




# AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING  
Meeting Date: August 19, 2014

Agenda Item 7B

**Approvals:**

City Manager 

Dept. Head 

Attorney 

Finance 

**Department:** Community Development, Planning Division  
**Prepared By:** Amber Gregg, Associate Planner

**Subject:** **SB 2 EMERGENCY HOMELESS SHELTER ZONE & DEVELOPMENT STANDARDS**

**Fiscal Impact:** None.

**Summary:** At the July 15, 2014 City Council meeting, the City Council considered a recommendation by the Planning Commission to bring the City into compliance with State mandate Senate Bill 2 (SB 2), emergency shelter zoning.

During the course of deliberations, Council discussed the possibility of placing an Emergency Shelter (ES) Overlay on the City's Public zones (with the exception of Capistrano Unified School District properties). Staff was directed by the City Council to provide additional information on the Public zoned properties and city owned properties city-wide. The item was continued to allow staff time to prepare the information requested, and to re-notice the item to reflect the City Council's consideration.

**Background:** **Previous City Council discussion.** After hearing public testimony at the July 15, 2014 City Council meeting, the City Council considered Planning Commission's recommendation, and examined how adjacent jurisdictions complied with the state mandate. Planning Commission's recommendation was:

1. Location of Emergency Shelter Overlay (ES Overlay):
  - a. Designate 16 parcels in the Calle De Industrias area as part of an ES Overlay Zone. In this area, emergency shelters would be permitted by right for up to 50 beds per facility, subject to specific development and operating standards.
  - b. Designate parcels in the Rancho San Clemente Business Park zone that are at least 500 feet from Residential zones as part of an ES Overlay Zone. In this area, emergency shelters would be permitted by right for up to 35 beds per facility, subject to specific development and operating standards.
  - c. Permitted by right as an accessory use to Churches, for up to six beds per church and subject to specific development and operating standards.
2. Adopt Draft Development and Operating Standards for Emergency Homeless Shelters.

Bordering cities, Dana Point and San Juan Capistrano (along with four other Orange County cities) designated public zones to comply with SB 2 State mandate. City Council requested staff to provide additional information on Public zoned properties and City owned properties city-wide. The City Council recognized the Planning

Commission’s hard work and appreciated their thorough and thoughtful recommendation. However, a majority of the Council members tentatively supported the Public zoned and City owned property approach, in conjunction with limited church use, as the means to satisfy the State mandate.

For additional background information please refer to the Agenda Report from City Council meeting of July 15, 2014 provided under **Attachment 7**.

**Discussion:** To help clarify the discussion, there is an important distinction that should be made. There are public zoned properties and public owned properties. Public zoned properties, are properties that are zoned for public use but are not necessarily owned by the City. The school district and public utility agencies own properties that are zoned Public. City owned properties, are parcels the City owns but can be located in any zoning designation. For example, the Community Development Office at 910 Calle Negocio is a City owned property, but is zoned Rancho San Clemente, Business Park. These different zoned and/or owned properties are discussed below.

**Public Zoned Parcels.** There are 53 Public zoned parcels in the City. A map of the location of these parcels are provided under **Attachment 1** and a listing of the facilities on the parcels is provided under **Attachment 2**.

Of the 53 parcels, 13 are owned by the Capistrano Unified School District, four are owned by public utilities, home owner associations, or the County, and 36 are owned by the City. Table 1 identifies the development or use for the 36 City owned properties.

**TABLE 1**  
**Use for City Owned, Public Zoned Properties**

# of Parcels	Use
12	Parking Lot
13	Public Utility ( reclamation plant, water towers and Fire Station)
4	Community buildings (Casa Romantica & Beach Club)
4	Open Space/Remnant Properties
3	Vacant (reservoir properties)
36	TOTAL PARCELS

It was assumed at the last meeting that the City Hall site is zoned Public. However, it is zoned Civic Center (CVC), and is the only parcel in the City with that zoning designation.

Of the Public zoned properties, only one is located at least 500 feet from a residential zone; the La Pata Fire Station.

**City owned properties city-wide.** The City owns properties that are not zoned Public. For example, the City owns a vacant property next to the animal shelter, and the zoning designation for the parcel is Rancho San Clemente Specific Plan, Industrial. City owned properties are dispersed throughout the City. A map of the properties is provided under **Attachment 3**.

A majority of the City owned properties are zoned open space or are remnant parcels. However, there are five parcels that are zoned Commercial, Business Park, or Industrial, and located at least 500 feet from residential zones. Four of the properties include the Community Development Offices, old fire station that Family Assistance Ministries (FAM) occupies, CASA Animal Shelter, and the vacant lot adjacent to the animal shelter. All of these properties are located in the Rancho San Clemente Business Park. The fifth property is the vacant lot located at the corner of Avenida Vista Hermosa and La Pata; next to the park and fire station.

If desired, all or some of these parcels could be included in the Emergency Shelter (ES) Overlay. If the Council wishes to include Public zoned and city-owned properties, the ES Overlay would identify the location of all the parcels.

### **Churches**

The City Council tentatively supported churches being permitted to have ten emergency shelter beds each. There are 21 churches located in San Clemente, and they are dispersed throughout the community. Allowing the use by right would permit churches to provide shelter beds in compliance with approved development and operating standards.

**Location Alternatives.** In addition to churches, the following are alternative options the City Council could consider to comply with SB 2 requirements:

#### **1. Public Zoned Properties**

The City Council could permit emergency shelters by right for Public and Civic Center zoned properties (minus school district properties). This would permit shelters on 41 parcels, 37 City-owned properties (including City Hall) and four utility owned properties.

#### **2. Public Zoned Properties plus City Owned properties located in non-residential zones.**

The City Council could permit emergency shelters by right for Public and Civic Center zoned properties (minus school district properties) and non-residential zoned City owned property. This would permit shelters on 46 parcels, 40 Public and one Civic Center zoned properties, and the five parcels mentioned previously that are zoned Commercial, Business Park, or Industrial, and located at least 500 feet from residential zones.

Based on previous City Council discussion, staff believes an appropriate recommendation is Alternative 2, in addition to use of churches as discussed above. A map showing the locations of this alternative is provided under **Attachment 4**.

**Development and Operating Standards.** The Department of Housing and Community Development requires emergency shelter development standards to "be designed to encourage and facilitate the development of, or conversion to, an emergency shelter" and may not be so restrictive as to "unduly impair shelter operations." The attached Ordinance, provided under **Attachment 6**, establishes operating and development standards for emergency shelters. The standards include,

but are not limited to: maximum number of beds, separation between shelter locations, maximum number of emergency shelters, supervision requirements, on-site security, and a management plan.

