

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

7575 METROPOLITAN DRIVE, SUITE 103

SAN DIEGO, CA 92108-4421

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RECORD PACKET COPY

**Tue 6b**

Filed: 6/17/03
49th Day: 8/5/03
180th Day: 12/14/03
Staff: BP-SD
Staff Report: 9/18/03
Hearing Date: 10/7-10/03

STAFF REPORT: CONSENT CALENDAR**Application No.:** 6-03-76**Applicant:** Frank Schaefer Construction **Agent:** Rick Engineering**Description:** Construction of four, one and two-story single-family homes ranging in size from 3,750 sq.ft. to 4,705 sq.ft. on four lots**Site:** 1809 – 1869 Horseman's Lane, Lomas Santa Fe vicinity, San Diego County, APNs 302-180-63-66**Substantive File Documents:** Certified County of San Diego Local Coastal Program, CDP #6-99-148**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.

1. 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 landscaping plan that has been approved by the County of San Diego for each lot (Lots 4,5,6, 7) which shall including the following:

- a. Only drought tolerant and native plant materials shall be utilized
- b. No trees shall be planted within the Fuel Modification zones and all plant types utilized in these zones shall be from the approved list in the Wildland/Urban Interface Development Guidelines, or as approved by the Fire District.
- c. A planting schedule that indicates that the planting plan shall be implemented within 60 days of completion residential construction
- d. 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.
- e. 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, prepared by a licensed Landscape Architect or qualified Resource Specialist, 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.

If the landscape monitoring report indicates the landscaping is not in conformance with or has failed to meet the performance standards specified in the landscaping plan approved pursuant to this permit, the applicant, or successors in interest, shall submit a revised or supplemental landscape plan for the review and written approval of the Executive Director. The revised landscaping plan must be prepared by a licensed Landscape Architect or Resource Specialist and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.

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

2. Final Plans. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit to the Executive Director for review and written approval, final site, building, elevation and drainage plans for the permitted development that have been approved by the County of San Diego. Said plans shall be in substantial conformance with the plans submitted by Case Group Architects, dated August 5, 2003 and shall include the following:

- a. Drainage from all impervious surfaces shall be directed into landscaped areas in a non-erosive manner prior to discharge off-site.
- b. The color of the required fire wall on Lot 7 shall be restricted to a color compatible with the surrounding natural environment (earth tones) including shades of green, brown, and gray, with no white or light shades.

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

3. Other Special Conditions of Approval. All special conditions imposed in CDP #6-99-148 shall remain in full force and effect.

IV. Findings and Declarations.

The permit is subject to the following findings:

A. Detailed Project Description/History. Proposed is the construction of four single-family homes ranging in size from 3,750 sq.ft. to 4,705 sq.ft. The homes include garage and patio areas. The sites (Lots 4-7) are located on the west side of El Camino Real near Highland Road in the unincorporated County of San Diego. The sites are surrounded by large lot residential development.

The four lots subject to this review were created pursuant to CDP #6-99-148. In CDP #6-99-148, the Commission approved a 10-lot subdivision (but no residential development) on 18 acres with special conditions including deed restrictions requiring open space to protect sensitive vegetation and brush management as well as runoff control plans, grading plans and final plans. The final plans required a 50-foot wide fuel modification zone on lots 1-3 and 7-10 and a non-combustible firewall located between development and resources. The proposed residences are consistent with the resource protection provisions of the previous permit. Construction of internal streets and utility improvements were approved and have been completed.

The fire department has indicated that the proposed development will not require any vegetation removal within approved open space areas (Exhibit 5). Regarding Lot #7, no trees are allowed within fuel management areas and all plantings in such areas must

conform to approved wildlife/urban guidelines. Special Condition #1 requires a landscaping plan that reflects these requirements. Special Condition #2 requires final plans for the houses and Special Condition #3 states that the conditions imposed in CDP #6-99-148 remain in full force and effect.

B. Community Character /Visual Quality. The development is located within an existing developed area, 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 conforms to Section 30251 of the Coastal Act.

