

CALIFORNIA COASTAL COMMISSION

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Filed: 5/22/15
180th Day: 11/18/15
Staff: F. Sy-LB
Staff Report: 7/31/15
Hearing Date: 8/13/15

STAFF REPORT: REGULAR CALENDAR

Application No.: 5-15-0936

Applicants: Gabriel Gift Trusts, Attn: J. Alan Hines

Agent: C.J. Light Associates

Project Location: 107 Shorecliff Road, Newport Beach, Orange County

Project Description: Demolition of an existing 3,700 square foot single-family residence with an attached two-car garage, detached pool house and swimming pool and construct a new 7,942 square foot, two-level single-family residence with a semi-subterranean basement with an attached 709 square foot three-car garage, a rear yard swimming pool, retaining walls and terracing of the rear yard, and a side yard property line fence on a coastal bluff top lot.

Staff Recommendation: Approval with conditions.

SUMMARY OF STAFF RECOMMENDATION:

Commission Staff is recommending **APPROVAL** of the demolition and construction of a new single-family residence located between the first public road and the sea on a coastal bluff top lot overlooking the Pacific Ocean subject to wave erosion located in the City of Newport Beach. The major issues raised by this proposed development concern bluff top development that could affect scenic resources, be affected by hazards, or have impacts upon public access.

For development located on bluff top lots, the Commission has typically required that they conform to a minimum 25-foot setback from the bluff edge for primary (e.g. the enclosed living

area of residential structures and major accessory structures such as pools and guesthouses and development that requires structural foundations) and minimum 10 foot setback for accessory structures (e.g., patios, ground level decks, and garden walls that do not require structural foundations) and requires conformance with the stringline setbacks, whichever is more restrictive, which are setback policies that are included in the City's certified Land Use Plan (last updated in 2009) to protect visual resources and also to ensure that hazards associated with the development are minimized and that new development does not rely on future shoreline or bluff protective devices. The only development allowed within the 25-foot setback are at grade improvements and minimal grading and no new development is allowed within the 10-foot setback. The existing and proposed development are not consistent with either of the setbacks from the bluff edge since Commission staff disagrees with the applicants' originally identified bluff edge, which was proposed further down the bluff. However, the applicants and Commissions staff, in consultation with the Commission staff geologist, have worked together and agreed on a bluff edge location based on site visit and past Commission permit action on the two adjoining properties that is located further up on the bluff. Furthermore, the existing and proposed developments do not adhere to the stringline setbacks as drawn from adjacent structures. Therefore, the Commission imposes **Special Condition No. 1**, which requires the applicants to submit revised final project plans, showing: conformance with the minimum 25-foot setback from the bluff edge for primary structures and minimum 10 foot setback for accessory structures; conformance with the primary structure and accessory structure stringlines; and indicating that no improvements to the existing pre-coastal development on the bluff within the 25-foot setback are allowed. Furthermore, this special condition places the applicants on notice that no new improvements, including maintenance and repairs, to the existing pre-coastal development within the 25-foot bluff top setback or bluff face is allowed without a coastal development permit.

The proposed project is located in an area where coastal hazards exist and can adversely impact the development. The submitted reports concludes that development is safe from coastal hazards and no shoreline protective device will be needed to protect the development over the course of its design life. The reports further contain recommendations relating to site preparation and grading, general foundation design and drainage. To ensure that the project incorporates these recommendations, the Commission imposes **Special Condition No. 2** requiring the applicants to submit final plans certified by a licensed geotechnical professional consistent with the recommendations specified in the geotechnical report. To minimize the project's potential future impact on shoreline processes, the Commission imposes **Special Condition No. 3**, which prohibits construction of any future bluff or shoreline protective device(s) to protect the development approved pursuant to Coastal Development Permit No. 5-15-0936. To ensure that the applicants are aware that their development is subject to coastal hazards, the Commission imposes **Special Condition No. 4**, requiring the applicants to assume the risk for the development. In order to ensure that development on the site does not occur which could potentially adversely impact the geologic stability concerns expressed in this staff report, the Commission imposes **Special Condition No. 5**, which informs the applicants that future development at the site requires an amendment to Coastal Development Permit No. 5-15-0936 or a new coastal development permit.

During construction and post construction, the proposed project has potential for adverse impacts to water quality and marine resources. Therefore, as a result, several special conditions have been imposed in order to minimize any impacts to water quality and marine resources the proposed project may result in: **Special Condition No. 6** outlines construction-related requirements to provide for the safe storage of construction materials and the safe disposal of construction debris; **Special Condition No. 7** requires the applicants to submit revised final drainage plans; **Special Condition No. 8** requires the applicants to submit revised final drainage plans; and **Special Condition No. 9**, requires the applicant to submit final plans for the pool that conform with leak detection and control requirements.

To ensure that any prospective future owners of the property are made aware of the applicability of the conditions of this permit, the Commission imposes **Special Condition No. 10**, which requires the property owner record a deed restriction against the property, referencing all of the above special conditions of this permit and imposing them as covenants, conditions and restrictions on the use and enjoyment of the property.

As conditioned, the proposed project will conform with Coastal Act Policy Sections 30251, 30230, 30231, 30253, and 30240(b) of the Coastal Act.

Section 30600(c) of the Coastal Act provides for the issuance of coastal development permits directly by the Commission in regions where the local government having jurisdiction does not have a certified Local Coastal Program (CLP). The City of Newport Beach only has a certified Coastal Land Use Plan (CLUP) and has not exercised the options provided in 30600(b) or 30600.5 to issue its own permits. Therefore, the Coastal Commission is the permit issuing entity and the standard of review is Chapter 3 of the Coastal Act. The certified Coastal Land Use Plan may be used for guidance.

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APPENDICES

Appendix A – Substantive File Documents

EXHIBITS

Exhibit No. 1 – Location Map

Exhibit No. 2 – Site Plan

Exhibit No. 3 – Floor Plans

Exhibit No. 4 – Elevation Plans

Exhibit No. 5 – Grading Plan

Exhibit No. 6 – Foundation Plan

Exhibit No. 7 – Bluff Edge Location

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** Coastal Development Permit No. 5-15-0936 pursuant to the staff recommendation.*

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

The Commission hereby approves Coastal Development Permit 5-15-0936 for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and 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. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that will substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

This permit is granted subject to the following 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 permittees 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 on which the Commission voted on the application. 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. **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. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittees to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

1. **Revised Final Project Plans.** PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit, for the Executive Director's review and approval, two (2) full size sets of a revised final project plans, including floor, elevation, grading, drainage, shoring, foundation, pool, pool foundation, etc. The revised final project plans shall be in substantial conformance with the plans received by South Coast District staff on August 15, 2014 and September 24, 2014, except they shall be modified according to the following:

- A. Conformance of the proposed project with the minimum 25-foot setback from the bluff edge as depicted in **Exhibits No. 7** for primary structures (e.g. the enclosed living area of residential structures and major accessory structures such as pools and guesthouses and development that requires structural foundations) and minimum 10 foot setback for accessory structures (e.g., patios, ground level decks, and garden walls that do not require structural foundations). The only development allowed within the 25-foot setback are at grade improvements that do not require structural foundations and minimal grading. No new development is allowed within the 10-foot setback;
- B. Conformance with the primary and accessory structure stringlines; and
- C. The revised project plans shall indicate that no improvements, including maintenance and repairs, to the existing pre-coastal development within the 25-foot bluff top setback or bluff face is allowed without a coastal development permit.

The applicants shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment unless the Executive Director determines that no amendment is legally required.

2. **Conformance with Geotechnical Recommendations.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit, for the Executive Director's review and approval, along with two (2) full size sets of plans, evidence that an appropriately licensed professional has reviewed and approved all final design and construction plans including foundation and grading/drainage plans and certified that each of those final plans is consistent with all the recommendations contained in the geologic engineering investigations.

All final design and construction plans, including foundations, grading and drainage plans, shall be consistent with all recommendations contained in the geologic engineering investigation: *Geotechnical Investigation Proposed Single-Family Residence, 107 Shorecliff Road, Lot 119 of Tract No. 116, Newport Beach (J.N. 12-2021)* prepared by Petra

Geotechnical, Inc. dated May 6, 2014; and *Coastal Hazard Supplement Proposed Single-Family Residence At 107 Shorecliff Road Corona Del Mar Area of The City Of Newport Beach, California (J.N. 12-2021)* prepared by Petra Geotechnical, Inc. dated August 4, 2014. The proposed foundation system is conventional slab-on-grade system with continuous footings and retaining walls. If at any time, it is determined that a foundation system consisting of deepened foundation elements (e.g. caissons), other than for the shoring walls and piles long the northwest property line, is needed to support any of the proposed development (e.g. the residence), an amendment to this permit or a new permit shall be required in order to implement such recommendations. All final design and construction plans, including foundations, grading and drainage plans, shall be consistent with all recommendations contained in the submitted investigations approved by the Executive Director.

The applicants shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment unless the Executive Director determines that no amendment is legally required.

- 3. No Future Bluff or Shoreline Protective Devices.** By acceptance of this permit, the applicants agree, on behalf of themselves and all successors and assigns, that no bluff or shoreline protective device(s) shall ever be constructed to protect the development approved pursuant to Coastal Development Permit No. 5-15-0936 including, but not limited to, the residence, foundations, decks, balconies, patios, hardscape and any other future improvements in the event that the development is threatened with damage or destruction from waves, erosion, storm conditions, bluff retreat, landslides, sea level rise or other natural coastal hazards in the future. By acceptance of this permit, the applicants/landowners hereby waives, on behalf of themselves and all successors and assigns, any rights to construct such devices that may exist under Public Resources Code Section 30235.

By acceptance of this permit, the applicants/landowners further agree, on behalf of themselves and all successors and assigns, that the landowner(s) shall remove the development authorized by this permit, including the residence, foundations, decks, balconies, patios, hardscape and any other future improvements if any government agency has ordered that the structures are not to be occupied due to any of the hazards identified above. In the event that portions of the development fall to the beach before they are removed, the landowner shall remove all recoverable debris associated with the development from the beach and ocean and lawfully dispose of the material in an approved disposal site. Such removal shall require a coastal development permit.

In the event the edge of the bluff recedes to within five (5)-feet of the principal residence but no government agency has ordered that the structures are not to be occupied, a geotechnical investigation shall be prepared by a licensed coastal engineer and geologist retained by the applicants, that addresses whether any portions of the residence are threatened by bluff and slope instability, erosion, landslides, sea level rise or other natural hazards. The report shall identify all those immediate or potential future measures that could stabilize the principal residence without bluff or shore protection, including but not limited to removal or relocation of portions of the residence. The report shall be submitted to the Executive Director and the

appropriate local government official. If the geotechnical report concludes that the residence or any portion of the residence is unsafe for occupancy, the permittees shall, within ninety (90) days of submitting the report, apply for a coastal development permit amendment to remedy the hazard which shall include removal of the threatened portion of the structure.

- 4. Assumption of Risk, Waiver of Liability and Indemnity.** By acceptance of this permit, the applicants acknowledge and agree (i) that the site may be subject to hazards from bluff and slope instability, sea level rise, erosion, landslides and wave uprush or other tidal induced erosion; (ii) to assume the risks to the applicants and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.
- 5. Future Improvements.** This permit is only for the development described in Coastal Development Permit No. 5-15-0936. Pursuant to Title 14 California Code of Regulations Section 13253(b)(6), the exemptions otherwise provided in Public Resources Code Section 30610(b) shall not apply to this development governed by the Coastal Development Permit No. 5-15-0936. Accordingly, any future improvements to the structures authorized by this permit, including but not limited to, repair and maintenance identified as requiring a permit in Public Resources Section 30610(d) and Title 14 California Code of Regulations Sections 13252(a)-(b), shall require an amendment to Coastal Development Permit No. 5-15-0936 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.
- 6. Construction Best Management Practices.** The permittees shall comply with the following construction-related requirements and shall do so in a manner that complies with all relevant local, state and federal laws applicable to each requirement:

 - A. No construction materials, debris, or waste shall be placed or stored where it may be subject to wave, wind, rain, or tidal erosion and dispersion;
 - B. Any and all debris resulting from construction activities shall be removed from the project site within 24 hours of completion of the project;
 - C. Construction debris and sediment shall be removed from construction areas each day that construction occurs to prevent the accumulation of sediment and other debris which may be discharged into coastal waters;
 - D. Erosion control/sedimentation Best Management Practices (BMP's) shall be used to control dust and sedimentation impacts to coastal waters during construction. BMP's shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into coastal waters; and
 - E. All construction materials, excluding lumber, shall be covered and enclosed on all sides, and as far away from a storm drain inlet and receiving waters as possible.

