



STAFF REPORT SAN CLEMENTE ZONING ADMINISTRATOR

Meeting Date: September 6, 2017

PLANNER: Kirt A. Coury, Contract Planner *KC*

SUBJECT: Minor Architectural Permit 17-116, City Yard Stockpile Covers, a request to construct new covers over existing stockpiles at the utilities and maintenance municipal yard in the West Pico Corridor Specific Plan area.

LOCATION: 380 Avenida Pico

ZONING: West Pico Corridor Specific Plan and Coastal Zone Overlay

GENERAL PLAN: Public

BACKGROUND:

- The project site is located at 380 Avenida Pico, near the intersection of Avenida Pico and Avenida Vista Hermosa. The proposed project is located to the north of the property adjacent the Segunda Deshecha Flood Control Channel (see Attachment 2 for a Vicinity Map).
- The project will provide new covers for the existing stock pile areas within the water reclamation plant. Existing covers are broken and no longer in use. The stock piles need coverage in order to prevent prohibited discharge of sediment and material during rain events into the Segunda Deshecha Flood Control Channel and Pacific Ocean.
- The City proposes to construct a metal cover approximately 28 feet wide and 210 feet long for a total of 5,880 square feet in size. The area will be screened and covered by a 26'-0" high metal trellis canopy with a decorative metal roof. The roof will be a capri clay color to compliment the tile roof buildings on-site and will incorporate undulation to avoid a flat roof appearance.
- On May 4, 2017, the Development Management Team (DMT) reviewed the project and supports it subject to the proposed conditions of approval.
- Zoning Ordinance Table 17.16.100A requires Zoning Administrator approval of a Minor Architectural Permit (MAP) to expand a nonconforming structure. The proposed project meets the required findings. The scale, mass, form, and materials of the project are in character with the neighborhood and compatible with adjacent properties because:
 - The architectural treatment of the project complies with the San Clemente General Plan in that it improves the City's ability to effectively prevent prohibited

- discharge of sediment and material during rain events into the Segunda Deshecha Flood Control Channel and Pacific Ocean;
- The architectural treatment of the project complies with the West Pico Corridor Specific Plan and all applicable development standards, including but not limited to, height, setback, color, etc.;
 - The architectural treatment of the project complies with the architectural guidelines in the City's Design Guidelines in that the proposed stockpile covers involve only minor alterations to the existing City Maintenance Yard grounds and are screened as much as possible from public view. In addition, the roof will be a capri clay color to compliment the tile roof buildings on-site and will incorporate undulation to avoid a flat roof appearance;
 - The general appearance of the proposal is in keeping with the character of the neighborhood in that the size, scale, massing, and architecture are modest in size and scale, and designed to complement the existing development, consistent with Land Use Element Policy LU-6.05; and
 - The proposal is not detrimental to the orderly and harmonious development of the City in that the project improves the ability of the City to provide proper coverage in order to prevent prohibited discharge of sediment and material into the adjacent flood control channel and will be installed in conformance with all applicable safety standards.
- The project is categorically exempt from CEQA as a Class 3 exemption pursuant to CEQA Guidelines Section 15303(e), because the project involves the construction of an accessory structure to cover existing stockpiles at the City Utility Maintenance and Municipal Yard.
 - As of the writing of this report, staff has received one phone call from an adjacent resident wanting more information about the project regarding location and material.

RECOMMENDATION

Based on the information in the staff report and subject to the required findings and conditions of approval, staff recommends that the Zoning Administrator:

1. Determine the project is Categorical Exempt from the requirements of the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303(e), because the project involves the construction of an accessory structure to cover existing stockpiles at the City Utility Maintenance and Municipal Yard; and
2. Adopt Resolution ZA 17-025, approving MAP 17-116, City Yard Stock Pile Covers, subject to the attached Resolution and conditions of approval.

