

## CALIFORNIA COASTAL COMMISSION

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



RECORD PACKET COPY

**Wed 3a**

Filed: 12/19/02  
 49th Day: 2/6/03  
 180th Day: 6/17/03  
 Staff: GDC-SD  
 Staff Report: 4/17/03  
 Hearing Date: 5/6-9/03

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-02-174

Applicant: Andres Davis

Description: Request for after-the-fact subdivision of an approximately 20,498 sq. ft. lot into 3 condominium ownership parcels ("A", "B" and "C"). In addition, the project includes construction of an approximately 1,684 sq. ft. residential unit on proposed parcel "A" and retention of home, detached garage & detached guest house on proposed parcel "B". Parcel "C" will remain vacant.

Lot Area	20,498 sq. ft.
Building Coverage	6,225 sq. ft. (30 %)
Pavement Coverage	4,000 sq. ft. (20 %)
Landscape Coverage	9,705 sq. ft. (47 %)
Unimproved Area	568 sq. ft. (03 %)
Parking Spaces	9
Zoning	Medium High Residential (8-12 du/ac)
Plan Designation	Medium High Residential (8-12 du/ac)
Project density	6 du/ac
Ht abv fin grade	25 feet

Site: 671 Ida Avenue, Solana Beach, San Diego County  
 APN No. 298-140-23

Substantive File Documents: Previously Certified County of San Diego Local Coastal Program (LCP); City of Solana Beach General Plan and Zoning Ordinance; City Case No. 17-02-19 SUB/DRP; Condominium Parcel Map File No. 2003-0330021 for Andres Davis, recorded 3/25/03 San Diego County Recorder's office; CDP Nos. 6-01-147, 6-01-182, and 6-02-77/Andres Davis.

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 for the proposed residential unit in substantial conformance to submitted plans by Seltzer Design Group dated 2/4/03, 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 conveyed off-site.

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.

IV. Findings and Declarations.

The Commission finds and declares as follows:

A. **Detailed Project Description/History.** The proposed project is for an after-the-fact subdivision of an existing approximately 20,498 sq. ft. lot to three condominium ownership parcels. An existing approximately 1,225 sq. ft. one-story residential unit, an

approximately 1,320 sq. ft. detached, 2-story garage and office and approximately 714 sq. ft. detached guesthouse are proposed to be retained on proposed condominium parcel "B" and an approximately 1,684 sq. ft. residential unit will be constructed on proposed condominium parcel "A". The proposed condominium parcel "C" will remain vacant at this time. The existing site includes landscaping and drainage improvements.

On November 16, 2001 the Commission approved CDP #6-01-147 for the demolition of a single-family residence and construction of a new single-level 1,245 sq. ft. single-family residence and a 595 sq. ft. accessory building on the subject site, with a condition requiring the applicant to submit to the Executive Director final drainage plans.

On February 8, 2002 the Commission approved CDP #6-01-182 for the construction of a detached three car garage with a 660 sq. ft. 2<sup>nd</sup> story office, including a wet bar and bathroom, with a special condition prohibiting its conversion as a separate dwelling unit without Commission approval.

On July 9, 2002 the Commission approved CDP #6-02-77 for the after-the-fact approval of a lot line adjustment creating the subject lot and the addition of 119 sq. ft. to an existing 595 sq. ft. accessory building and its conversion to a guesthouse, grading and driveway improvements, as well as on- and off-site drainage improvements.

The project site is located at 671 Ida Ave, one block west of Interstate 5, in the City of Solana Beach. The surrounding area consists of medium and large sized single-family residences as well as several apartment and condominium complexes.

The City of Solana Beach does not yet have a certified Local Coastal Program (LCP) and therefore, the Chapter 3 policies of the Coastal Act are the standard of review.

**B. Biological Resources/Water Quality.** 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. Special Condition #1 has been attached to require that all runoff from new impervious surfaces drain through landscaping or other pervious surfaces prior to being conveyed offsite. Directing on-site runoff through landscaping for filtration of on-site runoff in this fashion is a well-established Best Management Practice for treating runoff from small developments such as the subject proposal.

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. No Waiver of Violation.** The subdivision of the existing approximately 20,498 sq. ft. lot into three condominium parcels occurred on March 25, 2003 and was recorded without benefit of a coastal development permit. Thus, the applicant is also including a request for after-the-fact approval of the condominium subdivision.

Although development, in the form of a final condominium map, has taken place prior to submission of this permit application, consideration of the application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act. Approval of the permit does not constitute a waiver of any legal action with regard to this violation of the Coastal Act that may have occurred; nor does it constitute admission as to the legality of any development undertaken on the subject site without a coastal development permit.

