

CALIFORNIA COASTAL COMMISSION

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STAFF REPORT: MATERIAL PERMIT AMENDMENT

Amendment No.: 6-90-271-A1

Applicants: Bret Jorgensen and Susan Urquidi

Project Location: 1316 Neptune Avenue, Encinitas, San Diego County.
(APN: 254-210-15)

Description of Previously Approved Project: Construction of a 2-story, 4,200 sq. ft. single family home on a vacant blufftop lot.

Description of Amendment: Add a 270 sq. ft. cantilevered second-floor addition; new interior elevator; interior and exterior remodel; hardscape on a 3,950 sq. ft. blufftop lot.

Staff Recommendation: Approval with conditions.

SUMMARY OF STAFF RECOMMENDATION

The proposed addition and remodel requires a permit because a Special Condition on the permit approving construction of the home required that any future improvements receive a new permit or amendment.

The primary issues raised by this project relate to geologic stability and new development on blufftop lots. While the proposed project does not expand the existing residence seaward, new development on blufftop lots must be carefully examined to ensure that the development will not contribute to adverse impacts on the stability of coastal bluffs. Additionally, new development on coastal bluffs must be sited such that it

will be reasonably safe from coastal bluff failure and erosion over its lifetime, assumed to be 75 years, and so as not to require shoreline protection in the future.

The subject site is located on an approximately 70-foot high coastal bluff. Construction of the existing home was permitted by Commission permit No. 6-90-271 and the site is not currently protected by any shoreline protective devices. The certified Encinitas LCP, which the Commission uses for guidance, limits additions or expansions to blufftop homes to 10% of existing gross floor area or 250 sq ft., whichever is greater, until a comprehensive plan is developed and adopted to address the coastal bluff recession and shoreline erosion problems in the City. The City of Encinitas has not completed such a plan and as such, additions to blufftop homes are limited to 10% of the gross floor area, or 250 sq. ft., whichever is greater.

The project proposes an approximately 270 sq. ft. cantilevered addition located over the front entryway on the landward side of the home, roughly 70 feet from the edge of bluff, consistent with the above-mentioned limit to additions for blufftop homes in Encinitas. The project also proposes an interior elevator located approximately 70 feet from the edge of bluff. To accommodate the proposed elevator, an approximately 10-inch trench must be excavated beneath the home. This trench, as well as the other project elements, have been reviewed by the Commission's staff geologist and is not expected to have any adverse impacts to bluff stability given its shallow nature and location of approximately 70 feet from the edge of bluff. All proposed project elements are in compliance with the City's LCP requirements, including setback, height and maximum gross floor area ratio.

The City's LCP does not contain a definition for redevelopment, but typically considers projects involving demolition of more than 50% of the exterior walls to be redevelopment, and not improvements to an existing structure. In the case of the proposed project, approximately 47% of the first level exterior walls and approximately 45% of the second level exterior walls are being demolished, just under the 50% criteria. It is important to note that in addition to being very close to the threshold of demolition of exterior walls, most of the interior walls and features will be demolished and reconstructed. Although the project technically meets the standards for an addition, it will result in an almost new structure. Substantial remodels on blufftop sites need to be carefully reviewed since such substantial remodels effectively extend the life expectancy of the existing structure, which can eventually be at risk from coastal hazards including erosion and bluff retreat. However, the subject home is located approximately 40 feet from the edge of bluff, the minimum blufftop setback as required by the LCP, there is no shoreline protection currently impacting coastal resources, the project involves minimal foundation work, all of which will occur on the inland side of the site, and there will be no seaward expansion of the structure. Therefore, in this case, the remodel is not expected to result in adverse impacts to coastal resources.

To avoid potential adverse impacts to geologic stability, staff is recommending several special conditions. **Special Condition 1** requires submittal of final site construction and landscaping plans. **Special Condition 2** requires the applicant acknowledge that the development is proposed in a site subject to coastal hazards and assume the risks of development in such a location. **Special Condition 3** requires the applicant to waive

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any right to construct a future shoreline protective device. **Special Condition 4** requires the applicant to record a deed restriction against the property that imposes the conditions of the permit for the purpose of providing notice to future property owners. Therefore, as conditioned, the project will be consistent with the Chapter 3 policies of the Coastal Act and the City of Encinitas LCP, and no impacts to coastal resources are anticipated.

