

OC DEVELOPMENT SERVICES REPORT

ITEM # 1

DATE: May 20, 2021

TO: Orange County Zoning Administrator

FROM: OC Development Services/Planning Division

SUBJECT: Public Hearing on Planning Application PA20-0201 for a Coastal Development Permit, Use Permit and Variance

PROPOSAL: A request for a Coastal Development Permit, Use Permit and Variance approvals in conjunction with the demolition of an existing residence and construction of a three-level single-family residence with attached tandem garage.

The Coastal Development Permit is required to demolish the existing single-family dwelling and construct a new single-family dwelling in the Emerald Bay Local Coastal Plan area, with associated grading.

The Variance is to reduce the front yard setback from the required 16 feet 7 inches setback for a shallow lot to 14 feet for a portion of the structure and to reduce the rear yard setback from the required 15 feet to 8 feet.

A Use Permit is required to address proposed over-height retaining walls for the project. Proposed 5-foot walls within the front yard setback for the project would exceed the 3.5-foot height limitation of the Zoning Code. A Use Permit is also required to allow an exception to the maximum building height of 35 feet to permit a minor architectural projection of 2 feet on a portion of the roof area.

GENERAL PLAN DESIGNATION: 1B "Suburban Residential"

ZONING: R1 "Single Family Residence", with a CD "Coastal Development" Overlay and an SR "Sign Restrictions" Overlay

LOCATION: The project is located within the community of Emerald Bay at 191 Emerald Bay, Laguna Beach, CA within the Fifth Supervisorial District. (APN 053-040-22)

APPLICANT: Scott and Paula Bower, Property Owners
Eric Tarbert & Associates, Agent

STAFF CONTACT: Kevin Canning, Contract Planner
Phone: (714) 667-8847 Email: Kevin.Canning@ocpw.ocgov.com

RECOMMENDED ACTIONS

OC Development Services/Planning Division recommends Zoning Administrator:

- a) Receive staff report and public testimony as appropriate; and,

- b) Find that the proposed project is Categorically Exempt from the California Environmental Quality Act (CEQA), under the Class 1 (Existing Facilities), Class 2 (Replacement or Reconstruction) and Class 3 (New Construction or Conversion of Small Structures) exemptions pursuant to Sections 15301, 15302 and 15303 of the California Environmental Quality Act (CEQA) Guidelines and County of Orange procedures; and,
- c) Approve Planning Application PA20-0201 for a Coastal Development Permit, Variance and Use Permit subject to the attached Findings and Conditions of Approval.

BACKGROUND AND EXISTING CONDITIONS

The subject property is a Lot 24 of Tract 1104, recorded in 1945. There is an existing 2,840 square foot single-family residence with an attached garage. The property fronts onto a private street on three sides of the lot frontage and narrows from east to west as the street bends around the lot.

PROPOSED PROJECT

The project includes the demolition of the existing residence to be replaced with a three-level 7,455 square foot single-family residence with four-car tandem garage (two standard and two compact spaces). The project also includes the construction of stepped retaining walls up to 5 feet in height and associated grading of approximately 1,640 cubic yards of cut, 50 cubic yards of fill, and 1,590 cubic yards of export.

Aerial of Project Site



SURROUNDING LAND USE

The project site is a residential use and is surrounded on three sides by residential uses. The zoning and existing land use for surrounding properties is as follows:

Direction	Zoning Description	Existing Land Use
Project Site	“Single-Family Residence” (R1)(CD)(SR) District	Single-Family Dwelling
North	“Single-Family Residence” (R1)(CD)(SR) District	Single-Family Dwelling
South	“Single-Family Residence” (R1)(CD)(SR) District	Single-Family Dwelling
West	“Single-Family Residence” (R1)(CD)(SR) District	Single-Family Dwelling
East	“Single-Family Residence” (R1)(CD)(SR) District	Single-Family Dwelling

DISCUSSION/ANALYSIS

Below is a table comparing the development standards for “Single-Family Residence” District with the proposed project:

Project Comparison with “Single-Family Residence” District Site Development Standards

Standard	Zoning Code	Proposed
Building Site Area	7,200 square feet	8,050 square feet (existing)
Building Height	35 feet maximum	36 feet ¹
Min. Structural Front Setback (shallow lot) ²	16 feet 7 inches ²	13 feet inches ³
Min. Structural Rear Setback (backing to private street)	15 feet ⁴	8 feet ³
Structural Side Setback	5 feet minimum	5 feet minimum
Parking	2 covered spaces	4 covered spaces/4 open
Wall heights within front yard setback ³	3.5 feet maximum	Stepped walls up to 5 feet ⁵

¹ Indicates Use Permit to allow a minor architectural projection (Zoning Code Sec. 7-9-62)

² Shallow lot = $96' + 70' = 166' / 2 = 88' \times 20\% = 16.6'$ (Zoning Code Sec. 7-9-61.12)

³ Indicates Variance for required yard setback

⁴ One-half width of street may be included, but min. setback of 15' required (Zoning Code Table 7-9-61.9, footnote D)

⁵ Indicates Use Permit to allow walls over 3.5' with the front setback (Zoning Code Sec. 7-9-64)

Coastal Development Permit

The project proposes to demolish the existing home and construct a new three-level 7,455 square foot single-family residence with four-car tandem garage (two standard and two compact spaces). The project would include 1,640 cubic yards of cut, 50 cubic yards of fill, and 1,590 cubic yards of export.

Within the Coastal Development Overlay zone, and specifically within the Emerald Bay Local Coastal Program (LCP), the demolition and replacement of a structure, with the associated site grading requires the approval of a Coastal Development Permit (Zoning Code Sections 7-9-118.3, 7-9-118.4, 7-9-118.5 and Emerald Bay Local Coastal Program Section III.A.). The proposed project conforms to the goals and objectives of the LCP through its design and the application of standard conditions of approval. The project is consistent with the approved intensity of development, as well as the applicable Land Use Policies contained in LPC Section E regarding resources Management - Watershed, Environmental Hazards – Geologic and Fire Hazard.

As required by the LCP, the project was reviewed by the Emerald Bay Community Association (EBCA). The project received the approval of EBCA Board at its meeting of February 2, 2021. The project is compatible with surrounding development in its size, design, and massing. The subject property is within the ‘appealable jurisdiction’ area of the LCP.

The project will be utilizing both the shallow lot setback for front setback (southerly property line provisions of Zoning Code Section 7-9-61.12 and Zoning Code Table 7-9-61.9, Footnote D for the rear setback (northerly property line).

Setback Variances

Shallow Lot Setback (Front – southerly property line)

Zoning Code Section 7-9-61.12 allows that for building sites less than 100 feet in depth the front setback may be reduced to twenty percent (20%) of the otherwise required setback. The subject building site has frontage along the front, side, and rear, and it also tapers from east to west. Staff has calculated the building site depth to be 88 feet which results in a required 16-foot 7-inch front setback from the southerly property line. Due to the narrowing of the lot as the street bends around the property, the proposed residence would encroach to within a minimum of 13 feet from the front property, for a balcony projection, line at one point.

Setback abutting a private street (Rear - northerly property line)

Zoning Code Table 7-9-61.9 provides that:

“In computing the depth or a rear setback from any building where such setback opens on alley, private street, public park, or public beach, one-half (0.5) of the width of such alley, street, park or beach may be deemed to be a portion of the rear setback, except that under this provision, no rear setback shall be less than fifteen (15) feet.”

