



CITY OF NEWPORT BEACH ZONING ADMINISTRATOR STAFF REPORT

March 12, 2020
Agenda Item No. 7

SUBJECT: Theders Residence (PA2020-005)
• Coastal Development Permit No. CD2020-002

SITE LOCATION: 619 36th Street

APPLICANT: C.J. Light Associates

OWNER: Jeff Theders

PLANNER: Liane Schuller, Planning Consultant
949-644-3200, lschuller@newportbeachca.gov

LAND USE AND ZONING

- **General Plan:** RT (Two-Unit Residential)
- **Zoning District:** R-2 (Two-Unit Residential)
- **Coastal Land Use Category:** RT-D (Two-Unit Residential) (20.0-29.9 DU/AC)
- **Coastal Zoning District:** R-2 (Two-Unit Residential)

PROJECT SUMMARY

A coastal development permit (CDP) to demolish an existing single-family residence and construct a new three-story, 2,762-square-foot, single-family residence with a 442-square-foot, two-car garage. The project includes accessory structures such as walls, fences, patios, drainage devices, and landscaping. The project also includes a reinforced bulkhead and cap to address coastal hazards protection. The proposed residence complies with all applicable development standards including height, setbacks, and floor area limits. No deviations are requested.

The subject property is bisected by the coastal permit jurisdiction boundary resulting in a portion of the front patio accessory improvements and the bulkhead improvements being within the California Coastal Commission's permit jurisdiction and requiring their review. This Coastal Development Permit is intended to cover portions of the project within the City's permit authority as designated in the Local Coastal Program (Title 21 of the Newport Beach Municipal Code).

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, because it has no potential to have a significant effect on the environment; and

- 3) Adopt Draft Zoning Administrator Resolution No. _ approving Coastal Development Permit No. CD2020-002 (Attachment No. ZA 1).

DISCUSSION

Land Use and Development Standards

- The subject property is located in the R-2 Coastal Zoning District, which provides for a maximum of two dwelling units on a single, legal lot 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 single-family residence. The neighborhood is developed with a mix of one- and two-story, single-family residences. Three story homes are allowed subject to certain development standards. The proposed design, bulk, and scale of the development is consistent with the existing neighborhood pattern of development and expected future development consistent with applicable development standards.
- The proposed single-family dwelling 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 (street)	5 feet	5 feet
Front (water)	25 feet	25 feet
Sides	3 feet	3 feet
Allowable Floor Area (max.)	3,360 square feet	3,204 square feet
Allowable 3rd Floor Area (max.)	336 square feet	332 square feet
Open Space (min.)	252 square feet	361 square feet
Parking (min.)	2-car garage	2-car garage
Height (max.)	24-foot flat roof 29-foot sloped roof	24-foot flat roof 29-foot sloped roof

Hazards

- The property fronts on channel waters just west of Newport Boulevard. A Coastal Hazards Analysis Report was prepared for the project by PMA Consulting, Inc., dated

December 30, 2019. The current maximum bay water elevation is 7.7 feet North American Vertical Datum of 1988 (NAVD 88). According to the report, the estimated sea level rise at the site is approximately 6 feet over the next 75 years utilizing direct interpolation of the data for “high emissions 2090 and 2100” and “medium-high risk aversion,” accounting for the water level rising to 13.70 feet NAVD 88. The Newport Beach City Council has approved the use of the high estimate of the “low risk aversion” scenario, which is 3.2 feet by the year 2100, or 2.9 feet by 2094. Therefore, the sea level is estimated to likely reach 10.6 feet NAVD 88 over the next 75 years (i.e. the life of the structure). If future sea level rise is greater than the “low risk aversion” scenario by 2094 (10.6 feet NAVD 88), then the bulkhead can be raised without further encroachment towards the waterfront. Future raising of the bulkhead height would require a separate coastal development permit.

- The project site is protected by an existing bulkhead that will be repaired and raised to a height of 10.60 feet NAVD 88. The bulkhead will be designed and engineered to allow it to be raised in the future to protect the property if needed.
- The finished floor elevation of the first floor of the proposed living area is 9.0 feet NAVD 88, which complies with the minimum 9.0-foot NAVD 88 elevation standard for new structures. The development will be required to be waterproofed to 10.6 feet NAVD 88 to accommodate future anticipated potential sea level rise.
- 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 the issuance of building permits for construction.
- The property is located in an area known for the potential for 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 a waterway. Pursuant to Section 21.35.030 (Construction Pollution Prevention Plan) of the Municipal Code, 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 Municipal Code Section 21.35.050 (Water Quality and Hydrology Plan), because the project includes less than 75 percent of impervious surface area, a Water Quality and Hydrology Plan (WQHP) is not required at this time.
- The project design addresses water quality with a construction erosion control plan and a post-construction drainage system that includes drainage and percolation features designed to retain dry weather runoff and minor rain event runoff on-site. Any water not retained on-site is directed to the City's storm drain system.

Public Access and Views

- 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 single-family residence located on an 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.
- The project site is located on a water channel west of Newport Boulevard, which is a mapped coastal view road. The nearest coastal viewpoint is located at the Lido Channel Turning Basin on the other side of Newport Boulevard and is not visible from the site. 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.
- The project is designed and sited so as not block or impede existing public access opportunities. Coastal access is currently provided and will continue to be provided by street ends throughout the neighborhood with access to the water.

ENVIRONMENTAL REVIEW

This project is 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, Chapter 3, because it has no potential to have a significant effect on the environment.

Class 3 exempts the construction of up to three single-family residences in an urbanized area. The proposed project consists of the demolition of one single-family residence and the construction of a new 2,762-square-foot, single-family residence with an attached 442-square-foot, two-car garage.

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. 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 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. For additional information on filing an appeal, contact the Planning Division at 949-644-3200.

Prepared by:


Liane Schuller
Planning Consultant

GR/ls

Attachments:	ZA 1	Draft Resolution
	ZA 2	Vicinity Map
	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. CD2020-002 TO DEMOLISH AN EXISTING SINGLE-FAMILY RESIDENCE AND CONSTRUCT A NEW THREE-STORY, SINGLE-FAMILY RESIDENCE AND ATTACHED GARAGE LOCATED AT 619 36th STREET (PA2020-005)

