

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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Filed: September 20, 2005
49th Day: November 8, 2005
180th Day: March 19, 2006 (waived)
270th Day: June 17, 2006
Staff: Anne Blemker-LB
Staff Report: April 20, 2006
Hearing Date: May 10-12, 2006
Commission Action:

W 5c**STAFF REPORT: CONSENT CALENDAR**

APPLICATION NUMBER: 5-05-373

APPLICANT: City of San Clemente Public Works Department
M. Akram Hindiye, Principal Civil Engineer

PROJECT LOCATION: 1304 Calle Valle, San Clemente, Orange County

PROJECT DESCRIPTION: Conversion of an approximately 0.14 acre portion of landscaped area into 16 parking spaces with a 136' long x 2' wide vegetated swale for treatment of parking lot runoff, at 10-acre Bonita Canyon Park.

LOCAL APPROVALS RECEIVED: City of San Clemente Planning Division Approval in Concept dated September 15, 2005.

SUBSTANTIVE FILE DOCUMENTS: City of San Clemente Certified Land Use Plan.

SUMMARY OF STAFF RECOMMENDATION:

Staff is recommending **APPROVAL** of the proposed project with three (3) special conditions, which require 1) compliance with construction-related best management practices (BMPs), 2) use of native plants or non-native drought tolerant plants, which are non-invasive, and 3) long term maintenance of the vegetated swale.

LIST OF EXHIBITS:

1. Vicinity Map
2. Assessor's Parcel Map
3. Project Plans

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.

RESOLUTION:

I. APPROVAL WITH CONDITIONS

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:

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 this permit is reported to the Commission. 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.

III. SPECIAL CONDITIONS:

1. Storage of Construction Materials, Mechanized Equipment and Removal of Construction Debris

The permittee shall comply with the following construction-related requirements:

- (a) No construction materials, debris, or waste shall be placed or stored where it may enter a storm drain leading to the ocean;
- (b) Any and all debris resulting from construction activities shall be removed from the project site within 24 hours of completion of construction;
- (c) Erosion control/sedimentation Best Management Practices (BMPs) shall be used to control sedimentation impacts to coastal waters during construction. BMPs shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into the storm drain system and a pre-construction meeting to review procedural and BMP guidelines;
- (d) Construction debris and sediment shall be removed from construction areas each day that construction occurs to prevent the accumulation of sediment and other debris which may be discharged into coastal waters. Debris shall be disposed at a debris disposal site outside the coastal zone.

2. Landscaping

Vegetated landscaped areas shall only consist of native plants or non-native drought tolerant plants, which are non-invasive. Any proposed changes to the approved plan shall be reported to the Executive Director. No changes to the approved plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

3. Vegetated Swale Design and Maintenance

The selected BMP (vegetated swale) shall be designed, installed/implemented and maintained in accordance with well-recognized and accepted design principles and guidelines, such as those contained in the California Stormwater Quality Association Best Management Practice Manuals. The applicant shall carry out routine and recommended maintenance, including inspection and regular cleaning of the swale, to ensure its effectiveness prior to, and during, each rainy season from October 15th through April 30th of each year. Such maintenance activities shall include, but not be limited to, the following specifications:

- 1) All BMP traps/separators and/or filters shall be, at a minimum, cleaned prior to the start of the winter storm season, no later than October 15th each year, inspected monthly thereafter for the duration of the rainy season (October 15th - April 30), and cleaned/maintained as necessary based on inspection.
- 2) The vegetated swale shall be checked regularly for signs of erosion, vegetation loss, and channelization of flow. Vegetation shall be re-planted as necessary to maintain density and coverage.

IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. PROJECT LOCATION AND DESCRIPTION

The proposed project will occur within a developed portion of Bonita Canyon Park at 1304 Calle Valle in the City of San Clemente, Orange County (Exhibits 1 & 2). Bonita Canyon Park is an approximately 10-acre municipal recreation area located within a fully built-out portion of the City, adjacent to both residential and industrial development. The project site is designated “Public” in the City’s General Plan and certified Land Use Plan (LUP). The proposed project is consistent with this designation.