Best Management Practices (BMP's) designed to prevent spillage and/or runoff of construction-related materials, sediment, or contaminants associated with construction activity shall be implemented prior to the onset of such activity. Selected BMP's shall be maintained in a functional condition throughout the duration of the project. Such measures shall be used during construction:

- A. The applicants shall ensure the proper handling, storage, and application of petroleum products and other construction materials. These shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. It shall be located as far away from the receiving waters and storm drain inlets as possible;
- B. The applicants shall develop and implement spill prevention and control measures;
- C. The applicants shall maintain and wash equipment and machinery in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems. Washout from concrete trucks shall be disposed of at a location not subject to runoff and more than 50-feet away from a stormdrain, open ditch or surface water; and
- D. The applicants shall provide adequate disposal facilities for solid waste, including excess concrete, produced during construction.

7. Revised Final Drainage And Runoff Control Plans. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit, for the Executive Director's review and approval, two (2) full size sets of a revised drainage and runoff control plans. The revised project plans shall be in substantial conformance with the plans received by South Coast District staff on September 24, 2014 and shall show that all roof drainage, including roof gutters and collection drains, and sub-drain systems for all landscape and hardscape improvements for the single-family residence located on the coastal bluff top and all yard areas, shall be collected on site for discharge to the street along with a bottomless trench drain located at the driveway near the street.

The applicants shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment unless the Executive Director determines that no amendment is legally required.

8. Revised Final Landscape Plans.

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit, in a form and content acceptable to the Executive Director, two (2) full size sets of revised final landscape/irrigation plans prepared by an appropriately licensed professional which demonstrates the following:

- (1) The plans shall demonstrate that:
 - (a) All plantings shall be maintained in good growing condition throughout the life of the project, and whenever necessary, shall be

replaced with new plant materials to ensure continued compliance with the landscape plan;

- (b) Landscaped areas not occupied by hardscape shall be planted and maintained for slope stability and erosion control. To minimize the need for irrigation and minimize encroachment of non-native plant species into adjacent or nearby native plant areas, all landscaping shall consist of native drought tolerant on-invasive plant species native to coastal Orange County and appropriate to the habitat type. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a “noxious weed” by the State of California or the U.S. Federal Government shall be utilized within the property. All plants shall be low water use plants as identified by California Department of Water Resources (See: <http://www.water.ca.gov/wateruseefficiency/docs/wucols00.pdf>);
- (c) No permanent irrigation system shall be allowed on the coastal bluff. Temporary above ground irrigation to allow the establishment of the plantings is allowed. The landscaping plan shall show all the existing vegetation and any existing irrigation system; and
- (d). Any irrigation used for the remaining areas of the lot shall use only drip or microspray irrigation systems. Other water conservation measures shall be considered, such as weather based irrigation controllers.

(2) The plan shall include, at a minimum, the following components:

- (a) A map showing the type, size, and location of all plant materials that will be on the developed site, the irrigation system, topography of the developed site, and all other landscape features, and
- (b) a schedule for installation of plants.

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

9. Final Pool Protection Plans. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit, for review and approval of the

Executive Director, two (2) full size sets of final pool protection plans prepared by an appropriately licensed professional that incorporates mitigation of the potential for geologic instability caused by leakage from the proposed pool. The pool protection plans shall incorporate and identify on the plans the follow measures, at a minimum: 1) installation of a pool leak detection system such as, but not limited to, leak detection system/moisture sensor with alarm and/or a separate water meter for the pool which is separate from the water meter for the house to allow for the monitoring of water usage for the pool, and 2) use of materials and pool design features, such as but not limited to, double linings, plastic linings or specially treated cement, to be used to waterproof the undersides of the pool to prevent leakage, along with information regarding the past and/or anticipated success of these materials in preventing leakage; and where feasible 3) installation of a sub drain or other equivalent drainage system under the spa that conveys any water leakage to an appropriate drainage outlet. The applicant shall comply with the final pool protection plans approved by the Executive Director.

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

- 10. Deed Restriction.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit to the Executive Director for review and approval documentation demonstrating that the landowner(s) have executed and recorded against the parcel(s) governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the special conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

IV. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION AND LOCATION

The proposed project consists of demolition of an existing 3,700 square foot single-family residence with an attached two-car garage, detached pool house and swimming pool and the construction of a new two-level 7,942 square foot, approximately 24-feet above finished grade, single-family residence with a semi-subterranean basement with an attached 709 square foot three car garage on a coastal bluff top lot (**Exhibits No. 2-6**). The southwesterly seaward portion of the residence will be three stories in height that includes a partial daylighting subterranean lower level with an open view to the ocean. Hardscape and landscape development will take place at the rear of the property. A new approximately 168-foot long northwest property line

fence is also proposed. The project also includes a rear yard swimming pool and a stone retaining wall closest to the pool. The existing masonry block wall located along the southeasterly property line will remain in place. Additionally, an existing gravel pathway with stone steps and a stone retaining wall located on the upper portion of the descending slope near the southwesterly property corner will remain in place. Grading will consist of approximately 810 cubic yards of cut, 50 cubic yards of fill and 760 cubic yards of export to a location outside of the Coastal Zone. A majority of the site will be excavated to proposed finish grades with fills proposed. Grading in the rear yard along the bluff will be completed to create leveled areas. The applicants have indicated that proposed grading will be setback 10-feet from the bluff edge and that the foundation system for the residence and rear yard hardscape improvements will consist of a conventional slab-on-grade system with continuous footings and retaining walls. The garage accommodates a total of three cars for the development; exceeding the Commission's typical parking standard of two (2) parking spaces per dwelling unit.

The applicants have stated that shoring walls to accommodate grading and basement construction near the northwest property line that includes soldier piles ranging from 6-feet to 8-feet are also proposed.

The applicants have provided drainage and runoff control plans that indicate that onsite runoff will be collected through a series of drain inlets and drainage pipes. Once collected, runoff will be directed to a catch basin at the northeast corner of the subject site, fitted with a treatment filter. After being treated, all runoff will be directed to the street via a sump pump. In addition, a bottomless trench drain is proposed at the driveway near the street. No runoff will be allowed to drain over the bluff.

The subject site is located at 107 Shorecliff Road, in the Shorecliff area of Newport Beach (Corona Del Mar) and is between the first public roadway and the sea on a coastal bluff top lot overlooking the Pacific Ocean subject to wave erosion (**Exhibit No. 1**). The site is a 31,563 square foot lot designated Low Density Residential by the City of Newport Beach Land Use Plan (LUP) and the proposed project adheres to this designation. The subject site is currently occupied by an existing single-family residence. Existing pre-coastal improvements located on and near the top of the adjacent descending bluff area include a series of several low height retaining walls and rock walls, as well as a concrete walkway, dirt and gravel pathways, and low height stairs. An approximately 6-foot high masonry wall exists along the southeasterly property line and a wood fence exists along the northwesterly property line. The descending bluff slope is vegetated with a moderately thick growth of low height coastal type vegetation and non-native vegetation. The subject site is located within an existing developed urban residential area. The subject site is surrounded by single-family residential development to the northwest and southeast. To the northeast of the subject site is Shorecliff Road. To the southwest of the subject site is an approximately 50-foot high coastal bluff that descends to an approximate 30-foot wide pocket sandy and rocky beach that consists of tidepools that have been visited frequently by the public; and then the Pacific Ocean.

Initially, the applicants and Commission staff did not agree with the location of the bluff edge. However, the applicants and Commission staff have worked together and agreed on a location of the bluff edge that will be discussed further in the staff report.

B. SCENIC RESOURCES

Section 30251 of the Coastal Act pertains to visual resources. It states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas...

Section 30251 of the Coastal Act requires that scenic and visual qualities of coastal areas be protected. The project is located on a coastal bluff top lot overlooking the Pacific Ocean. The site is visible from public vantage points, including the ocean, the beach area below the bluff and the nearby Little Corona Beach. Because the new residence will potentially affect views from public vantage points any adverse visual impacts must be minimized. Consequently, it is necessary to ensure that the development will be sited to protect views to and along the ocean and minimize the alteration of existing landforms.

The Commission has typically required new development located on bluff top lots to conform to a minimum 25-foot setback from the bluff edge for primary structures (e.g. the enclosed living area of residential structures and major accessory structures such as pools and guesthouses and development that requires structural foundations) and minimum 10 foot setback for accessory structures (e.g., patios, ground level decks, and garden walls that do not require structural foundations) and requires conformance with the stringline setbacks, whichever is more restrictive, which are setback policies that are included in the City's certified Land Use Plan (last updated in 2009) to protect visual resources. The only development allowed within the 25-foot setback are at grade improvements and minimal grading and no new development is allowed within the 10-foot setback.

The existing and proposed development are not consistent with either of the setbacks from the bluff edge since Commission staff disagrees with the applicants' originally identified bluff edge, which was proposed further down the bluff. However, the applicants and Commissions staff, in consultation with the Commission staff geologist, have worked together and agreed on a bluff edge location based on site visit and past Commission permit action on the two adjoining properties that is located further up on the bluff, described as the following (**Exhibit No. 7**): on the upcoast, northwest property line of the subject site adjacent to 103 Shorecliff Road, the bluff edge location is located at the 83-foot contour line consistent with the bluff edge location on the adjacent property that was identified and approved through CDP No. 5-13-043-(Blandino and Johnson) by the Commission in July 2014 for a residential development. From the Northwest, or 103 Shorecliff Rd., the bluff edge continues a slight southwesterly trajectory to terminate behind the existing flat area near the 78-contour line and continues south until it joins the 77-contour line. From this point onward an existing near flat area is defined between the 75-foot and 77-foot contour lines. The bluff edge continues on the landward side of this flat area and follows the 77-foot contour line. Continuing south the bluff edge does not follow the natural downward westerly continuation of the 77-foot contour line and instead a near straight southerly trajectory is plotted behind the flat area located near the 85-foot contour line and continues to connect to the

bluff edge defined at the adjacent southwest property at 111 Shorecliff Road at the 88-foot contour line. The 88-foot bluff edge contour line was identified and approved through CDP No. 5-04-232-(Sutton) by the Commission in May 2006 for a residential development.

While the applicants have provided a narrative and preliminary plans indicating that primary structures will be setback a minimum 25-feet from the bluff top setback and that accessory structures will be setback a minimum 10-feet from the bluff top setback, no final revised project plans have been submitted. The applicants have also stated that no grading will be located within the 10-foot bluff top setback. Final revised project plans are necessary that show the proposed project conforming with the minimum 25-foot setback for primary structures and 10-foot setback for accessory structures from the bluff edge. Currently encroaching within the 25-foot setback are a northwest portion of the proposed basement, a pool, retaining walls, hardscape, shoring device and significant grading. These types of improvements not allowed within the 25-foot setback. Only minor improvements such as at grade development (e.g., patios, ground level decks, and garden walls that do not require structural foundations) and minor grading are allowed within the 25-foot setback. Currently within the 25-foot setback is existing development consisting of retaining walls and hardscape that is pre-coastal.

