

## CALIFORNIA COASTAL COMMISSION

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



# Wed 9d

Filed: October 19, 2005  
49th Day: December 7, 2005  
180th Day: April 17, 2006  
Staff: Gary Cannon-SD  
Staff Report: March 23, 2006  
Hearing Date: April 12-14, 2006

REGULAR CALENDAR  
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-05-81

Applicant: Three Hills Corporation

Agent: Dan Herzberg

Description: After-the-fact requests to subdivide the existing approximately 41,000 sq. ft. lot into two lots (Lot A = approx. 27,280 sq. ft.; Lot B = approx. 13,720 sq. ft.) and authorize an approximately 1,792 sq. ft. of outdoor retail sales on Lot B. In addition, the project involves new construction of an approximately 4,507 sq. ft. two-story commercial building involving approximately 575 cu. yds. of grading on Lot "A" that currently contains a parking lot and 3 office/retail buildings totaling approximately 4,532 sq. ft.

Lot Area (Lot A)	27,280 sq. ft.	Lot Area (Lot B)	13,720 sq. ft.
Building Coverage	9,037 sq. ft. (33%)	Retail Area	1,792 sq. ft. (13%)
Pavement Coverage	6,839 sq. ft. (25%)	Parking Area	11,928 sq. ft. (87%)
Landscape Coverage	9,097 sq. ft. (33%)	Parking Spaces	29
Unimproved Area	2,305 sq. ft. (09%)		
Parking Spaces	26		
Zoning	Special Commercial		
Plan Designation	Special Commercial		
Ht abv fin grade	24 feet		

Site: 228 South Cedros Avenue, Solana Beach, San Diego County.  
APN 298-073-52 and 53.

Substantive File Documents: City of Solana Beach General Plan and Zoning Ordinance; Resolution No. 2005-72 (R); Resolution No. 2000-87; City Permit #17-00-32 DUP/CUP; CDP Nos. 6-97-147/Heiser, Johnson; 6-97-002-W/Secretan; 6-96-27/McCleod; 6-94-184/McCleod; 6-98-17/Lake.

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STAFF NOTES:

Due to Permit Streamlining Act requirements, the Commission should act on this application at its April 2006 hearing unless the applicant requests a 90-day extension.

Summary of Staff's Preliminary Recommendation: Staff is recommending approval of the proposed commercial building with conditions relating to final plans, including landscaping and signage plans and use of Best Management Practices. In addition, staff is recommending approval of the after-the-fact requests to subdivide the property and to construct an outdoor retail sales area on the newly created lot. Although these developments have occurred without benefit of a coastal development, no impacts to coastal resources are anticipated.

Standard of Review: Chapter 3 policies of the Coastal Act.

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I. PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

**MOTION:**     *I move that the Commission approve Coastal Development Permit No. 6-05-081 pursuant to the staff recommendation.*

**STAFF RECOMMENDATION OF APPROVAL:**

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

**RESOLUTION TO APPROVE THE PERMIT:**

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. Standard Conditions.

See attached page.

### III. Special Conditions.

The permit is subject to the following conditions:

1. Final Plans. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMT, the applicant shall submit to the Executive Director for review and written approval, final site, building, elevation, and grading plans for the proposed development. Said plans shall be stamped and approved by the City of Solana Beach and in substantial conformance with the plans submitted with this application by Steven Dalton Architects dated 8/16/05.

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. Revised Landscape Plan. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMT, the applicant shall submit to the Executive Director for review and written approval, a final revised landscape plan. Said plan shall be stamped and approved by the City of Solana Beach and be in substantial conformance with the plans submitted with this application by Steven Dalton Architects dated 8/16/05, except that they shall be revised to reflect the following:

- a. The landscape plan shall indicate the type, size, extent and location of all plant materials, the proposed irrigation system and other landscape features.
- b. All landscaping shall be drought-tolerant, native or non-invasive plant species (i.e., no plant species listed as problematic and/or invasive by the California Native Plant Society, the California Exotic Pest Plant Council, or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as 'noxious weed' by the State of California or the U.S. Federal Government shall be utilized within the property). Use of insecticides or rodenticides is prohibited.
- c. A planting schedule that indicates that the planting plan shall be implemented within 60 days of completion of the proposed commercial/office building.
- d. The applicant shall provide a written commitment that all required plantings will be maintained in good growing conditions, and whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape requirements.
- e. A written commitment by the applicant that five years from the date of the

issuance of the coastal development permit amendment for the deck structure, 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 whether 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 landscape 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. Sign Program. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit a comprehensive sign program, documenting that only monument signs, not to exceed eight (8) feet in height, or facade signs are proposed. No tall, freestanding pole or roof signs shall be allowed. Said plans shall be subject to the review and written approval of the Executive Director.

