CITY OF DANA POINT PLANNING COMMISSION AGENDA REPORT

DATE: NOVEMBER 22, 2021

TO: DANA POINT PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

BRENDA WISNESKI, DIRECTOR

DANNY GIOMETTI, SENIOR PLANNER

SUBJECT: SITE DEVELOPMENT PERMIT SDP21-0023 APPROVING A TWO-

STORY, DETACHED, 1,200 SQUARE FOOT ACCESSORY DWELLING UNIT (ADU) WITH A ROOF DECK IN CONJUNCTION WITH A SINGLE-

FAMILY DWELLING (SFD).

RECOMMENDATION: That the Planning Commission adopt the attached Resolution

approving Site Development Permit SDP21-0023

(Action Document 1).

APPLICANT: Arktech – Michael Ta-Wei Lu

OWNER: WN, Hing and Edenvalley, LLC

REQUEST: A request to permit a two-story, detached, 1,200 square foot

accessory dwelling unit (ADU) with a roof deck in conjunction

with a single-family dwelling (SFD).

LOCATION: 34011 Ruby Lantern (APN 682-242-02)

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

within a 500-foot radius and occupants within a 100-foot radius on November 12, 2021, published within a newspaper of eneral circulation on November 12, 2021, and posted on November 12, 2021 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 15303 (Class 3 - Construction and Conversion of Small

Structures).

ISSUES:

- Project consistency with the Dana Point General Plan, Dana Point Zoning Code (DPZC), and Local Coastal Program (LCP).
- Project satisfaction of all findings required pursuant to the DPZC for approval of a Site Development Permit (SDP).
- Project compatibility with and enhancement of the site and surrounding neighborhood.

BACKGROUND: The subject site is located east of Golden Lantern between La Cresta Drive and Pacific Coast Highway within the Residential Multi-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 sloped, vacant, 5,000 square foot through lot with frontage on both Seville Place and Ruby 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 – Vicinity Map).

On October 14, 2019, the Director of Community Development approved a minor Site Development Permit for a 191 square foot roof deck above a proposed accessory dwelling unit in conjunction with the development of the vacant lot (Supporting Document 3 – SDP19-0003(M)). Subsequently, the necessary construction documents were submitted to the City's Building and Safety department for review and approval.

While under plan check review (BLD21-0654), the City Council approved Ordinance No. 21-06, to modify the Dana Point Zoning Code (DPZC) related to accessory dwelling units and junior accessory dwelling units. Pursuant to Ordinance No. 21-06, Section 9.07.210 of the DPZC was repealed and replaced in its entirety with new Accessory Dwelling Unit regulations, thereby invalidating the subject ADU as designed. More specifically, pursuant to the newly amended Sections 9.07.210(F)(6)(a); (F)(8)(b)(ii) and (F.9.i) of the DPZC, the maximum building height of a detached ADU is limited to 16-feet, the maximum floor area shall not exceed 1,000 square feet, and shall not contain more than one bedroom, and no roof decks shall be constructed above an ADU, respectively. Alternatively, Section 9.07.210(H) of the DPZC allows the applicant to develop the ADU, as designed, with the approval of the subject SDP.

DISCUSSION: As previously approved by SDP19-0003(M), the project includes the construction of a roof deck above a detached ADU, in conjunction with the construction of a single-family dwelling (SFD). The proposed two-story, 1,193 square foot ADU would be constructed above a 408 square foot two (2) car garage setback by a 20-foot-long driveway, located downslope, and fronting Ruby Lantern. The lower floor of the ADU includes an office with adjoining bathroom and storage area, as well as a laundry room and a two (2) car garage located off the entry hallway. The upper floor of the ADU includes a combined kitchen and great room area, providing access to the sleeping rooms, as well as a balcony. The sleeping areas include two (2) bedrooms, both with an adjoining bathroom and closet. The

smaller bedroom shares bathroom access with the great room and kitchen. The ADU also contains a 191 square foot roof deck which is accessible from the second floor (Supporting Document 4 – Architectural Plans).

The proposed four (4) bedroom, four (4) bath, two (2) story, 2,181 square foot SFD with an attached 406 square foot, two (2) car garage will be setback by a 15-foot-long driveway, located upslope, and fronting Seville Place. The structures maintain 10-foot separation, creating a shared open space area.

Site Development Permit (SDP21-0023)

Pursuant to Section 9.07.210(H) of the DPZC "ADU Development Beyond Minimum Standards," in the event an applicant desires to develop an ADU beyond the minimum standards set forth in Section 9.07.210, he/she may apply for a discretionary Site Development Permit. Because the applicant is maintaining the ADU as previously approved for a roof deck through the original SDP19-0003(M), the approval of a Site Development Permit shall be required.

Pursuant to Section 9.71.050 "Basis of Approval, Conditional Approval, or Denial of a Site Development Permit" of the DPZC, the Planning Commission shall make the following findings:

- 1. That the site design is in compliance with the development standards of the Dana Point Zoning Code; and
- 2. That the site is suitable of the site for the proposed use and development; and
- 3. That the project is in compliance with all elements of the General Plan and all applicable provisions of the Urban Design Guidelines; and
- 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; and
- That the requirements of the California Environmental Quality Act have been satisfied in that the project qualifies as a Class 3 (Section 15303) exemption pursuant to the applicable provisions of the California Environmental Quality Act (CEQA).

Staff finds the proposed ADU consistent with the basis of approval of a SDP as outlined in Section 9.71.050 of the DPZC. Justification for the abovementioned findings can be made and responses supporting approval of the project based on those findings are detailed in the attached draft Planning Commission Resolution.

CORRESPONDENCE:

None.

CONCLUSION:

Staff finds that the proposed project is consistent with the policies and provisions of the City of Dana Point General Plan, Dana Point Zoning Code, and Local Coastal Program. As justifications can be made supporting the requested discretionary actions, staff recommends the Planning Commission adopt the attached draft Resolution, approving SDP21-0023 subject to the findings and conditions of approval contained therein.

Danny Giometti, Senior Planner

Brenda Wisneski, Director Community Development Department

ATTACHMENTS:

Action Documents

1. Draft Planning Commission Resolution No. 21-11-22-XX

Supporting Documents

- 2. Vicinity Map
- 3. SDP19-0003(M)
- 4. Architectural Plans

ACTION DOCUMENT 1: Draft Planning Commission Resolution No. 21-11-22-XX

RESOLUTION NO. 21-11-22-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING SITE DEVELOPMENT PERMIT SDP21-0023 TO PERMIT A TWO-STORY, DETACHED, 1,200 SQUARE FOOT ACCESSORY DWELLING UNIT (ADU) WITH A ROOF DECK IN CONJUNCTION WITH A SINGLE-FAMILY DWELLING (SFD) AT 34011 RUBY LANTERN.

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

WHEREAS, WN, Hing and Edenvalley, LLC, (the "Owners") are the owners of real property commonly referred to as 34011 Ruby Lantern (APN 682-242-02) (the "Property"); and

WHEREAS, the Owners authorized Arktech – Michael Ta-Wei Lu (the "Applicant") and the applicant caused to be filed a verified application for a Site Development Permit authorizing a request to permit a two-story, detached, 1,200 square foot accessory dwelling unit (ADU) with a roof deck in conjunction with a single-family dwelling (SFD); and

WHEREAS, on October 14, 2019, a minor Site Development Permit was approved allowing for a 191 square foot roof deck above a proposed accessory dwelling unit in conjunction with the development of the vacant lot; and

WHEREAS, the City Council approved Ordinance No.21-06, modifying the Dana Point Zoning Code related to ADU which then required a Site Development Permit for the subject application; 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(s) 15303 (Class 3 – Construction and Conversion of Small Structures) because the project includes the construction of an Accessory Dwelling Unit on a residential lot; and

WHEREAS, the Planning Commission did, on the 22nd day of November, 2021, 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 Site Development Permit SDP21-0023.

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 Site Development Permit SDP21-0023, subject to conditions:
 - 1. That the site design is in compliance with the development standards of the Dana Point Zoning Code in that, the proposed ADU meets the development standards associated with the Residential Multi Family (RMF 14) zoning district and Section 9.07.210(H) of the DPZC which allows an ADU to be developed beyond the minimum standards with the review and approval of a SDP by the Planning Commission. Therefore, the ADU may be permitted as designed through the subject SDP and is therefore in compliance with the development standards of the Dana Point Zoning Code.
 - 2. That the site is suitable for the proposed use and development in that the parcel is located within a multi-family zoning district (RMF 14) which allows for multiple units to be constructed on a single parcel and a mixture of duplex and multiple family development surround the subject site. Additionally, the parcel is a sloping through lot, allowing for vehicular access and parking on-site for both the SFD and the ADU from both Ruby Lantern and Seville Place. The two-story ADU is proposed to be located off Ruby Lantern which is at a significantly lower grade than Seville Place, therefore allowing for a lower overall vertical elevation than if it were designed along the top of slope. Therefore, the site is suitable for the proposed use and development.
 - 3. That the project is in compliance with all elements of the General Plan and all applicable provisions of the Urban Design Guidelines 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."
 - 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 both residential structures are designed to follow the natural topography of the site and capitalize on the vertical elevation of the lot. Although not requiring a particular type of architecture to achieve a site

and structural design that is appropriate for the site, the ADU will use materials as indicated on the elevation drawings on the architectural plans, which include horizontal wood composite siding, smooth stucco and asphalt roof shingles that will match the exterior finishes of the SFD.

5. That the requirements of the California Environmental Quality Act have been satisfied in that the project qualifies as a Class 3 (Section 15303) exemption pursuant to the applicable provisions of the California Environmental Quality Act (CEQA) in that pursuant to the California Environmental Quality Act (CEQA), the project is Categorically Exempt from the California Environmental Quality Act (CEQA) per Section 15303 (Class 3 – Construction or Conversion of Small Structures) in that the project consists of the development of two detached dwellings (SFD and ADU) on a vacant residentially zoned lot.

Conditions:

A. General:

- Approval of this application permits permit a two-story, detached, 1,200 square foot ADU with a roof deck in conjunction with a SFD. Subsequent changes to the approved scope-of-work shall be in substantial compliance with those plans presented to the Community Development Director, and in compliance with applicable provisions of the City of Dana Point General Plan and Municipal and Zoning Codes.
- 2. This discretionary permit(s) will become void two (2) years following the effective date of the approval if the privileges authorized are not implemented or utilized or, if construction work is involved, such work is not commenced with such two (2) year time period or; the Director of Community Development or the Planning Commission, as applicable grants an extension of time. Such time extensions shall be requested in writing by the applicant or authorized agent prior to the expiration of the initial two-year approval period, or any subsequently approved time extensions.
- 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 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 plot plan, he 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.
- 5. 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.
- 7. 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.
- 8. The construction site shall be posted with signage indicating that construction may not commence before 7:00 AM and must cease by 8:00 PM, Monday through Saturday, with no construction activity permitted on Sundays or Federal holidays.
- 9. 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.

- 10. The project shall meet all water quality requirements including Low Impact Development (LID) implementation.
- 11. 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.
- 12. 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.
- 13. The applicant, property owner or successor in interest shall prepare a Waste Management 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.
- 14. Separate review, approval, and permits are required for:
 - Fire Sprinklers
 - Site walls over 3'
 - Retaining Walls

B. Prior to the issuance of a grading permit the applicant shall meet the following conditions:

- 15. The applicant shall apply for a grading permit. The application shall include a grading plan, in compliance with City standards, for review and approval by the Director of Public Works. The applicant shall include all plans and documents in their submittal as required by the current Public Works Department's plan check policies, City of Dana Point Municipal Code and the City of Dana Point Grading Manual and City's Municipal Separate Storm Sewer Systems (MS4s) Permit requirements.
- 16. The applicant shall submit a geotechnical report in compliance with all the City of Dana Point standards for review and approval.