Furthermore, on coastal bluffs in addition to the setback from the bluff edge, the Commission has also imposed stringline setbacks to ensure development is setback consistent with adjacent properties. The existing and proposed developments do not adhere to the stringline setbacks with adjacent structures. Two types of stringlines are applied to evaluate a proposed project—a primary structure stringline and an accessory structure stringline. A primary structure stringline refers to the line drawn from the *nearest* adjacent corners of adjacent primary structures. Similarly, an accessory structure stringline refers to the line drawn from the nearest adjacent corners of accessory structures. Portions of the northwest existing and proposed developments do not adhere to the primary structure stringline. The existing development will be demolished; therefore, the existing development will no longer be inconsistent with the primary structure stringline. However, a northwest portion of the proposed basement walls exceed the primary structure stringline. Thus, this portion of the proposed development must be revised to be consistent with the primary structure stringline.

Therefore, the Commission imposes **Special Condition No. 1**, which requires the applicants to submit revised final project plans, showing: conformance with the minimum 25-foot setback from the bluff edge by the applicants and Commission staff for primary structures and minimum 10 foot setback for accessory structures; conformance with the primary structure and accessory structure stringlines; and indicating that no improvements to the existing pre-coastal development on the bluff within the 25-foot setback are allowed. Furthermore, this special condition places the applicants on notice that no new improvements, including maintenance and repairs, to the existing pre-coastal development within the 25-foot bluff top setback or bluff face is allowed without a coastal development permit.

As conditioned, the proposed development is consistent with the pattern of development in the surrounding area. No public views of the ocean area are available from the subject site, but public views of the coastal bluff are available from the beach area below the bluff and the nearby Little Corona Beach located upcoast. As conditioned, public view of the bluff will be enhanced

by removal of existing development within the bluff edge setback area that is visible from these public vantage points and landform alteration of the coastal bluff will be minimized. Therefore, as conditioned, the proposed project does not result in adverse impacts to visual resources and is consistent with the pattern of development in the surrounding area.

Conclusion

Thus, as conditioned, the Commission finds that the proposed project is consistent with Section 30251 of the Coastal Act.

C. HAZARDS, WATER QUALITY, AND MARINE RESOURCES

Section 30230 of the Coastal Act states:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30253 of the Coastal Act states, in pertinent part:

New development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

Section 30230 of the Coastal Act requires that marine resources including biological productivity be protected. Section 30231 of the Coastal Act requires that the biological productivity of coastal waters be maintained, and where feasible, restored. In addition, Sections 30230 and 30231 require that the quality of coastal waters be maintained and protected from adverse

impacts. Section 30253 of the Coastal Act requires that new development assures stability and structural integrity and does not create or contribute to significant erosion, geologic stability of destruction of the area in any way that necessitate the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. The subject site is a coastal bluff top lot where the base of the bluff is periodically subject to direct wave attack. Development on a bluff is inherently risky due to the potential for bluff erosion and collapse. Bluff development poses potential adverse impacts to the geologic stability of bluffs and the stability of residential structures. In general, bluff instability is caused by environmental factors and impacts caused by humans. Environmental factors include seismicity, wave attack, wetting and drying of soils, wind erosion, salt spray erosion, rodent burrowing, percolation of rain water, poorly structured bedding, and soils conducive to erosion. Factors attributed to humans that may be relevant to this site include irrigation, over-watering, building too close to the bluff edge, improper site drainage, use of impermeable surfaces that increase runoff, use of water-dependent vegetation, and breaks in water or sewage lines.

The geologic stability and impacts from coastal hazards was analyzed by Petra Geotechnical in two reports entitled: *Geotechnical Investigation Proposed Single-Family Residence, 107 Shorecliff Road, Lot 119 of Tract No. 116, Newport Beach (J.N. 12-2021)* dated May 6, 2014 and *Coastal Hazard Supplement Proposed Single-Family Residence At 107 Shorecliff Road Corona Del Mar Area of The City Of Newport Beach, California (J.N. 12-2021)* dated August 4, 2014. The upper approximately 20-feet of the descending bluff is generally comprised of dense hard sandy terrace deposit materials and descends at slope ratios varying from 1.8: 1 to 3: 1(h:v). The lower portion of the bluff is comprised of hard, massive siltstone and shale bedrock materials of the Monterey Formation and descends at a slope ratio of approximately 1:1 (h:v). The dominant earth materials found onsite are terrace deposits and bedrock.

The submitted geotechnical report indicates that the slope is stable. However, that does not preclude the possibility that a surficial failure could occur at areas of steepened slope wash and or steepened weathered bedrock due to poor irrigation practices, heavy prolonged rain, poor site drainage or other factors. Regarding wave erosion and sea level rise, Petra concluded that the development would be safe from these hazards for 75 years, the typical life expectancy of conventional residential construction in the area of the subject site. In addition, the reports state that presence of erosion-resistant bedrock outcroppings within the surf zone along this beach provides a degree of protection against wave action and thus serves to enhance the stability of the narrow beach. Therefore, the report concludes that development is safe from coastal hazards and no shoreline protective device will be needed to protect the development over the course of its design life. The reports further contain recommendations relating to site preparation and grading, general foundation design and drainage; and etc. To ensure that the project incorporates these recommendations, the Commission imposes **Special Condition No. 2** requiring the applicants to submit final plans certified by a licensed geotechnical professional consistent with the recommendations specified in the geotechnical report.

On bluff top lots in Newport Beach subject to Commission review, the Commission has typically required new development to conform to a minimum 25-foot setback from the bluff edge for primary structures and minimum 10 foot setback for accessory structures or requires conformance with the stringline setbacks. The bluff edge setback is imposed in order to ensure

that the development conforms to Section 30253 of the Coastal Act which requires that hazards be minimized and that new development will not have to rely on future shoreline or bluff protection devices. Although the site has currently been found to be grossly stable from a geotechnical perspective, bluffs are subject to forces that cause instability and geologic predictions of site stability over the life of the proposed development cannot be made with certainty. Thus, the Commission requires a bluff edge setback that would provide the most protection from coastal hazards for new development without having to rely on future bluff protection devices given the inherent uncertainty in predicting geologic processes in the future, and to allow for potential changes in bluff erosion rates as a result of rising sea level.

While the applicants have provided a narrative and preliminary plans indicating that primary structures will be setback a minimum 25-feet from the bluff top setback and that accessory structures will be setback a minimum 10-feet from the bluff top setback, no final revised project plans have been submitted. The applicants have also stated that no grading will be located within the 10-foot bluff top setback. Currently proposed within the 25-foot setback bluff edge setback are a pool, retaining walls, hardscape, shoring device and significant grading and this constitutes development not allowed within the 25-foot setback. Only minor improvements such as at grade development (e.g., patios, ground level decks, and garden walls that do not require structural foundations) and minor grading are allowed within the 25-foot setback. Currently within the 25-foot setback is existing development consisting of retaining walls and hardscape that is pre-coastal. No improvements, including maintenance and repairs, to the existing pre-coastal development within the 25-foot bluff top setback or bluff face is allowed without a coastal development permit. Therefore, the Commission imposes **Special Condition No. 1**, which requires the applicants to submit revised final project plans, showing: conformance with the minimum 25-foot setback from the bluff edge for primary structures and minimum 10 foot setback for accessory structures. As conditioned, the development conforms to Section 30253 of the Coastal Act which requires that hazards be minimized and that new development will not have to rely on future shoreline or bluff protection devices.

The applicant is not proposing any bluff or shoreline protective devices, and based on the geologic and hazard reports, no protective device will be required for the economic life of the structure. To minimize the project's potential future impact on shoreline processes, the Commission imposes **Special Condition No. 3**, which prohibits construction of any future bluff or shoreline protective device(s) to protect the development approved pursuant to Coastal Development Permit No. 5-15-0936 including, but not limited to residence, foundations, decks, balconies, patios, hardscape and any other future improvements in the event that the development is threatened with damage or destruction from waves, erosion, storm conditions, bluff retreat, landslides, sea level rise or other natural coastal hazards in the future. Pursuant to **Special Condition No. 3**, the applicants agree to waive any right to construct any future bluff or shoreline protective devices such as revetments, seawalls, caissons, cliff retaining walls, shotcrete walls, and other such construction that armors or otherwise substantially alters the bluff. Additionally, **Special Condition No. 3** does not preclude the applicants from applying for future coastal development permits for maintenance of existing development or future improvements to the site (other than bluff top or shoreline protective devices) including landscaping and drainage improvements aimed to prevent slope and bluff instability. The

Commission would determine the consistency of such proposals with the Coastal Act in its review of such applications.

Development on coastal bluff sites is inherently dangerous; therefore, the Commission imposes **Special Condition No. 4**, which requires the applicants to assume the risk of development. By this means, the applicants are notified that the proposed development is built in an area that is potentially subject to bluff and slope instability, sea level rise, erosion, landslides and wave uprush or other tidal induced erosion that can damage the applicants' property. The applicants are also notified that the Commission is not liable for such damage as a result of approving the permit for development. Finally, the condition requires the applicants to waive claims against the Commission and indemnify the Commission for third-party claims.

The proposed development is located within an existing developed area and is compatible with the character and scale of the surrounding area. However, the proposed project raises concerns that future development at the subject site potentially may result in a development which is not consistent with the Chapter 3 policies of the Coastal Act. In order to ensure that development on the site does not occur which could potentially adversely impact the geologic stability concerns expressed in this staff report, the Commission imposes **Special Condition No. 5**, which informs the applicants that future development at the site requires an amendment to Coastal Development Permit No. 5-15-0936 or a new coastal development permit. Future development includes, but is not limited to, structural additions, landscaping, hardscape and fencing.

During construction, there is potential for adverse impacts to water quality and marine resources. During construction, the applicants will be required to implement best management practices (BMPs) designed to minimize erosion and prevent debris from entering the storm drain system and the ocean. In order to minimize adverse construction-related impacts upon marine resources, the Commission imposes **Special Condition No. 6**, which provides construction-related requirements to provide for the safe storage of construction materials and the safe disposal of construction debris. These best management practices (BMP) are designed to minimize erosion and prevent debris from being dispersed down the coastal bluff or the storm drain system leading to the ocean.

Regarding onsite drainage, the applicants have provided plans and stated that all onsite runoff will be collected through a series of drain inlets and drainage pipes. The collected runoff will be directed to a catch basin at the northeast corner of the subject site that will be fitted with a treatment filter. After being treated, all runoff will be directed to the street via a sump pump. Also, a bottomless trench drain is proposed at the driveway near the street. No runoff will be allowed to drain over the bluff. Since revised final project plans pursuant to **Special Condition No. 1** are required in order to conform with the 25- and 10-foot bluff edge setback and stringline requirements, revised final drainage plans will be necessary. Therefore, the commission imposes **Special Condition No. 7**, which requires the applicants to submit revised final drainage and runoff control plans.

No portion of the applicants' development area contains resources that rise to the level of ESHA. Nevertheless, preservation and enhancement of the City's coastal bluffs is a goal supported by both the environmental protection policies of the Coastal Act, and the certified Land Use Plan

(LUP). Encroachment onto the bluff by development increases the potential for the introduction of non-native plant species, and predation of native species by domestic animals, and destabilization of the coastal bluff from excess irrigation. Furthermore, due to the fragile nature of coastal bluffs and their susceptibility to erosion, the Commission requires a special condition regarding the types of vegetation to be planted. The use of non-native vegetation that is invasive can have an adverse impact on native vegetation. Invasive plants are generally those identified by the California Invasive Plant Council (<http://www.cal-ipc.org/>) and California Native Plant Society (www.CNPS.org). No plant species listed as problematic and/or invasive by the California Native Plant Society or the California Invasive Plant Council shall be employed or allowed to naturalize or persist on the site. No plant species listed as a 'noxious weed' by the State of California shall be utilized within the property.

