

THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE: .

June 10, 2015

REPORT NO. HO-15-074

ATTENTION:

HEARING OFFICER

SUBJECT:

CLAUSEN RESIDENCE; PROJECT NO. 404187

PROCESS 3

LOCATION:

7404 Monte Vista Avenue

OWNER/

APPLICANT:

Jack L. Clausen and Lynn S. Clausen

SUMMARY

<u>Requested Action</u>: Should the Hearing Officer approve the additions and remodel for an existing single-family dwelling unit located at 7404 Monte Vista Avenue in the La Jolla Community Plan and Local Coastal Program Land Use Plan Area?

Staff Recommendation: APPROVE Coastal Development Permit No. 1417146.

Community Planning Group Recommendation: On April 2, 2015, the La Jolla Community Planning Association voted 14-0-1 to recommend approval of the project (Attachment 10).

Environmental Review: This project is exempt from environmental review pursuant to Article 19, Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA). The project proposes additions and remodel of an existing single-family dwelling unit. The environmental exemption determination for this project was made on May 6, 2015, and the opportunity to appeal that determination ended May 20, 2015 (Attachment 11). This project is not pending an appeal of the environmental determination.

BACKGROUND

The proposed project site is located at 7404 Monte Vista Avenue (Attachment 1), on the northwestern corner of Marine Street and Monte Vista Avenue (Attachment 2). The property is in the RS-1-7 Zone (Attachment 3) within the La Jolla Community Plan and Local Coastal Program Land Use Plan (Attachment 4), Coastal Overlay Zone (Appealable Area), Coastal Height

Limitation Overlay Zone, the First Public Roadway, the Parking Impact Overlay Zone (Coastal and Beach Impact Area), the Residential Tandem Parking Overlay Zone, and the Transit Area Overlay Zone. The zoning designation is a single family residential zone which allows for the development of a single dwelling unit. The La Jolla Community Plan (LJCP) designates the proposed project site for Low Density Residential land use at 5-9 dwelling units per acre (DU/AC). The project site, occupying 0.172-acres, could accommodate one dwelling unit based on the underlying zone and one- to two-dwelling unit based on the community plan. The surrounding properties have been previously graded and developed with existing single-family dwelling units. The properties are zoned RS-1-7 and the land use designation is Low Density Residential at 5-9 DU/AC.

The project site is a corner lot with frontage on Marine Street and Monte Vista Avenue. The parcel has been previously graded and developed with an existing single-family dwelling unit. The existing single-family dwelling unit was constructed in 1948 and a historical assessment was performed. Due to previous alterations including multiple additions to the front elevation and second level deck alteration, City staff has determined that the property and associated structure would not be considered historically or architecturally significant in terms of architectural style, appearance, design, or construction associated with important persons or events in history. In addition, the property does not meet local designation criteria as an individually significant resource under any adopted Historical Resources Board Criteria.

DISCUSSION

Project Description:

The project proposes a 775 square foot first floor addition, a 293 square foot second floor addition (additions total 1,068 square feet), and the interior remodel to the first and second floors, a second floor deck/terrace, and associated site improvements for an existing single-family dwelling unit on a 0.172-acre site. As a component of the proposed project, the structure incorporates a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption, in conformance with the criteria of the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program.

The property is a corner lot, is located approximately 345 feet from the Pacific Ocean, and Marine Street at this location is designated as the first public roadway paralleling the sea (Attachment 5). Marine Street is designated as a view corridor with views toward the Pacific Ocean and the proposed project complies with the street side setback requirement along Marine Street which preserves the framed view down the public right-of-way looking west. In addition, Marine Street contains a physical accessway in the form of a stairway from the public right-of-way to the tide pools; however, this access is not adjacent to the property. The property is not designated as a viewshed or scenic overlook and does not contain intermittent or partial vista views as identified within the adopted LJCP and Local Coastal Program Land Use Plan.

The site is approximately 40 feet above Mean Sea Level (MSL) and is located above the 100-year floodplain. The site is not within or adjacent to the Multiple Species Conservation Program

(MSCP) Multiple Habitat Planning Area (MHPA) and does not contain any other type of Environmental Sensitive Lands (ESL) as defined in San Diego Municipal Code (SDMC) Section 113.0103. The project proposes a maximum building height of 23 feet 2 inches, so the building and any projections will not exceed the maximum 30 foot height limit allowed by the Coastal Height Limitation Overlay Zone.

The Residential Element of the LJCP contains policies for new development in order to avoid extreme and intrusive changes to the residential scale of the neighborhood, especially between new and older structures. The plan recommends that bulk and scale be controlled through the application of development regulations, such as setbacks and building height. The plan also recommends that visual relief, such as offsetting planes, articulation, and variations in front setbacks, be applied to provide a transition in scale between surrounding development. The existing residences immediately south and east of the site are one-story structures, however, the majority of the other homes along the block and within the immediate vicinity are two to three-stories. The project complies with the maximum allowable height of the zone, and complies with the required setbacks. In addition, the project provides articulation along the facades, architectural projections, a varied roof line, and uses of wood siding. These features aid in reducing perceived bulk and scale and are an adequate transition between the proposed development and the existing one-story homes.

The project is not requesting nor does it require any deviations or variances from the applicable regulations and policy documents, and is consistent with the recommended land use designation, design guidelines, and development standards in effect for this site. Development of the proposed project requires the approval of a Process Three Coastal Development Permit (CDP) for coastal development in the Appealable Area of the Coastal Overlay Zone. Because the project utilizes renewable technologies and qualifies as a Sustainable Building, the land use approvals have been processed through the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program.

Conclusion:

The project meets all applicable regulations and policy documents, and staff finds the project consistent with the recommended land use, design guidelines, and development standards in effect for this site per the adopted LJCP and Local Coastal Program Land Use Plan, SDMC, and the General Plan. Therefore, staff recommends to the Hearing Officer to approve the CDP as presented.

ALTERNATIVES

- 1. **APPROVE** Coastal Development Permit No. 1417146, with modifications.
- 2. **DENY** Coastal Development Permit No. 1417146, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Jeffrey A Peterson

Development Project Manager

Development Services Department

PETERSON/JAP

Attachments:

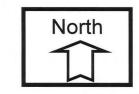
- 1. Location Map
- 2. Aerial Photograph
- 3. Zoning Map
- 4. Community Plan Land Use Map
- 5. First Public Roadway Map
- 6. Project Data Sheet
- 7. Project Plans
- 8. Draft CDP Permit with Conditions
- 9. Draft CDP Resolution with Findings
- 10. La Jolla Community Planning Association Recommendation
- 11. Environmental Exemption
- 12. Ownership Disclosure Statement
- 13. Project Chronology
- 14. Copy of Public Notice (forwarded to HO)
- 15. Copy of Project Plans (full size-forwarded to HO)

Internal Order No. 24005509



Location Map

<u>Clausen Residence - Project No. 404187</u> 7404 Monte Vista Avenue

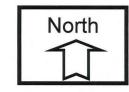






Aerial Photograph

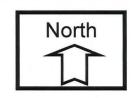
<u>Clausen Residence - Project No. 404187</u> 7404 Monte Vista Avenue





Zoning Map

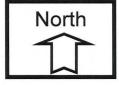
Clausen Residence - Project No. 404187 7404 Monte Vista Avenue





La Jolla Community Plan Land Use Map

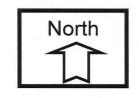
Clausen Residence - Project No. 404187 7404 Monte Vista Avenue





First Public Roadway Map

<u>Clausen Residence - Project No. 404187</u> 7404 Monte Vista Avenue



PROJECT DATA SHEET				
PROJECT NAME:	Clausen Residence - Project No. 404187			
PROJECT DESCRIPTION:	The project proposes a 775 square foot first floor addition, a 293 square foot second floor addition (additions total 1, 068 square feet), and the interior remodel to the first and second floors, a second floor deck/terrace, and associated site improvements for an existing single-family dwelling unit on a 0.172-acre site.			
COMMUNITY PLAN AREA:	La Jolla			
DISCRETIONARY ACTIONS:	Coastal Development Permit			
COMMUNITY PLAN LAND USE DESIGNATION:	Low Density Residential (5-9 dwelling units per acre)			

ZONING INFORMATION:

ZONE: RS-1-7

HEIGHT LIMIT: 24/30-feet

LOT SIZE: 5,000 square feet

FLOOR AREA RATIO: 59 percent

LOT COVERAGE: NA - FRONT SETBACK: 15 feet SIDE SETBACK: 4 feet

STREETSIDE SETBACK: 10 feet REAR SETBACK: 13 feet

PARKING: 2

ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE	
NORTH:	Low Density Residential; RS-1-7	Single Family Residence	
SOUTH:	Low Density Residential; RS-1-7	Single Family Residence	
EAST:	Low Density Residential; RS-1-7	Single Family Residence	
WEST:	Low Density Residential; RS-1-7	Single Family Residence	
DEVIATIONS OR VARIANCES REQUESTED:	None		
COMMUNITY PLANNING GROUP RECOMMENDATION:	On April 2, 2015, the La Jolla Community Planning Association voted 14-0-1 to recommend approval of the project.		

