

These minutes were approved by the Zoning Administrator 3/29/2021

**CITY OF SAN CLEMENTE  
MINUTES OF THE REGULAR MEETING  
OF THE ZONING ADMINISTRATOR  
MARCH 18, 2021  
Teleconference Only via  
[www.san-clemente.org/live](http://www.san-clemente.org/live)**

**1. CALL TO ORDER**

Zoning Administrator Gallardo-Daly called the Regular Meeting of the City of San Clemente Zoning Administrator to order on March 18, 2021 at 3:00 p.m. The meeting was offered teleconference only due to the COVID-19 Pandemic, and available to the public via live stream from the City's YouTube Channel.

Staff Present:            \*Cecilia Gallardo-Daly, Zoning Administrator  
                                  \*Christopher Wright, Associate Planner II  
                                  \*Katie Crockett, Associate Planner  
                                  \*David Carrillo, Assistant Planner  
  
                                  \*Participated in meeting via teleconference

**2. MINUTES**

- A. The minutes of the Zoning Administrator meeting of March 4, 2021 were received and filed.

**3. ORAL AND WRITTEN COMMUNICATION**

None

**4. PUBLIC HEARING**

- A. **170 Avenida De La Paz – Minor Exception Permit 20-396 – Breen In-Bank Garage** (Carrillo)

A request to allow a garage encroachment into the required front yard setback on a vacant residential property located within the Residential Low Zoning District and Special Residential Overlay 2 (RL-SR2).

David Carrillo, Assistant Planner, summarized the staff report.

Chris and Holly Breen, property owners, and Chris Foerstel, architect, were present and available for questions.

ZA Gallardo-Daly stated the Zoning Code allows approval of a Minor Exception Permit to allow a five-foot front yard setback for a garage, when a 10-foot grade

difference occurs within 25-feet of the front property line and asked staff if the findings can be met, and if there is architectural interest with this project.

City staff stated that the applicant had the option of proposing a flat roof with open railing above the in-bank garage, but instead, the applicant provided a mansard roof with a roof pitch and materials matching the primary building, which is well integrated into the architecture.

Chris Foerstel stated the guardrail is mansard roof and product is Class A GAS Timberline product.

Holly Breen stated the roof and the area to the right of the one-car garage will have architectural elements with board and batten siding that will be visible from the street view.

ZA Gallardo-Daly opened the public hearing, and there being no public comment received to this item, closed the public hearing.

ZA Gallardo-Daly stated she reviewed the staff report, findings, plans, and conditions of approval.

ZA Gallardo-Daly approved Minor Exception Permit 20-396 based on the following findings: The requested minor exception will not interfere with the purpose of the zone or the standards of the zone. The neighboring properties will not be adversely affected as a result of the approval or conditional approval. The project will not be detrimental to the health, safety, or welfare of the general public. The encroachment complies with the standards of the Zoning Ordinance Section 17.32.050.E.4. The slope of the front of the lot is significant enough in both length and width that the requirement of the standard front yard setback will result in significant grading and/or fill. The proposed project reduces the need for mass grading and/or fill and allows the structures on the site to follow the natural topography of the site.

The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15305 (Class 5: Minor Alterations in Land Use Limitations).

Action: The Zoning Administrator approved and adopted Resolution ZA 21-005, Minor Exception Permit 20-396, Breen In-Bank Garage, subject to the Conditions of Approval.

**B. 301 Cazador Lane – Tentative Parcel Map 19-488 – Cazador Condominium Subdivision** (Crockett)

A request to consider a condominium subdivision of an existing fourplex within the residential medium density zone and the coastal zone overlay (RM-CZ).

Katie Crockett, Associate Planner, summarized the staff report.

ZA Gallardo-Daly opened the public hearing, and there being no public comment received to this item, closed the public hearing.

ZA Gallardo-Daly stated she reviewed the staff report, findings, plans, and conditions of approval.

ZA Gallardo-Daly approved Tentative Parcel Map 2018-195 (PLN 19-488) based on the following findings: the site is physically suitable for the type of development. The site is physically suitable for the proposed density of the development. The design of the condominium subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The design of the condominium subdivision or the type of improvements is not likely to cause serious public health problems. The condominium subdivision is consistent with the General Plan and Coastal Land Use Plan. The design of the project or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.

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 15315 (Class 15: Minor Land Divisions).

Action: The Zoning Administrator approved and adopted Resolution ZA 21-006, Tentative Parcel Map 2018-195 (PLN 19-488), Cazador Condominium Subdivision, subject to the Conditions of Approval.

