



# STAFF REPORT

## SAN CLEMENTE ZONING ADMINISTRATOR

Meeting Date: May 19, 2022

**PLANNER:** Nancy Mith, Contract Planner

**SUBJECT:** **Minor Exception Permit (MEP) 21-341 – Garber Fence**, a request for a minor exception to legalize an existing nonconforming, over-height fence in the front yard setback area.

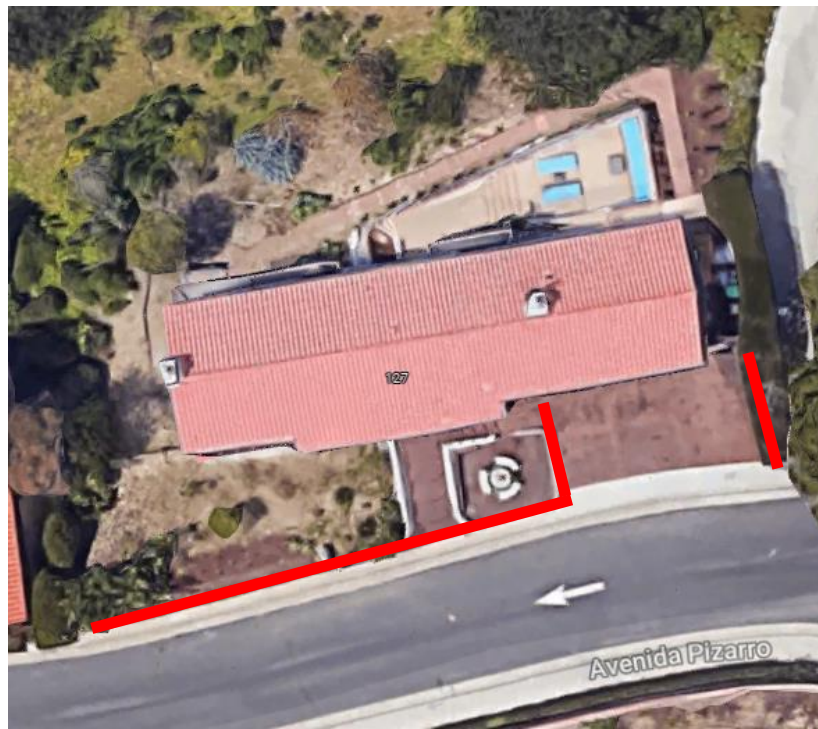
**LOCATION:** 127 Avenida Pizarro

**ZONING:** Residential Low (RL) Zoning District within the Special Residential 2 (SR2) Zoning Overlay

### **PROJECT SUMMARY:**

- The site is a 17,400 square-foot lot with a street frontage on Avenida Pizarro. The site is in the Residential Low (RL) zoning designation and has a Special Residential 2 (SR2) Zoning Overlay. Figure 1 below illustrates the area of the existing, nonconforming over-height fence. Further details on fence construction can be found in Attachment 2.

**Figure 1 – Site Plan**



- On October 1, 2019, the Code Compliance Division documented a complaint regarding an unpermitted fence at 127 Avenida Pizarro. Code Case CE2019-0983 notes that an unpermitted wall and fencing was constructed without permits and was encroaching into the public right-of-way.
- On January 1, 2020, applicant Chris Foerstel submitted a building permit application and plans to the Building Division (B20-0041) to legalize the unpermitted retaining wall and fence to resolve the code violation.
- Planning Staff determined during the plan check process that the retaining wall and fence is 55 inches in height, exceeding the maximum allowed height of 42” in the front yard setback. Planning Staff issued comments informing the applicant that approval of a Minor Exception Permit is required to legalize the over-height fence.
- In response to Planning’s comments, the property owner and applicant, Chuck Garber, submitted a Minor Exception Permit Application on December 22, 2021, requesting to legalize the existing nonconforming, over-height fence in the front yard setback area.
- The Zoning Ordinance limits fences and walls to 3 feet 6 inches in height within the front setback area. However, under Zoning Ordinance Section 17.24.090, an applicant may request a Minor Exception Permit (MEP) to allow the height of a fence to be increased to a maximum of 6 feet.
- Staff believes the required findings can be made to approve the project, as set forth in the Findings of the attached Resolution, because:
  - The subject property is in the Residential Low (RL) zoning designation. The General Plan’s vision for residential zones is to encourage and ensure that residential developments maintain existing and achieves new high-quality, distinctive neighborhoods. The proposed over-height fence is constructed of wooden slats painted with a dark gray color to be consistent with the color scheme of the existing residence and neighboring properties.
  - The subject and neighboring properties are located on parcels that have a rear slope and grade changes that limits the building area. This has resulted in several properties in the neighborhood with reduced front yard setbacks due to the need for additional yard space. Further, many properties have retaining walls and/or accessory fences or walls over 42-inches in height within the 20-foot setback areas. Therefore, the proposed 55-inch over-height fence is compatible with the neighborhood character.
  - As detailed in the Figure 2, due to the property’s location on a one-way street, the over-height fence adjacent to the driveway will not encroach into drivers’ line-of-sight, nor would it obstruct views of traffic to/from any driveways. For this reason, the over-height fence will not be a detriment to the health, safety and welfare of the general public.

**Figure 2 – One-Way Street View**



- The proposed fence is comprised of wooden slats and is constructed to be tapered to match the downward slope of the street. The wooden slats are set apart by approximately one half-inch gaps, preserving the visibility of the residence and maintaining an open street scene (See Figure 3 below).

**Figure 3: Wooden Fence Design**



- Landscaping in front of the fence includes low-growing shrubs, and palm trees are placed several feet apart to eliminate the potential for dense, overgrown tree canopies that may impact the visual quality of the neighborhood. A condition of

approval is included requiring landscaping to be maintained in a healthy, growing condition along the fence.

- The Development Management Team (DMT) reviewed the project and recommends approval with the conditions provided in Exhibit A of Attachment 1.
- Minor Exception Permit applications do not require review by the Design Review Subcommittee (DRSC).
- The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Class 1: Existing Facilities) because the project involves the construction of an accessory fence on a developed residential property, within a developed residential neighborhood.

### **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 22-007 approving Minor Exception Permit (MEP) 21-341, Garber Fence, subject to attached Conditions of Approval.

### ***Attachments:***

1. Resolution ZA 22-007  
Exhibit A - Conditions of Approval
2. Plans

RESOLUTION NO. ZA 22-007

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING MINOR EXCEPTION PERMIT (MEP) 21-341, GARBER FENCE, TO ALLOW CONSTRUCTION OF A 55-INCH-TALL FENCE WITHIN THE FRONT YARD SETBACK AREA OF A SINGLE-FAMILY RESIDENCE AT 127 AVENIDA PIZARRO

WHEREAS, on December 22, 2021, an application was submitted by Chuck Garber, 127 Avenida Pizarro, San Clemente, CA 92672, for Minor Exception Permit 21-341, a request to construct a 55-inch-tall fence within the front yard setback area of a single-family residence in the Residential Low (RL) Zoning District within the Special Residential 2 (SR2) Zoning Overlay. The site is addressed at 127 Avenida Pizarro (APN 057-092-03). The site's legal description is N TR 898 BLK LOT 67; and

WHEREAS, the Planning Division 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). This is recommended because the project involves the construction of an accessory fence on a developed residential property, within a developed residential neighborhood; and

WHEREAS, on February 3, 10, and 24, 2022, the City's Development Management Team (DMT) reviewed the proposed project and determined it complies with the General Plan, Zoning Ordinance, and other applicable City ordinances and codes; and

WHEREAS, in accordance with City and State requirements, notice of the public hearing was published in the *San Clemente Times* newspaper on May 5, 2022, posted at the project site, and mailed to all property owners within 300 feet of the subject parcel; and

WHEREAS, on May 19, 2022, 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).

The Class 1 exemption specifically exempts from further CEQA review the operation, repair, maintenance, and minor repair of existing public or private structures, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. This exemption covers, but is not limited to, interior or exterior alterations, additions to existing structures that will not result in an increase of more than 50 percent of the floor area of the structure before the addition, or 2,500 square feet, whichever is less. Here, the proposed project involves the construction of an accessory fence on a developed residential property, within a developed residential neighborhood, and will not increase the floor area of the structure by more than 50 percent of the existing floor area, or more than 2,500 square feet. The project does not increase or otherwise change the existing use of the site. Thus, the project qualifies for the Class 1 exemption.

