CITY OF DANA POINT PLANNING COMMISSION AGENDA REPORT

DATE: DECEMBER 10, 2018

TO: DANA POINT PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

MATT SCHNEIDER, DIRECTOR

DANNY GIOMETTI, ASSOCIATE PLANNER

SUBJECT: TENTATIVE PARCEL MAP TPM2018-126 FOR CONDOMINIUM

PURPOSES TO SUBDIVIDE THE AIRSPACE AND ALLOW INDIVIDUAL OWNERSHIP OF A PREVIOUSLY APPROVED THREE (3) UNIT

MULTIPLE FAMILY DWELLING USE.

RECOMMENDATION: That the Planning Commission adopt the attached Draft

Resolution approving Tentative Parcel Map TPM2018-126.

APPLICANT: Advanced Civil Engineering – Steve Austin

PROPERTY OWNER: Long Beach Development, LLC

REQUEST: Approval of a tentative parcel map for condominium purposes to

subdivide the airspace and allow individual ownership of a previously approved three (3) unit Multiple Family Dwelling use on a Residential Multiple Family (RMF 14) zoned lot within the

Lantern Village.

LOCATION: 33851 Malaga Drive and 33852 Silver Lantern

(APN's: 682-263-14 & 682-263-19)

NOTICE: Notices of the Public Hearing were mailed to property owners

within a 500-foot radius on November 29, 2018, published within a newspaper of general circulation on November 22, 2018, and posted on November 22, 2018, at Dana Point City Hall, the Dana Point and Capistrano Beach Branch Post Offices, Dana Point

Library, as well as on the City of Dana Point website.

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 project involves the division of a previously approved three (3) unit multi family dwelling into a common interest ownership subdivision where no physical

changes are occurring that are otherwise exempt.

ISSUES:

- 1. Is the proposal consistent with the City's adopted General Plan?
- 2. Is the project compatible with, and an enhancement to the site and surrounding neighborhood?
- 3. Does the project satisfy all required findings pursuant to the City's Zoning Code for approving a Tentative Parcel Map?

BACKGROUND:

The subject site is located east of Golden Lantern between La Paz Avenue and Selva Road within the Residential Multiple Family 14 (RMF-14) Zoning District and is designated as Residential 7-14 DU/AC on the City's Land Use Map. The site is a vacant, previously undeveloped, 7,996 square foot through lot with frontage on both Malaga Drive and Silver Lantern. The site is surrounded by a mixture of single-family, duplex and multiple-family developments to the north, south, east and west (Supporting Document 2).

The lot was previously comprised of two separate parcels. These parcels were merged through approval of Tentative Parcel Map No. 80-158, which was recorded by the County of Orange on September 19, 1984. In May of 2017, the Director of Community Development approved Minor Site Development Permit SDP17-0002(M) for the subject site allowing development of a Multiple Family Dwelling use consisting of three (3) units with two detached garages (Supporting Document 3). The proposal also permitted roof decks and retaining walls greater than 30 inches in height visible from the public right of way. Construction and grading plans associated with SDP17-0002(M) are currently being reviewed by the City through the building and grading plan check processes.

DISCUSSION:

SDP17-0002(M) authorized a three (3) unit multiple family development with two (2) detached garages on a single parcel that does not allow the sale of individual units. Although previously approved as a three unit multiple family dwelling under one ownership, the applicant's proposing a tentative parcel map for a condominium project to allow individual ownership of the three (3) individual dwelling units with their respective detached garages.

TENTATIVE PARCEL MAP

Pursuant to Section 7.02.110 of the Dana Point Subdivision Code (DPSC), a tentative parcel map (TPM) is used whenever a parcel is proposed to be subdivided for the purpose of creating less than five (5) condominium units. The applicant has provided the requisite TPM and a preliminary condominium plan (Supporting Documents 4 and 5 respectively). The

preliminary condominium plan illustrates the manner in which individual interest in the structures proposed for the lot, and the common interest areas will be divided. Preliminarily, individual interest, or "airspace" will include one dwelling unit, their associated/required garage/parking stalls, decks, while also identifying common and association areas.

Specifics relating to the maintenance standards and responsibilities of individual, common, and association interest areas, retaining walls, as well as the parking requirements will be further defined and described in the covenants, conditions, and, restrictions (CC&R's) required as conditioned in the attached draft resolution for TPM2018-126. To account for potential maintenance and ownership discrepancies between future owners, a specific condition of approval has been included requiring the CC&R's to include provisions for dispute resolution. As is customary, the CC&R's will be reviewed by City Staff and the City Attorney to ensure compliance with the conditions of approval, and requirements of both the California Subdivision Map Act and the City's Subdivision Code.

Section 7.05.060 of the Dana Point Subdivision Code establishes findings required to approve a subdivision. These findings relate to consistency with the General Plan and Zoning Code, adequacy of the site to accommodate the development and density, potential environmental impacts, and that there are adequate utilities and improvements proposed to serve the subdivision. Overall, the TPM meets the requirements of the City's Subdivision Code and is consistent with the property's General Plan and Zoning designations. The site is suitable for the proposed type and density of development as previously assessed through SDP17-0002(M), and Staff believes the following findings supporting approval of the TPM can be made.

Findings:

- 1. That the proposed map is consistent with the City's General Plan;
- 2. That the design and improvement of the proposed subdivision is consistent with the City's General Plan;
- 3. That the site is physically suitable for the proposed type of development;
- 4. That the requirements of the California Environmental Quality Act have been satisfied;
- 5. That the site is physically suitable for the proposed density of development;
- 6. That the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife habitat:
- 7. That the design of the subdivision and the proposed improvements are not likely to

cause serious public health problems;

- 8. That the design of the subdivision and the proposed improvements will not conflict with easements of record or established by court judgment or acquired by the public at large for access through or use of property within the proposed subdivision;
- 9. That the design and improvement of the proposed subdivision are suitable for the uses proposed and the subdivision can be developed in compliance with the applicable zoning regulations;
- 10. That the subdivision is not located in a fee area, or if located in a fee area, the subdivider has met the requirements or payment of the applicable fees or the subdivision would not allow development of a project which would contribute to the need for the facility for which a fee is required;
- 11. That the subdivision is located in an area which has access to adequate utilities and public services to support the development proposed within the subdivision or that the subdivision includes the provisions and improvements necessary to ensure availability of such utilities and services.

CORRESPONDENCE:

To date, no correspondence has been received concerning the subject project.

CONCLUSION:

Based on the above analysis, as well as the projects consistency with the City's General Plan, and Zoning and Subdivision Codes, Staff determines that required findings supporting the project can be made. Accordingly, Staff recommends that the Planning Commission adopt the attached Draft Resolution approving Tentative Parcel Map TPM2018-126.

Danny Giometti

Associate Planner

Matthew Schneider

Director of Community Development

ATTACHMENTS:

Action Documents

1. Draft Planning Commission Resolution No. 18-12-10-XX

Supporting Documents

- 2. Vicinity Map
- 3. SDP17-0002(M) Approved Plan
- 4. Tentative Parcel Map
- 5. Preliminary Condominium Plan

Action Document 1 Draft Planning Commission Resolution No. 18-12-10-XX

RESOLUTION NO. 18-12-10-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP TPM2018-126 FOR CONDOMINIUM PURPOSES TO SUBDIVIDE THE AIRSPACE AND ALLOW INDIVIDUAL OWNERSHIP OF A PREVIOUSLY APPROVED THREE (3) UNIT MULTIPLE FAMILY DWELLING USE LOCATED AT 33852 SILVER LANTERN AND 33851 MALAGA DRIVE.

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

WHEREAS, Long Beach Development LLC, (the "Owner") is the owner of real property commonly referred to as 33852 Silver Lantern and 33851 Malaga Drive (APN's 682-261-14 & 682-261-19) (the "Property"); and

WHEREAS, the Owners authorized Advanced Civil Engineering (the "Applicant") and the Applicant caused to be filed a verified application for a Tentative Parcel Map for condominium purposes to subdivide the airspace and allow individual ownership of a previously approved three (3) unit multiple family dwelling use located at 33852 Silver Lantern and 33851 Malaga Drive.

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(s) 15301 of the CEQA Guidelines (Class 1- Existing Facilities) in that project involves the division of a previously approved three (3) unit multi family dwelling into a common interest ownership subdivision where no physical changes are occurring that are otherwise exempt; and

WHEREAS, the Planning Commission did, on the 10th day of December, 2018, hold a duly noticed public hearing as prescribed by law to consider said requests; and

WHEREAS, at said public hearing, upon considering all testimony and arguments, if any, of all persons desiring to be heard, said Commission considered all factors relating to Tentative Parcel Map TPM2018-126.

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

 A) The above recitations are true and correct and incorporated herein by this reference.

Findings:

B) Based on the evidence presented, the Planning Commission adopts the following findings and approves Tentative Parcel Map TPM2018-126, subject to conditions:

- 1. That the proposed map is consistent with the City's General Plan in that it satisfies the intent of the Land Use Element Goal 1 pertaining to balanced development for the City, which states, "Achieve a desirable mixture of land uses to meet the residential, commercial, industrial, recreational, open space, cultural and public service needs of the City residents."
- 2. That the design and improvement of the proposed subdivision is consistent with the City's General Plan in that the proposed density and design conforms to the applicable City standards and policies related to residential development for the General Plan Land Use Designation "Residential 7-14 DU/AC", and the proposed subdivision will provide for individual and common interest and responsibility areas as further articulated in the Conditions, Covenants and Restrictions (CCR's), and final condominium map required as conditioned in this resolution.
- 3. That the site is physically suitable for the proposed type of development in that it is of a reasonable shape, size, and topography to accommodate a residential condominium subdivision for the three (3) dwelling units, two (2) garages, and retaining walls previously approved for development on the site.
- 4. That the requirements of the California Environmental Quality Act have been satisfied in that project qualifies as a Class 1 (Section 15301) exemption pursuant to the applicable provisions of the California Environmental Quality Act (CEQA) in that the project involves division of proposed multiple family residences into common-interest ownership where no design changes occur which are not otherwise exempt.
- 5. That the site is physically suitable for the proposed density of development in that required development standards have already been met through the approval of Minor Site Development Permit SDP17-0002(M) and the site is large enough to accommodate the proposed density and land area requirements for the three (3) dwelling units, two (2) garages, and retaining walls proposed for development on the site.
- 6. That the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife habitat in that the subdivision is located within an urbanized area within the Lantern Village community of the City and on a site proposed

for development and does not contain any special status habitat.

- 7. That the design of the subdivision and the proposed improvements are not likely to cause serious public health problems in that the proposed improvements and condominium subdivision conform to their requisite development standards and subdivision code requirements, respectively. Additionally, best management practices (BMP's) will be implemented before, during and after construction activities take place. Therefore, the design of the subdivision and proposed improvements are not likely to cause serious public health problems.
- 8. That the design of the subdivision and the proposed improvements will not conflict with easements of record or established by court judgment or acquired by the public at large for access through or use of property within the proposed subdivision in that any easement issues were previously reviewed under the required SDP17-0002(M) and there is no easement on the property related to access through or use of the property.
- 9. That the design and improvement of the proposed subdivision are suitable for the uses proposed and the subdivision can be developed in compliance with the applicable zoning regulations in that the subdivision creates individual ownership opportunities for the previously approved three-unit development, which was designed and approved in conformance with the RMF 14 Zoning District.
- 10. That the subdivision is not located in a fee area, or if located in a fee area, the subdivider has met the requirements or payment of the applicable fees or the subdivision would not allow development of a project which would contribute to the need for the facility for which a fee is required in that all applicable fees will be collected prior to issuance of construction permits for the three (3) units and two (2) garages approved for development at the site, or will be collected prior to issuance of a certificate of occupancy for any of the units, and the creation of the condominium subdivision will not create the need for additional public facilities.
- 11. That the subdivision is located in an area which has access to adequate utilities and public services to support the development proposed within the subdivision or that the subdivision includes the provisions and improvements necessary to ensure availability of

such utilities and services in that public utilities and services are currently being provided to adjacent improved properties and the applicant shall furnish a "Will Serve" letter from each of the requisite utility and public service companies prior to building permit issuance.