In this instance, the 15-foot minimum would be the applicable rear setback. One portion of the proposed residence would encroach to a minimum of 8 feet from the northerly property line.

Front and Rear Setback Variance Findings

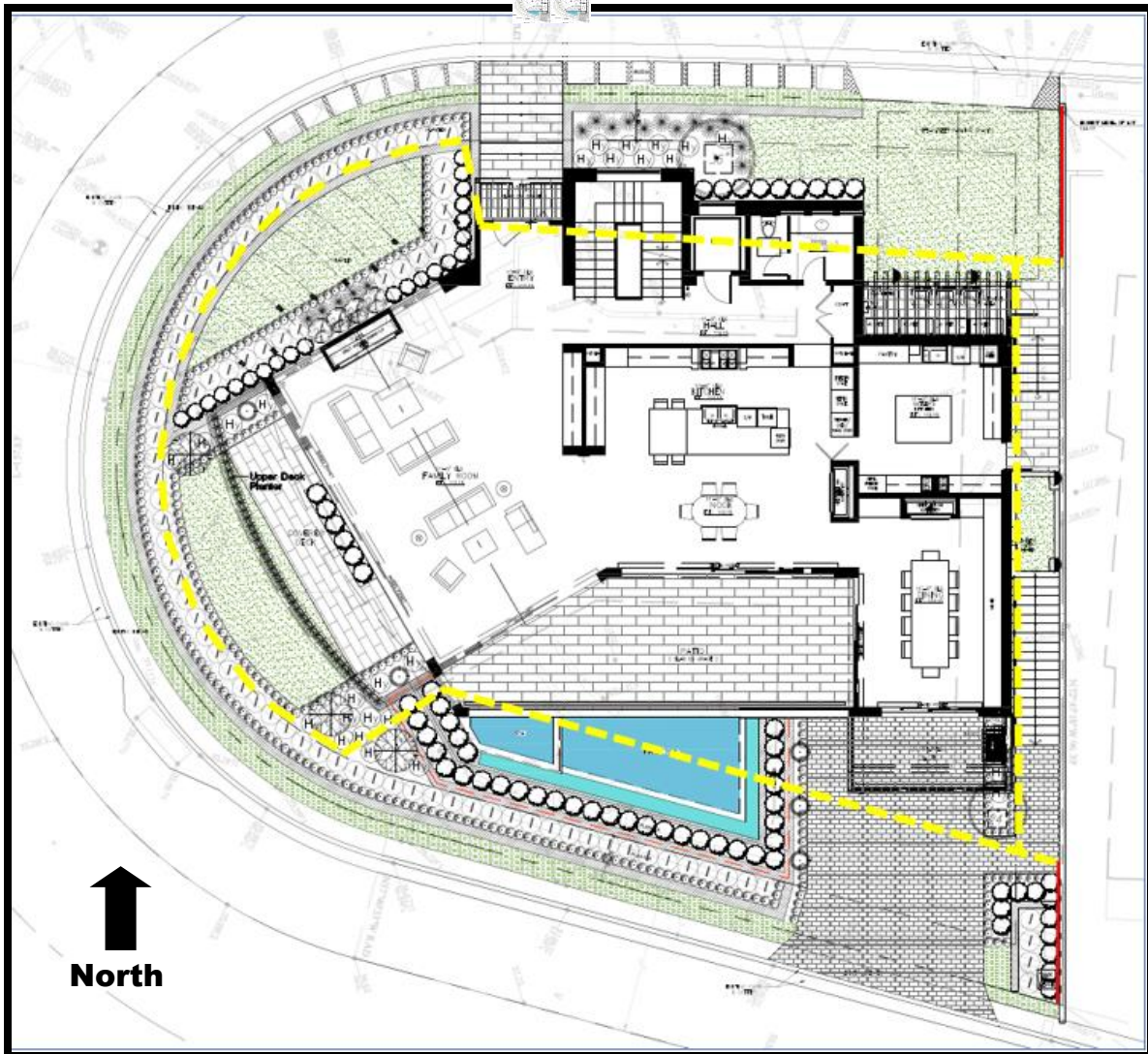
Zoning Code Section 7-9-126.3 requires that certain findings be made in order to approve a variance request, as follows:

- a. *Special circumstances. There are special circumstances applicable to the subject building site which, when applicable zoning regulations are strictly applied, deprive the subject building site of privileges enjoyed by other property in the vicinity and subject to the same zoning regulations. (The special circumstances shall be specified in the adopted finding.)*
- b. *No special privileges. Approval of the application will not constitute a grant of special privileges which are inconsistent with the limitations placed upon other properties in the vicinity and subject to the same zoning regulations, when the specified conditions are complied with.*

Staff finds that the special circumstances relating to the property include its shape, its sloping topography, and its location in a coastal community with strict architectural guidelines. All of these are unique aspects to the subject lot and vicinity when compared to other R1 zoned properties within the County.

The community of Emerald Bay has had many previous variance requests approved for reduced yard setbacks. The proposed setback variances would not be a special privilege as it is consistent with other approved variances within the immediate area allowing for the reasonable development of the property consistent with homes in the vicinity.

SETBACK EXHIBIT



Use Permit for Over-Height Walls

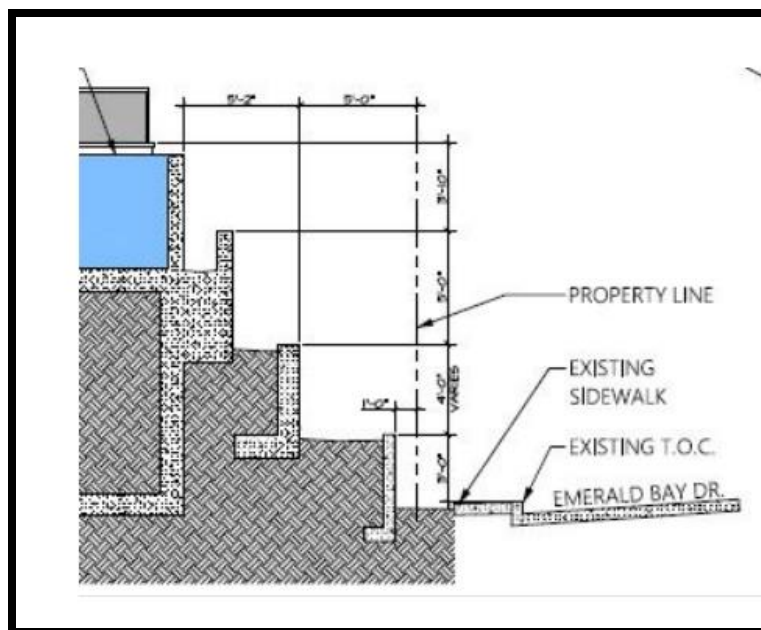
In order to take up the sloping grade of the site, the project proposes property stepped retaining walls up to 6 feet in height between the property line and the structure along the frontage of the property. Along the northerly and southerly property lines, these walls are within the required rear and front setbacks. The walls will be setback from the property line and will be approximately 10 feet from the private street right-of-way due an EBCA easement area. The walls will not create a traffic hazard and they will be located parallel to and away from the street right-of-way.

Zoning Code Section 7-9-137.5(f), Modifications permitted, states that exceptions and modifications to the fence and wall height provisions may be permitted by approval of a Use Permit by the Zoning Administrator if the following findings can be made:

- 1) That the height and location of the fence or wall as proposed will not result in or create a traffic hazard.
- 2) That the location, size, design and other characteristics of the fence or wall will not create conditions or situations that may be objectionable, detrimental, or incompatible with other permitted uses in the vicinity.

