

**CITY OF SAN CLEMENTE
MINUTES OF THE REGULAR
ZONING ADMINISTRATOR MEETING
DECEMBER 6, 2017**

1. CALL TO ORDER

A Regular Meeting of the City of San Clemente Zoning Administrator was called to order on December 6, 2017 at 3:03 p.m. in Conference Room A of the Community Development Department, located at 910 Calle Negocio, San Clemente, by Zoning Administrator (ZA) Cecilia Gallardo-Daly.

Staff Present: Cecilia Gallardo-Daly, Zoning Administrator; Veronica Morones, Assistant Planner; Eunice Im, Assistant Planner; Chris Wright, Associate Planner; Meredith Scott, Administrative Assistant.

2. MINUTES

The minutes of the Zoning Administrator meeting of November 8, 2017 were received and filed.

3. ORAL AND WRITTEN COMMUNICATION

None

4. PUBLIC HEARINGS

A. 205 Calle Cortez – Minor Exception Permit 17-217 and Staff Waiver 17-228 – Ludwick Residence (Morones)

A request to consider a single-story addition, to a nonconforming single-story residence, with a 4'11" side yard setback where 6' is required. A Minor Exception Permit is requested to allow the addition to continue the 4'11" side setback that does not meet zoning standards. The property is located in the Residential-Low (RL) zone, with a special residential overlay (SR11). The legal description for the site is Lot 25 of Tract 4199, and the Assessor's Parcel Number is 057-215-26.

Assistant Planner, Veronica Morones, summarized the staff report.

ZA Gallardo-Daly had no questions for applicant.

ZA Gallardo-Daly opened the public hearing.

Dustin Morris, Architect, asked for clarification on the Conditions of Approval. Does the deck building permit need to be issued or finalized before the building permit for the work under the MEP can be issued.

ZA Gallardo-Daly reviewed the Conditions of Approval and confirmed the deck needs to be issued prior to issuance of the house.

ZA Gallardo-Daly closed the public hearing.

ZA Gallardo-Daly approved the project based on the following findings: The proposed project is in character with the scale and massing of homes in the neighborhood. The project maintains a one story roof line and there are single story homes on either side. The continuation of the nonconforming setback is located at the rear of the property so it is screened from the public right-of-way. The proposed project is consistent with the pattern of development in previous exceptions granted in properties in the vicinity. The proposed project complies with the Municipal Code, General Plan, and the City's Design Guidelines. The proposed project will not be detrimental to the health, safety, or welfare of the general public.

The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301 Class 1: Existing Facilities.

Action: The Zoning Administrator approved and adopted Resolution ZA 17-036 And Minor Exception Permit 17-217 and Staff Waiver 17-228, Ludwick Remodel, subject to the above findings and the attached Resolution and Conditions of Approval.

B. 409 Avenida Victoria A and B – Short-Term Apartment Rental Permit 17-196 – Villa Victoria STAR (Morones)

A request to allow a Short Term Apartment Rental (STAR) unit in a duplex, located at 409 Avenida Victoria in the Residential Medium Zone and Costal Zone Overlay (RM-CZ). This would allow one of the duplex units to be rented on a short-term basis (less than 30 days) while the other unit is owner occupied. The legal description for the site is Parcel 1, Unit 2, of Parcel Map 173-08, and the Assessor's Parcel Number is 931-490-19.

Assistant Planner, Veronica Morones, summarized the staff report.

ZA Gallardo-Daly asked if the Applicant would like to speak.

Applicant, James Cassano, asked if there are any plans to extend the Zoning for the Pier Bowl area.

ZA Gallardo-Daly explained at a November City Council Meeting, the City Council did consider amendments to the Short-Term Lodging Units Regulations, and the expansion of the areas where they are allowed was considered. The Pier Bowl area was not an area the City Council directed Staff to look in to. The areas considered were the North Beach and Montalvo Loop areas.

ZA Gallardo-Daly stated the plans show Unit 1 and Unit 2. Does Unit A correspond with Unit 1 and Unit B correspond with Unit 2, and which Unit is the Short-Term Apartment Rental Permit include?

James Cassano stated on the County Records the Units are listed as Unit 1 and Unit 2. Unit 1 is Unit A and Unit 2 is Unit B. The Applicant plans to occupy Unit 1 and rent Unit 2, but would like to switch at anytime if possible.

ZA Gallardo-Daly explained the Regulation requires the Unit to be rented be the same as the Unit on the permit. Unit B will be the rental Unit and this cannot be changed unless the Applicant amends his permit.

ZA Gallardo-Daly opened the public hearing, and there being no one desiring to speak to this issue, closed the public hearing.

ZA Gallardo-Daly approved the project based on the following findings: Short-Term Apartment Rental Permit (STAR) is required to comply with all the Code Requirements, including Fire Code, Building Code, and the Municipal Code. The approval maintains the 300' (foot) separation between STAR's that the Code requires. There is a Condition of Approval that requires the provision of sound proofing in the event there is excessive noise that may impact neighboring properties. The proposed project will not negatively impact surrounding land uses.

