

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
 9000 Ocean Gate, Suite 1000  
 Newport Beach, CA 90802-4302  
 (949) 590-5071

**RECORD PACKET COPY**

Filed: 8/16/02  
 49th Day: 10/4/02  
 180th Day: 2/12/03  
 Staff: MV-LB  
 Staff Report: 10/17/02  
 Hearing Date: 11/5-8/02  
 Commission Action:

**Tu 5e****STAFF REPORT: CONSENT CALENDAR****APPLICATION NUMBER: 5-02-279****APPLICANT: James & Pamela Stratton  
Trustee of the Stratton Family Trust****AGENT: Vincent DiBiasi****PROJECT LOCATION: 315 Alvarado Place, Newport Beach, Orange County****PROJECT DESCRIPTION:** Construction of a new 2374 square foot, two story, 29 foot high at maximum point, 24 feet high at mid point, single family residence with a 369 square foot roof deck and 502 square foot, two car garage. The subject lot is currently vacant.

Lot Area: 2200 square feet  
 Building Coverage: 1390 square feet  
 Pavement Coverage: 810 square feet  
 Landscape Coverage: 0 square feet  
 Parking Spaces: 2 spaces  
 Zoning: R-1

Ht above final grade: 29 max/24 mid pt.

**LOCAL APPROVALS RECEIVED: City of Newport Beach Approval in Concept No. 1139-2002.****SUBSTANTIVE FILE DOCUMENTS: City of Newport Beach certified Land Use Plan****SUMMARY OF STAFF RECOMMENDATION:**

Staff is recommending approval of the proposed project subject to the following special condition which requires submittal of a drainage plan indicating that, to the maximum extent feasible, site drainage infiltrate on-site and any drainage that must be directed offsite will be treated/filtered. Landscaping shall be native or non-native, drought tolerant, and non-invasive.

This condition is necessary in order to protect water quality to promote the biological productivity of coastal waters and to protect human health as required by Coastal Act Sections 30230 and 30231.

**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 will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, 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 effects on the environment within the meaning of the California Environmental Quality Act.

**II. STANDARD CONDITIONS:**

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

**III. SPECIAL CONDITIONS**

**1. Drainage and Run-Off Control Plan**

- A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for review and approval of the Executive Director, a drainage and runoff control plan showing roof drainage and runoff from all impervious areas directed to dry wells or vegetated/landscaped areas. Vegetated landscaped areas shall only consist of native plants or non-native drought tolerant plants which are non-invasive.

- B. The permittee shall undertake development in accordance with the approved final plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

#### IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

##### A. Project Description and Location

The applicant proposes to construct a new 2374 square foot, two story, 29 foot high at maximum point, 24 feet high at mid point, single family residence with a 369 square foot roof deck and 502 square foot, two car garage on a vacant lot.

The subject site is located on an interior lot on the Balboa Peninsula area of the City of Newport Beach. Public access in the area exists approximately two blocks south of the subject site along the wide, sandy public ocean fronting beach.

The lot area not covered by the footprint of the house includes the two 3 foot wide, 74 feet long side yards (totaling approximately 324 square feet) and the street side front yard, which ranges from 10 to 13 feet deep and is 30 feet wide (approximately 345 square feet). The side yards are proposed to be concrete. A porch and grade level patio are proposed within the front yard area. As proposed, none of the yard areas are pervious. Drainage will not be able to infiltrate on-site, nor is there any proposal to filter the runoff prior to leaving the site. Drainage from the subject site ultimately empties into the harbor and ocean. Thus as proposed, water quality will not be protected as required by Sections 30230 and 30231 of the Coastal Act. Therefore, a special condition is imposed which requires that the site drainage be retained on site to the maximum extent feasible, and any runoff that must leave the site be filtered prior to being discharged off site.

##### B. Water Quality

The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. The development, as proposed and as conditioned, incorporates design features to minimize the effect of construction and post-construction activities on the marine environment. These design features include, but are not limited to, the appropriate management of equipment and construction materials, reducing runoff through the use of permeable surfaces, the use of non-invasive drought tolerant vegetation to reduce and treat the runoff discharged from the site, and for the use of post-construction best management practices to minimize the project's adverse impact on coastal waters. Therefore, the Commission finds that the proposed development, as conditioned, conforms with Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

C. **Public Access**     →  
                                  oJ  
                                  a)

As conditioned, the proposed development will not have any new adverse impact on public access to the coast or to nearby recreational facilities. Thus, as conditioned, the proposed development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

D. **Local Coastal Program**

The LUP for Newport Beach was effectively certified on May 19, 1982. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified Land Use Plan for the area. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 of the Coastal Act.

E. **California Environmental Quality Act**

As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.



ORANGE CO

subject site

|                               |
|-------------------------------|
| EXHIBIT NO. A                 |
| APPLICATION NO.               |
| 5-02-279                      |
| California Coastal Commission |

VICINITY MAP