THIS PROJECT SHALL COMPLY WITH ALL REQUIREMENTS OF THE STATE PERMIT; CALIFORNIA REGIONAL MATER QUALITY CONTROL BOARD, SAN DIEGO REGION, ORDER NO. 120101 NPDES NO. CASONOSTIS (HTTP://WWW.SWCBCAGOV/RUICCBS/PROGRAMS/SD_STORMWATERHTML)

(HTTP://WWW.SURCBCAGOV/RIGCB9/PROGRAM9/8D_STORMWATER.HTML), AND THE CITY OF SAN DIEGO LAND DEVELOPMENT CODE. (HTTP://CLERKDOCSANNETGOV/RIGHTS/FE/GETCON/FROT/LOCAL.PDFIDMY_OBJECTID =

NOTES 1-6 BELOW REPRESENT KEY MINIMUM REQUIREMENTS FOR CONSTRUCTION BMP/S

L SUFFICIENT BMP5 MUST BE INSTALLED TO PREVENT SILT, MUD, OR OTHER CONSTRUCTION DEBRIS PROM BEING TRACKED INTO THE ADJACENT STREET(6) OR STORM WATER CONVEYANCE SYSTEMS DUE TO CONSTRUCTION VEHICLES OR ANY OTHER CONSTRUCTION SHALL BE RESPONSIBLE FOR CLEANING ANY SUCH DEBRIS THAT MAY BE IN THE STREET AT THE BND OF EACH WORK DAY OR AFTER A STORM EVENT THAT CAUSES A BREECH IN THE INSTALLED CONSTRUCTION BMP'S.

2. ALL STOCK PILES OF UNCOMPACTED SOIL AND / OR BUILDING MATERIALS THAT ARE INTENDED TO BE LEFT UNPROTECTED FOR A PERIOD GREATER THAN SEVEN CALENDAR DAYS ARE TO BE PROVIDED WITH EROSION AND SEDIMENT CONTROLS, SUCH SOIL MUST BE PROTECTED EACH DAY WHEN THE PROBABILITY OF RAIN B 40% OR GREATER.

- A CONCRETE WASHOUT SHALL BE PROVIDED ON ALL PROJECTS WHICH PROPOSE THE CONSTRUCTION OF ANY CONCRETE IMPROVEMENTS THAT ARE TO BE FOURED IN PLACE ON THE SITE.
- 4. ALL EROBION / SEDIMENT CONTROL DEVICES SHALL BE MAINTAINED IN WORKING ORDER AT ALL TIMES,
- 5. ALL SLOPES THAT ARE CREATED OR DISTURBED BY CONSTRUCTION ACTIVITY MUST BE PROTECTED AGAINST EROSION AND SEDIMENT TRANSPORT AT ALL TIMES.
- 6. THE STORAGE OF ALL CONSTRUCTION MATERIALS AND EQUIPMENT MUST BE PROTECTED AGAINST ANY POTENTIAL RELEASE OF POLLUTANTS INTO THE ENVIRONMENT.

NOTES

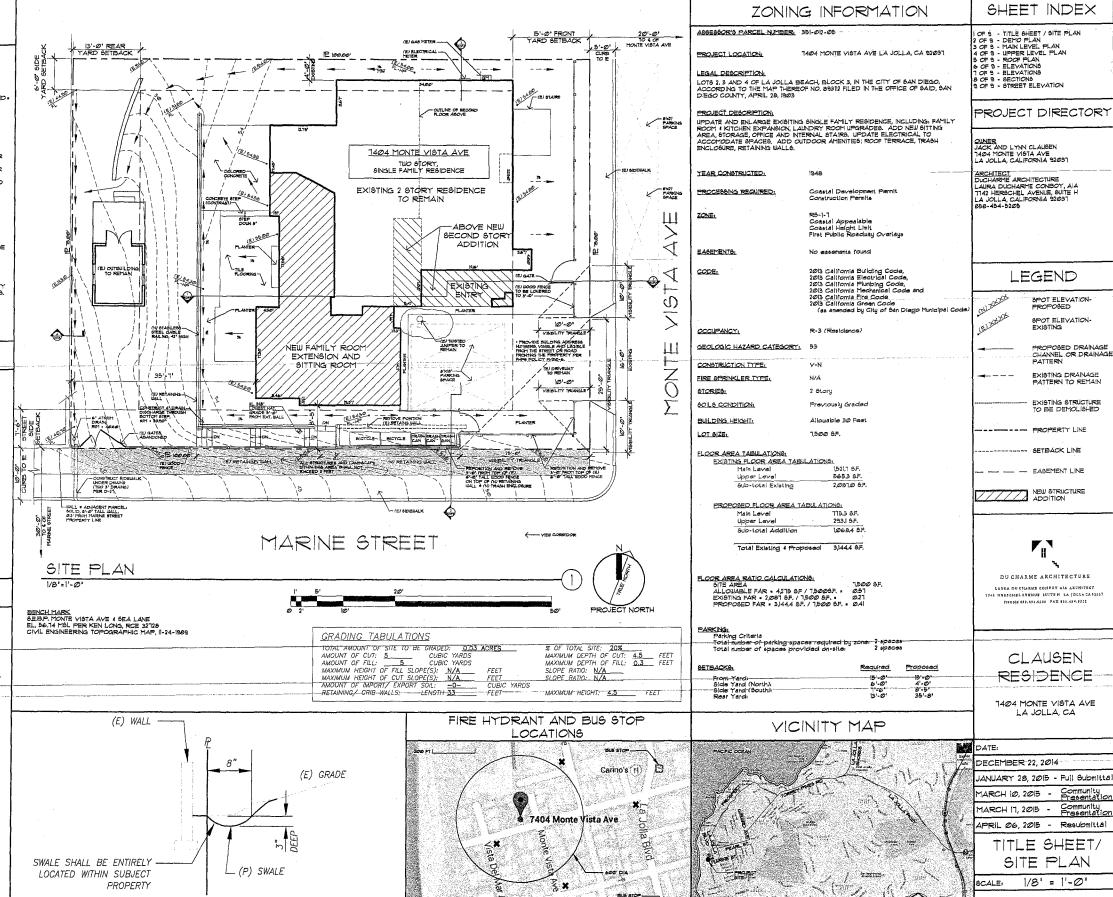
- NO NEW GRADING PROPOSED, (E) GRADING & DRAINAGE TO REMAIN.
- EXCAPATION FOR NEW FOUNDATION AND NEW RETAINING WALL ONLY.
- THIS PROJECT WILL NOT DISCHARGE ANY INCREASE IN STORM WATER RIN-OFF ONTO THE ADJACENT PROPERTIES, STORM WATER RIN-OFF SHALL BE DIRECTED TO THE PUBLIC RIGHT LOF-WAY.
- 4. THE EXISTING WATER AND SEWER SERVICES WILL REMAIN.
- 5. NO ACCESS GATE SHALL SWING OPEN INTO THE PUBLIC RIGHT-OF MAY.
- 6. PRIOR TO THE IBBLIANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITTEE SHALL ENTER INTO A MAINTENANCE AGREEMENT FOR THE ONGOING PERMIANENT BYP MAINTENANCE, SATISPACTORY TO THE CITY ENGINEER.
- 1. PRIOR TO THE IBBUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITTEE SHALL INCORPORATE ANY CONSTRUCTION BEST MANAGEMENT FRACTICES NECESSARY TO COMPLY WITH CHAPTER 14, ARTICLE 2, DIVISION I (GRADING REGULATIONS) OF THE SAN DIEGO MUNICIPAL CODE, INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS.
- PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OUNER/PERMITTEE SHALL BURMIT A MATTER POLLUTION CONTROL PLAN (MPOP). THE MPOP SHALL BE PREPARED IN ACCORDANCE WITH THE GUIDELINES IN APPENDIX E OF THE CITY'S STORM MATTER STANDARDS.
- NO OBSTRUCTION INCLUDING LANDSCAPING OR SOLID WALLS IN THE VISIBILITY AREA SHALL EXCEED 3 FEET IN HEIGHT.