Commission staff recommends that the Commission **APPROVE** coastal development permit application 6-90-271-A1, as conditioned. The motion and resolution can be found on Page 5 of the staff report. Because the site is located between the sea and the first public roadway in an area with a certified LCP, the standard of review is the certified LCP and the public access and recreation policies of Chapter 3 of the Coastal Act.

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EXHIBITS

[Exhibit 1 – Vicinity Map](#)

[Exhibit 2 – Existing Site Conditions](#)

[Exhibit 3 – Site Plan](#)

[Exhibit 4 – Coastal Development Permit No. 6-90-271](#)

I. MOTION AND RESOLUTION

Motion:

I move that the Commission **approve** the proposed amendment to Coastal Development Permit 6-90-271-A1 subject to conditions set forth in the staff recommendation specified below.

Staff recommends a **YES** vote on the foregoing motion. 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 Commissioners present.

Resolution:

The Commission hereby approves the Coastal Development Permit amendment for the proposed project and adopts the findings set forth below on grounds that the development as amended and conditioned will be in conformity with the policies of the Encinitas LCP and Chapter 3 of the Coastal Act. 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 applicant 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 of 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 applicant to bind

all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

This permit amendment is granted subject to the following special conditions:

1. **Final Plans.** PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and written approval of the Executive Director, final plans approved by the City of Encinitas that are in substantial conformance with the plans prepared by The Brown Studio dated 1/29/20 and date stamped received 2/6/20 and revised plan pages dated 8/7/20 date stamped received 8/17/20.

The permittee shall undertake development in conformance with the approved final plans unless the Commission amends this permit of the Executive Director determines that no amendment is legally required for any proposed minor deviations.

2. **Assumption of Risk, Waiver of Liability and Indemnity.** By acceptance of this permit, the applicant acknowledges and agree (i) that the site may be subject to hazards from flooding, sea level rise, erosion and wave uprush; (ii) to assume the risks to the applicant and the property that is subject of this permit and injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of this project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.
3. **No Future Bluff or Shoreline Protective Device.** By acceptance of this Permit, the applicant agrees, on behalf of itself and all successors and assigns, that no bluff or shoreline protective device(s) shall ever be constructed to protect the development approved pursuant to Coastal Development Permit No. 6-90-271-A1 and any subsequent amendments to Coastal Development Permit No. 6-90-271-A1 including, but not limited to, the approved changes to the residence, foundation and elevator, in the event that the development is threatened with damage or destruction from waves, erosion, storm conditions, bluff retreat, landslides, or other coastal hazards in the future. By acceptance of this Permit, the applicant hereby waives, on behalf of itself and all successors and assigns, any rights to construct such devices that may exist under applicable law.

By acceptance of this permit, the applicants agree, on behalf of themselves and all successors and assigns, that they are required to remove all or a portion of the development authorized by this permit, and restore the site, if: (a) the City or any other government agency with jurisdiction has issued a final order, not overturned

through any appeal or writ proceedings, determining that the structures are currently and permanently unsafe for occupancy or use due to damage or destruction from waves, flooding, erosion, bluff retreat, landslides, or other hazards related to coastal processes, and that there are no feasible measures that could make the structures suitable for habitation or use without the use of bluff or shoreline protective devices; (b) essential services to the site (e.g., utilities, roads) can no longer feasibly be maintained due to the coastal hazards listed above; (c) removal is required pursuant to LCP policies for sea level rise adaptation planning; or (d) the development requires new or augmented shoreline protective devices that conflict with the applicable LCP or Coastal Act policies. In addition, this approval does not allow encroachment onto public trust lands. Any future encroachment shall be removed unless authorized by the Coastal Commission. Any future encroachment is subject to the State Lands Commission's (or other designated trustee agency's) leasing approval.

4. **Deed Restriction.** PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written 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 the 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 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 or with respect to the subject property.
5. **Prior Conditions of Approval.** All other terms and conditions of Coastal Development Permit No. 6-90-271 shall remain in full force and effect.