C. Biological Resources. Coastal Act policies 30240 and 30231 protect sensitive habitats and require that coastal waters be protected and runoff minimized. The proposed development, as conditioned, will not have an adverse impact on any sensitive habitat, and will not result in erosion or adverse impacts to water quality. Thus, the project is consistent with the resource protection policies of Chapter 3 of the Coastal Act.

D. Local Coastal Planning. The subject site is located in the Commission's jurisdiction and Chapter 3 of the Coastal Act is the legal standard of review. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act. Approval of the project will not prejudice the ability of the County of San Diego to obtain a certified LCP.

E. 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 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.

(A:\6-03-076 Schaefer doc.doc)

SUBJECT
LOTS

Proposed
Open Space Deed
Restriction

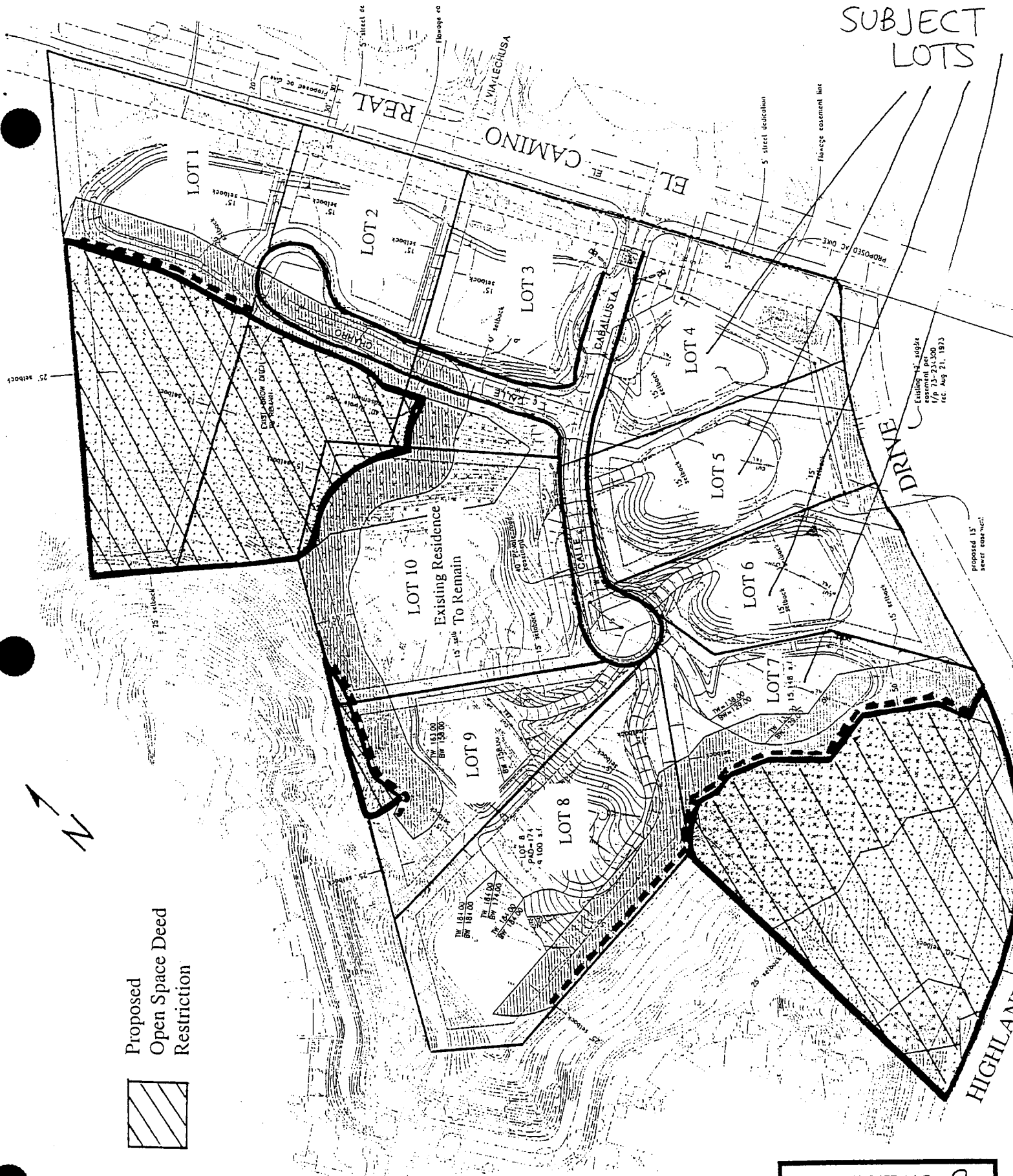
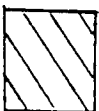
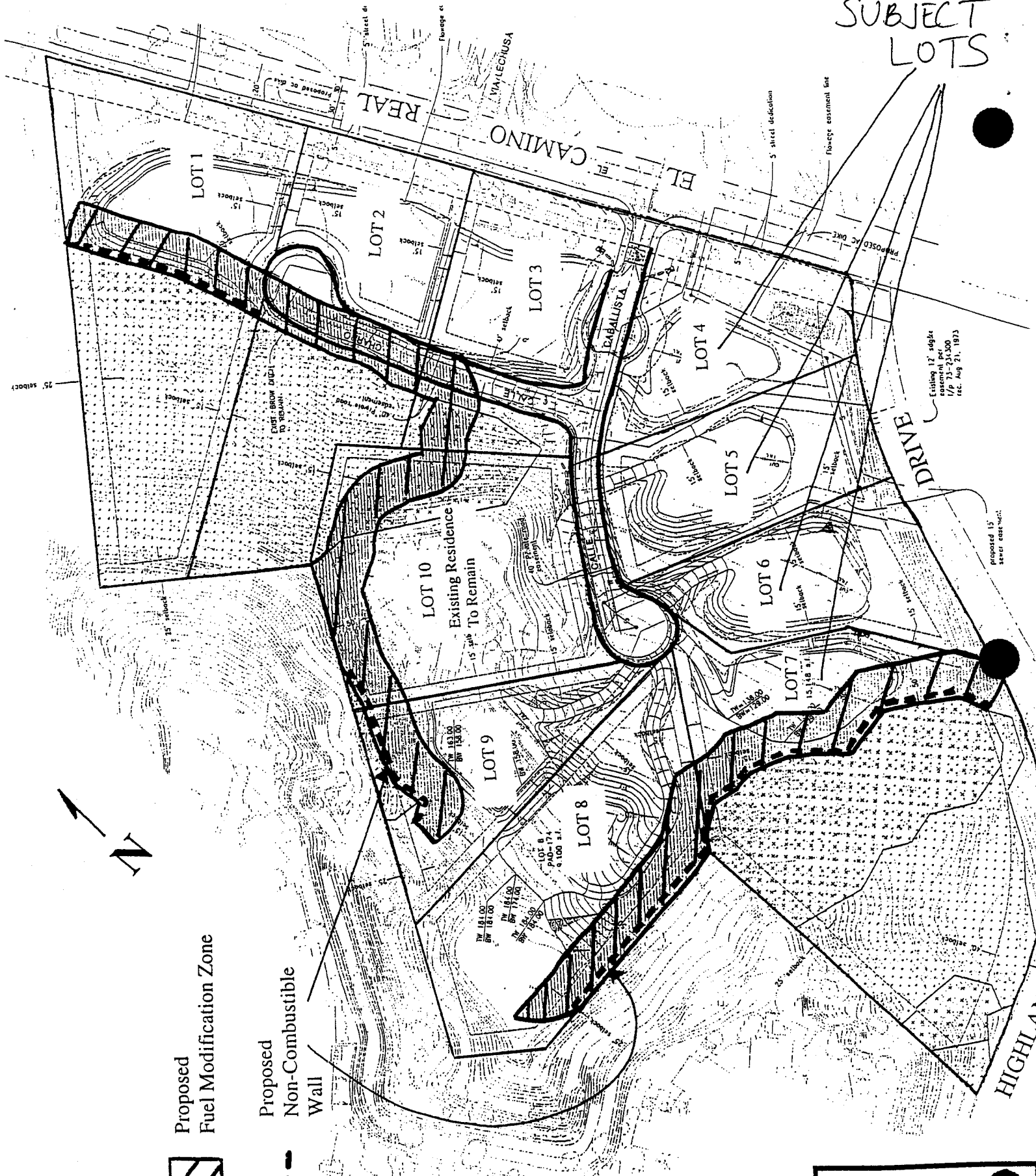


