



## STAFF REPORT SAN CLEMENTE ZONING ADMINISTRATOR

Meeting Date: December 5, 2019

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**PLANNER:** Katie Crockett, Associate Planner

**SUBJECT:** **Minor Architectural Permit (MAP) 18-643, Avalos Residence,**  
a request to consider a first story and second story addition,  
totaling 1,184 square feet, to a legal nonconforming one-  
story single-family residence

**LOCATION:** 222 Avenida Victoria

**ZONING/GENERAL PLAN:** Residential Medium Density Zone and Coastal Zone Overlay (RM-CZ)

### **PROJECT SUMMARY:**

- The project site is a 4,000 square-foot lot located in the Residential Medium Density zone and Coastal Zone overlay. The site is improved with a nonconforming single-family residence. The house is nonconforming in two ways: 1) a single-car, substandard garage (15' X 12') where a two-car garage (19' x 18') is required; and 2) side setbacks of 11" at the garage on the east property line and 2'-6" at the nearest point on the west property line where a minimum setback of five feet is required. The properties immediately to either side are one-story single-family homes, while the street also has many two-story multi-family buildings. There are several other properties with nonconforming front, side, or rear setbacks in the immediate vicinity of the subject property.

**Figure 1: Existing Conditions**



- The proposed project will add 1,184 square feet to the rear of the house; 580 square feet to the first floor, and 604 square feet to create a second floor. The project would also modify the garage to convert it back to a carport as originally permitted, and legalize some existing improvements to the garage. The existing home has a combination of hipped and gabled roof elements. The addition utilizes hipped roof elements to match existing. A roof deck is proposed above the second floor addition. The house will remain stucco, but will be updated with a new standing seam metal roof to replace the existing composite shingle. New and replaced windows will be updated to brown Milgard Tuscan windows.

**Figure 2: Proposed Front Elevation**



- The project meets development standards, except as existing non-conforming conditions, as shown in Table 1, below:

**Table 1: Development Standards**

	Code Requirements	Proposed Site Plan	Complies with Requirements
Density:	1 Unit	1 Unit	Yes
Building Height (Maximum)	25'	24'-3"	Yes
Setbacks (Minimum):			
• Front	15'	16'-2"	Yes
• Garage	18'	19'	Yes
• Side Yard	5'	2'-6" / 11"	No*
• Rear Yard	5'	8'-10"	Yes
Lot Coverage	55%	49%	Yes
Required Parking (Minimum):	2 spaces	1 spaces	No**
Front Yard Landscaping Req. (Minimum):	40%	40%	Yes

\* The deficient side setbacks are only at the existing home and garage, requiring a MAP for the proposed addition. The proposed addition meets all current setback requirements. No exceptions are requested.

\*\* Single-family homes with a single-car garage or carport constructed prior to 1962 are exempt from Zoning Ordinance Chapter 17.72 (Nonconforming Structures and Uses).

- The home was originally developed with a single-car carport open on the front and rear, with a partial wall at the side, adjacent to the property line. The carport was converted to an enclosed garage with full height wall at the side, adjacent to the property line, and garage doors added to the front and rear without permits. The applicant initially sought to have the modifications legalized. In their review, the DRSC recommended it be converted back to a carport because of concerns that the modifications made the property more non-conforming by enclosing both the front and rear since a standard size car would not be able to be accommodated by the 15 foot, 2 inch depth. Therefore the applicant has modified the plans to remove the rear enclosure, meeting the definition of carport in the San Clemente Municipal Code (SCMC), and addressing the concern related to the nonconforming depth of the carport parking space. With these modifications, a vehicle can be accommodated under the existing carport. The addition of the front garage door provides the additional benefit of screening the storage of trash carts, as required by the SCMC and Design Guidelines.
- The DRSC reviewed the project and had recommended design changes. The draft minutes are included as Attachment 5, and the recommendations and how they were addressed is summarized in Table 1, below.

**Table 1 – DRSC Design Recommendations**

Recommendation	Addressed?
Provide more balance between first and second story (reduce top-heavy appearance), and modify the second story roofline.	Yes. The project was redesigned so that the first and second story plate heights are more balanced, the roof pitch of the second story was reduced to match the pitch of the existing first story roof, and a stucco parapet was incorporated to accommodate the roof deck. Cable rail is used at the sides and rear of the roof deck to reduce massing at these elevations.
Expressed concern of legalizing the conversion of the approved carport to an enclosed garage, particularly due to the non-conforming depth created by enclosing the front and rear from the original approved carport.	Yes. The applicant has removed the rear door/wall. This meets the definition of carport in the Code and accommodates a standard size car. Additional conditions of approval (Condition 4.17) have been added to ensure the legalization of modifications to the carport are properly carried out.
Requested clarification regarding steps between the house and garage that could affect the size of the carport parking space or inhibit a vehicle from pulling through the carport to park in the paved parking area to the rear of the carport.	Yes. The step between the carport and home would not impede a vehicle from pulling through the carport, and maintains the required 9-foot parking space width within the carport, as shown on the plans.

- The project is consistent with General Plan Goals and Policies, as outlined in Attachment 3. In particular the house is consistent with the massing and scale of other properties in the neighborhood and the general character of the street. The house maintains the one-story bungalow profile in the front to match the immediately neighboring properties on each side. The two story addition is located to the rear to provide the owners the needed space and a roof deck. The two-story addition matches the two-story profile of the buildings on the properties to the rear.
- The project is consistent with applicable Design Guidelines, as outlined in Attachment 4. In particular, the addition respects the privacy sun, and light exposure of neighboring properties by stepping the height to be consistent with adjacent buildings and maintaining setbacks exceeding the minimums at the addition.
- Zoning Ordinance Table 17.72.050A states that nonconforming “single-family dwellings that are less than 1,400 square feet...may be expanded to a maximum of 2,100 square feet and remain nonconforming with the approval of a MAP. The existing single-family home is 916 square feet, and requests to expand the square-footage of the home to 2,100 square feet under the provisions of this section. Zoning Administrator approval is required for MAPs (Zoning Ordinance Section 17.16.100.B.2).
- The project meets required findings because:
  - The project is consistent with the General Plan in that it maintains the single-story profile at the front of the house, consistent with the single-story homes on either side of the project site, with a two-story addition at the rear consistent with the two-story multi-family buildings to the rear and elsewhere on the street so that the scale and massing are of the development are compatible with the surroundings.
  - The project complies with the Zoning Ordinance in that the project meets all development standards including setbacks, height, front yard landscape coverage, and lot coverage, except the existing nonconforming setbacks and parking, which are permitted to remain pursuant to SCMC provisions for additions to small nonconforming single-family residences.
  - The project is consistent with Design Guidelines in that it respects the privacy, sun, and light exposure of neighboring properties and provides a transition from existing to new development by careful placement and massing of buildings. The addition maintains setbacks exceeding the minimum and includes offsets such as the second story deck, providing visual relief and helps to mitigate the two-story massing of the addition. The addition is planned at the rear where it is in scale with adjacent buildings.
  - The general appearance of the project is in keeping with the character of the neighborhood in that the home will maintain the stucco façade, consistent with many other residential buildings on the street, while updating to a new standing seam metal roof to replace the existing composite shingle. Additionally, new windows and doors will be brown Milgard Tuscan style, providing an attractive update to the property.

