

CALIFORNIA COASTAL COMMISSION

South Coast District Office
301 E Ocean Blvd., Suite 300
Long Beach, CA 90802-4302
(562) 590-5071



W28a

A-5-NPB-20-0068 (Collins)

JANUARY 13, 2021

EXHIBITS

Table of Contents:

Exhibit 1 – Project Location

Exhibit 2 – Appeal

Exhibit 3 – Zoning Administrator Staff Report and Resolution for Local CDP
CD2020-130

Exhibit 1: Project Location – 413 and 413½ Edgewater Place, Balboa Peninsula, Newport Beach, Orange County



CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE
301 E. OCEAN BLVD., SUITE 300
LONG BEACH, CA 90802
(562) 590-5071
SOUTHCOAST@COASTAL.CA.GOV

RECEIVED
South Coast Region

NOV 20 2020

CALIFORNIA
COASTAL COMMISSION



APPEAL NO. A-5-NPB-20-0068

EXHIBIT 2 - APPEAL

APPEAL FORM**Appeal of Local Government Coastal Development Permit****Filing Information (STAFF ONLY)**

District Office: South Coast

Appeal Number: A-5-NPB-20-0068

Date Filed: 11/20/20

Appellant Name(s): Commissioners Mike Wilson & Dr. Caryl Hart

APPELLANTS

IMPORTANT. Before you complete and submit this appeal form to appeal a coastal development permit (CDP) decision of a local government with a certified local coastal program (LCP) to the California Coastal Commission, please review the appeal information sheet. The appeal information sheet describes who is eligible to appeal what types of local government CDP decisions, the proper grounds for appeal, and the procedures for submitting such appeals to the Commission. Appellants are responsible for submitting appeals that conform to the Commission law, including regulations. Appeals that do not conform may not be accepted. If you have any questions about any aspect of the appeal process, please contact staff in the Commission district office with jurisdiction over the area in question (see the Commission's contact page at <https://coastal.ca.gov/contact/#/>).

Note regarding emailed appeals. Please note that emailed appeals are accepted **ONLY** at the general email address for the Coastal Commission district office with jurisdiction over the local government in question. For the South Coast district office, the email address is SouthCoast@coastal.ca.gov. An appeal emailed to some other email address, including a different district's general email address or a staff email address, will be rejected. It is the appellant's responsibility to use the correct email address, and appellants are encouraged to contact Commission staff with any questions. For more information, see the Commission's contact page at <https://coastal.ca.gov/contact/#/>).

Appeal of local CDP decision

Page 2

1. Appellant information¹

Name: Coastal Commissioners Mike Wilson and Dr. Caryl Hart
Mailing address: 455 Market Street, Suite 300 / San Francisco, CA 94105
Phone number: (415) 904-5202
Email address: _____

How did you participate in the local CDP application and decision-making process?

☒ Did not participate ☐ Submitted comment ☐ Testified at hearing ☐ Other

Describe: _____

If you did *not* participate in the local CDP application and decision-making process, please identify why you should be allowed to appeal anyway (e.g., if you did not participate because you were not properly noticed).

Describe: Coastal Commissioner appeal - not required to participate in local CDP process

Please identify how you exhausted all LCP CDP appeal processes or otherwise identify why you should be allowed to appeal (e.g., if the local government did not follow proper CDP notice and hearing procedures, or it charges a fee for local appellate CDP processes).

Describe: _____

¹ If there are multiple appellants, each appellant must provide their own contact and participation information. Please attach additional sheets as necessary.

Appeal of local CDP decision

Page 3

2. Local CDP decision being appealed²

Local government name: City of Newport Beach
Local government approval body: Zoning Administrator
Local government CDP application number: CD2020-130
Local government CDP decision: ☒ CDP approval ☐ CDP denial³
Date of local government CDP decision: October 15, 2010

Please identify the location and description of the development that was approved or denied by the local government.

Describe: Demolition of existing duplex and construction of new three-story
2,591 sq. ft. single family residence and attached 475 sq. ft.
two-car garage. No work is proposed to adjacent public boardwalk
or City-owned bulkhead. The project design complies with all
development standards and includes hardscape, patios, site
walls, drainage devices, and landscaping.

² Attach additional sheets as necessary to fully describe the local government CDP decision, including a description of the development that was the subject of the CDP application and decision.

³ Very few local CDP denials are appealable, and those that are also require submittal of an appeal fee. Please see the [appeal information sheet](#) for more information.

Page 4. Grounds for Appeal

The proposed development would reduce housing density in an area that can support housing density. Two housing units exist on the site and two housing units may be redeveloped on the site pursuant to both standards of the certified LCP. The proposal to demolish two housing units and construct one housing unit is inconsistent with the LCP.

The lot where development is proposed is designated R-2 (Two Unit Residential) in the zoning code/Implementation Plan. The lot is designated RT-E 30.0 – 39.9 DU/AC (Two Unit Residential) in the Coastal Land Use Plan.

Coastal Land Use Plan Table 2.1.1-1 states: "The RT category applies to a range of two family residential dwelling units such as duplexes and townhomes."

Coastal Land Use Plan Policy 2.1.10-1 states: "Land uses and new development in the coastal zone shall be consistent with the Coastal Land Use Plan Map and all applicable LCP policies and regulations."

Coastal Land Use Plan Section 2.2.1-1 states: "Continue to allow redevelopment and infill development within and adjacent to the existing developed areas in the coastal zone subject to the density and intensity limits and resource protection policies of the Coastal Land Use Plan."

Coastal Land Use Plan Section 2.7-2 states: "Continue the administration of provisions of State law relative to the demolition, conversion and construction of low and moderate-income dwelling units within the coastal zone."

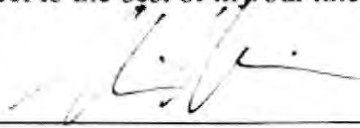
The City approved the project to demolish two housing units and construct one housing unit based on findings that the project is exempt from State laws including SB330 (Housing Crisis Act of 2019) requiring preservation of housing units: "A letter from the California Department of Housing and Community Development dated July 31, 2020, clarified to the City that single family developments do not meet the definition of 'housing development' as described in Government Code Section 66300, subdivision (a)(6)."

The City did not make specific findings related to the LCP's housing density criteria or policies, other than that the project is consistent with the existing neighborhood pattern of development. If the City continues to exempt these types of projects from review under SB330, and the CDP component of the approved project(s) is not appealed, it will set a precedent for future City actions that will result in a cumulative loss of housing density in areas which have been planned to support housing density pursuant to the LCP.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.



Signature of Appellant(s) or Authorized Agent

Date: 11/20/20

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby
authorize _____

to act as my/our representative and to bind me/us in all matters concerning this appeal.

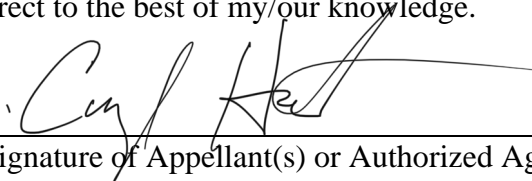
Signature of Appellant(s)

Date: _____

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.



Signature of Appellant(s) or Authorized Agent

Date: 11/21/20

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby
authorize _____ [NOT APPLICABLE]
to act as my/our representative and to bind me/us in all matters concerning this appeal.

[NOT APPLICABLE]
Signature of Appellant(s)

Date: [NOT APPLICABLE]



CITY OF NEWPORT BEACH ZONING ADMINISTRATOR STAFF REPORT

APPEAL NO. A-5-NPB-20-0068
EXHIBIT 3 - STAFF REPORT &
RESOLUTION FOR CDP 2020-130

October 15, 2020
Agenda Item No. 6

SUBJECT: Collins Residence (PA2020-215)
▪ Coastal Development Permit No. CD2020-130
SITE LOCATION: 413 and 413 ½ Edgewater Place
APPLICANT: William Guidero
OWNER: Jim Collins
PLANNER: Patrick Achis, Assistant Planner
949-644-3237 or pachis@newportbeachca.gov

LAND USE AND ZONING

- **General Plan Land Use Plan Category:** RT (Two Unit Residential)
- **Zoning District:** R-2 (Two-Unit Residential)
- **Coastal Land Use Plan Category:** RT-E (Two Unit Residential – 30.0 – 39.9 DU/AC)
- **Coastal Zoning District:** R-2 (Two-Unit Residential)

PROJECT SUMMARY

A coastal development permit to allow the demolition of an existing residential duplex and the construction of a new three-story, 2,591-square-foot single-family residence with an attached 475-square-foot two-car garage. No work is proposed to the adjacent public boardwalk or City-owned bulkhead. The project design complies with all development standards and includes hardscape, patios, site walls, drainage devices, and landscaping.

RECOMMENDATION

- 1) Conduct a public hearing;
- 2) Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 under Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential to have a significant effect on the environment and the exceptions this this exemption do not apply; and
- 3) Adopt Draft Zoning Administrator Resolution No. _ approving Coastal Development Permit No. CD2020-130 (Attachment No. ZA 1).

DISCUSSION

Land Use and Development Standards

- The subject property is in the R-2 Coastal Zoning District, which provides for single- or two-unit residential development and is consistent with the City's Coastal Land Use Plan, General Plan, and Zoning Code. A coastal development permit is required and the property is not eligible for a waiver for de minimis development because the property is located in the Coastal Commission Appeal Area.
- The property currently consists of one legal lot developed with a duplex. Since the existing duplex would be demolished for the construction of a single-family residence, density on site would be reduced by one unit. Recent changes to State law temporarily prohibiting reduction of residential density under SB330 do not apply in this case. A letter from the California Department of Housing and Community Development dated July 31, 2020, clarified to the City that single-family developments do not meet the definition of a "housing development" as described in Government Code section 66300, subdivision (a)(6). As mentioned, the development of a single-family residential development at the site is compatible with City plans and Codes, including the City's certified Local Coastal Program.
- The neighborhood is developed with a range of one, two and three-story, single-family residences and duplexes. The proposed design, bulk, and scale of the development is consistent with the existing neighborhood pattern of development consistent with applicable development standards.
- The proposed single-family residence and accessory structures conform to all applicable development standards, including floor area limit, setbacks, height, and off-street parking as evidenced by the project plans and illustrated in Table 1 below.