Conditions:

A. General:

- 1. Approval of this application is to allow for a Tentative Parcel Map for condominium purposes to subdivide the airspace and allow individual ownership of a previously approved three (3) unit multiple family dwelling use located at 33852 Silver Lantern and 33851 Malaga Drive. 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 and the Dana Point Zoning Code.
- This conditionally approved tentative map shall expire two (2) years
 after its conditional approval unless the Applicant/subdivider requests
 an extension in writing prior to the expiration date, and the Subdivision
 Committee/Planning Commission grants the extension request in
 accordance with all provisions outlined in Subdivision Code Section
 7.05.075.
- 3. The application is approved for the location and design of the uses, structures, features, and materials, shown on the approved plans. 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 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 of Community Development determines that the proposed change complies with the provisions and the spirit and intent of this approval action, and that the action would have been the same for the amendment as for the approved plans, the Director may approve the amendment without requiring a new public hearing.
- 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.
- 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's fees, costs and expenses incurred concerning the claim, action, or proceeding.

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's 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.

- The applicant and applicant's 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.
- The applicant and applicant's successors in interest shall be responsible for payment of all applicable fees along with reimbursement for all City expense in ensuring compliance with these conditions.
- 11. The Final Parcel Map must be in substantial compliance with Tentative Parcel Map TPM2018-126, as determined by the Director of Community Development and the Director of Public Works. If the Final Parcel Map is approved, the Map shall be recorded with the Office of the County Recorder.
- The applicant shall be responsible for coordination with SDG&E, AT&T California, SCWD, Southern California Gas Company, and Cox Communication Services for the provision of all utility services.
- 13. All proposed utilities within the project shall be installed underground. An approved SDG&E work order and undergrounding plan is required prior to building permit issuance.

- The applicant shall obtain all applicable permits for the proposed improvements, including any that may be required from outside agencies.
- Unless and until the Final Parcel Map associated with Tentative Parcel Map TPM2018-126 is recorded with the Office of the County Recorder, the applicant shall comply with the provisions of the 2010 CBC Chapter 11A Housing Accessibility (Sections 110A, 1102A & 1104A).

B. Prior to approval of the final parcel map the applicant shall meet the following conditions:

- 16. A Final Map shall be submitted for review and approval in accordance with requirements of the Public Works Department and Community Development Department. The final map must be in substantial compliance with Tentative Parcel Map TPM2018-126, as determined by the Director of Community Development, the Director of Public Works, and the City Engineer. Said map shall be prepared as required by the City of Dana Point Subdivision Code.
- All taxes and fees shall be paid to the County of Orange and the County Treasurer-Tax Collector's Certificate shall be signed.
- 18. All existing and proposed easements shall be shown and labeled on the Final Map clearly indicating the easement ownership, location, purpose and width. A copy of the recorded easements shall be included along with the plan submittal for review by the City Engineer. The Final Map shall also include a note to identify any easements proposed to be vacated with the Map.
- Utility easements shall be provided to the specifications of the appropriate utility companies and subject to review and approval by the Director of Public Works.
- The applicant shall submit the Final Map to the County of Orange for review and approval. A copy of the approval shall be submitted to the Public Works Department.
- The Final Map shall clearly state that the subdivision is for condominium purposes.
- Applicant shall provide to the City a copy of a current title report not less than six months old and any other survey documentation in relation to the subject subdivision.

- 23. The applicant shall submit a copy of the proposed CC&R's and Articles of Incorporation of the Owners' Association(s) for review and approval by the Directors of Public Works and Community Development and the City Attorney. The CC&R's shall be recorded with the Final Map and shall include:
 - a. A statement that prohibits amendment of the document without review and approval by the City Attorney, the Directors of Public Works and Community Development, and the City Engineer at any time prior to or preceding recordation of the Final Parcel Map.
 - b. A method to ensure resolution of any disputes regarding maintenance of any commonly held portions of the lot, any common walls, or disputes regarding the maintenance of the proposed structures shall be included in CC&R's.
 - A method to ensure proper maintenance of the common walls in the development, specifically walls between units.
 - d. Reflect common access easements, and maintenance responsibility of all recreation areas, common walls, access ways, parking areas, landscaping and grounds by the parties common to the CC&R's.
 - e. An acceptable means for maintaining the easements within the subdivision and to distribute the cost of such maintenance in an equitable manner among the owners of the units within the subdivision.
 - f. If not included in the CC&R's, a copy of the proposed condominium plan shall be provided illustrating the manner in which the air apace of the project is proposed for subdivision and illustrations of any commonly held portions of the site ensuring consistency between the definitions and descriptions contained in the proposed CC&R's.
 - g. Require a private drainage easement and maintenance agreement for all existing and proposed storm drain facilities and appurtenant structures. Said easement and agreements shall address existing drainage conditions, cross-lot drainage, and any easement documents.
 - h. Provisions which prohibit any obstructions within any fire protection access easement and shall also require approval of the Fire Chief for any modifications; such as speed bumps, control gates, or changes in parking plans within said easement.

PLANNING COMMISSION RESOLUTION NO. 18-12-10-XX TENTATIVE PARCEL MAP 2018-126 PAGE 8

- Clearly assign maintenance responsibility of the Owners' Association(s) for landscaping, irrigation and other improvements installed on City property for the benefit of the Project.
- Implement and Maintain all structural and non-structural improvements and Best Management Practices (BMPs) indicated in the Final WQMP.
- 24. The applicant shall reimburse the City for staff time and City Attorney costs associated with the review of the CC&R's, easement, and maintenance agreement documents.
- 25. The approved Fire Master Plan shall be submitted to the City of Dana Point Public Works Department.
- 26. Prior to the recordation of a subdivision map, a note shall be placed on the map stating that all residential structures shall be protected by an approved automatic fire sprinkler system.
- All monuments shall be set, or a security provided, to ensure all monuments will be set in accordance with the County of Orange and City of Dana Point standards.
- 28. Applicant/owner shall provide the City with the copy of the recorded Condominium Map.
- 29. The applicant shall submit, to the Public Works and Engineering Department, a copy of the recorded Final Map as approved by the City Council and recorded with the Office of the County Recorder.

PLANNING COMMISSION RESOLUTION NO. 18-12-10-XX TENTATIVE PARCEL MAP 2018-126 PAGE 9

Commission	ED, APPROVED, AND ADOPTI n of the City of Dana Point, Californ ving vote, to wit:	ED at a regular meeting of the Planning nia, held on this 10 th day of December 2018,
	AYES:	
	NOES:	
	ABSENT:	
	ABSTAIN:	
		Danni Murphy, Chairwoman Planning Commission
		,
ATTEST:		
Matthew Sc	chneider, Director	
	Development Department	

