

CALIFORNIA COASTAL COMMISSION

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



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Filed: April 2, 2007
 49th Day: May 21, 2007
 180th Day: September 29, 2007
 Staff: D. Lilly-SD
 Staff Report: April 16, 2007
 Hearing Date: May 9-11, 2007

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-07-37

Applicant: Meridian Horsemen Properties, LLC **Agent:** Michael Tan

Description: Construction of a 2-story, 6,722 single-family residence including a 682 sq.ft. attached garage on a 77,536 sq.ft. site.

Lot Area	77,536 sq. ft.
Building Coverage	3,933 sq. ft. (5%)
Pavement Coverage	8,160 sq. ft. (11%)
Landscape Coverage	9,908 sq. ft. (13%)
Unimproved Area	55,536 sq. ft. (71%)
Parking Spaces	3
Zoning	RS
Plan Designation	Residential 1 du/ac
Ht abv fin grade	28 feet

Site: 16061 Via Monte (Horseman's Court), Rancho Santa Fe, San Diego County. APN 302-180-61.

Substantive File Documents: Certified County of San Diego Local Coastal Program, CDP #6-99-148

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.

The permit is subject to the following conditions:

1. Final Plans. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit to the Executive Director for review and written approval, final site, building, elevation and drainage plans for the permitted development that have been approved by the County of San Diego. Said plans shall be in substantial conformance with the plans submitted by bha, inc., date stamped received on 3/20/07, and shall include the following:

- a. A brush management plan for the site approved by the Rancho Santa Fe Fire Department indicating that no vegetation clearing or thinning is required in the existing open space.
- b. Runoff from the roof, driveway and other impervious surfaces will 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. Drainage from all impervious surfaces shall be directed into landscaped areas in a non-erosive manner prior to discharge off-site.

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

2. Revised Landscaping Plan. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and written approval of the Executive Director a revised final landscape plan developed in consultation with the California Department of Fish and Game and approved by the County of San Diego. Said plan shall be in substantial conformance with the plans submitted with this application by Darsono Design Associations, Inc., date stamped received on 3/20/07, but shall be revised to include the following requirements:

- a. The landscape palate shall emphasize the use of drought-tolerant native species, but use of drought-tolerant, non-invasive ornamental species and lawn area, is allowed as a small component. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive 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.
- b. A planting schedule that indicates that the planting plan shall be implemented within 60 days of completion residential construction
- c. A written commitment by the applicant that all required plantings shall be maintained in good growing condition, and whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape screening requirements.
- d. Rodenticides containing any anticoagulant compounds (including, but not limited to, Warfarin, Brodifacoum, Bromadiolone or Diphacinone) shall not be used.
- e. Five years from the date of issuance of the coastal development permit, the applicant shall submit for 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 written approval of the Executive Director. The revised landscaping plan must be prepared by a licensed Landscape Architect or 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 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.

3. Grading/Erosion Control. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant for shall submit to the Executive Director for review and written approval, final site and grading plans stamped and approved by the County of San Diego with plan notes specifically stating and incorporating the following requirements:

A. Placement of a silt fence around the project anywhere there is the potential for runoff during construction. Check dams, sand bags, straw bales and gravel bags shall be installed as required in the County's grading ordinance. Hydroseeding, energy dissipation and a stabilized construction entrance shall be implemented as required by the County. All disturbed areas shall be revegetated after grading. The site shall be secured daily after grading with geotextiles, mats and fiber rolls. Concrete, solid waste, sanitary waste and hazardous waste management BMPs shall be used.

B. Demonstration that all on-site temporary and permanent runoff and erosion control devices are installed and the County of San Diego Engineer has determined that all measures are in place to minimize soil loss from the construction site.

The permittee shall undertake development in accordance with the approved plans. Any proposed changes to the approved erosion control 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. Other Special Conditions of Approval. All special conditions imposed in CDP #6-99-148 shall remain in full force and effect.

