

Appendix 5.9-1 LCP Consistency Analysis

Appendices

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Project Consistency with City of Solana Beach LUP Policies

The proposed project is within the City of Solana Beach’s Local Coastal Program (LCP) Land Use Plan (LUP) area. Although the City has adopted the LCP LUP, the City has not adopted a Local Implementation Plan. Therefore, the Coastal Development Permit for the proposed project is required to be reviewed and certified by the California Coastal Commission to determine if the proposed project is consistent with the policies of the City’s adopted LCP. To assist the CCC in its determination, an evaluation of the proposed project with these policies is contained in Table 1, *Local Coastal Program Consistency*. As demonstrated in the table, the proposed project would be consistent with the policies of the LCP, and no associated land use policy consistency impacts would occur.

Table 1 Local Coastal Program Consistency

Goal / Policy Number	Analysis	Consistency Analysis	Consistency Determination
Chapter 2 – Public Access and Recreation			
Policy 2.24	New development shall provide off-street parking sufficient to serve the approved use in order to minimize impacts to public street parking available for coastal access and recreation.	See Section 5.12, <i>Transportation and Traffic</i> , of the DEIR. In accordance with the City of Solana Beach’s LCP LUP parking requirements for residential care facility to provide 1 parking space per employee plus 1 space per 7 beds, the proposed project would require 60 off-street parking stalls; the proposed project includes 62 off-street parking spaces and would exceed the required spaces by 2.	The proposed project is consistent with this policy.
Policy 2.25	Adequate parking should be provided to serve coastal access and recreation uses. Existing parking areas serving recreational uses may not be displaced unless a comparable replacement area is provided.	See Section 5.12, <i>Transportation and Traffic</i> , of the DEIR. In accordance with the City of Solana Beach’s LCP LUP parking requirements for residential care facility to provide 1 parking space per employee plus 1 space per 7 beds, the proposed project would require 60 off-street parking stalls; the proposed project includes 62 off-street parking spaces and would exceed the required spaces by 2.	The proposed project is consistent with this policy.
Policy 2.38	Apply City parking regulations to new projects and redevelopment projects to ensure that the parking demands generated by new development are provided on-site as follows: Residential care facilities: 1 parking space per employee and one parking space for every 7 beds, unless the director of community development determines that additional parking spaces are required.	See Section 5.12, <i>Transportation and Traffic</i> , of the DEIR. In accordance with the City of Solana Beach’s LCP LUP parking requirements for residential care facility to provide 1 parking space per employee plus 1 space per 7 beds, the proposed project would require 60 off-street parking stalls; the proposed project includes 62 off-street parking spaces and would exceed the required spaces by 2.	The proposed project is consistent with this policy.

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Goal / Policy Number	Analysis	Consistency Analysis	Consistency Determination
Chapter 3 Marine and Land Resources			
Policy 3.7	<p>If a site-specific biological study contains substantial evidence that an area previously mapped as ESHA does not contain habitat that meets the definition of ESHA, the City Community Development Director shall review all available site-specific information to determine if the area in question should no longer be considered ESHA and not subject to the ESHA protection policies of the LUP. If the area is determined to be adjacent to ESHA, LUP ESHA buffer policies shall apply. The Community Development Director shall provide recommendations to the City Council as to the ESHA status of the area in question. If the City Council finds that an area previously mapped as ESHA does not meet the definition of ESHA, a modification shall be made to the LUP ESHA Maps, as part of an LCP map update and LCP Amendment. If an area is not ESHA or ESHA buffer, LCP policies and standards for protection of ESHA and ESHA buffer shall not apply and development may be allowed (consistent with other LCP requirements) after the ESHA map and LCP has been amended.</p>	<p>A site-specific biological letter report was prepared for the proposed project (included as Appendix 5.3-1, biological Resources Survey) to this DEIR. As provided in the biological survey, the project site does not contain habitat that meets the definition of an ESHA.</p>	<p>The proposed project is consistent with this policy.</p>
Policy 3.32	<p>For development in locations known, or determined by environmental review, to potentially have breeding or nesting sensitive birds species, two weeks prior to any scheduled development, a qualified biological monitor shall conduct a pre-construction survey of the site and within 500 feet of the project site. Sensitive bird species are those species designated “threatened” or “endangered” by state or federal agencies,</p>	<p>The project site supports vegetation communities and contains mature trees that could support nesting sites for bird species which are protected under the MBTA. However, demolition of the existing site features and vegetation clearing would begin outside of the general avian breeding season (beginning February 1 and ending in August 31). if vegetation clearing cannot be conducted outside of avian breeding season, two weeks prior to any scheduled development or vegetation clearing, the project applicant is required to retain a qualified biological monitor to conduct a survey of the project site and within 500 feet of the project site. If no active nests are discovered, the clearing can proceed. If active nests are discovered, no clearing may take place within a buffer zone of no less than 100 feet of any active nest until the qualified biologist determines the nest is</p>	<p>The proposed project is consistent with this policy.</p>

