

These minutes were approved by the Zoning Administrator 9-24-2019

**CITY OF SAN CLEMENTE
MINUTES OF THE REGULAR MEETING
OF THE ZONING ADMINISTRATOR
SEPTEMBER 19, 2019**

1. CALL TO ORDER

The Regular Meeting of the City of San Clemente Zoning Administrator was called to order on September 19, 2019 at 3:00 p.m. in Conference Room A of the Community Development Department, located at 910 Calle Negocio, San Clemente, California, by Zoning Administrator (ZA) Cecilia Gallardo-Daly.

Staff Present: Cecilia Gallardo-Daly, Zoning Administrator; David Carrillo, Assistant Planner; Jonathan Lightfoot, Assistant Planner; Lisa Acosta, Office Specialist I.

2. MINUTES

- A. The minutes of the Zoning Administrator meeting of September 5, 2019 were received and filed.

3. ORAL AND WRITTEN COMMUNICATION

None

4. PUBLIC HEARINGS

- A. **108 Avenida Serra – Tentative Parcel Map 19-229 – Serra Duplex Condominium Map** (Carrillo)

A request to consider a condominium subdivision of a duplex, currently under construction, for individual ownership. The project site is located in the Mixed Use 3.1 Zoning District and Architectural Overlay District (MU 3.1-A).

David Carrillo, Assistant Planner, summarized the staff report.

Justin Johnson, applicant, was present and available for questions.

ZA Gallardo-Daly opened the public hearing.

Justin Johnson stated he has reviewed the report and agrees to the conditions of approval. Their outside counsel is preparing the Covenants, Conditions and Restrictions (CC&R's) in compliance with all City requirements and state laws.

ZA Gallardo-Daly closed the public hearing.

ZA Gallardo-Daly stated she read the staff report and conditions of approval, reviewed the parcel map, and visited the site and was able to make the findings.

ZA Gallardo-Daly approved Tentative Parcel Map 19-229 based on the following findings: The site is physically suitable for the type of development. The duplex was approved for construction through a discretionary review and permit process. The development complies with the Zoning Ordinance, building, health, and safety codes. The site is physically suitable for the proposed density of the development. The site complies with the maximum number of units allowed for properties in the MU 3.1 Zoning district which is two units on the lot. The design of the condominium conversion and proposed improvements will not cause substantial environmental damage. The project is limited to converting a duplex under construction into two condominiums to allow for separate ownership. The site is in a developed area with no sensitive habitat. The design of the condominium conversion is not likely to cause serious public health concerns. The condominium conversion is consistent with the General Plan. The design of the condominium conversion and the improvements will not conflict with easements, acquired by the public at large, for access through the use of the property.

The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15315 (Class 15: Minor Land Divisions).

Action: The Zoning Administrator approved and adopted Resolution ZA 19-014, Tentative Parcel Map 2019-121 (19-229), Serra Duplex Condominium Map, subject to the Conditions of Approval.

B. 1211 Calle Toledo – Minor Exception Permit 18-565/Staff Waiver of Minor Architectural Permit 18-564 – Jeisy Addition (Carrillo)

A request to consider the reduction of the required street-side yard setback and construction of a two-car garage attached to a nonconforming single-family residence located in the Residential Low Zoning District and Coastal Zone Overlay District (RL-CZ).

David Carrillo, Assistant Planner, summarized the staff report.

Michael Cardoso, applicant, was present and available for questions.

ZA Gallardo-Daly opened the public hearing.

Michael Cardoso stated the conditions of approval are acceptable. The door on the garage and vertical landscaping will not be an issue.

ZA Gallardo-Daly stated the curb cut on the Cordoba side is wider than the existing drive-way and asked the applicant to clarify how wide will the new drive-way be.

Michael Cardoso stated the drive-way will be the width of the curb cut.

ZA Gallardo-Daly closed the public hearing.

ZA Gallardo-Daly stated she read the staff report and conditions of approval, reviewed the plans, and visited the site and was able to make the findings.

ZA Gallardo-Daly approved Staff Waiver of Minor Architectural Permit 18-564 based on the following findings: The architectural treatment of the project complies with the San Clemente General Plan. The project maintains the one-story design of the existing residence located in a neighborhood consisting of one-, two-, and three-story residences. The architectural treatment of the project complies with the Zoning Code and the architectural guidelines in the City's Design Guidelines. The project has been conditioned to address the Cordoba elevation which include additional landscaping, a decorative door, and light fixture. The appearance of the proposal is in keeping with the character of the neighborhood. The proposal is not detrimental to the orderly and harmonious development of the City. The proposal meets all RL Zone development standards.

ZA Gallardo-Daly approved Minor Exception Permit 18-565 based on the following findings: The proposed project will not interfere with the purpose of the zone or the standards of the zone. The proposed deviation for the side yard setback in minor in scope and it allows for additional off street parking for the property. The neighboring properties will not be adversely affected. The proposal will not be detrimental to the health, safety or welfare.

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) and Section 15305 (Class 5: Minor Alterations in Land Use Limitations).

Action: The Zoning Administrator approved and adopted Resolution ZA 19-013, Staff Waiver of Minor Architectural Permit 18-564 and Minor Exception Permit 18-565, Jeisy Addition, subject to the Conditions of Approval.

5. NEW BUSINESS

A. 197 Avenida La Pata – Special Activities Permit 19-324 – Stance Military Sample Sale (Lightfoot)

Jonathan Lightfoot, Assistant Planner, summarized the staff report prepared by Community Development Technician Erin Guy, recommending the Zoning Administrator approve Special Activities Permit 19-324, the second one-day special activity of the calendar year at 197 Avenida La Pata, subject to the proposed conditions of approval for ZA 19-015.

ZA Gallardo-Daly asked to confirm the applicant has read and accepts the conditions of approval.

Staff confirmed the applicant has reviewed the conditions of approval and is aware there is a modified condition stating the applicant must provide acknowledgements from neighboring property owners that they are willing to share their parking for this event so Stance can reach their expected attendance of 300-500.

ZA Gallardo-Daly approved Special Activities Permit 19-324 based on the following findings: The permit complies with the San Clemente General Plan and the purpose and intent of the zone. There have been conditions of approval placed on the Special Activities Permit to ensure that it will not negatively impact surrounding land uses. The applicant is aware of the suitability of the location for this type of activity and is in agreement with the conditions of approval.

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 ZA19-015, Special Activities Permit 19-324, Stance Military Sample Sale, subject to the Conditions of Approval.

6. OLD BUSINESS

None

7. ADJOURNMENT

The meeting adjourned at 3:22 p.m. to the Regular Meeting of the Zoning Administrator which will be held Thursday, October 17, 2019 at 3:00 p.m., at the Community Development Department, Conference Room A, located at 910 Calle Negocio, Suite 100, San Clemente, California as the October 3, 2019 meeting was cancelled due to a lack of business.

Respectfully submitted,

SAN CLEMENTE ZONING ADMINISTRATOR


Cecilia Gallardo-Daly, Zoning Administrator