



CONDITIONAL USE PERMIT APPLICATION FOR A BLUFF RETENTION DEVICE PERMIT

The City of Solana Beach has prepared this informational handout to assist the applicant in the process of preparing a bluff retention device permit application. Please review the application carefully. Depending on the scope of the proposed bluff retention device, the applicant may wish to make an appointment with a member of the Planning Department staff to discuss the process and specific procedures prior to submitting a formal application.

A complete application will include a completed application form plus all of the required attachments which are listed below. The following checklist is provided for the convenience of the applicant in gathering necessary application materials. It is not a complete statement of filing requirements. Please refer to the Planning Department for any specific questions or concerns.

- Incomplete Applications will not be accepted for filing.
- Answer all questions. If a question is not applicable to your project, indicate Not Applicable or N/A.
- All maps and exhibits must be legible.
- List of Required Attachments (also listed on page 10 of the Application):
 - Assessor's Parcel Map(s);
 - Vicinity Map;
 - Electronic and three sets of hard copies of all plans, drawings and technical reports prepared for the project;
 - Digital photographs of the site taken within the last month;
 - Two sets of stamped and addressed envelopes for all properties within a 300-foot radius of the project site; and,
 - Copy of all other permits, approvals, and permissions.

Please be aware that the review and processing of this application may take several months and that "emergency" projects will necessarily take precedence over non-emergency projects.



EXPEDITING

An applicant may choose to expedite a project (either emergency or non-emergency) by paying additional expediting fees to the City. These additional fees will be used by the City to retain supplemental staff/consulting services to facilitate the review and processing of the application and will generally result in the shortening of the overall processing time by several months over regular processing time. The fee schedule, including regular fees and expedite fees, is provided in Appendix A of this permit application.

USE OF PRE-QUALIFIED GEOTECHNICAL CONSULTANTS

For convenience, the City has developed an approved list of pre-qualified geotechnical consultants for use by applicants. This list is included as Appendix B to this permit application package.

PREFERRED BLUFF RETENTION DEVICE DESIGNS

Projects that conform to the City's Preferred Bluff Retention Solutions, which were approved by the City Council on May 27, 2009 and are included as Appendix C to this permit application package. Applications reliant upon these preferred solutions will be processed more expeditiously than applications that rely upon non-preferred bluff retention devices.

LANDSCAPE AND IRRIGATION

Please note that City policy is to promote only native, non-invasive, salt and drought tolerant hydroseed mixes on the bluff face, where necessary or desired. No permanent irrigation is allowed. Any permanent irrigation within 100' of the bluff edge will be required to be removed as a condition of project approval.

IMPACT MITIGATION FEES

On June 13, 2007 the City adopted a Resolution (Resolution #2007-042) which reiterated the City's intention of establishing a method for calculating land lease/recreation fees and sand mitigation fees applicable to bluff retention device projects, as soon as practicable. The current deposit for bluff retention devices is \$1,000.00 per linear foot of the device that is constructed. All bluff retention device projects are subject to this fee deposit at this time.

SHORELINE AND COASTAL BLUFF REGULATION CONSISTENCY

The proposed conditional use application must be consistent with the City's Shoreline & Coastal Bluff regulations, which are contained in the Solana Beach Municipal Code, Chapter 17.62. Generally, this chapter defines the procedures



and circumstances for the construction, as well as the standards for coastal bluff protection structures. To assist you in determining whether the proposal is consistent with the City's Shoreline and Coastal Bluff regulations, it is appropriate to review the following key definitions as contained in SBMC17.62.040:

"Emergency" means a sudden, unexpected occurrence requiring a quick response to prevent or mitigate imminent loss or damage to life, health, property or essential public services.

"Imminent" means an occurrence that is reasonably foreseeable within 12 months from the time the determination of imminence is made.

"Significant Structure" includes, without limitation, legally existing principal structures, community clubhouses, public coastal access structures, and swimming pools that are structurally integrated with another significant structure, and excludes, without limitation, gazebos, patio decks, fences, landscaping features, and playhouses. (Ord. 195 § 1, 1994).

In accordance with SBMC 17.62.080, "Issuance and Denial - Permits for Seawalls, Revetments and Bluff Retaining Walls", a special use permit for a seawall, bluff retaining wall, armoring or revetment may be issued only if the City Council can make all nine findings as required by the ordinance.

