Land and State

CALIFORNIA COASTAL COMMISSION
South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302

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Permit Application No. **5-03-275** Date: November 20, 2003

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ADMINISTRATIVE PERMIT

APPLICANT:

Gregory Pierson

AGENT:

(562) 590-5071

Anthony Massaro

PROJECT

DESCRIPTION:

Addition and remodel of an existing 1,980 square foot one-story, single-family residence with an attached 554 square foot two-car garage. The proposed project includes: 1) an addition of 556 square feet to the existing 1st floor, 2) a new 857 square foot 2nd floor and 3) an addition of 127 square feet to the existing garage. Post project the two-story single-family residence will be 3,393 square feet with an attached 681 square foot three-car garage. There will be less than 50 cubic yards of grading for recompaction purposes, which will

balance on site.

PROJECT

LOCATION:

2112 Santiago Drive, City of Newport Beach (Orange County)

EXECUTIVE DIRECTOR'S DETERMINATION: The findings for this determination, and for any special conditions, appear on subsequent pages.

<u>NOTE</u>: P.R.C. Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

Thursday, December 11, 2003 9 am Hyatt Regency 5 Embarcadero Center San Francisco, CA 94111

IMPORTANT - Before you may proceed with development, the following must occur:

Pursuant to 14 Cal. Admin. Code Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgement and evidence of compliance with all special conditions, we will send you a Notice of Administrative Permit Effectiveness.

BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE NOTICE OF PERMIT EFFECTIVENESS FROM THIS OFFICE.

PETER DOUGLAS
Executive Director

By: Fernie J. Sy

Title: Coastal Program Analyst

- 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.
- 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.
- Interpretation. Any questions of intent or interpretation of any term or condition will be resolved by the Executive Director or the Commission.
- Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
- 5. <u>Terms and Conditions Run with the Land.</u> 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.

SPECIAL CONDITIONS: None.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

The Executive Director hereby determines that the proposed development is a category of development, which, pursuant to PRC Section 30624, qualifies for approval by the Executive Director through the issuance of an Administrative Permit. Subject to Standard and Special Conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976 and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. If located between the nearest public road and the sea, this development is in conformity with the public access and public recreation policies of Chapter 3.

FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION:

A. PROJECT DESCRIPTION

The subject site is located at 2112 Santiago Drive within the City of Newport Beach, Orange County (Exhibits #1-2). The project is located between the first public road and the sea within an existing urban residential area and is a blufftop lot overlooking the Upper Newport Bay Ecological Reserve (UNBER), a wetland area managed by the California Department of Fish and game (CDF&G). The UNBER is one of 19 sensitive wetlands referenced in Section 30233 (c) of the Coastal Act, and contains habitat that qualifies as environmentally sensitive habitat area (ESHA). The UNBER also provides recreational amenities in the form of a bike trail and interpretive facilities on its East bank. The proposed project conforms to the City zoning setback requirements and is compatible with the character of the surrounding development.

East and West of the project site are existing single-family residences; to the North is a downhill graded slope and the Upper Newport Bay Ecological Reserve and to the South is Santiago Drive. The project site is virtually flat and has matching contours with the lots located to the West, East and South.

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However, the Northerly property (UNBER), which is outside of the subject site, is at a lower elevation. Public access to the Upper Newport Bay Ecological Reserve is available approximately 27 feet East of the project site at the Constellation Drive street end.

The applicant is proposing the addition and remodel of an existing 1,980 square foot one-story, single-family residence with an attached 554 square foot two-car garage. The proposed project includes: 1) an addition of 556 square feet to the existing 1st floor, 2) a new 857 square foot 2nd floor and 3) an addition of 127 square feet to the existing two-car garage (Exhibit #3-6). Post project the two-story single-family residence will be 25 feet above natural grade and comprise of 3,393 square feet with an attached 681 square foot three-car garage (Exhibits #3-6). The existing site footprint would increase by 683 square feet. There will be less than 50 cubic yards of grading for recompaction purposes, which will balance on site.