**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 City of Solana Beach 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.

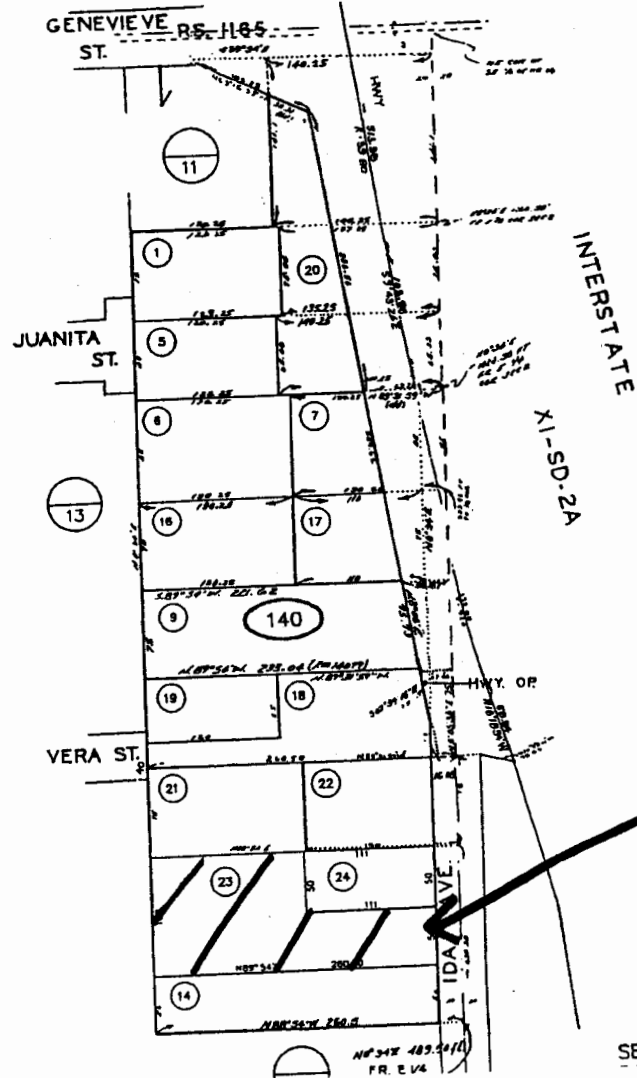
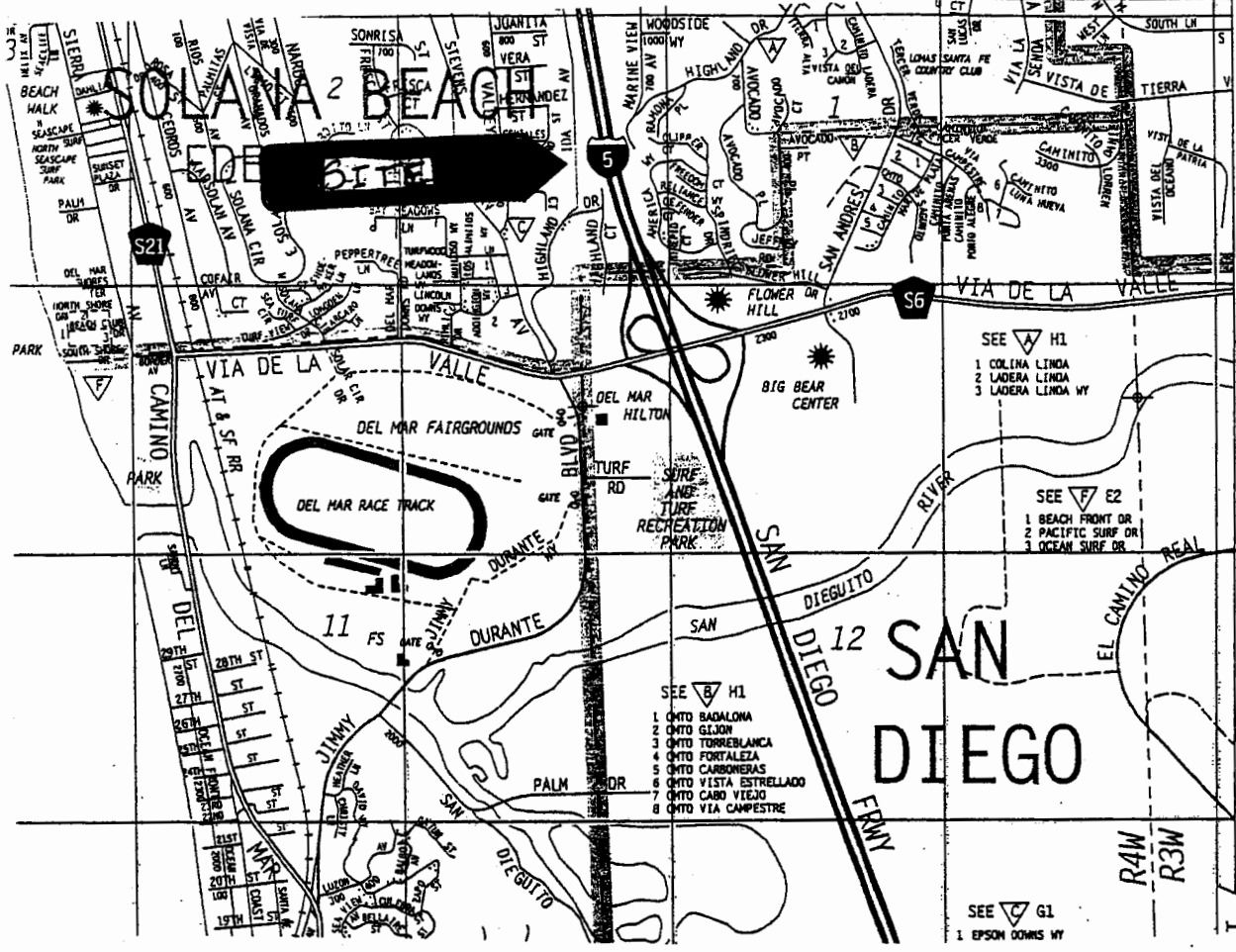


