

**CITY OF DANA POINT  
PLANNING COMMISSION  
AGENDA REPORT**

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**DATE:** FEBRUARY 12, 2018

**TO:** DANA POINT PLANNING COMMISSION

**FROM:** COMMUNITY DEVELOPMENT DEPARTMENT  
URSULA LUNA-REYNOSA, DIRECTOR  
JOHN CIAMPA, SENIOR PLANNER

**SUBJECT:** COASTAL DEVELOPMENT PERMIT CDP17-0014, MINOR SITE DEVELOPMENT PERMIT SDP17-0023(M), AND ADMINISTRATIVE MODIFICATION OF STANDARDS AMS18-0001 TO ALLOW AN ADDITION AND REMODEL TO A LEGAL NONCONFORMING HOUSE ON A COASTAL BLUFF LOT LOCATED IN THE RSF-3 ZONING DESIGNATION AT 34567 CAMINO CAPISTRANO

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**RECOMMENDATION:** That the Planning Commission adopt the attached resolution approving Coastal Development Permit CDP17-0014, Minor Site Development Permit SDP17-0023(M) and Administrative Modification of Standards AMS18-0001.

**APPLICANT:** Patti Thompson, Property Owner

**REPRESENTATIVE:** Patti Thompson, Property Owner

**REQUEST:** Approval of a Coastal Development Permit, Minor Site Development Permit, and Administrative Modification of the Standards to allow an addition and remodel to a legal nonconforming house on a coastal bluff lot located within the City's Coastal Overlay District (the California Coastal Zone) and the Appeals Jurisdiction of the California Coastal Commission.

**LOCATION:** 34567 Camino Capistrano (APN 123-381-06) (the "Property")

**NOTICE:** Notices of the Public Hearing were mailed to property owners within a 500-foot radius and occupants within a 100-foot radius on February 1, 2018, published within a newspaper of general circulation on February 1, 2018, and posted on February 1, 2018 at Dana Point City Hall, the Dana Point and Capistrano Beach Branch Post Offices, as well as the Dana Point Library.

**ENVIRONMENTAL:** Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorically Exempt per Section

15301 (Class 1 – Existing Facilities) in that the addition and remodel results in an expansion of less than 50 percent of the structure's existing square footage.

**ISSUES:**

- Project consistency with the Dana Point General Plan and Local Coastal Program Land Use Plan/Implementing Actions Program (LCP).
- Project satisfaction of all findings required pursuant to the LCP for approval of a Coastal Development Permit (CDP).
- Project compatibility with and enhancement of the site and surrounding neighborhood.

**BACKGROUND:**

The Property is comprised of a single, legal lot totaling .23 acres (10,010 square feet) and fronts Camino Capistrano to the west and a coastal bluff (as defined in Section 9.27.030 of the DPMC) to the east. The Property contains a two-story, 2,502 square foot, single-family residence and attached three car garage and is bordered on three sides by residential development and a hotel on the bluff side. The Property is zoned Residential Single-Family 3 (RSF-3), located in the City's Coastal Overlay District, and the Appeals Jurisdiction of the California Coastal Commission.

The house is a legal nonconforming structure because it was constructed in 1972, prior to the current development standards and the Coastal Act, with a 23 foot coastal bluff setback when a 25 foot setback is now required. The house is also nonconforming on the north side yard setback because it has a 7.2 foot side yard setback (eight feet is required) and the garage is setback 9.75 feet (10 foot setback required).

In 2008, the property received a CDP for the demolition of the Single Family Dwelling (SFD) and the construction of a new SFD; however, the project was never initiated, and the entitlement expired.

On May 22, 2017, the property owner received approval of CDP17-0003 to repair the house's setting foundation with 21 deepened footings. The project did not include any exterior modifications to the structure and was only associated with the foundation repair.

**DISCUSSION:**

The applicant is requesting an addition and remodel to expand the living accommodations for the SFD. The project would enlarge the 2,502 square foot, two-story, house with a 199 square foot first-floor addition, 193 square foot second story addition, and a 91 square foot addition to the garage. The project proposes to expand the house to 2,894 square

feet and attached garage to 648 square feet. The request also proposes to increase the first floor roof height over the kitchen area, remodel the first floor to eliminate the office and enlarge the bedroom and expand the master bedroom suite on the second floor.

The proposed project requires a Coastal Development Permit due to its location on a coastal bluff in the Coastal Overlay District and a Minor Site Development Permit to allow an addition of more than 10 percent to a legal non-conforming structure. An Administrative Modification of Standards is also requested to allow the additions to continue the nonconforming setbacks along the side (north) and front property lines.

#### Coastal Development Permit CDP17-0014

The proposed project includes a first-floor addition and remodel that would expand the SFD toward the side (south) and rear (coastal bluff) property lines to merge the office and bedroom areas into a large bedroom and bathroom suite. The first floor improvements also include replacing existing windows and doors with two folding door systems along the rear (coastal bluff) elevation and to increase the roof height over the kitchen area. One of the proposed new door systems is located within the 25 foot bluff setback and would reconfigure the framing to accommodate the new door. The door improvement is similar to other approved projects and would not expand the building or create new footings in the bluff setback. The 91 square foot garage addition would comply with the required eight foot side yard setback and function as the load-bearing wall for the second story addition.

The second story improvements include a 193 square foot addition and remodel that would comply with all of the applicable development standards. The addition and remodel would expand the master bedroom and bathroom, enlarge the adjacent bedroom's closet, and add new bay windows for the bedrooms at the front of the house. The second story improvements would be integrated into the design of the house and enhance the contemporary craftsman design with the new bay windows.

The project meets all of the applicable development standards, including the 25 foot bluff setback, with the exception of the requested AMS, which is discussed later in the report. Plans detailing the proposed improvements are provided as Supporting Document 4.

Table 1 summarizes applicable Residential Single Family 3 (RSF-3) zoning designation development standards and the project's conformance with those requirements:

**Table 1: Compliance with RSF-3 Development Standards**

<b>Development Standard</b>	<b>Requirement</b>	<b>Proposed/Existing</b>	<b>Compliant with Standard</b>
Front Setback	10 feet minimum	9 feet 9 inches*	No
Side Setbacks (north)	8 feet minimum	7 feet 2 inches*	No
Side Setbacks (south)		8 feet	Yes
Rear Setback (Bluff Setback)	25 feet minimum from edge of bluff	23 feet from edge of bluff	No
Height	24 feet maximum (3/12-6/12 roof pitch)	23.5 feet (4/12 roof pitch)	Yes
Lot Coverage	35% maximum	32%	Yes
Parking Required	2 parking spaces	3 parking spaces	Yes

\*An AMS is requested to allow the reduced setback for the proposed additions/improvements.

Section 9.69.070 of the DPZC stipulates a minimum of seven (7) findings to approve a Coastal Development Permit, requiring that the project:

1. *Be in conformity with the certified Local Coastal Program as defined in Chapter 9.75 of this Zoning Code. (Coastal Act/30333, 30604(b); 14 CA Code of Regulations/13096).*
2. *If located between the nearest public roadway and the sea or shoreline of any body of water, be in conformity with the public access and public recreation policies of Chapter Three of the Coastal Act. (Coastal Act/30333, 30604(c); 14 CA Code of Regulations/13096).*
3. *Conform with Public Resources Code Section 21000 and following, and there are no feasible mitigation measures or feasible alternatives available which would substantially lessen any significant adverse impact that the activity may have on the environment. (Coastal Act/30333; 14 CA Code of Regulations/13096).*
4. *Be sited and designed to prevent adverse impacts to environmentally sensitive habitats and scenic resources located in adjacent parks and recreation areas, and will provide adequate buffer areas to protect such resources.*
5. *Minimize the alterations of natural landforms and not result in undue risks from*



*geologic and erosional forces and/or flood and fire hazards.*

6. *Be visually compatible with the character of surrounding areas, and, where feasible, will restore and enhance visual quality in visually degraded areas.*
7. *Conform to the General Plan, Zoning Code, applicable Specific Plan, Local Coastal Program, or any other applicable adopted plans and programs.*

MINOR SITE DEVELOPMENT PERMIT 17-0047:

Per Section 9.63.030(a) of the DPZC, an addition of more than 10 percent of a legal nonconforming structure's square footage requires the approval of a Minor Site Development Permit. The proposed 483 square foot addition to the structure represents a 15.6 percent increase in the structure's square footage. The project is not required to be brought into conformance with the current development standards as identified in Section 9.63.040.b.2 because the project maintains more than 50 percent of the existing walls to the structure (63 percent of the walls would remain). The proposed addition and remodel complies with the applicable development standards, including the 25 foot bluff setback; however, the applicant is requesting an Administrative Modification of Standards (AMS) to deviate from the front and side (north) setback requirements.

Section 9.71.050 of the DPZC stipulates a minimum of four (4) findings to approve a Site Development Permit:

1. *Compliance of the site design with development standards of this Code.*
2. *Suitability of the site for the proposed use and development.*
3. *Compliance with all elements of the General Plan and all applicable provisions of the Urban Design Guidelines.*
4. *Site and structural design which is appropriate for the site and function of the proposed use(s), without requiring a particular style or type of architecture.*

The required findings are articulated in the attached draft Resolution identified as Action Document 1.

Administrative Modification of Standards AMS18-0001

Per Section 9.61.090 of the DPZC, a reduction in the required setbacks for minor additions that do not impact adjacent persons or properties are allowed with the approval of an Administrative Modification of Standards (AMS). The applicant is requesting a reduction in the required setback for two areas where improvements are proposed. The first encroachment request is on the north side yard setback to increase the roof height over the kitchen area. The improvement would not expand the footprint

of the structure but continue the existing nonconforming wall plane vertically at the existing seven foot two inch building setback (encroaching 10 inches into the eight foot side yard setback). The proposed continuation of the building wall height should not result in any impacts to the adjacent properties, as the roof would increase from 10 feet to 16 feet, at its highest point, and it maintains this portion of the structure as a single story that maintains the seven foot two inch side yard setback.

The second setback encroachment is requested to allow the garage addition to continue the existing nonconforming nine foot, nine inch front yard setback (three inch encroachment into the 10 foot setback) for the expansion of the garage. The addition does not expand the livable area of the house and results in 1.125 square feet of building area in the 10 foot front yard setback. The 30 foot City right-of way and the 9.75 foot front yard setback to the garage provides a 39.75 foot setback from the street; therefor, the three inch encroachment into the front yard setback should not be noticeable or impact adjacent properties.

The continuation of the legal nonconforming setbacks complies with the intent of the AMS by allowing the property owner to make improvements to their house without impacting the adjacent properties or granting a special privilege. The request for an AMS is also available to other properties that face similar partial difficulties related to the coastal bluff setback and/or the legal nonconforming status of the structure.

Section 9.61.090 of the DPZC stipulates a minimum of four (4) findings to approve a Site Development Permit:

- 1. That there are practical difficulties or unnecessary hardships created by strict application of the Zoning Code due to physical characteristics of the property; and*
- 2. The administrative modification does not constitute a grant of special privileges which are not otherwise available to surrounding properties in similar conditions and will not be materially detrimental to the public welfare or to the property of other persons located in the vicinity; and*
- 3. The administrative modification places suitable conditions on the property to protect the public health, safety, and welfare and surrounding properties.*
- 4. For development within the coastal zone, that the administrative modification would not result in significant adverse impacts either individually or cumulatively to coastal access/recreation opportunities or coastal resources, and the development would be consistent with the policies of the Local Coastal Program certified land use plan.*

The recommended findings for approval of the CDP are outlined in the draft Resolution No. 18-02-12-XX, attached to this report as Action Document 1.

**CORRESPONDENCE:** To date, no correspondence has been received regarding this project.

**CONCLUSION:** Staff finds that the proposed project is consistent with the policies and provisions of the City of Dana Point General Plan Zoning Ordinance and Local Coastal Program. As the project has been found to comply with all standards of development, staff recommends the Planning Commission adopt the attached draft Resolution, approving Coastal Development Permit 17-0014, Minor Site Development Permit 17-0023, and Administrative Modification of Standards 18-0001 subject to the findings and conditions of approval contained therein.