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. There are no unusual circumstances surrounding the project that result in a reasonable possibility of a significant effect on the environment. The project will not damage scenic resources, including trees, historic buildings, rock outcroppings, or similar resources. The project does not include any hazardous waste sites, and the project will not cause a substantial adverse change in the significance of a historical resource. Thus, the Class 1 exemption applies, and no further environmental review is required.

### Section 3. Minor Exception Permit Findings

With respect to Minor Exception Permit (MEP) 21-341, the Zoning Administrator finds as follows:

- A. 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, in that:
  1. The project maintains the residential use of the property as intended by the Residential Low Zoning District within the Special Residential 2 (SR2) Zoning Overlay
  2. The proposed fence is located in the property's front yard. The Zoning Ordinance limits fences and walls to 3 feet 6 inches in height within the

front setback area. However, under Zoning Ordinance Section 17.24.090, an applicant may request a Minor Exception Permit (MEP) to allow the height of a fence to be increased to a maximum of 6 feet.

- B. The neighboring properties will not be adversely affected as a result of the approval or conditional approval of the Minor Exception Permit, in that;
  - 1. The fence is contained entirely within the project site and does not encroach onto neighboring properties or the public right-of-way.
  - 2. The proposed fence is not located adjacent to any driveways, on- or off-site. The proposed fence location would not encroach into drivers' line-of-sight, nor would it obstruct views of traffic to/from any driveways.
  - 3. The neighborhood is located on a hill with substantial grade changes. Many properties have retaining walls and/or accessory fences or walls over 42-inches in height within the 20-foot setback areas. Therefore, the proposed 55-inch-tall fence is compatible with the neighborhood character.
- C. The approval or conditional approval of the Minor Exception Permit will not be detrimental to the health, safety or welfare of the general public, in that;
  - 1. The fence within the public-right-of way has received an encroachment approval from the Engineering Division and does not encroach onto neighboring properties.
  - 2. The proposed fence location would not encroach into drivers' line-of-sight, nor would it obstruct views of traffic to/from any driveways.
- D. The height of the fence, wall or hedge will not be unsightly or incompatible with the character of or uses in the neighborhood, in that;
  - 1. Many properties have retaining walls and/or accessory fences or walls over 42-inches in height within the 20-foot setback areas. Therefore, the proposed 55-inch-tall fence is compatible with the neighborhood character.
  - 2. The proposed fence is constructed of wooden slats painted with a dark gray color to be consistent with the color scheme of the existing residence and neighboring properties.
- E. 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, in that;
  - 1. The proposed fence location would not encroach into drivers' line-of-sight, nor would it obstruct views of traffic to/from any driveways.

2. The existing landscaping in front of the fence includes low-growing shrubs, and palm trees are placed several feet apart to eliminate the potential for dense, overgrown tree canopies that may impact the visual quality of the neighborhood.
3. The proposed fence is comprised of wooden slats and is constructed to be tapered to match the downward slope of the street. The wooden slats are set apart by approximately one half-inch gaps, preserving the visibility of the residence and maintaining an open street scene.

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 Exception Permit (MEP) 21-341, Garber Fence, 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 May 19, 2022.

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Cecilia Gallardo-Daly, Zoning Administrator



CONDITIONS OF APPROVAL  
MINOR EXCEPTION PERMIT MEP 21-341  
GARBER FENCE

**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. Any modifications to the project shall be reviewed by the City Planner in accordance with Zoning Ordinance Section 17.12.180.  | 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 Comp |
| 1.6 | MEP 21-043 shall be deemed to have expired if within three years of approval the project is not commenced, or the project permitted by the approved application has lapsed, as defined by Zoning Ordinance Section 17.12.150.   | Planning  |

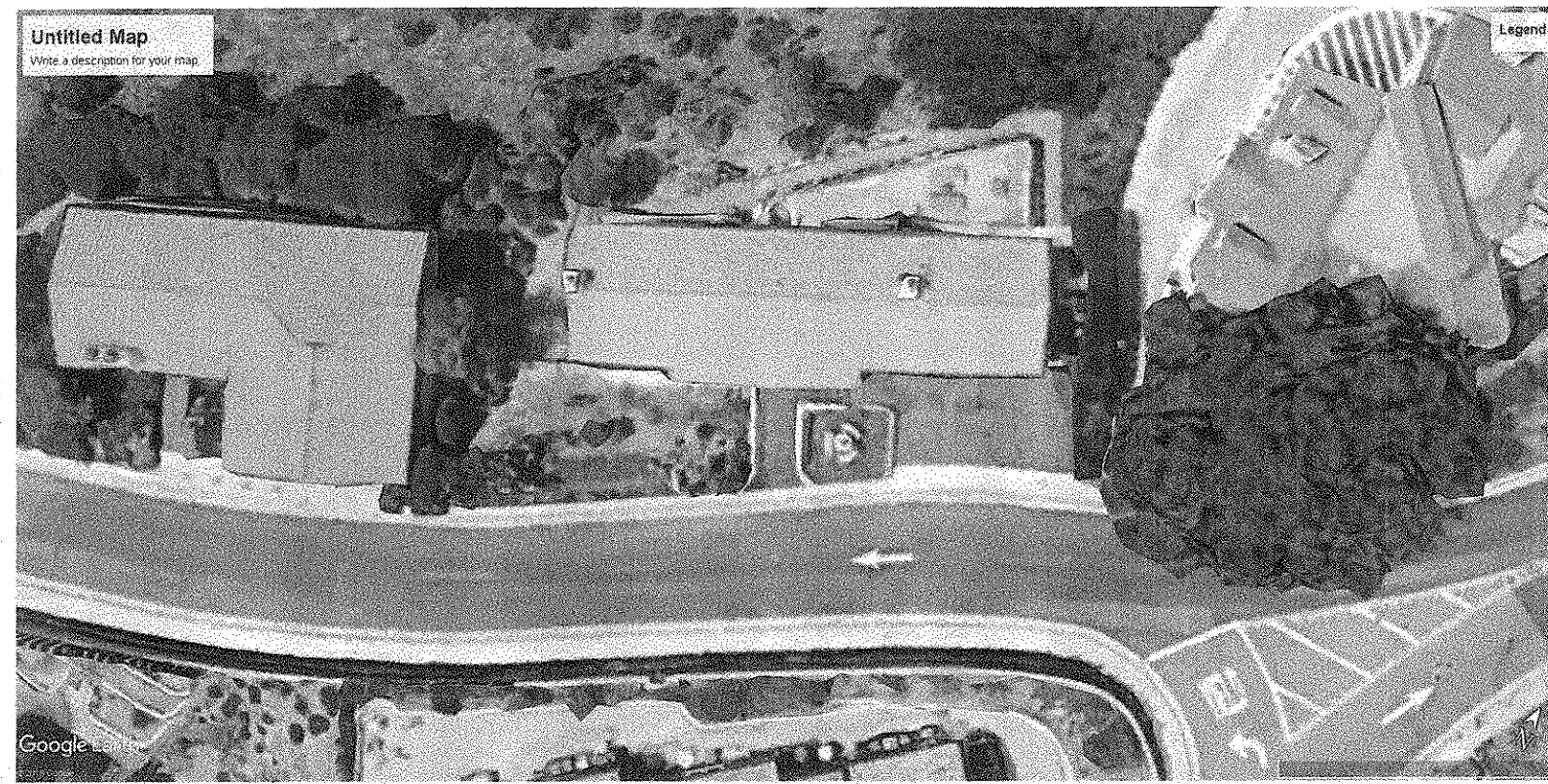
**4.0 PRIOR TO ISSUANCE OF BUILDING PERMITS**

