

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
 1000 Ocean Gate, Suite 1000
 Long Beach, CA 90802-4302
 (562) 590-5071



RECORD PACKET COPY

Filed: 3/18/03
 49th Day: 5/6/03
 180th Day: 9/14/03
 Staff: MV-LB
 Staff Report: 4/17/03
 Hearing Date: 5/6-9/03
 Commission Action:

Tu 4 d**STAFF REPORT: CONSENT CALENDAR****APPLICATION NUMBER: 5-03-083****APPLICANT: James & Kelly Mazzo****AGENT: John F. McNeely****PROJECT LOCATION: 2500 Monaco Drive, Laguna Beach, Orange County**

PROJECT DESCRIPTION: Demolish existing single family residence and construct a new 4,742 square foot, two story, 20 foot high, single family residence with an attached three car garage.

Lot Area: 12,081 square feet
 Building Coverage: 4,354 square feet
 Pavement Coverage: 2,800 square feet
 Landscape Coverage: 4,927 square feet
 Parking Spaces: 3 spaces
 Zoning: R-1
 Ht above final grade: 20 feet

LOCAL APPROVALS RECEIVED: City of Laguna Beach Approval in Concept**SUBSTANTIVE FILE DOCUMENTS: City of Laguna Beach certified Land Use Plan****SUMMARY OF STAFF RECOMMENDATION:**

Staff is recommending approval of the proposed project subject to one 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 use plants native to coastal Orange County or non-native drought tolerant plants that are non-invasive.

This condition is necessary in order to protect water quality to promote the biological productivity of coastal waters 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 plants native to coastal Orange County 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 demolish existing single family residence and construct a new 4,742 square foot, two story, 20 foot high, single family residence with an attached three car garage.

The subject site is located on an interior lot in Irvine Cove, a private locked gate community located between the sea and the first public road (North Coast Highway). The private community was established prior to the Coastal Act. It is situated between Emerald Bay and El Moro Cove mobile home park, at the north end of the City of Laguna Beach. The community's location between the sea and the first public road prevents public access to the cove beach at the base of the bluffs within the community. The nearest public access to the shore is at Crescent Bay approximately two miles downcoast and at Crystal Cove State Park approximately 2 miles upcoast. Although no public access currently exists through the community, the proposed project, the replacement of a single family residence on an existing subdivided lot, will not create new adverse impacts on the existing public access situation.

Irvine Cove is one of the areas of deferred certification within the otherwise certified City of Laguna Beach. Irvine Cove, along with three other private, locked gate communities between the sea and the first public road, were deferred certification due to the public access issue raised by their locked gate nature. Because of the deferral of certification, the City of Laguna Beach Local Coastal Program does not apply in this area, and the policies in Chapter 3 of the Coastal Act, Cal. Pub. Res. Code §§ 30200 *et seq.*, constitute the standards by which the permissibility of the proposed development is to be determined.

The site drainage plan submitted with the application indicates that drainage will be collected and piped off site to the street. Site runoff is not proposed to be treated prior to discharge from the site. Drainage from the subject site is directed to the storm drain system, which then drains to the ocean. Thus as proposed, water quality will not be protected as required by Sections 30230 and 30231 of the Coastal Act. The project's drainage plan could feasibly be revised to direct the site drainage to landscaped areas, and/or structural filtration devices such as trench drains and dry wells. Therefore, a special condition is imposed which requires that 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. Furthermore, uncontrolled runoff from the project site and the percolation of water could also affect the structural stability of bluffs and hillsides. To address these concerns, the development, as proposed and as conditioned, incorporates design features to minimize the infiltration of water and 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, the use of non-invasive drought tolerant vegetation, 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

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 LCP for City of Laguna Beach was effectively certified in February 1993. However, the proposed development is occurring within an area of deferred certification. Consequently, the standard of review is the Coastal Act and the City's LCP is used as guidance. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified LCP for the area. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare a Local Coastal Program for this area that is in conformity with the provisions of Chapter 3.

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.

