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Del Mar Design Review Board Agenda

City of Del Mar, Town Hall
1050 Camino del Mar, Del Mar, California

Civility Works: The Del Mar Code of Civil Discourse: Together we will promote inclusion; listen to understand; show respect; be clear and fair; and focus on the issue.

Glenn Warren
Chair

Arlene Prater
Vice Chair

John Goodkind
Board Member

Linda Judd
Board Member

Tina Thomas
Board Member

Henrik Jensen
Board Member

Adam Wallace
Board Member

Karen Brindley
Planning and Community
Development Director

Matt Bator
Principal Planner

Regular Meeting **Wednesday, January 28, 2026, at 6:00 PM**

It is the intention of your Design Review Board to be receptive to your concerns about your community. Your participation in local government will assure a responsible and efficient City of Del Mar.

Public Participation/Comment: Members of the public can participate in Design Review Board meetings in-person or via written comment (Red Dot). Anyone may address the Design Review Board for up to three minutes, at the Chair's discretion, on items on the agenda. Members of the public wishing to speak on items not on the agenda may do so under Oral Communications. Agenda items may be addressed in any order at the discretion of the Chair. When addressing the Design Review Board, please state your name for the record. Any electronic presentations must be received before 12 p.m. on the date of the Design Review Board meeting. No PowerPoint presentations can be loaded during the meeting.

In-Person Participation: Please submit a completed "Speaker Slip", including the item number you wish to speak on, to City staff prior to the Chair announcing the agenda item. The forms are located near the door at the rear of the Meeting Room. When called to speak, please approach the podium and state your name for the record.

Written Comments: Members of the public can participate in the meeting by submitting a written red dot comment via email to planning@delmar.ca.us. The deadline to submit written comments is 12 p.m. on the day of the meeting and the subject line of your email should clearly state the agenda item you are commenting on.

Viewing the Meeting and Access to Agenda Materials: Members of the public can watch the meeting live on the City's website at: <http://delmar.12milesout.com/Video/Live> and on Cable TV Spectrum Ch. 24, AT&T Ch. 99 starting at 6:00 PM. Agenda materials and communications from the public on agenda items, "Red Dots", are available on the City's website: <http://www.delmar.ca.us/AgendaCenter> and a hard copy of the agenda materials are available at Del Mar City Hall and the Del Mar Library during their business hours.

Assistance for persons with Disabilities: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Administrative Services Department at 1050 Camino del Mar or by calling (858) 755-9313. Notification of at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

As a courtesy to all meeting attendees, **please set cellular phones to silent mode** and engage in conversations outside the Town Hall.

Regular Meetings of the Design Review Board are generally held on the fourth Wednesday of the month, beginning at 6:00 p.m. For further information regarding the scheduling of meetings or meeting agendas, check the City's website at www.delmar.ca.us, or call the Planning Department's office at 858-755-9313. A full Design Review Board agenda packet with all backup information is available at City Hall, the Del Mar Library, and on the City's website the Wednesday before each Design Review Board meeting.

Meeting will end no later than 11:00 p.m., unless extended by a majority vote of the Board Members. If all the items on the agenda are not heard, the remaining items will be heard the following Wednesday (if facilities are available) at 1050 Camino Del Mar.

Consent Calendar: The Consent Calendar is considered by the Design Review Board near the beginning of the agenda. Items placed on the Consent Calendar will be approved in accordance with the staff recommendations for the item unless removed from the Consent Calendar by the Board Members, staff, or a member of the public. If you wish to keep an item from being placed on the Consent Calendar, please submit an email to planning@delmar.ca.us or to the staff member prior to the meeting by 3:30 p.m. the day of the meeting.

Final action. The decision of the Design Review Board is final unless a written appeal is filed with the City Clerk, accompanied with a processing fee, within ten (10) working days from the date of notice of the action taken on the application. An approved permit shall not be valid until the 10-day appeal period has expired. The appeal is then forwarded to the City Council, which determines at the Initial Consideration whether to reject the appeal, thereby upholding the Design Review Board's decision, or to set the matter for a subsequent date for a new (de novo) public hearing review. If a de novo public hearing is set by the City Council, an additional fee will be required.

Meeting Decorum: All persons attending the Design Review Board meeting shall conduct themselves in a courteous and respectful manner. Comments shall be directed to the members of the Design Review Board rather than to others in attendance at the meeting. The Chairperson (or Vice Chair or Chair pro-tem in their absence), is designated as the parliamentarian for the meeting. As deemed appropriate, they may interrupt a speaker with instruction to redirect their remarks to relevant points on the agenda item before the Board Members. They may also terminate a speaker's oral presentation if comments continue to be non-relevant or become disrespectful.

Note: The entirety of the City of Del Mar is located within the Coastal Zone. Some of the development projects listed on this agenda, as noted, require the receipt of a Coastal Development Permit. Some of these projects may also lie in what is known as the “Coastal Development Appeals Area”. For the projects located in the appeals area, the City’s action on the requested Coastal Development Permit may be appealed to the California Coastal Commission. An appeal may be filed with the Coastal Commission within the ten calendar days following the Coastal Commission’s receipt of a notice from the City of its final action on the Coastal Development Permit application. However, before an appeal may be filed with the Coastal Commission, the City’s action on the CDP application must be final, meaning that all of the City’s [separate and internal] appeals processes must first be exhausted.

ROLL CALL

APPROVAL OF MINUTES

1. Design Review Board Hearing Minutes of December 17, 2025.

UPDATE

HEARING FROM THE AUDIENCE ON ITEMS NOT LISTED ON THE AGENDA (Oral Communications)

DESIGN REVIEW BOARD/STAFF DISCUSSION (Non-Application Items)

- 1) Selection of Chair, Vice Chair, and DSC Officer for 2026.

DISCUSSION AND BRIEFING (Application Items)

CONSENT CALENDAR:

The Design Review Board at the beginning of the meeting can place any item on the agenda upon the Consent Calendar. Consent Calendar items are not subject to public testimony. If you have a concern and wish to present information to the DRB, you must be present at the beginning of the meeting to ensure the item will not be placed on consent or write a letter to the DRB prior to the meeting expressing why the application should be taken off the Consent Calendar.

NEW APPLICATIONS:

<u>ITEM 1</u>	<u>APN:</u> 299-260-39-00
<u>DRB24-010</u>	<u>Location:</u> 545 Avenida Primavera
<u>LC25-001</u>	<u>Owner/Applicant:</u> Ula Tuszewicka
<u>TRP25-012</u>	<u>Owner’s Representative:</u> Brian Will, Will & Fotsch Architects
	<u>Zone:</u> R1-10
	<u>Overlay Zone:</u> WUI
	<u>Environmental Status:</u> Exempt

Staff Contact: Jean Crutchfield, Associate Planner

Project Description: A request for Design Review, Land Conservation, and Tree Removal Permits to remodel the exterior of an existing 2,279 square-foot, two-story residence with a 428 square-foot attached garage. Proposed improvements include: construction of a 919 square-foot addition; conversion of the existing 428 square-foot existing garage and 783 square-feet of crawlspace to habitable space; construction of a new 497 square-foot attached garage; construction of 287 square-feet of additional covered patios and 497 square-feet of additional open balcony/deck on the main level; modifications to windows and doors; construction of a new pool, spa and associated mechanical equipment; site grading and new retaining walls; installation of new exterior lighting, landscape, hardscape, fencing and site improvements; and the removal of one Torrey Pine tree.

ITEM 2
DRB25-008
LC25-002
CDP25-006

APN: 299-091-01-00

Location: 2435 Camino del Mar

Owner/Applicant: The James Money Penny Revocable Trust

Owner's Representative: Bokal and Sneed Architects

Zone: RM-East

Overlay Zone: Floodplain

Environmental Status: Exempt

Staff Contact: Jennifer Gavin, Associate Planner

Project Description: A request for Design Review, Land Conservation, and Coastal Development Permits to demolish an existing single dwelling unit, construct a new two-story single unit residence and detached garage, and perform associated landscape and site improvements on a lot in the RM-East Zone and Floodplain Overlay Zone. *Note: This project is located in the Coastal Commission's Appeals Jurisdiction.*

ITEM 3
DRB25-010
CDP25-011
LC25-007

APN: 299-066-13-00 and 299-066-12-00

Location: 157 26th Street

Owner/Applicant: Daniel and Audrey Dornier

Owner's Representative: Tony Sanshey, Island Architects

Zone: R1-5B

Overlay Zone: Floodplain and Coastal Appeals

Environmental Status: Exempt

Staff Contact: Jean Crutchfield, Associate Planner

Project Description: A request for Design Review, Coastal Development, and Land Conservation Permits to demolish an existing two-story single dwelling unit and construct a new two-story single dwelling unit residence with attached garages and perform associated grading, landscape and site improvements on property located in the Floodplain Overlay Zone. *Note: This project is located in the Coastal Commission's Appeals Jurisdiction.*

ADJOURNMENT

I, Brisa Smith, Assistant Planner for the City of Del Mar, certify that a copy of the foregoing was posted at the Del Mar City Hall on Wednesday, January 21, 2026.



Brisa Smith
Assistant Planner



**CITY OF DEL MAR
DESIGN REVIEW BOARD REGULAR MEETING
ACTION MINUTES
December 17, 2025
Del Mar Town Hall
1050 Camino Del Mar, Del Mar, California**

The minutes set forth the actions taken by the Design Review Board on the matters stated. Audio/video recordings of the Design Review Board proceedings are retained for a period of ten years, in accordance with the City's Records Retention Schedule. Audio/video recordings, as well as written materials presented to the Design Review Board, including Red Dots (materials provided to the Design Review Board after the agenda has published), are available on the City's website at www.delmar.ca.us/AgendaCenter or by contacting the Planning Department at (858) 755-9313.

CALL TO ORDER

Chair Glenn Warren called the Regular Meeting to order at 6:00 p.m.

ROLL CALL

Present: Chair Glenn Warren, Vice Chair Arlene Prater, and Board Members John Goodkind and Linda Judd.

Absent: Board Members Henrick Jensen, Adam Wallace, and Tina Thomas.

Staff Members Present: Principal Planner Matt Bator, Associate Planner Jennifer Gavin, and Assistant Planner Brisa Smith.

APPROVAL OF MINUTES

Design Review Board Hearing Minutes of November 19, 2025.

IT WAS MOVED BY VICE CHAIR PRATER, SECONDED BY BOARD MEMBER JUDD TO APPROVE DRB HEARING MINUTES OF NOVEMBER 19, 2025. (4-0-0-3-0 WITH BOARD MEMBERS JENSEN, WALLACE, AND THOMAS ABSENT)

Principal Planner Matt Bator called the role for the vote for this item.

Ayes: Chair Warren, Vice Chair Prater, and Board Members Goodkind and Judd; Noes: 0; Recuse: 0; Absent: Board Members Jensen, Wallace, and Thomas; Abstain: 0.

UPDATES

Principal Planner Matt Bator announced that one (1) Design Review Board voting member position is being advertised due to the Chair's upcoming term expiration. The application period is now open and accepting applications through the end of the year.

DESIGN REVIEW BOARD/STAFF DISCUSSION (Non-application Items)

The selection of the Chair, Vice Chair, and DSC Officer for 2026 will take place during the January 28, 2026 meeting.

HEARING FROM AUDIENCE ON ITEMS NOT LISTED ON THE AGENDA (ORAL COMMUNICATIONS)

None.

DISCUSSION AND BRIEFING (Application Items)

Principal Planner Matt Bator stated that Item #1 and Item #2 were eligible for the Consent Calendar, and Item #3 was continued to the January 28, 2026 meeting due to lack of quorum.

CONSENT CALENDAR:

ITEM 1 **APN:** 300-075-06-00
DRBS25-003 **Location:** 1201 Camino Del Mar
 Owner/Applicant: Ellsworth Family Trust
 Owner's Representative: Icy Indulgence LLC
 Zone: CC
 Overlay Zone: None
 Environmental Status: Exempt
 Staff Contact: Brisa Smith, Assistant Planner
 Project Description: A request for a *Design Review Sign Permit* to install a new 21.25 square-foot commercial business wall sign in the Central Commercial Zone.

IT WAS MOVED BY VICE CHAIR PRATER, SECONDED BY BOARD MEMBER JUDD, TO APPROVE ITEM 1 TO THE CONSENT CALENDAR. (4-0-0-3-0 WITH BOARD MEMBERS JENSEN, WALLACE, AND THOMAS ABSENT)

Principal Planner Matt Bator called the role for the vote for this item.

Ayes: Chair Warren, Vice Chair Prater, and Board Members Goodkind and Judd; Noes: 0; Recuse: 0; Absent: Board Members Jensen, Wallace, and Thomas; Abstain: 0.

NEW APPLICATIONS:

ITEM 2
DRB25-006

APN: 300-410-10-00

Location: 555 Amphitheatre Drive

Owner/Applicant: Corbosiero Family Trust

Owner's Representative: DeMaria Landtech

Zone: R1-10

Overlay Zone: None

Environmental Status: Exempt

Staff Contact: Jennifer Gavin, Associate Planner

Project Description: A request for a *Design Review Permit* for various exterior improvements including: new fencing, retaining walls, built-in barbeque, firepit and built-in seat wall, and related landscape and minor grading improvements.

Chair Warren opened the item for public hearing.

Amber Urena (Applicant's Agent) gave a brief overview of the proposed project.

The Board asked questions regarding the proposed retaining walls and inquired whether alternative solutions were considered and whether the Applicant would be open to changing the retaining wall color per Staff's recommendation. Ms. Urena explained that the retaining walls represent the most suitable solution to support the site conditions and that they were open to modifying the color scheme.

The Board provided disclosures.

The Board asked for clarification regarding staff's suggestion to modify the color of the retaining walls. Staff clarified that the Design Guidelines encourage colors that blend with the natural topography and materials that complement the surrounding environment. The Board agreed with Staff's recommendation to modify the color scheme of the retaining walls and expressed support for the project, with the exception of Board Member Goodkind.

IT WAS MOVED BY CHAIR WARREN, SECONDED BY VICE CHAIR PRATER, TO APPROVE DRB25-006 WITH STAFF'S RECOMMENDED CONDITIONS OF APPROVAL. (VOTE 3-1-0-3-0 WITH BOARD MEMBER GOODKIND VOTING NO AND BOARD MEMBERS JENSEN, WALLACE, AND THOMAS ABSENT)

Principal Planner Matt Bator called the roll for the vote for this item.

Ayes: Chair Warren, Vice Chair Prater, and Board Member Judd; Noes: Board Member Goodkind; Recuse: 0; Absent: Board Members Jensen, Wallace, and Thomas; Abstain: 0.

ADJOURNMENT

Meeting adjourned at 6:23 p.m.

A handwritten signature in black ink, appearing to read "Brisa Smith". The signature is written in a cursive style with a large initial "B".

Brisa Smith
Assistant Planner



City of Del Mar Staff Report

DESIGN REVIEW BOARD
STAFF REPORT
January 28, 2026

APPLICATION: DRB24-010/ LC25-001/ TRP25-012

REQUEST: A request for Design Review, Land Conservation, and Tree Removal Permits to remodel the exterior of an existing 2,279 square-foot, two-story residence with a 428 square-foot attached garage. Proposed improvements include: construction of 919 square-foot addition; conversion of the 428 square-foot existing garage and 783 square-foot crawlspace to habitable space; construction of a new 497 square-foot attached garage; construction of 287 square-feet of additional covered patios and 497 square-feet of additional open balcony/deck on the main level; modifications to windows and doors; construction of a new pool, spa and associated mechanical equipment; site grading and new retaining walls; installation of new exterior lighting, landscape, hardscape, fencing and site improvements; and the removal of one Torrey Pine tree.

APPLICANT/OWNER: Urszula Tuszewicka

AGENT: Will and Fotsch Architects, Brian Will

SITE LOCATION: 545 Avenida Primavera

ASSESSOR PARCEL NUMBER: 299-260-39-00

COMMUNITY PLAN DESIGNATION: The Community Plan designates subject site as Low Density Residential at a density of 1-4 units per net acre. The Community Plan states that "this land use category is intended to allow a continuation of the predominately single-family residential character that has been historically developed within the Del Mar Hills area and at the north end of the beach front."

ZONE: R1-10

ENVIRONMENTAL STATUS: Pursuant to requirements of the California Environmental Quality Act (CEQA), the Project has been determined to be Categorical Exempt per Section 15301 Class 1 (e) (1) (Existing Facilities), in that the Project proposes the construction of an addition to the existing residence which is less than 2,500 square feet, and further; it has been determined that none of the six exceptions to the use of a Categorical Exemption are applicable (Guidelines Section 15300.2).

HOUSING IMPACT: The proposed development involves an addition/remodel to an existing single dwelling and there would be no change to the number of dwellings constructed on the lot.

Therefore, approval of the requested discretionary development applications would have no impact on the City of Del Mar's housing supply or housing affordability.

BACKGROUND:

The project site is located at 545 Avenida Primavera in the R1-10 Zone. The property abuts Avenida Primavera on the north and west sides and Zuni Drive on the south side. The lot is 22,097 square feet in area and is twice as large as the minimum standard for a lot in the R1-10 Zone lot (10,000 square feet) size. The site is developed with a 2,279 square-foot, two-story single-family residence with an attached 428 square foot garage and covered patio and balcony located on the west side of the residence. The property currently takes vehicle access from a circular driveway accessible via Avenida Primavera on the northwest end and Zuni Drive on the south end of the lot.

The topography of the site is moderate to steeply sloping towards the southwest. The front entry to the residence located on the main upper level is currently accessed via a bridge due to a grade separation on the north side of Avenida Primavera. The bridge structure is located within the front yard setback and is structurally nonconforming in that current zoning does not permit these types of structures in a front yard setback. Existing landscaping consists of three Torrey Pine Trees, one Monterey Cypress Tree, and other medium-sized trees. The site also contains dense vegetation consisting of medium to large-sized shrubs. Surrounding development is single-family residential one and two stories in character. The property and surrounding properties are located in the Very High Fire Hazard Severity zone. An aerial vicinity map of the subject property is included in Exhibit A.

In response to a 2024 Code Enforcement case involving unauthorized improvements performed at the subject site, the Applicant is requesting a Design Review Permit to remodel the existing residence, modify windows/doors, and convert the existing garage and abutting crawl space into habitable space. The Applicant is also requesting authorization for additional improvements beyond the scope of the code enforcement case to include Design Review, Land Conservation and Tree Removal Permit for additions to the residence, construction of a new garage, roof modifications, a new pool, site grading, new retaining walls and landscape/hardscape and other site improvements. Details of the project are included in the next section of this report.

ANALYSIS:

Project Description

The Applicant proposes to remodel an existing 2,279 square-foot, two-story residence/garage and construct new floor area. Components of the proposed project specifically include:

- Demolishing the walkway bridge located within the northern front yard setback;

- Construction of a new entry walkway located on fill grade and new front deck and porch;
- Construction of 919 square-foot addition, which includes a new dining room and entry at the upper-level north side, 2 new bathrooms on the upper-level and 2 new bathrooms on the lower-level all located on the south side;
- Conversion of the existing 428 square-foot garage and 783 square-foot crawlspace to habitable space (no enlargement of the existing structure, but the proposed new windows/doors require design review);
- Construction of a new 497 square-foot attached garage on the northwest side of the residence with modifications to the driveway. The existing driveway curb-cut located on Zuni Drive would be removed and replaced with curbing to comply with the DMMC Parking requirement to not exceed a total of 20-feet combined driveway width adjoining all abutting streets;
- Construction of 287 square feet of additional covered patios and 497 square feet of additional open balcony/decks on the upper level (existing covered balcony on upper level would now be open);
- Modification to the existing roof with a 1.75-foot building height increase on the upper level;
- Modifications to windows and doors;
- Construction of a new pool and spa to be located west of the residence (previous pool located to the south of the residence has been filled in) mechanical equipment would be located and screened within walled enclosure located south of the new garage, and new 5-foot-high pool fencing;
- Installation of one (1) new AC condensing unit (also one (1) AC condensing unit is existing to be replaced) on the east side of the residence with new screening;
- Site grading and new retaining walls to facilitate construction of the new garage, pool and front entry area (all retaining walls would not exceed 4-feet high);
- Installation of new exterior lighting, landscape, hardscape, and site improvements; and
- Removal of one Torrey Pine tree (details discussed in Tree Removal Permit section of report).

Summary of the applicant's proposal:

Existing Living Area:	
Lower Level	770 sq.ft.
Upper (Main) Level	2,009 sq.ft.
Existing Garage (to be converted to habitable)	428 sq.ft.
Existing Crawlspace (to be converted to habitable)	783 sq.ft.
New Living Area:	
Lower Level	206 sq.ft.
Upper (Main) Level	713 sq.ft.
New Garage:	497 sq.ft.
Total Project FAR	5,406 sq.ft.
Maximum Allowed FAR	5,524 sq.ft.

FAR-exempt covered outdoor spaces:

Existing Covered Patio	247 sq.ft.
Additional covered area	64 sq.ft.
New Patios	
Front Porch	28 sq.ft.
Southwest Patio	136 sq.ft.
Southeast Porch	59 sq.ft.
Total FAR-exempt covered areas	534 sq.ft.
Maximum Design Guideline recommendation	552 sq.ft.

Applicable Development Standards:

Standards	R1-10 Zone	Project
Min. lot size	10,000 sq.ft.	22,097 sq.ft.
Front yard setback		
Avenida Primavera (north)	20 ft.	23'-8"
Avenida Primavera (west)	20 ft.	21'-1"
Rear yard setback	25 ft.	41'-5"
Interior side yard setback	7.5 ft.	45'-11"
Street side yard setback (Zuni)	10 ft.	28'-7"
FAR	25%	24.5%
Max. lot coverage	40%	15%
Height limitation	26 ft.	23.4 ft
Parking	2 garage spaces 1 open onsite	2 garage spaces 2 open onsite

As displayed in the comparison table (and with the removal of the nonconforming bridge structure located in the front yard setback), the project would comply with the standards of the R1-10 Zone.

Plate Heights, Roof Design and Building Height:

The proposed remodel would maintain a two-story design and would incorporate varied flat roof elements. The project would utilize the same finished floor elevation of the existing residence on both levels. Proposed plate heights would range between 7.5 to 8-feet in the bedrooms and 10-feet in the main level living area and garage. The existing highest roof over the upper-level living room would be increased by 1.75 feet to a proposed building height of 20.5 feet, and the roof over the upper-level bedrooms would not change. The maximum building height for the project would be approximately 23.4 feet at the new garage/dining room addition, as measured pursuant to the provisions of the Del Mar Municipal Code (DMMC).

Staff Analysis:

The proposed project would comply with the Design Guideline recommendation to not exceed the maximum plate height of ten feet. The project would also utilize the existing finished floors and building pad of the lot to reduce the bulk of the structure. The roof height increase of 1.75-feet over the upper-level living area would be minimal and maintain a one-story appearance from Avenida Primavera (north side). The building height for the garage/dining room addition would be 23.5-feet high, however the top of roof elevation would actually be lower than the rest of the residence since the finished floor elevation at the garage sits much lower on the lot. The Applicant has utilized the topography of the site to locate the taller structural element to reduce the visible height of the structure.

Scale, Massing, Structural Siting:

The proposed remodel would include additions to the northwest side of the residence to include a new entry and dining room on the upper level with a new garage below. Bathroom additions for the existing residence would be located on the south side of the residence on both levels. Additional covered patios are proposed on the lower level and open balconies on the upper level. The existing covered balcony located on the west building would now be open with removal of the roof.

Yard Improvements:

The property included a pool located on the south side of the residence and has been previously filled in. The Applicant is proposing a new pool which would be located on the west side of the residence. A separate spa structure is also proposed to the south of the new pool. Pool mechanical equipment would be located within an enclosure located to the south of the new garage. Five-foot high pool fencing would be located around the perimeter of the yard areas to the west and south of the new pool.

Air conditioning equipment would be located on the east side of the residence (where one unit currently exists) and would now be screened with fencing.

The yard improvements would be located to reduce visual and noise impacts to neighbors. Additional screening of the pool area and exterior mechanical equipment has been included and complies with Design Guideline recommendations.

Landscape/Hardscape:

The Applicant submitted a Landscape Plan for the Board's review. Additional new trees and taller shrubs would include:

- Three Japanese Black Pines
- Five Southern Live Oak
- Podocarpus hedge is proposed as perimeter yard enclosure plantings and to screen the new pool area

The Applicant is requesting removal of one Torrey Pine Tree and is proposing to plant one new Torrey Pine on site, discussed in a later part of this report for the Tree Removal Permit. The second Torrey Pine tree and Monterey Cypress currently located on the property would remain. Other proposed landscaping would include mostly drought-tolerant shrubs, ground coverings and grasses. Since the project site is located in the Very High Fire Severity Zone, the landscape architect will be required to demonstrate that all proposed landscaping complies with recommended fire-resistant plants; this may result in proposing alternative species (but same maximum height and spread) on the final landscape plan. Existing plantings located in the eastern and southwestern portion of the site would remain. The landscaping area comprises 17,161 square feet of the lot or 69 percent. The Design Guideline for the minimum landscaped area for a 20,000 square foot lot is 60%, and the project would exceed the minimum recommendation. Larger trees and screening hedges would be located on the lower portions of the site to minimize view impacts.

Site Retaining Walls:

The project includes grading and new site retaining walls. All retaining walls that are visible to the public would comply with the Design Guideline recommendation and not exceed 4-feet in height.

The Applicant is proposing to remove the dilapidated entry bridge located in the front yard setback. To replace the required access to the front door of the residence, the Applicant is proposing a new walkway on fill grade between Avenida Primavera and the north side of the residence. The new front entrance/walkway would be shifted further to the northwest. Retaining walls that are visible to the public ranging from 1-foot to 4-foot high would be screened with landscaping. A 6-foot-high retaining wall is proposed between the north side of the residence and property line. However, the wall would be located entirely below the level of the roadway and would not be visible to the public. An architectural colored rendering is included in the DRB plan set Title Sheet TS001.

DESIGN REVIEW BOARD

STAFF REPORT: DRB24-010, LC25-001, TRP25-012

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The Applicant is proposing a new 2-car garage on the northwest side of the existing residence. The driveway curbcut would be located in the same location, however a new driveway turnaround area would now be incorporated to allow for vehicles to exit the property in a forward direction to avoid safety issues of vehicles backing out near the Avenida Primavera intersection. New tiered retaining walls ranging from 3.5-feet to 4-feet-high would be located in the driveway and abutting the new garage addition. Landscaping would be planted along the tiered walls. An architectural colored rendering is included in the DRB plan set Sheet A006 – Front View, Northwest View.

The Applicant is proposing a new pool deck located to the west of the residence. New stairs with retaining walls would allow access from the driveway area up to the new pool deck. The retaining walls at the new pool deck area are minimal at 1-foot to 2-foot-high. An architectural colored rendering is included in the DRB plan set Sheet A006 – Side View, Southwest View.

Exterior Lighting:

Proposed exterior lighting would be downward directed and shielded bulbs limited to 2,700 Kelvins, which is consistent with the Design Guidelines. Proposed lighting specifications for wall-mounted light fixtures are included on the propose material board Sheet A-005, floor plans Sheet A-200 and A-201. Proposed landscape lighting would consist of 2,700 Kelvin pathway lights along the pathways around the home and rear yard. A Landscape Lighting Plan is included in Sheet LL-100. As proposed, the project would be consistent with the Design Guideline recommendation on exterior lighting.

Exterior Materials:

The proposed exterior materials include wood siding, dark metal fascias and window/door frames, glass balcony railings, dark gray brick retaining walls, and concrete finish walls. A colored rendering of the proposed development has been included on DRB plan set Sheet A-006, and material board on Sheet A-005 and LH-002.

Story Poles:

Story-poles illustrating the proposed remodel were placed on the subject property on or before January 13, 2026 with certification provided of their placement in accordance with the story-pole plan and matrix included in the DRB plans.

Exemptions from DMMC Requirements:

A Citizen Participation Program (DMMC 23.08) are not required due to the proposed addition attached to the existing two-story residence. A Coastal Development Permit (DMMC 30.75) is also not required for a residential remodel for property not located within the Coastal Commission's appeals jurisdiction.

CORRESPONDENCE:

As of the writing of this report, the Planning and Community Development Department has not received written correspondence regarding the project.

PROJECT'S CONSISTENCY WITH THE DESIGN REVIEW ORDINANCE:

Along with any findings required for other requested/required entitlements, DMMC Sections 23.08.072 through 23.08.080 (Design Review) include seven sets of "Regulatory Conclusions" the Design Review Board may address when reviewing an application for a Design Review Permit. Pursuant to Section 23.08.010 (B), "the Design Review Board shall fully consider the beneficial design impacts of a proposed project before analyzing the project for impacts that may violate the regulations" of the Design Review Ordinance. Section 23.08.070 stipulates that "an application project shall be approved unless the Design Review Board makes findings of fact based upon information presented during a public hearing can be made that the project as proposed will result in a conflict with one or more of the regulatory conclusions contained within the Design Review Ordinance."

Staff has analyzed the subject project relative to the applicable standards of the Design Review Ordinance (DMMC Chapter 23.08) and applicable Design Guidelines. The project includes a remodel and addition of an existing two-story residence. The project maintains a one-story appearance on Avenida Primavera (on the northern street section). The proposed 1.75-foot roof height increase over the existing living area would result in the two-story building height of 20.5-foot high. The addition on the northwest side of the residence would have a building height of approximately 23.4-foot-high (maximum project building height). The project incorporates varied roof planes and wall articulations on all building elevations and has minimized the total area of covered FAR-exempt areas to reduce bulk and mass of the structure. The remodeled residence would maintain existing finished floors on both levels and maintain plate heights at 10-foot-high or less.

The bathroom addition on the south side of the existing residence would project minimally from the existing building face located on the elevated portion of the site abutting Zuni Drive and would maintain a 20-foot setback distance from the edge of slope to avoid issues of apparent building height. The 495 square-foot total FAR-exempt covered patios on the lower level would comply with the Design Guideline and not exceed 10% of the project's maximum FAR. The upper balconies would all be open and not include roof coverings which would then add to the overall bulk of the structure.

Proposed retaining walls that are visible to the public would not exceed 4-foot-high and would include landscaping to soften and screen the walls. The project complies with Design Guideline recommendations for reducing structure height and mass and appears to be compatible with the scale and character of existing neighboring properties which are one- and two-story development.

Proposed yard improvements, exterior lighting, landscape and hardscape improvements, and grading quantities also comply with the Design Guideline recommendations to reduce and minimize adverse impacts to the neighborhood.

