

III. Special Conditions.

The permit is subject to the following conditions:

1. **Timing of Construction.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, a final construction schedule, which shall be incorporated into construction bid documents. The schedule and construction documents shall specify that no construction will take place for the project between Memorial Day weekend and Labor Day of any year. Notes on the schedule and documents shall state that access corridors and staging areas shall be located in a manner that has the least impact on public access via the maintenance of existing public parking areas and traffic flow on coastal access routes (No street closures or use of public parking as staging areas).

The permittee shall undertake development in accordance with the approved schedule. Any proposed changes to the approved schedule shall be reported to the Executive Director. No changes to the schedule shall occur without an 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. Proposed is the installation of approximately 1,120 lineal ft. of an 18" to 24" RCP storm drain including a storm drain cleanout, curb inlet and grate inlet in the public right-of-way of Abbott Street. The subject project is part of a storm drain extension project that is proposed by the City throughout the Ocean Beach community. The existing storm drain in the Abbott Street public right-of-way is undersized and, therefore, inadequate to capture storm drain run-off. However, only approximately half of the segment of the project is within the Coastal Commission's permit jurisdiction. Specifically, that portion of the project commencing at the alley south of Brighton Avenue in a southerly direction to Newport Avenue is within the Commission's permit jurisdiction and the subject of this review (reference Exhibit No. 1). The remainder of the project will be subject to a coastal development permit issued by the City.

The project site is within the Commission's area of permit jurisdiction. Thus, the standard of review is Chapter 3 policies of the Coastal Act, with the certified City of San Diego LCP used as guidance.

B. Community Character /Visual Quality. The development is located within an existing developed area within the public street right-of-way and 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.

C. Public Access/Parking. As conditioned, the proposed development will not have an adverse impact on public access to the coast or to nearby recreational facilities. As conditioned, the proposed development conforms to Sections 30210 through 30214, Sections 30220 through 30224, Section 30252 and Section 30604(c) of the Coastal Act.

C. Growth Inducement. As proposed, this development will not be growth-inducing. The proposed storm drain is located within the public right-of-way which is surrounded by built-out urban communities. The proposed facilities are intended to replace existing deteriorated facilities to accommodate existing development. System capacity is not being increased, consistent with Section 30250 of the Coastal Act.

D. Biological Resources. Coastal Act policies 30240 and 30251 protect sensitive habitats and restrict the alteration of natural landforms. Section 30231 of the Coastal Act requires that coastal waters are protected and runoff minimized.

The proposed development will not result in any impacts to sensitive habitats or alteration of landforms. In addition, the proposed development will not have any adverse impacts to water quality. Thus, the project is consistent with the resource protection policies of Chapter 3 of the Coastal Act. As proposed, this development will not have an adverse impact on water quality.

