

CALIFORNIA COASTAL COMMISSION

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STAFF REPORT: CONSENT CALENDAR

Application Number: 5-15-0969

Applicant: 101 Avenida Calafia, LLC (Attn: Moti Michael Gumbard)

Project Location: 101 Avenida Calafia, City of San Clemente, Orange County

Project Description: Construction of an approximately 19,677 sq. ft., 44.49-ft. high, two-story 60-bed (40-room) assisted living facility for the cognitively impaired with onsite surface and subterranean parking (totaling to 32 parking spaces), and hardscape and landscaping improvements on a 28,111 sq. ft. vacant lot. The applicant is also proposing the removal of non-native trees onsite and on the northwest corner of San Clemente State Beach Park, adjacent to the project site. Approximately 4,730 cu. yds. of soil export is proposed for parking garage excavation.

Staff Recommendation: Approval with conditions.

SUMMARY OF STAFF RECOMMENDATION

Commission staff is recommending **APPROVAL** of the proposed assisted living facility. The project site is located at the corner of Avenida Calafia and Avenida Del Presidente, just across the street and directly south of the Calafia off-ramp from the Interstate 5 Freeway, abutting the San Clemente Inn, located to the south and southeast, and the San Clemente State Beach Park located to the southwest. The proposed development raises issues concerning potential impacts to public access, visual quality, and water quality. Therefore, the proposed project will be conditioned to mitigate the identified impacts. Commission staff recommend approval of Coastal Development Permit No. 5-15-0969 with conditions relating to submittal of revised final plans, land use, discretionary approval, landscaping, timing, construction responsibilities, water quality management plan, future development, permit compliance, and recordation of a deed restriction.

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Appendix A - Substantive File Documents

EXHIBITS

- Exhibit 1 – Project Location
- Exhibit 2 – Site Plan & Floor Plans
- Exhibit 3 – Elevations
- Exhibit 4 – Tree removal area on State Parks property

I. MOTION AND RESOLUTION

Motion:

I move that the Commission approve coastal development permit applications included on the consent calendar in accordance with the staff recommendations.

Staff recommends a **YES** vote. Passage of this motion will result in approval of all permits included on the consent calendar. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.

Resolution:

The Commission hereby approves a permit, subject to the conditions below, for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the provisions of Chapter 3 of the California 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 alternative that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

This permit is granted subject to the following 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.

III. SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

1. **Submittal of Revised Plans.** PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the Executive Director's review and approval, two (2) full size sets of revised project plans in substantial conformance with the plans submitted for this application by Michael Luna & Associates dated April 25, 2017.

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 a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

2. **Land Use.** The applicant shall work with and encourage the City of San Clemente to resolve any land use discrepancies in the City of San Clemente's certified Coastal Land Use Plan associated with the proposed project allowing assisted living facilities and other similar eldercare facilities as allowable uses within Community Commercial 3 (CC3) designated lots. This requirement shall expire upon successful resolution of the discrepancy or two (2) years from the date of permit issuance, whichever occurs earlier.

3. **California Department of Parks and Recreation Approval.**

- A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and approval, evidence that the California Department of Parks and Recreation (State Parks) has approved the proposed removal of non-native trees at the San Clemente State Beach Park property, abutting the project site.
- B. PRIOR TO THE CITY ISSUANCE OF A CERTIFICATE OF OCCUPANCY for the proposed project, the proposed non-native tree removal at the State Beach Park as generally depicted on **Exhibit 4** shall be completed.