Supporting Document 2 Vicinity Map

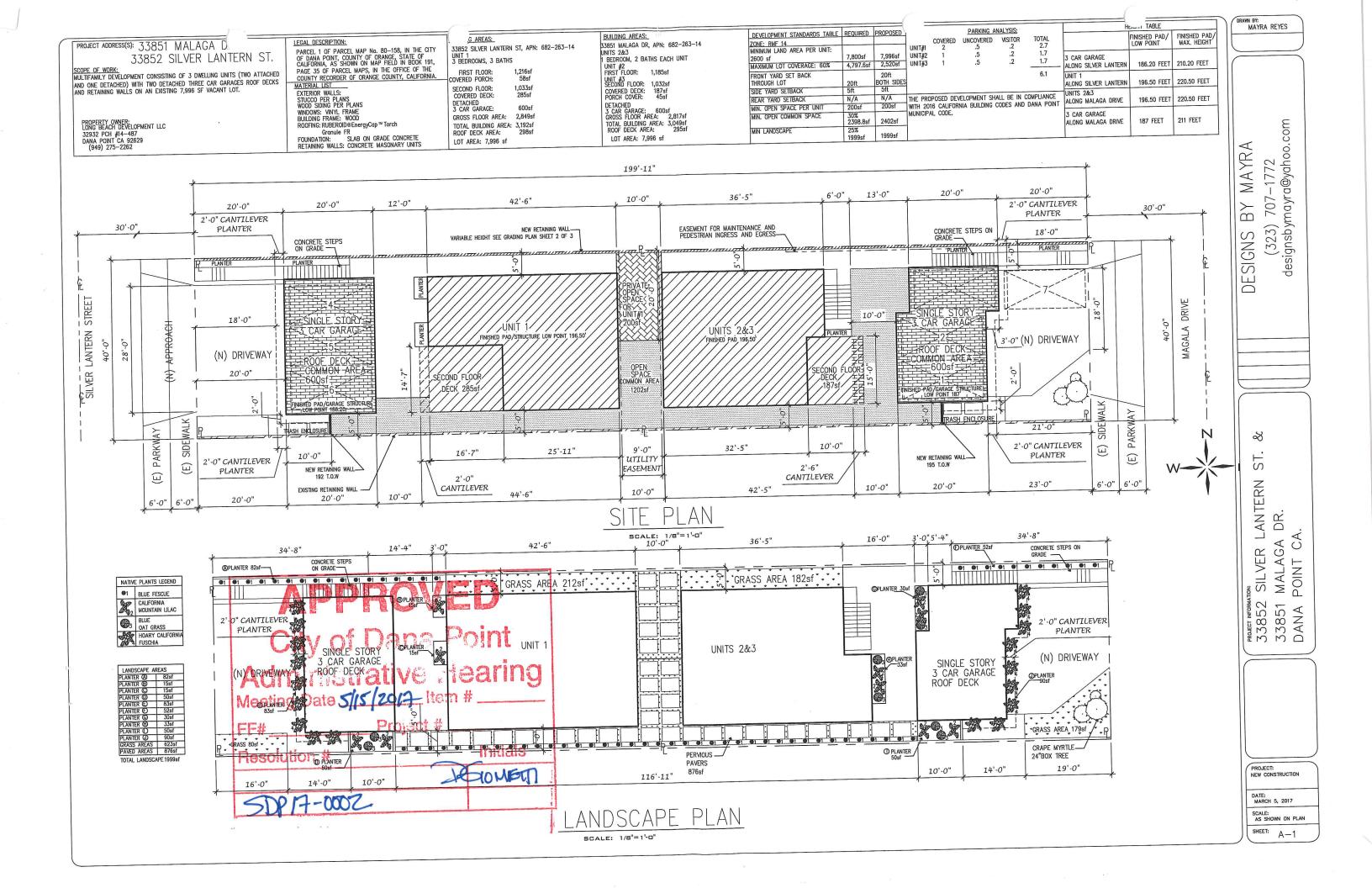
VICINITY MAP

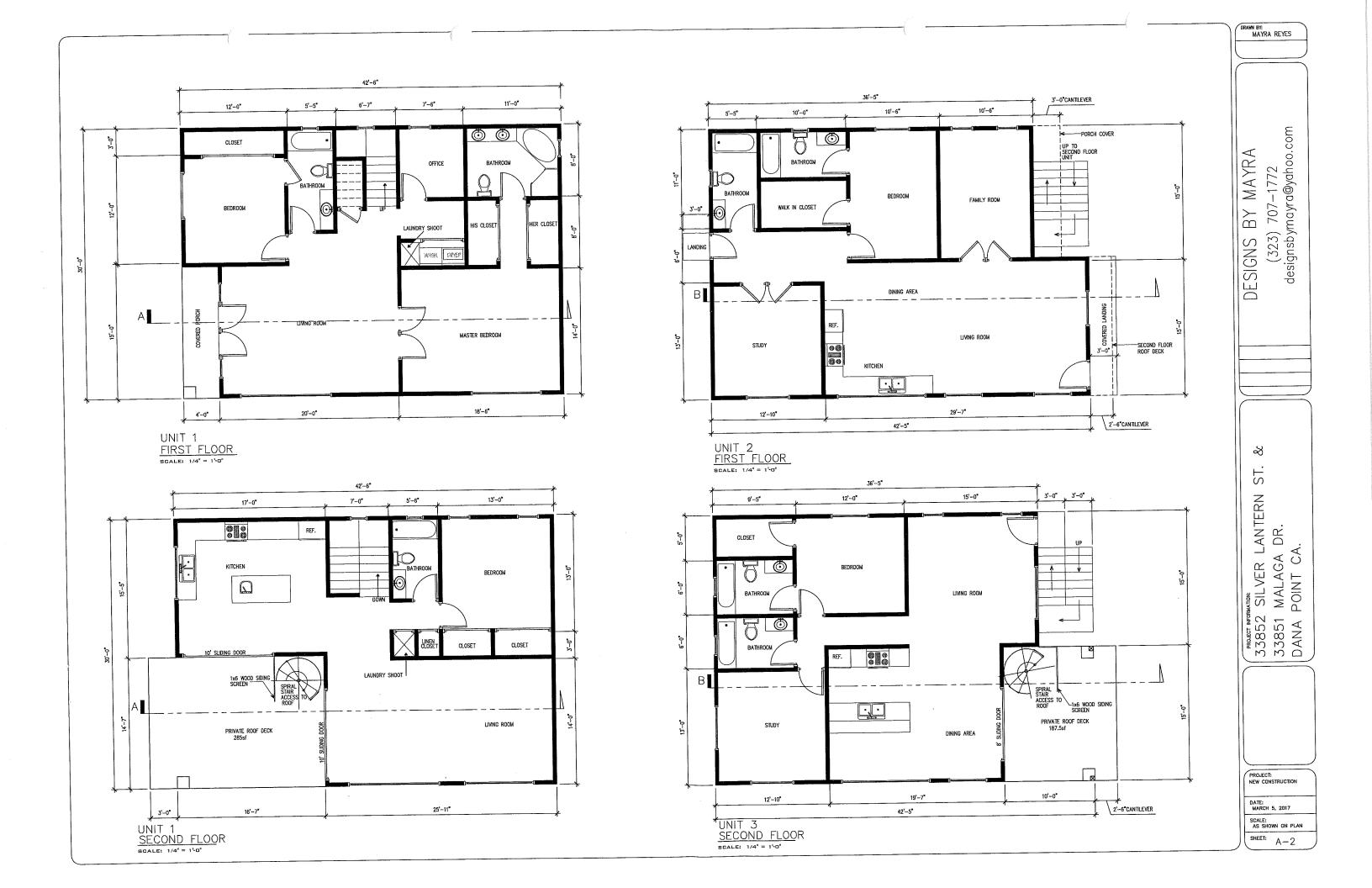


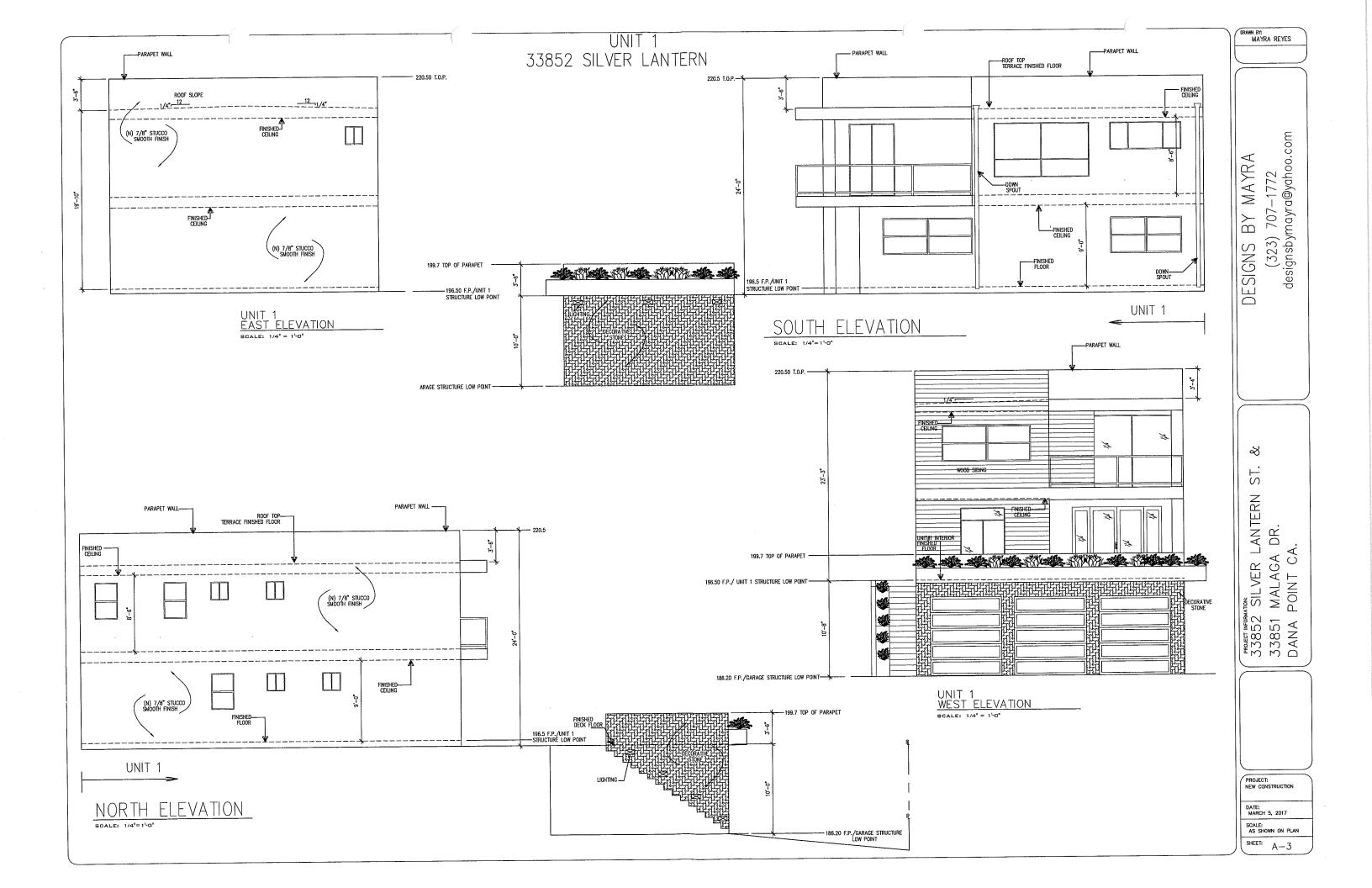
PROJECT: TPM2018-126
APPLICANT ADVANCED CIVIL BNGMERING
OWNER: LONG BEACH DEVELOPMENT LLC

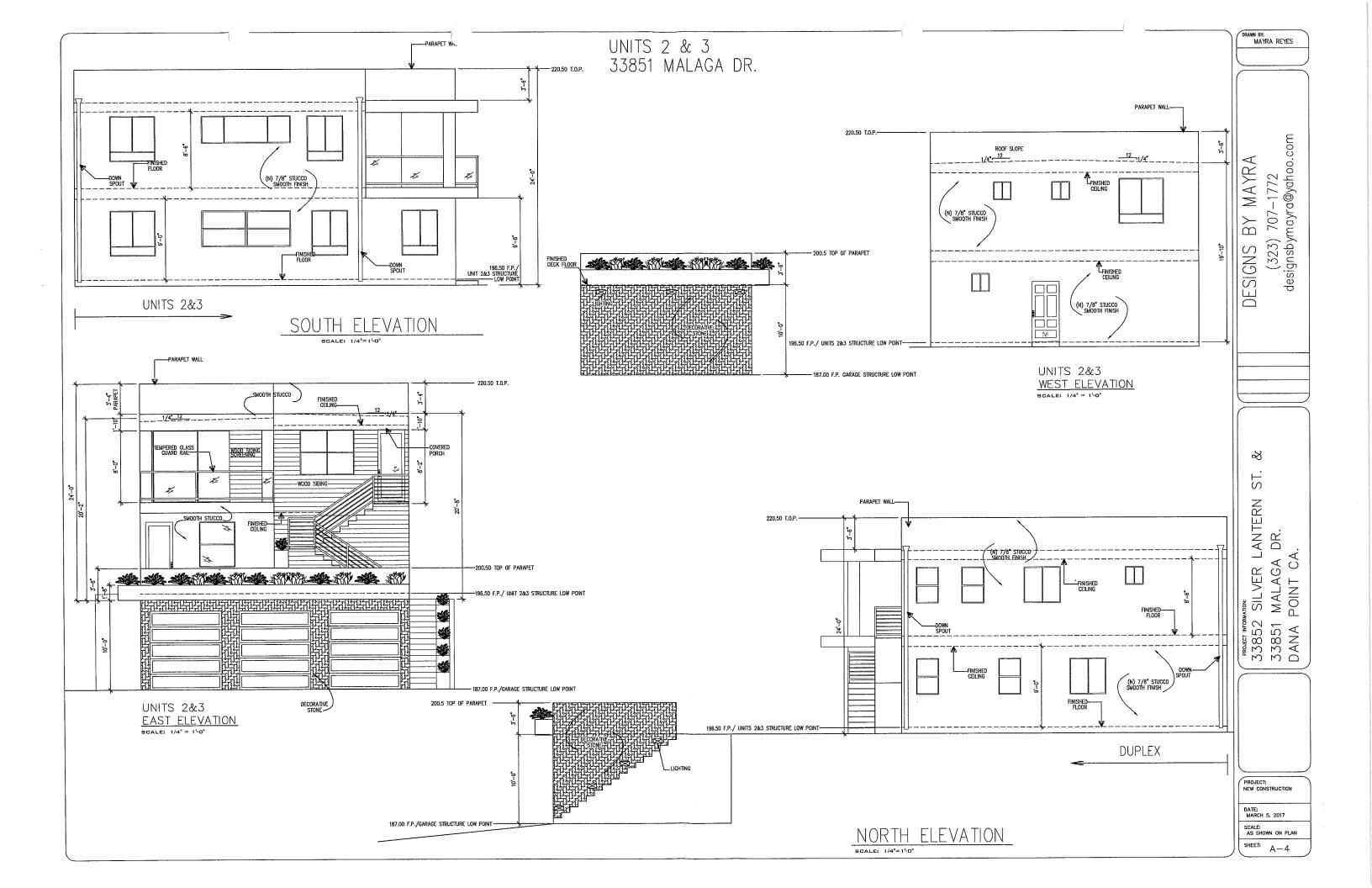
Supporting Document 3 SDP17-0002(M) Approved Plan

