

These minutes to be approved by the Zoning Administrator Meeting 5-17-17

**CITY OF SAN CLEMENTE
MINUTES OF THE REGULAR
ZONING ADMINISTRATOR MEETING
APRIL 19, 2017**

1. CALL TO ORDER

A Regular Meeting of the City of San Clemente Zoning Administrator was called to order on April 19, 2017 at 3:00 p.m. in Conference Room A of the Community Development Department, located at 910 Calle Negocio, San Clemente, California, by Zoning Administrator (ZA) Bill King.

Staff Present: Bill King, Zoning Administrator; David Carrillo, Community Development Technician; Liane Schuller, Contract Planner, Cliff Jones, Associate Planner; Roxanne Atencio, Office Specialist I.

2. MINUTES

A. The minutes of the Zoning Administrator meeting of April 5, 2017 were approved.

3. ORAL AND WRITTEN COMMUNICATION

None

4. PUBLIC HEARINGS

A. 162 Avenida Rosa – Minor Cultural Heritage Permit 16-428/Minor Exception Permit 17-044 – Lavi Residence (Carrillo)

Public Hearing to consider a request to construct a new garage and carport to the rear of a single-family residence located at 162 Avenida Rosa in the Residential Medium Zone within the Architectural and Coastal Zone Overlay Districts (RM-A-CZ). The legal description is Lot 37, of Tract 779, the Assessor's Parcel Number being 058-091-21.

Community Development Technician David Carrillo stated due to an error in the Notice of Public Hearing he would like this item to be continued to the next Zoning Administrator meeting so the project can be properly noticed.

Action: ZA King moved to continue this item until the next Zoning Administrator Meeting on May 17, 2017.

B. 23 Chapital – Minor Exception Permit 17-003 – Davis Residence (Schuller)

Public Hearing to consider a request to maintain the less than 45% permeable surface in the front yard setback of a single family residence. The setback is currently composed of approximately 31% permeable surface. The subject site is located at 23 Chapital in the Residential Medium Low Density zoning district. The site's legal description is Lot 12 of Tract 14986, Assessor's Parcel Number 688-251-08.

Contract Planner Liane Schuller summarized the Staff Report.

ZA King opened the Public Hearing.

Seeing that no one wished to speak, ZA King closed the Public Hearing.

ZA King approved the item based upon the following findings:

The project is a minor exterior alteration to a residential property containing an existing single family residence making it exempt from CEQA based upon Section 15301(a). The requested exception does not interfere with the purpose and intent or standard of the zone to provide sufficient front yard landscaping. Neighboring properties will not be adversely affected as a result of the approval as conditioned of the Minor Exception Permit and the character and look of the residence and neighborhood will be maintained. The overall project and site has the same or more front yard landscape visible from the street as other homes in the neighborhood. The project will not be detrimental to the health, safety or welfare of the general public, in that continuing the less than 45 percent permeable surface in the front yard is consistent with other homes in the neighborhood. The additional landscaping separating the front and back there is at least the same amount of landscaping, if not more than, other properties in the neighborhood. Based upon the location and shape of the lot on the curve of the street which results in a gore-shaped lot, the property has less than typical street frontage available for landscape within the front yard than that of other lots in the neighborhood.

Action: The Zoning Administrator approved Minor Exception Permit 17-003, Davis Residence, subject to Resolution ZA 17-011 with attached Conditions of Approval.

C. 21 Chapital – Minor Exception Permit 17-004 – Shah Residence (Schuller)

Public Hearing to consider a request to maintain the less than 45% permeable surface in the front yard setback of a single family residence. The setback is currently composed of approximately 31% permeable surface. The subject site is located at 21 Chapital in the Residential Medium Low Density zoning district. The site's legal description is Lot 11 of Tract 14986, Assessor's Parcel Number 688-251-09.

Contract Planner Liane Schuller summarized the Staff Report.

ZA King opened the Public Hearing.

Seeing that no one wished to speak, ZA King closed the Public Hearing.