The proposed project includes the conversion of an approximately 0.14 acre portion of landscaped area into 16 parking spaces with a 136’ long x 2’ wide x 6” deep vegetated swale for treatment of parking lot runoff (Exhibit 3). The project will require the removal of 3 existing parking spaces and the construction of 16 new spaces, for a net gain of 13 spaces. The additional spaces are intended to support use of Bonita Canyon Park, which currently has 53 parking spaces in two lots (35 spaces at Boys and Girls Club lot and 18 at Calle Valle lot). With the proposed project, the total number of spaces will be 66. The City asserts that additional parking is required to serve the various amenities provided at the park. The park provides both active and passive recreational opportunities. Amenities include basketball courts, baseball/softball fields, tennis courts, a Boys and Girls Club building, children’s play equipment, picnic areas and restrooms. The area to be converted to parking is not active park area due to its steepness. The site is currently a landscaped sloping area directly adjacent to an existing parking lot serving City park facilities. One tree will be removed as part of the project, but is not determined to provide sensitive habitat. Two trees will be planted in the new planter areas located on either side of the added parking area.

In order to address water quality concerns, the City has incorporated various best management practices (BMP) into the currently proposed project. The project includes a new vegetated swale along the entire length of the additional parking lot in order to treat surface runoff from the lot. The swale will be planted with sod. The project also includes the placement of a covered trash receptacle in the parking lot. The City will maintain the vegetated swale on a regular basis and sweep the new parking area twice a week.

Landscaping in the vegetated swale and new planter areas will consist of non-invasive, drought-tolerant plants. The placement of vegetation that is considered to be invasive which could supplant native vegetation should not be allowed. Invasive plants have the potential to overcome native plants and spread quickly. Invasive plants are generally those identified by the California Invasive Plant Council (<http://www.cal-ipc.org/>) and California Native Plant Society (www.CNPS.org) in their publications. Furthermore, any plants proposed should be drought tolerant to minimize the use of water. The term drought tolerant is equivalent to the terms 'low water use' and 'ultra low water use' as defined and used by "A Guide to Estimating Irrigation Water Needs of Landscape Plantings in California" prepared by University of California Cooperative Extension and the California Department of Water Resources dated August 2000 available at <http://www.owue.water.ca.gov/landscape/pubs/pubs.cfm>.

Public access to the beach is available at the North Beach access point, located approximately one mile southwest of the subject site. Public recreational access is available throughout the 10-acre Bonita Canyon Park.

Work is anticipated to commence in Summer 2006 and take approximately 30 calendar days to complete. Storage and staging of equipment will take place within the construction area for the new parking spaces. Although work will occur during the peak summer months, no roadway closure or traffic impacts are proposed. Therefore, no public access impacts to the beach will occur. No impacts to continued use of the recreational amenities of Bonita Canyon Park will occur.

During construction, the applicant will be required to implement best management practices (BMPs) designed to minimize erosion and prevent debris from entering the adjacent storm drain system.

After construction, the applicant will be required to carry out long-term maintenance of the water quality improvement (vegetated swale) to ensure its functionality. The swale will be maintained in accordance with the City's turf maintenance schedule for Bonita Canyon Park, which includes weekly mowing during the growing season and regular trash removal. The vegetated swale must also be checked regularly for signs of erosion, vegetation loss, and channelization of flow. Vegetation will be required to be re-planted as necessary to maintain density and coverage.

B. DEVELOPMENT

As proposed, the development is located within an existing developed area and is compatible with the character and scale of the surrounding area. Therefore, the Commission finds that the development conforms with Sections 30250, 30251, and 30252 of the Coastal Act.