John Ciampa, Senior Planner



Ursula Luna-Reynosa, Director  
Community Development Department

**ATTACHMENTS:**

**Action Documents**

1. Draft Planning Commission Resolution No. 18-02-12-xx

**Supporting Documents**

2. Vicinity Map
3. Site Photos
4. Plans

**RESOLUTION NO. 18-02-12-XX**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING COASTAL DEVELOPMENT PERMIT 17-0014, MINOR SITE DEVELOPMENT PERMIT 17-0023, AND ADMINISTRATIVE MODIFICATION OF STANDARDS 18-0001 TO ALLOW THE ADDITION AND REMODEL OF A LEGAL NONCONFORMING HOUSE ON A COASTAL BLUFF LOT LOCATED IN THE RESIDENTIAL SINGLE-FAMILY 3 (RSF-3) ZONING DISTRICT AT 34567 CAMINO CAPISTRANO**

The Planning Commission for the City of Dana Point does hereby resolve as follows:

WHEREAS, Patti Thompson (the “Applicant”) is the owner of the real property commonly referred to as 34567 Camino Capistrano (APN 123-381-06) (the “Property”); and

WHEREAS, the Applicant filed a verified application for a Coastal Development Permit to allow the addition and remodel to a legal nonconforming house on a coastal bluff lot; and

WHEREAS, said verified application constitutes a request as provided by Title 9 of the Dana Point Municipal Code; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the project is Categorically Exempt per Section 15301 (Class 1 – Existing Facilities) in that the application proposes an addition of less than 50 percent of the existing structure’s square footage and a remodel; and

WHEREAS, the Planning Commission did, on the 12<sup>th</sup> day of February, 2018, hold a duly noticed public hearing as prescribed by law to consider said request; and

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, said Commission considered all factors relating to Coastal Development Permit CDP17-0014, Minor Site Development Permit 17-0023, and Administrative Modification of Standards AMS18-0001.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the City of Dana Point as follows:

- A. That the above recitations are true and correct and incorporated herein by this reference.
- B. Based on the evidence presented at the public hearing, the Planning Commission adopts the following findings and approves CDP17-0014, SDP17-0023(M), and AMS18-0001 subject to the following

conditions of approval:

Findings:

Coastal Development Permit CDP17-0014

1. That the project is in conformity with the certified Local Coastal Program as defined in Chapter 9.75 of this Zoning Code. (Coastal Act/30333, 30604(b); 14 Cal. Code of Regulations/13096) **in that, the project is consistent with all goals and policies of the Residential 0-3.5 land use designation. The house remains a two-story, single family residence. The proposed addition and remodel complies with the applicable development standards and the 25 foot bluff setback, and have requested an Administrative Modification of Standards (AMS) to deviate from some of the setback standards. While the house is located in the 25 foot coastal bluff setback, no new footings are proposed in the required setback for the addition or remodel.**
2. That the proposed development is not located between the nearest public roadway and the sea or shoreline of any body of water, and is in conformity with the public access and public recreation policies of Chapter Three of the Coastal Act **in that, the proposed development does not alter existing public access or recreation areas in the vicinity as there are none on or adjacent to the property.**
3. That the project conforms to Public Resources Code Section 21000 (the California Environmental Quality Act - CEQA) and following, that there are no feasible mitigation measures or feasible alternatives available which would substantially lessen any potentially significant adverse impact that the activity may have on the environment (Coastal Act/30333; 14 Cal. Code of Regulations/13096) **in that the project qualifies as Categorically Exempt from review under CEQA pursuant to Section 15301 (Class 1 – Existing Facility) therefore, no mitigation is required. The project is a Class 1 exemption because it proposes an addition and remodel that results in an expansion of less than 50 percent of the structure’s existing square footage.**
4. That the project has been sited and designed to prevent adverse impacts to environmentally sensitive habitats and scenic resources located in adjacent parks and recreation areas, and will provide adequate buffer areas to protect such resources **in that, the proposed development is not adjacent to environmentally sensitive habitat areas or scenic resources as the site is developed lot. The structure does not encroach any further towards the coastal bluff setback and the additions will not be located near sensitive habitat or scenic**

**resources. The project is not proposing any new landscaping or site modifications that would impact any sensitive habitat or scenic resources.**

5. That the project minimizes the alteration of natural landforms and will not result in undue risks from geologic and erosional forces and/or flood and fire hazards **in that the proposed additions are located outside of the 25 foot coastal bluff setback and no structural foundations are proposed in this setback area. The City reviewed the geotechnical report and project design and concluded the proposed improvements do not result in any natural landform alterations or undue risk for geologic or erosional forces.**
6. That the project is visually compatible with the character of surrounding areas, and, where feasible, will restore and enhance visual quality in visually degraded areas **in that the additions are architecturally integrated into the structure design to be compatible with the neighborhood. The proposed addition and remodel conform to the development standards of the RSF-3 zoning district and the Coastal Overlay District, and have requested an AMS to deviate from the setback standards to continue the legal nonconforming side and front yard setbacks.**
7. That the project conforms with the General Plan, Zoning Code, applicable Specific Plan, Local Coastal Program, or any other applicable adopted plans and programs **in that the project was reviewed by Planning and Building/Safety Division and the Public Works/Engineering Department and found to conform with the applicable development standards per the Dana Point Zoning Code (which serves as the implementing document for the General Plan and Local Coastal Program for the subject property) including the 25 foot bluff setback requirement and have requested an AMS for reduced front and side (north) yard setbacks. The project complies with the City's Urban Design Element of the General Plan in that it maintains the structure's sense of address, mass, and design of the house. The project preserves the house as a single-family dwelling. There are no adopted specific plans that apply to the subject property.**

Minor Site Development Permit SDP17-0023(M)

- 1) That the site design is in compliance with the development standards of the Dana Point Zoning Code (DPZC) **in that, the addition and remodel meet all applicable development standards and are requesting an AMS for reduced front and side (north) yard setbacks. While the structure is legal nonconforming the addition complies with the required 25 foot**

**coastal bluff setback. Per section 9.63.040(b)(2) of the DPZC, the structure is permitted to remain nonconforming because it is demolishing less than 50 percent (proposing to demolish 37 percent) of the structure's walls.**

- 2) **That the site is suitable for the proposed use and development in that, the structure is maintained as a single family residence, and the improvements are consistent with the surrounding neighborhood. The additions comply with all of the applicable development standards including setback, lot coverage, and height, and are requesting an AMS for reduced front and side (north) yard setbacks. The legal nonconforming components of the structure are allowed to remain legal nonconforming because the project demolishes less than 50 percent of the walls (proposing to demolish 37 percent of the walls) per 9.63.040(b)(2).**
- 3) **That the project is in compliance with all elements of the General Plan and all applicable provision of the Urban Design Guidelines in that, the applicant's proposal is consistent with the City's General Plan and all applicable provisions of the Urban Design Guidelines in that the proposed improvements maintain the house as a single family residence and the project is not in conflict with any goals or policies of the General Plan. The project complies with the City's Urban Design Element of the General Plan in that it maintains the structure's sense of address, scale, and general architectural design.**
- 4) **That the site and structural design is appropriate for the site and function of the proposed use, without requiring a particular style or type of architecture, in that, the proposed addition and remodel comply with all of the applicable development standards for the RSF-3 zoning district, and are requesting an AMS for reduced front and side (north) yard setbacks. The first and second story additions are architecturally integrated into the design of the house with wall plane brakes and second story setbacks.**

Administrative Modification of Standards AMS18-0001

- 1) **That there are practical difficulties or unnecessary hardships created by strict application of the Zoning Code due to physical characteristics of the property, in that the buildable area of the lot is limited because the coastal bluff setback at the rear of the property is beyond what is typically required in the RSF-3 zoning district. The increased rear yard setback reduces the buildable envelope for the property and results in unnecessary hardships created by the strict application of**

the Zoning Code which is more restrictive than the development standards that were in place when the house was constructed. The legal nonconforming condition of the house is related to the new development standards which limit the improvements and expansions to the structure. The project maintains the existing legal nonconforming setbacks for the proposed additions. The encroachments into the side and front yard setbacks would allow the additions to continue the structure's wall plane. The proposed encroachments maintain the nonconforming setbacks (three inches in the front and 10 inches in the north side yard) without further reducing the setbacks.

- 2) The administrative modification does not constitute a grant of special privileges which are not otherwise available to surrounding properties in similar conditions and will not be materially detrimental to the public welfare or to the property of other persons located in the vicinity, **in that the requested setback encroachments into the setback do not expand the livable area of the house as the addition at the north side yard setback would continue the existing nonconforming seven feet two inch setback vertically (encroaching 10 inches into the setback) to increase the ceiling height. The requested addition into the front yard setback would allow a three inch encroachment into the 10 foot front yard setback to allow the continued wall plane for the garage addition and would maintain the existing setback (9.75 feet). The continuation of the garage wall plane for the 91 square foot garage addition would result in a 1.125 square foot expansion of the building footprint into the required setback. The continuation of the legal nonconforming setbacks complies with the intent of the AMS by allowing the property owner to make improvements to their house without impacting the adjacent properties or granting a special privilege. The request for an AMS is also available to other properties which face similar partial difficulties related to the location of the lot and/or the legal nonconforming status of the structure.**
- 3) The administrative modification places suitable conditions on the property to protect the public health, safety, and welfare and surrounding properties, **the project is conditioned to ensure the proposed additions are accurately located by a land surveyor before construction to ensure they are placed in the exact location identified on the approved plans. The project is conditioned to ensure the plans comply with the Building Code and that all of the best management practices are conducted during the construction process.**
- 4) For development within the coastal zone, that the administrative



modification would not result in significant adverse impacts either individually or cumulatively to coastal access/recreation opportunities or coastal resources, and the development would be consistent with the policies of the Local Coastal Program certified land use plan, **in that the project complies with all of the applicable LCP development standards coastal bluff setback with the exception of the requested encroachments for the front and side yard setbacks. The project site is a developed lot with no potential to individually or cumulatively impact coastal access/recreation or resources.**

Conditions:

**General:**

1. Approval of this application permits a remodel and a 392 square foot addition to the house and a 91 square foot addition to the garage which results in a 2,894 square foot house and a 648 square foot garage located at 34567 Camino Capistrano in accordance with the plans on file with the Community Development Department. Subsequent submittals for this project shall be in substantial compliance with the plans presented to the Planning Commission, and in compliance with the applicable provisions of the Dana Point General Plan, Local Coastal Program and Zoning Code.
2. Approval of this application is valid for a period of 24 months (two years) from the noted date of determination. If the development approved by this action is not established, or a building permit for the project is not issued within such period of time, the approval shall expire and shall thereafter be null and void.
3. The application is approved as a plan for the location and design of the uses, structures, features, and materials shown on the approved plans. Any demolition beyond that described in the approved plans or any relocation, alteration, or addition to any use, structure, feature, or material, not specifically approved by this application, will nullify this approving action. If any changes are proposed regarding the location of, or alteration to the appearance or use of any structure, an amendment to this permit shall be submitted for approval by the Director of Community Development. If the Director determines that the proposed change complies with the provisions, spirit and intent of this approval action, and that the action would have been the same for the amendment as for the approved site plan, he/she may approve the amendment without requiring a new public hearing.
4. Failure to abide by and faithfully comply with any and all conditions attached to the granting of this permit shall constitute grounds for revocation of said

permit.

5. This Resolution shall be copied in its entirety, placed directly onto a separate plan sheet behind the cover sheet of any plans submitted to the City of Dana Point Building/Safety Division for plan check.
6. The Applicant or any successor-in-interest shall defend, indemnify, and hold harmless the City of Dana Point ("CITY"), its agents, officers, or employees from any claim, action, or proceeding against the CITY, its agents, officers, or employees to attack, set aside, void, or annul an approval or any other action of the CITY, its advisory agencies, appeal boards, or legislative body concerning the project. Applicant's duty to defend, indemnify, and hold harmless the City shall include paying the CITY's attorney fees, costs and expenses incurred concerning the claim, action, or proceeding.
7. The Applicant or any successor-in-interest shall further protect, defend, indemnify and hold harmless the City, its officers, employees, and agents from any and all claims, actions, or proceedings against the City, its offers, employees, or agents arising out of or resulting from the negligence of the Applicant or the Applicant's agents, employees, or contractors. Applicant's duty to defend, indemnify, and hold harmless the City shall include paying the CITY's attorney fees, costs and expenses incurred concerning the claim, action, or proceeding. The Applicant shall also reimburse the City for City Attorney fees and costs associated with the review of the proposed project and any other related documentation.
8. The Applicant and owner, and their successors in interest, shall be fully responsible for knowing and complying with all conditions of approval, including making known the conditions to City staff for future governmental permits or actions on the project site.
9. The project shall meet all water quality requirements including Low Impact Development (LID) implementation.
10. The applicant shall be responsible for coordination with water district, sewer district, SDG&E, AT&T California and Cox Communication Services for the provision of water, sewer, electric, cable television and telephone and services. The applicant is responsible to coordinate any potential conflicts or existing easements.
11. The applicant shall exercise special care during the construction phase of this project to prevent any off-site siltation. The applicant shall provide erosion and sediment control measures at all times. The applicant shall maintain the erosion and sediment control devices until the final approval of

all permits.

12. The applicant, property owner or successor in interest shall submit a standard Waste Reduction and Recycling Plan to the City's C&D official per the Dana Point Municipal Code. A deposit will be required upon approval of the Waste Management Plan to ensure compliance. The standard Waste Reduction and Recycling Plan shall be reviewed and approved and deposit posted prior to issuance of any permits.
13. Prior to the commencement of any work within the public right-of-way, the applicant shall apply and be approved for an encroachment permit from the Public Works Department.
14. The applicant shall limit all construction activities within the coastal bluff-top setback area. The coastal bluff shall be protected at all times from potential erosion and construction activity.
15. The 25' bluff edge setback deviation, as justified by the approved geotechnical reports addressing the property and proposed project, shall be clearly shown on all plans submitted for review and approval.
16. Per Municipal Code Section 9.27.030, no new structure foundations or improvements requiring a building permit will be allowed within the 25' bluff edge setback. Review of the submitted plans indicates that all proposed foundation elements for the building addition/remodel are shown behind (landward) of the indicated 25' bluff edge setback line. Please note that any portion of new foundation for any structure/improvement requiring a permit is not allowed within the bluff edge setback. Should the existing foundations be found not suitable for the proposed improvements during construction, all new permitted foundations for will be required to be landward of the 25' bluff edge setback.

**Prior to issuance of a Building Permit:**

17. Minimum roofing classification is Class "A".
18. Undergrounding of all onsite utilities is required. An Approved SDG&E Work Order and Undergrounding Plan is required prior to permit issuance.
19. Building Code Analysis: Provide building code analysis showing conformance to the Chapter 3 and 5 of the CBC. Specify occupancy group(s), type(s) of construction, including fire sprinklers, location on property, actual and allowable floor area, building height, number of stories, and conforming exiting.

