CALIFORNIA COASTAL COMMISSION

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W9b

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 C. Oshida-LB

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STAFF REPORT: CONSENT CALENDAR

Application No.: 5-16-0336

Applicant: Morgan Davis

Agent: Robert Hoblitt, David Neish, and Sherman Stacey

Location: 524 W. Oceanfront, Newport Beach, Orange County & 106 6th

Street, Newport Beach, Orange County (APNs: 048-073-02, 048-073-29)

Project Description: After-the-fact approval of the demolition of an existing single

family dwelling on a single lot at 106 6th Street. Perform a lot merger with an adjacent lot to create one L-shaped, beachfront

parcel at 524 W. Oceanfront. Partial demolition of the

existing, 2-story, 3,240 sq. ft., single-family residence with 2-car garage at 524 W. Oceanfront and construction of a 3-story, 2,928 sq. ft. addition, resulting in a 3-story, 29 ft.-high, 6,050 sq. ft. single family residence with a 4-car garage. No grading

is proposed.

Staff Recommendation: Approval with conditions.

SUMMARY OF STAFF RECOMMENDATION

The proposed residential project raises issues regarding compatibility with the existing character of the area, impact to public access, and water quality.

The proposed addition will make the house longer in length than most other houses in the area as viewed from 6th Street, however, the views from W. Ocean Front Alley and W. Oceanfront would remain unchanged and would be typical for the area. The project also includes the construction of a new curb-cut on 6th Street and replacement of the existing curb-cut with a new curb and gutter. This would allow access to the property's proposed four-car garage from both W. Ocean Front Alley and

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6th Street. The City's certified Coastal Land Use Plan (LUP) requires new development to minimize curb-cuts to protect on-street parking spaces; and the exchange of the existing curb-cut for a new one would not result in a loss of public parking on 6th Street. Therefore, as conditioned, the proposed development conforms to the curb-cut restrictions outlined in the City's LUP.

Staff is recommending <u>APPROVAL</u> of the proposed coastal development permit with **Five Special Conditions**. The special conditions would require: 1) lot merger; 2) curb-cut; 3) storage of construction materials, mechanized equipment and removal of construction debris; 4) landscape and irrigation; 5) a deed restriction against the property, referencing all of the Special Conditions contained in this staff report.

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. The City of Newport Beach only has a certified Land Use Plan 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 Land Use Plan may be used for guidance.

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EXHIBITS

Exhibit 1 – Vicinity Map

Exhibit 2 – Proposed Site Plan, Architectural Elevations, and Grading Plan

Exhibit 3 – Site Photos 7/15/2016

I. MOTION AND RESOLUTION

Motion:

I move that the Commission **approve** the coastal development permit applications included on the consent calendar in accordance with the staff recommendations.

Staff recommends a <u>YES</u> vote. Passage of this motion will result in approval of all of the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

The Commission hereby approves a coastal development permit 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 would 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 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 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 of 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 permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

- 1. **Lot Merger.** (1) All portions of the two parcels, APN 048-073-02 and APN 048-073-29, shall be combined and unified, and shall henceforth be considered and treated as a single legal parcel of land for all purposes with respect to the lands included therein, including but not limited to sale, conveyance, development, taxation or encumbrance and (2) the single parcel created herein shall not be divided or otherwise alienated from the combined and unified parcel for the life of the development.
- 2. **Curb-cut.** By acceptance of this permit, the permittee agrees to eliminate the existing curb-cut on 6th Street, located approximately 61 ft. inland of Newport Balboa Bike Trail, currently servicing 524 W. Oceanfront, and construct a new sidewalk, curb, and gutter; thus, allowing for public parking in that space along 6th Street (**Exhibit 2**).
- 3. **Construction Responsibilities and Debris Removal.** By acceptance of this permit, the permittee agrees that the approved development shall be carried out in compliance with the following BMPs:
 - (a) No demolition or construction materials, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain, or tidal erosion and dispersion.
 - (b) No demolition or construction equipment, materials, or activity shall be placed in or occur in any location that would result in impacts to environmentally sensitive habitat areas, streams, wetlands or their buffers.
 - (c) Any and all debris resulting from demolition or construction activities shall be removed from the project site within 24 hours of completion of the project.
 - (d) Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters.
 - (e) All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day.
 - (f) The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.
 - (g) Debris shall be disposed of at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is legally required.

- (h) All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil.
- (i) Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems.
- (j) The discharge of any hazardous materials into any receiving waters shall be prohibited.
- (k) Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures 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. The area shall be located as far away from the receiving waters and storm drain inlets as possible.
- (l) Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity.
- (m) All BMPs shall be maintained in a functional condition throughout the duration of construction activity.
- 4. **Landscape and Irrigation.** By acceptance of the permit, the permittee agrees, on behalf of all future successors and assigns, that:
 - (a) Vegetated landscaped areas shall consist of native plants or non-native drought tolerant plants, which are non-invasive. 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.calipc.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/wateruse efficiency/docs/wucols00.pdf).
 - (b) Use of reclaimed water for irrigation is encouraged. If using potable water for irrigation, only drip or microspray irrigation systems may be used. Other water conservation measures shall be considered, such as weather based irrigation controllers.
- 5. **Deed Restriction** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant 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. DESCRIPTION & PROJECT LOCATION

The applicant is proposing after-the-fact approval of the demolition of the existing single-family dwelling that is located at 106 6th Street. Also, the proposed project includes a lot merger of the 106 6th Street lot and the 524 W. Oceanfront lot, to create one L-shaped, 5,250 sq. ft. oceanfront lot. In addition, the applicant proposes to partially demolish the rear section of the existing, 3,386 sq. ft., two-story, 28 ft.-high, single-family residence with attached two-car garage at 524 W. Oceanfront and construct a 2,928 sq. ft., three-story, approximately 29 ft. high, addition to the rear of the house, along the ell portion of the lot. The proposed project would result in a 6,050 sq. ft., three-story, single-family residence with an attached four-car garage with vehicle access from 6th Street and W. Ocean Front Alley (**Exhibit 2**). The height of the structure will not exceed 29 ft. (maximum 28.75 ft. as measured from existing grade). No grading is proposed.

While the house will be longer in length than most other houses in the area as viewed from 6th Street, the views from W. Ocean Front Alley and W. Oceanfront would remain unchanged and would be typical for the area. Therefore, the project is designed to be compatible with the residential character of the surrounding development. Additionally, the Commission imposes **Special Condition 1** unifying the two parcels into one single lot; and (2) the single parcel shall not be divided from the combined parcel for the life of the project.

The proposed project exceeds the Commission's parking requirements of two spaces per residential unit with four spaces located in the attached garage, where the vehicles would park in tandem. Currently, there is an existing curb-cut located approximately 61 ft. inland of Newport Balboa Bike Trail on 6th Street, which provides access to the existing two-car garage located at 524 W. Oceanfront. This project proposes to eliminate that existing curb-cut and restore 28 ft. of sidewalk and curb, allowing for public parking. However, a new curb-cut would be installed along 6th Street, approximately 72 ft. inland of the Newport Balboa Bike Trail, and access to the garage will be taken from both W. Ocean Front Alley and 6th Street (**Exhibit 2**). Approximately 5 standard parking spaces (total of approximately 55 ft. in length) are available to the public along the east side of 6th Street. **Special Condition 2** requires the construction of a new curb-cut on 6th Street and replacement of the existing curb-cut with a new curb and gutter to assure that the project does not have an impact on existing on-street public parking supply. Any future additional curb-cuts on this property will require a Coastal Development Permit (CDP).

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The applicant is proposing a 242 sq. ft. area of landscaping consisting of drought tolerant and non-invasive plants within the City Right-of-Way. The proposal also includes rain gutters which will be installed on the structure with downspouts directing water into French drains and trench drains located along all sides of the residence, consistent with Coastal Act requirements to minimize energy use and preserve water quality, and consistent with the City's adopted CALGreen standards and other City guidelines. The applicant will implement construction best management practices to minimize disruption to the neighborhood and preserve water quality. Additionally, **Special**Condition 3 and Special Condition 4 require the applicant to observe water quality and best management practices (BMP) measures into the project, as well as, utilize drought tolerant non-invasive landscaping.

The project received City of Newport Beach approval-in concept dated October 22, 2015, Lot Merger No. LM-2013-003, and Staff Approval No. SA2013-011 (PA2013-176). On May 26, 2015, the City of Newport Beach Building Division issued Permit No. X2015-1432 for the demolition of the existing 1,500 sq. ft., one-story, single-family residence at 106 6th Street. Demolition commenced in June 2015, prior to issuance of a Coastal Development Permit (**Exhibit 3**).

The subject site is located at 524 W. Oceanfront and 106 6th Street within the City of Newport Beach, Orange County (**Exhibit 1**). The site is a beachfront lot located between the first public road and the sea, inland of the Newport Balboa Bike Trail (a paved beachfront public lateral access way). The project is located within an existing urban residential area, located generally northwest of the Balboa Pier and southeast of the Newport Beach Pier. There is a wide sandy beach (approximately 400-450 feet wide) between the subject property and the mean high tide line. Vertical public access to this beach is available to the west at the adjacent street end of 6th Street. The site is zoned Single-Unit Residential in the City's certified Coastal Land Use Plan (LUP).

The Commission imposes **Special Condition 5** requiring the applicant to record a Deed Restriction acknowledging that, pursuant to this permit (CDP No. 5-16-0336), 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.