- The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Class 1: Existing Facilities) because the proposed project involves an addition to an existing structure less than 10,000 square feet in an area that is not environmentally sensitive and all public services and facilities are available.
- The project requires approval by the California Coastal Commission prior to issuance of construction permits. This is included as Condition 4.4.
- Staff has received no public comments related to this application.

### **RECOMMENDATION**

Staff recommends that the Zoning Administrator:

1. Determine the project is Categorical Exempt from the requirements of the CEQA pursuant to CEQA Guidelines Section 15301 (Class 1: Existing Facilities); and
2. Adopt Resolution ZA 19-021, approving Minor Architectural Permit 18-643, Avalos Residence, subject to conditions of approval.

### ***Attachments:***

1. Resolution ZA 19-021  
Exhibit A – Conditions of Approval
2. Location Map
3. General Plan Consistency
4. Design Guidelines Consistency
5. DRSC Minutes
6. Plans

RESOLUTION NO. ZA 19-021

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING MINOR ARCHITECTURAL PERMIT 18-643, AVALOS RESIDENCE, A REQUEST TO ALLOW A FIRST AND SECOND STORY ADDITION, TOTALING 1,184 SQUARE FEET, TO A LEGAL NONCONFORMING ONE-STORY SINGLE-FAMILY RESIDENCE AT 222 AVENIDA VICTORIA IN THE RESIDENTIAL MEDIUM DENSITY ZONING DISTRICT AND COASTAL ZONE OVERLAY

WHEREAS, on November 19, 2018, an application was submitted by Albert Avalos for Minor Architectural Permit (MAP) 18-643, and deemed complete on October 30, 2019; a request to allow a first and second story addition, totaling 1,184 square feet, to a legal nonconforming residence at 222 Avenida Victoria in the Residential Medium Density zoning district and the Coastal Zone Overlay (RM-CZ). The site's legal description is Tract 779, Block 18, Lot 49, and the Assessor's Parcel Number 058-113-27; 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 Zoning Administrator determine the project is Categorically Exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Class 1: Existing Facilities) because the project involves an addition of less than 10,000 square feet in an area that is not environmentally sensitive and where all public services and facilities are available; and

WHEREAS, the proposed project was reviewed multiple times by the Development Management Team (DMT) which supports the project with incorporated conditions of approval; and

WHEREAS, on August 28, 2019, the Design Review Subcommittee (DRSC) reviewed the project for consistency with the City's Design Guidelines and recommended modifications that have been incorporated into the project design or addressed through conditions of approval; and

WHEREAS, the City Planner advertised and noticed the Zoning Administrator public hearing for this item at least ten days in advance of the hearing by both publication in a newspaper of general circulation in the City of San Clemente and by mailing a notice of the time, place and purpose of such hearing to required recipients, including property owners within 300 feet of the subject parcel; and

WHEREAS, on December 5, 2019, the Zoning Administrator 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 Zoning Administrator of the City of San Clemente does hereby resolve as follows:

Section 1. Incorporation of Recitals.

The Zoning Administrator hereby finds that all of the facts in the Recitals are true and correct and are incorporated and adopted as findings of the Zoning Administrator 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 Zoning Administrator, and the facts outlined below, the Zoning Administrator hereby finds and determines that the proposed project is Categorically Exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Class 1: Existing Facilities) because the project involves an addition to an existing structure less than 10,000 square feet in an area that is not environmentally sensitive and where all public services and facilities are available.

Furthermore, none of the exceptions to the use of the Class 1 categorical exemption identified in State CEQA Guidelines Section 15300.2 apply. The project will not result in a cumulative impact from successive projects of the same type in the same place, over time, given the proposed use is consistent with General Plan policies and Zoning regulations, which were studied and addressed in the General Plan Environmental Impact Report (EIR). There are no unusual circumstances surrounding the project that result in a reasonably possibility of a significant effect on the environment. The site is developed. The project will not damage scenic resources, including trees, historic buildings, rock outcroppings, or similar resources. Thus, the Class 1 exemption applies, and no further environmental review is required.

Section 3. Minor Architectural Permit Findings

With respect to Minor Architectural Permit (MAP) 18-643, for an addition to a legal nonconforming single family residence, the Zoning Administrator finds as follows:

- A. The architectural treatment of the project complies with the San Clemente General Plan in that:
1. The street is characterized by a mix of bungalows and two-story multi-family buildings. The project maintains the single story profile at the front of the house and has a two-story addition at the rear to maximize interior space and create a roof deck to meet the needs of the property owners while respecting neighborhood character, consistent with General Plan Policy LU-1.04 which requires that single-family houses be designed so that building scale and massing is compatible with existing development.
  2. The project maintains the single-story profile at the front of the house, consistent with the single-story homes on either side of the project site, with a two-story addition at the rear consistent with the two-story multi-family buildings to the rear and elsewhere on the street consistent with General Plan Policy LU-5.10 which requires that the scale and massing of development be compatible with the surroundings.

