



Memorandum Planning Division

October 9, 2019

To: Planning Commission, City of San Clemente
From: Gabriel J. Perez, City Planner
Subject: Staff Waivers September 25, 2019 through October 8, 2019

This memorandum provides details regarding Staff Waivers recently approved by the Planning Division.

Analysis

Pursuant to San Clemente Municipal Code (Section 17.16.110), staff waivers may be requested for any exterior modifications, alterations, or additions requiring an Architectural/Cultural Heritage Permit or Minor Architectural/Cultural Heritage Permit. The purpose of the staff waiver is to streamline the permitting process for projects so minor in scope they do not substantially alter the visual appearance or architectural integrity of the subject property or structure.

Conclusion

Following my review in light of the Municipal Code and the interests of the community, I have approved the requests listed on the following page. These waivers shall remain in effect unless appealed to the Planning Commission pursuant to Section 17.12.140 of the Zoning Ordinance.

Attachments

City of San Clemente
Projects by Type and Date
For the Period 9/25/2019 thru 10/8/2019

Project Number	Date Applied	Date Closed	
Project Name	Date Approved	Date Expired	Project Type
Planner	Status of Project		Comments
PLN19-264	7/25/2019		SW
Pardoen Garage door replacement	9/30/2019		(7/25/2019 10:20 AM ERG)
ERIN GUY	APPROVED		Replace the non original pop out garage doors with roll up carriage style doors in proposed wood with black iron finish. Original beam and header separating garage doors to remain painted dark brown.
PLN19-333	9/12/2019		SW
Campbell Addition	10/7/2019		(9/12/2019 3:30 PM KYW)
KYLE WEBBER	APPROVED		Staff Waiver of a Minor Architectural Permit for an addition of 147 square feet connecting the existing garage and primary building. Non-conforming due to 21 square feet encroaching on west side and small portion of garage encroaching on east side.
			(10/3/2019 2:19 PM KYW)
			Waiting on Applicant Consent to Conditions form
PLN19-367	9/17/2019		SW
Emergency chimney demo and replace	10/3/2019		(10/3/2019 11:22 AM JLF)
JONATHAN LIGHTFOOT	APPROVED		A request to demolition a masonry chimney at a property on the City's Designated Historic Resources list. The chimney is failing and separating from the residence. A structural engineer has assessed the condition and determined that repair is infeasible. The City's Building Official determined that the chimney poses a life safety risk and must be removed. The removal is conditioned upon a lighter wood frame replica to be rebuilt in the same location.

3 Project(s) Found

Project Information:

Staff Waiver No: PLN19-264

Permit waived: Minor Cultural Heritage Permit

Project Location/Address: 223 Calle Roca Vista

Architectural Overlay District: No

Historic Resource: Yes

Historic Landmark: No

Mills Act Contract: Yes

Project Description: (7/25/2019 10:20 AM ERG)

Replace the non original pop out garage doors with roll up carriage style doors in proposed wood with black iron finish. Original beam and header seperating garage doors to remain painted dark brown.

Findings:

FOR MINOR MATERIAL/DESIGN CHANGE:

1. The proposed project is consistent with the Design Guidelines, Centennial General Plan, Zoning Code, Specific Plan (if applicable), policy statements, and development standards, such as setbacks, height, lot coverage, etc.
2. The proposed project essentially maintains the building's design, footprint, massing, and height so it is minor in nature. The proposed project has materials, finishing, and design elements that further goals to improve the architectural integrity and appearance of buildings and enhance neighborhoods.
3. The proposed project involves repairs and preservation measures that are minor in nature and improve the historical integrity of historic resources and landmarks.
4. The City finds that the proposed modifications, alterations, or additions are sufficiently in conformance with the Secretary of the Interior Standards for the Treatment of Historic Properties and the San Clemente Design Guidelines to substantially further the City's goals of historic preservation, or
5. For resources on the City's Landmarks List, the proposed rehabilitation, restoration, preservation, or reconstruction, including modifications, alterations, or additions, are found to be in conformance with the Secretary of the Interior Standards for the Treatment of Historic Properties and preserve to the extent feasible the character defining features.

Conditions of approval:

1. 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]*
2. The staff waiver shall become null and void if the project is not commenced within one (1) year from the date of the approval thereof. If a building permit is required, the project is commenced on the date that a building permit is issued. If a building permit is not required,

then the project is commenced on the date that the project is completed to the satisfaction of the City Planner. *[Citation - Section 17.12.150.A.1 of the SCMC]*

3. The project shall be completed in conformance with application materials approved by the City Planner and amended by any conditions. *[Citation - Section 17.12.180 of the SCMC]*
4. Prior to issuance of certificates of occupancy, the owner or designee shall demonstrate to the satisfaction of the City Planner or designee that the project has been constructed in conformance with the approved application materials and all applicable, codes, ordinances, and standards.