Attachments:

1. Resolution ZA 17-025
Exhibit A - Conditions of Approval
2. Location Map
Plans

RESOLUTION NO. ZA 17-025

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING MAP 17-116, CITY YARD STOCKPILE COVERS, A REQUEST TO CONSTRUCT STOCKPILE COVERS AT THE UTILITIES AND MAINTENANCE MUNICIPAL YARD, LOCATED AT 380 AVENIDA PICO

WHEREAS, on April 18, 2017, an application was submitted, and completed on June 29, 2017, by the City of San Clemente, 100 Avenida Presidio, San Clemente, CA 92672, for Minor Architectural Permit (MAP 17-116) to allow the construction of stockpile covers at the Utilities and Maintenance Municipal Yard, in the West Pico Corridor Specific Plan area, located at 380 Avenida Pico, the legal description being APN 691-433-01; 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 the Zoning Administrator determine the project is Categorically Exempt from CEQA pursuant to State CEQA Guidelines Section 15303(e), because the project involves the construction of an accessory structure to cover stockpiles at the City Utility Maintenance and Municipal Yard; and

WHEREAS, on May 4, 2017, the City's Development Management Team (DMT) reviewed the project for compliance with the General Plan, Zoning Ordinance, West Pico Corridor Specific Plan, and other applicable City ordinances and codes; and

WHEREAS, on August 16, 2017, the Zoning Administrator of the City of San Clemente held a duly noticed public hearing on the subject application, considered written and oral comments, and facts and evidence presented by the applicant, City staff, and other interested parties. Following the advertisement for the public hearing, it was identified that the address was noticed incorrectly. The Zoning Administrator moved to pull item due to error in noticing. The item was to be re-noticed for future agenda with a revised public hearing notice including an updated project description and corrected project address; and

WHEREAS, on September 6, 2017, the Zoning Administrator of the City of San Clemente held a duly noticed public hearing on the subject application, considered written and oral comments, and facts and evidence presented by the applicant, City staff, and other interested parties.

NOW, THEREFORE, The Zoning Administrator of the City of San Clemente does hereby resolve as follows:

Section 1. Incorporation of Recitals.

The Zoning Administrator hereby finds that all of the facts in the Recitals are true and correct and are incorporated and adopted as findings of the Zoning Administrator as fully set forth in this resolution.

Section 2. CEQA Findings.

Based upon its review of the entire record, including the Staff Report, any public comments or testimony presented, and the facts outlined below, the Zoning Administrator hereby finds and determines that the proposed project is categorically exempt from CEQA as a Class 3 exemption pursuant to CEQA Guidelines Section 15303(e), because the project involves the construction of an accessory structure to cover existing stockpiles at the City Utility Maintenance and Municipal Yard to prevent prohibited discharge of sediment and material during rain events into the Segunda Deshecha Flood Control Channel and Pacific Ocean and will not have an adverse impact on the environment.

The Class 3 exemption specifically exempts from further CEQA review the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all inclusive of the types of projects which might fall within Class 3. The key consideration is whether the project involves negligible or no expansion of an existing use. Here, the project involves the construction of an accessory structure to cover stockpiles at the City Utility Maintenance and Municipal Yard to prevent prohibited discharge of sediment and material during rain events into the Segunda Deshecha Flood Control Channel and Pacific Ocean and will not have an adverse impact on the environment.

Section 3. With regard to Minor Architectural Permit 17-116, the Zoning Administrator finds as follows:

- A. The architectural treatment of the project complies with the San Clemente General Plan in that it improves the City's ability to effectively prevent prohibited discharge of sediment and material during rain events into the Segunda Deshecha Flood Control Channel and Pacific Ocean.
- B. The architectural treatment of the project complies with the West Pico Corridor Specific Plan and all applicable development standards, 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 in that the proposed stockpile covers involve only minor alterations to the existing City Maintenance Yard grounds and is screened as much as possible from public view. . In addition, the roof will be a capri clay color to compliment the tile roof buildings on-site and will incorporate undulation to avoid a flat roof appearance.
- D. The general appearance of the proposal is in keeping with the character of the neighborhood in that the size, scale, massing, and architecture are modest in size and scale, and designed to complement the existing development, consistent with Land Use Element Policy LU-6.05.
- E. The proposal is not detrimental to the orderly and harmonious development of the City in that the project improves the ability of the City to provide proper coverage in

order to prevent prohibited discharge of sediment and material into the adjacent flood control channel and will be installed in conformance with all applicable safety standards.

