




STAFF REPORT SAN CLEMENTE PLANNING COMMISSION

Date: September 2, 2015

PLANNER: Cliff Jones, Associate Planner 

SUBJECT: Conditional Use Permit 15-143 / Minor Cultural Heritage Permit 15-272, N2 Ice Cream, a public hearing to consider a request for a shared off-site parking agreement to establish a take out restaurant use (i.e. ice cream shop) and exterior changes to the building to add a vestibule. The restaurant is located at 207 North El Camino Real within the Mixed-Use zoning district, and within the Architectural and Central Business Overlays (MU3-CB-A); the legal description is Lots 70/71 of Tract 789, Assessor's Parcel Number 057-133-22.

REQUIRED FINDINGS

Prior to approval of the proposed project, the following findings shall be made. The draft Resolution (Attachment 1) and analysis section of this report provide an assessment of the project's compliance with these findings.

Conditional Use Permit, Section 17.16.060 to allow shared off-site parking within 500 feet of the property.

- a. The proposed use is permitted within the subject zone pursuant to the approval of a Conditional Use Permit and complies with all the applicable provisions of the Zoning Ordinance, the San Clemente General Plan, and the purpose and intent of the zone in which the use is being proposed.
- b. The site is suitable for the type and intensity of use that is proposed.
- c. The proposed use will not be detrimental to the public health, safety or welfare, or materially injurious to properties and improvements in the vicinity.
- d. The proposed use will not negatively impact surrounding land uses.
- e. Given the specific conditions of the site and the adjacent area, the shared parking arrangement will not result in inadequate parking.
- f. The number of parking spaces required for the site, in accordance with Section 17.64.050(B), Number of Parking Spaces Required, is provided through the shared parking arrangement, based on varied hours of operation and/or combinations of peak and off-peak uses.

Minor Cultural Heritage Permit (CHP), Section 17.16.100, to allow exterior changes to a building within the City's Architectural Overlay District.

- a. The architectural treatment of the project complies with the San Clemente General Plan.
- b. The architectural treatment of the project complies with the Zoning Ordinance including, but not limited to, height, setback, color, etc.
- c. The architectural treatment of the project complies with the architectural guidelines in the City's Design Guidelines.
- d. The general appearance of the proposal is in keeping with the character of the neighborhood.
- e. The project's is not detrimental to the orderly and harmonious development of the City.
- f. The proposed project/use is a minor remodel and it is not practical or desirable, in this particular case, to attempt conversion to a pedestrian orientation and/or Spanish Colonial Revival style. The proposed changes, however, improve the quality and architectural integrity of the proposed project.
- g. The project complies with the purpose and intent of the Architectural Overlay District, Section 17.56.020 of Title 17 of the San Clemente Municipal Code.

BACKGROUND

The project site is an 8,000 square foot lot with a 3,200 square foot building located at the northwest corner of Avenida Del Mar and Avenida Cabrillo. The building was built in 1947, and there is no on-site parking. The applicant proposes to establish an ice cream shop in a 520 square foot tenant space that was previously occupied by a retail use.

The property is located in the Mixed-Use Zoning District, and the Architectural and Central Business Overlays (MU3-CB-A). Restaurant uses, including take-out ice cream shops, are permitted by right in the MU3 zone and are consistent with the intent of the Central Business Overlay. The intent of the Central Business Overlay is to encourage uses that generate pedestrian activity along the streets and the ice cream shop is anticipated to generate greater pedestrian activity than the previous retail use. Surrounding land uses include retail, restaurant, and a residential use at 205 Avenida De La Estella.

Development Management Team Meeting

The City's Development Management Team (DMT) reviewed the project and supports the request, subject to the proposed conditions of approval.

Noticing

Public notification was completed in accordance with State Law and Municipal Code regulations. To date, staff has received no input from the public on this request.