17. The applicant shall submit a final landscape and irrigation plan for review and approval by Public Works & Engineering Services and Community Development Department. The plan shall be prepared by a State licensed landscape architect and shall include all proposed and existing plant materials (location, type, size, quantity), an irrigation plan (if irrigation utilized), note wall/fence locations, a grading plan, an approved site plan and a copy of the entitlement conditions of approval. The plan shall be in substantial compliance with the applicable provisions of the Zoning Code, the preliminary plan approved by the Planning Commission, and further, recognize the principles of drought tolerant landscaping. Landscape documentation shall also comply with Chapter 9.55 (Water Efficient Landscape Standards and Requirements) of the Dana Point Zoning Code and with the Submittal Requirements and Guidelines for Implementation of the Chapter 9.55 of the DPZC, as may be applicable.

The Landscape plan shall be in accordance with the approved grading plan, City of Dana Point Municipal Code and the City of Dana Point Grading Manual and City's Municipal Separate Storm Sewer Systems (MS4s) Permit requirements.

18. A performance bond shall be required for all grading activities up to 100% of the proposed improvements. A separate performance bond may be required for shoring activities to ensure completion of grading activities and protection of adjoining improvements.

C. Prior to Building Plan Check Submittal:

- 19. Building(s) shall comply with the most current editions of the Building Code with all local amendments.
- 20. 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.
- 21. Building plan check submittal shall include the following construction documents:
 - Building Plans with Electrical/Plumbing/Mechanical plans (4 sets)
 - Energy Calculations (2 sets)
 - Structural Calculations (2 sets)
 - Soils/Geology Report (3 sets)

All documents prepared by a registered-design-professional shall be wet-stamped & signed.

22. Undergrounding of all onsite utilities is required. An Approved SDG&E Work

Order and Undergrounding Plan is required prior to permit issuance.

- 23. Fire Department review may be required. Submit plans directly to the Orange County Fire Authority for their review.
- 24. Minimum roofing classification is Class "A".
- 25. Fire-rated Construction: Plans should clearly identify and detail the fire-rated construction for any construction due to close proximity to the property line
- 26. Separate review, approval, and permits are required for separate structures.
- 27. Soils Report (1803): 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.
- 28. 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.
- 29. Green Building: Plans shall show compliance & indicate method of verification of compliance with all CAL Green requirements. Third party or other methods shall demonstrate satisfactory conformance with mandatory measures.
- 30. The applicant shall submit a geotechnical report in compliance with all the City of Dana Point standards for review and approval. The review of the submitted geotechnical report shall be done on a time and materials basis.
- D. Prior to the Issuance of a Building Permit or release on certain related inspections, the applicant shall meet the following conditions:
 - 31. The applicant shall obtain a grading permit and complete rough grading (establishment of building pads) in accordance with the approved grading plans and reports.
 - 32. The applicant shall submit a rough grade certification for review and approval by the City Engineer by separate submittal. The rough grade certification by the civil engineer (along with the City's standard Civil Engineer's Certification Form for Rough Grading) shall approve the grading as being substantially completed in conformance with the approved grading plan and shall document all pad grades to the nearest 0.1-feet to the satisfaction of the City Engineer the Director of Community Development.

The civil engineer and/or surveyor shall specifically certify that the elevation of the graded pad complies with the vertical (grade) position approved for the project.

33. An as graded geotechnical report shall be prepared by the project geotechnical consultant following grading of the subject site. The report should include the results of all field density testing, depth of reprocessing and re-compaction, as well as a map depicting the limits of grading. Locations of all density testing, restricted use zones, settlement monuments, and geologic conditions exposed during grading. The report should include conclusions and recommendations regarding applicable setbacks, foundation recommendations, erosion control and any other relevant geotechnical aspects of the site. The report shall state that grading of the site, including associated appurtenances, as being completed in conformance with the recommendations of the preliminary geotechnical report.

34. Approvals are required from:

- Planning Division
- Public Works & Engineering Services
- Obtain Orange County Fire Authority Approval
- Obtain "Will Serve" letter from Water District.
- Provide an SDG&E service work order for proposed service location
- 35. All applicable supplemental/development impact fees shall be paid prior to building permit issuance.
- 36. A separate erosion control plan shall be included in the project plans. The erosion control plan shall address the potential erosion and sediment loss for the proposed hillside development.
- 37. Prior to commencement of framing, the applicant shall verify, by survey, that each structure will be constructed in compliance with the dimensions shown on plans approved by the City, including finish floor elevations and setbacks to property-lines included as part of this entitlement. The City's standard "Setback Certification" form shall be obtained from the Project Planner and be prepared by a licensed civil engineer/surveyor and shall be delivered to the City of Dana Point Building/Safety and Planning Divisions for review and approval.
- 38. Prior to release of the roof sheathing inspection, the applicant shall certify by a survey or other appropriate method that the height of the structures and any encroachments above the height limit are in compliance with plans approved by the Planning Commission and the structure heights included as part of SDP19-0003(M). The City's standard "Height Certification" form

shall be obtained from the Planning Division and prepared by a licensed civil engineer/surveyor and be delivered to the City of Dana Point Building and Planning Divisions for review and approval before release of final roof sheathing is granted.

E. Prior to the issuance of a certificate of occupancy, the applicant shall meet the following:

- 39. The owner shall record an agreement affecting real property related to the use of "Accessory Dwelling Unit" associated with a "Single Family Dwelling," prepared by the City of Dana Point. The agreement shall provide a description of the accessory dwelling unit and explain that it is allowed as an accessory use within the Residential Multi Family (RMF 14) zone and include restrictions stating that (1) the site shall not be converted into multiple family dwelling units and (2), the ADU may not be rented as a short term or vacation rental for the life of the project.
- 40. The ADU shall be approved as designed, with two (2) bedrooms upstairs and one (1) office downstairs. At no point shall the office with the adjoining storage area be converted into a bedroom and adjoining closet.
- 41. A Final Geotechnical Report shall be prepared by the project geotechnical consultant in accordance with the City of Dana Point Grading Manual.
- 42. A written approval by the Civil Engineer of Record approving the grading as being in conformance with the approved grading plan and which specifically approves construction for all engineered drainage devices and retaining walls.
- 43. An As-Built Grading Plan shall be prepared by the Civil Engineer of Record.
- 44. Verification of all conditions of approval is required by all City Departments.
- 45. Condition requiring installation of all landscaping prior to issuance of C of O
- 46. The applicant shall contact both the Planning Division and Public Works & Engineering Services to schedule a final inspection prior to final project sign-off by the Building Division. The final inspection shall include a review of, among other things, landscaping, finish architecture/materials, approved through discretionary action, and compliance with any outstanding project conditions of approval.
- 47.All permanent BMP's, including landscaping, shall be installed, and approved by either the project Landscape Architect or the Civil Engineer of Record.

- 48. All approvals from outside Departments and Agencies (i.e., Fire Department) is/are required.
- 49. A written approval by the Geotechnical Engineer of Record approving the construction as being in conformance with the approved plan from a geotechnical standpoint.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Planning Commission of the City of Dana Point, California, held on this 22^{nd} day of November 2021, by the following vote, to wit:

AYES:		
NOES:		
ABSENT:		
ABSTAIN:		
	——————————————————————————————————————	Eric Nelson, Chairperson
		Planning Commission
ATTEST:		
Brenda Wisneski, Director		
Community Development Dep	partment	

SUPPORTING DOCUMENT 2: Vicinity Map



City of Dana Point SDP21-0023 Danny Giometti, Senior Planner Community Development Department 33282 Golden Lantern Dana Point, CA 92629-1805



Project: SDP21-0023

Applicant: Arktech – Michael Ta-Wei Lu/ WN, Hing and Edenvalley, LLC.

Location: 34011 Ruby Lantern



SUPPORTING DOCUMENT 3: SDP19-0003(M)

CITY OF DANA POINT ADMINISTRATIVE PERMIT

HEARING DATE: OCTOBER 14, 2019

TO:

MATT SCHNEIDER, DIRECTOR OF COMMUNITY DEVELOPMENT

FROM:

DANNY GIOMETTI, ASSOCIATE PLANNER

SUBJECT:

MINOR SITE DEVELOPMENT PERMIT SDP19-0003(M)

APPLICANT:

Arktech - Michael Ta-Wei Lu.

PROPERTY OWNER: WN, Hing and Edenvalley, LLC

LOCATION:

34011 Ruby Lantern (APN: 682-242-02)

REQUEST:

A request to permit a 191 square foot roof deck atop a proposed accessory

dwelling unit in conjunction with the development of a vacant lot.

NOTICE:

Notice of the public hearing was mailed to property owners within a

300-foot radius of the subject site on October 3, 2019.

ENVIRONMENTAL:

Pursuant to the California Environmental Quality Act (CEQA), the project

is found to be categorically exempt per Section 15303

(Class 3 - Construction and Conversion of Small Structures).

BACKGROUND:

The subject site is located east of Golden Lantern between La Cresta Drive and Pacific Coast Highway within the Residential Multi-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 sloped, vacant and previously undeveloped, 5,000 square foot through lot with frontage on both Seville Place and Ruby Lantern. The site is surrounded by a mixture of single-family, duplex and multiple-family developments to the north, south, east and west.

The vacant site is being developed with a single family dwelling (SFD) as well as a detached accessory dwelling unit (ADU) with a roof deck. The proposed two (2) story, 2,181 square foot SFD with an attached 406 square foot, two (2) car garage will be setback by a 15-foot long driveway, located upslope, and fronting Seville Place. The new two story, 1,193 square foot ADU with an attached 408 square foot, two (2) car garage will be setback by a 20-foot long driveway. located downslope, and fronting Ruby Lantern. Both structures are provided with a 10-foot building separation, which will create a shared open space area. The ADU is proposed to include a great room, three (3) bedrooms, three (3) bathrooms, a laundry room and closet space.

Pursuant to Section 9.05.230 (Roof Decks) of the DPZC, roof decks are permitted subject to approval of a Minor Site Development permit SDP(M). Because the proposed ADU includes the construction of a 191 square foot roof deck, the approval of a SDP(M) is required.

DISCUSSION:

Pursuant to Section 9.05.230 of the DPZC, the permitted area of all roof decks per dwelling unit may not exceed twenty-five (25) percent of the roof area of the story directly below the deck or 300 square feet, whichever is less. The proposed 191 square foot roof deck located atop the ADU comprises 24% of the roof area of the story directly below the deck and is also less than 300 square feet, and is therefore in compliance with the above mentioned requirement. Additionally, it is designed so as not to be visible from all sides of the ADU or from the grade below in accordance with Section 9.05.230(a). The roof deck will be integrated into the proposed structure and screened by a functional guardrail, concealed by both pitched and flat roof elements. Portions of the roof which project above the flat element are proposed with a 4:12 pitch. No portions of the structure will project above the building height limits of 24 feet for the flat roof elements or above 26 feet for 4:12 pitch roof elements, as measured from the structure low point (finished pad), to the highest ridge of the ADU.

Access to the roof deck will be provided from the great room on the upper floor via an interior stairwell to an exterior door that opens to a landing on the roof leading to the roof deck. The new roof deck will be integrated into the framing of the roof and any visible portions will be architecturally compatible with the proposed structure. Therefore, the proposed roof deck is designed in accordance with the size and design limitations required pursuant to Section 9.05.230 of the DPZC.

Based on the preceding analysis, findings supporting the project and the associated discretionary permit are described in the following section.