4. **Timing and Operational Constraints**

- A. To avoid adverse impacts on sensitive bird species, tree removal activities shall not occur during the bird nesting season between March 1 and August 31 of any year. A qualified biologist or environmental resources specialist shall conduct a survey of the project site, to determine presence and behavior of sensitive species, prior to commencement of any development, the applicant shall submit the contact information of all monitors with a description of their duties and their on-site schedule. Project activities, including vegetation removal, shall not occur until any sensitive species (e.g., species listed on state or federal endangered/threatened species lists) have left the project area or its vicinity. In the event that any sensitive wildlife species exhibit reproductive or nesting

behavior, the environmental specialist shall require the applicant to cease work, and shall immediately notify the Executive Director and local resource agencies. Project activities shall resume only upon written approval of the Executive Director. The monitor(s) shall require the applicant to cease work should any breach in permit compliance occur or if any unforeseen sensitive habitat issues arise. The monitor(s) shall immediately notify the Executive Director if activities outside of the scope of this coastal development permit occur. If significant impacts or damage occur to sensitive wildlife species, the applicant shall be required to submit a revised, or supplemental program to adequately mitigate such impacts. The revised, or supplemental, program shall be processed as an amendment to this coastal development permit.

- B. The permittee may undertake tree removal activities between March 1 and August 31 of any year upon obtaining a written statement of the Executive Director authorizing maintenance on specified dates. To obtain such a determination, the permittee must submit a declaration from the Department of Fish and Game stating that maintenance on the specific dates proposed will not cause adverse impacts to any sensitive or endangered species. The declaration must contain an assessment of the foraging, breeding, nesting activities of sensitive bird species found in the area and a statement that the maintenance activity on the specific dates proposed will not interfere with the foraging, breeding, nesting activities of the sensitive bird species.

5. Submittal of Revised Planting Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the Executive Director's review and approval, two (2) full sized sets of a revised planting plan prepared by an appropriately licensed profession that demonstrates the following:

A. Existing Vegetation

- (i) Location and type of trees and vegetation proposed to be removed on the project site and on State Beach Park property.

B. New Vegetation

- (i) Vegetated landscaped areas shall only consist of native plants or non-native drought tolerant plants, which are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), 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 a "noxious weed" by the State of California or the U.S. Federal Government shall be utilized within the property. All plants shall be low water use plants as identified by California Department of Water Resources (See: <http://www.owue.water.ca.gov/docs/wucols00.pdf>).
- (ii) Use of reclaimed water for irrigation is encouraged. If using potable water for irrigation, only drip or microspray irrigation systems may be used. Other water conservation measures shall be considered, such as weather based irrigation controllers.
- (iii) All vegetation within the 10 ft. setback along Avenida Calafia shall be restricted and maintained at a height of no greater than 6 ft. for the life of the proposed development.

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

6. Future Improvements. This permit is only for the development described in Coastal Development Permit No. 5-15-0969. Pursuant to Title 14 California Code of Regulations Section 13250(b)(6), the exemptions otherwise provided in Public Resources Code Section 30610(a) shall not apply to the development governed by Coastal Development Permit No. 5-15-0969. Accordingly, any future improvements to the single-family house pursued under this Coastal Development Permit No. 5-15-0969, including but not limited to repair and maintenance identified as requiring a permit in Public Resources Section 30610(d) and Title 14 California Code of Regulations Sections 13252(a)-(b), shall require an amendment to Permit No. 5-15-0969 from the Commission or shall require a new additional coastal development permit from the Commission or from the applicable certified local government.

7. Construction Best Management Practices.

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

- (a) No demolition or construction materials, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain, or tidal erosion and dispersion.
- (b) No demolition or construction equipment, materials, or activity shall be placed in or occur in any location that would result in impacts to environmentally sensitive habitat areas, streams, wetlands or their buffers.
- (c) Any and all debris resulting from demolition or construction activities shall be removed from the project site within 24 hours of completion of the project.
- (d) Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters.
- (e) All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day.
- (f) The applicant(s) shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.
- (g) Debris shall be disposed of at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is legally required.

- (h) All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil.
- (i) Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems.
- (j) The discharge of any hazardous materials into any receiving waters shall be prohibited.
- (k) Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible.
- (l) Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity.
- (m) All BMPs shall be maintained in a functional condition throughout the duration of construction activity.
- (n) Staging and storage of construction equipment and materials (including debris) shall not take place on the beach.
- (o) All beaches, beach access points, and other recreational use areas impacted by construction activities shall be restored to their pre-construction condition or better within three days of completion of construction. Any beach sand impacted shall be filtered as necessary to remove all construction debris from the beach.