EXHIBIT NO. 1  
 APPLICATION NO.  
 6-02-174  
 Location Map

California Coastal Commission

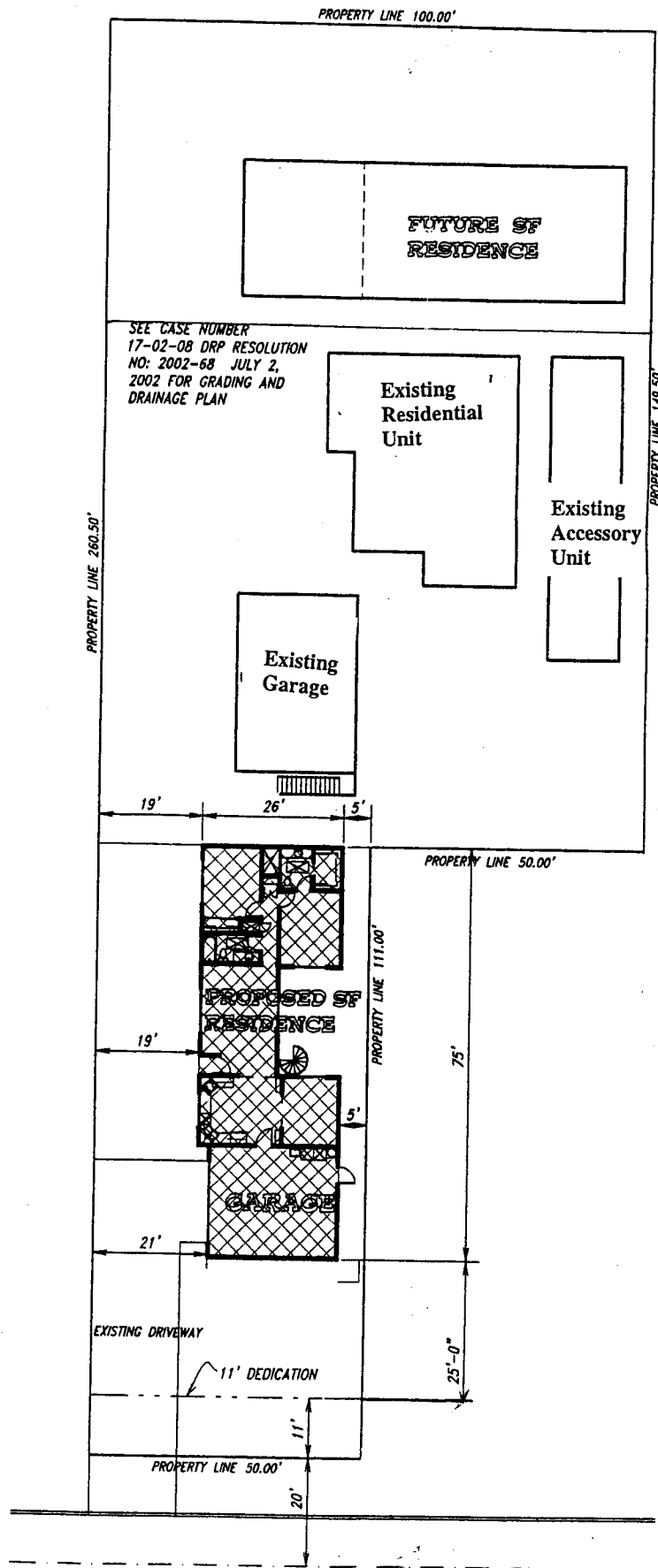
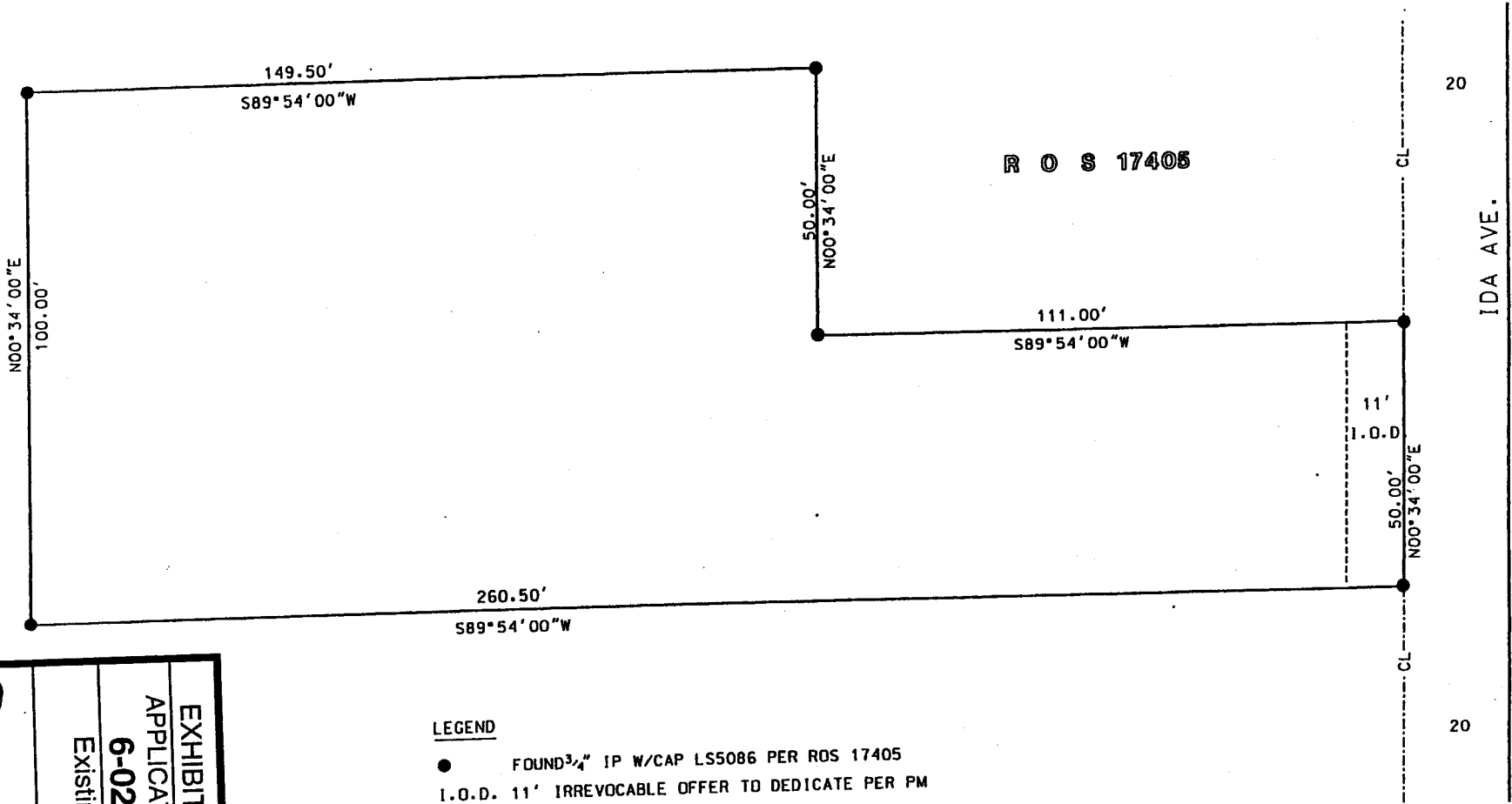


EXHIBIT NO. 2
APPLICATION NO.
<b>6-02-174</b>
Site Plan
California Coastal Commission

CASITAS DE LAS PALMAS CONDOMINIUM PLAN

N.T.S.