**Recommended****Action:**

STAFF RECOMMENDS THAT the City Council permit emergency shelters as a use by right for churches with a maximum occupancy of ten beds per church, and establish an Emergency Shelter Overlay on Public and Civic Center zoned properties (minus school parcels), and on City owned properties in non-residential zones and at least 500 feet from residential zoned properties; and support the proposed development and operating standards, and:

1. Approved an estimated City chronic homeless count of 70 persons as established by local law enforcement and City and County social service agencies; and
2. Adopt a Resolution updating the General Plan and Land Use Map with appropriate emergency shelter overlay to comply with State Mandate SB 2; and
3. Adopt an Ordinance modifying the Title 17 of the Municipal Code, Zoning Code, and the official Zoning Map.

**Attachments:**

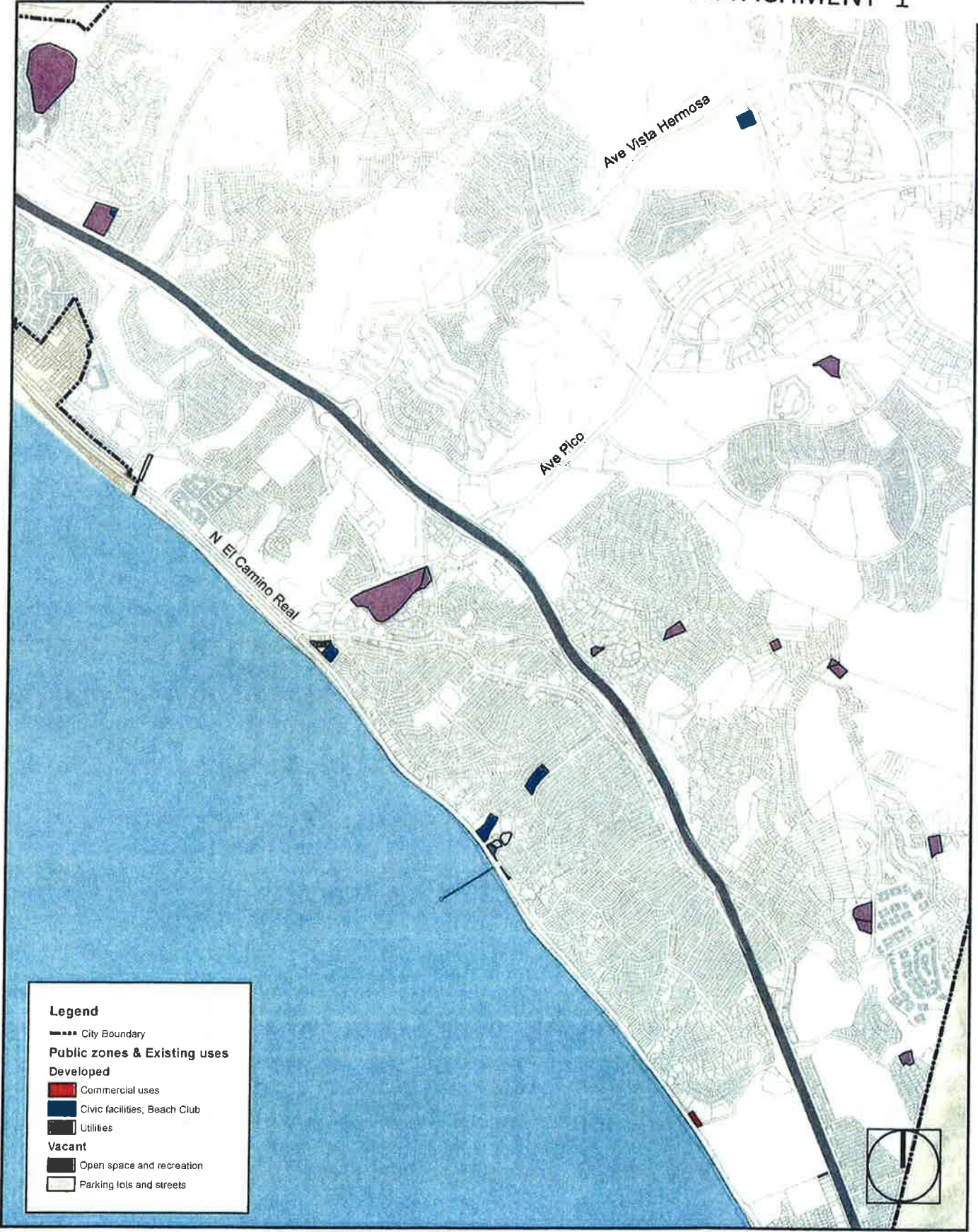
1. *Map of Public Zoned Properties and Uses*
2. *Listing of Public Zone Parcel Location and Uses*
3. *Map of City Owned Properties*
4. *Map of proposed location of Alternative 2- ES Overlay*
5. *Resolution*
6. *Ordinance*
7. *July 15, 2014, Agenda Report*
8. *Overlay Map based on Planning Commissions Recommendation*
9. *How have other Cities addressed SB 2*

**Notification:**

An ad was published on July 4, 2014 in the local newspaper, as required by State and local law, and direct mail notice was sent to property owners within a) Rancho San Clemente Business Park, b) business and homeowner associations within Rancho San Clemente, c) churches and religious institutions, d) Calle De Industrias study area, e) the Rancho San Clemente Triangle site, and f) property owners within 300 feet of these areas.

An additional 1/8 page add was published on August 8, 2014 in the local paper including the consideration of the Public zoned properties and city owned properties city-wide.