20. Fire sprinkler system is required.
21. Soils Report (1803): Unless waived, submit a foundation and soils investigation report by a Registered Design Professional and conducted in conformance with CBC Section 1803.3 through 1803.5. The report shall comply with CBC Section 1803.6.
22. Foundation system to provide for expansive soils and soils containing sulfates unless a soils report can justify otherwise. Use Type V cement, w/c ratio of 0.45, f'c of 4500 psi.
23. Green Building: Plans shall show compliance & indicate method of verification of compliance with all CALGreen requirements. Third party or other methods shall demonstrate satisfactory conformance with mandatory measures.
24. The applicant shall submit the approved geotechnical report establishing the edge of bluff in compliance with all the City of Dana Point standards.
25. The applicant shall submit a drainage plan addressing the proposed construction in compliance with all City of Dana Point standards for review and approval. The drainage plan shall clearly show all drainage from proposed improvements being directed to an approved outlet.
26. All plans submitted shall reflect the determined Bluff Edge and all associated setbacks, as shown and/or discussed in the "Geotechnical Recommendations for Residential Underpinning and Response to City of Dana Point First Review..." and "Geotechnical Feasibility Review..." reports prepared by Geofirm dated April 6, 2017 and December 12, 2017 respectively.

**Prior to final approval of all permits:**

27. Prior to commencement of framing, the applicant shall submit a foundation certification, by survey, that the structure will be constructed in compliance with the dimensions shown on plans approved by the Planning Commission, including finish floor elevations and setbacks to property lines included as part of CDP17-0014, SDP17-0023(M), and AMS18-0001. The City's standard "Line & Grade Certification" form shall be obtained from the Project Planner at time of building permit issuance, completed by a licensed civil engineer/surveyor and be delivered to the Building/Safety and Planning Divisions for review and approval.
28. All landscaping and/or structural best management practices (BMPs) shall be constructed and installed in conformance with approved plans and

specifications.

29. The final condition of the bluff edge setback shall be in accordance with Municipal Code Section 9.27.030, with no new structure foundations or improvements requiring a building permit within the 25 foot bluff edge setback.
30. Public Works final inspection and approval will be required for all permits.
31. The owner shall coordinate with the Planning Division to schedule a final site inspection to ensure the project was constructed per plan and all conditions of approval have been satisfied.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Planning Commission of the City of Dana Point, California, held on this 12th day of February, 2018 by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Scott McKhann  
Planning Commission

ATTEST:

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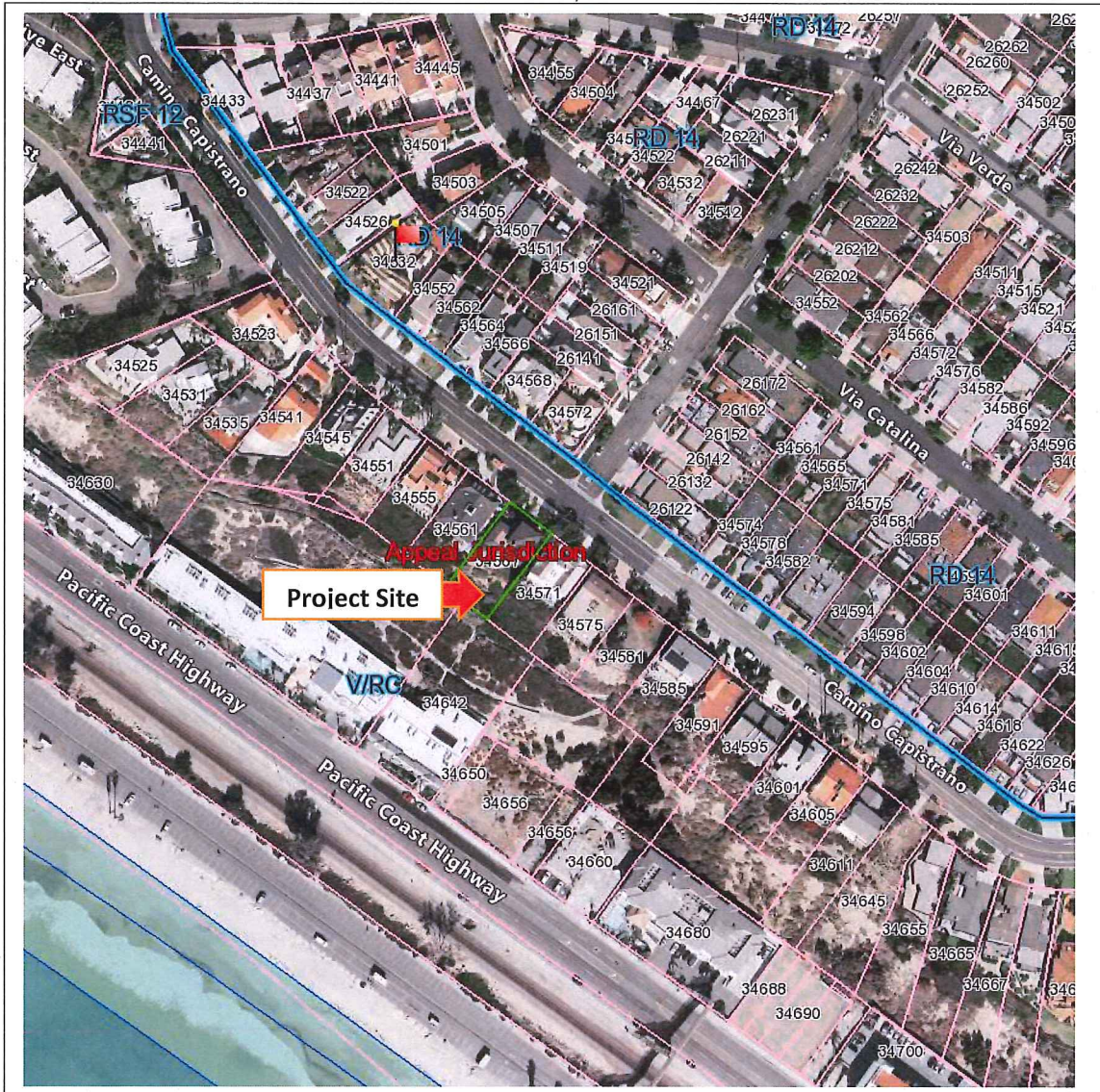
Ursula Luna-Reynosa, Director  
Community Development Department



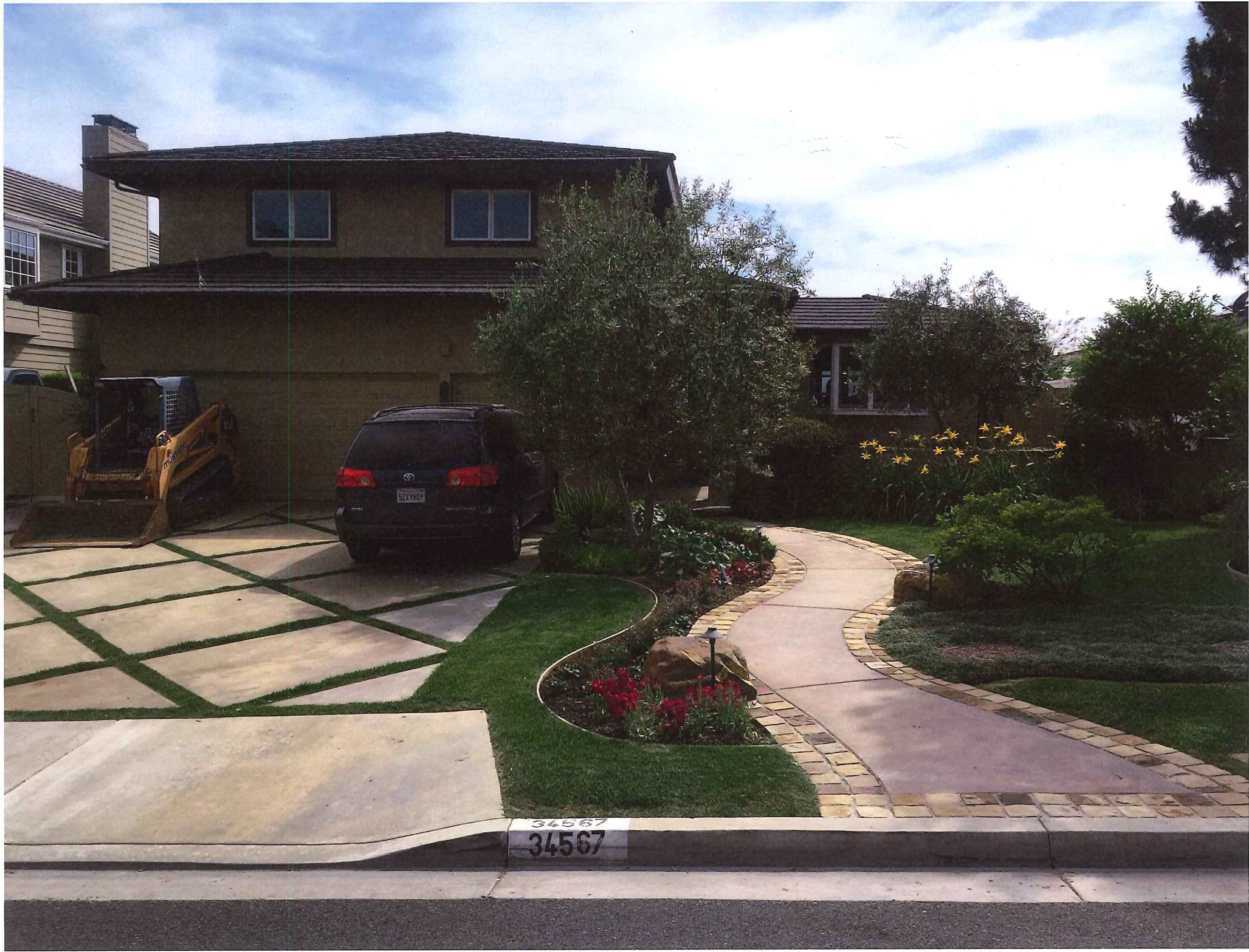


# Vicinity Map

34567 Camino Capistrano, CDP 17-0014, SDP17-0023(M), AMS18-0001







34567  
34567









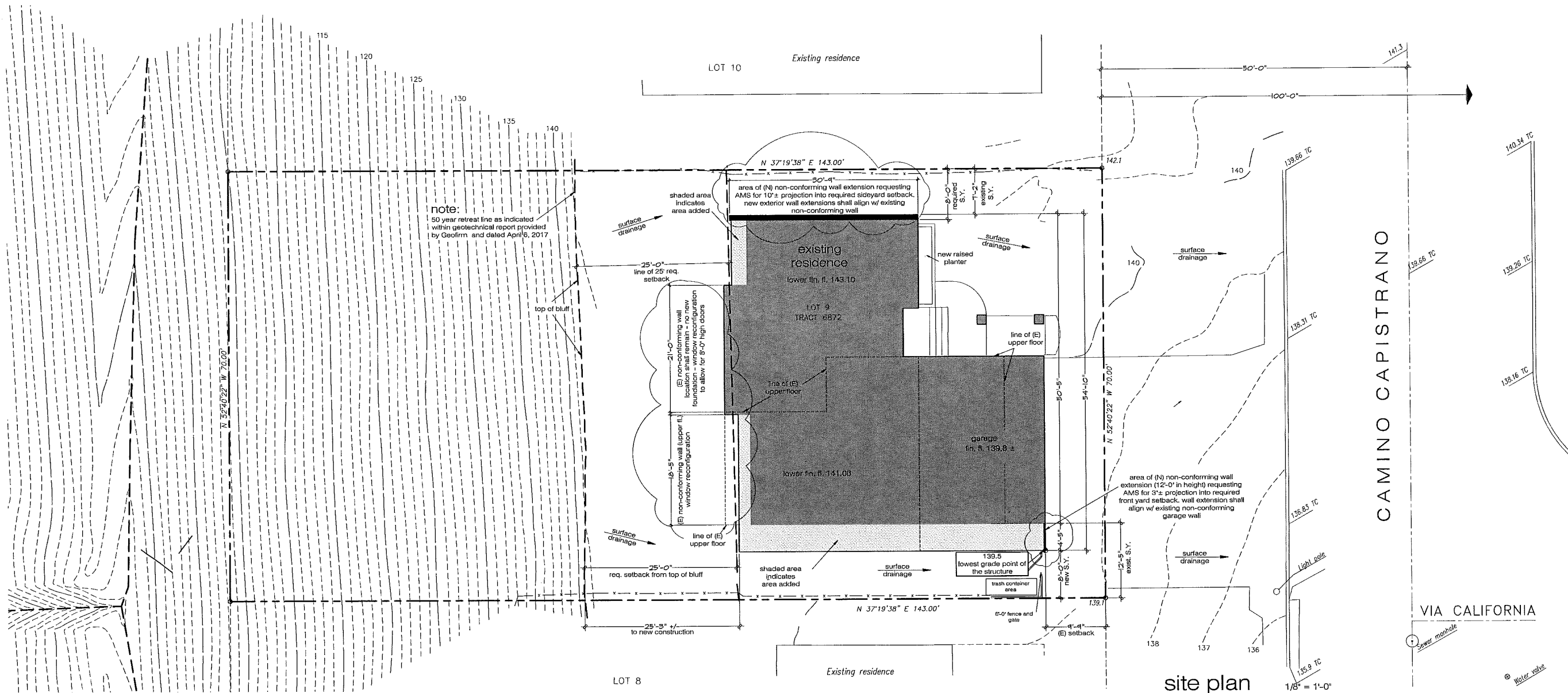












**studio 320**  
 architecture  
 Carl Iverson  
 ARCHITECT  
 34149 #240 Pacific Coast Highway  
 Dana Point California 92626  
 949.616-5799 carl@studio320.net

revisions

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▲	date
▲	date
▲	date
▲	date

a residential remodel for:  
**Rick & Patti Thompson**  
 34567 Camino Capistrano - Capistrano Beach, Ca. 92624

**project description:**

An addition and remodel of an existing single family residence located in Capistrano Beach.