B. Public Access

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

C. WATER QUALITY

The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. The development, as proposed and as conditioned, incorporates best management practices (BMPs) to minimize the effect of construction and post-construction activities on the marine environment. These BMPs include, but are not limited to, the appropriate management of equipment and construction materials, reducing runoff through the use of rain barrels and permeable surfaces, the use of non-invasive drought tolerant vegetation to reduce and treat the runoff discharged from the site, and for the use of post-construction best management practices to minimize the project's adverse impact on coastal waters. Therefore, the Commission

finds that the proposed development, as conditioned, conforms with Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

D. DEVELOPMENT

The development is located within an existing developed area and, as conditioned, will be compatible with the character and scale of the surrounding area, has been designed to assure structural integrity, and will avoid cumulative adverse impacts on public access. Therefore, the Commission finds that the development, as conditioned, conforms with Sections 30250, 30251, 30252, 30253 and the public access provisions of the Coastal Act.

E. UNPERMITTED DEVELOPMENT

Unpermitted development has occurred at the project site subject to this application. The unpermitted development includes the demolition of a residential structure located at 106^{th} 6th Street without a valid coastal development permit. Any development activity that is not otherwise exempt conducted in the coastal zone without a valid coastal development permit, or which does not substantially conform to a previously issued permit, constitutes a violation of the Coastal Act.

The applicant is proposing after-the-fact approval of the unpermitted development noted above and identified in the project description. Although the development has taken place prior to submittal of this application, consideration of this application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act. Commission review and action on this permit will resolve the violations identified in this section once the permit has been fully executed and the terms and conditions of the permit complied with by the applicant.

F. LOCAL COASTAL PROGRAM (LCP)

The LUP for the City of Newport Beach was effectively certified on May 19, 1982. The certified LUP was updated on October 8, 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 a Local Coastal Program that is in conformity with the provisions of Chapter 3.

G. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 13096 of the Commission's 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 the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available, which would substantially lessen any significant adverse effect which the activity may have on the environment.

As conditioned to maximize public access and enhance water quality and biological productivity, 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, is the least

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environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

SUBSTANTIVE FILE DOCUMENTS

1. City of Newport Beach Land Use Plan (Commission Certified 1982)

Location Map: 524 W. Oceanfront, Newport Beach

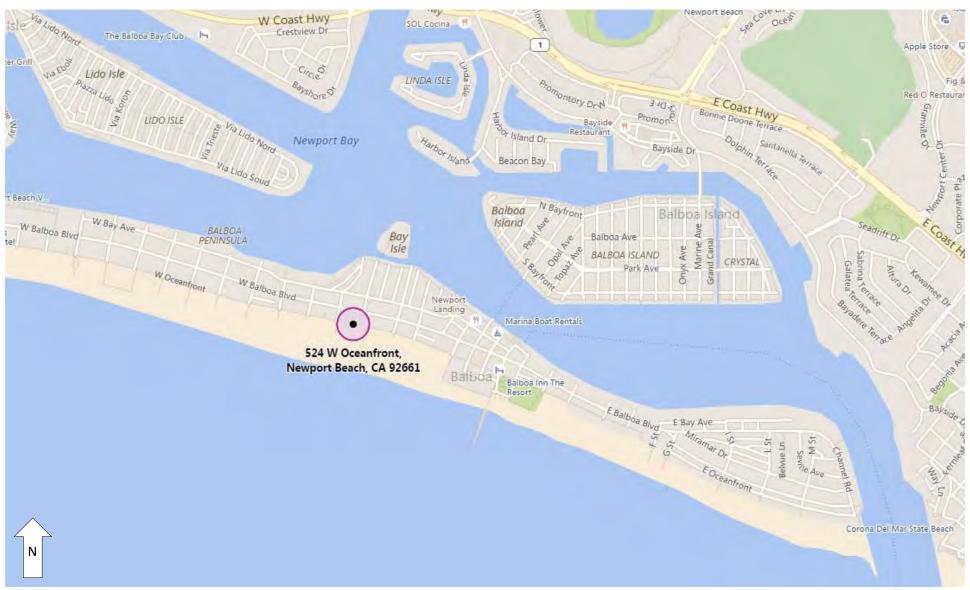
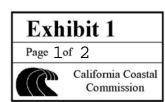


Photo credit: Bing Maps



Vicinity Map: 524 W. Oceanfront, Newport Beach



Photo credit: Bing Maps

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California Coastal
Commission

GENERAL

- 1. GLASS IN SLIDING DOORS AND ALL GLASS WITHIN 18 IN. OF FLOOR OR OVER 18 IN. WIDE MUST BE LAMINATED SAFETY, FULLY TEMPERED OR WIRE
- 2. SHOWER STALLS SHALL HAVE 72 IN. HIGH NON-ABSORBENT WATERPROOF MATERIAL IN WALLS, SMINGING DOORS SHALL SMING OUTWARD.
- 3. BEDROOMS SHALL HAVE A DOOR, OR OPERABLE WINDOW FOR EMERGENCY EGRESS. WHEN IT IS A WINDOW, THE WINDOW SHALL HAVE A MINIMUM NET CLEAR OPENING OF 5.7 SF WITH A MINIMUM WIDTH OF 20 IN. AND A MINIMUM HEIGHT OF 24 IN. THE FINISHED WINDOW SILL SHALL NOT EXCEED
- 44 IN. FROM THE FLOOR. 4. PROVIDE 8% NATURAL LIGHTING AND 4% NATURAL VENTILATION BASED ON THE FLOOR AREA OF THE ROOM. IN LIEU OF NATURAL VENTILATION, MECHANICAL VENTING MAY BE PROVIDED IN BATHROOMS AND KITCHENS WITH 5 AIR CHANGES PER HOUR MINIMUM.

5. THE RISE OF EVERY STEP IN A STAIRWAY CANNOT EXCEED 7 3/4 IN. AND

- THE RUN SHALL BE 10 IN. OR MORE. MINIMUM STAIR WIDTH SHALL BE 36 IN. HANDRAILS SHALL BE 34 TO 38 INCHES ABOVE THE NOSING. MINIMUM HEAD CLEARANCE SHALL BE 6 FT. 8 IN; TWO OR MORE RISERS SHALL CONSTITUTE A STAIRWAY. HANDGRIP PORTION OF THE HANDRAILS SHALL NOT BE LESS THAN 1-1/4 INCHES NO MORE THAN 2 INCHES IN CROSS-SECTIONAL DIMENSION AND HAVE A SMOOTH GRIPPING SURFACE AND SHALL BE CONTINUOUS FOR THE FULL LENGTH OF THE STAIRS AND ENDS RETURNED. 6. GUARD RAILS SHALL BE 42 INCHES IN HEIGHT AND CONSTRUCTED SO A
- SPHERE OF 4" IN DIAMETER CANNOT PASS THRU ANY OPENINGS. . INSTALL 1 HOUR SEPARATION BETWEEN HOUSE AND GARAGE. PROTECT WALLS, CEILINGS, SUPPORTING BEAMS, AND POSTS WITH 5/8 IN. TYPE X GYPSUM BOARD. FIRE DAMPERS SHALL BE INSTALLED IN DUCTS PENETRATING THIS WALL UNLESS THEY ARE 0.019 IN. STEEL AND HAVE NO
- OPENING IN THE GARAGE. GARAGE DOORS TO HOUSE SHALL BE 1 3/8 IN. SOLID CORE, SELF-CLOSING, TIGHT FITTING AND WEATHER STRIPPED. 8. PROTECT SOFFIT AND WALLS OF USABLE SPACE UNDER STAIRS WITH
- 5/8 IN. TYPE X GYPSUM BOARD. 10. FIRESTOP ALL CONCEALED DRAFT OPENINGS AT CEILING AND FLOOR
- LINES AND FURRED AREAS. STAIR STRINGERS, CHIMNEY ENCLOSURES, AND WALLS AT 10 FT. HORIZONTALLY AND VERTICALLY. 1 1. PROVIDE MINIMUM 30 IN. IN WIDTH AND 24 IN. CLEAR SPACE IN FRONT OF
- 12. IF PLYWOOD IS USED FOR SOFFITS, PROVIDE MINIMUM CDX GRADE AT
- WEATHER EXPOSED SURFACES. 13. PROVIDE 20 IN. X 30 IN. MINIMUM ACCESS TO ATTIC WITH 30" MINIMUM CLEAR HEADROOM. (NOT ALLOWED IN CLOSETS)
- 14. PROVIDE ATTIC VENTILATION EQUAL TO 1/150 OF THE AREA TO BE VENTED. (OR 1/300 IF 40% BUT NOT MORE THAN 50% OF THE VENTILATION IS 3 FEET ABOVE THE EAVES OF THE SPACE TO BE VENTED) PROVIDE VENTS WITH CORROSION RESISTANT METAL MESH OF 1/8 IN. DIMENSION.
- 15. PROVIDE WEEP SCREEDS AT CEMENT PLASTER WORK (TYP). 16. ALL DIMENSIONS ARE TO THE FACE OF THE STUD, UNLESS OTHERWISE NOTED. WRITTEN DIMENSIONS SHALL SUPERSEDE SCALED DRAWINGS.
- 17. PROVIDE FLASHING AT ALL OPENINGS IN EXTERIOR WALLS. 18. SHEET METAL SHALL BE 26 GA. OR BETTER GALVANIZED IRON. 19. ALL EXTERIOR WALL COVERINGS SHALL BE OVER 15 LB FELT OR EQUIVALENT MEATHER-RESISTIVE BARRIER.
- 20. PROVIDE 60 SQ. IN (MIN. 6 IN. ABOVE FLOOR) OF VENTILATION TO OUTSIDE AIR PER CAR IN GARAGES. 21. ALL EXTERIOR DOORS SHALL HAVE METAL THRESHOLDS AND WEATHER
- 22. SITE VERIFY ALL LEGAL BOUNDARIES AND SETBACKS BEFORE COMMENCING CONSTRUCTION.
- 23. NOTES AND DETAILS ON THIS SHEET SHALL APPLY UNLESS OTHERWISE SHOWN OR NOTED ON THE PLANS.
- 24. ALL CONSTRUCTION AND MATERIALS SHALL CONFORM TO ALL APPLICABLE CODES AND REGULATIONS. 25. PRIOR TO FABRICATION, SHOP DRAWINGS SHALL BE SUBMITTED FOR
- APPROVAL BY THE ARCHITECT ON ALL STRUCTURAL STEEL, REINFORCING STEEL, AND GLULAM BEAMS. 26. THE CONTRACTOR SHALL NOTIFY THE ARCHITECT WHERE A CONFLICT OCCURS ON ANY OF THE CONTRACT DRAWINGS OR DOCUMENTS. THE CONTRACTOR IS NOT TO ORDER MATERIAL OR CONSTRUCT ANY PORTION OF THE BUILDING THAT IS IN CONFLICT WITHOUT THE CONCENT OF THE
- 27. WATER SUPPLY PIPING SHALL BE PROTECTED FROM FREEZING. WATER SUPPLY PIPING SHALL BE PROVIDED WITH AN APPROVED BACKFLOW PREVENTION DEVICE PER CALIFORNIA PLUMBING CODE. ALL WATER PIPING SHALL BE GRADED TO DRAIN.