C. WATER QUALITY

The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. The development, as proposed and as conditioned, incorporates design features to minimize the effect of construction and post construction activities on the marine environment. These design features include, but are not limited to, the appropriate management of equipment and construction materials and for the use of post construction best management practices to minimize the project's adverse impact on coastal waters. Therefore, the Commission finds that the proposed development, as conditioned, conforms with Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

D. PUBLIC ACCESS

The proposed development will not affect the public's ability to gain access to, and/or to make use of, the coast and nearby recreational facilities. Therefore, as proposed the development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

E. LOCAL COASTAL PROGRAM

The Commission certified the Land Use Plan for the City of San Clemente on May 11, 1988, and certified an amendment approved in October 1995. On April 10, 1998, the Commission certified with suggested modifications the Implementation Plan portion of the Local Coastal Program. The suggested modifications expired on October 10, 1998. The City re-submitted on June 3, 1999, but withdrew the submittal on October 5, 2000. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified Land Use Plan for the area. 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.

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 can be found consistent with the requirements of the Coastal Act to conform to CEQA.

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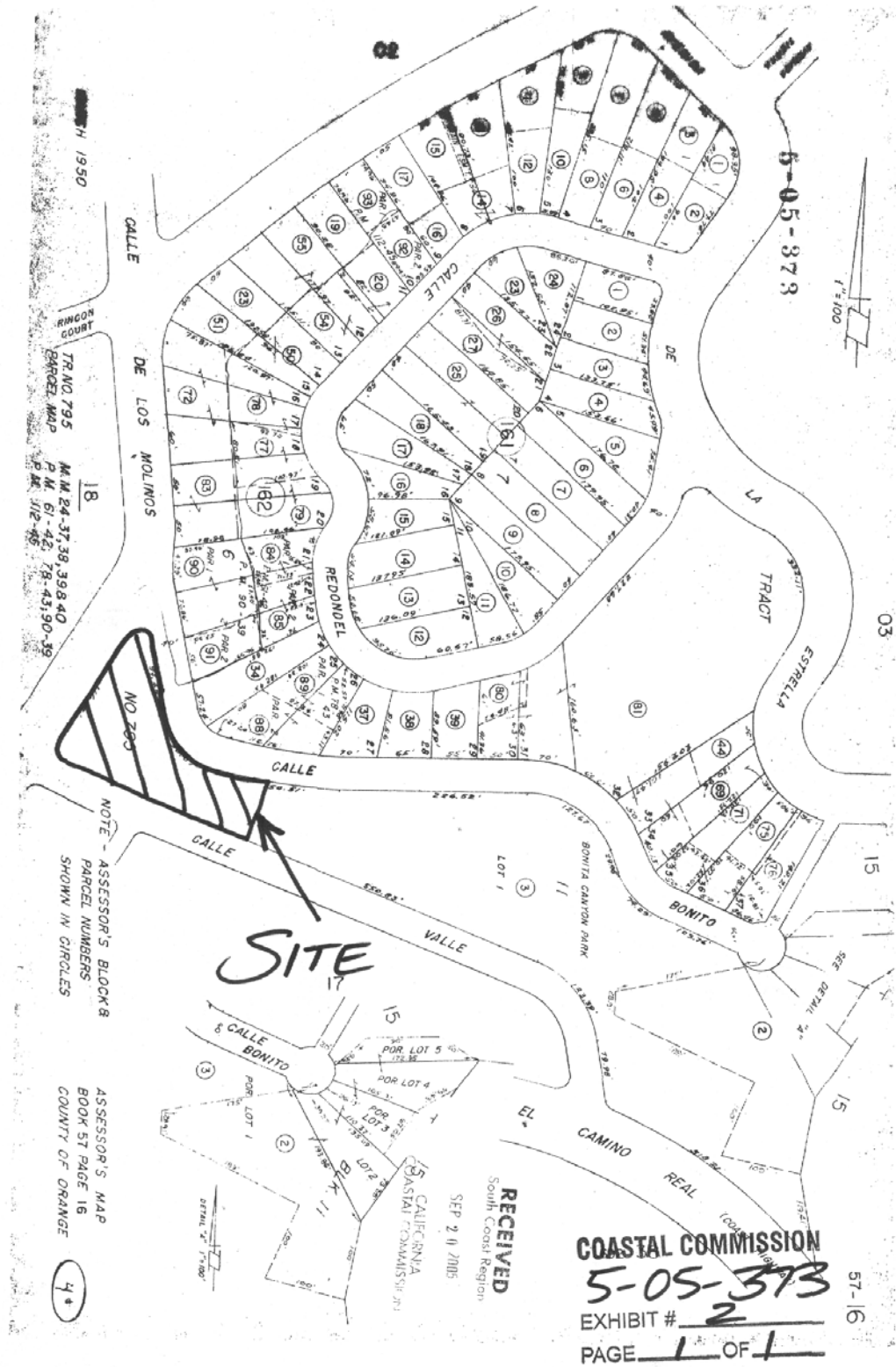
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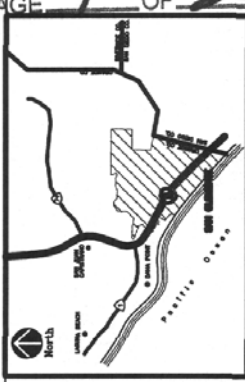