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

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by C.J. Light Associates, with respect to property located at 619 36th Street, requesting approval of a coastal development permit.
2. The property at 619 36th Street is legally described as Lot 10 in Block 636 of Tract 164.
3. The applicant requests a coastal development permit to demolish an existing single-family residence and construct a new three-story, 2,762-square-foot, single-family residence with a 442-square-foot, two-car garage. The project includes accessory structures such as walls, fences, patios, drainage devices, and landscaping. The project also includes a reinforced bulkhead and cap to address coastal hazards protection. The proposed residence complies with all applicable development standards including height, setbacks, and floor area limits. No deviations are requested.
4. The subject property is bisected by the coastal permit jurisdiction boundary resulting in a portion of the property within the California Coastal Commission's permit jurisdiction. This Coastal Development Permit is intended to cover portions of the project within the City's permit authority as designated in the certified Local Coastal Program (LCP) (Title 21 of the Newport Beach Municipal Code).
5. 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.
6. The subject property is located within the coastal zone. The Coastal Land Use Plan category is RT-D (Two Unit Residential) (20.0-29.9 DU/AC) and it is located within the R-2 (Two-Unit Residential) Coastal Zone District.
7. A public hearing was held on March 12, 2020, in the Corona del Mar Conference Room (Bay E-1st Floor) at 100 Civic Center Drive, Newport Beach. A notice of time, place and purpose of the hearing was given in accordance with the Newport Beach Municipal Code. 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 one single-family residence and the construction of a new 2,762-square-foot, single-family residence and attached 442-square-foot 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 Newport Beach Municipal Code (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 3,360 square feet and the proposed floor area is 3,204 square feet.
 - b. The proposed development provides the minimum required setbacks, which are 5 feet along the front property line abutting 36th Street, 3 feet along each side property line and 25 feet along the front property line on the waterfront.
 - c. The highest guardrail is less than 24 feet from established grade (11.42 feet North American Vertical Datum of 1988 [NAVD 88]) 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. The neighborhood is developed with a mix of one- and two-story, single-family residences. A third level may be allowed subject to certain development standards. The proposed design, bulk, and scale of the development is consistent with the existing neighborhood pattern of development.
3. The property fronts on channel waters just west of Newport Boulevard. The project site is protected by an existing seawall with the top of the bulkhead at elevation 6.74 feet North American Vertical Datum of 1988 (NAVD 88). The existing bulkhead does not have noticeable signs of distress, however due to its age and existing height, it is required to be repaired and raised. The project proposes to reinforce the existing wall and add a cap that will bring the height to 10.6 feet (NAVD 88). No development is proposed bayward of the existing seawall.
4. A Coastal Hazards Analysis Report was prepared for the project by PMA Consulting, Inc., dated December 30, 2019. The current maximum bay water elevation is 7.7 feet (NAVD 88). According to the report, the estimated sea level rise at the site is approximately 6 feet over the next 75 years utilizing direct interpolation of the data for “high emissions 2090 and 2100” and “medium-high risk aversion”, accounting for the water level rising to 13.70 feet NAVD 88. The Newport Beach City Council has approved the use of the high estimate of the “low risk aversion” scenario, which is 3.2 feet by the year 2100, or 2.9 feet by 2094. Therefore, the sea level is estimated to likely reach 10.6 feet NAVD 88 over the next 75 years (i.e. the life of the structure). If future sea level rise is greater than the “low risk aversion” scenario by 2094 (10.6 feet NAVD 88), then the bulkhead can be raised without further encroachment towards the waterfront. Future raising of the bulkhead height would require a separate coastal development permit.
5. The finished floor elevation of the first floor of the proposed living area is 9.0 feet NAVD 88, which complies with the minimum 9.0-foot NAVD 88 elevation standard for new structures. The development will be required to be waterproofed to 10.6 feet NAVD 88 to accommodate future anticipated potential sea level rise.
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 project design includes a post-construction drainage system that includes drainage and percolation features designed to retain dry weather and minor rain event runoff on-site. Any water not retained on-site is directed to the City's storm drain system.
9. The property is located adjacent to a waterway. Pursuant to NBMC [Section 21.35.030 \(Construction Pollution Prevention Plan\)](#), 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 prepared and included in the plan sets for review and approval prior to the issuance of construction permits. Construction plans and activities will be required to adhere to the approved CPPP.
10. Pursuant to NBMC [Section 21.35.050 \(Water Quality and Hydrology Plan\)](#), because the project includes less than 75 percent of impervious surface area, a Water Quality and Hydrology Plan (WQHP) is not required at this time.
11. Proposed landscaping will be required to 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.
12. 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 located at the Lido Channel Turning Basin on the other side of Newport Boulevard and is not visible from the site. 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.

Finding:

- B. Conforms to 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.*

Facts 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 single-family

residence located on an 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. The project is designed and sited so as not block or impede existing public access opportunities. Coastal access is currently provided and will continue to be provided by street ends throughout the neighborhood with access to the water.

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.
2. The Zoning Administrator of the City of Newport Beach hereby approves Coastal Development Permit No. CD2020-002, subject to the conditions set forth in Exhibit "A," which is attached hereto and incorporated by reference.
3. The subject property is bisected by the coastal permit jurisdiction boundary resulting in a portion of the front patio accessory improvements and the bulkhead improvements within Coastal Commission's permit jurisdiction. This coastal development permit is intended to cover portions of the project within the City's permit authority under the Local Coastal Program.
4. 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 12TH DAY OF MARCH, 2020.

Jaime Murillo, Zoning Administrator

EXHIBIT "A"**CONDITIONS OF APPROVAL**

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 the development is waterproofed up to 10.6 feet North American Vertical Datum of 1988 (NAVD 88). Flood shields (sand bags and other barriers) can be deployed across the openings to protect prevent flooding to the structure.*
3. *Prior to finalization of building permits, for the new residence, the existing bulkhead or similar flood protection improvement shall be raised or replaced to provide a minimum elevation of 10.6 feet (NAVD 88). All improvements shall occur landward of the existing bulkhead.*
4. 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 to address the threat of damage or destruction from waves, erosion, storm conditions, landslides, seismic activity, bluff retreat, sea level rise, or other natural hazards that may affect the property, or development of the property, today or in the future. The agreement shall be binding against the property owners and successors and assigns.
5. Prior to the issuance of a building permit, the property owner shall submit a notarized 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.
6. 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.
7. This approval does not authorize any new or existing improvements (including landscaping) on State tidelands, public beaches, or the public right-of-way.
8. This Coastal Development Permit does not authorize any development seaward of the private property.

9. 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.
10. 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.
11. 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.
12. 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. Stock piles 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.
13. 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.
14. Revisions to the approved plans may require an amendment to this Coastal Development Permit or the processing of a new coastal development permit.
15. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.

16. 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.
17. 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.
18. 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.
19. 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.
20. Prior to the issuance of building permits, a copy of the Resolution, including conditions of approval Exhibit "A" shall be incorporated into the Building Division and field sets of plans.
21. Prior to issuance of building permits, 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.
22. Prior to the 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.
23. 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.
24. 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.
25. 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.

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26. 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.
 27. This Coastal Development Permit No. CD2020-002 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 Newport Beach Municipal Code, unless an extension is otherwise granted.
 28. Prior to the issuance of building permits, the applicant shall obtain a coastal development permit or other authorization of improvement for areas within the California Coastal Commission's permit jurisdiction, as determined by the California Coastal Commission.
 29. 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 **Theders Residence** including, but not limited to, Coastal Development Permit No. CD2020-002 (PA2020-005). 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.