- 4.13 In the event the project valuation is \$50,000 or more per Municipal Code 12.08, 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: Public Works  
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- A. Sidewalk, including construction of compliant sidewalk along the property frontage and around obstructions such as the drive approach, utilities, and trees to meet current City standards (2% cross fall) when adequate right-of-way exists, unless a waiver is applied for and approved by the City Manager. Since the street right-of-way varies along this frontage between 3-7 feet behind the curb face, a sidewalk easement is anticipated to be required unless a waiver is approved.
  - B. Contractor shall replace any damaged street improvements resulting from construction activities to the satisfaction of the City Inspector.
  - C. Improvements such as garden walls, etc. within the street right of way require the approval of an Administrative Encroachment Permit to be approved by the City Engineer prior to the issuance of building permits.
- (SCMC Chapter 15.36 and Sections 12.08.010, and 12.24.050)

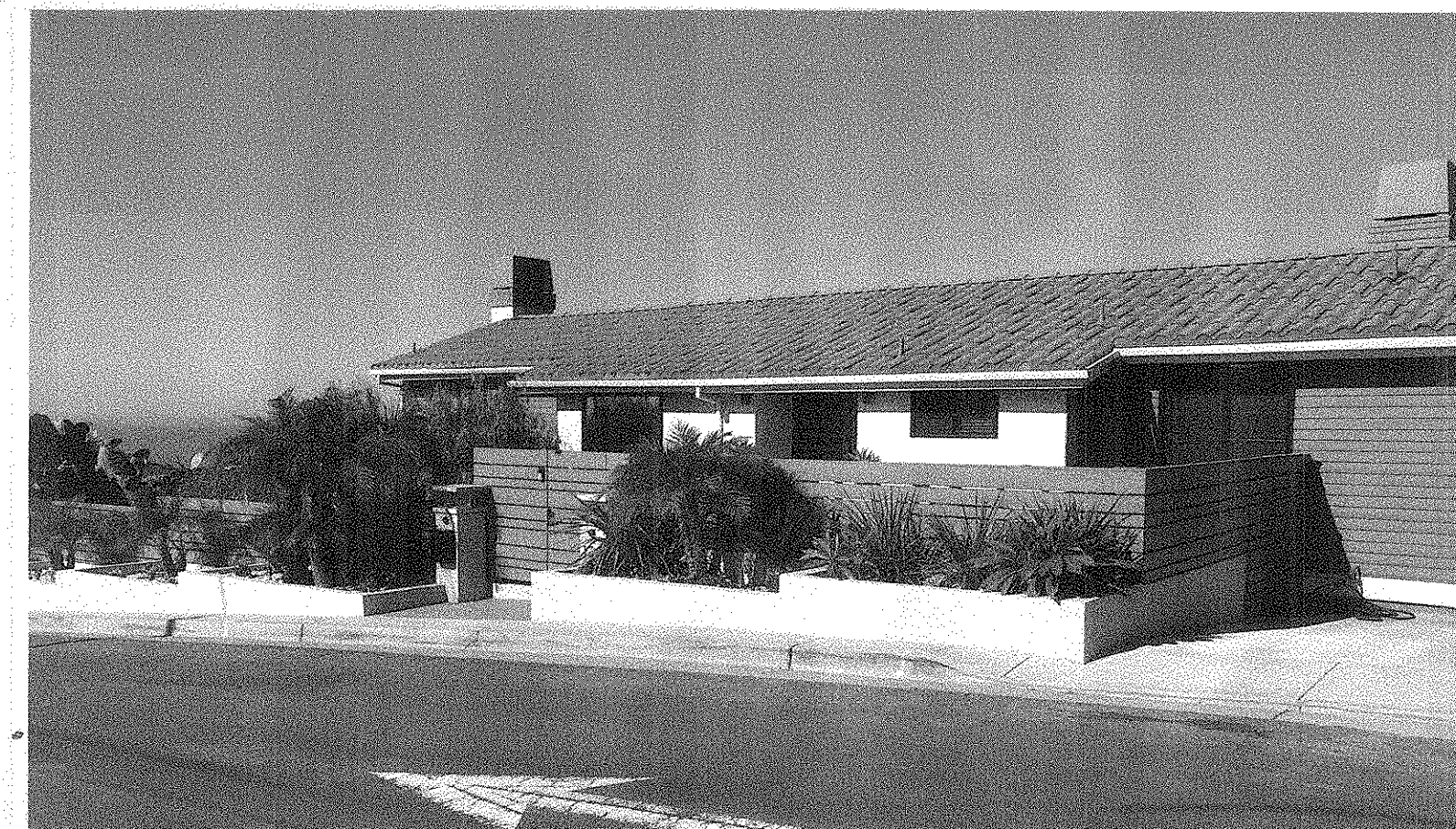
- 4.14 Landscaping within 10 feet of the curb face shall be maintained and trimmed by the property owner so as to not interfere with vehicular and pedestrian line of sight. (SCMC Chapter 15.36 and Sections 12.08.010, and 12.24.050) Public Works  
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**7.0 OPERATIONAL CONDITIONS OF APPROVAL**

