

DATE ISSUED: November 3, 2006

REPORT NO. PC-06-265

ATTENTION: **Planning Commission, Agenda of November 9, 2006**

SUBJECT: CLEWS HORSE RANCH - PROJECT NO. 5568. PROCESS 5

OWNER/

APPLICANT: Clews Land & Livestock LLC (Attachment 15)

SUMMARY

Issue(s): Should the Planning Commission **RECOMMEND** to the City Council approval to construct two single-family residences, a farm employee residence, a horse ranch/boarding facility, with pastures and open space on 11-acres of a 38.44-acre site located west of Carmel Country Road and south of State Route 56 in the Carmel Valley Neighborhood 8 Precise Plan area?

Staff Recommendations:

1. Recommend City Council **CERTIFY** Mitigated Negative Declaration No. 5568, and **ADOPT** the Mitigation, Monitoring and Reporting Program (MMRP); and
2. Recommend to the City Council **APPROVAL** of a Rezone, an amendment to the Local Coastal Program, No. 9030; and
3. Recommend to the City Council **APPROVAL** of Coastal Development Permit No. 166238, Site Development Permit No. 9092, Planned Development Permit No. 166237, and Multi-Habitat Planning Area Boundary Line Adjustment No. 388306

Community Planning Group Recommendation: On September 20, 2006, the Carmel Valley Community Planning Board voted 10:0:0 to uphold their September 8, 2006, letter which supported the project with two concerns (Attachment 14). They were concerned with the timing and implementation of the future Trail Access and Closure Plan. To address their concerns the MMRP has been modified. The Park and Recreation Department Trails Manager is included in the pre-construction meeting for the plan, and approval by the responsible City Departments is required prior to the issuance of the grading permit, to ensure the plan is completed in a timely manner.

Environmental Review: Mitigated Negative Declaration No. 5568 has been prepared for the project in accordance with the State of California Environmental Quality Act (CEQA) guidelines which addressed potential impacts to Historical and Archaeological Resources, Paleontological Resources, Biological Resources/Multi-Habitat Planning Area (MHPA), Land Use/MHPA, and Hazardous Waste. A Mitigation, Monitoring and Reporting Program (MMRP) has been prepared and would be implemented with this project to reduce the potential impacts to a level below significance.

Fiscal Impact Statement: No cost to the City. A deposit account funded by the applicant recovers all costs associated with the processing of the project.

Code Enforcement Impact: None with this action.

Housing Impact Statement: The project proposes a horse ranch with two single-family residential units and a farm employee residence on a 38-acre vacant agricultural site currently designated by the Carmel Valley Neighborhood 8 Precise Plan as Open Space. Development may be permitted within designated open space to achieve the 25 percent developable area allowed by the Environmentally Sensitive Lands (ESL) regulations. A 13-acre portion of the site is zoned for residential development at a density between 7 and 15 dwelling units per acre. However, about half of the residentially zoned area is within the more resource sensitive portion of the site. Seven acres is located within the disturbed portions of the site where development may be permitted per the ESL regulations. A 105 unit residential project could be permitted within this 7-acre area per the maximum density allowed by the existing residential zone. The project is proposing a rezone that would result in a 102 dwelling unit decrease within the developable portion of the site.

BACKGROUND

The proposed 38.44-acre site is located in the Carmel Valley Neighborhood 8 Precise Plan and Carmel Valley Community Planning areas and is designated for Open Space (Attachment 1). The subject site is located on Clews Ranch Road, west of Carmel Country Road and south of State Route 56. The property is zoned Multiple-Family Residential (MF-1), Open Space (OS)

and Agricultural (AR-1-1) within the Carmel Valley Planned District and Coastal Overlay Zone (Attachment 2).

The subject site is currently vacant with the exception of several historic buildings. The site is located entirely within the Multi-Habitat Planning Area (MHPA). The Carmel Valley Restoration and Enhancement Program (CVREP), a significant wildlife corridor, is located to the north and west of the site and is separated from the property by a small paved road and fencing (in most areas). A City of San Diego future park site is also located to the west and southwest. Undeveloped land within the MHPA is located to the south and west of the property; while Carmel County Road is located next to the eastern property boundary (Attachment 3).

