



## STAFF REPORT SAN CLEMENTE PLANNING COMMISSION

Meeting Date: May 2, 2018

**PLANNER:** Vanessa Norwood, Contract Planner

**SUBJECT:** **Tentative Parcel Map 2017-143 (PLN 18-089) / Site Plan Permit 18-088 – Cristobal Parcel Map**, a request to consider the subdivision of a 22,263 square foot parcel into two parcels located at 323 West Paseo De Cristobal in the Residential Low Zone and Coastal Overlay (RL-CZ) Zoning District.

### **REQUIRED FINDINGS**

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

***Tentative Parcel Map (TPM) 2017-143, Section 16.12.090(B); to allow the subdivision of property into four or fewer parcels***

- a. That the site is physically suitable for the type of development;
- b. The site is physically suitable for the proposed density of the development.
- c. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- d. The design of the subdivision or the type of improvements is not likely to cause serious public health problems.
- e. The subdivision, with its provisions for any design and improvements, is consistent with the General Plan and any applicable specific plan.

***Site Plan Permit (SPP) 18-088 Section 17.16.050(F); is required for tentative maps for sites on which development is existing or currently proposed***

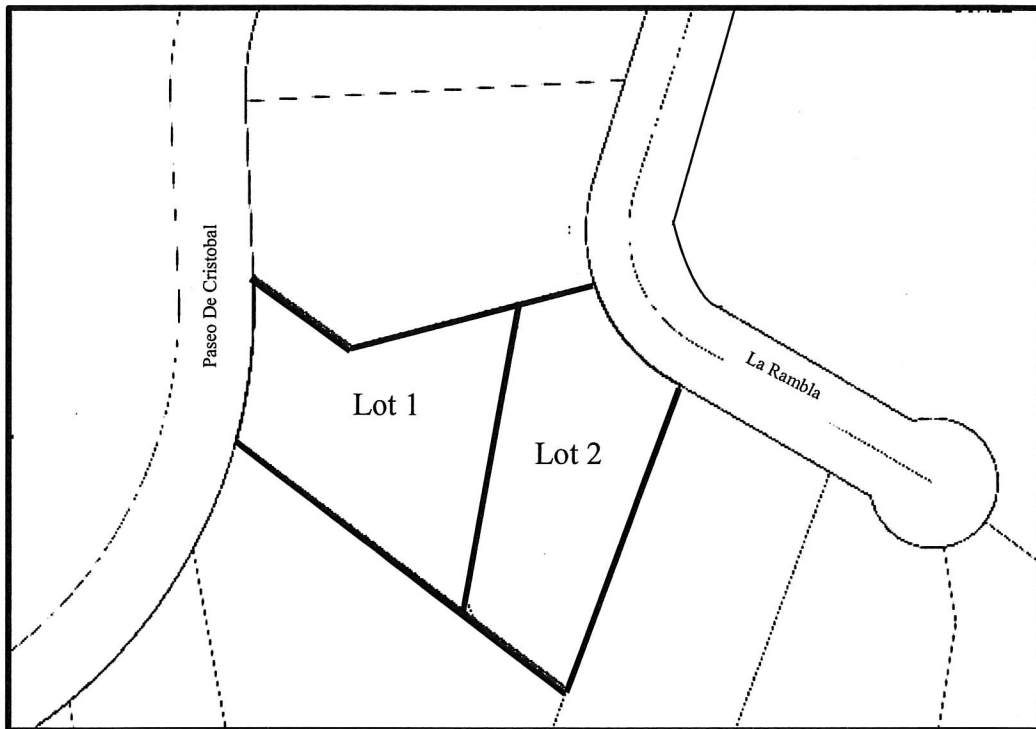
- a. The proposed development is permitted within the subject zone pursuant to the approval of a Site Plan Permit and complies with all the applicable provisions of this title (or the specific plan as appropriate), the goals, and objectives of the San Clemente General Plan, and the purpose and intent of the zone in which the development is being proposed.

- b. The site is suitable for the type and intensity of development that is proposed.
- c. The proposed development will not be detrimental to the public health, safety or welfare, or materially injurious to properties and improvements in the vicinity.
- d. The proposed development will not be unsightly or create disharmony with its locale and surroundings.
- e. The proposed development will minimize or eliminate adverse physical or visual effects which might otherwise result from unplanned or inappropriate development, design or location.