LOCAL COASTAL PROGRAM (LCP) / LAND USE PLAN (LUP) - JUNE 2009

In June 2009, the City completed a revised draft Local Coastal Program (LCP) Draft Land Use Plan (LUP) in an effort to advance the City's goal of obtaining approval of an LCP. This document is available for review on the City's website. Because the Coastal Commission LCP approval process can be lengthy, the City has proceeded with development of an interim strategy for processing bluff retention device applications it receives until such time as the LCP is certified by the Coastal Commission and approved by the City. A key element of the City's interim bluff retention device application review and processing strategy is ensuring that all relevant policies contained within the June 2009 Draft LUP are incorporated into bluff retention device permits granted by the City as conditions of approval. The City's intent regarding the incorporation of LCP policies as project conditions of approval is to ensure application of a consistent policy regarding shoreline management decisions and to ensure that approvals reflect applicable LCP policies and remain consistent with the required nine findings as contained in the City's Shoreline and Coastal Bluff Protection Ordinance (Solana Beach Municipal Code, Section 17.62).



SECTION I. APPLICANT and/or PROPERTY OWNER

1. Name, mailing address, contact telephone numbers and email address for all applicants and representatives, if any.

2. Name, mailing address, contact telephone number and email address for property owner and representatives; if different from applicant.

SECTION II. PROPOSED BLUFF RETENTION DEVICE

Please answer all questions. Where questions do not apply to your project, write Not Applicable or N/A.

1. Project Location/Street Address and Assessor's parcel Number(s)

2. Is this project an Emergency? If so, Please describe any known causative factor in the creation of this emergency (erosion, and/or bluff failure, etc.).

3. Describe the proposed bluff retention device permit in detail. Include length, height and note whether this application is for a lower, mid or upper bluff retention device. Also list proposed secondary improvements such as grading and landscaping. (See Section II, Items 1-4 for other required information)



protection is a 35'high seawall that encapsulates the clean sand lens and is colored and hand sculpted to match the native bluff. The preferred upper bluff retention device consists of a restored bluff held in place by geofabric and landscaped with native species. If you are proposing a device that is other than a preferred solution, please clearly explain why. Please also note if this project as designed conforms to the requirements of the California Coastal Commission.

7. How far is the primary structure/residence from the bluff edge?

8. What does the Factor of Safety analysis indicate for this site? Please Include a copy of this analysis with this submittal. (If included in the Geotechnical Report, please indicate).

9. Will the bluff retention device development involve any construction, filling, draining, dredging, or placing structures in open coastal waters? Will the construction of the structure result in unusable area at the top of the bluff or extend the bluff-top edge seaward larger than existed on January 3, 1991 as shown on the orthophoto map of the City dated January 3, 1991? (Pursuant to SBMC 17.62.080 (A)(8))

YES NO (If yes, describe the amount and location, in detail)



10. Is the proposed development located in or near any:

- a. Sensitive habitat areas?
- b. Area of state or federally listed rare, threatened, or endangered species?
- c. Public property or property subject to a public trust?
- d. Adjoining private property?

YES NO (If yes, please explain)
(Pursuant to SBMC 17.62.080 (A)(7))

11. Has the property owner taken reasonable steps to protect the property and significant structures by other means? (Pursuant to SBMC 17.62.080 (A)(3))

YES NO (If yes, please explain)

12. Has the current or previous property owner created a necessity for the bluff retention device by reasonably failing to implement erosion and drainage control measures or by otherwise unreasonably acts with respect to the property? (Pursuant to SBMC 17.62.080 (A)(4))

YES NO (If yes, please explain)



13. Does the project location, size, design, or operation characteristic have the potential to adversely affect adjacent public or private property, natural resources, or public use of the beach? (Pursuant to SBMC 17.62.080 (A)(5))

YES NO (If yes, please explain)

14. Does the project provide a reasonable level of protection and be placed:

- a. In a manner constructed and maintained to incorporate an earth-like appearance which will resemble the natural color, texture, and form of the adjacent bluffs?
- b. At the most feasible landward location?
- c. Appropriately landscaped and maintained to blend in with the existing environment?