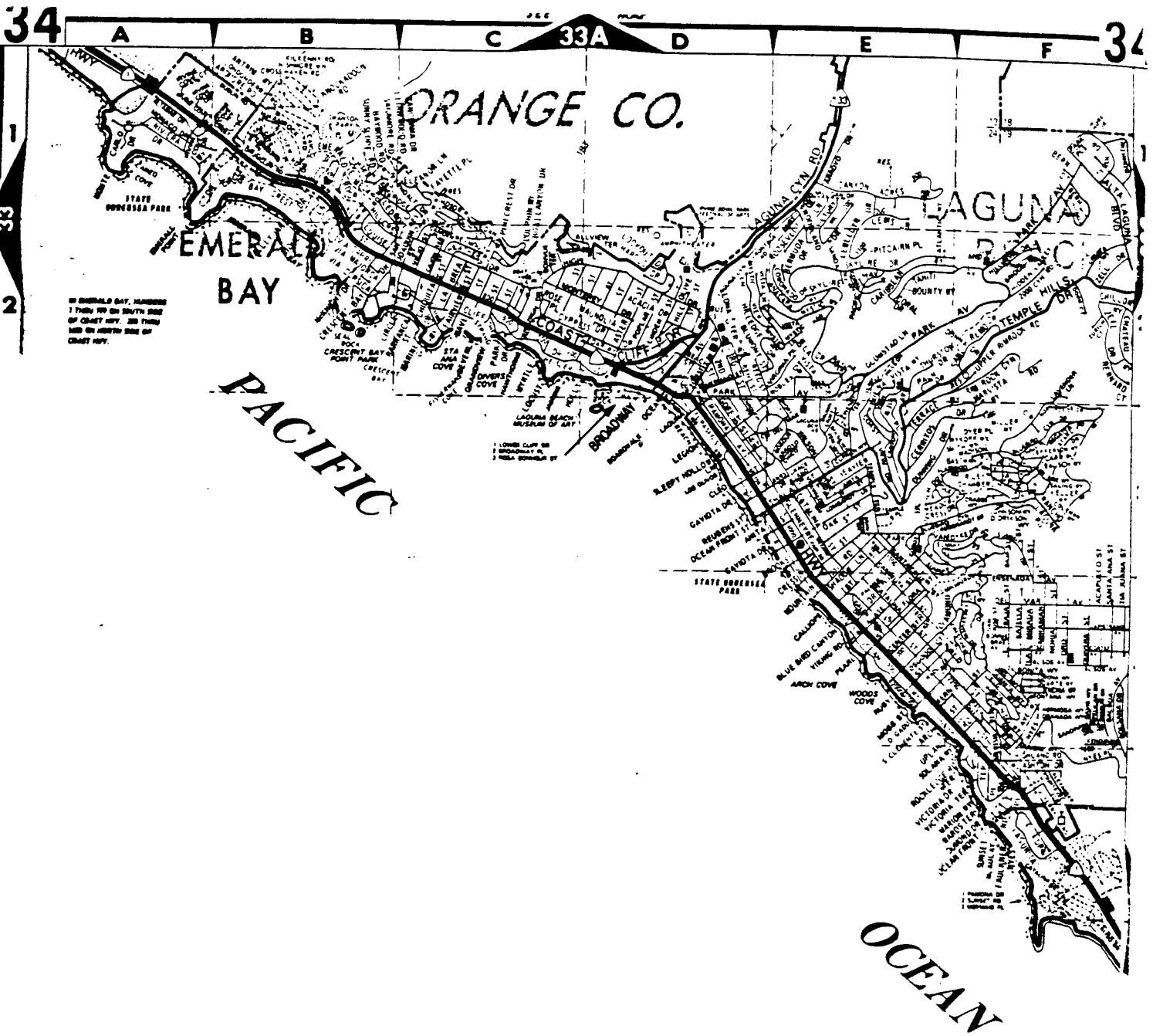


EXHIBIT NO. A
APPLICATION NO.
5-03-083
California Coastal Commission

VICINITY MAP

RECEIVED

South Coast Region

FEB 27 1983

CALIFORNIA
COASTAL COMMISSION

SITE AND ROOF PLAN

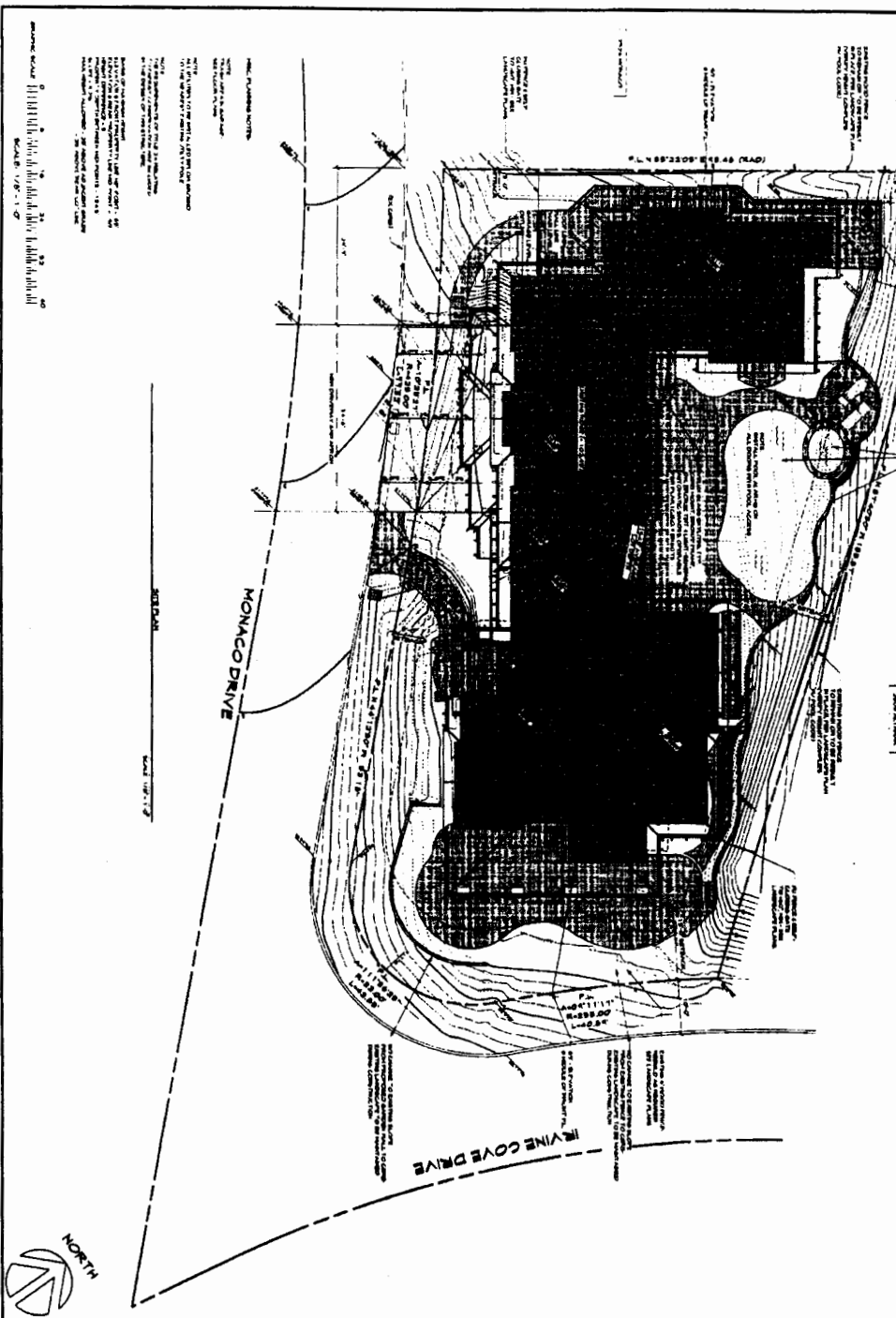
5-03-083

COASTAL COMMISSION

5-03-083

EXHIBIT # B

PAGE 1 OF 1



VICINITY MAP

PROJECT DATA

LEGAL DESCRIPTION	11
LOT	219
BLK	219
TRAC	219
SECTION	219
CITY	LAGUNA BEACH, CALIF.
COUNTY	ORANGE
STATE	CALIF.
DATE	02-23-83
SCALE	AS SHOWN
DATE	02-23-83
BY	JFM
CHECKED	JFM
DATE	02-23-83

LOT COVERAGE:
 TOTAL LOT AREA: 10,000 SQ. FT.
 TOTAL COVERED AREA: 10,000 SQ. FT.
 TOTAL UNCOVERED AREA: 0 SQ. FT.
 TOTAL COVERED PERCENTAGE: 100%
 TOTAL UNCOVERED PERCENTAGE: 0%

OWNER:
 MAZZO RESIDENCE
 2300 MONACO DRIVE
 IRVINE COVE
 LAGUNA BEACH, CALIF. 92653

ARCHITECT:
 JOHN F. McNEELY, INC.
 161 COLLEGE STREET, SUITE C-100
 COSTA MESA, CALIF. 92626
 TEL. (714) 440-4400 FAX (714) 440-4401

PLANNING:
 JOHN F. McNEELY, INC.
 161 COLLEGE STREET, SUITE C-100
 COSTA MESA, CALIF. 92626
 TEL. (714) 440-4400 FAX (714) 440-4401

ENGINEER:
 JOHN F. McNEELY, INC.
 161 COLLEGE STREET, SUITE C-100
 COSTA MESA, CALIF. 92626
 TEL. (714) 440-4400 FAX (714) 440-4401

LANDSCAPE ARCHITECT:
 JOHN F. McNEELY, INC.
 161 COLLEGE STREET, SUITE C-100
 COSTA MESA, CALIF. 92626
 TEL. (714) 440-4400 FAX (714) 440-4401

CIVIL ENGINEER:
 JOHN F. McNEELY, INC.
 161 COLLEGE STREET, SUITE C-100
 COSTA MESA, CALIF. 92626
 TEL. (714) 440-4400 FAX (714) 440-4401

SHEET INDEX

- A-1 SITE PLAN / PROJECT DATA
- A-2 MAIN LEVEL FLOOR PLAN
- A-3 LOWER LEVEL FLOOR PLAN
- A-4 EXTERIOR ELEVATIONS / STAIR DETAILS
- A-5 EXTERIOR ELEVATIONS / DOOR & WINDOW SCHEDULES

SITE PLAN
GENERAL NOTES

MAZZO RESIDENCE
2300 MONACO DRIVE
IRVINE COVE
LAGUNA BEACH, CALIFORNIA

JOHN F. McNEELY, INC.
 PLANNING & DESIGN
 161 COLLEGE STREET, SUITE C-100
 COSTA MESA, CALIF. 92626
 TEL. (714) 440-4400 FAX (714) 440-4401

A 1