DEFERRED SUBMITTAL ITEMS

Deferred submittals are to be reviewed by project architect and/or engineer responsible for building structural design, depending on scope of submittal, and certified prior to submittal to building division for plan review.

FIRE SUPPRESSION SYSTEM THIS BUILDING IS REQUIRED TO BE FIRE SPRINKLERED THE FIRE SPRINKLER SYSTEM SHALL BE DESIGNED AND SUBMITTED PER NFPA 13D, 2013 EDITION AND BEAR THE

CONTRACTORS LICENSE NUMBER. Fire Sprinkler Permit shall be obtained prior to calling for roof sheathing inspection.

FIRE RESISTANT CONSTRUCTION

1. WOOD ROOFING SHALL BE A CLASS A FIRE RATED ASSEMBLY. CLASS B TREATED WOOD SHINGLE OVER 1/4" DENSGLAS ROOF CAP SHEETING. 2. EAVES SHALL BE ONE HOUR RESTANCE RATED 3. FIRE SPRINKLERS REQUIRED IN ATTIC

SPECIAL INSPECTIONS REQUIRED

This project requires special inspection, and/or materials testing per Chapter 17 of the 2013 CBC for the following checked items. Sibmit Building Department Special Inspection Statement Forms as required per City of Newport Beach Special Inspector Manual (June1, 2015)

- SPECIAL GRADING, EXCAVATION & FILLING
- PILING, DRILLED PIERS AND CAISSONS
- REINFORCING STEEL AND PRESTRESSING STEEL TENDONS BOLTS INSTALLED IN CONCRETE
- CONCRETE
- STRUCTURAL MASONRY WELDING: A - SPECIAL MOMENT RESISTING STEEL
- B ALL STRUCTURAL WELDING INCLUDING REINFORCING STEEL & ANY FIELD WELDING
- HIGH STRENGTH BOLTING
- SPECIAL MOMENT RESISTING CONCRETE FRAME
- REINFORCED GYPSUM CONCRETE
- INSULATING CONCRETE FILL
- SPRAY APPLIED FIREPROOFING
- SHOTCRETE
- SMOKE CONTROL SYSTEM SPECIAL CASES

STRUCTURAL OBSERVATION

PER SECTION 1704 OF THE 2013 CBC STRUCTURAL OBSERVATIONS ARE REQURIED FOR THIS PROJECT. NOTIFY THE PROJECT STRUCTUAL ENGINEER 48 HOURS IN ADVANCE OF THE FOLLOWING MILESTONES DURING CONSTRUCTION AND MAKE THE SITE AVAILABLE FOR THE REQURIED OBSERVATIONS.

- 1. MOMENT FRAME GRADE BEAM REINFORCING STEEL PRIOR TO PLACEMENT OF CONCRETE
- 2. STEEL FRAMES AND COLUMNS

AFFECTED PARTIES.

3. PLYWOOD SHEAR WALLS & HOLDDOWNS PRIOR TO COVERING

THE STRUCTURAL OBSERVER SHALL PERFORM STRUCTUAL OBSERVATION AT EACH CONSTRUCITON STAGE IDENTIFIED. UPON COMPLETION OF STRUCTURAL OBSERVATIONS FOR EACH CONSTRUCTION STAGE. THE STRUCTUAL OBSERVER SHALL COMPLETE AND SUBMIT A STRUCTURAL OSVERVATION REPORT TO THE CHIEF BUILDING OFFICIAL

WHEN A DEFICIENCY IS NOTED IN THE STRUCTURAL OBSERVATION REPORT, THE STRUCTUAL OBSERVER SHALL GIVE THE REPORT TO THE BUILDING OWNER OR THE OWNER'S REPRESENTATIVE, THE PROJECT CONTRACTOR, AND THE CHIEF BUILDING OFFICIAL. THE STRUCTURAL OBSERVER SHALL NOTE ON THE REPORT HOW THE CORRECTION OF EACH OBSERVED DEFICIENCY WILL BE VERIFIED.

UPON COMPLETION OF THE STRUCTURAL SYSTEM THE STRUCTURAL OBSERVER SHALL SUBMIT A FINAL STRUCTURAL OBSERVATION REPORT TO THE CHIEF BUILDING OFFICIAL. THE FINAL REPORT MUST STATE THAT THE STRUCTURAL SYSTEM GENERALLY CONFORMS TO THE APPROVED CONSTRUCITON DOCUMENTS AND THAT ALL OBSERVED DEFICIENCES HAVE BEEN CORRECTED. FINAL APPROVAL OF THE STRUCTUAL WORK BY THE CHIEF BUILDING OFFFICIAL WILL NOT OCCUR WITHOUT THE FINAL STRUCTUAL OBSERVATION REPORT.

CONDITIONS OF APPROVAL

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EXHIBIT "A"

CONDITIONS OF APPROVAL

- The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
- Should the property be sold or otherwise come under different ownership, any future owners or assignees shall be notified of the conditions of this approval by either the property owner or the leasing agent.
- Prior to recordation of the lot merger, one or both dwelling units shall be demolished to ensure that no more than one (1) single-unit dwelling exists on the merged lot.
- Prior to the issuance of any building permit for construction to cross the existing interior lot line between the two lots proposed to be merged, recordation of the lot merger documents with the County Recorder shall be required.
- The reconstructed curb cut shall have a maximum width of 17 feet for the approach bottom and a maximum width of 23 feet for the curb opening, subject to approval of the Public Works Department.
- The 5-foot side setback to the alley shall remain free and clear of any obstructions. There shall be no parking of vehicles within the 5-foot setback.

All improvements shall be constructed as required by Ordinance and the Public Works

An encroachment permit is required for all work activities within the public right-of-way.

- Department.
- 9. Lot Merger No. LM2013-003 shall expire unless exercised within 24 months from the date of approval as specified in Section 20.54.060 of the Newport Beach Municipal Code, unless an extension is otherwise granted.
- 10. To the fullest extent permitted by law, applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of the Davis Lot Merger and Setback Determination including, but not limited to, the Lot Merger No. LM2013-003 and Staff Approval SA2013-011. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

PROJECT INFORMATION:

PROJECT DESCRIPTION: ELEMENTS FOR THIS PROJECT INCLUDE ALL TRADES AS NEEDED TO CONSTRUCT AN ADDITION TO A EXISTING SINGLE FAMILY DWELLING. THE WORK IS LIMITED TO AREAS NORTH OF BUILDING LINE 5 ON THE DRAWINGS (PHASE II). PHASE I WORK WAS COMPLETED UNDER SEPERATE PERMIT.

SCOPE OF WORK ELEMENTS INCLUDE: GRADING, CONCRETE PAYING AND LANDSCAPE CONCRETE FOUNDATIONS & BUILDING SLABS STEEL SUPPORTING STRUCTURES **MOOD FRAMING & EXTERIOR FINISH MORK** INTERIOR FININSH WORK ELECTRICAL, MECHANICAL & PLUMBING ROOFING AND WATERPROOFING PROJECT ADDRESS:

048-073-02 \$ 048-073-29 APPLICABLE CODES: 2013 California Residential Code 2013 CMC,CPC,CEC

524 WEST OCEANFRONT

OCCUPANCY GROUP R3-U RSD, SINGLE UNIT BUILDING USE RESIDENTIAL CONSTRUCTION TYPE TYPE V-B SPRINKLERED ZONING

COSTAL ZONE RSD-C DESIGN CRITERIA: FLOOR LIVE LOAD 40 PSF ROOF LIVE LOAD 16 PSF NOT APPLICABLE SNOW LOAD SEISMIC DESIGN CATEGORY (SDC) = D

SITE CLASS = D NO FLOOD HAZARD

LOT SIZE= 5240 sq ft

BUILDABLE AREA = 3803 sq ft REQUIRED OPEN VOLUME AREA = 3803 sq ft X.15 = 571 SQ. FT.