(Pursuant to SBMC 17.62.080 (A)(6))

YES NO (If no, please explain)

15. Is an existing significant structure threatened with imminent danger or destruction which occurs naturally, or which results or arises from circumstances which are not within the control of the property owner? Is it foreseeable that structure on the property (if any) would suffer structural



damage, if the project is not approved? (Pursuant to SBMC 17.62.080 (A)(1))

YES NO (If yes, please explain)

16. List the alternative methods of stabilizing the coastal bluff which have been considered to abate the nuisance or preserve the economically viable use of the property. Explain why these alternatives to the project have been rejected. (Pursuant to SBMC 17.62.080 (A)(2))

17. Would the project adversely affect the health, safety, or welfare of the public or affect the public use of the beach? (Pursuant to SBMC 17.62.080 (A)(9))

YES NO (If yes, please explain)

SECTION III. ADDITIONAL INFORMATION

The relationship of the proposed development to the applicable items below must be explained fully. (Attach additional sheets as necessary.)



1. Describe the present use of property.

a) Are there existing structures on the property?

YES NO (If yes, please describe)

b) Will any existing structures be demolished or removed including patios?

YES NO (If yes, please describe)

2. Has a bluff retention device permit application for development on this site been submitted previously to the City, California Coastal Commission or any other state agency? Have these bluff retention devices if any, been built and are now in need of additional repair/replacement? Include previous application number(s), if applicable.

YES NO (If yes, list all previous applications)

SECTION IV. REQUIRED ATTACHMENTS

The following items must be submitted with this form as part of the application.

- 1. Assessor's Parcel Map(s) showing the page number, the applicant/property owner's property, and properties within 300 feet (excluding roads) of the proposed development property lines.



2. A vicinity or location map with the proposed development clearly marked.
3. Three sets of stamped envelopes for all property owners/tenants within 300 feet of the project site.
4. Three folded sets of plans drawn to scale, including (as applicable):
 - Site plans
 - Grading plans depicting the limits of construction
5. Site photographs in hard copy and digital/electronic copies. Please provide historical photos if available.
6. Electronic and three printed copies of the Geotechnical Report prepared for the Project including a Slope Stability Safety Analysis.
7. Verification of all other permits, permission or approvals applied for or granted by public agencies are currently/concurrently being obtained.

I certify that I have read the Application for Bluff Retention Device Permit and state the above information is correct. I agree to comply with all City of Solana Beach Municipal code, ordinances, and State laws relating to building construction. I hereby authorize officials from the City of Solana Beach to enter upon such mentioned property for inspection, as required.

REQUIRED SIGNATURES for Application:

Applicant

Date

Property Owner

Date

APPENDIX A



**CONDITIONAL USE PERMIT - FEE SCHEDULE
(Effective July 1, 2009)**

FEE TYPE	FEE	+ 15% Administrative Cost	NOTES:
CUP APPLICATION PROCESSING	\$9,300	No.	Fee applies to all projects
GEOTECHNIUCAL REVIEW	\$2,500	Yes.	Fee applies to all projects.
EXPEDITE	To be determined.	Yes.	Fee applicable only if expediting requested.
CEQA DOCUMENT PREPARATION	To be determined.	Yes.	Fee applies only to non- emergency projects.
THIRD-PARTY LEGAL REVIEW	To be determined.	Yes.	Fee applies only to non- emergency projects.



APPENDIX B

PRE-QUALIFIED GEOTECHNICAL CONSULTANTS



APPENDIX C

PREFERRED BLUFF RETENTION DEVICE DESIGNS

City of Solana Beach
Pre-Qualified Geotechnical Engineering Firms for Bluff Retention Devices