Topographically, the site contains a mesa with steep slopes to the north and east on the eastern two thirds of the property. A valley is located to the west of this mesa and fans out to flatter land to the north and west. Steep slopes are present on the southern site boundary, which leads to another mesa off-site. A dirt road runs north-to-south across the eastern portion of the site and there are several trails, which traverse portions of the mesa top. Portions of the project site have been disturbed by past agricultural use while the steepest slopes contain sensitive habitat. The on-site vegetation includes Coastal Sage Scrub, Southern Maritime Chaparral, mixed Coastal Sage Scrub/Southern Maritime Chaparral, Riparian habitat, Sycamore trees, Elderberry Grove, Eucalyptus Woodland, non-native grassland, disturbed habitat, and ornamental plantings.

A portion of the site is also part of the Mesa Top property which is within Carmel Valley Neighborhood 8 but was not included within the precise plan boundaries. This area is also designated as Open Space in the Carmel Valley Community Plan. This portion of the subject site was part of a land exchange with the City of San Diego. This land exchange was authorized by the City Council by Resolution 294309 on November 29, 2000. The applicant exchanged 80 acres of undisturbed Del Mar Mesa land, identified as second on the City's acquisition projects for the Multiple Species Conservation Program (MSCP), for two parcels totaling 38.66 acres of former farmland and a portion of a property known as "Mesa Top" owned by the City of San Diego. Forty acres of the 80-acre Mesa Top property, containing the 1.6-acre portion included in the land exchange, were acquired in 1997 as part of the settlement of a development lawsuit. This land was designated but not dedicated as open space, which allowed the City Council to include the 1.6-acre portion as part of this land exchange without requiring a public vote. The land exchange was completed on April 25, 2005.

DISCUSSION

Precise Plan Analysis

Land Use

The approximately 38-acre site is designated Open Space by the Carmel Valley Neighborhood 8 Precise Plan (Attachment 1). Approximately 13-acres is zoned for attached residential

development at a maximum density of 15 dwelling units per acre, and the remaining portion is zoned open space with a small, 3-acre area zoned for agriculture. The Clews Horse Ranch project proposes to rezone a portion of the site to permit agricultural uses within an 11-acre area. The boundaries of the existing residential, agriculture and open space zones would also be adjusted to remove residential and agricultural zoning from the portions of the property that are to be conserved as open space.

In 1999, an amendment to the Precise Plan redesignated a significant portion of the planning area from residential to open space to conform to boundaries adopted with the Multiple Species Conservation Program (MSCP) preserve. Rezoning was not processed concurrently; therefore underlying residential zoning exists within areas currently designated as open space.

In 2005, the Sea Breeze Carmel View amendment revised the neighborhood development concept in the land use element to identify disturbed areas with low resource sensitivity adjacent to the San Diego Jewish Academy and Pinnacle Carmel Creek Apartments as potentially suitable for future development, subject to any required plan amendments and MSCP boundary adjustments. Sites not adjacent to Carmel Creek Road are to be conserved as open space or permitted limited development per the City's Environmentally Sensitive Lands regulations. The revised development concept guides review of any development on those residentially-zoned sites that are designated Open Space. Residential zoning extends well beyond Carmel Creek Road and includes many areas of high resource sensitivity.

As stated above, the subject site is designated Open Space by the Precise Plan. Development may be permitted within designated open space to achieve the 25 percent developable area allowed by the Environmentally Sensitive Lands (ESL) regulations. The useable area for the ranch is generally sited within the 25 percent least sensitive portion of the site plus an additional 2-acre area obtained through an offsite MHPA boundary adjustment (discussed below).

The Precise Plan Open Space Element identifies three categories of open space: an area for floodway management, areas for natural resource conservation and areas for "developed" open space. The Precise Plan intends that the floodplain and coastal bluff resources be conserved as "Natural" open space. "Developed" open space "will take many forms including recreation areas, the golf course, and slope treatments along roadways." These areas are intended to "define the character of the neighborhood, provide visual interest, and serve a more important function of tying the community together." The project site is outside the Carmel Valley Restoration and Enhancement Project floodway management plan (CVREP) floodway and the horse ranch will provide a recreation use characteristic of "developed" open space. Historically, farms and horse ranches were also prevalent within Carmel Valley prior to construction of the freeway and CVREP.