Table 1 – Development Standards		
Development Standard	Standard	Proposed
Setbacks (min.)		
Front	7 feet	7 feet
Sides	3 feet	3 feet
Rear	5 feet	5 feet
Allowable Floor Area (max.)	3,154 square feet	3,066 square feet
Allowable 3rd Floor Area (max.)	315 square feet	314 square feet
Open Space (min.)	237 square feet	237 square feet
Parking (min.)	2-car garage	2-car garage
Height (max.)	24 feet flat roof 29 feet sloped roof	24 feet flat roof 29 feet sloped roof

Hazards

- The development fronts the Newport Bay, and is separated from the shoreline by a public boardwalk and City-owned Bulkhead.
- The finish floor elevation of the proposed single-family residence is 9.25 feet based on the North American Vertical Datum of 1988 (NAVD88), which complies with the minimum 9 feet (NAVD88) elevation standard.
- A Coastal Hazards Report and Sea Level Rise Analysis was prepared by GeoSoils, Inc. dated July 21, 2020, for the project. The subject site is protected from the bay by a City-owned bulkhead, which reaches a height of approximately 8.6 feet (NAVD88). The bulkhead that protects the property is part of a larger bulkhead system, which surrounds sections of the peninsula. No changes to the bulkhead are proposed or authorized. The current maximum bay water elevation is 7.7 feet (NAVD88). The report analyzes future sea level rise scenarios assuming a 2.9-foot increase in the maximum water level over the next 75 years (i.e. the life of the structure). Therefore, the sea level is estimated to reach approximately 10.65 feet (NAVD88) - (the likely range for sea level rise over 75-year design life of the structure based on low risk aversion estimates for sea level rise provided by the State of California, Sea Level Rise Guidance: 2018 Update). However, the bulkhead is not privately owned and the property owner does not have the ability to raise the City-owned bulkhead. Therefore, a waterproofing curb is proposed to be constructed around the perimeter of the dwelling that would protect against flooding up to an elevation of 10.65 feet (NAVD88). Flood shields (sand bags and other barriers) can be deployed across the openings to protect and prevent flooding to the structure. The report concludes that the proposed project will be safe from flooding hazards for the next 75 years with the flood protection curb. The project has been conditioned to require the proposed waterproofing curb.
- Pursuant to Newport Beach Municipal Code (NBMC) Section 21.30.030(C)(3)(i)(iv), the property owner will be required to enter into an agreement with the City waiving any potential right to protection to address situations in the future in which the development is threatened with damage or destruction by coastal hazards (e.g., waves, erosion, and sea level rise). The property owner will also be required to acknowledge any hazards present at the site and unconditionally waive any claim to damage or liability against the decision authority, consistent with NBMC Section 21.30.015(D)(3)(c). Both requirements are included as conditions of approval that will need to be satisfied prior to final building inspection, and prior to the issuance of building permits, respectively.
- The property is located in an area known for the potential of seismic activity and liquefaction. All projects are required to comply with the California Building Code (CBC) and Building Division standards and policies. Geotechnical investigations

specifically addressing liquefaction are required to be reviewed and approved prior to the issuance of a building permit. Permit issuance is also contingent on the inclusion of design mitigation identified in the investigations. Construction plans are reviewed for compliance with approved investigations and CBC prior to building permit issuance.

Water Quality

- The property is located adjacent to coastal waters. Pursuant to Section 21.35.030 (Construction Pollution Prevention Plan) of the NBMC, a Construction Pollution Prevention Plan (CPPP) is required to implement temporary Best Management Practices (BMPs) during construction to minimize erosion and sedimentation and to minimize pollution of runoff and coastal waters derived from construction chemicals and materials. A CPPP has been provided and construction plans and activities will be required to adhere to the CPPP.
- Pursuant to Section 21.35.050 of the NBMC, due to the proximity of the development to the shoreline and the development containing more than 75 percent of impervious surface area, a Water Quality and Hydrology Plan (WQHP) is required. A preliminary WQHP was prepared for the project by Thomas M. Ruiz, Civil Engineer on July 29, 2020. The WQHP includes a polluted runoff and hydrologic site characterization, a sizing standard for BMPs, use of a low-impact-development (LID) approach to retain the design storm runoff volume on site, and documentation of the expected effectiveness of the proposed BMPs.

Public Access

- The project site is located between the nearest public road and the sea or shoreline. Implementation Plan Section 21.30A.040 requires that the provision of public access bear a reasonable relationship between the requirement and the project's impact, and be proportional to the impact. In this case, the project replaces an existing duplex located on standard R-2 lot with a new single-family residence. Therefore, the project does not involve a change in land use, density or intensity that will result in increased demand on public access and recreation opportunities. Furthermore, the project is designed and sited (appropriate height, setbacks, etc.) so as not to block or impede existing public access opportunities.
- Vertical access to the bay is available at the ends of the block, along Cypress Street and Adams Street. Lateral access is available adjacent to the subject property, along the existing public boardwalk. There is a pedestrian walkway easement along the boardwalk to ensure public access, as decided by California Superior Court Case 169606. The project does not include any features that would obstruct access along these routes and no construction is proposed bayward of the subject property.

Condition of Approval No. 5 prohibits storage of demolition or construction materials on public property.

- The project site is not located adjacent to a coastal view road, public access way, or Coastal Viewpoint as identified in the Coastal Land Use Plan. The nearest coastal viewpoint at Peninsula Park is not visible from the site. The site is located adjacent to Edgewater Place (boardwalk), which is accessible to the public and provides some opportunities to view the bay. As currently developed, the existing property and other residences along Edgewater Place are located within the view shed of the bay. However, the proposed single-family residence complies with all applicable Local Coastal Program (LCP) development standards and maintains a building envelope consistent with the existing neighborhood pattern of development.
- The project does not have the potential to degrade the visual quality of the Coastal Zone or result in significant adverse impacts to existing public views. The front of the proposed residence, which is visible from Edgewater Place, contains architectural treatments and visual interest in keeping with the design guidelines of the Zoning Code. Fronting the bay, the project's covered decks on the first and second levels separate the proposed dwelling from the setback approximately 5 feet, helping to relieve massing from the boardwalk. Stone veneer, stainless steel, and cedar features accent large floor-to-ceiling glass door systems to form an integrated design consistent with the surrounding development.

Correspondence Received

- Prior to finalizing this staff report, the City received a written comment from a neighbor of the site that stated opposition to replacing the existing two-story residence with a three-story residence. This comment is available in full as Attachment No. ZA 3.

ENVIRONMENTAL REVIEW

This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 under Class Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential to have a significant effect on the environment and the exceptions to this exemption do not apply.

Class 3 exempts the demolition of up to three single-family residences and additions of up to 10,000 square feet to existing structures. The proposed project consists of the demolition of a duplex and the construction of a new 2,591-square-foot single-family residence with an attached 475-square-foot two-car garage.

The exceptions to this categorical exemption under Section 15300.2 are not applicable. The project location does not impact an environmental resource of hazardous or critical

concern, does not result in cumulative impacts, does not have a significant effect on the environment due to unusual circumstances, does not damage scenic resources within a state scenic highway, is not a hazardous waste site, and is not identified as a historical resource.

PUBLIC NOTICE

Notice of this public hearing was published in the Daily Pilot, mailed to all owners and residential occupants of property within 300 feet of the boundaries of the site (excluding intervening rights-of-way and waterways), including the applicant, and posted on the subject property at least 10 days before the scheduled hearing, consistent with the provisions of the Municipal Code. At the time the application was submitted, a Notice of Filing was posted to the site by the Applicant in accordance with Title 21 requirements. Additionally, the item appeared on the agenda for this meeting, which was posted at City Hall and on the City website.

APPEAL PERIOD:

This action shall become final and effective 14 days following the date the Resolution is adopted unless within such time an appeal or call for review is filed with the Community Development Director in accordance with the provisions of Title 21 (Local Coastal Implementation Plan) of the NBMC. Final action taken by the City may be appealed to the Coastal Commission in compliance with Section 21.64.035 of the City's certified LCP and Title 14 California Code of Regulations, Sections 13111 through 13120, and Section 30603 of the Coastal Act. For additional information on filing an appeal, contact the Planning Division at 949-644-3200.