PROJECT DESCRIPTION

The applicant requests an off-site parking agreement to establish an ice cream shop in a 520 square foot tenant space. The proposed hours of operation are Monday through Thursday 10:00 a.m. to 11:00 p.m., Friday through Saturday 11:00 a.m. to 12:00 midnight, and Sunday 2:00 p.m. to 11:00 p.m. The projects' compliance with parking requirements are provided in the parking section below.

The applicant proposes exterior changes to the building to create a vestibule ensuring the entry/exit door do not swing outward into the public right-of-way. These minor exterior changes would qualify for administrative approval of a staff waiver if a CUP were not also requested. Since the exterior changes are minor the project was not required to go to the Design Review Subcommittee. Additional detail regarding the exterior changes is provided within the architecture section below.

Parking

The proposed ice cream shop requires four parking spaces (see Table 1 below). No on-site parking is provided for the building. The tenant space is grandfathered two parking spaces based on the previous retail use. To meet parking requirements for the additional two spaces, the owner proposes to provide the parking off-site at the San Clemente Presbyterian Church. The zoning ordinance allows off-site parking agreements to satisfy parking requirements when they are within 500 feet of the site. The church parking lot is within 200 feet and the pedestrian path of travel from the Church parking to the ice cream shop entry is 250 feet. A one minute walk based upon the average walking speed. The pedestrian path of travel is depicted on the plans. City staff reviewed the accident data at the intersection of Avenida de la Estrella and Avenida Cabrillo, which revealed that the intersection has below average number of accidents than the rest of the County. For this reason, the City Transportation Engineering Manager does not oppose the proposal to have pedestrians cross the intersection to access the off-site parking. Table 1 summarizes the hours of operation and the projects' compliance with parking requirements.

Table 1 – Parking Compliance with MU3 Zone

Use	Parking Standard	Parking Required	Parking Provided
Ice Cream Shop (take-out)	1 space per 200 gross sq.ft. + 1 space per 35 sq. ft. of public seating area	4 spaces*	6 spaces (4 off-site spaces & 2 spaces grandfathered**)

* The 520 square foot tenant space requires three parking spaces for the take-out ice cream shop (520/200 = 3 spaces rounded up). The 35 square foot indoor seating area requires one parking space.

***According to 17.72.060 Nonconforming Use Restrictions(C)(2) "A permitted use may be changed to another permitted use. If the required number of parking spaces is not provided, the proposed use shall have the same number or greater parking spaces than the existing use, or sufficient parking spaces shall be added for the new use to meet Zoning Ordinance requirements." The 520 square foot tenant space was previously a retail use. The parking requirement for retail is 1 per 400. Rounded up the tenant space is granted 2 spaces (520/400 = 1.3).*

It is important to note that the number of grandfathered parking spaces entitled to the building would allow a 400 square foot ice cream shop with no indoor seats by right, without the need for discretionary approval or the provision of additional parking beyond the two grandfathered parking spaces. The project improves the parking situation for the tenant space by increasing the physical availability of parking for the tenant space from zero on-site spaces to four off-site spaces.

As shown in Table 2 below, the Church has a parking surplus of 57 spaces and with the requested four off-site parking spaces that surplus would be reduced to 53 spaces.

Table 2 – San Clemente Presbyterian Church Parking Lot Users

Parking Lot Users	# of Spaces Utilized Monday - Friday	# of Spaces Utilized Saturday	# of Spaces Utilized Sunday
Church Preschool & Office (Mon – Fri : 845am to 4pm)	33	0	
Church Off-Site Parking Agreements: Hambro Building – 10 spaces Sonny's – 7spaces Takao – 9 spaces Pregnancy Resource Center – 2 spaces Fig at 313 – Approved for 7 spaces after 4pm	35	35	35 (after 2pm)
Sunday Sanctuary Services	0	0	125
Total Spaces Utilized	68	35	125 (before 2pm) 35 (after 2pm)
Total Surplus Spaces	57	90	0 (before 2pm) 90 (after 2pm)
Proposed Ice Cream Shop	4	4	4 (after 2pm)
Proposed Surplus Spaces	53	86	0 (before 2pm) 86 (after 2pm)