Attachment No. ZA 2

Vicinity Map

VICINITY MAP



Coastal Development Permit No. CD2020-002
(PA2020-005)

619 36th Street

Attachment No. ZA 3

Project Plans

Custom Residence

619 36th Street
Newport Beach • California • 92663

Sheet index

ARCHITECTURAL

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A2	Second & Third Level Plan
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A4	Left & Right Elevations
A5	Sections
OV1	Overlays

CIVIL

C1	Title Sheet
C2	Grading Plan
C3	Erosion Control Plan
1	Topo



Christian R. Light • Architect

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(949) 851-8345
Fax (949) 851-1116

The Drawings, Specifications and other documents prepared by Architect for this Project are for use on the Project only and may not be used (1) on any other projects, (2) for additions to this Project, or (3) for the completion of this Project by others, unless otherwise expressly agreed by Architect in writing. The Drawings, Specifications and other documents prepared by Architect for this Project are the exclusive property of the Architect and may not be used, duplicated, copied, transferred, assigned, sold, or hypothecated without the express written permission of Architect. Architect retains all common law, statutory, and other legal rights, including copyright, in and to the Drawings, Specifications and other documents prepared by Architect. © 2009 C. J. Light Associates

Symbols

Revision	
Section Line	
Section Designation	
Sheet Number	
Detail Key	
Detail Designation	
Sheet Number	
Datum	

Codes

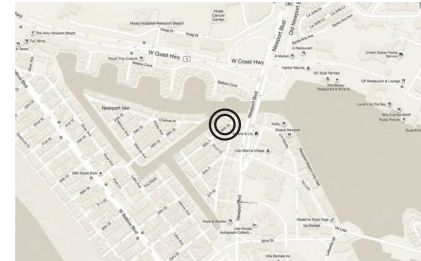
This Project Shall Comply With The Following codes:

2016 CRC
2016 CEC
2016 CGRSC
2016 CBC
2016 CMC
2016 T24
2016 CPC
2016 BEES

Owner

JT & LT NB LLC
11216 Reservoir
Santa Ana, CA 92705

Vicinity Map



Abbreviations

AFF	Above Finish Floor	DIM	Dimension	MECH	Mechanical
AB	Anchor Bolt	DR	Drawing	MAX	Maximum
AC	Air Conditioning	D.F.	Drinking Fountain	MET	Metal
ACOU	Acoustical	E.A.	Each	MIN	Minimum
AD	Area Drain	E.E.C.	Electrical	(N)	New
ADI	Adjustable	ELEV	Elevation	NIC	Not In Contract
ADIT	Adjacent	EQUIP	Equipment	NAT	Not To Scale
AL	Aluminum	EX	Existing	NAT	Natural
AUT	Alternate	EX	Expansion Joint	OC	On Center
APPRX	Approximate	EXT	Exterior	OPG	Opening
ARCH	Architect	EQ	Equal	OD	Outside Dim
ASB	Asbestos	FOF	Face Of Finish	OH	Overhead
ASFO	As Selected By Owner	FOC	Face Of Concrete	PLAS	Plaster
BD	Board	FS	Face Of Stud	PFG	Plate
BULD	Building	FIN	Finish	PG	Paint Grade
BL	Block	FIN	Finish	PR	Pair
BLK	Blocking	FIN. SRF.	Finish Surface	RAD	Radius
BM	Beam	FT	Foot	REQ	Required
BOI	Bottom	FTG	Footing	RD	Roof Drain
BED	Bedroom	F.D.C.	Fire Department Connection	RM	Room
BRK	Bracket	GI	Galvanized	REV	Revised
CAB	Cabinet	G.I.	Galvanized Iron	RWD	Redwood
CB	Catch Basin	GA	Gauge	RO	Rough
CH	Chase	GL	Glass	R.O.	Rough Opening
CER	Ceramic	GYP	Gypsum	REG	Register
C.L.	Center Line	GC	General Contractor	SCH	Schedule
CLG	Calling	HWDR	Hardware	SECT	Section
CL	Center Line	HT	Height	SIM	Similar
CLOS	Close	HC	Hollow Core	STD	Standard
CLR	Clear	HM	Hollow Metal	STR	Structural
CEM	Concrete Masonry Unit	HORIZ	Horizontal	SUSP	Suspended
CTR	Counter	HB	Hose Bibb	TEL	Telephone
COL	Column	HVAC	Heating Venting Air Conditioning	TEMP	Temporary
CONC	Concrete	IN	Inch	T&G	Tongue And Groove
COND	Condition	INSUL	Insulation	TC	Top Of Concrete
CONN	Connection	INT	Interior	TS	Top Of Slab
CONSTR	Construction	INV	Invert	TYP	Typical
CONT	Continuous	JO	Joint	TW	Top Of Wall
CONTR	Contractor	JT	Joint	VTR	Vent Thru Roof
COR	Corridor	KIT	Kitchen	VT	Vertical
CT	Center	LAV	Lavatory	VTL	Vinyl Tile
CTSK	Countersink	LT	Linear Foot	WIC	Water Closet
CL	Center Line	LINOL	Linoeum	WH	Water Heater
C.T.	Ceramic Tile	LG	Long	WT	Weight
CLR	Clear	LAM	Laminated	WD	Wood
DET	Detail	LT	Light	WWM	Welded Wire Mesh
DIA	Diameter	MB	Machine Bolt	WI	Wrought Iron
				WS	Weather Strip

Consultants

ARCHITECT:

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Fax 851-1116
Architect: Christian R. Light, AIA
Contact: Victor Rogel

CIVIL ENGINEER:

Civilscapes Engineering, Inc.
28052 Camino Capistrano,
Ste. 213
Laguna Niguel, CA 92677
(949) 464-8115
Contact: Will Ralph

Project Data

Project Description

Demolition of an existing single-family residence and attached garage and construction of a new single-family residence with attached two-car garage.

Legal Description

Lot 10, Block 636
A.P.N. 423-082-11

General Information

Zoning	R-2	Roof Covered Deck	360 s.f.
Type of Construction	Type V / Nonrated	Roof Deck	600 s.f.
Occupancy Group	R-3 / U-1	Second Level Deck	114 s.f.
Fire Sprinkler	Yes		

Site General

Approximate Site Area:	3,000 s.f.
Buildable Area:	1,680 s.f.
Max. Buildable:	2.0 x 1,680 s.f.
Open Space Required:	1,680 s.f. x 15
Open Space Provided:	361 s.f.

Proposed Residence:

First Level	1,037 s.f.
Second Level	1,393 s.f.
Third Level	332 s.f.
Total Habitable	2,762 s.f.
Garage	442 s.f.
Total Project	3,204 s.f.

Custom Residence
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Cover Sheet

