



AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING
Meeting Date: June 19, 2018

Agenda Item 7-B

Approvals:

City Manager [Signature]

Dept. Head [Signature]

Attorney [Signature]

Finance [Signature]

Department: Community Development Department, Planning Division
Prepared By: Vanessa Norwood, Contract Planner

Subject: **TENTATIVE PARCEL MAP (TPM) 2017-143 (PLN18-089),
SITE PLAN PERMIT (SPP) 18-088, 323 PASEO DE CRISTOBAL**

Fiscal Impact: None

Summary: The Planning Commission recommends that the City Council approve Tentative Parcel Map 2017-143 and Site Plan Permit 18-088 for the subdivision of one parcel into two parcels.

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 and is in a developed residential community with residences to the east and west. The project is located in the Residential Low Zone and Coastal Overlay (RL-CZ) Zoning District

The Planning Commission reviewed the project on May 2, 2018. The Planning Commission unanimously adopted (with Commissioner Talley absent) Resolution PC 18-010 recommending the City Council approve the project. The Planning Commission staff report and meeting minutes are provided as Attachments 3 and 4, respectively.

Discussion: Municipal Code Section 16.04.015(I)(1) requires City Council approval of a Tentative Parcel Map to allow the proposed subdivision.

Tentative Parcel Map: The proposed subdivision would create two parcels by dividing the property into two lots consisting of 11,468 square feet and 10,795 square feet in area (Attachment 5). The subdivision is consistent with the General Plan and Zoning Ordinance. The proposed tentative map meets subdivision and zoning standards, such as minimum lot size, minimum lot frontage, and minimum lot width.

Site Plan Permit: This request does not include development of the site in association with the Tentative Parcel Map. However, the Zoning Ordinance requires a Site Plan Permit for tentative maps containing existing development. The applicant proposes to demolish the existing residence in order to allow subdivision of this parcel and to avoid a structural overlap on both of the proposed parcels. The Planning Commission added a condition of approval to assure that the existing residence is demolished prior to final map recordation. The applicant provided a sample footprint of residential structures on each parcel to demonstrate that development on both

parcels can comply with all development standards once the property is subdivided. Future development of the proposed lots would occur through the building permit process; a separate discretionary permit is not required. During the building permit process, planning staff would review the proposed development for compliance with the Zoning Ordinance, including building setbacks, height, lot coverage, parking and design guidelines.

ENVIRONMENTAL REVIEW

The Planning Division completed an initial environmental assessment of the project per the California Environmental Quality Act (CEQA). Staff recommends the City Council determine the project is Categorically 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 two years, and the parcel does not have an average slope greater than 20 percent. The Planning Commission concurred with this environmental assessment.

***Recommended
Action:***

The Planning Commission recommends that the City Council:

Adopt a Resolution entitled, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 2017-143 (PLN 18-089) AND SITE PLAN PERMIT 18-088, CRISTOBAL PARCEL MAP, A REQUEST TO SUBDIVIDE ONE LOT INTO TWO LOTS AND TO DEMOLISH THE EXISTING SINGLE-FAMILY RESIDENCE LOCATED AT 323 WEST PASEO DE CRISTOBAL

Attachments:

1. Proposed City Council Resolution
2. Location Map
3. Planning Commission Staff Report dated May 2, 2018
4. Minutes of the Planning Commission Meeting of May 2, 2018
5. Project Plans

Notification: Notification was published in the newspaper, the Orange County Register; and all property owners within 300 feet of the subject property were notified.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 2017-143 (PLN 18-089) AND SITE PLAN PERMIT 18-088, CRISTOBAL PARCEL MAP, A REQUEST TO SUBDIVIDE ONE LOT INTO TWO LOTS AND TO DEMOLISH THE EXISTING SINGLE-FAMILY RESIDENCE LOCATED AT 323 WEST PASEO DE CRISTOBAL

WHEREAS, applications were submitted on February 26, 2018, by Thomas Foley Jr., 15 West Carillo Street, Santa Barbara, CA 93101, and deemed complete on April 4, 2018, for Tentative Parcel Map 2017-143 and Site Plan Permit 18-088; a request to subdivide a 22,262 square foot parcel into two parcels for future development of two single-family residences and to demolish the existing single-family residence. The site is located at 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, 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, 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 City Council determine the project is Categorically 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 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. The Planning Commission unanimously adopted Resolution 18-010, with Commissioner Talley absent, recommending that the City Council approve the proposed tentative parcel map and site plan permit; and

WHEREAS, on June 19, 2018, the City Council 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 City Council of the City of San Clemente does hereby resolve as follows:

Section 1: Incorporation of Recitals.

The City Council hereby finds that all of the facts in the Recitals are true and correct and are incorporated and adopted as findings of the City Council as if 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 City Council, and the facts outlined below, the City Council 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 City Council finds as follows:

- A. The site is physically suitable for the type of development, in that:
 1. The map will subdivide one parcel into two lots for future single-family residential development. Site Plan Permit 18-088 demonstrates that the sites can be developed in a manner that complies with all applicable provisions of the General Plan and Zoning Code.