FINDINGS:

Minor Site Development Permit SDP19-0003(M)

- A) That the site design is in compliance with the development standards of the Dana Point Zoning Code in that the proposed 191 square foot roof deck is in compliance with Section 9.05.230 (Roof Decks) of the Dana Point Zoning Code (DPZC) as it is appropriately designed so as not to be visible from all sides of the building or from the grade below. Additionally, the roof deck will be integrated into the roof system and not visible from all sides of the ADU or the grade below. No portion of the roof deck will project over the maximum height limits of 24 and 26 feet for the flat and 4:12 pitched roof elements of the structure, respectively. Any visible portions of the guardrail surrounding the roof deck will be finished to match the materials and colors of the ADU.
- B) That the site is suitable for the proposed use and development in that roof decks are a permitted general development standard in any zoning district, subject to the provisions of DPZC Section 9.05.230. The proposed roof deck is located atop the ADU within the perimeter of the ADU's footprint, and designed in a manner meeting the

standards prescribed for roof decks located in residential districts, as well as all development standards of the RMF 14 zoning district (including minimum private and open space), outlined in the DPZC. Consequently, the site is suitable for the proposed residential use and the accompanying roof deck requested in conjunction with development of the site.

- C) That the project is in compliance with all elements of the General Plan and all applicable provisions of the Urban Design Guidelines in that pursuant to Policy 5.2 of the Urban Design Element of the General Plan, the proposed roof deck encourages site and building design that takes advantage of the City's excellent climate to maximize indoor-outdoor spatial relationships, by creating an elevated private outdoor open space that is accessible from the interior of the ADU.
- D) 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 roof deck will be contained within the roof framing of the ADU so that it appears as an integral part of the roof system, that is not visible from the grade below as required by Section 9.05.230(d) of the DPZC. Although not requiring a particular type of architecture to achieve a site and structural design that is appropriate for the site, the guardrails and roof elements surrounding the roof deck will use materials as indicated on the elevation drawings on the architectural plans, which include; horizontal wood composite siding and asphalt roof shingles that will match the exterior finishes of the ADU.
- E) That the requirements of the California Environmental Quality Act have been satisfied in that the project qualifies as a Class 1 (Section 15301) exemption pursuant to the applicable provisions of the California Environmental Quality Act (CEQA) in that pursuant to the California Environmental Quality Act (CEQA), the project is Categorically Exempt from the California Environmental Quality Act (CEQA) per Section 15303 (Class 3 Existing Facilities) in that the project consists of the development of a roof deck associated with the construction of a small structure (ADU).

CONDITIONS OF APPROVAL:

The City of Dana Point hereby approves Minor Site Development Permit SDP19-0003(M) for the referenced project. This permit is valid subject to the following conditions of approval:

A. General:

- Approval of this application permits a 191 square foot roof deck atop a proposed accessory
 dwelling unit in conjunction with the development of a vacant lot located at 34011 Ruby
 Lantern. Subsequent changes to the approved scope-of-work shall be in substantial
 compliance with those plans presented to the Community Development Director, and in
 compliance with applicable provisions of the City of Dana Point General Plan and Municipal
 and Zoning Codes.
- 2. This discretionary permit(s) will become void two (2) years following the effective date of

the approval if the privileges authorized are not implemented or utilized or, if construction work is involved, such work is not commenced with such two (2) year time period or; the Director of Community Development or the Planning Commission, as applicable grants an extension of time. Such time extensions shall be requested in writing by the applicant or authorized agent prior to the expiration of the initial two-year approval period, or any subsequently approved time extensions.

- 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 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 plot plan, he 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.
- 5. 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.
- 7. 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.

- The construction site shall be posted with signage indicating that construction may not commence before 7:00 AM and must cease by 8:00 PM, Monday through Saturday, with no construction activity permitted on Sundays or Federal holidays.
- 9. 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.
- 10. The project shall meet all water quality requirements including Low Impact Development (LID) implementation.
- 11. 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.
- 12. 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.
- 13. The applicant, property owner or successor in interest shall prepare a Waste Management 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.
- 14. Separate review, approval, and permits are required for:
 - Fire Sprinklers
 - Site walls over 3'
 - Retaining Walls

B. Prior to the issuance of a grading permit the applicant shall meet the following conditions:

- 15. The applicant shall submit an application for a grading permit. The application shall include a grading plan, in compliance with City standards, for review and approval by the Director of Public Works. The applicant shall include all plans and documents in their submittal as required by the current Public Works Department's plan check policies, City of Dana Point Municipal Code and the City of Dana Point Grading Manual and City's Municipal Separate Storm Sewer Systems (MS4s) Permit requirements.
- 16. The applicant shall submit a geotechnical report in compliance with all the City of Dana Point standards for review and approval.
- 17. The applicant shall submit a final landscape and irrigation plan for review and approval by Public Works & Engineering Services and Community Development Department. The

plan shall be prepared by a State licensed landscape architect and shall include all proposed and existing plant materials (location, type, size, quantity), an irrigation plan (if irrigation utilized), note wall/fence locations, a grading plan, an approved site plan and a copy of the entitlement conditions of approval. The plan shall be in substantial compliance with the applicable provisions of the Zoning Code, the preliminary plan approved by the Planning Commission, and further, recognize the principles of drought tolerant landscaping. Landscape documentation shall also comply with Chapter 9.55 (Water Efficient Landscape Standards and Requirements) of the Dana Point Zoning Code and with the Submittal Requirements and Guidelines for Implementation of the Chapter 9.55 of the DPZC, as may be applicable.

The Landscape plan shall be in accordance with the approved grading plan, City of Dana Point Municipal Code and the City of Dana Point Grading Manual and City's Municipal Separate Storm Sewer Systems (MS4s) Permit requirements.

18. A performance bond shall be required for all grading activities up to 100% of the proposed improvements. A separate performance bond may be required for shoring activities to ensure completion of grading activities and protection of adjoining improvements.

C. Prior to Building Plan Check Submittal:

- 19. Building(s) shall comply with the 2016 editions of the Building Code with all local amendments.
- 20. 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.
- 21. Building plan check submittal shall include the following construction documents:
 - Building Plans with Electrical/Plumbing/Mechanical plans (4 sets)
 - Energy Calculations (2 sets)
 - Structural Calculations (2 sets)
 - Soils/Geology Report (3 sets)

All documents prepared by a registered-design-professional shall be wet-stamped & signed.

- 22. Undergrounding of all onsite utilities is required. An Approved SDG&E Work Order and Undergrounding Plan is required prior to permit issuance.
- 23. Fire Department review may be required. Submit plans directly to the Orange County Fire Authority for their review.
- 24. Minimum roofing classification is Class "A".
- 25. Fire-rated Construction: Plans should clearly identify and detail the fire-rated construction for any construction due to close proximity to the property line.

- 26. Separate review, approval, and permits are required for separate structures.
- 27. Soils Report (1803): 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.
- 28. 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.
- 29. Green Building: Plans shall show compliance & indicate method of verification of compliance with all CAL Green requirements. Third party or other methods shall demonstrate satisfactory conformance with mandatory measures.
- 30. The applicant shall submit a geotechnical report in compliance with all the City of Dana Point standards for review and approval. The review of the submitted geotechnical report shall be done on a time and materials basis.
- D. Prior to the Issuance of a Building Permit or release on certain related inspections, the applicant shall meet the following conditions:
 - 31. The applicant shall obtain a grading permit and complete rough grading (establishment of building pads) in accordance with the approved grading plans and reports.
 - 32. The applicant shall submit a rough grade certification for review and approval by the City Engineer by separate submittal. The rough grade certification by the civil engineer (along with the City's standard Civil Engineer's Certification Form for Rough Grading) shall approve the grading as being substantially completed in conformance with the approved grading plan and shall document all pad grades to the nearest 0.1-feet to the satisfaction of the City Engineer the Director of Community Development. The civil engineer and/or surveyor shall specifically certify that the elevation of the graded pad complies with the vertical (grade) position approved for the project.
 - 33. An as graded geotechnical report shall be prepared by the project geotechnical consultant following grading of the subject site. The report should include the results of all field density testing, depth of reprocessing and re-compaction, as well as a map depicting the limits of grading. Locations of all density testing, restricted use zones, settlement monuments, and geologic conditions exposed during grading. The report should include conclusions and recommendations regarding applicable setbacks, foundation recommendations, erosion control and any other relevant geotechnical aspects of the site. The report shall state that grading of the site, including associated appurtenances, as being completed in conformance with the recommendations of the preliminary geotechnical report.

34. Approvals are required from:

- Planning Division
- Public Works & Engineering Services

- Obtain Orange County Fire Authority Approval
- Obtain "Will Serve" letter from Water District.
- Provide an SDG&E service work order for proposed service location
- 35. All applicable supplemental/development impact fees shall be paid prior to building permit issuance.
- 36. A separate erosion control plan shall be included in the project plans. The erosion control plan shall address the potential erosion and sediment loss for the proposed hillside development.
- 37. Prior to commencement of framing, the applicant shall verify, by survey, that each structure will be constructed in compliance with the dimensions shown on plans approved by the City, including finish floor elevations and setbacks to property-lines included as part of this entitlement. The City's standard "Setback Certification" form shall be obtained from the Project Planner and be prepared by a licensed civil engineer/surveyor and shall be delivered to the City of Dana Point Building/Safety and Planning Divisions for review and approval.
- 38. Prior to release of the roof sheathing inspection, the applicant shall certify by a survey or other appropriate method that the height of the structures and any encroachments above the height limit are in compliance with plans approved by the Planning Commission and the structure heights included as part of SDP19-0003(M). The City's standard "Height Certification" form shall be obtained from the Planning Division and prepared by a licensed civil engineer/surveyor and be delivered to the City of Dana Point Building and Planning Divisions for review and approval before release of final roof sheathing is granted.

E. Prior to the issuance of a certificate of occupancy, the applicant shall meet the following:

- 39. A Final Geotechnical Report shall be prepared by the project geotechnical consultant in accordance with the City of Dana Point Grading Manual.
- 40.A written approval by the Civil Engineer of Record approving the grading as being in conformance with the approved grading plan and which specifically approves construction for all engineered drainage devices and retaining walls.
- 41. An As-Built Grading Plan shall be prepared by the Civil Engineer of Record.
- 42. Verification of all conditions of approval is required by all City Departments.
- 43. Condition requiring installation of all landscaping prior to issuance of C. of O.
- 44. The applicant shall contact both the Planning Division and Public Works & Engineering Services to schedule a final inspection prior to final project sign-off by the Building Division. The final inspection shall include a review of, among other things, landscaping, finish architecture/materials, approved through discretionary action, and compliance with

any outstanding project conditions of approval.

- 45. All permanent BMP's, including landscaping, shall be installed and approved by either the project Landscape Architect or the Civil Engineer of Record.
- 46.All approvals from outside Departments and Agencies (i.e. Fire Department) is/are required.
- 47. A written approval by the Geotechnical Engineer of Record approving the construction as being in conformance with the approved plan from a geotechnical standpoint.