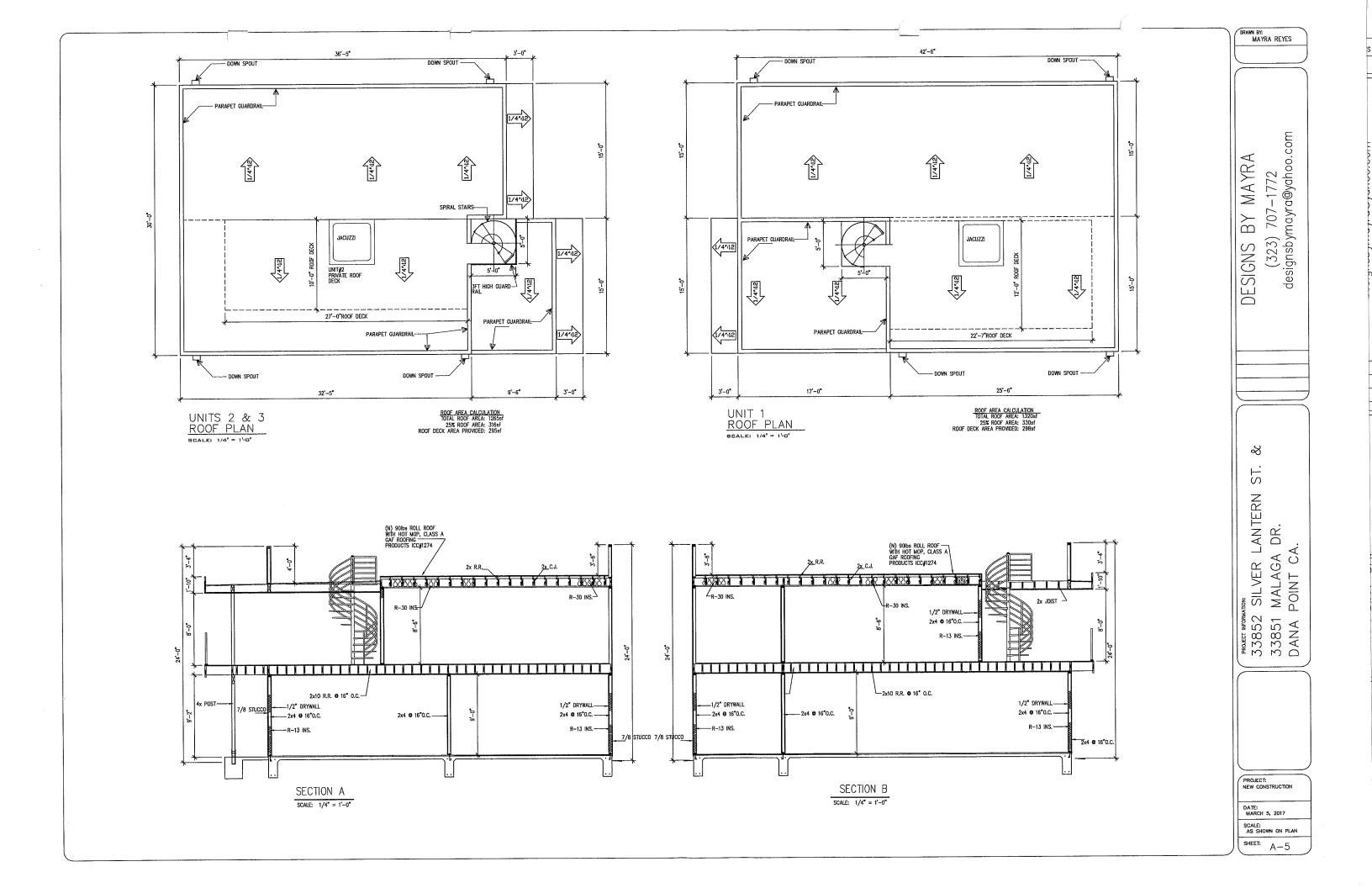
ATTACHMENT











- All work shall be in accordance with the grading code of the City of Dana Point and any special requirements of the permit. A copy of the grading code and manual shall be retained on the job site while work is in progress. When referenced on the plans, a copy of Orange County RDMD standard plans shall also be retained on the site.
- Grading shall not be started without first notifying the City grading inspector. A pre-grading meeting on the site is required before start of grading with the following people present: owner, grading contractor, design civil engineer, soil engineer, goingenineering geologist, City grading inspects and when required, the archaeologist and paleontologist. The required inspections for grading will
- issuance of a grading permit does not eliminate the need for permits from other agencies with regulatory responsibilities for construction activities associated with the work authorized on this
- 4. All work within the public right-of-way requires a separate encroachment permit.
- 5. Retaining walls/block walls require a separate permit from the Building Department
- 5. The grading permit and an approved copy of the grading plan shall be on the permitted site while work is in progress.
- Preliminary soil and geology reports and all subsequent reports as approved by the Public Works Department, are considered a part of the approved grading plan.
- B. The soil engineer and engineering geologist shall perform sufficient inspections and be available during grading and construction to verify compliance with the plans, specifications and the code within their purview.
- The civil engineer shall be available during grading to verify compliance with the plans, specifications, code and any special conditions of the permit within their purview.
- 10. Fills shall be benched into competent material per Orange County RDMD standard plan no. 1322.
- 11. The soil engineer and engineering geologist shall, after clearing and prior to the placement of fill in canyon, inspect each conyon for areas of adverse stability and to determine the presence or absence of subsurface water or spring flow. If needed, subdrains will be designed and constructed prior to the placement of fill in each respective canyon.
- 12. Subdrain outlets shall be completed at the beginning of the subdrain construction
- 13. The exact location of the subdrains shall be surveyed in the field for line/grade and shown on
- 14. Areas to receive fill shall be properly prepared and approved in writing by the soil engineer and the City Engineer or his designee prior to placing fill.
- 15. All existing fills shall be approved by the building official or removed prior to placing additional fills.
- 16. Fills shall be compacted throughout to a minimum of 90% relative compaction. Aggregate base for asphaltic areas shall be compacted to a minimum of 95% relative compaction. Maximum density by uniform building code standard no. 70-1 or approved equivalent and field density by uniform building code standard no. 70-2 or approved equivalent.
- 17. Cut and fill slopes shall be no steeper than 2 foot horizontal to 1 foot vertical (2:1) except where specifically approved otherwise.
- 18. All cut slopes shall be investigated both during and after grading by the engineering get to determine if any slope stability problem exists. Should excavation disclose any geological hazards or potential geological hazards, the engineering geologist shall submit recommended treatment to the building official for approval.
- 19. Where support or buttressing of cut and natural slopes is determined to be necessary by the engineering geologist and soil engineer, the soil engineer shall submit design, location and calculations to the building official prior to construction. The engineering geologist and soil engineer shall inspect and control the construction of the buttressing and certify to the stability of the
- 20. When cut pads are brought to near grade, the engineering geologist shall destermine if the bedrock is extensively fractured or faulted and will readily transmit water. If considered necessary by the engineering geologist and soil engineer, a compacted fill blanket will be placed.
- 21. All trench backfills shall be tested and approved by the soil engineer per the grading code section 8.01.420.
- 22. Any existing irrigation lines and alsterns shall be removed or crushed in place and approved by the building official and soil engineer.
- 23. Any existing water wells shall be abandoned in compliance with the specifications approved by Orange County Health Care Agency (714-433-6287 or 714-433-6288). A permit is required.
- 24. Any existing cesspools and septic tanks shall be abandoned in compliance with the uniform plumbing code to the approval of the city building inspector.
- 25. Stockpiling of excess material shall be approved by the City Engineer or his designee prior to excavation.
- 26. Export soil must be transported to a certified recycling facility or to a permitted site in accordance with the City's Construction and Demolition (C&D) Ordinance (Municipal Code Section 6.12). A valid C&D application must approved and on file with the Public Works and Engineering
- 27. The permittee shall comply with the grading code requirements for haul routes when an excess of 5,000 cubic yards of earth is transported to or from a permitted site on public roadways (Section B.01.280 of the grading code)
- 29. The permittee shall give responsible notice to the owner of adjoining lands and buildings prior to beginning excavations which may affect the lateral and subjacent support of the adjoining property. The notice shall state the intended depth of excavation and when the excavation will commence. The adjoining owner shall be allowed at least 30 days and reasonable access on the permitted property to protect his structure, if he so desires, unless otherwise protected by law.
- 30. All concrete structures that come in contact with the on-site soils shall be constructed with type V cement, unless deemed unnecessary by soluble sulphate-content tests conducted by the soil engineer.
- 31. Slopes exceeding 5 feet in height shall be planted with an approved plant material. In addition, slopes exceeding 15 feet in height shall be provided with an approved irrigation system, unless otherwise approved by the City Engineer or his designee.
- 32. All existing drainage courses through this site shall remain open until facilities to handle starmwater are approved and functional; however, in any case, the permittee shall be held liable for any damage due to obstructing natural drainage patterns.

- 33. Sanitary facilities shall be maintained on the site.
- 34. The location and protection of all utilities is the responsibility of the permittee.

Grading and equipment operations within one—half mile of a structure for human occupancy shall not be conducted between the hours of 5:00 p.m. and 7:00 a.m. nor on Saturdays, Sundays and City of Dana Point recognized halidays.

a. All construction vehicles or equipment, fixed or mobile, operated within 1,000 feet of a dwelling shall be equipped with property operating and maintained multilers.

b. All operations shall comply with Orange County Codified Ordinance Division 6 (noise control).

- Stockpilling and/or vehicle staging areas shall be located as far as practicable from dwellings

Grading and excavation shall be holted during periods of high winds. According to Air Quality Management District (AQMD) measure F-4, high winds are defined as 30 mph or greater. This level occurs only under unusually extreme conditions, such as Santo Ano wind conditions.

- 36. Asphalt sections must be per code: parking lots = 3~a/c over 10° (comm.) 12° (industrial). Or: prior to rough grade release for building permits by the City grading inspector, the soil engineer shall submit for approval, pevement section recommendations based on 'R' value analysis of the sub-grade soils, and expected traffic indices.
- 37. Asphalt concrete shall be constructed per the requirements of Orange County RDMD standard plan no. 1805.
- 38. Aggregate base shall be constructed per the requirements of Orange County RDMD standard no. 1804.
- 39. Roof gutters shall be installed to prevent roof drainage from falling on manufactured slopes Roof gutters shall be directed towards vegetated areas where feasible.
- 40. The civil engineer, as a condition of rough grade approval, shall provide a blue top with accompanying witness stake, set at the center of each pad reflecting the pad elevation for precise permits and a blue top with witness stake set at the drainage scale high point reflecting the high point elevation for preliminary permits.
- 41. Rough grade certifications from the engineer—of—work and the geotechnical engineer—of—work shall be submitted to the Grading Inspector prior to rough grade release. The certifications shall be in accordance with the City's standard certification templates.
- 42. Prior to final approval, the civil engineer shall certify to the City Engineer or his designee the amount of earth moved during the grading operation.
- 43. The engineering geologist shall perform periodic inspection and submit a complete report and map upon completion of the rough grading.
- 44. The grading contractor shall submit a statement of compliance to the approved grading plan prior to final approval.

45. The compaction report and approval from the soil engineer shall indicate the type of field testing performed. The method of obtaining the in-place density shall be identified whether sand cone, drive ring, or nuclear, and shall be noted for each test. Sufficient maximum density nations shall be performed to verify the accuracy of the maximum density curves used by

- 46. Prior to final inspection or final approval, final grading certifications from the engineer-of-work and the geotechnical engineer-of-work shall be submitted to the Grading Inspector. The certifications shall be in accordance with the City's standard certification templates.
- 47. In the event that soil contamination is discovered during excavation and removal of an existing tank, work shall be stopped until a site assessment and mitigation plan has been prepared, submitted and approved by HCA/Environmental Health and City grading.
- 48. Survey monuments shall be preserved and referenced before construction and replaced after construction pursuant to Section 8871 of the Business and Professional Code.

Included on these sheets for erosion control are general notes, standards and guidelines for the implementation of erosion, silkation and sediment control and other Best Management Practices (BMPs) proposed for this project. However, the overall goal is that any water that leaves the site be free and clear of pollutants at a rate that doesn't cause down stream erosion. The City may require additional BMPs at any time to achieve that goal.

1. In the case emergency work is required, contact

- 2. All building pads to be diked and the dikes maintained to prevent water from flowing from the pad until the streets and driveways are poved and water can flow from the pads without causing erosion, or construct drainage facilities to the satisfaction of the City of Dana Point that will allow water to drain from the pad without causing erosion.
- 3. Tops of all slopes to be diked or trenched to prevent water from flowing over the crest of
- $\hbox{4. Manufactured slopes and pads shall be rounded vertically and horizontally as appropriate to blend with the surrounding topography } \\$
- 5. As soon as cuts or embankments are completed, but not later than October 1, all cut and fill slopes shall be stabilized with a hydromulch mixture or an equal treatment approved by the City of Jona Point between October 1 and April 30. Approved slope protection measures shall proceed immediately behind the exposure of cut slopes and/or the creation of embankment slopes.
- 6. Catch basins, desilting basins, storm drain systems and any other required Best Management Practices (BMPS), shall be installed to the satisfaction of the City of Dano Point.
- 7. Sand or gravel bag check dams to be placed in a manner approved by the City of Dana Point in unpowed streets with gradients in excess of 2% and on or in other graded or excavated areas as required by the City of Dana Point.
- 8. The developer to maintain the planting and erosion and sedimentation control measures described above until relieved of the same by the City of Dana Point. The developer to remove all soil intercepted by the sand/gravel bogs, catch basins and the desilting basins and other BMPs, and keep these facilities clean and free of silt and sand as directed by the City of Dana Point. The developer shall repair any eroded slopes as directed by the City of Dana Point.

- 9. BMPs shown on plans shall not be moved or modified without the approval of the Public Works Inspector.
- 10. The contractor shall be responsible and shall take necessary precautions to prevent public trespass onto areas where impounded waters create a hazardous condition.
- 11. All gravel bags shall be burlap type with ? inch minimum aggregate, clean and free of clay, organic matter and other deleterious material.
- 12. Should germination of hydroseeded slopes fail to provide effective coverage (90 %) of graded slopes prior to November 15, the slopes shall be stabilized by punch straw.
- 13. Permittee may discharge material other than stormwater only when necessary for performed completion of construction practices and where they do not: cause or contribute to a violation of any water quality standard; cause or threaten to cause pollution, contamination, nuisance; or contain a hazardous substance in a quantity reportable under federal regulation CFR parts 117 and 302.