- 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. The proposed subdivision creates two lots, each of which exceeds 6,000

square feet in area.

2. The proposed density of the project complies with the density provisions of the General Plan which allow up to 4.5, single-family detached dwelling units per gross acre.
 3. There is adequate capacity to provide utilities and public services to this subdivision.
- 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. The site is in a developed area with no sensitive habitat for threatened species.
 2. 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. The site is in a developed area with no sensitive habitat for threatened species.
 2. The site is currently served by utilities and public services.
 3. The project does not create new significant environmental impacts or change the significance of previously studied impacts.
- 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 project is compatible with the existing neighborhood and the surrounding environmental setting.

2. The site is in a developed area with no sensitive habitat for threatened species.
3. 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 City Council 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 site plan permit demonstrates that the site will be subdivided in a manner that would accommodate residential development in compliance with development standards contained in the Zoning Ordinance.
 2. The project is consistent with the purpose and intent of the zone to develop single-family residential dwellings. The project complies with goals and objectives of the San Clemente General Plan to provide high quality housing types that are compatible with existing neighborhoods and the surrounding environmental setting.
- 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.
 2. The site is surrounded by similar single-family residences and the proposed development would be consistent with the type and intensity of existing development.
 3. The proposed subdivision is within the density provisions established by the General Plan for up to 4.5, single-family detached dwelling units per gross acre.
- 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 compliance with 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 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 will be subject to review to ensure compliance with the Zoning Ordinance, design guidelines, building codes and other applicable policies.
 2. The development of residential structures on these parcels will 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 seamlessly integrate into the existing residential neighborhood.

Section 5. Certification.

The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

ATTEST:

City Clerk of the City of
San Clemente, California

Mayor of the City of San Clemente, California

STATE OF CALIFORNIA)
 COUNTY OF ORANGE) §§
 CITY OF SAN CLEMENTE)

I, JOANNE BAADE, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. _____ was adopted at a regular meeting of the City Council of the City of San Clemente held on the 19th day of June, 2018, by the following vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this _____ day of _____, _____.

 CITY CLERK of the City of
 San Clemente, California

Approved as to form:

 City Attorney

**CONDITIONS OF APPROVAL*
TENTATIVE PARCEL MAP 2017-143
AND SITE PLAN PERMIT 18-088
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] (Png.)_____ (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, for future development, 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.)_____
6. 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 City Council 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.)_____
7. 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.)_____

8. Prior to final parcel map approval, 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.)____(PIng.)_____
9. 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.)_____
10. 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

11. 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.)_____
12. Prior to final map recordation, the property owner shall demolish the existing home currently on the property.

* 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

TPM 2017-143 (PLN 18-089) & SPP 18-088

323 West Paseo De Cristobal



6-19-18 / 7B-12



STAFF REPORT SAN CLEMENTE PLANNING COMMISSION

Meeting Date: May 2, 2018

PLANNER: Vanessa Norwood, Contract Planner *VN*

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

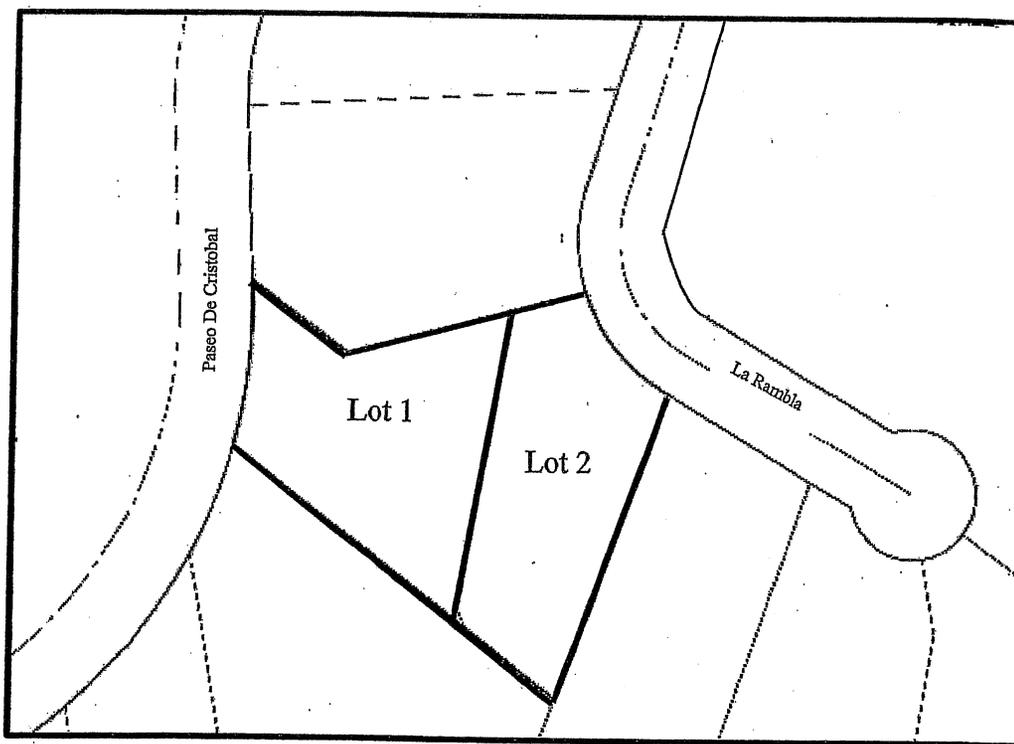
- a. The proposed development is permitted within the subject zone pursuant to the approval of a Site Plan Permit and complies with all the applicable provisions of this title (or the specific plan as appropriate), the goals, and objectives of the San Clemente General Plan, and the purpose and intent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