IV. FINDINGS AND DECLARATIONS

A. Project Description and Background

The proposed project is a 270 sq. ft. addition and major remodel, including a new elevator, new windows and doors, and rooftop deck renovations, to an existing approximately 4,200 sq. ft., two-story over basement blufftop residence located at 1316 Neptune Avenue in Encinitas. The subject site is located on an approximately 70-foot high coastal bluff on the west side of Neptune Avenue in Encinitas, approximately 0.38 miles north of Beacon's Beach and approximately 0.45 miles south of Grandview Beach. The site's development is not currently protected by any shoreline protective devices.

The existing single family residence at the site was constructed in approximately 1991 under coastal development permit No. 6-90-271. The original development was permitted by the Commission because the City of Encinitas did not have a certified LCP in place at that time. Special Condition 4 of the original permit requires that any future additions or improvements to the exterior walls or foundation of the existing residence, or accessory structures; or other development as defined in Public Resources Code Section 30106, require an amendment or additional coastal development permit from the California Coastal Commission or from its successor agency. In initially reviewing the permit condition, Commission staff determined that this condition required the applicant to process a permit amendment through the Coastal Commission. However, after further consultation with the City, it was agreed that the Commission would process the subject amendment, but the intent is that the City will process future permits or amendment at this location. Permits issued by the City for this site would continue to be appealable to the Commission.

B. Geologic Stability/Blufftop Development

The project is located within the City of Encinitas' Coastal Blufftop Overlay Zone. The pertinent policies are below:

Encinitas LCP LUP Public Safety Element 1.7 states, in part:

Policy 1.7: if a comprehensive plan is not submitted to, reviewed and approved by the Coastal Commission, then no additions or expansions to existing structures shall be permitted on coastal blufftop lots except for minor additions or expansions that comprise no greater than a 10 percent increase above the existing gross floor area or 250 square feet whichever is greater, provided such additions/expansions are located at least 40 feet from the coastal blufftop edge, the addition/expansion is constructed in a manner so that it could be removed in its entirety, and the applicant agrees, in writing, to participate in any comprehensive plan adopted by the City to address coastal bluff recession and shoreline erosion problems in the City. In addition, until such a comprehensive plan is approved by the City of Encinitas and the Coastal Commission as an amendment to the LCP, the City shall not permit for construction of seawalls, revetments, breakwaters, cribbing, or similar structures for coastal erosion except under the circumstances where an existing principal structure is imminently threatened and, based on a thorough alternatives analysis, an emergency coastal development permit is issued and all emergency measures authorized by the emergency coastal development permit are designed to eliminate or mitigate adverse impacts on local shoreline sand supply.

The project site is located on a blufftop lot, and is therefore vulnerable to coastal hazards and erosion, including accelerated erosion from expected sea level rise in the future. Sea level rise is expected to exacerbate existing coastal hazards by raising mean water levels, resulting in wave attack occurring higher up on coastal bluffs. As noted in the Commission's 2015 Sea Level Rise Guidance (and Science Update in

2018)¹ and other studies, increased sea level is expected to cause increased inundation of beaches and increased erosion of beaches and bluffs. Historically, the most common societal response has been to construct shoreline protective devices in order to protect structures from erosion and unstable slopes.

The subject site is located on a coastal bluff in the City of Encinitas community of Leucadia. Extensive documentation has been presented in past Commission actions concerning the nature of the bluffs in Leucadia, and, clearly, the potential for significant bluff failure and retreat in this area exists.

The certified LCP requires that all new development on bluffs be sited behind the geologic setback line, equivalent to a combination of the 75-year annualized bluff retreat rate added to the 1.5 Factor of Safety contour measured from the top of bluff, and therefore requires a minimum blufftop setback of 40-feet. The existing residence at the site is located approximately 40-feet from the edge of bluff. In the case of the subject project, the proposed elevator is located approximately 70-feet landward of the top edge of the bluff and the proposed cantilevered addition is also located approximately 70-feet landward of the top of bluff; and no improvements or development is proposed in the rear yard of the home or within 40 feet of the bluff edge.