ATTACHMENT 1



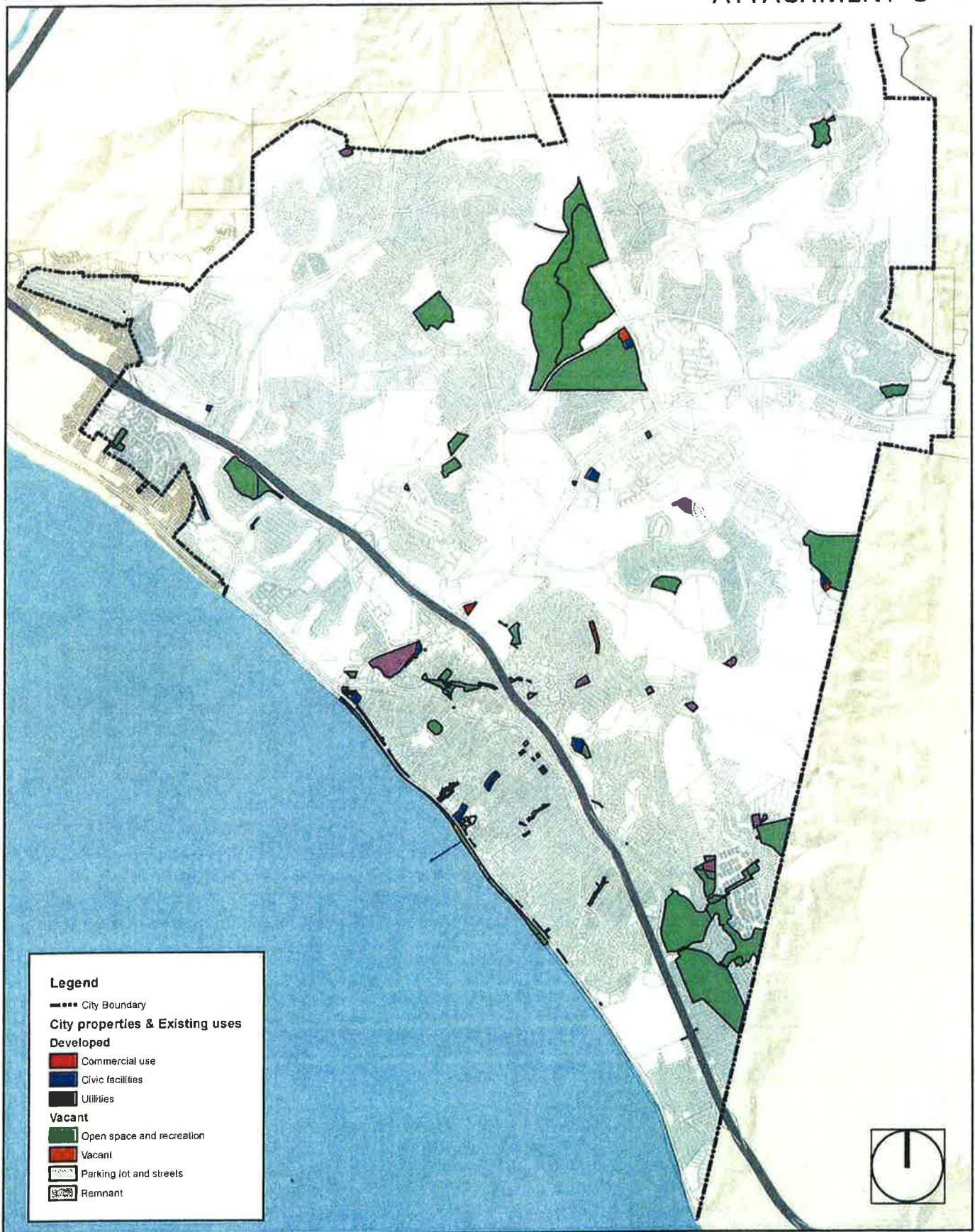
**PUBLIC ZONES**  
(excluding public school sites)

Data Source: City of San Clemente 08.06.2014  
 0 0.175 0.35 0.7 Miles

ASSESSMENT	Use	ACREAGE	General Plan	Zoning/Specific Plan	Owner	Surrounding Uses
057-053-40	Vacant Reservoir Property Ave de la Paz	0.6	Public	P	CITY OF SAN CLEMENTE	Residential Single Family
692-012-33	Beach Parking	0.5	Public	Pier Bowl Specific Plan	CITY OF SAN CLEMENTE	Residential Single Family
692-012-38	Casa Romantica	2.4	Public	Pier Bowl SP	CITY OF SAN CLEMENTE	Community Center
692-012-39	Open Space (Community Center)	0.0	Public	Pier Bowl SP	CITY OF SAN CLEMENTE	Part of Community Center
692-013-01	Beach Parking	0.9	Public	Pier Bowl Specific Plan	CITY OF SAN CLEMENTE	CC1
691-433-01	Public Utility (Reclamation Plant)	17.2	Public	West Pico Corridor (CZ)	CITY OF SAN CLEMENTE	Reclamation Plant
688-071-02	Public Utility (Water Tower)	2.8	Public	Rancho San Clemente Specific Plan	CITY OF SAN CLEMENTE	Residential Single Family
057-072-27	Public Utility (Water Tower)	1.7	Public	P	CITY OF SAN CLEMENTE	Residential Single Family
690-392-08	Public Utility (Water Tower)	1.9	Public	P	CITY OF SAN CLEMENTE	Residential Single Family
690-260-02	Public Utility (Vacant) Ave San Pablo	2.6	Public	P	CITY OF SAN CLEMENTE	Residential Single Family
690-260-03	Public Utility (Vacant) Ave San Pablo	1.4	Public	P	CITY OF SAN CLEMENTE	Residential Single Family
057-232-10	Public Utility (Water Tower)	0.8	Public	P	CITY OF SAN CLEMENTE	Residential Single Family
675-072-12	Fire Station	0.4	Public	P	CITY OF SAN CLEMENTE	Residential Single Family
060-083-87	Public Utility	1.4	Public	P	CITY OF SAN CLEMENTE	Residential Single Family
060-251-02	Sidewalk (Entering School)	0.1	Public	P (CZ)	CITY OF SAN CLEMENTE	School
060-142-26	Remnant Beach property	0.8	Public	P (CZ)	CITY OF SAN CLEMENTE	Calafia Beach Park
057-020-46	Public Utility (Reclamation Plant)	0.0	Public	West Pico Corridor (CZ)	CITY OF SAN CLEMENTE	Part of Reclamation Plant
057-020-51	Public Utility (Reclamation Plant)	1.4	Public	West Pico Corridor (CZ)	CITY OF SAN CLEMENTE	Part of Reclamation Plant
057-182-66	Public Utility (Reclamation Plant)	0.0	Public	West Pico Corridor (CZ)	CITY OF SAN CLEMENTE	Part of Reclamation Plant
057-192-20	Ole Hanson Beach Club	1.5	Public	O-A	CITY OF SAN CLEMENTE	Residential (RH)
058-111-55	Community Center & Library	1.9	Public	P-A (CZ)	CITY OF SAN CLEMENTE	Residential (RH)
057-192-10	Downtown Parking Lot (Beach Club)	0.1	Public	P	CITY OF SAN CLEMENTE	Residential (RH)
057-192-11	Downtown Parking Lot (Beach Club)	0.1	Public	P	CITY OF SAN CLEMENTE	Residential (RH)
057-192-12	Downtown Parking Lot (Beach Club)	0.1	Public	P	CITY OF SAN CLEMENTE	Residential (RH)
057-192-13	Downtown Parking Lot (Beach Club)	0.1	Public	P	CITY OF SAN CLEMENTE	Residential (RH)
057-192-14	Downtown Parking Lot (Beach Club)	0.1	Public	P	CITY OF SAN CLEMENTE	Residential (RH)
057-192-15	Downtown Parking Lot (Beach Club)	0.1	Public	P	CITY OF SAN CLEMENTE	Residential (RH)
057-192-16	Downtown Parking Lot (Beach Club)	0.1	Public	P	CITY OF SAN CLEMENTE	Residential (RH)
057-192-17	Downtown Parking Lot (Beach Club)	0.1	Public	P	CITY OF SAN CLEMENTE	Residential (RH)
057-192-18	Downtown Parking Lot (Beach Club)	0.1	Public	P	CITY OF SAN CLEMENTE	Residential (RH)
057-192-19	Downtown Parking Lot (Beach Club)	0.1	Public	P	CITY OF SAN CLEMENTE	Residential (RH)
690-502-16	Public Utility (Water Tower)	0.4	Public	P	CITY OF SAN CLEMENTE	Residential (RH)
058-111-60	Community Center & Library	1.3	Public	Reservoir 5 and 5A	CITY OF SAN CLEMENTE CITYHALL	Residential Single Family
690-502-12	Public Utility (Water Tower)	0.8	Public	P-A (CZ)	CITY OF SAN CLEMENTE COUNTY OF	Residential (RH)
692-014-01	Park (Parque del Mar)	0.4	Public	Reservoir 5 and 5A	RANCHO SAN CLEMENTE COMMUNITY	Residential Single Family
692-031-01	Open Space (Park)	0.5	Public	Pier Bowl Specific Plan	SAN CLEMENTE	CC1
691-311-11	Parking	0.2	Public	Pier Bowl Specific Plan	SAN CLEMENTE	CC1
679-201-72	Marblehead Elem/Middle School	1.0	Public	P (CZ)	SAN CLEMENTE SHORECLIFFS COMMU	Residential Single Family
688-082-02	Lobo Elementary School	2.9	Public	Marblehead Inland Specific Plan	SCHOOL, CAPISTRANO UNIFIED DIS	Residential Single Family
679-191-48	Marblehead Elementary School	9.4	Public	Rancho San Clemente Specific Plan	SCHOOL, CAPISTRANO UNIFIED DIS	Residential Single Family
678-071-11	Truman Benedict Elementary School	5.1	Public	Marblehead Inland Specific Plan	SCHOOL, CAPISTRANO UNIFIED DIS	Residential Single Family/ Marblehead Inland Park
678-071-10	Bernice Averb Middle School	8.0	Public	Forster Ranch Specific Plan	SCHOOL, CAPISTRANO UNIFIED DIS	Residential Single Family
691-421-07	Shorecliffs Middle School	13.7	Public	Forster Ranch Specific Plan	SCHOOL, CAPISTRANO UNIFIED DIS	Residential Single Family
690-541-01	San Clemente High School	18.0	Public	P (CZ)	SCHOOL, CAPISTRANO UNIFIED DIS	Residential Single Family
057-063-01	San Clemente High School (Parking Lot)	43.8	Public	P	SCHOOL, CAPISTRANO UNION HIGH	Residential Single Family
		0.4	Public	P	SCHOOL, SAN CLEMENTE DISTRICT	Residential Single Family