The proposed walls will be located on or parallel to property lines away from the street to not result in or create a traffic hazard. The location, size and design of the walls are consistent with similar improvements throughout Emerald Bay and will not be objectionable, detrimental, or incompatible with other permitted uses within the community. Staff recommends that the two required findings to modify permitted wall height can be made. Recommended findings are included in Attachment 1.

OVER-HEIGHT WALL EXHIBIT



Use Permit for Over-Height Structure

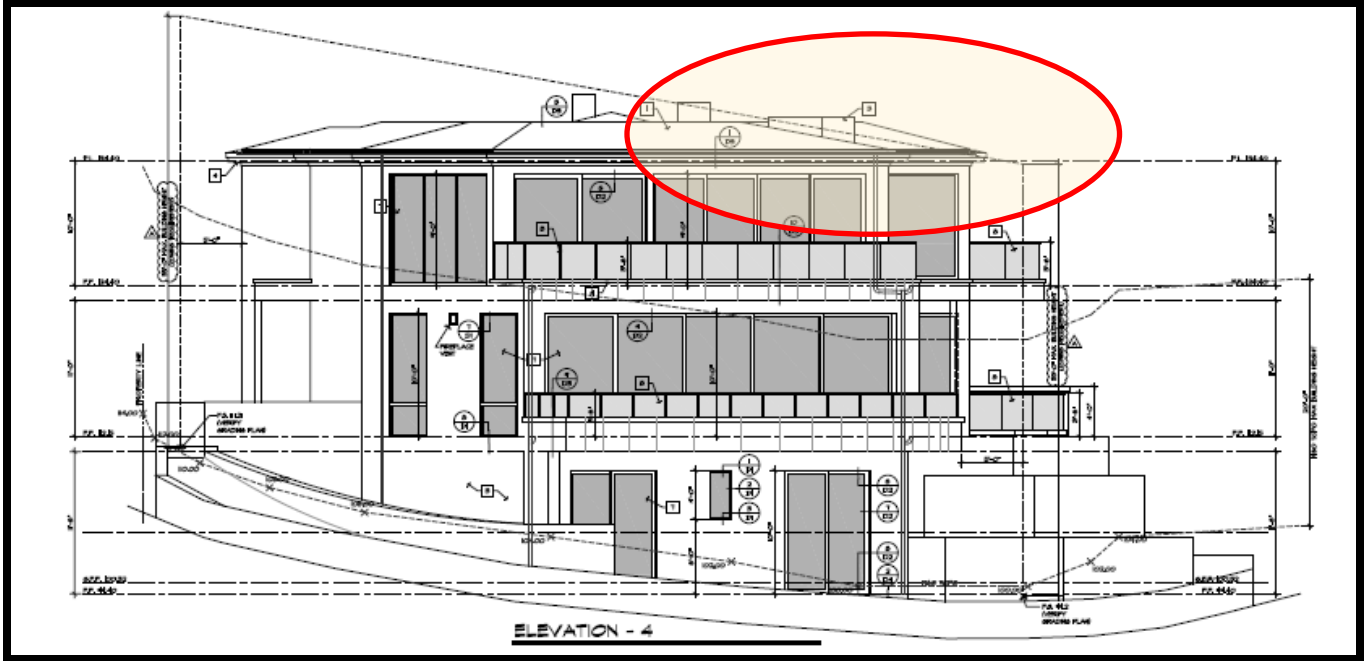
The project plans include proposed elevations that depict the maximum building envelope in a manner consistent with the Zoning Code's prescribed method. Due to the slope of the site, there is a small projection of the roof area that exceeds the 35-foot maximum height. This area is a continuation of the architectural style of the residence and provides no additional sleeping or eating areas for the home.

Section 7-9-62 provides for certain exceptions to the otherwise maximum structure height.

(b) Architectural features.

(1) Towers, gables, spires, flagpoles, and architectural features not for sleeping or eating quarters or for any commercial purpose may exceed the district building height limit by ten (10) feet subject to a Use Permit approved by the Zoning Administrator per section 7-9-125.

OVER-HEIGHT STRUCTURE EXHIBIT



REFERRAL FOR COMMENT AND PUBLIC NOTICE

A Notice of Hearing was mailed to all property owners of record within 300 feet of the subject site and all occupants of dwelling units within 100 feet of the site (Coastal Development Permit Requirement) on May 9, 2021. Additionally, a notice was posted at the project site, the County Hall of Administration and at the County Administration South building, 601 North Ross Street, as required by established public hearing posting procedures. A copy of the planning application and a copy of the proposed site plan were distributed for review and comment to County Divisions, Orange County Fire Authority, and the Emerald Bay Community Association. All comments by County Divisions and OCFA have been addressed through incorporation of proposed Conditions of Approval provided as Attachment 2. The Emerald Bay Community Association approved the proposed project at their Board meeting on February 2, 2021.

CEQA COMPLIANCE

The California Environmental Quality Act (CEQA) allows categorical exemptions for projects that have been determined not to have a significant effect on the environment. (CEQA Guidelines §15300-15332). Following is a brief analysis of the project's consistency with Class 1, Class 2, and Class 3 categorical exemptions.

Class 1 Categorical Exemption

The Class 1 (Section 15301) exemption provides for the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structures, facilities, mechanical

equipment, or topographical features, involving negligible or no expansion of the use beyond that existing at the time of the lead agency's determination. Examples include:

- (l) Demolition and removal of individual small structures listed in this subdivision:*
- (1) One single-family residence. . .*

The project includes the demolition of an existing single-family residence and attached garage construction of a new single-family residence and attached garage. Accessory structures are also listed in the Class 1 exemption, and demolition of "Accessory (appurtenant) structures including garages, carports, patios, swimming pools and fences" are exempt. The project will include demolition of an existing garage, and fences/walls as well as other hardscape improvements, all of which are addressed in the Class 1 exemption.

Class 2 Categorical Exemption

The Class 2 (Section 15302) exemption consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. As noted in the Class 1 Exemption discussion above, the existing residence will be demolished, and a new residence will be constructed in substantially the same footprint as shown on the attached site plan. While Class 2 does not specifically list a single-family residence, it is noted that the exemption is not limited to the examples provided. The reconstruction of the residence is consistent with the Class 2 Exemption because the new residence will have substantially the same purpose and capacity as the structure replaced.

Class 3 Categorical Exemption

The Class 3 (Section 15303) exemption consists of construction and location of limited numbers of new, small facilities or structures. Examples of the exemption include:

- (a) One single-family residence or a second dwelling unit in a residential zone. . .*
- (e) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.*

The proposed project is eligible for a Class 3 exemption because construction of a single-family residence and the related improvements including the garage, spa, patio, and fences are specifically included in the list of examples.

None of the exceptions listed in Section 15300.2 apply to the project. Each component of the project, including the demolition of the existing residence and accessory structures, and the reconstruction of the residence and accessory structures, meets criteria outlined in the Class 1, Class 2, and Class 3 exemptions. The project will not result in a cumulative impact, significant environmental effect, and will not damage scenic or historic resources and the appropriate environmental document for this project is a Notice of Exemption. Standard conditions of approval applied by the County for all construction projects of this nature will address any less than significant short-term construction related concerns. A Notice of Exemption has been prepared in compliance with CEQA Guidelines §15300-15332 and is included herewith as Attachment 4.

