

CALIFORNIA COASTAL COMMISSION

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 Staff: BP-SD
 Staff Report: 7/21/04
 Hearing Date: 8/11-13/04

STAFF REPORT: CONSENT CALENDAR**Application No.:** 6-04-56**Applicant:** Ross & Rebecca Burnett

Description: Demolition of an existing single-family dwelling and construction of a 7,996 sq.ft. single-family dwelling, detached 999 sq.ft. guesthouse, 1,117 sq.ft. corral shelter, sportcourt, pool and 3,500 cubic yards of balanced grading.

Lot Area	212,573 sq.ft. (4.88 acres)
Building Coverage	9,683 sq.ft (5%)
Pavement Coverage	15,240 sq.ft (7%)
Landscaped/Unimproved Area	187,650 sq.ft (88%)
Parking Spaces	6
Zoning	RR 35 (Rural Residential)

Site: 16628 El Camino Real, Rancho Santa Fe vicinity, San Diego County. APN 268-010-08

Substantive File Documents: Previously Certified County of San Diego Local Coastal Program

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. Manure Control Plan\BMP's. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval a manure control plan for any domestic livestock housed on the property, approved by the County of San Diego, which includes at a minimum:

(a) Manure shall be removed from open areas on a weekly basis and either immediately taken offsite in accordance with the plan or stored in a covered storage area. Stockpiling of manure in open areas is prohibited. Manure shall be removed from the storage area, composted or taken offsite in accordance with the plan on a twice-monthly basis.

(b) The plan shall require that manure shall be taken offsite and dumped at an authorized solid waste collection facility, be collected by a commercial soils company for processing into a soils additive or be utilized as part of a composting or recycling program.

(c) Runoff shall be diverted around the barn where the horses are kept. Runoff shall be diverted around animal waste storage areas and manure shall never be stored near a drainage course or other waterway, or in a 100-year flood plain. Manure shall be stored in a covered area with impermeable soil, or a concrete base shall be used, to prevent leaching into the ground. The horse barn shall be scraped periodically.

The permittees shall undertake the development in accordance with the approved plan. Any proposed changes to the approved plan shall be reported to the Executive Director. No change to the plan shall occur without a Commission-approved amendment to the permit unless the Executive Director determines that no such amendment is required.

2. Final Plans. Prior to the issuance of the coastal development permit, the applicant shall submit for review and written approval by the Executive Director, final site and building plans that have first been approved by the County of San Diego and are in substantial conformance with like plans dated received 7/6/04 by Catharine Hadley Architect.

The permittee shall undertake 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.

3. Final Landscape Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, a final landscape plan developed in consultation with the California Department of Fish and Game. Said plans shall contain written notes stating and/or providing the following requirements:

- a. The installation of plant materials shall consist only of non-invasive or native, drought-tolerant, fire-resistant materials. The plan shall also indicate the type, size, extent and location of all plant materials, the proposed irrigation system and other landscape features on the site.
- b. A planting schedule that indicates the planting plan will be implemented within 60 days of completion of construction.
- c. A written commitment by the applicant that all required plantings will be maintained in good growing condition, and whenever necessary, will be replaced with new plant materials to ensure continued compliance.
- d. A written commitment by the applicant that five years from the date of the receipt of the Certificate of Occupancy for the residence, the applicant will submit for the review and written approval of the Executive Director, a landscape monitoring report, prepared by a licensed Landscape Architect or qualified Resource Specialist, 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.

If the landscape monitoring report indicates the landscaping is not in conformance with or has failed to meet the performance standards specified in the landscaping plan approved pursuant to this permit, the applicant, or successors in interest, shall submit a revised or supplemental landscape plan for the review and approval of the Executive Director. The revised landscaping plan must be prepared by a licensed Landscape Architect or a qualified Resource Specialist and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.

The permittee shall undertake development in accordance with the approved landscaping plans. Any proposed changes to the approved landscaping 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 demolition of an existing single-family dwelling and construction of a 7,996 sq.ft. single-family dwelling, 999 sq.ft. detached guesthouse, 1,117 sq.ft. corral shelter, sportcourt, pool and 3,500 cubic yards of balanced grading on a 4.88-acre site.

The site is located on the west side of El Camino Real near Stonebridge Lane in the Rancho Santa Fe community of the unincorporated County of San Diego. Besides existing development, the site contains ornamental vegetation, citrus orchard and many eucalyptus trees along the property lines. 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). No grading is proposed on steep slopes; the site does not contain native vegetation. According to the proposed landscaping plan which has approved by the fire department, removal of nine diseased or leaning eucalyptus trees is required for fire safety. This removal will not result in adverse biological or scenic impacts because many eucalyptus trees remain to screen the project from surrounding areas. Several non-native species are proposed as landscaping; the Commission finds the landscaping plan must be revised to include all native, drought tolerant species which are acceptable to the California Department of Fish and Game.