Prepared by:



Patrick Achis
Assistant Planner

BMZ/pda

Attachments:	ZA 1	Draft Resolution
	ZA 2	Vicinity Map
	ZA 3	Public Comment
	ZA 3	Project Plans

Attachment No. ZA 1

Draft Resolution

RESOLUTION NO. ZA2020-###

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING COASTAL DEVELOPMENT PERMIT NO. CD2020-130 TO DEMOLISH AN EXISTING DUPLEX AND CONSTRUCT A NEW THREE-STORY SINGLE-FAMILY RESIDENCE WITH ATTACHED 2-CAR GARAGE LOCATED AT 413 AND 413 ½ EDGEWATER PLACE (PA2020-215)

THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by William Guidero (Applicant), with respect to property located at 413 and 413 ½ Edgewater Place, requesting approval of a coastal development permit.
2. The lot at 413 and 413 ½ Edgewater Place is legally described as Lot 8 of Block 2 of the Balboa Bayside Tract.
3. The Applicant requests a coastal development permit to allow the demolition of an existing duplex and the construction of a new three-story, 2,591-square-foot single-family residence with an attached 475-square-foot two-car garage. No work is proposed to the adjacent public boardwalk or City-owned bulkhead. The project design complies with all development standards and includes hardscape, patios, site walls, drainage devices, and landscaping.
4. The subject property is designated RT (Two Unit Residential) by the General Plan Land Use Element and is located within the R-2 (Two-Unit Residential) Zoning District.
5. The subject property is located within the coastal zone. The Coastal Land Use Plan category is RT-E (Two Unit Residential – 30.0 – 39.9 DU/AC) and it is located within the R-2 (Two-Unit Residential) Coastal Zoning District.
6. A public hearing was held online on October 15, 2020, observing restrictions due to the Declaration of a State Emergency and Proclamation of Local Emergency related to COVID-19. A notice of time, place and purpose of the hearing was given in accordance with the Newport Beach Municipal Code (NBMC). Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this hearing.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. This project is categorically exempt pursuant to Title 14 of the California Code of Regulations Section 15303, Article 19 of Chapter 3, Guidelines for Implementation of the California Environmental Quality Act (CEQA) under Class 3 (New Construction or Conversion of Small Structures), because it has no potential to have a significant effect on the environment.

2. Class 3 exempts the demolition of up to three single-family residences and additions of up to 10,000 square feet to existing structures. The proposed project consists of the demolition of a duplex and the construction of a new 2,591-square-foot single-family residence and attached 475-square-foot two-car garage.
3. The exceptions to this categorical exemption under Section 15300.2 are not applicable. The project location does not impact an environmental resource of hazardous or critical concern, does not result in cumulative impacts, does not have a significant effect on the environment due to unusual circumstances, does not damage scenic resources within a state scenic highway, is not a hazardous waste site, and is not identified as a historical resource.

SECTION 3. REQUIRED FINDINGS.

In accordance with Section 21.52.015 (Coastal Development Permits, Findings and Decision) of the NBMC, the following findings and facts in support of such findings are set forth:

Finding:

- A. *Conforms to all applicable sections of the certified Local Coastal Program.*

Facts in Support of Finding:

1. The proposed development complies with applicable residential development standards including, but not limited to, floor area limitation, setbacks, height, and parking.
 - a. The maximum floor area limitation is 3,154 square feet and the proposed floor area is 3,066 square feet.
 - b. The proposed development provides the minimum required setbacks, which are 7 feet along the front property line abutting Edgewater Place, 3 feet along each side property line and five feet along the rear property line abutting the alley.
 - c. The highest guardrail is less than 24 feet from established grade (9.25 foot North American Vertical Datum of 1988 (NAVD88) and the highest ridge is no more than 29 feet from established grade, which comply with the maximum height requirements.
 - d. The project includes garage parking for a total of two vehicles, complying with the minimum two-car garage parking requirement for single-family residences with less than 4,000 square feet of habitable floor area.
2. Since the existing duplex would be demolished for the construction of a single-family residence, density on site would be reduced by one unit. Recent changes to State law temporarily prohibiting reduction of residential density under SB330 do not apply in this case. A letter from the California Department of Housing and Community Development dated July 31, 2020, clarified to the City that single-family developments do not meet the definition of a "housing development" as described in Government Code section 66300, subdivision (a)(6).

The development of a single-family residential development at the site is compatible with City plans and Codes, including the City's certified Local Coastal Program.

3. The neighborhood is developed with one, two- and three-story, single-family and two-unit residences. The proposed design, bulk, and scale of the development is consistent with the existing neighborhood pattern of development.
4. A Coastal Hazards Report and Sea Level Rise Analysis was prepared by GeoSoils, Inc. dated July 21, 2020, for the project. The subject site is protected from the bay by a City-owned bulkhead, which reaches a height of approximately 8.6 feet (NAVD88). The bulkhead that protects the property is part of a larger bulkhead system, which surrounds sections of the peninsula. No changes to the bulkhead are proposed. The current maximum bay water elevation is 7.7 feet (NAVD88). The report analyzes future sea level rise scenarios assuming a 2.9-foot increase in the maximum water level over the next 75 years (i.e. the life of the structure). Therefore, the sea level is estimated to reach approximately 10.65 feet (NAVD88) - (the likely range for sea level rise over 75-year design life of the structure based on low risk aversion estimates for sea level rise provided by the State of California, Sea Level Rise Guidance: 2018 Update). However, the bulkhead is not privately owned and the property owner does not have the ability to raise the City-owned bulkhead. Therefore, a waterproofing curb is proposed to be constructed around the perimeter of the dwelling that would protect against flooding up to an elevation of 10.65 feet (NAVD88). Flood shields (sand bags and other barriers) can be deployed across the openings to protect and prevent flooding to the structure. The report concludes that the proposed project will be safe from flooding hazards for the next 75 years with the flood protection curb. The project has been conditioned to require the proposed waterproofing curb.
5. The finish floor elevation of the proposed single-family residence is 9.25 feet (NAVD88), which complies with the minimum 9 feet (NAVD88) elevation standard. The Coastal Hazard Report concludes that the bay water elevation (currently 7.7 feet NAVD88) will not exceed the proposed flood protection curb around the single-family residence at 10.65 feet (NAVD88) for the anticipated 75-year life of the structure.
6. Pursuant to NBMC Section 21.30.030(C)(3)(i)(iv), the property owner will be required to enter into an agreement with the City waiving any potential right to protection to address situations in the future in which the development is threatened with damage or destruction by coastal hazards (e.g., waves, erosion, and sea level rise). The property owner will also be required to acknowledge any hazards present at the site and unconditionally waive any claim to damage or liability against the decision authority, consistent with NBMC Section 21.30.015(D)(3)(c). Both requirements are included as conditions of approval that will need to be satisfied prior to final building inspection, and prior to the issuance of building permits, respectively.
7. The property is located in an area known for the potential of seismic activity and liquefaction. All projects are required to comply with the California Building Code (CBC) and Building Division standards and policies. Geotechnical investigations specifically addressing liquefaction are required to be reviewed and approved prior to the issuance of building permits. Permit issuance is also contingent on the inclusion of design mitigation identified in

the investigations. Construction plans are reviewed for compliance with approved investigations and CBC prior to building permit issuance.

8. The property is adjacent to coastal waters. A Construction Erosion Control Plan was provided to implement temporary Best Management Practices (BMPs) during construction to minimize erosion and sedimentation and to minimize pollution of runoff and coastal waters derived by construction chemicals and materials. The project design also addresses water quality through the inclusion of a post construction drainage system that includes drainage and percolation features designed to retain dry weather and minor rain event runoff onsite. Any water not retained onsite is directed to the City's storm drain system.
9. Pursuant to Section 21.35.050 of the NBMC, due to the proximity of the development to the shoreline and the development containing more than 75 percent of impervious surface area, a Water Quality and Hydrology Plan (WQHP) is required. A preliminary WQHP has been prepared for the project by Thomas M. Ruiz, Civil Engineer, on July 29, 2020. The WQHP includes a polluted runoff and hydrologic site characterization, a sizing standard for BMPs, use of a LID approach to retain the design storm runoff volume on site, and documentation of the expected effectiveness of the proposed BMPs.
10. Proposed landscaping will comply with Implementation Plan Section 21.30.075. A condition of approval is included that requires drought-tolerant species. Prior to issuance of building permits, the final landscape plans will be reviewed to verify invasive species are not planted.
11. The project site is not located adjacent to a coastal view road, public access way, or Coastal Viewpoint as identified in the Coastal Land Use Plan. The nearest coastal viewpoint is in Peninsula Park and is not visible from the site. The site is located adjacent to Edgewater Place (boardwalk), which is accessible to the public and provides some opportunities to view the bay. As currently developed, the existing property and other residences along Edgewater Place are located within the view shed of the bay. However, the proposed single-family residence complies with all applicable Local Coastal Program (LCP) development standards and maintains a building envelope consistent with the existing neighborhood pattern of development. Additionally, the project does not contain any unique features that could degrade the visual quality of the coastal zone.
12. The project does not have the potential to degrade the visual quality of the Coastal Zone or result in significant adverse impacts to existing public views. The front of the proposed residence, which is visible from Edgewater Place, contains architectural treatments and visual interest in keeping with the design guidelines of the Zoning Code. Fronting the bay, the project's covered decks on the first and second levels separate the proposed dwelling from the setback approximately five feet, helping to relieve massing from the boardwalk. Stone veneer, stainless steel, and cedar features accent large floor-to-ceiling glass door systems to form an integrated design consistent with the surrounding development.

Finding:

- B. *Conforms with the public access and public recreation policies of Chapter 3 of the Coastal Act if the project is located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone.*

Fact in Support of Finding:

1. The project site is located between the nearest public road and the sea or shoreline. Implementation Plan Section 21.30A.040 requires that the provision of public access bear a reasonable relationship between the requirement and the project's impact, and be proportional to the impact. In this case, the project replaces an existing duplex located on standard R-2 lot with a new single-family residence. Therefore, the project does not involve a change in land use, density or intensity that will result in increased demand on public access and recreation opportunities. Furthermore, the project is designed and sited (appropriate height, setbacks, etc.) so as not to block or impede existing public access opportunities.
2. Vertical access to the bay is available at the ends of the block, along Cypress Street and Adams Street. Lateral access is available adjacent to the subject property, along the existing public boardwalk. There is a pedestrian walkway easement along the boardwalk to ensure public access, as decided by California Superior Court Case 169606. The project does not include any features that would obstruct access along these routes and no construction is proposed bayward of the subject property.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby finds this Project is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15303 under Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential to have a significant effect on the environment and the exceptions to this exemption do not apply.
2. The Zoning Administrator of the City of Newport Beach hereby approves Coastal Development Permit No. CD2020-130, subject to the conditions set forth in Exhibit "A," which is attached hereto and incorporated by reference.
3. This action shall become final and effective 14 days following the date this Resolution was adopted unless within such time an appeal or call for review is filed with the Community Development Director in accordance with the provisions of Title 21 Local Coastal Implementation Plan, of the Newport Beach Municipal Code. Final action taken by the City may be appealed to the Coastal Commission in compliance with Section

21.64.035 of the City's certified LCP and Title 14 California Code of Regulations, Sections 13111 through 13120, and Section 30603 of the Coastal Act.

