



# Memorandum Planning Division

September 24, 2013

To: Planning Commission, City of San Clemente  
From: Jim Pechous, City Planner  
Subject: Staff Waivers September 10, 2013 through September 23, 2013

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This memorandum provides details regarding Staff Waivers recently approved by the Planning Division.

## Analysis

Pursuant to San Clemente Municipal Code (Section 17.16.110), staff waivers may be requested for any exterior modifications, alterations, or additions requiring an Architectural/Cultural Heritage Permit or Minor Architectural/Cultural Heritage Permit. The purpose of the staff waiver is to streamline the permitting process for projects so minor in scope they do not substantially alter the visual appearance or architectural integrity of the subject property or structure.

## Conclusion

Following my review in light of the Municipal Code and the interests of the community, I have approved the requests listed on the following page. These waivers shall remain in effect unless appealed to the Planning Commission pursuant to Section 17.12.140 of the Zoning Ordinance.

## Attachments

**City of San Clemente**  
**Projects by Type and Date**  
**For the Period 9/10/2013 thru 9/23/2013**

Project Number Project Name Planner	Date Applied Date Approved Status of Project	Date Closed Date Expired	Project Type Comments
PLN13-350 Lui windows CHRIS WRIGHT	9/10/2013 9/10/2013 APPROVED	9/10/2015	SW (9/10/2013 9:56 AM CW) A request to consider the replacement of windows on a multi-family residential building that abuts a historic structure and is in the architectural overlay district. Visible windows are to be wood aluminum clad. Non-visible windows are to be vinyl. All windows painted to match existing trim.
PLN13-354 Railing Replacement AMBER GREGG	9/10/2013 9/10/2013 APPROVED	9/12/2013	SW (9/10/2013 4:12 PM AG) Repair and replace existing railing with new. Will comply with code requirements.
PLN13-355 First team real estate CHRIS WRIGHT	9/11/2013 9/10/2013 APPROVED	9/10/2015	SW (9/11/2013 8:20 AM CW) A request to consider the removal of some landscaping in order to bring a commercial building's street and parking access up to current Americans with Disabilities Access (ADA) standards per federal law. Also, the project involves the replacement of two doors (in screened locations) with aluminum windows. The site is in the architectural overlay district.
PLN13-357 Retractable Awning and Exterior Fire Pit ADAM ATAMIAN	9/11/2013 9/11/2013 APPROVED	9/11/2014	SW
PLN13-367 Three Dog Bakery Roof Vent ADAM ATAMIAN	9/18/2013 9/18/2013 APPROVED	9/18/2014	SW (9/18/2013 12:27 PM AMA) New Roof Vent to match existing on site. Will not be visible from the street.
PLN13-371 R/R 1 window and 1 Sliding Door ADAM ATAMIAN	9/19/2013 9/19/2013 APPROVED	9/20/2013 9/19/2014	SW
PLN13-383 Re-Roof Cafe Area SEAN NICHOLAS	9/23/2013 9/23/2013 APPROVED		SW (9/23/2013 11:55 AM SN) Re-Roof of Cafe and West wing area only. Like for like material and color. Screening of Roof equipment per discussions with Chris Bennet must be completed prior to final.
PLN13-385 Window and door replacement JOHN CIAMPA	9/23/2013 9/23/2013 APPROVED		SW