= 495 sq ft

AREA ANALYSIS: (TOTAL) FIRST FLOOR 1452 2169

SECOND FLOOR 1788 1633 3421 THIRD FLOOR 460 460 324*0* 2928 6050

COMPLETED RESIDENCE AREA = 6050 sq ft COMPLETED GARAGE EXISTING GARAGE AREA

TOTAL AREA = 7062 sq ft

AREA = 1012 sq ft

SHEET INDEX:

SITE PLAN/COVER SHEET 1.2 GRADING PLAN 1.3 EROSION CONTROL PLAN OPEN VOLUME PLAN 1.5 TOPO & BOUNDARY SURVEY SHORING PLAN SOILS REPORT RECOMMENDATIONS FIRST FLOOR PLAN SECOND FLOOR PLAN 2.3 THIRD FLOOR/ROOF LEVEL PLAN ROOF PLAN 2.5 DETAILS ELEVATIONS ELEVATIONS SECTIONS MALL SECTIONS STRUCTURAL NOTES GENERAL NOTES 51.1 51.2 TYPICAL DETAILS CONCRETE 51.3 TYPICAL DETAILS WOOD 51.4 TYPICAL DETAILS WOOD 51.5 TYPICAL DETAILS WOOD I JOISTS FOUNDATION PLAN SECOND FLOOR FRAMING PLAN THIRD FLOOR FRAMING PLAN ROOF FRAMING PLAN STRUCTURAL SECTIONS STRUCTURAL SECTIONS STRUCTURAL STEEL DETAILS

HARDYFRAME DETAILS HFX2 HARDYFRAME DETAILS

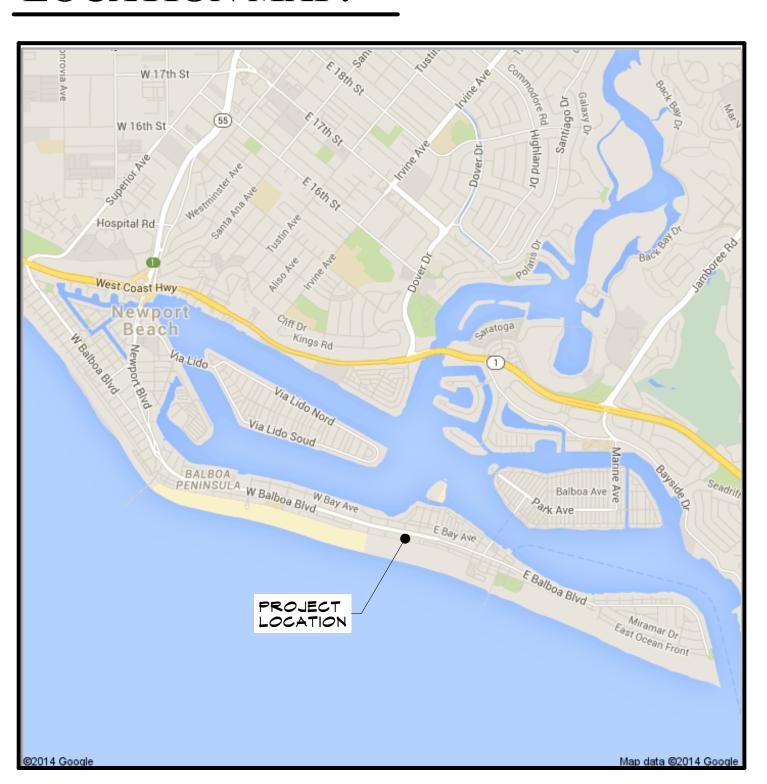
HARDYFRAME DETAILS FIRST FLOOR MECH/ELECTRICAL SECOND FLOOR MECH/ELECTRICAL THIRD FLOOR MECH/ELECTRICAL

GREEN BUILDING CODE MANDITORY MEASURES

TITLE 24

EXST. 1 EXISTING FLOOR PLAN & DEMO PLAN

LOCATION MAP:



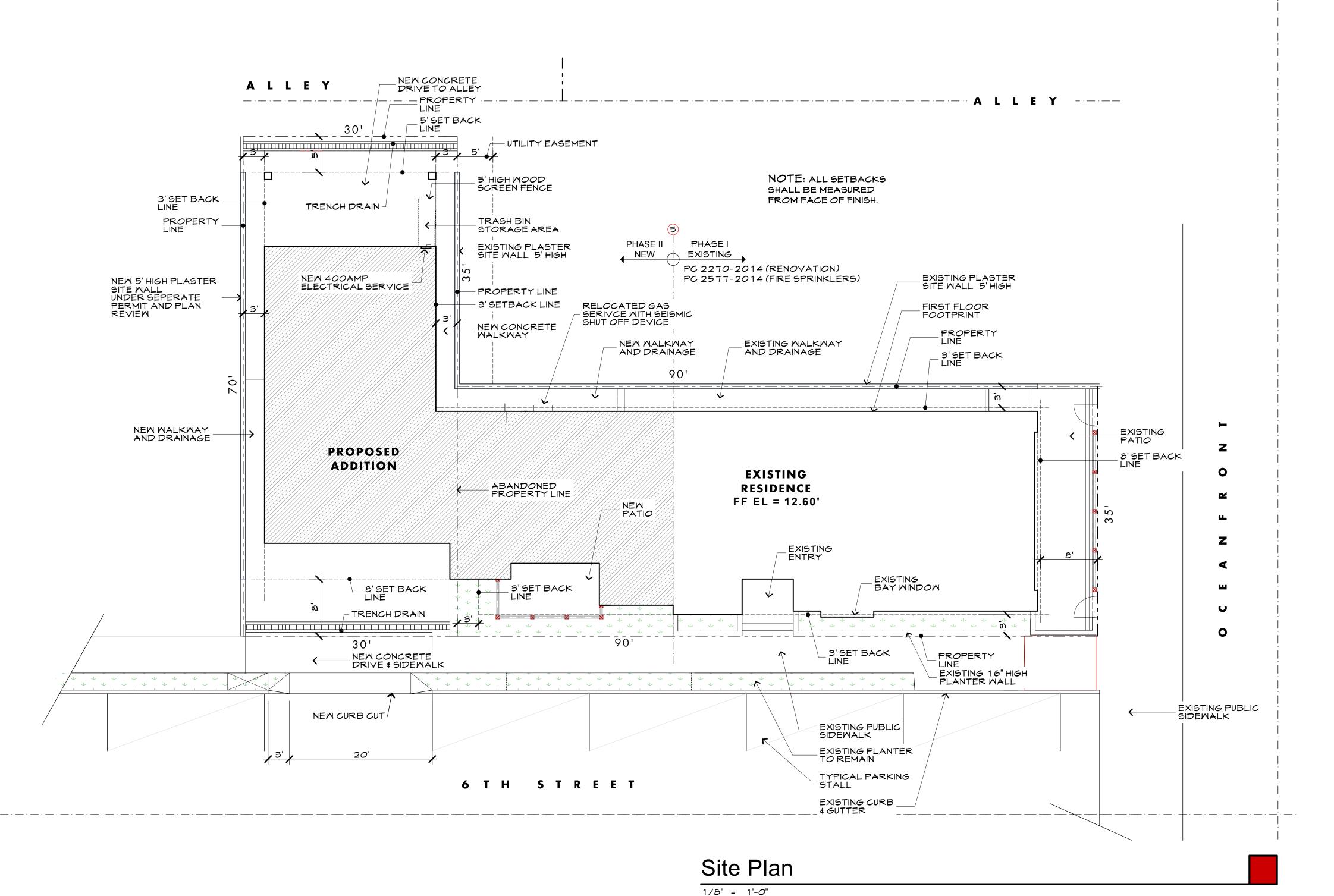


Exhibit 2

Page 1 of 6



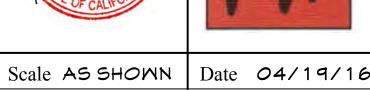
A Renovation Sandra & **Morgan Davis**

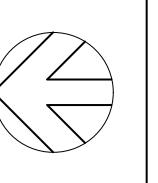
524 W. Oceanfront Newport Beach, CA 92661