8. Water Quality Management Plan.

- A. The applicant shall implement structural and/or non-structural Best Management Practices (BMPs) designed to minimize pollutant loads contained in runoff prior to entering the storm water conveyance system and to maintain post-development peak runoff rate and average volume from the site at levels similar to pre-development conditions, to the extent feasible. The BMPs may include, but are not limited to:
 - (i) Design elements that serve to minimize directly connected impervious area and maintain permeable space within the development shall be incorporated where feasible. Options include the use of alternative design features such as concrete grid driveways and/or pavers for walkways, and/or porous material for or near walkways

and driveways;

- (ii) Sweep parking lot(s) with a vacuum regenerative sweeper on a regular (no less than monthly) basis;
- (iii) Installation of catch basin inserts or vegetative or other media filtration devices effective at trapping and/or mitigating contaminants such as petroleum hydrocarbons, heavy metals and particulates, in addition to trash and large debris. Selected BMPs shall be of a design capacity capable of mitigating (infiltrating or treating) stormwater runoff from each runoff event up to and including the 85th percentile 24-hour runoff event;
- (iv) Routine maintenance, including inspection and regular cleaning of approved BMPs, to ensure their effectiveness prior to, and during, each rainy season from October 15th through April 31st of each year. Debris and other water pollutants contained in BMP device(s) will be contained and disposed of in a proper manner on a regular basis. All BMP traps/separators and/or filters must be cleaned prior to the start of the winter storm season, no later than October 15th each year. The BMPs shall be maintained to uphold their functionality.

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

9. Permit Compliance. All development must occur in strict compliance with the proposal as set forth in the application, subject to any special conditions imposed herein. Any deviation from the approved plans must be submitted for review by the Executive Director to determine whether an amendment to this Coastal Development Permit No. 5-15-0969 is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations.

10. Deed Restriction. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the applicant has executed and recorded against the parcel(s) governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

IV. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION AND LOCATION

The applicant is proposing to construct an approximately 19,677 sq. ft., 44.49-ft. high, two-story 60-bed (40-room) assisted living facility for the cognitively impaired, specifically focused on Dementia and Alzheimer's residents, on a 28,111 sq. ft. vacant lot. Out of the 40 rooms, only half are proposed for double occupancy. The proposed facility will have surface and subterranean parking with a total of 32 onsite parking spaces. The proposed project includes hardscape and landscaping improvements. The applicant is also proposing non-native, exotic tree removal onsite and on the San Clemente State Beach Park, adjacent to the project site. Approximately 4,730 cu. yds. of soil export is proposed for parking garage excavation. **Exhibits 2 & 3** show conceptual plans of the proposed development; **Special Condition 1** requires the submittal of final revised plans.

The subject site is a roughly triangular-shaped vacant lot located at the corner of Avenida Calafia and Avenida Del Presidente, just across the street and directly south of the Calafia off-ramp from the Interstate 5 Freeway (**Exhibit 1**). The 28,111 sq. ft. site is relatively flat, sloping gently downward from Avenida Del Presidente toward the ocean to the west and south. The subject property abuts the San Clemente Inn, located to the south and southeast of the project site, and the San Clemente State Beach Park, located to the southwest. A mix of single-family and multi-family residential development is located to the northwest, and I-5 to the North. The nearest coastal access is available via an at-grade railroad crossing at San Clemente State Beach approximately 1/2 of a mile southwest of the subject site (**Exhibit 1**).