Based upon the parking analysis outlined above, the project more than meets the parking requirements of the Zoning Ordinance. The most recent parking survey of the area, conducted in 2013 during summer peak demand, confirms that the San Clemente

Presbyterian Church lot, located across Avenida de la Estrella, has excess parking capacity. The parking lot had a peak occupancy of 30% on Saturday evening at 7:00 p.m. and 9:00 p.m. All other surveyed dates and times had a peak occupancy below 30%. A parking waiver for the site is not an option because on-street parking is at or near capacity on both Avenida de la Estrella and North El Camino Real during the summer peak evening hours.

To inform ice cream shop customers the location of the off-site parking lot, condition of approval number nine requires on site signage showing the location of the four off-site parking spaces at the Church. The condition also requires signage to be installed on the Church parking lot that indicates the parking is available for ice cream shop patrons. Lastly, the condition requires the applicant to provide the off-site parking location on their website and other electronic media forms (e.g. email, Facebook, etc.).

Condition of approval number seven ensures that the ice cream shop has use of four parking spaces during their proposed hours of operation and requires that the parking agreement be recorded with the County of Orange on both the off-site lot and subject property and will reflect the approved hours of operation.

Architecture

The applicant proposes an inset vestibule to ensure the entry/exit door does not swing outward into the public right-of-way. The new entry door and window surround are proposed to be constructed of wood and stained a dark brown color to make the building more compatible with the Architectural Overlay and Design Guidelines that specify improvements be in character with Spanish Colonial Revival architectural style.

PROJECT ANALYSIS

Conditional Use Permit

The primary issue in considering the approval of the CUP relates to compatibility with surrounding land uses. As discussed above, the project meets parking requirements with the approval of the shared off-site parking agreement. To identify the location of the off-site parking to ice cream shop patrons, condition of approval number nine requires that the ice cream shop post a map in a visible location showing the location of the four off-site parking spaces at the San Clemente Presbyterian Church, provide signage on the Church parking lot that indicates the parking is available for ice cream shop patrons, and provide the off-site parking location on their website and other electronic media forms (e.g. email, Facebook, etc.).

Minor Cultural Heritage Permit

A Minor Cultural Heritage Permit (MCHP) is required to allow exterior changes to the building, which is located within the Architectural Overlay. The primary purpose of the MCHP is to ensure development in the Architectural Overlay is compatible and harmonious with the surrounding neighborhood and review the project for consistency

with the Design Guidelines, which specify improvements be consistent with Spanish Colonial Revival (SCR) architectural style. The wood door and wood windows are traditional SCR materials, consistent with Design Guidelines, which make the building more compatible with the Architectural Overlay.

GENERAL PLAN CONSISTENCY

Table 3 summarizes how the proposed use is consistent with adopted policies outlined in the City of San Clemente General Plan.

Table 3 - General Plan Consistency

Policies and Objectives	Consistency Finding
<p><i>LU-11.08. Parking. We provide adequate and accessible parking for visitors, employees and residents through a comprehensive program of: 1) paseos and signage that provide better linkage between parking lots, structures and the core commercial area; 2) more efficient use of the public and private parking facilities around the district that improve circulation and district patronage; 3) provision of adequate off-street parking for employees; 4) the identification of shared use opportunities; and 5) enforcement of parking standards.</i></p>	<p>Consistent. The proposed shared off-site parking is consistent with the General Plan policy of utilizing shared parking opportunities. To identify to the public the location of the off-site parking, condition of approval number nine requires that the ice cream shop post the location of the off-site parking at the San Clemente Presbyterian Church.</p>
<p><i>LU-11.10. Unique Commercial Character. We encourage unique, locally-based businesses and services that help maintain and enhance Downtown's unique village character.</i></p>	<p>Consistent. The proposed ice cream shop will allow the establishment of a unique, locally based business that maintains and enhances the unique Downtown Village Character.</p>

ENVIRONMENTAL REVIEW/COMPLIANCE (CEQA):

The Planning Division processed and completed an initial environmental assessment for this project in accordance with the California Environmental Quality Act (CEQA). The Planning Division has determined the project is categorically exempt from CEQA as a Class 1 exemption pursuant to CEQA Guidelines Section 15301 because the project consists of negligible expansion and alterations to an existing facility.