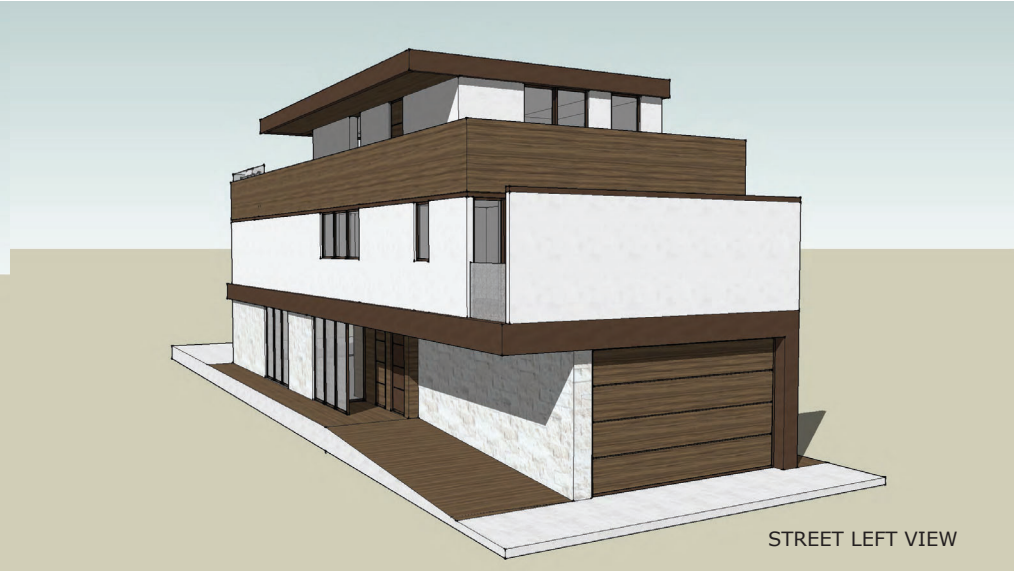
Job Number: 1922

Date: 12/23/19
AIC Submitted

C1



STREET RIGHT VIEW



STREET LEFT VIEW



BAY RIGHT VIEW



BAY LEFT VIEW



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CUSTOM RESIDENCE

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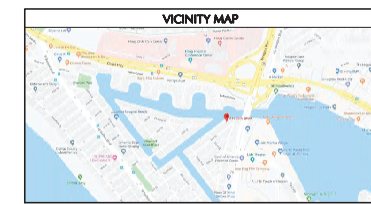
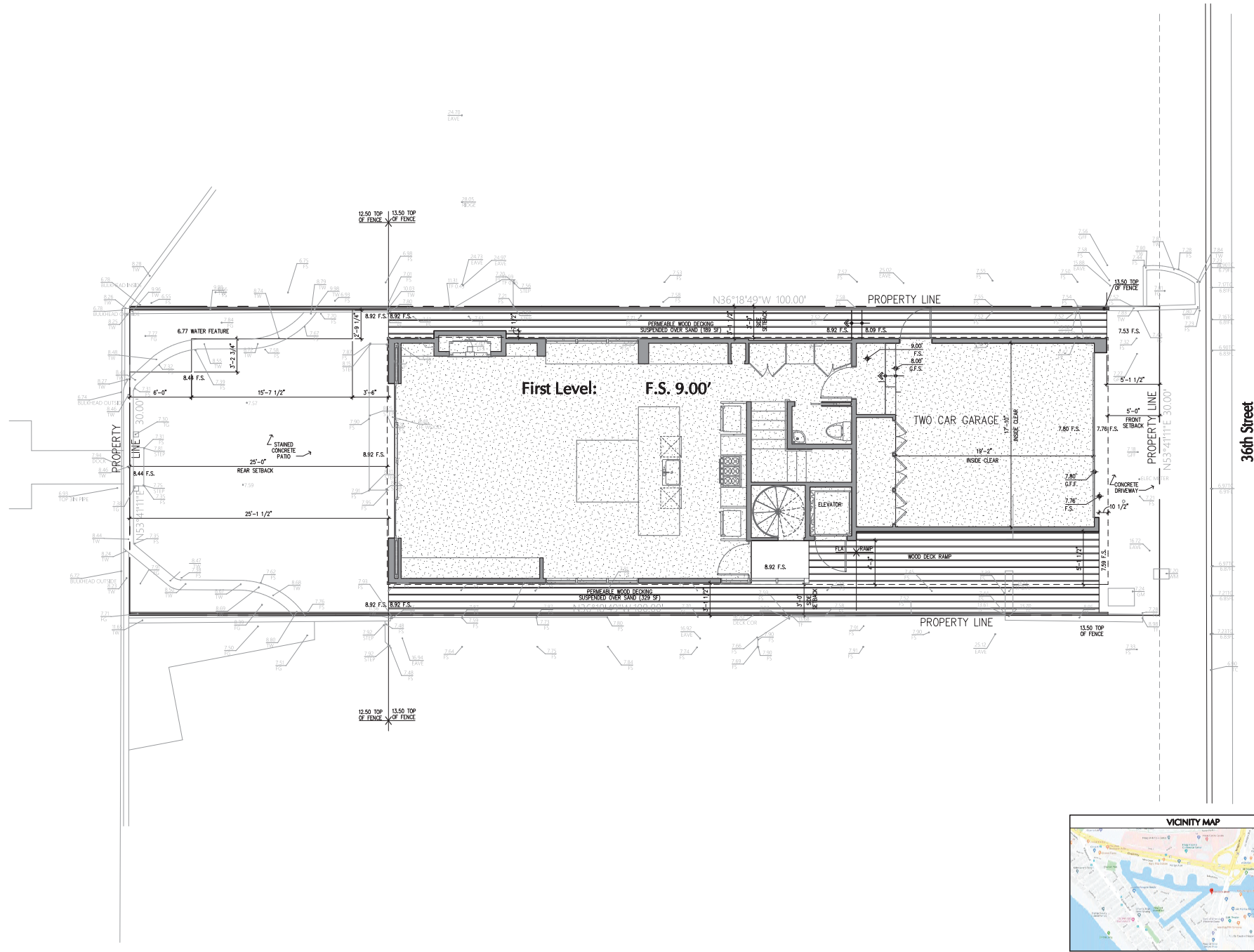
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Site Plan

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Date:





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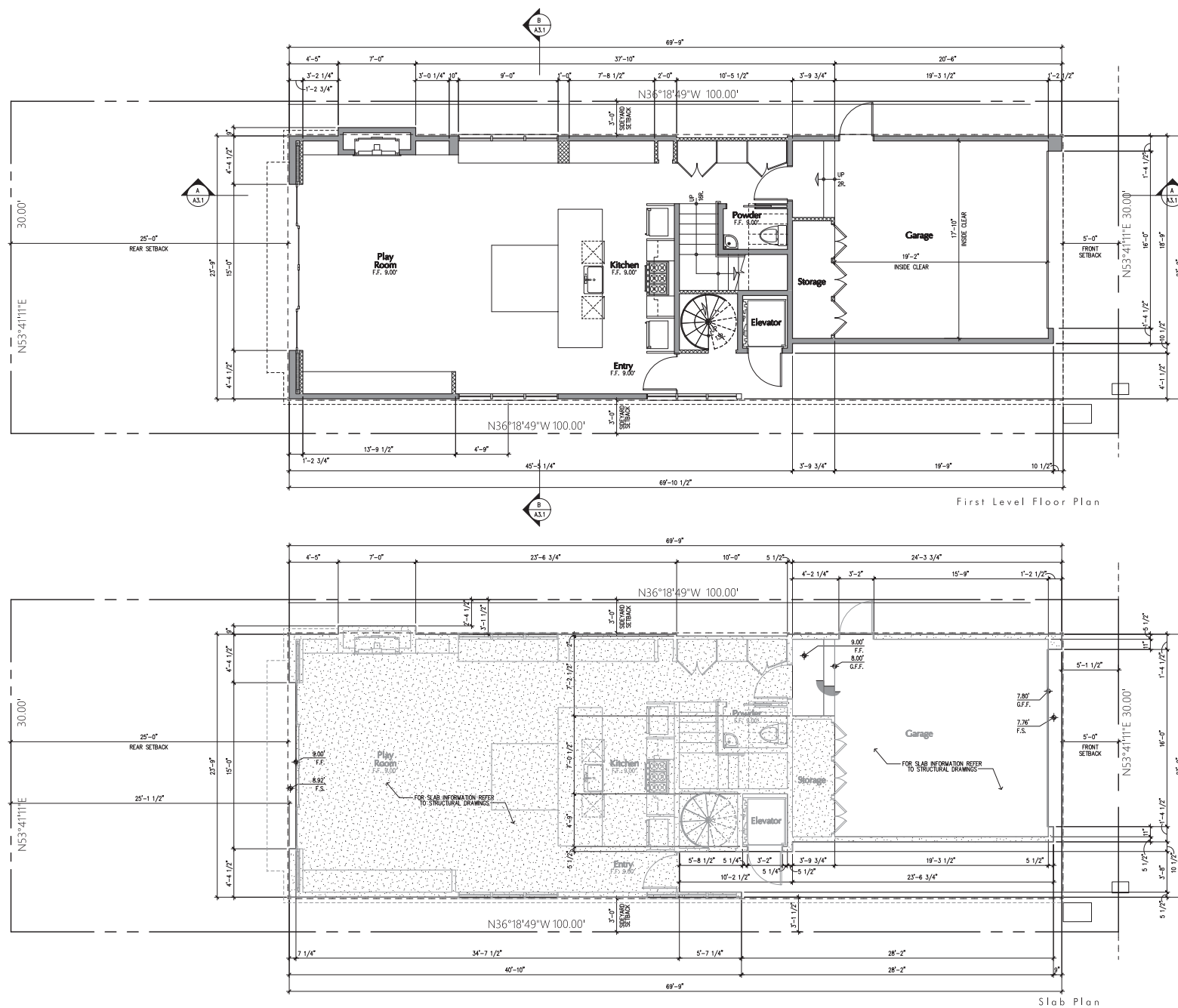
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Slab Plan &
First Level
Floor Plan