**BACKGROUND:**

The site is an irregularly shaped, 22,263 square-foot through lot, currently developed with a single-family residence built in 1981. The site has frontage on Paseo De Cristobal and La Rambla. The site is a developed residential community with residences to the east and west. The site is located in the Residential Low Zone and Coastal Overlay (RL-CZ) Zoning District.

Exhibit 1 – Site Plan



***Development Management Team Meeting***

The City's Development Management Team (DMT) reviewed the project on March 22, 2018, and recommends approval subject to conditions shown in Attachment 1, Exhibit A.

***Noticing***

In accordance with City and State requirements, public hearing notices were distributed and published in the newspaper on April 19, 2018, and posted at the project site. Staff has not received any public comments on this item to-date.

**PROJECT DESCRIPTION**

The proposed subdivision would create two parcels by dividing the property into two lots of 11,468 square feet and 10,795 square feet in area. The site would be developed with a single-family home on each proposed lot. The applicant proposes to demolish the existing residence in order to allow subdivision of this parcel. The existing structure must be demolished to avoid a structural overlap on both of the proposed parcels. Although no development is proposed as part of this request, the applicant has shown a sample footprint of residential structures on each parcel in order to demonstrate that both parcels can comply with all development standards once the property is subdivided. Future development of the proposed lots would occur through the building permits process; a separate discretionary permit is not required. During the building permits process, planning staff would review the proposed development for compliance with the Zoning Ordinance, including building setbacks, maximum height, lot coverage, parking and design guidelines.

Municipal Code Section 16.04.015(H)(1) requires Planning Commission review the proposed subdivision and recommend to the City Council conditions of approval for a Tentative Parcel Map to allow the subdivision of land that would result in the creation of four parcels or less.

**PROJECT ANALYSIS*****Development Standards***

The project meets the minimum requirement for subdivision as shown in Table 1 below.

**Table 1 – Development Standards**

<b>Development Standard</b>	<b>Existing Condition</b>	<b>Proposed</b>	<b>Complies with Standards</b>
Lot Size: Minimum 6,000 sq. ft. lot	22,263 sq. ft.	Lot 1 @ 11,468 sq. ft. Lot 2 @ 10,795 sq. ft.	Yes Yes
Density: 1 D/U per 6,000 sq. ft. lot	1 Unit per lot	2 Units per lot	Yes
Lot Width: 60 feet	103 feet	No change proposed.	Yes
Lot Frontage: Parcel 1 - 60 feet	72	72	Yes
Lot Frontage: Parcel 2 - 60 feet	58	58	Yes*

\*Minimum lot frontage may be reduced from the required lot width of the zone through the tentative map discretionary review process.

***Tentative Parcel Map***

The subdivision is consistent with the General Plan and zoning standards since the tentative map meets subdivision standards and zoning standards, such as minimum lot size, minimum lot frontage, and minimum lot width. The 58 foot lot frontage for Parcel 2 is less than the minimum 60 foot lot frontage required by the Zoning Ordinance. However, the code allows a reduction of lot frontage through the discretionary review process. In this case, staff believes that a two foot reduction of the lot frontage would not adversely impact the ability to develop the lot consistent with all other applicable development standards. The project complies with required Findings for a Tentative Parcel Map in that:

- The project is suitable to allow the subdivision of the 22,263 square foot lot to allow two separate parcels because the proposed lots exceed the minimum required lot size of 6,000 square feet. The approval of the subdivision would not result in any significant effects relating to traffic, noise, air quality, or water quality. The future development of these parcels is limited to two single-family residences consistent with the General Plan.
- The design of the subdivision is consistent with the density provisions of the General Plan. Two parcels are proposed and three parcels are allowed. The site would continue to be served by required utilities and public services.
- The subdivision is not likely to cause serious public health problems because the site is currently developed with a residence. Future residential development does



not pose additional or unforeseen health risks as it is consistent with the surrounding area.

- The proposed subdivision complies with the General Plan and zoning requirements. The RL zone allows a maximum density of one unit for every 6,200 square feet of lot area. The site size would allow a maximum of 3 units. A reduction of two feet of street frontage would not impede the ability to comply with all other zoning requirements.
- The subdivision, with its provisions for any design and improvements, is consistent with the General Plan. The project is limited to subdividing one parcel into two parcels. Although no development is proposed as part of this parcel map request, proposed parcel sizes are adequate to allow development of two residences on two separate parcels. This action does not pose potential environmental impacts.