PROPOSED SUSTAINABLE FEATURES

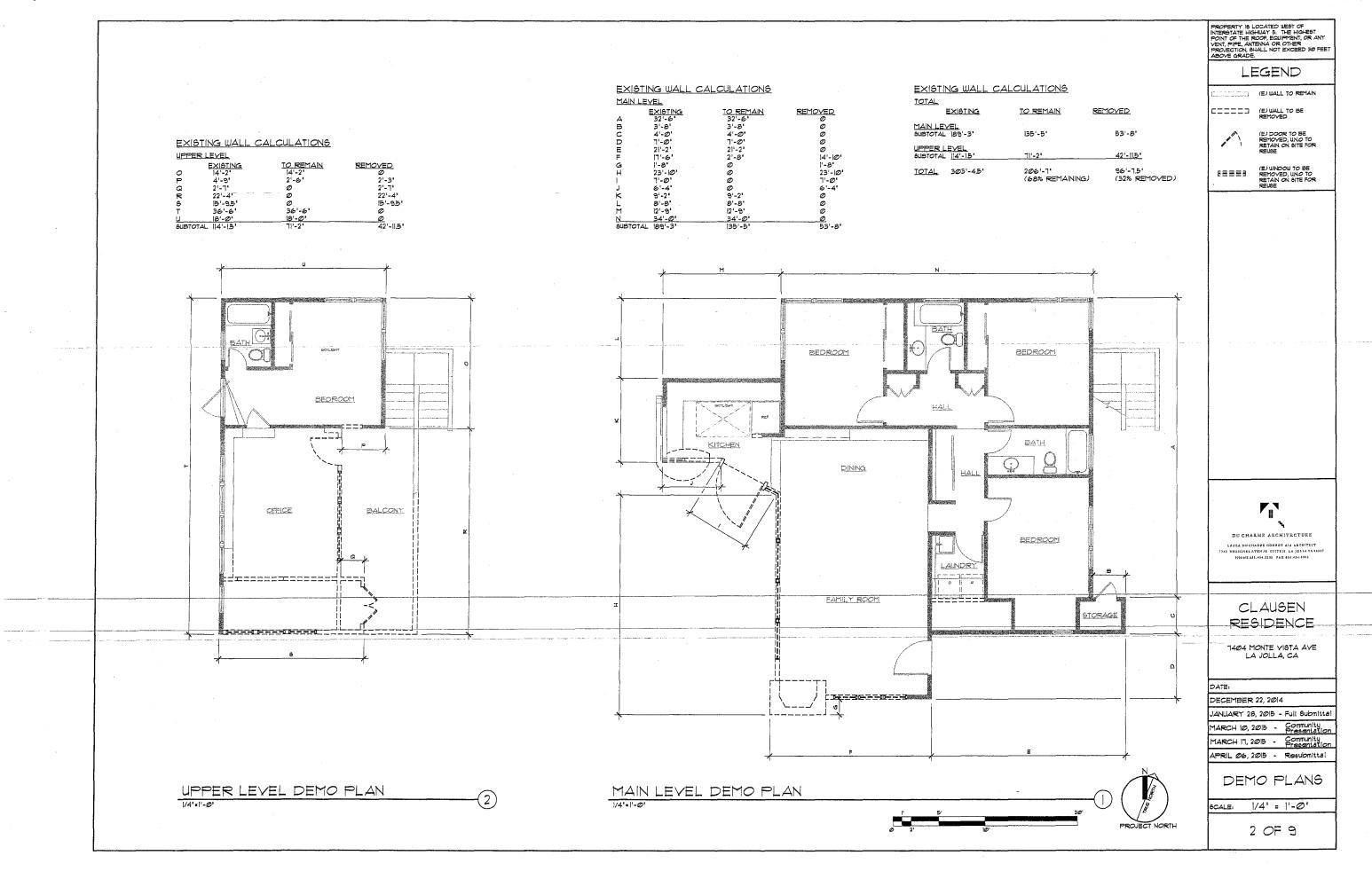
- SOLAR PHOTOVOLTAIC SYSTEM SCALED AT 100% OF HOUSEHOLD POWER NEEDS AND ALSO POWERING TWO ELECTRIC CARS. - 6.TIKW PV SYSTEM SIZE (24 MODULES \$280 WATTS EACH)
- . SOLAR HYDRONICS SYSTEM SCALED TO MEET 100% OF HOUSEHOLD NEEDS.
- INCREASING VENTILATION FLOW IN STAIRWAY VENTILATION CHIMNEY (INCLUDING NIGHT-TIME COOLING IN THE SUMMER).
- RECYCLE GREY WATER FROM BATHROOM SINKS, SHOWERS AND WASHING MACHINE.
- VOICE ACTIVATED FAUCET VALVES IN BATHROOMS, KITCHEN AND LAUNDRY ROOF FOR MAXIMIZING WATER CONSERVATION.