LAND CONSERVATION PERMIT LC25-001

Pursuant to DMMC Chapter 23.33, proposed grading exceeding 25 cubic yards (cut or fill) outside of the footprint of any structure and/or grading that results in a permanent property elevation change exceeding 18 inches, shall require approval of a Land Conservation Permit (LC).

DMMC Section 23.33.040 stipulates that a request for a LC Permit shall be approved unless the Design Review Board finds that the request conflicts with one or more of the following seven findings:

1. The proposed excavation or grading project is not in conformance with the Del Mar Municipal Code requirements.
2. The proposed excavation or grading project will force the topography to be subservient to the development of the site
3. The proposed excavation or grading project will endanger steep slopes through undue increases in weight or retained water thereby creating conditions which encourage slippage.
4. The excavation or grading project will alter the natural formations unnecessarily.
5. The excavation or grading project does not provide for the restoration of the natural state of the site, to the degree feasible.
6. The excavation or grading project does not minimize the loss of major vegetation, to the degree feasible.
7. The excavation or grading project will create major interruptions of the natural drainage patterns.

The project's grading plan depicts 285 CY of excavation (cut) at a maximum height of 7.9 feet high and 405 CY of fill grading at a maximum height of 8.33 feet located outside the structure's footprint for a project site totaling 22,097 square feet in area. No grading or topography alterations are proposed for the eastern and southwestern portion of the site.

The Applicant provided a Grading Exhibit on Sheet Civil 4 of the DRB planset to depict the areas of permanent landform alterations with color coded legend for areas of proposed grading quantities and depths. Based on the applicants proposed grading plan and grading exhibit, the majority of the

site grading would not exceed 3-feet in depth, with a limited area between 3-6 feet, and a very limited area between 6-8 feet high (cut grade for the turnaround area at new driveway, fill grade under the new front entry and at northwest corner of new pool deck).

The proposed grading would be performed to allow for the new front entry access walkway which would abate a structural nonconformity by removing the entry bridge located in the front yard setback. The proposed fill grade occurring between Avenida Primavera and the front entry is necessary for the required (new) access into the residence and would not be visible as the roadway would be located higher than the fill grade. The property currently has limited flat improved yard area located south of the residence. Fill grade is proposed to create the new pool deck area west of the residence and would be located approximately in the middle of the lot currently encumbered with the expansive asphalt driveway. The cut grading proposed for the driveway modification for the new garage would create a less steep driveway and reduce the expanse of driveway located in the middle of the property. All proposed retaining walls visible to the public would not exceed 4-foot high. Site grading is not proposed within the steep portions of the lot on the east and southwest sides.

Based on staff's review of the project relative to the DMMC criteria, staff finds the project would not conflict with the findings and therefore is recommending approval of the Land Conservation Permit.

TREE REMOVAL PERMIT TRP25-012

Pursuant to Chapter 23.50 of the DMMC, Torrey Pine, Monterey Cypress, and all tree species located within the public right-of-way are defined as "Protected" trees, requiring approval of a Tree Removal Permit (TRP) prior to removal. The Applicant proposes to remove one (1) Torrey Pine Tree located within the right-of-way abutting the property. Based on the Applicant's Landscape Plan, one replacement Torrey Pine Tree is proposed and would be located south of the residence.

The Torrey Pine tree proposed for removal is a single-trunk tree, approximately 20 to 25-feet-high with a circumference of approximately 57-inches, measured pursuant to the DMMC (at a point two-feet up from adjoining grade). The tree is currently located under power lines and near the driveway at Avenida Primavera.

The Applicant submitted an Arborist Report (see Exhibit B) regarding the subject tree and recommendation for removal based on its current condition, location under power lines and proximity to another (healthier) Torrey Pine, and past maintenance practices. The Applicant's arborist provides a summary of the tree's condition and notes that past utility pruning contributed to the tree's unnatural "candelabra" appearance and that the tree's natural branch structure will never be reclaimed and may increase its likelihood of failure. Lastly, the arborist stated that undergrounding the utility lines would impact the tree roots.

Section 23.50.080 of the DMMC prescribes criteria for approval of a TRP requiring to meet at least one of 10 criteria listed. Of the listed requirements and base on the Applicant's arborist report and the Applicant's willingness to plant one replacement Torrey Pine onsite, Section 23.50.080 (2), (3) and (9) are most applicable, and referenced below in italic font.

- 2. Crowded by other healthier protected trees; thinning (removal) would promote healthier growth in the trees to remain, as certified by a tree condition report from an arborist;*
- 3. Interfering with existing utilities and/or primary structures, as certified by a report from the public utility operator or a structural engineer;*
- 9. Voluntarily replaced in accordance with Subsection 23.50.090.A.1. The replacement tree(s) shall be indicated in a covenant on the property on which the tree(s) are located. The replacement tree(s) shall not be eligible for removal in accordance with this Code until it has attained a circumference of at least 20 inches when measured two feet above ground level;*

While the subject tree's health received a "good" rating by the Applicant's arborist, based on past topping of the tree affecting its natural branch structure and potentially affecting future health of the tree, it is in the arborist opinion the nearby healthier Torrey Pine tree would benefit from the removal of the subject tree. It was observed by the arborist that the nearby Torrey's branches have been trimmed to avoid intermingling with the subject tree. Therefore, finding (2) above is applicable and can be made to approve the TRP.

The Board should note that the City's Utility Undergrounding District X1A for the Crest Canyon area is currently in process and the power lines would be removed with trenching of new underground lines to occur near the middle of Avenida Primavera (and not directly underneath the existing lines). Based on staff's review with the Public Works Department and City Arborist, the undergrounding project occurring in proximity to this subject tree would avoid all critical root zones and it is anticipated would not adversely impact the subject tree. Any work occurring under the dripline/canopy of any protected tree would comply with the City's Tree Policy Manual, to include hand digging to avoid tree roots. Therefore, DMMC 23.050.080 (3) would not apply.

If the Board approves the TRP based on findings (2) for "crowding" and (3) voluntary replacement, DMMC 23.50.090-A allows the Board to apply mitigating conditions to either require onsite replacement planting or payment into the Tree's Mitigation Fund if onsite replacement is not suitable due to site constraints. The number of replacement tree is based on the Tree Mitigation Replacement Scale and for the subject single-trunk tree with a 57-inch circumference would be a 1:1 replacement ratio. The applicant is proposing to plant one

replacement Torrey Pine tree south of the residence and has depicted it on the Landscape Planting Plan, DRB plansheet LT100 and LP100.

Staff recommend that the Board approve TRP25-012 based on DMMC Section 23.50.080 (2) and (3) with mitigation for a 1:1 replacement ratio. Staff has included a recommended condition of approval Condition TM-2 in the draft DRB Resolution) with any approval of the project.

RECOMMENDATION

Pursuant to facts in the record, and the analysis conducted relative to the Regulatory Conclusions (with support as applicable by the Design Guidelines), the Project would not conflict with standards for approval, therefore, Staff recommends adoption of the attached, draft Resolution (Exhibit C), approving Design Review Permit DRB24-010, Land Conservation Permit LC25-001 and Tree Removal Permit TRP25-012 as proposed.

Respectfully Submitted,



Jean Crutchfield
Associate Planner

Exhibit A – Aerial Map
Exhibit B – Arborist Reports
Exhibit C – Draft Resolution

EXHIBIT A



December 16, 2025

Will & Fotsch Architects
1298 Prospect St., Suite 2S
La Jolla, CA 92037

RE: Torrey Pine Assessment / 545 Avenida Primavera

TreeLife performed a basic assessment on a Torrey pine (*Pinus torreyana*) at 545 Avenida Primavera. My assignment was to evaluate the condition of the subject tree; then document my observations, opinions, and recommendations in a written report.

TreeLife mapped the subject tree using ArborNote, an app accessible to anyone with an internet-ready device and connection. Please click on the following weblink to see an interactive version of the tree map: <https://link.arbor-note.com/maplink/7ECD9675-B797-4FCF-8F5849DEC616180A?marker=2>. Example photographs were included in Exhibit A, starting on page four.

Observations

- The subject tree (tag #688) was located at the front of the property, and under utility lines that ran parallel with Avenida Primavera. Its size was relatively small for the species.
- There were a variety of plants growing around the trunk and within the dripline of the subject tree. The trunk flare was not easily accessible for inspection.
- The subject tree appeared to be in relative *good* condition. Leaf size and quality was normal, but leaf density was fairly sparse.

- Crown / branching structure was *poor*. The tree had apparently been pruned regularly to clear and redirect new growth around and away from the lines. The central leader (dominant part of the upper crown) had been removed. See photo #1.
- Lower branches, that were growing outwards and away from the trunk, were competing for dominance. The crown was consequentially shaped like a candelabra.
- Trunk bleeding was observed; the oozing sap was red. See photo #2.
- Another Torrey pine was growing nearby, slightly behind and to the south of the subject tree. Their crowns were intermingling. The other pine had been pruned, but the central leader had not been removed. See photo #3.

Opinions

If and when a Torrey pine is pruned, it should be infrequent and focused on improving crown structure. This means all competing branches should be reduced — leaving the untouched central leader as the tallest part of the crown.

The aspect ratio of lower branches should be a third or smaller; no branch should be half the diameter of the trunk or larger. Unfortunately when trees are pruned to prevent growth from touching power lines, crown structure is destroyed and cannot be corrected. Utility pruning ultimately creates more problems that it helps. The likelihood of branch failure increases, pruning frequency increases, and tree condition generally decreases.

A more effective strategy to preserve tree condition and increase performance is to remove trees under power lines, and plant new trees where they can grow into a mature size and natural form without conflict or concern.

There were several potential planting locations where one or more replacement trees could be planted to replace the disfigured subject tree: <https://link.arbor-note.com/maplink/D5BACD0B-F712-4B9A-A8D3A7BCDBD9304D?marker=2>. It should be noted that the other Torrey pine would grow without crown conflict if the subject tree were removed.

Lastly, if and when the power-lines are put underground, the roots of the subject tree would be significantly injured. In particular, the tap root would be cut, and this would cause a whole host of problems that would combine with the existing crown injuries.

Recommendations

Based on crown structure and branching arrangement, the subject tree should be removed and replaced. Effective, efficient tree preservation strategies include tree removal and replacement. There are several locations on the property that would benefit from proper tree plantings.

The subject tree should be removed for a variety of reasons. It will never realize a mature size or structure because of the past pruning events. Because the tree was topped, the likelihood of branch failure increased, required pruning frequency has increased, and tree condition generally will decrease. And the roots will be significantly injured if utility lines are placed underground.

It should be noted that the nearby Torrey pine would benefit from the removal. It would “fill-in” the space where the subject tree was growing.

Lastly, we suggest removing any plants growing within the dripline of any tree. If the growing conditions improve around a tree, then the health and performance of the tree will also improve.

Please see Exhibit A for example photographs starting on the next page.

Thank you,

Bradley Brown
Board Certified Master Arborist #WE-7754B
Registered Consulting Arborist #511
Tree Risk Assessment Qualified

Exhibit A - Example Photographs

Photo #1



The red arrow points to the subject tree, which has been pruned to prevent the crown from conflicting with power-lines directly above the middle, most important portion of the tree's crown. The lower branches are becoming the main part of the crown because of the topping cuts.

Exhibit A - Example Photographs

Photo #2



The yellow arrow points to the red sap flowing from an injury. The injury could have been from something physically damaging the cambium, or something damaging a root which caused the trunk to bleed. Whatever the case, its probably related to the location of the tree.

Exhibit A - Example Photographs

Photo #3



If power-lines are to be placed directly underground, then they will go directly under the subject tree. This would likely damage a significant portion of the roots, further injuring and stunting the subject tree. Note: the other pine has a more natural and healthy-looking form.

Publications of Interest

American National Standards Institute. *American National Standard for Tree Care Operations - Tree, Shrub, and Other Woody Plant Management - Standard Practices (Pruning)*. New Hampshire: ANSI, 2017.

Bond, Jerry. *Urban Tree Health: A Practical and Precise Estimation Method*. New York: Urban Forest Analytics, 2012.

Costello, Larry R., Katherine Jones. *Reducing Infrastructure Damage By Tree Roots: A Compendium of Strategies*. Porterville, California: Western Chapter of the International Society of Arboriculture, 2003.

Dunster, Julian A., E. Thomas Smiley, Nelda Matheny, and Sharon Lilly. *Tree Risk Assessment Manual*, 2nd edition. Illinois: International Society of Arboriculture, 2017.

Gilman, Edward F., *An Illustrated Guide to Pruning*, third edition. Clifton Park NJ: Delmar, Cengage Learning, 2012

Gilman, Edward F., Brian Kempf, Nelda Matheny, and Jim Clark. *Structural Pruning: A Guide for the Green Industry*. Visalia, California: Urban Tree Foundation, 2013.

Edward Gilman and Sharon Lilly. *Best Management Practices: Tree Pruning*, 3rd edition. Illinois: International Society of Arboriculture, 2019.

Harris, Richard W., James R. Clark, and Nelda P. Matheny. *Arboriculture: Integrated Management of Landscape Tree, Shrubs, and Vines*. New Jersey: Prentice Hall, 2004.

Hodel, Donald R., *The Biology and Management of Landscape Palms*. The Briton Fund Inc. Porterville, California: Western Chapter of the International Society of Arboriculture, 2012.

Shigo, Alex A., *A New Tree Biology*. New Hampshire: Shigo and Trees, Associates, 1986.

Smiley, Thomas E., Nelda Matheny, and Sharon Lilly. *Best Management Practices: Tree Risk Assessment*. Illinois: International Society of Arboriculture, 2011.

Urban, James. *Up By The Roots: Healthy Soils and Trees in the Built Environment*. Illinois: International Society of Arboriculture, 2008.

Watson, Gary W., E.B. Himelick. *The Practical Science of Planting Trees*. Illinois: International Society of Arboriculture, 2013.

Disclosure Statement

Arborists are tree specialists who use their education, knowledge, training and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk of living near trees.

- Clients may choose to accept or disregard the recommendations of the arborist, or to seek additional advice.
- Arborists cannot detect every condition that could possibly lead to the structural failure of a tree.
- Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden in trees and below ground.
- Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, any remedial treatments, like any medicine, cannot be guaranteed.
- Treatment, pruning and removal of trees may involve considerations beyond the scope of the arborists' services such as property boundaries, property ownership, site lines, disputes between neighbors, and other issues. Arborists cannot take such considerations into account unless complete and accurate information is disclosed to the arborist. An arborist should then be expected to reasonably rely upon the completeness and accuracy of the information provided.
- To live near trees is to accept some degree of risk. Trees can be managed, but they cannot be controlled.
- The only way to eliminate all risk associated with trees is to eliminate all trees.
- Tree preservation is the spirit of arboriculture.

Assumptions and Limiting Conditions

Any legal description provided to the consultant is assumed to be correct.

Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible; however, the consultant can neither guarantee nor be responsible for the accuracy of information provided by others.

Loss or alteration of any part of this report invalidates the entire report.

Possession of this report or a copy thereof does not imply the right of publication or use for any purpose outside of this proceeding without expressed written consent of the consultant.

Neither all nor any part of the contents of this report, nor copy thereof, shall be conveyed by anyone, including the client, to the public through advertising, public relations, news, sales, or other media, without prior expressed written or verbal consent of the consultant particularly as to value conclusions, identity of the consultant, or any reference to any professional society or institute or to any initialed designation conferred upon the consultant as stated in his qualifications.

This report and values expressed herein represent the opinion of the consultant, and the consultant's fee is no way contingent upon the reporting of a specific value, a stipulated results, the occurrence of a subsequent event, nor upon any finding to be reported.

Sketches diagrams, graphs, and photographs in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering or architectural reports or surveys.

Unless expressed otherwise:

- (1) information contained in this report covers only those items that were examined and reflects the condition of those items at the time of the inspection:
- (2) the inspection is limited to visual examination of accessible items without dissection, excavation, probing or coring, unless otherwise specified. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the plants or property in question may not arise in the future.

Certification of Performance

I, Bradley Michael Brown, certify that:

I have no current or prospective interest in the vegetation or the property that is the subject of this report and no personal interest or bias with respect to the parties involved.

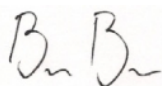
The analysis, opinions, and conclusions stated herein are my own and based on current scientific procedures and facts.

My analysis, opinions, and conclusions were developed and this report has been prepared according to commonly accepted arboriculture practices.

No one provided significant professional assistance to me, except as indicated within the report.

My compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party nor upon the results of the assessment, the attainment of stipulated results, or the occurrences of any subsequent events.

I further certify that I am a life-member of the International Society of Arboriculture (ISA), a good-standing member of the Western Chapter of the ISA, and an active member of the American Society of Consulting Arborists (ASCA). I have been involved in the field of Arboriculture in a full-time capacity for a period of more than twenty years.



December 16, 2025

Signature

Date



June 14, 2025

Will & Fotsch Architects
1298 Prospect St., Suite 2S
La Jolla, CA 92037

RE: TREE PRESERVATION & PROTECTION PLAN - 545 AVE. PRIMAVERA

Tree Life (Arborist) has prepared a Tree Protection Plan for construction activities at 545 Avenida Primavera in Del Mar, California. A total of (5) trees were assessed and mapped using Arbor-Note®. Data fields included species, condition, and trunk diameter at standard height.

Our assignment was to conduct a visual assessment of the subject trees and surrounding site. Provide written report to minimize construction impact to subject trees. Includes Tree Protection Zone specifications, work and site-access limitations, and other tree preservation recommendations.

Tree Protection Zone Guidelines are in Pages 2-6.

Exhibit A: Table listing the subjects trees is on Page 7.

Exhibit B: Arbor Note® map-link for trees is on Page 8.

Exhibit C: Example photographs on Pages 9-18.

Please call Butch at (858) 967-2420 with any questions.

TREE LIFE

A handwritten signature in blue ink, appearing to read 'Laurel'.

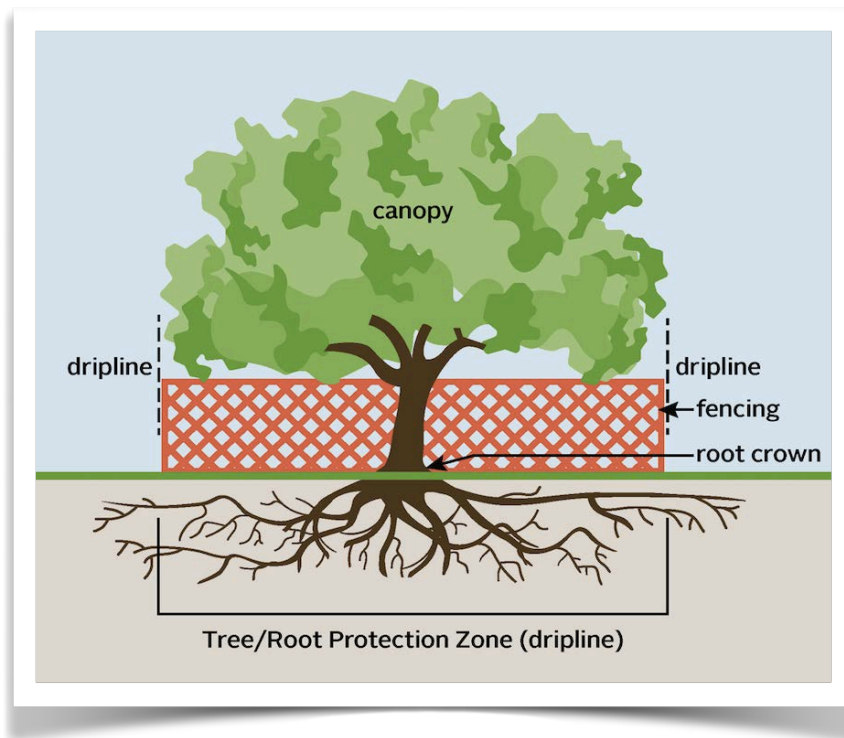
Laurel Everett, Jr.
ISA Certified Arborist # WE-4233A
Registered Consulting Arborist #562
ISA Tree Risk Assessor Qualified (TRAQ)

Tree Protection Guidelines

Tree Protection Zones

A Tree Protection Zone (TPZ) is defined as the area surrounding trees to be protected during construction/renovation. Temporary fencing is erected to physically restrict access into the TPZ. No activities should occur within a TPZ without consulting with the Arborist.

TPZ's generally have a round shape, with the tree being at the center. They can be as wide as the drip-line if the crown is decurrent (i.e. broad form). See example picture below for an ideal-sized protection zone for a decurrent crown.



However, the drip-line sized TPZ shown above may not always be feasible in some situations. The TPZ may need to be as small as possible based on construction plans. Or the TPZ may need to be outside the drip-line when a crown has an irregular or excurrent (i.e. narrow) form. Therefore, the radius of a TPZ can be determined by using a combination of trunk diameter at standard height (DSH), species, tolerance to construction, and existing health and site conditions.

Pre-Construction Recommendations

To maintain / improve tree vigor:

- I. Remove all shrubs and ground cover within the drip-line of each tree. Do not remove or add any dirt.
- II. Provide supplemental water to the trees at least thirty days before construction work begins.
- III. Irrigate (deep water) once a month until completion of project; irrigate one time a month after completion of project.
 - Duration shall be long enough to penetrate 18” into the soil without run-off.
 - Light, frequent applications shall be avoided.
 - Water used shall be clean, potable water from a reliable source.
- IV. Uniformly apply a 3-inch thick layer of organic mulch within drip-lines. If concrete, grass, or structures are within a drip-line, then apply mulch on the beds containing the trees. Do not allow mulch to touch tree trunks. Do not exceed suggested thickness of mulch layer.
 - Preferred Mulch Type: Medium or large, natural wood chips (1-inch diameter or larger).
 - Mulch should not contain deleterious materials, animal waste, sludge waste, lumber, or C&D wood by-products, trash and debris.
- V. There shall be a pre-construction meeting where the Arborist can be sure everyone fully understands the tree protective measures for the project.

Specific Recommendations for Tree Preservation and Protection

Establish the TPZ around each tree before construction begins. The radius of each TPZ can be found on page seven in Exhibit A.

Once established, TPZ’s shall not be altered or disturbed for the duration of construction unless discussed with and approved by the Arborist prior to any changes being made.

Tree Protection Fencing

Fencing demarcating the TPZ should be placed around the trees to be protected, with distances from trunk as specified above and on page seven.

Protective fencing specifications are:

- I. 4' orange mesh, plastic barrier safety fencing. No access gates are needed.
- II. 2' wooden or metal support posts shall be driven into the ground at least two feet in depth around each tree. Care shall be taken to avoid causing any root damage.

Install protective fencing before any construction materials or equipment are brought on the site and construction begins. Installation of the protective fencing shall comply with manufacturer's written instructions.

Other Protection Considerations

If foot-traffic within the TPZ is required during the construction process, the route shall be covered by plywood sheets. No vehicle access is permitted unless approved by Arborist.

No equipment or debris of any kind shall be placed within the protective barriers of each TPZ. No fuel, paint, solvent, oil, thinner, asphalt, cement, grout, or any other construction material shall be stored or allowed in any manner to enter within the TPZ.

Do not direct vehicle or equipment exhaust towards protection zones. Prohibit heat sources, flames, ignition sources, and smoking within or near protection zones.

Trenching Outside Protection Zones

Where utility trenches are required outside protection zones, cut only smaller roots (less than an inch in diameter) that interfere with installation of utilities.

If larger roots (greater than an inch in diameter) are exposed, root pruning shall not be attempted by untrained construction personnel, but shall be performed by qualified tree care professionals approved by the Arborist.



Cutting roots larger than one inch shall be under the supervision of the Arborist. If approved by the Arborist, roots shall be cleanly saw-cut; do not break, tear, chop, or slant the cuts. Do not use a backhoe or other equipment that rips, tears, or pulls roots.

Once roots are cut, they should be covered with soil within 15-minutes. Backfill and add water to soak. Do not allow exposed roots to dry-out.

If the trench cannot be backfilled immediately, provide temporary earth-cover or wrap with moist burlap. Water and maintain a moist condition. Backfill trench as soon as possible.

After backfilling, excess soil above original grade shall be removed from the site.

Trenching Inside Protection Zones

Trenching and root pruning is not allowed within the TPZ unless approved by the Arborist.

Please call Butch at (858) 967-2420 if such activities are being considered.

Where trenching is approved within a TPZ, only low-pressure pneumatic tools (e.g. air spade) shall be used to expose roots without causing significant damage. No other types of excavation tools shall be used unless approved by the Arborist.

When using a low-pressure pneumatic tool, plywood sheets should be setup to contain the soil in an area near the trench. After backfilling, excess soil above original grade shall be removed from the TPZ entirely.

Supplemental Water

Irrigate the trees once every thirty days during the entire renovation project. Duration shall be long enough to penetrate 18 inches into the soil without runoff. Depending on the flow rate of the system this may take between one and two hours.

Light, frequent irrigation applications shall be avoided.

Water used shall be clean potable water from a reliable source.



Tree Pruning

If pruning is required to accomplish a specific objective, then adhere to the following pruning guidelines: Tree Life Pruning Specifications, 2019 ISA Best Management Practices, and current ANSI A300 standards.

Crown pruning shall not be attempted by untrained construction personnel, but shall be performed by a qualified tree care professional or a certified tree care worker approved by the Arborist.

Protection Zone Signage

Install provided Tree Protection Zone signage in visibly prominent locations in a manner approved by job supervisor.

Install one sign approximately every 5 feet on protection zone fencing, but no fewer than four signs with each facing a different direction.

Maintain protection zone fencing and signage in good condition as acceptable to job supervisor.

Project Monitor

Monitoring by the Arborist shall take place at the following times:

- Arborist shall be notified PRIOR to any root pruning or tree pruning.
- Prior to and during any required excavation within the TPZ or any required pruning operations.

Post-Completion

Once renovation work is complete and equipment has been removed from the site, carefully remove TPZ fencing.

Please contact the Arborist for final review once the construction has been completed.

Exhibit A - Tree Inventory

ID	Species	Health	TPZ Radius	Notes
1	Pinus torreyana	60% - Fair	76"	Overhead utility conflict. Bark beetle presence.
2	Pinus torreyana	60% - Fair	96"	Canopy utility conflict. Bark beetle presence.
7	Pinus torreyana	80% - Good	44"	Canopy utility conflict.
22	Hesperocyparis macrocarpa	80% - Good	75"	Dead stem not included in DSH. See photos.
39	Pinus torreyana	0% - Dead	0"	Dead. No protection needed. Bark beetle infestation.

The TPZ Radius number (in inches) represents the distance from the trunk where the fencing should be placed.

Exhibit B - Arbor Note® Map



Click the link below for an interactive version of the map:

<https://link.arbor-note.com/maplink/E1A1131F-70AA-465A-AF9ABACD2FAA0635?marker=1>

Exhibit C - Example Photographs



Photo # 1 - Tree # 1 was planted in an inappropriate location. It will never be able to grow to maturity with an overhead utility conflict. Protecting in place may be re-considered once location is reviewed.



Photo # 2 - Tree # 1 had signs of bark beetle infestations. This would be expected in a tree with excess pruning to reduce the overhead conflict. If this tree is be retained, it should be treated to suppress the bark beetle activity. Poor location and pest presence garnered “fair” health rating.

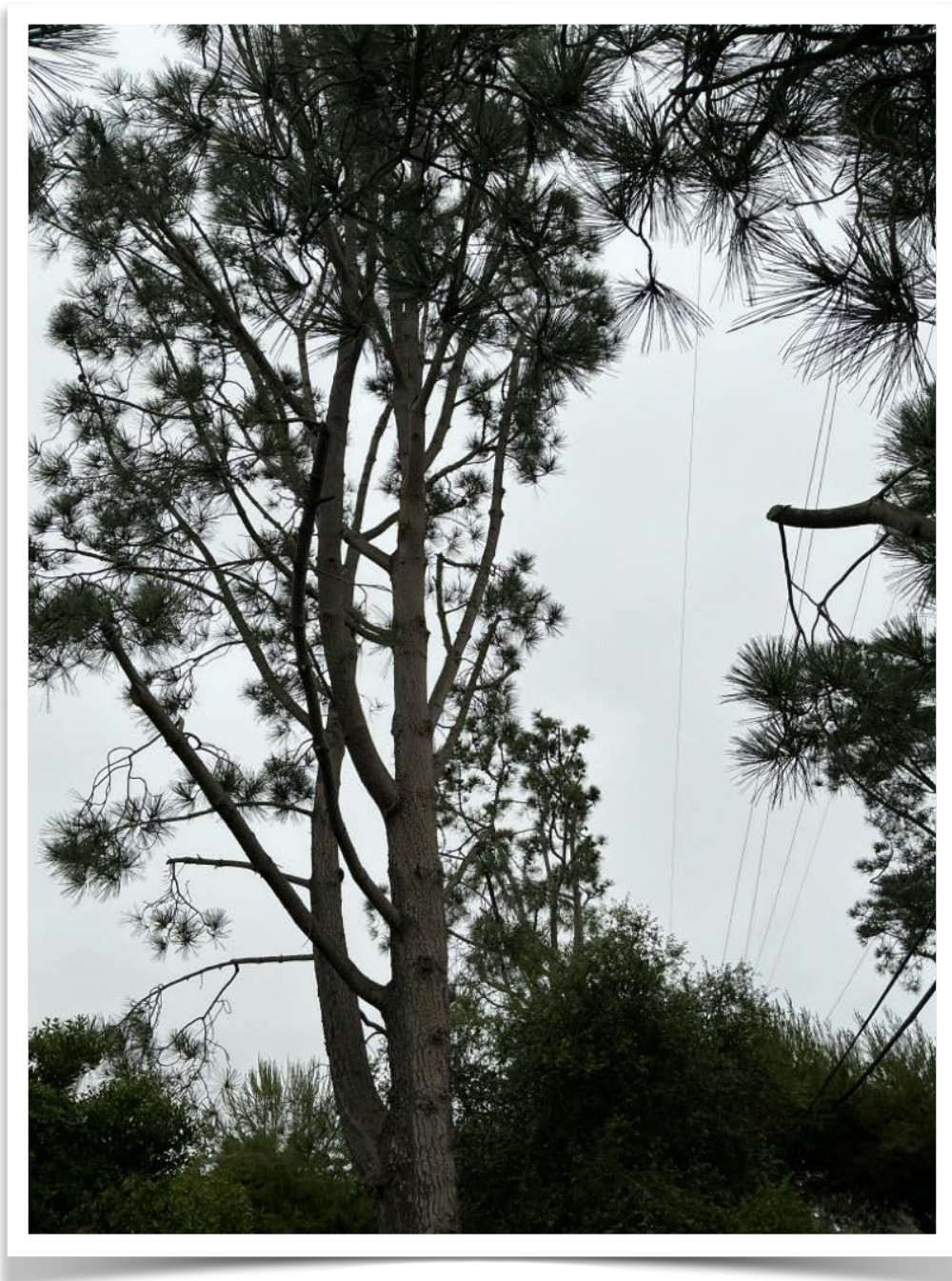


Photo # 3 - Tree # 2 was planted in an inappropriate location. While there is not an overhead conflict, there is a conflict on the west side. This tree was planted too close to utilities. Protecting in place may be re-considered once location is reviewed.