The proposed addition would result in an approximately 6'-4" encroachment of the existing structure towards the top of bluff. The resultant structure would be two-stories and be 25 feet above natural grade. No changes to the landscaping and drainage of the rear yard area are proposed. The proposed development would be setback 40 feet from the edge of a low height bluff (which is the location of the rear yard property line where an existing 16" high low wall is located) and would be approximately 300 vards from the Mean High Tide Level (MHTL) of Upper Newport Bay. In addition, the project site would be +65 feet above Mean Sea Level (MSL). While the proposed additions would result in the residence encroaching 6'-4" closer to the bluff edge, the proposed addition would be setback 40 feet from the bluff edge. The bluff rises from elevation +48' MSL to about +68' MSL, or about 20 feet in height. The bluff is covered with vegetation and has a slope of about 2/1 (h/v). Because of its distance from the bay, the site is not subject to traditional coastal hazards such as waves, flooding, and coastal erosion over the next 75 years. The low height bluff at the site is not subject to any marine erosion because the bluff toe is at elevation +48' MSL well above the influence of the bay. The slope face is covered with mature vegetation and shows no sign of surficial erosion. The slope has been in place for over 40 years without sloughing, mass wasting or any other forms of bluff retreat. There are no existing retaining structures along the bluff at this site or at any of the adjacent properties and no such structure is proposed on the project site. The proposed development is adequately setback from the UNBER so as not to result in impacts, which would significantly degrade the ESHA area. Thus, the proposed development would be compatible with the continuance of the UNBER's habitat and recreation areas.

Drainage into the bay could cause significant impacts to the bay. The existing structure drains onto the adjacent street and does not affect the ecological reserve. Post project, drainage will continue to be directed towards the street. In addition, the applicant is proposing the installation of a trench drain along the driveway adjacent to the street to address water quality issues (Exhibit #6).

B. DEVELOPMENT

As proposed, the development is located within an existing developed area and is compatible with the character and scale of the surrounding area. The project provides adequate parking based on the Commission's typically applied standards. Therefore, the Commission finds that the development conforms with Sections 30250, 30251, and 30252 of the Coastal Act.

C. BIOLOGICAL RESOURCES

The proposed development will have no significant adverse impact on adjacent habitat, recreation areas, or parks. Therefore, the Commission finds that the project conforms with Section 30240(b) of the Coastal Act.

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D. 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, incorporates design features to minimize the effect of construction and post-construction activities on the marine environment. Therefore, the Commission finds that the proposed development 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.

E. PUBLIC ACCESS

The proposed development will not affect the public's ability to gain access to, and/or to use the coast and nearby recreational facilities. Therefore, as proposed, the development conforms to Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

F. LOCAL COASTAL PROGRAM

The LUP for the City of Newport Beach was effectively certified on May 19, 1982. The certified LUP was updated on January 9, 1990. 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.

The proposed development is consistent with the Chapter Three policies of the Coastal Act. Therefore, the Executive Director finds that the proposed development would not prejudice the ability of the City to prepare a certified coastal program consistent with the Chapter 3 policies of the Coastal Act.

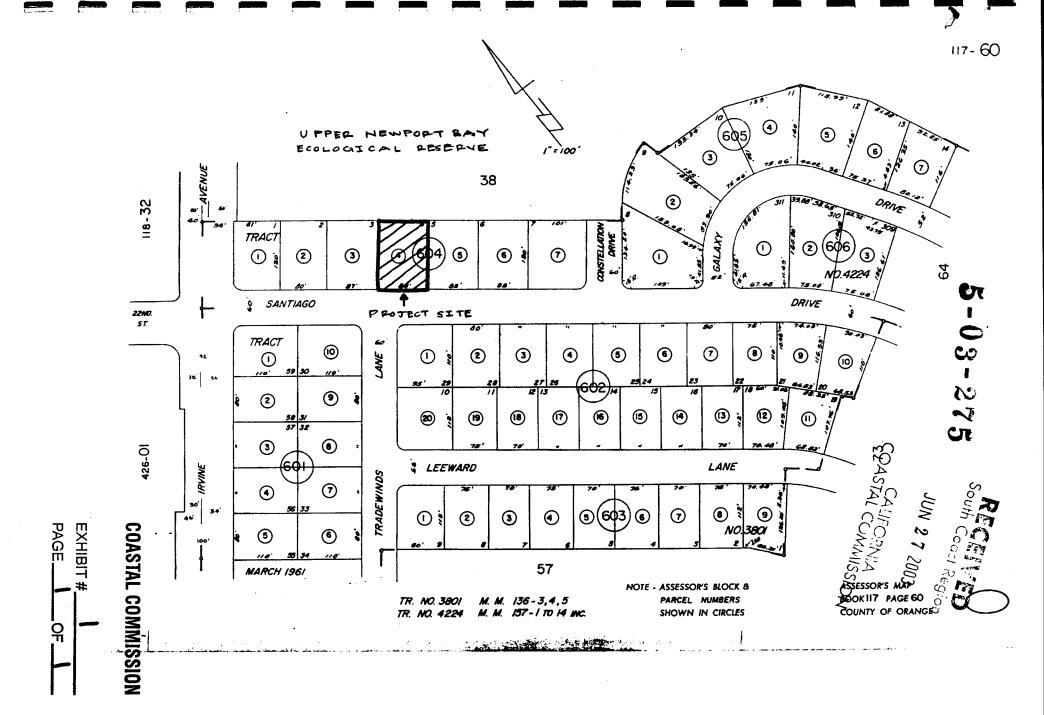
G. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

