



STAFF REPORT SAN CLEMENTE ZONING ADMINISTRATOR

Meeting Date: November 4, 2015

PLANNER: John Ciampa, Associate Planner 

SUBJECT: **Minor Architectural Permit 15-281, SDG&E Outdoor Storage Racks**, a request to install outdoor storage racks at the San Diego Gas and Electric utility yard.

LOCATION: 662 Camino De Los Mares

ZONING: Public (P)

BACKGROUND:

- The proposed project is located on a 5.85 acre site used by the San Diego Gas and Electric Company for offices and a utility yard. The site is improved with three buildings that provide administrative services and garage/warehousing. The property is bordered by a mix of uses consisting of senior housing, a Fire Station, a residential neighborhood, and the I-5 freeway.
- The applicant, SDG&E, proposes outdoor storage racks in the equipment yard. The proposed equipment racks are two levels high with a height of 12.5 feet. The racks would be used to increase storage capacity of transformers on-site.
- The proposed open framed storage racks would be located along the west and south property lines. The two proposed racks are 90 and 204 feet long. The shorter rack segment would be located along the west property line, adjacent to San Clemente Villas, the senior housing development.
- The Zoning Ordinance Section 17.16.100, requires approval of a Minor Architectural Permit (MAP) by the Zoning Administrator to allow new accessory structures on a non-residential site.
- The proposed racks along the south property line would not be visible from the street or the I-5 freeway. Zoning Ordinance Sections 17.24.050 and 17.28.240 require the screening of mechanical equipment when visible from public view.
- The 90 foot rack along the west property line is partially visible from Camino De Los Mares. To obscure the view of the new rack it will be covered by the same material as the existing property line fence to screen the equipment from public view.
- The Design Review Subcommittee reviewed the project on October 14, 2015, and were in support of the project and recommended condition of approval #6 that requires new landscaping along the rear slope or a mesh screen material be added to the back of the racks near the I-5 Freeway if landscaping is ever removed that increases the visibility of the racks from the freeway.
- Staff supports the application as proposed because the project meets the required findings for the Minor Architectural Permit and Zoning Ordinance Sections 17.24.050

- Staff supports the application as proposed because the project meets the required findings for the Minor Architectural Permit and Zoning Ordinance Sections 17.24.050 and 17.28.240 because the new racks will be screened when viewed from the public Right-of-Way.
- Staff has received no input from the public on the proposed request.

RECOMMENDATION

STAFF RECOMMENDS THAT the Zoning Administrator approve MEP 15-281, SDG&E Outdoor Storage Racks, subject to the attached Resolution and Conditions of Approval.

Attachments:

1. Resolution ZA 15-045
2. Vicinity Map
3. Photos
Plans

ATTACHMENT 1

RESOLUTION NO. ZA 15-045

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING MINOR ARCHITECTURAL PERMIT 15-281, SDG&E OUTDOOR STORAGE RACKS, A REQUEST TO ALLOW OUTDOOR STORAGE RACKS FOR THE EQUIPMENT YARD OF SDG&E LOCATED AT 662 CAMINO DE LOS MARES

WHEREAS, on August 13, 2015 an application was submitted, and on October 14, 2014, deemed complete, by Paul Kruest, 1020 Calle Cordillera Suite 108, San Clemente, CA, 92673, for a Minor Architectural Permit to allow outdoor storage racks for the SDG&E utility yard located at 662 Camino De Los Mares, the legal description being APN 675-072-13; and

WHEREAS, the Planning Division completed an initial environmental assessment of the above matter in accordance with California Environmental Quality Act (CEQA) and recommends that the Zoning Administrator determine this project categorically exempt from CEQA as a Class 1 exemption pursuant to CEQA Guidelines Section 15301(b) because it involves a negligible expansion of the existing utility use that provides electricity power and utility services and to provide additional storage for transformers in the yard area of the site; and

WHEREAS, on September 10, 2015, the City's Development Management Team reviewed the proposed project for compliance with the General Plan, Zoning Ordinance, and other applicable requirements; and

WHEREAS, on October 14, 2015 the Design Review Subcommittee reviewed the project and supported the application as proposed; and

WHEREAS, on September 4, 2015, the Zoning Administrator held a duly noticed public hearing on the subject application and considered evidence presented by the City staff, the applicant, and other interested parties.