DETERMINATION:	19. **
The Director of Community Development hereby:	
APPROVES	
DENIES	
the requested Minor Site Development Permit d applicable conditions above.	escribed herein subject to the findings and
1/2016	9
	Matt Schneider, Director
//	Community Development Department

SUPPORTING DOCUMENTS:

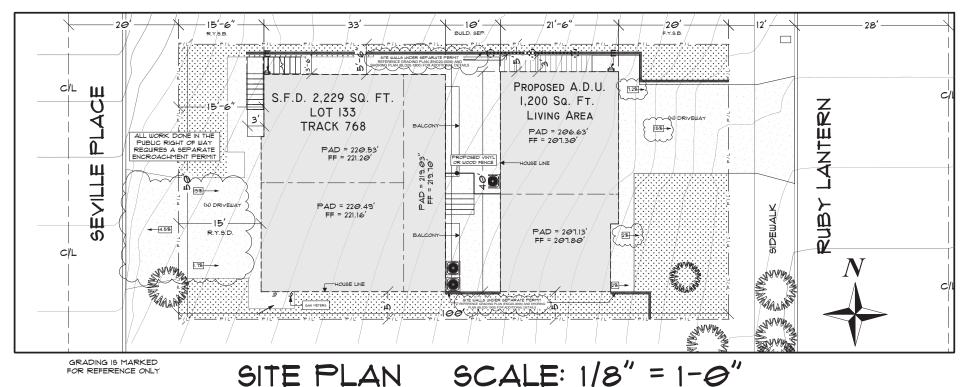
1. Architectural Plans

PLANNING COMMISSION AGENDA REPORT SDP21-0023 NOVEMBER 22, 2021 PAGE 25

SUPPORTING DOCUMENT 4: Architectural Plans

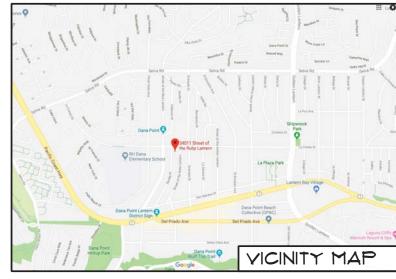
ATTACHMENT

PROPOSED SINGLE FAMILY DWELLING \$ A.D.U. 34011 RUBY LANTERN STREET, DANA POINT, CA. 92629



SCOPE OF WORK

EXISTING VACANT PROPERTY TO PROPOSE ONE PRIMARY OR SINGLE FAMILY DWELLING UNIT OF APPROXIMATELY 2,181 SQ.FT AT BACK OF THE PROPERTY AND ONE ACCESSORY DWELLING UNIT OF APPROXIMATELY 1,200 SQ.FT AT FRONT OF THE PROPERTY.



CITY NOTES: 1. A PLANNING FINAL INSPECTION AND LANDSCAPE INSPECTION WILL BE REQUIRED PRIOR TO FINAL CERTIFICATE OF OCCUPANCY. 2. THE APPLICANT WILL BE REQUIRED TO VERIFY STRUCTURE HEIGHT AND SETBACKS THROUGH A BUILDING HEIGHT CERTIFICATION FORM AND A SETBACK VERIFICATION FORM BOTH FORMS WILL BE PREPARED BY THE PROJECT PLANNER AND PROVIDED TO THE PROJECT APPLICANT UPON PERMIT 189JUANCE. 3. PROVIDE AUTOMATIC FIRE SPRINKLERS THROUGHOUT THE MAIN DWELLING AND THE ADMIT

Λ

THE ADU.

A PHOTOVOLTAIC SYSTEM IS REQUIRED ON THE MAIN DWELLING AND THE ADU.

EACH PY SYSTEM WILL BE UNDER A SEPARATE PERMIT AND PLAN CHECK, AND

SIZED PER THE TITLE24 ENERGY REPORT ON THIS PERMIT. THIS PERMIT WILL NOT

BE FINALED WITIL THE PHOTOVOLTAIC PERMITS ARE FINALED.

SET BACKS: F.Y.S.B.

20 R.Y.S.B. 15' S.Y.S.B.

LOT COVERAGE: 2,182 SQ. FT. COVERAGE OF 5.000 SQ. FT. LOT = 43.6%

LANDSCAPE COVERAGE:

TOTAL LANDSCAPE COVERAGE: TOTAL LOT AREA:

TOTAL LANDSCAPE COVERAGE IS:

1,429 SQ FT. 5.000 SQ. FT. 28.58% > 25%

SITE PLAN

OWNER:

92629

CONTACTS

WU, ILING \$ EDEN VALLEY, LLC

ARKTECH / MICHAEL TA-WEI LU

ENGINEERING \$ MANAGEMENT

1057 E. IMPERIAL HWY., #520

34145 PACIFIC COAST HWY...

PMB 315, DANA POINT, CA

CONTACT WU ILING

PH: 949-889-5119

DRAFTER / ENGINEER:

PLACENTA, CA. 92870

TEL: 626.275.4368 E:

MAIL@ARK-TECH.NET

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A5 ZND FLOOR PLAN A D.U.
A6 ZND FLOOR PLAN TAID UPLLING
A1 ELEVATIONS \$ C. SECTIONS

AT ELEVATIONS C. S A8 ELEVATIONS A9 CROSS SECTIONS AID ROOF PLAN E1 ELECTRICAL PLAN E2 ELECTRICAL PLAN E3 ELECTRICAL PLAN P1 PLUMB PLAN E2 PLUMB PLAN

ROOF
MATERIAL: GAF TIMBERLINE HD LAMINATED ARCHITECTURAL ROOF SHINGLES
COLOR: OYSTER GRAY
VENT: O'HAGIN
DECK HINISH: DEX-O-TEX TERRAZZOS

MATERIAL: JAMES HARDIE HZIØ HARDIE PLANK CEDARMILL FIBER CEMENT LAP SIDING PAINT SHERWIN-WILLIAMS
BODY COLOR: MACADAMIA
WINDOW TRIM COLOR: TERRA BRUN

PLAN DATA \$ AREA CALCS

LOT 133 OF TRACT NO. 168 IN THE CITY OF DANA POINT, COUNTY OF ORANGE, CA. MAP RECORDED IN BOOK 22 PAGE 38 OF MISCELLANEOUS MAPS. IN THE OFFICE OF THE COUNTY RECORDER

OCCUPANCY ZONING: APN# CONS. TYPE: USE:

FIRE ZONE:

RMF-14 682-242-02 V-B FIRE SPRINKLER:

SED \$ ADU DEFERRED SUBMITTAL NOT IN FHSZ

SQUARE FOOTAGES:

ACCESSORY DWELLING UNIT A.D.U 1ST FLOOR = 400 SQ. FT. A.D.U. 2ND FLOOR = 193 SQ. FT. (T) 1,193 SQ. FT. LIVING AREA A.D.U UPPER DECK = 191 SQ. FT. ADIL GARAGE = 408 SO ET A.D.U BALCONY = 11 SQ. FT.

SINGLE FAMILY DWELLING 1ST FLR. = 811 SQ. FT. 2ND FLR. = 1,304 SQ. FT. (T) = 2,181 SQ. FT. LIVING AREA GARAGE = 406 SQ FT BALCONY FRONT \$ REAR = 89 SQ. FT.

TOTAL LIVING AREA A.D.U. = 1,193 SQ. FT. TOTAL LIVING AREA S.F.D. = 2,181 SQ. FT. TOTAL LOT SIZE = 5.000 SQ. FT. HOUSE STRUCTURE = 2,148 SQ. FT / LOT = 42.9% LOT COVERAGE

GENERAL NOTES

1. ALL WORKMANSHIP AND MATERIALS SHALL CONFORM TO THE REQUIREMENTS OF THE 2013 CALIFORNIA RESIDENTIAL CODE (CRC.) 2013 CALIFORNIA BUILDING CODE (CBC.) 2013 CALIFORNIA PLIMBING CODE (CPC.) 2013 CALIFORNIA ELECTRICAL CODE (CEC.) 2013 CALIFORNIA MECHANICAL CODE (CMC.) 2013 BUILDING STANDARDS (CODE (CAC.) 2013 CALIFORNIA MECHANICAL CODE (CMC.) 2013 BUILDING STANDARDS CODE (CAL.) GREEN) CODE (CAL.) GREEN CONTROLLING AND STANDARDS CODE (CAL.) GREEN CONTROLLING AND STANDARDS CODE (CAL.) GREEN CONTROLLING AND STANDARDS CODE (CAL.) GREEN CONTROLLING AND CONDITIONS AND STANDARDS CODE (CAL.) GREEN CONTROLLING AND CONDITIONS AND THOSE SHOULD AND NOTHER CONSTRUCTION DOCUMENTS AND CONTROLLING CONTROLLING CONSTRUCTION DOCUMENTS.

3. ANY OMISSIONS, CONFLICTS, OR DISCREPANCIES BETWEEN THE VARIOUS ELEMENTS OF THE CONSTRUCTION DOCUMENTS AND OR SPECIFICATIONS SHALL BE BROUGHT TO THE ATTENTION OF THE DUNIER AND PRAFTER ALL WORK IS TO BE COORDINATED SO THAT COOPERATION BETWEEN THE TRADES WHERE REQUIRED IS ACCOMPLISHED.

4. VERIFY ALL OPENINGS THROUGHOUT CONSTRUCTION WITH ALL PARTICIPANTS TRADES SUCH AS HEATING, PLUMBING, ELECTRICAL TRADES FOR SIZE AND LOCATION, NOTIFY OWNER AND DRAFTER IN WRITING OF ANY DEVIATIONS FROM THE CONSTRUCTION DOCUMENTS.

5. FOOLOW DIFFICIORS ON DO NOT SCALE DRAWINGS CONFIRM WITH DRAFTER SECONER PROCEDING IF CONFLICT ARISE.

6. FOOLOW DIFFICIORS ON DO NOT SCALE DRAWINGS CONFIRM WITH DRAFTER SECONER PROCEDING IF CONFLICT ARISE.

6. FOOLOW DIFFICIORS ON DETERMINE FUNCTIONALITY \$ CODE

1. CONTRACTOR WITH HIS SELECTED IN ALL OF ALS SESSIMING H.V.S. SYSTEMS TO DETERMINE FUNCTIONALITY \$ CODE

1. CONTRACTOR WITH HIS SELECTED H.V.A.C. SUBCONTRACTOR TO ASSESS EXISTING H.V.A.C. SYSTEMS TO DETERMINE FUNCTIONALITY \$ CODE COMPLIANCE. MAKE RECOMMENDATIONS TO OWNER AS TO PROPOSED MODIFICATIONS \$ COST. ADVISE OWNER AND DRAFTER IF FRAMING MODIFICATIONS ARE NECESSARY.
3. VERIFY \$ COORDINATE EXTERIOR HARDSCAPE, LANDSCAPE \$ IRRIGATION SYSTEMS WITH OWNER AND LANDSCAPE DRAFTER/ARCHITECT.