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Scale: 1/4" = 1'-0"
Date:

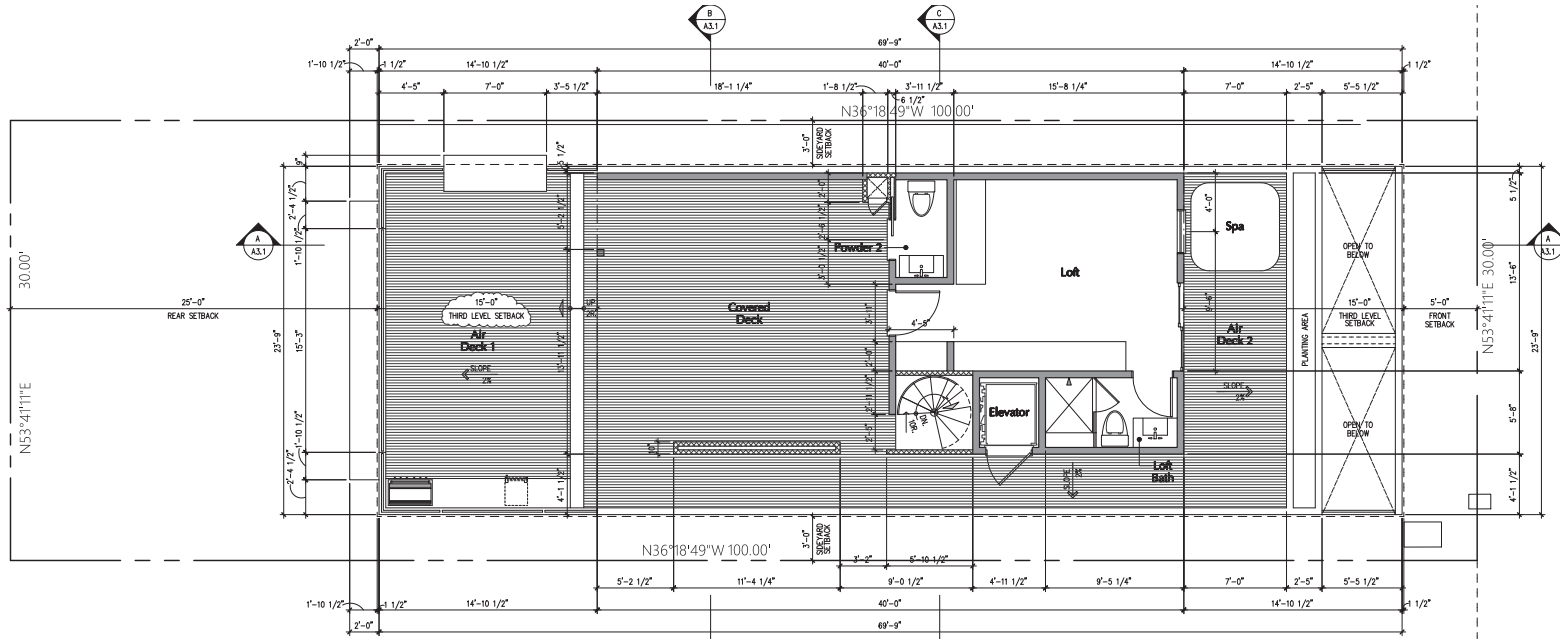
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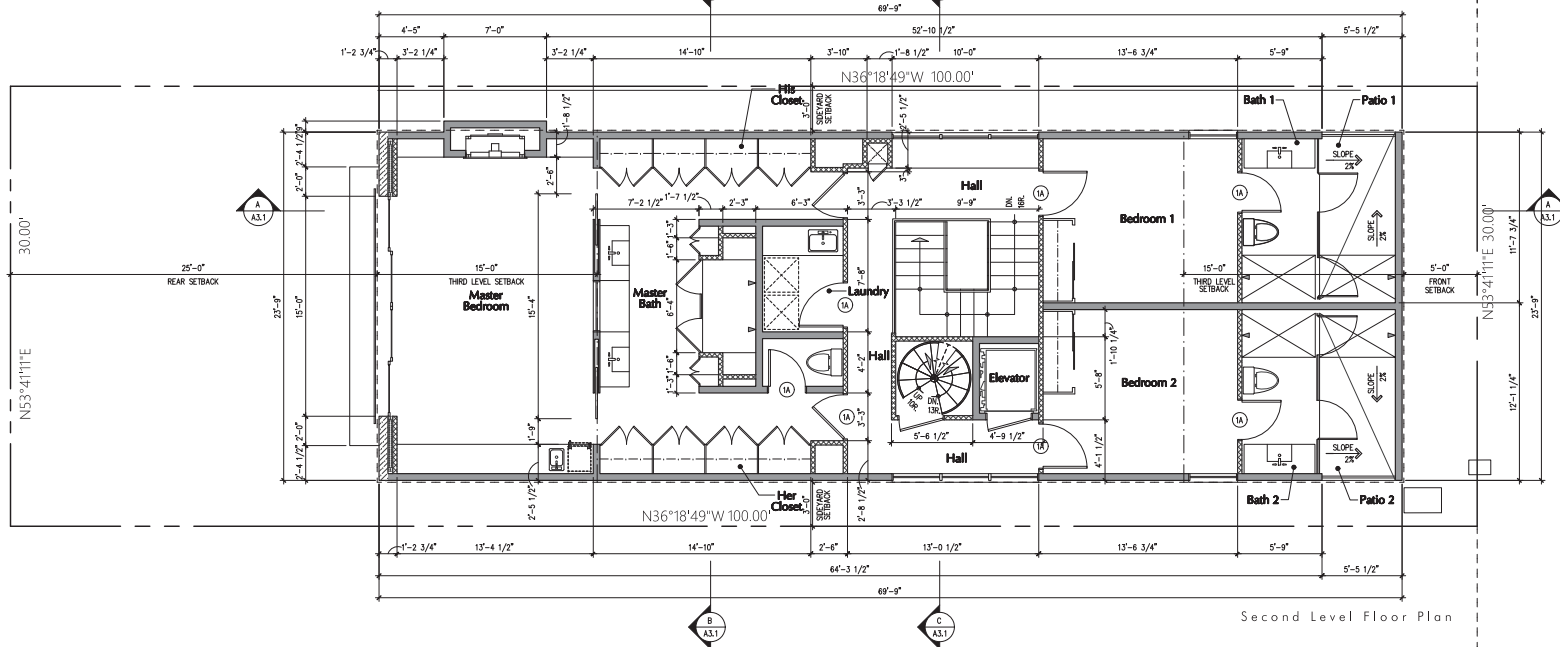
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Second & Third Level Floor Plans

