



# Memorandum Planning Division

August 9, 2017

To: Planning Commission, City of San Clemente  
From: Amber Gregg, City Planner  
Subject: Staff Waivers July 26, 2017 through August 8, 2017

---

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 7/26/2017 thru 8/8/2017**

Project Number	Date Applied	Date Closed	Project Type
Project Name	Date Approved	Date Expired	Project Type
Planner	Status of Project		Comments
PLN17-239 Davis Addition/Remodel DAVID CARRILLO	7/26/2017 7/26/2017 APPROVED		SW (7/26/2017 4:29 PM DCC) A request to consider 185 square feet of new living space to a nonconforming residence.
PLN17-240 Re-Roof on Residence AMBER GREGG	7/27/2017 7/27/2017 APPROVED		SW (7/27/2017 11:00 AM AG) Home abutts two historic resources. Is removing existing rock roof, and replacing with hot mop and rock.
PLN17-244 Wylde deck CHRIS WRIGHT	7/31/2017 7/31/2017 APPROVED	7/31/2020	SW (7/31/2017 12:15 PM CW) A request to consider changing deck railings from wood and glass to aluminum on the rear of a fourplex residential building. The rear of the building is visible from a public street that adjoins a historic residence at 332 Encino lane. The proposed railings are to match the building trim color.
PLN17-247 Loberio decks CHRIS WRIGHT	8/1/2017 8/1/2017 APPROVED	8/1/2018	SW (8/1/2017 4:42 PM CW) A request to repair and replace wood parts of several decks at the rear of a historic multi-family residential building. The deck repairs are "like-for-like" except minor changes to meet current building codes, including a minor handrail height increase from 39 inches to 42 and reducing spacing of pickets to less than four inches.
PLN17-254 Lange Pool and Spa CHRIS WRIGHT	8/7/2017 8/7/2017 APPROVED		SW (8/7/2017 11:45 AM DCC) A request to construct a 560 square foot pool/spa with pool equipment, a firepit, a BBQ, and install underground gas/electric lines for the firepit and BBQ. All proposed work does not exceed six feet in height.

**5 Project(s) Found**

**Project Information:**

---

**Staff Waiver No: PLN17-239**

**Permit waived:** Minor Architectural Permit

**Project Location/Address:** 447 Avenida Crespi

**Architectural Overlay District:** No

**Historic Resource:** No

**Project Description:** (7/26/2017 4:29 PM DCC)

**A request to consider 185 square feet of new living space to a nonconforming residence.**

**Required Findings:**

---

1. The proposed project is consistent with the Design Guidelines, Centennial General Plan, Zoning Code, Specific Plan (if applicable), policy statements, and development standards, such as setbacks, height, lot coverage, etc.
2. The proposed project essentially maintains the building's design, footprint, massing, and height so it is minor in nature. The proposed project has materials, finishing, and design elements that further goals to improve the architectural integrity and appearance of buildings and enhance neighborhoods.

The proposed project meets the required findings for the Minor Architectural Permit being waived for the following reasons:

1. The architectural treatment of the project complies with the San Clemente General Plan; and
2. The architectural treatment of the project complies with any applicable specific plan and the Zoning Code in areas including, but not limited to, height, setback color, etc.; and
3. The architectural treatment of the project complies with the architectural guidelines in the City's Design Guidelines; and
4. The general appearance of the proposal is in keeping with the character of the neighborhood;
5. The proposal is not detrimental to the orderly and harmonious development of the City.

**Conditions of approval:**

---

1. 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]*
2. The staff waiver shall become null and void if the project is not commenced within one (1) year from the date of the approval thereof. If a building permit is required, the project is commenced on the date that a building permit is issued. If a building permit is not required, then the project is commenced on the date that the project is completed to the satisfaction of the City Planner. *[Citation - Section 17.12.150.A.1 of the SCMC]*

3. The project shall be completed in conformance with application materials approved by the City Planner and amended by any conditions. *[Citation - Section 17.12.180 of the SCMC]*
4. 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 application materials and all applicable, codes, ordinances, and standards.

