

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

7575 METROPOLITAN DRIVE, SUITE 103

SAN DIEGO, CA 92108-4402

767-2370



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Filed: March 26, 2003
 49th Day: May 14, 2003
 180th Day: September 22, 2003
 Staff: DL-SD
 Staff Report: April 14, 2003
 Hearing Date: May 6-9, 2003

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-03-11

Applicant: Pete & Sharon Wylie **Agent:** Doug Fess

Description: Demolition of an existing single-family residence and construction of a new two-story, 4,630 sq.ft. single-family residence including an attached garage, and a 1,915 sq.ft. subterranean basement on a 14,000 sq.ft. lot.

Lot Area	14,000 sq. ft.
Building Coverage	2,890 sq. ft. (20%)
Pavement Coverage	1,960 sq. ft. (14%)
Landscape Coverage	2,190 sq. ft. (16%)
Unimproved Area	6,960 sq. ft. (50%)
Parking Spaces	3
Zoning	LR-Low Residential 3 du/ac
Plan Designation	LR-Low Residential
Project Density	3.11 du/ac
Ht abv fin grade	25 feet

Site: 528 Canyon Drive, Solana Beach, San Diego County.
 APN 263-193-06.

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 17-02-13.

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. The applicant shall comply with the following provisions of the submitted project drainage and runoff control plans and Hydrology Study by K&S Engineering, dated 03/13/03 which document 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.

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. The applicant shall comply with the following provisions of the color board submitted March 26, 2003 which indicates the colors of the proposed residence are and shall be 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.

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. The applicant shall comply with the following provisions of the landscape plan submitted 4/8/03 that indicates 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. A minimum of three 36-inch box specimen size trees on the north side of the residence shall be provided for screening purposes.

b. New plantings on the site shall consist of drought-tolerant native or non-invasive plant materials. Required plantings shall be installed within 60 days of completion of the residential construction.

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 demolition of an existing single-family residence and construction of a new two-story, 4,630 sq.ft. single-family residence including an attached garage, and a 1,915 sq.ft. subterranean basement.

The 14,000 sq.ft. lot 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. The site itself is distantly visible from Manchester Avenue, a major coastal access road.

The development will occur on a previously graded portion of the property; however, excavation for the basement will require approximately 700 cubic yards of export which will be taken to a site outside the coastal zone. No impacts to native vegetation will result from the proposed development.

The applicant has submitted a hydrology study 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.

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 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 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.