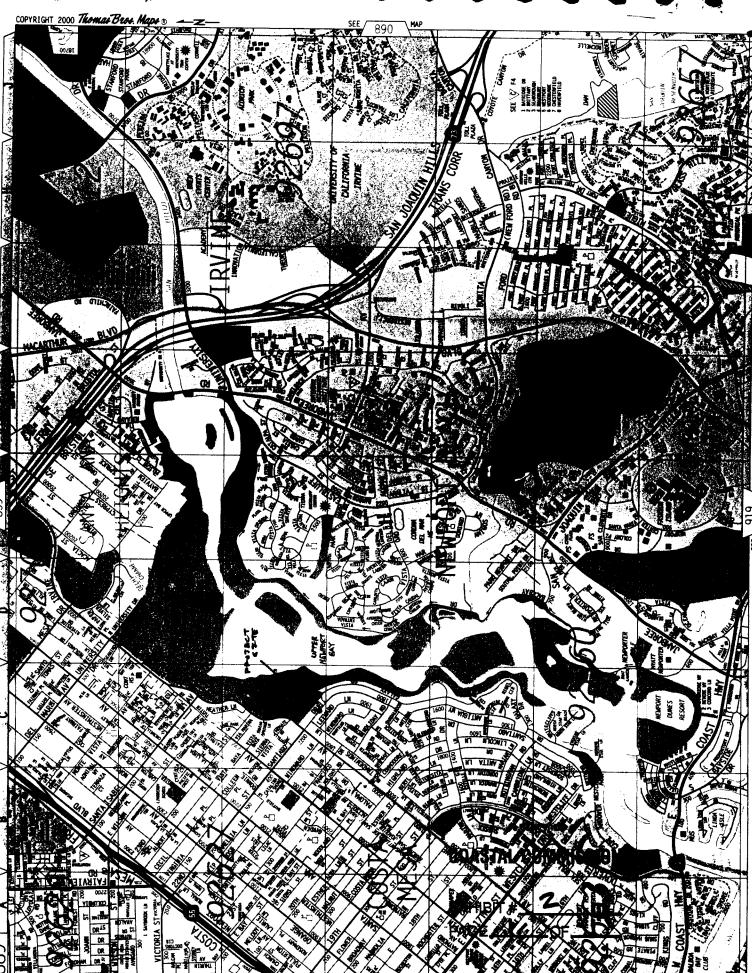
As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect that the activity may have on the environment. Therefore, the Executive Director finds that the proposed project, as conditioned to mitigate the 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.

ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.				
Applicant's Signature	Date of Signing			

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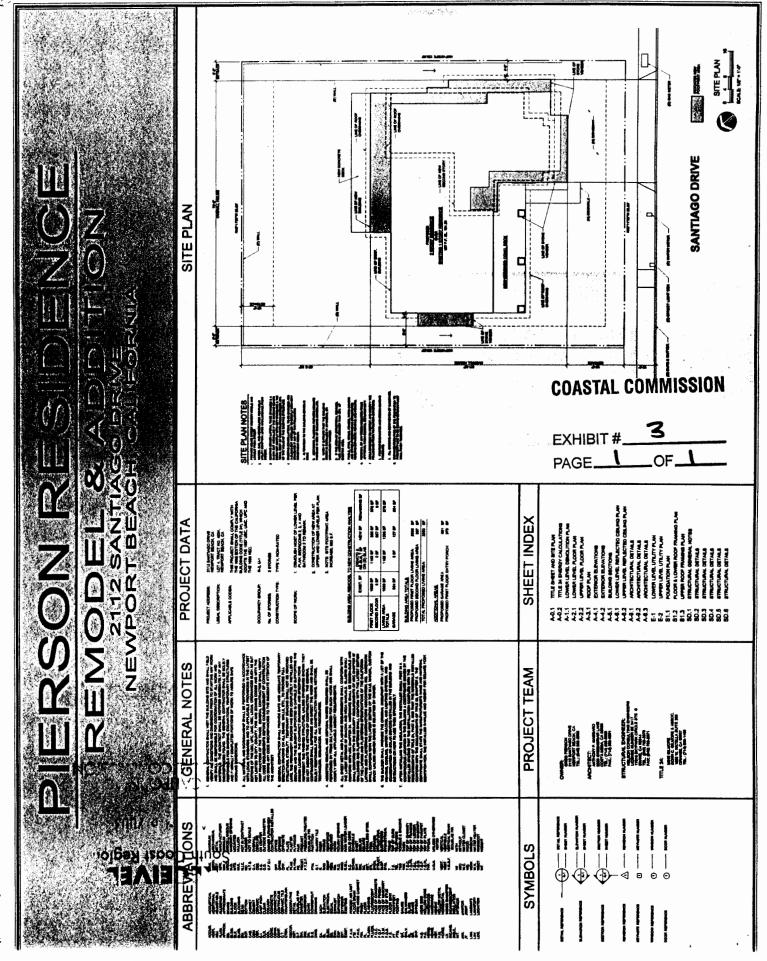