SITE LEGEND ALL DRAINAGE SHALL BE MAINTAINED AND IN ACCORDANCE WITH THE 2019 CALIFORNIA BUILDING CODE AND THE CITY OF DANA POINT MUNICIPAL CODE. :::::::: LANDSCAPE CONCRETE SITE WALL (UNDER SEPARATE HOME STRUCTURE SHORING WALL UNDER
SEPARATE PERMIT (BLD20-1900)

REVISIONS Δ

> # MANAGEMENT MAL HWY., #520 , CA. 92810 , MAL@ARK-TECH.N ₫ш ENGINE 1051 E PLA 626.215.4

> > STREE 62 ANTERN CA. 9262 ゴ JBY L OINT, ∠ ٰک ٩ т. О. Ф. А. А. А. А. А. А. щ 4 O y O

TITLE SITE PLAN DATE 12/29/2020 1/8" = 1'-0" SCALE

RESIDENTIAL CONSTRUCTION MINIMUM REQUIREMENTS

Applicable Standards: 2019 California Residential Code (CRC); 2019 California Building Code (CBC); 2019 California Plumbing Code (CPC); 2019 California Electrical Code (CEC); 2019 California Mechanical Code (CMC); 2019 Building Energy Efficiency Standards (BEES); 2019 California Green Building Standards Code (Cal Green)

- Residential building undergoing permitted alterations, additions or improvements shall replace non-compliant plumbing fixtures with water-conserving plumbing fixtures meeting the requirements of 2019 California Green Building Standards Code, Section 4.303. Plumbing fixture replacement is required prior to issuance of a certificate of occupancy or final inspection by the Chief Building Official. (Civil Code, Section 1101.1)
- 3. Prior to performing any work in the city right-of-way an encroachment permit must be obtained from the Public Works Department
- 4. A site survey by a licensed surveyor shall be required prior to foundation concrete pour.
- Garage ceiling height. The minimum unobstructed vertical clearance for parking spaces shall be seven feet, except that the front four feet may have a minimum vertical clearance of four feet. (NBMC 20.40.090 A 4)
- 6. Utilize one of the city's approved franchise hauler to recycle and/or salvage a minimum of 65% of the nonhazardous construction and demolition waste. (Cal Green 4.408.1, 4.408.3)
- 7. Stainways shall not be less than 36 inches clear width. (CRC 311.7.1) The minimum head clearance shall be 6"-8" measured vertically from the sloped line adjoining tread nosing. (CRC 311.7.2)

CONSTRUCTION:

8. Pedestrian protection adjacent to public way to be as follows:

CBC TABLE 3306.		
HEIGHT OF CONSTRUCTION	DISTANCE FROM CONSTRUCTION TO LOT LINE	TYPE OF PROTECTION REQUIRED
	Less than 5 feet	Construction railings
8 feet or less	5 feet or more	None
	Less than 5 feet	Barrier and covered walkway
	5 feet or more, but not more than one-fourth the height of construction	Barrier and covered walkway
More than 8 feet	5 feet or more, but between one-fourth and one-half the height of construction	Barrier
	5 feet or more, but exceeding one-half the height of construction	None

- All exterior lath and plaster shall have two layers of Grade D paper over wood base sheathing. (CRC R703.7.3, CBC 2510.6)
- 10. Wall covering of showers or tubs with showers shall be of cement plaster, tile, or approved equal, to a height of not less than 72 inches above drain inlet. Backing for tile shall be cement board or cement plaster. (CRC R307.2, CBC 1210.2.3)
- Safety glazing shall be provided at the following hazardous locations: (CRC R308.4, CBC 2406.4)
- Swinging, bi-fold, and sliding doors.
 When located within 60 inches above the floor of wet surfaces such as tubs, showers, saunas, steam rooms, or outdoor swimming pool.
- Glazing adjacent to doors:

 i. Within a 24 inch arc of either vertical edge of doors and within 60 inches of walking surface.

 ii. Where the glazing is on a wall perpendicular to the plane of the door in a closed position and within 24 inches of the hinge side of an in-swinging door.

 Where glazing area is more than 9 sq. ft. in area, with the bottom edge less than 18 inches above the floor, top edge more than 36 inches above floor, and
- within 36 inches of a walking surface, measured horizontally.

 e. Glazing where the bottom exposed edge of the glazing is less than 36 inches above the plane of the adjacent walking surface of stairways, landings e. Glazing where the bot between flights of stairs and ramps.

riss of same and ramps.
Glazing adjacent to the landing at the bottom of a stairway where the glazing is less than 36 inches above the landing and within 60 inches horizontally of the bottom tread.

- Glazing in guards and railings.
- All doors from the house into the pool area shall be equipped with an approved alarm or an approved alternate drowning prevention safety feature. (CBC
- Smoke alarms shall be installed in the following locations (CRC R314.3, CBC
- 907.2.11.2, 907.2.11.3 & 907.2.11.4):
 - a. In each sleeping room.
 b. Outside each separate sleeping area in the immediate vicinity of the bedrooms.

 - On each additional story, including basements and habitable attics.
 Not less than 3 feet horizontally from the door or opening of a bathroom that contains a bathtub or shower.
 A minimum of 20 feet horizontally from any permanently installed cooking appliance.
 Smoke alarms shall be hardwired with battery back-up and interconnected unless exempted in accordance with CRC R314.4 & R314.5 or CBC
- 907.2.11.5 & 907.2.11.6.
- 14. Carbon monoxide alarms shall be installed in the following locations (CRC R315.3):
 - Outside of each sleeping area in the immediate vicinity of the bedroom(s).

 - Where a fuel-burning appliance is located within a bedroom or its attached bathroom, a carbon monoxide alarm shall be installed within the bedroom

Carbon monoxide alarms shall be hardwired with battery back-up and interconnected unless exempted in accordance with CRC R315.

All fenestrations on windows and doors shall have U-factors (0.32 max) and Solar Heat Gain Coefficient (SHGC=0.32 max) values in accordance with T-24 energy calculations. All fenestrations must have temporary and permanent labels

TEMPORARY GENERATOR:

- Hand operated construction tools powered by electricity must use power provided by Southern California Edison through a temporary pole or available outlet. In the rare case where electricity is not readily available and a portable temporary generator is necessary, then the following restrictions must be adhered to
 - Must be portable and may be easily relocated. Temporary generators are to be located a minimum distance from any property line according to the following table:

Time in Use		Required Setback from Adjacent Structures
0 - 1 day	10 feet	5 feet
> 1 day	20 feet	5 feet

- If the minimum distance cannot be achieved, then the generator shall be located the most extreme distance practical to inhibit noise. Other methods to he may be utilized when practical.

 May be operational for a maximum of five consecutive calendar days. After five consecutive calendar days of use, power shall be provided through the use
- - y power pole. Usage is limited to weekdays between the hours from 8:00 AM and 3:30 PM Monday through Friday. No use on the weekends or federal holidays

FIREPLACE:

- All fireplaces:
- a. Factory-built fireplaces, chimneys and all of their components shall be listed and installed in accordance with their listing and manufacturer's installation instructions, (CRC R1004.1)
- isising and manufacturer's installation instructions. (CHC N 1004.1)

 b. Factory built twood burning fireplaces are not permitted per AQMD.

 c. Decorative shrouds shall not be installed at the termination of factory-built chimneys except where such shrouds are listed and labeled for use with the specific factory-built chimney system and are installed in accordance with manufacturer's installation instructions. (CRC R105.2 & CMC 802.5.2.4)
- 17. Solid fuel burning fireplaces:
- Provide a permanently anchored gaseous fuel burning pan to the firebox of a solid fuel burning fireplace.
 Solid fuel burning fireplace must comply with the California Energy Standards mandatory measures.
 Chimney shall extend at least 2 ft. higher than any portion of the building within 10 ft., but shall not be less than 3 ft. above the highest point where the chimney passes through the roof. (CRC R1003.9)
 d. Liquid fueled fireplaces are not allowed for interior use.
- a. Direct vent sealed-combustion gas appliance fireplace must comply with the Cal Green code requirements and must comply with ANSI Z21.50. (Cal Green

MECHANICAL:

- Rooms containing bathtubs, showers, spas and similar fixtures shall be provided with an exhaust fan with humidity control sensor having a minimum capacity of 50 CFM ducted to terminate outside the building. (CRC R303.3, Cal Green 4.506.1, CBC
- 20. Where water closet compartment is independent of the bathroom or shower area, a fan will be required in each area. ooms shall have an exhaust fan with humidity control sensor, min. 50 CFM capacity. (CRC R303.3.)
- 21. Where whole house fans are used in bathroom areas, the fan must run continuously and shall not be tied to a humidity control sensor. (Cal Green 4.506.1)
- 22. The clothes dryer vent shall not exceed 14 ft. in overall length with maximum two 90 degree elbows. (CMC 504.4.2.1)
- Environmental air ducts shall terminate min. 3 feet from property line or openings into building, and 10 feet from a forced air inlet (CMC 502 2 1)
- 24. Mechanical equipment shall be installed per the manufacture's installation instructions. (CMC 303.1)
- 25. Domestic range vents to be smooth metallic interior surface. (CMC 504.3)
- 26. Supply and return air ducts to be insulated at a minimum of R-6. (Cal Energy Code Table 150.1-A.)

- New Construction & Addition/Alterations that increases condition space area, volume, or size (Cal Green 4.303.1):

 Comply with CAL Green Mandatory Requirements
- Addition & Alteration: Existing fixtures shall be replaced to meet the following requirements:

 i. Shower Heads: 2.0 gpm @ 30 psi iii. Lavatory Faucets: 1.2 gpm @ 60 psi iii. Lavatory Faucets: 1.2 gpm @ 60 psi iv. Water Closet: 1.28 gallons

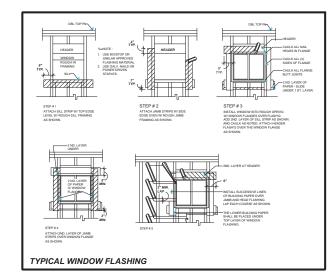
Clearance for water closet to be a minimum of 24 inches in front, and 15 inches from its center to any side wall or

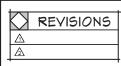
- 29. The water heater burner to be at least 18 inches above the garage floor, if located in a garage. (CPC 507.13)
- Install a 3 inch diameter by 3 ft. tall steel pipe embedded in concrete slab for protection of water heaters located in garage
- 31. Water heaters to be strapped at top and bottom with 1 $\frac{1}{2}$ " x 16 gauge strap with 3/8" diameter. X 3" lag bolt each end. (CPC 507.2)
- 32. ABS and PVC drain waste and vent piping material is limited to 2 stories maximum. (CPC 701.2(2) (a). and 903.1.1)
- ABS and PVC roof and deck drain material is limited to 2 stories maximum. (CPC
- Roof and deck drain systems inside the building are required to be installed with directional DWV drainage fittings.

- ximum amount of water closets on a 3 inch horizontal drainage system line is 3. (CPC Table 703.2)
- The maximum amount of water closets on a 3 inch vertical drainage system line is 4. (CPC Table 703.2)
- Provide gas line with a min capacity of 200,000 btu for water heater. (Cal Energy Code
- 40. Provide a condensate drain no more than 2 inches above the base of the water heater space. (Cal Energy Code 150.0 (n))
- 41. Provide a straight vent pipe from the water heater space to the outside termination from the water heater space. (Cal Energy Code 150.0 (n))
- 42. Insulate all hot water pipes. (Cal Energy Code 150.0 (j) (2), and CPC 609.11).
- 43. Isolation valves are required for tankless water heaters on the hot and cold supply lines with hose bibbs on each valve, to flush the heat exchanger. (Cal Energy Code 110.3 (7))

- 44. Electrical service to be underground for new construction, replacement building, or addition to an existing building exceeds fifty (50) percent of the gross floor area of the existing building. (NBMC 15.32.015)
- 45. Edison Company approval is required for meter location prior to installation
- 46. Field inspectors to review and approve underground service requirement prior to concrete placement.
- 47. Service equipment and subpanels to have a min 30" wide by 36" deep clear work space.(CEC 110.26)
- 48. All lighting is required to be high efficacy. (California energy code section 150. (k) and
- Provide a listed one inch raceway to accommodate a dedicated 208/240-volt circuit for future electrical vehicle (EV) charger, (Cal Green 4.106.4)
- 50. All receptacle outlets are required to be listed tamper resistant (CEC 406.12 and 250.52)
- Combination type AFCI circuit breakers are required for all 120 volt single phase 15/20 amp branch circuits. Except for bathrooms, garages, and outdoors. (CEC 210.12)
- 52. At a minimum, one dedicated 20 amp circuit is required for a bathroom. (CEC 210.11(C)(3))
- 53. GFCI protection is required for all receptacle outlets located outdoors, garages, accessory buildings, ms, crawl spaces, kitchens, laundry areas, kitchen dishwasher branch circuit, garbage disposal, all areas within 6 feet of a sink, and all receptacles within 6 feet of a bathtub or shower stall. (CEC 210.8)
- Receptacle outlets are not allowed within or over a bathtub or shower stall. (CEC 406.9 (C))
- 55. Subpanels are not allowed to be located in bathrooms or clothes closets. (CEC 240.24 (D) and (E).
- Circuits sharing a grounded conductor (neutral) with two ungrounded (hot) conductors must use a two pole circuit breaker or an identified handle tie. (CEC 210.4(B)) Group non-cable circuits in panel (CEC 210.4(D))
- The receptacle outlets that serve kitchen counter tops, dining room, breakfast area, and pantry, must have a min of 2 dedicated 20 amp circuits. (CEC 210.52 (B)(1)
- 58. Kitchen counter tops 12 inches or wider must have a receptacle outlet. (CEC 210.52(C))
- 59. Kitchen counter tops must have receptacle outlets so no point along the counter walls is more than 24 inches
- Island and peninsular counter tops must have at least one receptacle. (CEC 210.52(C)(1), (2).and (3))
- The spacing for general receptacle outlets must be located so that no point on any wall, fixed glass, or cabinets is over 6 feet from a receptacle outlet. (CEC 210.52(A))
- 62. Hallways 10 feet or more must have at least one receptacle outlet. (CEC 210.52(H))
- 63. Garages shall have at least one receptacle for each car space on the interior. The branch circuit supplying the receptacles shall not serve outlets outside of the garage. (CEC 210.52 (G) (1).
- Laundry rooms must have at least one dedicated 20 amp receptacle circuit. (CEC
- 65. Provide 120V receptacle within 3 feet of water heater. (Cal Energy Code 150.0 (n) 1 A.)