Siltation and Sediment Control Measures:

- 1. The sediment basins shall be provided at the lower end of every drainage area producing sediment runoff. The basins shall be maintained and cleared to design contours after every runoff producing storm. The basins should be semi-permonent structures that would remain until soil stabilizing vagetation has become well-established on all eradible slopes. Sediment basins must be designed in accordance with Section A of the State of California NPDES General Permit for Stormwater Discharges Associated with Construction Activities (General Permit), when applicable. For projects not subject to the General Permit, sizing shall be in accordance with the City's Grading and Excavation Control Ordinance.
- dimentation basins may not be removed or made inoperative without prior approval of the
- 3. Sewer or storm drain trenches that are cut through basin dikes or basin inlet dikes should be plugged with sandbags from top of pipe to top of dike.
- 4. All utility trenches shall be blocked at the prescribed intervals with a double row of sandbags with a top elevation two sandbags below the graded surface of the street. Sandbags are to be placed with lapped courses. The intervals prescribed between sandbag blocking shall depend on the

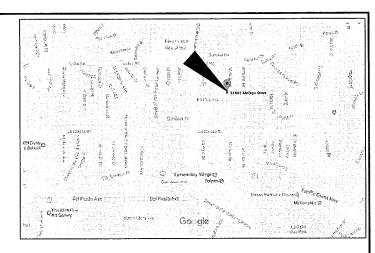
Grade of the street | Interval |
Less than 2% | As required |
2% to 4% | 100 feet |
4% to 10% | 50 feet |
Over 10% | 25 feet |

- 5. After sewer utility trenches are backfilled and compacted, the surfaces over such trenches shall be mounded slightly to prevent channeling of water in the trench area. Care should be exercised to provide for cross flow at frequent intervals where trenches are not on fee centerline.
- All building pads should be sloped towards the driveways and velocity check dams provided at the base of all driveways draining into the street.
- 7. Provide velocity check dams in all unpaved graded channels at the intervals indicated below

Grade of channel inte Less than 3% 100 feet 3% to 6% 50 feet Over 6% 25 feet intervals between check dams 100 feet

- 8. Provide velocity check dams in all paved street areas according to recommended criteria indicated on the enclosed graph entitled "sandbag barrier spacing for erosion control in graded streets" velocity check dams may be constructed of sandbags, gravel bags, timber, or other erosion resistant materials approved by the City Engineer, and shall extend completely across the street or channel at right angles to the centerline velocity check dams. May also serve as sediment traps.
- Provide effective inlet protection by every storm drain inlet to prevent sediment from entering drain system.
- 10. Sand/gravel bags and fill material, and other BMP materials shall be stockpiled at intervals, ready for use when required.
- 11. All erosion and sedimentation control devices within the development should be maintained during and after every runoff producing storm, if possible, maintenance crews would be required to have access to all areas.
- 12. Provide rock riprap on curves and steep drops in all erosion prone drainage channels downstream from the development. This protection would reduce erosion coused by the increased flow that may be anticipated from denuded slopes, or from impervious surfaces. 13. Any proposed diternate control measures must be approved in advance by all responsible City agencies.
- 14. Additional erosion and sedimentation control measures shall be implemented as necessary to ensure that on—site sediment is not transported off site.

- During the rainy season, the amount of exposed soil allowed at one time shall not exceed
 that which can be adequately protected by the property owner in the event of a rainstorm.
 all supplies needed for BMP measures shall be retained on the job site in a manner that
 allows full deployment and complete installation in 48 hours or less of a forecast rain.
- 2. No area being disturbed shall exceed 50 acres at any given time without demonstrating to the City of Dano Point's satisfaction that adequate erosion and sediment control can be maintained. Any disturbed area that is not actively graded for 15 days must be fully protected from erosion. Until adequate long—term protections are installed, the disturbed area shall be included when calculating the active disturbance area. All erosion, silitation and sediment control measures shall remain installed and maintained during any inactive period.
- 3. The property owner is obligated to ensure compliance with all applicable stormwater regulations at all times. The BMPs (Best Management Practices) that have been incorporated into this plan shall be implemented and maintained to effectively prevent the potentially negative impacts on this project's construction activities on stormwater quality. The installation and maintenance of the BMPs is the permittee's responsibility, and failure to properly install or maintain the BMPs may result in enforcement action by the City of Dana Point or others. If installed BMPs fall, they must be repaired or replaced with an acceptable alternate within 24 hours, or as soon as safe to the second control of the con
- 4. On projects of greater than 1 acre, add the following note: A Notice of Intent (NOI) has been, or will be filed with the State Water Resources Control Board (SWRCB) and a Stormwater Pollution Prevention Plan (SWPPP) has been or will be prepared in accordance with the requirements of Colifornia General Permit for Stormwater Discharges Associated with Construction Activity (Permit No. CASO00002) for all operations associated with thee plans. The Waste Discharge Identification (WDID) number assigned by SWRCB for this project is [WDID##] [Alternative: Not yet assigned, but will be provided before a permit is issued], the permittee shall keep a copy of an up-to-date SWPPP on site and available for review by City.



5. Banded Fiber Matrix (BFM)

The use of BFM is subject to the following limitations and restrictions:

- A. Application rates shall be 3,500 pounds per acre minimum for 2:1 or shallower slopes and 4,000 pounds per acre for slopes steeper than 2:1.

 B. BFM shall be applied at least 24 hours before or after rainfall.

 C. The site must be protected with brow ditches and/or diversion berms at the top of slopes to divert flow from the face of the slope.

 D. BFM shall be applied to provide 100% coverage (i.e., application from multiple angles).

 E. For permanent erosion control purposes, BFM must be installed in conjunction with seeded erosion control vegetation.

 F. A letter from the hydroseed contractor certifying that the approved application rates and coverage requirements shall be submitted to the City inspector for approval.

6. Stabilized Fiber Matrix (SFM)

A. SFM may be used for temporary erosion control for disturbed areas with a slope ratio of 1 vertical to 2 horizontal or shallower, including pad and septic field areas.

B. The SFM shall be applied at least 24 hours before or ofter rainfall and shall be applied to provide 100% coverage (i.e., applied form multiple directions and angles).

provide 100% coverage (i.e., applied form multiple directions and angles).

C. The application area must be protected by brow ditches and/or diversion berms at the top of slopes to divert flow from the face of the protected slope.

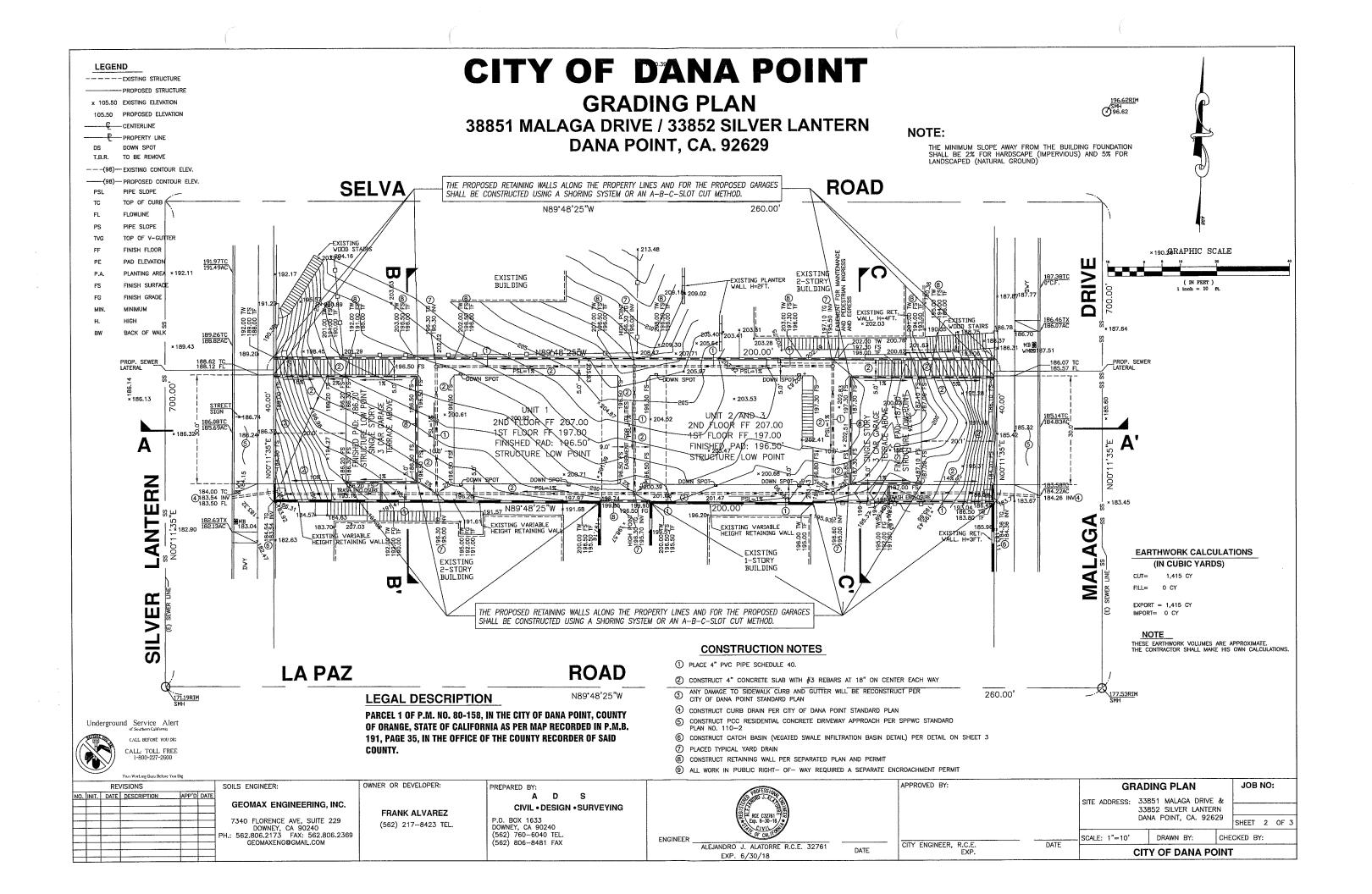
D. For permanent erosion control purposes, SFM must be installed in conjunction with seeded erosion control vegetation or hand planting. As with all other applications, SFM will not be considered permanent until 70% vegetation establishment.

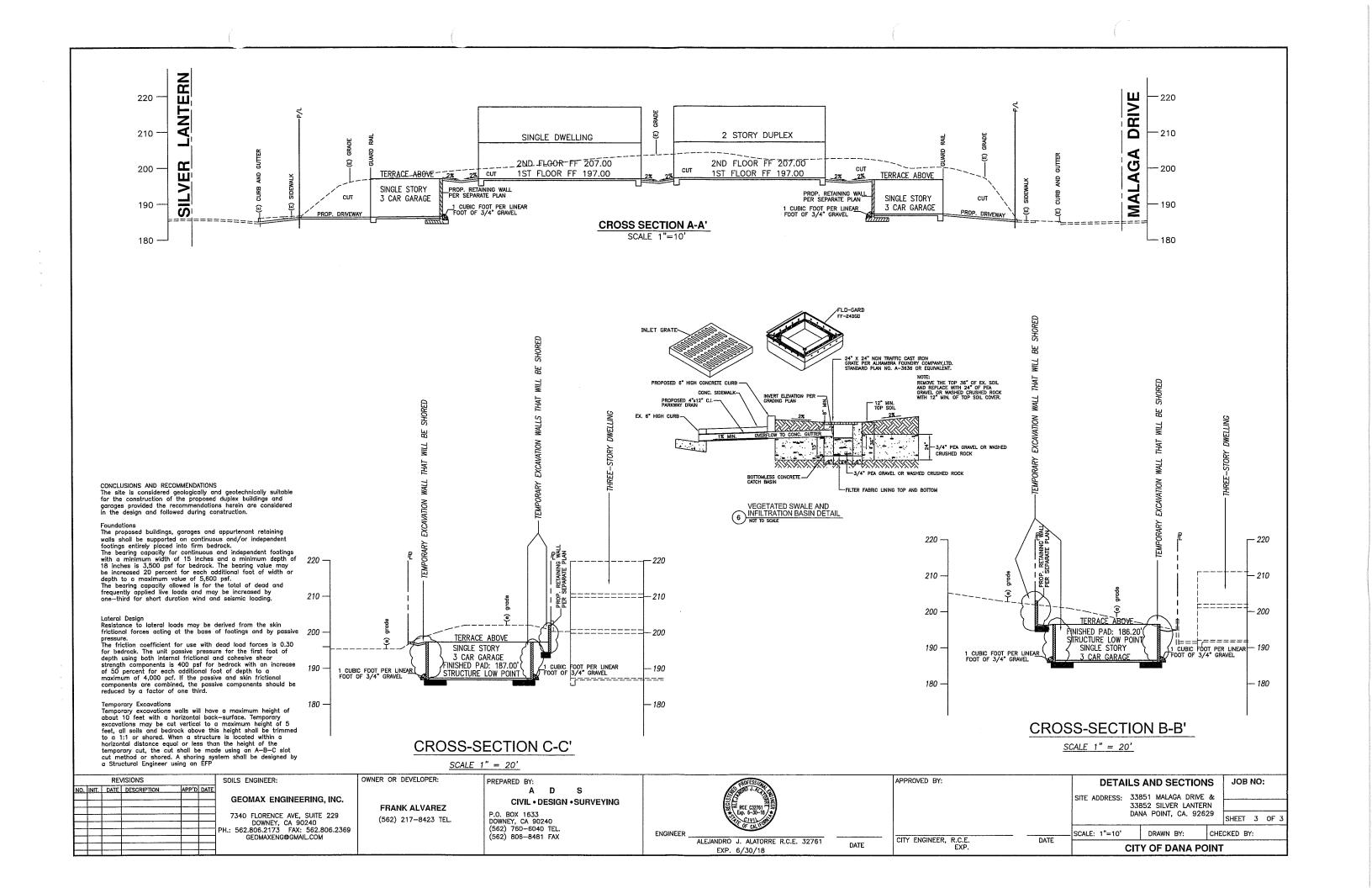
E. Coverage and concentration: For each acre covered, the minimum application volume shall be 10 gallons non-toxic water-permeable soil-stabilizing liquid emulsion with 3,000 libs. of hydraulic

