



Memorandum Planning Division

November 25, 2019

To: Planning Commission, City of San Clemente
From: Gabriel J. Perez, City Planner
Subject: Staff Waivers November 13, 2019 through November 25, 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 11/13/2019 thru 11/25/2019

Project Number	Date Applied	Date Closed	Project Type
Project Name	Date Approved	Date Expired	Project Type
Planner	Status of Project		Comments
PLN19-436	11/19/2019		SW
Spa Remodel	11/25/2019		(11/19/2019 11:16 AM KYW)
KYLE WEBBER	APPROVED		Remove and replace 395 sq. ft of pavers surrounding existing spa/replaster app. 11 diameter spa

1 Project(s) Found

Project Information:

Staff Waiver No: PLN19-436

Permit waived: Minor Cultural Heritage Permit

Project Location/Address: 207 Avenida Miramar

Architectural Overlay District: Yes/No

Historic Resource: Yes/No

Historic Landmark: Yes/No

Mills Act Contract: Yes/No

Project Description: (11/19/2019 11:16 AM KYW)

Remove and replace 395 sq. ft of pavers surrounding existing spa/replaster app. 11 diameter spa

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 new structures and remodels in the Architectural Overlay District, one of the following findings (6 or 7) shall also be made:

1. The proposed project/use preserves and strengthens the pedestrian-orientation of the district and/or San Clemente's historic identity as a Spanish village; or
2. The proposed project/use is a minor remodel and it is not practical or desirable, in this particular case, to attempt conversion to a pedestrian-orientation and/or Spanish Colonial Revival style. The proposed changes, however, improve the quality and architectural integrity of the proposed project.

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]*

Pursuant to Section 7.7.2 of the Zoning Ordinance, a use shall be deemed to have lapsed, and the above-referenced Staff Waiver shall be deemed to have expired, when a building permit has been issued, construction has not been completed and the building permit has expired in accordance with applicable sections of the Uniform Building Code, as amended.

3. The above-referenced Staff Waiver shall become null and void if the use is not commenced within one (1) year from the date of the approval thereof. Since the use does not require the issuance of a building permit, the use shall not be deemed to have commenced until all improvements submitted herein are completed to the satisfaction of the City Planner.
4. 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]*
5. 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.
6. Prior to the issuance of any permits, the owner or designee shall submit written consent to all of these imposed conditions to the Community Development Director or designee. The owner or designee understands that the resolution will be of no force or effect, nor shall permits be issued, unless such written consent is submitted to the City.