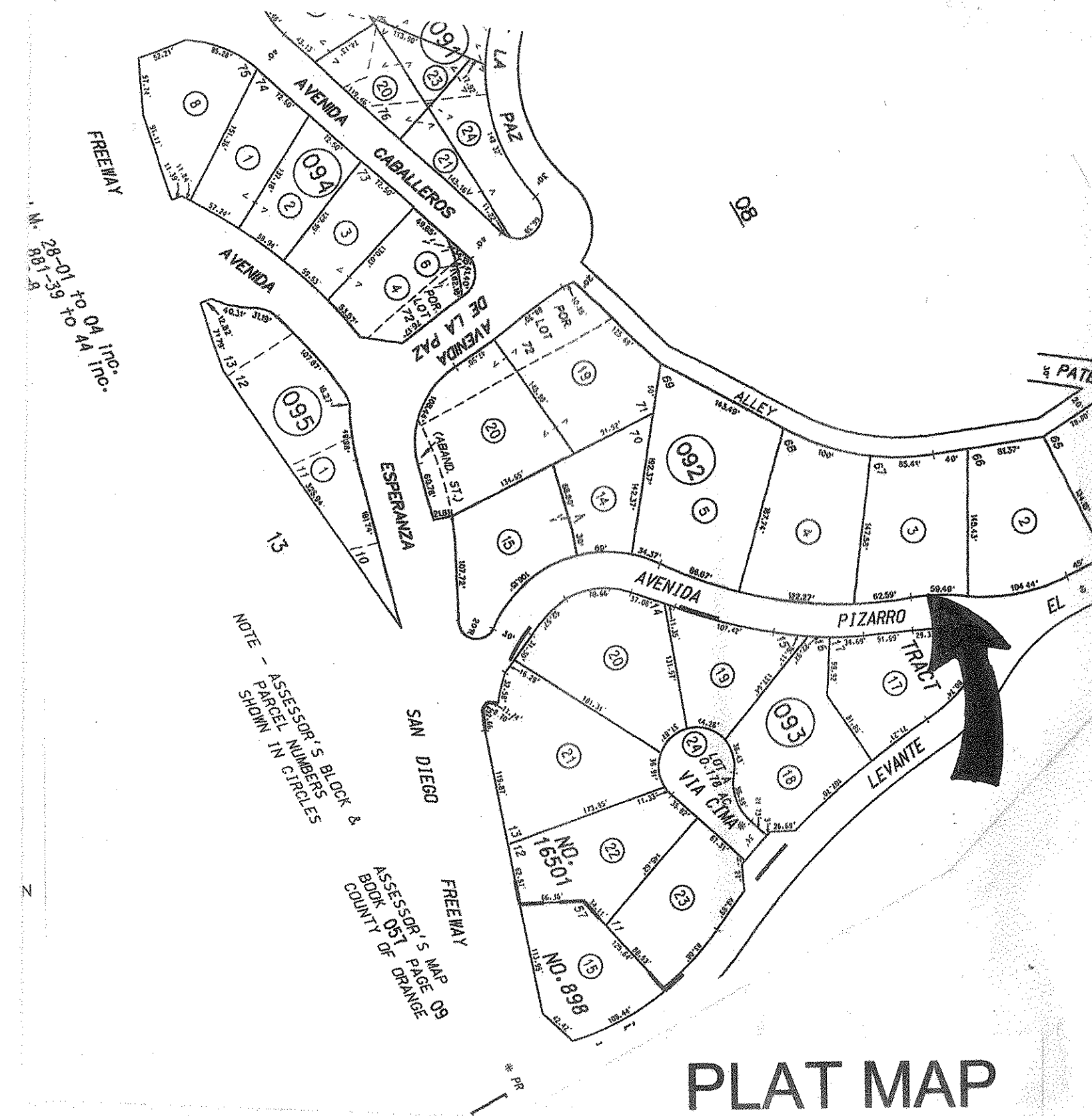
- 7.20 Landscaping along the fence shall be maintained in a healthy, growing condition. Landscaping shall be trimmed and maintained to prevent overgrown vegetation. Planning  
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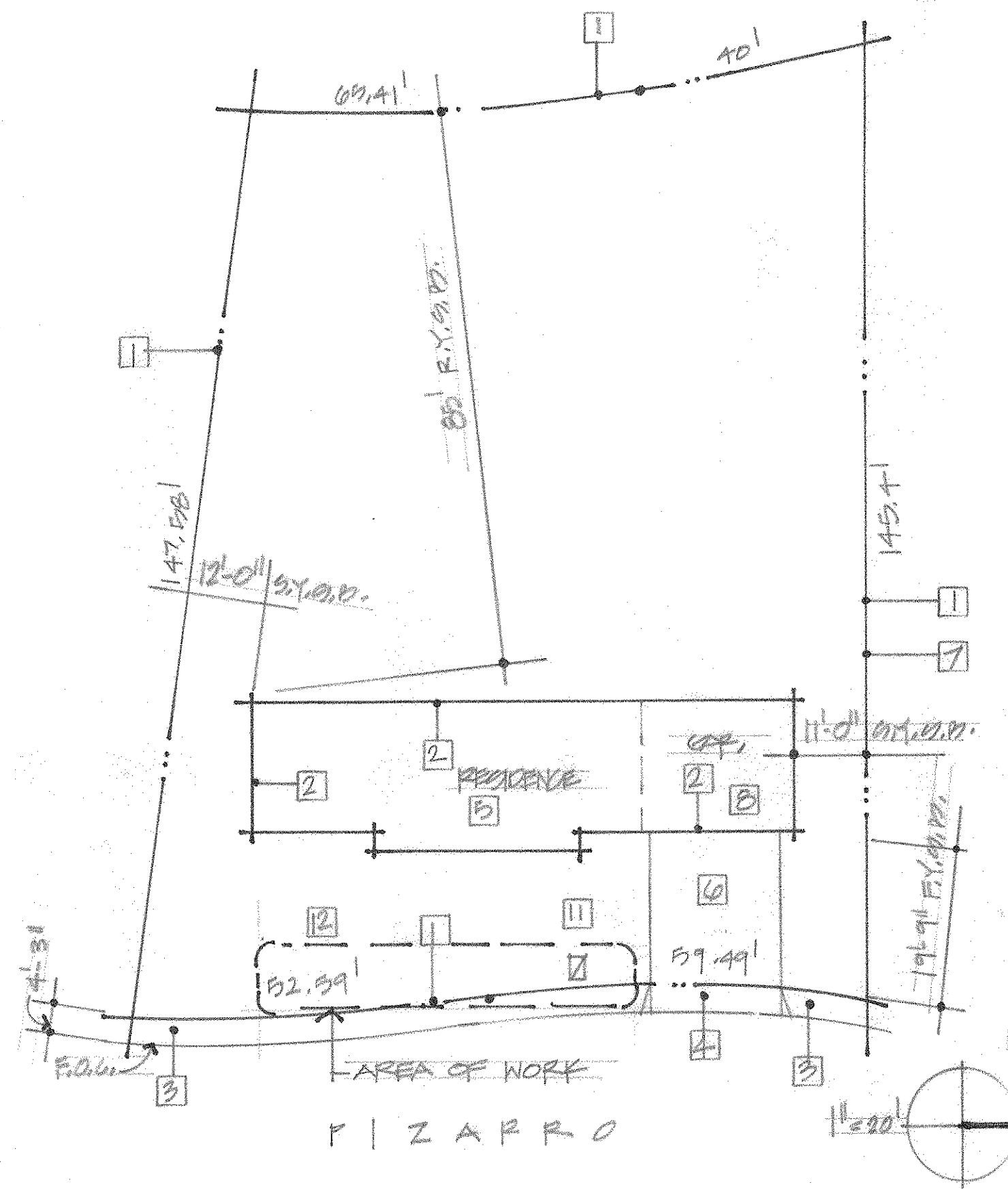
GOOGLE EARTH IMAGES  
DATE BACK TO 1994



CURRENT IMAGES



PLAT MAP



LANDSCAPE COVERAGE  
FRONTYARD AREA = 2,840 #  
DRIVEWAY AND HARDSCAPE = 1,012 #  
LANDSCAPE AREA = 1,056 #  
EXISTING LANDSCAPE = 37%

- SITE PLAN LEGEND :**
1. PROPERTY LINE
  2. (E) BUILDING LINE
  3. CURB/GUTTER/SIDEWALK
  4. CONCRETE APPROACH
  5. ENTRY
  6. CONCRETE DRIVEWAY
  7. (E) FENCING TO REMAIN
  8. (E) GARAGE
  9. ELEC. SERVICE
  10. GAS SERVICE
  11. WATER SERVICE
  12. LAWN/LANDSCAPE

SITE PLAN

	<b>Special Requirements and Minimum Construction Standards</b>	<h1>BA-5</h1>
	<p><b>CONSTRUCTION HOURS</b> 7:00 AM to 6:00 PM on weekdays, Saturdays 8:00 AM to 6:00 PM. No construction on Sundays and recognized holidays. This is a noise ordinance to protect the peace of the public from any construction noise including deliveries or other related work.</p> <p><b>APPROVED PLANS</b> shall be available at the job site during inspections.</p> <p><b>SANITARY FACILITY</b> for construction site must be provided.</p> <p><b>FENCES</b> surrounding the site shall be screened and secure.</p> <p><b>BMP's</b> for soil and erosion control shall be in place and maintained throughout the construction project</p> <p><b>RIGHT OF WAY</b> construction debris containers, portable toilets, and construction equipment shall not encroach onto public sidewalks and streets without prior approval from Public Works Dept.</p> <p><b>DRAINAGE</b> all roof water shall be drained by roof gutters and drain pipes to the street or other approved location by gutters and piping or by use of an approved non-erodible surface drain. water shall not drain over public sidewalks</p> <p><b>ELEVATION CERTIFICATES</b> for multi-residential and commercial buildings with 2 stories or more a surveyor's certification for the compliance of the first floor's slab or finish floor may be required.</p> <p><b>RETAINING WALLS</b> and masonry fences that are not a part of the structure, will require a separate permit unless noted otherwise.</p> <p><b>POTABLE WATER BACKFLOW DEVICES</b> shall be installed on commercial irrigation systems, non-residential buildings or any other facility as required by chapter 13.04, SCMC. Questions and inspection requests may be addressed to the utility manager at (949) 366-1553.</p> <p><b>ADDRESS</b> shall be installed on all buildings and suites in accordance with the building and fire code.</p> <p><b>ELECTRIC AND GAS METER</b> releases will be made upon completion of the work.</p> <p><b>FINAL INSPECTIONS</b> shall be performed and approved by all agencies required for approval of the project. All required records and reports required by the project will be completed and submitted to the City.</p> <p><small>NOTE: SCMC: San Clemente Municipal Code; SCWD: San Clemente Water Division</small></p>	