## **Project Information:**

---

**Staff Waiver No: PLN17-240**

**Permit waived: Minor Cultural Heritage Permit**

**Project Location/Address: 236 Avenida Victoria**

**Architectural Overlay District: Yes**

**Historic Resource: No**

**Historic Landmark: No**

**Mills Act Contract: No**

**Project Description:**

**Home abutts two historic resources. Is removing existing rock roof, and replacing with hot mop and rock.**

## **Findings:**

---

### ***FOR MINOR MATERIAL/DESIGN CHANGE:***

1. The proposed project is consistent with the Design Guidelines, Centennial General Plan, Zoning Code, Specific Plan (if applicable), policy statements, and development standards, such as setbacks, height, lot coverage, etc.
2. The proposed project maintains the building's design, footprint, massing, and height so it is minor in nature. The proposed project has materials, finishing, and design elements that further goals to improve the architectural integrity and appearance of buildings and enhance neighborhoods.
3. The proposed project is consistent with goals of the Architectural Overlay district. The project is a repair and replace of the existing roof with like materials.
4. The proposed project will not have negative visual or physical impacts upon the historic structure as it is a re-roof of an existing structure of like materials.

## **Conditions of approval:**

---

1. 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]*
2. The staff waiver shall become null and void if the project is not commenced within one (1) year from the date of the approval thereof. If a building permit is required, the project is commenced on the date that a building permit is issued. If a building permit is not required, then the project is commenced on the date that the project is completed to the satisfaction of the City Planner. *[Citation - Section 17.12.150.A.1 of the SCMC]*
3. The project shall be completed in conformance with application materials approved by the City Planner and amended by any conditions. *[Citation - Section 17.12.180 of the SCMC]*
4. 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 application materials and all applicable, codes, ordinances, and standards.

**Project Information:**

---

**Staff Waiver No: PLN17-244**

**Permit waived: Minor Cultural Heritage Permit**

**Project Location/Address: 239 West Marquita**

**Architectural Overlay District: No**

**Historic Resource: No**

**Historic Landmark: No**

**Mills Act Contract: No**

**Project Description: (7/31/2017 12:15 PM CW)**

**A request to consider changing deck railings from wood and glass to aluminum on the rear of a fourplex residential building. The rear of the building is visible from a public street that adjoins a historic residence at 332 Encino lane. The proposed railings are to match the building trim color.**

**Findings:**

---

**FOR MINOR MATERIAL/DESIGN CHANGE:**

1. The proposed project is consistent with the Design Guidelines, Centennial General Plan, Zoning Code, policy statements, and development standards, such as setbacks, height, lot coverage, etc. The project doesn't increase the footprint or height of the building and the changes are in keeping with the building's character.
2. The proposed project essentially maintains the building's design, footprint, massing, and height so it is minor in nature. The proposed project has materials, finishing, and design elements that further goals to improve the architectural integrity and appearance of buildings and enhance neighborhoods.
3. The proposed project will not have negative visual or physical impacts upon the historic structure. The exterior changes will be in keeping with the character of the building.

**Conditions of approval:**

---

1. 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]*
2. The staff waiver shall become null and void if the project is not commenced within one (1) year from the date of the approval thereof. If a building permit is required, the project is commenced on the date that a building permit is issued. If a building permit is not required, then the project is commenced on the date that the project is completed to the satisfaction of the City Planner. *[Citation - Section 17.12.150.A.1 of the SCMC]*
3. The project shall be completed in conformance with application materials approved by the City Planner and amended by any conditions. *[Citation - Section 17.12.180 of the SCMC]*



# City of San Clemente Planning Division

910 CALLE NEGOCIO, SUITE 100 SAN CLEMENTE CA 92673  
Phone: (949) 361-6100  
Fax: (949) 366-4750  
E-mail: [planning@san-clemente.org](mailto:planning@san-clemente.org)

## STAFF WAIVER OF ARCHITECTURAL PERMIT/ CULTURAL HERITAGE PERMIT

Applicant Name: Michael P. Knitter Phone: 760 749 7448  
Email: Knitter inc@gmail.com  
Property Owner Name: Wylde Family LLC Phone: 858 354 2486  
Email: Kvaughan@earcenter.com  
Project Address: 239 West Marquita San Clemente

Architectural Overlay  Non-Residential Proximity to historic structure:  
 Abutting  Within 150 feet

Historic Structure Address: 352 ENCINO LN

Description of proposal: (1) at (5) Existing Balcony Decks Replace (E) membrane with New MiraFlex II FR membrane  
(2) Replace Existing Non-compliant glass/wood post Railing system w/new Alum. NEXAN 2" picket Railing system color to match existing trim "White" Proposed addition: \_\_\_\_\_ sq. ft.

Please include the following information:

- Vicinity Map showing project site
- Brochure or sample of replacement material
- Photograph of whole building
- Color sample of replacement material
- Photograph of features to be replaced (closeup)
- Other \_\_\_\_\_

[Signature]  
Applicant Signature

7-31-2017  
Date

### FOR OFFICE USE ONLY

PERMIT FEE: \_\_\_\_\_ RECEIPT #: \_\_\_\_\_

DATE ISSUED: 7/31/17 ISSUED BY: CSW

See attached conditions of approval.