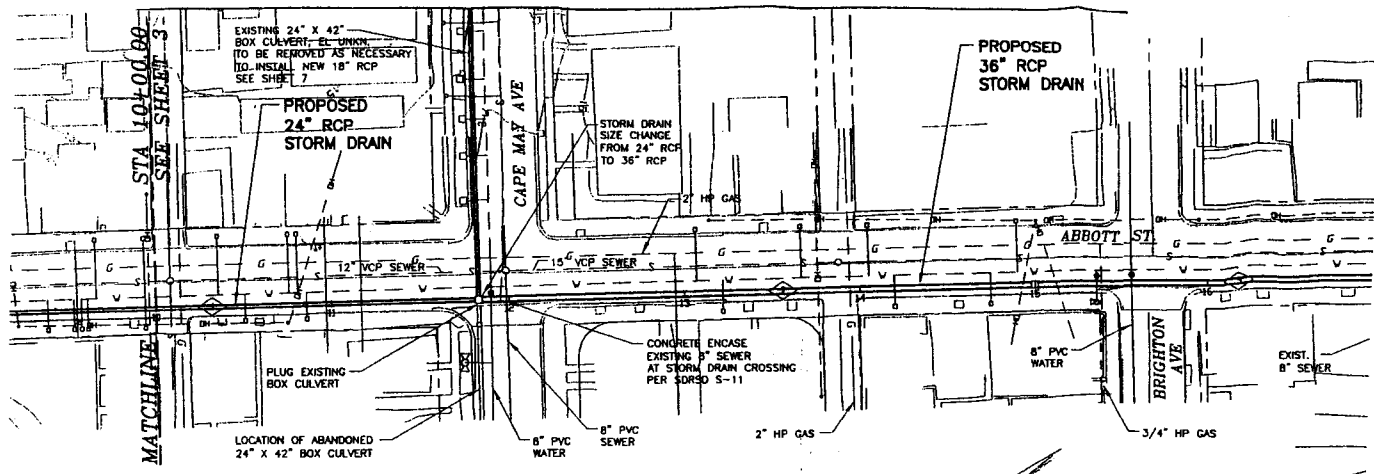
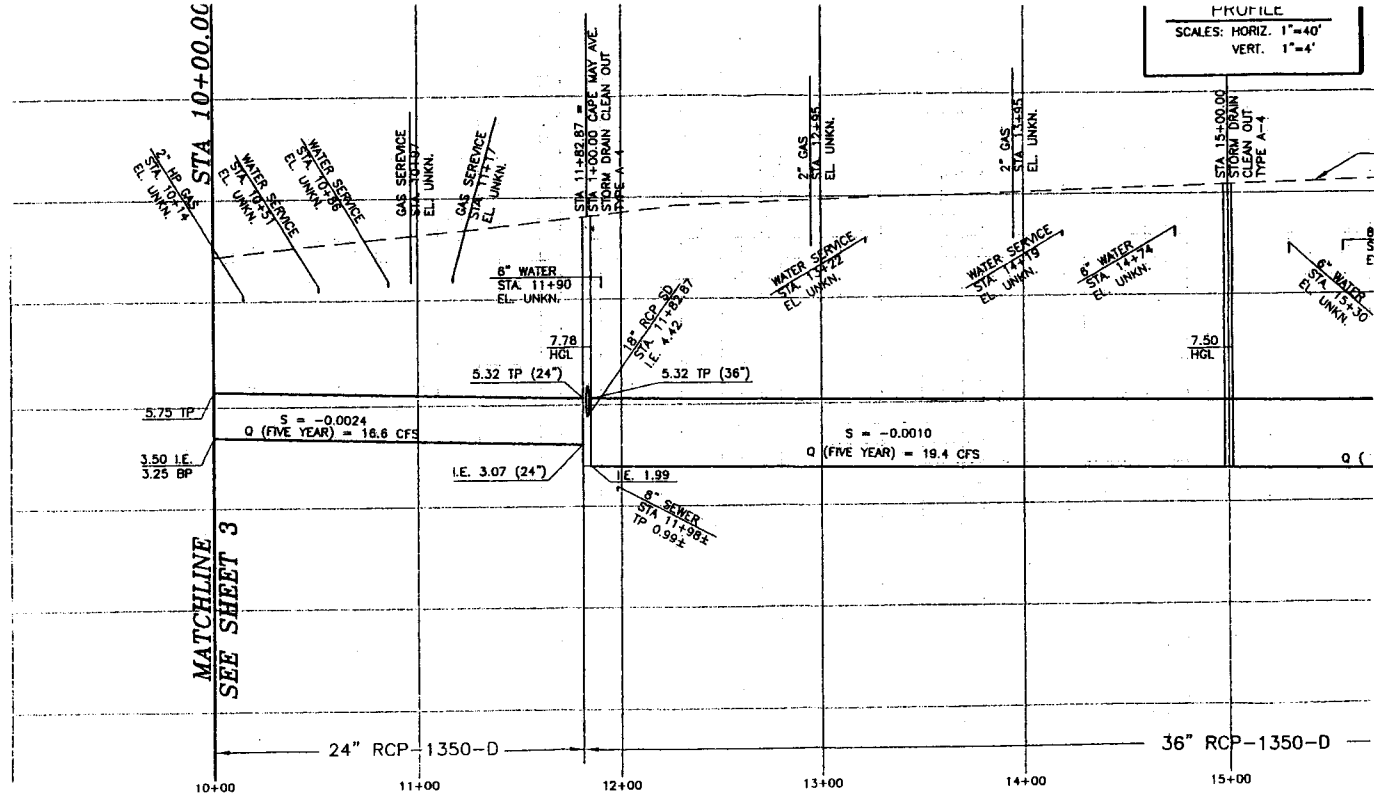
E. Local Coastal Planning. The subject site is located in an area of original jurisdiction, where the Commission retains permanent permit authority and Chapter 3 of the Coastal Act remains the legal standard of review. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act. Approval of the project, as conditioned, will not prejudice the ability of the City of San Diego to continue to implement its certified LCP for the Ocean Beach community.

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 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.




OCEAN BEACH
MAP 279

STORM DRAIN ALIGNMENT DATA				
NO.	DELTA OR BEARING	RADIUS	LENGTH	REMARKS
1	N36°37'28"E	-	182.72'	24" RCP STORM DRAIN
2	N36°37'28"E	-	313.13'	36" RCP STORM DRAIN
3	N36°37'28"E	-	197.00'	36" RCP STORM DRAIN
4	N36°37'28"E	-	198.00'	36" RCP STORM DRAIN



PLANS PREPARED BY
DEXTER S. WILSON


 EXHIBIT NO. 2
 APPLICATION NO.
6-04-091
 Site Plan
 (Partial)