A *Geotechnical Evaluation and Bluff Stability Study* has been provided for the proposed project by TerraCosta Consulting Group, and indicates that the proposed remodel, new elevator and cantilevered addition will not have an adverse effect on the stability of the coastal bluff. The project's *Geotechnical Evaluation and Bluff Stability Study* also anticipates that the proposed development will be reasonably safe from coastal bluff failure and erosion over the lifetime of the new development (assumed to be 75 years) and will not require protection by means of bluff or shoreline protection. It is important to note that regardless of the setback, because the blufftop residence was originally permitted and built after the enactment of the California Coastal Act of 1976, the Commission does not interpret the residence as an existing structure for purposes of Section 30235 and as such, it is not entitled to shoreline protection if it becomes endangered from erosion. The certified LCP Section 30.34.020(C)(2)(c) requires that no preemptive measures at the base of a bluff or along a beach shall be approved until a comprehensive plan is adopted for such preemptive treatment, however, no such plan has been certified into the LCP and as such, no preemptive measures or shoreline protection can be placed on the bluff or on the beach to protect the proposed development.

The subject project proposes a new interior elevator, located approximately 70 feet from the edge of bluff. The proposed elevator will require trenching of approximately 10 inches underneath the home to accommodate the bottom of the elevator shaft. The Commission's staff geologist has reviewed the proposed trench for the elevator and has determined that the trench is not expected to contribute to adverse impacts to the bluff's

¹ See <https://coastal.ca.gov/climate/slr/>.

stability given its shallow nature and location near the center of the home, approximately 70 feet from the edge of bluff.

The subject project also proposes an approximately 270 sq. ft. cantilevered addition to be located over the front entryway on the landward side of the home, roughly 70 feet from the edge of bluff. The applicants' *Geotechnical Evaluation and Bluff Stability Study* concludes that the proposed development will be reasonably safe from coastal bluff failure and erosion over its lifetime, will not require protection by means of bluff or shoreline protection, and will not have an adverse effect on the stability of the coastal bluff.

As cited above, the City of Encinitas LCP Land Use Plan requires the City to develop and adopt a comprehensive plan to address the coastal bluff recession and shoreline erosion problems in the City, and further requires that if a comprehensive plan is not submitted to, reviewed and approved by the Coastal Commission, then no additions or expansions to existing structures shall be permitted on coastal blufftop lots except for minor additions or expansions.

The City of Encinitas has not completed such a plan and as such, additions to blufftop homes are limited to 10% of the gross floor area, or 250 sq. ft., whichever is greater. In the case of the subject project, the proposed approximately 270 sq. ft. addition is less than 10% of the existing gross floor area and is located at least 40 feet from the coastal blufftop edge, and thus the size of the addition can be found consistent with the City's LCP.

The City's LCP does not contain a definition for redevelopment, but typically considers projects involving demolition of more than 50% of the exterior walls to be redevelopment, and not improvements to an existing structure. In the case of the proposed project, approximately 47% of the first level walls and approximately 45% of the second level walls are being demolished, just under the 50% criteria. It is important to note that in addition to being very close to the threshold of demolition of exterior walls, most of the interior walls and features will be demolished and reconstructed. Although the project technically meets the standards for an addition, it will result in an almost new structure. Substantial remodels on blufftop sites need to be carefully reviewed since such projects effectively extend the life expectancy of the existing structure in an area subject risk from coastal hazards including erosion and bluff retreat.

However, the site does not contain any shoreline structures artificially supporting the site or impacting shoreline processes; the subject home is located approximately 40 feet from the edge of bluff, the minimum setback as required by the LCP; and no changes to other structural elements of the house are proposed, such as the foundation, except for the minor trenching required to construct the elevator. Thus, in this particular case, the proposed project has been reviewed as an improvement to an approved structure, not redevelopment of the structure. However, improvements are considered cumulatively by the LCP, so any future demolition or significant structural or foundational changes are likely to result in the structure being reviewed as a redevelopment, at which time conformance with all of the certified LCP standards will be required, including siting the

home in a location safe from coastal hazards and erosion for 75 years without having to propose shoreline protection, which could require re-siting the structure landward.

The project site is located on a blufftop lot, and is therefore vulnerable to coastal hazards and erosion, including accelerated erosion from expected sea level rise in the future. Special Condition 2 requires that the applicant assumes the risks associated with development in a hazardous location. New development may only be approved if the Commission can be assured that it will not result in having to propose any shore or bluff stabilization to protect the structure in the future.