The applicants have submitted a landscape plan. Commission staff has reviewed the plan and determined that it contains a mixture of plants that are invasive and not drought tolerant. The following plants were found to be invasive: *Achillea Millefolium* 'Calistoga' and *Cupressus* 'Tiny Towers'. The following plants are not drought tolerant: *Fragaria Californica*, *Festuca Californica*, *Hydrangea Macrophylla*, *Pittosporum Crassifolium* 'Nana', *Rumohra Adiantiformis*, and *Stachys Byzantina*. Therefore, the landscape plan must be revised to remove the plants listed above that were determined not to be drought tolerant or non-invasive in order to minimize excess water on the property that could lead to instability and to reduce impacts to native plants. Additionally, landscaping is proposed within the 10-foot bluff top setback, where no new development is allowed. Thus, the proposed landscaping located within the 10-foot setback must be removed to be consistent with **Special Condition No. 2**. Therefore, the Commission imposes **Special Condition No. 8**, which requires the applicants to submit revised that only includes native drought tolerant non-invasive plant species native to coastal Orange County and appropriate to the habitat type and is consistent with **Special Condition No. 1**, which requires the applicants to submit revised final project plans consistent with the 10-foot bluff top setback.

The proposed project consists of a new pool on the bluff that is currently located within the 25-foot bluff top setback from the Commission's bluff edge location. Primary structures such as pools are not allowed within the 25-foot setback. Therefore, the Commission imposes **Special Condition No. 1**, which requires the applicants to submit revised final project plans, showing: conformance with the minimum 25-foot setback from the Commission identified bluff edge for primary structures. A pool setback at a minimum 25-feet from Commission staff's bluff edge is allowed.

Pools along or near bluffs also pose a hazard due to potential leaks if water from the potentially relocated proposed pool is not properly controlled there is a potential for bluff failure due to the infiltration of water into the bluff. For this reason, the potential for leaks and infiltration into the bluff should be minimized. This can be achieved by various methods, including having the pool double lined and installing a pool leak detection system to prevent the infiltration of water into the bluff due to any possible pool or spa problems. With the originally proposed pool, the applicants have stated that they intend to install a leak detection system and emergency measures to convey water to the street in case of overflow, but no plans for the potentially relocated pool have been submitted. Therefore, the Commission imposes **Special Condition No. 9**, which

requires the applicants to submit final plans for the pool that conform to leak detection and control requirements.

Conclusion

Thus, as conditioned, the Commission finds that the proposed project is consistent with Sections 30230, 30231, and 30253 of the Coastal Act.

D. PUBLIC ACCESS

Section 30240(b) of the Coastal Act states:

Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

The subject site is a coastal bluff top lot situated on the seaward side of Shorecliff Road, which is the first public road immediately inland of the beach. At the base of the bluff is an easily accessible beach area that consists of tidepools that have been frequently visited by the public, such as school children. Also, to the adjacent upcoast is Little Corona Beach, which is a popular sandy public beach. The level beach area of this lot that is located at the base of the bluff is private beach to the mean high tide line (MHTL) that has historically been used by the public to access the ocean and beach. The part of the beach seaward of the mean high tide line, which would change depending on the tide, is public. Both, the private beach area located at the base of the bluff and the adjacent upcoast Little Corona Beach are popular areas used by the public to access the beach and ocean. The public accessway to Little Corona Beach and this traditionally publicly used beach area is located at the east end of Ocean Boulevard, approximately 700-feet to the northwest of the subject site. Development at the project site, if approved, must be sited and designed to be compatible with Section 30240(b) of the Coastal Act. Section 30240(b) of the Coastal Act states that development in areas adjacent to parks and recreation areas shall be sited and designed to prevent impacts that would significantly degrade those areas. It is necessary to ensure that new development be sited and designed to prevent seaward encroachment of development that would impact public access to coastal resources. As conditioned for revised project plans, requiring conformance with the minimum 25-foot setback for primary structures and minimum 10-foot setback from accessory structures from the bluff edge; conformance with the primary structure and accessory structure stringlines; and revised project plans indicating that no improvements, including maintenance and repairs, to the existing pre-coastal development within the 25-foot bluff top setback or bluff face is allowed without a coastal development permit, the proposed development would not result in significant new development encroaching seaward and impacting public access. The site is currently developed with a single-family residence and upon completion of the project the development will remain as a single-family residence. In addition, the proposed development would provide more than adequate parking based on the Commission's regularly used parking standard of two (2) parking spaces per individual dwelling unit.

Conclusion

Thus, as conditioned, the Commission finds that the proposed project is consistent with Section 30240(b) of the Coastal Act.

E. DEED RESTRICTION

To ensure that any prospective future owners of the property are made aware of the applicability of the conditions of this permit, the Commission imposes one additional condition (**Special Condition No. 10**) requiring that the property owner record a deed restriction against the property, referencing all of the above special conditions of this permit and imposing them as covenants, conditions and restrictions on the use and enjoyment of the Property. Thus, as conditioned, this permit ensures that any prospective future owner will receive actual notice of the restrictions and/or obligations imposed on the use and enjoyment of the land in connection with the authorized development, including the risks of the development and/or hazards to which the site is subject, and the Commission's immunity from liability.

F. LOCAL COASTAL PROGRAM (LCP)

Coastal Act section 30604(a) states that, prior to certification of a Local Coastal Program ("LCP"), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3. The Land Use Plan for the City of Newport Beach was effectively certified on May 19, 1982. The certified LUP was last updated in October 2009. 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 an LCP that is in conformity with the provisions of Chapter 3 of the Coastal Act.

G. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

As conditioned, there are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effect that 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.

The City of Newport Beach is the lead agency responsible for certifying that the proposed project is in conformance with the California Environmentally Quality Act (CEQA). The City determined that in accordance with CEQA, the project is Categorical Exempt from Provisions of CEQA for the construction. Section 13096(a) of the Commission's administrative regulations requires Commission approval of coastal development permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of CEQA.

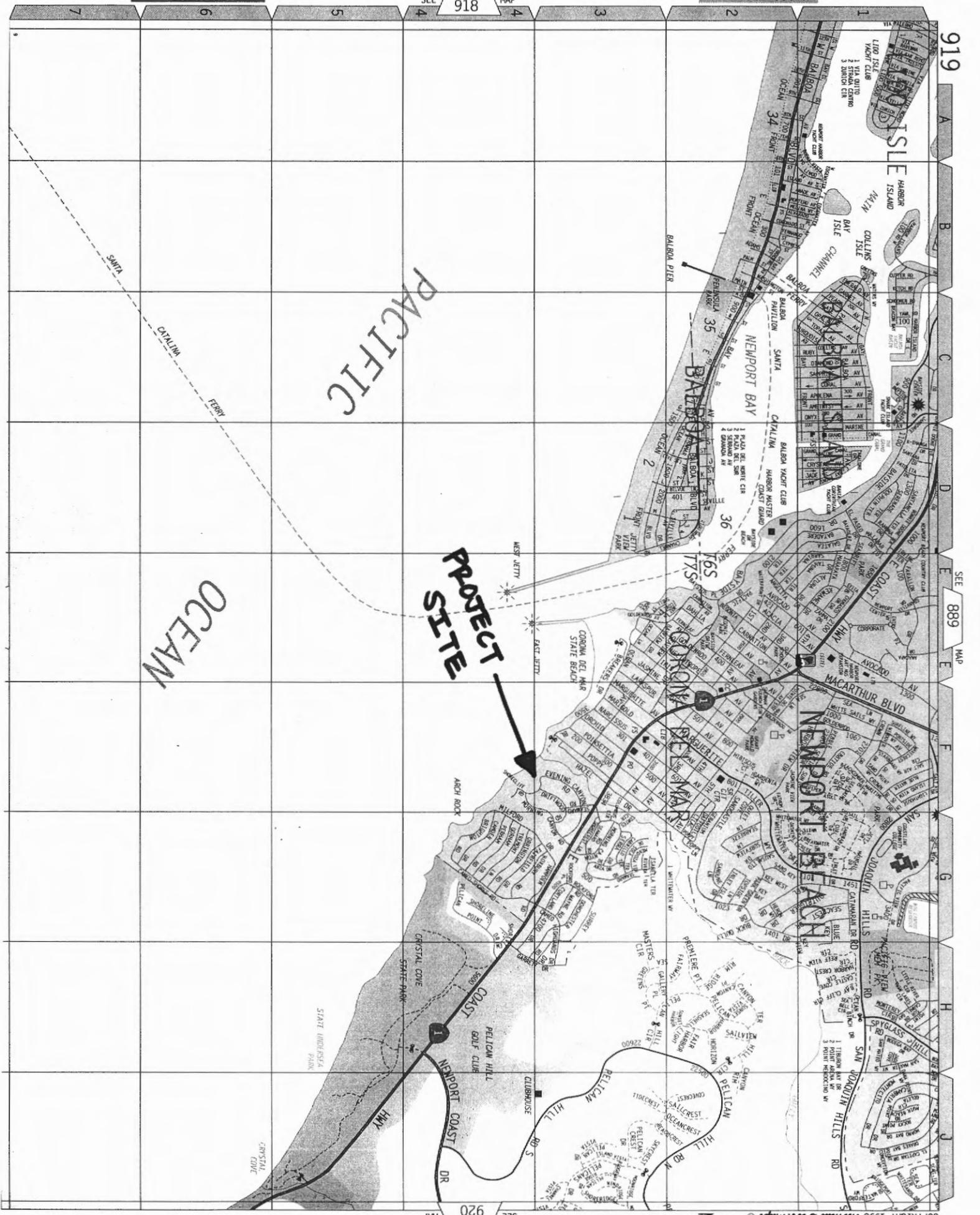
The proposed project is located in an urban area. Infrastructure necessary to serve the project exists in the area. The proposed project has been conditioned in order to be found consistent

with the resource protection policies of the Coastal Act. As conditioned, the proposed project has been found consistent with the scenic resources, hazards and public access policies of the Coastal Act.

Therefore, as conditioned, the Commission finds that there are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effect that 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 consistent with the requirements of the Coastal Act and CEQA.

APPENDIX A

SUBSTANTIVE FILE DOCUMENTS: CDP No. 5-04-232-(Sutton); CDP No. 5-13-043-(Blandino and Johnson); Approval-In-Concept from the City of Newport Beach Community Development Department dated February 19, 2014; Letter from Commission staff to agent dated June 6, 2014; Letter from agent to Commission staff dated August 13, 2014; Letter from Commission staff to agent dated September 12, 2014; Letter from agent to Commission staff dated September 24, 2014; *Geotechnical Investigation Proposed Single-Family Residence, 107 Shorecliff Road, Lot 119 of Tract No. 116, Newport Beach (J.N. 12-2021)* prepared by Petra Geotechnical, Inc. dated May 6, 2014; and *Coastal Hazard Supplement Proposed Single-Family Residence At 107 Shorecliff Road Corona Del Mar Area of The City Of Newport Beach, California (J.N. 12-2021)* prepared by Petra Geotechnical, Inc. dated August 4, 2014.



PACIFIC

OCEAN

PROJECT SITE

919

889

18

920

ORANGE CO.