Natural Resource Conservation

A site specific biological survey and report was prepared to evaluate the sensitivity of onsite natural resources intended for conservation as “Natural” open space. The report indicates that biological resources on portions of the project site have been reduced by past agricultural use. Proposed development is generally being located within the portion of the site that was previously used for agriculture with a minor encroachment to the MHPA boundary and a 0.61-acre impact to environmentally sensitive Coastal Sage Scrub (CSS) habitat. These impacts will be offset by onsite habitat restoration, and an offsite MHPA boundary adjustment. The visible portions of the coastal bluffs within the project site will be preserved, although there will be some impacts to lower slopes to accommodate the configuration of the ranch.

The Precise Plan also requires that there be no net loss of sensitive biological resources within the Coastal Zone, including impacts as a result of zone two brush management activities. The no net loss requirement was established by the Coastal Commission as a condition of approval for the Sea Breeze Carmel View plan amendment. A condition has been added to the proposed Coastal Development Permit that requires direct impacts to 0.61-acres of Coastal Sage Scrub habitat be offset through onsite restoration of previously disturbed areas remaining within the MHPA. Potential restoration areas include disturbed portions of the site adjacent to the historic use area and an eroded area within the existing detention basin near Carmel Country Road.

The project has also been designed to minimize the effect of Brush Management Zone (BMZ) 2 activities within natural areas proposed for open space conservation. Brush management is required for the three residential structures proposed within the ranch. The width of BMZ 2 has been reduced through a combination of an increased Zone 1 width and provision of a 1-hour fire rating for the structures. The biology survey also determined that the remaining CSS habitat subject to BMZ 2 activities has been invaded by weedy species that will be specifically removed through required brush management. Sensitive plants that could occur within this area will also be left undisturbed.

Public Trails

The Precise Plan identifies two alignments for public trails over the site. These trails are intended to provide public access between the multi-use trail segments along CVREP and open space within Carmel Mountain and Shaw Valley to the south. The project will grant public recreation easements for use of these two trails. The trail that bisects the ranch will be limited to equestrian users only. The other trail easement will be located within the unpaved road that provides access to Shaw Valley. The existing parking area adjacent to Carmel Country Road will also be retained for public use.

Project Description:

Clews Horse Ranch

Clews Horse Ranch is an existing equestrian facility located at 11911 Carmel Valley Creek Road. The ranch is to be relocated about three-quarters of a mile to the east, adjacent to Carmel Valley Road (Attachment 3). At its new location, the ranch will continue as a working ranch and will include corrals (connected and separate), a new barn, a round pen, a walker, a club house, two arenas, bleachers, a wash rack, tack rooms, an office, foaling pens, and stud pens (Attachment 5). Architectural guidelines have been prepared for the project to establish a design unity among the historic structures, the existing facilities to be relocated from the old ranch to the new ranch, and new structures in order to create the appearance that the ranch had been assembled over an extended period of time (Attachment 7). The overall architectural scheme will incorporate early California ranch style that transitions into architectural elements from later vernacular periods that address the functional need of today's ranch. The design elements and architectural details of each of the structures will vary depending on its intended use. For example, the two single-family residences will incorporate early California ranch style architectural elements including simple building massing, an overall horizontal form, tile roofs, deep-set windows, wood detailing, courtyards and thick walls. All of the proposed structures would be required to be consistent with the architectural guidelines. The architectural guidelines have been evaluated by the Historical Resource Board subcommittee and accepted.

The Clews Horse Ranch would host daytime events such as clinics, trail rides, and horse shows in the show arena which adjoins the ranch buildings. The Clews periodically hold clinics and other gatherings for serious equestrians, not on any particular schedule. These clinics would be held approximately once or twice a year with 6 to 12 student participants, approximately 30 to 50 spectators, and 25 horses. For larger groups, the guests would stay in local hotels. There are no special accommodations for overnight guests on the current ranch, and none are proposed at the new ranch. Of the 45 parking spaces provided, 36 would be located adjacent to the corrals.