- lich. The emulsion must be designed to protect soil, prevent erosion, and flocculate (clump) seament.

 F. A letter from the hydroseed contractor certifying the SFM was installed in accordance with approved application rates, coverage, and manufacturer's dilution ratio shall be submitted to the City of Dana Point inspector for approval.
- 7. If disturbed area is greater than 1 acre, add the following note: Flot areas of less than 5% (like building pads, parking areas, leach fields) shall have 100% protection using geotextiles, mats (SS-7 or ESC2D), or other material approved by the City of Dana Point for stabilizing slopes, or using tracking and soil stabilizers/binders (SS-5), temporary seeding (SS-4), mulch/wood chips (SS-3, SS-5, SS-8), or jute matting (SS-7). The City of Dana Point may reduce this requirement for flat areas provided full sediment control is provided through constructed and maintained desiltation basins (SC-2) at all project discharge points.
- Stockpiles of soil shall be properly contained to minimize sediment transport from the site to streets, drainage facilities or adjacent properties via runoff, vehicle tracking, or wind.
- Appropriate BMPs for construction—related materials, wastes, spills or residues shall be implemented to minimize transport from the site to streets, drainage facilities, or adjoining property by wind, vehicle tracking or runoff.
- 11. All construction contractor and subcontractor personnel, material suppliers, lessor and the property owner are to be made aware of the required Best Management Practices and good housekeeping measures for the project site and any associated construction staging areas.
- 13. Potential pollutants include but are not limited to: Solid or liquid chemical spills; waste from paints, stains, sealants, glues, lime, pesticides, herbicides, wood preservatives and solvents, asbestos fibers, paint flakes or stucco fragments; fuels, oils, lubricants, and hydraulic, radiator or battery fluids; concrete, detergent or floatable wastes; wastes from any engine/equipment steam cleaning or chemical degreasing; and superchlorinated potable water line flushings. Permittee shall maintain construction site in such a condition that pollutants are not carried off the site.
- 14. During construction, disposal of such materials should occur in a specified and controlled temporary area on—site physically separated from potential stormwater runoff, with ultimate disposal in accordance with local, state and federal requirements.
- 15. Dewatering of contaminated groundwater, or discharging contaminated soils via surface erosion is prohibited. Dewatering of non-contaminated groundwater requires a National Pallutant Discharge Elimination System (NPDES) permit from the respective State Regional Water Quality Control Board. 16. Catch basins shall be marked with a stencil, concrete stamp, or ceramic tile to indicate that no dumping is allowed in the storm drainage facilities. The Contractor shall coordinate with the City Street Manager, Rick Rudometkin, at (949) 248—3589 on the method, type of marking, and placement of the storm drain markings. Stenciling or labeling may also be required in Spanish.

OWNER OR DEVELOPER: REVISIONS SOILS ENGINEER: TITLE SHEET NO. INIT. DATE DESCRIPTION APP'D DATE A D S SITE ADDRESS: 33851 MALAGA DRIVE & CIVIL • DESIGN • SURVEYING 33852 SILVER LANTERN DANA POINT, CA. 92629 SHEET 1 OF 3 DOWNEY, CA 90240 (562) 760-6040 TEL SCALE: 1"=10" DRAWN BY: CHECKED BY: ENGINEER (562) 806-8481 FAX DATE CITY ENGINEER, R.C.E ALEJANDRO J. ALATORRE R.C.E. 32761 DATE CITY OF DANA POINT EXP. 6/30/18





Supporting Document 4 Tentative Parcel Map

ATTACHMENT

LOCATED IN THE CITY OF DANA POINT, COUNTY OF ORANGE, STATE OF CALIFORNIA TENTATIVE PARCEL MAP NO. 2018-126 -Selva Rd-Dana Point 33852 SILVER LANTERN STREET AND 33851 MALAGA DRIVE, DANA POINT, CA 92629, APN'S 682-263-14 AND 682-263-19 BEING A SUBDIVISION OF PARCEL 1 OF P.M. NO. 80-158 FOR CONDOMINIUM PURPOSES - 3 UNITS - PROJECT SITE SELVA ROAD 260.00 N89'48'25"W **VICINITY MAP** × 192.11 EXISTING EXISTING BUILDING -EXISTING PLANTER 2-STORY WALL H=2FT. BUILDING EXISTING RET. WALL, H=4FT. 203.00 196.50 196.00 197.10 195.50 LONG BEACH DEVELOPMENT, LLC 196.30 195.30 888 -EXISTING 32932 PACIFIC COAST HWY., #14-487 203. 197. 196. 96. WOOD STAIRS DANA POINT, CA 92629 989 CONTACT: ERIC WINKLER PHONE: (949) 378-2798 $\times 189.43$ 200.00 WM\ ENGINEER: PROP. SEWER PROP. SEWER _186.07 TC ADVANCED CIVIL GROUP LATERAL 30251 GOLDEN LANTERN SUITE E, PMB 251 DOWN SPOT-LAGUNA NIGUEL, CA 92677 DOWN SPOT (866)338-5778 CONTACT: R. STEVEN AUSTIN, P.E. 2ND FLOOR FF 207,00 1ST FLOOR FF 197.00 PROJECT DESCRIPTION: FINISHED PAD: 196.50" THREE UNIT CONDOMINIUM DEVELOPMENT UNIT 2 AND 3 2ND STRUCTURE LOW POINT PROJECT ADDRESS: 33852 SILVER LANTERN STREET AND 33851 MALAGA DRIVE FLOOR FF 207.00 /1ST DANA POINT, CA 92629 FLOOR FF 197.00 8,000 SQUARE FEET 682-263-14 PROPOSED DEVELOPMENT: - THREE RESIDENTIAL UNITS WITH TWO DETACHED GARAGES. -DOWN SPOT DOWN SPOI DOWN SPOT-PSL=1%_ <u>UTILITIES.</u> 184.00 TC PROVIDER
SOUTH COAST WATER DISTRICT PHONE 949-427-2200 PSL=1% ----183.40 INV 184.26 INV 196.50 FS ---183.45 183.36 FL CITY OF DANA POINT SEWER 949-248-3554 800-611-7343 800-288-2020 183.80 TF ELECTRICITY SAN DIEGO GAS AND ELECTRIC 800-611-7343 EXISTING VARIABLE EXISTING VARIABLE TELEVISION COX COMMUNICATIONS HEIGHT RETAINING WALL CR&R WASTE & RECYCLING SERVICES EXISTING RET. HEIGHT RETAINING WALL OC WALL, H=3FT, LEGAL DESCRIPTION: EXISTING 1-STORY BUILDING PARCEL 1 OF P.M. NO. 80-158, IN THE CITY OF DANA POINT, COUNTY OF ORANGE, STATE OF CALIFORNIA AS PER MAP RECORDED IN P.M.B. 191, PAGE EXISTING 35, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. 2-STORY BUILDING -(E) SEWER LINE PROPERTY DESCRIPTION. THE EXISTING PROPERTY IS MADE UP OF TWO UNDEVELOPED PARCELS WITH A FAIR AMOUNT OF VEGETATION. THE PROPERTY IS NORTH OF LA PAZ AVE AND BETWEEN SILVER LANTERN STREET AND MALAGA DRIVE. EXISTING RESIDENTIAL DEVELOPMENT IS ADJACENT TO THE PROPERTY ON THE NORTH LA PAZ ROAD DRAINAGE: 260.00 N89°48'25"W IN THE PROPOSED CONDITION ALL ONSITE RUNOFF WILL BE COLLECTED IN AN ONSITE AREA DRAIN SYSTEM THAT DISCHARGES TO SILVER LANTERN STREET AND MALAGA DRIVE. SITE HAS NO RUN ON DRAINAGE. NOTES: SITE IS VACANT; BUILDINGS ARE PROPOSED CONTOUR INTERVAL = 1' SCALE: 1"=10' ALL UNITS WILL BE CONNECTED TO EXISTING SEWER MAINS ALL UNITS WILL BE CONNECTED TO EXISTING WATER MAINS ZONING: RMF-14 EASEMENTS: 220 (A) RECORDED OCTOBER 13, 2005 IN OFFICIAL RECORDS AS INSTRUMENT NUMBER 2005000821615. (B) AN EASEMENT AND RIGHT OF WAY OVER, UNDER, ALONG, ACROSS AND THROUGH THE REAR FIVE (5) FEET THEREOF, FOR THE EROSION, CONSTRUCTION, MAINTENANCE AND OPERATION OF POLE LINES, WITH THE NECESSARY CROSS AREA AND WIRES FOR THE TRANSMISSION OF ELECTRICAL 2 STORY DUPLEX 210 ENERGY, AND FOR TELEGRAPH AND TELEPHONE LINES AND /OR FOR LAYING SINGLE DWELLING AND MAINTAINING CONDUITS AND/OR PIPE LINES FOR SAID PURPOSE AND/OR FOR WATER, GAS, SEWERS AND/OR OTHER PURPOSES, WITH RIGHT OF ENTRY FOR THE PURPOSE OF ERECTING, CONSTRUCTING, LAYING, MAINTAINING, REPAIRING AND OPERATING THE SAME, TOGETHER WITH THE FURTHER RIGHT TO CONVEY, LEASE OR DEDICATE THE WHOLE OR ANY 2ND FLOOR FF 207.00 2ND FLOOR FF 207.00 PORTION OF SUCH EASEMENT AND RIGHT OF ENTRY TO ANY FIRM, 200 1ST FLOOR FF 197.00 CORPORATION, MUNICIPAL BODY, PERSON OR PERSONS (PAGE 374 IN BOOK 1ST FLOOR FF 197.00 TERRACE ABOVE TERRACE ABOVE 179, AND PAGE 217 IN BOOK 359 OF OFFICIAL RECORDS). PROP. RETAINING WALL SINGLE STORY PROP. RETAINING WALL BENCHMARK. PER SEPARATE PLAN PER SEPARATE PLAN SINGLE STORY 3 CAR GARAGE O.C.S.B.M.: 3MM-5-78R86 PREPARED BY DATUM: NAVD 88 1 CUBIC FOOT PER LINEAR 1 CUBIC FOOT PER LINEAR 3 CAR GARAGE 190 PROP. DRIVEWAY FOOT OF 3/4" GRAVEL ELEVATION: 125.32 FT. FOOT OF 3/4" GRAVEL YEAR LEV: 2004 RECEIVED **SECTION A-A** 180 CITY OF DANA POINT **ADVANCED** COMMUNITY DEVELOPMENT CIVIL GROUP **LEGEND** DEPARTMENT SCALE: 1"=10' - THE EXISTING OVER HEAD ELEC. EDGE OF PAVEMENT ELECTRIC METER 30251 GOLDEN LANTERN, SUITE E, PMB 251 **ESMT** EASEMENT IRRIGATION CONTROL VALVE ------ PROPERTY LINE LAGUNA NIGUEL, CA 92677 ---- STREET CENTERLINE EXISTING GAS METER EX | ≥ WATER METER ---- EXISTING EASEMENT (866) 338-5778 PHONE MAXIMUM Exp 9-30-2019 MINIMUM WATER VALVE --- PROPOSED CURB WWW.ADVANCEDCIVILGROUP.COM PROJECT BOUNDARY PROPOSED AREA DRAIN PIPE PROPERTY LINE DATE: 08/14/2018 --- SS --- EXISTING SANITARY SEWER RIGHT OF WAY R/W PROPOSED RETAINING WALL

TYP

TYPICAL

AIR CONDITIONER

- DW - EXISTING DOMESTIC WATER

- SD - EXISTING STORM DRAIN LINE

EXISTING RETAINING WALL

SHEET 1 OF 1

Supporting Document 5 Preliminary Condominium Plan

SHEET 1 OF 15
RECORDING REQUESTED BY:
LONG BEACH DEVELOPMENT LLC. (OWNER)
WHEN RECORDED MAIL TO:
LONG BEACH DEVELOPMENT LLC. (OWNER)
32923 PCH. HWY.
DANAPOINT, CA. 92629

CONDOMINIUM PLAN FOR 33852 SILVER LANTERN ST. & 33851 MALAGA DR.