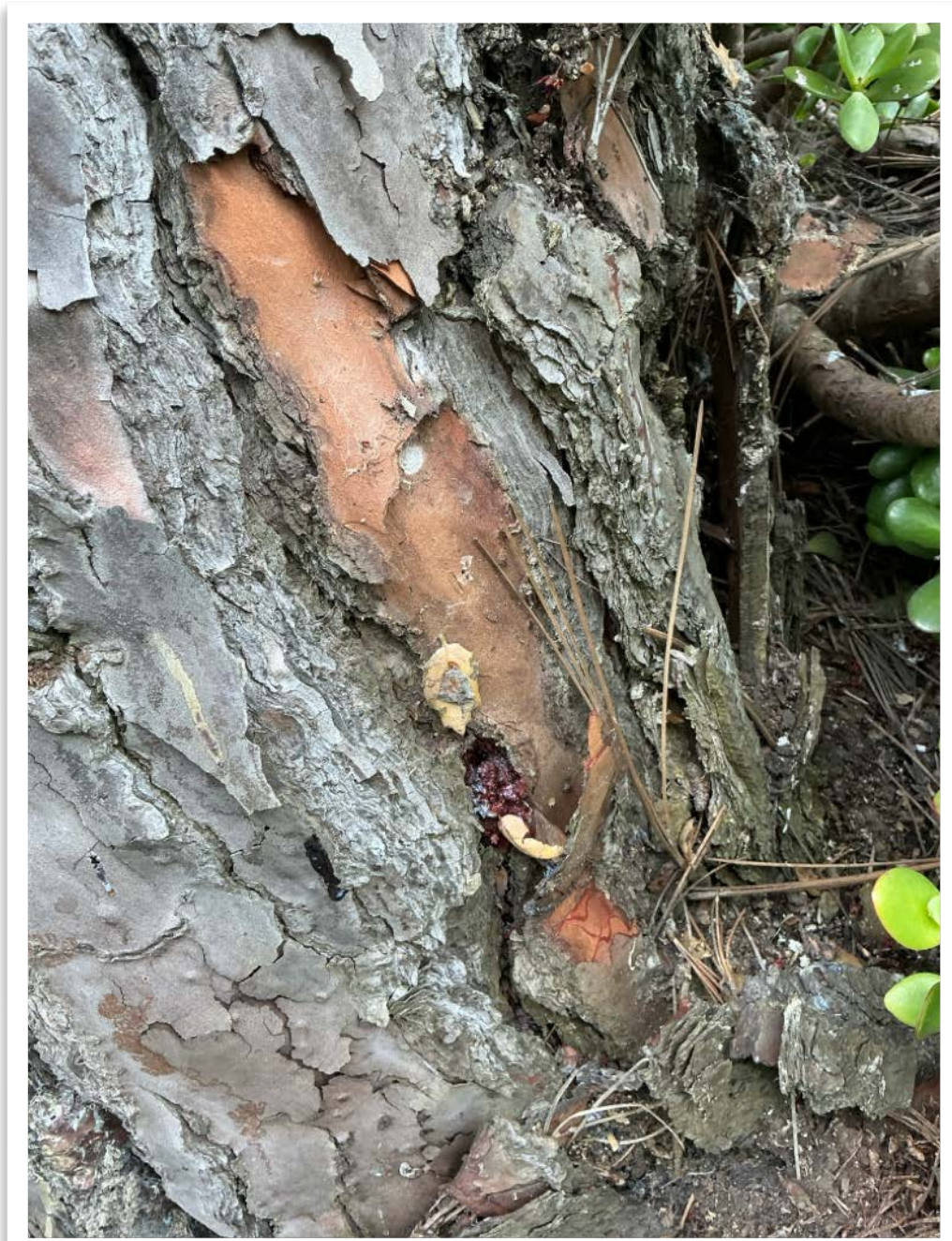


Photo # 4 - Tree # 2 had signs of bark beetle infestations. This would be expected in a tree with excess pruning to reduce the conflict. If this tree is to be retained, it should be treated to suppress the bark beetle activity. Poor location and pest presence garnered “fair” health rating.

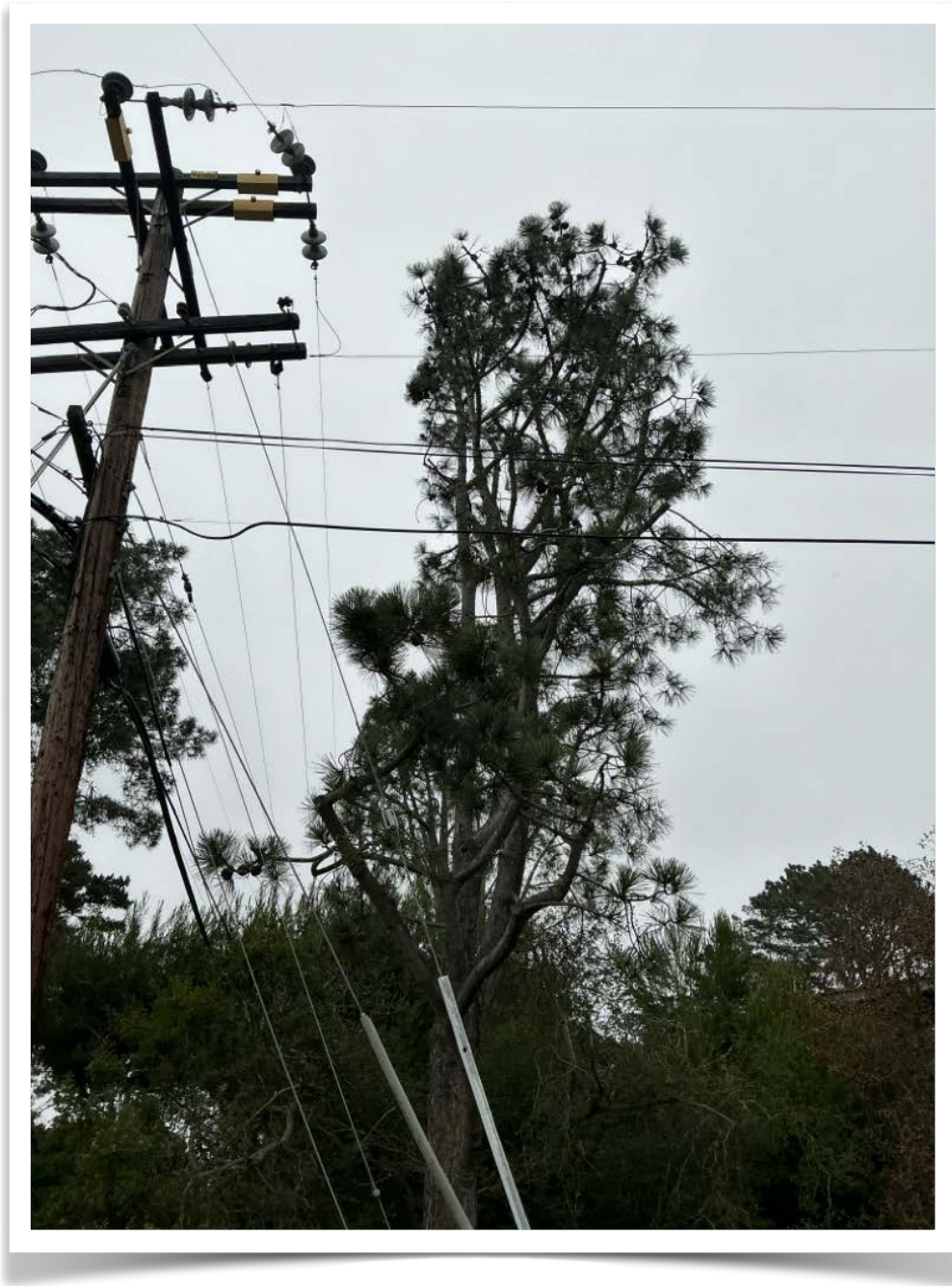


Photo # 5 - Tree # 7 was planted farther east, yet still in an inappropriate location. While there is not an overhead conflict, there is a conflict on the west side. The amount of pruning required to clear may not negatively affect tree health, but should be regularly monitored. Better location and lack of pests presence garnered “good” health rating.



Photo # 6 - Tree # 22. The Monterey cypress was in a good location, had no pest issues and was healthy on the day of assessment. There is a dead, co-dominant stem piece on the north side. This piece was not included in the DSH measurements.



Photo # 7 - Tree # 22. There is a dead, co-dominant stem piece on the north side. This piece was not included in the DSH measurements. Note how the stem is detached from the parent stem. This stem was reduced several years ago based on the appearance.



Photo # 8 - There is a damaged retaining wall several feet from the Monterey cypress. In my opinion, this damage is from the soil above pushing it out. Not the tree lifting it. I do not think roots are under the footing.



Photo # 9 - Tree # 39 is dead and should be removed rather than protected in place. It is heavily infested with bark beetles.



Photo # 10 - Tree # 39. Note all the bark beetles hits along the bole of the tree. This tree should be removed ASAP to prevent the pest issues from spreading.

PUBLICATIONS OF INTEREST

American National Standards Institute. *American National Standard for Tree Care Operations - Tree, Shrub, and Other Woody Plant Management - Standard Practices (Pruning)*. New Hampshire: ANSI, 2017.

Bond, Jerry. *Urban Tree Health: A Practical and Precise Estimation Method*. New York: Urban Forest Analytics, 2012.

Costello, Larry R., Katherine Jones. *Reducing Infrastructure Damage By Tree Roots: A Compendium of Strategies*. Porterville, California: Western Chapter of the International Society of Arboriculture, 2003.

Dunster, Julian A., E. Thomas Smiley, Nelda Matheny, and Sharon Lilly. *Tree Risk Assessment Manual*, 2nd edition. Illinois: International Society of Arboriculture, 2017.

Gilman, Edward F., Brian Kempf, Nelda Matheny, and Jim Clark. *Structural Pruning: A Guide for the Green Industry*. Visalia, California: Urban Tree Foundation, 2013.

Edward Gilman and Sharon Lilly. *Best Management Practices: Tree Pruning*. Illinois: International Society of Arboriculture, 2008.

Harris, Richard W., James R. Clark, and Nelda P. Matheny. *Arboriculture: Integrated Management of Landscape Tree, Shrubs, and Vines*. New Jersey: Prentice Hall, 2004.

Hodel, Donald R., *The Biology and Management of Landscape Palms*. The Briton Fund Inc. Porterville, California: Western Chapter of the International Society of Arboriculture, 2012.

Matheny, Nelda P., James R. Clark. *Trees and Development: A Technical Guide to Preservation of Trees During Land Development*. Illinois: International Society of Arboriculture, 1998.

Shigo, Alex A., *A New Tree Biology*. New Hampshire: Shigo and Trees, Associates, 1986.

Smiley, Thomas E., Nelda Matheny, and Sharon Lilly. *Best Management Practices: Tree Risk Assessment*. Illinois: International Society of Arboriculture, 2011.

Urban, James. *Up By The Roots: Healthy Soils and Trees in the Built Environment*. Illinois: International Society of Arboriculture, 2008.

Watson, Gary W., E.B. Himelick. *The Practical Science of Planting Trees*. Illinois: International Society of Arboriculture, 2013.

DISCLOSURE STATEMENT

Arborists are tree specialists who use their education, knowledge, training and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk of living near trees.

- Clients make choose to accept or disregard the recommendations of the arborist, or to seek additional advice.
- Arborists cannot detect every condition that could possibly lead to the structural failure of a tree.
- Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden in trees and below ground.
- Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, any remedial treatments, like any medicine, cannot be guaranteed.
- Treatment, pruning and removal of trees may involve considerations beyond the scope of the arborists services such as property boundaries, property ownership, site lines, disputes between neighbors, and other issues. Arborists cannot take such considerations into account unless complete and accurate information is disclosed to the arborist. An arborist should then be expected to reasonably rely upon the completeness and accuracy of the information provided.
- To live near trees is to accept some degree of risk. Trees can be managed, but they cannot be controlled.
- The only way to eliminate all risk associated with trees is to eliminate all trees.
- Tree preservation is the spirit of arboriculture.



ASSUMPTIONS & LIMITING CONDITIONS

Any legal description provided to the consultant is assumed to be correct.

Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible; however, the consultant can neither guarantee nor be responsible for the accuracy of information provided by others.

Loss or alteration of any part of this report invalidates the entire report.

Possession of this report or a copy thereof does not imply the right of publication or use for any purpose outside of this proceeding without expressed written consent of the consultant.

Neither all nor any part of the contents of this report, nor copy thereof, shall be conveyed by anyone, including the client, to the public through advertising, public relations, news, sales, or other media, without prior expressed written or verbal consent of the consultant particularly as to value conclusions, identity of the consultant, or any reference to any professional society or institute or to any initialed designation conferred upon the consultant as stated in his qualifications.

This report and values expressed herein represent the opinion of the consultant, and the consultant's fee is no way contingent upon the reporting of a specific value, a stipulated results, the occurrence of a subsequent event, nor upon any finding to be reported.

Sketches diagrams, graphs, and photographs in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering or architectural reports or surveys.

Unless expressed otherwise: (1) information contained in this report covers only those items that were examined and reflects the condition of those items at the time of the inspection: and (2) the inspection is limited to visual examination of accessible items without dissection, excavation, probing or coring, unless otherwise specified. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the plants or property in question may not arise in the future.



CERTIFICATE OF PERFORMANCE

I, Laurel Everett, Jr., do certify:

- That I have personally inspected the tree(s) and the property referred to in this report and report my findings accurately;
- That I have no current or prospective interest in the tree(s) or property that is subject of this report;
- That I have no personal interest or bias with respect to the parties involved;
- That the analysis, opinions or conclusions stated in this report are my own and based on scientific procedures and facts;
- That my analysis, opinions and conclusions were developed and this report has been prepared according to commonly adopted arboricultural standards;
- That no one provided significant professional assistance to me except as stated in the report;
- That my compensation is not contingent upon reporting a predetermined conclusion that favors the cause of the client or any other party;

I further certify I am a member in good standing with the American Society of Consulting Arborists and the International Society of Arboriculture.

June 14, 2025

TREE LIFE

Laurel Everett, Jr.
ISA Certified Arborist # WE-4233A
Registered Consulting Arborist #562
ISA Tree Risk Assessor Qualified (TRAQ)

A RESOLUTION OF THE DESIGN REVIEW BOARD OF THE CITY OF DEL MAR, APPROVING DESIGN REVIEW PERMIT DRB24-010, LAND CONSERVATION PERMIT LC25-005 AND TREE REMOVAL PERMIT TRP25-012 TO REMODEL THE EXTERIOR OF AN EXISTING 2,279 SQUARE-FOOT, TWO-STORY RESIDENCE WITH A 428 SQUARE-FOOT ATTACHED GARAGE. PROPOSED IMPROVEMENTS INCLUDE: CONSTRUCTION OF 919 SQUARE-FOOT ADDITION; CONVERSION OF THE 428 SQUARE-FEET EXISTING GARAGE AND 783 SQUARE-FEET CRAWLSPACE TO HABITABLE SPACE; CONSTRUCTION OF A NEW 497 SQUARE-FOOT ATTACHED GARAGE; CONSTRUCTION OF 288 SQUARE-FEET OF ADDITIONAL COVERED PATIOS AND 440 SQUARE-FEET OF ADDITIONAL OPEN BALCONY/DECK ON THE MAIN LEVEL; MODIFICATIONS TO WINDOWS AND DOORS; CONSTRUCTION OF A NEW POOL, SPA AND ASSOCIATED MECHANICAL EQUIPMENT; SITE GRADING AND NEW RETAINING WALLS; INSTALLATION OF NEW EXTERIOR LIGHTING, LANDSCAPE, HARDSCAPE, FENCING AND SITE IMPROVEMENTS; AND THE REMOVAL OF ONE TORREY PINE TREE.

Assessor Parcel Number (APN): 299-260-39-00

WHEREAS, Urszula Tuszewicka, (Applicant) is the owner of real property commonly referred to as 545 Avenida Primavera (APN 299-260-39-00) (Property); and

WHEREAS, the Applicant filed applications for Design Review (DRB254-010), Land Conservation Permits (LC25-005) and Tree Removal Permit (TRP25-012) (COLLECTIVELY REFERRED TO AS “PROJECT”) to remodel the exterior of an existing 2,279 square-foot, two-story residence with a 428 square-foot attached garage. Proposed improvements include: construction of 919 square-foot addition; conversion of the 428 square-feet existing garage and 783 square-feet crawlspace to habitable space; construction of a new 497 square-foot attached garage; construction of 288 square-feet of additional covered patios and 440 square-feet of additional open balcony/deck on the main level; modifications to windows and doors; construction of a new pool, spa and associated mechanical equipment; site grading and new retaining walls; installation of new exterior lighting, landscape, hardscape, fencing and site improvements; and the removal of one Torrey Pine tree located adjacent to subject driveway located abutting Avenida Primavera on property located within the R1-10 Zone at 545 Avenida Primavera, Del Mar, California; and

WHEREAS, the Project constitutes a request as provided by Title 23 of the Del Mar Municipal Code (DMMC); and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) and the City’s adopted CEQA Supplemental Regulations, the Project has been found to be Categorically Exempt pursuant to Categorically Exempt per Section 15303 (a) (Class 3 – New Construction or Conversion of Existing Structures) in that the Project proposes the construction of one new single-family dwelling (unit), and further; that none of the six exceptions to the use of a Categorical Exemption are applicable (Guidelines Section 15300.2); and

WHEREAS, the project would involve a remodel/addition to an existing single-unit dwelling in the “Low Density Residential (R1-10) Zone. Therefore, approval of the requested discretionary development applications would have no impact on the City of Del Mar’s housing supply or housing affordability; and

WHEREAS, on January 28, 2026, the Design Review Board (DRB) of the City of Del Mar held a duly noticed public hearing to review the referenced Project, and at which time all persons desiring to be heard were heard; and

WHEREAS, evidence was submitted and considered to include without limitation:

- a. Project plans submitted by the Applicant
- b. Written information submitted with the application
- c. Oral testimony from City staff, the Applicant and the public
- d. Staff Report, dated January 28, 2026, which is incorporated by this reference as though fully set forth herein
- e. Additional information submitted during the hearing (if any); and

WHEREAS, DMMC Section 23.08.070 provides that a request for a Design Review Permit shall be approved unless the Design Review Board makes findings of fact based upon information presented during a public hearing that support one or more of the Regulatory Conclusions set forth therein; and

WHEREAS, Section 23.33.040 of the Land Conservation Permit Ordinance provides that an application for a Land Conservation Permit shall be approved unless the Design Review Board makes one or more of the findings set forth in the Ordinance; and

WHEREAS, the Tree Ordinance provides that a determination granting approval or condition approval of a Tree Removal Permit shall be supported by findings set forth in DMMC Section 30.50.080-C; and

NOW, THEREFORE, BE IT RESOLVED by the Design Review Board of the City of Del Mar as follows:

Section 1: Design Review Permit

Based upon the evidence presented at the public hearing on January 28, 2026 including written and oral staff reports, public written testimony, Applicant’s and Applicant’s representative’s written and oral testimony, and in accordance with DMMC Section 23.08.070, the Design Review Board of the City of Del Mar finds that the Project, as conditioned, will not be detrimental to the Community based on the Regulatory Conclusions Sections of DMMC Chapter 23.08 (Design Review).

Section 3: Land Conservation Permit

Based upon the substantial evidence presented at the public hearing on January 28, 2026, including written and oral staff reports, public written and oral testimony, Applicant and Applicant's representative's written and oral testimony, and in accordance with DMMC Section 23.33.020, the Design Review Board of the City of Del Mar finds that the Project will not be detrimental to the Community based on its conformance with DMMC Chapter 23.33 (Land Conservation).

Section 4: Tree Removal Permit

Based upon the substantial evidence presented at the public hearing on January 28, 2026, including written and oral staff reports, public written and oral testimony, Applicant and Applicant's representative's written and oral testimony, and in accordance with DMMC Section 23.50.080, the Design Review Board of the City of Del Mar finds that the Project will not be detrimental to the Community based on its conformance with DMMC Chapter 23.50 (Trees).

NOW, THEREFORE, BE IT FURTHER RESOLVED by the DRB, that Design Review Permit DRB24-010, Land Conservation Permit LC25-001 and Tree Removal Permit TRP25-012 are hereby approved subject to the following conditions:

GENERAL CONDITIONS

*** Any gaps in numbering are intentional*

G-1 *[Business License]*

Prior to commencement of any work on site, all contractors and subcontractors shall obtain a valid City of Del Mar Business License. The general contractor shall be responsible for ensuring that all subcontractors obtain the required Business License and shall retain copies of said permits on site for verification by City staff.

G-2 *[Utility Undergrounding Threshold]*

If the total cost of new construction exceeds \$7,500 (as determined by the Building Department), all new utility service connections shall be placed underground consistent with the provisions of Section 30.86.210 of the Del Mar Municipal Code.

G-3 *[Development Authorization Limited to Plan-Set]*

This permit is granted based on submitted plans dated **January 28, 2026**, by the Planning and Community Development Department and so identified by the staff of the Del Mar Planning and Community Development Department. Revisions to these plans and/or any proposals for modification shall require review and prior authorization from the appropriate entities of the City of Del Mar.

G-4 *[Encroachment Permit for Work in the Public Right-of-Way]*

Any work proposed or required within a City of Del Mar public right-of-way or access easement, or required within a public right-of-way or access easements pursuant to the conditions of approval of this Permit, shall be subject to the prior receipt of a City of Del Mar Encroachment Permit.

Applications for Encroachment Permits shall include plans depicting all proposed private and public improvements including, but not limited to, improvements involving drainage, grading and/or public utilities. The required Encroachment Permit shall be subject to review and approval by the City of Del Mar in accordance with the procedures set forth in the DMMC and may include requirements for inspections and/or submittal of a security deposit(s). Please note that Design Review Board or Planning Commission approval of plans indicating right-of-way improvements does not constitute approval of the separately required Encroachment Permit.

G-5 *[Requirement for Building Permits]*

Prior to commencement of work, the Applicant or agent shall obtain all required Building Permits. **The applicant shall include in the scope of work, the pool that was previously filled-in located to the south of the residence.**

G-6 *[Construction and Demolition Waste Recycling Requirement]*

Owners and builders generating any construction and demolition debris on a project must comply with the minimum requirements regarding recycling or reuse for salvage set forth in the 2016 California Green Building Standards Code, Title 24, Part 11. This includes, but is not limited to, the submittal of a Construction Waste Management Plan and a minimum diversion of 65 percent of non-hazardous construction and demolition waste. Signage shall be posted on-site with information identifying materials to be diverted.

G-7 *[Code Compliance]*

Approval of this application shall not waive the requirement for compliance with the provisions of the Del Mar Municipal Code or other applicable City regulations in effect at the time of Building Permit issuance, unless specifically waived in this permit authorization.

G-8 *[Height Certification Prior to Framing Sign-Off]*

A framing inspection by the Planning Community Development Department shall be required prior to the Building Department framing inspection for the Project. At that time, the Applicant shall provide a statement from a Licensed Surveyor certifying that the building height is in conformance with the approved plans for the Project. The survey required herein shall be prepared using City of Del Mar approved vertical benchmarks for building height certification and reported to 0.01 of a foot.

G-9 *[Story Pole Removal]*

Story poles shall be removed from the property within 10 calendar days following the date of the City's final action on the Project.

G-10 *[Plan for Construction-Phase Impacts]*

Prior to issuance of Building Permits or commencement of Project implementation (whichever comes first), the Applicant shall provide a plan for construction-phase parking and equipment/materials storage for the Project. The plan must include the following:

- a. Identification of an on-site material storage location;
- b. Identification of an on-site equipment storage location;

- c. Identification of at least two on-site parking space which will remain available throughout the duration of the Project;
- d. Location of any temporary sanitary facilities;
- e. A note stating that “If on-street parking is utilized, a minimum street access clearance of 20ft. will be maintained”;
- f. Map displaying any/all haul routes; and
- g. Contact information (phone number and Email) for the on-site supervisor(s);
 1. This information must also be posted on-site in a location which is readily visible from the public right-of-way for the duration of the Project.

The plan required herein shall be subject to the review and written approval of the Planning and Community Development Director, working in consultation with Parking Enforcement and Public Works Departments. Haul routes and work and/or storage of material or equipment within a City right-of-way will require the receipt of an Encroachment Permit. The requirements mentioned above may be modified by the Planning and Community Development Director upon a determination that sufficient alternatives have been proposed which achieve a similar level of compliance.

G-10A In addition to the submittal of a Construction Phase Impact Plan, the Applicant must place a Construction Parking Placard in all vehicles associated with the Project which will be parked off-site. The placard must remain in plain view on the dashboard of the vehicle throughout the duration of the Project. A Construction Parking Placard can be obtained from the City of Del Mar Planning Department.

G-12 [*Permit Expiration*]

This permit shall expire three years from the date of approval, on **January 28, 2029**, unless a Building Permit has been issued (if required by the DMMC) and substantial construction has been accomplished in reliance upon the permit. Pursuant to the DMMC, substantial construction is defined as: completion of a minimum of 10 percent of the total amount of construction authorized by the permit, based on the monetary value of construction costs including grading, site preparation and construction but specifically excluding all costs associated with the acquisition of interest in the Project site and all costs associated with the preparation and processing of permits or plans.

G-13 [*Pre-Construction Meeting*]

Prior to any demolition, construction, and/or land disturbances occurring on-site, a pre-construction meeting shall be held. As deemed appropriate by the City, attendees to this meeting shall include representatives from the City of Del Mar’s Planning and Community Development Department, City Engineer, City Clean Water Manager, the Project Contractor/Superintendent, the Project Architect, the Project Engineer, the property owner and any others essential for the proper implementation and completion of this Project. At a minimum, the following issues shall be reviewed at this meeting:

- City of Del Mar inspection requirements.
- Process for requests for plan modification and determinations of substantial conformance.
- Discretionary permit conditions and requirements.
- Construction hour limitations and noise standards.

- Construction access and parking including equipment/materials storage and maintenance.
- Work within public rights-of-way and/or easements.
- Stormwater Best Management Practices (BMPs).
- Tree-preservation requirements.
- Demolition Permit requirements.
- Signage requirements/limitations.
- Neighborhood impact issues.
- Key contact information.
- Business license requirements.
- Any other pertinent construction related activities and or information.

G-15 [*Compliance with City Noise Regulations*]

The Applicant and all parties involved with implementation of the Project shall comply with the regulations of the DMMC with regard to construction noise. The regulations stipulate that all construction activities are limited to the following periods: between 7:00 AM and 7:00 PM, Monday through Friday and between 9:00 AM and 7:00 PM on Saturdays. Construction activities are prohibited during other hours and on Sundays and City Holidays. The City's Noise Ordinance, DMMC Chapter 9.20, includes the dates of City Holidays, and can be viewed on the City's web page (www.delmar.ca.us).

G-16 [*Dig Alert*]

Prior to excavation or trenching, the Applicant shall call Underground Service Alert of Southern California (Dig Alert 800-227-2600) for a mark-out of service utilities.

G-17 [*Rules for Construction-Related Signage*]

All construction-related signage posted at the Project site shall comply with DMMC Chapter 30.84 (Signs). The pertinent sections of the Sign Chapter allow installation of a total 5.5 square feet of temporary signage on a residential property (that is cumulative of all signs posted). Such signs may be posted for a maximum of sixty (60) days in a calendar year.

The restrictions noted above do not apply to the Development Pending, Construction Noise Notice and Building Permit signs required by the City as part of the Project review process.

All construction related signage, including City required signs, shall be removed prior to final approval of the Project.

S-13 [*Pool Heating*]

Prior to the issuance of Building Permits, the applicant shall provide verification, to the satisfaction of the Planning and Community Development Director, that any proposed pool heating system is in compliance with DMMC Section 23.20.060, in that: 1) no conventional swimming pool heating systems shall be installed, except for those solely connected to spas or Jacuzzis whose water surface area is less than seventy-five (75) square-feet; and 2) swimming pools which are plumbed or otherwise connected to a spa or jacuzzi utilizing conventional heaters shall include a solar swimming pool heating system which contains an unglazed solar collector area of not less than

one-half of the surface area of the swimming pool, or shall consist of an alternative design, which, in the opinion of the City, is sufficient to meet or exceed the stated intent of this Section 23.20.060.

LANDSCAPE

L-1 [Landscape Improvements in the Right-of-way]

Proposed landscaping and/or irrigation within the public right-of-way that exceeds 30” at mature height requires an Encroachment Permit. Provided an Encroachment Permit is obtained, as may be required by the Municipal Code, the applicant may make landscape improvements in City rights-of-way and easements compatible with those on the adjacent private property. The landscape improvements shall be detailed in a Landscape/Irrigation Plan submitted for City review and approval. Large or fast growing trees or shrubs which could affect power or other utility lines, vehicle travel way, parking, or site distances shall be prohibited. Unless otherwise authorized via written City approval, turf areas shall be limited and maximum use shall be made of drought tolerant ground cover and shrubs. Where no formal improved sidewalk is provided, vegetation to be installed within five (5) feet of the improved street edge shall be “walkable” groundcover appropriate for pedestrian travel. The property owner shall also be required to maintain installed trees, shrubs, turf, ground cover, irrigation, and other improvements in the right-of-way to the City’s satisfaction and may be required to record a Covenant Agreement memorializing this requirement.

L-3 [Torrey Pine Tree Preservation Plan]

Prior to the issuance of Building Permits, the applicant shall submit a Tree Preservation Plan for the review and approval of the Planning and Community Development Director. The plan shall address construction methodologies and construction-phase measures to be implemented to ensure preservation, in a healthy and thriving condition, of those Torrey Pine trees to be retained on the property pursuant to the approved plans for the project and shall comply with Chapters 5 and 6 of the City of Del Mar Public Tree Policy Manual.