The permittee shall undertake development in accordance with the approved sign plans. Any proposed changes to the approved sign plans shall be reported to the Executive Director. No changes to the approved plans shall occur without an amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

4. Drainage and Polluted Runoff Control Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, a final drainage and runoff control plan that has been stamped and approved by the City of Solana Beach. The plan shall document that the runoff from the roof, walkways and other impervious surfaces will be conveyed off site in a non-erosive manner, and will flow into the landscaped areas or other effective filtering media for on site infiltration and/or percolation.

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.

5. Disposal of Graded Spoils. Prior to the issuance of the coastal development permit, the applicant shall identify the location for the disposal of graded spoils. If the site is located within the coastal zone, a separate coastal development permit or permit amendment shall first be obtained from the California Coastal Commission or its successors in interest.

6. Future Development. This permit is only for the development described in coastal development permit #6-05-81. Except as provided in Public Resources Code section 30610 and applicable regulations, any future development as defined in PRC section 30106, including, but not limited to, change in the density or intensity of use land, (such as a conversion of use from retail to restaurant) shall require an amendment to Permit #6-05-81 from the California Coastal Commission or shall require an additional coastal development permit from the California Coastal Commission or its successor in interest unless the Executive Director determines a permit is not necessary.

7. Condition Compliance. Within one hundred and eighty (180) days of Commission action on this coastal development permit application, or within such additional time as the Executive Director may grant for good cause, the applicant shall satisfy all requirements specified in the conditions hereto that the applicant is required to satisfy prior to issuance of this permit. Failure to comply with this requirement may result in the institution of enforcement action under the provisions of Chapter 9 of the Coastal Act.

#### IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description. Construction of an approximately 4,507 sq. ft. two-story commercial building on a lot that currently contains parking lot areas and 3 office/retail buildings totaling approximately 4,532 sq. ft. The project also involves after-the-fact requests to subdivide the existing approximately 41,000 sq. ft. lot into two lots (Lot A = approx. 27,280 sq. ft.; Lot B = approx. 13,720 sq. ft.) and authorize an approximately 1,792 sq. ft. of outdoor retail sales on Lot "B". Lot "A" will contain the proposed 4,507 sq. ft. commercial building and the three existing office/retail buildings. The proposed development is located on the east side of South Cedros Avenue, south of Lomas Santa Fe Drive in the City of Solana Beach.

The construction of the approximately 4,507 sq. ft. commercial building will involve approximately 575 cu. yds. of grading that is proposed to be exported off-site. Since the applicant has not identified the location of the proposed export location, Special Condition #4 has been attached which requires the applicant to identify the location of the export site prior to issuance of the permit and, if within the coastal zone, provide evidence of a coastal permit authorizing its placement.

The existing office/retail buildings were constructed prior to the Coastal Act. The applicant has previously received coastal development permits for new development at the site. These include Coastal Development Permit (CDP) No. F3235/Three Hills in 1976 for construction of a one-story residential/office building and CDP No. 6-88-358/Three Hills Corp. for the construction of a two-story office building (approx. 5,011 sq. ft), a one-story office building (approx. 648 sq. ft.) and an office/shed building (approx. 272 sq. ft.). None of these developments subsequently occurred and the permits have expired.

The City does not have a certified Local Coastal Program, therefore, the standard of review is Chapter 3 policies of the Coastal Act.

2. Public Access/Parking. Section 30252 of the Coastal Act states that:

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

This section requires, among other things, that new development provide for adequate parking facilities so as not to compete with or preclude the public's access to the coastal area by usurping on-street public parking spaces. Because inadequate parking and congestion can interfere with public access opportunities, the provision of adequate off-street parking or substitute means of serving the development with public transportation is critical for all commercial, recreational and residential development in near shore areas.

As described above, the proposed development involves the subdivision of an approximately 41,000 sq. ft. lot into two lots (Lot A = approx. 27,280 sq. ft.; Lot B = approx. 13,720 sq. ft.), the construction of an approximately 4,507 sq. ft., two-story commercial/office building on Lot "A" and approximately 1,792 sq. ft. of outdoor retail sales on Lot "B".