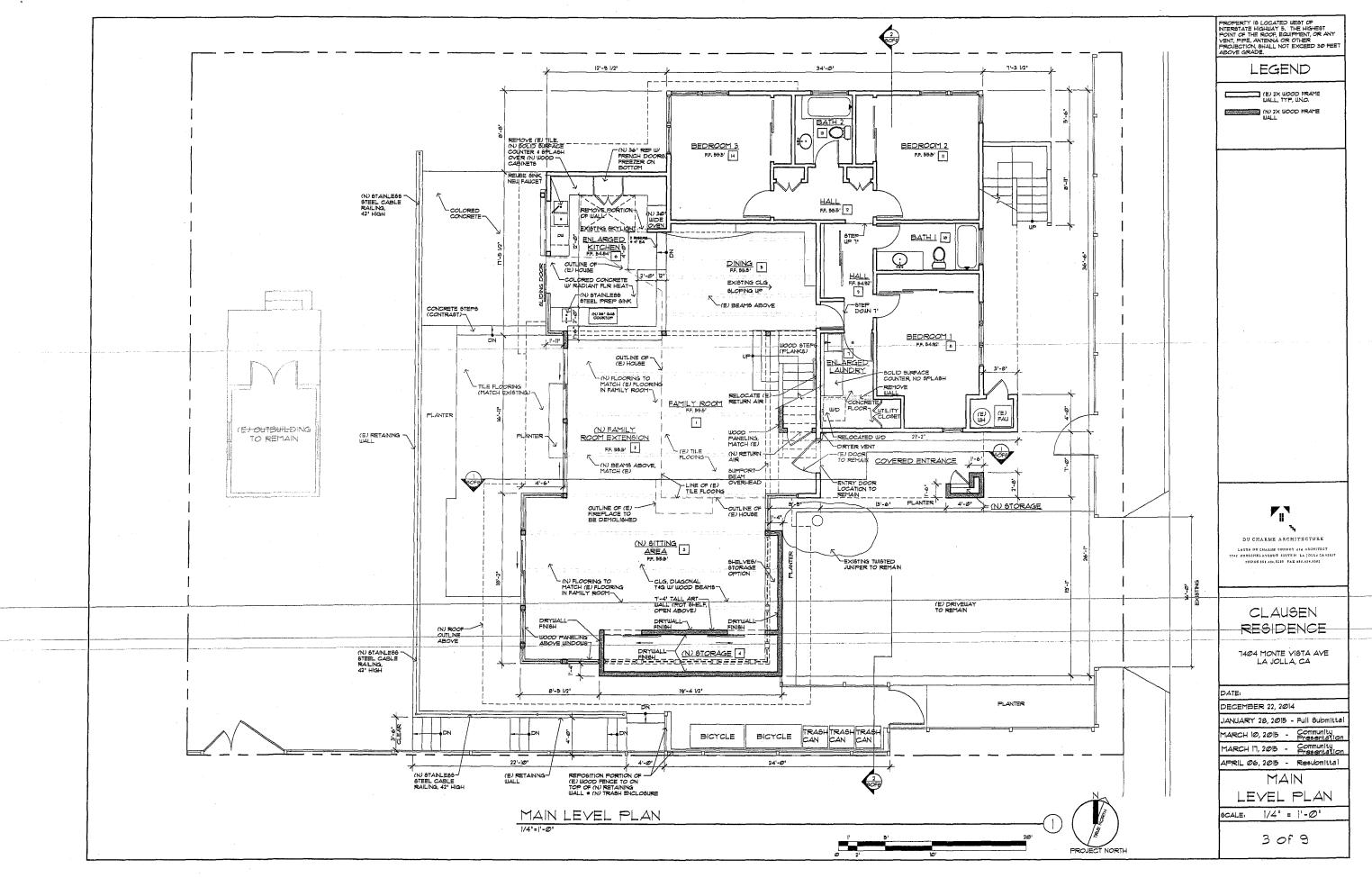
DETAIL A

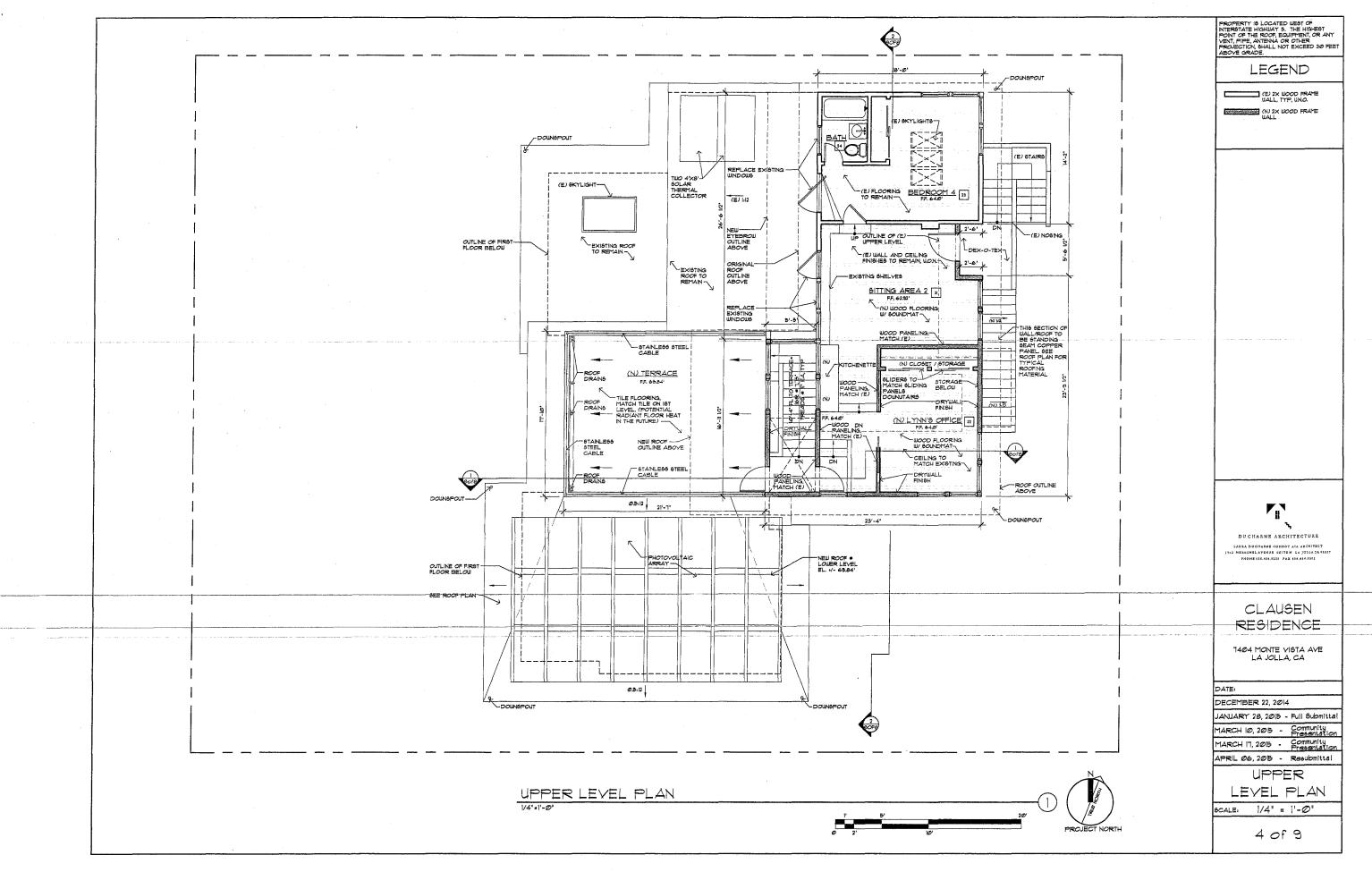
NOT TO SCALE

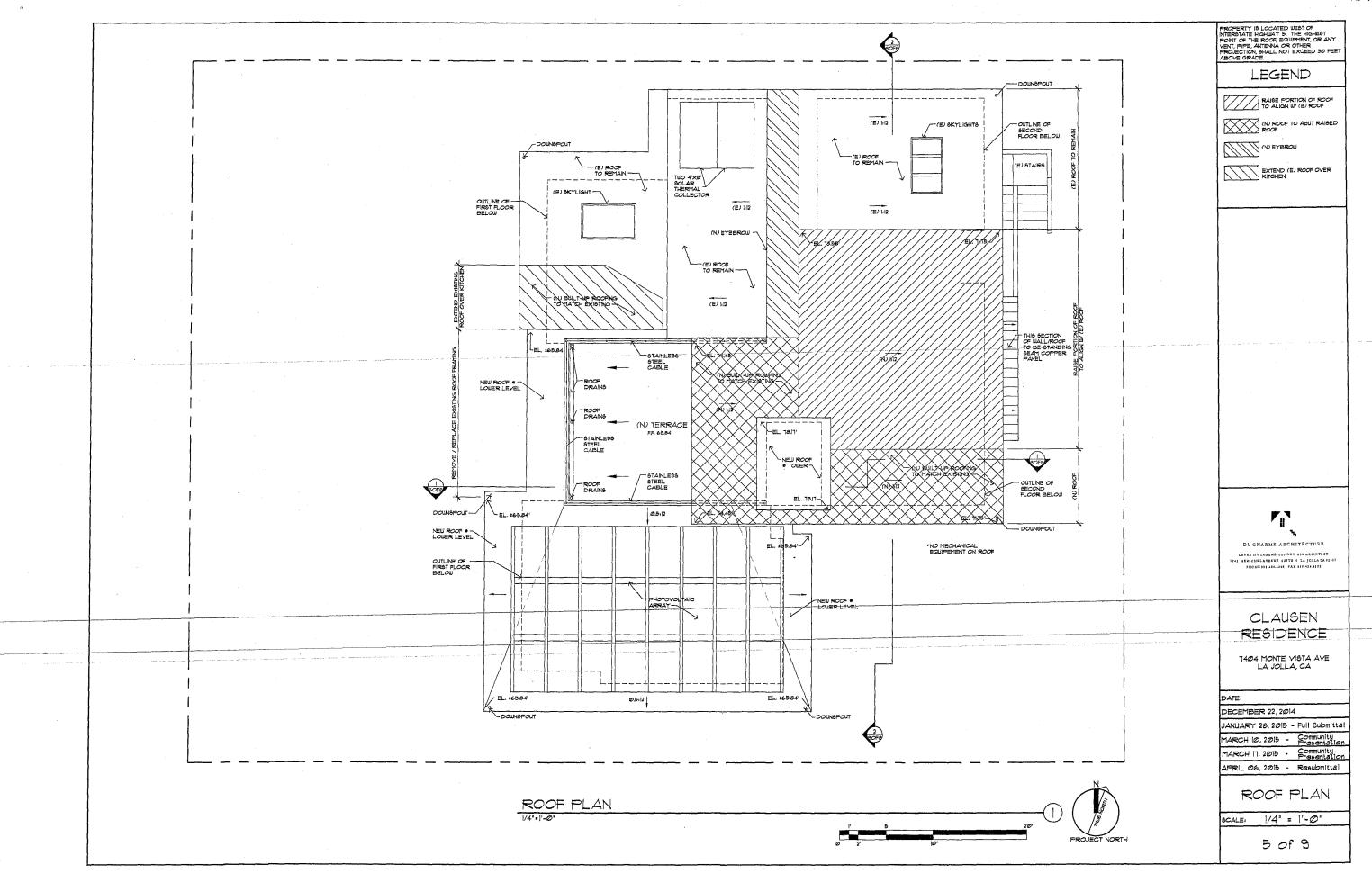