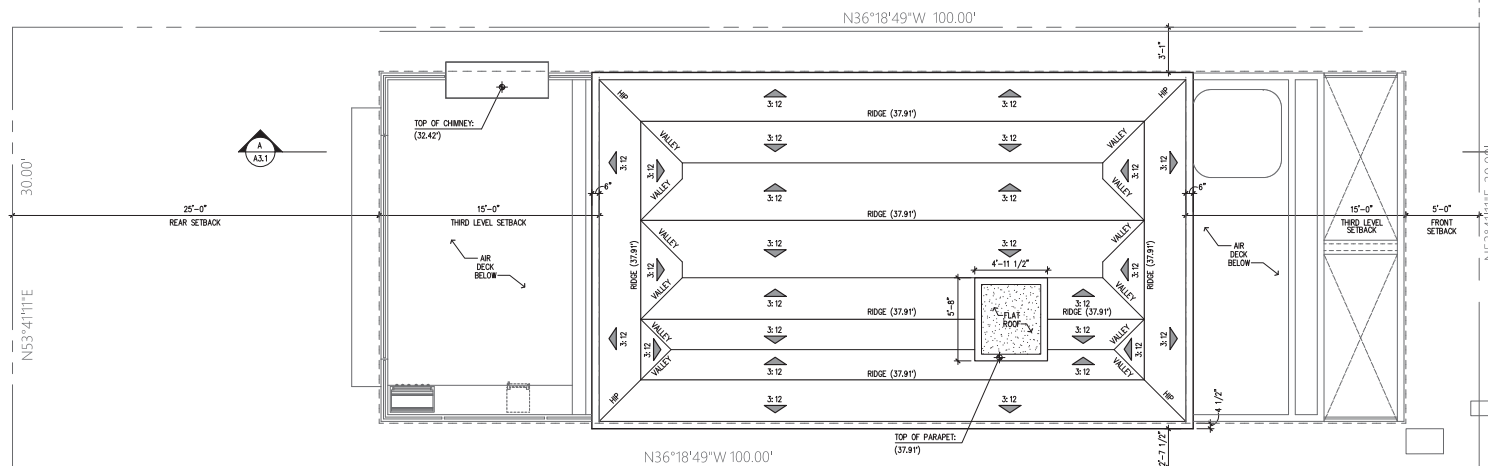
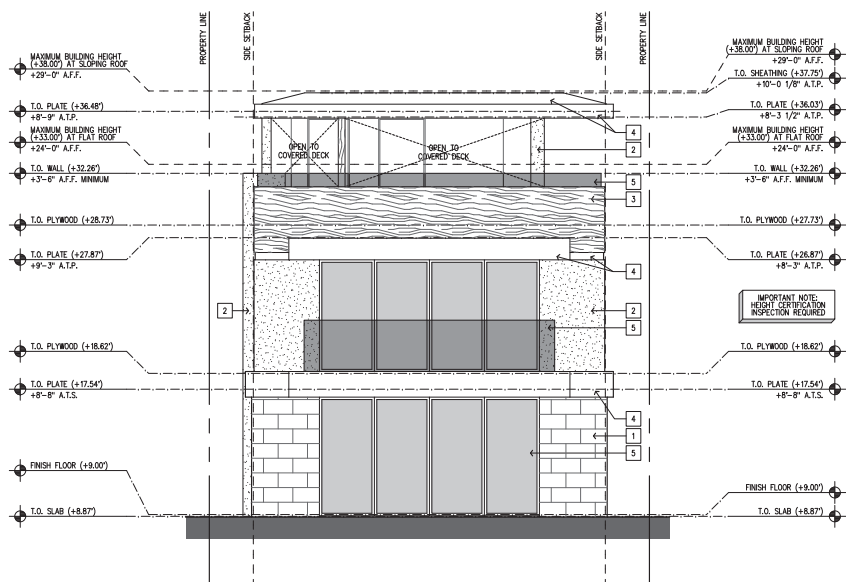
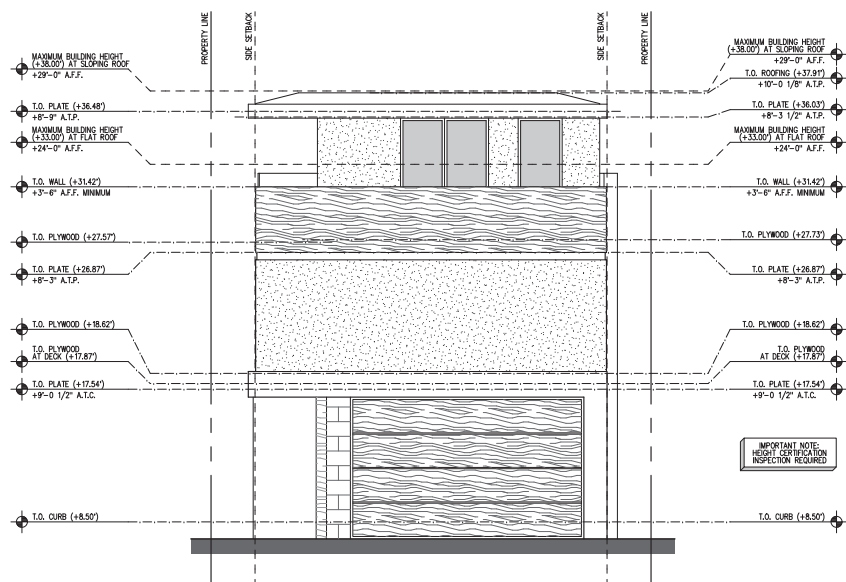
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Date:



Third Level Floor Plan



Second Level Floor Plan



Elevation Keynotes

1	STONE
2	STUCCO
3	WOOD
4	METAL
5	GLASS



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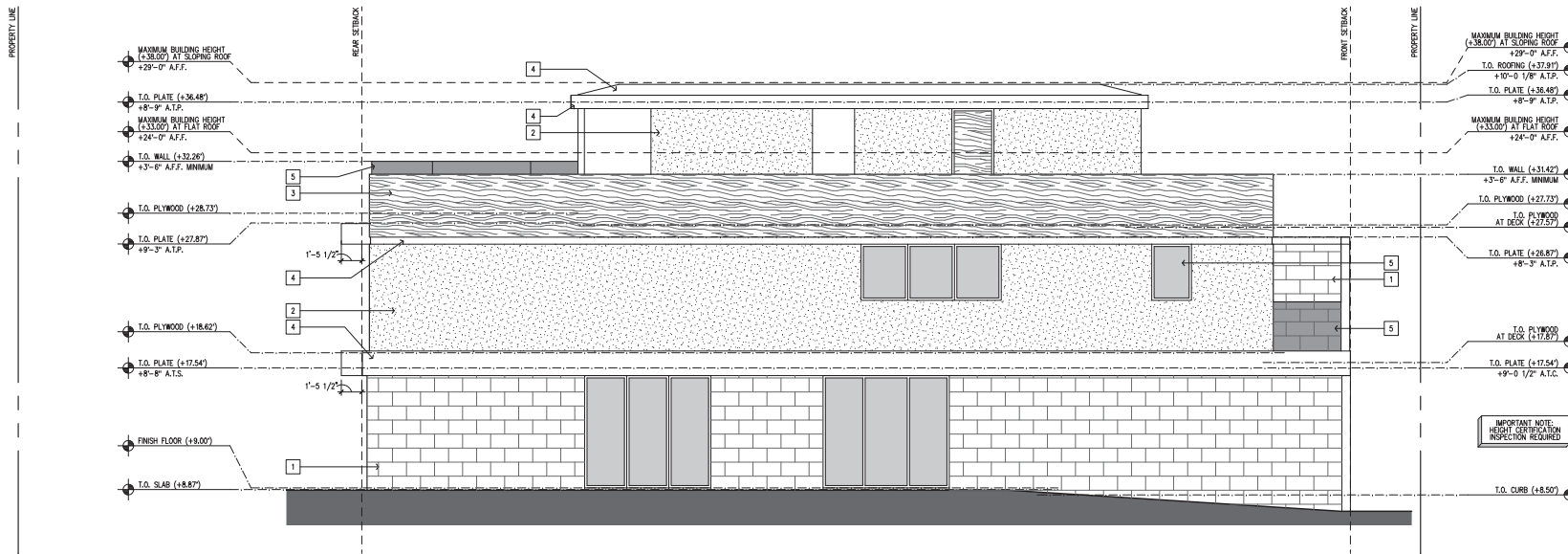
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Roof Plan and
Front & Right
Elevations

Job Number: XXXX
Scale: 1/4" = 1'-0"
Date:

A3



Elevation Keynotes

- 1 STONE
- 2 STUCCO
- 3 WOOD
- 4 METAL
- 5 GLASS



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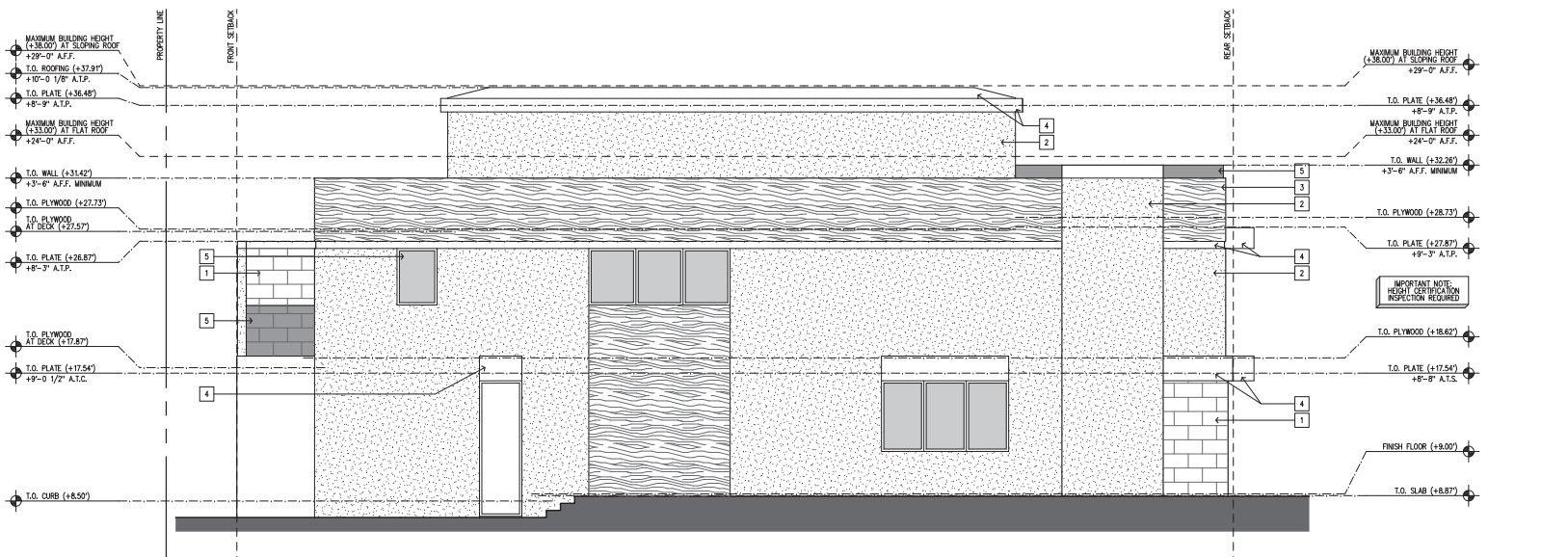
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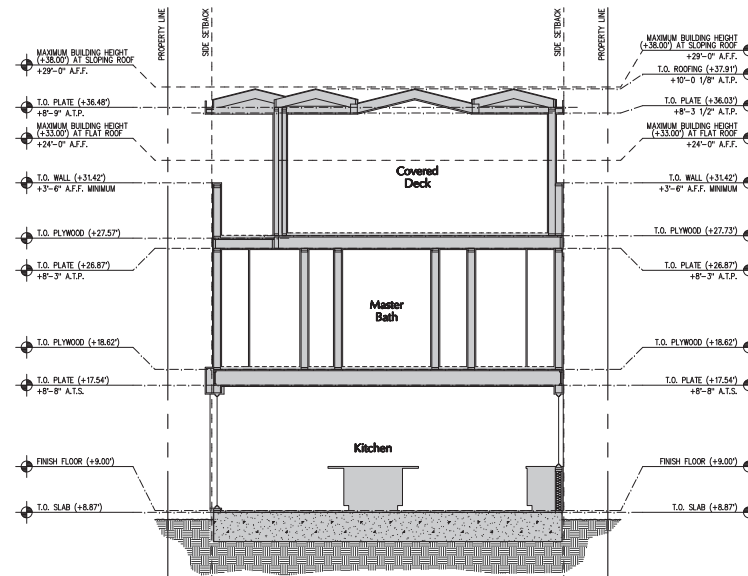
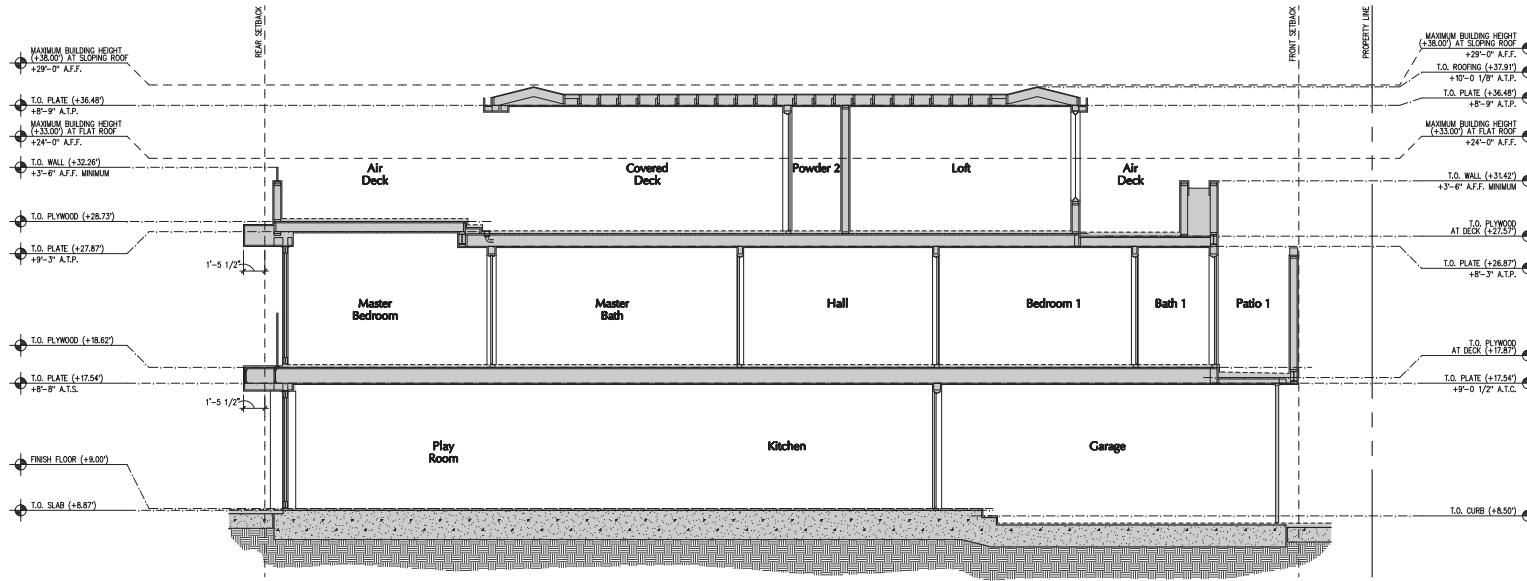
Left & Right
Elevations