### ***Site Plan Permit***

This request does not include development of the site in association with the Tentative Parcel Map. However, a Site Plan Permit is required for tentative maps containing existing development. The existing residence is proposed to be demolished because it would overlap onto both proposed parcels. Staff believes the project meets the required findings for reasons summarized below:

- The future residential development is permitted within the subject zone pursuant to the approval of a Site Plan Permit and complies with all the applicable provisions of this title (or the specific plan as appropriate), the goals, and objectives of the San Clemente General Plan, and the purpose and intent of the zone in which the development is being proposed.
- The site is suitable for future development of two single-family residences. Future development of the site would be reviewed during the building permits process to ensure that construction complies with building, safety, grading, zoning, and water quality regulations and follow best management practices.
- The site is physically suitable for the proposed density of the development because parcel is allowed up to three units and two units are proposed.
- The future development of two residential structures on these parcels would not be detrimental to the public health, safety or welfare, or materially injurious to properties and improvements in the vicinity. All construction and site improvements would be subject to review and permits by the Building Division and Orange County Fire Authority to ensure all health and safety standards are met.
- The future development of two residential structures on these parcels would be subject to the Zoning Ordinance, design guidelines and staff review in order to assure that these parcels would not be unsightly or create disharmony with its

locale and surroundings. Future development of the site will be reviewed during the building permits process.

- The future development of residential structures on these parcels would be subject to the Zoning Ordinance, design guidelines and staff review in order to minimize or eliminate adverse physical or visual effects which might otherwise result from unplanned or inappropriate development, design or location. Future development of the site will be reviewed during the building permits process.

**GENERAL PLAN CONSISTENCY**

Table 2 summarizes how the proposed use is consistent with General Plan policies.

**Table 2 - General Plan Consistency**

<b>Policies and Objectives</b>	<b>Consistency Finding</b>
<p><u>LU 1.01</u> We accommodate the development of a variety of housing types, styles, tenure and densities that are accessible to and meet preferences for different neighborhood types (e.g., mixed use pedestrian environments and traditional suburban neighborhoods), physical abilities and income levels.</p>	<p>Consistent. The parcel map provides opportunity for two new residences that would comply with the minimum development standards. As proposed, the site cannot be further subdivided because it will not be possible to meet the minimum development standards set forth in the Zoning Ordinance. The square footages of the proposed parcels and developable areas are similar to the surrounding neighborhood.</p>
<p><u>LU 1.02</u> We require residential developments to be designed to promote safe and convenient access to nearby commercial centers, community facilities, parks, open space, transit facilities, bikeways, trails and other amenities, as applicable.</p>	<p>Consistent. The location of this project has convenient access to a major thoroughfare with commercial facilities and public access to bikeways, trails and other amenities.</p>
<p>Accommodate the development of single-family residential units at a maximum density of 7 units per net acre in area designated Residential Low.</p>	<p>Consistent. The proposed subdivision would create two parcels. The permitted density allows up to three parcels on this site.</p>

### **ENVIRONMENTAL REVIEW/COMPLIANCE (CEQA)**

The Planning Division completed an initial environmental assessment of the project per the California Environmental Quality Act (CEQA). Staff recommends the Planning Commission determine the project is Categorical Exempt from CEQA pursuant to CEQA Guidelines Section 15315 (Class 15, Minor Land Divisions) because the project involves the subdivision of property in an urbanized area zoned for residential use into four or fewer parcels. Furthermore, the proposed subdivision is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.

### **CALIFORNIA COASTAL COMMISSION REVIEW**

The project does not require Coastal Commission review. While the site is in the Coastal Zone, criteria is met to allow the project without Coastal Commission review.

### **ALTERNATIVES; IMPLICATIONS OF ALTERNATIVES**

1. The Planning Commission can concur with staff and recommend City Council approval of the proposed project.

*This is the recommended action. This action would result in the adoption of the attached Resolution PC 18-010, forwarding a recommendation to the City Council to approve the project per required findings and conditions of approval. The Commission can take this action if they determine the request meets all required findings shown in Attachment 1.*

2. The Planning Commission, at its discretion, may recommend the City Council approve the proposed project with changes to the project's design or conditions of approval.