**legal description:**

lot 9  
 tract 8672  
 APN 123-381-06

**consultants:**

ARCHITECT:  
 Studio320  
 Carl Iverson architect  
 949 616-5799  
 carl@studio320.net

ENGINEER:  
 Harold Larson  
 949 497-5201  
 harlar2001@aol.com

SURVEY:  
 Toal Engineering  
 138 Avenida Navarro  
 San Clemente, Ca. 92672  
 949 492-8586

GEOLOGIST:  
 Geofirm  
 301 Glennehyre St.  
 Suite F  
 Laguna Beach, Ca. 92651  
 949 487-0270

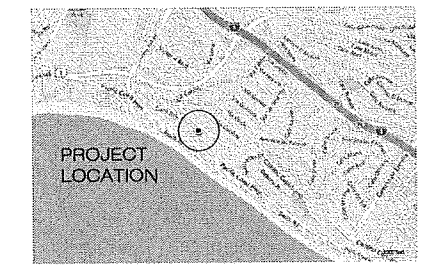
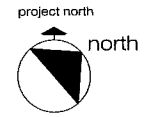
**note:**  
 AMS - Administrative Modification of the Standards  
**drainage notes:**  
 1. any potential ponding or clogged drains shall not result in any storm water at the bluff edge.  
 2. existing drainage shall not be modified unless unsuitable conditions are discovered that require correction.

**new foundation note:**  
 no new foundations are permitted within the bluff edge setback

**fire sprinklers:**  
 the addition of fire sprinklers is required per the City of Dana Point.

**sheet index**

A-1	site plan - project data
A-2	area tabulations
A-3	revised floor plans
A-4	revised exterior elevations
A-5	sections - roof plan
A-6	demo plans
AB-1	as-built floor plans
AB-2	as-built exterior elevations
SV-1	survey
P-1	photos



LAND USE APPLICATION FACT SHEET			
	Existing	Proposed Development	Zone Code Requirement
General Plan Designation	Residential 0-3.5	Residential	
Zoning	RSF-3		
PRD			
Specific Plan			
Lot Area (sf)	10,010 sq.ft.	No change	12,000 sq.ft.
Lot Width (ft)	70 ft.	No change	50 ft.
Lot depth (ft)	143 ft.	No change	80 ft.
Setback Yards			
Front (ft)	9'-10"	N. C. - AMS	10'-0"
Side (ft)	NW side 7'-2" (E)		8'-0"
Side (ft)	SE side 12'-4" (E)	8'-0" (N)	8'-0"
top of bluff Rear (ft)	23'-0" max (varies)	25'-0" min @ new const.	25'-0"
Gross Floor Area (sf)	2,502 sq.ft.	2,984 sq.ft.	
Floor Area Ratio			
Building Coverage (%)	25%	30%	35%
Building Height (ft)	25'-3" +/-	24'-0" Flat Roof.	28 ft.
Landscaping (%)	62%	62%	
Paving (%)	15%	15%	
Parking Spaces	3	3	2
Surrounding Land Uses			
North	RSF-3 SFD	RSF-3 SFD	RSF-3 SFD
South	RSF-3 SFD	RSF-3 SFD	RSF-3 SFD
East	RSF-14 Multi Fam.	RSF-14 Multi Fam.	RSF-14 Multi Fam.
West	Conservation	Conservation	Conservation

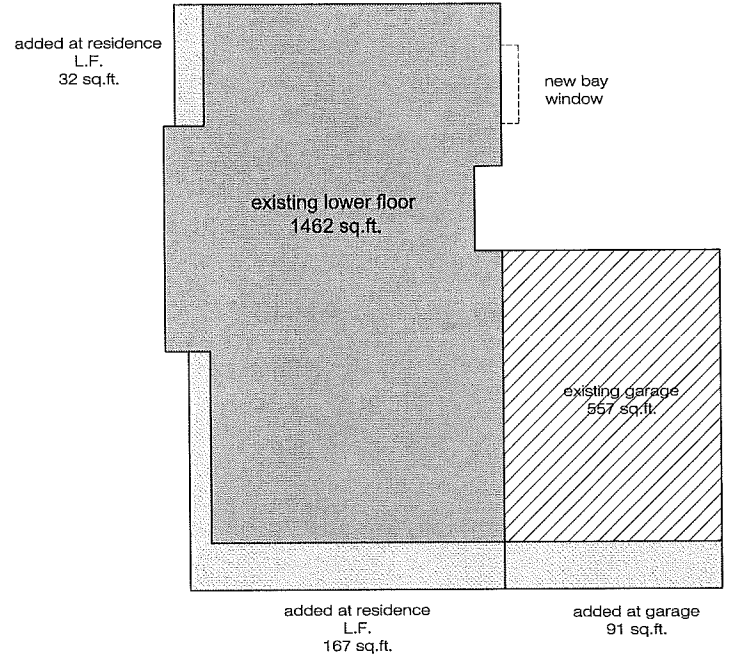
**site plan  
 project data**

revisions

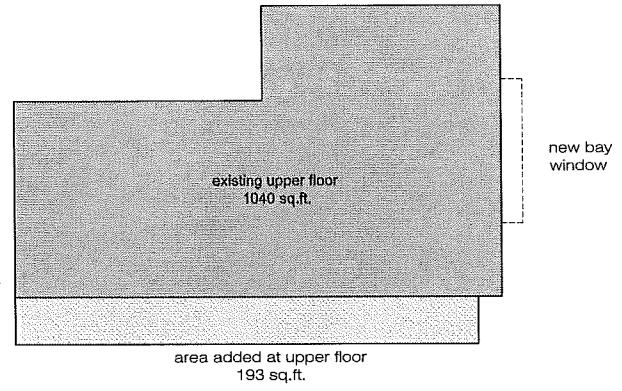
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residence areas

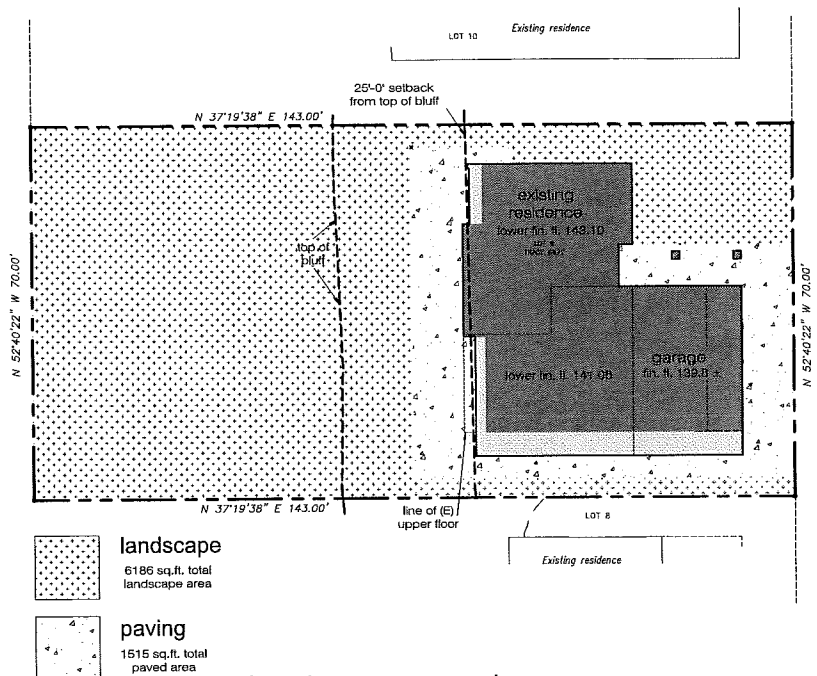
<b>FLOOR AREAS:</b>		<b>EXISTING RESIDENCE FLOOR AREAS:</b>	
existing lower floor	1462 sq.ft.	existing lower floor	1492 sq.ft.
add @ lower floor	193 sq.ft.	existing upper floor	1040 sq.ft.
total @ lower floor	1661 sq.ft.	total existing residence	2502 sq.ft.
		total existing garage	557 sq.ft.
existing upper floor	1040 sq.ft.		
add @ upper floor	193 sq.ft.	<b>REVISED RESIDENCE FLOOR AREAS:</b>	
total upper floor	1233 sq.ft.	revised lower floor	1661 sq.ft.
existing garage	557 sq.ft.	revised upper floor	1233 sq.ft.
add @ garage	91 sq.ft.	total revised residence	2894 sq.ft.
total garage	648 sq.ft.	total revised garage	648 sq.ft.



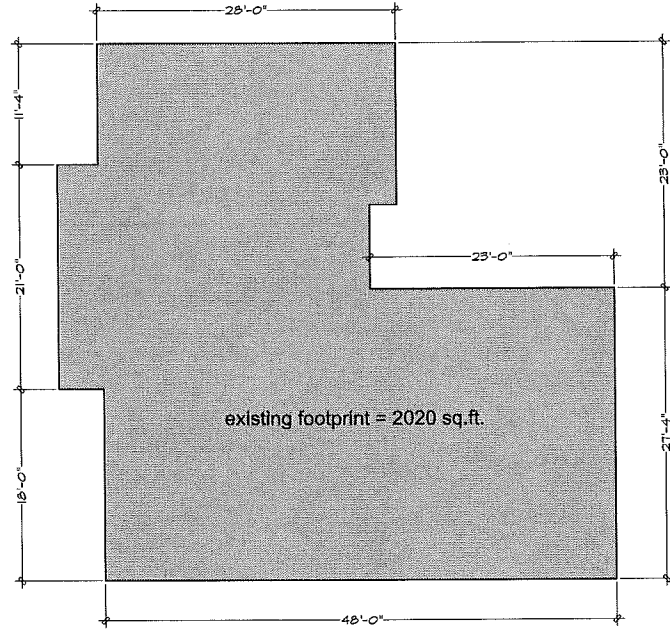
lower floor 1/8" = 1'-0"



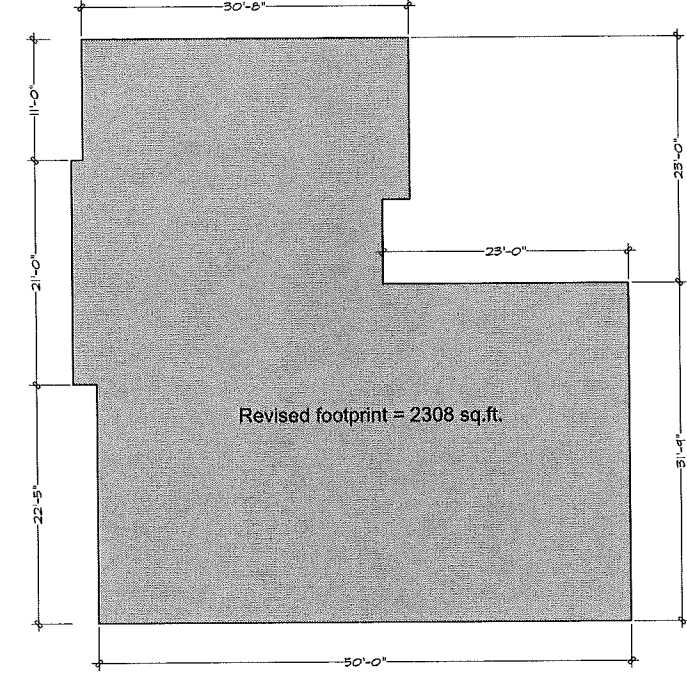
upper floor 1/8" = 1'-0"



landscape - paving areas 1/16" = 1'-0"

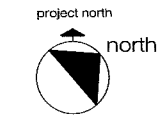


existing and revised building footprints 1/8" = 1'-0"



area tabulations

a residential remodel for:  
**Rick & Patti Thompson**  
 34567 Camino Capistrano • Capistrano Beach, Ca. 92624