## **Project Information:**

---

**Staff Waiver No: PLN17-247**

**Permit waived: Minor Cultural Heritage Permit**

**Project Location/Address: 255-257 Avenida Lobeiro**

**Architectural Overlay District: No**

**Historic Resource: Yes**

**Historic Landmark: No**

**Mills Act Contract: No**

**Project Description: (8/1/2017 4:42 PM CW): Minor historic preservation repair. A request to repair and replace wood parts of several decks at the rear of a historic multi-family residential building. The deck repairs are "like-for-like" except minor changes to meet current building codes, including a minor handrail height increase from 39 inches to 42 and reducing spacing of pickets to less than four inches.**

## **Findings:**

---

1. The proposed project is consistent with the Design Guidelines, Centennial General Plan, Zoning Code, policy statements, and development standards, such as setbacks, height, lot coverage, etc., in that the project repairs and maintains a historic building with minor changes that bring decks into compliance with current building and safety requirements.
2. The proposed project essentially maintains the building's design, footprint, massing, and height so it is minor in nature. The proposed project has materials, finishing, and design elements that further goals to improve the architectural integrity and appearance of buildings and enhance neighborhoods, in that the project repairs and maintains a historic building with minor changes that bring decks into compliance with current building and safety requirements.
3. The proposed project involves repairs and preservation measures that are minor in nature and improve the historical integrity of historic resources and landmarks, in that the project repairs and maintains a historic building with minor changes that bring decks into compliance with current building and safety requirements. The decks are on the rear of the building so they are not character defining features.

## **Conditions of approval:**

---

1. 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]*
2. The staff waiver shall become null and void if the project is not commenced within one (1) year from the date of the approval thereof. If a building permit is required, the project is commenced on the date that a building permit is issued. If a building permit is not required, then the project is commenced on the date that the project is completed to the satisfaction of the City Planner. *[Citation - Section 17.12.150.A.1 of the SCMC]*
3. The project shall be completed in conformance with application materials approved by the City Planner and amended by any conditions. *[Citation - Section 17.12.180 of the SCMC]*
4. 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 application materials and all applicable, codes, ordinances, and standards.

## **Project Information:**

---

**Staff Waiver No: PLN17-254**

**Permit waived:** Minor Cultural Heritage Permit

**Project Location/Address:** 120 Avenida Aragon

**Architectural Overlay District:** No

**Historic Resource:** No

**Historic Landmark:** No

**Mills Act Contract:** No

**Project Description:** (8/7/2017 11:45 AM DCC)

**A request to construct a 560 square foot pool/spa with pool equipment, a firepit, a BBQ, and install underground gas/electric lines for the firepit and BBQ on a single-family residence lot abutting two historic resources at 119 and 121 Avenida Pelayo. All proposed work does not exceed six feet in height.**

## **Findings:**

---

1. The proposed project is consistent with the Design Guidelines, Centennial General Plan, Zoning Code, Specific Plan (if applicable), policy statements, and development standards, such as setbacks, height, lot coverage, etc.;
2. The proposed project essentially maintains the building's design, footprint, massing, and height so it is minor in nature. The proposed project has materials, finishing, and design elements that further goals to improve the architectural integrity and appearance of buildings and enhance neighborhoods;
3. The architectural treatment of the project complies with the San Clemente General Plan,
4. The architectural treatment of the project complies with any applicable specific plan and the Zoning Code in areas including, but not limited to, height, setback color, etc. in that no proposed work exceeds six feet in height;
5. The architectural treatment of the project complies with the architectural guidelines in the City's Design Guidelines,
6. The general appearance of the proposal is in keeping with the character of the neighborhood. The proposed work still maintains a single-family residential use;
7. The proposal is not detrimental to the orderly and harmonious development of the City in that the proposed work is required to comply with the California Building Code, and
8. The proposed project will not have negative visual or physical impacts upon the abutting historic structures in that the proposed work does not exceed six feet in height.

## Conditions of approval:

---

1. 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]*
2. The staff waiver shall become null and void if the project is not commenced within one (1) year from the date of the approval thereof. If a building permit is required, the project is commenced on the date that a building permit is issued. If a building permit is not required, then the project is commenced on the date that the project is completed to the satisfaction of the City Planner. *[Citation - Section 17.12.150.A.1 of the SCMC]*
3. The project shall be completed in conformance with application materials approved by the City Planner and amended by any conditions. *[Citation - Section 17.12.180 of the SCMC]*
4. 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 application materials and all applicable, codes, ordinances, and standards.