Robert Ty Hoblitt Architect P.O. Box 944 Orangevale, CA

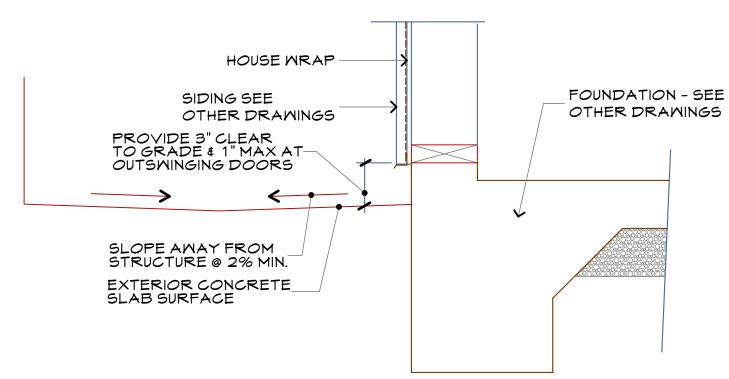
916.967.3681

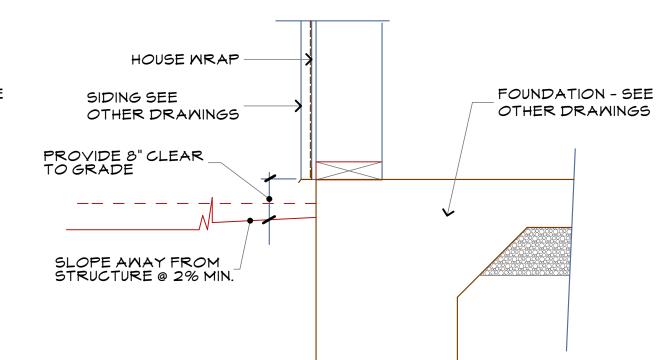






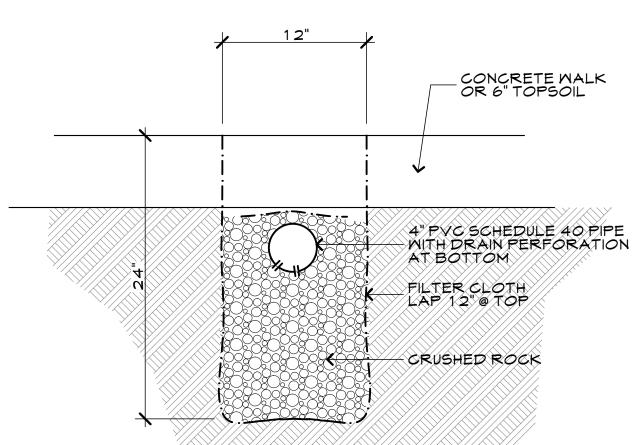
North Arrow Job Number 1403 Site Plan/Notes













GRADING NOTES

CITY GRADING ENGINEER.

15 OF THE NBMC.

1. ANY EXISTING IRRIGATION LINES AND SISTERN SHALL BE REMOVED OR CRUSHED IN PLACE AND BACKFILLED AND APROVED BY THE SOILS ENGINEER.

2. THE EXACT LOCATION OF THE SUBDRAINS SHALL BE SURVEYED IN THE FIELD FOR LINE AND GRADE.

3. ALL TRECH BACKFILLS SHALL BE COMPACTED THROUGHOUT TO A MINIMUM OF 90 PERCENT RELATIVE COMPACTION AND APPROVED BY THE

CONCRETE FLATWORK PLACED OVER UNTECTED BACKFULLS TO FACILITATE TESTING. 4. THE STOCKPILING OF EXCESS MATERIAL SHALL BE APPROVED BY THE

COILS ENGINEER. THE BUILDING DEPARTMENT MAU REQUIRE CORING OF

5. LANDSCAPING OF ALL PADS SHALL BE IN ACCORDANCE WITH CHAPTER

6. NOTIFICATION OF NONCOMPLIANCE: IF IN THE COURSE OF FULFILLING THEIR RESPONSIBILITY, THE CIVIL ENGINEER, THE SOILS ENGINEER, OR THE TESTING AGENCY FINDS THAT THE WORK IS NOT BEING DONE IN CONFORMACE WITH APPROVED GRADING PLAN, THE DISCREPANCIES SHALL BE REPORTED IMMEDIATELY IN WRITING TO THE PERSON IN CHARGE OF THE GRADING WORK AND THE THE CITY GRADING ENGINEER RECOMMENDATION FOR CORRECTIVE MEASURES, IF NECESSAY, SHALL BE

EROSION CONTROL NOTES

1. BETWEEN OCTOBER 15 AND MAY 15, EROSION CONTROL MEASURES SHALL BE IN PLACE AT THE END OF EACH WORKING DAY WHENEVER THE FIVE-DAY PROBABILITY OF RAIN EXCEEDS 30 PERCENT. DURING THE REMAINDER OF THE YEAR, THEY SHALL BE IN PLACE AT THE END OF THE MORKING DAY, WHENEVER THE DAILY RAINFALL PROBABILITY EXCEEDS 50 PERCENT

SUBMITTED TO THE CITY GRADING ENGINEER FOR APPROVAL.

2. SEE INCLUDED EROSION CONTROL PLAN FOR DETAILED INFORMATION.

3. LANDSCAPING PLANS SHALL BE SUBMITTED FOR APPROVAL, WORK COMPLETED AND A CERTIFICATE OF CONFORMANCE RECEIVED BY THE CITY ENGINEER PRIOR TO CLOSURE OF PERMIT, UNLESS WAIVED BY THE CITY GRADING ENGINEER.

EXISTING UTILITIES NOTES

1. THE CONTRACTOR IS REQUIRED TO TAKE DUE PRECAUTIONAY MEASURES TO PROTECT THE UTILITES OR STRUCTURES SHOWN AND ANY OTHER UTILITIES OR STRUCTURES FOUND AT THE SITE. IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO NOTIFY THE OWNERS OF THE UTILITIES OR STRUCTURES CONCERNED BEFORE STARTING WORK.

GENERAL GRADING NOTES

1 ALL WORK SHALL CONFORM TO THE 2013 CALIFORNIA RESIDENTIAL BUILDING CODE. CHAPTER 15 OF THE NEWPORT BEACH MUNICIPAL CODE (NBMC), THE PROJECT SOILS REPORT, AND SPECIAL REQUIREMENTS OF THE PERMIT

2. DUST SHALL BE CONTROLLED BY WATERING AND/OR DUST PALLIATIVE.

3. SANITARY FACILITIES SHALL BE MAINTAINED ON THE SITE DURING THE CONSTRUCTION PERIOD.

4. WORK HOURS ARE LIMITED FROM 7:00 AM TO 6:30 PM MONDAY THROUGH FRIDAY; 8:00 AM TO 6:00 PM SATURDAY; AND NO WORK ON SUNDAYS AND HOLIDAYS PER SECTION 10-28-040 OF THE NBMC.

5. NOISE FORM , EXCAVATION, DELIVERY AND REMOVAL SHALL BE CONTROLLED PER SECTION 10-28-040 OF THE NBMC.

6. THE STAMPED SET OF APPROVED PLANS SHALL BE ON THE JOB SITE

7. PERMITEE AND CONTRCTOR ARE RESPONSIBLE FOR LOCATING AND PROTECTING UTILITIES.

8. DRAINAGE SYSTEM SHALL BE DESIGNED TO RETAIN CONCENTRATED AND SURFACE SHEET FLOW FROM DRY MEATHER RUN OFF AND MINOR RAIN EVENTS WITHIN THE SITE

9. ALL PLASTIC DRAINAGE PIPE SHALL CONSIST OF PVC OR ABS PLASTIC AND EITHER ASTM 2751, ASTM D1527, ASTM D3034 OR ASTM D 1 7 85..

10. POSITIVE DRAINAGE SHALL BE MAINTAINED AWAY FROM ALL BUILDINGS AND SLOPE AREAS

1 1. APPROVED DRAINAGE PROVISIONS AND PROTECTIVE MEASURES MUST BE USED TO PROTECT ADJOINING PROPERTIES DURING THE GRADING OPERATION.

12. CESSPOOLS AND SEPTIC TANKS SHALL BE ABANDONED IN COMPLIANCE WITH THE UNIFORM PLUMBING CODE AND APPROVED BY THE BUILDING OFFICIAL.

13. HAUL ROUTES FOR IMPORT OR EXPORT OF MATERIALS SHALL BE APPROVED BY THE CITY TRAFFIC ENGINEER AND PROCEDURES SHALL CONFORM WTH CHAPTER 15 OF THE NBMC.

14. FAILURE TO REQUEST INSPECTION AND/OR HAVE REMOVABLE EROSION CONTROL DEVISES ON SITE AT THE APPROPRIATE TIMES SHALL RESULT IN A STOP WORK ORDER

15. NO PAINT, PLASTER, CEMENT, SOIL, MORTAR OR OTHER RESIDUE SHALL BE ALLOWED TO ENTER STREETS, GUTTERS OR STORM DRAINS. ALL MATERIAL AND WASTE SHALL BE REMOVED FROM THE SITE. NBMC 17.32.020

16. A BUILDING PERMIT IS REQUIRED FOR FREE STANDING STRUCTURES (FENCES, RETAINING WALLS, GAZEBO, PATIO COVER, ETC.

CITY OF NEWPORT BEACH NOTES

1. An approved encroachment permit is required for all work activities within the public right-of-way.

2. A Public Morks Department encroachment permit inspection is required before the Building Department Permit Final can be issued. At the time of Public Morks Department inspection, if any of the existing public improvements surrounding the site is damaged, new concrete sidewalk, curb and gutter, and alley/street pavement will be required. Additionally, if existing utilities infrastructure are deemed substandard, a new 1-inch water service, water meter box, sewer lateral and/or cleanout with box and lid will be required. 100% of the cost shall be borne by the property owner (Municipal

3. An encroachment agreement is required for all non-standard improvements within the public right of way. All non-standard improvements shall comply with City Council Policy L-6 and L-18

repair work shall be made at the discretion of the Public Morks Inspector

Codes 14.24.020 and 14.08.030). Said determination and the extent of the

4. The existing alley behind the property is on the City's alley-cut moratorium list. Trenching or damage to said alley as a part of this development will require extensive alley repair work. Details may be obtained from the Public Morks Department.