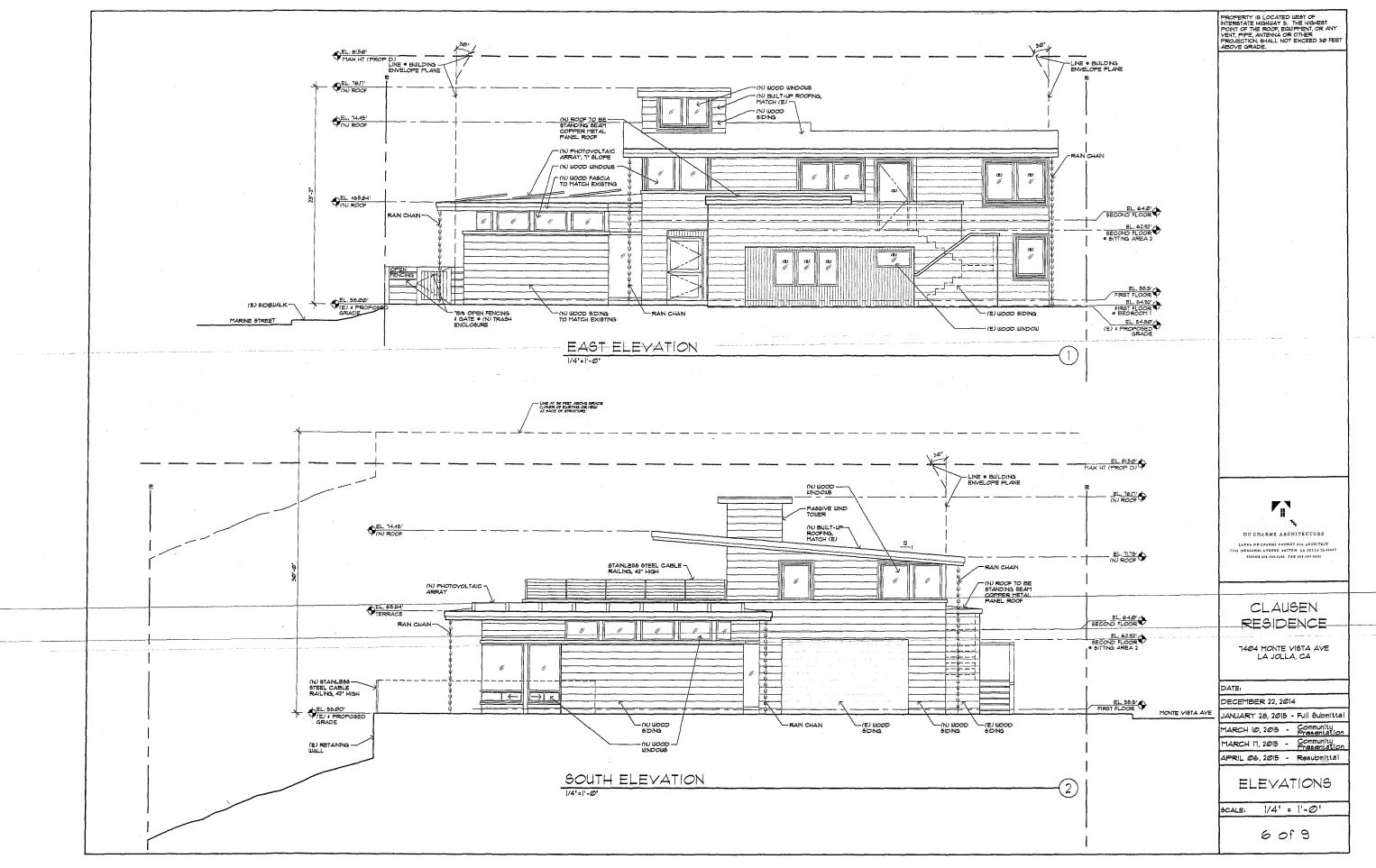
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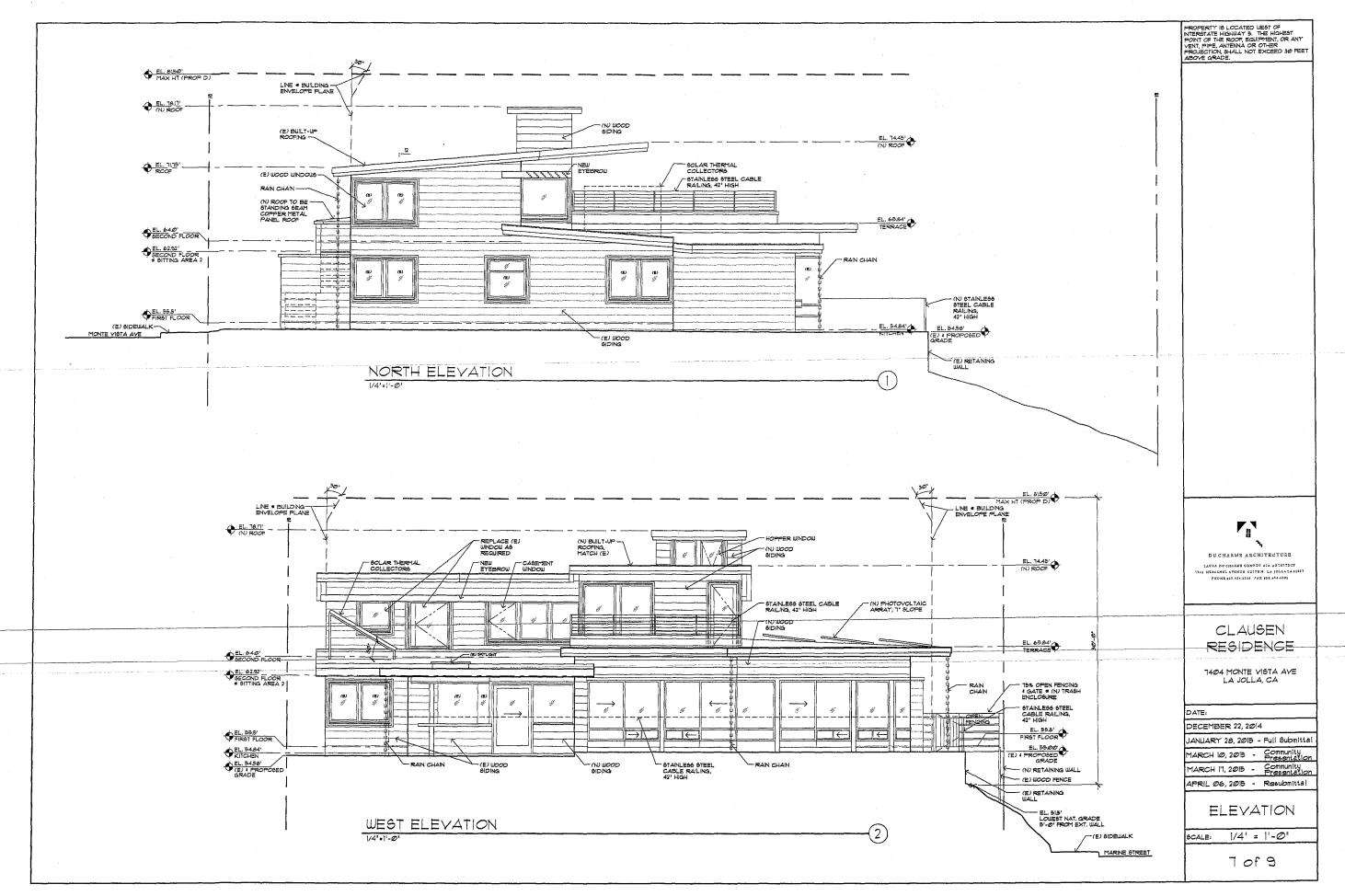