Development Permits

The project requires approval for a Coastal Development Permit (CDP) because the subject property is located within the Coastal Overlay Zone. A Site Development Permit (SDP) is required due to the potential impacts to steep slopes, sensitive vegetation and floodplain and historic resources located on the site, however, no encroachment into steep hillsides or the floodplain areas are proposed. A Planned Development Permit (PDP) is required to permit two single-family residences where only one unit is permitted on a single lot in the AR-1-1 zone (Section 131.0340, Land Development Code).

Rezone

The proposed project site is currently zoned Multi-Family Residential (MF-1), Open Space (OS), and Agricultural (AR-1-1) in the Carmel Valley Planned District Ordinance (CVPDO). The applicant proposes to rezone portions of the property from MF-1 to AR-1-1, OS to AR-1-1, and MF-1 to OS (Attachment 8). The rezone is required to allow the proposed uses. The rezoning is supported to allow the requested uses and because the zoning is consistent with the surrounding area land uses. The rezone also requires an amendment to the Carmel Valley Neighborhood 8 Precise Plan Local Coastal Program which must be certified by the California Coastal Commission before it is effective.

Boundary Line Adjustment

The entire project site of 38.44 acres is located within the MHPA. The project footprint would be located on the least environmentally sensitive area as required by the MSCP Subarea Plan and the Environmentally Sensitive Lands Ordinance. While the allowable 25 percent encroachment is 9.61 acres, the project would require 11.00 acres. This 11.00-acre area includes the 10.82 acre working ranch and a 0.18-acre eight-foot-wide public equestrian trail through the ranch. The trail is an allowed use within the MHPA and is not counted in the project impacts. The one-acre historical use area is also excluded from calculation of MHPA encroachments since the preservation and enhancement of the area would provide a public benefit consistent with the MSCP. Therefore, the net development area would be 10.82-acres (11.00-acres minus 0.18-acre) (Attachment 9).

Since the development footprint exceeds the allowable acreage by 1.21-acres (10.82- acres minus 9.61 acres) a MHPA boundary adjustment would be required to remove 1.21-acres of habitat from the MHPA. The habitat encroachments, in excess of the 25 percent allowable, includes 0.56 acre of Tier I Coastal Sage/Maritime Chaparral and 0.05 acre of Tier II Coastal Sage Scrub, and 0.60-acre of Tier IIIB non-native grassland. The applicant has proposed to provide 1.72-acres of MHPA replacement land within a 9.33-acre parcel in Soledad Canyon for the MHPA boundary line adjustment purpose. The boundary line adjustment has been accepted by the City of San Diego, the California Department of Fish and Game, and the U.S. Fish and Wildlife Service.

Environmental Analysis:

Natural Resource Conservation

A site specific biological survey and report was prepared to evaluate the sensitivity of onsite natural resources intended for conservation as "Natural" open space. The report indicates that biological resources on portions of the project site have been reduced by past agricultural use. Proposed development is generally being located within the portion of the site that was

previously used for agriculture with a minor encroachment to the MHPA boundary and a 0.61-acre impact to environmentally sensitive Coastal Sage Scrub (CSS) habitat. These impacts will be offset by onsite habitat restoration, and an offsite MHPA boundary adjustment. The visible portions of the coastal bluffs within the project site will be preserved, although there will be some impacts to lower slopes to accommodate the configuration of the ranch.

The Carmel Valley Neighborhood 8 Precise Plan also requires that there be no net loss of sensitive biological resources within the Coastal Zone, including impacts as a result of zone two brush management activities. The no net loss requirement was established by the Coastal Commission as a condition of approval for the Sea Breeze Carmel View plan amendment. A condition has been added to the proposed Coastal Development Permit that requires direct impacts to 0.61-acres of Coastal Sage Scrub habitat be offset through onsite restoration of previously disturbed areas remaining within the MHPA. Potential restoration areas include disturbed portions of the site adjacent to the historic use area and an eroded area within the existing detention basin near Carmel Country Road.