6. All work to domestic water in the public right of way shall be performed by a

5. All work to waste water in the public right of way shall be performed by a C-42 licensed Sanitation Sewer Contractor or an A Licensed General Engineering Contractor.

C-34 licensed Pipeline Contractor or an A Licensed General Engineering 7. Surveyor or Engineer shall permanently monumnet property corners or

offsets before starting grading.

1. DRAINAGE PIPE

2. FINAL INSPECTION

IT IS THE RESPONSIBILIY OF THE PERMITEE TO MAKE SURE THAT

<u>DRAINAGE PLAN. NO PLAN REVIEW IS PERFORMED ON THE SITE</u>

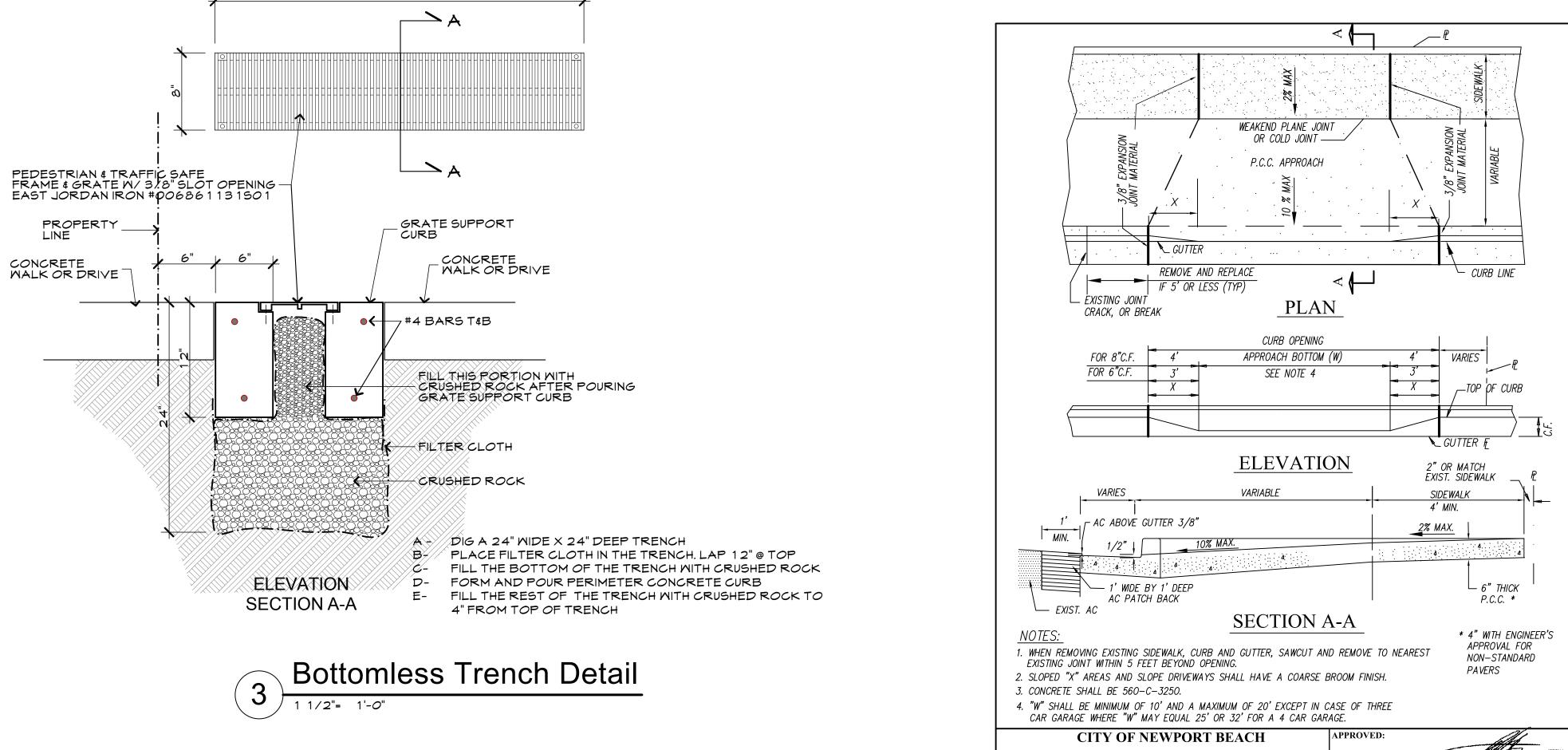
ALL WORK COMPLIES WITH THE NEWPORT BEACH STANDARD

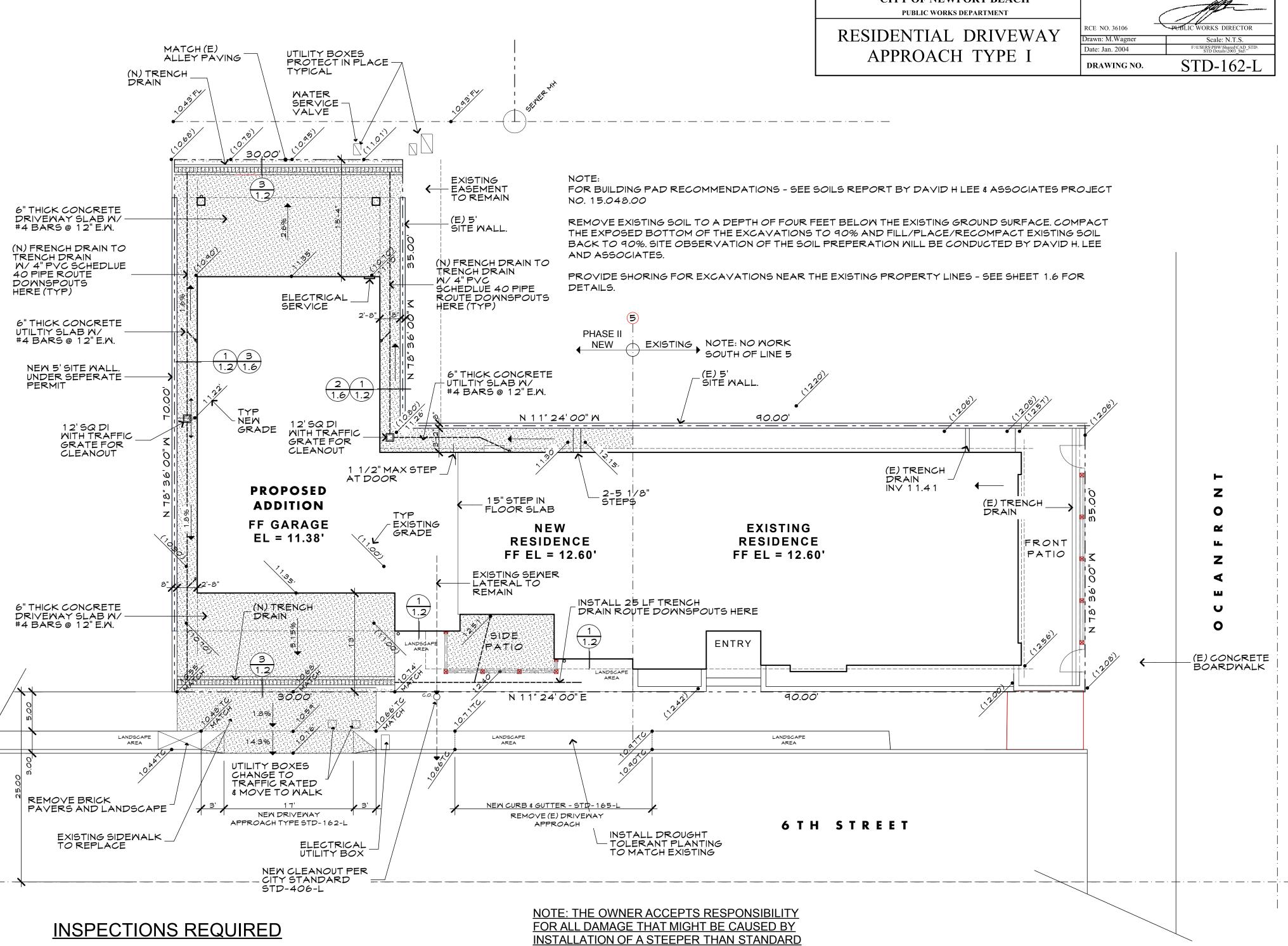
PLAN PRIOR TO PERMIT ISSUANCE. COMPLIANCE WILL BE

VERIFIED BY BUILDING DEPARTMENT INSPECTOR.

PROPERTY LINE

CONCRETE WALK OR DRIVE





DRIVE SLOPE FROM THE GUTTER TO THE FACE

DATE

Grading Plan

1/8" = 1'-0"

OF SIDEWALK AT THE 6TH STREET DRIVEWAY.