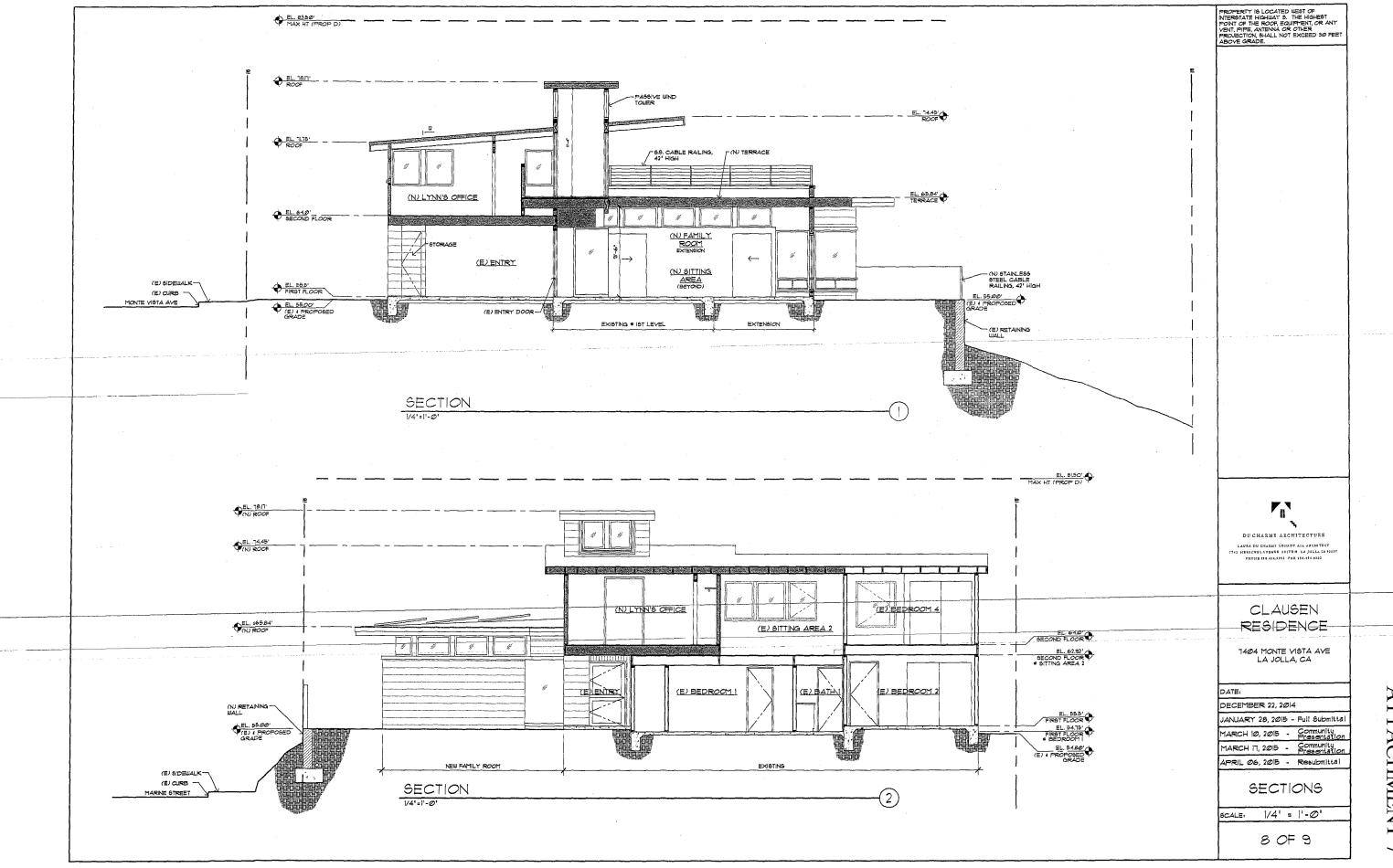


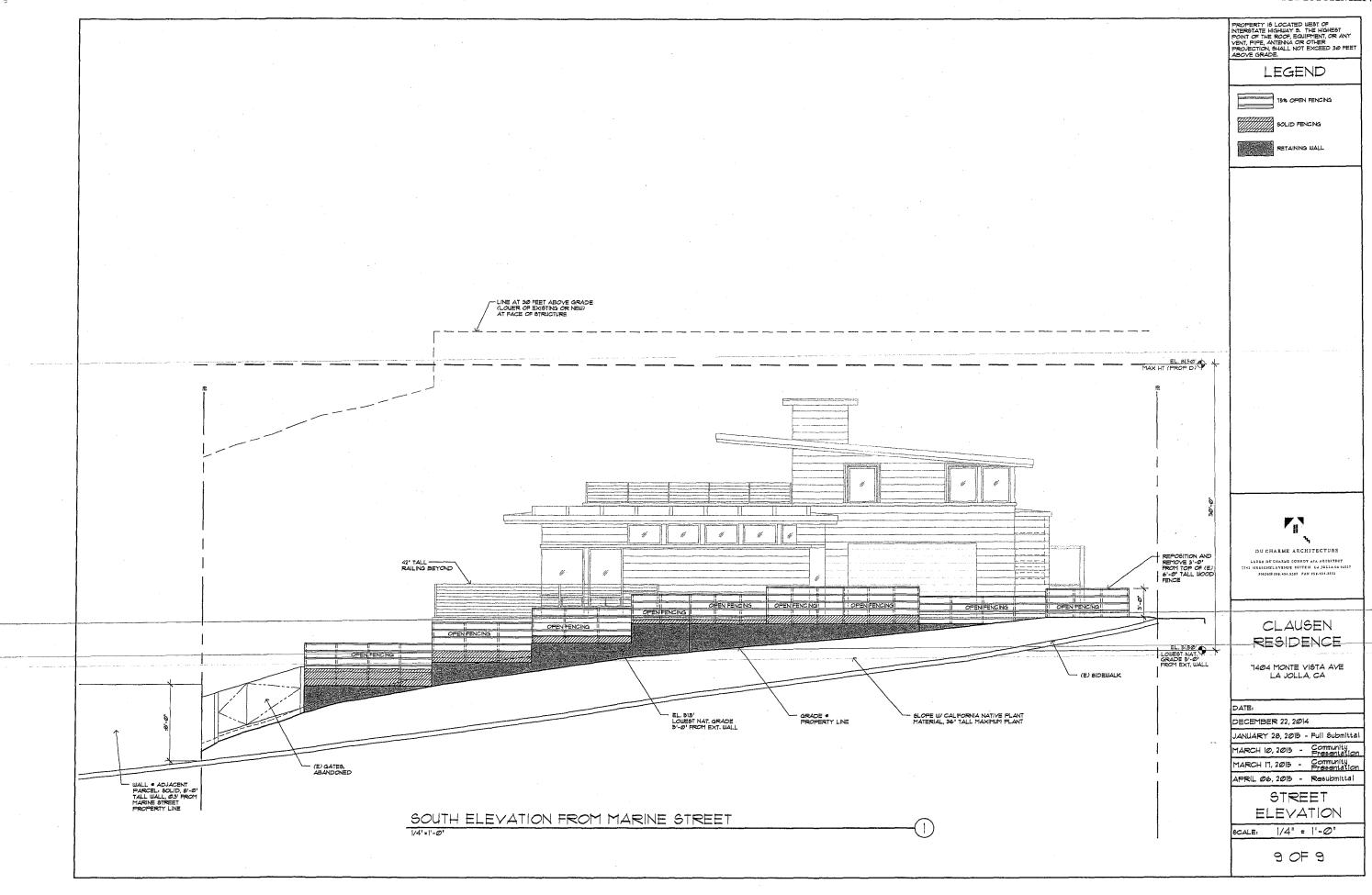












RECORDING REQUESTED BY

CITY OF SAN DIEGO DEVELOPMENT SERVICES PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24005509

COASTAL DEVELOPMENT PERMIT NO. 1417146 CLAUSEN RESIDENCE - PROJECT NO. 404187 HEARING OFFICER

This Coastal Development Permit No. 1417146 is granted by the Hearing Officer of the City of San Diego to the JACK L. CLAUSEN and LYNN S. CLAUSEN, Owner and Permittee, pursuant to San Diego Municipal Code [SDMC] Section 126.0708. The 0.172-acre site is located at 7404 Monte Vista Avenue in the RS-1-7 Zone within the La Jolla Community Plan and Local Coastal Program Area, the Coastal Overlay Zone (Appealable Area), Coastal Height Limitation Overlay Zone, the First Public Roadway, the Parking Impact Overlay Zone (Coastal and Beach Impact Area), the Residential Tandem Parking Overlay Zone, the Transit Area Overlay Zone, and Council District 1. The project site is legally described as: Lots 2, 3, and 4 in Block 3 of La Jolla Beach, in the City of San Diego, State of California, according to Map thereof No. 893-1/2, filed in the Office of the County Recorder of San Diego County, April 28, 1903.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee for the additions and remodel of an existing single-family dwelling unit, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated June 10, 2015, on file in the Development Services Department.

The project shall include:

- a. A 775 square foot first floor addition, a 293 square foot second floor addition (additions total 1,068 square feet), and the interior remodel to the first and second floors, a second floor deck/terrace, and associated site improvements for an existing single-family dwelling unit on a 0.172-acre site;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking;

- d. Construction of associated site improvements (i.e. hardscape and site walls).
- e. A roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption; and
- f. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

- 1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by _______, 2018.
- 2. This Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action, or following all appeals.
- 3. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
- 4. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
- 5. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
- 6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

- 7. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
- 8. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
- 9. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.
- 10. All of the conditions contained in this Permit have been considered and were determined-necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

ENGINEERING REQUIREMENTS:

- 12. The project proposes to export no material from the project site. Any excavated material that is exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2009 edition and Regional Supplement Amendments adopted by Regional Standards Committee.
- 13. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.
- 14. Prior to foundation inspection, the Owner/Permittee shall submit a building pad certification signed by a Registered Civil Engineer or a Licensed Land Surveyor, certifying that the pad elevation based on USGS datum is consistent with Exhibit 'A', satisfactory to the City Engineer.
- 15. Prior to the issuance of any building permits, the Owner/Permittee shall remove the portions of the existing fence within the driveway access visibility area triangles, that exceed three feet in height, satisfactory to the City Engineer.
- 16. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent Best Management Practice (BMP) maintenance, satisfactory to the City Engineer.
- 17. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices (BMPs) necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the Municipal Code, into the construction plans or specifications.
- 18. Prior to the issuance of any construction permit, the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.

PLANNING/DESIGN REQUIREMENTS:

- 19. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as condition of approval of this permit. Where there is a conflict between a condition (including exhibits) of this permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations.
- 20. Owner/Permittee shall maintain a minimum of two (2) off-street parking spaces on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

- 21. Prior to the issuance of building permits, construction documents shall fully illustrate the incorporation of a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption, in conformance with the criteria of the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program.
- 22. Landscaping may be permitted within the view corridor along Marine Street provided such improvements do not significantly obstruct public views of the ocean. Landscaping shall be planted and maintained at no higher than 3 feet to preserve public views.
- 23. The height(s) of the building(s) or structure(s) shall not exceed those heights set forth in the conditions and the exhibits (including, but not limited to, elevations and cross sections) or the maximum permitted building height of the underlying zone, whichever is lower, unless a deviation or variance to the height limit has been granted as a specific condition of this permit.
- 24. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.
- 25. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

INFORMATION ONLY:

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by	y the Hearing	Officer of the	City of San	Diego on	June 10,	2015, and 1	Resolution
No. HO-							

Permit Type/PTS Approval No.: CDP No. 1417146

Date of Approval: June 10, 2015

AUTHENTICATED	BY THE CITY	OF SAN DIEGO	DEVELOPMENT	SERVICES
DEPARTMENT				

Jeffrey A. Peterson
Development Project Manager

NOTE: Notary acknowledgment
must be attached per Civil Code
section 1189 et seq.

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

Owner/Permittee

By ______

Jack L. Clausen

JACK L. CLAUSEN and LYNN S. CLAUSEN,

JACK L. CLAUSEN and LYNN S. CLAUSEN, Owner/Permittee

By_____

Lynn S. Clausen

NOTE: Notary acknowledgments must be attached per Civil Code section 1189 et seq.