3. The project meets minimum front yard landscape coverage and maintains only a one-car width driveway, reducing paving in the front yard, but allowing for on-site parking by converting the garage back to a carport, compatible with General Plan Policy LU-1.04 which requires that single-family houses reduce area and width of paving in front yards.
- B. The architectural treatment of the project complies with the Zoning Ordinance in areas including, but not limited to, height, setback, color, etc. in that:
1. The project meets all setbacks, except as existing non-conforming side setbacks. The addition area maintains setback in excess of the minimum required by the Zoning Ordinance.
  2. The project increases the height of the existing residence, but is below the maximum of 25 feet, as required in the Zoning Ordinance.
  3. Minimum landscape standards for the front yard are maintained per the narrow lot provisions in the Zoning Ordinance in that the minimum front yard landscape coverage is met and minimum front yard tree planting is shown.
- C. The architectural treatment of the project complies with the architectural guidelines in the City's Design Guidelines in that:
1. The addition maintains setbacks exceeding the minimum and includes offsets such as the second story deck, providing visual relief and helps to mitigate the two-story massing of the addition. The addition is planned at the rear where it is in scale with adjacent buildings, consistent with Design Guidelines II.A.2, which requires development "respect the privacy, sun, and light exposure of neighboring properties" and "provide a transition from existing to new development by careful placement and massing of buildings."
  2. The building has setbacks between the existing adjacent structures in excess of the minimums required. The two-story addition is at the rear away from the single-story massing of the homes immediately to each side of the subject property, and the addition's mass is reduced as viewed from the street perspective given the distance from property line to the second story roof element is over 50 feet. This is consistent with Design Guidelines II.C.3.c, which requires visual balance in the relation between dimensions of buildings, their parts, and the spaces between and around them.
  3. The project is consistent with Design Guidelines II.F which requires trash containers and outdoor storage areas to be screened from public streets in that the plans show the trash carts to be located to the rear of the carport. The placement of a garage door on the front of the carport will screen the trash carts while facilitating the transfer of the carts to the street for pick-up even with the existing 11" side setback.
- D. The general appearance of the proposal is in keeping with the character of the neighborhood in that:



1. The project maintains the single-story profile at the front of the house, consistent with the single-story homes on either side of the project site, with a two-story addition at the rear consistent with the two-story multi-family buildings to the rear and elsewhere on the street.
  2. The two-story addition is at the rear away from the single-story massing of the homes immediately to each side of the subject property, and the addition's mass is reduced as viewed from the street perspective given the distance from property line to the second story roof element is over 50 feet.
  3. The home will maintain the stucco façade, consistent with many other residential buildings on the street, while updating to a new standing seam metal roof to replace the existing composite shingle. Additionally, new windows and doors will be brown Milgard Tuscan style, providing an attractive update to the property.
- E. The proposal is not detrimental to the orderly and harmonious development of the City in that:
1. Additions to small (under 1,400 square feet) single-family nonconforming homes can be permitted up to a maximum of 2,100 square feet and remain nonconforming with the approval of a Minor Architectural Permit with DRSC review. The project was reviewed by DRSC and was recommended to continue to the Zoning Administrator with incorporation of the DRSC's recommendations.
  2. The building has setbacks between the existing adjacent structures in excess of the minimums required. The two-story addition is at the rear away from the single-story massing of the homes immediately to each side of the subject property, and the addition's mass is reduced as viewed from the street perspective given the distance from property line to the second story roof element is over 50 feet.

Section 4. Zoning Administrator Approval.

Based on the foregoing recitals and findings, and the written and oral comments, facts, and evidence presented, the City of San Clemente Zoning Administrator approves Minor Architectural Permit (MAP) 18-643, Avalos Residence, subject to the Conditions of Approval set forth in Exhibit A.

PASSED AND ADOPTED at a regular meeting of the City of San Clemente Zoning Administrator on December 5, 2019.

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Cecilia Gallardo-Daly, Zoning Administrator

CONDITIONS OF APPROVAL  
MINOR ARCHITECTURAL PERMIT 18-643

**1.0 GENERAL CONDITIONS OF APPROVAL**

- |     |   |              |
|-----|---|--------------|
| 1.1 | Within 30 days of receipt of the signed conditions of approval, the applicant shall submit to the City Planner a signed acknowledgement concurring with all conditions of approval on a form to be provided by the City, unless an extension is granted by the City Planner.  | Planning     |
| 1.2 | The applicant shall defend, indemnify, and hold harmless the City of San Clemente and its officers, employees, and agents from and against any claim, action, proceeding, fines, damages, expenses, and attorneys' fees, against the City, its officers, employees, or agents to attack, set aside, void, or annul any approval or condition of approval of the City concerning this project, including but not limited to any approval or condition of approval of the City Council, Planning Commission, or City Planner. Applicant shall pay all costs, The City shall promptly notify the applicant of any claim, action, or proceeding concerning the project and the City shall cooperate fully in the defense of the matter. The City reserves the right, at its own option, to choose its own attorney to represent the City, its officers, employees, and agents in the defense of the matter. If the applicant fails to so defend the matter, the City shall have the right, at its own option, to do so and, if it does, the applicant shall promptly pay the City's full cost of the defense. | Planning     |
| 1.3 | Use and development of this property shall be in substantial conformance with the approved plans, material boards and other applicable information submitted with this application, and with these conditions of approval.  | Planning     |
| 1.4 | The applicant shall comply with all applicable current and future provisions of the San Clemente Municipal Code, adopted ordinances, and state laws.  | All          |
| 1.5 | Use of the subject property shall conform to all occupancy requirements, including posting of signs related to the maximum occupancy limitations.   | Code<br>Comp |
| 1.6 | Within 90 calendar days of discretionary body approval, the property owner shall formally apply for and pay the application fee for an Administrative Encroachment Permit. Review of the Administrative Encroachment Permit by the City Attorney may be required. The property owner or project applicant shall be responsible for any City Attorney cost associated with review and  | Eng**        |

approval of the Administrative Encroachment Permit. Once approved by the City Attorney and City Engineer, the Administrative Encroachment Permit shall be recorded on the title of the subject parcel at the Orange County Recorder's Office.

### **3.0 PRIOR TO ISSUANCE OF GRADING PERMITS**

- 3.18 Prior to issuance of permits or work in the public right of way, the applicants shall submit for and obtain an Encroachment Permit to cover the inspection of the actual work in the public right of way. The public sidewalk shall remain open at all times of construction, unless approved otherwise by the City Engineer. Eng\*\*

### **4.0 PRIOR TO ISSUANCE OF BUILDING PERMITS**

- 4.1 The working drawings shall include within the first four pages a list of all conditions of approval included in this resolution. Planning
- 4.4 The applicant shall demonstrate to the City Planner that the project has secured approval from the California Coastal Commission. Planning
- 4.15 The applicant shall submit, and the City Engineer shall approve, frontage improvement plans. The applicant shall be responsible for the construction of all required frontage improvements as approved by the City Engineer including but not limited to the following: Eng\*\*
- A. Sidewalk along the entire frontage, including construction of compliant sidewalk around drive approach or other obstructions to meet current City standards (2% cross fall) when adequate right-of-way exists. Since the street right-of-way is approximately 5 feet behind the curbface, a sidewalk easement is anticipated to be required to be granted to the City unless a waiver is formally applied for and approved by the City Manager.
  - B. Contractor shall replace any damaged street improvements resulting from construction activities to the satisfaction of the City Inspector. (SCMC Chapter 15.36 and Sections 12.08.010, and 12.24.050)
- 4.16 The waste bins for recyclable materials, organic waste (food and landscape trimmings) and trash are required. All waste bins must be substantially hidden from view from any public street or alley. (SCMC Chapter 8.28) Eng\*\*
- 4.17 On construction drawings, all walls to be permitted at the carport, including the front wall framing for the garage door, as well as the full-height side wall, shall be shown as "new" or "to be legalized," Planning Code\*\*

and not as existing. The rear of the carport shall be entirely open and not framed to accommodate a door.