Development Standard	Existing Condition	Proposed	Complies with Standards
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

Policies and Objectives	Consistency Finding
<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 Categorically 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

Chair Brown opened the public hearing, and there being no public testimony, closed the public hearing.

IT WAS MOVED BY COMMISSIONER SMITH, SECONDED BY COMMISSIONER WU, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC 18-005, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING DISCRETIONARY SIGN PERMIT 17-347, FLORA VISTA COMMUNITY ENTRY SIGNS, A REQUEST TO ALLOW PROJECT IDENTIFICATION SIGNS; TWO NEW ENTRY MONUMENT SIGNS LOCATED AT CALLE SARMENTOSO AND VIA TULIPAN; CALLE SARMENTOSO AND VIA SOLONA; AND, TWO RENOVATED ENTRY WALL SIGNS LOCATED ON BOTH CORNERS OF CAMINO DEL RIO AND VIA TULIPAN.

[DECISION FINAL. SUBJECT TO APPEAL OR CALL UP BY COUNCIL.]

B. 323 W. Paseo De Cristobal – Tentative Parcel Map 2017-143 (PLN 18-089)/Site Plan Permit (SPP) 18-088 – Cristobal Parcel Map (Norwood)

Public Hearing to consider the subdivision of a 22,262 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.

Vanessa Norwood, Contract Planner, narrated a PowerPoint Presentation entitled, "Cristobal Parcel Map, Tentative Parcel Map 2017-143 (PLN 18-089)/Site Plan Permit 18-088," dated May 2, 2018. A copy of the Presentation is on file in the Planning Division. Staff indicated that the applicant recently provided additional information, and staff clarified that the project complies with all development standards, including the minimum 60-foot lot frontage.

Greg Borchard, applicant representing the property owner, was available for questions.

In response to a request, City Attorney Richardson added a condition of approval to address demolition of the existing home prior to the final subdivision recordation.

Chair Brown opened the public hearing, and there being no public testimony, closed the public hearing.

IT WAS MOVED BY COMMISSIONER SMITH, SECONDED BY CHAIR PRO TEM BLACKWELL, AND UNANIMOUSLY CARRIED TO ADOPT 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.

Revised as follows:

Add Condition no. 11 as follows, "Prior to final map recordation, the property owner shall remove the existing home currently on the property."

[ACTION SUBJECT TO CITY COUNCIL APPROVAL.]

C. 620 Avenida Pico – Site Plan Permit 17-348/Conditional Use Permit 17-349/Architectural Permit 17-350/Discretionary Sign Permit 17-413 – Pico Starbucks (Morones)

Public Hearing to consider a request to 1) construct a 2,400 square foot, single-story commercial building for a Starbucks with a drive-through, 2) amplified sound for the drive-through speaker system, 3) a Master Sign Program that includes menu board signs and monument sign, and 4) an outdoor dining area. The site includes parcels located at 620 Avenida Pico, and portion of an adjoining lot at 600 Avenida Pico as part of a lot line adjustment. The project is located in the Community Commercial zone (CC2). The site's legal description is Parcel 2, Page 7 of Book 53, and Parcel 1, Page 7 of Book 53. The Assessor's Parcel Numbers are 679-042-04 and 679-042-01.

Veronica Morones, Assistant Planner, narrated a PowerPoint Presentation entitled, "Pico Starbucks, SPP 17-348, CUP 17-349, AP 17-350, and DSP 17-413," dated May 2, 2018. A copy of the Presentation is on file in the Planning Division. She distributed an errata sheet for the Commission's consideration.

Applicant, William Nascimento of Sycamore Group LLC representing Starbucks introduced his development staff, including the architect, traffic engineer, interior space/construction planner and landscape architect, as well as the property owners. Mr. Nascimento stated that noted architect, Henry Lenny was hired to create a Spanish Colonial Revival architectural version of Starbucks. Mr. Nascimento thanked staff and the Design Review Subcommittee (DRSC) for their assistance. He described the site's circulation plan; ongoing efforts to design the appropriate lighting materials for the tower; noted site constraints due to multiple easements and water line restrictions and specialized light poles, which hamper efforts to increase landscaping. In response to questions from the Commission, he advised that efforts are ongoing to relocate and conceal the utility doors with improved design/paint. Mr. Nascimento stated that the drive-thru lane would accommodate more cars than the busiest, existing Starbucks drive-thru store in the County and noted that the site is over-parked by three spaces.