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	<p>California Species of Special Concern, California Fully Protected Species, raptors, and large wading birds. In addition, surveys must be conducted every two weeks for sensitive nesting birds during the breeding season. If nesting sensitive birds are detected at any time during the breeding season, the California Department of Fish and Wildlife shall be notified and an appropriate disturbance set-back will be determined and imposed until the young-of-the-year are no longer reliant upon the nest. The set-back or buffer shall be no less than 100 feet.</p>	<p>no longer active. Compliance with the policies and regulations of the LCP would ensure compliance with the MBTA by conducting a survey and restricting construction, if necessary, to ensure that no significant impact to migratory birds would occur.</p>	
Policy 3.38	<p>New development shall be sited and designed to minimize impacts to coastal resources by:</p> <ul style="list-style-type: none"> • Minimizing grading and landform alteration. • Minimizing the removal of natural vegetation, both that required for the building pad or driveway, as well as, the required fuel modification around structures. • Limiting the maximum number of structures to one main residence, one second residential structure, and accessory structures such as, workshop, gym, studio, pool cabana, office, or tennis court, provided that such accessory structures are located within the approved development area and structures are clustered to minimize the need for fuel modification. • Minimizing the length of the access road or driveway, except where a longer roadway can be demonstrated to avoid or be more protective of resources. Access roads and driveway lengths must comply with fire code requirements. • Grading for access roads and driveways 	<p>The project site is approximately 1 mile east of the coast and is an infill project within a developed area of Solana Beach; the proposed improvements would not impact coastal resources. The project site would be graded to accommodate the proposed senior care facility while maintaining westward views towards the Pacific Ocean (see Section 5.1, <i>Aesthetics</i>, of the DEIR).</p> <p>Although vegetation would be removed from the site for the proposed improvements. However, new landscaping at the project site would total 41 percent of the site area.</p> <p>The new private roadway would be 24 feet wide and approximately 240 feet long and would lead to a turnaround with a 36-foot radius near the center of the proposed building (see Figure 5.11-1 of the DEIR). The new access roadway would be constructed in accordance with the California Fire Code and were approved by the Solana Beach Fire Department Fire Marshall (see Section 5.12, <i>Transportation and Traffic</i>).</p> <p>The project site is not near a water body; the nearest water body is the Pacific Ocean, approximately 1 mile west of the site. Construction and operation impacts related to water quality would be less than significant (see Section 5.7, <i>Hydrology and Water Quality</i>).</p>	<p>The proposed project is consistent with this policy.</p>

Table 1 Local Coastal Program Consistency

Goal / Policy Number	Analysis	Consistency Analysis	Consistency Determination
	<p>should be minimized; the standard for new on-site access roads shall be a maximum of 300 feet or one-third the parcel depth, whichever is less. Longer roads may be allowed on approval of the City Council or Commission on appeal, if the determination can be made that adverse environmental impacts will not be incurred. Such approval shall constitute a conditional use to be processed consistent with the LIP provisions.</p> <ul style="list-style-type: none"> • Limiting earthmoving operations during the rainy season to prevent soil erosion, stream siltation, reduced water percolation, and increased runoff. • Prevent net increases in baseline flows for any receiving waterbody. • Minimizing impacts to water quality. 		
Policy 3.41	<p>Grading or earthmoving exceeding 50 cubic yards shall require a Development Review Permit from the City. Grading plans shall meet the requirements of the LIP with respect to maximum quantities, maximum cuts and fills, remedial grading, grading for safety purposes, and maximum heights of cut or fill.</p>	<p>As provided in Chapter 4, <i>Project Description</i>, the project would be required to obtain approval of a development review permit. Project implementation would require moving approximately 28,000 cubic yards of soil, with an estimated export of about 26,800 cubic yards to an approved fill site.</p>	<p>The proposed project is consistent with this policy.</p>
Policy 3.45	<p>Cut and fill slopes and other areas disturbed by construction activities (including areas disturbed by fuel modification or brush clearance) shall be landscaped or revegetated at the completion of grading. Landscape plans shall provide that:</p> <ul style="list-style-type: none"> • Plantings shall be native, non-invasive drought-tolerant salt-tolerant and fire resistant plant species, and blend with existing natural vegetation and natural 	<p>The project proposes four open space areas. The proposed landscaped courtyards, gardens, and walkways would be made of decomposed granite and concrete. Drought-tolerant, native, and ornamental trees and shrubs would be used. The project would not result in the removal of native vegetation from the site (see Section 5.3, <i>Biological Resources</i>, of the DEIR).</p>	<p>The proposed project is consistent with this policy.</p>