The project has also been designed to minimize the effect of Brush Management Zone (BMZ) 2 activities within natural areas proposed for open space conservation. Brush management is required for the three residential structures proposed within the ranch. The width of BMZ 2 has been reduced through a combination of an increased Zone 1 width and provision of a 1-hour fire rating for the structures. The biology survey also determined that the remaining CSS habitat subject to BMZ 2 activities has been invaded by weedy species that will be specifically removed through required brush management. Sensitive plants that could occur within this area will also be left undisturbed.

MHPA Adjacency Issues

Drainage

The project site drains from south to north towards Carmel Valley Creek which contains a series of culverts that were installed as part of CVREP to accept this drainage. The proposed ranch would add minimal impervious surface, and the runoff from the site would be prevented from draining directly into the MHPA. Vegetated swales would be installed along portions of the project perimeter to capture runoff and direct it away from the adjacent MHPA toward an existing 48-inch culvert within the CVREP. Gravel roads and parking areas, where allowed by the Fire Department, are proposed to minimize increases in runoff. Animal waste would be collected from around the site and temporarily stored in covered facilities to prevent exposure to rainfall, and self-contained to prevent contaminated runoff from leaving the site. Similar measures would be used for the areas used to store animal bedding, feed, and other materials. On-site rip-rap aprons have been placed downstream of storm drain outlets as part of CVREP, and a bio-retention drainage basin would capture and retain storm water first-flush. All of these measures would prevent the direct discharge into the adjacent MHPA.

Lighting/Glare

All lighting would be shielded and directed inward to avoid spillover into the CVREP and the MHPA open space. The arena lighting would not be used past 10:00 pm, and dusk-to-dawn security lighting would be located at buildings in the interior of the project. The proposed water tanks would be painted or covered with a non-glare or non-reflective material to preclude impacts to the MHPA consistent with the MSCP Subarea Plan.

Trails/Barriers/Wildlife Movement

Ranch perimeter fencing would also be installed to protect the adjacent CVREP and MHPA open space. The fencing would be a combination of pipe-rail (some from the existing ranch), peeler-pole and a combination of peeler-pole with cactus plantings. Pipe-rail fencing would be used for the containment of horses and other large enclosures. In some cases a welded mesh may be used in conjunction with pipe-rail as an additional safety barrier while allowing visibility into the corral. The fence would vary from four and one-half to six feet high (Attachment 5). The proposed fencing would allow wildlife to continue to move across the open space easement on the ranch property and would contain the horses within the developed portion of the ranch. The project would have equestrian access to an existing trail in one location and would also have access to the existing Fish Head Trail (Attachment 10). Required signage would be posted on fencing, where appropriate, stating "Sensitive Biological Habitat – Please Stay on Existing Trails."

While a portion of the project site adjacent to the CVREP would be developed, most of the eastern half of the site would remain undeveloped and would continue to provide a linkage from CVREP to the land to the south within the MHPA. Preservation of the slopes and mesa top would allow continued use of the site by wildlife. The existing fence opening at the northeastern edge of the Fish Head Trail parking lot and CVREP would remain.

Animal Waste Management Plan

An "Animal Waste Control Plan" (November 2004) was prepared by RBF Consulting for the proposed project. According to the report, a commercial roll-off manure bin would be located on-site. The manure bin would be screened to prevent flies, used for short-term storage of manure, and would be emptied on an as-needed basis or at least once every month. The manure would be taken to an approved landfill or composting facility. The ranch would be raked and cleaned daily. The pastures would be cleaned seasonally. There would be no spreading of the manure which could attract cowbirds. No additional manure dumpsters would be required for special events because typically only an additional 25 horses would be brought to the events. It is not anticipated that runoff from the horse-keeping activities would enter the downstream drainages since such runoff would be treated prior to release. Note that there is an existing swale that captures significant rain runoff on the northern boundary of the ranch site. The horse ranch

operation would be regulated by the San Diego County Department of Environmental Health (DEH), and the Animal Waste Control Plan must be approved by DEH.