NOW, THEREFORE, the Zoning Administrator of the City of San Clemente hereby resolves as follows:

Section 1: The project is categorically exempt from CEQA as a Class 1 exemption pursuant to CEQA Guidelines Section 15301(b) because it involves a negligible expansion of the existing utility used that provides electricity power and utility services and to provide additional storage for transformers in the storage yard area of the site.

Section 2: With regard to MAP 15-281, the Zoning Administrator finds as follows:

- A. The architectural treatment of the project complies with the San Clemente General Plan in that the proposed accessory use is permitted in the Public zoning designation and the new use (storage racks) will be screened from

public view and will not create any unsightly visual impacts.

- B. The architectural treatment of the project complies with any applicable specific plan and this title in areas including, but not limited to, height, setback, and color in that the racks will be 12.5 feet tall and will be screened with the same material as the existing fencing to ensure the racks are not visible from public view.
- C. The architectural treatment of the project complies with the architectural guidelines in the City's Design Guidelines in that the storage racks would be screened with landscaping, fencing, and a mesh material to obstruct the view from the Right-of-Way.
- D. The general appearance of the proposal is in keeping with the character of the neighborhood in that new storage racks are placed in a location that will require minimal screening to obscure the view of the racks from the public Right-of-Way.
- E. The proposal is not detrimental to the orderly and harmonious development of the City in that the proposal, as conditioned, will ensure the racks and mechanical equipment is screened from public view.

Section 3: The Zoning Administrator of the City of San Clemente hereby approves MAP 15-281, SDG&E Outdoor Storage Racks, a request to install outdoor storage racks at the SDG&E utility yard, subject to the above Findings, and the Conditions of Approval attached hereto as Exhibit 1.

PASSED AND ADOPTED at a regular meeting of the Zoning Administrator of the City of San Clemente on November 4, 2015.

SAN CLEMENTE ZONING ADMINISTRATOR

James Pechous, Zoning Administrator

CONDITIONS OF APPROVAL
Minor Architectural Permit (MAP) 15-281
SDG&E Outdoor Storage Racks

1. The applicant or the property owner or other holder of the right to the development entitlement(s) or permit(s) approved by the City for the project, if different from the applicant (herein, collectively, the "Indemnitor") shall indemnify, defend, and hold harmless the City of San Clemente and its elected city council, its appointed boards, commissions, and committees, and its officials, employees, and agents (herein, collectively, the "Indemnitees") from and against any and all claims, liabilities, losses, fines, penalties, and expenses, including without limitation litigation expenses and attorney's fees, arising out of either (i) the City's approval of the project, including without limitation any judicial or administrative proceeding initiated or maintained by any person or entity challenging the validity or enforceability of any City permit or approval relating to the project, any condition of approval imposed by City on such permit or approval, and any finding or determination made and any other action taken by any of the Indemnitees in conjunction with such permit or approval, including without limitation any action taken pursuant to the California Environmental Quality Act ("CEQA"), or (ii) the acts, omissions, or operations of the Indemnitor and the directors, officers, members, partners, employees, agents, contractors, and subcontractors of each person or entity comprising the Indemnitor with respect to the ownership, planning, design, construction, and maintenance of the project and the property for which the project is being approved. The City shall notify the Indemnitor of any claim, lawsuit, or other judicial or administrative proceeding (herein, an "Action") within the scope of this indemnity obligation and request that the Indemnitor defend such Action with legal counsel reasonably satisfactory to the City. If the Indemnitor fails to so defend the Action, the City shall have the right but not the obligation to do so and, if it does, the Indemnitor shall promptly pay the City's full cost thereof. Notwithstanding the foregoing, the indemnity obligation under clause (ii) of the first sentence of this condition shall not apply to the extent the claim arises out of the willful misconduct or the sole active negligence of the City. *[Citation – City Attorney Legal Directive/City Council Approval June 1, 2010]* (PInG.)_____
2. Thirty (30) days after project approval, the owner or designee shall submit written consent to all of these imposed conditions of approval to the Community Development Director or designee. *[Citation – City Attorney Legal Directive/City Council Approval June 1, 2010]* (PInG.)_____
3. MAP 15-281 shall become null and void if the use is not commenced within three (3) years from the date of the approval thereof. Since the use requires the issuance of a building permit, the use shall not be deemed to have commenced until the date that the building permit is issued for the development. *[Citation - Section 17.12.150.A.1 of the SCMC]* (PInG.)_____