For Parcel 1 of Parcel Map No. 80-158, Book 191, Pages 35, of Maps, in the City of DanaPoint, County of Orange, State of California.

RECEIVED

SEP 1 3 2013

CITY OF DANA POINT COMMUNITY DEVELOPMENT DEPARTMENT

SHEET 2 OF 15

SHEET INDEX

TITLE SHEET
SHEET INDEX
OWNER'S AND BENEFICIARY'S CERTIFICATE
DEFINITIONS
GENERAL NOTES
ENGINEER'S STATEMENT, BENCHMARK
BOUNDARY
UNIT PLAN
UNIT PLAN DIMENSIONS 1ST FLOOR
UNIT PLAN DIMENSIONS 2ND FLOOR
UNIT ROOF PLAN
AIR SPACE AND COMMON AREA SECTION
L DOTALD

RECORDING REQUESTED BY:

LONG BEACH DEVELOPMENT LLC. (OWNER)

WHEN RECORDED MAIL TO:

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DANAPOINT, CA. 92629

CONDOMINIUM PLAN FOR 33852 SILVER LANTERN ST. & 33851 MALAGA DR.

For Parcel 1 of Parcel Map No. 80-158, Book 191, Pages 35, of Maps, in the City of DanaPoint, County of Orange, State of California.

CERTIFICATE-OWNER

WE, THE UNDERSIGNED, BEING THE RECORD OWNER OF THE REAL PROPERTY HEREIN BEFORE DESCRIBED, DO HEREBY CERTIFY THAT WE CONSENT TO THE RECORDATION OF THIS PLAN OF CONDOMINIUM OWNERSHIP PURSUANT TO THE PROVISIONS OF SECTION 1351 OF THE CALIFORNIA CIVIL CODE, CONSISTING OF: (i) THE DESCRIPTION OF THE SURVEY MAP OF THE SURFACE OF THE LAND INCLUDED WITHIN THE PROJECT AS SET FORTH HEREIN, (ii) THE UNIT AND PARCEL BOUNDARY AND THE TYPICAL AIRSPACE PLAN AND PERSPECTIVE TO BE BUILT ON SAID LAND, IN SUFFICIENT DETAIL TO IDENTIFY EACH SEPARATE INTEREST, AS SAID AIRSPACE PLANS ARE SET FORTH HEREIN; AND (iii) THIS CERTIFICATE.

LONG BEACH DEVELOPMENT LLC. (OWNER)

LONG BEACH DEVELOPMENT LLC. (OWNER)

SHEET 4 OF 15

CONDOMINIUM PLAN FOR 33852 SILVER LANTERN ST. & 33851 MALAGA DR.

For Parcel 1 of Parcel Map No. 80-158, Book 191, Pages 35, of Maps, in the City of DanaPoint, County of Orange, State of California.

CERTIFICATE (CONT.)

NOTARY ACKNOWLEDGMENT:

A NOTARY PUBLIC OR OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THE CERTIFICATE IS ATTACHED, AND NOT THE TRUSTFULNESS, ACCURACY OR VALIDITY OF THAT DOCUMENT.
STATE OF CALIFORNIA) SS. COUNTY OF LOS ANGELES)
ON,BEFORE ME, NOTARY PUBLIC, PERSONALLY APPEARED,
PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HIS EXECUTED THE SAME IN THEIR AUTHORIZED CAPACITIES, AND THAT BY HIS SIGNATURE ON THE INSTRUMENT, THE PERSON OR THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.
I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT. WITNESS MY HAND
SIGNATURE
PRINTED NAME
MY PRINCIPAL PLACE OF BUSINESS IS IN COUNTY. MY COMMISSION NO
MY COMMISSION FYPIRES

CONDOMINIUM PLAN FOR 33852 SILVER LANTERN ST. & 33851 MALAGA DR.

SHEET 5 OF 15

For Parcel 1 of Parcel Map No. 80-158, Book 191, Pages 35, of Maps, in the City of DanaPoint, County of Orange, State of California.

DEFINITIONS

1. "ASSOCIATION PROPERTY" ASSOCIATION PROPERTY DESCRIBES ALL AREAS OF PROPERTY NOT INLCLUDING THE UNITS AND COMMON AREA.

2."COMMON AREA"

"COMMON AREA" MEANS ALL OF PROPERTY EXCEPT
THE UNITS THEREIN AND THE ASSOCIATION PROPERTY.
THE COMMON AREA IS A THREE-DIMENSIONAL
AIRSPACE, THE LOWER BOUNDARY OF WHICH IS A
HORIZONTAL PLANE AT AN ELEVATION OF 50 FEET
ABOVE FINISHED GROUND ELEVATION. THE UPPER
BOUNDARY OF WHICH IS A HORIZONTAL PLANE AT AN
ELEVATION OF 60 FEET ABOVE FINISHED GROUND
ELEVATION AND THE LATERAL BOUNDARIES OF WHICH
ARE THE VERTICAL PROLONGATION OF THE
BOUNDARY LINES OF THE PROPERTY.

3. "CONDOMINIUM"

"CONDOMINIUM" MEANS AN ESTATE IN REAL PROPERTY AS DEFINED IN CALIFORNIA CIVIL CODE SECTION 1351 (f). A CONDOMINIUM CONSISTS OF AN UNDIVIDED FEE SIMPLE OWNERSHIP INTEREST IN THE COMMON AREA TOGETHER WITH A SEPARATE OWNERSHIP INTEREST IN FEE IN A UNIT AND ALL EASEMENTS APPURTENANT THERETO. THE UNDIVIDED FEE SIMPLE INTEREST IN THE COMMON AREA IN THE PROPERTY IS APPURTENANT TO EACH UNIT AND IS A FRACTION HAVE ONE (1) AS ITS NUMERATOR AND THE NUMBER OF UNITS IN THE PROPERTY AS ITS DENOMINATOR; AND SHALL BE HELD BY THE OWNERS OF CONDOMINIUMS IN THE PROPERTY AS TENANTS IN COMMON.

4."CONDOMINIUM PLAN"

"CONDOMINIUM PLAN" MEANS THIS PLAN, AS AMENDED FROM TIME TO TIME, CONSISTING OF (A) A DESCRIPTION OF SURVEY MAP OF PROPERTY, WHICH SHALL REFER TO OR SHOW MONUMENTATION ON THE GROUND, (B) A THREE-DIMENSIONAL DESCRIPTION OF THE PROPERTY, ONE OR MORE DIMENSIONS OF WHICH MAY EXTEND FOR AN INDEFINITE DISTANCE UPWARDS OR DOWNWARDS IN SUFFICIENT DETAIL TO IDENTIFY THE ASSOCIATION PROPERTY, COMMON AREA, AND EACH UNIT AND (C) A CERTIFICATE CONSENTING TO THE RECORDATION THEREOF SIGNED AND ACKNOWLEDGED BY THE RECORD OWNER OF FEE TITLE TO THE PROPERTY AND BY EITHER THE TRUSTEE OR THE BENEFICIARY OF EACH RECORDED DEED OF TRUST, AND THE MORTGAGE OF EACH RECORDED MORTGAGE ENCUMBERING THE PROPERTY.

5."MAINTENANCE EASEMENT AREA" MEANS THOSE PORTIONS OF UNITS 1AND UNIT 2 SHOWN ON SHEET 11 OF THE CONDOMINIUM PLAN OVER WHICH A MAINTENANCE EASEMENT HAS BEEN RESERVED FOR THE BENEFIT OF THE PROJECT'S HOMEOWNERS ASSOCIATION AS FURTHER DESCRIBED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE PROJECT.

CONDOMINIUM PLAN FOR 33852 SILVER LANTERN ST. & 33851 MALAGA DR.

SHEET 6 OF 15

For Parcel 1 of Parcel Map No. 80-158, Book 191, Pages 35, of Maps, in the City of DanaPoint, County of Orange, State of California.

DEFINITIONS (CONT.)

"DECLARATION"

"DECLARATION" MEANS THE DECLARATION OF COVENANTS CONDITIONS AND RESTRICTIONS, AND RESERVATION OF EASEMENTS FOR THE PROJECT, RECORDED IN THE OFFICIAL RECORDS OF ORANGE COUNTY. THE DEFINITIONS IN THIS CONDOMINIUM PLAN ARE INTENDED TO BE CONSISTENT WITH THE DEFINITIONS CONTAINED IN THE DECLARATION. IN THE EVENT THAT THERE IS A CONFLICT BETWEEN THE DEFINITIONS IN THIS CONDOMINIUM PLAN AND THE DEFINITIONS IN THE DECLARATION, THE DEFINITIONS SHALL BE READ IN A MANNER SO THAT THEY ARE CONSISTENT. IF THIS IS NOT POSSIBLE, THE DEFINITIONS ESTABLISHED IN THE DECLARATION SHALL CONTROL.

"PROPERTY"

"PROPERTY" MEANS PARCEL 1 OF PARCEL MAP NO. 80-158, BOOK 190 ,PAGE 35 OF MAPS, IN THE CITY OF DANAPOINT, COUNTY OF ORANGE, STATE OF CALIFORNIA AND ALL IMPROVEMENTS THEREON TOGETHER WITH THE COMMON AREA AND ASSOCIATION PROPERTY.

8. "PROJECT"

"PROJECT" MEANS THAT PORTION OF THE PROPERTY WHICH IS DIVIDED INTO CONDOMINIUMS INCLUDING THE UNITS, ASSOCIATION PROPERTY, AND COMMON AREA. THE PROJECT IS A "COMMON INTEREST DEVELOPMENT" AS DEFINED IN SECTION 1351 (c) OF THE CALIFORNIA CIVIL CODE.

9. "UNIT"

"UNIT" MEANS A SEPARATE VOLUME OF REAL ESTATE AS DEFINED IN SECTION 1351 (f) AND (l) OF THE CALIFORNIA CIVIL CODE. EACH UNIT IS A SEPARATE FREEHOLD ESTATE, AS SEPARATELY SHOWN, NUMBERED, AND DESIGNATED IN THIS CONDOMINIUM PLAN NOT WITHSTANDING THE FOREGOING AND THE DRAWINGS OF THE UNITS IN THE PLAN, THE LATERAL BOUNDARY OF EACH UNIT SHALL BE AS SHOWN ON THIS PLAN; PROVIDED HOWEVER, NOTWITHSTANDING THE DRAWINGS SHOWN ON THIS PLAN, (A) THAT THE LATERAL BOUNDARY OF THE UNIT AT THE FRONT DOOR OF THE BUILDING CONSTRUCTED WITHIN THE UNIT SHALL BE THE PERIMETER APPROXIMATELY 4 FEET BY 4 FEET CONCRETE ENTRY PORCH AT SUCH FRONT DOOR AREA AND (B) FOR ANY PORTIONS OF THE BUILDING WHICH EXTEND BEYOND THE LATERAL BOUNDARY OF THE UNIT SHOWN ON THIS PLAN, THE LATERAL BOUNDARY OF THE UNIT SHALL BE THE FINISHED SURFACE OF SUCH PROTUBERANCE. THE LOWER VERTICAL BOUNDARY OF THE UNIT SHALL BE AT AN ELEVATION OF 50 FEET BELOW THE FINISHED GROUND ELEVATION. THE UPPER VERTICAL BOUNDARY OF THE UNIT IS AT AN ELEVATION OF 50 FEET ABOVE FINISHED GROUND ELEVATION.