PASSED, APPROVED, AND ADOPTED THIS 15TH DAY OF OCTOBER, 2020.

Jaime Murillo, Zoning Administrator

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

EXHIBIT "A"**CONDITIONS OF APPROVAL**Planning Division

1. The development shall be in substantial conformance with the approved site plan, floor plans and building elevations stamped and dated with the date of this approval (except as modified by applicable conditions of approval).
2. *Prior to issuance of building permits, the project plans shall be updated to reflect that a waterproofing curb will be constructed around the proposed residence as an adaptive flood protection device up to 10.65 feet (NAVD88). Flood shields (sand bags and other barriers) can be deployed across the openings to protect prevent flooding to the structure.*
3. Prior to final building permit inspection, an agreement in a form approved by the City Attorney between the property owner and the City shall be executed and recorded waiving rights to the construction of future shoreline protection devices including the repair and maintenance, enhancement, reinforcement, or any other activity affecting the bulkhead, that results in any encroachment seaward of the authorized footprint of the bulkhead or other shoreline protective device. The agreement shall be binding against the property owners and successors and assigns.
4. Prior to the issuance of a building permit, the property owner shall submit a notarized and signed letter acknowledging all hazards present at the site, assuming the risk of injury or damage from such hazards, unconditionally waiving any claims of damage against the City from such hazards, and to indemnify 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 development. This letter shall be scanned into the plan set prior to building permit issuance.
5. No demolition or construction materials, equipment debris, or waste, shall be placed or stored in a location that would enter sensitive habitat, receiving waters, or a storm drain or result in impacts to environmentally sensitive habitat areas, streams, the beach, wetlands or their buffers. No demolition or construction materials shall be stored on public property.
6. This approval does not authorize any new or existing improvements (including landscaping) on State tidelands, public beaches, or the public right-of-way.
7. This Coastal Development Permit does not authorize any development seaward of the private property.

8. The applicant is responsible for compliance with the Migratory Bird Treaty Act (MBTA). In compliance with the MBTA, grading, brush removal, building demolition, tree trimming, and similar construction activities shall occur between August 16 and January 31, outside of the peak nesting period. If such activities must occur inside the peak nesting season from February 1 to August 15, compliance with the following is required to prevent the taking of Native Birds pursuant to MBTA:
 - A. The construction area shall be inspected for active nests. If birds are observed flying from a nest or sitting on a nest, it can be assumed that the nest is active. Construction activity within 300 feet of an active nest shall be delayed until the nest is no longer active. Continue to observe the nest until the chicks have left the nest and activity is no longer observed. When the nest is no longer active, construction activity can continue in the nest area.
 - B. It is a violation of state and federal law to kill or harm a native bird. To ensure compliance, consider hiring a biologist to assist with the survey for nesting birds, and to determine when it is safe to commence construction activities. If an active nest is found, one or two short follow-up surveys will be necessary to check on the nest and determine when the nest is no longer active.
9. Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) shall be implemented prior to and throughout the duration of construction activity as designated in the Construction Erosion Control Plan.
10. The discharge of any hazardous materials into storm sewer systems or receiving waters shall be prohibited. Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. A designated fueling and vehicle maintenance area with appropriate berms and protection to prevent spillage shall be provided as far away from storm drain systems or receiving waters as possible.
11. Debris from demolition shall be removed from work areas each day and removed from the project site within 24 hours of the completion of the project. Stockpiles and construction materials shall be covered, enclosed on all sites, not stored in contact with the soil, and located as far away as possible from drain inlets and any waterway.
12. Trash and debris shall be disposed in proper trash and recycling receptacles at the end of each construction day. Solid waste, including excess concrete, shall be disposed in adequate disposal facilities at a legal disposal site or recycled at a recycling facility.
13. Revisions to the approved plans may require an amendment to this Coastal Development Permit or the processing of a new coastal development permit.
14. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
15. The applicant shall comply with all federal, state, and local laws. Material violation of any of those laws in connection with the use may be cause for revocation of this Coastal Development Permit.

16. This Coastal Development Permit may be modified or revoked by the Zoning Administrator if determined that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
17. Prior to the issuance of building permits, the applicant shall submit a final construction erosion control plan. The plan shall be subject to the review and approval by the Building Division.
18. Prior to the issuance of building permits, the applicant shall submit a final drainage and grading plan. The plan shall be subject to the review and approval by the Building Division.
19. Prior to issuance of a building permit, a copy of the Resolution, including conditions of approval Exhibit "A" shall be incorporated into the Building Division and field sets of plans.
20. Prior to issuance of a building permit, the applicant shall submit to the Planning Division an additional copy of the approved architectural plans for inclusion in the Coastal Development file. The plans shall be identical to those approved by all City departments for building permit issuance. The approved copy shall include architectural sheets only and shall be reduced in size to 11 inches by 17 inches. The plans shall accurately depict the elements approved by this Coastal Development Permit.
21. Prior to issuance of building permits, the final WQHP/WQMP shall be reviewed and approved by the Building Division. Implementation shall be in compliance with the approved CPPP and WQHP/WQMP and any changes could require separate review and approval by the Building Division.
22. Prior to the issuance of building permits, the applicant shall submit a final landscape and irrigation plan. These plans shall incorporate drought tolerant plantings, non-invasive plant species and water efficient irrigation design. The plans shall be approved by the Planning Division.
23. All landscape materials and irrigation systems shall be maintained in accordance with the approved landscape plan. All landscaped areas shall be maintained in a healthy and growing condition and shall receive regular pruning, fertilizing, mowing, and trimming. All landscaped areas shall be kept free of weeds and debris. All irrigation systems shall be kept operable, including adjustments, replacements, repairs, and cleaning as part of regular maintenance.
24. Prior to the issuance of building permit, the applicant shall pay any unpaid administrative costs associated with the processing of this application to the Planning Division.
25. 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 the current property owner or agent.

26. This Coastal Development Permit No. CD2020-130 shall expire unless exercised within 24 months from the date of approval as specified in Section 21.54.060 (Time Limits and Extensions) of the NBMC, unless an extension is otherwise granted.
27. 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 Collins Residence including, but not limited to, Coastal Development Permit No. CD2020-130 (PA2020-215). 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.

Public Works

28. The existing public walkway along Edgewater Place shall be maintained.
29. Any damaged sidewalk, alley, or bulkhead shall be repaired. Extent of repair shall be per Public Works Inspector and Community Development Director.

Attachment No. ZA 2

Vicinity Map

VICINITY MAP



Attachment No. ZA 3

Public Comment

From: Susan Upson <mupson45@yahoo.com>

Sent: Tuesday, October 06, 2020 12:09 PM

To: CDD <CDD@newportbeachca.gov>

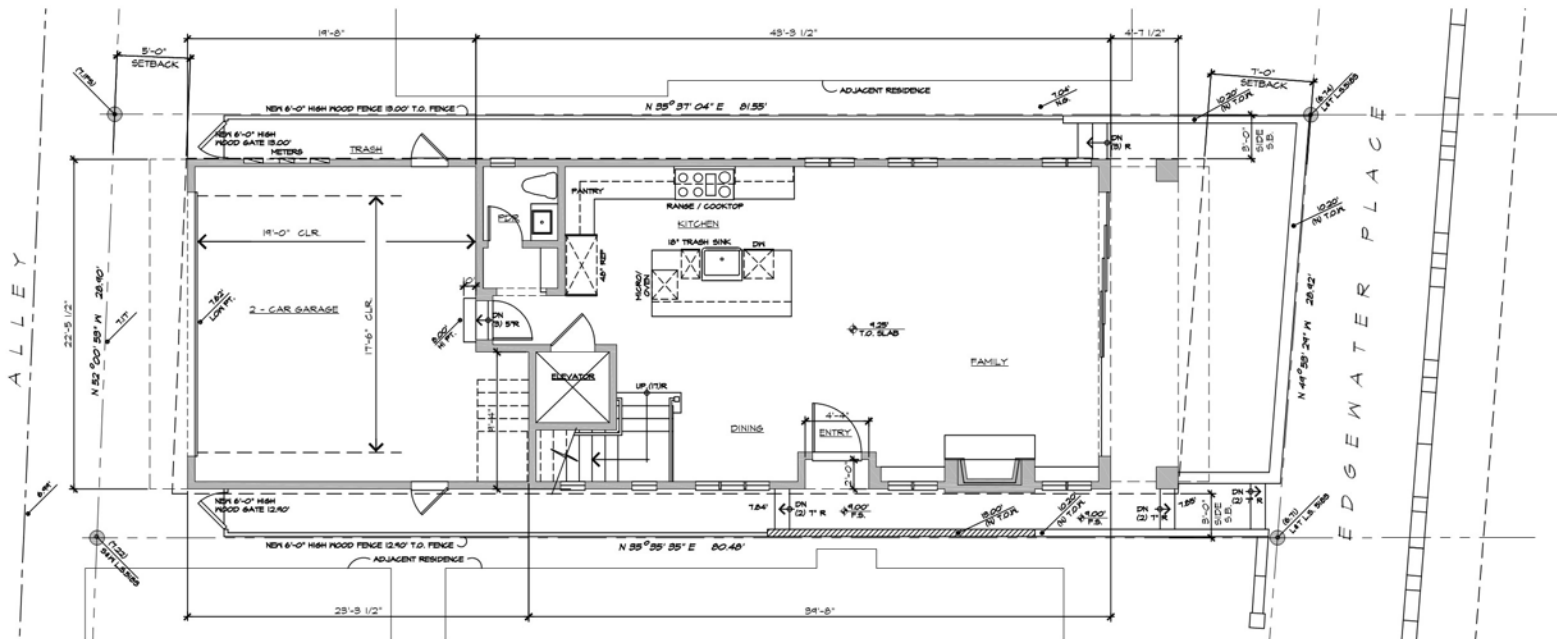
Subject: 413-413 1/2 Edgewater Place

As a property owner within the area surrounding the property above, I would like to go on record as being opposed to a three story residence replacing a two story residence in our neighborhood. A teardown and remodel to a two story level, within the guidelines of the Coastal Commission and the City of Newport Beach as they presently stand is acceptable to me.

