

**CITY OF SAN CLEMENTE
MINUTES OF THE REGULAR MEETING
OF THE ZONING ADMINISTRATOR
SEPTEMBER 23, 2021
Teleconference Only via
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 September 23, 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
 *Katie Crockett, Associate Planner

 *Participated in meeting via teleconference

2. MINUTES

- A. The minutes of the Zoning Administrator meeting of September 9, 2021 were received and filed.

3. ORAL AND WRITTEN COMMUNICATION

None

4. PUBLIC HEARING

- A. **213 Avenida Barcelona – Minor Exception Permit 21-090 – Tonokaboni Pool Barrier Wall** (Roxas/Crockett) – Continued from September 9, 2021

A request to install a 60-inch tall CMU block wall within the front yard setback area of a single-family residence. The Residential Low zone limits walls to 42 inches in height in the front setback area. The proposed wall height is intended to meet pool safety standards per the Building Code.

Staff recommends that the project be found Categorically Exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Class 1: Existing Structures).

Katie Crockett, Associate Planner, summarized the staff report. In response to questions from the Zoning Administrator, Ms. Crockett confirmed that fire pits are not permitted within the front yard setback, and the minimum landscape requirement within the front yard setback is 50 percent.

Ryan Dietz, applicant, was present and available for questions. In response to questions from the Zoning Administrator, Mr. Dietz clarified the modifications that had been made in response to the Zoning Administrator's comments at the prior hearing on September 9, 2021. Mr. Dietz clarified that the front yard setback included 483 square feet of landscape area. Ms. Crockett clarified that this would not meet the minimum front yard landscape requirement.

ZA Gallardo-Daly opened the public hearing. There being no public comments, ZA Gallardo-Daly closed the public hearing.

ZA Gallardo-Daly stated that after review of the plans, the staff report, and conducting a site visit, findings could not be made in the affirmative for findings B, D, and E (as listed in the resolution), because the current street scene is very open and there are not similar solid walls so close to the property line, so the project as proposed would be incompatible with the existing development, could have negative visual impacts, and would not be consistent with the General Plan Land Use Element. The Zoning Administrator did find that if the wall were moved back further away from the front property line, that all findings could be made in the affirmative. Therefore the Zoning Administrator approved the minor exception permit, with modifications, as listed below.

The Zoning Administrator found that 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 ZA 21-022, with the following modifications, which were added as conditions of approval:

- The plans shall demonstrate that the 5-foot wall shall be setback ten feet (10') from the front property line. (COA 4.17)
- The fire pit is not a part of this MEP approval and shall be removed from the front yard setback. (COA 4.18)
- Final landscape plans may be modified by the applicant, and shall be reviewed by staff prior to building permit issuance. Landscape plans shall comply with all regulations, including but not limited to demonstrating that at least 50 percent of the front yard setback is landscaped, at least two 15-gallon trees are located within the front yard setback, and landscaping between the wall and sidewalk is sufficient to soften the appearance of the approved wall. (COA 4.19)

B. 305 E. Avenida Magdalena – Minor Exception Permit 21-039 – Duncan-Hughes Addition (Webber)

A request to consider a 470 square foot addition to an existing two-story single-family nonconforming residence with an existing detached guesthouse and

detached two-car garage at the rear of the property. The primary residence is nonconforming with regard to the 4'10" side yard setback where 6' is required. The applicant requests to attach the primary residence to the existing detached structures requiring a reduction to the established side and rear yard setbacks.

ZA Gallardo-Daly noted that staff requested that the item be tabled due to applicant-submitted revisions to the project after the item was noticed.

Action: The Zoning Administrator tabled this item. The project will be re-noticed for a future Zoning Administrator public hearing once a date is determined.

5. NEW BUSINESS

None

6. OLD BUSINESS

None

7. ADJOURNMENT

The meeting adjourned at 3:47 p.m. to the Regular Meeting of the Zoning Administrator, which will be held Thursday, October 7, 2021 at 3:00 p.m. via teleconference.

Respectfully submitted,

SAN CLEMENTE ZONING ADMINISTRATOR

Cecilia Gallardo-Daly, Zoning Administrator