ALTERNATIVES; IMPLICATIONS OF ALTERNATIVES

1. The Planning Commission can concur with staff and approve the project as conditioned.

This action would result in the applicant establishing the ice cream shop use.

2. The Planning Commission can, at its discretion, add, modify or delete provisions of the proposed project or conditions.

The Planning Commission can add or delete conditions addressing the hours of operation. This action would result in any modifications being incorporated accordingly.

3. The Planning Commission can recommend denial of the proposed project.

This action would not allow the applicant to establish the ice cream shop as proposed and could result in the applicant filing an appeal with the City Council.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission approve Conditional Use Permit 15-143 / Minor Cultural Heritage Permit 15-272, N2 Ice Cream, subject to the attached Resolution and Conditions of Approval.

Attachments:

1. Resolution No. PC 15-042
Exhibit A - Conditions of Approval
2. Location Map
Plans

RESOLUTION NO. PC 15-042

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, APPROVING CONDITIONAL USE PERMIT 15-143 / MINOR CULTURAL HERITAGE PERMIT 15-272, N2 ICE CREAM, A PUBLIC HEARING TO CONSIDER A REQUEST FOR A SHARED OFF-SITE PARKING AGREEMENT TO ESTABLISH A TAKE OUT RESTAURANT USE (I.E. ICE CREAM SHOP) AND EXTERIOR CHANGES TO THE BUILDING TO ADD A VESTIBULE. THE RESTAURANT IS LOCATED AT 207 NORTH EL CAMINO REAL

WHEREAS, on April 29, 2015, an application was submitted, and deemed complete on August 3, 2015, by Ilona Kanjo, 18 Via Gatillo, Rancho Santa Margarita, CA, 92688, to consider a request for a shared off-site parking agreement to establish a take out restaurant use (i.e. ice cream shop) and exterior changes to the building to add a vestibule. The restaurant is located at 207 North El Camino Real within the Mixed-Use zoning district, and within the Architectural and Central Business Overlays (MU3-CB-A); the legal description is Lots 70/71 of Tract 789, Assessor's Parcel Number 057-133-22; and

WHEREAS, the City's Development Management Team reviewed the application for compliance with the General Plan, Zoning Ordinance, and other applicable requirements; and

WHEREAS, the Planning Division has completed an initial environmental assessment of the above matter in accordance with the California Environmental Quality Act (CEQA) and recommends that the Planning Commission determine the project categorically exempt from CEQA pursuant to Guidelines Section 15301, as a Class 1 exemption because the project consists of negligible expansion and alterations to an existing facility; and

WHEREAS, on September 2, 2015, the Planning Commission of the City of San Clemente held a duly noticed public hearing on the subject application, and considered evidence presented by the applicant, City staff, and other interested parties.

NOW THEREFORE, the Planning Commission of the City of San Clemente hereby resolves as follows:

Section 1: The project is categorically exempt from CEQA Pursuant to Section 15301, as a Class 1 exemption because the project consists of negligible expansion and alterations to an existing facility.

Section 2: With regard to Conditional Use Permit 15-143, the Planning Commission finds as follows:

- A. The proposed off-site shared parking is permitted within the subject zone pursuant to the approval of a Conditional Use Permit. The proposed use

complies with all the applicable provisions of the Zoning Ordinance, the San Clemente General Plan and the purpose and intent of the zone in which the use is being proposed in that the off-site parking agreement will still provide sufficient parking for both the church and the ice cream shop use. The service of ice cream will allow the applicant to provide an additional amenity to the Mixed-Use district.