The area around the project sites is known as the Cedros Design District, which consists of a variety of commercial and tourist-oriented businesses. Many of the buildings are relatively old, and were constructed at a time when off-street parking was not required to be provided in conjunction with new development, or were approved with less restrictive parking requirements than utilized today. Therefore, new development should be designed to provide for adequate off-street parking and/or make other nonautomobile transportation incentives available to their employees such as bus or train passes. The North County Transit Center, providing both bus and rail transportation is located approximately 800 feet north of the subject site.

The project site is located approximately one-quarter mile east of the coast. The most direct coastal access route from the subject site is by way of Lomas Santa Fe Drive, approximately 700 feet north of the site. Fletcher Cove Beach Park, the City's primary beach access location, is located approximately ¼ mile west of the intersection of Cedros

Avenue and Lomas Santa Fe. The public street fronting the proposed development site is unlikely to be used by the public for beach parking. Public parking areas for beach parking are generally located west of Highway 101 in Solana Beach. Recently, however, the City constructed a pedestrian/bicycle bridge from Cedros Avenue to the east side of Highway 101 just south of the proposed development site. The pedestrian/bicycle bridge serves to accommodate residents living on the east side of the railroad tracks who might want to walk to the commercial areas or the beach west of the railroad tracks. Therefore, it is possible that some visitors or residents might decide to park near the pedestrian/bicycle bridge and walk or ride to the shoreline. The only other time the public is likely to use Cedros Avenue for beach parking would be during times of special events at Fletcher Cove Beach Park when parking west of Highway 101 is limited (e.g., Fiesta del Sol, Solana Beach Triathlon). However, those events typically occur on the weekend or holidays when the commercial/office buildings on the subject are generally closed. In addition, as identified below, the proposed developments will have adequate off-street parking such that their customers will not likely usurp street parking that might otherwise be available for beach parking.

In the City of Solana Beach, the site is zoned "Special Commercial." Under this designation, which is intended to preserve and perpetuate pedestrian-oriented commercial centers, 1 parking space for each 450 square feet of retail floor area and 1 space for each 300 square feet of office use is required. For the development proposed on Lot "A", the proposed 4,507 sq. ft. office/commercial building would require a total of 11 parking spaces (7 spaces for the proposed 3,288 sq. ft. of commercial retail space and 4 spaces for the proposed 1,220 sq. ft. of office space). The applicant is proposing 11 onsite parking spaces to serve the proposed development. There are also an additional 16 onsite parking spaces currently provided to serve the needs of the three existing commercial/office buildings consistent with the City's parking standards. Therefore, as proposed, the new commercial/office building will provide adequate onsite parking.

On proposed Lot "B", the approximately 1,792 sq. ft. of outdoor retail area would require 4 parking spaces to be consistent with City parking standards. The applicant has identified that 29 parking spaces will remain on Lot "B" after development of the retail space. Therefore, there is adequate parking to support the proposed outdoor retail area. The Commission has reviewed a previous development request involving this portion of the lot. In 1998, the Commission authorized the construction of a 40-space parking lot within the area now referred to as "Lot B". The parking lot was proposed to be leased to a neighboring property owner to be used as an additional parking area for an adjacent retail/warehouse building. In approving the retail/warehouse building (Ref. CDP #6-98-17/Lake) the Commission identified that the retail/warehouse building would be providing adequate onsite parking (33 spaces) such that the proposed additional 40 parking spaces were not required to assure no impacts to public street parking would occur. However, CDP #6-98-17 was conditioned to require an amendment or coastal development permit if the 40-space parking lot were ever converted to another use. In about the year 2000 approximately 1,792 sq. ft. of this 40 space parking lot was converted to outdoor retail use without first obtaining the required amendment or new coastal development permit (Ref. City Permit #17-00-32 DUP/CUP). However, since the

40 spaces were not required to be retained to support the retail/warehouse use pursuant to the City and Commission's parking requirements, and the proposed 1,792 sq. ft. of outdoor retail space only requires 4 parking spaces, 25 excess parking spaces will continue to be available for the retail/warehouse use.