Project Address:	107 Shorecliff Rd. Newport Beach, CA 92625	Area Calculation	Lower Level Guest / Game Room	2837 sf
Legal Description:	APN: 052 210 06 Lot 199 of Tract No. 1116	Main Level	4218 sf	
Owner:	Steven Gabriel	Upper Bank Level	887 sf	
Project Description:	New Single Family Residence	Total Livable Area	7942 sf	
Project Contact:	Scott Laidlaw Laidlaw Schultz Architects 3111 Second Ave. Corona del Mar, CA 92625 Phone 949.645.9982 FAX 949.645.9554 E-Mail: slaidlaw@lsarchitects.com	Garage	709 sf	
Zoning District:	R-1-6000	Total	8651 sf	
		Parking:	3 Covered	
		Lot Area:	31,563 sf	
		Developable Area:	12,926.63 sf	
		Lot Coverage:	6.177% (15.5%)	
		Height (per City of Newport Beach):		
		Established Grade (See Calc. below):	95.18'	
		Max. Proposed Height:	121.03' (+25.85')	
		Max. Proposed Chimney Height:	124.17' (+28.99')	

Notes



PROJECT
Gabriel Residence
 107 Shorecliff Road
 Newport Beach CA, 92625

DRAWING DESCRIPTION
Site Plan

DATE: 2013.08.08
 ISSUE/REVISION: 2013.08.08 Approval in Concept
 2013.09.09 AIC Corrections
 2013.12.03 HOA Submittal
 2014.08.14 Coastal Comm. Corrections

REVIEW
 SDL
 SDL
 SDL
 SDL

Legend:

- Proposed footprint: [Solid Grey Box]
- Existing Footprint: [Dashed Red Box]
- Limits of deck: [Hatched Box]

Minimum Slope % (NIMC 15.10.120 F):

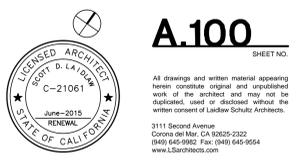
- Earth: 2.0%
- Concrete: 0.5%
- Concrete gutter
- In paved area: 0.2%
- Asphalt: 1.0%

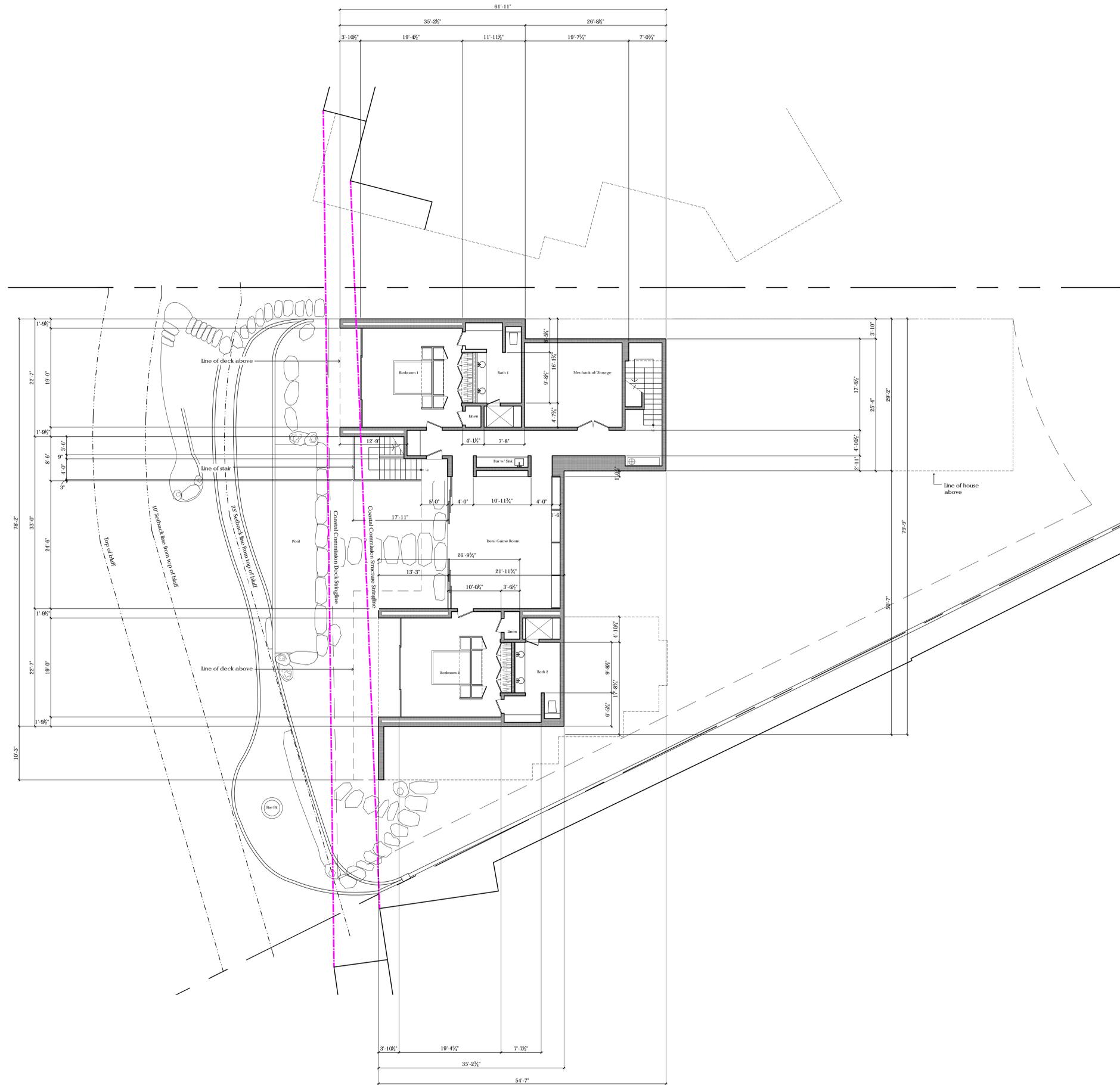
Slope Establishment:

- Highest Grade Point: (#1)98.67'
- Lowest Grade Point: (#3)91.53'
- Point Distance: 152'-2"
- Slope: 4.7%

Grade Establishment for < 5%:

- Sum((#1)98.67', (#2)98.08', (#3)91.53', (#4)92.44') = 380.72'
- Grade: 380.72/4 = 95.18'





PROJECT
Gabriel Residence
 107 Shorecliff Road
 Newport Beach CA, 92625

DRAWING DESCRIPTION
Floor Plan

DATE	ISSUE/REVISION	REVIEW
2013.08.08	Approval in Concept	SDL
2013.09.09	AIC Corrections	SDL
2013.12.03	HOA Submittal	SDL
2014.08.14	Coastal Comm. Corrections	SDL

Notes

1 Lower Level Floor Plan

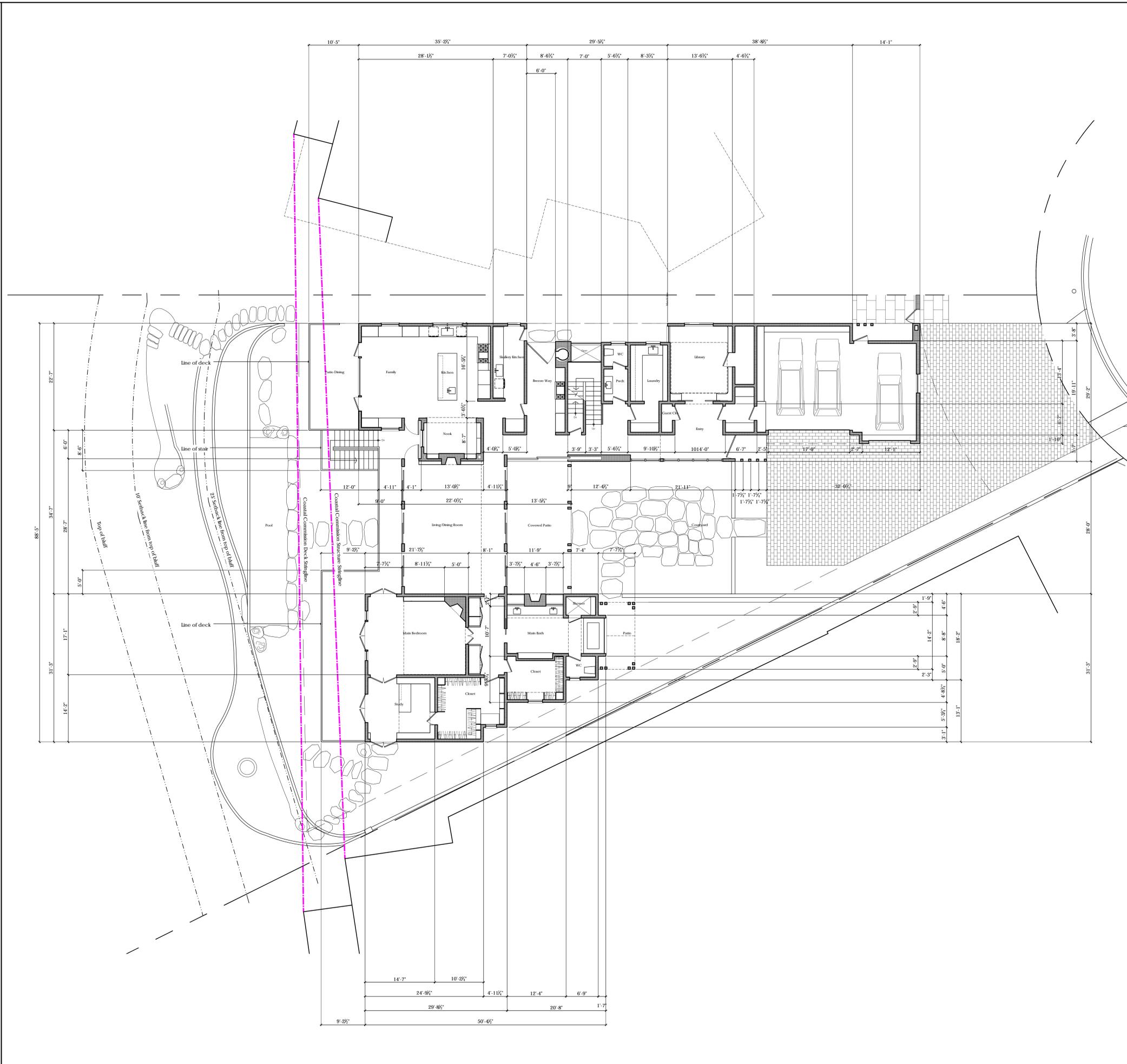
Exhibit No 3 Scale: 1/8" = 1'-0"

Page 1 of 3

A.200
SHEET NO.

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PROJECT
Gabriel Residence
 107 Shorecliff Road
 Newport Beach CA, 92625

DRAWING DESCRIPTION
Floor Plan

DATE	ISSUE/REVISION	REVIEW
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2013.09.09	AIC Corrections	SDL
2013.12.03	HOA Submittal	SDL
2014.08.14	Coastal Comm. Corrections	SDL