Susan Langlie Upson
310 Fernando St #208
Balboa, CA 92661

Attachment No. ZA 3

Project Plans



AREA CALCULATION:

LOT AREA:	■ 3,205	SQ. FT.
BUILDABLE LOT AREA:	■ 1,571 x 2	
MAX. SQUARE FOOTAGE ALLOWABLE:	■ 3,154	SQ. FT.
MAX. THIRD FLOOR CONDITIONED AREA:	■ 1,571 x 20	
	■ 315	SQ. FT. ALLOWABLE
FIRST FLOOR LIVING:	■ 425	SQ. FT.
SECOND FLOOR LIVING:	■ 1,354	SQ. FT.
THIRD FLOOR LIVING:	■ 314	SQ. FT.
TOTAL LIVING AREA:	■ 2,093	SQ. FT.
GARAGE:	■ 475	SQ. FT.
TOTAL BUILDING AREA:	■ 3,066	SQ. FT.
OPEN SPACE REQUIRED --- 1,571 x 15%	■ 236.5	SQ. FT.
OPEN SPACE PROVIDED ---	■ 231	SQ. FT.

SITE / FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"



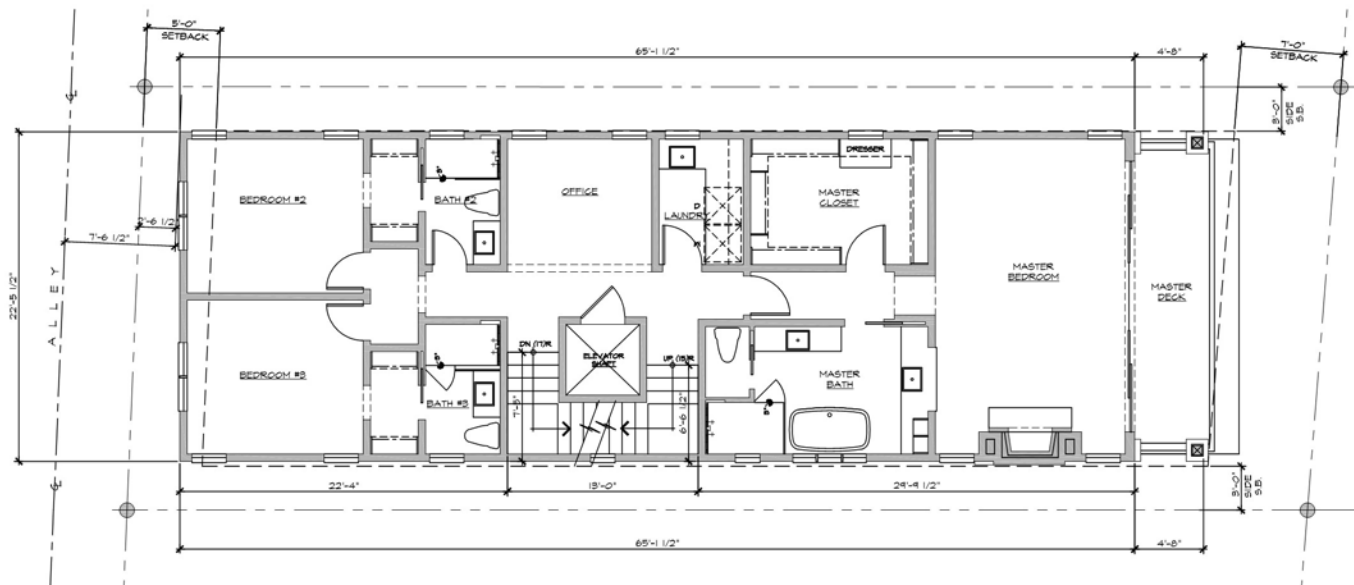
A New Home for:
Collins and Fluter

415 Edgewater Pl. Newport Beach, CA 92661
(949) 663-0595

SITE / FIRST FLOOR PLAN

DATE
9-8-2020

1



SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"

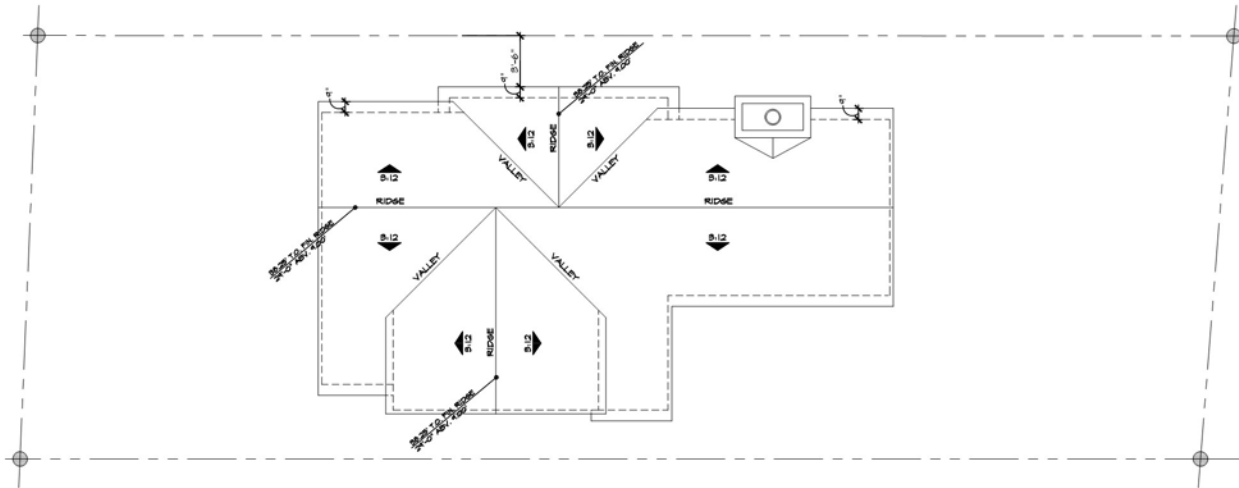


A New Home for:
 Collins and Fluter
 418 Edgewater Pl. Newport Beach, CA 92662
 (949) 663-0595

SECOND FLOOR PLAN
 DATE
 9-22-2020

DRAWN BY
 J.A.

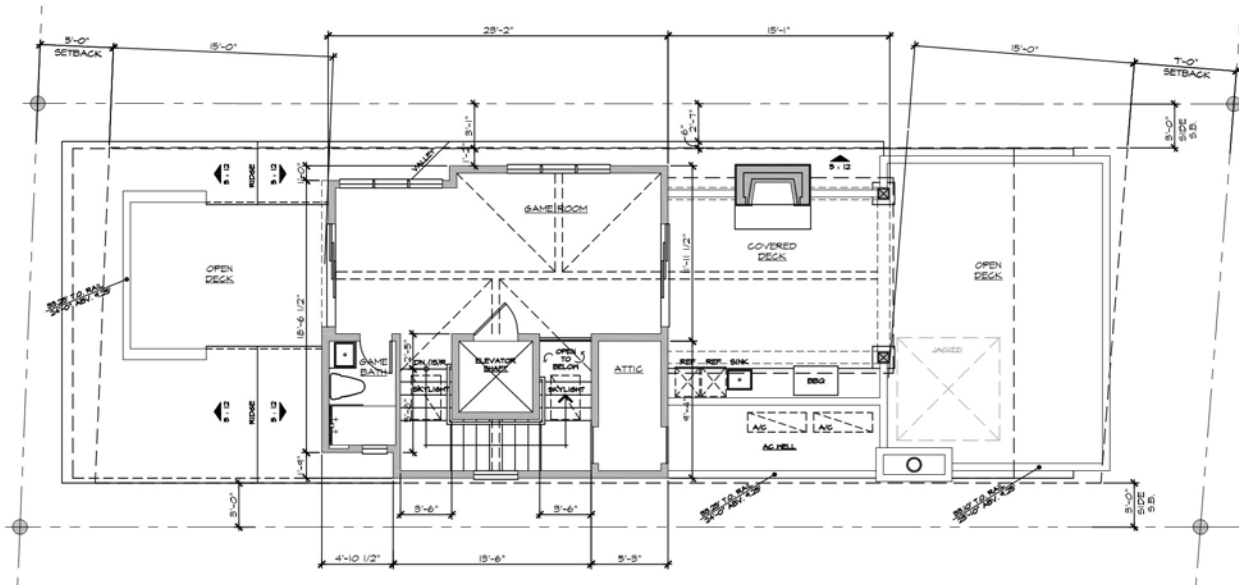




ROOF PLAN



SCALE: 1/4" = 1'-0"