## 7.0 OPERATIONAL CONDITIONS OF APPROVAL

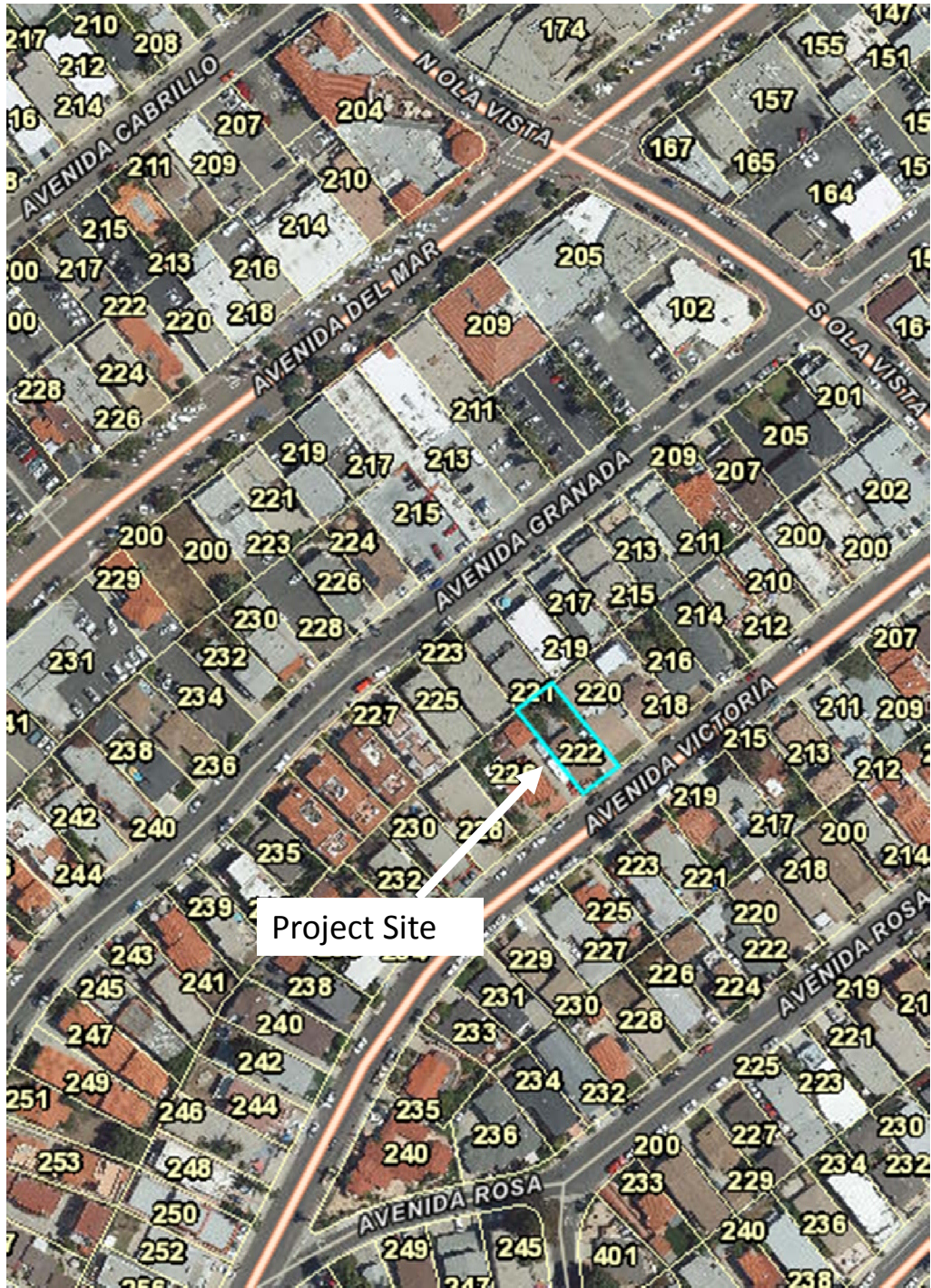
- 7.17 The applicant (including any property owners and managers, and their designees) shall use her/his best judgment and best management practices to ensure commercial activities on the premises will be conducted in a manner that will not be disruptive to neighbors. The business owner shall be responsible for ensuring compliance with the San Clemente Municipal Code (SCMC), and all conditions of approval contained herein. The Applicant (including any property owners and managers, and their designees) hereby understands that noncompliance with regulations and conditions of approval, shall be immediate grounds for citation pursuant to SCMC Section 8.52.030(Y), which states, *“It is declared a public nuisance for any person owning, leasing, occupying or having charge or possession of any premises in this City to maintain such premises in such manner that ... A structure, improvement, property, and/or land use is not in compliance with terms and/or conditions of any City of San Clemente issued permit or approval,”* and any subsequent revision of this section of the code. Code Comp\*\*
- 7.18 The applicant (including any property owners and managers, and their designees) shall use his/her best judgment and best management practices to ensure activities on the premises will be conducted in a manner that will not be disruptive to other commercial or residential neighbors and result in police services, which cost the City of San Clemente expense. Code Comp\*\*
- 7.19 Short-term lodging and boarding houses are not permitted with this permit. The Applicant, property owner, and any successors in interest of the property shall be responsible for ensuring that all residential uses are in conformance with the City’s zoning requirements. Code Comp\*\*

\* Denotes a modified Standard Condition of Approval

\*\* Denotes a project-specific Condition of Approval



ATTACHMENT 2: Project Location  
ADDRESS: 222 Avenida Victoria  
PROJECT: MAP 18-643, Avalos Residence



# ATTACHMENT 3

## Analysis: General Plan Policies

Below is an analysis of the project's consistency with General Plan policies that should be considered.