CONCLUSION

Staff has reviewed the applicant's request for a Coastal Development Permit, Variance, and Use Permit and found the proposed project to be compliant with the Emerald Bay Local Coastal Program. It is an allowed Principal Permitted Use in the "Single-Family Residence" District and has been found to be compatible with adjacent residential uses, including similar previous approvals. Staff supports

approval of the planning application subject to the Findings and Conditions of Approval provided as Attachments 1 and 2.

Submitted by:



Richard Vuong, Division Manager
Planning, OC Development Services

Concurred by:



Amanda Carr, Interim Deputy Director
OC Public Works/Development Services

ATTACHMENTS

1. Recommended Findings
2. Recommended Conditions of Approval
3. Applicant's Letter
4. EBCA Board Approval
5. Site Photos
6. Project Plans

APPEAL PROCEDURE

Any interested person may appeal the decision of the Zoning Administrator on this permit to the OC Planning Commission within 15 calendar days of the decision upon submittal of required documents and a fee of \$500 filed at the County Administration South building, 601 N. Ross Street, Santa Ana. If you challenge the action taken on this proposal in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this report, or in written correspondence delivered to OC Development Services / Planning.



**Attachment 1
Findings
PA20-0201**

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|----------|---------------------|------------------|
| 1 | GENERAL PLAN | PA20-0201 |
|----------|---------------------|------------------|
- That the use or project proposed is consistent with the objectives, policies, and general land uses and programs specified in the General Plan adopted pursuant to the State Planning and Zoning Law.
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- | | | |
|----------|---------------|------------------|
| 2 | ZONING | PA20-0201 |
|----------|---------------|------------------|
- That the use, activity or improvement(s) proposed, subject to the specified conditions, is consistent with the provisions of the Zoning Code, or specific plan regulations applicable to the property.
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- | | | |
|----------|----------------------|------------------|
| 3 | COMPATIBILITY | PA20-0201 |
|----------|----------------------|------------------|
- That the location, size, design and operating characteristics of the proposed use will not create unusual conditions or situations that may be incompatible with other permitted uses in the vicinity.
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- | | | |
|----------|------------------------|------------------|
| 4 | GENERAL WELFARE | PA20-0201 |
|----------|------------------------|------------------|
- That the application will not result in conditions or circumstances contrary to the public health and safety and the general welfare.
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- | | | |
|----------|--------------------------|------------------|
| 5 | PUBLIC FACILITIES | PA20-0201 |
|----------|--------------------------|------------------|
- That the approval of the permit application is in compliance with Codified Ordinance Section 7-9-711 regarding public facilities (fire station, library, sheriff, etc.).
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- | | | |
|----------|-----------------------------|-----------------------------|
| 6 | CATEGORICALLY EXEMPT | PA20-0201
CUSTOM |
|----------|-----------------------------|-----------------------------|
- That the proposed project is Categorically Exempt from the California Environmental Quality Act (CEQA), Class 3 (New Construction or Conversion of Small Structures) pursuant to Section 15303. The Class 3 exemption consists of construction and location of limited numbers of new, small facilities or structures, including single-family residences and accessory structures. The proposed project is eligible for a Class 3 exemption because it consists of the construction of a single-family residence with attached three-car garage and related improvements. The project will not result in a cumulative impact, significant environmental effect or damage scenic or historic resources. Standard conditions of approval applied by the County for all construction projects of this nature will address any short-term construction related impacts.
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- | | | |
|----------|---------------------------------|------------------|
| 7 | FISH & GAME - EXEMPT | PA20-0201 |
|----------|---------------------------------|------------------|
- That pursuant to Section 711.4 of the California Fish and Game Code, this project is exempt from the required fees as it has been determined that no adverse impacts to wildlife resources will result from the project.
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- | | | |
|----------|-----------------------------|------------------|
| 8 | NCCP NOT SIGNIFICANT | PA20-0201 |
|----------|-----------------------------|------------------|
- That the proposed project will not have a significant unmitigated impact upon Coastal

Sage Scrub habitat and therefore, will not preclude the ability to prepare an effective subregional Natural Communities Conservation Planning (NCCP) Program.

9 COASTAL DEVELOPMENT PERMIT 1 PA20-0201

That the development project proposed by the application conforms to the certified Local Coastal Program.

10 COASTAL DEVELOPMENT PERMIT 2 PA20-0201

That the project conforms to the public access and public recreation policies of the California Coastal Act.

11 COASTAL DEVELOPMENT PERMIT 3 PA20-0201

That the approval of this application will result in no modification to the requirements of the certified land use plan.

12 COASTAL DEVELOPMENT PERMIT 4 PA20-0201

That the approval of the application will result in a project which is in full compliance with the requirements of the certified land use plan.

**13 COASTAL DEVELOPMENT PERMIT
APPEAL AREA PA20-0201**

That the project is within the appealable area of the Emerald Bay Local Coastal Program.

14 VARIANCE 1 PA20-0201 CUSTOM

That there are special circumstances applicable to the subject building site which, when applicable zoning regulations are strictly applied, deprive the subject building site of privileges enjoyed by other property in the vicinity and subject to the same zoning regulations, specifically its shape, topography and location.

15 VARIANCE 2 PA20-0201 CUSTOM

That approval of the application will not constitute a grant of special privileges which are inconsistent with the limitations placed upon other properties in the vicinity and subject to the same zoning regulations when the specified conditions are complied with, in that the proposed additions are in conformance with the pattern of development within the community.

16 FENCE AND WALL 1 PA20-0201 CUSTOM

That the height and location of the over-height walls within the front and rear property line setbacks will not result in or create a traffic hazard.

17 FENCE AND WALL 2 PA20-0201 CUSTOM

That the height and location of the over-height walls or pedestals as proposed will not create conditions or situations that may be objectionable, detrimental or incompatible with other permitted uses in the vicinity.



Attachment 2
Conditions of Approval
PA20-0201

1 BASIC/ZONING REGULATIONS PA20-0201

This approval constitutes approval of the proposed project only to the extent that the project complies with the Orange County Zoning Code and any other applicable zoning regulations. Approval does not include any action or finding as to compliance or approval of the project regarding any other applicable ordinance, regulation or requirement.

2 BASIC/TIME LIMIT PA20-0201

This approval is valid for a period of 36 months from the date of final determination. If the use approved by this action is not established within such period of time, this approval shall be terminated and shall thereafter be null and void.

3 BASIC/PLAN PA20-0201

If the applicant proposes changes regarding the location or alteration of any use or structure, the applicant shall submit a changed plan to the Director, OC Planning, for approval. If the Director, OC Planning, determines that the proposed change complies with the provisions and the spirit and intent of the original approval action, and that the action would have been the same for the changed plan as for the approved plot plan, he may approve the changed plan without requiring a new public hearing.

4 BASIC/COMPLIANCE PA20-0201

Failure to abide by and faithfully comply with any and all conditions attached to this approving action shall constitute grounds for the revocation of said action by the Orange County Zoning Administrator.