Notes

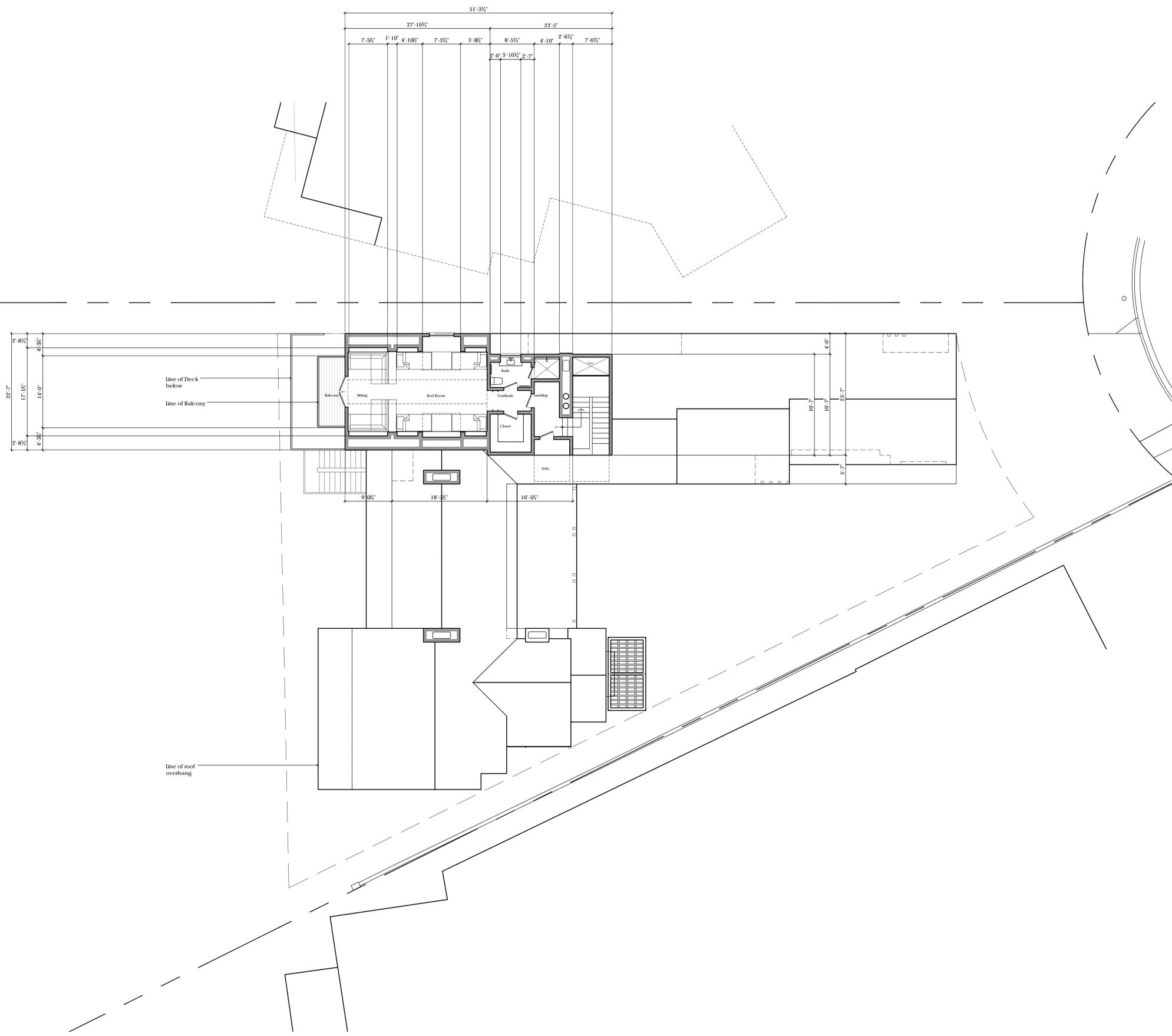
1 Main Level Plan

Exhibit No 3
 Page 2 of 3
 Scale: 1/8" = 1'-0"



A.201
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PROJECT
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DRAWING DESCRIPTION
Floor Plan

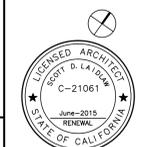
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2013.09.09	A/C Corrections	SDL
2013.12.03	HOA Submittal	SDL
2014.08.14	Coastal Comm. Corrections	SDL

Notes

1 Upper Level Floor Plan

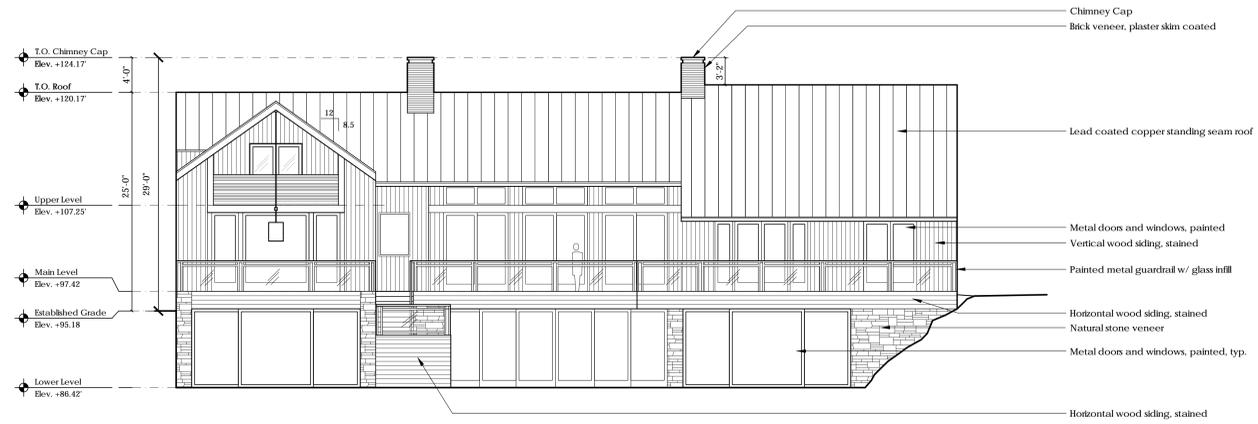
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Page 3 of 3



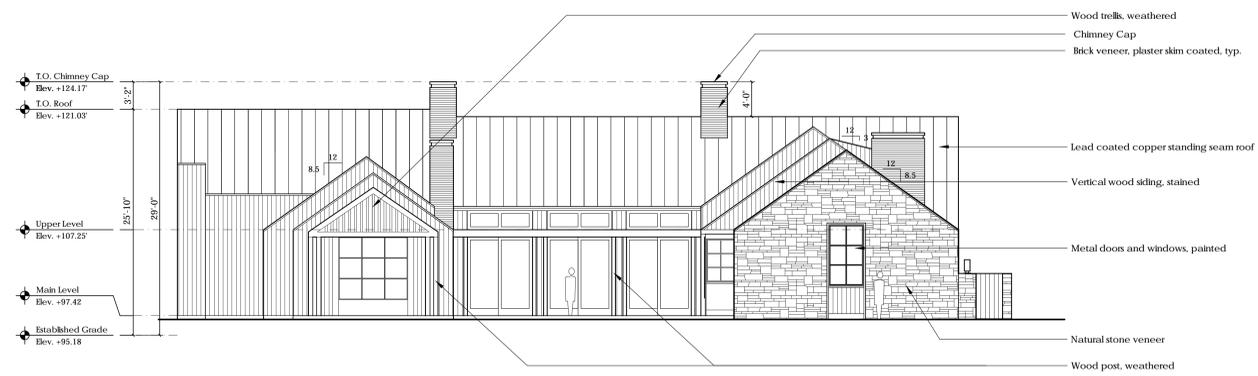
A.202
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2 West (Rear) Elevation

Scale: 1/8" = 1'-0"



1 East (Front) Elevation



PROJECT
Gabriel Residence
 107 Shorecliff Road
 Newport Beach CA, 92625

DRAWING DESCRIPTION
Exterior Elevations

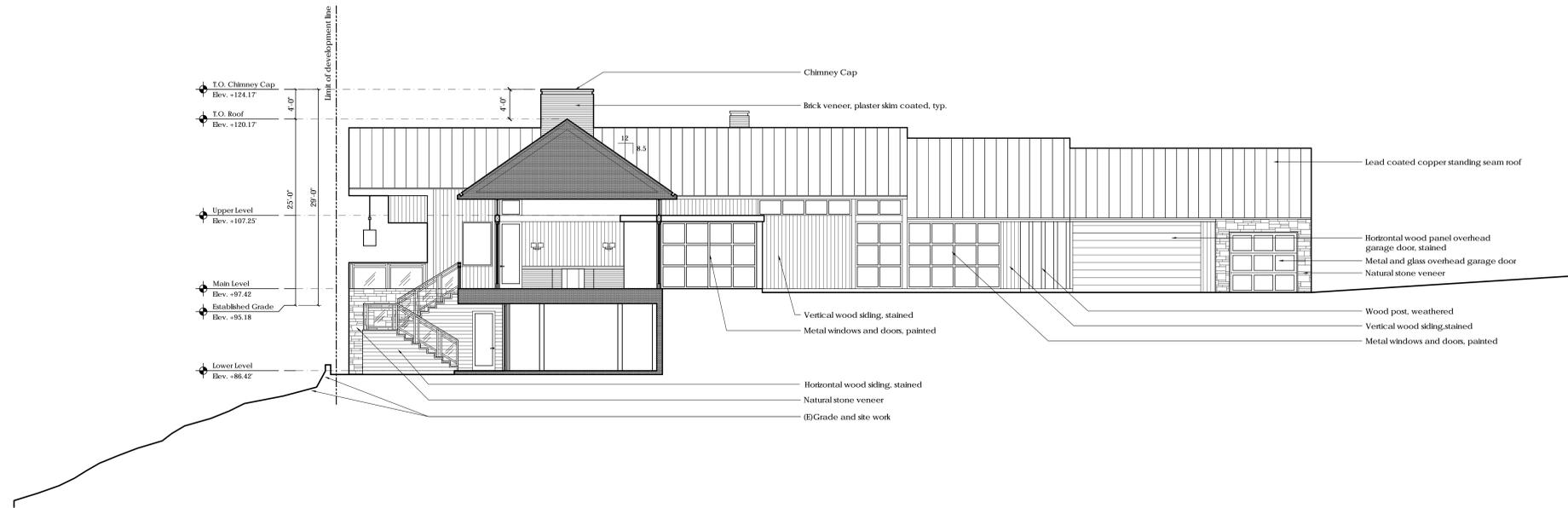
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2013.12.03	HOA Submittal	SDL
2014.08.14	Coastal Comm. Corrections	SDL



A.300
 SHEET NO.

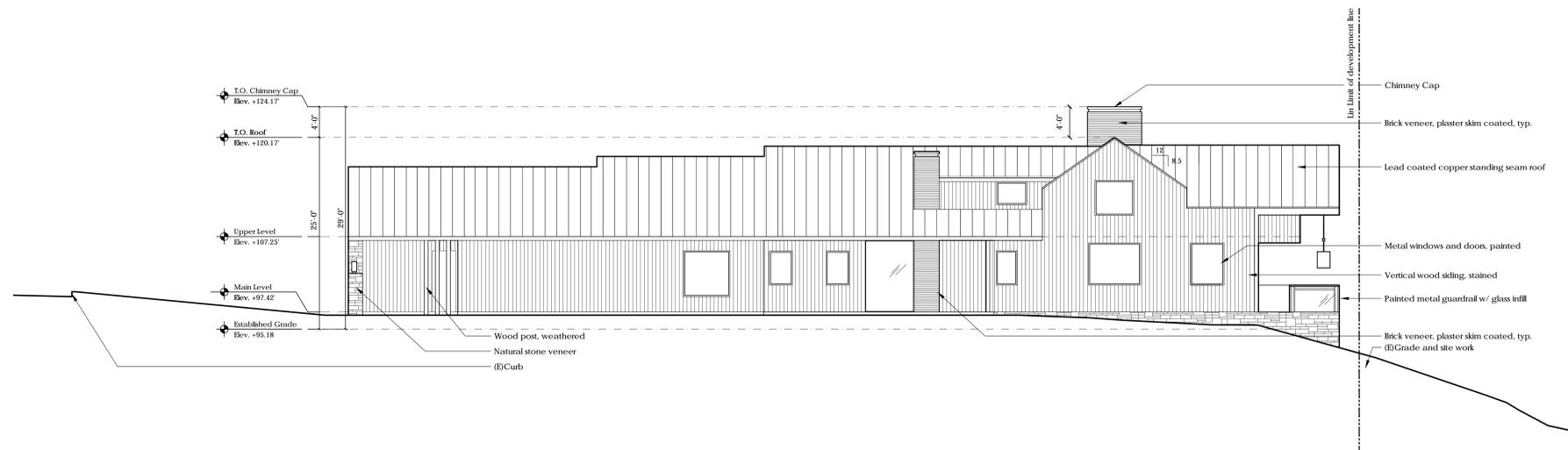
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 Corona del Mar, CA 92625-2322
 (949) 645-9982 Fax: (949) 645-9954
 www.LSarchitects.com

Exhibit No. 4 Scale: 1/8" = 1'-0"



2 South (Side) Elevation / Section

Scale: 1/8" = 1'-0"