MHPA Replacement Land/Soledad Canyon Environmental Preserve

The 9.33-acre Soledad Canyon MHPA replacement site, also known as the Soledad Canyon Environmental Preserve, is located in the middle of a large open space system and lies within the Core Biological Resource Area. Soledad Canyon is identified as one of the two active wildlife

corridors connecting Miramar to the southeast with Los Peñasquitos. Eventually, due to development, the Soledad Canyon connector will be the last remaining functional wildlife corridor connecting Miramar with Los Peñasquitos Canyon. The addition of this MHPA replacement site would help ensure the functioning of the MSCP preserve in north San Diego. The inclusion of the Soledad Canyon replacement land would help preserve a linkage of greater diversity than is present.

Historical Resources

According to the California Environmental Quality Act, a project that may have a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. The determination of significance for historic buildings, structures, objects and landscapes is based on age, location, context, association with an important person or event, uniqueness, and integrity. The proposed project is located on a site containing four structures which are part of the Mount Carmel Ranch Historical Resource Board Site No. 391, which had been previously considered for designation on September 23, 1999 (Attachment 6). An adjacent parcel, which is not part of the project, contains the Stephen's Residence which was also considered for designation as part of Site No. 391.

Due to its consistency with the U.S. Secretary of the Interior's Standards, the proposed project was reviewed and approved by the City of San Diego Historical Resources Board Design Assistance Subcommittee on November 6, 2002. The approval was subject to the provision of historical documentation and the completion of the project consistent with the presentation. A report, the "Clews Horse Ranch Architectural Guidelines/Compliance with the Secretary of the Interior Standards for Treatment for Historic Properties," (September 2004) was prepared by Estrada Land Planning and revised by RBF Consulting. According to the report, four significant historic structures including "Beth's Cottage" (circa 1919), a barn (circa 1921), a milking shed (circa 1925), and a tack room are located on the project site. In addition, the site contains a boat shed built around 1970 which will be demolished; and a silo that may remain on-site.

The cottage and barn would be disassembled and relocated closer together on the project site near the milking shed. This configuration would locate all of the structures closer to the former Stephens Residence to broaden the historical context of the assembled buildings. The context

would be reinforced by the creation of an allee (a double row of trees) along a portion of the private accessway leading to the Stephens Residence. The allee of (10-gallon California Sycamores planted among the existing Magnolias) would mimic the previous allee destroyed as part of the SR 56 construction. The historic structures would be reconstructed with the material salvaged during the disassembly to retain their historical appearance. If existing materials can not be salvaged new materials would be substituted that are consistent with the historic appearance.

The barn would be reconstructed as a wood-framed structure with salvaged material used as siding, and a new corrugated metal roof installed consistent with the existing roof. The milking shed would remain in the same location. The tack room will be relocated adjacent to the proposed ranch manager's residence. All of these structures would become part of the working ranch.

The two proposed new single-family residences would be constructed in the early California ranch style. The employee residence from the existing ranch would be relocated to the new site for continued use by ranch employees. This mobile home may be replaced by a new model or by a manufactured home. The proposed allee and dense landscaping are intended to soften the appearance of the employee residence and provide additional privacy.

Historic Resources - Archaeology

The project site is located in an area of high archaeological sensitivity. Therefore, an archaeological report, "Clews Horse Ranch, Carmel Valley, San Diego, California (PTS No. 5568: Job Order No. 41-0522) Archaeological Resources," (September 1, 2004) was prepared by Affinis for the project site. According to the report, the portion of the property proposed for development was surveyed for cultural resources by CalTrans personnel in conjunction with CVREP. The associated ranch complex, Mount Carmel Ranch, was identified as historically significant in the areas of agriculture, health/medicine, religion, and vernacular architecture. The property is distinctive because it was operated by nuns and was directly linked to their charitable activities. Due to the age of the ranch complex, turn of the 20th Century, and its rural character, there is a potential for encountering historic archaeological material, such as trash dumps, privy pits, root cellars, foundations of other structures no longer standing, and other features or artifacts.