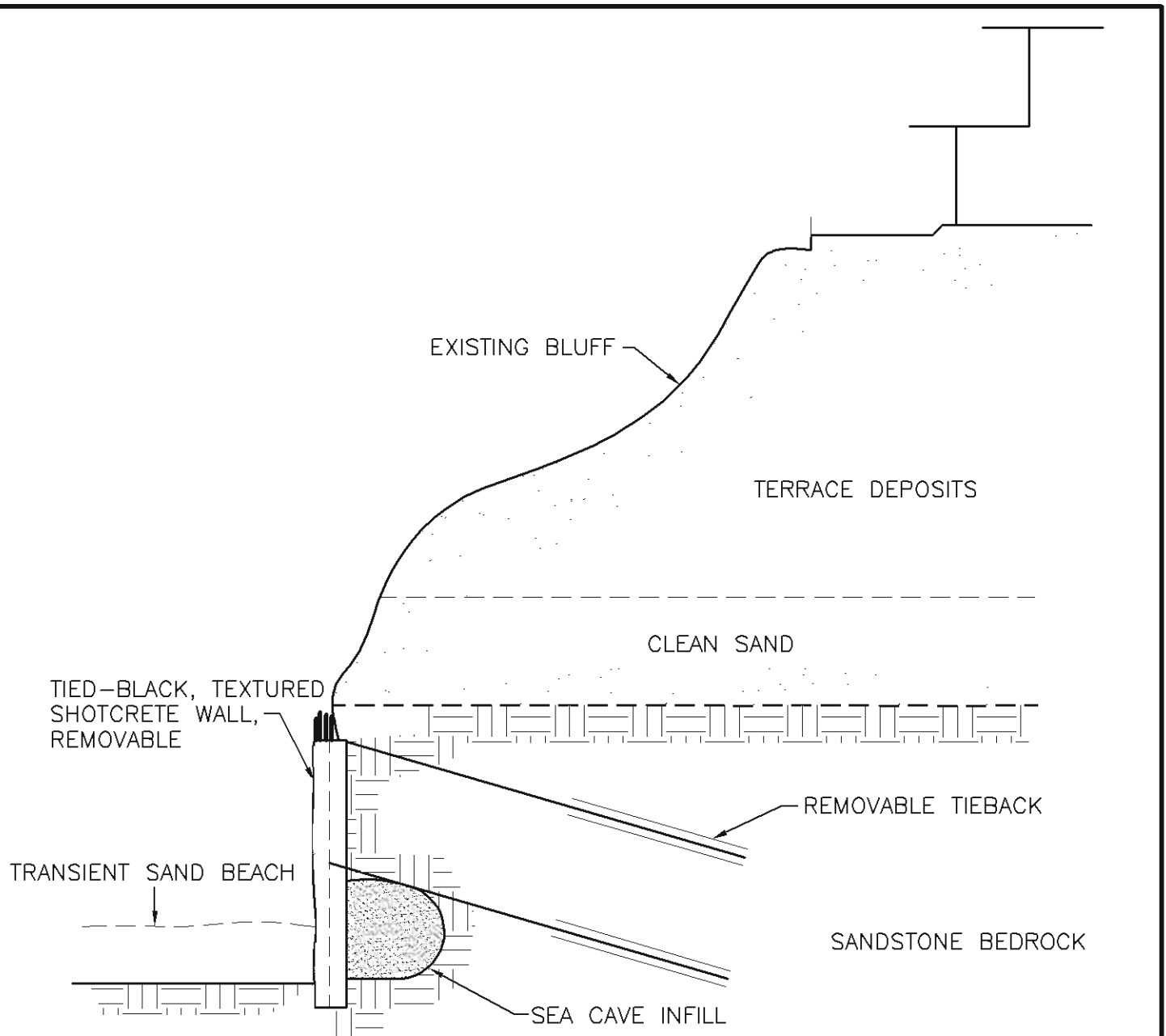
- Hetherington Engineering Inc.
5205 Avenida Encinas Suite A
Carlsbad, Ca 92008
(760) 931-1917

- Leighton and Associates, Inc.
3934 Murphy Canyon Road Suite B205
San Diego, Ca 92123
(858) 292-8030

- Ninyo and Moore
5710 Ruffin Road
San Diego, Ca 92123
(858) 576-1000

- Soil Engineering Construction Inc.
560 N. HWY 101 Suite 5
Encinitas, Ca 92024
(760) 633-3470