**C. 110 West Avenida Magdalena – Minor Exception Permit 20-102 – Magdalena Wall (Crockett)**

A request to allow a six-foot high wall within the street side yard setback of a single-family residential property within the residential low density zone and special residential overlay 5 (RL-SR5).

Katie Crockett, Associate Planner, summarized the staff report and noted a discussion she had with a member of the public regarding concerns related to line of sight at the corner for cars pulling from Avenida Magdalena onto Avenida Del Presidente.

Philip Cuthbertson, property owner, stated the proposed project is for security against trespassing and theft, to minimize trash thrown onto his property, as well as aesthetics.

ZA Gallardo-Daly opened the public hearing.

City staff received one public comment and staff addressed their concerns prior to today's meeting.

Robert Peters, email dated 3/13/2021.

ZA Gallardo-Daly closed the public hearing.

ZA Gallardo-Daly stated she reviewed the staff report, findings, plans, and conditions of approval.

ZA Gallardo-Daly approved Minor Exception Permit 20-102 based on the following findings: The requested minor exception will not interfere with the purpose of the zone or the standards of the zone in which the property is located. The neighboring properties will not be adversely affected as a result of the approval of the Minor Exception Permit. The project will not be detrimental to the health, safety, or welfare of the general public. The Building and Engineering Divisions will review the structural design prior to the construction of any improvements requiring building permits. The height of the fence, wall, or hedge will not be unsightly or incompatible with the character of or uses in the neighborhood. The height of the fence, wall, or hedge will not have negative visual impacts upon the street scene or obstruct views of traffic to and from driveways.

The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15303 (Class 3: New Construction or Conversion of Small Structures).

Action: The Zoning Administrator approved and adopted Resolution ZA 21-007, Minor Exception Permit 20-102, Magdalena Wall, subject to the Conditions of Approval.

**D. 244 Esplanade – Minor Exception Permit 20-334 – Hong Residence (Wright)**

A request to consider a 20 percent reduction of the required five-foot eight-inch side yard setback and 15 percent reduction of the required 10-foot rear yard setback to allow an addition to a two-story residence. The minor setback exceptions would allow the addition to enclose portions of open area under the second level without expanding the overall footprint toward property lines. The site is in the Residential-Low density zoning district and Coastal Zone Overlay (RL-CZ) at 244 Esplanade. The site's legal description is Lot 15, Block 10, Tract 822; and Assessor's Parcel Number is 692-252-10.

Christopher Wright, Associate Planner II, summarized the staff report.

Victoria Hong, homeowner, and Iain Buchan, architect, were present and available for questions.

Iain Buchan clarified the powerpoint exhibit.

ZA Gallardo-Daly opened the public hearing, and there being no public comment received to this item, closed the public hearing.

ZA Gallardo-Daly asked staff to clarify if there will be a portion removed in the rear in order to comply with the 15% reduction.

City staff confirmed that a portion in the rear is being removed and the exhibit in the staff report is accurate.

ZA Gallardo-Daly stated she reviewed the staff report, findings, plans, and conditions of approval.

ZA Gallardo-Daly approved Minor Exception Permit 20-334 based on the following findings: The requested minor exception will not interfere with the purpose of the zone or the standards of the zone in which the property is located. Except for the requested minor setback reductions, the project meets development standard of the zone. The neighboring properties will not be adversely affected as a result of the approval of the Minor Exception Permit. The project will not be detrimental to the health, safety, or welfare of the general public.

The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 153031 (Class 1: Existing Facilities).

Action: The Zoning Administrator approved and adopted Resolution ZA 21-008, Minor Exception Permit 20-334, Hong Residence, subject to the Conditions of Approval.

5. **NEW BUSINESS**

None

6. **OLD BUSINESS**

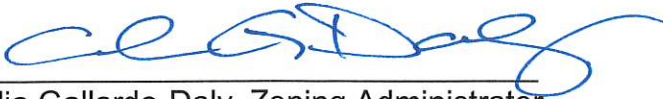
None

7. **ADJOURNMENT**

The meeting adjourned at 3:49 p.m. to the Regular Meeting of the Zoning Administrator which will be held Thursday, April 22, 2021 at 3:00 p.m. via teleconference.

Respectfully submitted,

SAN CLEMENTE ZONING ADMINISTRATOR



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Cecilia Gallardo-Daly, Zoning Administrator