<u>ASSESSMENT</u>	<u>Use</u>	<u>ACREAGE</u>	<u>General Plan</u>	<u>Zoning/Specific Plan</u>	<u>Owner</u>	<u>Surrounding Uses</u>
690-541-02	San Clemente High School	16.0	Public	P		Residential Single Family
060-251-01	Concordia Elementary School	10.0	Public	P (CZ)	SCHOOL, SAN CLEMENTE DISTRICT	Residential Single Family
060-251-01	Concordia Elementary School (Street)	0.3	Public	P (CZ)	SCHOOL, SAN CLEMENTE DISTRICT	Residential Single Family
701-311-01	Vista Del Mar Elementary School	14.2	Public	P	SCHOOL, SAN CLEMENTE DISTRICT	Residential Single Family
692-062-26	Las Palmas Elementary School	7.1	Public	P (CZ)	SCHOOL, SAN CLEMENTE DISTRICT	Residential Single Family
675-181-01	Public Utility Palisades Reservoir	22.2	Public	P	SCHOOL, SAN CLEMENTE DISTRICT	Residential Single Family
678-163-01	Fire Station	1.8	Public	Forster Ranch Specific Plan	SOUTH COAST WATER DISTRICT	Residential Single Family
675-072-13	SDG&E Headquarters	5.8	Public	P		Residential (RH)
	Total Acreage	224.4				
	Total Parcels	53.0				

ATTACHMENT 3



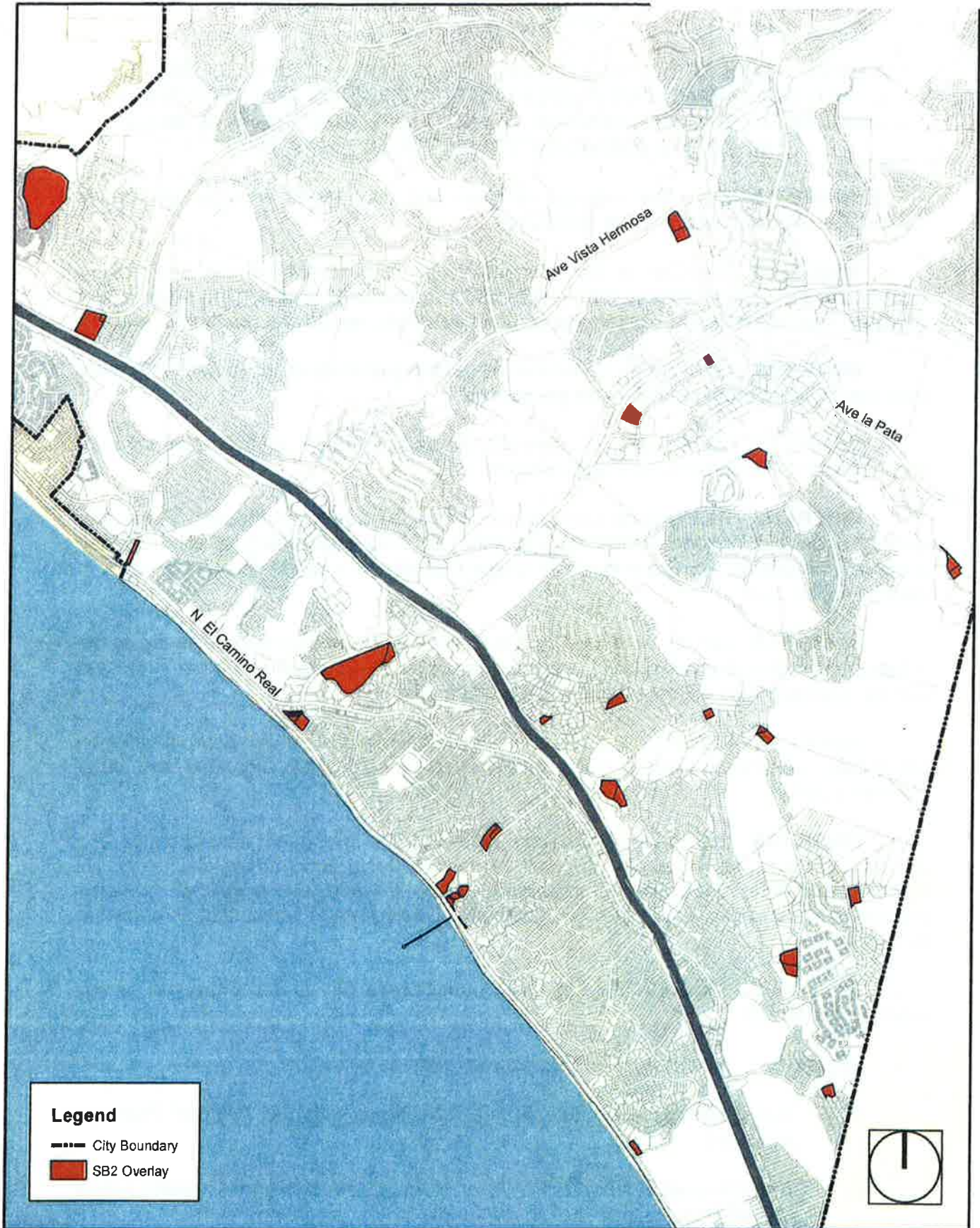
Data Source: City of San Clemente 07.28.2014