**8 Project(s) Found**

# Conditions of Approval

Reviewed by CW

	<p><b>Staff Waiver #:</b> PLN13-350 <b>Address:</b> 519 Avenida Victoria</p>
<p>Lui windows</p>	<p><b>Staff:</b> CHRIS WRIGHT</p>
<p><input checked="" type="checkbox"/></p>	<p>The above-referenced Staff Waiver shall become null and void if the use is not commenced within two (2 ) years from the date of the approval thereof. Pursuant to Section 7.7.1 of the Zoning Ordinance of the City of San Clemente, since the use requires the issuance of a building permit, the use shall not be deemed to have commenced until the date that the building permit is issued for the development.</p> <p>Pursuant to Section 7.7.2 of the Zoning Ordinance, a use shall be deemed to have lapsed, and the above-referenced Staff Waiver shall be deemed to have expired, when a building permit has been issued, construction has not been completed and the building permit has expired in accordance with applicable sections of the Uniform Building Code, as amended.</p>
<p><input type="checkbox"/></p>	<p>The above-referenced Staff Waiver shall become null and void if the use is not commenced within one (1) year from the date of the approval thereof. Since the use does not require the issuance of a building permit, the use shall not be deemed to have commenced until all improvements submitted herein are completed to the satisfaction of the City Planner.</p>
<p><input type="checkbox"/></p>	<p>The owner or applicant shall develop the approved project in conformance with the plans and any other applicable submittals for the above-referenced Staff Waiver approved by the City Planner and amended by any conditions.</p>
<p><input checked="" type="checkbox"/></p>	<p>Prior to issuance of certificates of occupancy, the owner or designee shall demonstrate to the satisfaction of the City Planner or designee that the project has been constructed in conformance with the approved sets of plans and all applicable, codes, ordinances, and standards.</p>
<p><input checked="" type="checkbox"/></p>	<p>Prior to the issuance of any permits, the owner or designee shall submit written consent to all of these imposed conditions to the Community Development Director or designee. The owner or designee understands that the resolution will be of no force or effect, nor shall permits be issued, unless such written consent is submitted to the City.</p>
<p><input checked="" type="checkbox"/></p>	<p>New windows shall be painted to match existing trim color.</p>
<p><input type="checkbox"/></p>	
<p><input type="checkbox"/></p>	

# Conditions of Approval

Reviewed by JP JH

AG

	<p><b>Staff Waiver #:</b> PLN13-354 <b>Address:</b> 412 Avenida Santa Barbara</p>
	<p>Railing Replacement <span style="float: right;"><b>Staff:</b> AMBER GREGG</span></p>
<p><input checked="" type="checkbox"/></p>	<p>The above-referenced Staff Waiver shall become null and void if the use is not commenced within one (1) year from the date of the approval thereof. Pursuant to Section 7.7.1 of the Zoning Ordinance of the City of San Clemente, since the use requires the issuance of a building permit, the use shall not be deemed to have commenced until the date that the building permit is issued for the development.</p> <p>Pursuant to Section 7.7.2 of the Zoning Ordinance, a use shall be deemed to have lapsed, and the above-referenced Staff Waiver shall be deemed to have expired, when a building permit has been issued, construction has not been completed and the building permit has expired in accordance with applicable sections of the Uniform Building Code, as amended.</p>
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## Conditions of Approval

Reviewed by JP

	<b>Staff Waiver #:</b> PLN13-355 <b>Address:</b> 407 N El Camino Real
	First team real estate <b>Staff:</b> CHRIS WRIGHT
<input checked="" type="checkbox"/>	<p>The above-referenced Staff Waiver shall become null and void if the use is not commenced within one (1) year from the date of the approval thereof. Pursuant to Section 7.7.1 of the Zoning Ordinance of the City of San Clemente, since the use requires the issuance of a building permit, the use shall not be deemed to have commenced until the date that the building permit is issued for the development.</p> <p>Pursuant to Section 7.7.2 of the Zoning Ordinance, a use shall be deemed to have lapsed, and the above-referenced Staff Waiver shall be deemed to have expired, when a building permit has been issued, construction has not been completed and the building permit has expired in accordance with applicable sections of the Uniform Building Code, as amended.</p>
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<input checked="" type="checkbox"/>	<p>Prior to issuance of certificates of occupancy, the owner or designee shall demonstrate to the satisfaction of the City Planner or designee that the project has been constructed in conformance with the approved sets of plans and all applicable, codes, ordinances, and standards.</p>
<input checked="" type="checkbox"/>	<p>Prior to the issuance of any permits, the owner or designee shall submit written consent to all of these imposed conditions to the Community Development Director or designee. The owner or designee understands that the resolution will be of no force or effect, nor shall permits be issued, unless such written consent is submitted to the City.</p>
<input checked="" type="checkbox"/>	<p>Prior to window installation and the release of construction permits, the owner or applicant shall submit information on the proposed windows to ensure they are: 1) in character with the building, 2) are consistent with the City's window policy, and 3) are consistent with City Design Guidelines for the Architectural Overlay district.</p>
<input checked="" type="checkbox"/>	<p>The new windows shall be traditional (Spanish Colonial) in style, mimic the appearance of true divided lite windows, have a factory finish to match the existing trim, and the window surround shall be constructed as part of the frame. The windows must be reviewed and approved by the City Planner or designee.</p>
<input checked="" type="checkbox"/>	<p>Prior to the release of construction permits, the owner or applicant shall propose and get Planning approval of a tree to replace the tree that must be removed to bring the site into compliance with ADA standards. The tree shall be sufficient size and type to provide acceptable plant coverage and the tree must be irrigated properly. The tree must be inspected</p>
<input checked="" type="checkbox"/>	<p>Prior to the release of construction permits, the replacement landscaping shall be inspected to ensure it complies with requirements and these conditions of approval. The applicant shall pay a \$200 landscape inspection fee if staff determines the City's landscape architecture consultant should inspect the tree and tree irrigation.</p>