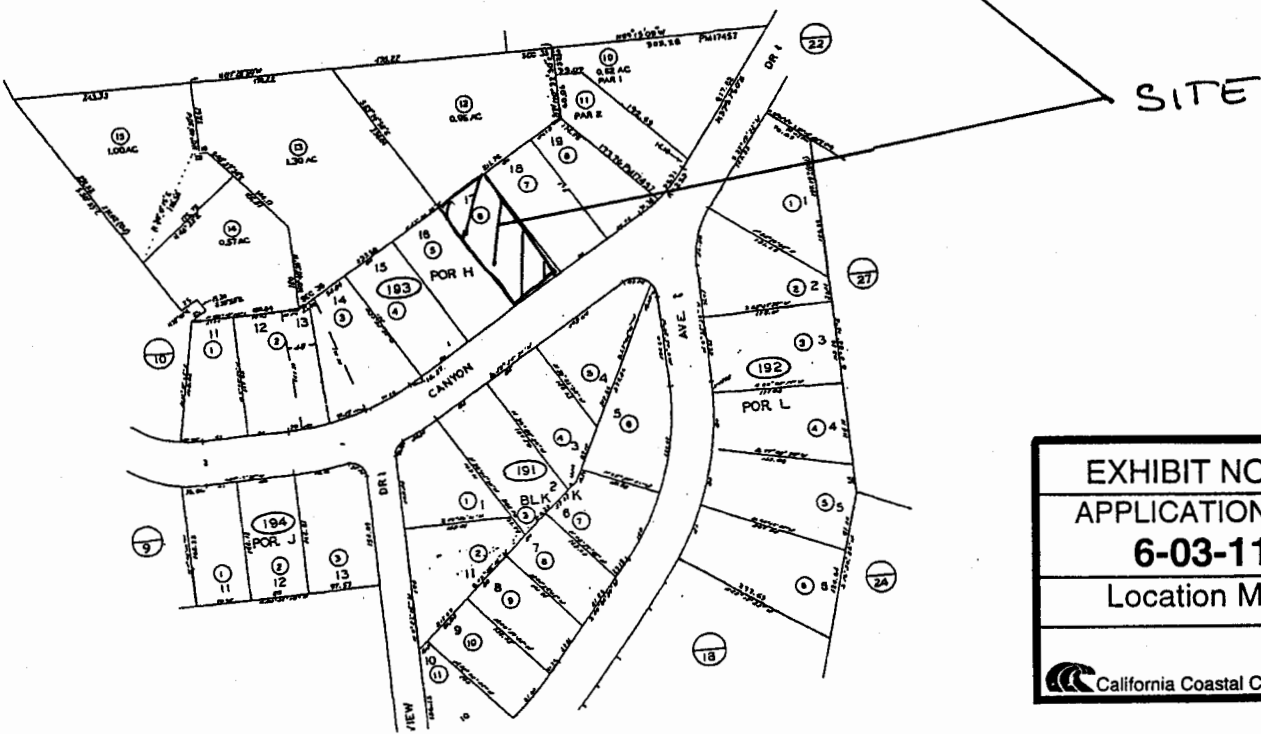
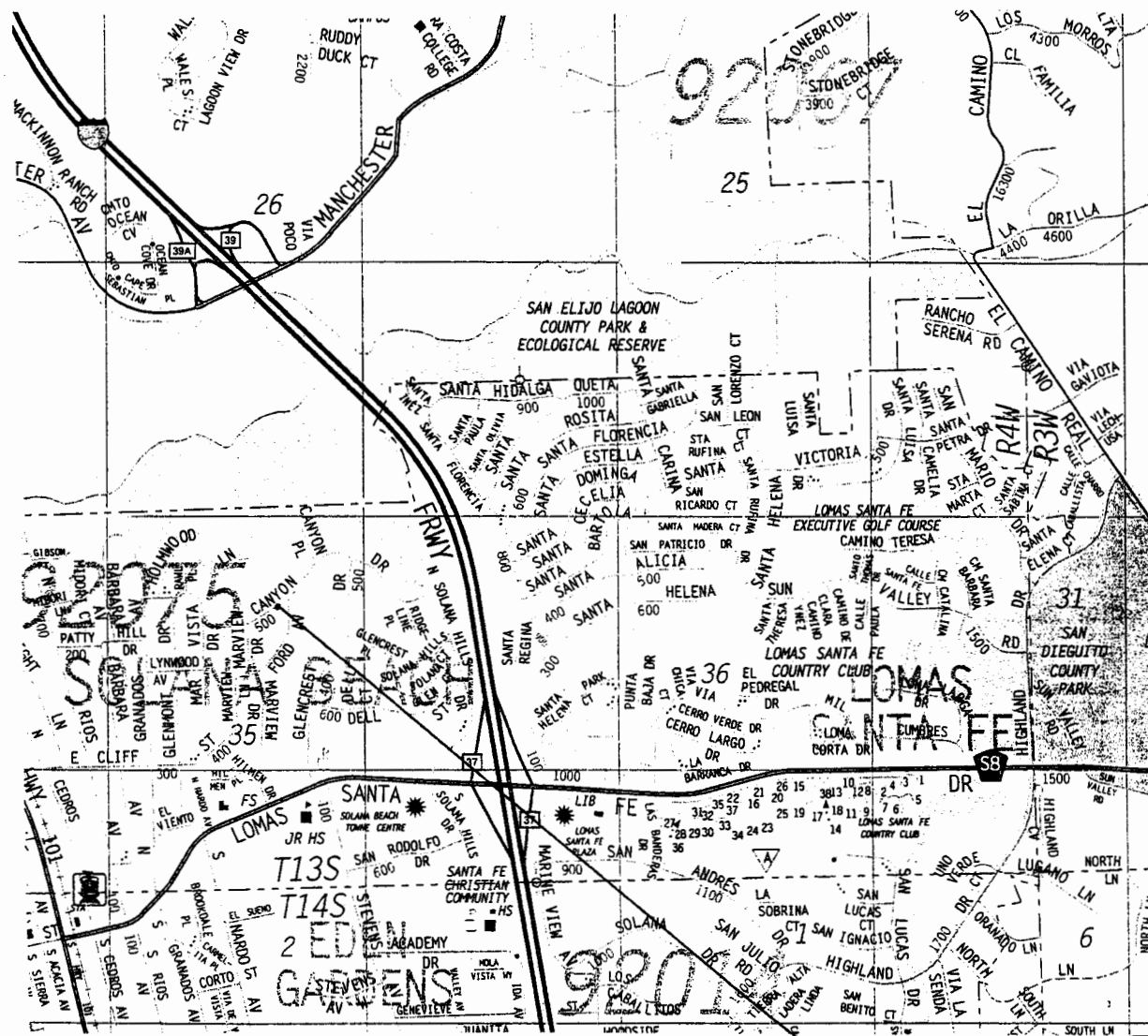