OWNER

Reviewed for general conformance with the recommendations of my soils report 15.048.00 provided for this project at 524 West Oceanfront. Contractor is responsible for all work at the job site & for the means and methods of construction; coordination of the work of all trades; and performing all work in a safe and

satisfactory manner. This approval does not modify

Contractor's duty to comply with the Contract

Exhibit 2

COMMENCEMENT OF ANY

SITE AREA:

AREA:

DISTURBED PROJECT

OVEREXCAVATION &

RECOMPACTION

QUANTITY:

CONSTRUCTION AUTHORIZED BY THIS

California Coastal

Commission

5250 SQ. FT.

2490 SQ. FT.

400 CY

Page 2 of 6

Documents. David H. Lee, Gl Geotechnical Engineer

EXP. 3/31/18

OWNER NAME MORGAN DAVIS CONTACT NUMBER: 949-375-5339 CONTRACTOR NAME: MARK HOBSON CONTACT NUMBER: 949-275-1000

A Renovation

Sandra & **Morgan Davis**

524 W. Oceanfront Newport Beach, CA 92661

Robert Ty Hoblitt Architect

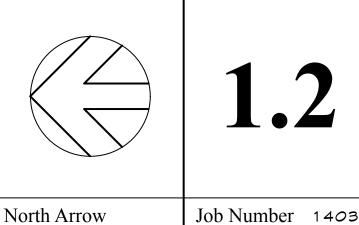
Orangevale, CA 916.967.3681

P.O. Box 944

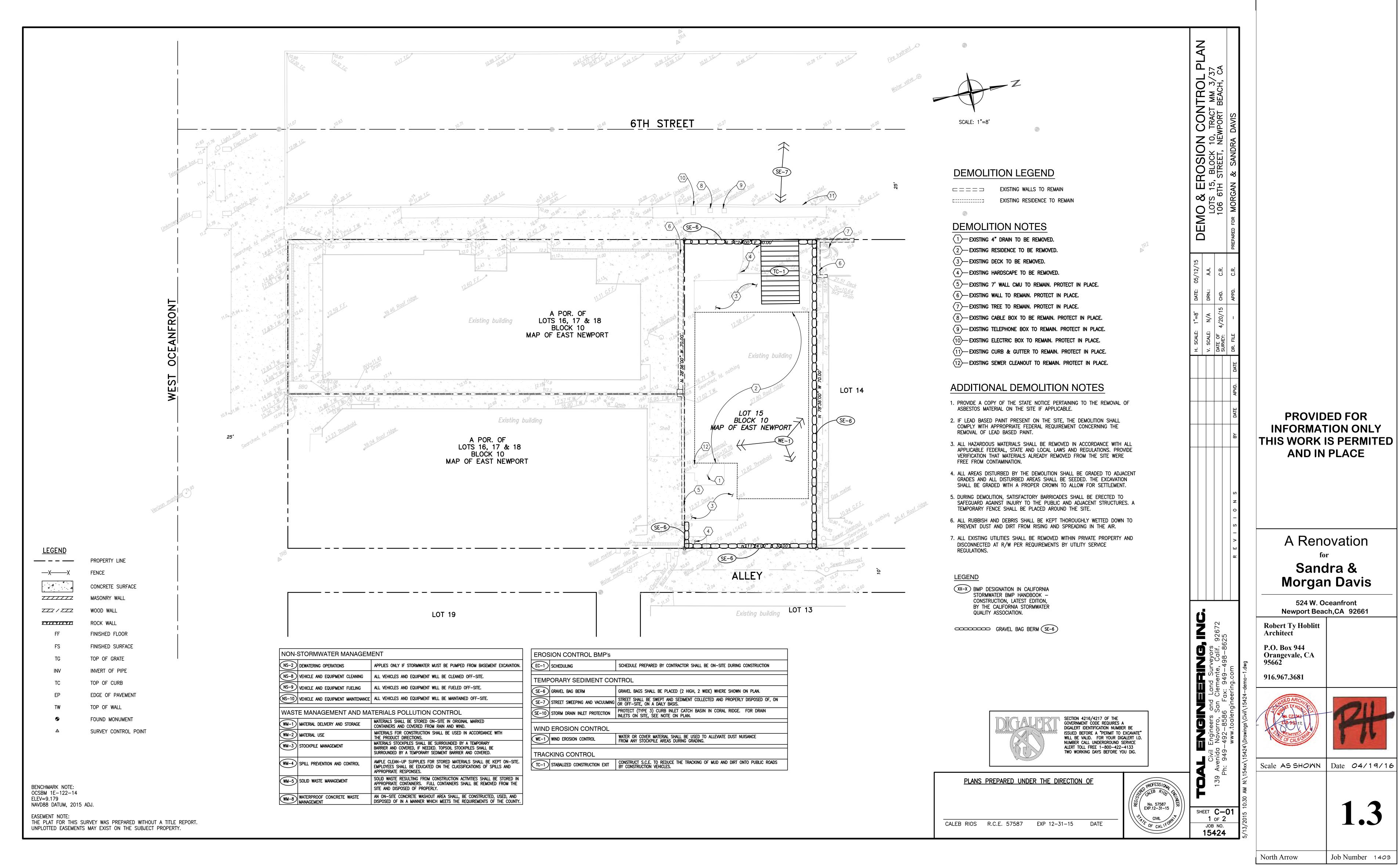


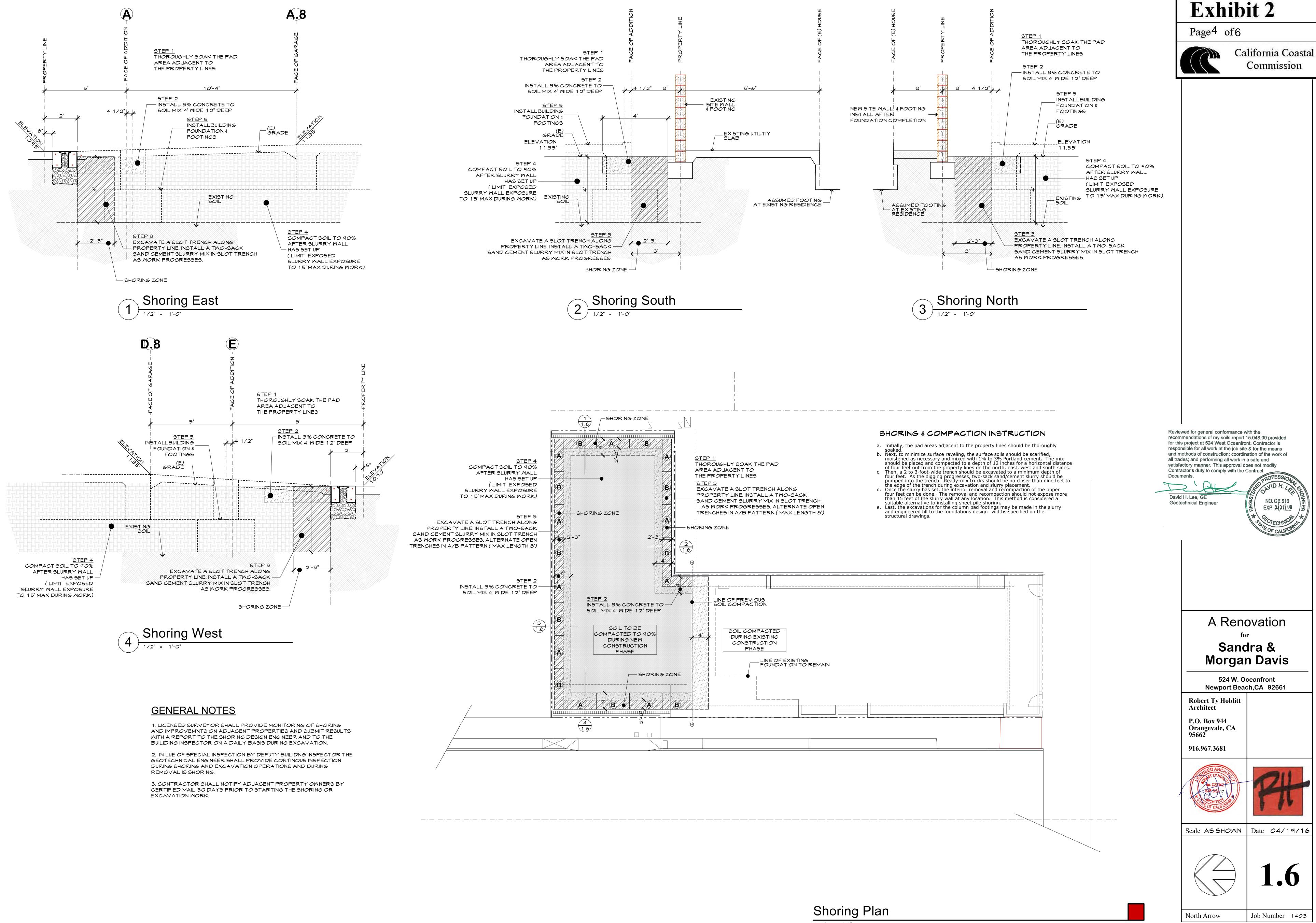


Scale AS SHOWN Date 04/19/16

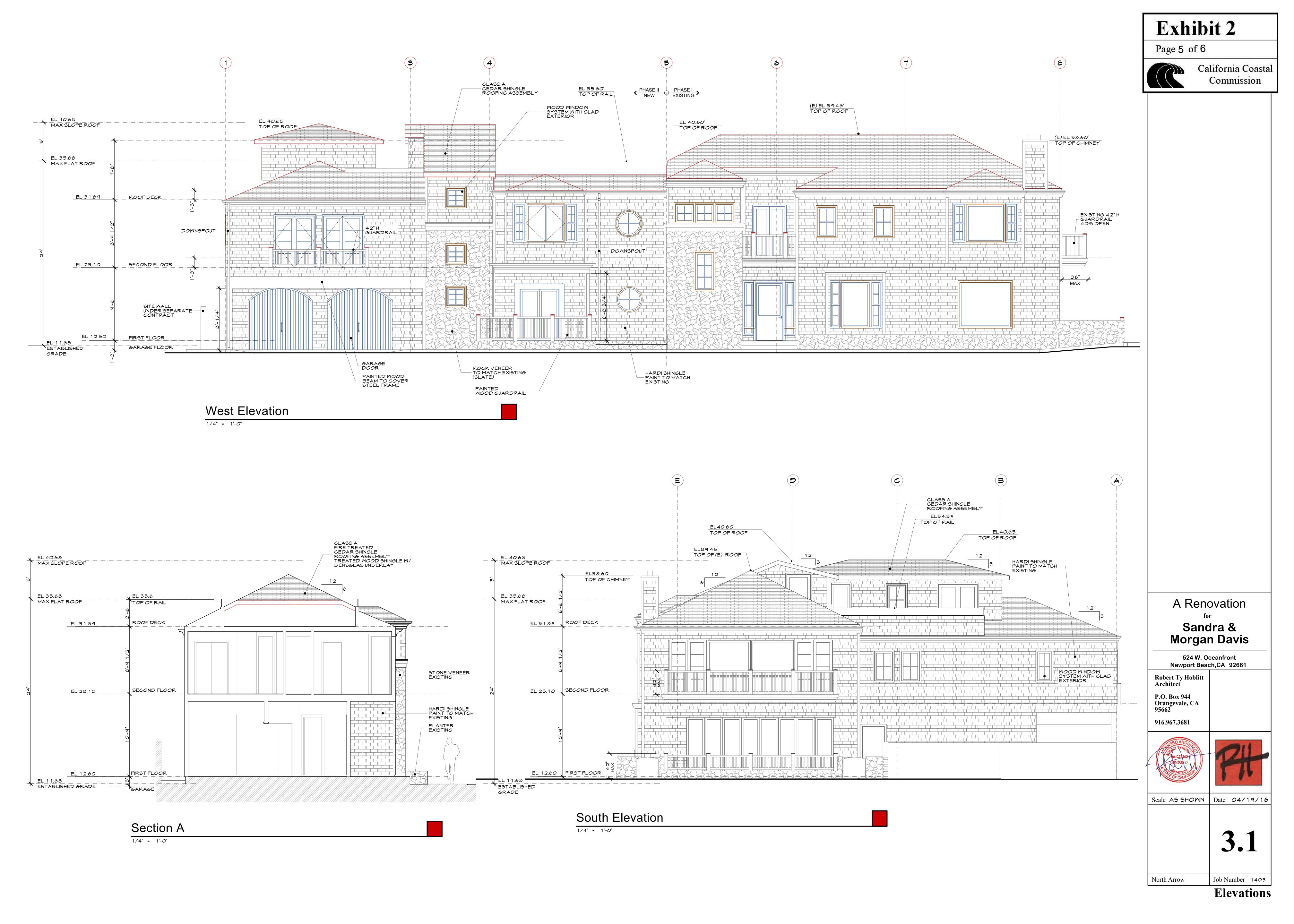


Grading Plan





Shoring Plan



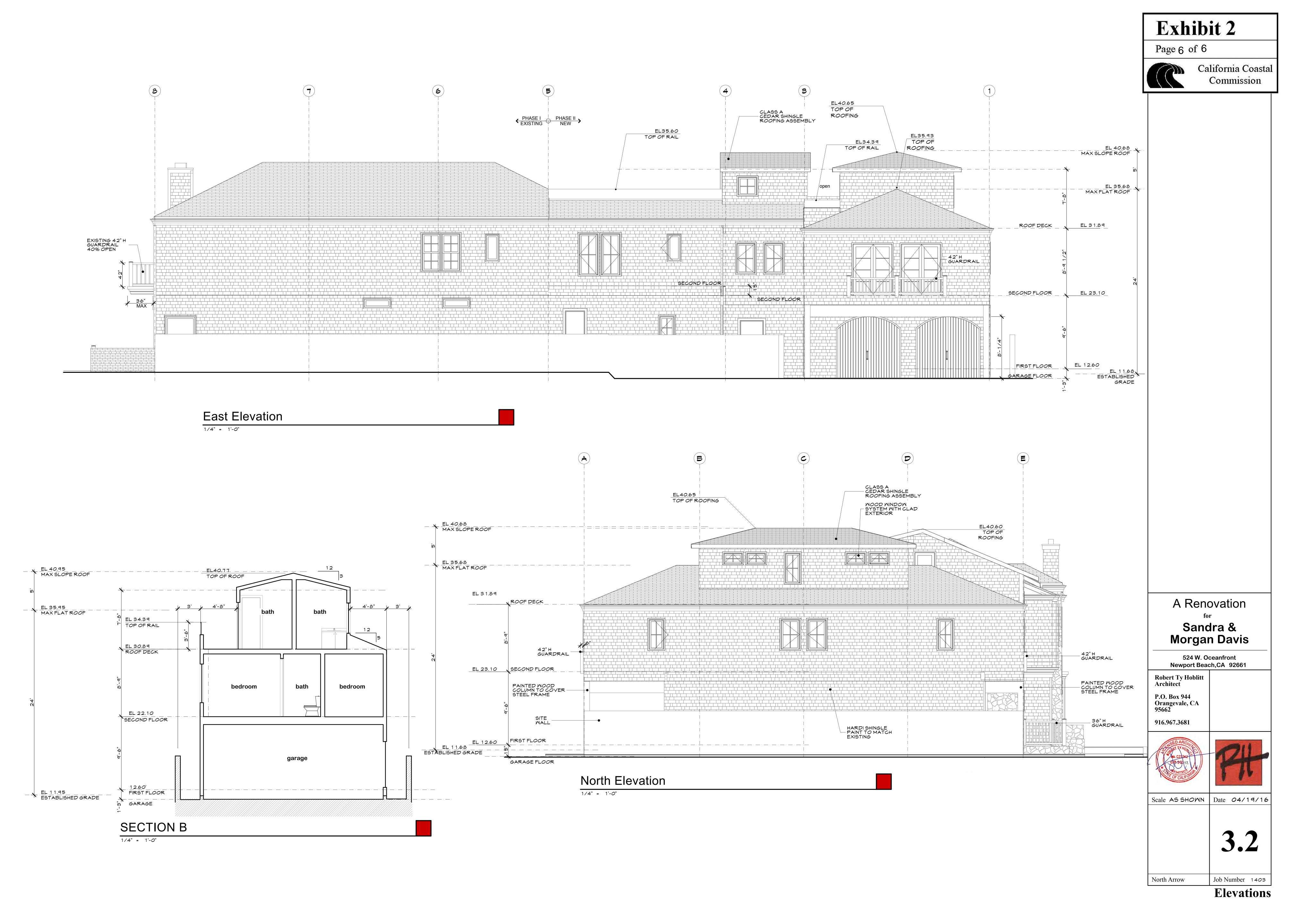


Photo of 6th Street 7/15/2016

Page 1 of 4

California Coastal Commission

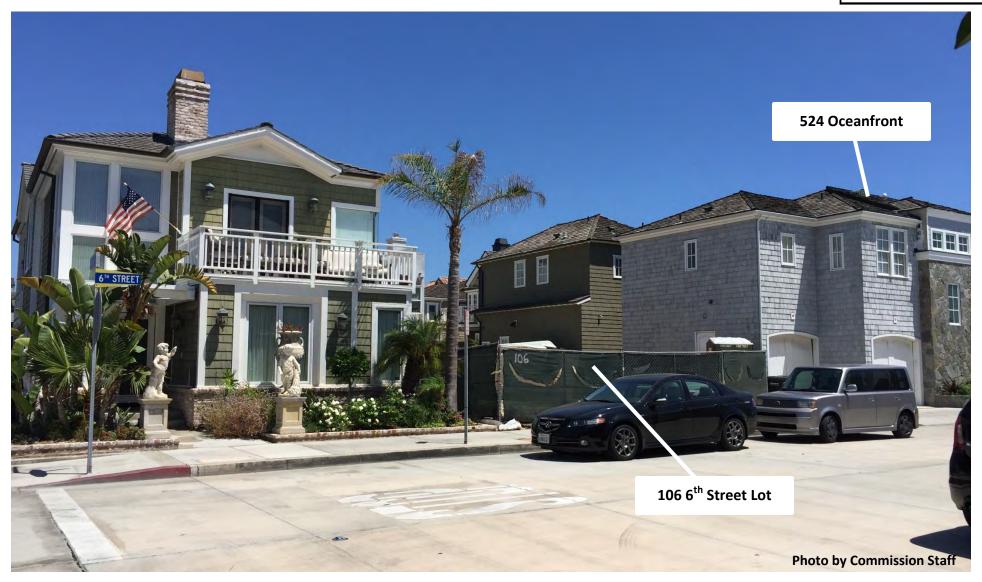


Photo of 524 W. Oceanfront 7/15/2016

Exhibit 3

Page 2 of 4





Photo of 106 6th Street Lot 7/15/2016

Exhibit 3

Page 3 of 4





Photo of W. Ocean Front Alley 7/15/2016