HEARING OFFICER RESOLUTION NO. HO-___ COASTAL DEVELOPMENT PERMIT NO. 1417146 CLAUSEN RESIDENCE - PROJECT NO. 404187

WHEREAS, JACK L. CLAUSEN and LYNN S. CLAUSEN, Owner and Permittee, filed an application with the City of San Diego for a permit a 775 square foot first floor addition, a 293 square foot second floor addition (additions total 1,068 square feet), and the interior remodel to the first and second floors, a second floor deck/terrace, and associated site improvements for an existing single-family dwelling unit (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1417146), on portions of a 0.172-acre site;

WHEREAS, the project site is located at 7404 Monte Vista Avenue in the RS-1-7 Zone within the La Jolla Community Plan and Local Coastal Program Area, the Coastal Overlay Zone (Appealable Area), Coastal Height Limitation Overlay Zone, the First Public Roadway, the Parking Impact Overlay Zone (Coastal and Beach Impact Area), the Residential Tandem Parking Overlay Zone, the Transit Area Overlay Zone, and Council District 1;

WHEREAS, the project site is legally described as: Lots 2, 3, and 4 in Block 3 of La Jolla Beach, in the City of San Diego, State of California, according to Map thereof No. 893-1/2, filed in the Office of the County Recorder of San Diego County, April 28, 1903;

WHEREAS, on June 10, 2015, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 1417146 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on May 6, 2015, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.) under CEQA Guideline Article 19, Section 15303 (New Construction or Conversion of Small Structures); and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520; NOW, THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego as follows:

That the Hearing Officer adopts the following written Findings, dated June 10, 2015.

FINDINGS:

I. Coastal Development Permit - Section 126.0708(a)

1. The proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan; and

The 0.172-acre site is located at 7404 Monte Vista Avenue, on the northwestern corner of Marine Street and Monte Vista Avenue. The project proposes a 775 square foot first floor addition, a 293 square foot second floor addition (additions total 1,068 square feet), and the interior remodel to the first and second floors, a second floor deck/terrace, and associated site improvements for an existing single-family dwelling unit. As a component of the proposed project, the structure incorporates a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption, in conformance with the criteria of the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program.

The property is a corner lot and is located approximately 345 feet from the Pacific Ocean and Marine Street at this location is designated as the first public roadway paralleling the sea. Marine Street is designated as a view corridor with views toward the Pacific Ocean and the proposed project. Complies with the street side setback requirement along Marine Street which preserves and enhance the framed view down the public right-of-way looking west. In addition, Marine Street contains a physical accessway in the form of a stairway from the public right-of-way to the tide pools; however, this access is not adjacent to the property and the development would not encroach upon the existing physical accessway. The property is not designated as a viewshed or scenic overlook and does not contain intermittent or partial vista views as identified within the adopted La Jolla Community Plan (LJCP) and Local Coastal Program Land Use Plan.

The project proposes a maximum building height of 23 feet 2 inches, so the building and any projections will not exceed the maximum 30 foot height limit allowed by the Coastal Height Limitation Overlay Zone (CHLOZ). The project is not requesting nor does it require any deviations or variances from the applicable regulations and policy documents, and is consistent with the recommended land use designation, design guidelines, and development standards in effect for this site. Therefore, the development has been designed to meet the development regulations of the underlying zone and would enhance and protect any public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program Land Use Plan.

2. The proposed coastal development will not adversely affect environmentally sensitive lands; and

The 0.172-acre site is located at 7404 Monte Vista Avenue, on the northwestern corner of Marine Street and Monte Vista Avenue. The project proposes a 775 square foot first floor addition, a 293 square foot second floor addition (additions total 1,068 square feet), and the interior remodel to the first and second floors, a second floor deck/terrace, and associated site improvements for an existing single-family dwelling unit. As a component of the proposed project, the structure incorporates a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption, in conformance with the criteria of the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program.

The property is a corner lot and is located approximately 345 feet from the Pacific Ocean and Marine Street at this location is designated as the first public roadway paralleling the sea. The

property is approximately 40 feet above Mean Sea Level (MSL) and is located above the 100-year floodplain. The property is not within or adjacent to the Multiple Species Conservation Program (MSCP) Multiple Habitat Planning Area (MHPA) and does not contain any other type of Environmental Sensitive Lands (ESL) as defined in San Diego Municipal Code (SDMC) Section 113.0103

The City of San Diego conducted an environmental review of this site in accordance with State of California Environmental Quality Act (CEQA) guidelines. The project was determined to be categorically exempt from CEQA pursuant to Article 19, Section 15303 (New Construction or Conversion of Small Structures). Therefore, it has been determined that the project does not contain environmentally sensitive lands and would not adversely affect these resources.

3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program; and

The project site is located at 7404 Monte Vista Avenue, on the northwestern corner of Marine Street and Monte Vista Avenue, in the RS-1-7 Zone within the LJCP and Local Coastal Program Land Use Plan. The zoning designation is a single family residential zone which allows for the development of a single dwelling unit. The LJCP designates the proposed project site for Low Density Residential land use at 5-9 dwelling units per acre (DU/AC). The project site, occupying 0.172-acres, could accommodate one dwelling unit based on the underlying zone and one- to two-dwelling unit based on the community plan.

The project proposes a 775 square foot first floor addition, a 293 square foot second floor addition (additions total 1,068 square feet), and the interior remodel to the first and second floors, a second floor deck/terrace, and associated site improvements for an existing single-family dwelling unit. As a component of the proposed project, the structure incorporates a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption, in conformance with the criteria of the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program.

The property is a corner lot and is located approximately 345 feet from the Pacific Ocean and Marine Street at this location is designated as the first public roadway paralleling the sea. Marine Street is designated as a view corridor with views toward the Pacific Ocean and the proposed project. Complies with the street side setback requirement along Marine Street which preserves and enhance the framed view down the public right-of-way looking west. In addition, Marine Street contains a physical accessway in the form of a stairway from the public right-of-way to the tide pools; however, this access is not adjacent to the property and the development would not encroach upon the existing physical accessway. The property is not designated as a viewshed or scenic overlook and does not contain intermittent or partial vista views as identified within the adopted La Jolla Community Plan (LJCP) and Local Coastal Program Land Use Plan.

The site is approximately 40 feet above Mean Sea Level (MSL) and is located above the 100-year floodplain. The site is not within or adjacent to the Multiple Species Conservation

Program (MSCP) Multiple Habitat Planning Area (MHPA) and does not contain any other type of Environmental Sensitive Lands (ESL) as defined in San Diego Municipal Code (SDMC) Section 113.0103. The project proposes a maximum building height of 23 feet 2 inches, so the building and any projections will not exceed the maximum 30 foot height limit allowed by the CHLOZ.

The Residential Element of the LJCP contains policies for new development in order to avoid extreme and intrusive changes to the residential scale of the neighborhood, especially between new and older structures. The plan recommends that bulk and scale be controlled through the application of development regulations, such as setbacks and building height. The plan also recommends that visual relief, such as offsetting planes, articulation, and variations in front setbacks, be applied to provide a transition in scale between surrounding development. The existing residences immediately south and east of the site are one-story structures, however, the majority of the other homes along the block and within the immediate vicinity are two to three-stories. The project complies with the maximum allowable height of the zone, and complies with the required setbacks. In addition, the project provides articulation along the facades, architectural projections, a varied roof line, and uses of wood siding. These features aid in reducing perceived bulk and scale and are an adequate transition between the proposed development and the existing one-story homes.

The project is not requesting nor does it require any deviations or variances from the applicable regulations and policy documents, and is consistent with the recommended land use designation, design guidelines, and development standards in effect for this site. Therefore, the development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

The project site is located at 7404 Monte Vista Avenue, on the northwestern corner of Marine Street and Monte Vista Avenue. The project proposes a 775 square foot first floor addition, a 293 square foot second floor addition (additions total 1,068 square feet), and the interior remodel to the first and second floors, a second floor deck/terrace, and associated site improvements for an existing single-family dwelling unit. As a component of the proposed project, the structure incorporates a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption, in conformance with the criteria of the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program.

The property is a corner lot and is located approximately 345 feet from the Pacific Ocean and Marine Street at this location is designated as the first public roadway paralleling the sea. Marine Street is designated as a view corridor with views toward the Pacific Ocean and the proposed project. The proposed development complies with the street side setback requirement along Marine Street which preserves and enhances the framed view down the public right-of-way looking west. In addition, Marine Street contains a physical accessway in

the form of a stairway from the public right-of-way to the tide pools; however, this access is not adjacent to the property and the development would not encroach upon the existing physical accessway. The property is not designated as a viewshed or scenic overlook and does not contain intermittent or partial vista views as identified within the adopted La Jolla Community Plan (LJCP) and Local Coastal Program Land Use Plan.

The project is not requesting nor does it require any deviations or variances from the applicable regulations and policy documents, and is consistent with the recommended land use designation, design guidelines, and development standards in effect for this site. The public access to the water, public recreation facilities, or public parking facilities would not be adversely affected by the approval of this coastal development since the development would be located on private property. Therefore, this coastal development complies with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Coastal Development Permit No. 1417146 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1417146, a copy of which is attached hereto and made a part hereof.