EXHIBIT NO. 2
APPLICATION NO. 6-03-076
SITE PLAN/OPEN SPACE DEED RESTRICTION
California Coastal Commission

SUBJECT
LOTS



Proposed
Fuel Modification Zone

Proposed
Non-Combustible
Wall

EXHIBIT NO.
APPLICATION NO.
6-03-076
FUEL MODIFICATION ZONE
California Coastal Commission

Typical

- EXTERIOR ELEVATION NOTES**
1. Exterior finish is to be as shown on the following: - finish noted on the plan.
 2. All exterior doors and windows are to be as shown on the plan.
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FRONT ELEVATION 2B

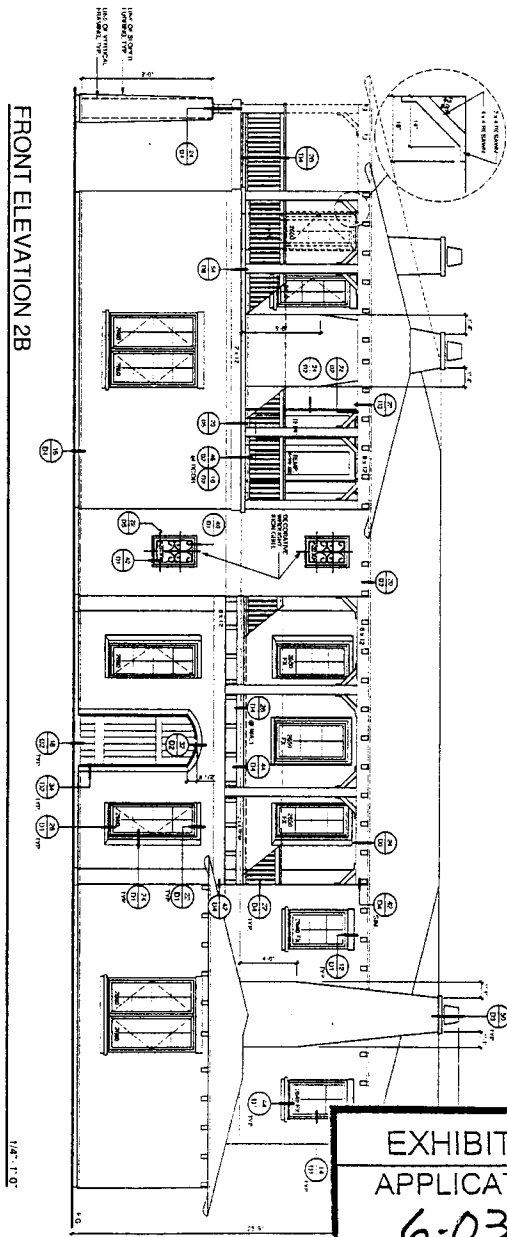
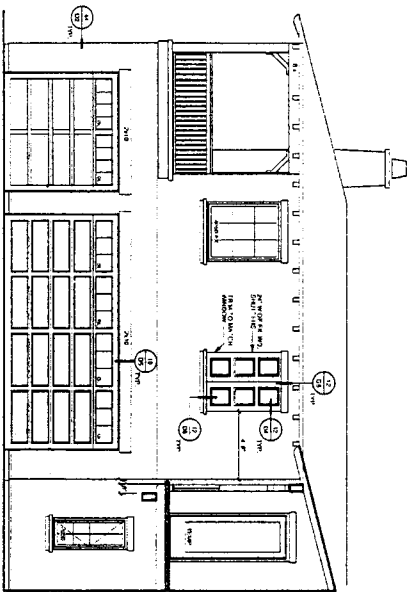