The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301 Class 1: Existing Facilities.

Action: The Zoning Administrator approved and adopted Resolution ZA 17-039 and Short-Term Apartment Rental Permit 17-196, Villa Victoria STAR, subject to the above findings and the attached Resolution and Conditions of Approval.

C. 136 Calle De Los Molinos – Minor Architectural Permit 177-090 – Mills Collective Façade and Site Improvements (Im)

A request to consider a proposal for façade and minor site improvements for Mills Collective located at 136 Calle de Los Molinos. The applicant proposes exterior changes as well as tenant improvements that will update the exterior of the building and the interior office space and restrooms for ADA compliance.

The site's legal description is Assessor's Parcel Number 057-170-55.

Assistant Planner, Eunice Im, summarized the staff report.

Applicant, Jeremy Clements, is present and available for questions.

ZA Gallardo-Daly opened the public hearing, and there being no one desiring to speak to this issue, closed the public hearing.

ZA Gallardo-Daly approved the project based on the following findings: The proposed project is in keeping with the character of the neighborhood. The materials proposed are compatible with the architecture of the Los Molinos area. The project meets the development standards and would improve the overall appearance of the building and the neighborhood. The proposed project is consistent with the City's Design Guidelines of the West Pico Specific Plan. The proposed project will not be detrimental to the orderly and harmonious development of the City.

The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301 Class 1: Existing Facilities.

Action: The Zoning Administrator approved and adopted Resolution ZA 17-040 and Minor Architectural Permit 17-090, Mills Collective Tenant Improvement, subject to the above findings and the attached Resolution and Conditions of Approval.

D. 1447 N. El Camino Real – Minor Cultural Heritage Permit 17-212 – Barker Deck (Wright)

A request to allow exterior modifications to the rear of a commercial building involving the construction of a second level deck area over a drive aisle used to access the site's on-site parking. The site is located at 1447 North El Camino Real in the Neighborhood Commercial area of the West Pico Corridor Specific Plan and located within the Architectural, Affordable Housing, and Coastal Zone Overlays (WPCSP-NC2-A-AH-CZ). The site's legal description is Lot 12, Block 2, of Tract 795, and the Assessor's Parcel Number is 057-170-34.

Associate Planner, Chris Wright, summarized the staff report.

Paul Douglas, Representative for the Applicant, has reviewed the Conditions of Approval and the Resolution and everything seems to be in order. Mr. Douglas is available for questions.

ZA Gallardo-Daly opened the public hearing, and there being no one desiring to speak to this issue, closed the public hearing.

ZA Gallardo-Daly approved the project based on the following findings: The proposed project meets the development standards. The proposed project is consistent with the building's Spanish Colonial Revival architecture. The proposed project will not be detrimental to the health, safety or general welfare, of surrounding properties. The proposed project must comply with the City's Noise Ordinance.

The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301 Class 1: Existing Facilities.

Action: The Zoning Administrator approved and adopted Resolution ZA 17-041 and Minor Cultural Heritage Permit 17-212, Barker Deck, subject to the above findings and the attached Resolution and Conditions of Approval.

E. 111 W. Avenida Palizada 111 – Minor Conditional Use Permit 17-200 – Barefoot Bliss (Wright)

A request to allow massage services as an accessory use at a retail store in Suite 111 of a multi-tenant commercial center. The site is on City's list of Designated Historic Structures and located in the Mixed Use 3.1 Zoning District and Architectural Overlay (MU 3.1-A) at 111 West Avenida Palizada. The site's legal description is Lot 9, 10, 11, and 23-27, Block 2 of Tract 779, and Assessor's Parcel Number is 058-071-43.

Associate Planner, Chris Wright, summarized the staff report.

Applicant, Aimee Phillips, noted she is happy to be here after a long process, and she is available for questions.

ZA Gallardo-Daly opened the public hearing, and there being no one desiring to speak to this issue, closed the public hearing.

ZA Gallardo-Daly approved the project based on the following findings: The proposed project has conditions that require that the massage use complies with all the Municipal Code requirements. The site is suitable for the type and intensity of use that is proposed. The proposed use will not be detrimental to the health, safety, or welfare, to the surrounding properties. The required parking is in place for the business. There are no requested changes to the site, and the business has been operating at the center without any Code Compliance complaints or issues.

The project is categorically exempt from the requirements of the California

Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301 Class 1: Existing Facilities.

Action: The Zoning Administrator approved and adopted Resolution ZA 17-042 and Minor Conditional Use Permit 17-200, Barefoot Bliss, subject to the above findings and the attached Resolution and Conditions of Approval.

5. **NEW BUSINESS**

None

6. **OLD BUSINESS**

None

ADJOURNMENT

The meeting adjourned at 3:35 p.m. to the next Regular Zoning Administrator meeting of December 20, 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


Cecilia Gallardo-Daly