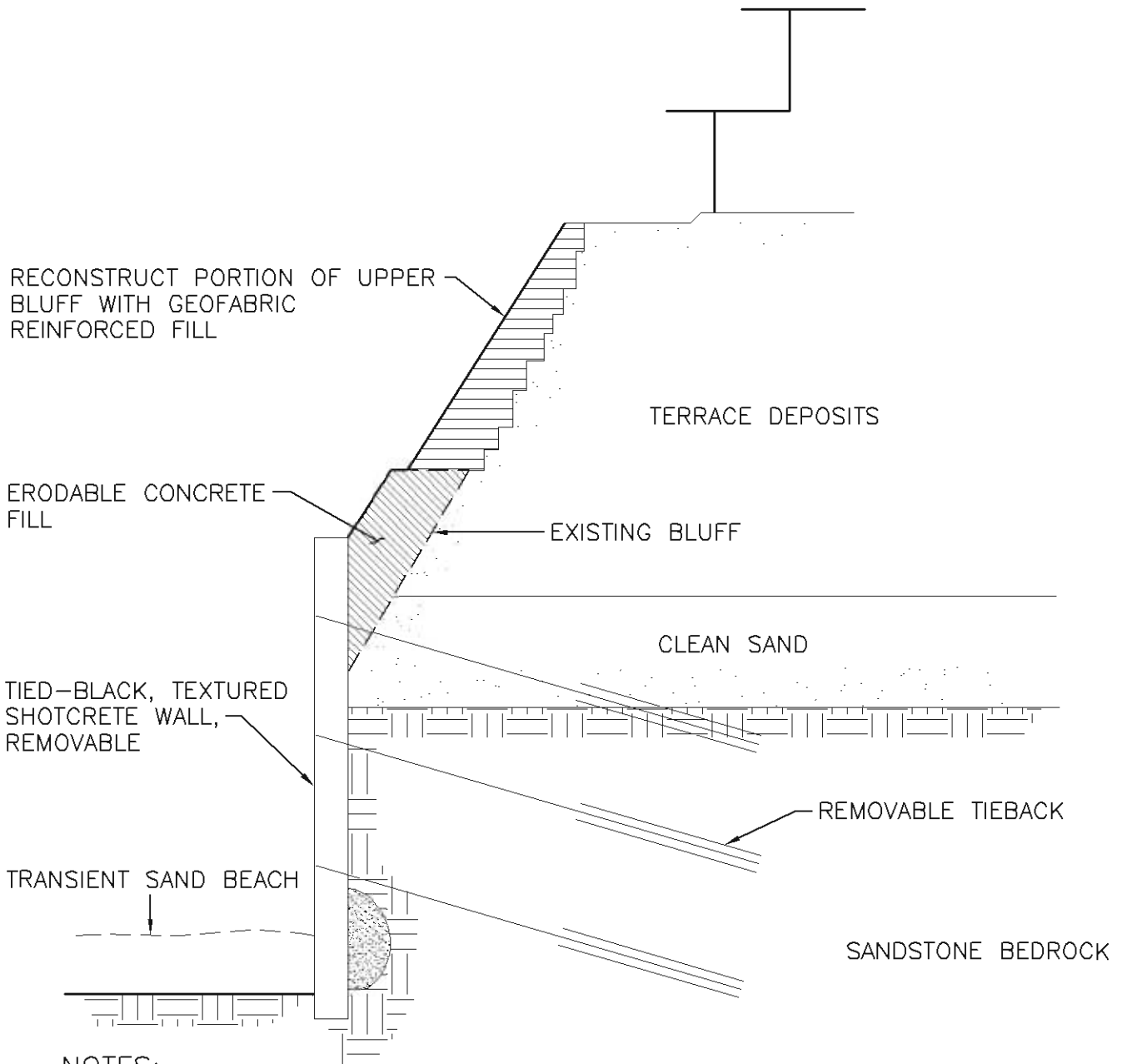
- TerraCosta Consulting Group, Inc.
4455 Murphy Canyon Road Suite 100
San Diego, Ca 92123
(858) 573-6900



NOTES:

1. FACTOR OF SAFETY NEAR 1.0
2. GEOTECHNICAL REPORT
3. STRUCTURAL CALCULATIONS
4. LOCATED AS FAR LANDWARD AS POSSIBLE
5. MINIMIZE ALTERATION OF BLUFF-FACE OR MIMIC EXISTING.
6. INCLUDE DETAILED METHODOLOGY FOR MONITORING AND MAINTENANCE OVER THE LIFE OF THE DEVICE.
7. MINIMIZE THE NEED FOR ANY MAINTENANCE THAT NECESSITATES ADDITIONAL SEAWARD ENCROACMENT OF THE DEVICE.
8. BLUFF FACE TO HAVE "NATURAL COLOR AND TEXTURE" (SBMC 17.62)