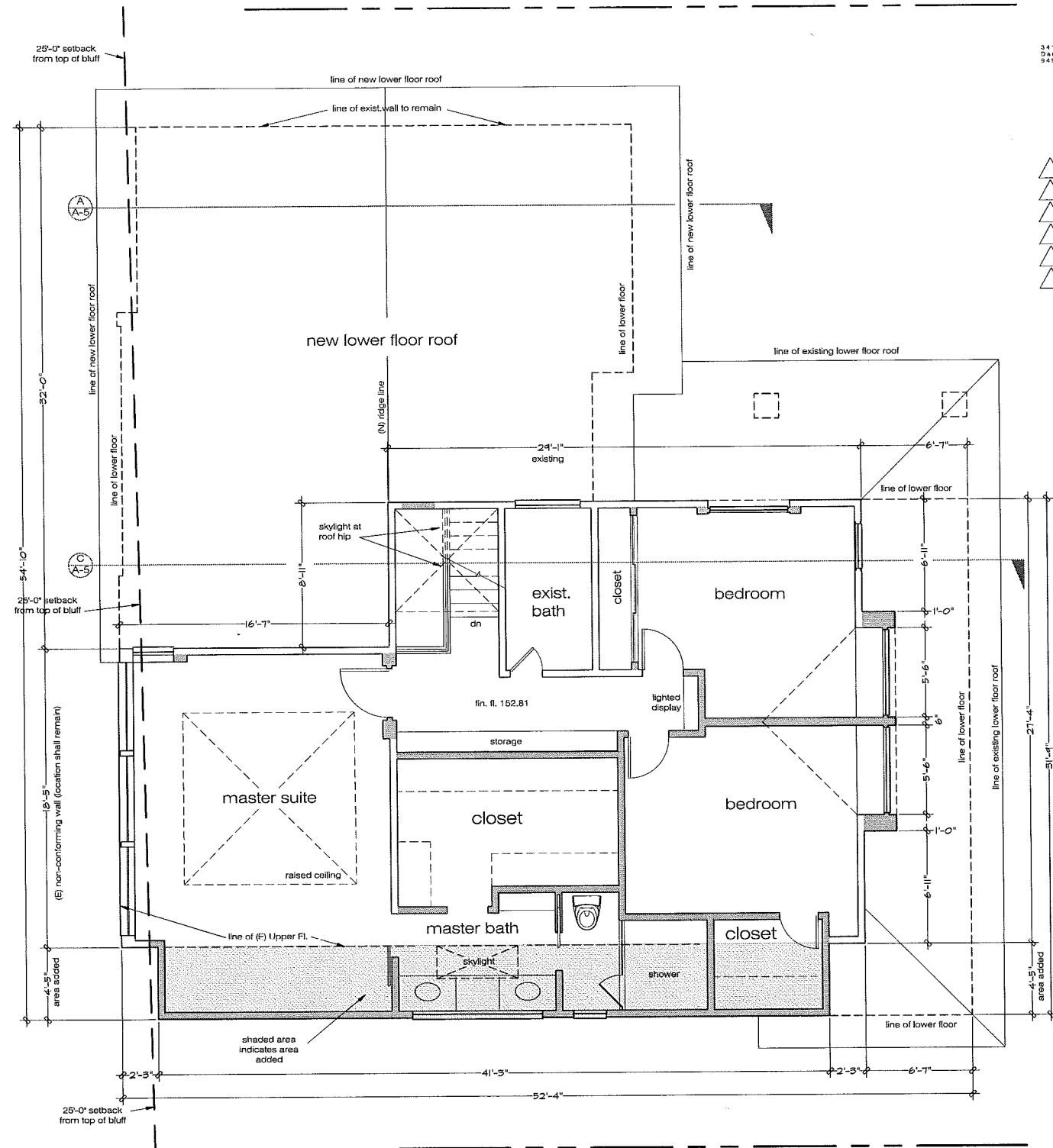
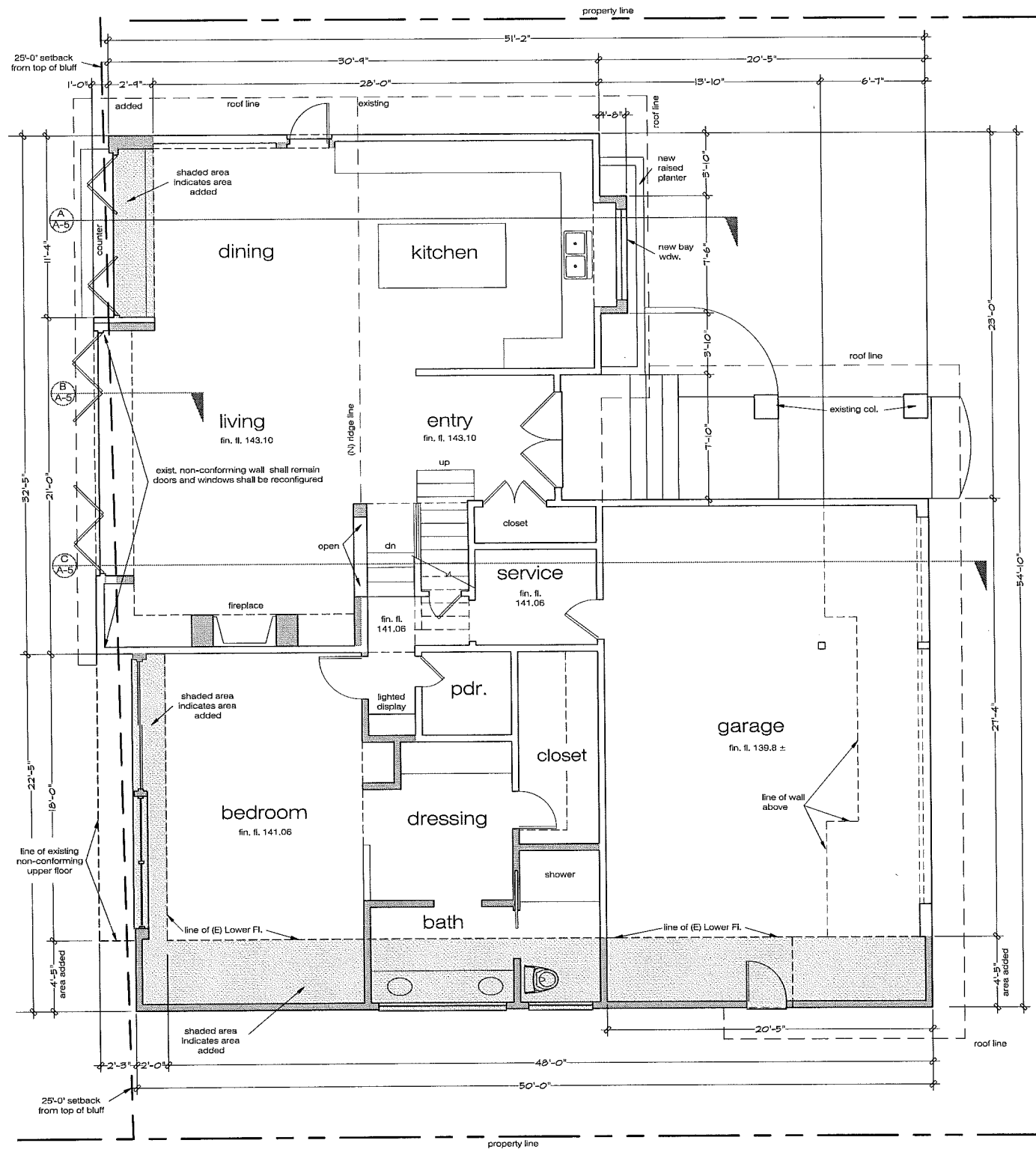




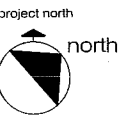
Carl Iverson  
A I C H I L E C  
34145 #240 Pacific Coast Highway  
Dana Point, California 92629  
949.618.5798 carl@studio320.net

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a residential remodel for:  
**Rick & Patti Thompson**  
34567 Camino Capistrano - Capistrano Beach, Ca. 92624



existing wall to remain  
new stud wall

revised floor plans

1-9-18  
A-3  
of A-6

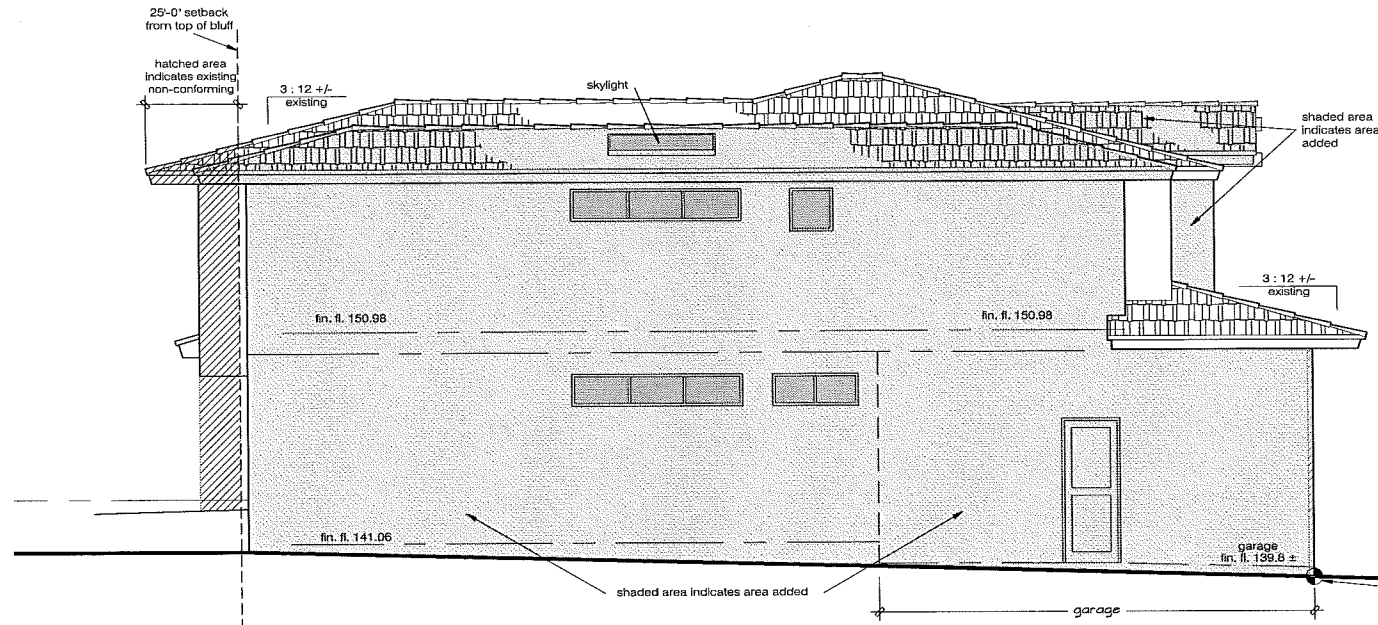


Carl Iverson  
ARCHITECT

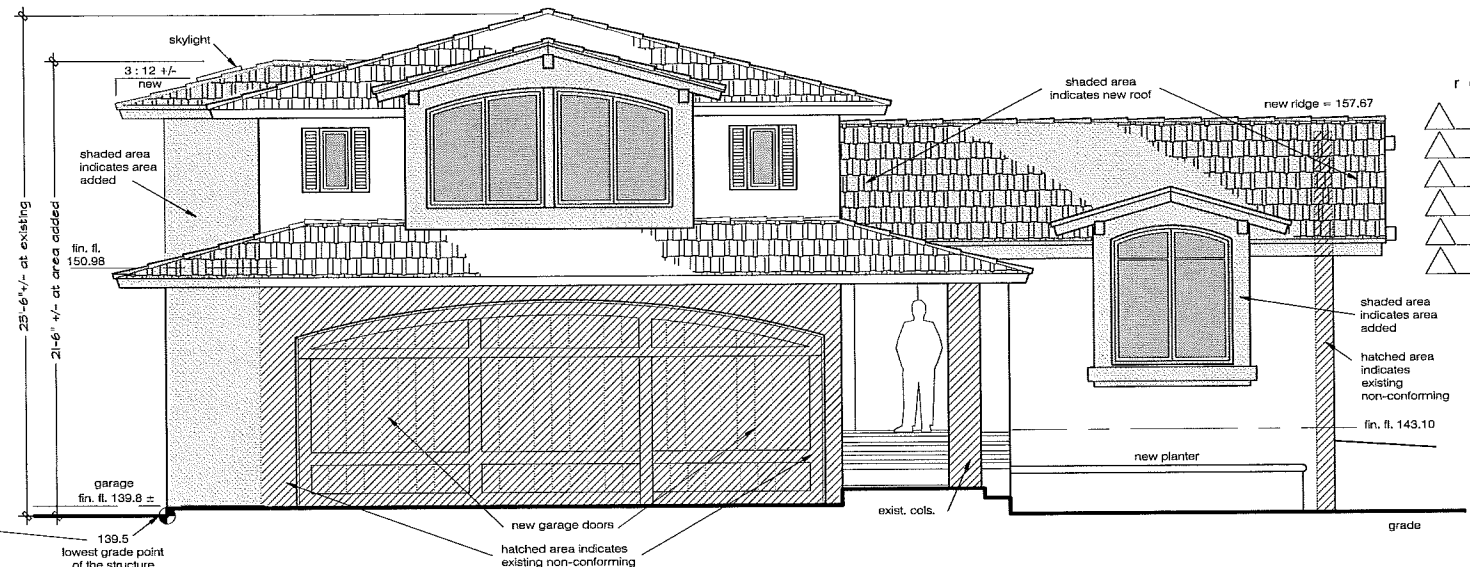
34145 #240 Pacific Coast Highway  
Dana Point, California 92625  
949.616-2799 carl@studio250.com