**0310 CONCRETE**

1. TYPE V CEMENT WITH A MAXIMUM WATER/CEMENT RATIO OF 0.45 THE MINIMUM ULTIMATE STRENGTH OF CONCRETE AT 28 DAYS SHALL BE AS FOLLOWS:
  - a. SLAB ON GRADE.....F's 4500 PSI
  - b. FOUNDATIONS.....F's 4500 PSI
  - c. STRUCTURAL COLUMNS AND PILASTERS.....F's 4500 PSI
  - d. RETAINING WALLS.....F's 4500 PSI
2. TYPE V CEMENT AND WATER/CEMENT RATIO=0.45 MAX. REQUIRED FOR POTENTIAL SOIL SULFATE COMMON IN AREA UNLESS A SOILS REPORT IS PROVIDED WHICH STATES OTHERWISE.
3. CEMENT SHALL COMPLY WITH ASTM C - 150 - 72 AND C - 595 - 72. SULFATE RESISTANT.
4. FINE AND COARSE AGGREGATE SHALL COMPLY WITH ASTM C - 53 - 67 AND C - 332 - 66.
5. CONCRETE TO BE MACHINE MIXED WITH A MAXIMUM OF 7-1/2 GALLONS OF WATER PER SACK OF CEMENT.
6. PRIOR TO PLACING CONCRETE AND REINFORCING STEEL, EMBEDDED ITEMS SHALL BE WELL SECURED IN POSITION AS SHOWN ON THE DRAWINGS.
7. CONCRETE TO BE MACHINE MIXED WITH A MINIMUM OF 7.5 GALLONS OF WATER PER SACK OF CEMENT.
8. MORTAR MIX: ONE PART PORTLAND CEMENT, 3/4 PART LIME PUTTY, ASTM C-207-49, THREE PARTS SAND ASTM C - 144-70.
9. GROUT MIX: ONE PART CEMENT, THREE PARTS SAND, ASTM C-404-61.
10. PRIOR TO PLACING CONCRETE AND REINFORCING STEEL, EMBEDDED ITEMS SHALL BE WELL SECURED IN POSITION AS SHOWN ON THE DRAWINGS.
11. NO PIPES OR SLEEVES SHALL BE PLACED IN CONCRETE UNLESS SPECIFICALLY NOTED AND DETAILED ON THE PLAN.
12. ALL PIPES AND CONDUITS PASSING THROUGH CONCRETE FLOORS SHALL BE SLEEVED WITH STANDARD STEEL PIPES NOT TO EXCEED 6" IN DIAMETER.
13. LOCATION OF HOLDOWNS, HOLDOWN BOLTS, ANCHOR BOLTS, FOUNDATION HARDWARE ETC. ARE APPROXIMATE ONLY. IT IS THE RESPONSIBILITY OF THE CONTRACTOR, THE FRAMING CONTRACTOR AND CONCRETE CONTRACTOR IN CONJUNCTION, TO LOCATE THESE ANCHORS IN THEIR EXACT LOCATION.
14. ASSUMED SOIL BEARING PRESSURE = 1500 PSF (UNLESS STATED OTHERWISE BY PROVIDING SOILS REPORT)
15. CONSTRUCTION SHALL CONFORM TO THE 2016 C.R.C., EXCAVATIONS, FOUNDATIONS AND RETAINING WALLS.
16. FOUNDATION ANCHOR BOLTS SHALL INCLUDE 0.229" X 3" X 3" STEEL PLATE WASHERS.

**0320 CONCRETE AND MASONRY REINFORCEMENT**

1. REINFORCING STEEL, ASTM A - 615, GRADE 60, DEFORMED NEW BILLET STEEL UNLESS OTHERWISE NOTED.
2. USE LOW HYDROGEN WELDING RODS FOR ALL WELDS (IF REQUIRED) OF REINFORCING STEEL.
3. ALL REINFORCING, HOLDOWN BOLTS, ANCHOR BOLTS AND INSERTS SHALL BE PLACED ACCURATELY AND SECURED IN PLACE PRIOR TO PLACING CONCRETE OR GROUTING MASONRY.
4. FABRICATION, ERECTION AND PLACEMENT SHALL CONFORM TO THE CONCRETE REINFORCING STEEL INSTITUTE MANUAL OF STANDARD PRACTICE.
5. EXCEPT WHERE GREATER DIMENSIONS ARE INDICATED, PROVIDE THE FOLLOWING MINIMUM CONCRETE COVER FOR REINFORCING STEEL:
  - a. BELOW GRADE - UNFORMED: .....3" CLEAR
  - b. BELOW GRADE - FORMED: .....2" CLEAR
  - c. ABOVE GRADE: .....1" CLEAR
6. ALL BARS SHALL BE CLEAN OF RUST, GREASE OR OTHER MATERIALS LIKELY TO IMPAIR BOND. ALL BENDS SHALL BE MADE COLD.
7. ANCHOR BOLTS: 5/8" DIAMETER STEEL BOLTS EMBEDDED 7" INTO FOUNDATION WITH A MINIMUM 3 X 3 X 0.229" THICK PLATE WASHER EACH BOLT.

**0410 MASONRY, MORTAR AND GROUT**

1. GROUT: ONE PART PORTLAND CEMENT ASTM C - 91 - 67, THREE PARTS SAND, ASTM C - 404 - 61 ONE HALF PART LIME PUTTY, ASTM C - 207 - 49, ADD ADDITIONAL TWO PARTS PEA GRAVEL ASTM C - 404 - 61 (MAY BE ADDED IF GROUT SPACES ARE GREATER THAN 4" IN ALL DIRECTIONS) TO BE OF FLUID CONSISTENCY AND OBTAIN FC 2000 PSI @ 28 DAYS, MAXIMUM GROUT LFT = 4' - 0".
2. HIGH LIFT GROUTING SHALL BE PER 2016 C.R.C., TESTED, INSPECTED AND APPLY ADMIXTURES FOR INCREASED FLUIDITY.
3. MORTAR: ASTM C - 270 - 521, ONE PART PORTLAND CEMENT ASTM C - 91 - 67, THREE PARTS SAND, ASTM C - 144 - 70, AND ONE HALF PART LIME PUTTY OR HYDRATED LIME, ASTM C - 207 - 49.
4. ONE HALF STEEL DESIGN UNLESS OTHERWISE NOTED. NO CONTINUOUS INSPECTION REQUIRED UNLESS OTHERWISE NOTED ON PLANS.

**0420 UNIT MASONRY**

1. CONCRETE BLOCK (CMU) :
  - ALL UNITS TYPE N, ASTM C - 90, Fm = 1500 PSI, SOLID GROUTED WHERE RETAINING. UNITS TO BE STORED UNDER COVER AT JOB SITE. GROUT ALL STEEL CELLS.
2. CLAY OR SHALE BRICK : ASTM, C - 62 - 58, C - 216 - 66 AND C - 652 - 70.

**0430 MASONRY REINFORCEMENT**

1. REFER TO SECTION 0320

**PROJECT DESCRIPTION AND TABULATION :**  
**LEGAL DESCRIPTION :**  
 LOT: 67 BLK: TRACT: 898  
 A.P.N. : 057 - 092 - 03  
**PROJECT ADDRESS :**  
 127 Ave. Pizarro  
 San Clemente Ca. 92672  
**PLAN PREPARED BY:**  
**Jonsson and foerstel architects**  
 CONTACT : Chris Foerstel  
 946 CALLE AMANECER, unit C., SAN CLEMENTE, CA. 92673  
 949 - 228 - 4810  
 jonssonandfoerstel@gmail.com  
 FEB 2 0 2018  
**SPECIAL INSPECTIONS :**  
 City registered inspector :  
 rick paquette , 949-291-3912  
 www.deputinspector.com  
**OWNER :**  
**Garber , Chuck**  
 127 Ave. Pizarro  
 San Clemente Ca. 92672  
 chuckgarber@gmail.com  
 818-554-5980  
**BUILDER: T.B.D.**

**CODE DATA :**

2019 CALIFORNIA RESIDENTIAL CODE ( CRC ) 2019 CALIFORNIA PLUMBING CODE (CPC), 2019 CALIFORNIA MECHANICAL CODE (CMC), AND 2019 CALIFORNIA ELECTRICAL CODE, (CEC), 2019 CALIFORNIA ENERGY CODE , 2019 CALIFORNIA FIRE CODE, (CFC) 2019 CALIFORNIA BUILDING CODE (CBC) 2019 CALIFORNIA ENERGY CODE 2019 CALIFORNIA GREEN BUILDING STANDARDS AND ALL LOCAL / MUNICIPAL ORDINANCES ORDINANCES.