Chapter 3 of the Coastal Act is the standard of review for the proposed project, and the Coastal Act does not include specific parking ratios, but rather requires that parking be adequate for the particular development and site location such that adverse impacts on public beach access do not occur. Over the past several years, the Commission has reviewed a number of projects for new construction or redevelopment in the City's Design District (CDP #6-97-147; 6-97-002; 6-96-27; 6-94-184; 6-98-17) and has approved both on and off-site parking arrangements using the City's parking standards, finding that the amount of parking provided would not result in adverse impacts to public access or beach parking. Furthermore, none of the existing beach parking areas west of Highway 101 are close enough to the project site that if there were parking deficiencies in the subject area, the beach parking facilities would be impacted. Thus, the 11 on-site parking spaces on proposed Lot "A" and the 29 parking spaces on proposed Lot "B" will be adequate to serve the proposed developments so as to not impact public street parking.

In addition, in the future if a change in use at the subject site results in the need for additional parking (e.g., changing from retail to restaurant), the applicant may be required to apply for an amendment to the subject permit or a new permit even if there is no potential of impacting parking for coastal access. The Coastal Act defines development, among other things, as a "change in the intensity of use". An example of a change in use that intensifies use would be a change in use that requires additional parking spaces. Therefore, Special Condition #6 has been attached to advise the applicant that an amendment to the subject coastal development permit or a new coastal development permit is required if future development on the site results in a change in the intensity of use. In addition, other development such as an additional structure or demolition of a structure may also require an amendment or coastal development permit.

Because the applicant has only submitted preliminary project plans, Special Condition #1 requires the applicant to submit final project plans for Executive Director review and approval which area substantially consistent with the submitted plans. Therefore, as conditioned, the Commission finds the proposed project consistent with the public access policies of the Coastal Act.

3. New Development. Section 30250 (a) of the Coastal Act states, in part that:

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. . . .



The proposed development is located in an established commercial district consisting of a variety of retail/office/warehouse uses, and the proposed structures and retail sales area will be generally consistent with the character of the surrounding commercial district. The site is currently served with all typical urban services, and the surrounding infrastructure of the community will be able to accommodate the increased density of development resulting from the proposed development including the subdivision. Therefore, the Commission finds the proposed development consistent with Sections 30250(a) of the Coastal Act.

4. Visual Impact/Community Character. Section 30251 of the Coastal Act states in part:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas....

The proposed development will be located within an existing commercial area, and has been designed to be compatible in size, scale, and architectural design to surrounding development. In addition, no views of the coastline or beach exist across this site and the development site is also not visible to motorists along Highway 101, the nearby coastal scenic highway. In past Commission action on commercial development within this area, the Commission has regulated the height and amount of monument signs because of the potential for adverse impacts on the visual quality of the area and inconsistency with Section 30251 of the Act. To assure that all proposed signage is consistent with Chapter 3 policies, Special Condition #3 has been proposed. The condition requires the submittal of a sign program for the proposed building documenting that only monument signs not exceeding eight feet in height or facade signs are proposed.

In addition, the applicant has proposed providing landscaping for the site. The provision of landscaping as proposed will ensure the visual resources of the area are protected. Special Condition #2 requires the submission of a revised final landscape plan, and implementation of the proposed landscaping. The condition also requires that only drought-tolerant native or non-invasive plant species shall be used. Therefore, as conditioned, the visual impacts of the project can be found consistent with Section 30251 of the Coastal Act.

5. Runoff/Water Quality. Section 30231 of the Coastal Act requires that the biological productivity of coastal waters be maintained by, among other means, controlling runoff and states, in part, that:

Section 30231

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrapment, controlling runoff, ....

The proposed development will be located within ¼ mile of the ocean. As such, any runoff from the development site into storm drains will eventually flow into the ocean. The construction of impervious surfaces such as buildings and parking lots can be associated with impacts to water quality when water runoff from hard surfaces contains pollutants that eventually drain onto beaches or other coastal waters. In urban areas, runoff can contain oil, gasoline, brake dust, particles of roofing material and construction matter, chemicals, trash and other contaminants. Filters, catch basins, permeable paving surfaces such as modular pavers, grassed parking areas, and permeable pavements can be employed to trap vehicle-generated pollutants and reduce runoff volumes.