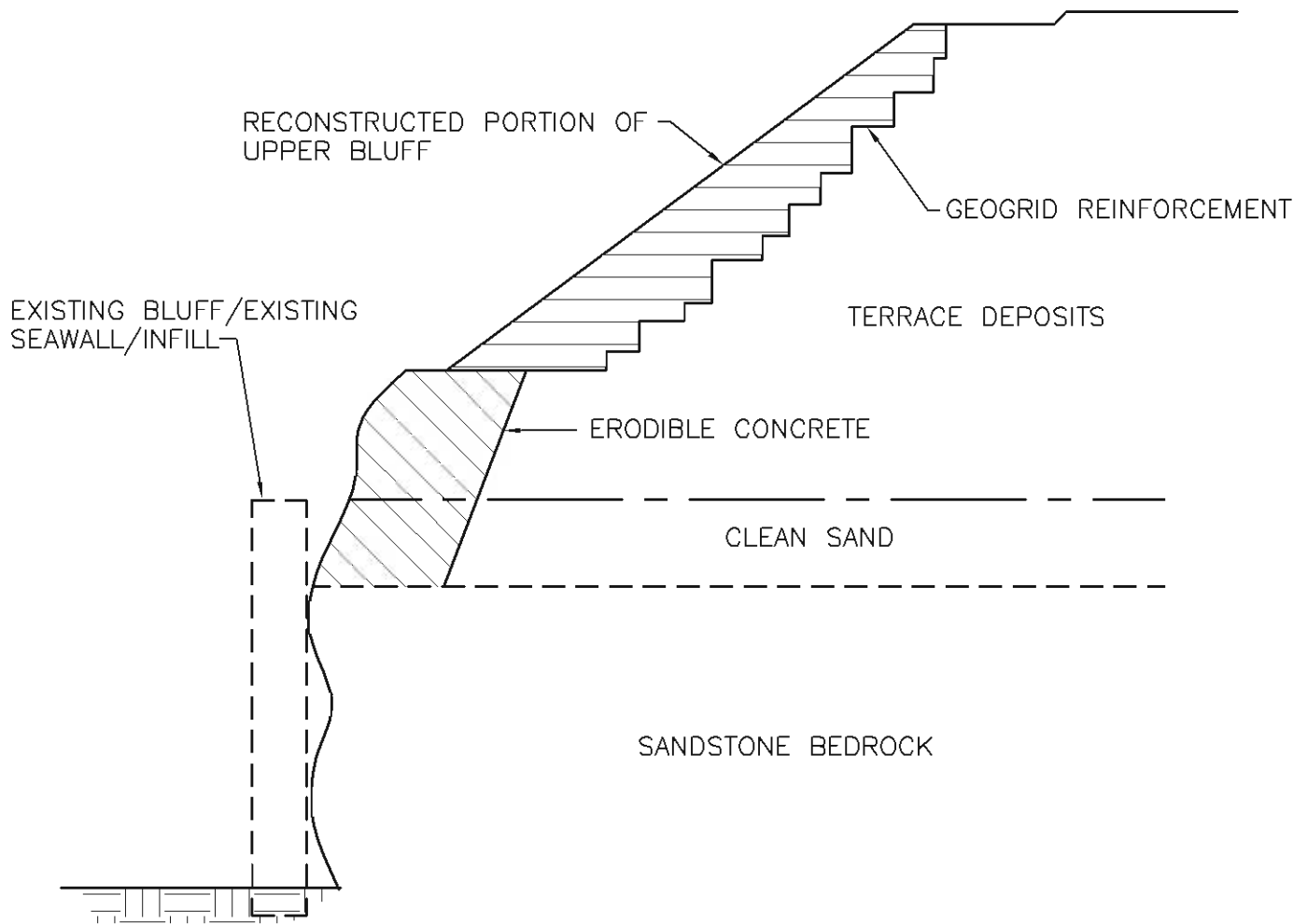
Preferred Solution - Infill/Bluff Stabilization