OCC. R/3 - U TYPE VB NON-SPRINKLERED  
 THE DISCHARGE OF POLLUTANTS TO ANY STORM DRAIN SYSTEM IS PROHIBITED. NO SOLID WASTE, PETROLEUM BYPRODUCTS, SOIL PARTICULATE, CONSTRUCTION WASTE MATERIALS, OR WASTEWATER GENERATED ON CONSTRUCTION SITES OR BY CONSTRUCTION ACTIVITIES SHALL BE PLACED, CONVEYED OR DISCHARGED INTO THE STREET, GUTTER OR STORM DRAIN SYSTEM.

**SCOPE OF WORK:**

Existing two story single family residence of wood frame and stucco on raised floor. All type VB construction. This plan is to document the as built unpermitted hardscape in front yard, and to provide an encroachment permit.

PERMIT 93 LIN. FEET OF AS BUILT 42" HIGH WOOD FENCING, PERMIT 79 LIN. FT. OF 42" HIGH PLANTER WALLS.

**0120 SITE PLAN**

1. CONSTRUCTION SHALL CONFORM TO CHAPTER 33, SECTION 3306 OF THE 2019 C.R.C. REGARDING PROTECTION OF PEDESTRIANS DURING DEMOLITION OR CONSTRUCTION.
2. THE PROJECT SHALL CONFORM TO THE STATE OF CALIFORNIA TITLE 24 ENERGY CODES. SEE PLANS AND / OR SUPPORTING DOCUMENTS ATTACHED TO CONSTRUCTION DOCUMENTS.
3. CONTRACTOR SHALL PROVIDE TEMPORARY FACILITIES:
  - a. INSTALL TEMPORARY TOILET FACILITY ON SITE.
  - b. PROVIDE TEMPORARY ELECTRICITY AND WATER FOR THE EXPRESS PURPOSE OF THE CONSTRUCTION.
4. ADDITIONAL NOTES: BUILDER MAY USE EXISTING FACILITIES ON SITE.
5. ALL WORK SHALL BE DONE IN A PROFESSIONAL MANNER AND BE SAFE FOR ALL WORKMEN.
6. ALL EXPOSED CONCRETE FINISHES TO BE DETERMINED BY OWNER/ARCHITECT/DESIGNER/CONTRACTOR PRIOR TO POUR.
7. ALL SURFACES SHALL SLOPE AWAY FROM THE FOUNDATION AT 2% FOR IMPERVIOUS SURFACES AND 5 % FOR PERVIOUS SURFACES.

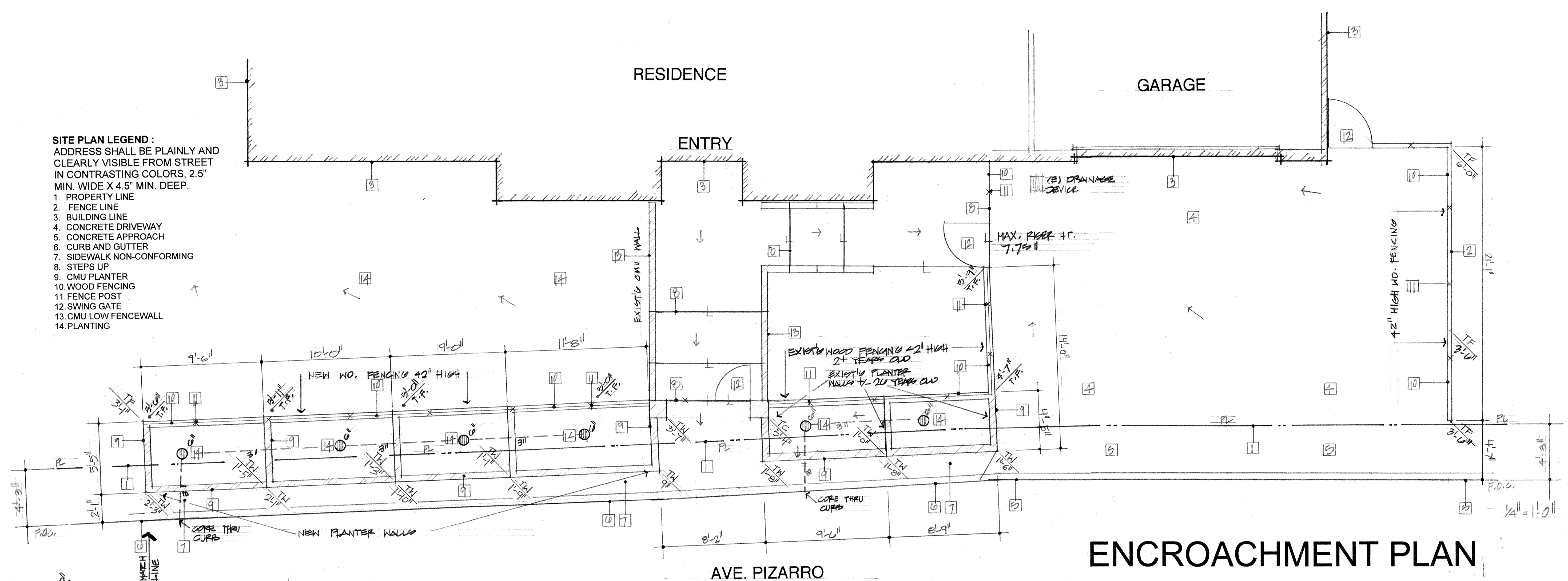
NO CHANGE IN SITE DRAINAGE

jonsson and foerstel architects  
 946 calle amanecer , unit c. san clemente , ca. 92673