Project Information:

Staff Waiver No: PLN19-333

Permit waived: Minor Architectural Permit

Project Location/Address: 156 Avenida De La Paz

Architectural Overlay District: No

Historic Resource: No

Project Description: (9/12/2019 3:30 PM KYW)

Staff Waiver of a Minor Architectural Permit for an addition of 147 square feet connecting the existing garage and primary building. Non-conforming due to 21 square feet encroaching on west side and a small portion of garage encroaching on east side.

Required Findings:

FOR MINOR MATERIAL/DESIGN CHANGE:

1. The proposed project is consistent with the Design Guidelines, Centennial General Plan, Zoning Code, Specific Plan (if applicable), policy statements, and development standards, such as setbacks, height, lot coverage, etc.
2. The proposed project essentially maintains the building's design, footprint, massing, and height so it is minor in nature. The proposed project has materials, finishing, and design elements that further goals to improve the architectural integrity and appearance of buildings and enhance neighborhoods.

FOR ADDITIONS, NEW ACCESSORY STRUCTURES:

The proposed project meets the required findings for the Minor Architectural Permit being waived for the following reasons:

1. The architectural treatment of the project complies with the San Clemente General Plan; and
2. The architectural treatment of the project complies with the Zoning Code in areas including, but not limited to, height, color, setbacks, etc., except for the legal non-conforming side yard setbacks that exist on site.
3. The architectural treatment of the project complies with the architectural guidelines in the City's Design Guidelines; and
4. The general appearance of the proposal is in keeping with the character of the neighborhood;
5. The proposal is not detrimental to the orderly and harmonious development of the City.

Conditions of approval:

1. 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]*
2. The staff waiver shall become null and void if the project is not commenced within one (1) year from the date of the approval thereof. If a building permit is required, the project is

commenced on the date that a building permit is issued. If a building permit is not required, then the project is commenced on the date that the project is completed to the satisfaction of the City Planner. *[Citation - Section 17.12.150.A.1 of the SCMC]*

3. The project shall be completed in conformance with application materials approved by the City Planner and amended by any conditions. *[Citation - Section 17.12.180 of the SCMC]*
4. Prior to issuance of certificates of occupancy, the owner or designee shall demonstrate to the satisfaction of the City Planner or designee that the project has been constructed in conformance with the approved application materials and all applicable, codes, ordinances, and standards.

Project Information:

Staff Waiver No: PLN19-367

Permit waived: Minor Cultural Heritage Permit

Project Location/Address: 143 Avenida Granada

Architectural Overlay District: Yes

Historic Resource: Yes

Historic Landmark: No

Mills Act Contract: No

Project Description: (10/3/2019 11:22 AM JLF)

A request to demolish a masonry chimney at a property on the City's Designated Historic Resources list. The chimney is failing and separating from the residence. A structural engineer has assessed the condition and determined that repair is infeasible. The City's Building Official determined that the chimney poses a life safety risk and must be removed. The removal is conditioned upon a lighter wood frame replica to be rebuilt in the same location.

Findings:

FOR MINOR MATERIAL/DESIGN CHANGE:

1. The proposed project is consistent with the Design Guidelines, Centennial General Plan, Zoning Code, Specific Plan (if applicable), policy statements, and development standards, such as setbacks, height, lot coverage, etc.
2. The proposed project essentially maintains the building's design, footprint, massing, and height so it is minor in nature. The proposed project has materials, finishing, and design elements that further goals to improve the architectural integrity and appearance of buildings and enhance neighborhoods.
3. The proposed project is consistent with goals of the Architectural Overlay district. It meets General Plan goals and policies that promote architectural changes that incrementally moves the building into closer character with the required architectural style.
4. The proposed project involves repairs and preservation measures that are minor in nature and improve the historical integrity of historic resources and landmarks.

Conditions of approval:

1. 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]*
2. The staff waiver shall become null and void if the project is not commenced within one (1) year from the date of the approval thereof. If a building permit is required, the project is commenced on the date that a building permit is issued. If a building permit is not required, then the project is commenced on the date that the project is completed to the satisfaction of the City Planner. *[Citation - Section 17.12.150.A.1 of the SCMC]*

3. The project shall be completed in conformance with application materials approved by the City Planner and amended by any conditions. *[Citation - Section 17.12.180 of the SCMC]*
4. Prior to final inspection, the owner or designee shall demonstrate to the satisfaction of the City Planner or designee that the project has been constructed in conformance with the approved application materials and all applicable, codes, ordinances, and standards.
5. The reconstructed chimney shall follow the Secretary of the Interior's (SOI) Standards for Rehabilitation, specifically standard #6: "Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence." Refer to the SOI Guidelines:
<https://www.nps.gov/tps/standards/treatment-guidelines-2017.pdf>
6. The chimney shall be reconstructed within 2 years or prior to sale of the property, whichever comes first.