5 INDEMNIFICATION PA20-0201

Applicant shall defend with counsel approved by the County of Orange in writing, indemnify and hold harmless the County of Orange, its officers, agents and employees from any claim, action or proceeding against the County, its officers, agents or employees to attack, set aside, void, or annul any approval of the application or related decision, or the adoption of any environmental documents, findings or other environmental determination, by the County of Orange, its Board of Supervisors, Planning Commission, Zoning Administrator, Director of OC Public Works, or Deputy Director of OC Development Services concerning this application. The County may, at its sole discretion, participate in the defense of any action, at the applicant's expense, but such participation shall not relieve applicant of his/her obligations under this condition. The County may, at its sole discretion, require the Applicant to post a bond, enter into an escrow agreement, obtain an irrevocable letter of credit from a qualified financial institution, or provide other security, to the satisfaction of the County, in anticipation of litigation and possible attorney's fee awards. Applicant shall reimburse the County for any court costs and attorney's fees that the County may be required to pay as a result of such action. The County shall promptly notify the applicant of any such claim, action or proceeding.

6 BASIC/APPEAL EXACTIONS PA20-0201

Pursuant to Government Code Section 66020, the applicant is hereby informed that the 90-day approval period in which the applicant may protest the fees, dedications, reservations or other exactions imposed on this project through the conditions of approval has begun.

7 GEOLOGY REPORT PA20-0201

Prior to the issuance of a grading permit, the applicant shall submit a geotechnical report to the Manager, Building and Safety Division, for approval. The report shall include the information and be in the form as required by the Grading and Excavation Code and Grading Manual.

8 CONSTRUCTION NOISE PA20-0201

A. Prior to the issuance of any grading permits, the project proponent shall produce evidence acceptable to the Manager, Building and Safety Division, that:

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

(2) All operations shall comply with Orange County Codified Ordinance Division 6 (Noise Control).

(3) Stockpiling and/or vehicle staging areas shall be located as far as practicable from dwellings.

B. Notations in the above format appropriately numbered and included with other notations on the front sheet of the project's permitted grading plans, will be considered as adequate evidence of compliance with this condition.

9 EROSION AND SEDIMENT CONTROL PLAN PA20-0201

Prior to the issuance of any grading or building permit, the applicant shall submit an Erosion and Sediment Control Plan (ESCP) in a manner meeting approval of the Manager, Building and Safety Division, to demonstrate compliance with the County's NPDES Implementation Program and state water quality regulations for grading and construction activities. The ESCP shall identify how all construction materials, wastes, grading or demolition debris, and stockpiles of soil, aggregates, soil amendments, etc. shall be properly covered, stored, and secured to prevent transport into local drainages or coastal waters by wind, rain, tracking, tidal erosion or dispersion. The ESCP shall also describe how the applicant will ensure that all BMPs will be maintained during construction of any future public right-of-ways. The ESCP shall be updated as needed to address the changing circumstances of the project site. A copy of the current ESCP shall be kept at the project site and be available for County review on request.

10 DRAINAGE STUDY PA20-0201

If determined necessary by the Manager, Permit Services, prior to the issuance of any grading permits, the following drainage studies shall be submitted to and approved by the Manager, Permit Services

- A. A drainage study of the project including diversions, off-site areas that drain onto and/or through the project, and justification of any diversions; and
- B. When applicable, a drainage study evidencing that proposed drainage patterns will not overload existing storm drains; and
- C. Detailed drainage studies indicating how the project grading, in conjunction with the drainage conveyance systems including applicable swales, channels, street flows, catch basins, storm drains, and flood water retarding, will allow building pads to be safe from inundation from rainfall runoff which may be expected from all storms up to and including the theoretical 100-year flood.

11 DRAINAGE FACILITIES PA20-0201

Prior to issuance of grading or building permits, drainage studies that demonstrate the following shall be submitted to and approved by Manager, Building and Safety Division:

1. All surface runoff and subsurface drainage directed to the nearest acceptable drainage facility, as determined by the Manager, Building and Safety Division
2. Drainage facilities discharging onto adjacent property shall be designed to imitate the manner in which runoff is currently produced from the site and in a manner meeting the satisfaction of the Manager, Permit Services. Alternatively, the project applicant may obtain a drainage acceptance and maintenance agreement, suitable for recordation, from the owner of said adjacent property. All drainage facilities must be consistent with the County of Orange Grading Ordinance and Local Drainage Manual.

12 WATER QUALITY MANAGEMENT PLAN PA20-0201

Prior to the issuance of any grading or building permits, the applicant shall submit for review and approval by the Manager, Building and Safety, a Water Quality Management Plan (WQMP) specifically identifying Best Management Practices (BMPs) that will be used onsite to control predictable pollutant runoff. The applicant shall utilize the Orange County Drainage Area Management Plan (DAMP), Model WQMP, and Technical Guidance Manual for reference, and the County's WQMP template for submittal. This WQMP shall include the following:

- Detailed site and project description
- Potential stormwater pollutants
- Post-development drainage characteristics
- Low Impact Development (LID) BMP selection and analysis
- Structural and Non-Structural source control BMPs
- Site design and drainage plan (BMP Exhibit)
- GIS coordinates for all LID and Treatment Control BMPs
- Operation and Maintenance (O&M) Plan that (1) describes the long-term operation and maintenance requirements for BMPs identified in the BMP Exhibit; (2) identifies the entity that will be responsible for long-term operation and maintenance of the referenced BMPs; and (3) describes the mechanism for funding the long-term operation and maintenance of the referenced BMPs

The BMP Exhibit from the approved WQMP shall be included as a sheet in all plan sets submitted for plan check and all BMPs shall be depicted on these plans. Grading and building plans must be consistent with the approved BMP exhibit.

13 RESIDENTIAL FIRE SPRINKLERS PA20-0201

The building plans shall comply with Section R327 of the 2013 CRC, including required residential fire sprinklers

14 ROAD FEE PROGRAM PA20-0201

Prior to the issuance of building permits, the applicant shall pay applicable fees for the Major Thoroughfare and Bridge Fee Program listed below, in a manner meeting the approval of the Manager, Building and Safety Division.

- a. San Joaquin Hills Transportation Corridor

15 STANDARD PLAN – SIGHT DISTANCE PA20-0201

Prior to the issuance of a precise grading permit, the approved plans shall demonstrate compliance with Standard Plan 1117 for adequate sight distance at the driveway area.



eric trabert & associates

9521 Irvine Center Drive . Irvine, California . 92618 . Ph: 949.861.2244 . Fax: 949.861.2233

December 7, 2020

County of Orange
601 North Ross Street
Santa Ana, Ca. 92703

Subject: 191 Emerald Bay Drive, Laguna Beach (Bower Residence)
RE: Cover Letter to Planning Dept. for Coastal Commission Review

To Whom It May Concern,

The scope of work for this proposed project is as follows. Removal of existing house to build a proposed new (7,455 square foot) 2-story single family dwelling with a finished basement and subterranean garage (876 square feet).

Please see the accompanying site plan, floor plans & elevations.

Sincerely,

Eric Trabert & Associates

APPLICANT: BOWER
ADDRESS: #191
PROJECT: 2963 TRACT: 1104 LOT: 24
SCOPE OF WORK: NEW RESIDENCE W/MAJOR LANDSCAPE/HARDSCAPE
SUBMITTAL: PRELIMINARY RESUBMITTAL 2
ARCHITECT: Jeffrey Parkhurst
Eric Trabert & Assoc.
Phone: (949) 861-2244 Lic. # 20554
LANDSCAPE ARCHITECT: Rick King
Exteriors Inc.
Phone: (949) 285-9692

Architectural review by Ken Wilkins

Landscape review by James Dockstader

FINAL COMMITTEE RECOMMENDATION: APPROVAL

HISTORY OF SUBMITTALS:

- | | | |
|------------------|-------------------|--|
| • March 2020 | CONCEPT | POSTPONED MTG. (COVID-19) |
| • April 2020 | CONCEPT | ACKNOWLEDGED |
| • June 2020 | CONCEPT 2 | ACKNOWLEDGED |
| • September 2020 | PRELIMINARY | DISAPPROVED (TO ALLOW FOR A WORKSHOP WITH THE COMMITTEE) |
| • December 2020 | PRELIMINARY RESUB | DISAPPROVED |

SUMMARY OF PROPOSED ARCHITECTURAL IMPROVEMENTS:

The scope of work indicated in the Submittal Application is a new residence of approximately 8,332 SF, which includes a 4-car (2+2) garage. There are 768 SF of cantilevered decks noted. Overlays were provided.