R O S 17405

20


IDA AVE.

20

LEGEND

- FOUND <sup>3</sup>/<sub>4</sub>" IP W/CAP LS5086 PER ROS 17405
- I.O.D. 11' IRREVOCABLE OFFER TO DEDICATE PER PM

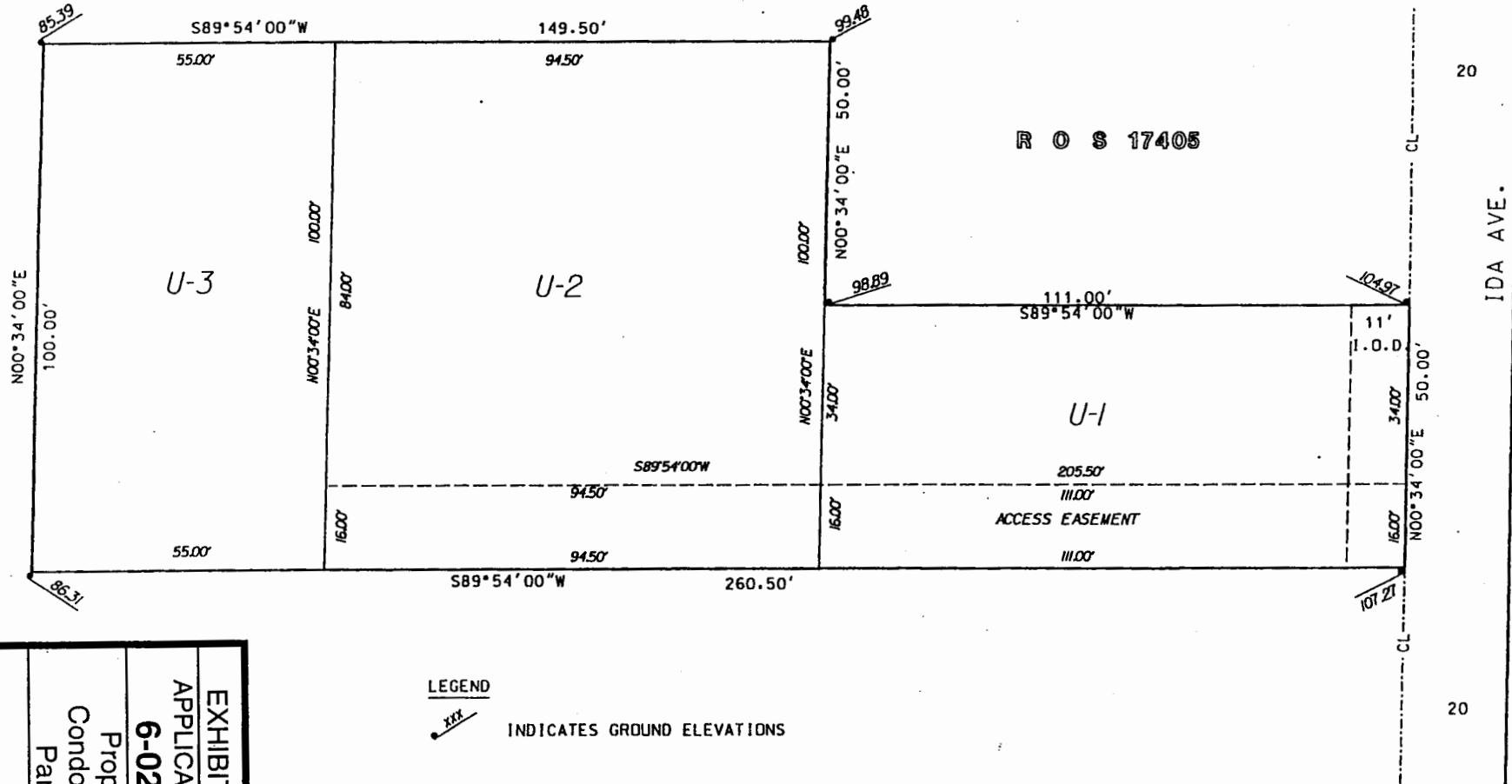
PLOT PLAN

 California Coastal Commission	EXHIBIT NO. 3
	APPLICATION NO. <b>6-02-174</b>
	Existing Lot



CASITAS DE LAS PALMAS CONDOMINIUM PLAN

I.T.S.



<p>California Coastal Commission</p>	EXHIBIT NO. 4
	APPLICATION NO.
	6-02-174
	Proposed Condominium Parcels

LEGEND

INDICATES GROUND ELEVATIONS

HORIZONTAL CONTROL PLAN