0 0.275 0.55 1.1 Miles



CITY-OWNED PROPERTIES





Data Source: City of San Clemente 08.11.2014



RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING A NEGATIVE DECLARATION AND APPROVING AMENDMENTS TO THE GENERAL PLAN TO IMPLEMENT SENATE BILL 2 ("SB 2"), THE EMERGENCY SHELTER ACT; GPA 14-122**

**WHEREAS**, State law requires all cities and counties to address emergency shelter needs (*Government Code §65302(c)*);

**WHEREAS**, the City of San Clemente has evaluated land use and zoning opportunities and constraints to comply with SB 2 requirements to determine ways to best meet the requirements while balancing community safety, needs and resources; and

**WHEREAS**, the Planning Commission held five public meetings to help determine how best to meet emergency shelter needs; and

**WHEREAS**, City Housing Element policies and programs call for the adoption of an ordinance to implement SB 2 requirements; and

**WHEREAS**, the Planning Commission forwarded a recommendation to the City Council to amend the General Plan to implement SB 2 by establishing an SB 2 Overlay Zone and amending the City's land use policies to allow homeless shelters by right in various areas; and

**WHEREAS**, July 15, 2014 the City Council held a duly noticed public hearing on the subject application, and considered evidence presented by City staff and other interested parties, and continued the meeting to a date certain; and

**WHEREAS**, August 19, 2014 the City Council held a duly noticed public hearing on the subject application, and considered evidence presented by City staff and other interested parties.

**WHEREAS**, the Planning Division reviewed the proposed amendments and related ordinance amendments pursuant to the California Environmental Quality Act (CEQA), and determined that the proposed actions will not have significant, adverse environmental impacts, and therefore, a Negative Declaration is warranted, as shown in Exhibit C;

**NOW, THEREFORE**, the City Council of the City of San Clemente hereby resolves as follows:

Section 1. **Findings.** The City Council finds as follows:

- A. The proposed amendments are consistent with the General Plan, as amended.
- B. The proposed amendments will not adversely affect the public health, safety and welfare in that the amendments implement General Plan Housing policies and objectives for residential development.

- C. The proposed amendments are necessary to comply with State Housing law, maintain General Plan consistency, and meet community emergency shelter needs.

**Section 2. General Plan Amendments.** The City Council hereby amends the General Plan, as shown in Exhibit A.

**Section 3. Environmental Determination.** The City Council considered the Initial Environmental Study and Negative Declaration of Environmental Impact prepared by the City's Community Development Department for the proposed actions, as shown in Exhibit B. The City Council concurs with the Study's findings and hereby approves the Negative Declaration.

**Section 4. Severability.** If any portion of this Ordinance, or the application of any such provision to any person or circumstance shall be held invalid, the remainder of this Ordinance to the extent it can be given effect of the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby and to this extent the provisions of this Ordinance are severable.

**Section 5. Publication and Availability.** The Community Development Director shall cause the amendments to be published electronically and made publicly available on the City's website.

**Section 6. Effective Date.** The amendments shall be effective on the thirtieth day after passage of this resolution.

**Section 7. Zoning and Specific Plans Consistency.** The City Council intends to update the Zoning Ordinance and Precise Zoning Map for consistency with these amendments.

**Section 8. City Clerk Certification.** The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

ATTEST:

\_\_\_\_\_  
 City Clerk of the City of  
 San Clemente, California

\_\_\_\_\_  
 Mayor of the City of San  
 Clemente, California

STATE OF CALIFORNIA     )  
 COUNTY OF ORANGE       ) §  
 CITY OF SAN CLEMENTE   )

I, JOANNE BAADE, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. \_\_\_\_\_ was adopted at a regular meeting of the City Council of the City of San Clemente held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by the following vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
 CITY CLERK of the City of  
 San Clemente, California

Approved as to form:

\_\_\_\_\_  
 City Attorney

- Exhibit A:    General Plan Amendments
- Exhibit B:    Initial Environmental Study and Negative Declaration Notice of Intent

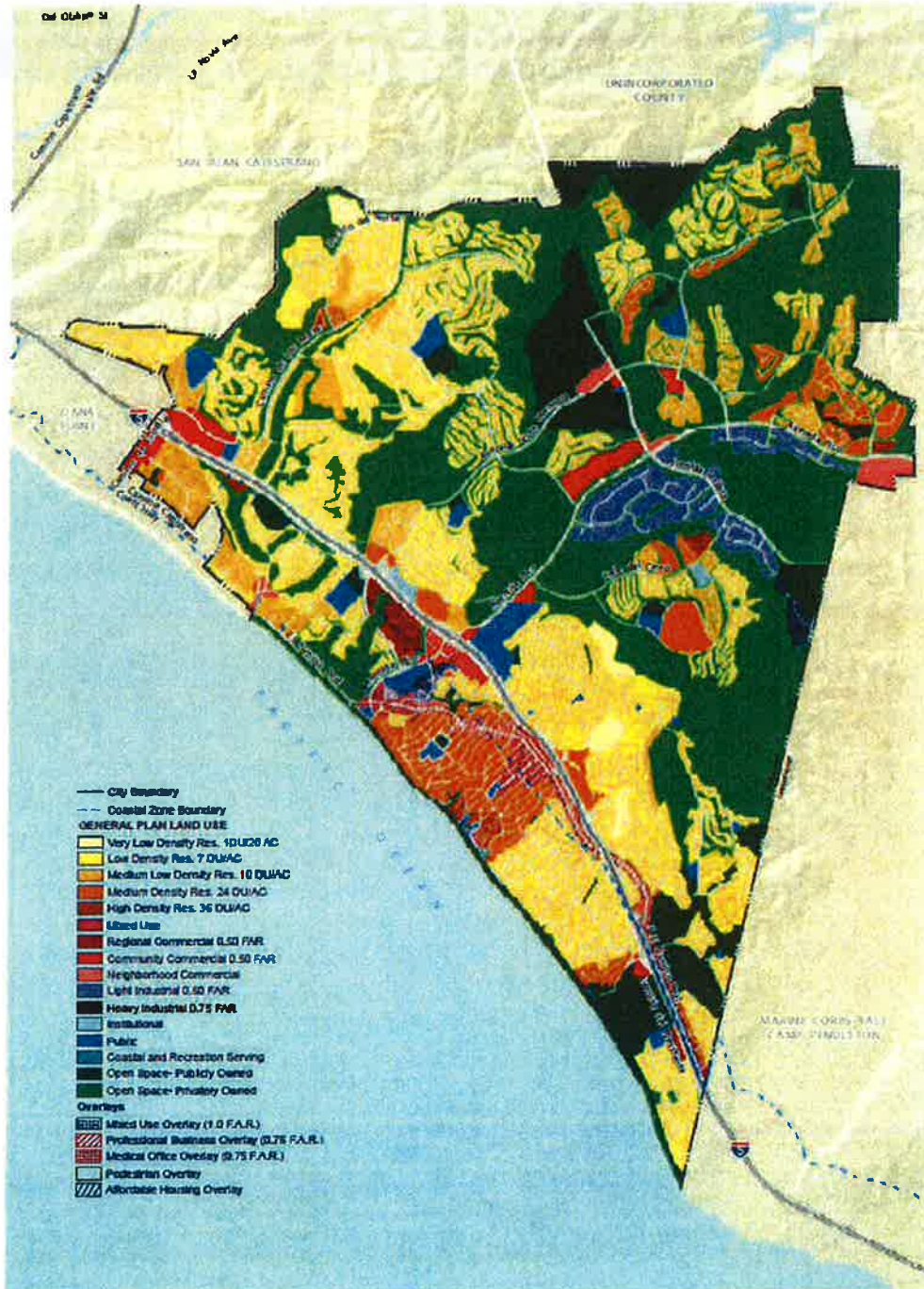
**Exhibit A**  
**General Plan Land Use Element Amendments**