L-4 [Compliance with Very High Fire Severity Zone]

Prior to the issuance of the Building Permits, the applicant’s landscape architect shall demonstrate all proposed landscaping complies with the recommended fire-resistant plant list for the Very High Fire Severity Zone.

ENGINEERING CONDITIONS:

E-1 [Separate Permits for Off-site Work]

All improvements to off-site facilities, including the provision of access road and/or utility lines as proposed or required pursuant to the conditions of this Permit, shall be subject to the receipt of separate City permits, as applicable.

E-2 [Drainage Plan]

Prior to issuance of Building Permits, the applicant shall provide a detailed Drainage Plan for the project prepared by a Registered Civil Engineer or Licensed Architect. The Plan shall be prepared in accordance with the latest edition of the City’s “Applicant’s Guide to Procedures for a Grading Permit” and shall be subject to the review and approval of the

Planning and Community Development Department Director in consultation with the City Engineer. The Plan required herein shall be prepared to minimize the amount of impervious surface area of the development and to maximize the on-site dissipation of storm water run-off. The Plan shall be in compliance with applicable National Pollutant Discharge Elimination System (NPDES) stormwater requirements and shall incorporate the use of “Best Management Practices” (BMPs) to control runoff or discharge onto the City rights-of-way and to avoid run-off onto adjacent private properties.

In addition to the considerations listed above, the Plan shall also address/incorporate the following:

- E-2A A topographical map indicating property lines, topographic features and existing and/or proposed structures prepared by a Registered Civil Engineer or a Licensed Land Surveyor. Said map shall include two-foot contour lines and/or sufficient spot elevations to clearly represent existing and proposed topographical features, and existing and proposed drainage patterns. Said map shall also show entire property boundary including any assumed found monuments, and bearings and distances based on record information. Survey shall extend minimum 25 feet beyond limits of property line and adjoining right-of-way;
- E-2B The location of all existing or proposed easements within the property boundary;
- E-2C The location of all roof down-spouts and any proposed collection system, with information regarding pipe alignments, invert elevations, slopes, sizes, and the discharge location of said collection system;
- E-2D The manner in which the proposed pool water will be drained. The Plan shall also include the following note to which the applicant and subsequent property owners shall comply: “The pool/spa/water feature shall be dechlorinated, free of debris or litter, and the type and content of chemical additives must be verified to determine any residual pollutants that may have a detrimental impact on sewer facility. The Plan shall specify that spa/water feature drainage will be collected and conveyed into sanitary sewer systems unless otherwise required or authorized by the Planning and Community Development Director. Provide a sewer lateral within ten-feet of the proposed swimming pool to drain pool for periodic maintenance;
- E-2E Depict the location of site utilities and location of proposed swimming pool and patio deck;
- E-2F Depict location of pool pump and filtering equipment on plan set. Location per Planning Department conditions;
- E-2G The manner in which landscaped areas will be drained. The Plans shall ensure that no area drains will be installed within landscape areas which are subjected to irrigation run-off;

- E-2H The methods for providing temporary erosion control during the construction phase of the project, complete with the inclusion of standard grading and erosion control notes on the plans;
- E-2I The manner in which drainage from retaining wall sub-drains and sump pumps will be collected and conveyed. The Plan shall specify that such drainage shall not be discharged onto City streets and that drainage from sub-drains and sump pumps shall discharge on the project site to allow percolation back into the soil;
- E-2J The manner in which drainage shall be controlled to eliminate the discharge of nuisance water and to ensure that existing or proposed private pipe outlets will not convey or discharge nuisance water onto adjacent properties or into the public right-of-way (i.e., from irrigation, pool/spa/water feature splash run-off, planter area drains, French drains, etc.);
- E-2K Interception of run-off from the proposed driveway to preclude direct flow to the adjacent streets right-of-way. This may be accomplished by incorporation of pervious driving surfaces, diversion to landscaped areas using swales or grates, etc. The project engineer's evaluation shall include, but not be limited to, consideration of the potential effect of proposed construction on site groundwater and moisture conditions. Provide spot grades and/or contours to substantiate design;
- E-2L The inclusion and maintenance of a 5-foot wide buffer zone to be maintained along the edge of pavement along the street frontage. No obstructions (i.e., walls, trees, benches, etc.) shall be permitted within this area;
- E-2M The following note shall be added to the plans if shoring is required: "Unless a shorter duration is recommended by the geotechnical engineer, the proposed temporary shoring shall remain for no longer than 60 calendar days. At the conclusion of the originally allotted time, 30-day extensions may be obtained if acceptable to the City Engineer, Director of Public Works and the project geotechnical consultant. At the conclusion of the permitted time period, the temporary shoring shall be replaced with an approved permanent structure in accordance with the structural and geotechnical engineer's recommendation.";
- E-2N Depict the existing sewer and water mains and laterals serving the residence. The existing sewer line shall be videoed to ensure viability. Video shall be done by a licensed plumber and the video data shall be provided to the public Works department. If the sewer lateral is damaged or not viable, it shall be replaced as part of this project by the applicant;
- E-2O All Retaining walls along property lines (or right-of-way) shall be depicted in plan and profile. The limits of retaining wall footings shall be depicted in the plan view;
- E-2P Include storm drain run-off "Best Management Practices" that minimize the volumes of urban run-off discharge to City rights-of-way, as acceptable to the City Engineer. Indicate how the proposed bio-infiltration/retention area or bio-swale

will discharge off-site without causing erosion. Depict the location of erosion control devices to be implemented in the event of rainfall;

- E-2Q Ensure that the development will minimize the amount of impervious surface area and maximize the on-site dissipation of storm water run-off;
- E-2R Provide elevations and slope call-outs to clarify how water will drain around the proposed patio hardscape, with assurances the runoff will not be conveyed over sensitive topographic features;
- E-2S Include landscaping plans with characteristics that maximize infiltration, provide retention, reduce irrigation and storm water run-off, use efficient irrigation, and minimize the use of fertilizers, herbicides and pesticides;
- E-2T Include a Hydrology/Hydraulic Report prepared by a Registered Engineer that addresses how storm water will be adequately collected and conveyed on and across the subject property. The report shall also address the tributary area for run-off directed to and across the subject property. The report shall Address”
 - a) The tributary area for run-off directed to and across the subject property.
 - b) Calculations and details demonstrating that if proposed inlets/outlets, etc. are plugged or overloaded, the site is capable of conveying storm flows in a manner that is not detrimental (including flooding and erosion) to surrounding properties.
 - c) Shall address both existing and proposed conditions.
 - d) Shall provide calculations for the 2-year and 100-year events for pre and post conditions.
- E-2U Incorporate all recommendations pursuant to the Hydrology/Hydraulic Report prepared for the project. This includes the detailing in the plan set of any bio retention/infiltration or vegetated swales which are proposed. Mitigate for any increase in runoff generated by this development;
- E-2W If the project involves demolition of an existing structure or surface improvements, the grading and erosion control plans shall be approved by the City Engineer prior to the issuance of a demolition permit. No demolition shall be permitted without an approved erosion control plan;
- E-2X Following construction completion, the project designer shall inspect as-built improvements. Significant discrepancies, if any, between the approved plans and as-built conditions shall be brought to the attention of the Planning and Community Development Department and City Engineer. An as-built plan prepared by the project designer will be required. Prior to final sign-off by the

City Engineer, the project designer shall sign the as-built plan indicating that the project was completed in accordance with said plan.

E-3 *[Engineering Fee]*

Prior to issuance of Building Permits, the applicant shall provide fees as delineated in the City's Engineering Review Fee Schedule as funds necessary for Engineering Department review of the proposed site improvements. If additional review beyond the scope outlined in the Engineering Review Fee Schedule becomes necessary, a supplemental deposit(s) will be required.

E-4 *[Installation of Public Improvements- Covenant therefore]*

E-4A The applicant shall perform street repairs on a portion of Avenida Primavera adjacent to the property. Said Street shall have dig-out performed on any distressed pavement and shall receive a 1-1/2" grind and overlay full width adjacent to property which shall include all transitions, drainage facilities, and other improvements as deemed necessary by the City Engineer. Said improvements shall be subject to inspection and approval by the City Engineer. A separate plan set (Public Improvement Plans) and cost estimate is required for the work within the public right-of-way. Additional review fees will be required based on the City's standard fee schedule for public improvements; and

E-4B A Type "F" AC dike per San Diego regional Drawings G-05 shall be constructed along the easterly side of Avenida Primavera, adjacent to the property and shall wrap around the curve return at the intersection of Avenida Primavera. Since this project requires a street widening and drainage conveyance it is not eligible for an in-lieu fee.

E-5 *[Private Drains]*

E-5A Unless specifically authorized in permit plans, drains in landscape areas discharging to public rights-of-way shall not be allowed. Drains discharging into public rights-of-way may be authorized, subject to review by the City Engineer and only if warranted by unique site conditions. In such cases, design elements shall be incorporated into the plans which reduce the potential for stormwater pollution and nuisance drainage to the maximum extent practicable. The project engineer's evaluation shall include, but not be limited to, consideration of the potential effect of proposed construction on site groundwater and moisture conditions. All hardscape drains, roof drains, wall drains and other private drains shall be shown in detail on improvement plans;

E-5B Site drainage shall be designed such that, in the event of plugged or overloaded inlets/outlets, storm flows will be conveyed in a manner that is not detrimental to the site or other properties; and

E-5C Deck drains, when used, shall be no more than 25 feet apart, and no single drain shall serve more than 250 square feet of area. There shall be no direct connection

between the pool deck drains and the sewer or plumbing drainage systems. They shall not drain to the pool gutter or recirculation systems.

E-6 *[Geotechnical Report Requirement]*

Prior to issuance of Building Permits, the applicant shall provide a Geotechnical Report for the project. The Report shall be prepared, signed and sealed by a Certified Engineering Geologist and a Geotechnical Engineer or Registered Civil Engineer. This Report shall be subject to review and approval by the City Engineer, City Building Department, and if deemed necessary, a third-party with expertise in geotechnical issues. The report required herein shall:

E-6A Include all standard information as required by the City's Grading Ordinance;

E-6B Evaluate existing site constraints;

E-6C Evaluate potential effect of proposed construction on nearby slopes, sensitive topographic features and neighboring properties;

E-6D Include a geotechnical evaluation of the long term stability of adjacent slopes;

E-6E Provide any mitigation measures as necessary;

E-6F Include the preparation of field tests to be performed at the site during construction, so as to ensure that field conditions are suitable for the approved construction. The results of such tests may necessitate revisions to the project with such revisions subject to review by the appropriate City entities;

E-6G If retaining walls are required, give recommendations for back-cuts for the construction of retaining walls. These recommendations shall include a time limit that the back-cuts can remain in place without either creating a stable backfill, or completing construction of the approved retaining walls. If the recommended time deadlines are not met, the applicant, by signing these conditions, grants the City permission to work on their private property to secure the back-cuts, and use the cash security to perform the work;

E-6H If temporary shoring is required, the geotechnical consultant shall provide necessary geotechnical parameters and recommendations, including maximum cuts and time limits;

E-6I Address the presence of groundwater and the need to provide subdrains for groundwater extraction. If extracted groundwater is discharged to surface waters, the project must comply with State RWQCB Order No. R9-2008-0002; and

E-6J Provide recommendations for any special construction methods as necessary.

E-7 *[Authorization for Off-site Work]*

E-7A Prior to the issuance of Building Permits, the applicant shall obtain letters of permission from affected property owners if construction or construction access is required across property lines; and

E-7B The following note shall be included on the plans for the Permit: “No grading shall occur outside the limits of the approved grading plan unless prior written authorization is obtained from the City and the owners of any other affected properties.”.

E-8 *[Soil Stabilization]*

The applicant shall utilize sediment controls only as a supplement to erosion prevention for keeping sediment on-site during construction – NEVER as a single or primary method.

E-8A The applicant shall clear and grade only the areas on the project site that are necessary for construction. These areas shall be clearly denoted on the plans;

E-8B The applicant shall minimize exposure time of disturbed soil areas;

E-8C The applicant shall submit a schedule to the City for review and approval, with proposed dates, demonstrating the minimization of grading during the wet season and coinciding the grading with dry weather periods, permanent revegetation and landscaping as early as feasible, temporary stabilization and reseeded of disturbed soil areas as early as feasible;

E-8D The applicant shall stabilize all slopes per City approved method; and

E-8E The contractor is required to provide periodic and continuous maintenance of all Best Management Practices (BMP) devices/facilities listed in the City approved Water Quality Management Plan (WQMP) for the project. This includes but is not limited to, filter material replacement and sediment removal, as required to assure peak performance of all BMPs.

E-9 *[Required Backflow Prevention Valve]*

If the project authorized by this permit will involve installation or retention of any plumbing drainage fixtures at a level below that of the **PUBLIC** sewer main serving the project site, the applicant shall install a private backflow prevention device on their private lateral per the requirements shown below.

The plans shall be submitted prior to the issuance of Building Permits and shall be according to the Uniform Plumbing Code and subject to the review and written approval of the Planning and Community Development Director and City Engineer. Once installed, the private backflow prevention device(s) shall be subject to inspection by the City Engineer prior to final sign off for the project.

E-10 *[Access to Water Meters]*

Access to proposed or existing water meters located on or immediately adjacent to the property shall remain open and unobstructed at all times. Prior to the issuance of Building Permits, the applicant shall demonstrate that no structure or vegetation is proposed so as to restrict access to the water meter. In the event access is blocked by project implementation, the applicant shall be responsible for the removal any obstruction at his/her expense or shall pay for the cost of relocating the water meter to allocation acceptable to the Public Works Department.

E-11 *[Updated Title Report]*

Prior to the issuance of Building Permits, the applicant shall prepare an updated title report for the property.

E-12 *[Compliance with City of Del Mar JURMP]*

This project shall conform to the construction component in the latest edition of the City's Jurisdictional Urban Runoff Management Program (JURMP).

E-13 *[Sewer Service]*

The sewer connection to the public main must be a gravity connection. If a pump is required in order to service the residence, it must transition to gravity flow prior to connection to the public system. A sewer backflow prevention device will also be required if a pump is proposed. The existing Sewer lateral shall be videoed and certified clear of obstructions or damage by a licensed plumber. Should the lateral be damaged, a new lateral shall be installed to service the residence.

E-14 *[Backflow Prevention]*

A reduced pressure backflow prevention device is required for the water system that services the pool/spa. The system must be designed to the satisfaction of the City Engineer, Public Works, and Building Department.

E-15 *[Proposed Retaining Wall]*

The proposed retaining walls shall be designed and constructed completely within the property. No portion of the wall or footing shall extend across the property line. The limits of any retaining wall footing shall be depicted on the grading plan. The applicant shall provide a plan and profile view of the proposed retaining wall (if located along property line or right-of-way) that will depict top of wall and top of footing elevations.

E-16 *[Driveway Slope]*

The Grading Plan must include a profile of the proposed driveway. The longitudinal slope must not exceed 8% within 10' of the street. The slope must not exceed 6% within 25' of the garage door. Between these two areas, the slope must not exceed 25%.

E-17 *[Peak Runoff Mitigation]*

The proposed improvements shall result in a net decrease in impervious area. If this is considered infeasible, the applicant must submit a Hydrology and Hydraulics report. The

report must demonstrate that the project mitigates the increase in peak runoff through the use of acceptable LID features.

E-18 *[Utility Service]*

If any new or modified connections to the water or sewer mains in the public right-of-way are proposed, additional plan sets, and review fees may be required.

E-19 *[Maneuverability Exhibit]*

The applicant must provide a maneuverability (“turning template”) exhibit to the satisfaction of Planning, and Engineering. The exhibit must show the path of vehicular egress from the proposed garage to Avenida Primavera.

E-20 *[Stormwater Management Plan]*

The applicant must submit an updated SWMP for Standard Projects. A BMP Site Plan must be included and attached to the SWMP.

E-21 *[Stormwater Compliance]*

Stormwater compliance requirements are subject to change based on adoption of revisions to state and local regulations. Recent changes to the regulations include the following: revised Priority Development Project definitions, additional/revised hydromodification mitigation requirements, and increased emphasis on on-site retention/re-use. These changes could significantly impact the design, type, and size of BMPs necessary for compliance. The new regional MS4 Permit (Order No. R9-2013-0001) was adopted May 8, 2013.

E-22 *[Existing Easements]*

Prior to issuance of Building Permits the applicant must provide a letter from any easement holder authorizing the proposed improvements within the existing easement.

E-23 *[Revisions to plans]*

Any proposed change to the approved layout/use/activity on the site or any increase in the developed area of the site or any expansion or modification to the approved development, including changes to structures building locations, elevations, parking allocation, or landscaping shall require that a construction change be submitted to City for review and approval.

E-24 *[Survey Monuments]*

E-24A The perpetuation of survey monuments is required and intended to protect both public and private property rights in accordance with federal and state law. Monument perpetuation shall be performed with every Drainage and Street Improvement Plan. A land surveyor shall, upon completion of Drainage Plan, or new improvements, reset any monuments that have been destroyed due to the construction of the project and must file a post-construction Corner Record or Record of Survey with the County Surveyor.

E-24B A hold will be placed on the final inspection for all right of way permits and other types of permits that affect survey monuments. When Engineering Department receive confirmation of the filing of the post-construction Corner Record, Record of Survey from the land surveyor, the hold will be released, and final inspection can be performed.

E-25 *[Archaeological]*

The permittee shall cease work on-site if any archaeological resources that are revealed. The City shall be notified immediately. A qualified archaeologist, retained by the permittee, will evaluate the situation, and make recommendations to the City concerning the continuation of the work.

FIRE CONDITIONS

F-1 *[Class "A" Roof]*

All structures shall be provided with a Class "A" Roof covering to the satisfaction of the California Building and Fire Code. NO wood shake shingles are allowed.

F-10 *[Address Numbers]*

STREET NUMBERS: Approved numbers and/or addresses shall be placed on all new and existing buildings and at appropriate additional locations as to be plainly visible and legible from the street or roadway fronting the property from either direction of approach. Said numbers shall contrast with their background, and shall meet the following minimum standards as to size: 4" high with a 3/8" stroke for residential buildings, 8" high with a 1/2" stroke for commercial and multi-family residential buildings, 12" high with a 1" stroke for industrial buildings. *Additional numbers shall be required in following locations;* where deemed necessary by Fire Marshal, such as rear access doors, building corners, and entrances to commercial centers. *ALSO;* where structures are located off a roadway on long easements/driveways, a monument marker shall be placed at the entrance where the easement/driveway intersects the main roadway. Permanent address numbers with height conforming to Fire Department standards shall be affixed to this marker.

F-12 *[Automatic Fire Sprinkler System-Commercial, Multi-Family And Residential Structures And Garages; Fire Department Connections For Multi-Family And Commercial Sprinkler Systems And Related Control Valves]*

All structures shall be protected by an automatic fire sprinkler system designed and installed to the satisfaction of the California Fire Code and Del Mar Municipal Code 10.04. Plans for the automatic fire sprinkler system shall be submitted prior to start of construction and approved by the City designated fire plans examiner prior to any on site building construction inspection (other than slab, grading inspection) by a building official.

Fire Department Connections (FDC) for fire sprinkler and standpipe systems shall meet the following requirements: shall be mounted at the following height(s); 36 to 42 inches above finished grade, to the top of connection.

- If FDC is installed separate from the Backflow/Double Detector Check, it shall be located a minimum of 5 feet from the Backflow/DDC valve.
- When an FDC is attached to Backflow/DDC, the FDC mounting height shall still be 36 to 42 inches max above finished grade
- If the Backflow/DDC is installed without an FDC, both OS&Y valve handles shall be mounted 36 to 42 inches above finished grade.
- Bushes, trees and similar foliage shall not be located within a radius of 5 feet of an FDC or Backflow/DDC valve assembly. Ground cover landscape is acceptable.”

F-13 [*Smoke and CO Detection*]

Smoke alarms and carbon monoxide alarms shall be installed, as required by California Building or Fire Codes.

F-18 [*Roadway Clearance During Construction*]

In accordance with the California Fire Code and California Vehicle Code, during Project construction, all roadways shall maintain a minimum travel clearance width of 20 feet, with such area free of Project equipment or materials, including the parking of construction-related vehicles.

WATER CONSERVATION:

WC-01 [*Compliance with City and State Water Conservation Policies and Regulations*]

Prior to issuance of building permits, the applicant shall provide a Landscape Documentation Package (LDP) for the project prepared by a landscape architect or landscape contractor licensed by the State of California. The LDP required herein shall include anticipated water use calculations for the project's landscape and irrigation components. The LDP shall be accompanied by a certification from the preparer that the LDP is in compliance with the City's adopted water conservation policies in effect at the time of LDP preparation, including Del Mar Municipal Code Chapter 23.60 (Water Efficient Landscape Ordinance) and any guidelines adopted by the City for such ordinance. The preparer shall also certify that the LDP is in compliance with the Governor's Executive Order Nos. B-29-15 and B-36-15, which call for compliance with landscape/irrigation water use standards set by the California Building Standards Commission and the California Department of Housing and Community Development.

The LDP shall be subject to the review and written approval of the Director of Planning and Community Development (Director). The Director shall, as deemed necessary, work in consultation with the City's Landscape Architect, with the costs for such consultation to be borne by the applicant or his/her designee. If the submitted LDP is found *not* to be in compliance with the standards referenced herein, it shall be revised accordingly and resubmitted for compliance review.

In the event that compliance with this condition results in the need to modify a landscape or irrigation plan approved as part of a discretionary permit granted by the City, the Director shall have discretion to authorize changes of landscape materials in a manner that retains like-for-like

consistency with the parameters of the project's approved discretionary permit, with such parameters to include: the size of landscape material to be installed and its anticipated mature height; and the location of any trees to be installed.

WC-02 [City Inspection for Compliance with Project's Landscape Documentation Package]

Prior to final sign-off on implementation, the project shall be subject to inspection by City staff for compliance with the Landscape Documentation Package (LDP) required pursuant to the project's conditions of approval. The inspections shall include review for compliance with the irrigation and landscape plans included as component parts of the LDP.

CODE ENFORCEMENT CONDITION

The development / activity authorized with this permit is part of an active Code Enforcement case. As part of the condition of approval, and to close the active code enforcement case, the applicant shall take all required steps to obtain a valid Building Permit prior to the commencement, or continuation of work on this site. The applicant shall do so within 30 calendar days of the City's action approving Permit DRB24-010, LC25-001 and TRP25-012. Evidence of the receipt of the Building Permit shall be submitted to the Code Enforcement Official as proof of compliance. The applicant shall not commence any other development on the property until this condition has been satisfied.

TREE MITIGATION

TM-2 [Tree Replacement]

Prior to final occupancy, the applicant shall install one replacement Torrey Pine tree on the property as mitigation for the removal of the Torrey Pine tree located adjacent to the subject driveway on Avenida Primavera. Based on the 57-inch circumference of the Torrey Pine tree to be removed, the replacement ratio shall be 1:1. The applicant's Landscape Plan depicts one new Torrey Pine tree to be planted on the south side of the residence, near Zuni Drive.

PASSED AND ADOPTED by the Design Review Board of the City of Del Mar this 28th day of January, 2026 by the following vote:

AYES:

NOES:

ABSENT:

RECUSED:

, Chairperson
Design Review Board
City of Del Mar, California

ATTEST:

Karen Brindley
Director of Planning and Community Development
City of Del Mar, California



City of Del Mar Staff Report

DESIGN REVIEW BOARD
STAFF REPORT
January 28, 2026

APPLICATION: DRB25-008/ LC25-002/CDP25-006

REQUEST: A request for Design Review, Land Conservation, and Coastal Development Permits to demolish an existing single residential unit with attached garage, construct a new two-story single unit residence with an attached garage, and perform associated fill-grading, landscape and other site improvements on a lot in the RM-East Zone and Floodplain Overlay Zone.

APPLICANT/OWNER: The James Money Penny Revocable Trust

AGENT: Bokal and Sneed Architects

SITE LOCATION: 2435 Camino Del Mar

ASSESSOR'S PARCEL NUMBER: 299-091-01-00

COMMUNITY PLAN DESIGNATION: Medium Density Single- Mixed Residential- East

ZONE: RM- East

OVERLAY: Floodplain

ENVIRONMENTAL STATUS: The project is listed among the classes of projects determined to have less than significant adverse effect on the environment and therefore, is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303 Class 3 (e) - New Construction in that the project includes the construction of one new single-family residence and has further been determined that none of the six exceptions to the use of a categorical exemption would apply to this project (CEQA Guidelines Section 15300.2).

HOUSING IMPACT: The approval of the requested discretionary development applications would not result in any new net housing units as the project replaces an existing single dwelling unit.

BACKGROUND:

The project site is located at 2435 Camino Del Mar in Del Mar in the RM-East Zone and the Floodplain Overlay Zone and contains an existing single unit structure that includes an attached garage. Surrounding uses are a mixture of single dwelling residential and multifamily dwellings in nature. The subject parcel is 4,626 square feet in area, is rectangular in shape and is relatively flat.

Floodplain Overlay Zone

Section 30.56.040 of the Floodplain Overlay Zone requires the issuance of a Floodplain Development Permit (FDP) for the construction of new floor area or the substantial improvement of an existing structure (greater than fifty percent of the existing structure value).

In most cases, the Planning and Community Development Director serves as the issuing authority for FDPs. The permits are reviewed and conditioned to protect the health, safety, and general welfare of the public by regulating the development of real property subject to floodwaters. A Floodplain Development Permit for the proposed development was approved by the Planning Director at an Administrative Hearing conducted on January 12, 2026.

To meet the requirements of the Floodplain Overlay Zone and the California Building Code, the “lowest floor” of the proposed residence (habitable/non-garage space) must be raised to a Base Flood Elevation (BFE) of 12.5-feet NAVD88 (10.4’ NGVD29) plus one foot. All non-habitable enclosed space (garage/crawlspace) are designed with appropriately sized vents to allow the entry of floodwaters to relieve hydrostatic pressure. As conditionally approved through the FDP, the project would be consistent with the floodplain design standards required by FEMA, the California Building Code, and the DMMC.

ANALYSIS:

Project Description:

The project includes a request to demolish an existing single residential unit and construct a new two-story, 1,836 square-foot, single residential unit with an attached garage with associated grading, landscape, and hardscape improvements.

New accessory structures include:

- Perimeter walls/fencing with a stone veneer and small wood lattice guardrail atop with a maximum combined height of 3.5’ (measured from the grade facing the City ROW or the neighboring property where located along the side yard). These retaining walls are included in order to raise the site approximately 2’ on average in order to contribute towards the new structure being raised to meet FEMA standards.
- A new 5’ tall wood trash enclosure
- A new attached shed with shingles to match the residence and the air conditioning unit atop. The air conditioning unit includes a wood screen around the unit. The total combined height would be approximately 13’ 8”.
- An entry arbor with stone veneer columns and wood rafters and beams with a maximum height of 10’.

Plate Heights, Roof Design and Building Height:

The main house has been designed as a two-story structure with a pitched roof form. Plate heights would be 8' 6" at the main level and 8' at the second level with exception to the living room on the first level which has a plate height of approximately 9' 11". The maximum height of the structure would be 26 feet.

Building Materials and Colors

Proposed materials include:

- Asphalt shingle roofing
- White wood rafter tails, fascia, beams, trim, and columns
- Mixture of cedar shingle siding and stone veneer siding
- White wood lattice guardrails

The materials board is found on Sheet A4 of the plans.

Exterior Lighting and Skylights:

The proposed exterior lighting would be downward directed, shielded bulbs with a maximum of 2,700 Kelvins, which is consistent with prior direction given by the Design Review Board. Proposed lighting may be found on Sheet A3a and L1.3.

Landscape/Hardscape:

The existing vegetation on-site is low-lying groundcover or shrubs proposed to be replaced with all new landscaping. The proposed landscape plan primarily includes a variety of low-lying shrubs and groundcover (Sheet L1.1 of the plans).

Proposed trees and taller growing shrubs include the following:

- One (1) Western Redbud Tree (15' maximum mature height)
- One (1) Wilson Fruitless Olive Tree (25' maximum mature height)
- Six (6) Bougainvillea plants (8' maximum mature height)
- 29 Texas Japanese Privet plants (10' maximum mature height)
- 49 Yedda Hawthorn plants (6' maximum mature height)
- One (1) Climbing Rose plant (15' maximum mature height)

Approximately 40% (1,856 sq. ft.) of the lot is proposed to be covered in landscape.

Summary of the Applicant's proposal:

Main Residence (First Floor)	1334 sq. ft.
Main Residence (Second Floor)	498 sq. ft.
Attached 2-Car Garage	400 sq. ft.
Total FAR	1,832 sq. ft.

Decks and Balconies (FAR Exempt):

Front Patio	370 sq. ft.
Covered Entry	50 sq. ft.
Second Story Deck (uncovered)	65 sq. ft.
Total FAR Exempt Area	485 sq. ft.

Applicable Development Standards:

Standards	RME Zone	Project
Min. lot size	5,000 sq. ft.	4,626 sq. ft.
Front yard setback	20 ft.	20 ft.
Rear yard setback	20 ft.	20 ft.*
Side yard (North)	5 ft.	10 ft.
Interior side yard (South)	5 ft.	5 ft.
FAR	40%	39.6%
Max. lot coverage	55%.	44%
Height limitation	26 ft.	26 ft.
Parking	2 garage spaces	2 garage spaces

* Pursuant to DMMC 30.86.200 D. up to half of the width of the alley (10 ft. maximum) can be used towards the side yard setback

Story Poles:

Story-poles illustrating the proposed design were placed at the subject property on or before January 13, 2026, with certification provided of their placement in accordance with the approved story-pole plan.

CITIZENS PARTICIPATION PROGRAM

Pursuant to DMMC Chapter 23.08, a CPP shall be required (prior to formal submittal of an application for review by the City) for the any of the following: 1) a proposed 500 square-foot or larger (detached) structure; 2) the proposed addition of a new second story to a currently single-story structure; or 3) when the Planning Director, in consultation with the Chair of the Design Review Board, determines a project holds potential to cause adverse impacts to the surrounding

neighborhood. The intent of the CPP process is to inform neighbors of a development proposal early in its design phase and to provide opportunities to meet with the applicant and discuss potential concerns (if any) prior to a formal hearing of the item.

The subject project proposes the construction of a new residential unit and so required completion of a CPP. In accordance with the requirements of Chapter 23.08, the Applicant held an Introductory Meeting on November 7, 2024 No Neighbors attended the first meeting.

A project proposal meeting was held on January 29, 2025. No neighbors attended this meeting. Therefore, no neighbor feedback has been provided with the applicant's CPP report.