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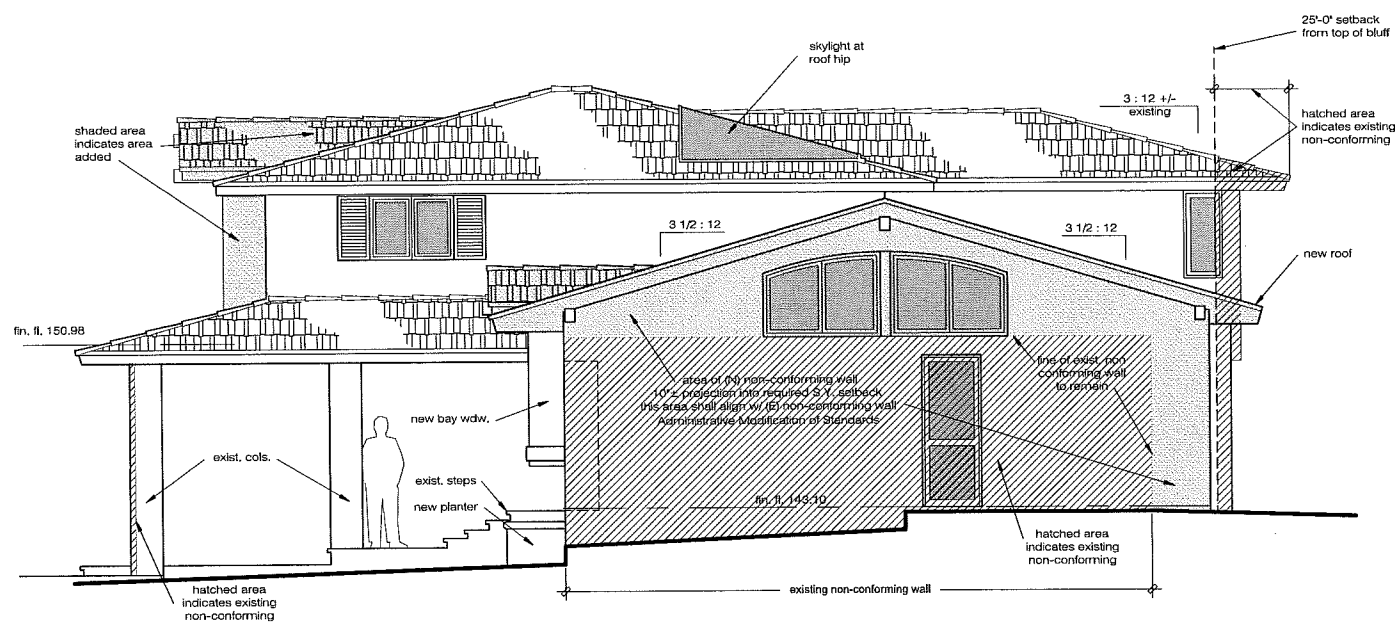
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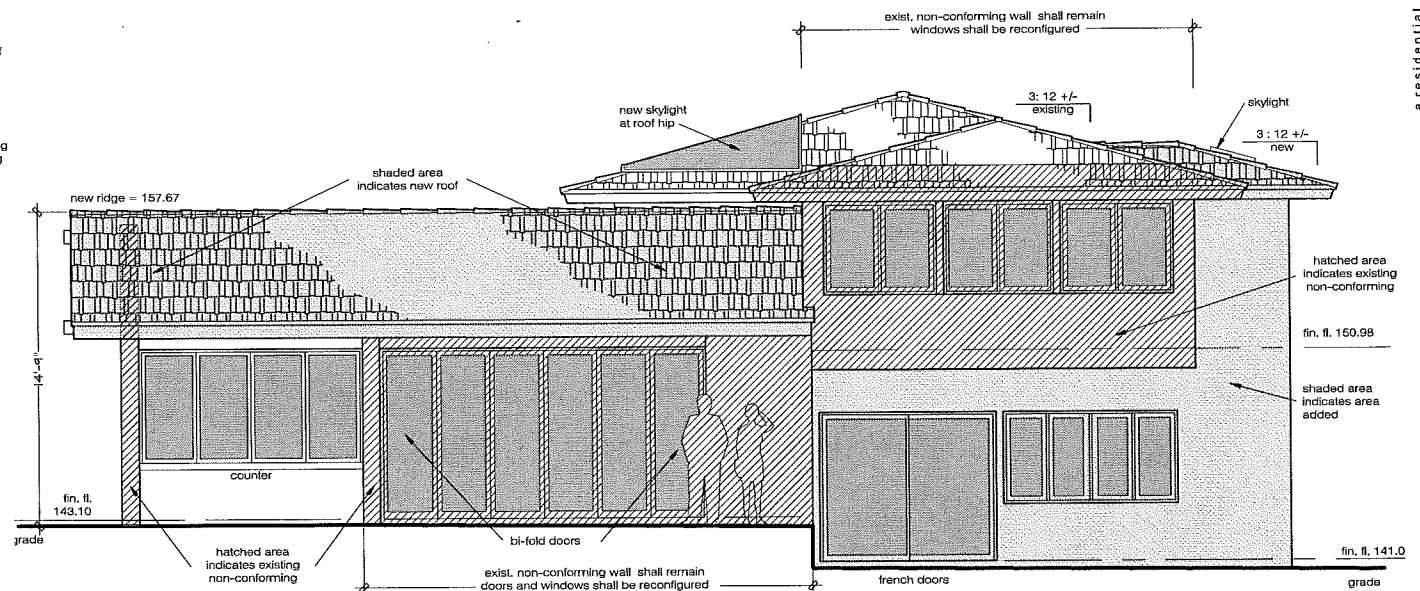
south elevation 1/4" = 1'-0"



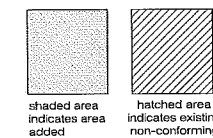
east elevation 1/4" = 1'-0"  
street elevation



north elevation 1/4" = 1'-0"



west elevation 1/4" = 1'-0"



note:

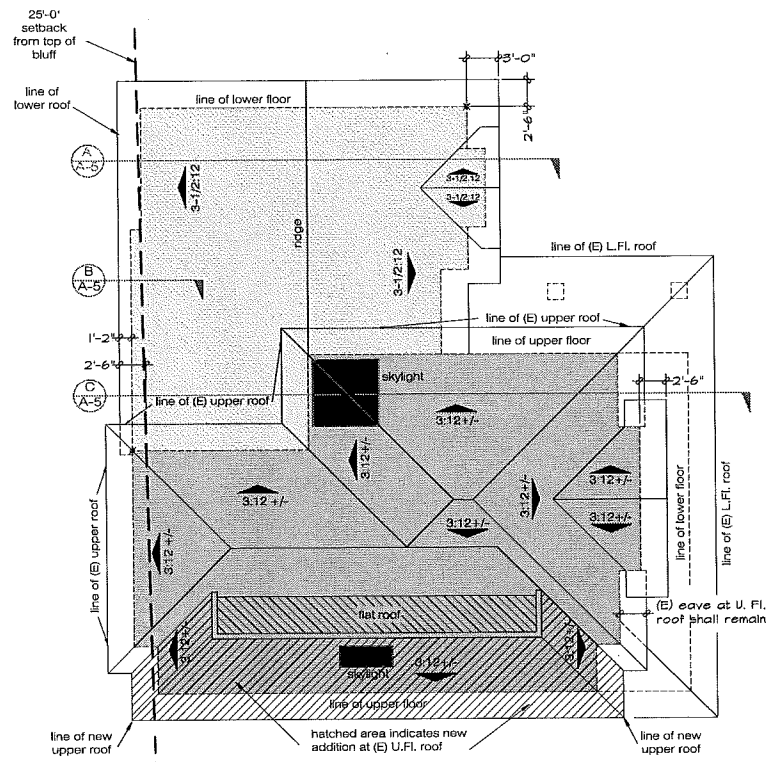
roofing:  
Manufactured multi-width state shingles

Exterior wall finish:  
Smooth trowel plaster finish (typical).

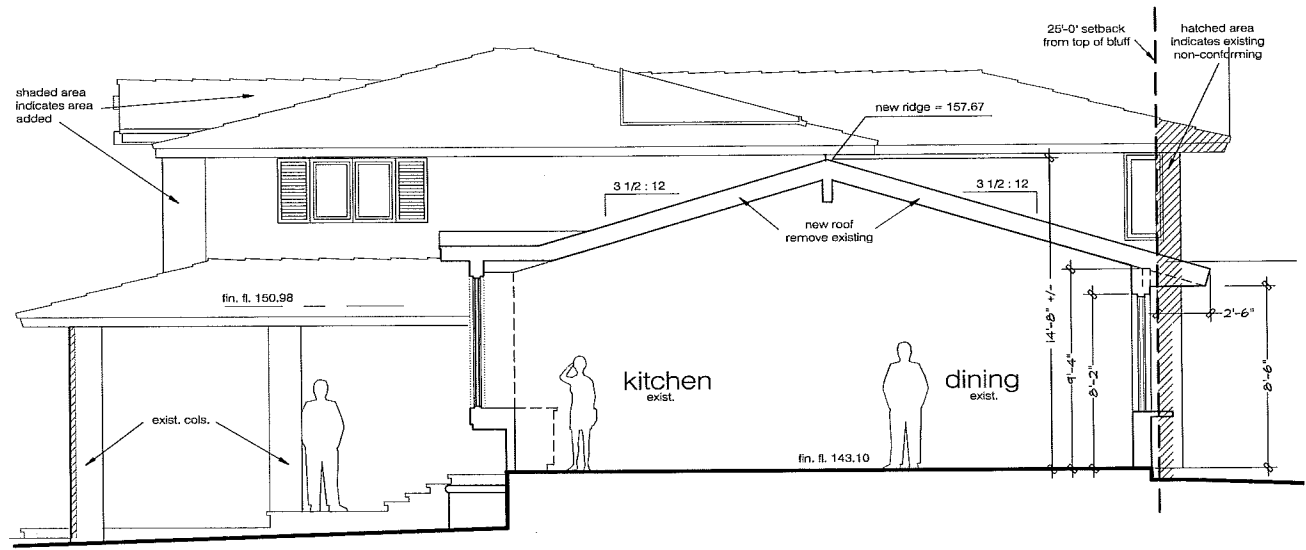
a residential remodel for:  
**Rick & Patti Thompson**  
34567 Camino Capistrano - Capistrano Beach, Ca. 92624



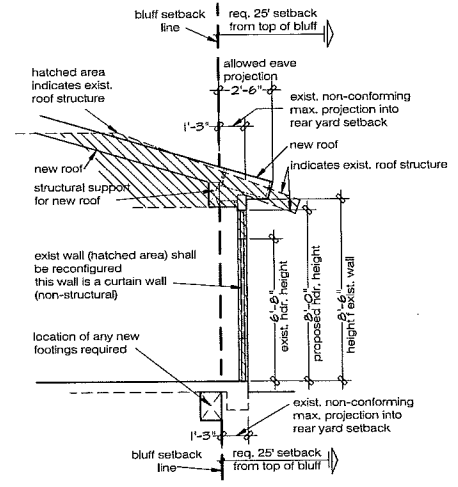




roof plan 1/8" = 1'-0"



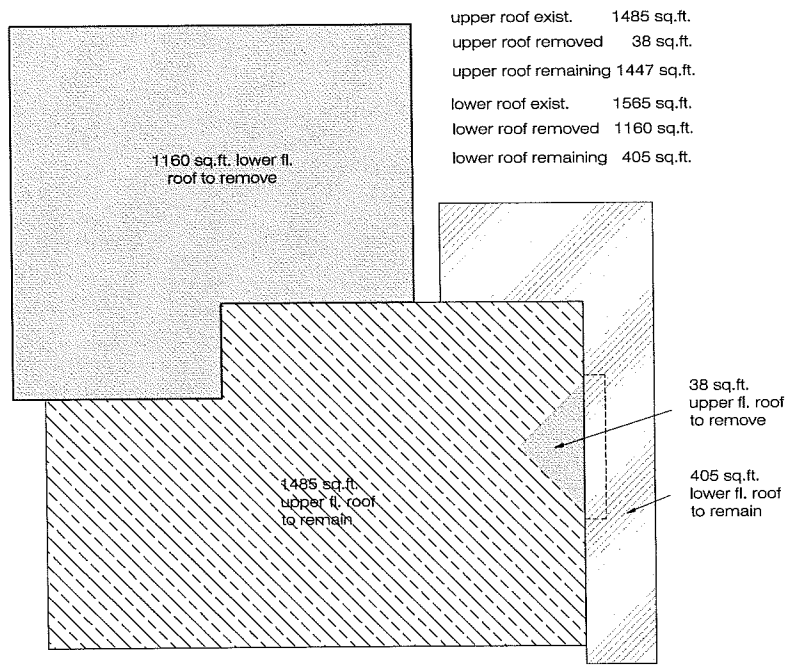
section A-A-5 1/4" = 1'-0"



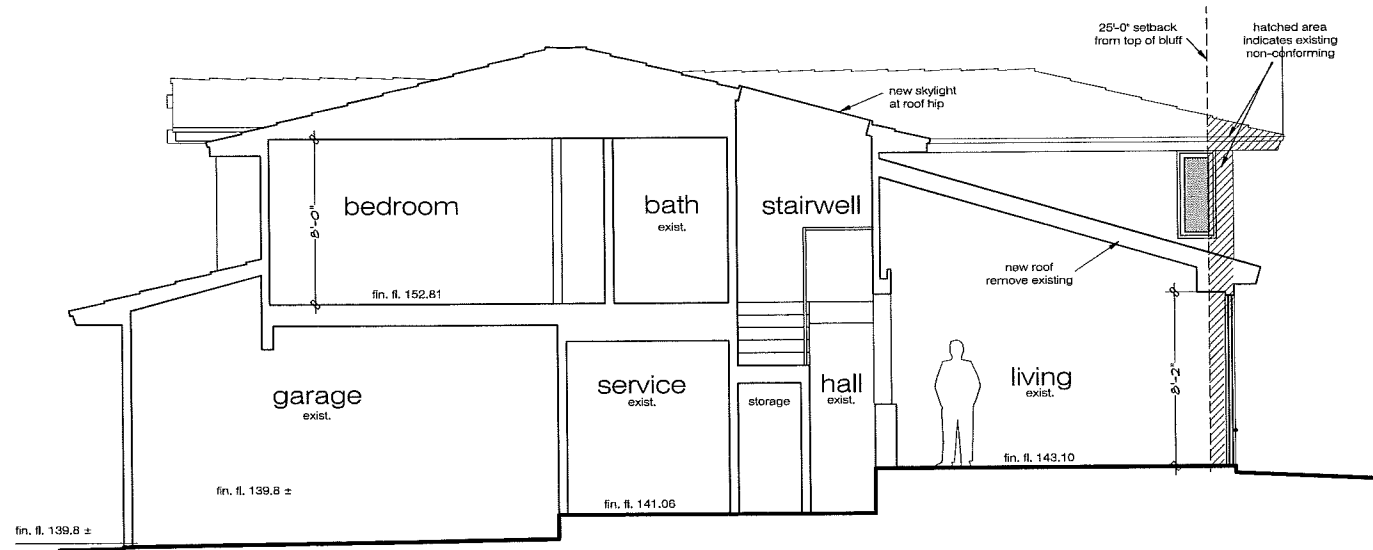
wall section B-B-5 1/4" = 1'-0"

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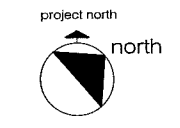
roof demo plan 1/8" = 1'-0"



section C-C-5 1/4" = 1'-0"

sections - roof plan

residential remodel for:  
**Rick & Patti Thompson**  
 34567 Camino Capistrano - Capistrano Beach, Ca. 92624