Job Number: 1000
Scale: 1/4" = 1'-0"
Date:



A4

PROPERTY LINE



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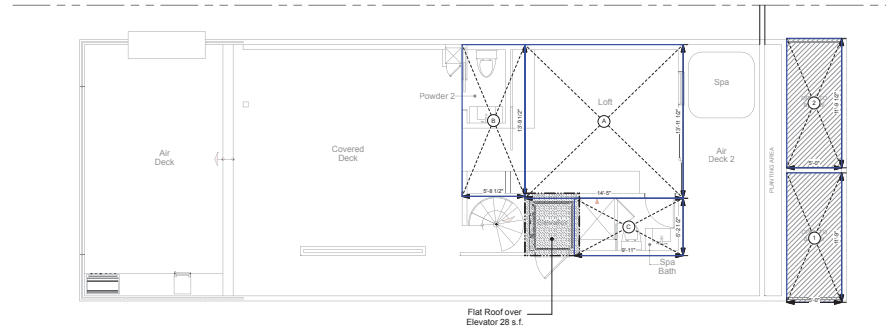
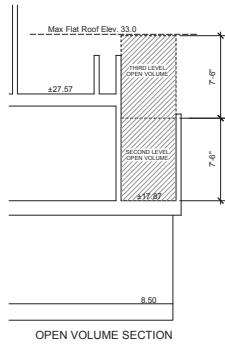
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Sections

Job Number: 1000
Scale: 1/4" = 1'-0"
Date:

A5



HABITABLE	
Box	S.F.
A	201
B	79
C	52
Total S.F. 332	

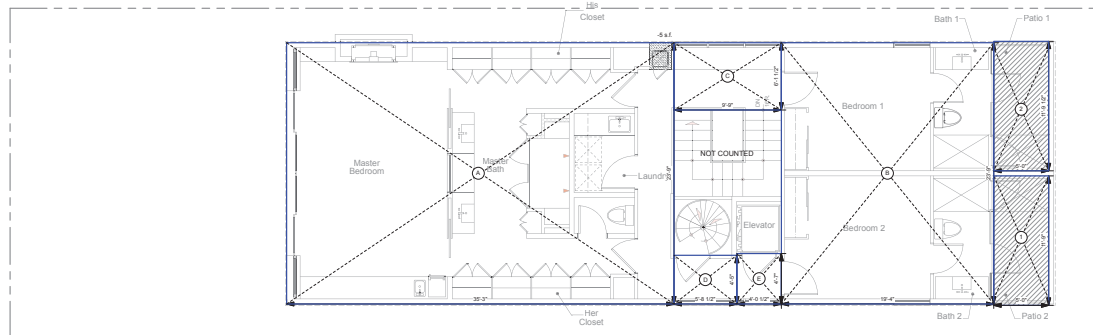
OPEN VOLUME	
Box	S.F.
1	59
2	59
Total S.F. 118	

C. J. LIGHT ASSOCIATES

Christian R. Light • Architect

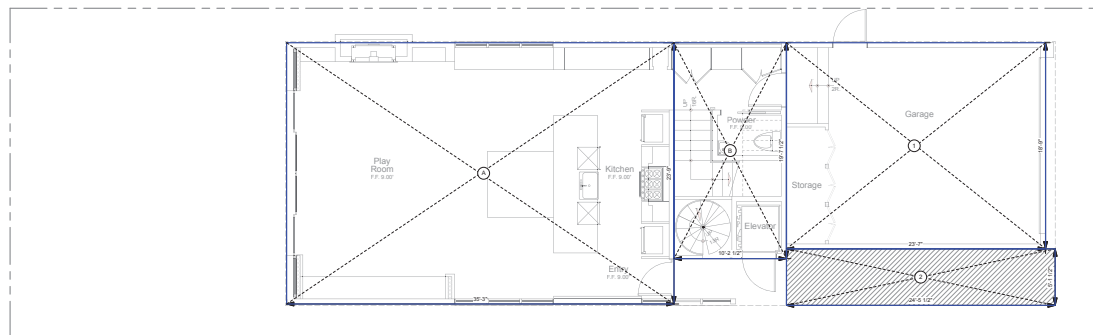
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HABITABLE	
Box	S.F.
A	832
B	457
C	60
D	25
E	19
Total S.F. 1,393	

OPEN VOLUME	
Box	S.F.
1	59
2	59
Total S.F. 118	



HABITABLE	
Box	S.F.
A	837
B	200
Total S.F. 1,037	

GARAGE	
Box	S.F.
1	442

OPEN VOLUME	
Box	S.F.
2	125

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Overlays

Job Number: 1922
Scale: 3/16"=1'-0"
Date:

OV1