In the case of the proposed development, all development will occur on existing asphalt parking lots such that no new impervious surfaces will be constructed. However, to assure that any polluted runoff from the proposed developments are effectively filtered before it leaves the site, Special Condition #4 has been attached to require the use of effective Best Management Practices to treat polluted runoff by collecting and directing runoff from existing and proposed structures into on-site landscaping or other filtering media before it leaves the site. As conditioned, the proposed development will serve to reduce any impacts to water quality from the project to insignificant levels, and the Commission finds that the project is consistent with Section 30231 of the Coastal Act regarding the protection of water quality.

6. Unpermitted Development. Unpermitted development has occurred on the subject site without the required coastal development permit in the form a subdivision of the lot and the placement of an approximately 1,792 sq. ft. of outdoor retail space on the newly created Lot "B". The applicant is requesting after-the-fact approval for these developments.

In order to ensure that the components of this application involving unpermitted development are resolved in a timely manner, Special Condition No. 7 requires that the applicant satisfy all conditions of the permit that are prerequisite to the issuance of this permit within 180 days of Commission action.

Although development has taken place prior to submission of this permit application, consideration of this application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act. Approval of this permit does not constitute a waiver of any legal action with regard to the alleged violation nor does it constitute an admission as to the legality of any development undertaken on the subject site without a coastal permit.

7. Local Coastal Planning. Section 30604 (a) also requires that a coastal development permit shall be issued only if the Commission finds that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program (LCP) in conformity with the provisions of Chapter 3 of the Coastal Act. In this case, such a finding can be made.

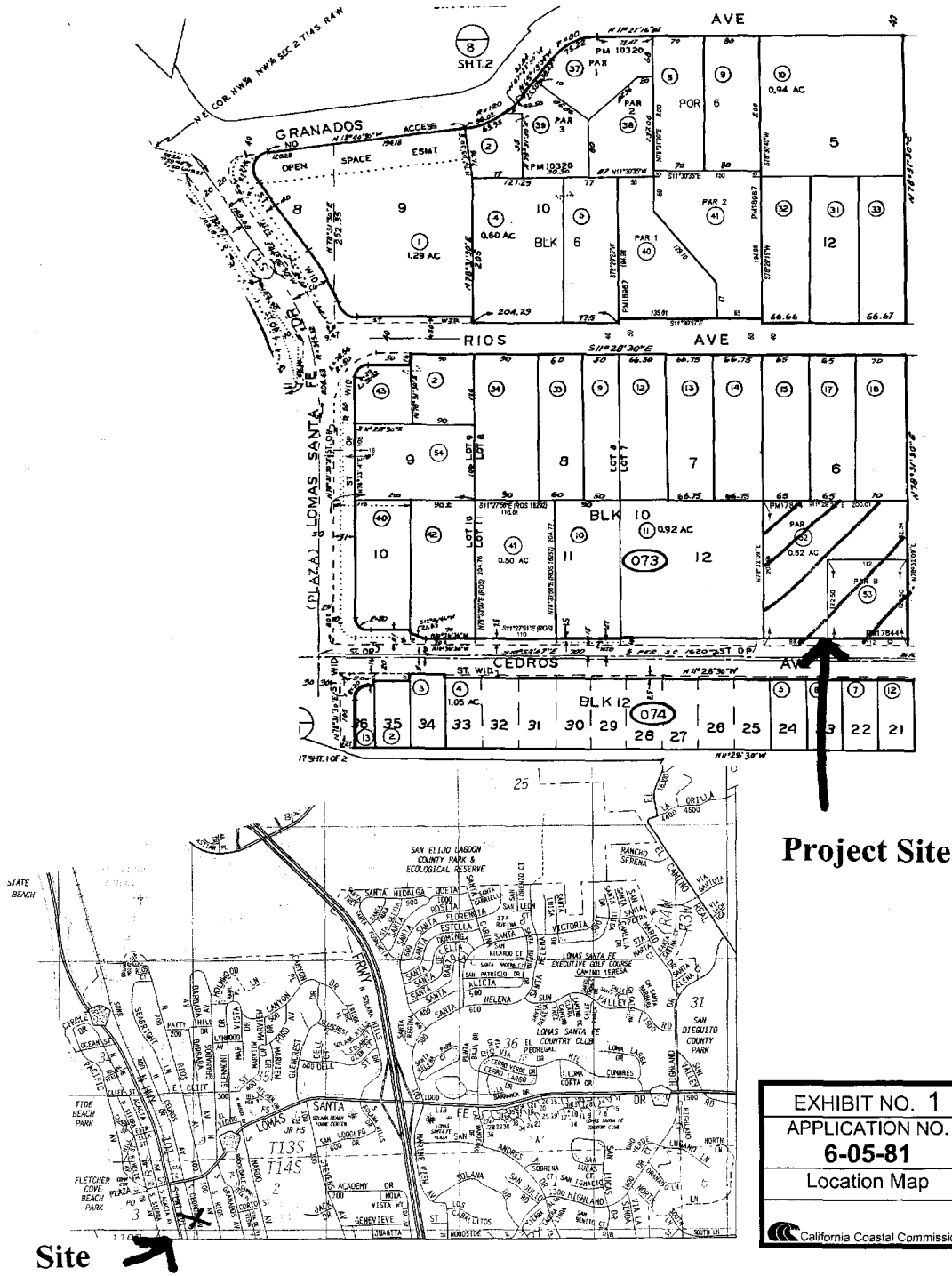
The subject site is currently zoned Special Commercial and is designated for commercial and light industrial uses in the City of Solana Beach General Plan as well as in the previously-certified County LCP. Because of the intended pedestrian orientation of the Special Commercial zone, there are less stringent parking requirements in this zone than typically applied to development. The proposed development is consistent with this zoning designation. While the proposed development has been found to be consistent with the City's Highway 101 Specific Plan as it relates to parking requirements within the Cedros Design District, the future certified LCP will need to include measures that provide additional incentives to employees and customers of businesses within the City of Solana Beach, especially businesses in close proximity to the shoreline, to make use of alternative forms of transportation such as bicycles, buses and trains. With such provisions, the existing level of public parking for beachgoers can be better preserved. In addition, the proposed project, as conditioned, is consistent with all applicable Chapter 3 policies of the Coastal Act and no adverse impacts to coastal resources are anticipated. Therefore, the Commission finds the proposed project, as conditioned, should not prejudice the ability of the City of Solana Beach to prepare a certifiable local coastal program.