*This action would result in any modifications to the project or conditions of approval and forwarding a recommendation to the City Council to approve the project. This could involve changes to the conditions of approval identified in Attachment 1, Exhibit A.*

3. The Planning Commission can recommend the City Council deny the proposed project.

*This action would result in forwarding a recommendation to the City Council to deny the project, requiring this item to be continued so staff can draft a new resolution. To*

*take this action, the Commission should cite reasons for not being able to meet required findings.*

**RECOMMENDATION**

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

1. Determine the project is Categorical Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15315 (Class 15, Minor Land Divisions); and
2. Adopt Resolution PC 18-010, recommending approval of Tentative Parcel Map 2017-143 – Cristobal Parcel Map and Site Plan Permit 18-088 to the City Council, subject to the attached Resolution and conditions of approval.

***Attachments:***

1. Resolution No. PC 18-010  
Exhibit A - Conditions of Approval
2. Location Map  
Plans

# ATTACHMENT 1

## RESOLUTION NO. PC 18-010

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE TENTATIVE PARCEL MAP 2017-143 (PLN 18-089) AND SITE PLAN PERMIT 18-088, CRISTOBAL PARCEL MAP, A REQUEST TO CONSIDER THE SUBDIVISION OF ONE LOT INTO TWO LOTS LOCATED AT 323 WEST PASEO DE CRISTOBAL

WHEREAS, on February 26, 2018, an application was submitted and completed on April 4, 2018, by Thomas Foley Jr., 15 West Carillo Street, Santa Barbara, CA 93101, for Tentative Parcel Map 2017-143; a request to subdivide one residential lot into two lots and Site Plan Permit 18-088. The site is located 323 West Paseo De Cristobal in the Residential Low Zone and Coastal Overlay (RL-CZ). The site's legal description is Lot 34, Block 18 of Tract 822 and Assessor's Parcel Number 692-272-14; 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 Planning Commission determine the project is Categorical Exempt from CEQA review as a Class 15 exemption pursuant to State CEQA Guidelines Section 15315 because the project falls within the minor land division exemption for subdivisions of four or fewer parcels.; and

WHEREAS, on March 21, 2018, the City's Development Management Team (DMT) reviewed the proposed project for compliance with the General Plan, Zoning Ordinance, and other applicable City ordinances and codes; and

WHEREAS, on May 2, 2018, the Planning Commission 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 Planning Commission of the City of San Clemente does hereby resolve as follows:

#### Section 1. Incorporation of Recitals.

The Planning Commission hereby finds that all of the facts in the Recitals are true and correct and are incorporated and adopted as findings of the Planning Commission 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 to the Planning Commission, and the facts outlined



below, the Planning Commission hereby finds and determines that the proposed project is Categorically Exempt from CEQA pursuant to State CEQA Guidelines Section 15315 (Class 15: Minor Land Divisions).

The project is Categorically Exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315 (Class 15, Minor Land Divisions ) because the project involves the subdivision of property in urbanized areas zoned for residential use into four or fewer parcels, the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.

Section 3. Tentative Parcel Map Findings.

With respect to Tentative Parcel Map (TPM) 2017-143 (PLN 18-089), the Planning Commission finds as follows:

- A. The site is physically suitable for the type of development, in that:
1. The subdivision is limited to subdividing one parcel into two lots for future construction of two residential lots that would be approved for construction through a building permit process, upon confirmation the development complies with the Municipal Code, building, health, and safety codes, and other applicable regulations and policies. This includes but is not limited to policies and regulations, etc.
  2. The proposed 58-foot lot frontage for Parcel 2 is less than the minimum 60-foot lot frontage required by the Zoning Ordinance. However, the code allows a reduction of lot frontage through the discretionary review process. A two-foot reduction of the lot frontage would not adversely impact the ability to develop the lot consistent with all other applicable development standards.
- B. The site is physically suitable for the proposed density of the development, in that:
1. The density of development on the site complies with the maximum allowed for properties in the RL Zoning district. The RL Zoning district allows a maximum residential density of one unit per 6,000 square feet of lot area. The subject site is approximately 22,263 square feet, with a maximum allowed density of three units.
  2. The proposed density of the project complies with the density provisions of the General Plan and further, the site would continue to be served by required utilities and public services.