The site is designated CC3 (Community-Serving Commercial) in the City's General Plan and certified Land Use Plan (LUP). According to the City's certified LUP, "typical principal uses" allowable under the CC3 designation includes retail commercial, eating and drinking establishments, household goods, food sales, drugstores, building materials and supplies, professional offices, personal services, recreational commercial, overnight accommodations, cultural facilities, and similar uses. The proposed assisted living facility is not explicitly listed as a "typical principal use" under this CC3 designation in the certified LUP. The City, however, has indicated to Coastal staff that it intends to add uses such as congregate care and senior housing as allowable uses under this designation through the pending San Clemente Local Coastal Program (LCP) update and certification. In approving the proposed development, the City stated:

"The most similar use in the Zoning Ordinance to an assisted living facility is congregate care. Congregate Care is primarily for seniors, is similar to independent living, and meal service is not always included. The assisted living facility provides similar services to congregate care but the patients are largely, but not always seniors, meals are provided, housekeeping is provided, and vital sign and medication management is provided."

The City found assisted living facilities to be consistent with congregate care and, consequently, granted the applicant a conditional use permit for the proposed project. Although assisted living facilities may be comparable to congregate care, and to some limited extent, senior housing, the proposed use nevertheless differs from these other uses. Consequently, the proposed use warrants its own classification and the LCP should explicitly list this category as a principal use allowable under

the CC3 designation. Therefore, staff recommends **Special Condition 2**, requiring that the applicant work with the City to address this land use discrepancy and incorporate assisted living facilities as an allowable use in the future LCP.

The project received detailed review at the local level regarding the appearance of the proposed structures. As proposed, the buildings will be constructed in a style reflecting traditional Spanish architecture, and will incorporate articulation and building elements that help reduce the apparent building mass, including varying rooflines, deck elements and stone wall accents. However, the City's analysis did not specifically define or protect ocean views across the site.

The proposed project site is highly visible from Interstate 5 and the off-ramp ending at the intersection of Avenida Del Presidente and Avenida Calafia, and is one of the few areas where blue-water ocean views are available across the site and Avenida Calafia from the vicinity of the highway. Section 30251 of the Coastal Act states that where feasible, permitted development shall be sited and designed to restore and enhance visual quality in visually degraded areas. Through past actions, the Commission has required the preservation of views from the freeway in permit approvals in San Clemente, including a previous project approved on this site (CDP No. 5-04-451), which included the approval of two detached office building, and the Marblehead project located a few miles upcoast of this site (CDP 5-03-013). Therefore, the subject site presents a prime opportunity for an enhanced public view corridor.

It should be noted, however, that the ocean views (bluewater & horizon) available from across the project site are limited and interrupted by existing landscaping, and, to a lesser extent, the buildings located seaward of the subject site, which are at a significantly lower elevation than the subject lot. In addition, it would be difficult for any structure proposed on the lot to not have some impact on ocean views. Therefore, the applicant is proposing to enhance the existing panoramic view available across Avenida Calafia from the off-ramp and public streets/sidewalk to offset any potential impact to coastal views by conforming to the required 10 ft. side yard setback, although the City granted the applicant a variance for a reduced setback of 8 ft., and by proposing to remove existing vegetation/trees on the west side of the project site along Avenida Calafia to help widen this panoramic view. Additionally, the applicant has lowered and stepped back the westerly elevation of the development along Avenida Calafia to improve the view corridor, and to provide a transition between the proposed development and the one- to two- story residences located northwest of the project site to address community character.

The applicant is also proposing to remove non-native, exotic trees from the northeast corner of San Clemente State Beach Park located within the panoramic view corridor from Avenida Calafia; although, removal efforts will be focused on one existing, large Ficus spp. tree located within this line of site to the ocean (**Exhibit 4**). After discussions with the California Department of Parks and Recreation (State Parks), the applicant has received preliminary approval for such activities. Because the applicant is proposing work within the adjacent State Beach Park property, the applicant will need to verify that the State Parks has approved the applicant's plan to remove non-native trees within State Parks property; therefore, **Special Condition 3** requires the applicants to provide proof of State Park's approval for such activities. The Commission imposes **Special Condition 4**, which implements a timing constraint to avoid adverse impacts on sensitive species and bird nesting activities.