ZA King approved the item based upon the following findings:

The project is a minor exterior alteration to a residential property containing an existing single family residence making it exempt from CEQA based upon Section 15301(a). The requested exception does not interfere with the purpose and intent or standard of the zone to provide sufficient front yard landscaping. Neighboring properties will not be adversely affected as a result of the approval as conditioned of the Minor Exception Permit and the character and look of the residence and neighborhood will be maintained. The overall project and site has the same or more front yard landscape visible from the street as other homes in the neighborhood. The project will not be detrimental to the health, safety or welfare of the general public, in that continuing the less than 45 percent permeable surface in the front yard is consistent with other homes in the neighborhood. The additional landscaping separating the front and back there is at least the same amount of landscaping, if not more than, other properties in the neighborhood. Based upon the location and shape of the lot on the curve of the street which results in a gore-shaped lot, the property has less than typical street frontage available for landscape within the front yard than that of other lots in the neighborhood.

Action: The Zoning Administrator approved Minor Exception Permit 17-004, Shah Residence, subject to Resolution ZA 17-012 with attached Conditions of Approval.

D. 140 W. Avenida Pico – Special Activities Permit 17-065 – Casino Special Activities Permit 2017 (Carrillo)

Public Hearing to consider a request for 15 special activity permits for the Casino San Clemente from May 1, 2017 to December 31, 2017. The Casino San Clemente is located at 140 W. Avenida Pico in the Mixed Use (MU1) zone and Architectural, Central Business, and Coastal Zone overlay districts. The legal description is Lot 23, of Tract 972, the Assessor's Parcel Number being 057-193-02.

Community Development Technician David Carrillo summarized the Staff Report. Technician Carrillo stated there are corrections to resolution ZA 17-013:

- Section 2A, is limited to amplified sound and does not include alcohol or expanded hours.
- Condition 20 should be changed from 11:00 p.m. to 10:00 p.m.
- Condition 32 should be changed from 11:00 p.m. to 7:00 p.m.

- Class 11 Exemptions, Page 2, Letter D, should be changed from Outlet mall to Event Venue.

ZA King opened the Public Hearing.

Manager, Jill Watson, stated she discourages dancing and music on the Patio of the Stars because it does not work for the flow of the venue. One event over the last year on the patio. Watson said she does not anticipate the Casino having 15 events this year but is happy to have options.

ZA King closed the Public Hearing.

ZA King approved the Special Activities Permit based on the following findings: Minor change to the existing use, negligible temporary expansion of the approved use. The activity will be temporary and will not result in occupancy limits being exceeded and does not involve physical additions or alterations to the site. The activities have no impact environmental resources. The permit is categorically exempt from the California Environmental Quality Act based upon Guidelines Section 15301 and Section 15311(c). Additionally, the proposed use is approved within the existing zone, the San Clemente Zoning Ordinance and the General Plan. The proposed use will not create an environmental impacts that are inconsistent with the goals and policies of the San Clemente General Plan. The site is suitable for the type and intensity of the use proposed. The activities do not have the potential to adversely impact surrounding properties given that they are conditioned appropriately in that they are monitored. The live entertainment or amplified sound will be conducted within the outdoor patio walls. The Casino has operated without any issues with Code Enforcement or Police Services. The proposed use will not be detrimental to the public health, safety or welfare. The proposed use has been conditioned appropriately to ensure noise levels are monitored and contained within exterior noise levels established in the City's Noise Ordinance. The proposed use will not negatively impact the surrounding land uses.

Action: The Zoning Administrator approved Special Activities Permit 17-065, Casino Special Activities Permit 2017, subject to Resolution ZA 17-013 with attached Conditions of Approval.

5. **NEW BUSINESS**

None

6. **OLD BUSINESS**

None

ADJOURNMENT

The meeting adjourned at 3:24 p.m. to the next Regular Zoning Administrator meeting of May 17, 2017 at 3:00 p.m., at the Community Development Department, Conference Room A, located at 910 Calle Negocio, Suite 100, San Clemente, California.

Respectfully submitted,

SAN CLEMENTE ZONING ADMINISTRATOR

Bill King