8. Consistency with the California Environmental Quality Act (CEQA). Section 13096 of the Commission's Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The proposed project has been conditioned in order to be found consistent with the Chapter 3 policies of the Coastal Act. Mitigation measures, including conditions addressing potential visual impacts through a landscaping and signage plan and potential water quality impacts through the submission of a Best Management Plan will minimize all adverse environmental impacts. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact 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.



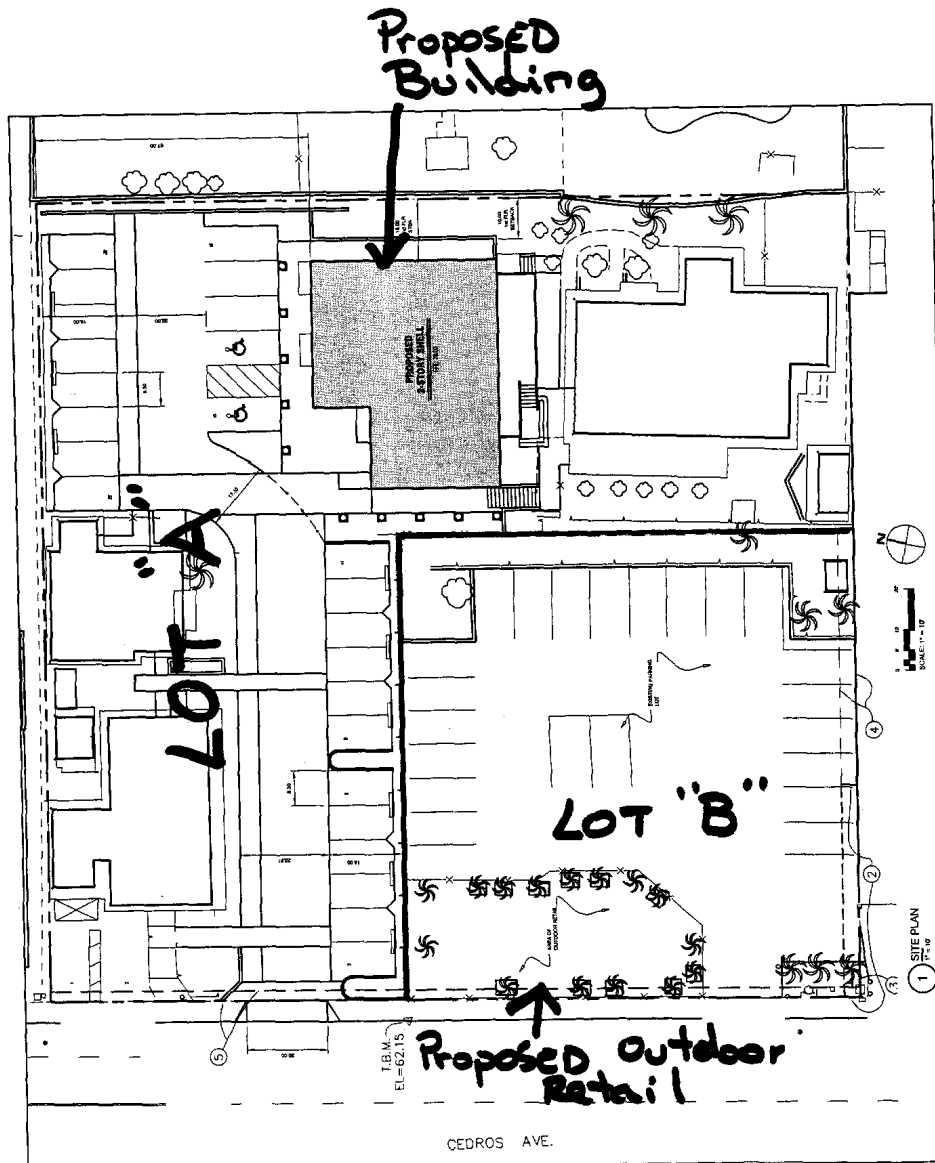


EXHIBIT NO. 2
APPLICATION NO.
6-05-81
Site Plan