PROJECT CONSISTENCY WITH THE DESIGN REVIEW ORDINANCE

Planning staff has reviewed the project to evaluate its consistency with the DMMC Chapter 23.08 – the Design Review Ordinance (DRO), and corresponding Design Guidelines. The project proposal includes a new two-story single dwelling unit and associated improvements. The proposed two-story house at 2435 Camino Del Mar would be located in a neighborhood that primarily includes other two-story single and multi-dwelling units and would be setback on the lot consistent with the adjacent properties to the south per Design Guideline C.1. While the house would be built to the 26-foot height limit, it should be considered that the building site is located in the floodplain and any new structure is required to be elevated just over four feet above existing grade. The proposed home would have plate heights less than the maximum recommendation of 10 feet. The project also proposes a 65 square-foot second-level deck which, consistent with Design Guideline B.2, has been oriented on the west side of the structure to face both streets so as to minimize privacy concerns. In all, the proposed project would meet all recommended Design Guidelines and standards of the Design Review Ordinance.

PROJECT CONSISTENCY WITH RM-EAST DESIGN REVIEW STANDARDS

Pursuant to DMMC Section 30.16.060, all development proposed in the RM-East Zone is subject to the following criteria, in addition to that contained elsewhere in the DMMC:

- That all developments shall reflect imaginative design in keeping with the village-like character of Del Mar.
- That all developments shall maximize the amount of park-like, unobstructed, non-vehicular open space.
- That the design of any development, the landscaping, scale, height, length, width, bulk, coverage, and exterior appearance of any structures shall be in harmony with neighborhood character and with developments on nearby lots.
- That the shape and size of any developments, and especially any portion of any development which exceeds one story in height, shall minimize the blockage of views and direct sunlight from nearby lots and public rights-of-way.

- That identical building facades on adjacent parcels shall be avoided.

As previously discussed, the project site is located in the Floodplain Overlay Zone and new construction on this and lots to the north and south must be elevated approximately four-feet in height above the current grade elevation of the site. There are other two-story dwellings adjacent to the project site of varying architectural styles and facades, such as the home directly to the south, which was recently constructed in compliance with Floodplain standards.

LAND CONSERVATION PERMIT LC25-002:

Pursuant to DMMC Chapter 23.33, proposed grading exceeding 25 cubic yards (cut or fill) outside of the footprint of any structure and/or grading that results in a permanent property elevation change exceeding 18 inches, shall require approve of a Land Conservation Permit (LC). The grading plan proposes 70 CY of fill (2' maximum) in order to raise the grade and, as a result, raise the new structure to meet FEMA floodplain standards and the California Building Code.

DMMC Section 23.33.040 stipulates that a request for a LC Permit shall be approved unless the Design Review Board finds that the request conflicts with one or more of the following seven findings:

1. The proposed excavation or grading project is not in conformance with the Del Mar Municipal Code requirements.
2. The proposed excavation or grading project will force the topography to be subservient to the development of the site
3. The proposed excavation or grading project will endanger steep slopes through undue increases in weight or retained water thereby creating conditions which encourage slippage.
4. The excavation or grading project will alter the natural formations unnecessarily.
5. The excavation or grading project does not provide for the restoration of the natural state of the site, to the degree feasible.
6. The excavation or grading project does not minimize the loss of major vegetation, to the degree feasible.
7. The excavation or grading project will create major interruptions of the natural drainage patterns.

Because the majority of the fill grading is to accommodate the sites need to raise the structure to the BFE plus one foot, the fill quantity appears to be reasonable. There is no cut grading proposed for the site.

REQUIRED COASTAL DEVELOPMENT PERMIT/PROJECT'S CONSISTENCY WITH THE LOCAL COASTAL PROGRAM (CDP 25-006)

The project includes the demolition and reconstruction of a new primary dwelling unit on a lot within the Coastal Zone. Therefore, the project requires the receipt of a Coastal Development Permit (CDP). The applicant has submitted the necessary materials to evaluate the project's conformance with the City's certified Local Coastal Program (LCP) and the CDP application has been grouped together with the required DRB permit for review by the Board. The standards of review for the CDP application are the regulatory standards found in the LCP's Implementing Ordinances, the entirety of which have been distributed to Board members under separate cover. Staff has reviewed the application for consistency with the applicable provisions of the LCP, specifically the resource protection, avoidance of hazards and public access standards.

The project, as conditioned, has been found by staff to meet all the applicable regulations. Staff is, therefore, recommending conditional approval of the CDP. Staff is also recommending that the required findings can be made by the Board to the effect that:

1. That the use for which the Coastal Development Permit is applied is permitted within the zone in which the property is located.

The use for which the Coastal Development Permit is requested, the construction of a second primary unit, is permitted as an allowed use within the RM-East Zone in which the property is located; and

2. That the proposal meets the criteria of the applicable chapters of this Title.

The Project, as conditioned, meets the criteria of the applicable chapters of the Del Mar Zoning Code, specifically Chapter 30.16 (RM-East Zone) and Chapter 30.80 (Parking); and

3. That the granting of such Coastal Development Permit will be in conformity with the certified City of Del Mar Local Coastal Program (LCP).

The Coastal Development Permit, as conditioned, will be in conformity with the certified City of Del Mar Local Coastal Program. Specifically, the Project, as conditioned, will meet the underlying zoning and parking regulations, as specified in the LCP.

4. That for all development proposals located seaward of the first public roadway, the proposed development is consistent with and implements the applicable requirements for provision of public access contained in this Title and in the public access and public recreation policies of Chapter 3 of the California Coastal Act.

The Project is consistent with and implements the applicable requirements for provision of public access contained in the Del Mar Zoning Code and in the public access and public recreation policies of Chapter 3 of the California Coastal Act. The Project is located between the first coastal

roadway and the sea, however, the public's interest in gaining access to the shoreline is not adversely affected by the Project because there is existing street-end access to the shoreline area that will not be impacted by this project.

- 5. That for all development proposals involving the construction or placement of a shoreline protection device, that the proposed development is consistent with and implements the applicable requirements of the Beach Overlay Zone and Setback Seawall Zone provisions contained in this Title and is consistent with and implements the provisions of the Chapter Three Policies of California Coastal Act.**

No shoreline protection devices are proposed as part of this project.

- 6. That the proposal is consistent with and implements the provisions of public view protection Policies IV-22 through IV-27 of the City of Del Mar LCP Land Use Plan.**

The project is consistent with and implements the provisions of public view protection policies of the City of Del Mar Local Coastal Program, including those of the LCP Land Use Plan. Due to its location and design, the project would not adversely affect any public views.

- 7. That for all development proposals on sites with identified wetland resources, that the proposed development is consistent with and implements the provisions of the Lagoon Overlay Zone as contained within the City of Del Mar Local Coastal Program Implementing Ordinances and Land Use Plan.**

The Project does not involve the construction or placement of a shoreline device nor is the Project located on a site with identified wetland resources.

The property at 2435 Camino Del Mar is within the Coastal Commission Appeals Area and the CDP is, therefore, appealable to the Coastal Commission.

RECOMMENDATION

Based on the analysis provided herein and the projects consistency with the applicable standards of review, staff recommends the Design Review Board adopt the attached, draft Resolution (Exhibit A), conditionally approving Design Review Permit DRB25-008, Land Conservation Permit LC25-002 and Coastal Development Permit CDP25-006.



Jennifer Gavin
Associate Planner

EXHIBITS:

Exhibit A – Draft Resolution DRB-2026-xx

RESOLUTION NO. DRB-2026-xx

A RESOLUTION OF THE DESIGN REVIEW BOARD OF THE CITY OF DEL MAR APPROVING A REQUEST FOR DESIGN REVIEW (DRB25-008), LAND CONSERVATION (LC25-002), AND COASTAL DEVELOPMENT (CDP25-006) PERMITS TO DEMOLISH AN EXISTING RESIDENCE AND CONSTRUCT A NEW, TWO-STORY, SINGLE UNIT RESIDENCE AND DETACHED GARAGE WITH ASSOCIATED GRADING AND SITE IMPROVEMENTS ON A PROPERTY LOCATED IN THE RM-EAST ZONE AT 2435 CAMINO DEL MAR, DEL MAR, CALIFORNIA

APN: 299-091-01-00

WHEREAS, Bill Clay and Katherine Suzanne Crafton, Trustees of the James Money Penny Revocable Trust (herein referred to as “Applicant”), applied for Design Review (DRB25-008), Land Conservation (LC25-002), and Coastal Development (CDP25-006) permits to demolish an existing residence and construct a new, two-story single unit residence and detached garage with associated grading and associated improvements on a property located in the RM-East zone at 2435 Camino Del Mar, Del Mar, California; and

WHEREAS, on January 28, 2026, the Design Review Board of the City of Del Mar held a duly noticed public hearing on applications DRB25-008, LC25-002, and CDP25-006 and at which time all persons desiring to be heard were heard; and

WHEREAS, evidence was submitted and considered to include without limitation:

- a. Plans submitted by the applicant.
- b. Written information submitted with the application.
- c. Staff Report, dated January 28, 2026 which is incorporated by this reference as though fully set forth herein; and
- d. Additional information submitted during the hearing; and

WHEREAS, Section 23.08.070 of the Design Review Ordinance (also herein referred to as “DRO”) states:

23.08.070 Design Regulations. An application shall be approved unless the Design Review Board makes findings of fact based upon the information presented during the hearing that support one or more of the Regulatory Conclusions contained in this Chapter; and

WHEREAS, Del Mar Municipal Code (DMMC) Section 23.33.040 (Land Conservation Permit) provides that an application for a Land Conservation Permit shall be approved unless the Design Review Board makes one or more of the findings set forth in the Ordinance: and

WHEREAS, the DMMC Chapter 30.75 (Coastal Development Permit) provides that a determination granting a Coastal Development Permit shall be supported by the findings set forth in DMMC Section 30.75.140; and

WHEREAS, the project is listed among the classes of projects determined to have less than significant adverse effect on the environment and therefore, is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303 Class 3 (e) - New Construction in that the project includes the construction of one new single-family residence and has further been determined that none of the six exceptions to the use of a categorical exemption would apply to this project (CEQA Guidelines Section 15300.2);

NOW, THEREFORE, BE IT RESOLVED by the Design Review Board of the City of Del Mar as follows:

Section 1: Design Review Permit

Based upon the project revisions and substantial evidence presented at the public hearing on January 28, 2026 including written and oral staff reports, public written testimony, Applicant's and Applicant's representative's written and oral testimony amending the Application, and in accordance with Del Mar Municipal Code (DMMC) Section 23.08.070, the Design Review Board of the City of Del Mar finds that the Project, as conditioned, will not be detrimental to the Community based on the Regulatory Conclusions Sections of DMMC Chapter 23.08 (Design Review).

Section 2: Coastal Development Permit

Based upon the substantial evidence presented at the public hearing on January 28, 2026 including written and oral staff reports public written and oral testimony, Applicant's and Applicant's representative's written and oral testimony, and in accordance with DMMC Section 30.75.140, the City Council of the City of Del Mar finds:

1. The use for which the Coastal Development Permit is requested, the construction of a second primary unit, is permitted as an allowed use within the RME Zone in which the property is located; and
2. The Project, as conditioned, meets the criteria of the applicable chapters of the Del Mar Zoning Code, specifically Chapter 30.16 (RME Zone) and Chapter 30.80 (Parking); and
3. The Coastal Development Permit, as conditioned, will be in conformity with the certified City of Del Mar Local Coastal Program. Specifically, the Project, as conditioned, will meet the underlying zoning and parking regulations, as specified in the LCP; and
4. The Project is consistent with and implements the applicable requirements for provision of public access contained in the Del Mar Zoning Code and in the public access and public recreation policies of Chapter 3 of the California Coastal Act. The Project is located between the first coastal roadway and the sea, however, the public's interest in gaining access to the shoreline is not adversely affected by the Project because there is existing street-end access to the shoreline area that will not be impacted by this project; and

5. No shoreline protection devices are proposed as part of this project.
6. The project is consistent with and implements the provisions of public view protection policies of the City of Del Mar Local Coastal Program, including those of the LCP Land Use Plan. Due to its location and design, the project would not adversely affect any public views.
7. The Project does not involve the construction or placement of a shoreline device nor is the Project located on a site with identified wetland resources.

Section 3: Land Conservation Permit

Based upon the substantial evidence presented at the public hearing on January 28, 2026, including written and oral staff reports, public written and oral testimony, Applicant and Applicant's representative's written and oral testimony, and in accordance with DMMC Section 23.33.020, the Design Review Board of the City of Del Mar finds that the revised Project will not be detrimental to the Community based on its conformance with DMMC Chapter 23.33 (Land Conservation).

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Design Review Board of the City of Del Mar that application DRB25-008, LC25-002 and CDP25-006 are hereby approved subject to the conditions listed on the following pages;

[Note: The conditions listed below may have gaps in numbering or lettering. These gaps are intentional.]

G-1 *[Business License]*

Prior to commencement of any work on site, all contractors and subcontractors shall obtain a valid City of Del Mar Business License. The general contractor shall be responsible for ensuring that all subcontractors obtain the required Business License and shall retain copies of said permits on site for verification by City staff.

G-2 *[Utility Undergrounding Threshold]*

If the total cost of new construction exceeds \$7,500 (as determined by the Building Department), all new utility service connections shall be placed underground consistent with the provisions of Section 30.86.210 of the Del Mar Municipal Code.

G-3 *[Development Authorization Limited to Plan-Set]*

This permit is granted based on submitted plans dated Ja, by the January 28, 2026 Planning and Community Development Department and so identified by the staff of the Del Mar Planning and Community Development Department. Revisions to these plans and/or any proposals for modification shall require review and prior authorization from the appropriate entities of the City of Del Mar.

G-4 *[Encroachment Permit for Work in the Public Right-of-Way]*

Any work proposed or required within a City of Del Mar public right-of-way or access easement, or required within a public right-of-way or access easements pursuant to the conditions of approval

of this Permit, shall be subject to the prior receipt of a City of Del Mar Encroachment Permit. Applications for Encroachment Permits shall include plans depicting all proposed private and public improvements including, but not limited to, improvements involving drainage, grading and/or public utilities. The required Encroachment Permit shall be subject to review and approval by the City of Del Mar in accordance with the procedures set forth in the DMMC and may include requirements for inspections and/or submittal of a security deposit(s). Please note that Design Review Board or Planning Commission approval of plans indicating right-of-way improvements does not constitute approval of the separately required Encroachment Permit.

G-5 [*Requirement for Building Permits*]

Prior to commencement of work, the Applicant or agent shall obtain all required Building Permits.

G-6 [*Construction and Demolition Waste Recycling Requirement*]

Owners and builders generating any construction and demolition debris on a project must comply with the minimum requirements regarding recycling or reuse for salvage set forth in the 2016 California Green Building Standards Code, Title 24, Part 11. This includes, but is not limited to, the submittal of a Construction Waste Management Plan and a minimum diversion of 65 percent of non-hazardous construction and demolition waste. Signage shall be posted on-site with information identifying materials to be diverted.

G-7 [*Code Compliance*]

Approval of this application shall not waive the requirement for compliance with the provisions of the Del Mar Municipal Code or other applicable City regulations in effect at the time of Building Permit issuance, unless specifically waived in this permit authorization.

G-8 [*Height Certification Prior to Framing Sign-Off*]

A framing inspection by the Planning Community Development Department shall be required prior to the Building Department framing inspection for the Project. At that time, the Applicant shall provide a statement from a Licensed Surveyor certifying that the building height is in conformance with the approved plans for the Project. The survey required herein shall be prepared using City of Del Mar approved vertical benchmarks for building height certification and reported to 0.01 of a foot.

G-9 [*Story Pole Removal*]

Story poles shall be removed from the property within 10 calendar days following the date of the City's final action on the Project.

G-10 [*Plan for Construction-Phase Impacts*]

Prior to issuance of Building Permits or commencement of Project implementation (whichever comes first), the Applicant shall provide a plan for construction-phase parking and equipment/materials storage for the Project. The plan must include the following:

- a. Identification of an on-site material storage location;
- b. Identification of an on-site equipment storage location;
- c. Identification of at least two on-site parking space which will remain available throughout the duration of the Project;

- d. Location of any temporary sanitary facilities;
- e. A note stating that “If on-street parking is utilized, a minimum street access clearance of 20ft. will be maintained”;
- f. Map displaying any/all haul routes; and
- g. Contact information (phone number and Email) for the on-site supervisor(s);
 1. This information must also be posted on-site in a location which is readily visible from the public right-of-way for the duration of the Project.

The plan required herein shall be subject to the review and written approval of the Planning and Community Development Director, working in consultation with Parking Enforcement and Public Works Departments. Haul routes and work and/or storage of material or equipment within a City right-of-way will require the receipt of an Encroachment Permit. The requirements mentioned above may be modified by the Planning and Community Development Director upon a determination that sufficient alternatives have been proposed which achieve a similar level of compliance.

G-10A In addition to the submittal of a Construction Phase Impact Plan, the Applicant must place a Construction Parking Placard in all vehicles associated with the Project which will be parked off-site. The placard must remain in plain view on the dashboard of the vehicle throughout the duration of the Project. A Construction Parking Placard can be obtained from the City of Del Mar Planning Department.

G-11 [*Receipt of Demolition Permit*]

Prior to the complete removal of any structures on the Project site, the Applicant shall apply and gain approval for a Demolition Permit, as required pursuant to the DMMC.

G-12 [*Permit Expiration*]

This permit shall expire three years from the date of approval, on January 28, 2029, unless a Building Permit has been issued (if required by the DMMC) and substantial construction has been accomplished in reliance upon the permit. Pursuant to the DMMC, substantial construction is defined as: completion of a minimum of 10 percent of the total amount of construction authorized by the permit, based on the monetary value of construction costs including grading, site preparation and construction but specifically excluding all costs associated with the acquisition of interest in the Project site and all costs associated with the preparation and processing of permits or plans.

G-13 [*Pre-Construction Meeting*]

Prior to any demolition, construction, and/or land disturbances occurring on-site, a pre-construction meeting shall be held. As deemed appropriate by the City, attendees to this meeting shall include representatives from the City of Del Mar’s Planning and Community Development Department, City Engineer, City Clean Water Manager, the Project Contractor/Superintendent, the Project Architect, the Project Engineer, the property owner and any others essential for the proper implementation and completion of this Project. At a minimum, the following issues shall be reviewed at this meeting:

- City of Del Mar inspection requirements.
- Process for requests for plan modification and determinations of substantial conformance.

- Discretionary permit conditions and requirements.
- Construction hour limitations and noise standards.
- Construction access and parking including equipment/materials storage and maintenance.
- Work within public rights-of-way and/or easements.
- Stormwater Best Management Practices (BMPs).
- Tree-preservation requirements.
- Demolition Permit requirements.
- Signage requirements/limitations.
- Neighborhood impact issues.
- Key contact information.
- Business license requirements.
- Any other pertinent construction related activities and or information.

G-14 [*Statement of Accuracy/Agreement Regarding Third-Party Lawsuits*]

Prior to the issuance of Building Permits or Project commencement, whichever comes first, the Applicant shall submit a statement regarding the accuracy of submitted plans/materials and agreeing to hold the City of Del Mar harmless from third-party lawsuits filed challenging the City's approval of this permit. The agreement shall also include a commitment to defend the City of Del Mar from any third-party lawsuits filed challenging the City's approval of this permit. The form and content of the statement and agreement required herein shall be subject to the review and approval of the Planning and Community Development Director.

G-15 [*Compliance with City Noise Regulations*]

The Applicant and all parties involved with implementation of the Project shall comply with the regulations of the DMMC with regard to construction noise. The regulations stipulate that all construction activities are limited to the following periods: between 7:00 AM and 7:00 PM, Monday through Friday and between 9:00 AM and 7:00 PM on Saturdays. Construction activities are prohibited during other hours and on Sundays and City Holidays. The City's Noise Ordinance, DMMC Chapter 9.20, includes the dates of City Holidays, and can be viewed on the City's web page (www.delmar.ca.us).

G-16 [*Dig Alert*]

Prior to excavation or trenching, the Applicant shall call Underground Service Alert of Southern California (Dig Alert 800-227-2600) for a mark-out of service utilities.

G-17 [*Rules for Construction-Related Signage*]

All construction-related signage posted at the Project site shall comply with DMMC Chapter 30.84 (Signs). The pertinent sections of the Sign Chapter allow installation of a total 5.5 square feet of temporary signage on a residential property (that is cumulative of all signs posted). Such signs may be posted for a maximum of sixty (60) days in a calendar year.

The restrictions noted above do not apply to the Development Pending, Construction Noise Notice and Building Permit signs required by the City as part of the Project review process.

All construction related signage, including City required signs, shall be removed prior to final approval of the Project.

ENGINEERING CONDITIONS:

E-1 *[Separate Permits for Off-site Work]*

All improvements to off-site facilities, including the provision of access road and/or utility lines as proposed or required pursuant to the conditions of this Permit, shall be subject to the receipt of separate City permits, as applicable.

E-2 *[Drainage Plan]*

Prior to issuance of Building Permits, the applicant shall provide a detailed Drainage Plan for the project prepared by a Registered Civil Engineer or Licensed Architect. The Plan shall be prepared in accordance with the latest edition of the City's "Applicant's Guide to Procedures for a Grading Permit" and shall be subject to the review and approval of the Planning and Community Development Department Director in consultation with the City Engineer. The Plan required herein shall be prepared to minimize the amount of impervious surface area of the development and to maximize the on-site dissipation of storm water run-off. The Plan shall be in compliance with applicable National Pollutant Discharge Elimination System (NPDES) stormwater requirements and shall incorporate the use of "Best Management Practices" (BMPs) to control runoff or discharge onto the City rights-of-way and to avoid run-off onto adjacent private properties.

In addition to the considerations listed above, the Plan shall also address/incorporate the following:

E-2A A topographical map indicating property lines, topographic features and existing and/or proposed structures prepared by a Registered Civil Engineer or a Licensed Land Surveyor. Said map shall include two-foot contour lines and/or sufficient spot elevations to clearly represent existing and proposed topographical features, and existing and proposed drainage patterns. Said map shall also show entire property boundary including any assumed found monuments, and bearings and distances based on record information. Survey shall extend minimum 25 feet beyond limits of property line and adjoining right-of-way;

E-2B The location of all existing or proposed easements within the property boundary;

E-2C The location of all roof down-spouts and any proposed collection system, with information regarding pipe alignments, invert elevations, slopes, sizes, and the discharge location of said collection system;

E-2D The manner in which landscaped areas will be drained. The Plans shall ensure that no area drains will be installed within landscape areas which are subjected to irrigation run-off;

E-2E The methods for providing temporary erosion control during the construction phase of the project, complete with the inclusion of standard grading and erosion control notes on the plans;

- E-2F The manner in which drainage from retaining wall sub-drains and sump pumps will be collected and conveyed. The Plan shall specify that such drainage shall not be discharged onto City streets and that drainage from sub-drains and sump pumps shall discharge on the project site to allow percolation back into the soil;
- E-2G The manner in which drainage shall be controlled to eliminate the discharge of nuisance water and to ensure that existing or proposed private pipe outlets will not convey or discharge nuisance water onto adjacent properties or into the public right-of-way (i.e., from irrigation, pool/spa/water feature splash run-off, planter area drains, French drains, etc.);
- E-2H Interception of run-off from the proposed driveway to preclude direct flow to the adjacent streets right-of-way. This may be accomplished by incorporation of pervious driving surfaces, diversion to landscaped areas using swales or grates, etc. The project engineer's evaluation shall include, but not be limited to, consideration of the potential effect of proposed construction on site groundwater and moisture conditions. Provide spot grades and/or contours to substantiate design;
- E-2I The inclusion and maintenance of a 5-foot wide buffer zone to be maintained along the edge of pavement along the street frontage. No obstructions (i.e., walls, trees, benches, etc.) shall be permitted within this area;
- E-2J The following note shall be added to the plans if shoring is required: "Unless a shorter duration is recommended by the geotechnical engineer, the proposed temporary shoring shall remain for no longer than 60 calendar days. At the conclusion of the originally allotted time, 30-day extensions may be obtained if acceptable to the City Engineer, Director of Public Works and the project geotechnical consultant. At the conclusion of the permitted time period, the temporary shoring shall be replaced with an approved permanent structure in accordance with the structural and geotechnical engineer's recommendation.";
- E-2K Depict the existing sewer and water mains and laterals serving the residence;
- E-2L All Retaining walls along property lines shall be depicted in plan and profile. The limits of retaining wall footings shall be depicted in the plan view;
- E-2M Include storm drain run-off "Best Management Practices" that minimize the volumes of urban run-off discharge to City rights-of-way, as acceptable to the City Engineer. Indicate how the proposed bio-infiltration/retention area or bio-swale will discharge off-site without causing erosion. Depict the location of erosion control devices to be implemented in the event of rainfall;
- E-2O Ensure that the development will minimize the amount of impervious surface area and maximize the on-site dissipation of storm water run-off;

- E-2P Provide elevations and slope call-outs to clarify how water will drain around the proposed patio hardscape, with assurances the runoff will not be conveyed over sensitive topographic features;
- E-2Q Include landscaping plans with characteristics that maximize infiltration, provide retention, reduce irrigation and storm water run-off, use efficient irrigation, and minimize the use of fertilizers, herbicides and pesticides;
- E-2R Include a Hydrology/Hydraulic Report prepared by a Registered Engineer that addresses how storm water will be adequately collected and conveyed on and across the subject property. The report shall also address the tributary area for run-off directed to and across the subject property. The report shall Address”
- a) The tributary area for run-off directed to and across the subject property.
 - b) Calculations and details demonstrating that if proposed inlets/outlets, etc. are plugged or overloaded, the site is capable of conveying storm flows in a manner that is not detrimental (including flooding and erosion) to surrounding properties.
 - c) Shall address both existing and proposed conditions.
 - d) Shall provide calculations for the 2-year and 100-year events for pre and post conditions.
- E-2S Incorporate all recommendations pursuant to the Hydrology/Hydraulic Report prepared for the project. This includes the detailing in the plan set of any bio retention/infiltration or vegetated swales which are proposed. Mitigate for any increase in runoff generated by this development;
- E-2T If the project involves demolition of an existing structure or surface improvements, the grading and erosion control plans shall be approved by the City Engineer prior to the issuance of a demolition permit. No demolition shall be permitted without an approved erosion control plan;
- E-2U Following construction completion, the project designer shall inspect as-built improvements. Significant discrepancies, if any, between the approved plans and as-built conditions shall be brought to the attention of the Planning and Community Development Department and City Engineer. An as-built plan prepared by the project designer will be required. Prior to final sign-off by the City Engineer, the project designer shall sign the as-built plan indicating that the project was completed in accordance with said plan.
- E-3 *[Engineering Fee]*
 Prior to issuance of Building Permits, the applicant shall provide fees as delineated in the City’s Engineering Review Fee Schedule as funds necessary for Engineering Department review of the proposed site improvements. If additional review beyond the scope outlined

in the Engineering Review Fee Schedule becomes necessary, a supplemental deposit(s) will be required.

E-4 *[Installation of Public Improvements- Covenant therefore]*

E-4A The applicant shall perform street repairs on a portion of 25th Street adjacent to the property. Said Street shall have dig-out performed on any distressed pavement and shall receive a 1-1/2" grind and overlay full width adjacent to property which shall include all transitions, drainage facilities, and other improvements as deemed necessary by the City Engineer. Said improvements shall be subject to inspection and approval by the City Engineer. A separate cost estimate is required for the work within the public right-of-way. Additional review fees will be required based on the City's standard fee schedule for public improvements; and

E-4B The applicant shall construct a 4" mountable concrete curb & gutter at 15' from the centerline of 25th Street a cement treated DG sidewalk shall be constructed adjacent to the new curb & gutter along 25th Street.

E-5 *[Private Drains]*

E-5A Unless specifically authorized in permit plans, drains in landscape areas discharging to public rights-of-way shall not be allowed. Drains discharging into public rights-of-way may be authorized, subject to review by the City Engineer and only if warranted by unique site conditions. In such cases, design elements shall be incorporated into the plans which reduce the potential for stormwater pollution and nuisance drainage to the maximum extent practicable. The project engineer's evaluation shall include, but not be limited to, consideration of the potential effect of proposed construction on site groundwater and moisture conditions. All hardscape drains, roof drains, wall drains and other private drains shall be shown in detail on improvement plans;

E-5B Site drainage shall be designed such that, in the event of plugged or overloaded inlets/outlets, storm flows will be conveyed in a manner that is not detrimental to the site or other properties; and

E-5C Deck drains, when used, shall be no more than 25 feet apart, and no single drain shall serve more than 250 square feet of area. There shall be no direct connection between the pool deck drains and the sewer or plumbing drainage systems. They shall not drain to the pool gutter or recirculation systems.

E-6 *[Geotechnical Report Requirement]*

Prior to issuance of Building Permits, the applicant shall provide a Geotechnical Report for the project. The Report shall be prepared, signed and sealed by a Certified Engineering Geologist and a Geotechnical Engineer or Registered Civil Engineer. This Report shall be subject to review and approval by the City Engineer, City Building Department, and if deemed necessary, a third-party with expertise in geotechnical issues. The report required herein shall:

- E-6A Include all standard information as required by the City’s Grading Ordinance;
 - E-6B Evaluate existing site constraints;
 - E-6C Evaluate potential effect of proposed construction on nearby slopes, sensitive topographic features and neighboring properties;
 - E-6D Include a geotechnical evaluation of the long term stability of adjacent slopes;
 - E-6E Provide any mitigation measures as necessary;
 - E-6F Include the preparation of field tests to be performed at the site during construction, so as to ensure that field conditions are suitable for the approved construction. The results of such tests may necessitate revisions to the project with such revisions subject to review by the appropriate City entities;
 - E-6G If retaining walls are required, give recommendations for back-cuts for the construction of retaining walls. These recommendations shall include a time limit that the back-cuts can remain in place without either creating a stable backfill, or completing construction of the approved retaining walls. If the recommended time deadlines are not met, the applicant, by signing these conditions, grants the City permission to work on their private property to secure the back-cuts, and use the cash security to perform the work;
 - E-6H If temporary shoring is required, the geotechnical consultant shall provide necessary geotechnical parameters and recommendations, including maximum cuts and time limits;
 - E-6I Address the feasibility of long term infiltration of stormwater runoff onsite, and if subdrains will be required for any proposed infiltration BMPs;
 - E-6J Address the presence of groundwater and the need to provide subdrains for groundwater extraction. If extracted groundwater is discharged to surface waters, the project must comply with State RWQCB Order No. R9-2008-0002; and
 - E-6K Provide recommendations for any special construction methods as necessary.
- E-7 *[Authorization for Off-site Work]*
- E-7A Prior to the issuance of Building Permits, the applicant shall obtain letters of permission from affected property owners if construction or construction access is required across property lines; and
 - E-7B The following note shall be included on the plans for the Permit: “No grading shall occur outside the limits of the approved grading plan unless prior written authorization is obtained from the City and the owners of any other affected properties.”.