The areas indicated on the submittal are: EBCA Calculation*

	Prelim Resub	Proposed	Change
• Second Floor	2,731.4 SF	2,645 SF	-86.4 SF
• First Floor	2,847.9 SF	2,833.1 SF	-14.8 SF
• Basement	2,251.1 SF*	2,199.9 SF*	-51.2 SF
• Garage	947.5 SF*	947.5 SF*	+0 SF
• Storage/ Mechanical	200 SF	200 SF	+0 SF
• Cantilevered Deck	873 SF	873 SF	+0 SF

Major changes made:

- Roof simplified and lowered (34.8% remains over height).
- M. Bed and Deck pulled back.
- Stair relocated and pulled +/-3' away from the setback line.
- Floor area reduction eliminates a required parking space.
- Added trellis screen above Service Yard.

SUMMARY OF PROPOSED LANDSCAPE IMPROVEMENTS:

Proposed landscape improvements include: Spa, pool, firepit, walls, paving, planting, irrigation.

STAFF ARCHITECTURAL FINDINGS:

1. ARCHITECT STAMP (Section B.2): The plans are stamped and signed. **OK This will be verified at each submittal.**
2. ARCHITECTURAL REVIEW - SUBMITTAL COMPLETENESS (Section B.5): Submittal is generally complete enough for review. **OK**
3. LOT COVERAGE (Section C.1): A structure shall not exceed 40% coverage of the lot. Lot coverage shall be calculated as the total area of the roof less the overhang including anchored decks. Elevated surfaces (patios, pools, planters) greater than 5'-0" above finished grade are included in lot coverage. Cantilevered decks (less than 10' deep) and covered below grade structures less than 6'-6" in height are not included.

A signed copy of the 1960 topo plan was submitted.

The lot coverage is stated on the Submittal Application as $(3,158.4 / 8,052) = 39.2\%$ and should be corrected to match the overlay noting $(3,147.4 / 8,052) = 39.08\%$. The Basement Storage/ Mechanical "structure" shown on sheet 2 should be noted as less than 6'-6". This note should be consistently used on the plan sheet 3. Therefore, this area is not counted as Lot Coverage. OK

4. SETBACKS (Section C.2): The existing structure appears to respect the 5'-0" minimum setbacks on all sides. **The stair tower has been reconfigured and pulled back from the setback line. The roof has been slightly lowered at this location reducing the tower to +/- 24' in height at the eave edge, 3'-1" behind the setback line.**

The Committee may require greater setbacks. See staking comments under Initial Committee Recommendations.

5. UTILITY EASEMENTS (Section C.3): Portions of retaining walls, stairs and planters are allowed within the Utility Easements. **The Emerald Bay Service District will review these prior to Final approval.**

The previous shown downward sloping driveways have been addressed. These were previously shown in error.

As part of the Service District review note: projection of caissons or any below grade structures including shoring structures have recently been limited to project 24" into the utility easements. It has been discussed that a clear zone of 3'x15' is large enough and deep enough for a sewer main, water main, or 30" diameter storm drain. This is only a guideline and will be reviewed on a case by case basis.

6. PARKING (Section C.4): The parking requirement shown on the Submittal Application is 7,851.3 SF. **The overlay provided specific to parking (sheet 19) does not show all the calculated areas.** The garage area used for required parking (430 SF + 272 SF = 702 SF) is not included in

the parking calculations. **EBCA calculation $8,625.5 - 702 = 7,923.5$. The Storage/ Mechanical ceiling height and structure to be less than 6'-6" and is therefore not included in the parking calculation. This requires seven (7) spaces total, a two-car garage plus six (5) additional off-street parking spaces with a maximum of two compact. A 4-car Garage (2 + 2 compact spaces) and 4 regular off-street parking spaces are shown. At the lower garage, the practicality of 3 tandem cars, 2 deep in the garage and the third on the driveway was questioned although one of the spaces is no longer required. The Committee previously noted that if the required parking area were reduced by 70 SF (now 40 SF), only 7 parking spaces would be required. OK**

7. **SERVICE YARD (Section C.5):** Noted on the Northwest corner. **Notation was added to the Site plan. The A/C units within the Service Yard have been spread out (not stacked) with an added trellis above. OK**
8. **BACKFLOW PREVENTION DEVICES (Section C.8):** New residences and renovations/remodels/additions which include the addition of 2 or more plumbing fixtures require a backflow prevention device. **The EBSD will review at the Final review.**
9. **NUMBER OF STORIES (Section D.1):** No structure shall exceed two stories. First Basement Rule: If the elevation of the finished floor level directly above a basement is more than 6 feet above Natural Grade for more than 50% of the perimeter or is more than 12 feet at any point then it shall be considered a story. The Submittal Application indicates an existing structure with 2 stories plus a basement. **Topo lines were not provided at the Basement level however, the structure appears to meet the first basement rule. OK**
10. **BUILDING HEIGHT (Section D.2):** The maximum height envelope for this lot is "(15) feet above the highest level of the Lot or Parcel upon which it is built and shall not exceed (20) feet above Natural Grade" as defined by the 1960 Topo Plan. **"The Architectural Committee may permit a structure which shall not exceed (30) feet above Natural Grade...when said Architectural Committee, by its written approval, deems same to be to the best advantage to the Tract as a whole".**

There are two maximum height requirements. The first is that roof cannot exceed 15' above the highest point on the Lot based on the submitted Toal 1960 topo plan. Therefore, the maximum height shall not exceed $124.17' + 15' = 139.17'$ **The roof has been lowered further with the highest ridge +/-17" below it.**

In response to the Committee's previous comments to lower the structure to address anticipated height, massing, compatibility with the neighborhood, etc., the plans and sections indicate the first floor was lowered back down to previous levels and upper floor ceiling height lowered by 10".

The roof as submitted was lowered, noted that 34.8% (DECREASED FROM 63.5% at the previous submittal) of the roof exceeds the 20' maximum height by as much as +/- 4'-11".

It was noted that not only did the percentage of the roof decrease, the overall roof area decreased. Therefore the actual percentage based on SF alone decreased even more than my a mere percentage comparison.

The roof configuration was further simplified.

Three chimneys were previously added with heights newly noted on the plans. Chimney heights are within the Committee's discretion. Two of the chimneys are 12" or lower above

the 20' maximum height. The largest chimney above the Master Bedroom is as much as +/- 3'-6" above the 20' maximum. They must be kept to the minimum required by Code.