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Goal / Policy Number	Analysis	Consistency Analysis	Consistency Determination
	<p>habitats on the site, except as noted below.</p> <ul style="list-style-type: none"> • Invasive plant species that tend to supplant native species and natural habitats shall be prohibited. • Non-invasive ornamental plants and lawn may be permitted in combination with native, drought-tolerant, salt tolerant and fire resistant species within the irrigated zone(s) required for fuel modification nearest approved residential structures. • Landscaping or revegetation shall provide 90% coverage within five years, or that percentage of ground cover demonstrated locally appropriate for a healthy stand of the particular native vegetation type chosen for restoration. Landscaping or revegetation that is located within any required fuel modification thinning zone shall provide 60% coverage within five years. • Any landscaping or revegetation shall be monitored for a period of at least five, and no more years than ten following the completion of planting. Performance criteria shall be designed to measure the success of the plantings. Adaptive management techniques shall be implemented if necessary. If performance standards are not met by the end of five years, the applicant may request that the monitoring period be extended up to an additional five years until the standards are met. However, if at any time after five years the applicant concludes that performance standards cannot be met, or if ten years have elapsed and performance standards have still not been met, the 		

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Goal / Policy Number	Analysis	Consistency Analysis	Consistency Determination
	applicant shall submit an amendment proposing alternative mitigation measures.		
Policy 3.76	All new development, public and private, shall meet or exceed the storm water standards of the State of California, and the most recent standards of the RWQCB with regard to storm water runoff and other polluted runoff.	The proposed project would meet the storm water standards of the San Diego Regional Water Quality Control Board and comply with the statewide general NPDES permit (see Section 5.8, <i>Hydrology and Water Quality</i>).	The proposed project is consistent with this policy.
Policy 3.77	All new development shall be designed to avoid or minimize the creation of impervious surfaces, reduce the extent of existing unused impervious surfaces, and to reduce directly connected impervious area to the maximum extent practicable on the site. No new development shall result in an increase in storm water flow discharge or redirected/diverted storm water flow in a manner that results in a negative impact to downstream properties. The permittee shall put into effect and maintain all precautionary measures necessary to ensure that pollutant discharges from the site will be reduced to the maximum extent practicable and will not cause exceedances of water quality objectives or adversely impact water quality.	An underground pipe storage stormwater retention system is proposed to mitigate for any increase in peak runoff. This system would be underneath the access road along the western site boundary. It has been sized to contain the net increase in runoff volume from the site from a 100-year, 6-hour storm event. Onsite runoff from the new onsite access road and part of the roof would be collected by the pipes used to store the stormwater. Once the peak flow has passed, the stormwater would be pumped to the surface along the west side of the site where it would sheet flow to the existing concrete drainage channel and into the existing public storm drain system. The system is intended to mimic existing site runoff to ensure that the proposed development does not result in additional drainage impacts to downstream properties or to the existing drainage improvements that receive runoff from the site. Permanent stormwater treatment areas, including swales, landscaping, and retention areas, have been incorporated into the site design (see Figure 5.8-3) and sized to meet the minimum low impact development requirements for priority stormwater projects, as defined by the San Diego County's current BMP Manual.	The proposed project is consistent with this policy.
Policy 3.81	Design and manage development to avoid or minimize increases in stormwater runoff volume and peak runoff rate, and to avoid detrimental water quality impacts caused by excessive erosion or sedimentation.	A SWPPP would be prepared for the proposed project specifying BMPs to be implemented to minimize construction stormwater pollution impacts. The project applicant would prepare a stormwater quality management plan for the project specifying BMPs to minimize stormwater pollution from project operation. As discussed in Section 5.8, <i>Hydrology and Water Quality</i> , the project would result in less than significant impacts to water quality through erosion or sedimentation.	The proposed project is consistent with this policy.
Policy 3.86	Post-development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate. Dry weather runoff from new development must not exceed the pre-development baseline	The project site is generally undeveloped. The project would result in construction of impervious surfaces and storm drain improvements. Although construction of impervious surfaces on the project site would increase onsite stormwater runoff rates, as provided in Section 5.8, <i>Hydrology and Water Quality</i> of the DEIR, the combination of storm drainage improvements, stormwater retention pipes, and surface low-impact-development	The proposed project is consistent with this policy.