1 North (Side) Elevation

PROJECT
Gabriel Residence
 107 Shorecliff Road
 Newport Beach CA, 92625

DRAWING DESCRIPTION
Exterior Elevations

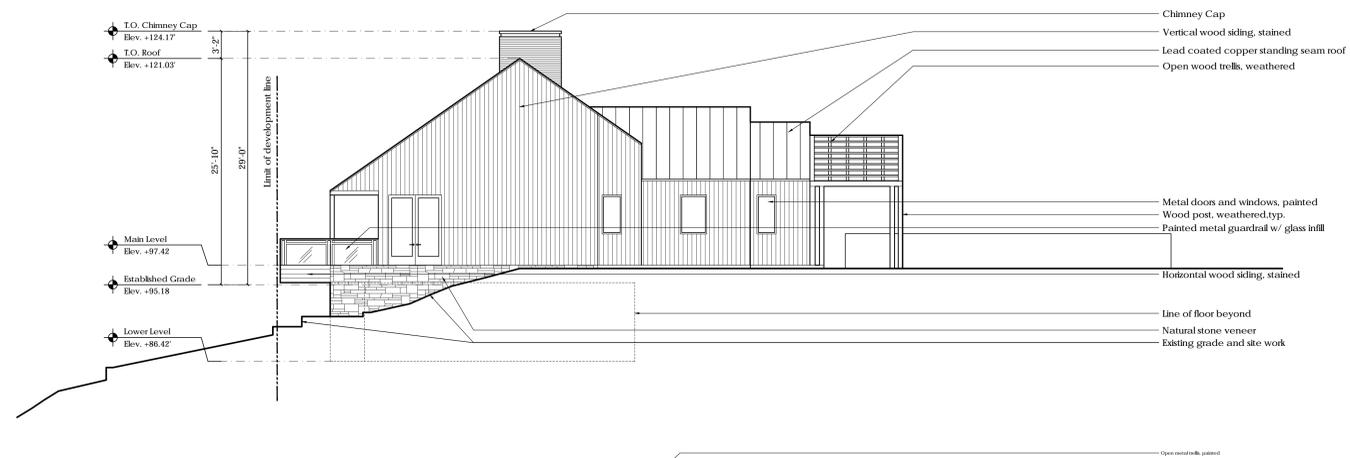
DATE	ISSUE/REVISION	REVIEW
2013.08.08	Approval in Concept	SDL
2013.09.09	AIC Corrections	SDL
2013.12.03	HOA Submittal	SDL
2014.08.14	Coastal Comm. Corrections	SDL



A.301
 SHEET NO.

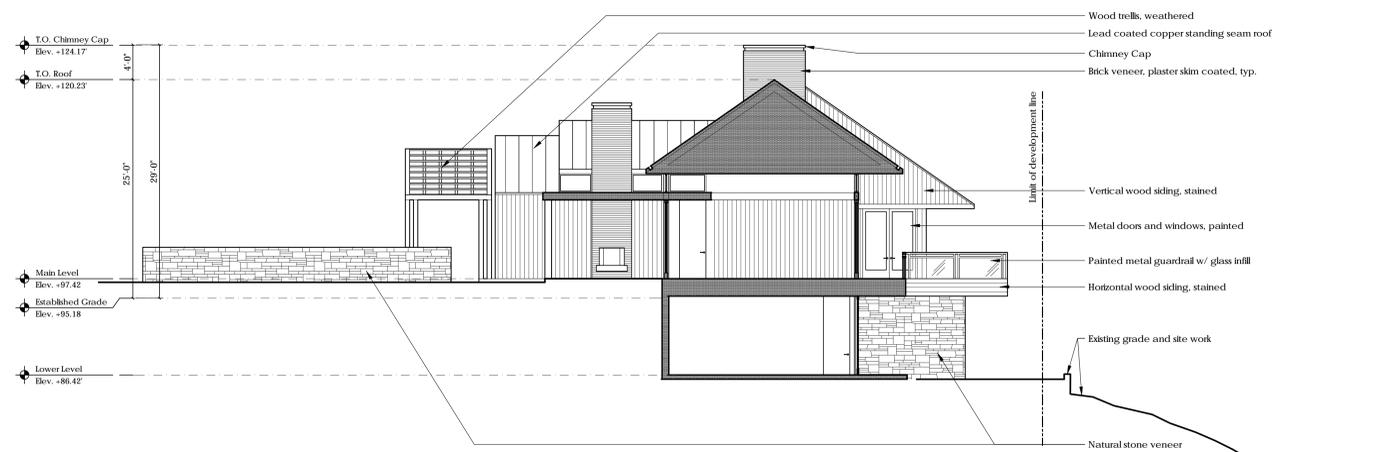
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Exhibit No. 4 Scale: 1/8" = 1'-0"



1 South (Side) Elevation

Scale: 1/8" = 1'-0"



PROJECT
Gabriel Residence
 107 Shorecliff Road
 Newport Beach CA, 92625

DRAWING DESCRIPTION
Exterior Elevations

DATE	ISSUE/REVISION	REVIEW
2013.08.08	Approval in Concept	SDL
2013.09.09	AIC Corrections	SDL
2013.12.03	HOA Submittal	SDL
2014.08.14	Coastal Comm. Corrections	SDL

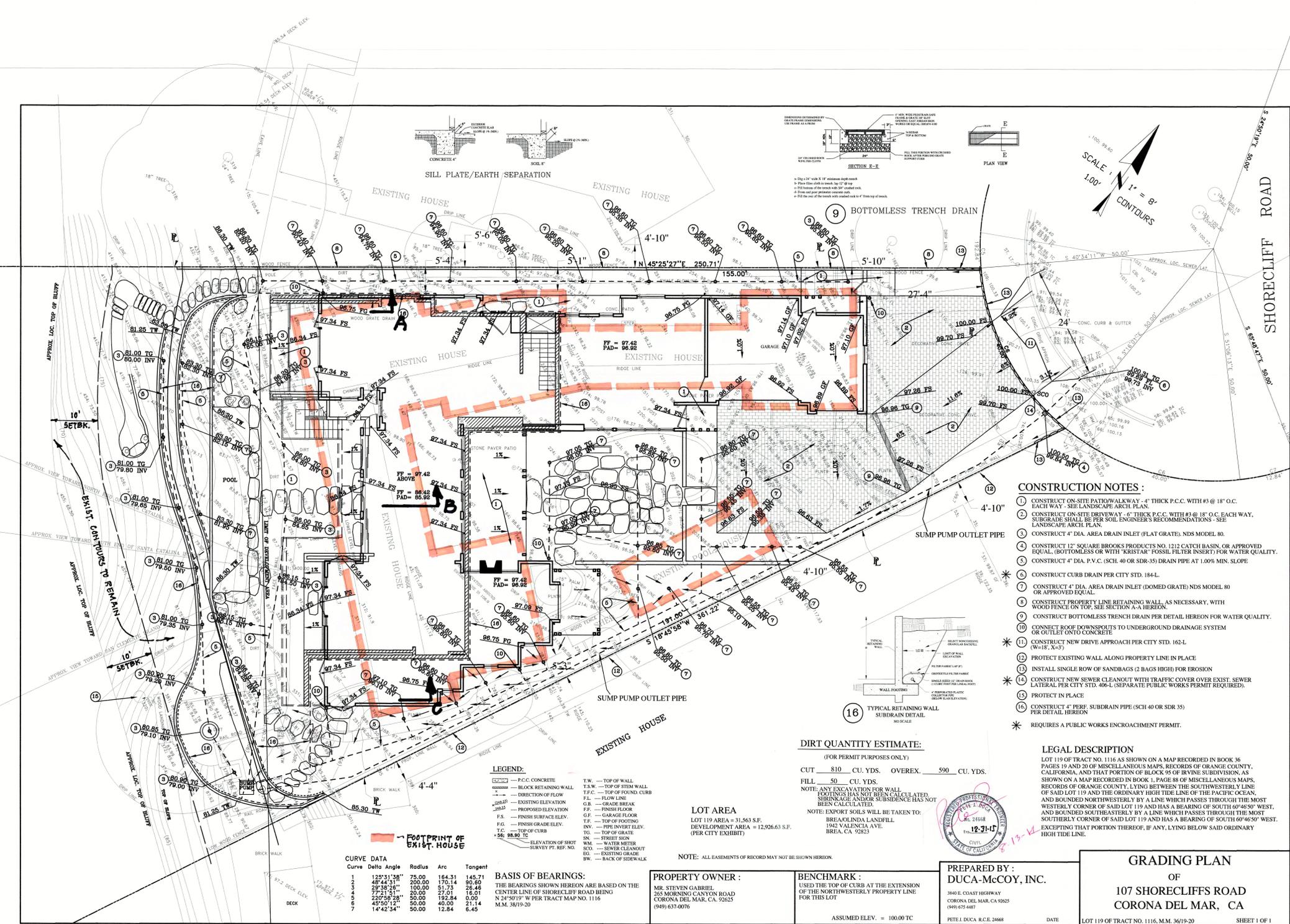
1 North (Side) Elevation/ Section

Exhibit No. 4 Scale: 1/8" = 1'-0"



A.302
 SHEET NO.

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- CONSTRUCTION NOTES:**
- CONSTRUCT ON-SITE PATIO/WALKWAY - 4" THICK P.C.C. WITH #3 @ 18" O.C. EACH WAY. SEE LANDSCAPE ARCH PLAN.
 - CONSTRUCT ON-SITE DRIVEWAY - 6" THICK P.C.C. WITH #3 @ 18" O.C. EACH WAY. SUBGRADE SHALL BE PER SOIL ENGINEER'S RECOMMENDATIONS - SEE LANDSCAPE ARCH PLAN.
 - CONSTRUCT 4" DIA. AREA DRAIN INLET (FLAT GRATE). NDS MODEL 80.
 - CONSTRUCT 12" SQUARE BROOKS PRODUCTS NO. 1212 CATCH BASIN, OR APPROVED EQUAL. (BOTTOMLESS OR WITH "KRISTAR" FOSSIL FILTER INSERT) FOR WATER QUALITY.
 - CONSTRUCT 4" DIA. P.V.C. (SCH. 40 OR SDR-35) DRAIN PIPE AT 1.00% MIN. SLOPE.
 - CONSTRUCT CURB DRAIN PER CITY STD. 184-L.
 - CONSTRUCT 4" DIA. AREA DRAIN INLET (DOMED GRATE) NDS MODEL 80 OR APPROVED EQUAL.
 - CONSTRUCT PROPERTY LINE RETAINING WALL, AS NECESSARY, WITH WOOD FENCE ON TOP. SEE SECTION A-A HEREON.
 - CONSTRUCT BOTTOMLESS TRENCH DRAIN PER DETAIL HEREON FOR WATER QUALITY.
 - CONNECT ROOF DOWNSPOUTS TO UNDERGROUND DRAINAGE SYSTEM OR OUTLET ONTO CONCRETE.
 - CONSTRUCT NEW DRIVE APPROACH PER CITY STD. 162-L (W=18", X=3").
 - PROTECT EXISTING WALL ALONG PROPERTY LINE IN PLACE.
 - INSTALL SINGLE ROW OF SANDBAGS (2 BAGS HIGH) FOR EROSION.
 - CONSTRUCT NEW SEWER CLEANOUT WITH TRAFFIC COVER OVER EXIST. SEWER LATERAL PER CITY STD. 406-L (SEPARATE PUBLIC WORKS PERMIT REQUIRED).
 - PROTECT IN PLACE.
 - CONSTRUCT 4" P.V.C. SUBDRAIN PIPE (SCH 40 OR SDR 35) PER DETAIL HEREON.
 - REQUIRES A PUBLIC WORKS ENCROACHMENT PERMIT.

DIRT QUANTITY ESTIMATE:
(FOR PERMIT PURPOSES ONLY)

CUT 810 CU. YDS. OVEREX. 590 CU. YDS.
FILL 50 CU. YDS.

NOTE: ANY EXCAVATION FOR WALL SINKAGE AND/OR SUBSIDENCE HAS NOT BEEN CALCULATED.