This submittal, the applicant notes the advantages to the Tract to consider the height over the 20 feet as follows:

- The north corner of the house, adjacent to 193 EB was stepped/cut back to maintain their Catalina view from their Dining Room window
- The south face of the house at the M. Bedroom and Deck were pulled back, to minimize impact on the view from 190 EB
- The SF was reduced to 7,923.5 SF so only 7 parking spaces are required, 8 plus a golf cart parking space are provided
- The upper driveway was relocated further from the curve that the current driveway, claiming it is a better location for visibility
- Location of the driveway at the garage is directly across from the neighbors' across the street making it easier for them to back out of their driveway
- They have reduced the Lot Coverage to 39.08%
- The maximum height over the height envelope is 4'-11" at the SW corner.
- The height of the roof over 20' does not impact neighbor views.
- The applicant has provided generous setbacks at the South (24' min. to 32'), at the East (27' min. to 33') and a maximum setback at the West of 22'.

The Committee recognizes these as advantages to the Tract that would allow the proposed Structure to be over 20 feet above Natural Grade but not over the maximum height envelope of 30 feet above Natural Grade.

11. **COMPATIBILITY (Section D.3):** As the ground falls away from the north corner of the Lot around the west bend, the height of the structure was lowered in height. 34.8% of the roof remains above the 20' maximum.

The upper floor deck and Master Bedroom has been pulled back.

The amount of glazing at the front has been reduced at the stair.

Consideration needs to be given to the interior lighting, so it does not become a nuisance or an architectural feature when no one is home. The applicants may want to consider privacy issues from the neighbors as seen at night. Projects with similar conditions have been required to use occupancy sensors and automatic shade devices so the interior lighting does not become a nuisance or an architectural feature when no one is home.

12. **NON-CONFORMING STRUCTURES (Section D.4):** A pre-existing, non-conforming Structure or portions of a Structure may be retained where the proposed alteration does not increase the square footage by 25% or more, increase the height of the Structure such that it is above the height envelope for the Tract and there is no change to the existing broad style of architecture.

All new elements must conform to the current Architectural Regulations.

Existing non-conforming elements:

- NA

New non-conforming elements:

- **Building Height (over the 20' by 4'-11" +/-, but below the max. 30' if adequate advantage to the Tract is provided) OK**

13. **ROOFS (Section D.5):** The intent of the roof requirements includes that design is consistent with prevailing appearances within the Community.

Roof pitch: 3:12 **Roof configuration was simplified. OK**

Flat roof: Roof slopes less than 3:12 are considered flat. The maximum area of flat roofs is 15% of the total aggregate roof area. Flat roof is noted on the submittal appears to be in compliance. Overlay was provided. **OK**

Roof materials: Pitched noted as Fairweather Way Natural Slate. Add Class "A" notation.

Flat noted as Built-up, Class "A".

Roof Equipment: None shown. **OK**

Parapet: None noted. **OK**

14. **ROOF DECKS (Section D.6):** A roof deck is considered to be a covered or uncovered exterior space constructed over any part of the residence Structure or garage. Roof decks are not allowed except when the deck is directly accessible from an interior living space on the same level and the area of the deck is equal to or less than the area of the living space from which access is taken. None shown. **OK**

15. **MATERIALS AND COLORS (Section D.7):** **Noted as stucco walls and cornice, glass guardrail, aluminum frame garage door with white laminated glass.** Actual materials samples and exterior colors are required to be submitted on a board no smaller than 11 x 17 and no larger than 18 x 24. A color rendering must be included on the board to clearly identify the location of all proposed materials and colors. **The Committee will review the color and materials at the Final review. INCLUDE A SAMPLE OF THE GLAZING WITH THE MATERIAL BOARD**

16. **WINDOWS AND DOORS (Section D.8):** **Noted as "Fleetwood" black (frames). These will be further evaluated with the materials and colors at the time of Final**

17. **ANTENNAS (Section D.9):** None shown. **OK**

18. **SOLAR PANELS (Section D.10):** None shown. **OK**

19. **SKYLIGHTS (Section D.11):** None shown. **OK**

20. **ARCHITECTURAL EXTERIOR LIGHTING (Section D.12):** Light fixtures must be down lit or shielded to prevent glare or be a nuisance to neighbors. Light fixtures must be complementary to the architectural style of the residence.

No elevations with light fixture locations were provided. Provide locations of exterior lights at Final. These will be required to be shielded so as not to provide a nuisance or glare when looking up from below.

Cutsheets are to be submitted for review at Final. These will be compared prior to installation during construction.

The glazing will need to be addressed so the glow from the interior lighting does not become a nuisance for neighbors.

21. **GUTTERS AND DOWNSPOUTS (Section D.13):** Recessed gutters are indicated on the roof plan at pitched roofs. **A detail of the recessed condition and locate downspouts was provided. Provide method of drainage for the exterior decks, clarify by notation.**

22. **OTHER COMMENTS:**

- No neighbor comments were received.
- **The cantilevered deck over the lower level driveway was increased from 8' deep to 10' deep.**
- **Several workshops were held with the Applicant and the Committing to assist the Owners in understanding the Architectural Regs, CC&Rs and the interpretation and consistent application of these requirements.**
- **At the November Architectural Committee meeting, the AC units were reconfigured to be side by side. A trellis/louver type cover, 50% open, to screen the Service Yard and AC units from the adjacent neighbors was discussed. This has been added.**
- **A Zoom meeting was held with Jill Chambers, Deputy Chair and Director of Architecture to review the plans being revised in preparation for this submittal.**
- **The Committee recognizes the attempts made to address its expressed comments regarding the restrictions the Regulations place on Lot Coverage, Setbacks, Area of the structure and practicality of the Required Parking, Number of Stories, Building Height and Roof Pitch that are *intended to work in concert* to control the scale and massing of new construction for the purpose maintaining the desired general plan of development of Emerald Bay.**

STAFF LANDSCAPE FINDINGS:

1. **SUBMITTAL COMPLETENESS (Section B.5):** Submittal must be generally complete enough for review. **OK**
2. **LANDSCAPE STRUCTURES ARE SET BACK 5' FROM LOT BOUNDARIES (Tract Schedule A Exhibits):** Except for fences and walls, structures are 5' from PL. **OK**

UTILITY ELEMENTS / EBSD SUBMITTAL: Evidence of EBSD review and approval will be required at the time of final submittal. **Submit at time of final**

3. **LOT COVERAGE (Sec C.1):** Landscape features such as raised patios and/or freestanding structures must not create a lot coverage overage. **There is a portion of retaining wall above the lowest level patio which appears to retain 8' or 9' (108.0 – 99.2). Grading is unclear but if area is to be flattened to allow for synthetic turf then this would mean additional lot coverage. Also, it appears that the portion of storage/mechanical area on the bottom level has not been addressed in the lot coverage calculation**

4. SITE DRAINAGE (Sec C.6): A conceptual grading and drainage plan must be included, generally showing adequate site drainage. **OK**
5. CURBS AND GUTTERS (Sec C.7): For new residences and major remodels, plans must show complete replacement of curb and gutter along entire street frontage with reference to EBSD requirements. **OK**
6. BACKFLOW PREVENTION (Sec C.8): A backflow prevention device must be installed for proposed irrigation systems and must not be located on Association Property. **Show at time of final submittal.**
7. EXTERIOR MECHANICAL EQUIPMENT (Sec E.1): Mechanical equipment shall not be located in easement areas. **OK except a gate requested by the Committee is not shown.**

Four AC units are shown at the NE corner of the house, behind a 5' wall and under an open trellis. OK

Mechanical spa equipment appears to be screened from view. **OK**

Noise impacts on adjacent neighbors must be avoided and/or minimized. **Reviewed at time of acoustical report submittal.**