# Conditions of Approval

Reviewed by JP JH

	<p><b>Staff Waiver #:</b> PLN13-357 <b>Address:</b> 903 Buena Vista D</p>
	<p>Retractable Awning and Exterior Fire Pit <span style="float: right;"><b>Staff:</b> ADAM ATAMIAN</span></p>
<input checked="" type="checkbox"/>	<p>The above-referenced Staff Waiver shall become null and void if the use is not commenced within one (1) year from the date of the approval thereof. Pursuant to Section 7.7.1 of the Zoning Ordinance of the City of San Clemente, since the use requires the issuance of a building permit, the use shall not be deemed to have commenced until the date that the building permit is issued for the development.</p> <p>Pursuant to Section 7.7.2 of the Zoning Ordinance, a use shall be deemed to have lapsed, and the above-referenced Staff Waiver shall be deemed to have expired, when a building permit has been issued, construction has not been completed and the building permit has expired in accordance with applicable sections of the Uniform Building Code, as amended.</p>
<input type="checkbox"/>	<p>The above-referenced Staff Waiver shall become null and void if the use is not commenced within one (1) year from the date of the approval thereof. Since the use does not require the issuance of a building permit, the use shall not be deemed to have commenced until all improvements submitted herein are completed to the satisfaction of the City Planner.</p>
<input checked="" type="checkbox"/>	<p>The owner or applicant shall develop the approved project in conformance with the plans and any other applicable submittals for the above-referenced Staff Waiver approved by the City Planner and amended by any conditions.</p>
<input type="checkbox"/>	<p>Prior to issuance of certificates of occupancy, the owner or designee shall demonstrate to the satisfaction of the City Planner or designee that the project has been constructed in conformance with the approved sets of plans and all applicable, codes, ordinances, and standards.</p>
<input checked="" type="checkbox"/>	<p>Prior to the issuance of any permits, the owner or designee shall submit written consent to all of these imposed conditions to the Community Development Director or designee. The owner or designee understands that the resolution will be of no force or effect, nor shall permits be issued, unless such written consent is submitted to the City.</p>
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	

# Conditions of Approval

Reviewed by JP JH

	<p><b>Staff Waiver #:</b> PLN13-367 <b>Address:</b> 174 Avenida Del Mar</p>
	<p>Three Dog Bakery Roof Vent <span style="float: right;"><b>Staff:</b> ADAM ATAMIAN</span></p>
<input checked="" type="checkbox"/>	<p>The above-referenced Staff Waiver shall become null and void if the use is not commenced within one (1) year from the date of the approval thereof. Pursuant to Section 7.7.1 of the Zoning Ordinance of the City of San Clemente, since the use requires the issuance of a building permit, the use shall not be deemed to have commenced until the date that the building permit is issued for the development.</p> <p>Pursuant to Section 7.7.2 of the Zoning Ordinance, a use shall be deemed to have lapsed, and the above-referenced Staff Waiver shall be deemed to have expired, when a building permit has been issued, construction has not been completed and the building permit has expired in accordance with applicable sections of the Uniform Building Code, as amended.</p>
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<input checked="" type="checkbox"/>	<p>Prior to the issuance of any permits, the owner or designee shall submit written consent to all of these imposed conditions to the Community Development Director or designee. The owner or designee understands that the resolution will be of no force or effect, nor shall permits be issued, unless such written consent is submitted to the City.</p>
<input checked="" type="checkbox"/>	<p>Roof Vent to be painted to match the color of the roofing material.</p>
<input type="checkbox"/>	
<input type="checkbox"/>	