- B. The site is suitable for the type and intensity of use that is proposed in that the Zoning Ordinance allows for ice cream shops in the Mixed-Use district and the ice cream shop will utilize the Church parking when the Church uses are not operating or when they are functioning at a reduced capacity. To identify to the public the location of the off-site parking, condition of approval number nine requires that the restaurant post the location of the off-site parking at 119 Avenida de la Estrella.
- C. The proposed use will not be detrimental to the public health, safety or welfare, or materially injurious to properties and improvements in the vicinity in that between the two uses, sufficient parking is provided during applicable hours of operation.
- D. The proposed use will not negatively impact surrounding land uses in that it is a conforming use in the Mixed-Use zone district and within the Architectural and Central Business Overlays (MU3-CB-A), which permits restaurants (i.e. ice cream shops) by right. The project will not result in a shortage of parking and sufficient parking will exist for both uses during hours of operation and use.
- E. The shared parking arrangement for the site will not result in inadequate parking in that the operating hours of the ice cream shop occur when the Church uses have an excess supply of parking.
- F. The number of parking spaces required, in accordance with Section 17.64.050(B), Number of Parking Spaces Required will be provided through a shared off-site parking agreement based on varied hours of operation and/or combinations of peak and off-peak uses as conditioned.

Section 3: With respect to Minor Cultural Heritage Permit 15-272, the Planning Commission finds as follows:

- A. The project complies with the San Clemente General Plan in that the ice cream shop is a permitted use and the minor exterior changes comply with the Spanish Colonial Revival architecture as prescribed within the Architectural Overlay.
- B. The architectural treatment of the project complies with the Zoning Ordinance including, but not limited to, height, setback, color; in that the

exterior improvements will be in character with the Spanish Colonial Revival design as prescribed within the Architectural Overlay and meets development standards for the MU3-CB-A zone.

- C. The architectural treatment of the project complies with the architectural guidelines in the City's Design Guidelines in that the exterior modifications are compatible with the requirements for Spanish Colonial Revival architecture as prescribed for the neighborhood.
- D. The general appearance of the proposal is in keeping with the character of the neighborhood in that the improvements are Spanish Colonial Revival architectural style, which is the prescribed style for the neighboring properties of the Downtown area.
- E. The proposed use will not be detrimental to the orderly and harmonious development of the City in that ice cream shop use is permitted use and the exterior improvements will conform to the development standards for the MU3-CB-A zoning district.
- F. The proposed project/use is a minor remodel and it is not practical or desirable, in this particular case, to attempt conversion to a pedestrian orientation and/or Spanish Colonial Revival style. The proposed changes, however, improve the quality and architectural integrity of the proposed project by introducing design elements that are consistent with Spanish Colonial Revival architectural style.
- G. The project complies with the purpose and intent of the Architectural Overlay District, Section 17.56.020 of Title 17 of the San Clemente Municipal Code, in that the exterior modifications are consistent with Spanish Colonial Revival architectural style.

Section 4: The Planning Commission of the City of San Clemente hereby approves CUP 15-143 and MCHP 15-272, N2 Ice Cream, subject to the above Findings, and the Conditions of Approval attached hereto as Exhibit 1 and incorporated herein in full by reference.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of San Clemente on September 2, 2015.