IV. Findings and Declarations.

The Commission finds and declares as follows:

A. Detailed Project Description/History. The proposed project is construction of a 2-story, 6,722 single-family residence, including a 682 sq.ft. attached garage, on a 77,536 sq.ft. site. The subject site is Lot #2 of a project approved by the Commission in March 2000, for subdivision of a 17.93-acre site into 10 lots (#6-99-148/Horseman's Valley South). The subdivision is located at the northwest corner of Highland Drive and El Camino Real, in an unincorporated area of the County of San Diego.

El Camino Real forms the inland boundary of the Coastal Zone in this area. The area is characterized by large-lot residential development. Across Highland Drive to the south is San Dieguito County Park, a mostly developed park and recreation area.

The subdivision permit included authorization for the construction of internal streets (Horseman's Lane) and installation of utilities and stormwater control BMPs. The permit also established a brush management plan to permanently protect the sensitive on-site

habitat from encroachment from future structures or necessary fuel modification for fire safety purposes. The brush management plan consisted of placing the sensitive native vegetation in open space and establishing a 50-foot wide fuel-modification zone next to the open space wherein thinning of vegetation would be permitted, as would such structures and landscaping as permitted by the fire department. In some locations, a non-combustible wall would be constructed between the open space and the fuel-modification zone. Since the subdivision was original approved, the Commission has approved a minor modification of the fuel modification program for Lot #9 (#6-99-148-A2) and construction of five single-family residences within the subdivision (#6-03-76; #6-99-148-A2). Construction of internal streets and utility improvements has been completed.

The subject site fronts on El Camino Real. There is no native vegetation on the site and no open space designation on the lot. A 50-foot wide fuel modification zone has been designated on the west side of the lot, between the site and an open space area to the west (see Exhibit #*). Because the access street is located between the subject site and the adjacent open space (within the fuel modification zone), a non-combustible wall was not required on the subject site. The proposed structure will be located more than 100 feet from the open space, and the Rancho Santa Fe Fire Department has given the applicant a preliminary indication that no vegetation removal within approved open space areas would be required. Special Condition #1 requires the submittal of final plans, stamped and approved by the Fire Department, confirming that no fuel modification of any kind will occur in open space. Special Condition #2 requires a landscaping plan that ensures no invasive plant species will be planted on the site that could impact the sensitive resources in the adjacent open space. Special Condition #3 requires implementation of a grading and erosion control plan incorporating and permanent runoff and erosion control devices to ensure downstream resources are protected. Special Condition #4 states that the conditions imposed in CDP #6-99-148 remain in full force and effect.

The project site is located within the unincorporated County of San Diego. The Chapter 3 policies of the Coastal Act are the standard of review.

B. Biological Resources. The site is located with the Coastal Resource Protection (CRP) Overlay Zone identified in the County's certified LCP. The overlay was developed in response to Coastal Act policies 30240 and 30251 and restricts the alteration of natural landforms and protects sensitive habitats. The CRP Overlay limits the development of naturally vegetated slopes in excess of 25% grade. Section 30231 of the Coastal Act requires that coastal waters are protected and runoff minimized.

The proposed development will not have an adverse impact any natural steep slopes or sensitive habitat, and will not result in erosion or adverse impacts to water quality. Thus, the project is consistent with the provisions of the CRP ordinance and with the resource and visual protection policies of Chapter 3 of the Coastal Act.