- 66. Weep screed for stucco at the foundation plate line shall be a minimum of 4 inches above the earth or 2 inches above paved areas. (CRC R703.7.2.1, CBC 2512.1.2)
- 67. Fasteners and connectors (nails, anchor bolts, etc.) in contact with preservative-treated wood shall be of hotdipped zinc-coated galvanized steel, stainless steel, silicon bronze or copper, (CRC R317.3, CBC 2304.10.5.1)
- Anchor bolts shall include steel plate washers, a minimum of 0.229" x 3" x 3" in size, between sill plate and nut. (CRC R602.11.1, CBC 2308.3.2, Acceptable alternate SDPWS 4.3.6.4.3)

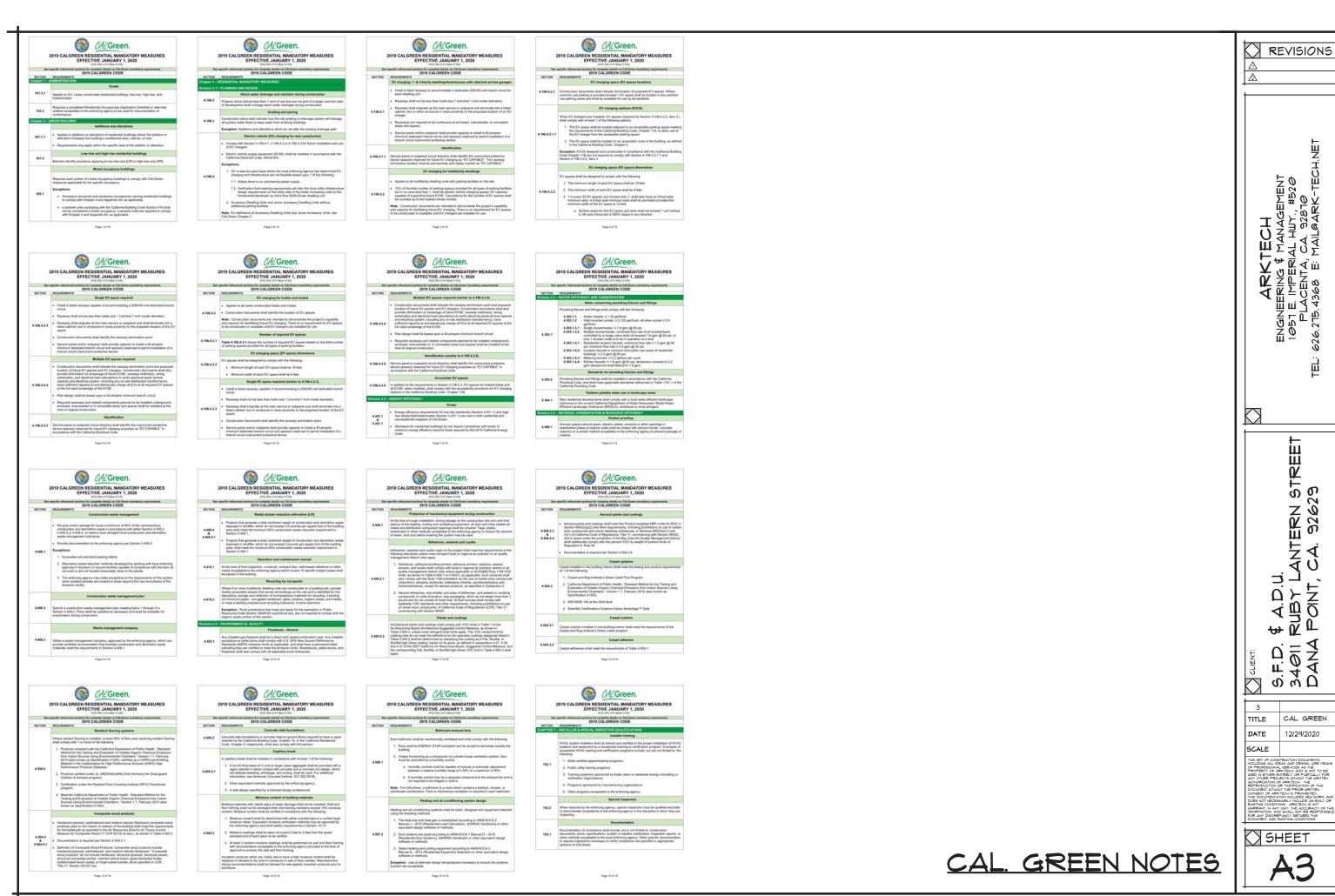




TECH MANAGEMENT IAL HWY., #520 CA. 92810 MAIL®ARK-TEC ARA NEERING E. IMPER-LACENTA ENGINE 1051 E PL 26.215. 626.

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TITLE GENERAL NOTES DATE 12/29/2020 SCALE SHEET



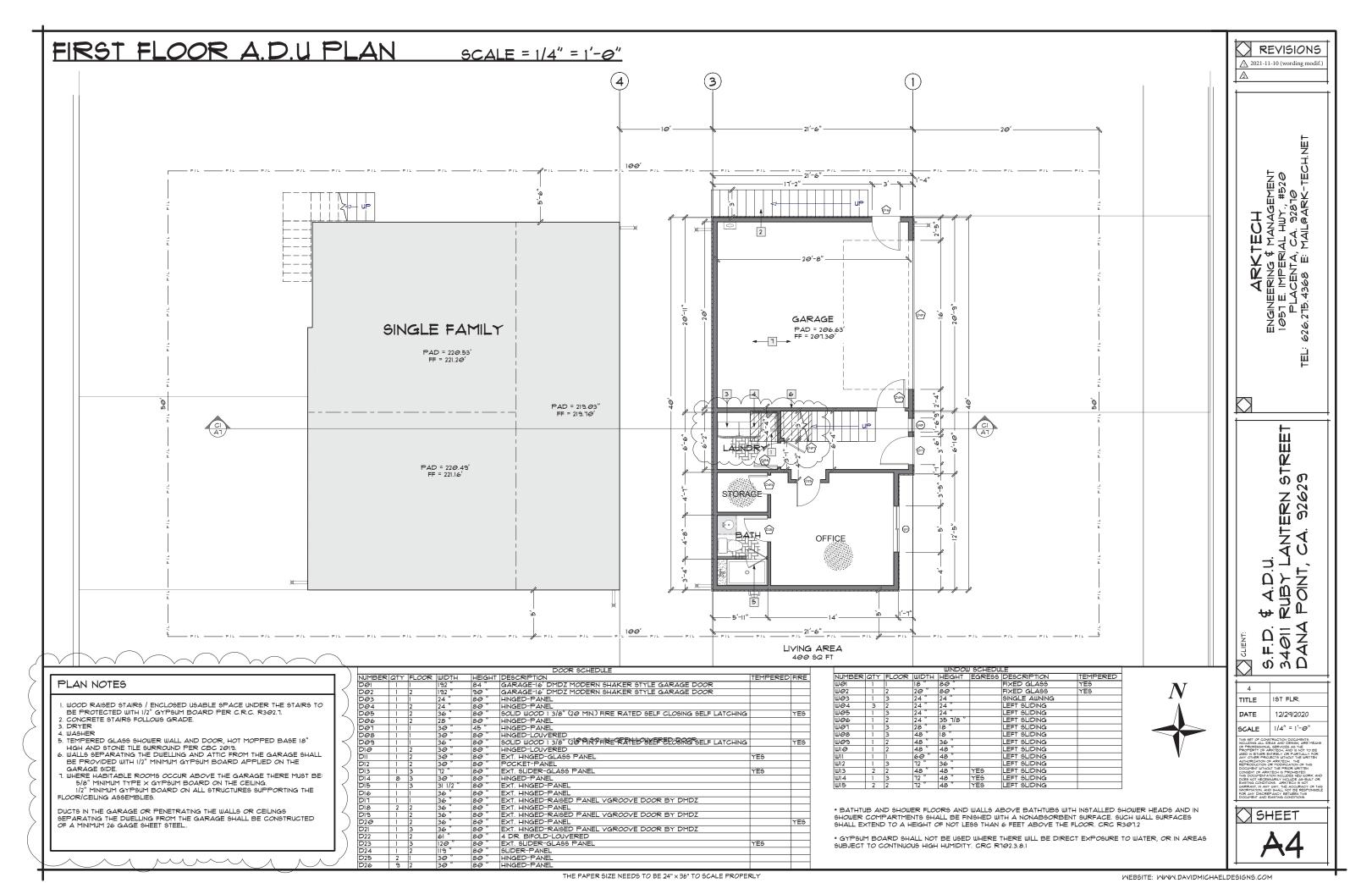
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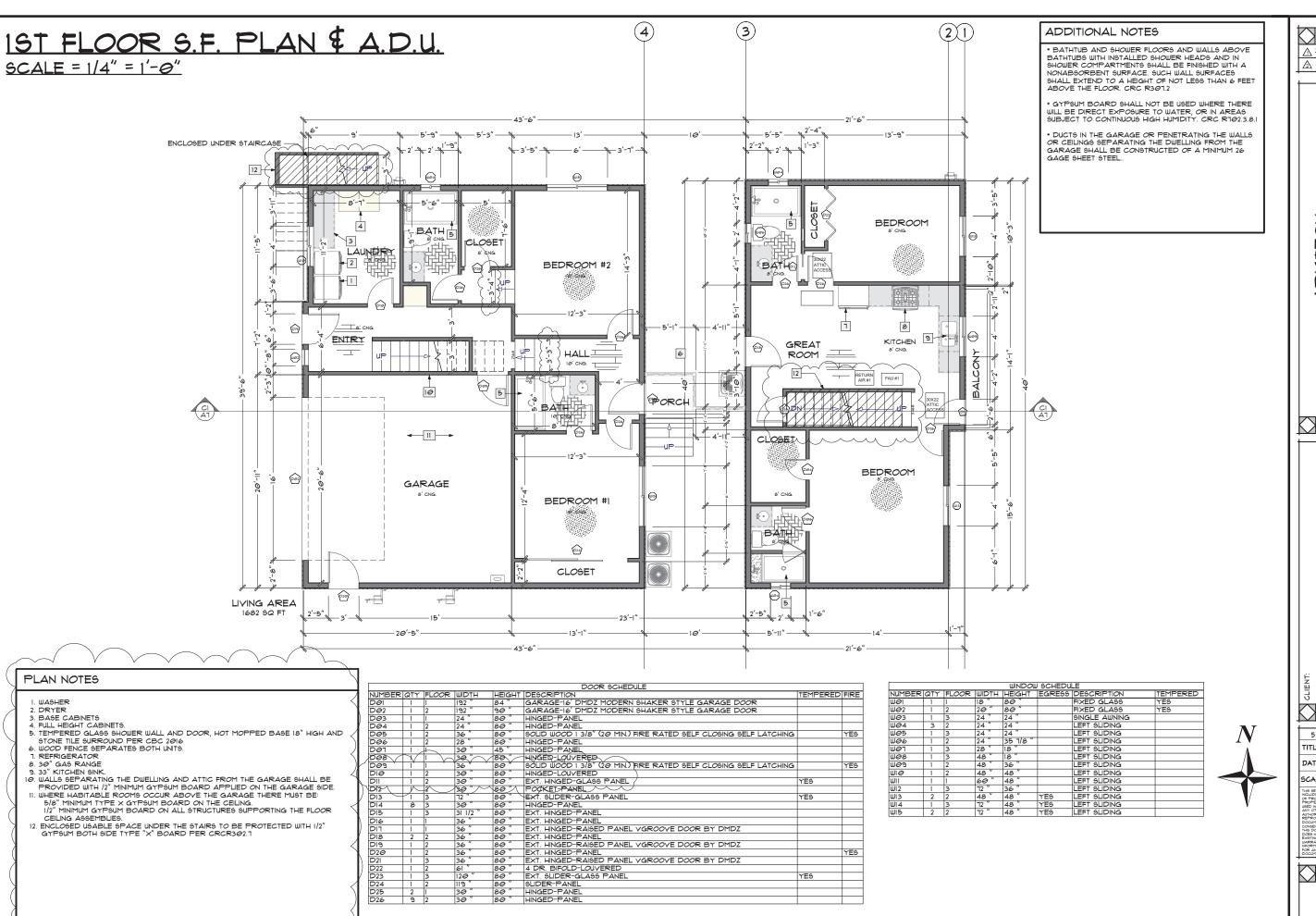
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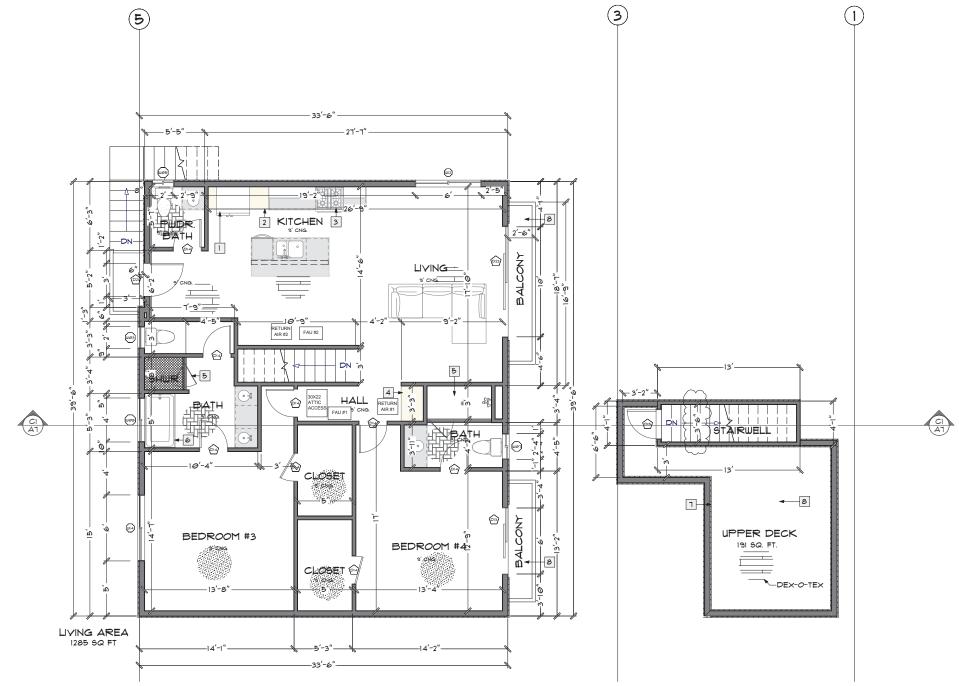