E-8 *[Hold Harmless Agreement for Off-site Drainage]*

E-8A Prior to issuance of Development Permits, the applicant shall process, execute, and record a hold harmless Agreement with the City of Del Mar regarding off-site drainage associated with the project. The form and content of said agreement shall be prepared to the satisfaction of the City Engineer and the Planning and Community Development Director; and

E-8B Prior to approval of a grading plan, the developer shall apply through the City, to FEMA and receive a Letter of Map Amendment (LOMA) issued from FEMA. The developer's engineer shall provide the required supporting data to justify the application.

E-9 *[Soil Stabilization]*

The applicant shall utilize sediment controls only as a supplement to erosion prevention for keeping sediment on-site during construction – NEVER as a single or primary method.

E-9A The applicant shall clear and grade only the areas on the project site that are necessary for construction. These areas shall be clearly denoted on the plans;

E-9B The applicant shall minimize exposure time of disturbed soil areas;

E-9C The applicant shall submit a schedule to the City for review and approval, with proposed dates, demonstrating the minimization of grading during the wet season and coinciding the grading with dry weather periods, permanent revegetation and landscaping as early as feasible, temporary stabilization and reseeding of disturbed soil areas as early as feasible;

E-9D The applicant shall stabilize all slopes per City approved method; and

E-9E The contractor is required to provide periodic and continuous maintenance of all Best Management Practices (BMP) devices/facilities listed in the City approved Water Quality Management Plan (WQMP) for the project. This includes but is not limited to, filter material replacement and sediment removal, as required to assure peak performance of all BMPs.

E-10 *[Required Backflow Prevention Valve]*

If the project authorized by this permit will involve installation or retention of any plumbing drainage fixtures at a level below that of the **PUBLIC** sewer main serving the project site, the applicant shall install a private backflow prevention device on their private lateral per the requirements shown below.

The plans shall be submitted prior to the issuance of Building Permits and shall be according to the Uniform Plumbing Code and subject to the review and written approval of the Planning and Community Development Director and City Engineer. Once installed, the private backflow prevention device(s) shall be subject to inspection by the City Engineer prior to final sign off for the project.

E-11 *[Access to Water Meters]*

Access to proposed or existing water meters located on or immediately adjacent to the property shall remain open and unobstructed at all times. Prior to the issuance of Building Permits, the applicant shall demonstrate that no structure or vegetation is proposed so as to restrict access to the water meter. In the event access is blocked by project implementation, the applicant shall be responsible for the removal any obstruction at his/her expense or shall pay for the cost of relocating the water meter to allocation acceptable to the Public Works Department.

E-12 *[Updated Title Report]*

Prior to the issuance of Building Permits, the applicant shall prepare an updated title report for the property.

E-13 *[Compliance with City of Del Mar JURMP]*

This project shall conform to the construction component in the latest edition of the City's Jurisdictional Urban Runoff Management Program (JURMP).

E-14 *[Compliance with Floodplain Regulation]*

Prior to issuance of Building Permits, project plans shall be designed to comply with all the requirements and terms of the City's Floodplain Overlay Zone and Federal Emergency Management Agency (FEMA) regulations, and shall be subject to the review and approval of the City Engineer and Planning and Community Development Department Director.

E-15 *[Sewer Service]*

The sewer connection to the public main must be a gravity connection. If a pump is required in order to service the residence, it must transition to gravity flow prior to connection to the public system. A sewer backflow prevention device will also be required if a pump is proposed. The existing Sewer lateral shall be videoed and certified clear of obstructions or damage by a licensed plumber. Should the lateral be damaged, a new lateral shall be installed to service the residence.

E-16 *[Backflow Prevention]*

A reduced pressure backflow prevention device is required for the water system that services the pool/spa. The system must be designed to the satisfaction of the City Engineer, Public Works, and Building Department.

E-17 *[Proposed Retaining Wall]*

The proposed retaining walls shall be designed and constructed completely within the property. No portion of the wall or footing shall extend across the property line. The limits of any retaining wall footing shall be depicted on the grading plan. The applicant shall provide a plan and profile view of the proposed retaining wall that will depict top of wall and top of footing elevations.

E-18 *[Peak Runoff Mitigation]*

The proposed improvements shall result in a net decrease in impervious area. If this is considered infeasible, the applicant must submit a Hydrology and Hydraulics report. The

report must demonstrate that the project mitigates the increase in peak runoff through the use of acceptable LID features.

E-19 *[Stormwater Management Plan]*

The applicant must submit an updated SWMP for Standard Projects. A BMP Site Plan must be included and attached to the SWMP.

E-20 *[Stormwater Compliance]*

Stormwater compliance requirements are subject to change based on adoption of revisions to state and local regulations. Recent changes to the regulations include the following: revised Priority Development Project definitions, additional/revised hydromodification mitigation requirements, and increased emphasis on on-site retention/re-use. These changes could significantly impact the design, type, and size of BMPs necessary for compliance. The new regional MS4 Permit (Order No. R9-2013-0001) was adopted May 8, 2013.

E-21 *[Existing Easements]*

Prior to issuance of Building Permits the applicant must provide a letter from any easement holder authorizing the proposed improvements within the existing easement.

E-22 *[Revisions to plans]*

Any proposed change to the approved layout/use/activity on the site or any increase in the developed area of the site or any expansion or modification to the approved development, including changes to structures building locations, elevations, parking allocation, or landscaping shall require that a construction change be submitted to City for review and approval.

E-23 *[Survey Monuments]*

E-23A The perpetuation of survey monuments is required and intended to protect both public and private property rights in accordance with federal and state law. Monument perpetuation shall be performed with every Drainage/Grading Plan and Street Improvement Plan. A land surveyor shall, upon completion of Drainage/Grading Plan, or new improvements, reset any monuments that have been destroyed due to the construction of the project and must file a post-construction Corner Record or Record of Survey with the County Surveyor.

E-23B A hold will be placed on the final inspection for all right of way permits and other types of permits that affect survey monuments. When Engineering Department receive confirmation of the filing of the post-construction Corner Record, Record of Survey or Parcel/Final Map from the land surveyor, the hold will be released, and final inspection can be performed.

E-24 *[Archaeological]*

The permittee shall cease work on-site if any archaeological resources that are revealed. The City shall be notified immediately. A qualified archaeologist, retained by the

permittee, will evaluate the situation, and make recommendations to the City concerning the continuation of the work.

FIRE CONDITIONS:

F-1 *[Class A Roof]*

All structures shall be provided with a Class “A” Roof covering to the satisfaction of the California Building and Fire Code. NO wood shake shingles are allowed.

F-10 *[Address Numbers]*

STREET NUMBERS: Approved numbers and/or addresses shall be placed on all new and existing buildings and at appropriate additional locations as to be plainly visible and legible from the street or roadway fronting the property from either direction of approach. Said numbers shall contrast with their background, and shall meet the following minimum standards as to size: 4” high with a 3/8” stroke for residential buildings, 8” high with a 1/2” stroke for commercial and multi-family residential buildings, 12” high with a 1” stroke for industrial buildings. *Additional numbers shall be required in following locations;* where deemed necessary by Fire Marshal, such as rear access doors, building corners, and entrances to commercial centers. *ALSO;* where structures are located off a roadway on long easements/driveways, a monument marker shall be placed at the entrance where the easement/driveway intersects the main roadway. Permanent address numbers with height conforming to Fire Department standards shall be affixed to this marker.

F-12 *[Automatic Fire Sprinkler System-Commercial, Multi-Family And Residential Structures And Garages; Fire Department Connections For Multi-Family And Commercial Sprinkler Systems And Related Control Valves]*

All structures shall be protected by an automatic fire sprinkler system designed and installed to the satisfaction of the California Fire Code and Del Mar Municipal Code 10.04. Plans for the automatic fire sprinkler system shall be submitted prior to start of construction and approved by the City designated fire plans examiner prior to any on site building construction inspection (other than slab, grading inspection) by a building official.

Fire Department Connections (FDC) for fire sprinkler and standpipe systems shall meet the following requirements: shall be mounted at the following height(s); **36 to 42 inches above finished grade, to the top of connection.**

- If FDC is installed separate from the Backflow/Double Detector Check, it shall be located a **minimum of 5 feet** from the Backflow/DDC valve.
- When an FDC is attached to Backflow/DDC, the FDC mounting height shall still be 36 to 42 inches max above finished grade
- If the Backflow/DDC is installed without an FDC, both OS&Y valve handles shall be mounted 36 to 42 inches above finished grade.
- Bushes, trees and similar foliage shall not be located within a **radius of 5 feet** of an FDC or Backflow/DDC valve assembly. Ground cover landscape is acceptable.”

F-13 *[Smoke and CO Detection]*

Hard-wired Smoke detectors shall be installed in new construction when valuation of project exceeds \$1000.00, as required by California Building or Fire Codes.

WATER CONSERVATION CONDITIONS

WC-01 *[Compliance with City and State Water Conservation Policies and Regulations]*

Prior to issuance of building permits, the applicant shall provide a Landscape Documentation Package (LDP) for the project prepared by a landscape architect or landscape contractor licensed by the State of California. The LDP required herein shall include anticipated water use calculations for the project's landscape and irrigation components. The LDP shall be accompanied by a certification from the preparer that the LDP is in compliance with the City's adopted water conservation policies in effect at the time of LDP preparation, including Del Mar Municipal Code Chapter 23.60 (Water Efficient Landscape Ordinance) and any guidelines adopted by the City for such ordinance. The preparer shall also certify that the LDP is in compliance with the Governor's Executive Order Nos. B-29-15 and B-36-15, which call for compliance with landscape/irrigation water use standards set by the California Building Standards Commission and the California Department of Housing and Community Development.

The LDP shall be subject to the review and written approval of the Director of Planning and Community Development (Director). The Director shall, as deemed necessary, work in consultation with the City's Landscape Architect, with the costs for such consultation to be borne by the applicant or his/her designee. If the submitted LDP is found *not* to be in compliance with the standards referenced herein, it shall be revised accordingly and resubmitted for compliance review.

In the event that compliance with this condition results in the need to modify a landscape or irrigation plan approved as part of a discretionary permit granted by the City, the Director shall have discretion to authorize changes of landscape materials in a manner that retains like-for-like consistency with the parameters of the project's approved discretionary permit, with such parameters to include: the size of landscape material to be installed and its anticipated mature height; and the location of any trees to be installed.

WC-02 *[City Inspection for Compliance with Project's Landscape Documentation Package]*

Prior to final sign-off on implementation, the project shall be subject to inspection by City staff for compliance with the Landscape Documentation Package (LDP) required pursuant to the project's conditions of approval. The inspections shall include review for compliance with the irrigation and landscape plans included as component parts of the LDP.

SPECIAL CONDITIONS:

S-12 *[Lighting Plan]*

Prior to the issuance of Building Permits, the applicant shall provide a Lighting Plan for the project identifying all exterior lighting fixtures proposed for installation on or around the structures authorized in this Permit. The Plan required herein shall be subject to the review and written

approval of the Planning and Community Development Director and shall be reviewed to ensure that the lighting will be of a low-level intensity and that the fixtures will be installed so that the source of light will not be directed to or visible from adjacent properties or adjacent rights-of-way. In the event that the applicant disagrees with the Planning and Community Development Director's determination on the acceptability of the Lighting Plan, the applicant shall have the opportunity to present the Plan to the Design Review Board for approval at a noticed public hearing.

LANDSCAPE CONDITIONS:

L-1 *[Landscape Improvements in the Right-of-way]*

Provided an Encroachment Permit is obtained, as may be required by the Municipal Code, the applicant may make landscape improvements in City rights-of-way and easements compatible with those on the adjacent private property. The landscape improvements shall be detailed in a Landscape/Irrigation Plan submitted for City review and approval. Large or fast growing trees or shrubs which could affect power or other utility lines, vehicle travel way, parking, or site distances shall be prohibited. Unless otherwise authorized via written City approval, turf areas shall be limited and maximum use shall be made of drought tolerant ground cover and shrubs. Where no formal improved sidewalk is provided, vegetation to be installed within five (5) feet of the improved street edge shall be "walkable" groundcover appropriate for pedestrian travel. The property owner shall also be required to maintain installed trees, shrubs, turf, ground cover, irrigation, and other improvements in the right-of-way to the City's satisfaction and may be required to record a Covenant Agreement memorializing this requirement.

FLOODPLAIN REQUIREMENTS

FP-1 *[Plan review Federal Emergency Management Agency (FEMA) compliance]*

Prior to the issuance of Building Permits, the project plans shall be subject to the review and approval of the City Building Official for conformance with all applicable flood protection requirements. The plans required herein shall reference the NAVD88 datum. Plans shall address the following:

FP-1 A *[Mechanical equipment elevation]*

No machinery or equipment shall be installed within the attached garage, (including, but not limited to furnaces, air conditioners, heat pumps, hot water heaters, washers, dryers, elevator lift equipment, electrical junction and circuit breaker boxes, or food freezers), shall be placed, installed, or constructed below the level of the base flood elevation of 12.5 feet (NAVD88) (11.64 feet NGVD29).

FP-1 B *[Restriction on improvements below base flood elevation]*

All interior wall, floor, and ceiling materials located below the Base Flood Elevation of 12.5 feet (NAVD88) (11.64 feet NGVD29) shall be unfinished and resistant to flood damage.

FP-1 C *[Floatation/lateral movement construction]*

The walls of any enclosed area below the Base Flood Elevation of 12.5 feet (NAVD88) (11.64 feet NGVD29) shall be constructed in a manner to prevent flotation, collapse, and lateral movement of the structure.

FP-1 D *[Flood proofing]*

The walls of any enclosed area below the Base Flood Elevation of 12.5 feet (NAVD88) (11.64 feet NGVD29) shall be constructed and flood-proofed so as to be in conformance with FEMA regulation #44 CFR 60.3(c)(5).

FP-2 *[Finished floor certification]*

Per the requirements of the Federal Emergency Management Agency, prior to final approval/Certificate of Occupancy, the Applicant shall submit an Elevation Certificate prepared by a licensed surveyor or registered civil engineer, certifying the elevation of the lowest floor elevation(s) of the structure.

Resolution No. DRB-2026-xx
Project No. DRB25-008/LC25-002/CDP25-006
Page 19 of 19

PASSED AND ADOPTED by the Design Review Board of the City of Del Mar, this **January 28th, 2026** by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSED:

Glenn Warren, Chair
Del Mar Design Review Board
Del Mar, California

ATTEST:

Karen Brindley
Planning and Community Development Director
Del Mar, California



City of Del Mar Staff Report

DESIGN REVIEW BOARD
STAFF REPORT
January 28, 2026

APPLICATION: DRB25-010/ CDP25-011/ LC25-007

REQUEST: A request for Design Review, Coastal Development, and Land Conservation Permits to demolish an existing two-story single dwelling unit and construct a new two-story single unit residence and perform associated grading, landscape and site improvements on property located in the Floodplain Overlay Zone.

APPLICANT/OWNER: Daniel and Audrey Dornier

AGENT: Tony Sanshey, Island Architects

SITE LOCATION: 157 26th Street

ASSESSOR'S PARCEL NUMBER: 299-066-13-00 and 299-066-12-00

COMMUNITY PLAN DESIGNATION: Medium Density Single Family - Beach

ZONE: R1-5B

OVERLAY ZONE: Floodplain

ENVIRONMENTAL STATUS:

The project is listed among the classes of projects determined to have less than significant adverse effect on the environment and therefore, is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303 Class 3 (e) - New Construction and has further been determined that none of the six exceptions to the use of a categorical exemption would apply to this project (CEQA Guidelines Section 15300.2).

HOUSING IMPACT:

The approval of the requested discretionary development applications would have no impact on the City of Del Mar's housing supply or housing affordability in that the new unit is replacing an existing housing unit and the net number of units on the lot would not be reduced.

BACKGROUND:

The project site is located on the southwest corner of 26th Street and Camino Del Mar in the R1-5B Zone and the Floodplain Overlay Zone (Exhibit A). The subject property is 9,598 square feet in area and currently contains a 5,243 square-foot, two-story residence with two separate garages: an

attached, two-car garage accessed via 26th Street at the northwest side of the lot and a detached, one-car garage accessed via Camino Del Mar at the southeast side of the lot. A pool and spa are located east of the driveway abutting 26th Street. A variety of palm trees are located within the site planters abutting both street frontages and along the west side of the driveway via 26th Street. The eastern and southern 10-feet of the property are encumbered by an easement for the City sewer line.

The property size and configuration are the result of the consolidation of two previous legal (and vacant) lots. The lot consolidation occurred in 1991 (Boundary Adjustment BA-90-02 and Certificate of Compliance COC 91-1) and was a requirement of the Design Review Board approval of DRB-90-86 for the development of the current residence and site improvements. That development also received approvals of a Land Conservation Permit LC-90-14 and Floodplain Development Permit FDP-90-02 to raise the majority of the (then) vacant lot on fill grade by approximately 3.5 feet, which is one of the methods to elevate the habitable portions of the home above the Base Flood Elevation to comply with the floodplain development requirement. Retaining walls approximately 3.5-feet high surround the property to retain the fill grade.

Existing development in the immediate vicinity consists of primarily single unit residences with a multi-unit, two-story residential complex located on the east side of Camino Del Mar. A Torrey Pine tree is located in the Camino Del Mar right-of-way (parkway) near the street corner abutting the subject property.

Floodplain Overlay Zone

Del Mar Municipal Code (DMMC) Section 30.56.040 (Floodplain Overlay Zone) requires the issuance of a Floodplain Development Permit (FDP) for the construction of new floor area or the substantial improvement of an existing structure (greater than fifty percent of the existing structure value).

In most cases, the Planning and Community Development Director serves as the issuing authority for FDPs. The permits are reviewed and conditioned to protect the health, safety, and general welfare of the public by regulating the development of real property subject to floodwaters. A Floodplain Development Permit for the proposed development was approved by the Planning Director at an Administrative Hearing conducted on November 18, 2025.

To meet the requirements of the Floodplain Overlay Zone, the “lowest floor” of the proposed residence (habitable/non-garage space) must be raised to one-foot above the Base Flood Elevation (BFE) of 12-feet NAVD88, which is approximately at the existing grade elevation of the lot. All non-habitable enclosed space (the one-car garage) located below the BFE must be designed with appropriately sized vents to allow the entry and exit of floodwaters to relieve hydrostatic pressure. All building materials, electrical, mechanical and plumbing components would be required to be elevated above the BFE or floodproofed. As conditionally approved through the FDP, the project would be consistent with the floodplain design standards required by FEMA and the DMMC.

ANALYSIS:

Project Description:

The project includes a request to demolish the existing two-story residence and associated improvements and construct a new, two-story, single-dwelling unit with an attached two-car garage and another one-car, attached garage, and associated landscape and hardscape improvements. The driveways for the new home would be located in approximately the same (current) location with the total combined curb cuts reduced to not exceed 20-feet in length to comply with the DMMC Parking regulations (DMMC 30.80.60-C.1.). The proposed structure height is measured pursuant to the DMMC, which in this case, is taken from the pre-1990 “natural” grade that existed prior to development of the site in association with DRB-90-86. The natural grade is approximately 3.5-feet below the existing grade.

Summary of the Applicant’s proposal:

Main Residence (First Floor)	2458 sq. ft.
Main Residence (Second Floor)	1998 sq. ft.
Attached 2-Car Garage	516 sq. ft.
Attached 1-Car Garage	304 sq. ft.
Total FAR	5,276 sq. ft.

FAR Exempt Covered Outdoor Spaces

Upper Terrace	476 sq. ft.
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Applicable Development Standards:

Standards	R1-5B Zone	Project
Min. lot size	5,000 sq. ft.	9,598 sq. ft.
*Front yard setback (26 th St)	10 ft.	10 ft. (both levels)
Rear yard setback (to the south)	10 ft.	11’-2” (both levels)
Street side yard (CDM)	10 ft.	11’-4” (first level) 13’-4” (second level)
Interior side yard (to the west)	5 ft.	11’-2” (first floor) 28’-7” (second floor)
FAR	55% (or 2,750 sq.ft.)	55% (or 5,278 sq.ft.)
Max. lot coverage	80%.	34%
Height limitation	26 ft.	26 ft.**
Parking	2 garage spaces Plus 1 open onsite space	3 garage spaces Plus 1 tandem lift in garage Plus 2 open onsite space

*DMMC 30.04.120 and 30.04.220 defines the front lot line for corner lots located at the intersection of two or more streets, and that the front yard is the narrower of the two street frontages. And therefore, the shorter street frontage would be the street side yard.

** DMMC 30.04.080 and 30.04.140 defines the method to measure the maximum building height for the project. The project would be determined from the “natural grade”, which is the grade that historically existed on the site prior to any site preparation, grading or construction.

As displayed in the comparison table, the project conforms with the standards of the R1-5B Zone.

Scale, Massing and Structural Siting:

Since the site was previously raised approximately 3.5-feet to comply with FEMA floodplain development requirements, the Applicant is proposing to retain the existing site retaining walls for project compliance. As previously mentioned, the driveways along both street frontages would be in approximately the same location but reduced in width to comply with Municipal Code standards and comply with Design Guideline recommendation C.7.D (Driveways and Access). The proposed two-car garage would be moved closer to the street in the location of the existing pool (to be removed/filled-in). The new garage door would be turned away from the street, in compliance with Design Guideline recommendation D.2 (Garages).

The Applicant would also utilize similar structural siting of the current home in that the proposed residence and its two-story element would be located mostly along the eastern half of the lot abutting Camino Del Mar, with smaller one-story elements located along the north and south sides of the western half of the lot. Since the existing garage is located towards the rear of the lot, the long driveway currently encompasses most of the yard to the west of the residence. The remaining usable yard area currently includes the pool area which is located closer to 26th Street and screened with high privacy perimeter walls fronting 26th Street and along the side of the driveway. The siting of the proposed residence (in a U-shaped configuration) would provide for a larger usable and more private interior courtyard for the Applicant. The structural siting for the proposed project, particularly the two-story element located away from the abutting neighbors, would provide increased privacy and reduce light obstruction to neighboring residences (particularly the one-story residence to the south/southwest) and is consistent with Design Guideline recommendation D.1.C (Building Form and Massing).

The concentration of the two-story elements on the eastern portion of the lot would generally contribute to the appearance of greater massing along both street frontages on this “double” corner lot. To address this, the Applicant has included wall articulations along both street frontages with different roof forms (3.5:12 pitch, 2:12 pitch, flat parapet roof) and utilized wall offsets on the second story with roof elements over the first level below. The Applicant has utilized Design Guideline recommendation D.1.A (Building Form and Massing) and Design Guideline D.4. A, D, and E (Architectural Features and Articulation) to reduce the appearance of bulk and to provide visual relief of the two-story elements on all four building elevations. The Applicant has also incorporated different exterior materials along the east building elevation to break up the massing and to provide visual interest which is consistent with Design Guideline D.5.B. and C. (Materials and Colors).

Additional features along the north façade of the house include the 476 square-foot terrace located above the garage. A metal open trellis roof would be located over most of the terrace but would not contribute towards bulk floor area. This partially covered outdoor deck space comprises 9% of the

lot's maximum FAR and complies with the recommendation in Guideline D.3 A.3 (Building Elements Excluded from FAR), where 10% is the maximum recommended FAR-exempt covered outdoor space. Looking at the neighborhood context, the majority of homes along 26th Street include second story decks (covered and uncovered) which appear to be of comparable size.

The Applicant's DRB plan set illustrates the project design on Sheet A.4.4 (colored computer renderings) and Sheets A4.1 and A4.2 (building elevations). The Applicant depicted the outline of the existing residence on the Proposed Building Elevations for comparison and is shown with a red dashed line. As depicted, the proposed residence would be located in approximately the same location as the existing residence with additional height/mass increase along the northeast and southeast corners.

Staff Analysis:

The Applicant has utilized many of the Design Guideline recommendations for the proposed project design to address the structural siting on this corner lot to minimize impacts to neighbors and to reduce the appearance of bulk and mass on both street facades. Both the existing and proposed structures on the property are and would be larger than neighboring residences simply due to the property's size being almost twice as large as the standard R1-5B Zone. Thus, the resulting maximum FAR allowance of 55% for this property would result in a structure being twice as large as a FAR-conforming structure on a R1-5B lot. It should be noted that a great majority of homes in the beach colony are nonconforming with respect to the maximum allowed FAR and are larger than what would otherwise be permitted under current zoning standards. Considering the extreme size differential for this project compared to other single unit residences in the vicinity, the Applicant has utilized the Design Guideline recommendations to minimize bulk and mass, and the project's overall design would not appear to be inconsistent with the surrounding two-story neighborhood character.

Plate Heights, Roof Design and Building Height:

The proposed residence has been designed as a two-story structure and would include various roof pitches; mostly consisting of a traditional gable with a 3.5:12 pitch, a lower 2:12 pitch along the main north/south ridge on the upper level, and a flat parapet roof feature on the northern façade. Roof eaves projections are mostly 1.5-feet, with a wider 3-foot eave on the lower-level roof at the interior courtyard. The project's maximum building height would be 26-feet, measured pursuant to the DMMC, and would not be higher than the existing building height.

Staff reminds the Board that due to the project site's location in the floodplain, the finished floor of the home must be raised another foot above the existing grade, which was previously raised up to 3.5-feet above the "natural grade". The natural grade is defined in the DMMC as the grade prior to landform alteration of the site when it was vacant. The new habitable (exposed) portion of the residence, therefore, may only be approximately 22.5-feet above the built-up portion of the site. The project's maximum (exposed) building height is measured at the one-car garage adjoining grade where the elevation would still be at the "natural grade" where the building height would be approximately 24'-6" over this area.

Plate heights would be mostly 9'-9" high on the lower level with a small portion over the office and entry foyer being 11'-3" (no upper level is located over this area where the plate height is higher). Plate heights on the upper level would be 8' to 8'-10" high. The two-car garage would have a plate height of 9'-6" and the one-car garage plate height would be 12'-2."

The house appears to have been designed to be consistent with the height of other homes in the vicinity. However, the project exceeds the recommendation on plate heights for the one-car garage and portion of the lower level over the office and entry foyer, both are on the eastern building façade. Design Guideline D.1 (Building Form and Massing), subsection "I" recommends plate heights ranging from 8-10 feet.

The Applicant's architect has included correspondence for the Board's consideration regarding the reasons the project has exceeded the plate height recommendations of 10-feet, see Exhibit B. In his letter, the architect contends the reason the plate height being 12'-2" over the one-car garage is due to retention of the existing grade for this area (required to access from Camino Del Mar) and the additional height would allow a vehicle lift for additional onsite parking. Also lowering the plate height and floor above would create accessibility issues for the bedroom located above the garage. Additionally, modifying the design at this southeastern corner would create asymmetry in the design (for the eastern building elevation). The Applicant's reason for the plate height being 11'-3" over a small portion eastern portion of the office and entry foyer is that to provide wall articulation along the eastern façade (both horizontal and vertical articulation) resulted in a higher plate where the roof line would be higher at the office and entry foyer. The plate height for the kitchen area located between the office and entry foyer (and remaining portions of the first level) would be 9'-9."

The intent of the Design Guideline recommendation to not have plate heights exceed 10-feet high is to reduce unnecessary bulk and mass (interior volume). Based on the reasons provided by the architect and staff's analysis and recommendation on Bulk/Mass/Structural Siting with the projects' inclusion of various Design Guideline recommendations to reduce the bulk of the proposed structure, it is staff's recommendation that the overall project design would still appear to be consistent with the neighborhood.

Accessory Features:

Several accessory features are proposed throughout the site including a spa and cold plunge, spa mechanical equipment, built-in-barbeque, new gates, new driveway gate at 26th Street side, and two air conditioning condensing units.

The spa would be located on the west side of the property and all mechanical equipment on the south side of the one-car garage to mitigate sound impacts to the neighboring properties. Additionally, the mechanical equipment would be located above the BFE (to meet Floodplain development standards) and behind a solid 6-foot-high wall to further mitigate sound and visual impacts on neighboring properties. More information on the spa and spa equipment can be found on Sheet A1.1 of the plans. The siting of the accessory structures is consistent with Guideline B.3

Potential Disturbances which suggests minimizing potential disturbances to neighbors through thoughtful placement of noise generating uses and spaces.

A built-in barbeque would be located on the south side of the two-car garage. A new driveway gate approximately 6-feet high would be via the 26th Street driveway. The 6-foot-high gate would be setback at least 10-feet from the front property line, pursuant to the DMMC for fence/gate height measurement. The existing perimeter site retaining walls would be refinished with new stone veneer finish. Details of the materials are provided on the DRB Plan set, Sheet L.300.

The Applicant has located accessory structures to minimize privacy and noise disturbances to the neighboring properties, and it appears no conflicts would occur with the Design Review Ordinance Regulatory Conclusions.

Exterior Lighting:

The proposed exterior lighting would be downward directed, shielded bulbs with a maximum of 2,700 Kelvins, which is consistent with prior direction given by the Design Review Board. Proposed lighting may be found on DRB plan set, Sheets L-6.01 of the Landscape Plan, Sheet A-2.1 of the First Floor Plan, and Sheet T3 for the building light fixtures specifications.

DMMC Sections 23.08.077 (F and K) stipulate Regulatory Conclusions most directly applicable to proposed lighting, its compatibility with proposed development, and potential to adversely impact the surrounding community. From analysis of the specific type and location of proposed lighting, and as the location and general type of fixtures (downward facing, shielded bulbs, etc.) comport with past, consistent determinations by the Board for other project, staff recommends that no conflicts would occur with the cited Design Review Ordinance Regulatory Conclusions, and accordingly recommends no revisions to the proposed Lighting Plan.

Landscape/Hardscape:

The existing vegetation on-site is sparse and consists of the palm trees along the street facing sides to the north and east of the residence. Three palm trees are located on the west side of the driveway via 26th Street which would remain. There is also a mature privacy hedge along the south and west sides of the property also to be retained. An existing Torrey Pine tree is located in the right-of-way at Camino Del Mar and 26th Street. Staff has included a recommended condition of approval requiring a tree protection plan to preserve the health of the public tree throughout the development of the project site.