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. Special Conditions #2 and #3 require final site/building plans and final landscaping plans respectively.

A corral shelter and horse area is proposed. To preserve area water quality, Special Condition #1 requires a manure control plan for any domestic livestock housed on the property.

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 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.

Vicinity Map - Item 6

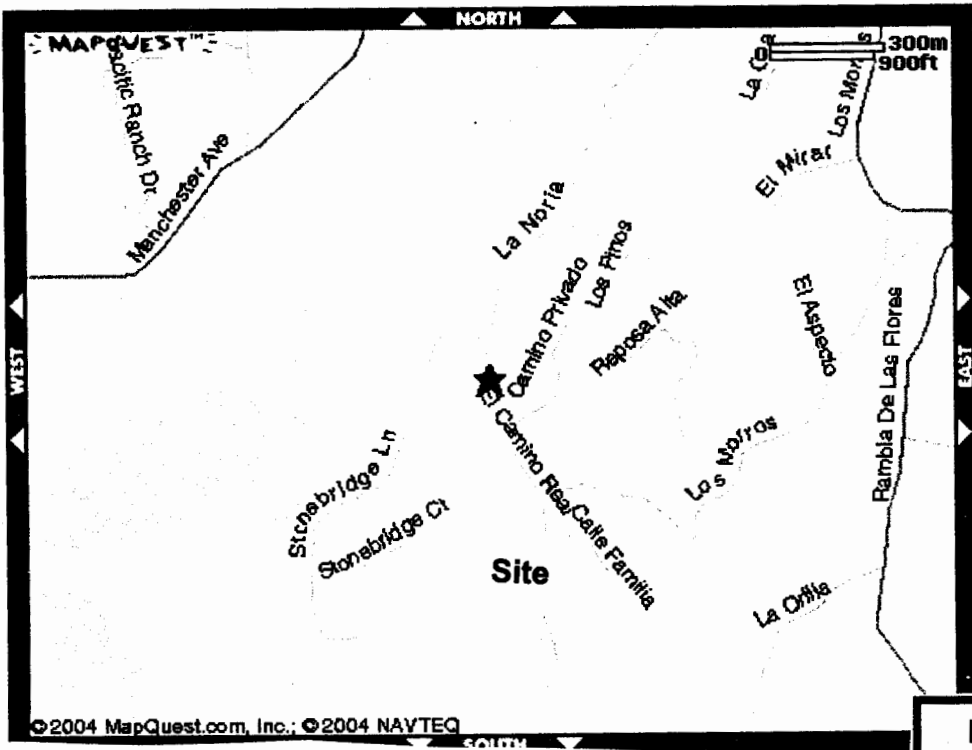
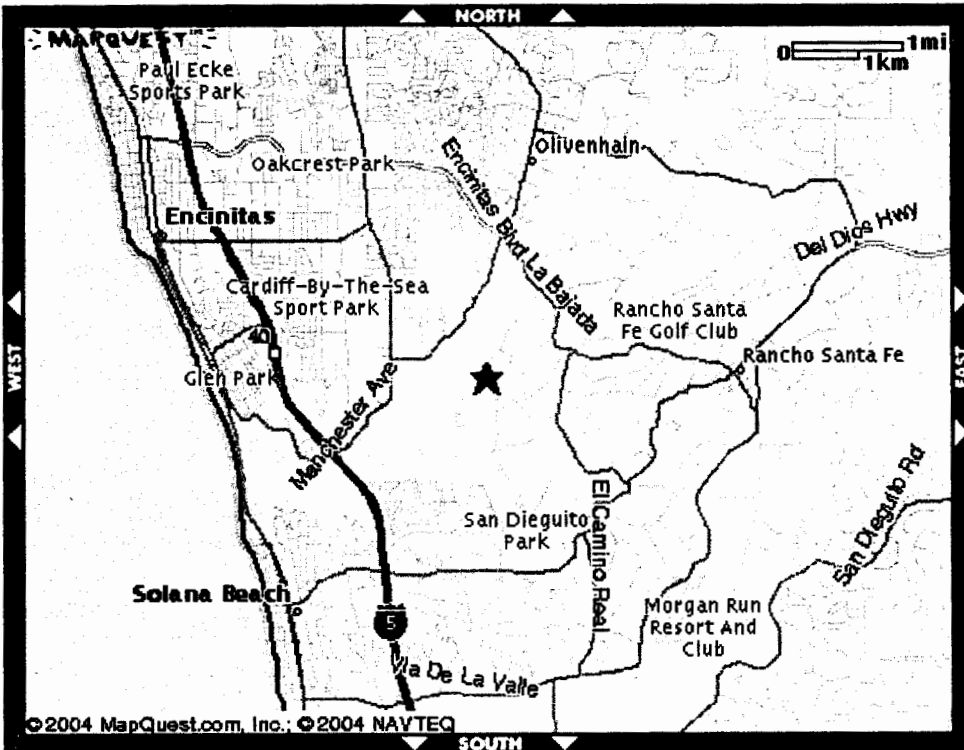
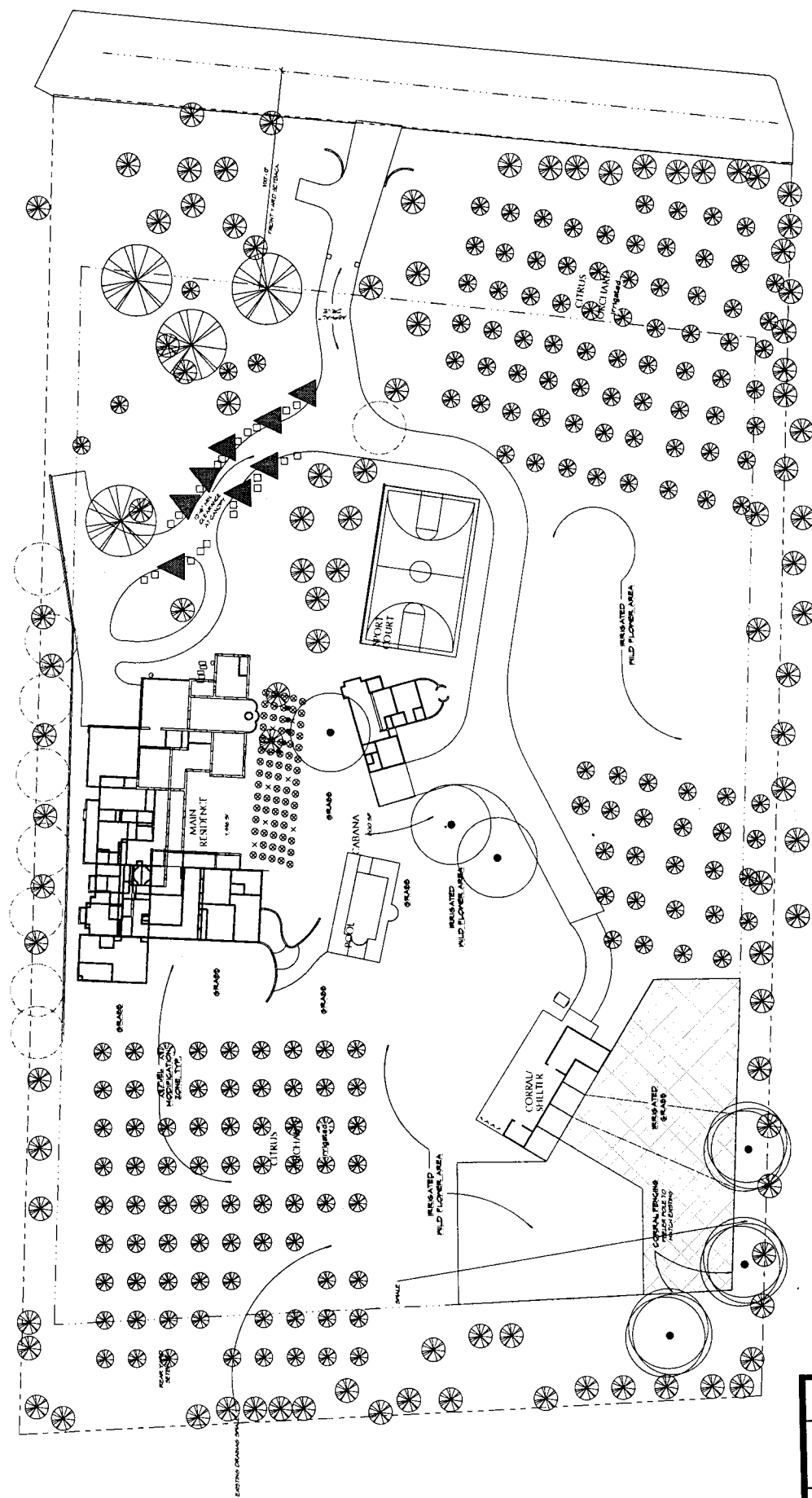


EXHIBIT NO.
APPLICATION NO.
6-04-056
Location Map

Coastal



DATE PLAN

EXHIBIT NO. 2
APPLICATION NO.
6-04-056
Site Plan