THIRD FLOOR PLAN



SCALE: 1/4" = 1'-0"



A New Home for:
 Collins and Fluter
 415 Edgewater Pl. Newport Beach, CA 92662
 (949) 663-0595

THIRD FLOOR PLAN
 & ROOF PLAN

DATE
 9-8-2020

3


$$\frac{1}{4} = 0.25$$

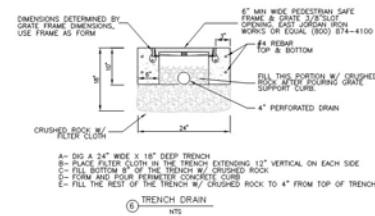
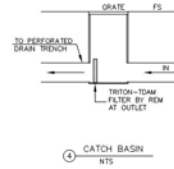
$$\frac{1}{4} = 0.25$$

CONSTRUCTION NOTES:

1. CONSTRUCT 6" MIN CONCRETE DRIVEWAY.
2. CONSTRUCT 6" MIN CONCRETE WALK.
3. INSTALL 4" FLAT GRATE DRAIN
4. INSTALL 8" CATCH BASIN WITH FILTER INSERT PER DETAIL SHEET C2.
5. INSTALL 4" PVC SDR 35 DRAIN LINE, S=0.01 MIN
6. INSTALL TRENCH DRAIN PER DETAIL SHEET C2.
7. INSTALL SLOT/CHANNEL DRAIN

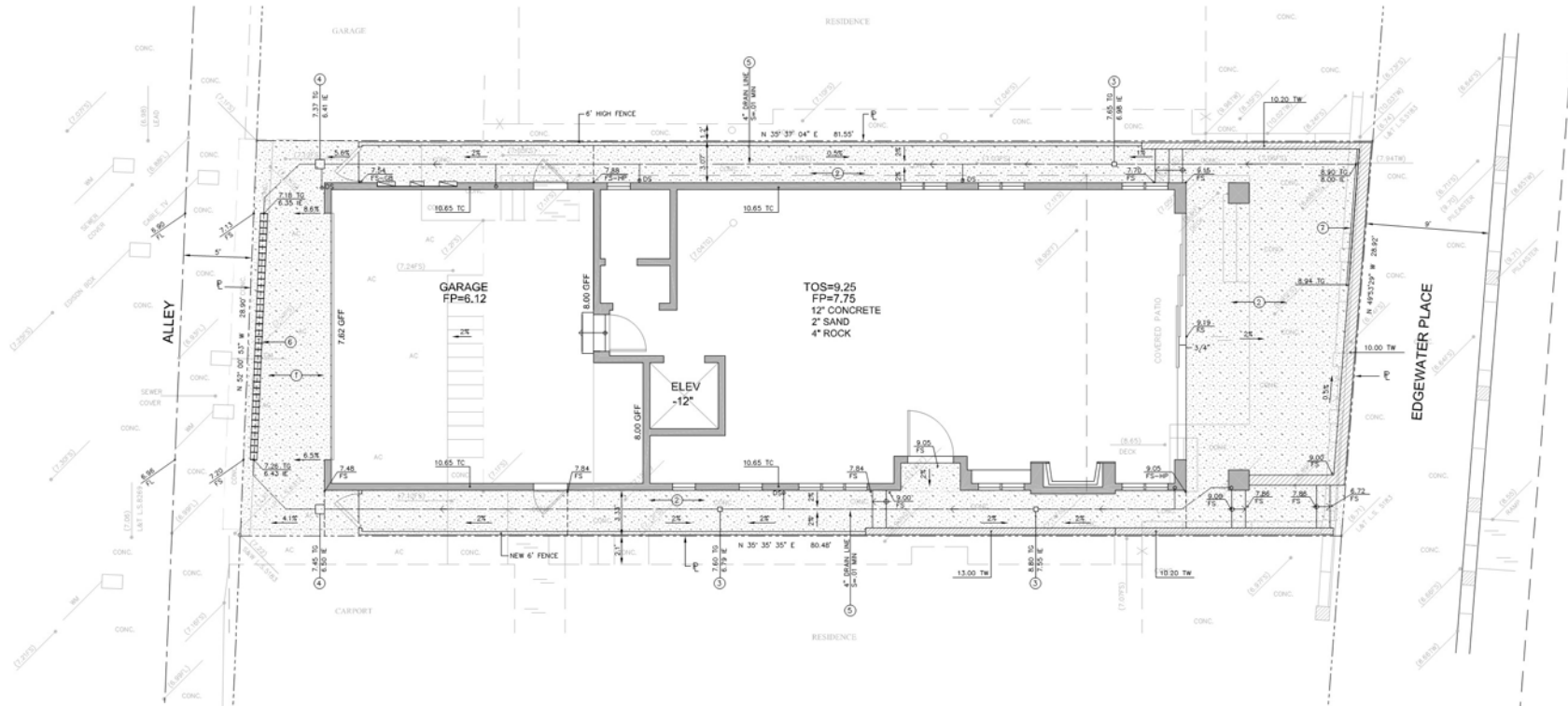
EARTHWORK

RAW CUT: 5. CY
RAW FILL: 56. CY



ABBREVIATIONS

C.O.	CLEAN OUT
CS	DOWNSPOUT
ED	EXTRA DEPTH FOOTING
ESMT	EASEMENT
FO	FOUND
FL	FLOWLINE
FF	FRESH FLOOR
FP	FRESH PAD
FS	FRESH SURFACE
FG	FRESH GRADE
GB	GRADE BREAK
GFP	GRADE FINISH PAD
HP	HIGH POINT
IP	IRON PIPE
IE	INVERT ELEVATION
PA	PLANTER AREA
PROP	PROPOSED
L&T	LEAD AND TACK
MON	MONUMENT
N	NEW
R/W	RIGHT OF WAY
SNW	SIDEWALK
T.B.M.	TEMPORARY BENCHMARK
TC	TOP OF CURB
TF	TOP OF FOOTING
TO	TOP OF GRADE
TOS	TOP OF SLAB
TS	TOP OF SEAL
TW	TOP OF WALL



SCALE: 1"=4'

NO.	DATE	REVISIONS	DESIGNED: DRAWN: PA CHK'D: DR DATE: 9/5/20	ARCHITECT: WILLIAM GUIDERO 425 30TH ST, STE 23 NEWPORT BEACH, CA 92663 (949) 875-2626	OWNER/DEVELOPER: COLLINS & FLUTER 413 EDGEWATER PLACE NEWPORT BEACH, CA 92661	PREPARED BY: THOMAS M. RUZ CIVIL ENGINEER ALSO KNOWN AS: CA 92656 714-560-7455	SOLS. ENGINEER/GEOLOGIST: BENCHMARK: OCS BENCHMARK NO: 1E-115-99 ELEVATION: 7.587 FEET (NAVD88)	LEGAL DESCRIPTION: LOT 8 BLOCK 2 BALBOA BAYSIDE TRACT I.A.M. 478	PRECISE GRADING PLAN 413 EDGEWATER PLACE NEWPORT BEACH, CALIFORNIA	SHEET: C2