EXHIBIT NO. 1
APPLICATION NO.
6-03-11
Location Map
 California Coastal Commission

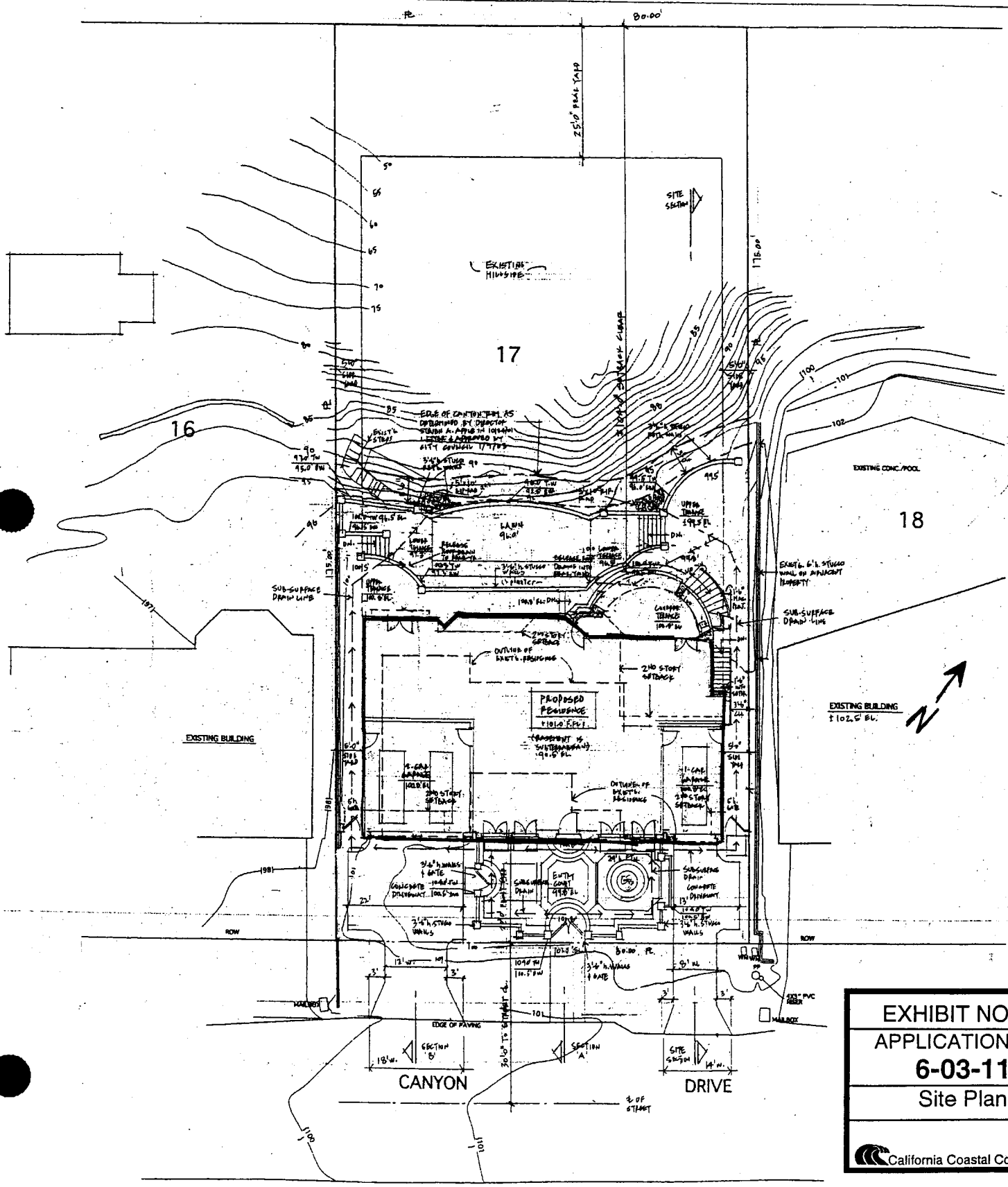


EXHIBIT NO. 2
APPLICATION NO.
6-03-11
Site Plan

California Coastal Commission