- C. The design of the subdivision is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat in that:
1. No development is proposed in conjunction with the parcel map. The project is limited to subdividing one lot into two lots for future development. The parcel map proposal does not have any potential environmental impacts; and
  2. The site is in a developed area with no sensitive habitat for threatened species and the site is currently served by utilities and public services.
  3. The subdivision is consistent with the development density established by the General Plan and the environmental impacts studied and mitigated by the Final Environmental Impact Report (FEIR) and Addendum No. 1, certified for the Centennial General Plan adopted in February 2014. Addendum No. 1 reduced the build-out of the General Plan by 10 residential units and the subdivision results in the addition of one residence for a net reduction of nine units. The project does not create new significant environmental impacts, change the significance of previously studied impacts, or result in need to add or change mitigation measures, beyond the impact analysis and mitigation in the FEIR.
- D. The design of the subdivision is not likely to cause serious public health problems in that:
1. No development is proposed in conjunction with the parcel map. The project is limited to subdividing one lot into two lots for future development.
  2. The site is in a developed area with no sensitive habitat for threatened species and the site is currently served by utilities and public services.
- E. The subdivision, with its provisions for design and improvements, is consistent with General Plan goals, objectives, and policies related to traffic, grading, drainage, sanitary facilities, and utilities, etc. in that:
1. The subdivision is limited to subdividing one parcel into two parcels. Although no development is proposed as part of this parcel map request, proposed parcel sizes are adequate to allow development of two residences on two separate parcels.
  2. The site is in a developed area with no sensitive habitat for threatened species and the site is served by utilities and public services.

Section 4. Site Plan Permit Findings.

With respect to Site Plan Permit (SPP) 18-088, the Planning Commission finds as follows:

- A. The proposed development is permitted within the subject zone pursuant to the approval of a Site Plan Permit and complies with all the applicable provisions of this title (or the specific plan as appropriate), the goals, and objectives of the San Clemente General Plan, and the purpose and intent of the zone in which the development is being proposed, in that:
  - 1. The project does not include a development proposal. The site is proposed to be subdivided in a manner that would accommodate residential development in compliance with development standards contained in the Zoning Ordinance.
  - 2. The project complies with all the goals and objectives of the San Clemente General Plan and is consistent with the purpose and intent of the zone to develop single-family residential dwellings.
  
- B. The site is suitable for the type and intensity of future development that is proposed, in that:
  - 1. The zoning and general plan designate this property for single-family residences. Future development of the site would be reviewed during the building permits process to ensure that construction complies with building, safety, grading, zoning, and water quality regulations and follow best management practices.
  - 2. The site is surrounded by similar single-family residences and would be consistent with the type and intensity of existing development.
  
- C. The proposed development will not be detrimental to the public health, safety or welfare, or materially injurious to properties and improvements in the vicinity, in that:
  - 1. The future development of residential structures on these parcels would be subject to the Zoning Ordinance, design guidelines, staff review and applicable Building codes in order to protect against negative impacts to the surrounding area.
  - 2. All construction and site improvements would be subject to review and permits by the Building Division and Orange County Fire Authority to ensure all health and safety standards are met.

- D. The proposed development will not be unsightly or create disharmony with its locale and surroundings, in that:
  - 1. The future development of residential structures on these parcels would be subject to the Zoning Ordinance, design guidelines, Building code and staff review in order to assure that these parcels would not be unsightly or create disharmony with its locale and surroundings.
  - 2. The future development of residential structures on these parcels would be consistent with the surrounding residential neighborhood.
  
- E. The proposed development will minimize or eliminate adverse physical or visual effects which might otherwise result from unplanned or inappropriate development, design or location.
  - 1. The future development of residential structures on these parcels would be subject to the Zoning Ordinance, design guidelines, Building code and staff review in order to minimize or eliminate adverse physical or visual effects which might otherwise result from unplanned or inappropriate development, design or location.
  - 2. The future development of residential structures on these parcels would seamlessly integrate into the existing residential neighborhood.

Section 5. Planning Commission Recommendation.

Based on the entire record before the Planning Commission, all written and oral evidence presented to the Planning Commission, and the findings made and evidence discussed in the staff report and this Resolution, the Planning Commission hereby recommends that the City Council approve and adopt Resolution 18-010, set forth in Exhibit A and incorporated here by reference.

PASSED AND ADOPTED at a regular meeting of the City of San Clemente Planning Commission on May 2, 2018.

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Chair

CERTIFICATION:

I HEREBY CERTIFY this Resolution was adopted at a regular meeting of the City of San Clemente Planning Commission on May 2, 2018, carried by the following roll call vote:

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

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Secretary of the Planning Commission



## EXHIBIT A

**CONDITIONS OF APPROVAL  
TENTATIVE PARCEL MAP 2017-143  
CRISTOBAL PARCEL MAP**

1. Within two (2) years after the approval date of Tentative Parcel Map No. 2017-143, unless an extension is granted as provided in Section 16.12.100 of the Code of the City of San Clemente and Section 66452.6 of the Government Code of the State of California (Subdivision Map Act), the subdivider may cause the subdivision, or any part thereof, to be surveyed, and a final tract map to be prepared and recorded in accordance with the tentative tract map as approved. The final map shall be subject to all pertinent requirements of the Subdivision Map Act and shall conform to the approved tentative tract/parcel map, City standards, and all other applicable approved plans, codes, ordinances, statutes and regulations.