GEMENT 7., #520 ARKTECH
ENGINEERING \$ MANAGEMEN
1051 E. IMPERIAL HWY., #52(
PLACENTA, CA. 92810
1. 626.215.4368 E: MAL@ARK-TI

STREE -ANTERN : CA. 9267 62 LUBY L ゴ D. ≻ Þ л.т. О.т. БА А А А А o y D

TITLE 2ND FLR. DATE 12/29/2020 1/4" = 1'-0" SCALE

2ND FLOOR S.F. PLAN \$ ADU ROOF DECK PLAN SCALE = 1/4" = 1'-0"



PLAN NOTES

- REFRIGERATOR
- 2. FULL HEIGHT PANTRY
 3. 30" GAS RANGE
 4. FULL HEIGHT CABINET
- 4. FULL FILER I CADINET

 5. TEMPERED GLASS SHOWER WALL AND DOOR, HOT MOPPED BASE 18"

 HIGH AND STONE TILE SURROUND PER CBC 2016

 6. DROP-IN TUB
- , DOUBLE 9IDED 9TUCCO WRAPPED 43" HIGH WALLS 9URROUND THE UPPER DECK...
- 8. DEX-O-TREX WITH MOISTER BARRIER ESR-1757

DOOR 9CHEDULE							
NUMBER	QTY	FLOOR	WIDTH	HEIGHT	DESCRIPTION	TEMPERED	FIRE
DØ1	1	1	192 "	84 "	GARAGE-16' DMDZ MODERN SHAKER STYLE GARAGE DOOR		
DØ2	1	2	192 "	90 "	GARAGE-16' DMDZ MODERN SHAKER STYLE GARAGE DOOR		
DØ3	1	1	24 "	80 "	HINGED-PANEL		
DØ4	1	2	24 "	80 "	HINGED-PANEL		
DØ5	1	2	36 "	80 "	SOLID WOOD 1 3/8" (20 MIN.) FIRE RATED SELF CLOSING SELF LATCHING		YES
D06	1	2	28 "	80 "	HINGED-PANEL		
DØI	1	1	30 "	45 "	HINGED-PANEL		
D08	1	1	30 "	80 "	HINGED-LOUVERED 100 SQ. IN. OPEN LOUVERED DOOR		
D09	1	1	36 "	80 "	SOLID WOOD 1 3/8" (20 MIN.) FIRE RATED SELF CLOSING SELF LATCHING		YES
DIØ	1	2	30 "	80 "	HINGED-LOUVERED		
DII	1	2	30 "	80 "	EXT. HINGED-GLASS PANEL	YES	
D12	1	2	30 "	80 "	POCKET-PANEL		
D13	1	3	72 "	80 "	EXT. SLIDER-GLASS PANEL	YES	
D14	8	3	30 "	80 "	HINGED-PANEL		
D15	1	3	31 1/2 "	80 "	EXT. HINGED-PANEL		
D16	1	1	36 "	80 "	EXT. HINGED-PANEL		
DIT	1	1	36 "	80 "	EXT. HINGED-RAISED PANEL VGROOVE DOOR BY DMDZ		
D18	2	2	36 "	80 "	EXT. HINGED-PANEL		
D19	1	2	36 "	80 "	EXT. HINGED-RAISED PANEL VGROOVE DOOR BY DMDZ		
D20	1	2	36 "	80 "	EXT. HINGED-PANEL		YES
D21	1	3	36 "	80 "	EXT. HINGED-RAISED PANEL VGROOVE DOOR BY DMDZ		
D22	1	2	61 "	80 "	4 DR. BIFOLD-LOUVERED		
D23	1	3	120 "	80 "	EXT. SLIDER-GLASS PANEL	YES	
D24	1	2	119 "	80 "	SLIDER-PANEL		
D25	2	1	30 "	80 "	HINGED-PANEL		
D26	9	2	30 "	80 "	HINGED-PANEL		

WINDOW SCHEDULE							
NUMBER	QTY	FLOOR	WIDTH	HEIGHT	EGRESS	DESCRIPTION	TEMPERED
WØ1	1	1	18 "	80 "		FIXED GLASS	YES
WØ2	1	2		80 "		FIXED GLASS	YES
W <i>0</i> 3	1	3	24 "	24 "		SINGLE AWNING	
W@4	3	2		24 "		LEFT SLIDING	
WØ5	1	3	24 "	24 "		LEFT SLIDING	
W06	1	2	24 "	35 7/8 "		LEFT SLIDING	
WØ7	1	3	28 "	18 "		LEFT SLIDING	
W <i>0</i> 8	1	3	48 "	18 "		LEFT SLIDING	
WO3	1	2	48 "	36 "		LEFT SLIDING	
W10	1	2	48 "	48 "		LEFT SLIDING	
W11	1	1	60 "	48 "		LEFT SLIDING	
W12	1	3	72 "	36 "		LEFT SLIDING	
W13	2	2	48 "	48 "	YES	LEFT SLIDING	
W14	1	3	72 "	48 "	YES	LEFT SLIDING	
W15	2	2	72 "	48 "	YES	LEFT SLIDING	