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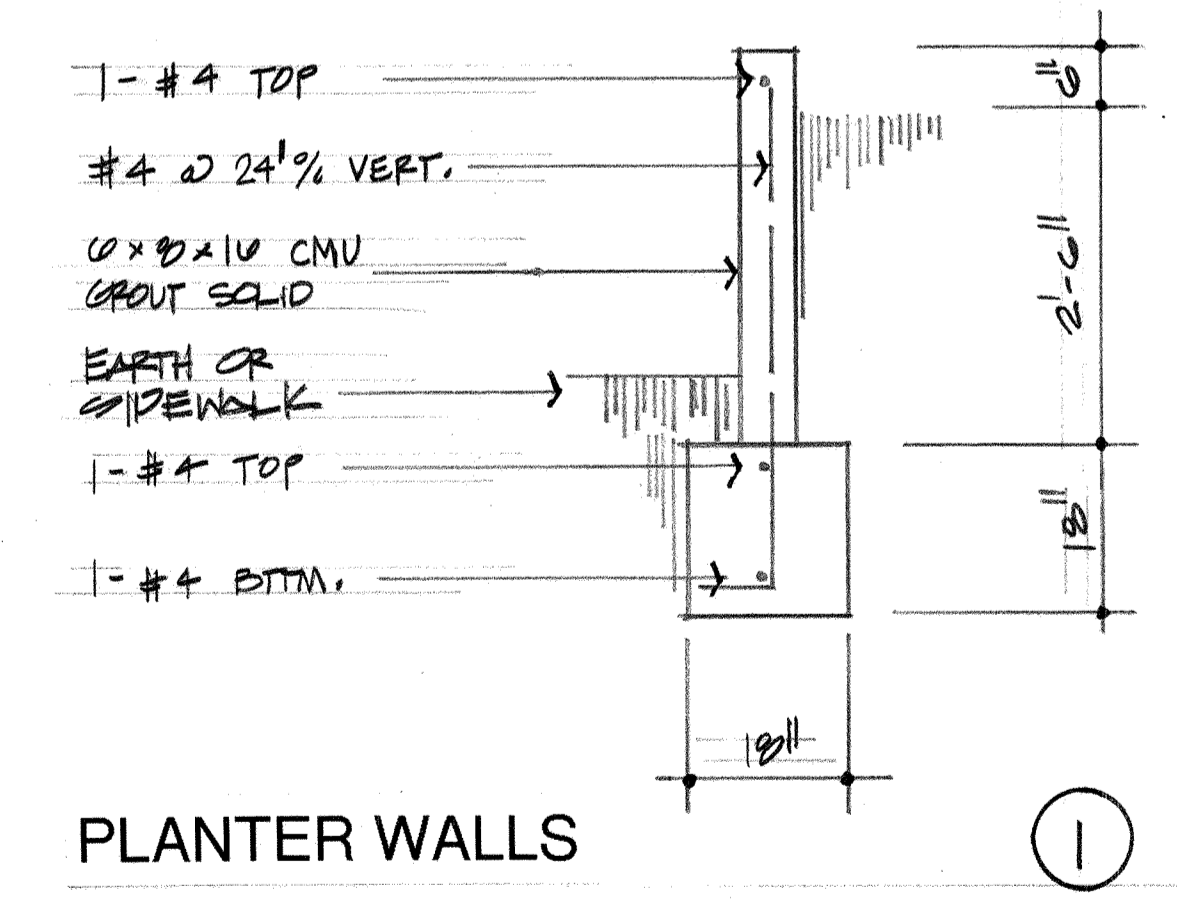
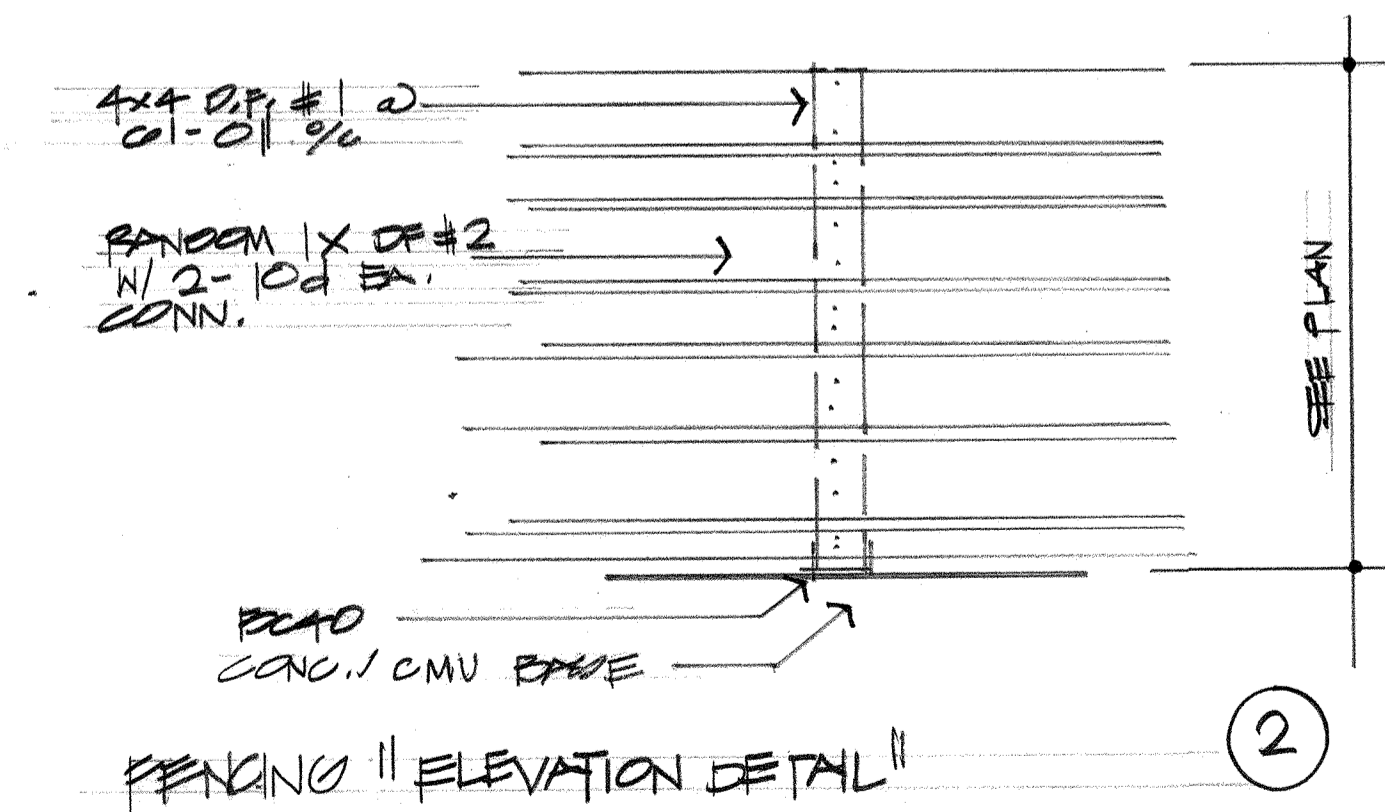
ENCROACHMENT PERMIT  
 127 Ave. Pizarro , San Clemente Ca. , 92672

A1



- SITE PLAN LEGEND:**  
ADDRESS SHALL BE PLAINLY AND CLEARLY VISIBLE FROM STREET IN CONTRASTING COLORS, 2.5" MIN. WIDE X 4.5" MIN. DEEP.
1. PROPERTY LINE
  2. FENCE LINE
  3. BUILDING LINE
  4. CONCRETE DRIVEWAY
  5. CONCRETE APPROACH
  6. CURB AND GUTTER
  7. SIDEWALK NON-CONFORMING
  8. STEPS UP
  9. CMU PLANTER
  10. WOOD FENCING
  11. FENCE POST
  12. SWING GATE
  13. CMU LOW FENCEWALL
  14. PLANTING

# ENCROACHMENT PLAN



**3.2 Minimum Requirements**

All construction projects regardless of size are required, at a minimum, to implement an effective combination of erosion and sediment controls and waste materials management Best Management Practices. These minimum requirements are summarized in Table 3-2 and must be conveyed to construction contractors as part of the plan notes or on a separate erosion control plan as required by the agency.

Table 3-2  
Minimum Requirements for All Construction Sites

Category	Minimum Requirements
Erosion and Sediment Control	Sediments from areas disturbed by construction shall be retained on site using an effective combination of erosion and sediment controls. Sediment shall be properly contained to minimize sediment transport from the site to streets, drainage facilities or adjacent properties via runoff, vehicle tracking, or wind.
Waste and Materials Management Control	Construction-related materials, wastes, spills or residues shall be retained on site to minimize transport from the site to streets, drainage facilities, or adjoining property by wind or runoff.

- Temporary sanitary facilities must be located in a convenient location away from drainage facilities, watercourses, as well as traffic and should always have secondary containment.
- Untreated raw wastewater must never overflow, be discharged or buried within the project site.
- Be sure to have enough restrooms conveniently located throughout the project.

**Hazardous Material Delivery and Storage:**

- Minimize storage of hazardous materials onsite, and consider storage in a covered area.
- Store materials in a designated area on pallets with secondary containment (Earth Dikes, Drainage Swales, or Lined Ditches) away from traffic, waterways, and storm drains.
- Keep ample supply of appropriate spill clean up material near storage areas.
- Conduct regular weekly inspections as well as before and after any rain events. Train employees and subcontractors.
- Be able to supply Material Safety Data Sheets (MSDS) for all materials stored and keep an accurate, up to date inventory of materials delivered and stored on site.
- Storage of reactive, ignitable or flammable liquids must comply with fire codes.
- Those trained in emergency spill cleanups must be present when dangerous materials are unloaded.
- Contain and clean up any spill immediately.
- Clean spills on dirt areas by digging up and properly disposing of the contaminated soil.

**Hazardous Material Uses:**

- Minimize use as much as possible.
- Follow manufacture instructions regarding uses, mixing, conditions, and warnings of chemicals.
- Never over apply and prepare only the amount needed.
- Never apply any chemicals immediately before a rain event, and always use the entire product before disposing the container.
- Never clean tools, paintbrushes, or rinse containers into a street, gutter, storm drain, or watercourse and always dispose of any hazardous chemicals / materials as hazardous waste.
- Use recycled and less hazardous products whenever practical.
- Non-toxic liquid wastes such as latex paints may be collected in a lined collection area. This area must be properly bermed and kept covered during rain events and at the end of every work day and must never be allowed to overflow or to be disposed of to uncovered ground.
- Liquid and hazardous wastes must always be disposed of appropriately.
- Immediately report any significant spills to the County's 24-hour water pollution reporting hotline at 714-567-6363 or the City of San Clemente's 24 hour hot line at 949-366-1553.