### General Plan Analysis

Policy	Project Consistency
<p>1. <i>Land Use Element Residential Land Uses Goal:</i> "Achieve a mix of residential neighborhoods and housing types that meets the diverse economic and physical needs of residents, that is compatible with existing neighborhoods and the surrounding environmental setting, and that reflects community expectations for high quality."</p>	<p>Consistent. The project meets development standards and has a design, mass, and scale that is in character with the neighborhood. The street is characterized by a mix of bungalows and two-story multi-family units. The subject project maintains the single-story profile at the front of the house and has a two-story addition at the rear to maximize interior space and create a roof deck to meet the needs of the property owners while respecting neighborhood character.</p>
<p>2. <i>LU-1.04 Single-Family Residential Uses:</i> "We require that single-family houses...be designed to convey a high level of architectural and landscape quality...in consideration of the following....building scale and massing that is compatible with existing development...reduced area and width of paving in front yards..."</p>	<p>Consistent. The street is characterized by a mix of bungalows and two-story multi-family units. The subject project maintains the single-story profile at the front of the house and has a two-story addition at the rear to maximize interior space and create a roof deck to meet the needs of the property owners while respecting neighborhood character. The project meets minimum front yard landscape coverage and maintains only a one-car width driveway, reducing paving in the front yard.</p>
<p>3. <i>UD-5.10., Scale and Massing.</i> "We require that the scale and massing of development be compatible with its surroundings and with the General Plan, applicable specific plan and or area plan."</p>	<p>Consistent. The project has a mass, and scale that is in character with the neighborhood. The street is characterized by a mix of bungalows and two-story multi-family units. The subject project maintains the single-story profile at the front of the house and has a two-story addition at the rear to maximize interior space and create a roof deck to meet the needs of the property owners while respecting</p>

Policy	Project Consistency
	neighborhood character and matching surrounding development.
<p>4. <i>UD-5.19, Landscaping Plans.</i> “We require that development projects subject to discretionary review submit and implement a landscaping and irrigation plan.”</p>	<p>Consistent. Landscape is minor in this project and is limited to the front yard area, a total of 240 square feet. The landscape plan meets development standards for front setback landscape coverage, minimum front yard tree requirements, and utilizes drought tolerant planting.</p>



# ATTACHMENT 4

## Analysis: Design Guidelines

The table below is an analysis of the project’s consistency with the Design Guidelines. The site is not in the Architectural Overlay so the project isn’t required to have Spanish Colonial Revival (SCR) architecture, but the project should have high-quality design consistent with general design guidelines.

### Design Guidelines Analysis

Design Guideline	Project Consistency
1. <i>Design Guidelines II.A.2, General Site Design Objectives.</i> “Respect the privacy, sun, and light exposure of neighboring properties....Provide a transition from existing to new development by careful placement and massing of buildings....”	Consistent. The addition maintains setbacks exceeding the minimum and includes offsets such as the second story deck, providing visual relief. The addition is planned at the rear where it is in scale with adjacent buildings.
2. <i>Design Guidelines II.B.3, Scale, Mass, and Form.</i> “Design buildings to be compatible in scale, mass and form with adjacent structures and the pattern of the neighborhood.”	Consistent. The building has setbacks between the existing adjacent structures in excess of the minimums required, and the project’s scale and size are in character with existing residential buildings.
3. <i>Design Guidelines II.C.3.b, Building Form and Massing.</i> “Reduce the perceived height and bulk of large structures by dividing the building mass into smaller scale components.”	Consistent. The buildings’ scale and mass are consistent with the neighborhood. The proposed project strikes a balance between the single-story bungalows and the boxy, more massive two-story multi-unit residential buildings. The massing of project from the side is also divided into smaller parts with recesses, building offsets, and details, such as the second story deck, which utilizes a cable-rail to further reduce apparent mass.
4. <i>Design Guidelines II.C.3.c, Proportion and Scale.</i> “Create a visual balance in the relation between dimensions of buildings, their parts, and the spaces between and around them.”	Consistent. The building has setbacks between the existing adjacent structures in excess of the minimums required. The two-story addition is at the rear away from the single-story massing of the homes immediately to each side of the subject property, and the addition’s mass is reduced as viewed from the street perspective given the distance from property line to the second story roof element is over 50 feet.



<b>Design Guideline</b>	<b>Project Consistency</b>
5. <i>Design Guidelines II.F, Building Equipment and Services.</i> “Trash containers and outdoor storage areas should be screened from public streets...”	Consistent. The applicant shows the trash carts to be located to the rear of the carport. The placement of a garage door on the front of the carport will screen the trash carts while facilitating the transfer of the carts to the street for pick-up even with the existing 11” side setback.

**CITY OF SAN CLEMENTE  
MINUTES OF THE REGULAR MEETING OF THE  
DESIGN REVIEW SUBCOMMITTEE  
AUGUST 28, 2019**

Subcommittee Members Present: Bart Crandell, Zhen Wu, Jim Ruehlin

Subcommittee Members Absent: none

Staff Present: Senior Planner Stephanie Roxas, Associate Planner Katie Crockett, Community Development Technician Erin Guy

**1. MINUTES**

The Subcommittee approved the minutes from the August 14, 2019 meeting.

**2. ARCHITECTURAL REVIEW OF THE FOLLOWING ITEMS:**

**A. Minor Architectural Permit 18-643, 222 Avenida Victoria, Avalos Residence  
(Crockett)**

A request to allow a 995 square-foot addition to a legal nonconforming single-family residence pursuant to SMC 17.72.050(E), including a first floor addition, creating a second floor, and a roof deck.

Associate Planner Katie Crockett summarized the staff report. The project architect, Cheryl Demarco, was available for questions and provided the Subcommittee with an updated drawing showing a lower roof pitch and stucco railing for the roof deck.

The Design Review Subcommittee (DRSC) discussed the project, and made the following comments either individually or as a group:

- Generally agreed with staff's recommendations.
- Concurred with staff recommendation to create more balance between the first and second floor and modify second floor roof line, and discussed the following options to achieve this:
  - Recommended pulling the roof deck further back to mitigate the mansard appearance.
  - Recommended switching the plate height between the first and second floor to address staff recommendation #2.
  - Concurred that the updated drawing presented by the project architect with a lower roof pitch and stucco railing at the roof deck was a reasonable solution.
  - Discussed the merits of utilizing cable railing at the roof deck to further lighten the appearance of the roof deck, concluding that the

stucco works better functionally and matches the stucco rail at the second floor deck.