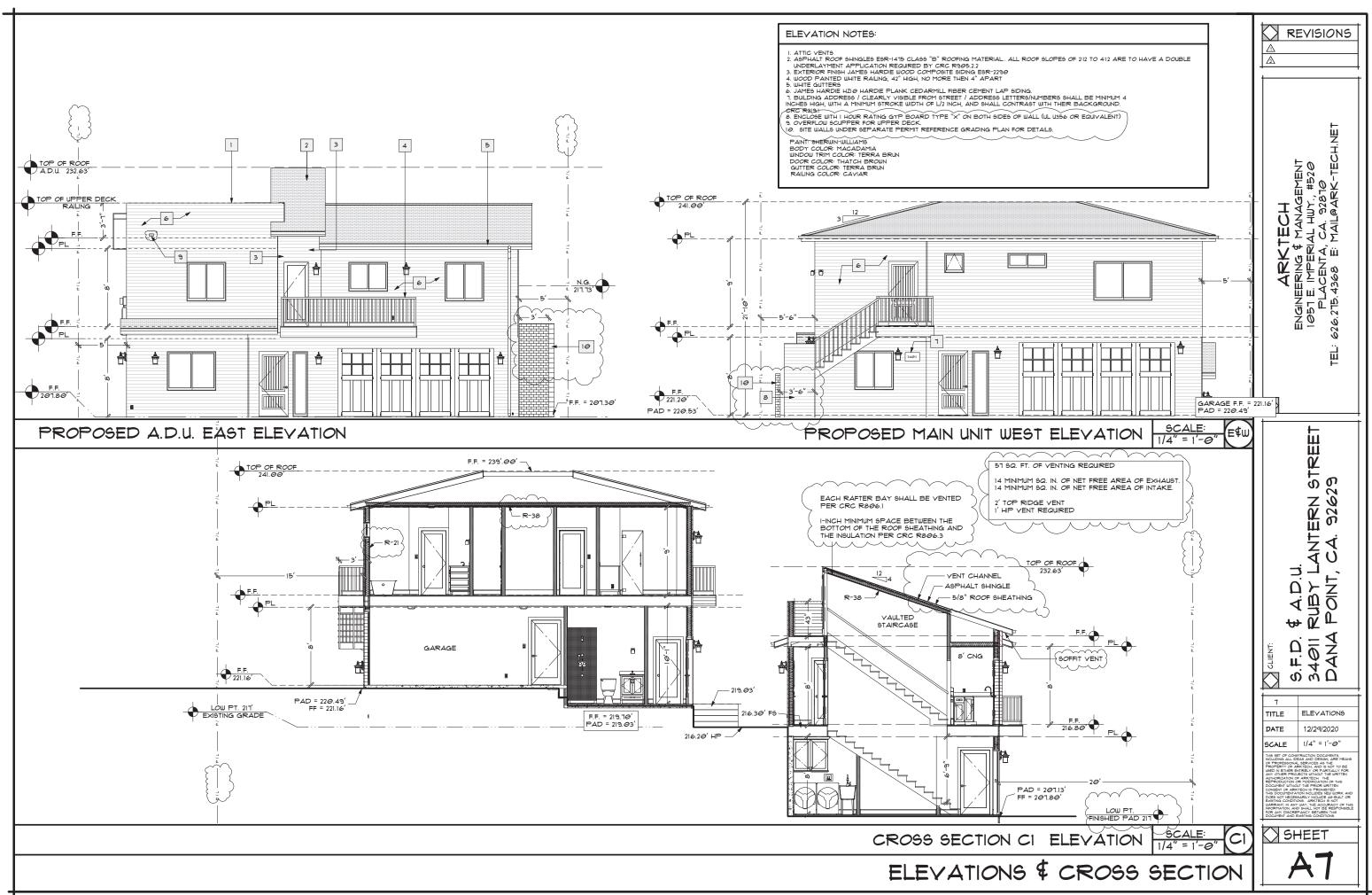


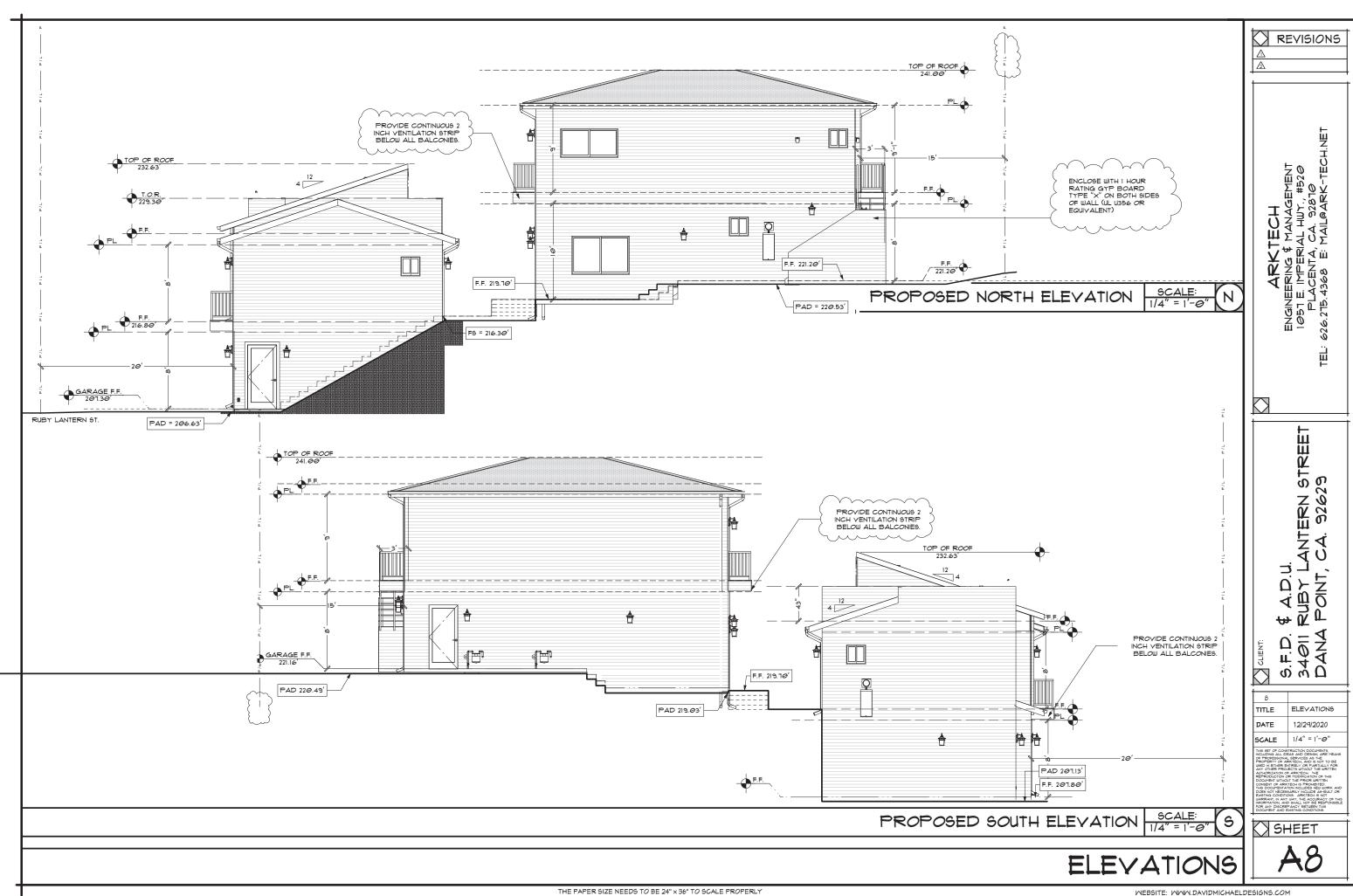
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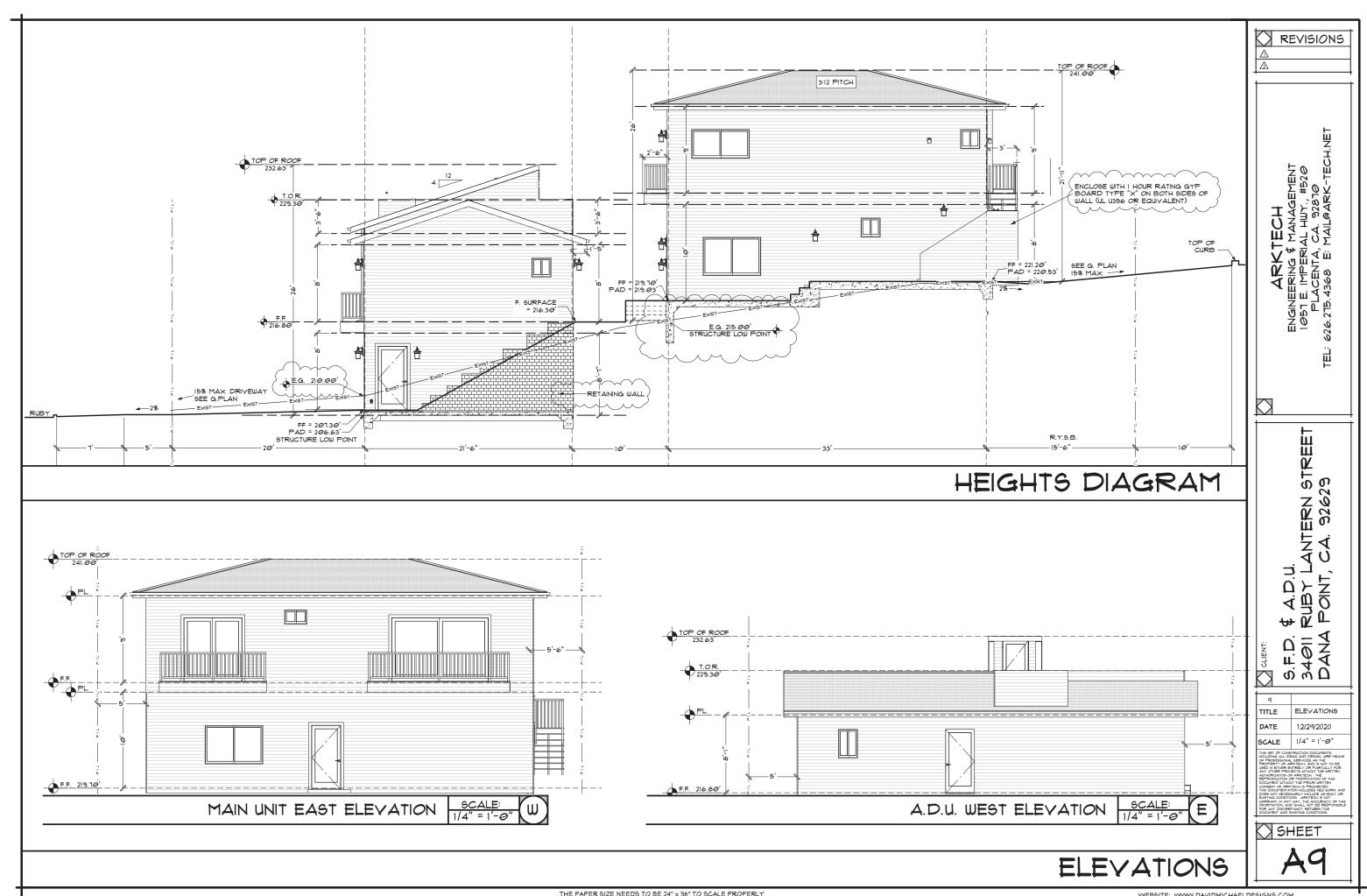
ARKTECH
ENGINEERING € MANAGEMENT
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PLACENTA, CA. 92810
626.215.4368 E: MAIL®ARK-TECH.NET

LANTERN STREET , CA. 92629 A A D.U.
RUBY L 9.F.D. 94011 DANA

CLIENT: 2ND FLR. R. TITLE DATE 12/29/2020 SCALE 1/4" = 1'-0"







ROOF / ASPHALT SHINGLE / ICC ESR-1475 / 3:12 PITCH MAIN HOUSE 4:12 FOR ADU

MATERIAL: GAF TIMBERLINE HD LAMINATED ARCHITECTURAL ROOF SHINGLES COLOR: OYSTER GRAY YENT: O'HAGIN DECK FINISH: DEX-0-TEX TERRAZZOS

ROOF VENTING 2,444 SQ FT OF VENTING AREA 1174 SQ. FT. OF EXHAUST VENTING NEEDED / PER CODE 1/150 1174 SQ. FT. OF INTAKE VENTING NEEDED / PER CODE 1/150

(EXHAST) - USING VENTSURE® 4-FOOT STRIP HEAT # MOISTURE RIDGE VENT WITH WEATHER PROTECTOR MOISTURE BARRIER (INTAKE) - YENTSURE ® INFLOW ® INTAKE YENT 118 FT. (30 4' PIECES)

A RADIANT BARRIER (BY RADIANT GUARD) IS TO BE USED ON THE MAIN DWELLING AND ADU ROOF PER THE TITTE 24 ENERGY REPORT.

ALL DRAINAGE SHALL BE MAINTAINED AND IN ACCORDANCE WITH THE 2019 CALIFORNIA BUILDING CODE AND THE CITY OF DANA POINT MUNICIPAL

51 SQ. FT. OF YENTING REQUIRED

TOP RIDGE VENT HIP VENT REQUIRED

14 MINIMUM SQ. IN. OF NET FREE AREA OF EXHAUST

14 MINIMUM SQ. IN. OF NET FREE AREA OF INTAKE.



REVISIONS Δ

ARKTECH
ENGINEERING \$ MANAGEMENT
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LANTERN STREET CA. 92679 A.D.U. л.т. О.т. БА А А А А o y D

ROOF PLAN TITLE DATE 12/29/2020 1/4" = 1'-0" SCALE