During earlier historic work, one prehistoric archaeological site was recorded partially within the project area, in the area of the house and associated outbuildings, and was tested to assess site significance. The prehistoric site was determined not to be a significant resource; and no mitigation measures are required for that site. However, due to the alluvial setting, there is a potential for encountering buried cultural resources during grading; especially since significant buried deposit was found during the excavation for the channelization of Carmel Valley Creek. Therefore, on October 1, 2004 qualified City staff surveyed the site for resources and

subsequently recorded one new site. Since the new site is located in close proximity to an existing site (CA SDI-11029) the new site may actually be a locus of 11029. Due to the disturbed nature of the site, testing was not recommended. However, due to the potential for historic archaeological features as well as buried prehistoric resources within the alluvium, both City staff and the archaeological report recommended monitoring for all grading, trenching, excavation, and removal of native soils associated with the project.

Since there is a potential for project construction to impact cultural resources, archaeological monitoring of the site would be required. In the event such resources are discovered, excavation would be halted or diverted to allow recovery, evaluation, and recordation of materials.

Paleontological Resources

The project area is underlain by the Bay Point Formation and the Scripps Formation and Torrey Sandstone. These formations are considered to have a high potential for paleontological resources. The Torrey Sandstone formation has produced important remains of fossil plants and marine invertebrates; the Scripps Formation has produced the remains of marine organisms, fossil reptiles and fossil wood; and while the Bay Point Formation has produced large and diverse assemblages of well-preserved marine invertebrate fossils. The project would require the excavation potentially impacting paleontological resources. Disturbance or loss of fossils without adequate documentation and curation would be considered a significant environmental impact. A qualified Paleontologist or Paleontological Monitor is to be present during excavations that could impact previously undisturbed formations. If significant paleontological resources are discovered, a recovery and documentation program would be implemented.

Hazardous Materials

Due to the historical use of the project site for agriculture, soil samples were taken to determine whether pesticide residue remained in the soil. Two sample locations were selected in an area formerly used for agricultural purposes; and soil samples were collected and analyzed by a State-certified analytical laboratory for organochlorine pesticides. A soils report, "Clews Horse Ranch, Carmel Country Road, San Diego, California, Soil Sampling Results," (August 26, 2004) was prepared by GEOCON. According to the report, pesticides were not detected at or above the laboratory detection limits at either soil sample location. Subsequently, City staff consulted with the County of San Diego Department of Environmental Health (DEH) regarding any potential health hazards associated with development of the rest of the property. DEH staff recommended testing is required at the proposed residence locations to ensure that no health hazards are present, because the original samples were from a different location. Therefore, the MMRP requires the applicant to provide a letter to the City from the County's Environmental Health Department that states that testing has been done at the proposed residence locations and no health hazards are present.

Conclusion:

Staff recommends that the Planning Commission recommends that the City Council approval the actions to permit the Clews Horse Ranch development. This recommendation is made because all issues identified by City staff during review of the proposed project have been resolved in accordance with the requirements of the Municipal Code and the California Environmental Quality Act, subject to the terms and conditions contained in the draft permits, ordinances and resolutions for the project.

ALTERNATIVES

1. **RECOMMEND APPROVAL** to the City Council of the Clews Horse Ranch project for: a Rezone, an amendment to the Local Coastal Program, No. 9093; Coastal Development Permit No.166238, Site Development Permit No. 9092; Planned Development Permit No.166237, and Multi-Habitat Planning Area Boundary Line Adjustment No. 388306 with modifications.
2. **RECOMMEND DENIAL** to the City of a Rezone, an amendment to the Local Coastal Program, No. 9093; Coastal Development Permit No.166238; Site Development Permit No. 9092; Planned Development Permit No.166237, and Multi-Habitat Planning Area Boundary Line Adjustment No. 388306 if the findings required approving the project cannot be affirmed.

Respectfully submitted,

Mike Westlake
Program Manager
Development Services Department

Patricia Grabski, AICP
Project Manager
Development Services Department

ESCOBAR-ECK/PXG

Attachments:

1. Community Plan Land Use Map
2. Project Location Map
3. Aerial Photograph
4. Project Data Sheet
5. Project Site Plan(s)

6. Historic Structure Photographs
7. Architectural Guidelines
8. Rezone Exhibit
9. MHPA Boundary Line Adjustment
10. Trails Map
11. Draft Permit with Conditions
12. Draft Resolution with Findings
13. Draft Ordinance
14. Community Planning Group Recommendation
15. Ownership Disclosure Statement
16. Site Photographs