Chair

TO WIT:

I **HEREBY CERTIFY** that the foregoing resolution was duly adopted at a regular meeting of the Planning Commission of the City of San Clemente on September 2, 2015, and carried by the following roll call vote:

AYES: COMMISSIONERS:
NOES: COMMISSIONERS:
ABSTAIN: COMMISSIONERS:
ABSENT: COMMISSIONERS:

Secretary of the Planning Commission

EXHIBIT 1

CONDITIONS OF APPROVAL*
CUP 15-143 / MCHP 15-272, N2 Ice Cream

1. The applicant or the property owner or other holder of the right to the development entitlement(s) or permit(s) approved by the City for the project, if different from the applicant (herein, collectively, the "Indemnitor") shall indemnify, defend, and hold harmless the City of San Clemente and its elected city council, its appointed boards, commissions, and committees, and its officials, employees, and agents (herein, collectively, the "Indemnitees") from and against any and all claims, liabilities, losses, fines, penalties, and expenses, including without limitation litigation expenses and attorney's fees, arising out of either (i) the City's approval of the project, including without limitation any judicial or administrative proceeding initiated or maintained by any person or entity challenging the validity or enforceability of any City permit or approval relating to the project, any condition of approval imposed by City on such permit or approval, and any finding or determination made and any other action taken by any of the Indemnitees in conjunction with such permit or approval, including without limitation any action taken pursuant to the California Environmental Quality Act ("CEQA"), or (ii) the acts, omissions, or operations of the Indemnitor and the directors, officers, members, partners, employees, agents, contractors, and subcontractors of each person or entity comprising the Indemnitor with respect to the ownership, planning, design, construction, and maintenance of the project and the property for which the project is being approved. The City shall notify the Indemnitor of any claim, lawsuit, or other judicial or administrative proceeding (herein, an "Action") within the scope of this indemnity obligation and request that the Indemnitor defend such Action with legal counsel reasonably satisfactory to the City. If the Indemnitor fails to so defend the Action, the City shall have the right but not the obligation to do so and, if it does, the Indemnitor shall promptly pay the City's full cost thereof. Notwithstanding the foregoing, the indemnity obligation under clause (ii) of the first sentence of this condition shall not apply to the extent the claim arises out of the willful misconduct or the sole active negligence of the City. *[Citation – City Attorney Legal Directive/City Council Approval June 1, 2010]* (PIng.)_____
2. Thirty (30) days after project approval, the owner or designee shall submit written consent to all of these imposed conditions of approval to the Community Development Director or designee. *[Citation – City Attorney Legal Directive/City Council Approval June 1, 2010]* (PIng.)_____
3. Prior to the issuance of building permits, the applicant or designee shall include within the first four pages of the working drawings a list of all conditions of approval imposed by the final approval for the project. *[Citation – City Quality Assurance Program]* (PIng.) (Bldg.)_____

4. The project shall be developed in conformance with the site plan, floor plans, elevations, details, and any other applicable submittals approved by the Planning Commission on September 2, 2015, subject to the Conditions of Approval.

Any deviation from the approved site plan, floor plans, elevations, details, or other approved submittal shall require that the owner or designee submit modified plans and any other applicable materials as required by the City for review and obtain the approval of the City Planner or designee. If the City Planner or designee determines that the deviation is significant, the owner or designee shall be required to apply for review and obtain the approval of the Zoning Administrator. *[Citation - Section 17.12.180 of the SCMC]* (PIng.)_____

5. CUP 15-143 / MCHP 15-272 shall become null and void if the use is not commenced within three (3) years from the date of the approval thereof. 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. *[Citation - Section 17.12.150.A.1 of the SCMC]* (PIng.)_____

A use shall be deemed to have lapsed, and CUP 15-143 / MCHP 15-272 shall be deemed to have expired, when a building permit has been issued and construction has not been completed and the building permit has expired in accordance with applicable sections of the California Building Code, as amended. *[Citation - Section 17.12.150.C.1 of the SCMC]* (PIng.)_____

6. The owner or designee shall have the right to request an extension of CUP 15-143 / MCHP 15-272 if said request is made and filed with the Planning Division prior to the expiration date as set forth herein. The request shall be subject to review and approval by the final decision making authority that ultimately approved or conditionally approved the original application. *[Citation - Section 17.12.160 of the SCMC]* (PIng.)_____