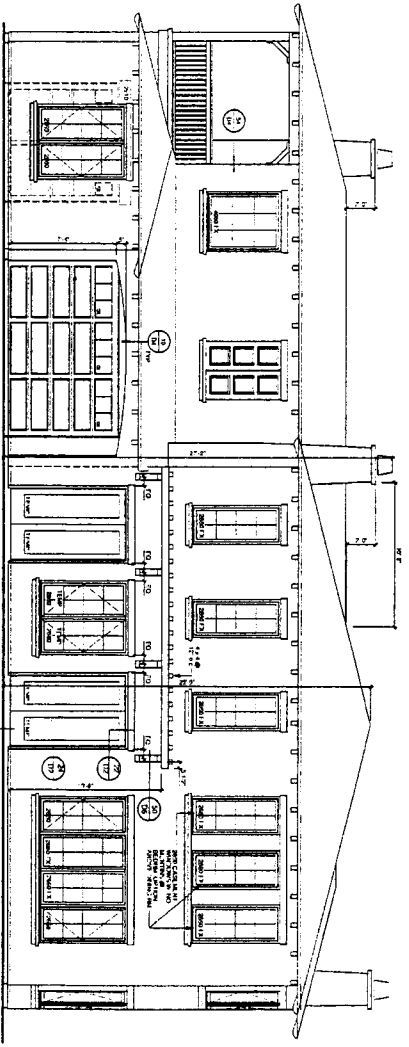
EXHIBIT NO. 4
APPLICATION NO.
6-03-076
TYPICAL ELEVATION
LOTS 4-7
California Coastal Commission

HORSEMAN'S VALLEY
Lor 4 - 1869 Horseman's Lane 92067



PART, RIGHT ELEVATION 2B
@ MOTOR COURT

RIGHT ELEVATION 2B



A2.5



Rancho Santa Fe Fire Protection District

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Clifford Douglas
Thomas Hickerson
Nancy C. Hillgr
Gilbert Lombardi

Fire Chief
Erwin T. Willie

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SEP 17 2003

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

September 17, 2003

California Coastal Commission
San Diego Area
7575 Metropolitan Drive, Ste 103
San Diego, CA 92038

Re: Costal Development Permit Application #6-03-76
Horseman Valley South TM 5128
Lot 4 - 1869 Horseman's Lane - APN 302-180-63-00
Lot 5 - 1845 Horseman's Lane - APN 302-180-64-00
Lot 6 - 1821 Horseman's Lane - APN 302-180-65-00
Lot 7 - 1809 Horseman's Lane - APN 302-180-66-00

To Whom It May Concern:

The above project lots 4, 5, & 6 meet with our approval these lots will not need to be cleared or selectively thinned for brush within the "Biological Resources" easement as approved by the County of San Diego.

Lot 7 has shown a non-combustible wall on the grading plan that will be constructed the full length at the edge of the protected/open space, at any point where the distance between the structure and the open space is less than one hundred (100) feet. Said wall is free standing, non-penetrable by radiant heat from either side, and shall be constructed to a minimum height of one (1) foot above the highest point of any window of the nearest structure, on the side(s) facing the open space. Additionally no trees shall be planted within the Fuel Modification zones and all plant types utilized in these zones shall be from the approved list in the Wildland/Urban Interface Development Guidelines, or as approved by the Fire District. With the above mitigation, **Lot 7** will not need to be cleared or selectively thinned for brush within the "Biological Resources" easement as approved by the County of San Diego.

Respectfully Submitted,

Clifford F. Hunter
Fire Marshal
Rancho Santa Fe Fire Protection District

EXHIBIT NO.
APPLICATION NO.
6-03-076
Fire Dept. Letter

California Coastal Commission