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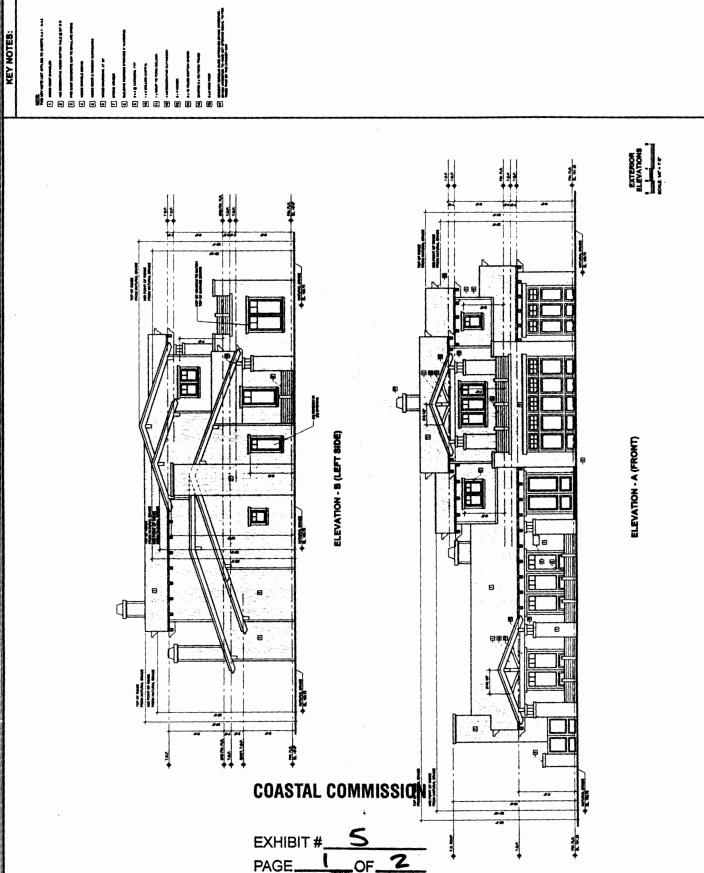
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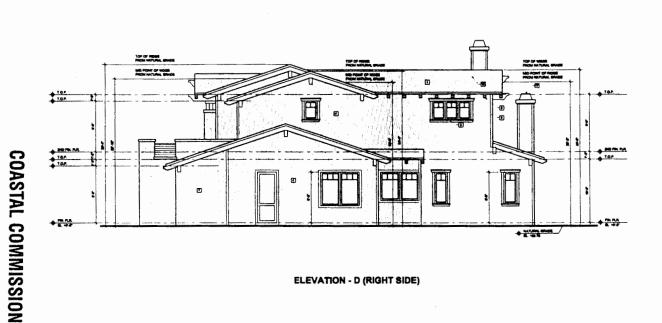




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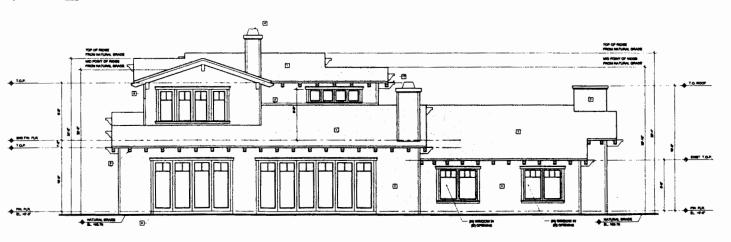




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EXHIBIT #



ELEVATION - C (REAR)



KEY NOTES:





PIERSON RESIDENCE REMODEL & ADDITION 2112 SANTIAGO DEUVE, NEWFORT BEACH, CA

PLAN CHECK NO. 1152-2003 PLAN CHECK SUBMITTAL 1

EXTERIOR ELEVATIONS