Jeffrey A. Peterson Development Project Manager Development Services

Adopted on: June 10, 2015

Internal Order No. 24005509



LA JOLLA COMMUNITY PLANNING ASSOCIATION

P.O. Box 889 La Jolla CA 92038 Ph 858.456.7900 http://www.LaJollaCPA.org Email: Info@LaJollaCPA.org

Regular Meeting - 2 April 2015

Attention:

Jeff Peterson, PM, City of San Diego

Project:

Clausen Residence 7404 Monte Vista Ave

PN: 404187

Motion:

To accept the recommendations of the DPR

Vote: 14-0-1

Committee that the findings <u>CAN</u> be made for a Coastal Development Permit and Site Development Permit to construct a 1,068 sq ft addition and modify site retaining walls to an existing residence located at 7404 Monte

Vista Ave.

Submitted by:

Goseph La.Cava

4/02/2015

Joe LaCava, President

Date

La Jolla Community Planning Association

NOTICE OF EXEMPTION

(Check one or both)	1101102 01	Z.O. Z.O. T.	-
To: X	Recorder/County Clerk P.O. Box 1750, MS A-33 1600 Pacific Hwy, Room 260 San Diego, CA 92101-2422 Office of Planning and Research 1400 Tenth Street, Room 121 Sacramento, CA 95814	From:	City of San Diego Development Services Department 1222 First Avenue, MS 501 San Diego, CA 92101
PROJECT LOCATION	No.: CLAUSEN RESIDENCE CDP / 404187 ON-SPECIFIC: 7404 Monte Vista Avenue, San Dieg ON-CITY/COUNTY: San Diego/San Diego	o, CA 92037	SCH No.: N/A
and modification photovoltaic systems consumption, in The 0.172-acre p dwelling units p RS-1-7 zone, the	NATURE AND PURPOSE OF THE PROJECT: COASTA'ns of site retaining walls to an existing single-dwestem consisting of solar panels sufficient to general conformance with the criteria of the Affordable project site is located 7404 Monte Vista Avenue. The ser acre) within the La Jolla Community Plan and Coastal Height Limitation Overlay Zone, and the Lots 2, 3, and 4 of Block 3, Map No. 893112 3, Salada S	relling unit. The pr rate at least 50 perco /In-Fill Housing ar The project site is d I Local Coastal Pro te Coastal Overlay	roject would incorporate a roof-mounted ent of the project's projected energy ad Sustainable Buildings Expedite Program. lesignated low density residential use (5-9 ogram; additionally, the project is within the
NAME OF PERSON 5205.	n or Agency Carrying Out Project: Jack Claus	en, 7404 Monte Vis	sta Avenue, La Jolla, CA 92037, (858) 454-
() DECLAR () EMERGE (X) CATEGO	(CHECK ONE) BRIAL (SEC. 21080(b)(1); 15268) LED EMERGENCY (SEC. 21080(b)(3); 15269(a)) ENCY PROJECT (SEC. 21080(b)(4); 15269 (b)(c)) DRICAL EXEMPTION: 15303 (New Construction or CORY EXEMPTIONS:	Conversion of Sma	ll Structures).
not have the pot Section 15303 the listed in CEQA S environmental w	COJECT IS EXEMPT: The City of San Diego conducted ential for causing a significant effect on the environate allows for new construction, one single-family Section 15300.2 would not apply in that no cumulater identified; the project is not adjacent to a section to Section 65962.5 of the Government Code.	conment. The proje residence in a resi lative impacts wer enic highway; nor i	ect meets the criteria set forth in CEQA idential zone. Furthermore, the exceptions e identified; no significant effect on the
LEAD AGENCY CO	ONTACT PERSON: E. Shearer-Nguyen	TELEP	HONE: (619) 446-5369
	I CERTIFIED DOCUMENT OF EXEMPTION FINDING. OTICE OF EXEMPTION BEEN FILED BY THE PUBLIC AGE	NCY APPROVING TH	E PROJECT?
It is hereby CERT	IFIED THAT THE CITY OF SAN DIEGO HAS DETERMINI	ED THE ABOVE ACTIV	TITY TO BE EXEMPT FROM CEQA.
SIGNATURE/TITLE	Senior Planner		May 6, 2015 Date of Project Approval
CHECK ONE:			J. III OI I ROJECI ZMIROVAL
~			

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:

(X) SIGNED BY LEAD AGENCY

() SIGNED BY APPLICANT



THE CITY OF SAN DIEGO

Date of Notice: May 6, 2015

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

SAP No. 24005509

PROJECT NAME/NUMBER: CLAUSEN RESIDENCE CDP / 404187

COMMUNITY PLAN AREA: La Jolla

COUNCIL DISTRICT: 1

LOCATION: 7404 Monte Vista Avenue, San Diego, CA

PROJECT DESCRIPTION: COASTAL DEVELOPMENT PERMIT for a 1,068-square-foot addition and modifications of site retaining walls to an existing single-dwelling unit. The project would incorporate a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption, in conformance with the criteria of the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program. The 0.172-acre project site is located 7404 Monte Vista Avenue. The project site is designated low density residential use (5-9 dwelling units per acre) within the La Jolla Community Plan and Local Coastal Program; additionally, the project is within the RS-1-7 zone, the Coastal Height Limitation Overlay Zone, and the Coastal Overlay Zone (Appealable Area). (LEGAL DESCRIPTION: Lots 2, 3, and 4 of Block 3, Map No. 893112 3, San Diego County).

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Hearing Officer

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15303 (New Construction or Conversion of Small Structures)

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The City of San Diego conducted an environmental review that determined the project would not have the potential for causing a significant effect on the environment. The project meets the criteria set forth in CEQA Section 15303 that allows for new construction, one single-family residence in a residential zone. Furthermore, the exceptions listed in CEQA Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effect on the environmental were identified; the project is not adjacent to a scenic highway; nor is the project identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

DEVELOPMENT PROJECT MANAGER:

MAILING ADDRESS:

Jeff Peterson

1222 First Avenue, MS 501, San Diego, CA 92101-4153

PHONE NUMBER:

(619) 446-5237

On May 6, 2015 the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice (May 20, 2015). The appeal application can be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

This information will be made available in alternative formats upon request.



City of San Diego **Development Services** 1222 First Ave., MS-302 San Diego, CA 92101 (619) 446-5000

Ownership Disclosure Statement

Approval Type: Che-	ck appropriate box fc	r type of approval (s) reques	sted: Neighborh	ood Use Permit 🎵	Coastal Development Permit
Neighborhood De	velopment Permit	Site Development Permi	t Planned Deve	elopment Permit	Conditional Use Permit
Variance Tent	ative Map	ng Tentative Map 🏻 Map W	/aiver 🔲 Land Use	Plan Amendment	Other
Project Title	/ 1	DDC 14 -1 11	^		Project No. For City Use Only
	AUSEN	RESIDENC			404187
Project Address:					
7404 M	IONTE V	ISTA AVE	LA JOL	LA, CA	92037
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Part I - To be comp	leted when prope	rty is held by Individua	l(s)		
					p or other matter, as identified
					nce against the property. Please list
					names and addresses of all persons its who will benefit from the permit, all
					ditional pages if needed. A signature
from the Assistant Exe	cutive Director of the	San Diego Redevelopmen	t Agency shall be re	quired for all projec	t parcels for which a Disposition and
					responsible for notifying the Project
					nges in ownership are to be given to ride accurate and current ownership
nformation could result			n are easyest prope	rty. Tamaro to pro-	nas assarate and same in similarity
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Additional pages at	ttached Yes	No			
Name of Individual	(type or print);		Name of Inc	lividual (type or pr	rint):
LYNN CL	AUSEN				
	nant/Lessee Re	edevelopment Agency	Owner	Tenant/Lesse	e Redevelopment Agency
Street Address:	ht Mach 1	Sim	Street Addres	ss:	
City/State/Zip:	HE VISTA!	<u>10C</u>	City/State/Zip	:	
LÁ JOLLA	CA 920	3子			· ·
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Signature :	$\frac{1}{2}$	Date:	Signature :		Date:
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JACK CLA	ALCEN!		Name of the	iividuai (type oi pi	III.).
Owner Ten	ant/Lessee Red	levelopment Agency	Owner	Tenant/Lessee	Redevelopment Agency
Street Address:	NTE VISTA	AVE	Street Addres	ss:	
City/State/Zip:			City/State/Zip	:	*****
LA JOLLA	,CA 920				
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Signature :	4000	72 23 14 Date:	Signature :		Date:
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DEVELOPMENT SERVICES DEPARTMENT PROJECT CHRONOLOGY CLAUSEN RESIDENCE - PROJECT NO. 404187

Date	Action	Description	City Review Time (Working Days)	Applicant Response
1/28/2015	First Submittal	Project Deemed Complete	-	-
2/26/2015	First Assessment Letter		20 days	
4/6/2015	Second Submittal			26 days
4/17/2015	Second Assessment Completed	All issues resolved.	9 days	
5/6/2015	Environmental Determination	Exemption and NORA Posted (5/20/2015 end of appeal period)	13 days	
6/10/2015	Public Hearing	First available date	24 days	
TOTAL ST.	AFF TIME	(Does not include City Holidays or City Furlough)	66 days	
TOTAL APPLICANT TIME		(Does not include City Holidays or City Furlough)		26 days
TOTAL PROJECT RUNNING TIME		From Deemed Complete to Hearing	92 working days (133 calendar days)	