THOMAS M. RUZ DATE

EROSION CONTROL

- IN CASE OF EMERGENCY, CALL JIM COLLINS
- A STANDBY CREW FOR EMERGENCY ROCK SHALL BE AVAILABLE AT ALL TIMES DURING THE RAINY SEASON (OCTOBER 1 TO APRIL 15). NECESSARY MATERIALS SHALL BE AVAILABLE ON-SITE AND STOCKPILED AT CONVENIENT LOCATIONS TO FACILITATE RAPID CONSTRUCTION OF EMERGENCY DEVICES WHEN RAIN IS IMMINENT.
- EROSION CONTROL DEVICES SHOWN ON THIS PLAN MAY BE REMOVED WHEN APPROVED BY THE BUILDING OFFICIAL IF THE GRADING OPERATION HAS PROCEEDED TO THE POINT WHERE THEY ARE NO LONGER REQUIRED.
- GRADED AREAS ADJACENT TO HILL SLOPES LOCATED AT THE SITE PERIMETER MUST DRAIN AWAY FROM THE TOP OF SLOPE AT THE CONCLUSION OF EACH WORKING DAY. ALL LOOSE SOILS AND DEBRIS THAT MAY CREATE POTENTIAL HAZARD TO OFF-SITE PROPERTY SHALL BE STABILIZED OR REMOVED FROM THE SITE ON A DAILY BASIS.
- ALL SILT AND DEBRIS SHALL BE REMOVED FROM ALL DEVICES WITHIN 24 HOURS AFTER EACH RAINSTORM AND BE DISPOSED OF PROPERLY.
- A GUARD SHALL BE POSTED ON THE SITE WHENEVER THE DEPTH OF WATER IN ANY DEVICE EXCEEDS 2 FEET. THE DEVICE SHALL BE GRAINED OR PUMPED DRY WITHIN 24 HOURS AFTER EACH RAINSTORM. PUMPING AND DRAINING OF ALL BASINS AND DRAINAGE DEVICES MUST COMPLY WITH THE APPROPRIATE BMP FOR DEWATERING OPERATIONS.
- THE PLACEMENT OF ADDITIONAL DEVICES TO REDUCE EROSION DAMAGE AND CONTAIN POLLUTANTS WITHIN THE SITE IS LEFT TO THE DISCRETION OF THE FIELD ENGINEER. ADDITIONAL DEVICES, AS NEEDED, SHALL BE INSTALLED TO RETAIN SEDIMENTS AND OTHER POLLUTANTS ON SITE.
- DESILTING BASINS MAY NOT BE REMOVED OR MADE INOPERABLE BETWEEN NOVEMBER 1 AND APRIL 15 OF THE FOLLOWING YEAR WITHOUT THE APPROVAL OF THE BUILDING OFFICIAL.
- STORM WATER POLLUTION AND EROSION CONTROL DEVICES ARE TO BE MODIFIED, AS NEEDED, AS THE PROJECT PROGRESSES. THE DESIGN AND PLACEMENT OF THESE DEVICES IS THE RESPONSIBILITY OF THE FIELD ENGINEER. PLANS REPRESENTING CHANGES MUST BE SUBMITTED FOR APPROVAL IF REQUESTED BY THE BUILDING OFFICIAL.
- EVERY EFFORT SHALL BE MADE TO ELIMINATE THE DISCHARGE OF NON-STORM WATER FROM THE PROJECT SITE AT ALL TIMES.
- ERODED SEDIMENTS AND OTHER POLLUTANTS MUST BE RETAINED ON-SITE AND MAY NOT BE TRANSPORTED FROM THE SITE VIA SHEET FLOW, SWALES, AREA DRAINS, NATURAL DRAINAGE COURSES, OR WIND.
- STOCKPILES OF EARTH AND OTHER CONSTRUCTION RELATED MATERIALS MUST BE PROTECTED FROM BEING TRANSPORTED FROM THE SITE BY THE FORCES OF WIND OR WATER.
- FUELS, OILS, SOLVENTS, AND OTHER TOXIC MATERIALS MUST BE STORED IN ACCORDANCE WITH THEIR LISTING AND ARE NOT CONTAMINATE THE SOILS AND SURFACE MATERIALS. ALL APPROVED STORAGE CONTAINERS ARE TO BE PROTECTED FROM THE WEATHER. SPILLS MUST BE CLEANED UP IMMEDIATELY AND DISPOSED OF IN A PROPER MANNER. SPILLS MAY NOT BE WASHED INTO THE DRAINAGE SYSTEM.
- EXCESS WASTE CONCRETE MAY NOT BE WASHED INTO THE PUBLIC WAY OR ANY OTHER DRAINAGE SYSTEM. PROVISIONS SHALL BE MADE TO RETAIN CONCRETE WASTES ON-SITE UNTIL THEY CAN BE DISPOSED OF AS A SOLID WASTE.
- DEVELOPER/CONTRACTORS ARE RESPONSIBLE TO INSPECT ALL EROSION CONTROL DEVICES AND BMPs ARE INSTALLED AND FUNCTIONING PROPERLY IF THERE IS A HIGH CHANCE OF QUARTER RAIN OR MORE OF PREDICTED PRECIPITATION, AND AFTER ACTUAL PRECIPITATION. A CONSTRUCTION SITE INSPECTION CHECKLIST AND INSPECTION LOG SHALL BE MAINTAINED AT THE PROJECT SITE AT ALL TIMES AND AVAILABLE FOR REVIEW BY THE BUILDING OFFICIAL. COPIES OF THE SELF-INSPECTION CHECKLIST AND INSPECTION LOGS ARE AVAILABLE UPON REQUEST.
- TRASH AND CONSTRUCTION RELATED SOLID WASTES MUST BE DEPOSITED INTO A COVERED RECEPTACLE TO PREVENT CONTAMINATION OF RAINWATER AND DISPERSAL BY WIND.
- SEDIMENTS AND OTHER MATERIALS MAY NOT BE TRACKED FROM THE SITE BY VEHICLE TRAFFIC. THE CONSTRUCTION ENTRANCE ROADWAYS MUST BE STABILIZED SO AS TO INHIBIT SEDIMENTS FROM BEING EXPORTED INTO THE PUBLIC WAY. ACCIDENTAL DEPOSITIONS MUST BE SWEEP UP IMMEDIATELY AND MAY NOT BE WASHED DOWN BY RAIN OR OTHER MEANS.
- ANY SLOPES WITH DISTURBED SOIL OR DENuded OF VEGETATION MUST BE STABILIZED SO AS TO INHIBIT EROSION BY WIND AND WATER.
- HOME OWNER TO ROUTINELY CLEAN ALL CATCH BASINS AND DRAIN LINES OF DEBRIS.
- ADDITIONAL BMPs WILL BE IMPLEMENTED AS DEEMED NECESSARY BY CITY INSPECTORS.

BMP FACTS SHEET

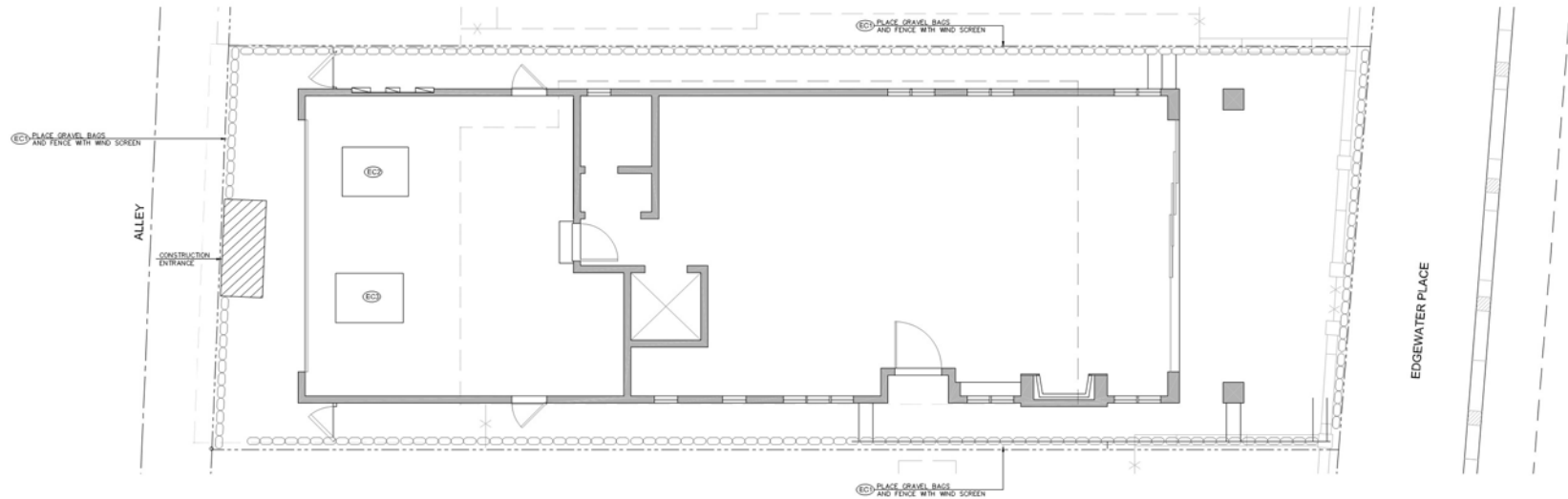
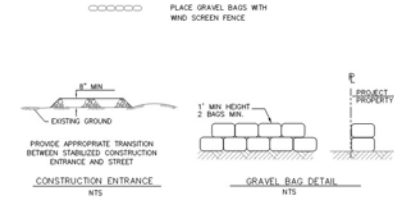
- WM-1 MATERIAL DELIVERY AND STORAGE**
PROVIDE A MATERIAL STORAGE AREA WITH SECONDARY CONTAINMENT AND/OR WEATHER PROTECTION. NOTE THE MAINTENANCE PRACTICES AND SCHEDULE PROPOSED FOR THIS AREA.
- WM-2 MATERIALS USE**
HAZARDOUS MATERIALS, FERTILIZERS, PESTICIDES, PLASTERS, SOLVENTS, PAINTS, AND OTHER COMPOUNDS MUST BE PROPERLY HANDLED IN ORDER TO REDUCE THE RISK OF POLLUTION OR CONTAMINATION. TRAINING AND INFORMATION ON PROCEDURES FOR THE PROPER USE OF ALL MATERIALS MUST BE AVAILABLE TO THE EMPLOYEES THAT APPLY SUCH MATERIALS.
- WM-3 SPILL PREVENTION AND CONTROL**
IDENTIFY SPILL PREVENTION AND CONTROL MEASURES THAT WILL BE TAKEN FOR ALL PROPOSED MATERIALS. IDENTIFY THE METHODS BY WHICH ACCIDENTAL SPILLS WILL BE CLEANED AND PROPERLY DISPOSED OF.
- WM-5 SOLID WASTE MANAGEMENT**
PROVIDE DESIGNATED WASTE COLLECTION AREAS AND CONTAINERS. ARRANGE FOR REGULAR DISPOSAL. PROVIDE COVERED STORAGE WITH SECONDARY CONTAINMENT. CONTAINERS ARE REQUIRED TO PROTECT WASTE FROM RAIN TO PREVENT WATER POLLUTION AND PREVENT WIND DISPERSAL.
- WM-6 HAZARDOUS WASTE MANAGEMENT**
HAZARDOUS MATERIALS MUST BE DISPOSED OF IN ACCORDANCE WITH STATE AND FEDERAL REGULATIONS. IDENTIFY THE PROPOSED METHODS OF DISPOSAL AND ANY SPECIAL HANDLING CONTRACTS THAT MAY BE APPLICABLE.
- WM-7 CONTAMINATED SOIL MANAGEMENT**
PREVENT OR REDUCE THE DISCHARGE OF POLLUTANTS TO STORM WATER FROM CONTAMINATED SOIL AND HIGHLY ACIDIC OR ALKALINE SOILS BY CONDUCTING PRE-CONSTRUCTION SURVEYS, INSPECTING EXCAVATIONS REGULARLY, AND REMEDIATING CONTAMINATED SOIL PROMPTLY.
- WM-8 CONCRETE WASTE MANAGEMENT**
STORE DRY AND WET MATERIALS UNDER COVER. AVOID ON-SITE WASHOUT EXCEPT IN DESIGNATED AREAS AWAY FROM DRAINS, DITCHES, STREETS, AND STREAMS. CONCRETE WASTE DEPOSITED ON-SITE SHALL SET UP, BE BROKEN APART, AND DISPOSED OF PROPERLY. CONTAINMENT AND PROPER DISPOSAL IS REQUIRED FOR ALL CONCRETE WASTE.
- WM-9 SANITARY/SEPTIC WASTE MANAGEMENT**
UNTREATED RAIN WASTEWATER IS NOT TO BE DISCHARGED OR BURIED. SANITARY SEWER FACILITIES ON-SITE ARE REQUIRED TO BE IN COMPLIANCE WITH LOCAL HEALTH AGENCY REQUIREMENTS. SANITARY OR SEPTIC WASTES MUST BE TREATED OR DISPOSED OF IN ACCORDANCE WITH STATE AND LOCAL REQUIREMENTS.
- TC-1 STABILIZED CONSTRUCTION ENTRANCE**
A STABILIZED ENTRANCE IS REQUIRED FOR ALL CONSTRUCTION SITES TO ENSURE THAT DIRT AND DEBRIS ARE NOT TRACKED ONTO THE ROAD OR ADJACENT PROPERTY. MAINTENANCE OF SUCH A SYSTEM IS REQUIRED FOR THE DURATION OF THE PROJECT. SUCH STABILIZATION MAY BE OF ROCK OR PAVED.
- SE-1 SILT FENCE**
SE-2 SEDIMENT TRAP
SE-3 GRAVEL BAGS
ERODED SEDIMENTS MUST BE RETAINED ON-SITE AND NOT PERMITTED TO ENTER THE DRAINAGE SYSTEM. REQUIREMENT MAY BE WAIVED AT THE SOLE DISCRETION OF THE CITY INSPECTOR IF OTHER EROSION CONTROL BMPs ARE DEEMED SUFFICIENT.