SHEET 7 OF 15

CONDOMINIUM PLAN FOR 33852 SILVER LANTERN ST. & 33851 MALAGA DR.

For Parcel 1 of Parcel Map No. 80-158, Book 191, Pages 35, of Maps, in the City of DanaPoint, County of Orange, State of California.

GENERAL NOTES

- 1. THIS CONDOMINIUM PLAN AND THE DIMENSIONS SHOWN HEREON ARE INTENDED TO COMPLY WITH CALIFORNIA CIVIL CODE 1351 (f) AND THE "DAVIS-STIRLING COMMON INTEREST DEVELOPMENT ACT" WHICH REQUIRE DIMENSIONS OF THE UNITS SHOWN IN SUFFICIENT DETAIL TO IDENTIFY EACH UNIT. ITS RELATIVE LOCATION AND APPROXIMATE DIMENSIONS.
- 2. THE CONDOMINIUM PLAN INTENTIONALLY OMITS SPECIFIC DETAILS OF ANY BUILDINGS OR OTHER STRUCTURES.
- 3. NO WARRANTY IS MADE OR IMPLIED THAT FENCES WERE CONSTRUCTED ON PROPOSED UNIT DIVISION LINES.
- 4. ALL UNIT LINES INTERSECT AT RIGHT ANGLES, UNLESS OTHERWISE NOTED.
- 5. ALL DIMENSIONS OF THE CONDOMINIUM UNITS ARE SHOWN TO THE NEAREST ONE-HUNDREDTHS (1/100TH) OF A FOOT AND ARE NOT INTENDED TO BE SUFFICIENTLY ACCURATE FOR COMPILATION OF SQUARE FOOTAGE OF AIRSPACE VOLUME IN AND FOR ALL SAID UNITS.

SHEET 8 OF 15

CONDOMINIUM PLAN FOR 33852 SILVER LANTERN ST. & 33851 MALAGA DR.

For Parcel 1 of Parcel Map No. 80-158, Book 191, Pages 35, of Maps, in the City of DanaPoint, County of Orange, State of California.

BENCHMARK:

BM DESIGNATION: S-783 DATUM: NAVD88 YEAR LEVELED: 2004' ELEVATION: 125.32'

DESCRIPTION: FD. OCS DISK STAMPED "S-783" LOCATED IN THE NORTHEASTERLY CORNER OF THE INTERSECTION OF NORTHBOUND PACIFIC COAST HWY. AND ALCAZAR DRIVE.

ENGINEER'S STATEMENT

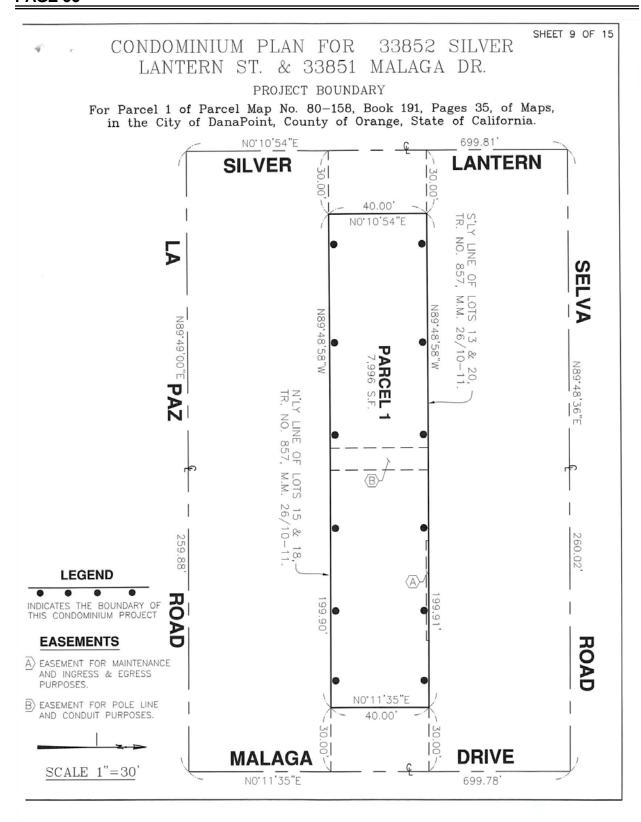
THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF FRANK ALVAREZ ON AUGUST 30, 2016. I HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.



ALEJANDRO J. ALATORRE

R.C.E. NO. R.C.E. 32761

EXP. 6/30/18



LEGEND.

SCALE 1"=30'

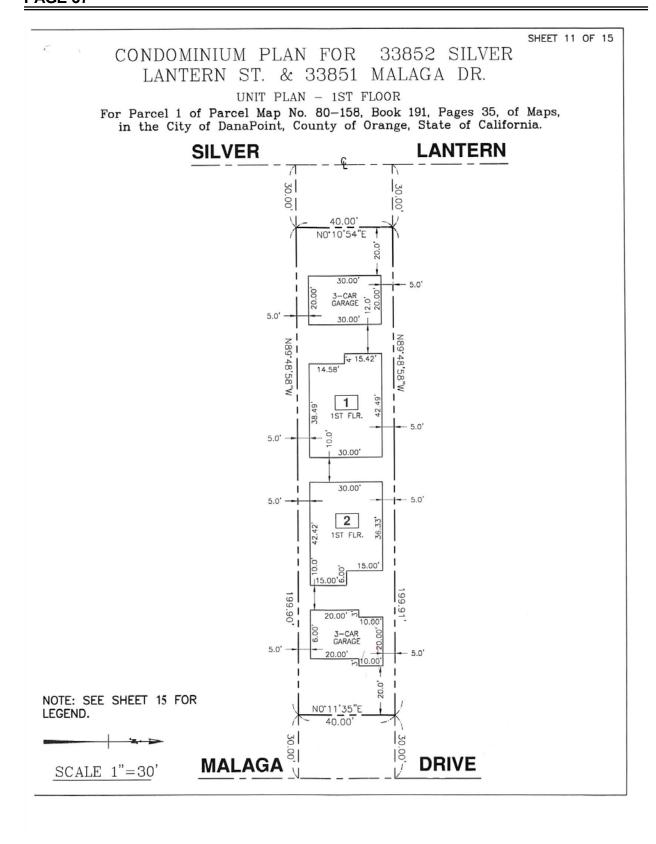
SHEET 10 OF 15 33852 SILVER CONDOMINIUM PLAN FOR LANTERN ST. & 33851 MALAGA DR. UNIT PLAN For Parcel 1 of Parcel Map No. 80-158, Book 191, Pages 35, of Maps, in the City of DanaPoint, County of Orange, State of California. **LANTERN SILVER** 30.00 30 8 40.00 NO'10'54"E (N) DRIVEWAY N89.48,58,W N89'48'58"W DE L OPEN SPACE PRIVATE OPEN SPACE FOR UNITAL 200 SF. 199.90 NOTE: SEE SHEET 11-13 FOR UNIT DETAILS. NOTE: SEE SHEET 15 FOR ΝΟ'11'35"E 40.00'

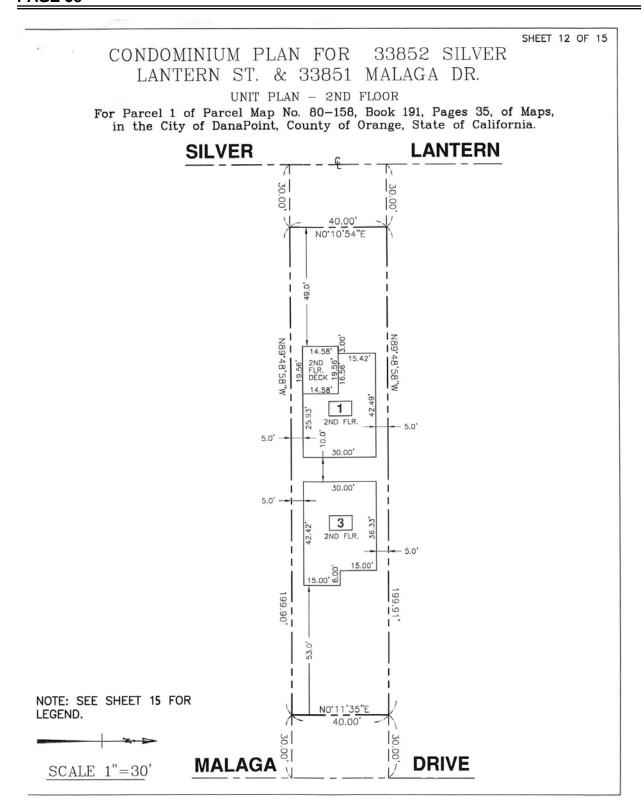
30.00

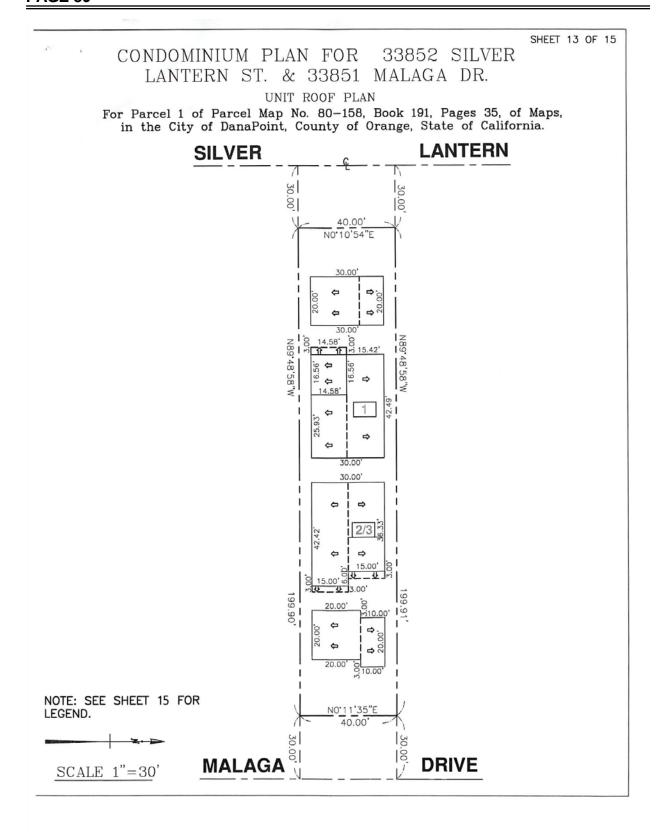
DRIVE

30.00

MALAGA



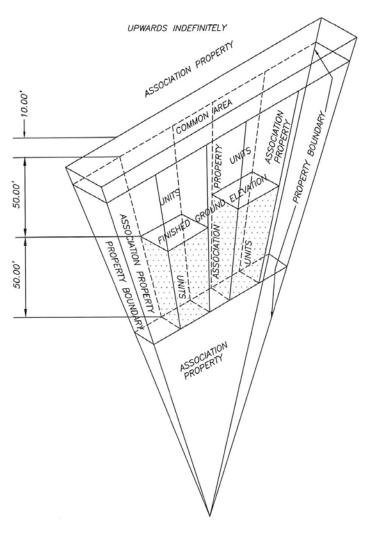




SHEET 14 OF 15

CONDOMINIUM PLAN FOR 33852 SILVER LANTERN ST. & 33851 MALAGA DR.

AIR SPACE AND COMMON AREA SPACE



DOWN TO THE CENTER OF THE EARTH

SHEET 15 OF 15

	PLAN FOR 33852 SILVER & 33851 MALAGA DR.
	-
	LEGEND
#	UNIT NUMBER
	ASSOCIATION PROPERTY
	UNIT LINE
	PROPERTY LINE
	STREET CENTER LINE
	ROOF LINE