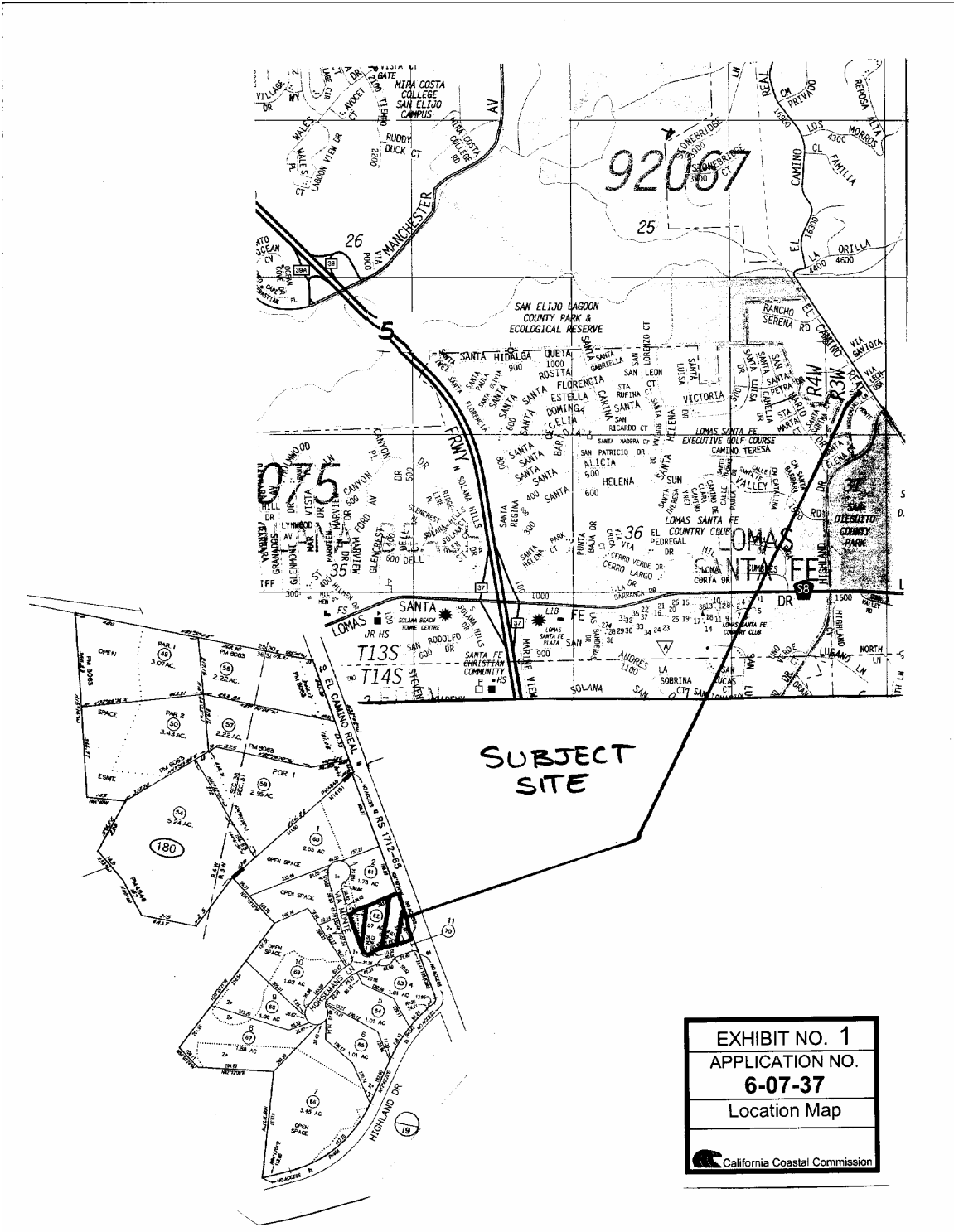
C. Community Character/Visual Quality. The development is located within an approved subdivision and, as conditioned, will be compatible with the character and scale of the surrounding area and will not impact public views. Therefore, the Commission finds that the development, as conditioned, conforms to Section 30251 of the Coastal Act.