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	flow rate to receiving water bodies and may only consist of non-storm runoff explicitly allowed by Stormwater Permit 2007-0001 or updates of that permit.	improvements would not result in an increase in peak limit runoff from the site due to a 100-year, 6-hour storm.	
Policy 3.87	New development shall be sited and designed to minimize impacts to water quality from increased runoff volumes and nonpoint source pollution. All new development shall meet the requirements of the San Diego RWQCB in its SUSMP for San Diego County	A SWPPP would be prepared for the proposed project specifying BMPs to be implemented to minimize construction stormwater pollution impacts. The project applicant would prepare a stormwater quality management plan for the project specifying BMPs to minimize stormwater pollution from project operation. As discussed in Section 5.8, <i>Hydrology and Water Quality</i> , the project would result in less than significant impacts to water quality through erosion or sedimentation.	The proposed project is consistent with this policy.
Policy 3.96	New development shall include construction phase erosion control and polluted runoff control plans. These plans shall specify BMPs that will be implemented to minimize erosion and sedimentation provide adequate sanitary and waste disposal facilities and prevent contamination of runoff by sediment, construction chemicals and materials.	The project-specific SWPPP includes construction phase BMPs that would be implemented to reduce impacts to water quality and would prevent contamination from runoff (see Section 5.8, <i>Hydrology and Water Quality</i>).	The proposed project is consistent with this policy.
Policy 3.97	New development shall include post-development phase drainage and polluted runoff control plans. These plans shall specify site design, source control and treatment control BMPs that will be implemented to minimize post-construction polluted runoff, and shall include the monitoring and maintenance plans for these BMPs.	The project-specific hydrology study, included as Appendix 5.8-1 to the DEIR, includes post-development drainage plans that calculate pre- and post-development on- and off-site drainage. The project-specific SWQMP, included as Appendix 5.8-2 to the DEIR, includes site design, source control, and treatment control BMPs that would be implemented to minimize polluted runoff from the site.	The proposed project is consistent with this policy.
Policy 3.105	New development that requires a grading permit or local Storm Water Pollution Prevention Plan (SWPPP) shall include landscaping and re-vegetation of graded or disturbed areas. Any landscaping that is required to control erosion shall use native or drought-tolerant noninvasive plants to minimize the need for fertilizer, pesticides, herbicides, and excessive irrigation. Where	The entire project site would be graded and would include a SWPPP for construction BMPs. The project proposes four open space areas with drought-tolerant, native, and ornamental trees and shrubs. The project would not result in the removal of native vegetation from the site (see Section 5.3, <i>Biological Resources</i> , of the DEIR). As discussed in Section 5.8, the proposed improvements would be designed to minimize runoff impacts.	The proposed project is consistent with this policy.

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	irrigation is necessary, efficient irrigation practices shall be required. Landscaping maintenance and irrigation shall be designed and built to avoid or minimize dry weather runoff.		
Chapter 5 – New Development			
Policy 5.2	Encourage and provide recreational facilities to support both local resident and visitor needs within the City of Solana Beach.	The project proposes an open space area at the northeastern portion of the site near the intersection of Marine View Avenue and Genevieve Street. The open space would be available for community use.	The proposed project is consistent with this policy.
Policy 5.7	Protect and encourage lower cost visitor and recreational facilities. Priority shall be given to developments that include public recreational opportunities. New or expanded facilities shall be sited and designed to minimize impacts to environmentally sensitive habitat areas and visual resources. Coastal recreational and visitor serving uses and opportunities, especially lower cost opportunities; shall be protected, encouraged, and where feasible, provided by both public and private means.	The project site is generally vacant and is not utilized; the proposed project includes a public recreational opportunity at the open space at the northeastern portion of the site.	This policy is not applicable to the proposed project.
Policy 5.10	Assess the potential for environmental effects of new development or redevelopment before receiving City approval in accordance with CEQA and to avoid, reduce and/or mitigate impacts where feasible.	The proposed project is evaluated throughout the DEIR for its potential for environmental effects. As discussed throughout the DEIR, all potentially significant impacts would be mitigated to a level of less than significant, and no significant unavoidable impacts would occur.	This policy is not applicable to the proposed project.
Policy 5.16	Off-street parking shall be provided for all new development in accordance with the policies of the LUP to assure there is adequate public access to coastal resources. A modification in the required parking standards through the variance process shall not be approved unless the City makes findings that the provision of fewer parking	In accordance with the City of Solana Beach’s LCP LUP parking requirements for residential care facility to provide 1 parking space per employee plus 1 space per 7 beds, the proposed project would require 60 off-street parking stalls; the proposed project includes 62 off-street parking spaces and would exceed the required spaces by 2. Additionally, the project site is approximately 1 mile east of the Pacific Ocean. Access to the beach is limited because the site is immediately east of the I-5. Due to the distance and physical roadway barrier, the site and vicinity are not used for beach parking or	This policy is not applicable to the proposed project.