Amend Table LU-1 as shown:

<b>Table LU-1</b>				
<b>General Plan Land Use Designations Summary Table</b>				
<b>Land Use Designations</b>	<b>Existing Maximum Density/ Intensity (FAR)</b>	<b>Proposed Maximum Density</b>	<b>Max. No. of Stories/ Building Height</b>	<b>Intention</b>
Emergency Shelter (ES) Overlay	Does not exist	NA	Two Stories/25 feet	In this district, Emergency Shelters are allowed by right, pursuant to SCMC Ch. 17.56.100.

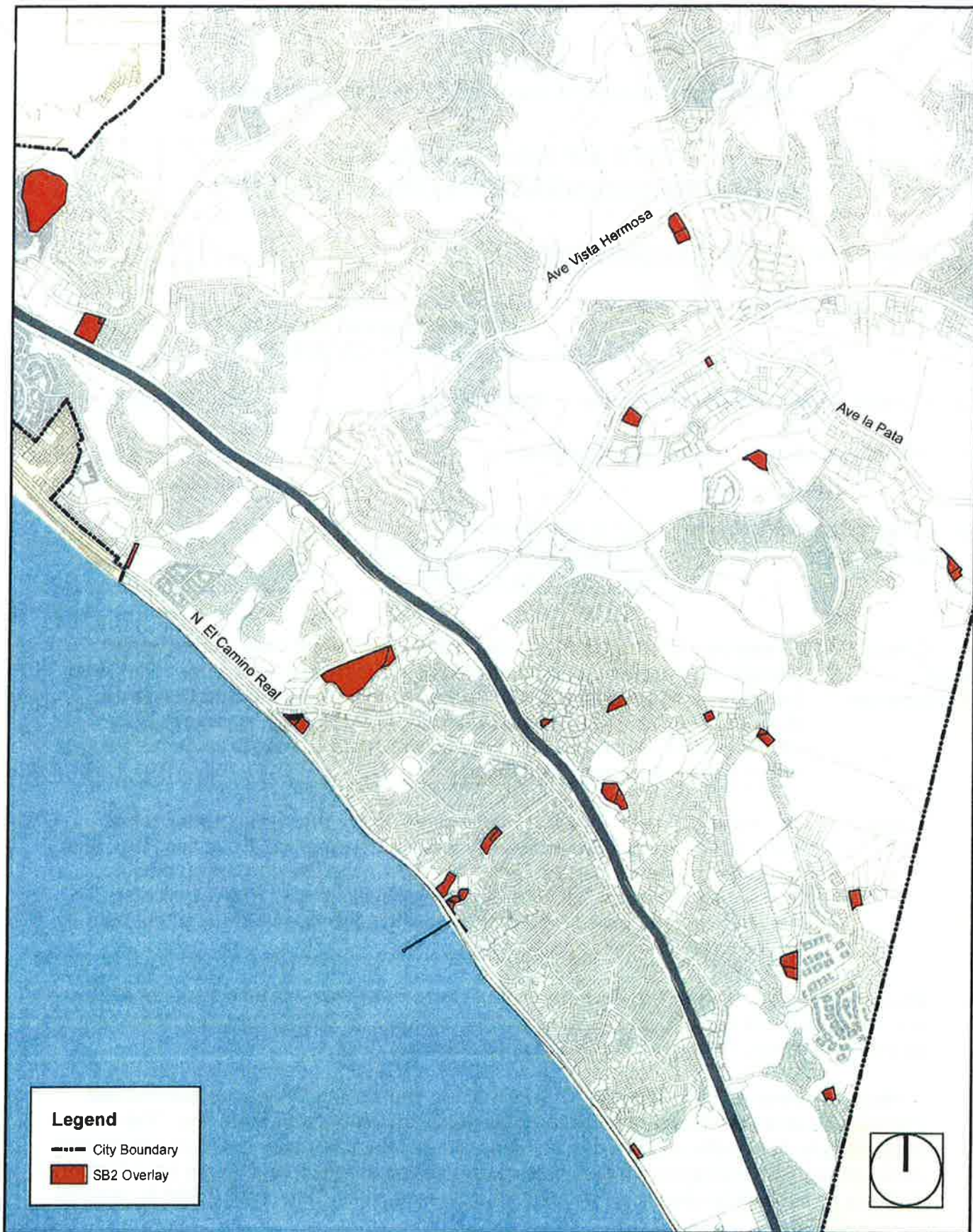
### General Plan Land Use Map Amendment

Add ES Overlay District to Figure LU-1, Land Use Map and Legend (change not shown):



 **Figure LU-1**  
**LAND USE MAP**





**Legend**

- City Boundary
- SB2 Overlay



Data Source: City of San Clemente 08.11.2014

0 0.2 0.4 0.8 Miles



**Exhibit C**  
**Initial Environmental Study and Negative Declaration**

**CITY OF SAN CLEMENTE**  
**ENVIRONMENTAL CHECKLIST FORM**

1. Project Title: SB2 Emergency Shelter Ordinance
  
2. Lead Agency Name and Address: City of San Clemente  
910 Calle Negocio, Suite 100  
San Clemente, CA 92673
  
3. Contact Person and Phone Number: Amber Gregg (949) 361-6196
  
4. Project Location: City of San Clemente
  

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5. Project Sponsor's Name: City of San Clemente  
and Address 910 Calle Negocio, Suite 100  
San Clemente, CA 92673
  
6. General Plan Designation: Emergency Shelter Overlay; may include Public and Civic Center zoned parcels, City owned properties city-wide in Commercial, Business Park, and Industrial zoned properties, and properties in the Rancho San Clemente Business Park and West Pico Corridor Specific Plans. Project will also modify permitted uses for all churches which are located through out the City and in every Land Use designation.
  