The applicant is also proposing new landscaping on the site. Using landscaping to both soften views of the proposed structures and provide a vertical design element on the site are important to maintaining the aesthetic qualities of the area. However, whether the visual enhancement noted above is preserved is contingent on the proposed size and location of the new landscaping. Therefore, staff recommends **Special Condition 5**, which requires revised landscape plans that limits the vegetation proposed along west side of project site, within the 10 ft. side yard setback along Avenida Calafia, to a height of 6 ft. Additionally, in order to minimize water use and water runoff from the subject site, Special Condition 5 also requires the applicant utilize drought tolerant, non-invasive plant species and water conservative irrigation systems.

Regarding potential adverse impacts to coastal access, the applicant has submitted a parking analysis indicating that an adequate supply of parking will be provided onsite to support the proposed development. According to the applicant, peak staffing of no more than 18 employees is expected to occur. In addition, the applicant has estimated that no more than twenty five percent (25%) of the occupants will be driving due to the nature of cognitive impairment, which will reduce onsite generated parking demand. To ensure that future development, such as an increase in the number of occupants, will not have an adverse impact to public access or coastal resources, a future improvement condition (**Special Condition 6**) is required.

The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters via the storm drain system. The City has required that the project be designed to meet all requirements of the National Pollutant Discharge Elimination System (NPDES), Federal, State, and San Diego Regional Water Quality Control Board regulations, in order to control pollutant run-off. In addition, to address post-construction water quality, the applicant proposes to treat and partially retain all site runoff via planter boxes prior to discharge to the curb and gutters. To protect water quality, the Commission imposes construction-related requirements and best management practices under **Special Conditions 7 and 8** in order to minimize adverse construction-related and post-construction impacts upon marine resources and for erosion control.

In conclusion, with Special Conditions addressing adverse impacts to coastal resources and public access will be minimized to the greatest extent feasible. In addition, the Commission imposes **Special Condition 9** requiring compliance with the approved plans and all special conditions of the permit. Additionally, **Special Condition 10** has also been attached to require the property to record a deed restriction against the property so as to notify all future property owners of the terms and conditions of approval to which they will also be responsible to adhere to. Therefore, the proposed project, as conditioned, is consistent with Chapter 3 policies of the Coastal Act and previous Commission approvals, and will not prejudice the City's ability to prepare an LCP.

B. PUBLIC ACCESS

The proposed development will not affect the public's ability to gain access to, and/or to use the coast and nearby recreational facilities. Therefore, as proposed the development, as conditioned, conforms to Sections 30210 through 30214, Sections 30220 through 30224, 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, reducing runoff through the use of permeable surfaces, the use of non-invasive drought tolerant vegetation to reduce and treat the runoff discharged from the site, 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. LOCAL COASTAL PROGRAM

Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal development permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program that conforms to Chapter 3 policies of the Coastal Act. 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 the policies contained in the certified Land Use Plan regarding enhancement of view corridors, the provision of public access, and the preservation of water quality. Therefore, approval of the proposed development will not prejudice the City's ability to prepare a Local Coastal Program for San Clemente that is consistent with the Chapter 3 policies of the Coastal Act as required by Section 30604(a).

E. CALIFORNIA ENVIRONMENTAL QUALITY ACT

As conditioned, there are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effect that 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.

APPENDIX A- SUBSTANTIVE FILE DOCUMENTS

1. City of San Clemente LUP
2. Coastal Development Permit (CDP) Application No. 5-15-0969
3. *Water Quality Management Plan (WQMP, Calafia Assisted Living Center, 101 Avenida Calafia, Parcel A, LLA 2006-223* prepared by Toal Engineering dated June 3, 2015.
4. *Parking Analysis for Raya's Paradise Residential Care Community, San Clemente, California* prepared by Patrick A. Gibson, P.E., PTOE dated September 7, 2016.
5. CDP No. 5-04-451