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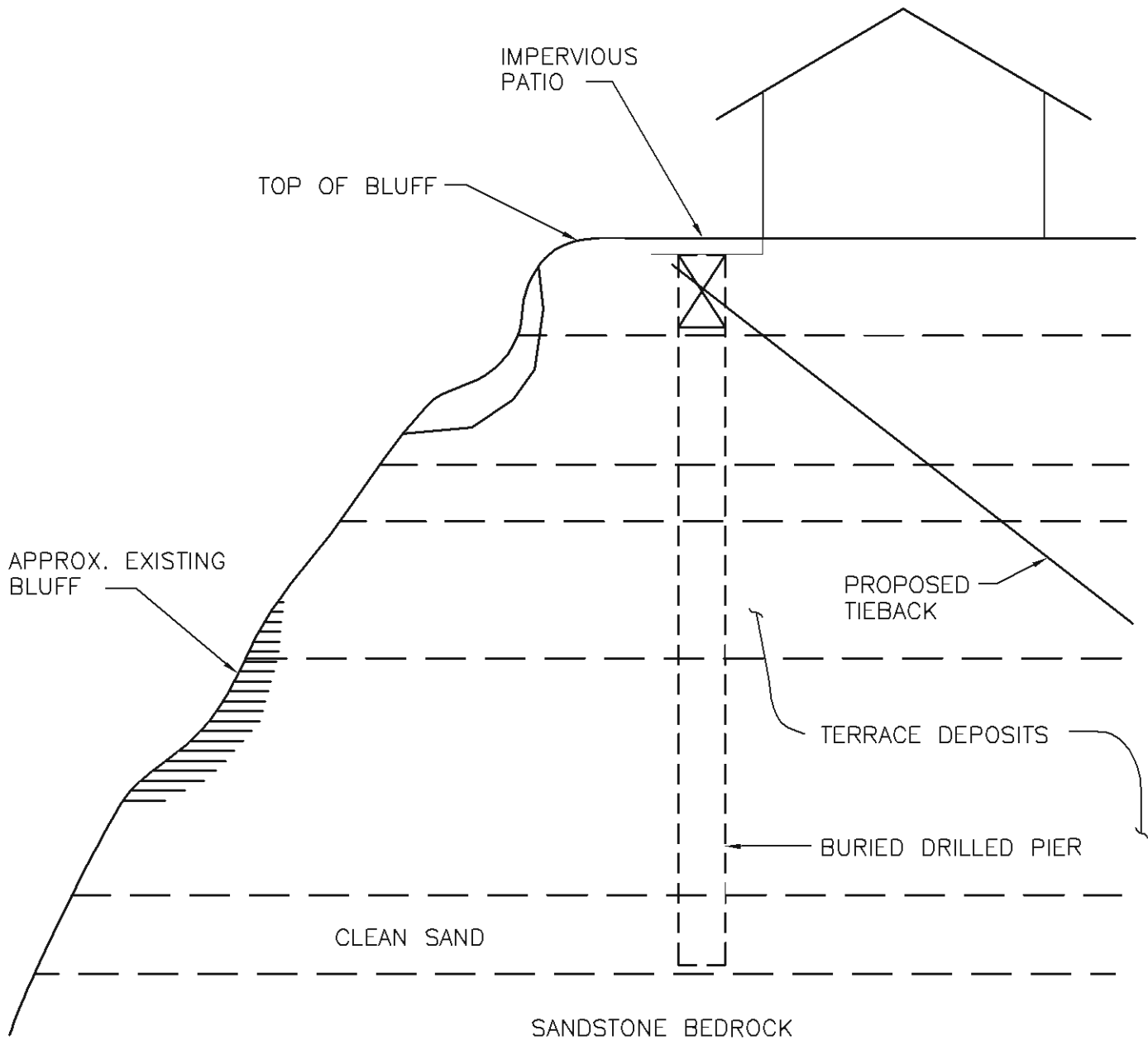
Preferred Solution - Seawall and Upper Bluff Repair



NOTES:

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Preferred Solution - Upper Bluff Repair



NOTES:

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2. GEOTECHNICAL REPORT
3. STRUCTURAL CALCULATIONS
4. LOCATED AS FAR LANDWARD AS POSSIBLE

Preferred Solution - Caisson & Tie-Back Solution