Special Condition 3 requires the applicants to waive any rights to construct new shoreline protection to protect the new development. Special Condition 3 also requires that the applicants remove all or a portion of the development and restore the site if the City or any authorized agency with jurisdiction determines that the structures are unsafe for occupancy or use due to hazards related to coastal processes and no feasible measures could make the structures suitable for habitation or use without the use of bluff or shoreline protective devices; essential services to the site can no longer feasibly be maintained due to the coastal hazards; removal is required pursuant to LCP policies for sea level rise adaptation planning; or the development requires new shoreline protective devices that conflict with the applicable LCP or Coastal Act policies.

Special Condition 4 requires the applicant to record a deed restriction imposing the conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the property. This special condition is required to provide notice of potential hazards of the property and help eliminate false expectations on the part of potential buyers of the property, lending institutions, and insurance agencies that the property will be stable for an indefinite amount of time or that a protective device could be constructed to protect the approved development contrary to the terms and conditions of this permit. By recording the terms and conditions of this permit against the property, future purchasers are notified in advance of their purchase of the limitations on development of the property.

Therefore, as conditioned, the Commission finds that at this time, the proposed development will not result in impacts to geologic stability, consistent with the geologic stability policies of the LCP.

C. Biological Resources

The project is located within the City of Encinitas' Coastal Blufftop Overlay Zone. A major intent of the policies and regulations of this zone is to prevent future development or redevelopment will represent a hazard to its owners or occupants, and which may require structural measures to prevent destructive erosion or collapse.

The original permit for the existing development on the subject site included a Special Condition that required the applicant to record an Open Space Deed Restriction that prohibits any alteration of landforms, removal of vegetation or the erection of structures of any type between the bluff edge and the western property line of the subject site. The applicants complied with this condition and executed the recording (No. 1991-0548507).

Thus, the blufftop open space is permanently protected. No further conditions are required as the proposed development does not create any adverse impacts to biological resources.

D. Community Character/Visual Resources

The project is located within the City of Encinitas' Coastal Blufftop Overlay Zone. The pertinent policies are below:

Section 30.34.020(B)(8) of the Implementation Plan states, in part:

The design and exterior appearance of buildings and other structures visible from public vantage points shall be compatible with the scale and character of the surrounding development and protective of the natural scenic qualities of the bluffs.

The development is located within an existing developed area and will be compatible with the character and scale of the surrounding area. The proposed second-story cantilevered addition is located on the landward side of the home, above the front entryway, and does not encroach into the side yard setback and will not impact public views. The proposed project conforms to all LCP development requirements including setback and height. Therefore, the Commission finds that the development, as conditioned, conforms to Section 30251 of the Coastal Act and the City of Encinitas' certified LCP.

E. Public Access/Recreation

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211 of the Coastal Act states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30212 of the Coastal Act states, in part:

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

(1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,

(2) adequate access exists nearby...

In addition, Section 30604(c) of the Coastal Act requires that a specific access finding be made for any project between the first coastal roadway and the sea. The proposed development is located between Neptune Avenue, the first public roadway, and the Pacific Ocean and is located within a half mile of both Beacon's Beach and Grandview Beach. However, the proposed development provides adequate parking and will not have an adverse impact on public access to the coast or to nearby recreational facilities. As such, the proposed project conforms to Sections 30210 through 30212 of the Coastal Act.

With conditions to waive any future rights to shoreline protection (Special Condition 3), the Commission can be assured that the proposed addition will not result in the need for shoreline protection that might otherwise impact public access and recreation along the shoreline or affect the contribution of sand to the beach from the bluff. Therefore, as conditioned, the proposed development is consistent with the public access and recreation policies of the certified Local Coastal Program and Sections 30210, 30211, and 30212 of the Coastal Act.

F. Local Coastal Planning

As previously mentioned, the City of Encinitas LCP Land Use Plan requires the City shall develop and adopt a comprehensive plan to address the coastal bluff recession and shoreline erosion problems in the City, and further requires that if a comprehensive plan is not submitted to, reviewed and approved by the Coastal Commission, then no additions or expansions to existing structures shall be permitted on coastal blufftop lots except for minor additions or expansions.

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. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the City of Encinitas' certified LCP. Approval of the project, as conditioned, will not prejudice the ability of the City of Encinitas to continue to implement its certified LCP.

G. California Environmental Quality Act

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 and the City of Encinitas certified LCP. 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 can be found consistent with the requirements of the Coastal Act to conform to CEQA.

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APPENDIX A – Substantive File Documents

- Coastal Development Permit No. 6-90-271