7. Prior to the issuance of building permits, the owner or designee shall submit for review, and shall obtain the approval of the City Attorney or designee for, a shared parking agreement between the subject property owner and the owner of an adjacent property within 500 feet of the subject property, for the exclusive use of four off-site parking spaces during the following hours: Monday through Thursday 10:00 a.m. to 11:00 p.m., Friday through Saturday 11:00 a.m. to 12:00 a.m., and Sunday 2:00 p.m. to 11:00 p.m., or as otherwise determined by the City Planner or designee. The shared parking agreement shall restrict the use of the land on which the off-site parking is located for the duration of the use for which that parking is provided. Following approval of the agreement by the City Attorney or designee, the owner or designee shall have the parking agreement recorded with the County of Orange; prior to the issuance of the first permit, the owner or designee shall furnish a copy of the recorded agreement to the

Community Development Department. *[Citation - Section 17.24.050.C.2 of the S.C.M.C.]* (PIng.)_____

- 8. The operating hours of the restaurant use shall be during the following hours: Monday through Thursday 10:00 a.m. to 11:00 p.m., Friday through Saturday 11:00 a.m. to 12:00 a.m., and Sunday 2:00 p.m. to 11:00 p.m.. ■■ (PIng.)_____
- 9. Prior to Building Permit Final, the restaurant operator shall work with staff to develop and locate on site signage with a map showing the location of the four off-site parking spaces at 119 Avenida de la Estrella. Signage shall also be installed on the San Clemente Presbyterian Church parking lot indicating that parking is available for restaurant (i.e. ice cream shop) patrons. The applicant shall provide the off-site parking location on their website and other electronic media forms (e.g. email, Facebook, etc.). ■■ (PIng.)_____
- 10. All exterior details shall be approved by the Planning Department prior to issuance of Building Permit. ■■ (PIng.)_____

Building

- 11. A separate Building Permit is required. Plans to construct new building, add or alter the existing building configuration, change in use, add or alter structural, mechanical, electrical or plumbing features of the project must be reviewed and approved through a separate building plan check / permit process. *[S.C.M.C – Title 8 – Chapter 8.16- Fire Code, Title 15 Building Construction - Chapters 15.08, 15.12, 15.16, 15.20]* (Bldg.)_____
- 12. Project has not been reviewed for Building Code compliance. Prior to issuance of building permits, code compliance will be reviewed during building plan check. *[S.C.M.C – Title 8 – Chapter 8.16- Fire Code, Title 15 Building Construction - Chapters 15.08, 15.12, 15.16, 15.20]* (Bldg.)_____
- 13. Prior to issuance of building permits, applicant shall secure all utility agencies approvals for the proposed project. *[S.C.M.C – Title 15 Building Construction]* (Bldg.)_____
- 14. Building permits shall not be issued unless the project complies with all applicable codes, ordinances, and statutes including, but not limited to, the Zoning Ordinance, Grading Code, Security Ordinance, Transportation Demand Ordinance, Water Quality Ordinance, Title 24 of the California Code of Regulations as adopted by the City including, but not limited to the California Administrative, Building, Electrical, Plumbing, Mechanical, Energy, Green, and Fire Codes. *[S.C.M.C – Title 8 – Chapter 8.16 – Fire Code, Title 15 Building and Construction Chapters 15.08, 15.12, 15.16, 15.20, 15.21, Title 16 Subdivisions, Title 17 Zoning]* (Bldg.)_____

*Construction Chapters 15.08, 15.12, 15.16, 15.20, 15.21, Title 16 Subdivisions,
Title 17 Zoning]* (Bldg.)_____

- * All Conditions of Approval are Standard, unless indicated as follows:
 - Denotes a modified Standard Condition of Approval
 - ■ Denotes a project-specific Condition of Approval



LOCATION MAP

CUP 15-143 / MCHP 15-272, N2 Ice Cream
207 North El Camino Real