# Conditions of Approval

Reviewed by JP JH

	<b>Staff Waiver #:</b> PLN13-371 <b>Address:</b> 401 Avenida Del Mar C3
	R/R 1 window and 1 Sliding Door <span style="float: right;"><b>Staff:</b> ADAM ATAMIAN</span>
<input checked="" type="checkbox"/>	<p>The above-referenced Staff Waiver shall become null and void if the use is not commenced within one (1) year from the date of the approval thereof. Pursuant to Section 7.7.1 of the Zoning Ordinance of the City of San Clemente, since the use requires the issuance of a building permit, the use shall not be deemed to have commenced until the date that the building permit is issued for the development.</p> <p>Pursuant to Section 7.7.2 of the Zoning Ordinance, a use shall be deemed to have lapsed, and the above-referenced Staff Waiver shall be deemed to have expired, when a building permit has been issued, construction has not been completed and the building permit has expired in accordance with applicable sections of the Uniform Building Code, as amended.</p>
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<input checked="" type="checkbox"/>	<p>New Window and Door to match finish and color of other upgraded windows and doors on building, per HOA approval.</p>
<input type="checkbox"/>	
<input type="checkbox"/>	



# Conditions of Approval

Reviewed by  JP

JH

	<p><b>Staff Waiver #:</b> PLN13-383 <b>Address:</b> 120 W Avenida Pico</p>
	<p>Re-Roof Cafe Area <span style="float: right;"><b>Staff:</b> SEAN NICHOLAS</span></p>
<p><input checked="" type="checkbox"/></p>	<p>The above-referenced Staff Waiver shall become null and void if the use is not commenced within one (1) year from the date of the approval thereof. Pursuant to Section 7.7.1 of the Zoning Ordinance of the City of San Clemente, since the use requires the issuance of a building permit, the use shall not be deemed to have commenced until the date that the building permit is issued for the development.</p> <p>Pursuant to Section 7.7.2 of the Zoning Ordinance, a use shall be deemed to have lapsed, and the above-referenced Staff Waiver shall be deemed to have expired, when a building permit has been issued, construction has not been completed and the building permit has expired in accordance with applicable sections of the Uniform Building Code, as amended.</p>
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<p><input checked="" type="checkbox"/></p>	<p>The applicant shall only re-roof, like for like material and color exactly, the west wing and café portion only.</p>
<p><input checked="" type="checkbox"/></p>	<p>Prior to final of re-roof permit, the roof equipment shall be screened as approved with City Staff and Chris Bennett consistent with Historic Improvement Agreement.</p>
<p><input type="checkbox"/></p>	<p></p>

# Conditions of Approval

Reviewed by JP JH

	<p><b>Staff Waiver #:</b> PLN13-385 <b>Address:</b> 223 Calle Roca Vista</p>
	<p>Window and door replacement <span style="float: right;"><b>Staff:</b> JOHN CIAMPA</span></p>
<input checked="" type="checkbox"/>	<p>The above-referenced Staff Waiver shall become null and void if the use is not commenced within one (1) year from the date of the approval thereof. Pursuant to Section 7.7.1 of the Zoning Ordinance of the City of San Clemente, since the use requires the issuance of a building permit, the use shall not be deemed to have commenced until the date that the building permit is issued for the development.</p> <p>Pursuant to Section 7.7.2 of the Zoning Ordinance, a use shall be deemed to have lapsed, and the above-referenced Staff Waiver shall be deemed to have expired, when a building permit has been issued, construction has not been completed and the building permit has expired in accordance with applicable sections of the Uniform Building Code, as amended.</p>
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