

Wed 4a

San Diego Coast District

ADMINISTRATIVE CALENDAR

Wednesday, December 8, 2004

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6-04-131

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
 7575 METROPOLITAN DRIVE, SUITE 103
 SAN DIEGO, CA 92108-4421
 (619) 767-2370

RECORD PACKET COPY



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Permit Application No. 6-04-131/GDCDate November 18, 2004ADMINISTRATIVE PERMIT**Wed 4a**

APPLICANT: Darren and Sharon Day

PROJECT DESCRIPTION: Construction of an approximately 639 sq. ft. accessory living unit attached to an existing approximately 4,780 sq. ft. single-family home (including attached garage) on an approximately 43,995 sq. ft. lot.

PROJECT LOCATION: 1510 Highland Dr., Solana Beach, San Diego County.
 APN No. 298-470-27

EXECUTIVE DIRECTOR'S DETERMINATION: The findings for this determination, and for any special conditions, are discussed on subsequent pages.

NOTE: The Commission's Regulations provide that this permit shall be reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, a permit will not be issued for this permit application. Instead, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

DATE and TIME: December 8, 2004
 10:00 a.m., Wednesday

LOCATION: Marin County
 Board of Supervisors
 Administration Bldg., Room 322
 Marin County Civic Center
 San Rafael, Ca

IMPORTANT - Before you may proceed with development, the following must occur:

For this permit to become effective you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgment and evidence of compliance with all special conditions, we will send you an authorization to proceed with development. BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE PERMIT AUTHORIZATION FROM THIS OFFICE.

PETER DOUGLAS
 Executive Director

By: 

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgement. 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.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

Pursuant to Public Resources Code Section 30624, the Executive Director hereby determines that the proposed development, subject to Standard and Special Conditions as attached, is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3, and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. Any development located between the nearest public road and the sea is in conformity with the public access and public recreation policies of Chapter 3.

Proposed is the construction of an approximately 639 sq. ft. accessory unit to be attached to an existing 4,780 sq. ft. single-family residence located on a 43,995 sq. ft. lot. The project is located east of Interstate 5 in the City of Solana Beach in a residential neighborhood consists of estate sized single-family residences. The City of Solana Beach does not yet have a certified Local Coastal Program (LCP) and therefore, Chapter 3 policies of the Coastal Act are the standard of review.

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. In order to reduce the potential for adverse impacts to water quality resulting from drainage runoff from the proposed development, Special Condition #1 is attached. The condition requires that runoff from the roof and other

impervious surfaces be directed into existing landscaped areas on the site for infiltration and or/percolation, prior to being conveyed off-site. Directing runoff through landscaping is a well-established BMP for treating runoff from small developments such as the subject proposal. Thus, as conditioned, the proposed development will serve to reduce any impacts to water quality from the project to insignificant levels, consistent with the above-cited Coastal Act policies.

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.

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 local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3.

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.

SPECIAL CONDITIONS:

1. Drainage Plan. PRIOR TO THE AUTHORIZATION TO PROCEED WITH DEVELOPMENT, the applicant shall submit for the review and written approval of the Executive Director, a drainage and runoff control plan that has been approved by the City of Solana Beach. This plan shall document that runoff from the roof, driveway and other impervious surfaces shall be directed into pervious areas on the site (landscaped areas) for infiltration and/or percolation, prior to being conveyed off-site in a non-erosive manner.

The permittee shall undertake the development in accordance with the approved drainage 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.

ACKNOWLEDGEMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

Applicant's Signature

Date of Signing