- Requested clarification on the presence of nonconforming structures in the neighborhood; staff confirmed many surrounding homes are nonconforming relative to building setbacks.
- Expressed concern over the ability for public safety personnel to access the backyard given the narrow side building setbacks. Staff clarified that this had been reviewed by OCFA during DMT reviews and they did not have concerns.
- Requested staff clarification on the City's nonconforming regulations and whether there are surrounding historic resources. Staff noted the presence of several historic structures in the vicinity, but none abutting the subject property.
- Expressed concern over legalizing the garage conversion as the Subcommittee believes it would increase the site's nonconformity, particularly with regard to the parking space depth. Expressed a preference for reverting the structure into a covered carport.
- Questioned whether the garage door opening can be permitted within three feet of a property line. Directed staff to verify Code requirements with the Building Official.
- Questioned whether there are steps between the home and garage that may encroach into the parking space.
- Directed staff to research the implications for future ADUs at the site.

The Subcommittee recommended the applicant work with staff to address their concerns, including converting the unpermitted garage into a carport. The Subcommittee recommended the project, with modifications, move forward to the Zoning Administrator for consideration.

### 3. **NEW BUSINESS**

#### A. **Staff Waiver of a Minor Architectural Permit 19-266, 2415 S. El Camino Real, C-VU Motel Fence** (Guy)

A request to add fencing materials and new colors to existing 42" high bollards surrounding a parking lot at 2415 South El Camino Real.

Community Development Technician Erin Guy summarized the staff report.

The Design Review Subcommittee (DRSC) discussed the project, and made the following comments either individually or as a group:

- Stated the project represents a minor change that improves the overall appearance of the site.
- Stated the proposed fence design is consistent with the look and aesthetics of the nearby Surfer's Row residential development, and commented that the "Surf Zone" is intended to allow for design flexibility.

- Expressed concern over the rope being vandalized (i.e., cut) in the future; recommended using a more durable material, such as cable wire.
- Expressed concern over future maintenance of the rope; recommended staff add a condition of approval that requires regular maintenance and cleaning in the future.

The Subcommittee provided additional comments and recommendations, which will be forwarded to the City Planner for consideration in the Staff Waiver approval.

**B. Discuss Design Review Subcommittee staff reports and presentations (Roxas)**

A discussion on potential improvements to future DRSC reports, presentations, and packets.

Senior Planner Stephanie Roxas summarized the staff report and narrated a PowerPoint presentation, which is on-file with the Planning Division.

The Subcommittee made the following comments either individually or as a group:

- Emphasized the importance of considering future Subcommittee members when preparing DRSC reports. Stated reports should provide enough context on City design guidelines and policies to assist members who are new to the Subcommittee.
- Discussed the pros and cons of keeping the consistency tables in the DRSC reports. Reached a consensus that the tables should be included in the DRSC reports but can be simplified by focusing primarily on the areas where the project is inconsistent or only partially consistent with City design guidelines and policies. Also expressed support for use of a checklist format to further simplify the tables.
- Stated that the length of DRSC reports can vary depending on the project scope of work and location.
- Stated that shorter reports for “preliminary projects” are acceptable and do not need to include consistency tables.
- Concurred with staff’s recommendation to have visual presentation materials available at DRSC meetings.
- Concurred with staff’s recommendation to use shorter reports for projects returning for additional DRSC review; however, stated prior DRSC reports should be attached for reference.
- Agreed that landscape plans, with a plant palette, must be included with the DRSC packet. However, the Subcommittee expressed varying opinions on whether the plans must be prepared by a landscape architect, or if simplified landscape plans are acceptable for small residential projects.
- Discussed the pros and cons of requiring photosimulations for DRSC meetings. Generally the Subcommittee agreed that photosimulations should be requested for major development projects, sites with sensitive neighboring uses, and if there are potential massing issues associated with the project.
- Stated that DRSC packets should include color and material samples and visual materials (i.e., color elevations, 3D-modeling, etc.).

- Discussed whether digital plans are sufficient for DRSC meetings, but generally agreed that large copy plans should continue to be included with DRSC packets.

4. **OLD BUSINESS**

None

5. **ORAL AND WRITTEN COMMUNICATION**

None


**ADJOURNMENT**

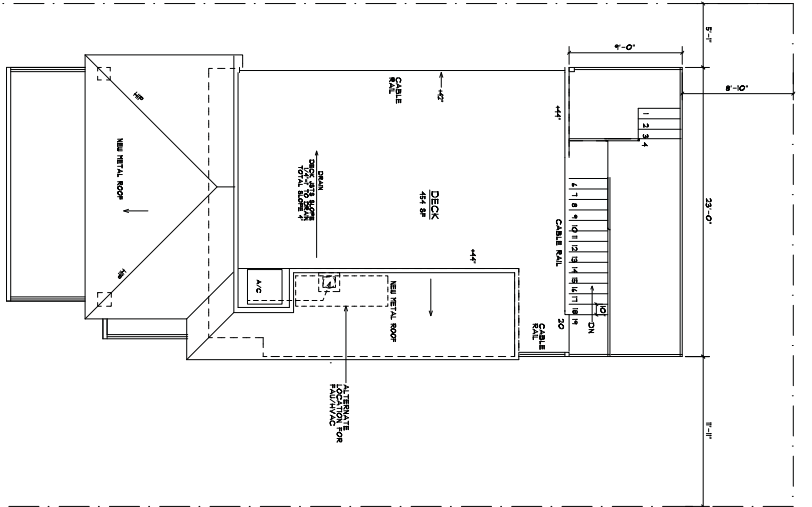
Adjourn to the Regular Meeting of the Design Review Subcommittee to be held Wednesday, September 11, 2019 at 4:00 p.m., at the Community Development Department, Conference Room A, located at 910 Calle Negocio, San Clemente, California.