California Coastal Commission

PARCEL MAP NO. 17844

PROCEDURE OF SURVEY

SHEET 2 OF 2 SHEETS  
TPM 17-95-26

NOTES:  
1. ALL LOTS ARE SHOWN AS NOTED.  
2. ALL LOTS ARE SHOWN AS NOTED.  
3. ALL LOTS ARE SHOWN AS NOTED.

BASEMENTS OF RECORD

1. 17-95-26 IN THE COUNTY OF SAN DIEGO FOR PLANS 2000.
2. 17-95-26 IN THE COUNTY OF SAN DIEGO FOR PLANS 2000.
3. 17-95-26 IN THE COUNTY OF SAN DIEGO FOR PLANS 2000.

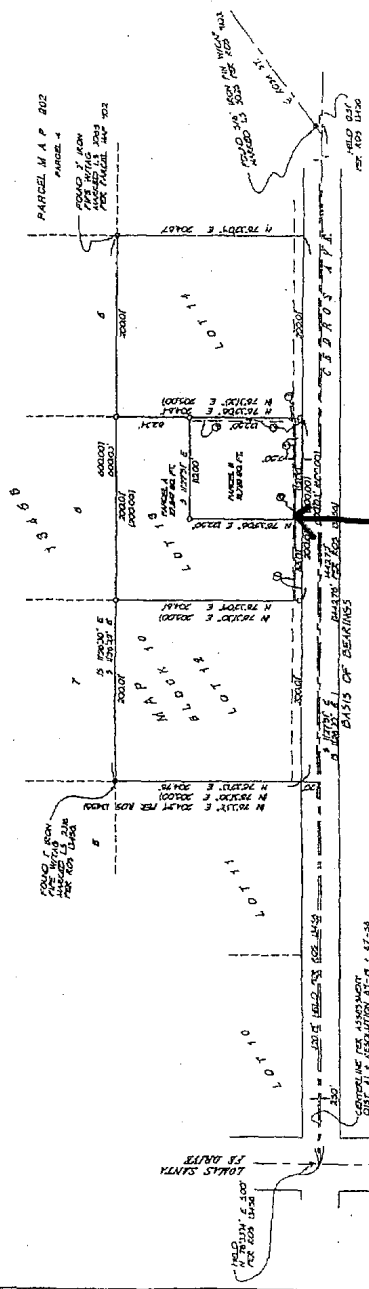
NOTES

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3. 17-95-26 IN THE COUNTY OF SAN DIEGO FOR PLANS 2000.

THE SURVEY WAS MADE BY THE CITY OF SAN DIEGO FOR PLANS 2000.

SCALE 1" = 50'



BLOCK 12  
MAP 18458

EXHIBIT NO. 3
APPLICATION NO.
6-05-81
Tentative Map

California Coastal Commission