Any failure to record a final parcel map within the time period specified by subsection A of this section shall terminate all proceedings, and the approval or conditional approval of the tentative parcel map shall be null and void. Before a final parcel map may thereafter be recorded on the same parcel of land, a new tentative parcel map shall be filed and approved. *[Citation - Section 16.12.100.A&B of the SCMC]* (Plng.)\_\_\_\_\_ (Eng.)\_\_\_\_\_

2. 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.)\_\_\_\_\_

3. 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.)\_\_\_\_\_
4. 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, 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, and Fire Codes. *[Citation - S.C.M.C. Title 8, Section 8.16; Fire Code, Title 15, Building and Construction, Sections 15.08, 15.12, 15.16, 15.20; Title 16, Subdivisions; & Title 17, Zoning ]* (Bldg.)\_\_\_\_\_

#### **CONDITIONS TO BE SATISFIED PRIOR TO FINAL PARCEL MAP APPROVAL**

5. Prior to final parcel map approval, owner shall indicate on the map, the location of all applicable easements for storm drains, and utilities, if applicable. *[Citation - Section 16.28.030.A & B of the SCMC]* (Eng.)\_\_\_\_\_
5. Prior to final parcel map approval, the owner or designee shall demonstrate to the satisfaction of the City Engineer or designee, that quitclaims in favor of the City have been obtained from all persons having any interest in existing rights of way for pipelines for the conveyance of water, and for all rights to all underground water. The owner or designee shall convey the right to all underground water, but without right of entry to the surface thereof, to the City. The owner or designee shall cause no easements to be granted nor recorded over any portion of the property shown on the submitted record map between the tentative map approval date by the Planning Commission and the recording date of the final or record map by the County Recorder. *[Citation - Section 13.04.500.A, B & C of the SCMC]* (Eng.)\_\_\_\_\_
6. As determined by the City Engineer, prior to the review of final parcel map, and legal documents, the owner shall deposit minimum \$5,000.00 for plan check. Plan check of this Final Map may involve third party review or County review as applicable and other plan check fees may apply. *[Citation – Fee Resolution No. 08-81 and Sections 12.08 and 16.32.010.B of the SCMC]* (Eng.)\_\_\_\_\_



7. Prior to final parcel map approval, the owner shall pay or reimburse the City all costs associated with City Attorney review of the project CC&Rs, Disclosure Statements, and any other applicable documents. Also the owner shall pay all applicable development and final map fees for each unit, which may include, but are not limited to, City Consultants review fees, park acquisition and development, water and sewer connection, drainage, grading. *[Citation - S.C.M.C. Title 15, Building and Construction, Sections 15.52, 15.56, 15.60, 15.64, 15.68, 15.72].* (Eng.)\_\_\_\_(Plng.)\_\_\_\_
8. Prior to final of building permits for each individual parcel, the owner shall be responsible for providing independent water meters and separate services for each parcel. All water meters shall be located in the public ROW or as otherwise approved by the City Engineer. *[Citation – Section 16.32.010.E of the SCMC]* ■(Eng.)\_\_\_\_
9. Trash containers for the development are required to be screened from public view. *[Citation – Section 8.28.040 of the SCMC]* ■ (Eng.)\_\_\_\_

#### CONDITIONS TO BE SATISFIED PRIOR TO RECORDATION

10. Prior to recordation of the final parcel map, the owner or designee shall submit for review, and shall obtain the approval of the County Surveyor for, a digitized parcel map pursuant to Orange County Ordinance No. 3809 of January 28, 1991. The owner or designee shall pay for all costs of said digital submittals, including supplying digital copies to the City of the final County Surveyor-approved digital map in DXF format. The owner shall be responsible for providing the City a duplicate mylars of the recorded Final Map. *[Citation - Ordinance No. 3809 of the County of Orange]* (Eng.)\_\_\_\_

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

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





**City of San Clemente**

PLN 18-089, SPP 18-088, TPM 18-089 & 2017-143

323 West Paseo De Cristobal