Section 4. Based on the foregoing recitals and findings above, and the written and oral comments, facts, and evidence presented, the City of San Clemente Zoning Administrator approves Minor Architectural Permit 17-116, City Yard Stockpile Covers, subject to the above Findings, and the Conditions of Approval set forth in Exhibit A.

PASSED AND ADOPTED at a regular meeting of the City of San Clemente Zoning Administrator on September 6, 2017.

Cecilia Gallardo-Daly, Zoning Administrator

CONDITIONS OF APPROVAL
MINOR ARCHITECTURAL PERMIT 17-116
CITY YARD STOCKPILE COVERS

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]* (PIng.)_____
2. Thirty days after project approval, 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 unless such written consent is submitted to the City. *[Citation – City Attorney Legal Directive]* (PIng.)_____
3. MAP 17-116 shall become null and void if the use is not commenced within two (2) years 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 the date the use becomes operational. *[Citation - Section 17.12.150.A.1 of the SMC]* (PIng.)_____
4. The owner or designee shall have the right to request an extension of MAP 17-116 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 in compliance with section 17.12.160 of the Zoning Ordinance. *[Citation - Section 17.12.160 of the SCMC]* (PIng.)_____
5. A separate Building Permit is required. Plans to construct a 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.)_____
 6. 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.)_____
 7. 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.)_____
 8. 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.)_____
 9. Prior to the issuance of building permits, the owner or designee shall submit plans that identify the intended use of each building or portion of building and obtain approval of the Building Official. *[S.C.M.C – Title 15 – Chapter 15.08]* (Bldg.)_____
 10. Prior to the issuance of building permits, the owner or designee shall pay all applicable development fees in effect at the time, which may include, but are not limited to, Regional Circulation Financing and Phasing Program (RCFPP), park acquisition and development, water and sewer connection, drainage, Public Facility Construction, transportation corridor, Avenida La Pata Supplemental Road Fee and school fees, etc. *[S.C.M.C. – Title 15 Building and Construction, Chapters 15.52, 15.56, 15.60, 15.64, 15.68, 15.72]* (Bldg.)_____
 11. Prior to issuance of building permits, the owner or designee shall submit a copy of the City Engineer approved soils and geologic report, prepared by a registered geologist and/or soil engineer, which conforms to City standards and all other applicable codes, ordinances, statutes and regulations. The soils report shall accompany the building plans, engineering calculations, and reports. *[S.C.M.C –*

Title 15 – Chapter 15.08 – Appendix Chapter 1 – Section 106.1.4] (Bldg.)_____

12. Prior to the Building Division's approval to pour foundations, the owner or designee shall submit evidence to the satisfaction of the City Building Official or designee that a registered civil engineer that is licensed to do surveying or land surveyor has certified that the forms for the building foundations conform to the front, side and rear setbacks are in conformance to the approved plans. *[S.C.M.C – Title 15 – Chapter 15.08, Title 17- Chapter 17.24]* (Bldg.)_____

13. Prior to the Building Division's approval of the framing inspection, the owner or designee shall submit evidence to the satisfaction of the City Building Official or designee that a registered civil engineer that is licensed to do surveying or land surveyor has certified that the height of all structures are in conformance to the approved plans. *[S.C.M.C – Title 15 – Chapter 15.08, Title 17- Chapter 17.24]* (Bldg.)_____

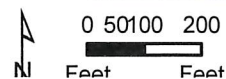
All Conditions of Approval are standard, unless indicated as follows:

- Denotes a modified standard Condition of Approval.
- ■ Denotes a project specific Condition of Approval



LOCATION MAP

MAP 17-116
City Yard Stockpile Covers
380 Avenida Pico





Villa Tile - Venetian Gold

Villa Tile Color Blends



Amalfi Sand



Capri Clay



Pompeii Ash



Rustico Clay



Venetian Gold

Villa Tile

Classic Elegance of Old World Barrel Tile

DECRA Villa Tile combines the superior performance of steel with the classic beauty, elegance and architectural detail of an old world Italian tile. Durable and lightweight, Villa Tile is walkable and requires little to no maintenance.

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