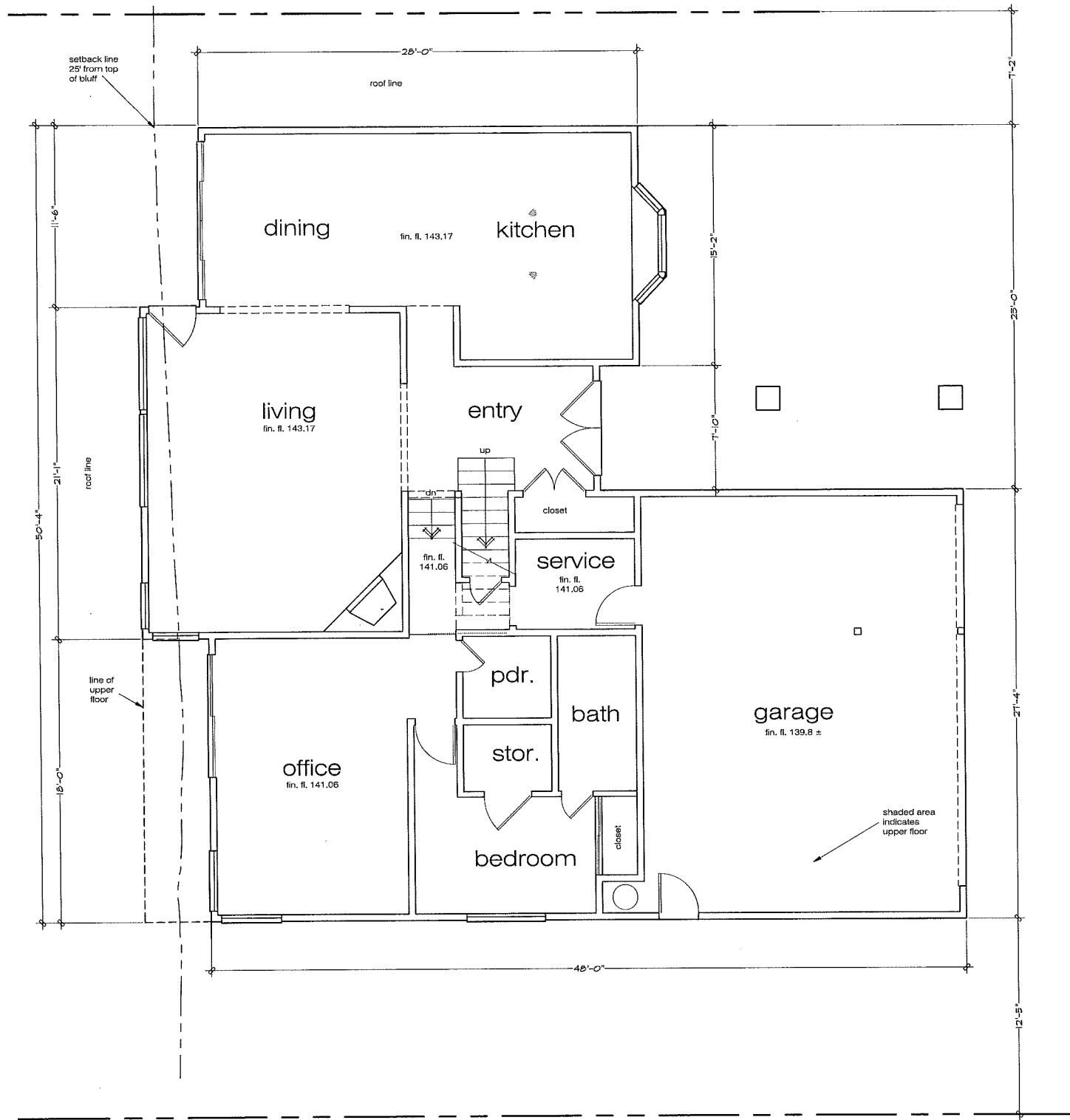




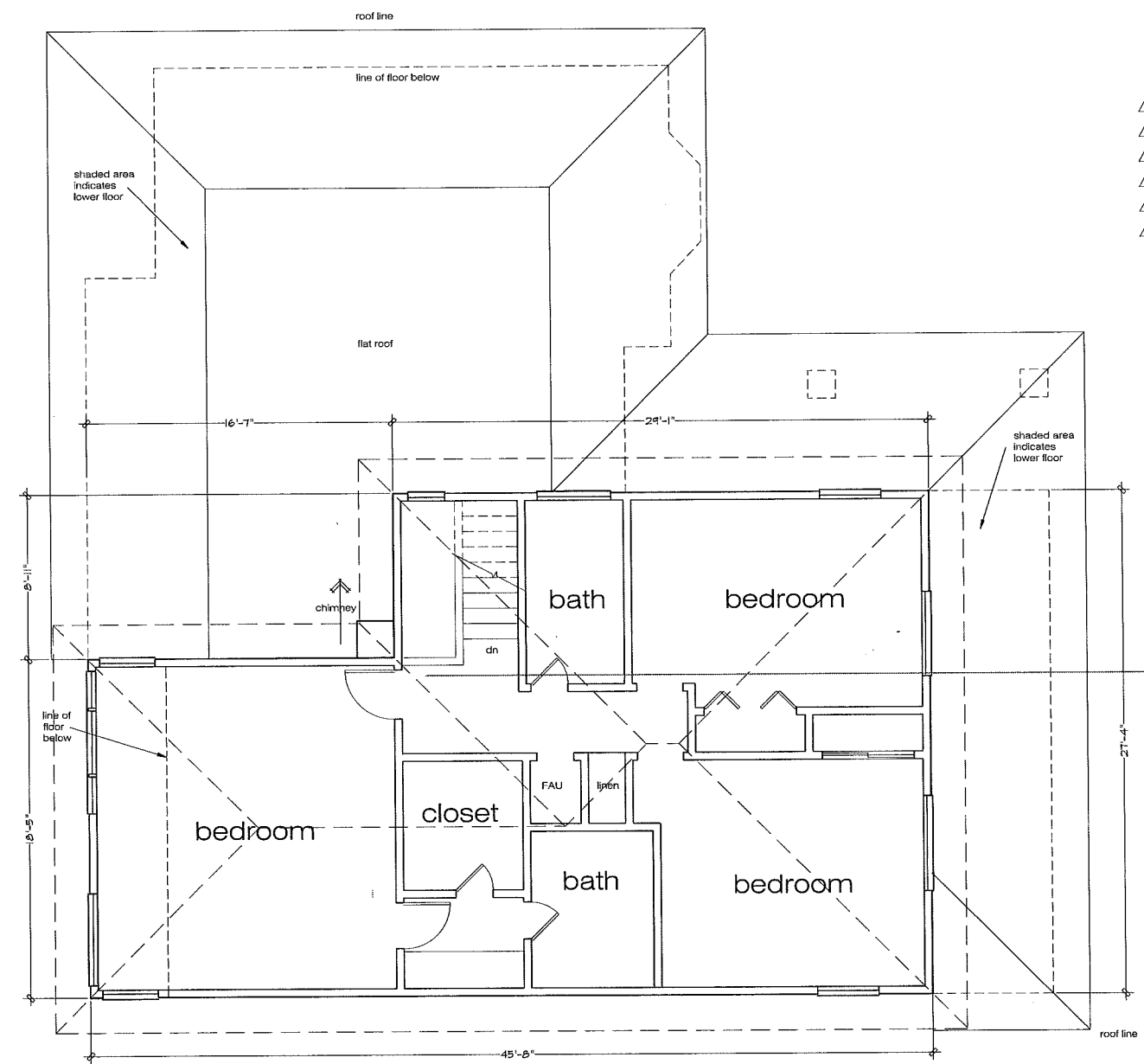
Carl Iverson  
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 949.616.5799 carl@studio320.net

revisions

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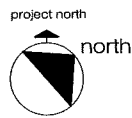


existing lower floor plan 1/4" = 1'-0"  
 (E) lower floor 1462 sq.ft.



existing upper floor plan 1/4" = 1'-0"  
 (E) upper floor 1040 sq.ft.

a residential remodel for:  
**Rick & Patti Thompson**  
 34567 Camino Capistrano - Capistrano Beach, Ca. 92624

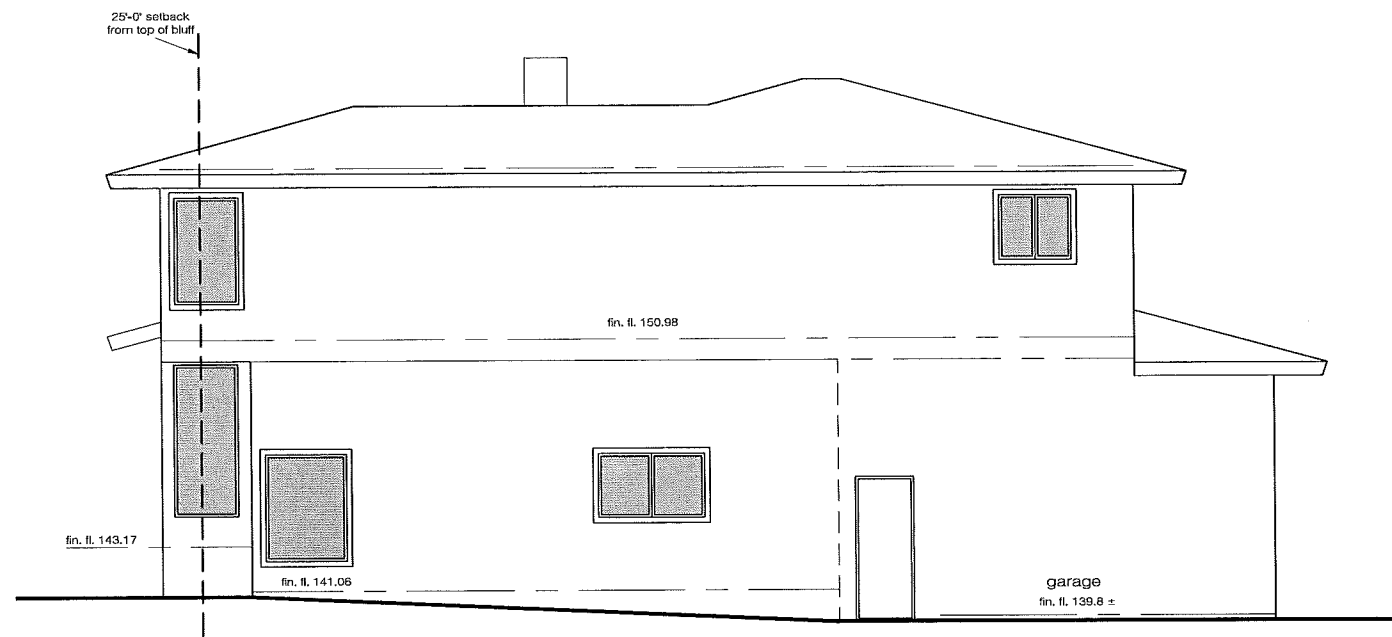




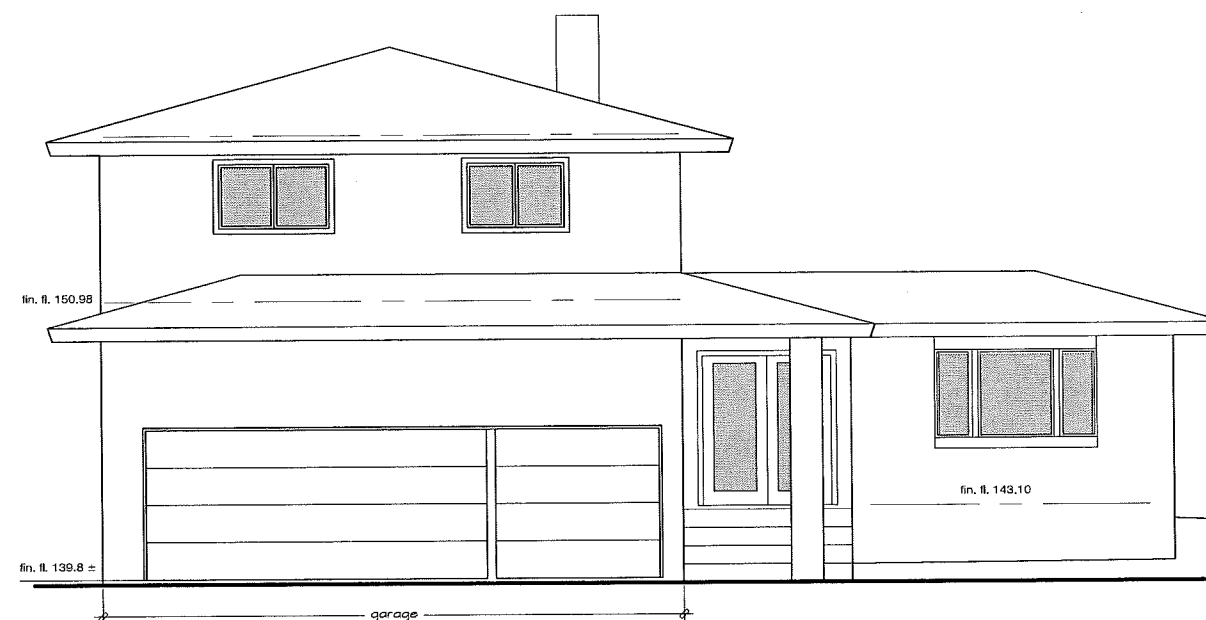
Carl Iverson  
ARCHITECT  
34126 4246 Pacific Coast Highway  
Dana Point, California 92629  
949.516-5758 carl@studio320.net

