

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
767-2370

RECORD PACKET COPY



Thu 3a

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Staff: BP-SD
Staff Report: 8/21/03
Hearing Date: 9/10-12/03

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-02-167

Applicant: Richard Merchant

Agent: Ron Holder

Description: Construction of a 5,400 sq.ft. single family dwelling with 659 sq.ft detached garage and conversion of existing detached home to a guest house.

Lot Area	53,578 sq.ft. -1.23 acres
Building Coverage	6,373 (12%)
Pavement Coverage	9,200 (17%)
Landscaped/Unimproved Area	38,005 (71%)
Parking Spaces	4
Zoning	RS 1 (Rural Residential1 du/acre)

Site: 15128 El Camino Real, Rancho Santa Fe vicinity, San Diego County. APN 302-041-12

Substantive File Documents: Certified County of San Diego Local Coastal Program, CDP #6-88-453

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. Revised Landscaping Plan. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit a revised landscape plan which is in substantial conformance with the landscape plan submitted 6/18/03 by Chianello Design which includes the following provisions:

- a. No vegetation removal is required either on or off site
- b. Existing Coastal Sage Scrub (sumac) shall be retained.
- c. Drainage shall be directed into landscaped areas in a non-erosive manner.

Additionally, the landscaping plan shall be revised to indicate that all proposed landscaping shall be native, drought tolerant or non-invasive.

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 permit is subject to the following findings:

A. Detailed Project Description/History. Proposed is the construction of a 25-foot high, 5,400 sq.ft. single family dwelling with 659 sq.ft detached garage and septic system and conversion of an existing 1,200 sq.ft. single family dwelling to a guesthouse. 180 cubic yards of balanced grading is proposed. The site is unsewered and the proposed septic system has been found acceptable with County health standards.

The land locked site is located on the west side of El Camino Real near Sun Valley Road in the Rancho Santa Fe community of the unincorporated County of San Diego. The site includes ornamental trees, shrubs and ground cover, predominately myoporum, acacia, ice plant and several small patches of coastal sage habitat (sumac) on steep slopes near the western property line. The site is surrounded by large lot residential development.

The subject site is located within the Coastal Resource Protection (CRP) Area Overlay of the County of San Diego Local Coastal Program (LCP). Portions of the property contain steep slopes. No grading is proposed on steep slopes. As noted, the site does not contain significant native vegetation except several isolated patches of sumac. In CDP #6-88-453, the Commission required that an open space easement be placed over steep naturally

vegetated slopes immediately west of the site. According to the proposed landscaping plan which has approved by the fire department, no vegetation removal is required for fire safety off site. Several non-native trees that border the retained guesthouse may be significantly trimmed or removed because of fire hazard but such actions will not result in adverse biological or scenic impacts. The landscaping plan indicates the sumac will be retained. However, Special Condition #1 requires a revised landscape plan indicating all proposed landscaping be native, drought tolerant or non-invasive which the Commission typically requires adjacent to environmentally sensitive areas.

The grading and landscaping plans indicate drainage will be collected and directed into pervious areas on the site (landscaped areas) for infiltration and/or percolation in a non-erosive manner.

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.



EXHIBIT NO. 2
APPLICATION NO.
6-02-167
Site Plan
 California Coastal Commission