Respectfully submitted,

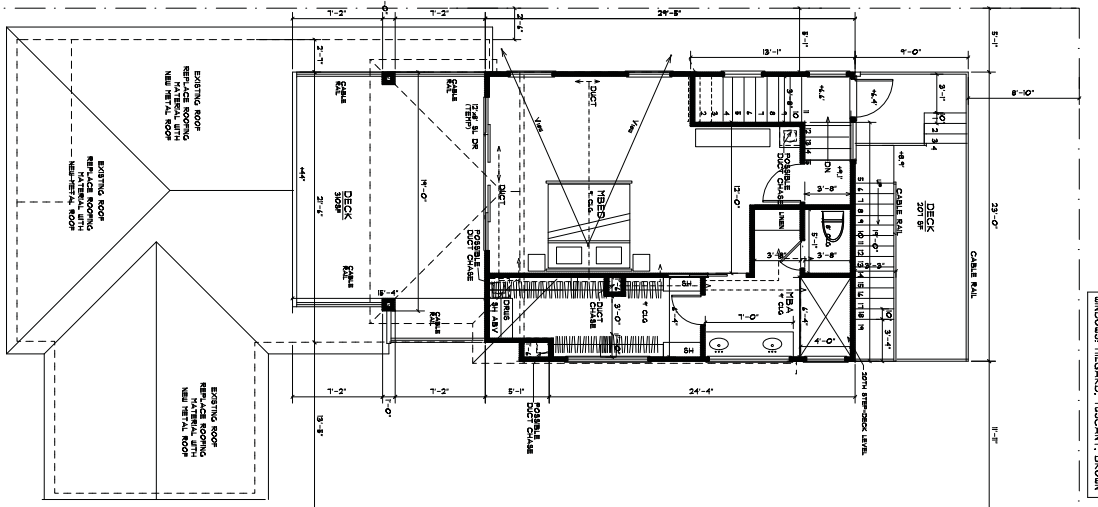
  
Bart Crandell, Chair

Attest:

  
Stephanie Roxas, Senior Planner



**DECK FLOOR PLAN**



**SECOND FLOOR PLAN**

**EXISTING MATERIALS  
ROOF, FLOOR, AND BENCH  
WINDOWS, DOORS, BENCH,  
SCREENED ENCLOSURE, BROWN**

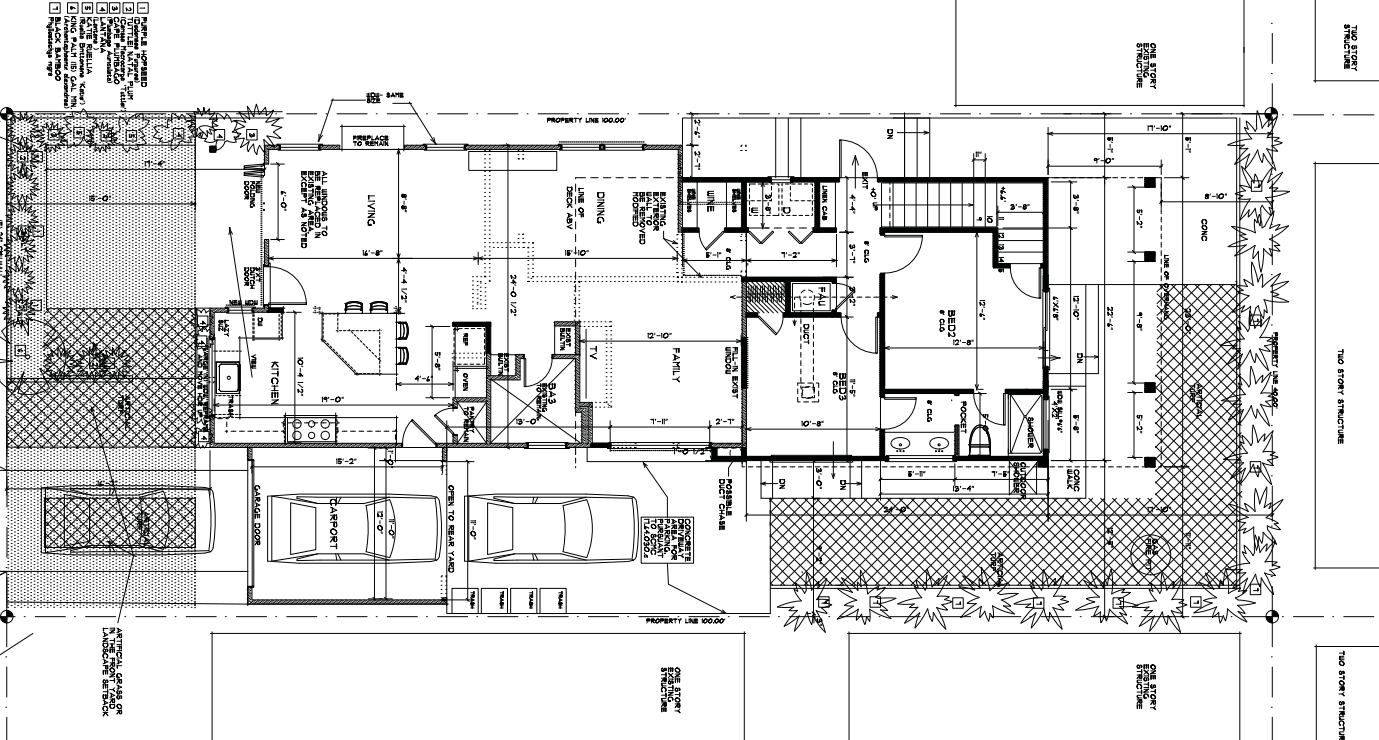
- LEGEND**
- EXISTING WALL TO REMAIN
  - EXISTING WALL TO BE REMOVED
  - EXISTING ROOM WALL TO BE REMOVED
  - EXISTING ROOM WALL TO BE REMOVED
  - EXISTING WALL TO BE REMOVED
  - NEW 2x6 WALL

**DECK FLOOR PLAN**

- SQUARE FOOTAGE CALC.**
- 4800 SF** EXISTING RESIDENCE
  - 4800 SF** ALLOWED FOR ADDITION (PER 173.20000)
  - 100 SF** ADDITION TO REST ROOM
  - 200 SF** TOTAL NEW 173.20000
  - 100 SF** ADDITION TO REST ROOM
  - 70 SF** BENCH
  - 80 SF** EXISTING PORCH
  - 4800 SF** TOTAL
  - 4800 SF** TOTAL
  - 4800 SF** TOTAL
  - 4800 SF** TOTAL

**SECOND FLOOR PLAN**

- ZONING/PLANNING**
- 3125.1** ZONING
  - 3125.1.1** LOT COVERAGE - 100%
  - 3125.1.2** LOT COVERAGE - 100%
  - 3125.1.3** LOT COVERAGE - 100%
  - 3125.1.4** LOT COVERAGE - 100%
  - 3125.1.5** LOT COVERAGE - 100%
  - 3125.1.6** LOT COVERAGE - 100%
  - 3125.1.7** LOT COVERAGE - 100%
  - 3125.1.8** LOT COVERAGE - 100%
  - 3125.1.9** LOT COVERAGE - 100%
  - 3125.1.10** LOT COVERAGE - 100%
  - 3125.1.11** LOT COVERAGE - 100%
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  - 3125.1.16** LOT COVERAGE - 100%
  - 3125.1.17** LOT COVERAGE - 100%
  - 3125.1.18** LOT COVERAGE - 100%
  - 3125.1.19** LOT COVERAGE - 100%
  - 3125.1.20** LOT COVERAGE - 100%