NOTE: EXPORT SOILS WILL BE TAKEN TO:
BREA VALLENTIA LANDFILL
1262 VALENTIA AVE.
BREA, CA 92823

LEGAL DESCRIPTION

LOT 119 OF TRACT NO. 1116 AS SHOWN ON A MAP RECORDED IN BOOK 36 PAGES 19 AND 20 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA, AND THAT PORTION OF BLOCK 95 OF IRVINE SUBDIVISION, AS SHOWN ON A MAP RECORDED IN BOOK 1, PAGE 88 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, LYING BETWEEN THE SOUTHWESTERLY LINE OF SAID LOT 119 AND THE ORDINARY HIGH TIDE LINE OF THE PACIFIC OCEAN, AND BOUNDED NORTHWESTERLY BY A LINE WHICH PASSES THROUGH THE MOST WESTERLY CORNER OF SAID LOT 119 AND HAS A BEARING OF SOUTH 69°46'50" WEST, AND BOUNDED SOUTHEASTERLY BY A LINE WHICH PASSES THROUGH THE MOST SOUTHERLY CORNER OF SAID LOT 119 AND HAS A BEARING OF SOUTH 60°46'50" WEST, EXCEPTING THAT PORTION THEREOF, IF ANY, LYING BELOW SAID ORDINARY HIGH TIDE LINE.

LEGEND:

- P.C.C. CONCRETE
- BLOCK RETAINING WALL
- DIRECTION OF FLOW
- EXISTING ELEVATION
- PROPOSED ELEVATION
- FINISH SURFACE ELEV.
- FINISH GRADE ELEV.
- TOP OF CURB
- ELEVATION OF SHOT SURVEY PT. REF. NO.
- TOP OF WALL
- TOP OF STEEL WALL
- TOP OF FOUND. CURB
- FLOW LINE
- GRADE BREAK
- FINISH FLOOR
- GARAGE FLOOR
- TOP OF FOOTING
- PIPE INLET ELEV.
- TOP OF GRATE
- STREET SIGN
- WATER METER
- SEWER CLEANOUT
- EXISTING GRADE
- BACK OF SIDEWALK

CURVE DATA

Curve	Delta Angle	Radius	Arc	Tangent
1	125°31'38"	75.00	164.31	145.71
2	48°44'31"	200.00	170.14	90.60
3	79°23'51"	100.00	51.73	26.44
4	220°58'28"	50.00	27.01	16.01
5	45°50'12"	50.00	40.00	21.14
6	14°42'34"	50.00	12.84	6.45

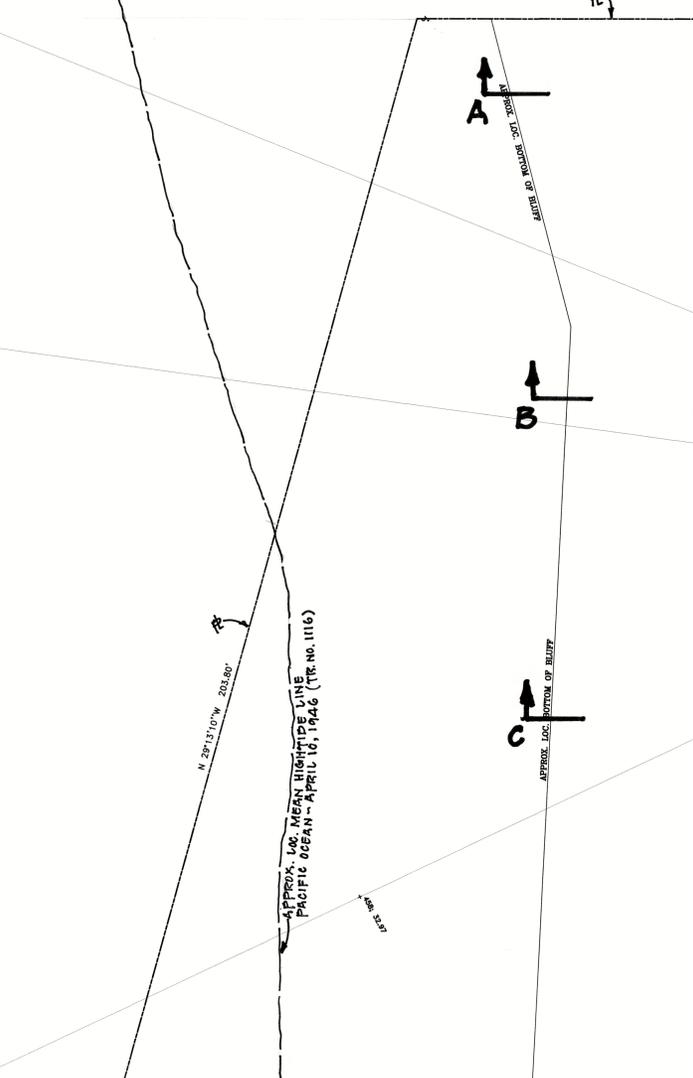
BASIS OF BEARINGS:
THE BEARINGS SHOWN HEREON ARE BASED ON THE CENTER LINE OF SHORECLIFF ROAD BEING N 24°50'10" W PER TRACT MAP NO. 1116 M.M. 36/19-20

PROPERTY OWNER:
MR. STEVEN GABRIEL
255 MORNING CANYON ROAD
CORONA DEL MAR, CA 92625
(949) 637-0076

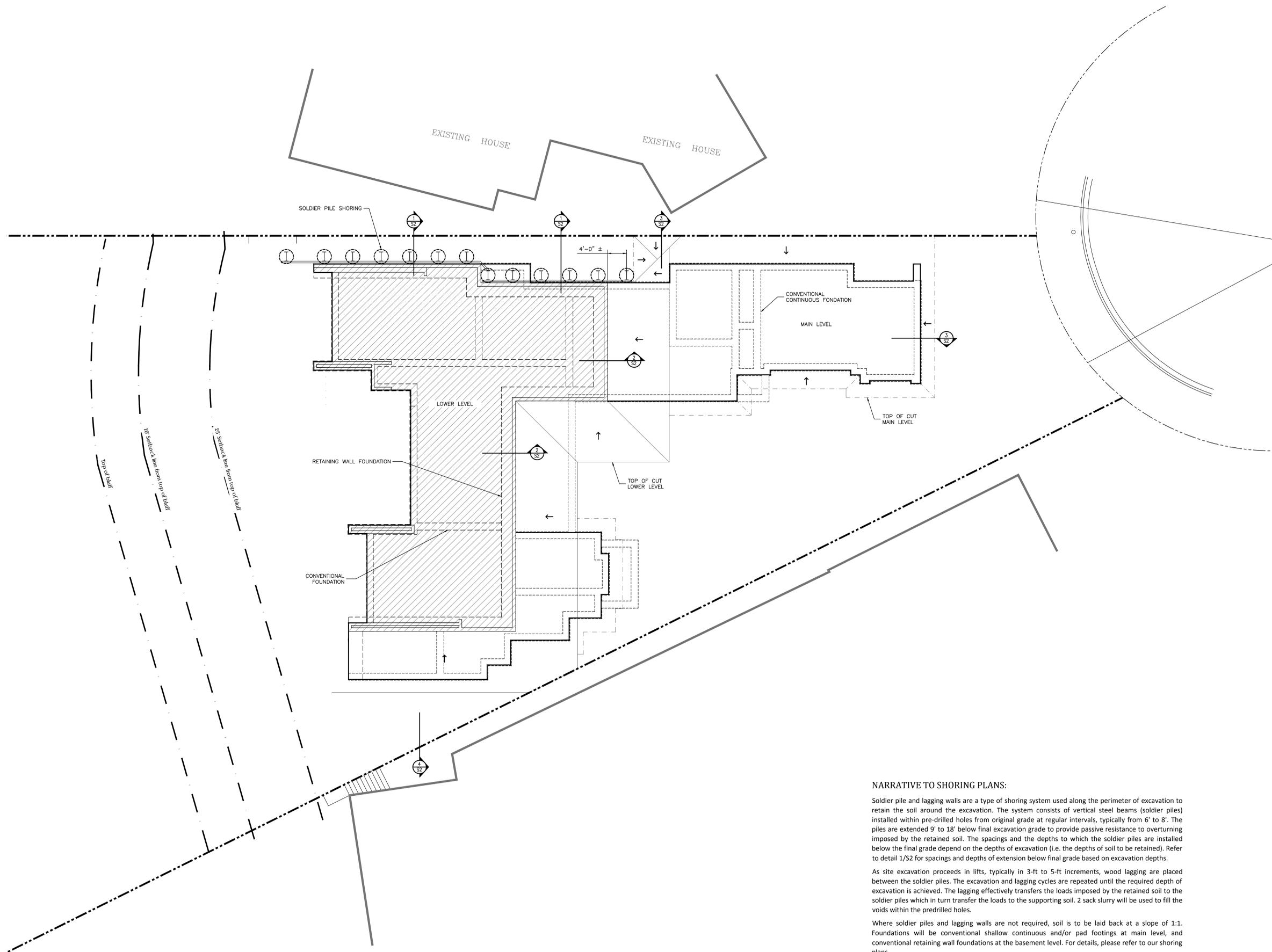
BENCHMARK:
USED THE TOP OF CURB AT THE EXTENSION OF THE NORTHWESTERLY PROPERTY LINE FOR THIS LOT
ASSUMED ELEV. = 100.00 TC

PREPARED BY:
DUCA-McCOY, INC.
3840 E. COAST HIGHWAY
CORONA DEL MAR, CA 92625
(949) 675-4487
PTEL: DUCA R.C.E. 24668

GRADING PLAN
OF
107 SHORECLIFFS ROAD
CORONA DEL MAR, CA
LOT 119 OF TRACT NO. 1116, M.M. 36/19-20
SHEET 1 OF 1



Newport Beach GIS
0 100 200 Feet
Disclaimer: Every reasonable effort has been made to assure the accuracy of the data provided. However, the City of Newport Beach and its employees and agents disclaim any and all responsibility for or relating to any results obtained in its use.
Imagery: 2009-2013 photos provided by Eagle Imaging www.eagleairtal.com



NARRATIVE TO SHORING PLANS:

Soldier pile and lagging walls are a type of shoring system used along the perimeter of excavation to retain the soil around the excavation. The system consists of vertical steel beams (soldier piles) installed within pre-drilled holes from original grade at regular intervals, typically from 6' to 8'. The piles are extended 9' to 18' below final excavation grade to provide passive resistance to overturning imposed by the retained soil. The spacings and the depths to which the soldier piles are installed below the final grade depend on the depths of excavation (i.e. the depths of soil to be retained). Refer to detail 1/52 for spacings and depths of extension below final grade based on excavation depths.

As site excavation proceeds in lifts, typically in 3-ft to 5-ft increments, wood lagging are placed between the soldier piles. The excavation and lagging cycles are repeated until the required depth of excavation is achieved. The lagging effectively transfers the loads imposed by the retained soil to the soldier piles which in turn transfer the loads to the supporting soil. 2 sack slurry will be used to fill the voids within the predrilled holes.

Where soldier piles and lagging walls are not required, soil is to be laid back at a slope of 1:1. Foundations will be conventional shallow continuous and/or pad footings at main level, and conventional retaining wall foundations at the basement level. For details, please refer to our shoring plans.

PROJECT
GABRIEL RESIDENCE
107 SHORECLIFF ROAD,
Newport Beach CA, 92625

DRAWING DESCRIPTION
SHORING PLAN

DATE	ISSUE/REVISION	DRAWN	REVIEW
08.01.14	-	TPH	TJB
09.22.14	REV. 1	TPH	TJB



Custom Residence

107 Shorecliff Road • Newport Beach • California • 92625

Bluff Edge Exhibit

Scale: 1/8" = 1'-0"

July 28, 2015

Exhibit No. 7

Page 1 of 1



C. J. LIGHT
ASSOCIATES

Christian R. Light • Architect