revisions

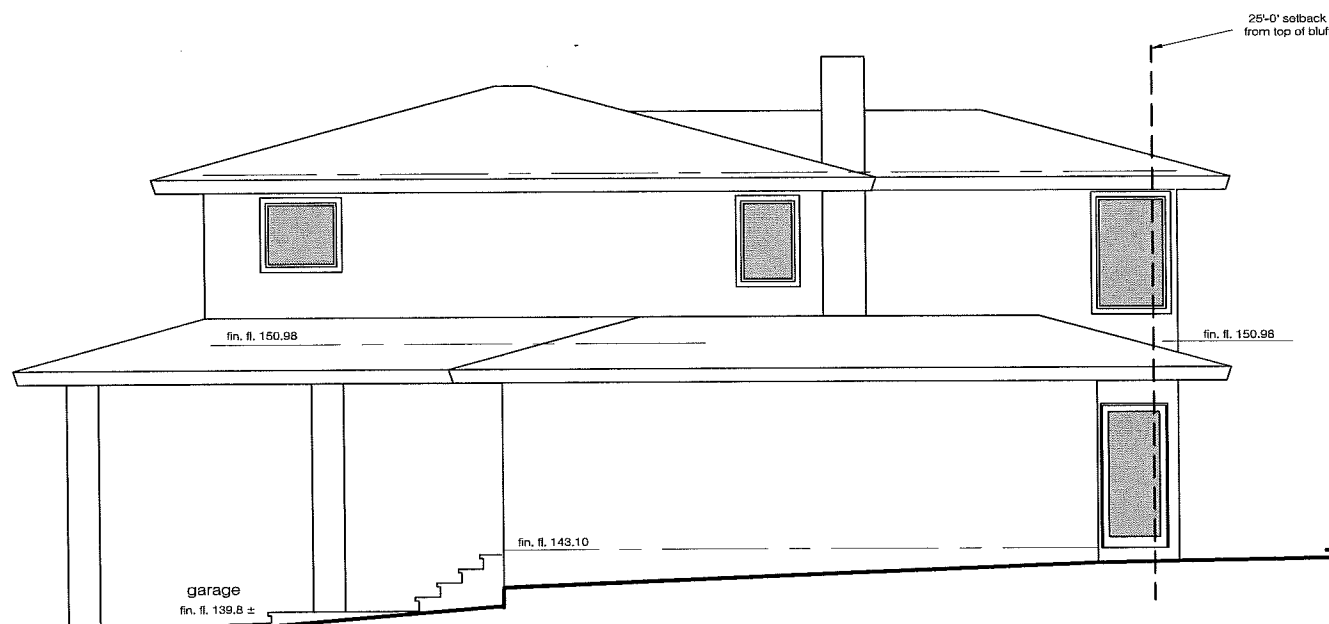
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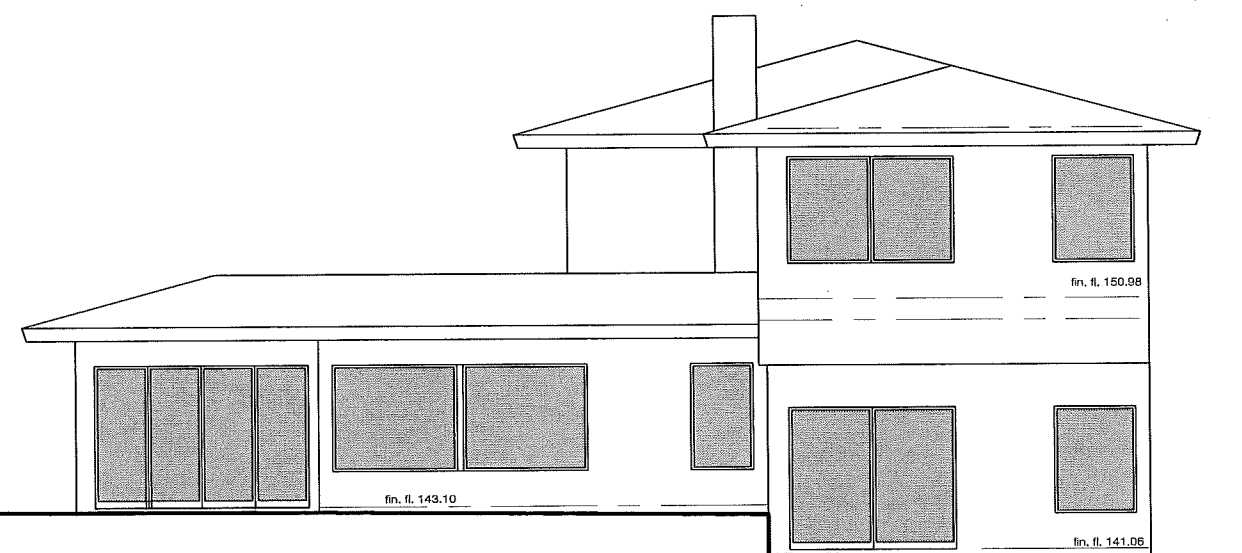
south elevation 1/4" = 1'-0"



east elevation street elevation 1/4" = 1'-0"



north elevation 1/4" = 1'-0"



west elevation 1/4" = 1'-0"

a residential remodel for:  
**Rick & Patti Thompson**  
34567 Camino Capistrano - Capistrano Beach, Ca. 92624

as-built  
exterior elevations

1-9-18  
**AB-2**  
of AB-2

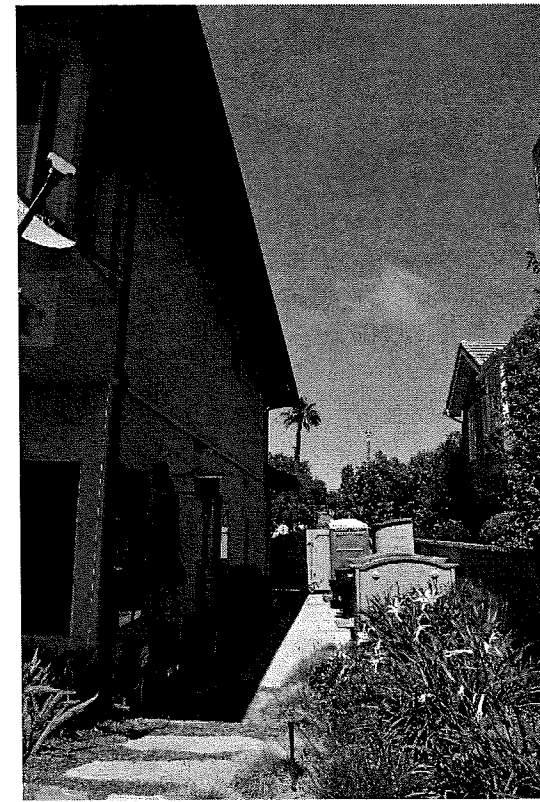
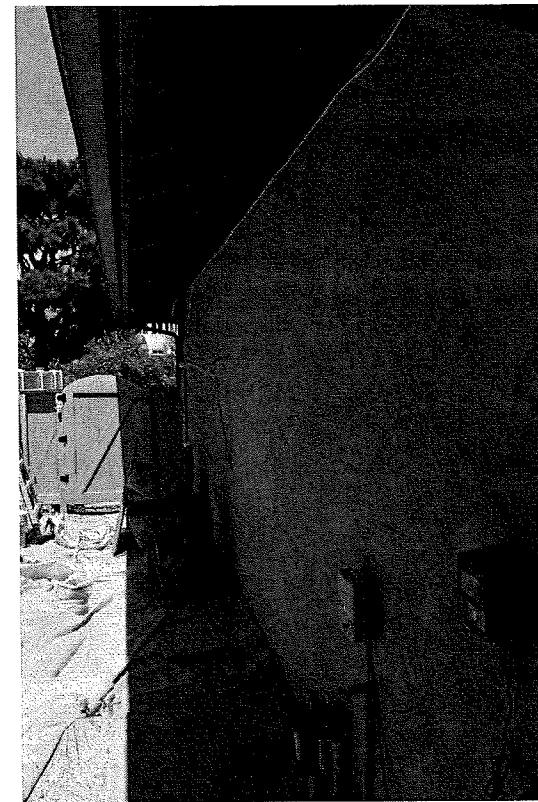
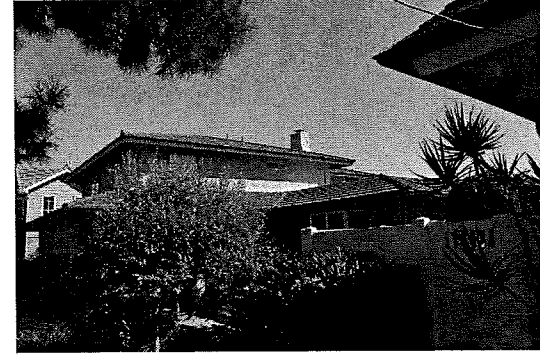
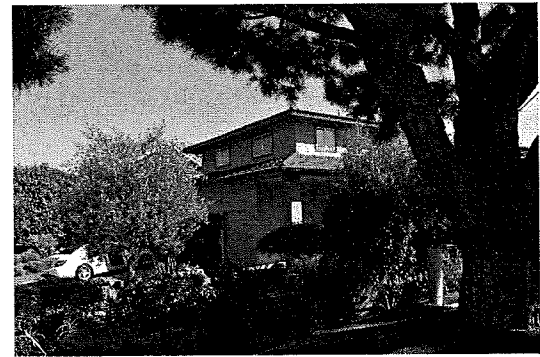


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Architect

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949.616-5799 carl@studio320.net

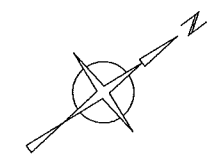
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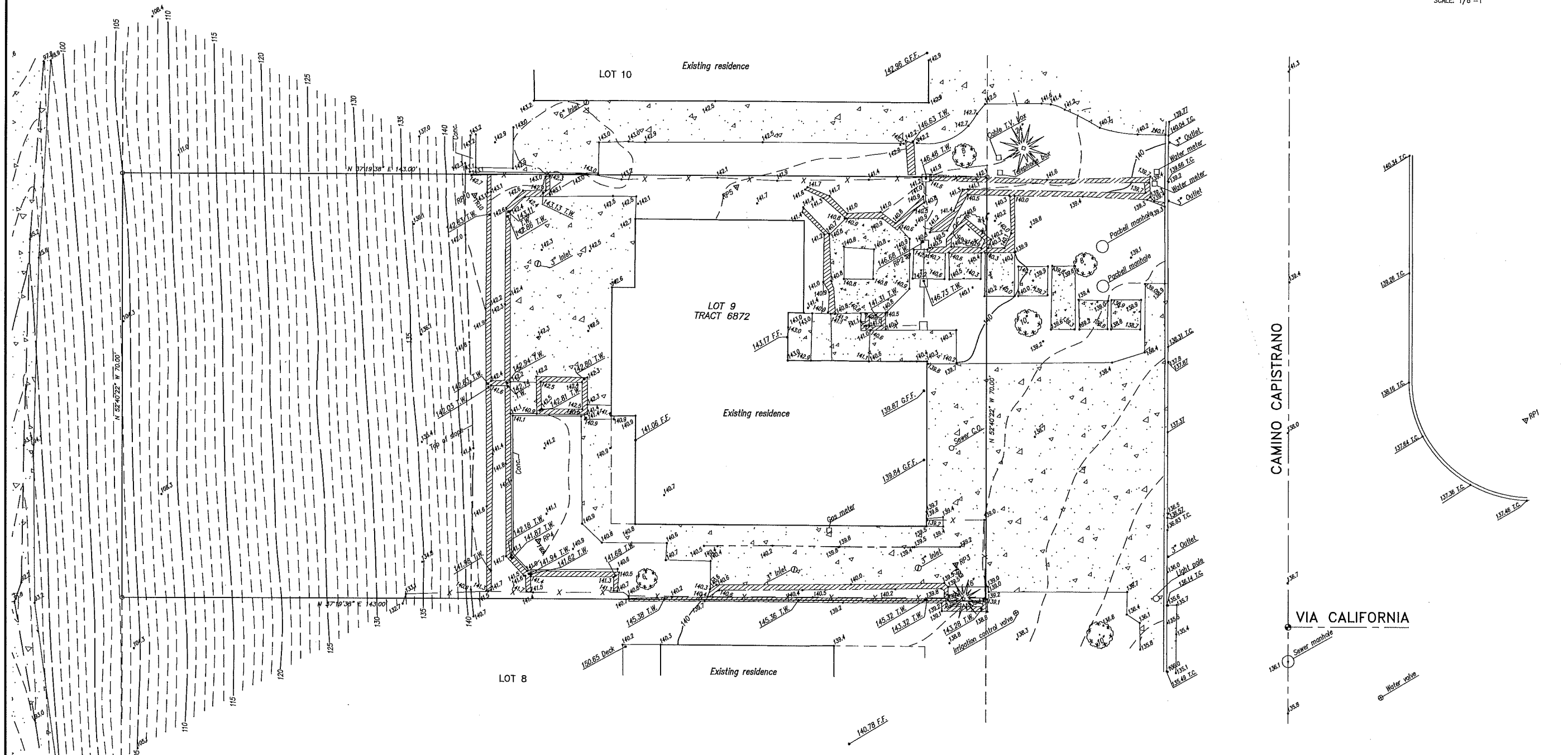


a residential remodel for:  
**Rick & Patti Thompson**  
34567 Camino Capistrano - Capistrano Beach, Ca. 92624





SCALE: 1/8"=1'



EASEMENT NOTE:  
THE PLAT FOR THIS SURVEY WAS PREPARED WITHOUT A TITLE REPORT.  
UNPLOTTED EASEMENTS MAY EXIST ON THE SUBJECT PROPERTY.

BOUNDARY NOTE:  
THIS IS NOT A BOUNDARY SURVEY. THE TOPOGRAPHIC FEATURES AS SHOWN  
ON THIS MAP MAY BE ADJUSTED RELATIVE TO THE PLAT UPON COMPLETION  
OF A BOUNDARY SURVEY

TOPOGRAPHIC SURVEY  
LOT 9, TRACT 6872  
CAPISTRANO BEACH, CALIFORNIA

DATE	BY	APVD.	DATE	APVD.	DATE	APVD.
10-11-07						
10-9-07						

**TOAL ENGINEERING, INC.**  
Civil Engineers, Land Planners, Land Surveyors  
139 Avenida Navarro, San Clemente, Calif. 92672  
Ph: 949-492-8586 Fax: 949-498-8625