7. Zoning: Emergency Shelter Overlay; may include Public and Civic Center zoned parcels, City owned properties city-wide in Commercial, Business Park, and Industrial zoned properties, and properties in the Rancho San Clemente Business Park and West Pico Corridor Specific Plans. Project will also modify permitted uses for all churches which are located through out the City and in every Land Use designation.
  
8. Description of the Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary)

Amend the General Plan, applicable specific plans, the Zoning Ordinance and Precise Zoning Map to allow emergency shelters, "by right," to comply with State law. The amendments designate an SB 2 overlay zone or "emergency shelter overlay", establishes development and management standards for homeless shelters, and allows homeless shelters as accessory uses to churches with a ten-bed limit. Senate Bill 2 (SB 2) requires



all Cities allow emergency homeless shelters by right in at least one zone. State criteria for SB 2 zones include, sufficient size and capacity to accommodate identified homeless need, realistic potential for development or reuse opportunities, and near transit, job centers and public and community services. Emergency Shelter Overlay; may include Public and Civic Center zoned parcels, City owned properties city-wide in Commercial, Business Park, and Industrial zoned properties, and properties in the Rancho San Clemente Business Park and West Pico Corridor Specific Plans. Project will also modify permitted uses for all churches which are located through out the City and in every Land Use designation. The City proposes to allow emergency shelters by right for up to 35 persons on parcels within the emergency shelter overlay.

The proposed project includes development standards for emergency homeless shelters which include but are not limited to:

- a) Maximum number of beds.
- b) Floor area requirements of 125 square feet per bed.
- c) Maximum length of stay, and
- d) A management plan.

A copy of the proposed modifications are provide under the attached exhibits.

9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings)  
The Emergency Shelter Overlay; includes Public and Civic Center zoned parcels, and, City owned properties city-wide in Commercial, Business Park, and Industrial zoned properties. Other areas considered for the overlay includes approximately 3.5 acres of Community Commercial designated parcels located in the West Pico Corridor Specific Plan, 250 acres of Business Park. Project will also modify permitted uses for all churches which are located through out the City and in every Land Use designation.

Public and Civic Center zoned parcels are dispersed throughout the community and located in every land use designation. They are commonly surrounded by residential zones. The City owned properties in commercial, business park and industrial locations are surrounded by commercial and industrial uses, and are at least 500 feet from residential zones.

The subject area of the West Pico Corridor Specific Plan is a predominantly improved area with a mix of commercial and light industrial uses. To the north and west is a steep slope, east is the I-5 freeway, and south is a mix of commercial uses. Residential zones are at least 500 feet from the area. The area has access to transit, job centers, and public and community services

The Rancho San Clemente, Business Park is a predominantly developed area that is surrounded by open space slopes. Residential zones are at least 500 feet from the SB 2 overlay zone. The area has access to transit, job centers, and public and community services.

Churches in San Clemente are located is all land use designations with the exception of open space: residential, institutional, public, mixed use and commercial.

10. Other public agencies whose approval is required: (e.g. permits, financing approval, or participation agreement).

California Department of Housing and Community Development (as part of its mandatory review of the City's Draft 2014-2015 Housing Element).

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**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The following Initial Study indicates that the project may result in potential environmental impacts in the following marked categories:

<b>Aesthetics</b>	<b>Agricultural Resources</b>	<b>Air Quality</b>
<b>Biological Resources</b>	<b>Cultural Resources</b>	<b>Geology/Soils</b>
<b>Greenhouse Gas Emissions</b>	<b>Hazards/Hazardous Materials</b>	<b>Hydrology/Water Quality</b>
<b>Land Use/Planning</b>	<b>Mineral Resources</b>	<b>Noise</b>
<b>Population/Housing</b>	<b>Public Services</b>	<b>Recreation</b>
<b>Transportation/Traffic</b>	<b>Utilities &amp; Service Systems</b>	<b>Mandatory Findings of Significance</b>

**ENVIRONMENTAL DETERMINATION:**

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION has been prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect: (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
For

## EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e. g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards and state whether such effects were addressed by mitigation based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less Than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
  - a) the significance criteria or threshold, if any, used to evaluate each question; and
  - b) the mitigation measure identified, if any, to reduce the impact to less than significant.

## INITIAL STUDY

### A. INITIAL STUDY CHECKLIST

IMPACT CATEGORY	Sources*	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
*See Source References at the end of this Checklist.					

#### 1. AESTHETICS -- Would the project:

a) Have a substantial adverse effect on a scenic vista?	1, 3, 4, 5				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	1, 3, 4, 5				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	1, 3, 4, 5				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	1, 3, 4, 5				X

#### 2. AGRICULTURE AND FORESTRY RESOURCES (In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agency may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.) Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	1, 3, 4, 5				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	1, 3, 4, 5				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 112220(g), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	1, 3, 4, 5				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?	1, 3, 4, 5				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	1, 3, 4, 5				X

IMPACT CATEGORY	Sources*	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
*See Source References at the end of this Checklist.					

**3. AIR QUALITY – (Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.) Would the project:**

a) Conflict with or obstruct implementation of the applicable air quality plan?	1-5				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	1-5				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	1-5				X
d) Expose sensitive receptors to substantial pollutant concentrations?	1-5				X
e) Create objectionable odors affecting a substantial number of people?	1-5				X

**4. BIOLOGICAL RESOURCES -- Would the project:**

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	1, 3, 4, 5				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	1, 3, 4, 5				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	1, 3, 4, 5				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	1, 3, 4, 5				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	1, 3, 4, 5				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	1, 3, 4, 5				X

IMPACT CATEGORY	Sources*	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
*See Source References at the end of this Checklist.					

**5. CULTURAL RESOURCES -- Would the project:**

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5	1, 3, 4, 5				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	1, 3, 4, 5				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	1, 3, 4, 5				X
d) Disturb any human remains, including those interred outside of formal cemeteries?	1, 3, 4, 5				X

**6. GEOLOGY AND SOILS -- Would the project:**

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	1, 3, 4, 5				X
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Div. of Mines and Geology Special Pub. 42.)	1, 3, 4, 5				X
ii) Strong seismic ground shaking?	1, 3, 4, 5				X
iii) Seismic-related ground failure, including liquefaction?	1, 3, 4, 5				X
iv) Landslides?	1, 3, 4, 5				X
b) Result in substantial soil erosion or the loss of topsoil?	1, 3, 4, 5				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	1, 3, 4, 5				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	1, 3, 4, 5				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	1, 3, 4, 5				X

**7. GREENHOUSE GAS EMISSIONS -- Would the project:**

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	1, 3, 4, 5				X
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	1, 3, 4, 5				X

IMPACT CATEGORY	Sources*	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
*See Source References at the end of this Checklist.					