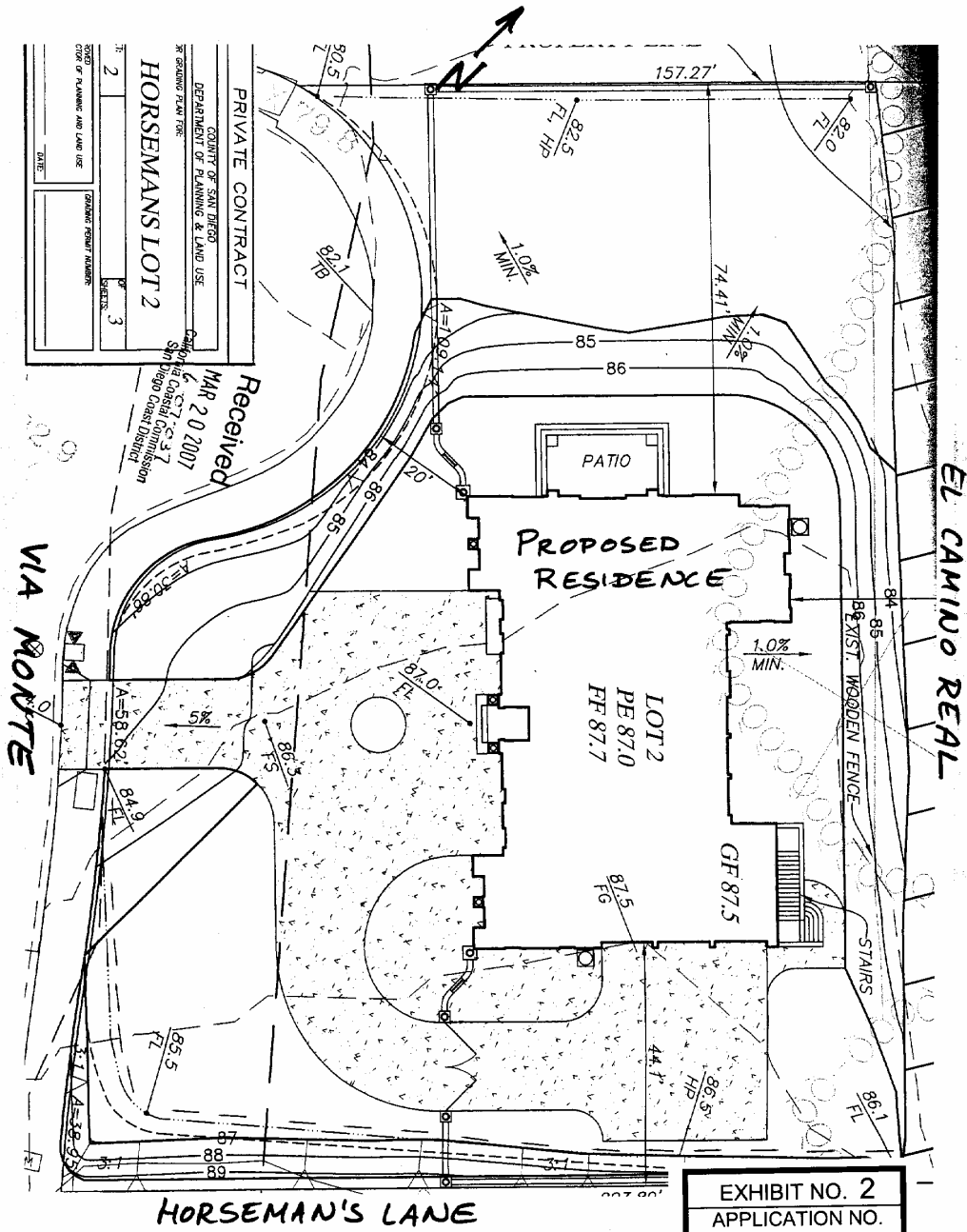
D. Local Coastal Planning. The County of San Diego does not have an effectively certified LCP. As conditioned, the proposed development will be consistent with Chapter 3 of the Coastal Act. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3.

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, 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.





PRIVATE CONTRACT
COUNTY OF SAN DIEGO
DEPARTMENT OF PLANNING & LAND USE
APPLICANT: [REDACTED]
PROJECT: [REDACTED]
DATE: [REDACTED]

Received
MAR 20 2007
California Coastal Commission
San Diego Coastal District

EXHIBIT NO. 2
APPLICATION NO.
6-07-37
Site Plan
California Coastal Commission