BMP FACTS SHEET

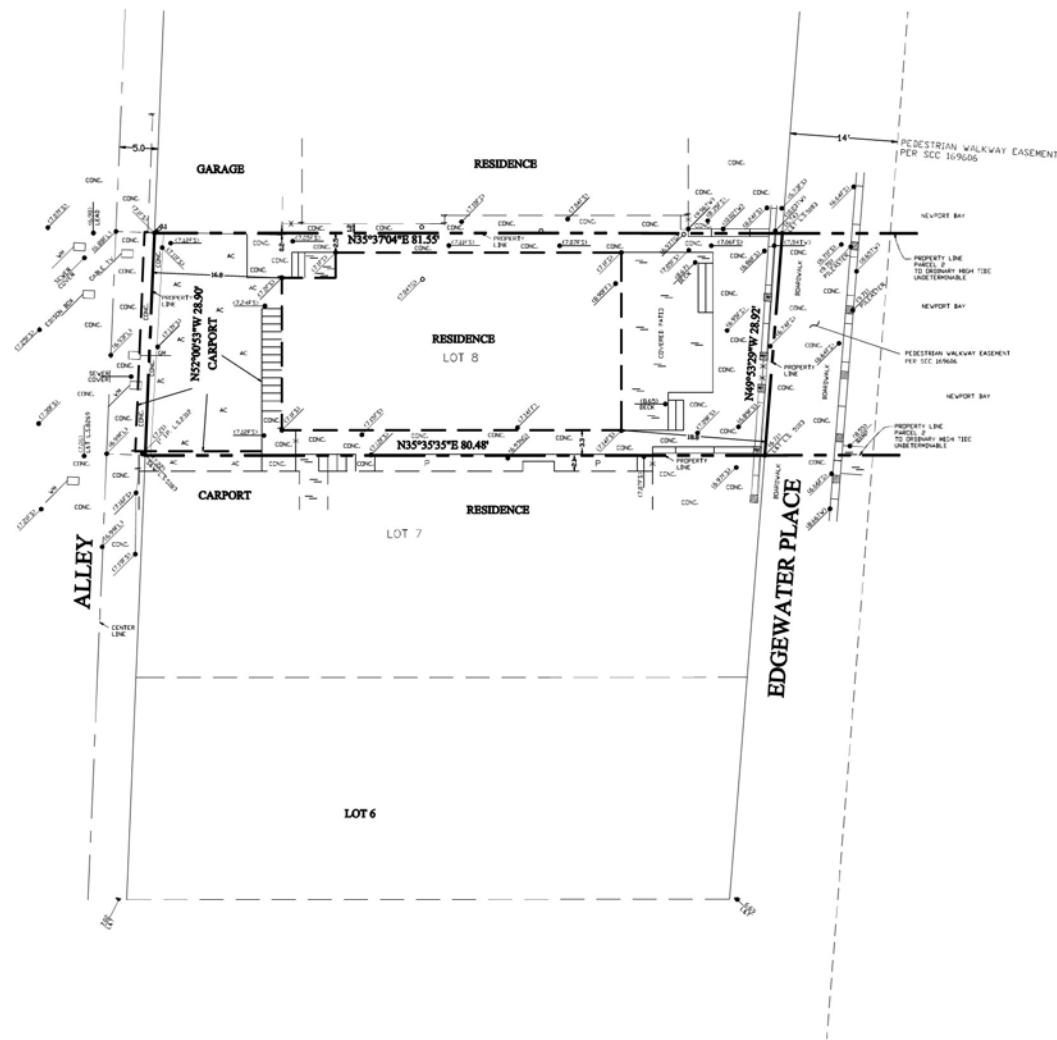
ALL BMPs SHALL BE IN ACCORDANCE WITH MODEL BMPs FROM THE CALIFORNIA STORM WATER BMP HANDBOOK FOR CONSTRUCTION AT WWW.CSBMPHANDBOOKS.COM

- EC-1** CONSTRUCT GRAVEL BAG EROSION CONTROL ALONG PROPERTY LINES EXCEPT DRIVEWAY APPROACHES. THE SAND BAGS SHOULD BE 24" WIDE AND 18" HIGH. MINIMUM PER DETAIL HEREON AND IN ACCORDANCE WITH BMP FACTS SHEET #18-6A.
- EC-2** CONSTRUCT SANITARY WASTE MANAGEMENT AREAS IN ACCORDANCE WITH BMP FACTS SHEET #11-1A.
- EC-3** CONSTRUCT MATERIALS STORAGE AREAS IN ACCORDANCE WITH BMP FACTS SHEET #11-1A.
- EC-4** EXISTING WALL TO REMAIN. PROTECT IN PLACE.

EROSION CONTROL LEGEND



NO.	DATE	REVISIONS	DESIGNED:	ARCHITECT:	OWNER/DEVELOPER:	PREPARED BY:		SOLS. ENGINEER/GEOLGIST:	BENCHMARK: OCS BENCHMARK NO: 1E-116-99 ELEVATION: 7.587 FEET (NAVD83)	LEGAL DESCRIPTION: LOT 8 BLOCK 2 BALBOA BAYSIDE TRACT I.A.M. 478	EROSION CONTROL PLAN CONSTRUCTION POLLUTION PREVENTION PLAN 413 EDGEWATER PLACE NEWPORT BEACH, CALIFORNIA	SHEET: C4
			DRAWN: PA	WILLIAM GUIDERO 425 30TH ST, STE 23 NEWPORT BEACH, CA 92663 (949) 675-2626	COLLINS & FLUTER 413 EDGEWATER PLACE NEWPORT BEACH, CA 92661	THOMAS M. RUIZ CIVIL ENGINEER 11 THORNBURG ALISO VIEJO, CA 92656 714-500-7455						
			CHECKED: SR									
			DATE: 7/29/20			THOMAS M. RUIZ						



NOTE: RECORD EASEMENTS ARE NOT PLOTTED IF ANY.
 SURVEYOR OR ENGINEER SHALL PERMANENTLY
 MONUMENT PROPERTY CORNERS OR OFFSETS
 BEFORE STARTING GRADING.



LEGEND	
DESCRIPTION	
(123.45)	MEAS. ELEVATIONS
()	REC. BRG. & DIST.
#	DECK
—	BRICK
—	WALL
—	BUILDING
—	PROPERTY LINE
—	FENCE
⊙	BENCH MARK
N.G.	NATURAL GRADE
P.P.	POVER POLE
WM	WATER METER
F.F.	FINISH FLOOR
G.F.	GARAGE FLOOR
CONC.	CONCRETE
F.S.	FINISH SURFACE
M.H.	MAN-HOLE
P	PLANTER
A.C.	ASPHALT
T.G.	TOP-GRADE

FEMA FLOOD ZONE INFORMATION:
 NUMBER - 060227
 PANEL - 0382
 SUFFIX - K
 DATUM - NAVD88
 ELEVATION - 8 FEET
 ZONE - AD

RdM SURVEYING INC.

RdM MIEDEMA L.S. 4653
 23016 LAKE FOREST DR. #409
 LAGUNA HILLS, CA 92653
 (949) 858-2924 OFFICE
 (949) 858-3458 FAX
 RdMSURVEYING@COX.NET

TOPOGRAPHIC SURVEY

JOB: (73-76)

DATE: 8/16/20

OWNER:
 WALSH

LEGAL DESCRIPTION:

LOT 8
 BLOCK 2
 BALBOA BAYSIDE TRACT
 M.M. 4/78

BENCH MARK:

BENCH MARK #: 1E-116-99
 DATUM: NAVD88
 ELEVATION: 7.587

ADDRESS OF PROJECT:

413 EDGEWATER PLACE
 NEWPORT BEACH