The proposed landscape plan (Sheet L5) includes a variety of low-lying shrubs and groundcover. Proposed trees and taller growing shrubs include the following:

- Two Weeping Fig with a mature height of 15-feet located at the front entrance via Camino Del Mar
- Three Kentia Palms to the north of the two-car garage

- Five multi-trunk Olive Trees with a mature height of 15-feet, one at the northeast corner of the residence and the other 4 in the courtyard
- One Plumeria at the southeast corner of the courtyard
- Sixty-seven Sweet Bays to be maintained at 4-6 feet along the street facing property lines

Design Guideline C.8 (B), which suggests a minimum landscape area for a lot is not applicable in the beach colony and thus was not analyzed as a part of this project. However, the Applicant provided a Landscape Exhibit on Sheet L.100 to demonstrate that 41% of the site (3,978 square-foot) would now be dedicated to landscaping which would be an increase to the existing 29% (2,826 square feet) of landscaping. The proposed project would comply with the City's Water Efficient Landscape Ordinance, as provided on the Landscape Architect's certification on the Sheet L-4.00.

The proposed landscape appears to be consistent with Guideline C.9 I. The new landscaping has been selected to provide a level of screening that would not block views for neighboring homes using low-height trees (mature heights less than the height of the home) and planting locations that are in line with view corridors. The project appears to be consistent with the Design Review Ordinance pertaining to landscaping.

Materials:

Proposed exterior materials include light Santa Barbara stucco and long-format brick in shades of tan, dark gray standing seam roof, blue painted window shutters, bronze metal doors/windows, and stone door/window surrounds. A material board is included in Exhibit C and the architect's colored illustration of the proposed building elevations on Sheet A4.4.

Story Poles:

Story-poles illustrating the revised design were placed at the subject property on or before December 2, 2025, with certification provided of their placement in accordance with the approved story-pole plan.

CITIZENS PARTICIPATION PROGRAM

Pursuant to DMMC Chapter 23.08, a CPP shall be required (prior to formal submittal of an application for review by the City) for the any of the following: 1) a proposed 500 square-foot or larger (detached) structure; 2) the proposed addition of a new second story to a currently single-story structure; or 3) when the Planning Director, in consultation with the Chair of the Design Review Board, determines a project holds potential to cause adverse impacts to the surrounding neighborhood. The intent of the CPP process is to inform neighbors of a development proposal early in its design phase and to provide opportunities to meet with the applicant and discuss potential concerns (if any) prior to a formal hearing of the item.

The subject project proposes the construction of a new residential unit and therefore requires completion of a CPP. In accordance with the requirements of Chapter 23.08, the Applicant held an Introductory Meeting on December 9, 2024 and a Project Proposal Meeting on March 13, 2025.

Five neighbors participated in the process between the two meetings. The following issues/concerns were identified by the neighbors with responses provided by the applicant:

- Retention of the existing wall and privacy hedge along the southern property line.
 - The Applicant has shown on the landscape plan that the privacy hedge and wall will remain along the southwest portion of the project site along the south and west property line.
- Potential dust and noise during construction/demolition.
 - The Applicant reassured neighbors that the general contractor will implement BMP's as required to best mitigate dust and debris.
- Timing of demolition to not occur during summer months and to begin after Labor Day.
 - The Applicant's response is to review the project schedule and discuss and coordinate with neighbors. (The Board should note that the City does not prohibit construction located on private property in the summer months, aside from City-observed holidays.)
- Concern of noise from mechanical units at side yard.
 - The Applicant's response is that the mechanical equipment will meet the City requirements for decibel levels.

DESIGN REVIEW PERMIT DRB25-010

Along with any findings required for other requested entitlements, DMMC Chapters 23.08.072 through 23.08.080 (Design Review) stipulate seven sets of "Regulatory Conclusions" that the Design Review Board must address when reviewing an application for a Design Review Permit (DRB). Pursuant to Section 23.08.070, a project must be approved unless findings of fact (based upon information presented during a public hearing) can be made that the project as proposed will result in a conflict with one or more of the Regulatory Conclusions.

Based on the project analysis discussed previously in this report and review of the Applicant's DRO Compliance letter (Exhibit B), staff finds that many design features have been utilized in order to minimize impacts to neighboring properties in that the project residence would be located

in approximately the same location as the existing residence. While the interior courtyard area would be increased in size, the existing pool would be eliminated and replaced with a smaller pool/cold plunge and more landscape would be incorporated to provide mitigation for visual and potential noise impacts of these yard uses. Also, the mechanical equipment, and taller trees and vegetation have been oriented more towards the streets (26th Street and Camino Del Mar). Additionally, as some portions of the proposed structure appear to be designed with plate heights exceeding the 10-foot-high maximum recommendation in the Design Guidelines, the Applicant utilized many of the Design Guideline recommendations to reduce bulk/mass and the project appears to be consistent with the neighborhood context in terms of bulk/mass, building height and siting.

R1-5B ZONE DESIGN REVIEW STANDARDS:

DMMC Section 30.15.060 states, “All development in the R1-5B Zone shall be subject to design review by the Design Review Board pursuant to the provisions of this Code. In reviewing said development, the Design Review Board shall, in addition to the criteria specified elsewhere in this Code, consider siting alternatives, building size and bulk constraints, landscaping requirements, and other design improvements as may be reasonably required to preserve and enhance the integrity, public use, enjoyment, and public visibility to and from public open spaces, the beach, and the beach bluffs.”

The proposed project is consistent with these standards, as the proposed project would be generally located in the same location as the existing residence. The building envelope would be expanded; however, the story poles do not indicate the project would impact public views and meets landscaping requirements/recommendations of the Code and Design Guidelines. The existing street parking spaces abutting the project site along Camino Del Mar and 26th Street would not be impacted from the project. In addition, the proposed project would provide twice as many onsite parking spaces (total of 6 onsite parking spaces) as is required (3 onsite parking spaces). Therefore, the project would not adversely impact public use, enjoyment, and public visibility from open spaces, the beach, and beach bluffs.

REQUIRED COASTAL DEVELOPMENT PERMIT/PROJECT’S CONSISTENCY WITH THE LOCAL COASTAL PROGRAM (CDP25-011)

The project includes a new single-family residence within the Coastal Zone. Therefore, the project requires the receipt of a Coastal Development Permit (CDP). The Applicant has submitted the necessary materials to evaluate the project’s conformance with the City’s certified Local Coastal Program (LCP) and the CDP application has been grouped together with the required DRB permit for review by the Board. The standards of review for the CDP application are the regulatory standards found in the LCP’s Implementing Ordinances, the entirety of which have been distributed to Board members under separate cover.

Staff has reviewed the application for consistency with the applicable provisions of the LCP, specifically the resource protection, avoidance of hazards and public access standards.

The project, as conditioned, has been found by staff to meet all of the applicable regulations. Staff is, therefore, recommending conditional approval of the CDP. Staff is also recommending that the required findings can be made by the Board to the effect that:

- 1. That the use for which the Coastal Development Permit is applied is permitted within the zone in which the property is located.**
- 2. That the proposal meets the criteria of the applicable chapters of this Title.**
- 3. That the granting of such Coastal Development Permit will be in conformity with the certified City of Del Mar Local Coastal Program.**
- 4. That for all development proposals located seaward of the first public roadway, the proposed development is consistent with and implements the applicable requirements for provision of public access contained in this Title and in the public access and public recreation policies of Chapter 3 of the California Coastal Act.**
- 5. That for all development proposals involving the construction or placement of a shoreline protection device, that the proposed development is consistent with and implements the applicable requirements of the Beach Overlay Zone and Setback Seawall Zone provisions contained in this Title and is consistent with and implements the provisions of the Chapter Three Policies of California Coastal Act.**
- 6. That the proposal is consistent with and implements the provisions of public view protection policies IV-22 through IV-27 of the City of Del Mar LCP Land Use Plan.**
- 7. That for all development proposals on sites with identified wetland resources, that the proposed development is consistent with and implements the provisions of the Lagoon Overlay Zone as contained within the City of Del Mar Local Coastal Program Implementing Ordinances and Land Use Plan.**

Staff has provided specific findings relative to the standards referenced above that are included in the draft DRB resolution included as Exhibit E. The property is within the Coastal Commission Appeals Area and the City's final action on the CDP is appealable to the Coastal Commission.

LAND CONSERVATION PERMIT LC25-007:

Pursuant to DMMC Chapter 23.33, proposed grading exceeding 25 cubic yards (CY) of cut or fill occurring outside of the footprint of any structure that result in a permanent property elevation change exceeding 18 inches, shall require approval of a Land Conservation Permit (LC). The Grading Plan and an accompanying Grading Exhibit illustrate the location of site grading, which proposes 176 CY of fill (3' maximum shown in red, less than 18-inches shown in green) primarily to fill in the areas of

the site to be at the same elevation of the existing building pad and 10 CY of cut (less than 18-inches shown in blue) primarily to lower the existing pool deck area for the location of the new two-car garage.

DMMC Section 23.33.040 stipulates that a request for a LC Permit shall be approved unless the Design Review Board finds that the request conflicts with one or more of the following seven findings:

- 1. The proposed excavation or grading project is not in conformance with the Del Mar Municipal Code requirements.**
- 2. The proposed excavation or grading project will force the topography to be subservient to the development of the site**
- 3. The proposed excavation or grading project will endanger steep slopes through undue increases in weight or retained water thereby creating conditions which encourage slippage.**
- 4. The excavation or grading project will alter the natural formations unnecessarily.**
- 5. The excavation or grading project does not provide for the restoration of the natural state of the site, to the degree feasible.**
- 6. The excavation or grading project does not minimize the loss of major vegetation, to the degree feasible.**
- 7. The excavation or grading project will create major interruptions of the natural drainage patterns.**

Staff finds that the grading proposed for this project which would be in addition to the fill grading performed in 1990, is minimal, reasonable, and does not appear to be in conflict with one of the seven findings above.

CORRESPONDENCE:

As of the writing of this letter, the Planning Department has not received written correspondence from the public for this project.

RECOMMENDATION:

The Design Review Board should review the project for consistency with the applicable provisions of the Design Review Ordinance (DMMC Chapter 23.08), the Land Conservation Permit (DMMC Chapter 23.33), and the implementing ordinances of the Local Coastal Program. Planning

Department staff has provided analysis pertaining to the project's potential compliance with the standards of the above-cited Chapters. As noted within the body of this report, the project as designed would not be inconsistent with specific standards (Regulatory Conclusions) of the Design Review Ordinance. Therefore, it is staff's recommendation that the DRB approve the project with conditions suggested within the draft resolution included as Exhibit D.

Respectfully,



Jean Crutchfield
Associate Planner

EXHIBITS:

- Exhibit A- Project Site
- Exhibit B- Applicant's DRO Compliance Letter
- Exhibit C- Materials Board
- Exhibit D- Draft Resolution

EXHIBIT A





Dornier Residence
157 26th Street Del Mar, CA 92014

Project Timeline

- 12/09/2024 – CPP 1 Open House
- 01/07/2025 – City Zoom Meeting
- 01/16/2025 – City Zoom Meeting
- 02/24/2025 – Story Poles Certified
- 03/13/2025 – CPP 2 City Hall Presentation
- 05/08/2025 – 1st DRB/CDP/FDP Submittal
- 07/01/2025 – City Zoom Meeting
- 09/02/2025 – 2nd DRB/CDP/FDP Submittal

The Dornier project was initially presented to city staff at the counter in October 2024 to obtain preliminary feedback on the design and then developed further in preparation for the Citizens Participation Program (CPP). After meeting the neighbors at CPP1 the feedback was all positive as neighbors were excited to hear of the existing home to be demolished and that the existing site walls and hedge would all remain. The existing site walls and hedge are a primary aspect of the privacy for this property and adjacent neighbors.

The CPP 2 set was provided to city staff for noticing and it was determined there were some conflicts with grades, roofs, and bulk and scale with the project. Island Architects (IA) met with city staff twice in January 2025 to get closure on the design also working through the bulk and scale. At that time IA redesigned the project in order to demonstrate compliance with the design guidelines with some descriptions below.

- Elevated main level finish floor to comply with the natural grade as the property was previously graded in the 1990's approximately 3 ft
- Reduced roof heights substantially due to natural grade
- Re-designed to increase articulation on all facades
- Dual garages and design allows for increased off street parking (6 spaces)

City staff was thankful for the redesign as it was in conformance with the design review board guidelines and ready for CPP 2 submittal.

CPP 2 set was presented with community members feedback being all positive adding the project was a beautiful design and not negatively impactful to their private views. The only concerns noted were of construction-related items such as noise, dust, and parking that the contractor will assist with.

The first submittal to DRB/CDP/FDP had various comments related to the driveways. After many discussions with city staff, we agreed that in order to not impact parking on the two streets the following would occur.

- Decreased curb cut width on Camino Del Mar
- Decreased driveway width on 26th Street for a combined total of 20 ft
- Add rolled curb with DG pathway on 26th Street



ISLAND
ARCHITECTS

The second submittal to DRB/CDP/FDP was made with all comments being cleared and paving the path to hearings for flood plain and DRB. Additional design related items are described below.

Project design and Design Review Board guidelines

Street elevations are articulated with 6 plane changes on Camino Del Mar with various roof forms and 3 plane changes on 26th Street.

The Design Guidelines state, *“tall plate heights that add to the volume of a structure should be avoided. Eight (8) to ten (10) foot plate heights, the most common for single family homes, should be utilized. This concept is especially important for projects where basement stories are proposed.”*

The main level plate heights are primarily 10 ft with some at 11’-3” on Camino Del Mar due to the articulated façade with 10’-8” at the side and rear in the private interior courtyard. While the single car garage on Camino Del Mar plate height is 12’-2”, reducing was not an option as it impacts the project per the following items:

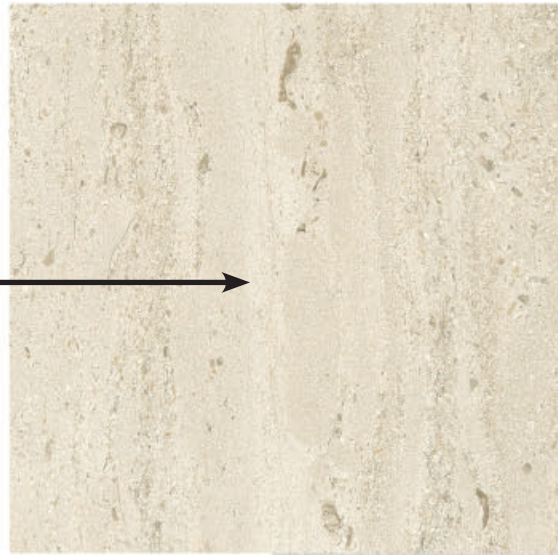
- Taller plate allows for a car lift to take another car off the street
- Symmetry across main elevation would be lost
- It would require steps in the upper-level floor making bedroom 3 suite not accessible
- It would significantly reduce the plate height at the primary suite below.

The upper-level plate heights vary from 7’-8” at Camino Del Mar Street elevation, 7’-10” at rear bedroom, 8’-0” at middle core, and 8’-10” at the flat roof.

Lastly, design items such as gate and wall heights/materials, finishes, lighting, building materials, landscaping, mechanical equipment all follow the DRB guidelines.

EXHIBIT C

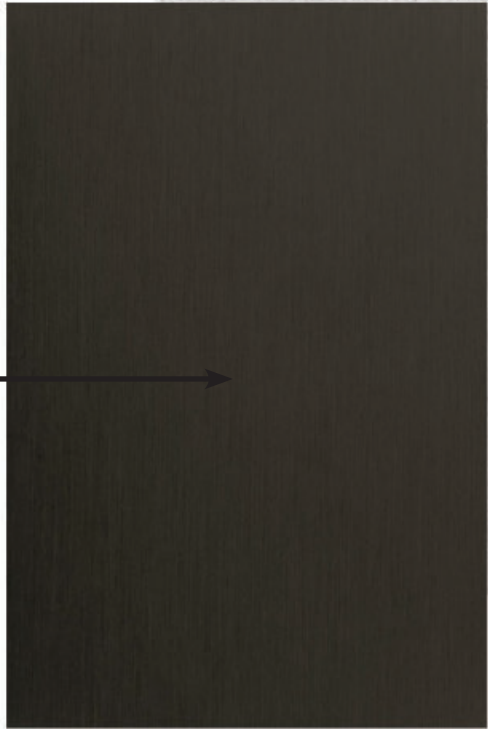
DRESSED STONE DOOR/
WINDOW SURROUNDS



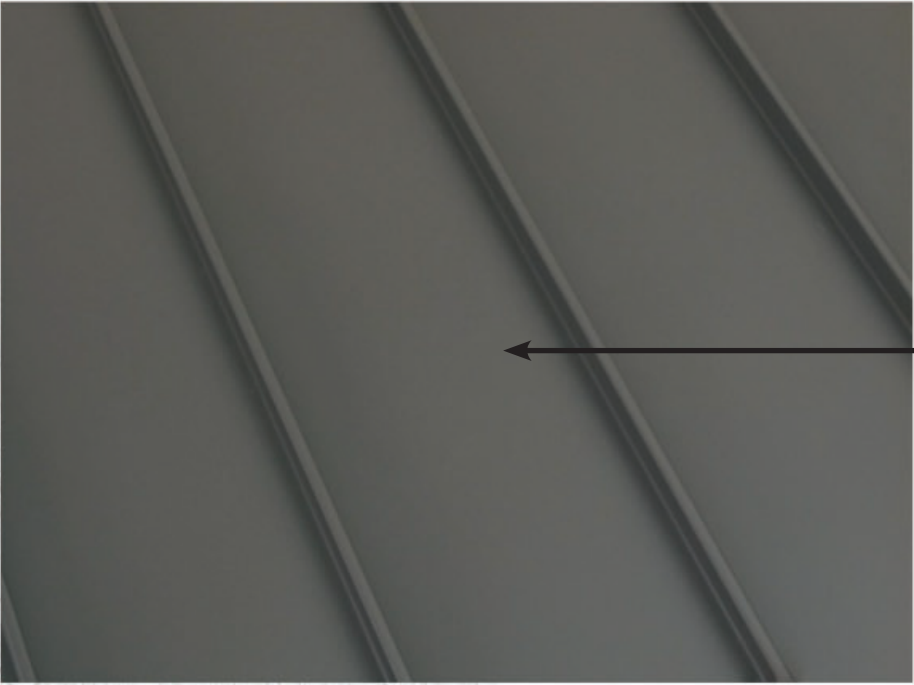
SANTA BARBARA STUCCO



BRONZE METAL
DOORS/WINDOWS



BLUE PAINTED WOODEN SHUTTERS



GREY STANDING
SEAM METAL ROOF

LONG FORMAT BRICK



MATERIAL PALETTE

DORNIER RESIDENCE

157 26TH STREET, DEL MAR, CA 92014
Date: May 1, 2025

January 28, 2026

A RESOLUTION OF THE DESIGN REVIEW BOARD OF THE CITY OF DEL MAR APPROVING A REQUEST FOR DESIGN REVIEW (DRB25-010), COASTAL DEVELOPMENT (CDP25-011) AND LAND CONSERVATION PERMITS (LC2-007) TO DEMOLISH AN EXISTING TWO-STORY RESIDENCE WITH ATTACHED AND DETACHED GARAGES AND TO CONSTRUCT A NEW TWO-STORY RESIDENCE WITH ATTACHED GARAGES AND PERFORM ASSOCIATED GRADING, LANDSCAPE AND SITE IMPROVEMENTS ON PROPERTY LOCATED AT 157 26TH STREET IN THE R1-5B AND FLOODPLAIN OVERLAY ZONE IN DEL MAR, CALIFORNIA

APN: 299-066-13-00 AND 299-066-12-00

WHEREAS, Daniel and Audrey Dornier (herein referred to as “Applicant”), are the owners of real property commonly referred to as 157 26th Street (APN 299-066-13-00 AND 299-066-12-00) (herein referred to as “Property”); and

WHEREAS, the Property is a result of the consolidation of two previous legal and (vacant) lots in 1990 from approved Boundary Adjustment BA-90-02 and recorded Certificate of Compliance COC 91-01 and was a requirement of Design Review Board approval of DRB-90-86, Land Conservation Permit LC-90-14 and Floodplain Development Permit FDP-90-02 for development of the Property; and

WHEREAS, the Applicant filed for applications for Design Review (DRB25-010), Coastal Development (CDP25-011), Land Conservation Permits (LC25-007) (herein referred to collectively as “Project”) to demolish an existing two-story residence with attached and detached garages and to construct a new two-story residence with attached garages and perform associated grading, landscape and site improvements on property located at 157 26th Street in the R1-5B and Floodplain Overlay Zone in Del Mar, California; and

WHEREAS, the Applicant filed a concurrent application for a Floodplain Development Permit (FDP25-002) to allow construction of a new single dwelling unit with an attached garage located within the R1-5B (Medium Density Single Family - Beach) Zone and Floodplain Overlay Zones; and

WHEREAS, on November 18, 2025, the Director of Planning and Community Development held a duly noticed administrative public hearing on application FDP25-002, and at which time an opportunity was provided for any person(s) desiring to be heard; and

WHEREAS, on November 20, 2025, the Director of Planning and Community Development, based on information and testimony received at the November 18, 2025 hearing, and pursuant to DMMC Section 30.56.060, made findings to conditionally approved Floodplain Development Permit FDP25-002; and

WHEREAS, the Project constitutes a request as provided by Title 23 of the Del Mar Municipal Code (DMMC); and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) and the City's adopted CEQA Supplemental Regulations, the Project has been found to be Categorically Exempt per Section 15303 Class 3 (e) (New Construction), and further; it has been determined that none of the six exceptions to the use of a Categorical Exemption are applicable (Guidelines Section 15300.2); and

WHEREAS, the project would demolish the existing residential unit and construct a new residential unit. Therefore, approval of the requested discretionary development applications would have no impact on the City of Del Mar's housing supply or housing affordability; and

WHEREAS, on January 28, 2026, the Design Review Board of the City of Del Mar held a public hearing on applications DRB25-010, CDP25-011 and LC25-007 which were duly noticed, and at which time all persons desiring to be heard were heard; and

WHEREAS, evidence was submitted and considered to include without limitation:

- a. Plans submitted by the applicant.
- b. Written information submitted with the application.
- c. Staff Report, dated January 28, 2026 which is incorporated by this reference as though fully set forth herein; and
- d. Additional information submitted during the hearing (if any); and

WHEREAS, Section 23.08.070 of the Design Review Ordinance (also herein referred to as "DRO") states:

23.08.070 Design Regulations. An application shall be approved unless the Design Review Board makes findings of fact based upon the information presented during the hearing that support one or more of the Regulatory Conclusions contained in this Chapter; and

WHEREAS, the Coastal Development Permit ordinance provides that a determination granting a Coastal Development Permit shall be supported by the findings set forth in DMMC Section 30.75.140; and

WHEREAS, Section 23.33.040 of the Land Conservation Permit Ordinance provides that an application for a Land Conservation Permit shall be approved unless the Design Review Board makes one or more of the findings set forth in the Ordinance; and

NOW, THEREFORE, BE IT RESOLVED by the Design Review Board of the City of Del Mar as follows:

Section 1: Design Review Permit

Based upon the project proposal (and if applicable, substantial evidence presented at the public hearing including written and oral staff reports), public written testimony, Applicant's and Applicant's representative's written and oral testimony, and in accordance with Del Mar Municipal Code (DMMC) Section 23.08.070, the Design Review Board of the City of Del Mar finds that the

Project, as conditioned, will not be detrimental to the Community based on the Regulatory Conclusions Sections of DMMC Chapter 23.08 (Design Review).

Section 2: Coastal Development Permit

Based upon the substantial evidence presented at the public hearing including written and oral staff reports public written and oral testimony, Applicant's and Applicant's representative's written and oral testimony, and in accordance with DMMC Section 30.75.140, the Design Review Board of the City of Del Mar finds:

1. The use for which the Coastal Development Permit is requested, the construction of a replacement single-family residence, is permitted as an allowed use within the R1-5B Zone and Floodplain Overlay Zone in which the property is located; and
2. The Project, as conditioned, meets the criteria of the applicable chapters of the Del Mar Zoning Code, specifically Chapter 30.15 (R1-5B Zone), Chapter 30.56 (Floodplain Overlay Zone) and Chapter 30.80 (Parking); and
3. The Coastal Development Permit, as conditioned, will be in conformity with the certified City of Del Mar Local Coastal Program. Specifically, the Project, as conditioned, will meet the underlying zoning and parking regulations, as specified in the LCP; and
4. The Project is consistent with and implements the applicable requirements for provision of public access contained in the Del Mar Zoning Code and in the public access and public recreation policies of Chapter 3 of the California Coastal Act. The Project is located between the first coastal roadway and the sea, however, it will not impact public access and recreation; and
5. The Project, as conditioned, is consistent with and implements the provisions of public view protection policies of the City of Del Mar Local Coastal Program, including those of the LCP Land Use Plan. Due to its location and design, the Project would not adversely affect any public views.
6. The Project does not involve the construction or placement of a shoreline device nor is the Project located on a site with identified wetland resources.

Section 3: Land Conservation Permit

Based upon the substantial evidence presented at the public hearing, including written and oral staff reports, public written and oral testimony, Applicant and Applicant's representative's written and oral testimony, and in accordance with DMMC Section 23.33.020, the Design Review Board of the City of Del Mar finds that the revised Project will not be detrimental to the Community based on its conformance with DMMC Chapter 23.33 (Land Conservation).

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Design Review Board of the City of Del Mar that application DRB25-010, CDP25-011 and LC25-007 are hereby approved subject to the conditions listed on the following pages;

[Note: The conditions listed below may have gaps in numbering or lettering. These gaps are intentional.]

GENERAL CONDITIONS:

G-1 *[Business License]*

Prior to commencement of any work on site, all contractors and subcontractors shall obtain a valid City of Del Mar Business License. The general contractor shall be responsible for ensuring that all subcontractors obtain required Business License and shall retain copies of said permits on site for verification by City staff.

G-2 *[Utility Undergrounding Threshold]*

If the total cost of new construction exceeds \$7,500 (as determined by the Building Department), all new utility service connections shall be placed underground consistent with the provisions of DMMC Section 30.86.210.

G-3 *[Development Authorization Limited to Plan Set]*

This permit is granted based on submitted plans dated **January 28, 2026** and so identified by the staff of the Del Mar Planning and Community Development Department. Revisions to these plans and/or any proposals for modification shall require review and prior authorization from the appropriate entities of the City of Del Mar.

G-4 *[Encroachment Permit for Work in Right-of-Way]*

Any work proposed or required within a City of Del Mar public right-of-way or access easement, or required within a public right-of-way or access easements pursuant to the conditions of approval of this Permit, shall be subject to the prior receipt of a City of Del Mar Encroachment Permit. Applications for Encroachment Permits shall include plans depicting all proposed private and public improvements including, but not limited to, improvements involving drainage, grading and/or public utilities. The required Encroachment Permit shall be subject to review and approval by the City of Del Mar in accordance with the procedures set forth in the DMMC and may include requirements for inspections and/or submittal of a security deposit(s). Please note that DRB of plans indicating right-of-way improvements does not constitute approval of the separately required Encroachment Permit.

G-5 *[Requirement for Building Permits]*

Prior to commencement of work, the applicant or agent shall obtain all required Building Permits.

G-6 *[Construction and Demolition Waste Recycling Requirement]*

Owners and builders generating any construction and demolition debris on a project must comply with the minimum requirements regarding recycling or reuse for salvage set forth in the 2016 California Green Building Standards Code, Title 24, Part 11. This includes, but is not limited to, the submittal of a Construction Waste Management Plan and a minimum diversion of 65% of non-hazardous construction and demolition waste. Signage shall be posted on-site with information identifying materials to be diverted.

G-7 *[Code Compliance]*

Approval of this application shall not waive the requirement for compliance with the provisions of the Del Mar Municipal Code or other applicable City regulations in effect at the time of Building Permit issuance, unless specifically waived in this permit authorization.

G-8 *[Height and Setback Certifications Prior to Framing Sign Off]*

Prior to sign-off on the framing inspection for the project, the applicant shall provide a statement from a Licensed Surveyor certifying that the building height and setbacks are in conformance with the approved plans for the project. The survey required herein shall be prepared using City of Del Mar approved vertical benchmarks for building height certification and reported to 0.01 of a foot. The setback certification shall be based on surveyed property corners as necessary to establish property lines and reported to 0.01 of a foot.

G-9 *[Fence/wall Height Limitations]*

All fencing, walls, and gates shall conform with all applicable fence height and pool security fencing requirements of the DMMC.

G-10 *[Story Pole Removal]*

Story poles shall be removed from the property within ten days following the final date of the City's action on the project application.

G-11 *[Plan for Construction-Phase Impacts]*

Prior to issuance of Building Permits or commencement of project implementation (whichever comes first), the Applicant shall provide a plan to the Planning Department for construction-phase parking and equipment/materials storage for the project. The plan must include the following:

- a. Identification of an on-site material storage location;
- b. Identification of an on-site equipment storage location;
- c. Identification of at least two on-site parking space which will remain available throughout the duration of the project;
- d. Location of any temporary sanitary facilities;
- e. A note stating that "If on-street parking is utilized, a minimum street access clearance of 20ft. will be maintained";
- f. Map displaying any/all haul routes; and
- g. Contact information (phone number and Email) for the on-site supervisor(s);
 1. This information must also be posted on-site in a location which is readily visible from the public right-of-way for the duration of the project.

The plan required herein shall be subject to the review and written approval of the Planning and Community Development Director, working in consultation with Community Services/Parking Enforcement and Public Works Departments. Haul routes and work and/or storage of material or equipment within a City right-of-way will require the receipt of an Encroachment Permit. The requirements mentioned above may be modified by the Planning and Community Development Director, or his designee, upon a determination that sufficient alternatives have been proposed which achieve a similar level of compliance.

G-11A In addition to the submittal of a Construction Phase Impact Plan, the applicant must place a Construction Parking Placard in all vehicles associated with the project which will be parked off-site. The placard must remain in plain view on the dashboard of the vehicle throughout the duration of the project. A Construction Parking Placard can be obtained from the City of Del Mar Planning Department.

G-12 *[Receipt of Demolition Permit]*

Prior to the demolition or removal of any structures on the project site, the applicant shall apply for and gain approval for: a Demolition Permit, as required pursuant to the DMMC; and an accompanying Coastal Development Permit, as applicable.