**SITE/FIRST FLOOR PLAN**

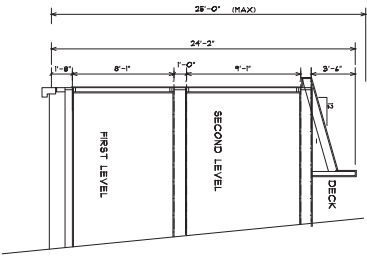
PROPERTY ADDRESS  
**222 AVENIDA VICTORIA  
SAN CLEMENTE, CA**

ARCHITECT  
**COASTAL DOMAIN, INC**  
222 AVENIDA VICTORIA, SUITE 200  
SAN CLEMENTE, CA 92673  
TEL: 949.451.1111  
LIC C23456

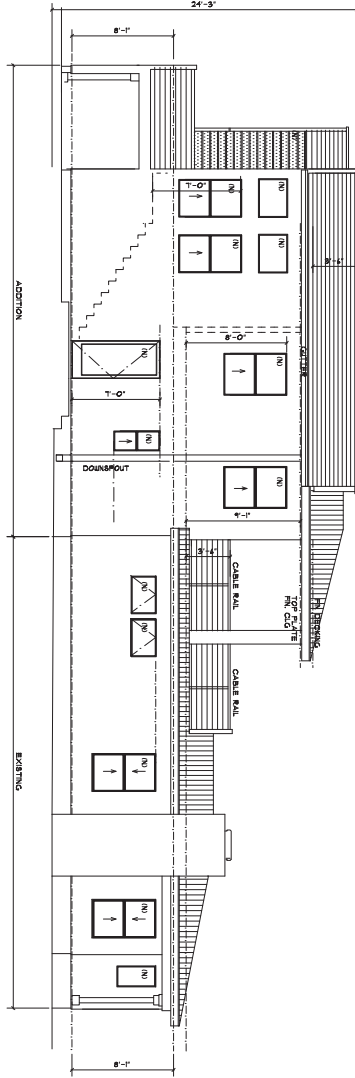
OWNER  
**AVALOS FAMILY**  
REBECCA AVALOS & ALBERT AVALOS  
222 AVENIDA VICTORIA, SUITE 200  
SAN CLEMENTE, CA 92673  
TEL: 949.451.1111

DATE: 1/25/2020  
SHEET: 1 OF 1

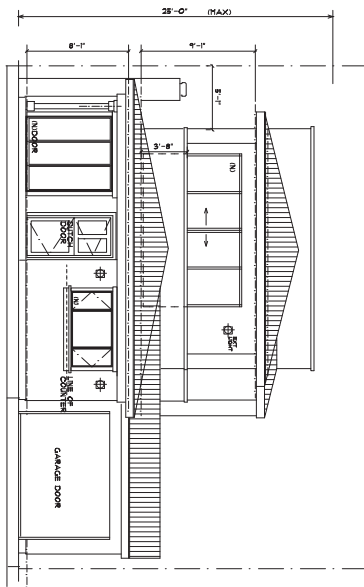
TYPICAL SECTION



LEFT ELEVATION

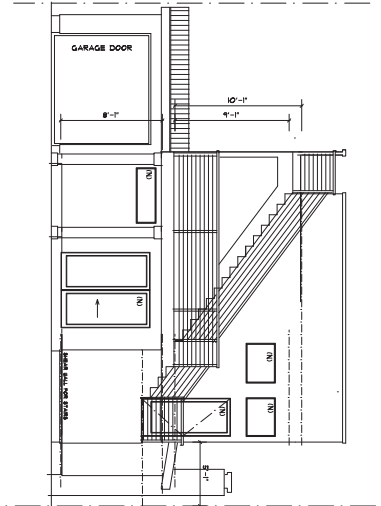


FRONT ELEVATION

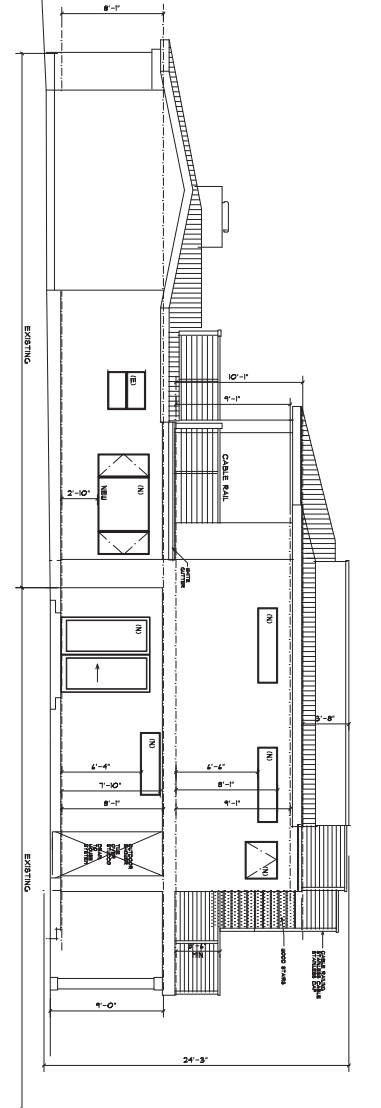


- EXTERIOR MATERIALS:
- STUCCO OFF-WHITE
- ROOF METAL STANDING SEAM
- WOOD SHAKES
- WINDOWS: MILGARD, TISCANY, BROWN

REAR ELEVATION



RIGHT ELEVATION



DATE	REVISION
1/4" = 1'-0"	1/8" = 1'-0"
SHEET	

OWNER  
**AVALOS FAMILY**  
 222 AVENIDA VICTORIA  
 SAN CLEMENTE, CA 92672  
 ALBERT AND STACY AVALOS

ARCHITECT  
**COASTAL DOMAIN, INC**  
 1821 ATLANTA AVE, STE 824  
 HUNTINGTON BEACH, CA  
 TEL: 714-373-4474  
 LIC C25148



PROPERTY ADDRESS  
**222 AVENIDA VICTORIA**  
 SAN CLEMENTE, CA