An acoustical report prepared by a qualified expert is submitted showing that anticipated noise impacts are less than the County maximum at the nearby property lines. **Submit at time of final submittal for AC units and, if mechanical area is vented or open to outdoors, for pool/spa equipment**

Acoustical report assumptions and recommendations are consistent with submittal drawings. **Reviewed at time of final**

8. EXTERIOR LIGHTING (Sec E.2): Landscape lighting proposals must be shown and must appear to limit glare and annoyance. **Landscape fixtures appear to be 3 watts or less. OK**
9. FENCES, WALLS, AND HEDGES (Sec E.3):

In front yard setback areas fences, hedges, and walls are to be 4' high or less as compared to adjacent top of curb elevations. For corner lots, the maximum height is 3'. **The Committee considers the front yard to be that portion of the frontage from the upper property line corner (where the two head-in parking spaces are proposed) down around the curve to where the curve ends below the pool. The remaining street frontage is considered to be side yard. In the front yard, wall and hedge material within the 5' setback cannot be higher than 4' above the adjacent curb. OK**

The area between the lowest retaining wall and the curb is considered impactful to sightlines and vegetation should not be higher than 3'. OK

Between the front yard setback and the house structure fences, walls, hedges, railings or other features are to be 4' high or less compared to finished grade. **Some walls will be as much as 5' out of finish grade.**

Front yard improvements address issues of visual impact, compatibility, and contributions to common visual streetscape. **OK**

In side yard and rear yard setback areas fences and/or walls must be 6' high or less as compared to existing grade along neighbor's side of property line. **OK**

Property line fences, walls, and footings must be constructed completely on the subject property. **OK**

Block walls are finished on all sides. **OK**

At the street fences, walls, and railings must be held back a minimum of 18 inches from face of curb. **OK**

10. PLAY EQUIPMENT AND PLAY HOUSES (Sec E.5): Issues of noise and visual impact have been adequately addressed. **None proposed. NA**

11. MAILBOXES (Sec E.6): Design and location must be shown. **OK**

12. OUTDOOR FIREPLACES, FIREPITS, COOKING ELEMENTS (Sec E.7): Outdoor fireplaces, BBQs, and ovens shall be a minimum of 5' clear of any property line and must be gas only. **A BBQ is proposed on the dining deck, just outside setback. OK**

The minimum setback for any open firepit shall be a minimum of 10'. **NA**

13. WATER FEATURES, SWIMMING POOLS, SPAS (Sec E.8): Pool and spa structures are located entirely outside the 5' utility easement area. **OK**

Issues of noise and visual impact must be adequately addressed. **OK**

Security/pool fencing is shown. **OK**

14. PARKWAY ACCESS (Sec E.12): Planting and paving within 18-24" of face of curb shall allow for convenience of on-street parking **OK**

15. IMPROVEMENTS ON EBCA PROPERTY Section C, Part 21): Trees, hedges, and structures are not proposed on EBCA property. **OK**

16. POTENTIAL OBSTRUCTION OF VIEW (Sec A.5): Trees and shrubs must not unreasonably block a neighbor's view. **OK**

17. PREPARATION BY LANDSCAPE ARCHITECT (Sec B.2): **OK**

18. FUEL MODIFICATION (Sec E.14): Highly flammable target species shall not be proposed. **OK**

Perimeter properties appear to be consistent with Orange County requirements for Zone A. **OK**

19. OTHER:

- **Curb cuts for upper off street parking are not shown**
- **Planting area adjacent driveway, shown on civil drawings, is not shown on planting plan or hardscape plan**
- **Privet hedge along driveway and at same level as driveway appears to interfere with driveway sightlines**

FINAL COMMITTEE RECOMMENDATIONS:

1. The Committee initially recommended disapproval of the plans submitted. The following items were adequately addressed by the Tuesday night meeting. Therefore, the Committee voted to **Approve** the project as revised. (Debi Pavlik recused herself)
 - a. The Committee reviewed the staking and appreciated the changes the applicant has taken to work with the Committee to address its previous comments. No exceptions taken.
 - b. Submit a separate survey sheet stamped and signed by a licensed surveyor. **Provided**
 - c. Include the certified 1960 Topo with plans. **Provided**
 - d. Pull the cantilevered deck over the lower garage driveway back to 8' where it was in the previous submittal. **Done**
 - e. Add a solid panel to the railing portion behind the BBQ facing the neighboring property at the same cantilevered deck. **Revised to a solid railing at side.**
 - f. Note the slate roof material as Class "A". **Noted**
 - g. Add a gate at the Service Yard facing the side yard which will likely be necessary to meet acoustical requirements for the A/C units. **Added**
 - h. Show and note how the deck drainage will be managed. **Shown on elevations and noted.**
 - i. Note that lighting controls and shade devices will be used to manage the interior lighting, so it doesn't become a nuisance to neighbors. **Note added.**
 - j. Show location of exterior light fixtures on elevations. Cutsheets of light fixtures will be required at Final. **Shown and noted as soffit lights under deck overhangs.**
 - k. Delete portions of planted terrace at 108 FG which are more than 5' above the patio below at 99.2. Alternatively, include landscape areas more than 5' above patio in lot coverage calculations. **Finish grade elevation revised accordingly.**
 - l. Show curb cuts and flares as needed for upper off-street parking area on all plans. **Shown**
 - m. On landscape plans, show full length of planter adjacent to driveway under decks above. **Shown**

- n. For sightline purposes and within the 5' setback area, delete Privet hedge at same level as driveway. **Removed**
- 2. At time of FINAL submittal:
 - a. An executed Easement Agreement recorded with the County of Orange for improvements on EBCA property will be required. An Encroachment Permit application and exhibits prepared by a licensed civil engineer describing the area of the Easement and legal descriptions are required for EBCA to prepare the Agreement. This is required to be approved by the EBCA Board of Directors prior to the approval of the project.
 - b. Submit drawings and the application fee to EBSD for review. Provide evidence of EBSD review and approval. The preliminary plans must be developed in sufficient detail to confirm that there will be no structural encroachments into the 5' easement. If caissons are required for the foundation, they must be shown on the Final submittal for review by the Service District Engineer.
 - c. Submit a color and materials board that includes actual color and material samples, not photographs. INCLUDE A SAMPLE OF THE GLAZING WITH THE MATERIAL BOARD
 - d. Submit exterior light fixture cutsheets.
 - e. An acoustical report prepared by a qualified expert must be submitted showing that anticipated noise impacts are less than the County maximum at the closest property line. Submitted plans must be consistent with the recommendations of the report.
- 3. Note:
 - a. If a Member would like to appeal the recommendation of the Architectural Committee or determination of the Board, please to the CC&Rs, ARTICLE VIII, Section 5 – Notice and Hearing Requirements.
 - b. Approvals are valid for one year. See extension request requirements in the Architectural Regulations for additional information.
 - c. All future submittals must be accompanied by a detailed scope of work and highlighting revisions to previous scope of work, if any.
 - d. If it becomes necessary or desirable for the Association to utilize its easements within private property boundaries, it is the responsibility of the owner of such property to remove improvements (whether previously approved by the Association or not) to provide access and to replace or repair improvements subsequent to Association access at no cost to the Association.
 - e. Any changes to the Final approved plans must be submitted for Architectural Committee's review prior to construction.

Eric Trabert (Architect) and Scott Bower (Owner) were in attendance to discuss the submittal.

At their meeting on February 2, 2021 the Board voted to approve the recommendation of the Architectural Committee.