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	spaces will not result in adverse impacts to public access.	coastal access.	
Policy 5.51	Identify and mitigate potential impacts of development on archaeological, paleontological and historic resources.	Implementation of mitigation measures CUL-1 and CUL-2 would reduce impacts to archaeological and paleontological resources to a less than significant level.	This policy is not applicable to the proposed project.
Policy 5.52	New development shall protect and preserve archaeological, historical and paleontological resources from destruction, and shall avoid, and minimize impacts to such resources.	Implementation of mitigation measures CUL-1 and CUL-2 would reduce impacts to archaeological and paleontological resources to a less than significant level.	This policy is not applicable to the proposed project.
Chapter 6 – Scenic and Visual Resources			
Policy 6.4	<p>Locations along public roads, railways, trails, parklands, and beaches that offer views of scenic resources are considered public viewing areas. Existing public roads where there are major views of the ocean and other scenic resources are considered Scenic Roads and include:</p> <ul style="list-style-type: none"> - Highway 101/Pacific Coast Highway and Railway Corridor - I-5 - Lomas Santa Fe Drive <p>Public views to scenic resources from Scenic Roads shall also be protected</p>	The project site is east and generally below the grade of I-5. The site contains abandoned structures, including a residence, greenhouse, and shed. The remainder of the site, approximately 124,000 square feet or 98 percent, of the site is vacant with grasses, small shrubs, and ornamental palm trees. The project site also contains debris and a few conceptual story poles. The project site is not considered to be a scenic resource (see Section 5.1, Aesthetics, of the DEIR).	The proposed project is consistent with this policy.
Policy 6.12	<p>All new development shall be sited and designed to minimize alteration of natural landforms by:</p> <ul style="list-style-type: none"> - Conforming to the natural topography. - Preventing substantial grading or reconfiguration of the project site. - Eliminating flat building pads on slopes and utilizing split level or stepped-pad designs. - Requiring that man-made contours mimic 	The project site would be graded so the building could conform to the natural topography and would not contrast with the topography and elevations of the surrounding residences (see Impact 5.1-2 in Section 5.1, <i>Aesthetics</i> , of the DEIR). . The top of the building would be approximately 11 feet above ground level at the south end of the building, and approximately 25 feet above ground level at the north end of the building. Because of the adjacent topography, the existing homes nearby would have views of the second floor of the building and would be able to look over the roof of the building. Visual simulations were prepared by the applicant to illustrate how views onto the site would change due to as a result of construction of the proposed project (see Figure 5.1-1 through 5.1-4 of the DEIR).	The proposed project would be consistent with this policy.

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	<p>the natural contours to and blend with the existing terrain of the site and surrounding area.</p> <ul style="list-style-type: none"> - Minimize grading outside of the building footprint. - Clustering structures to minimize site disturbance and to minimize development area. - Minimizing height and length of cut and fill slopes. - Minimizing the height and length of retaining walls. - Cut and fill operations may be balanced on-site, where the grading does not substantially alter the existing topography and blends with the surrounding area. 		
Chapter 7 – Public Works			
Policy 7.7	Provide an adequate supply of private off-street and public parking to meet the needs of residents and visitors to the City.	In accordance with the City of Solana Beach’s LCP LUP parking requirements for residential care facility to provide 1 parking space per employee plus 1 space per 7 beds, the proposed project would require 60 off-street parking stalls; the proposed project includes 62 off-street parking spaces and would exceed the required spaces by 2.	The proposed project would be consistent with this policy.