G-13 *[Permit Expiration]*

This Permit shall expire three years from the date of approval, on **January 28, 2029** unless a Building Permit has been issued (if required by the DMMC) and substantial construction has been accomplished in reliance upon the permit. Pursuant to the DMMC, substantial construction is defined as: completion of a minimum of 10% of the total amount of construction authorized by the permit, based on the monetary value of construction costs including grading, site preparation and construction but specifically excluding all costs associated with the acquisition of interest in the project site and all costs associated with the preparation and processing of permits or plans.

G-14 *[Preconstruction Meeting]*

Prior to any demolition, construction, and/or land disturbances occurring on-site, a preconstruction meeting shall be held. Attendees to this meeting shall include representatives from the City of Del Mar's Planning and Community Development Department, City Engineer, the Project Contractor/Superintendent, the Project Architect, the Project Engineer, the property owner and any others essential for the proper implementation and completion of this project. At a minimum, the following issues shall be reviewed at this meeting:

- a. City of Del Mar inspection requirements.
- b. Process for requests for plan modification and determinations of substantial conformance.
- c. Discretionary permit conditions and requirements.
- d. Construction hour limitations and noise standards.
- e. Construction access and parking including equipment/materials storage and maintenance.
- f. Work within public rights-of-way and/or easements.
- g. Stormwater Best Management Practices.
- h. Tree-preservation requirements.
- i. Demolition permit requirements.
- j. Signage requirements/limitations.
- k. Neighborhood impact issues.
- l. Key contact information.
- m. Business license requirements.
- n. Construction and demolition waste diversion requirements
- o. Any other pertinent construction related activities and or information.

G-16 [*Compliance with City Noise Regulations*]

The applicant and all parties involved with implementation of the project shall comply with the regulations of the DMMC with regard to construction noise. The regulations stipulate that all construction activities are limited to the following periods: between 7:00 a.m. and 7:00 p.m. / Monday through Friday and between 9:00 a.m. and 7:00 p.m. on Saturdays. Construction activities are prohibited during other hours and on Sundays and City Holidays. The City's Noise Ordinance, Chapter 9.20 of the Del Mar Municipal Code, includes the dates of City Holidays, and can be viewed on the City's web page (www.delmar.ca.us).

G-17 [*Dig Alert*]

Prior to excavation or trenching, the applicant shall call Underground Service Alert of Southern California (Dig Alert- 1-800-227-2600) for a mark out of service utilities.

G-18 [*Rules for Construction-related Signage*]

All construction-related signage posted at the project site shall comply with DMMC Chapter 30.84 (Signs). The pertinent sections of the Sign Chapter allow installation of a total 5.5 square feet of temporary signage on a residential property (that is cumulative of all signs posted). Such signs may be posted for a maximum of sixty (60) days in a calendar year.

The restrictions noted above do not apply to the Development Pending, Construction Noise Notice and Building Permit signs required by the City as part of the project review process.

All construction related signage, including City required signs, shall be removed prior to final approval of the project.

S-13 [*Pool Heating*]

Prior to the issuance of Building Permits, the applicant shall provide verification, to the satisfaction of the Planning and Community Development Director, that any proposed pool heating system is in compliance with DMMC Section 23.20.060, in that: 1) no conventional swimming pool heating systems shall be installed, except for those solely connected to spas or Jacuzzis whose water surface area is less than seventy-five (75) square-feet; and 2) swimming pools which are plumbed or otherwise connected to a spa or jacuzzi utilizing conventional heaters shall include a solar swimming pool heating system which contains an unglazed solar collector area of not less than one-half of the surface area of the swimming pool, or shall consist of an alternative design, which, in the opinion of the City, is sufficient to meet or exceed the stated intent of this Section 23.20.060.

LANDSCAPE

L-1 [*Landscape Improvements in the Right-of-way*]

Proposed landscaping and/or irrigation within the public right-of-way that exceeds 30" at mature height requires an Encroachment Permit. Provided an Encroachment Permit is obtained, as may be required by the Municipal Code, the applicant may make landscape improvements in City rights-of-way and easements compatible with those on the adjacent private property. The landscape improvements shall be detailed in a Landscape/Irrigation Plan submitted for City review and approval. Large or fast growing trees or shrubs which could affect power or other utility lines, vehicle travel way, parking, or site distances shall be prohibited. Unless otherwise authorized via

written City approval, turf areas shall be limited and maximum use shall be made of drought tolerant ground cover and shrubs. Where no formal improved sidewalk is provided, vegetation to be installed within five (5) feet of the improved street edge shall be “walkable” groundcover appropriate for pedestrian travel. The property owner shall also be required to maintain installed trees, shrubs, turf, ground cover, irrigation, and other improvements in the right-of-way to the City’s satisfaction and may be required to record a Covenant Agreement memorializing this requirement.

L-3 *[Torrey Pine Tree Preservation Plan]*

Prior to the issuance of Building Permits, the applicant shall submit a Tree Preservation Plan for the review and approval of the Planning and Community Development Director. The plan shall address construction methodologies and construction-phase measures to be implemented to ensure preservation, in a healthy and thriving condition, of those Torrey Pine trees to be retained on the property pursuant to the approved plans for the project and shall comply with Chapters 5 and 6 of the City of Del Mar Public Tree Policy Manual.

ENGINEERING CONDITIONS:

E-1 *[Separate Permits for Off-site Work]*

All improvements to off-site facilities, including the provision of access road and/or utility lines as proposed or required pursuant to the conditions of this Permit, shall be subject to the receipt of separate City permits, as applicable.

E-2 *[Drainage Plan]*

Prior to issuance of Building Permits, the applicant shall provide a detailed Drainage Plan for the project prepared by a Registered Civil Engineer or Licensed Architect. The Plan shall be prepared in accordance with the latest edition of the City’s “Applicant’s Guide to Procedures for a Grading Permit” and shall be subject to the review and approval of the Planning and Community Development Department Director in consultation with the City Engineer. The Plan required herein shall be prepared to minimize the amount of impervious surface area of the development and to maximize the on-site dissipation of storm water run-off. The Plan shall be in compliance with applicable National Pollutant Discharge Elimination System (NPDES) stormwater requirements and shall incorporate the use of “Best Management Practices” (BMPs) to control runoff or discharge onto the City rights-of-way and to avoid run-off onto adjacent private properties.

In addition to the considerations listed above, the Plan shall also address/incorporate the following:

E-2A A topographical map indicating property lines, topographic features and existing and/or proposed structures prepared by a Registered Civil Engineer or a Licensed Land Surveyor. Said map shall include two-foot contour lines and/or sufficient spot elevations to clearly represent existing and proposed topographical features, and existing and proposed drainage patterns. Said map shall also show entire property boundary including any assumed found monuments, and bearings and distances based on record information.

Survey shall extend minimum 25 feet beyond limits of property line and adjoining right-of-way;

E-2B The location of all existing or proposed easements within the property boundary;

E-2C The location of all roof down-spouts and any proposed collection system, with information regarding pipe alignments, invert elevations, slopes, sizes, and the discharge location of said collection system;

E-2D The manner in which the proposed pool/spa feature will be drained. The Plan shall also include the following note to which the applicant and subsequent property owners shall comply: "The pool/spa feature shall be dechlorinated, free of debris or litter, and the type and content of chemical additives must be verified to determine any residual pollutants that may have a detrimental impact on sewer facility. The Plan shall specify that spa/water feature drainage will be collected and conveyed into sanitary sewer systems unless otherwise required or authorized by the Planning and Community Development Director. Provide a sewer lateral within ten-feet of the proposed swimming pool to drain pool for periodic maintenance;

E-2E Depict the location of site utilities and location of proposed swimming pool and patio deck;

E-2F Depict location of pool pump and filtering equipment on plan set. Location per Planning Department conditions;

E-2G The manner in which landscaped areas will be drained. The Plans shall ensure that no area drains will be installed within landscape areas which are subjected to irrigation run-off;

E-2H The methods for providing temporary erosion control during the construction phase of the project, complete with the inclusion of standard grading and erosion control notes on the plans;

E-2I The manner in which drainage from retaining wall sub-drains and sump pumps will be collected and conveyed. The Plan shall specify that such drainage shall not be discharged onto City streets and that drainage from sub-drains and sump pumps shall discharge on the project site to allow percolation back into the soil;

E-2J The manner in which drainage shall be controlled to eliminate the discharge of nuisance water and to ensure that existing or proposed private pipe outlets will not convey or discharge nuisance water onto adjacent properties or into the public right-of-way (i.e., from irrigation, pool/spa/water feature splash run-off, planter area drains, French drains, etc.);

E-2K Interception of run-off from the proposed driveway to preclude direct flow to the adjacent streets right-of-way. This may be accomplished by incorporation of pervious driving surfaces, diversion to landscaped areas using swales or grates, etc. The project engineer's evaluation shall include, but not be limited to, consideration of the potential effect of proposed construction on site groundwater and moisture conditions. Provide spot grades and/or contours to substantiate design;

E-2L The inclusion and maintenance of a 5-foot wide buffer zone to be maintained along the edge of pavement along the street frontage. No obstructions (i.e., walls, trees, benches, etc.) shall be permitted within this area;

E-2M Depict the existing sewer and water mains and laterals serving the residence;

E-2N All Retaining walls along property lines shall be depicted in plan and profile. The limits of retaining wall footings shall be depicted in the plan view;

E-2O Include storm drain run-off "Best Management Practices" that minimize the volumes of urban run-off discharge to City rights-of-way, as acceptable to the City Engineer. Indicate how the proposed bio-infiltration/retention area or bio-swale will discharge off-site without causing erosion. Depict the location of erosion control devices to be implemented in the event of rainfall;

E-2P Ensure that the development will minimize the amount of impervious surface area and maximize the on-site dissipation of storm water run-off;

E-2Q Provide elevations and slope call-outs to clarify how water will drain around the proposed patio hardscape, with assurances the runoff will not be conveyed over sensitive topographic features;

E-2R Include landscaping plans with characteristics that maximize infiltration, provide retention, reduce irrigation and storm water run-off, use efficient irrigation, and minimize the use of fertilizers, herbicides and pesticides;

E-2S Include a Hydrology/Hydraulic Report prepared by a Registered Engineer that addresses how storm water will be adequately collected and conveyed on and across the subject property. The report shall also address the tributary area for run-off directed to and across the subject property. The report shall Address”

- a) The tributary area for run-off directed to and across the subject property.
- b) Calculations and details demonstrating that if proposed inlets/outlets, etc. are plugged or overloaded, the site is capable of conveying storm flows in a manner that is not detrimental (including flooding and erosion) to surrounding properties.
- c) Shall address both existing and proposed conditions.
- d) Shall provide calculations for the 2-year and 100-year events for pre and post conditions.

E-2T Incorporate all recommendations pursuant to the Hydrology/Hydraulic Report prepared for the project. This includes the detailing in the plan set of any bio retention/infiltration or vegetated swales which are proposed. Mitigate for any increase in runoff generated by this development;

E-2U If the project involves demolition of an existing structure or surface improvements, the grading and erosion control plans shall be approved by the City Engineer prior to the issuance of a demolition permit. No demolition shall be permitted without an approved erosion control plan;

E-2W Following construction completion, the project designer shall inspect as-built improvements. Significant discrepancies, if any, between the approved plans and as-built conditions shall be brought to the attention of the Planning and Community Development Department and City Engineer. An as-built plan prepared by the project designer will be required. Prior to final sign-off by the City Engineer, the project designer shall sign the as-built plan indicating that the project was completed in accordance with said plan.

E-3 [Engineering Fee]

Prior to issuance of Building Permits, the applicant shall provide fees as delineated in the City's Engineering Review Fee Schedule as funds necessary for Engineering Department review of the proposed site improvements. If additional review beyond the scope outlined in the Engineering Review Fee Schedule becomes necessary, a supplemental deposit(s) will be required.

E-4 [Installation of Public Improvements- Covenant therefore]

E-4A The applicant shall perform street repairs on a portion of 26th Street adjacent to the property. Said Street shall have dig-out performed on any distressed pavement and shall receive a 1-1/2" grind and overlay full width adjacent to property which shall include all transitions, drainage facilities, and other improvements as deemed necessary by the City Engineer. Said improvements shall be subject to inspection and approval by the City Engineer. A separate cost estimate is required for the work within the public right-of-way. Additional review fees will be required based on the City's standard fee schedule for public improvements; and

E-4B The applicant shall construct a 4" rolled curb, per San Diego Regional Standard Drawings, along the south side of 26th Street. The face of curb shall be approximately 14.5 feet from the centerline of 26th Street. A 5-foot-wide DG sidewalk (cement treated) shall be constructed adjacent to the 4" rolled curb and gutter. A 5-foot transition from the existing 6" curb and gutter to the proposed 4" rolled curb and gutter shall be constructed to ensure a smooth transition. A new SDRSD G-14 driveway shall be constructed along Camino Del Mar to the dimension indicated on the approved site plan.

E-5 [Private Drains]

E-5A Unless specifically authorized in permit plans, drains in landscape areas discharging to public rights-of-way shall not be allowed. Drains discharging into public rights-of-way may be authorized, subject to review by the City Engineer and only if warranted by unique site conditions. In such cases, design elements shall be incorporated into the plans which reduce the potential for stormwater pollution and nuisance drainage to the maximum extent practicable. The project engineer's evaluation shall include, but not be limited to, consideration of the potential effect of proposed construction on site groundwater and moisture conditions. All hardscape drains, roof drains, wall drains and other private drains shall be shown in detail on improvement plans;

E-5B Site drainage shall be designed such that, in the event of plugged or overloaded inlets/outlets, storm flows will be conveyed in a manner that is not detrimental to the site or other properties; and

E-5C Deck drains, when used, shall be no more than 25 feet apart, and no single drain shall serve more than 250 square feet of area. There shall be no direct connection between the pool deck drains and the sewer or plumbing drainage systems. They shall not drain to the pool gutter or recirculation systems.

E-6 [Geotechnical Report Requirement]

Prior to issuance of Building Permits, the applicant shall provide a Geotechnical Report for the project. The Report shall be prepared, signed and sealed by a Certified Engineering Geologist and a Geotechnical Engineer or Registered Civil Engineer. This Report shall be subject to review and approval by the City Engineer, City Building Department, and if deemed necessary, a third-party with expertise in geotechnical issues. The report required herein shall:

E-6A Include all standard information as required by the City's Grading Ordinance;

E-6B Evaluate existing site constraints;

E-6C Provide any mitigation measures as necessary;

E-6D Include the preparation of field tests to be performed at the site during construction, so as to ensure that field conditions are suitable for the approved construction. The results

of such tests may necessitate revisions to the project with such revisions subject to review by the appropriate City entities;

E-6E Address the feasibility of long term infiltration of stormwater runoff onsite, if any, and if subdrains will be required for any proposed infiltration BMPs;

E-6F Address the presence of groundwater and the need to provide subdrains for groundwater extraction. If extracted groundwater is discharged to surface waters, the project must comply with State RWQCB Order No. R9-2008-0002; and

E-6G Provide recommendations for any special construction methods as necessary.

E-7 [Authorization for Off-site Work]

E-7A Prior to the issuance of Building Permits, the applicant shall obtain letters of permission from affected property owners if construction or construction access is required across property lines; and

E-7B The following note shall be included on the plans for the Permit: “No grading shall occur outside the limits of the approved grading plan unless prior written authorization is obtained from the City and the owners of any other affected properties.”.

E-8 [Hold Harmless Agreement for Off-site Drainage]

E-8A Prior to issuance of Development Permits, the applicant shall process, execute, and record a hold harmless Agreement with the City of Del Mar regarding off-site drainage associated with the project. The form and content of said agreement shall be prepared to the satisfaction of the City Engineer and the Planning and Community Development Director; and

E-8B Prior to approval of a grading plan, the developer shall apply through the City, resubmit to the City of Del Mar the Elevation Certificate (FEMA Form FF206-FY-22-152) and the City of Del Mar FDP–Floodplain Development Permit. The developer's engineer shall provide the required supporting data to justify the application and to ensure that the Finished floor is at least 1-foot above the Base Flood Elevation (BFE).

E-9 [Soil Stabilization]

The applicant shall utilize sediment controls only as a supplement to erosion prevention for keeping sediment on-site during construction – NEVER as a single or primary method.

E-9A The applicant shall clear and grade only the areas on the project site that are necessary for construction. These areas shall be clearly denoted on the plans;

E-9B The applicant shall minimize exposure time of disturbed soil areas;

E-9C The applicant shall submit a schedule to the City for review and approval, with proposed dates, demonstrating the minimization of grading during the wet season and coinciding the grading with dry weather periods, permanent revegetation and landscaping as early as feasible, temporary stabilization and reseeded of disturbed soil areas as early as feasible;

E-9D The applicant shall stabilize all slopes per City approved method; and

E-9E The contractor is required to provide periodic and continuous maintenance of all Best Management Practices (BMP) devices/facilities listed in the City approved Water Quality Management Plan (WQMP) for the project. This includes but is not limited to,

filter material replacement and sediment removal, as required to assure peak performance of all BMPs.

E-10 [Required Backflow Prevention Valve]

If the project authorized by this permit will involve installation or retention of any plumbing drainage fixtures at a level below that of the PUBLIC sewer main serving the project site, the applicant shall install a private backflow prevention device on their private lateral per the requirements shown below.

The plans shall be submitted prior to the issuance of Building Permits and shall be according to the Uniform Plumbing Code and subject to the review and written approval of the Planning and Community Development Director and City Engineer. Once installed, the private backflow prevention device(s) shall be subject to inspection by the City Engineer prior to final sign off for the project.

E-11 [Access to Water Meters]

Access to proposed or existing water meters located on or immediately adjacent to the property shall remain open and unobstructed at all times. Prior to the issuance of Building Permits, the applicant shall demonstrate that no structure or vegetation is proposed so as to restrict access to the water meter. In the event access is blocked by project implementation, the applicant shall be responsible for the removal any obstruction at his/her expense or shall pay for the cost of relocating the water meter to allocation acceptable to the Public Works Department.

E-12 [Updated Title Report]

Prior to the issuance of Building Permits, the applicant shall prepare an updated title report for the property.

E-13 [Compliance with City of Del Mar JURMP]

This project shall conform to the construction component in the latest edition of the City's Jurisdictional Urban Runoff Management Program (JURMP).

E-14 [Compliance with Floodplain Regulation]

Prior to issuance of Building Permits, project plans shall be designed to comply with all the requirements and terms of the City's Floodplain Overlay Zone and Federal Emergency Management Agency (FEMA) regulations, and shall be subject to the review and approval of the City Engineer and Planning and Community Development Department Director.

E-15 [Sewer Service]

The sewer connection to the public main must be a gravity connection. If a pump is required in order to service the residence, it must transition to gravity flow prior to connection to the public system. A sewer backflow prevention device will also be required if a pump is proposed. The existing Sewer lateral shall be videoed and certified clear of obstructions or damage by a licensed plumber. Should the lateral be damaged, a new lateral shall be installed to service the residence.

E-16 [Backflow Prevention]

A reduced pressure backflow prevention device is required for the water system that services the pool/spa. The system must be designed to the satisfaction of the City Engineer, Public Works, and Building Department.

E-17 [Proposed Retaining Wall]

The proposed retaining walls shall be designed and constructed completely within the property. No portion of the wall or footing shall extend across the property line. The limits of any retaining wall footing shall be depicted on the grading plan. The applicant shall provide a plan and profile view of the proposed retaining wall that will depict top of wall and top of footing elevations.

E-18 [Driveway Slope]

The Grading Plan must include a profile of the proposed driveway. The longitudinal slope must not exceed 8% within 10' of the street. The slope must not exceed 6% within 25' of the garage door. Between these two areas, the slope must not exceed 25%.

E-19 [Peak Runoff Mitigation]

The proposed improvements shall result in a net decrease in impervious area. If this is considered infeasible, the applicant must submit a Hydrology and Hydraulics report. The report must demonstrate that the project mitigates the increase in peak runoff through the use of acceptable LID features.

E-20 [Utility Service]

If any new or modified connections to the water or sewer mains in the public right-of-way are proposed, additional plan sets, and review fees may be required.

E-21 [Stormwater Management Plan]

The applicant must submit an updated SWMP for Standard Projects. A BMP Site Plan must be included and attached to the SWMP.

E-22 [Stormwater Compliance]

Stormwater compliance requirements are subject to change based on adoption of revisions to state and local regulations. Recent changes to the regulations include the following: revised Priority Development Project definitions, additional/revised hydromodification mitigation requirements, and increased emphasis on on-site retention/re-use. These changes could significantly impact the design, type, and size of BMPs necessary for compliance. The new regional MS4 Permit (Order No. R9-2013-0001) was adopted May 8, 2013.

E-23 [Existing Easements]

Prior to issuance of Building Permits the applicant must provide a letter from any easement holder authorizing the proposed improvements within the existing easement.

E-24 [Revisions to plans]

Any proposed change to the approved layout/use/activity on the site or any increase in the developed area of the site or any expansion or modification to the approved development,

including changes to structures building locations, elevations, parking allocation, or landscaping shall require that a construction change be submitted to City for review and approval.

E-25 [Survey Monuments]

E-25A The perpetuation of survey monuments is required and intended to protect both public and private property rights in accordance with federal and state law. Monument perpetuation shall be performed with every Drainage/Grading Plan and Street Improvement Plan. A land surveyor shall, upon completion of Drainage/Grading Plan, or new improvements, reset any monuments that have been destroyed due to the construction of the project and must file a post-construction Corner Record or Record of Survey with the County Surveyor.

E-25B A hold will be placed on the final inspection for all right of way permits and other types of permits that affect survey monuments. When Engineering Department receive confirmation of the filing of the post-construction Corner Record, Record of Survey or Parcel/Final Map from the land surveyor, the hold will be released, and final inspection can be performed.

E-26 [Archaeological]

The permittee shall cease work on-site if any archaeological resources that are revealed. The City shall be notified immediately. A qualified archaeologist, retained by the permittee, will evaluate the situation, and make recommendations to the City concerning the continuation of the work.

FIRE DEPARTMENT:

F-1 [Class "A" Roof]

All structures shall be provided with a Class "A" Roof covering to the satisfaction of the California Building and Fire Code. NO wood shake shingles are allowed.

F-7 [Gates]

All drive gates, pedestrian gates or other structures or devices, which could obstruct fire access roadways or otherwise hinder emergency operations or personnel, are prohibited unless they meet standards approved by the Del Mar Municipal Code 10.04 and California Fire Code. Pedestrian gates shall have a Knox Key Box installed and a key provided for any locked gate. Electric gate openers, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed, and installed to comply with the requirements of ASTM F2200. An automatic gate shall meet Fire Department policies deemed necessary by the Fire Code Official for rapid, reliable access.

F-10 [Address Numbers]

STREET NUMBERS: Approved numbers and/or addresses shall be placed on all new and existing buildings and at appropriate additional locations as to be plainly visible and legible from the street or roadway fronting the property from either direction of approach. Said numbers shall contrast with their background, and shall meet the following minimum standards as to size: 4" high with a 3/8" stroke for residential buildings, 8" high with a 1/2" stroke for commercial and multi-family residential buildings, 12" high with a 1" stroke for industrial buildings. *Additional numbers shall*

be required in following locations; where deemed necessary by Fire Marshal, such as rear access doors, building corners, and entrances to commercial centers. ALSO; where structures are located off a roadway on long easements/driveways, a monument marker shall be placed at the entrance where the easement/driveway intersects the main roadway. Permanent address numbers with height conforming to Fire Department standards shall be affixed to this marker.

F-12 [*Automatic Fire Sprinkler System-Commercial, Multi-Family And Residential Structures And Garages; Fire Department Connections For Multi-Family And Commercial Sprinkler Systems And Related Control Valves*]

All structures shall be protected by an automatic fire sprinkler system designed and installed to the satisfaction of the California Fire Code and Del Mar Municipal Code 10.04. Plans for the automatic fire sprinkler system shall be submitted prior to start of construction and approved by the City designated fire plans examiner prior to any on site building construction inspection (other than slab, grading inspection) by a building official.

Fire Department Connections (FDC) for fire sprinkler and standpipe systems shall meet the following requirements: shall be mounted at the following height(s); 36 to 42 inches above finished grade, to the top of connection.

- If FDC is installed separate from the Backflow/Double Detector Check, it shall be located a minimum of 5 feet from the Backflow/DDC valve.
- When an FDC is attached to Backflow/DDC, the FDC mounting height shall still be 36 to 42 inches max above finished grade
- If the Backflow/DDC is installed without an FDC, both OS&Y valve handles shall be mounted 36 to 42 inches above finished grade.
- Bushes, trees and similar foliage shall not be located within a radius of 5 feet of an FDC or Backflow/DDC valve assembly. Ground cover landscape is acceptable.

F-13 [*Smoke and CO Detection*]

Smoke alarms and carbon monoxide alarms shall be installed, as required by California Building or Fire Codes.

F-18 [*Roadway Clearance During Construction*]

In accordance with the California Fire Code and California Vehicle Code, during Project construction, all roadways shall maintain a minimum travel clearance width of 20 feet, with such area free of Project equipment or materials, including the parking of construction-related vehicles.

FDP25-002 FLOODPLAIN CONDITIONS:

FP_G-5 [*Conformance with approved plans*]

This Permit is granted based on submitted plans dated November 18, 2025 on file with the City of Del Mar Planning Department. Revisions to these plans and/or any proposals for modification

shall require review and prior authorization from the appropriate departments or contracted entities of the City of Del Mar. The single-car garage is built below the BFE (12 feet NAVD88) but has been designed with flood vents and will contain a vehicle lift. All building materials, mechanical and electrical equipment for the vehicle lift located within the one-car garage will be elevated above the BFE or will be floodproofed.

FP_G-6 [Compliance with other standards]

Prior to issuance of Building Permits, project plans shall be designed to comply with all the requirements and terms of the City's Floodplain Overlay Zone and Federal Emergency Management Agency (FEMA) regulations. The City Engineer shall review all aspects of the project plans to insure conformance with all applicable flood protection requirements.

FP-1 [Plan review Federal Emergency Management Agency (FEMA) compliance]

Prior to the issuance of Building Permits, the project plans shall be subject to the review and approval of the City Building Official for conformance with all applicable flood protection requirements. The plans required herein shall reference the NAVD88 datum. Plans shall address the following:

FP-1 A [Mechanical equipment elevation]

No machinery or equipment shall be installed within the attached one-car garage, (including, but not limited to furnaces, air conditioners, heat pumps, hot water heaters, washers, dryers, elevator lift equipment, electrical junction and circuit breaker boxes, or food freezers), shall be placed, installed, or constructed below the level of the base flood elevation of 12 feet (NAVD88).

FP-1 B [Restriction on improvements below base flood elevation]

All interior wall, floor, and ceiling materials located below the Base Flood Elevation of 12 feet (NAVD88) shall be unfinished and resistant to flood damage.

FP-1 C [Floatation/lateral movement construction]

The walls of any enclosed area below the Base Flood Elevation of 12 feet (NAVD88) shall be constructed in a manner to prevent flotation, collapse, and lateral movement of the structure.

FP-1 D [Flood proofing]

The walls of any enclosed area below the Base Flood Elevation of 12 feet (NAVD88) shall be constructed and flood-proofed so as to be in conformance with FEMA regulation #44 CFR 60.3(c)(5).

FP-2 [Finished floor certification]

Per the requirements of the Federal Emergency Management Agency, prior to final approval/Certificate of Occupancy, the Applicant shall submit an Elevation Certificate prepared by a licensed surveyor or registered civil engineer, certifying the elevation of the lowest floor elevation(s) of the structure.

WATER CONSERVATION CONDITIONS

WC-01 [Compliance with City and State Water Conservation Policies and Regulations]

Prior to issuance of building permits, the applicant shall provide a Landscape Documentation Package (LDP) for the project prepared by a landscape architect or landscape contractor licensed by the State of California. The LDP required herein shall include anticipated water use calculations for the project's landscape and irrigation components. The LDP shall be accompanied by a certification from the preparer that the LDP is in compliance with the City's adopted water conservation policies in effect at the time of LDP preparation, including Del Mar Municipal Code Chapter 23.60 (Water Efficient Landscape Ordinance) and any guidelines adopted by the City for such ordinance. The preparer shall also certify that the LDP is in compliance with the Governor's Executive Order Nos. B-29-15 and B-36-15, which call for compliance with landscape/irrigation water use standards set by the California Building Standards Commission and the California Department of Housing and Community Development.

The LDP shall be subject to the review and written approval of the Director of Planning and Community Development (Director). The Director shall, as deemed necessary, work in consultation with the City's Landscape Architect, with the costs for such consultation to be borne by the applicant or his/her designee. If the submitted LDP is found not to be in compliance with the standards referenced herein, it shall be revised accordingly and resubmitted for compliance review.

In the event that compliance with this condition results in the need to modify a landscape or irrigation plan approved as part of a discretionary permit granted by the City, the Director shall have discretion to authorize changes of landscape materials in a manner that retains like-for-like consistency with the parameters of the project's approved discretionary permit, with such parameters to include: the size of landscape material to be installed and its anticipated mature height; and the location of any trees to be installed.

WC-02 [City Inspection for Compliance with Project's Landscape Documentation Package]

Prior to final sign-off on implementation, the project shall be subject to inspection by City staff for compliance with the Landscape Documentation Package (LDP) required pursuant to the project's conditions of approval. The inspections shall include review for compliance with the irrigation and landscape plans included as component parts of the LDP.

LOCAL COASTAL PROGRAM

LCP-2 *[Coastal Development Permit Appealable]*

This project is located within the Coastal Appeal Zone. The City's action on the requested Coastal Development Permit application may be appealed to the California Coastal Commission pursuant to Coastal Act Section 30603 and Chapter 30.75 of the City of Del Mar Municipal Code.

SPECIAL CONDITION

SC-1 *[Property Assessor's Parcel Number]*

Prior to Building Permit issuance, the applicant shall provide evidence, to the satisfaction of the Director of Planning and Community Development that the previous City approval of BA-90-02 and Certificate of Compliance CofC 91-1 consolidating the two previous legal lots, that the Property's two separate Assessor's Parcel Number (APN) has been consolidated into one single APN and filed with the County of San Diego and the Property's Grant Deed.

PASSED AND ADOPTED by the Design Review Board of the City of Del Mar, this **28th**
day of January, 2026 by the following vote:

AYES:

NOES:

RECUSED:

ABSENT:

ABSTAIN:

Arlene Prater, Vice Chair
Design Review Board
City of Del Mar, California

ATTEST:

Karen Brindley
Planning and Community Development Director
City of Del Mar, California