS B MED. CEDAR SHAKE
OR MINERAL CAP SHIRT = CLASS A ROOF
2. PROVIDE 26 GA GI FLASHINGS
3. PROVIDE GI GUTTERS OR PROVIDE
NON-ERODABLE SURFACE TO CITY
GUTTER AT STREET FOR ROOF
DRAINAGE.

NEW

EXISTING

(E) FIREPLACE
TO REMAIN



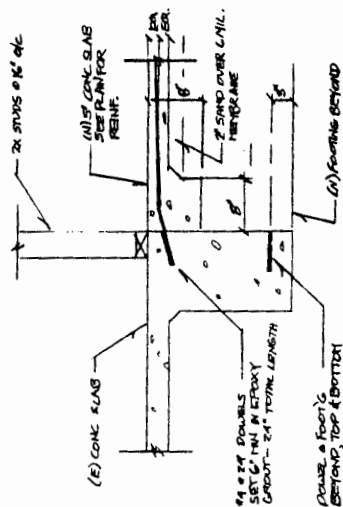
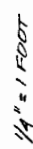
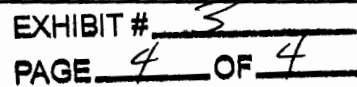
NEW

EXISTING

WEST ELEVATION

$\frac{1}{4}" = 1 \text{ FOOT}$

SCALE:	APPROVED BY:	DRAWN BY:
DATE:		
		DRAWING NUMBER



(N) TO (E) FOOTING

$\frac{2}{5.2}$

	SCALE	APPROVED BY		DRAWN BY
	DATE			
				DRAWING NUMBER