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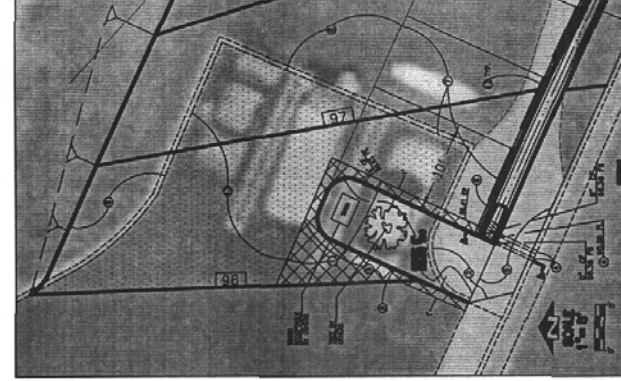
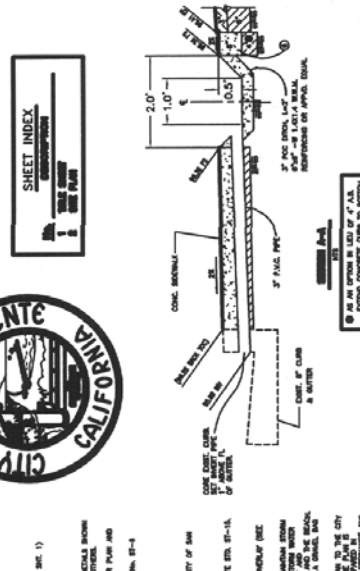
EXHIBIT # 1
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BONITO CANYON PARK SURPLUS PARKING

PROJECT No. 16147

COASTAL COMMISSION
EXHIBIT # 5-05-373
PAGE 1 OF 2

CITY OF SAN CLEMENTE

BONITO CANYON PARK SURPLUS PARKING
Project No. 16147

DATE: 4/23/2006 3:03:07 PM PST

REVISIONS

NO.	DATE	DESCRIPTION
1		
2		

REFERENCES

1. ALL WORK SHALL CONFORM TO THE STANDARD PLANS AND SPECIFICATIONS OF THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND PUBLIC UTILITIES (CALTRANS) AND THE CITY OF SAN CLEMENTE. ALL WORK SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE CITY ENGINEER.

2. ALL MATERIALS AND LABORERS SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF THE CITY ENGINEER.

3. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND NOTICES FROM THE CITY OF SAN CLEMENTE AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND PUBLIC UTILITIES (CALTRANS) PRIOR TO THE START OF CONSTRUCTION.

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