Routinely train all employees and require any contractors / sub-contractors to follow these BMPs.

**Acknowledgement:**

I, \_\_\_\_\_ (print name) certify that I have read the preceding document regarding construction site Best Management Practices (BMPs). I have been informed that these basic BMPs must be implemented and maintained on all construction sites, and that the City may impose fines or other civil or criminal sanctions against me or my business for allowing runoff and construction debris to enter the storm drain system. I take full responsibility for maintaining basic BMPs on construction sites for which I am accountable.

Contractor Signature \_\_\_\_\_

Date \_\_\_\_\_

**SPECIAL INSPECTION FORM  
PERMIT NO:**

Project Address: 127 AVE. PIZAPPO Plan Review Project No: \_\_\_\_\_  
 Property Owner: CHUCK GARBER Architect: JONSON AND PERRETEL  
 Engineer: JEFF JONSON, A.O.P. Plans Examiner: ANDREW BEND

Prior to issuance of building permit, the owner, or the architect or engineer of record acting on the behalf of the owner, shall appoint an approved special inspector registered by the City of San Clemente and shall sign and submit this form to the Building Division. Selection of the special inspector/agency cannot be changed once the building permit is issued, except with the specific permission of the Building Official.

Special Inspector: P. P. QUINTE Phone No: 949-211-3912

Inspection Agency (Firm): P.P.I. Phone No: \_\_\_\_\_

Owner / Architect or Engineer (Signature) \_\_\_\_\_ Phone No: \_\_\_\_\_

The above signed hereby certifies that the special inspector identified above has been engaged to perform the special inspections outlined below as required by Chapter 17 of the California Building Code.

**GEOTECHNICAL / SOILS**

- Prior to foundation inspection submit a field memo stamped and signed by licensed geotechnical engineer to certify foundation excavations are located in proper soils bearing material and to confirm required soils bearing capacity.
- Soil Bearing Confirmation 1500 psi

**FOUNDATION CONCRETE**

- $f'_c = 4,500$  psi concrete strength required (maximum water/cement ratio = 0.45) exposed to sulfates
- Type V cement required exposed to sulfates
- Special Inspection and concrete lab testing IS REQUIRED
- Special Inspection NOT required. Submit concrete batch mix trip ticket to building inspector.

**PILE INSTALLATION**

- Drilled Cast-in Place Caissons / Piles  Precast Concrete Piles
- Foundation Underpinning Installation  Steel Piles

**REINFORCED CONCRETE**

- High Strength Concrete (>2,500 psi)  $f'_c =$  \_\_\_\_\_ psi  Cast-in Place Concrete
- Grade Beams  Cast-in Place Caissons / Piles  Reinforcing Placement
- Concrete Frames  Post-Tensioned (tendon placing / stressing and concrete placement)
- Shotcrete / Gunité

**STRUCTURAL STEEL**


- Field Welding
- Steel Erection  High Strength Bolting  Spray Applied Fire Proofing

**STRUCTURAL MASONRY**

- Retaining Walls  Walls & Pilasters

**MISCELLANEOUS**

- STRUCTURAL OBSERVATION IS REQUIRED** (See attached structural observation form)
- Epoxy Anchors / Bolts \_\_\_\_\_
- Shear Wall / Diaphragm Nailing \_\_\_\_\_
- Other \_\_\_\_\_
- Other \_\_\_\_\_

	<p><b>Special Requirements and Minimum Construction Standards</b></p>	<p><b>BA-5</b></p>
	<p><b>CONSTRUCTION HOURS</b> 7:00 AM to 6:00 PM on weekdays, Saturdays 8:00 AM to 6:00 PM, No construction on Sundays and recognized holidays. This is a noise ordinance to protect the peace of the public from any construction noise including deliveries or other related work.</p> <p>APPROVED PLANS shall be available at the job site during inspections.</p> <p>SANITARY FACILITY for construction site must be provided.</p> <p>FENCES surrounding the site shall be screened and secure.</p> <p>BMP's for soil and erosion control shall be in place and maintained throughout the construction project</p> <p>RIGHT OF WAY construction debris containers, portable toilets, and construction equipment shall not encroach onto public sidewalks and streets without prior approval from Public Works Dept.</p> <p>DRAINAGE all roof water shall be drained by roof gutters and drain pipes to the street or other approved location by gutters and piping or by use of an approved non-erodible surface drain. Water shall not drain over public sidewalks</p> <p>ELEVATION CERTIFICATES for multi-residential and commercial buildings with 2 stories or more a surveyor's certification for the compliance of the first floor's slab or finish floor may be required.</p> <p>RETAINING WALLS and masonry fences that are not a part of the structure, will require a separate permit unless noted otherwise.</p> <p>POTABLE WATER BACKFLOW DEVICES shall be installed on commercial irrigation systems, non-residential buildings or any other facility as required by chapter 13.04, SCMC. Questions and inspection requests may be addressed to the utility manager at (949) 366-1553.</p> <p>ADDRESS shall be installed on all buildings and suites in accordance with the building and fire code.</p> <p>ELECTRIC AND GAS METER releases will be made upon completion of the work.</p> <p>FINAL INSPECTIONS shall be performed and approved by all agencies required for approval of the project. All required records and reports required by the project will be completed and submitted to the City.</p>	
<p>NOTE: SCMC: San Clemente Municipal Code; SCWD: San Clemente Water Division</p>		

Remember: The ocean begins at your front door!

**BMPs: Easy Solutions for Keeping Our Ocean Waters Clean**

Best Management Practices (BMPs) are activities such as good housekeeping practices, pollution prevention techniques, educational practices and maintenance procedures. Many BMPs are easy and inexpensive. Construction sites should follow the tips below to prevent pollutants from entering storm drains in the first place, and help protect our environment, our families' health and safety and our local economy.

**Stockpile Management:**

- Protect all stockpiles from storm water run-on using temporary perimeter sediment barriers such as berms, dikes, fiber rolls, silt fences, sand or gravel bags, or straw bale barriers.
- During the rainy season, stock piles must be covered and have a temporary sediment barrier at all times.
- During the non rainy season, stockpiles must be covered at the end of each work day and have a temporary sediment barrier at all times. Implement wind control practices as appropriate.

**Concrete Waste Management:**

- When obtaining ready mix concrete from a supplier, discuss their BMP procedures such as handling of concrete waste and washout before deliveries are made.
- Avoid mixing excess amounts of fresh concrete on-site.
- Perform washout of concrete trucks off site or in designated areas only and never wash out concrete trucks on the street or into storm drains, open ditches, or streams.
- Never wash any concrete products including dust and silt down into the gutter or storm drain. Always monitor on-site concrete tasks, such as saw cutting, coring, grinding, and grooving to ensure proper methods are implemented.
- Concrete cutting residue should be vacuumed and never allowed to flow across pavement or left on the surface of pavement.
- A sign should be installed adjacent to each wash out facility to inform concrete equipment operators to utilize the proper facilities.
- Wash out only from mixer truck shoots into concrete washout.
- Concrete washout from concrete pumper bins can be washed out into pumper trucks and discharged into designated washout area or properly disposed of off site.
- Once concrete wastes are washed into the designated area and allowed to harden, the concrete should be broken up, removed, and properly disposed of.

**Solid Waste Management:**

- Select designated waste collection areas on site and locate containers in a covered area and / or in a secondary containment. Be sure to have enough conveniently located containers throughout the project.
- Collect site refuse daily, especially during rainy / windy conditions and plan for an adequate number of pickups. Never overfill a dumpster.
- Remove refuse promptly from all erosion and sediment control devices as well as storm drains.
- Always make sure that toxic liquids and chemicals are never disposed of in dumpsters designated for construction debris. Liquid and hazardous wastes must always be disposed of properly.
- Do not hose out dumpsters on the construction site. Leave dumpster cleaning to the refuse hauler.
- Recycle or salvage as much construction and demolition debris as possible.

**Sanitary / Septic Waste Management**

- Use only reputable, licensed sanitary / septic waste haulers.