A use shall be deemed to have lapsed, and MAP 15-281 shall be deemed to have expired, when a building permit has been issued and construction has not been completed and the building permit has expired in accordance with applicable sections of the California Building Code, as amended. [Citation - Section 17.12.150.C.1 of the SCMC] (PIng.) _____

4. The owner or designee shall have the right to request an extension of MAP 15-281 if said request is made and filed with the Planning Division prior to the expiration date as set forth herein. The request shall be subject to review and approval in compliance with section 17.12.160 of the Zoning Ordinance. [Citation - Section 17.12.160 of the SCMC] (PIng.) _____
5. Prior to the issuance of building permits, the applicant or designee shall include within the first four pages of the working drawings a list of all conditions of approval imposed by the final approval for the project. [Citation - City Quality Assurance Program] (PIng.) _____
6. To ensure that the new storage racks remain obscured from public view to the extent that the slope landscaping screened the racks at the time the project was approved by the Zoning Administrator on November 4, 2015, San Diego Gas & Electric Company shall install new landscaping to the slope adjacent to the south property line, or add mesh screening to the back of the racks, if the landscaping is ever removed along the rear slope of the project site and the visibility of the storage racks is increased from the I-5 Freeway. ■■(PIng.)_____
7. Prior to issuance of certificate of occupancy, the project shall be developed in conformance with the site plan, floor plans, elevations, details, and any other applicable submittals approved by the Zoning Administrator on November 4, 2015, subject to the Conditions of Approval.

Any deviation from the approved site plan, floor plans, elevations, details, or other approved submittal shall require that the owner or designee submit modified plans and any other applicable materials as required by the City for review and obtain the approval of the City Planner or designee. If the City Planner or designee determines that the deviation is significant, the owner or designee shall be required to apply for review and obtain the approval of the Zoning Administrator. [Citation - Section 17.12.180 of the SCMC] (PIng.) _____

9. A separate Building Permit is required. Plans to construct new building, add or alter the existing building configuration, change in use, add or alter structural, mechanical, electrical or plumbing features of the project must be reviewed and approved through a separate building plan check / permit process. [S.C.M.C – Title 8 – Chapter 8.16- Fire Code, Title 15 Building Construction - Chapters 15.08, 15.12, 15.16, 15.20] (Bldg.)_____

- 10. Project has not been reviewed for Building Code compliance. Prior to issuance of building permits, code compliance will be reviewed during building plan check. [S.C.M.C – Title 8 – Chapter 8.16- Fire Code, Title 15 Building Construction - Chapters 15.08, 15.12, 15.16, 15.20] (Bldg.)_____
- 11. Prior to issuance of building permits, applicant shall secure all utility agencies approvals for the proposed project. [S.C.M.C – Title 15 Building Construction] (Bldg.)_____
- 12. Building permits shall not be issued unless the project complies with all applicable codes, ordinances, and statutes including, but not limited to, the Zoning Ordinance, Grading Code, Security Ordinance, Transportation Demand Ordinance, Water Quality Ordinance, Title 24 of the California Code of Regulations as adopted by the City including, but not limited to the California Administrative, Building, Electrical, Plumbing, Mechanical, Energy, Green, and Fire Codes.[S.C.M.C – Title 8 – Chapter 8.16 – Fire Code, Title 15 Building and Construction Chapters 15.08, 15.12, 15.16, 15.20, 15.21, Title 16 Subdivisions, Title 17 Zoning] (Bldg.)_____
- 13. Prior to the issuance of building permits, the owner or designee shall pay all applicable development fees in effect at the time, which may include, but are not limited to, Regional Circulation Financing and Phasing Program (RCFPP), park acquisition and development, water and sewer connection, drainage, Public Facility Construction, transportation corridor, Avenida La Pata Supplemental Road Fee and school fees, etc. [S.C.M.C. – Title 15 Building and Construction, Chapters 15.52, 15.56, 15.60, 15.64, 15.68, 15.72] (Bldg.)_____

All Conditions of Approval are standard, unless indicated as follows:

- Denotes modified standard Condition of Approval
- ■ Denotes a project specific Condition of Approval



LOCATION MAP

ATTACHMENT 2

MAP 15-281, SDG&E Storage Racks
662 Camino De Los Mares







