

CALIFORNIA COASTAL COMMISSION

SOUTH COAST AREA
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Filed: December 26, 1996
49th Day: February 13, 1997
180th Day: June 24, 1997
Staff: John T. Auyong *John*
Staff Report: January 16, 1997
Hearing Date: February 4-7, 1997
Commission Action:

STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 5-96-262
APPLICANT: Frances Witt and Sharon Woodbury AGENT: John Jacobs
PROJECT LOCATION: 2604 and 2604 1/2 West Oceanfront, City of Newport Beach, County of Orange
PROJECT DESCRIPTION: Conversion of an existing duplex with a two car garage to two condominium units. No additional parking spaces nor structural improvements are proposed.

Lot area:	1,875 square feet
Building coverage:	1,500 square feet
Pavement coverage:	375 square feet
Parking spaces:	Two
Zoning:	R-1
Land Use Plan designation:	Single Family Detached Residential
Height above grade:	21 feet

LOCAL APPROVALS RECEIVED: City of Newport Beach Condominium Conversion No. 31 and Approval-in-Concept 2001-96

SUBSTANTIVE FILE DOCUMENTS: Coastal Development Permit 5-95-296 (Blandi Trust); Administrative Permits 5-93-211 (Coleman), 5-93-258 (Keys), 5-94-145 (Olsen), 5-94-198 (Cassesso), 5-94-209 (Noyes), and 5-94-229 (Batniji); City of Newport Beach Certified Land Use Plan

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants a permit, subject to the conditions below, for the proposed development on the grounds that the development, located between the nearest public roadway and the shoreline, will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976 including the public access and recreation policies of Chapter 3, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

IV. Findings and Declarations.

A. Project Description

The applicants are proposing to convert an existing 21 foot high, 1,800 square foot two-story duplex with an attached 350 square foot two car garage into two condominium units. No additional parking spaces nor structural improvements are proposed.

B. Public Access

1. Parking

Section 30252 of the Coastal Act states, in relevant part:

The location and amount of new development should maintain and enhance public access to the coast by: . . . (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, . . .

The subject site is a beachfront lot located immediately adjacent to the bikeway/walkway which runs along the Balboa Peninsula. When a private development does not provide adequate on-site parking, users of that development are forced to occupy public parking that could be used by visitors to the coastal zone. Thus, all private development must provide adequate on-site parking to minimize adverse impacts on public access.

The Commission has consistently found that two parking spaces are necessary to satisfy the parking demand generated by an individual dwelling unit. The existing duplex should thus provide four on-site parking spaces. However, only two parking spaces currently exist on-site, and no additional parking spaces are proposed. Therefore, the proposed development theoretically would be deficient by two parking spaces.

Because of the narrow width of the lot and the narrow street-side setback, additional parking spaces could not be accommodated on-site, nor is parking available nearby which could be leased by the applicant. The proposed development would not result in an intensification of use of the site, nor would any physical construction be involved.

Since the development would not result in the demolition of the existing structure nor the addition of new dwelling units with the attendant increase in parking demand, the Commission finds that the applicant should not be required to provide the two deficient parking spaces at this time.

Nevertheless, future development could result in an increase in the number of dwelling units. This would result in an increase in parking demand and adverse impacts on public access.

Therefore, the Commission finds that it is necessary to place a condition informing the current permittee and future owners of the subject site that a new coastal development permit, or an amendment to this permit, would be

Section 21080.5(d)(2)(i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

The subject site is in an urban zone. Development already exists on the subject site. Infrastructure necessary to service the subject site exists in the immediate area. The proposed development would not result in an intensification of use. No new construction is proposed.

The proposed project has been conditioned in order to be found consistent with the public access and recreation policies of the Coastal Act. The proposed development would not affect public access to the beach. Mitigation measures to inform the current permittee and future owners of the subject site that a new coastal development permit, or an amendment to this permit, would be required for any future development at the subject site, including a change in the intensity of use of the site which may result in increased parking demand, will minimize all adverse impacts.

As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project can be found consistent with the requirements of the Coastal Act to conform to CEQA.

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