**8. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:**

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	1, 3, 4, 5				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	1, 3, 4, 5				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	1, 3, 4, 5				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	1, 3, 4, 5				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	1, 3, 4, 5				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	1, 3, 4, 5				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	1, 3, 4, 5				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	1, 3, 4, 5				X

**9. HYDROLOGY AND WATER QUALITY -- Would the project:**

a) Violate any water quality standards or waste discharge requirements?	1, 3, 4, 5				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	1, 3, 4, 5				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	1, 3, 4, 5				X



IMPACT CATEGORY	Sources*	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>*See Source References at the end of this Checklist.</b>					
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	1, 3, 4, 5				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	1, 3, 4, 5				X
f) Otherwise substantially degrade water quality?	1, 3, 4, 5				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	1, 3, 4, 5				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	1, 3, 4, 5				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	1, 3, 4, 5				X
j) Inundation by seiche, tsunami, or mudflow?	1, 3, 4, 5				X
k) Potentially impact storm water runoff from construction activities?	1, 3, 4, 5				X
l) Potentially impact storm water runoff from post-construction activities?	1, 3, 4, 5				X
m) Result in a potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work/activity areas?	1, 3, 4, 5				X
n) Result in the potential for discharge of storm water to impact the beneficial uses of receiving waters?	1, 3, 4, 5				X
o) Create the potential for significant changes in the flow velocity or volume of storm water runoff to cause environmental harm?	1, 3, 4, 5				X
p) Create significant increases in erosion of the project site or surrounding areas?	1, 3, 4, 5				X
q) Would the project substantially alter the existing drainage pattern of the site or area, or add water features that could increase habitat for mosquitoes and other vectors and a potential for increased pesticide use?	1, 3, 4, 5				X

**10. LAND USE AND PLANNING -- Would the project:**

a) Physically divide an established community?	1, 3, 4, 5				X
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IMPACT CATEGORY	Sources*	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>*See Source References at the end of this Checklist.</b>					
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	1, 3, 4, 5				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	1, 3, 4, 5				X

**11. MINERAL RESOURCES -- Would the project:**

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	1, 3, 4, 5				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	1, 3, 4, 5				X

**12. NOISE -- Would the project result in:**

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	1, 3, 4, 5				X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	1, 3, 4, 5				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	1, 3, 4, 5				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	1, 3, 4, 5				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	1, 3, 4, 5				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	1, 3, 4, 5				X

**13. POPULATION AND HOUSING -- Would the project:**

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	1, 3, 4, 5				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	1, 3, 4, 5				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	1, 3, 4, 5				X

IMPACT CATEGORY	Sources*	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
*See Source References at the end of this Checklist.					

**14. PUBLIC SERVICES:** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	1, 3, 4, 5				X
Police protection?	1, 3, 4, 5				X
Schools?	1, 3, 4, 5				X
Parks?	1, 3, 4, 5				X
Other public facilities?	1, 3, 4, 5				X

**15. RECREATION:**

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	1, 3, 4, 5				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	1, 3, 4, 5				X

**15. TRANSPORTATION/TRAFFIC -- Would the project:**

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	1, 3, 4, 5				X
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	1, 3, 4, 5				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	1, 3, 4, 5				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	1, 3, 4, 5				X
e) Result in inadequate emergency access?	1, 3, 4, 5				X

IMPACT CATEGORY	Sources*	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>*See Source References at the end of this Checklist.</b>					
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	1, 3, 4, 5				X
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	1, 3, 4, 5				X

**17. UTILITIES AND SERVICE SYSTEMS -- Would the project:**

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	1, 3, 4, 5				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	1, 3, 4, 5				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	1, 3, 4, 5				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	1, 3, 4, 5				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	1, 3, 4, 5				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	1, 3, 4, 5				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?	1, 3, 4, 5				X
h) Require or result in the implementation of a new or retrofitted storm water treatment control Best Management Practice (BMP), (e.g. a water quality treatment basin, constructed treatment wetland, storage vault), the operation of which could result in significant environmental effects (e.g. increased vectors or odors)?	1, 3, 4, 5				X
i) Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects, including a potential increase in pesticide use to control mosquitoes and other vectors?	1, 3, 4, 5				X

IMPACT CATEGORY	Sources*	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
*See Source References at the end of this Checklist.					

**18. MANDATORY FINDINGS OF SIGNIFICANCE:**

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	1-5				X
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	1-5				X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	1-5				X

**SOURCE REFERENCES:**

1.	<i>Centennial General Plan, City of San Clemente</i>
2.	<i>CEQA Air Quality Handbook, South Coast Air Quality Management District, April, 1993</i>
3.	<i>General Plan EIR, City of San Clemente, 2014</i>
4.	<i>Zoning Ordinance and Zoning Map, Title 17 of San Clemente Municipal Code, City of San Clemente</i>
5.	<i>Proposed amendments which are provided under:</i> <i>Exhibit A - Zoning Ordinance Amendment</i> <i>Exhibit B - Precise Zoning Map Amendments</i> <i>Exhibit C - General Plan Land Use Element Amendments</i> <i>Exhibit D - General Plan Land Use Map Amendments</i> <i>Exhibit E - Rancho San Clemente Specific Plan Amendments</i> <i>Exhibit F - West Pico Corridor Specific Plan Amendments</i>
Note: The preceding source documents are available for public review at the City of San Clemente Planning Division, 910 Calle Negocio, Suite 100, San Clemente, California.	

**B. EXPLANATIONS OF CHECKLIST RESPONSES:**1. *Aesthetics*

The proposed project would not result in any adverse aesthetic effects. There are no parcels located within scenic vistas or adjacent to scenic highways as defined in the City's General Plan. Security lighting would be a component of any shelter, but the facility would have to comply with California Building Code and the City's light and glare restrictions which prevents spillage and prohibits substantial light and glare. Emergency shelters will not degrade the existing visual character or quality of the site and its surrounding in that shelters will located in existing buildings that have already gone through a design review processes and have been approved, or would construct a new building that would also be subject to design review to ensure it complies with City's Design Guidelines. It is anticipated that there will be no impacts.

2. *Agricultural Resources*

The project will not affect agricultural resources, since there are no agricultural zones within the city. None of the subject parcels are identified as any type of farmland as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The parcels are not subject to the Williamson Act, or identified as forest land.

3. *Air Quality*

The project will not have any direct or indirect effects beyond existing regulation standards, therefore, it is anticipated that there will be no impacts.

4. *Biological Resources*

The project will not have any impacts on the City's biological resources since there are no changes to the Zoning Ordinance that modify land use boundaries or development standards affecting biological resources. The subject areas do not have sensitive habitat or any species identified as a candidate, sensitive, or special status species in local or regional plan or by the California Department of Fish and Game.

5. *Cultural Resources*

The project will most likely not have impacts on the City's cultural resources since there are no changes to the Zoning Ordinance that modify land use boundaries or development standards affecting a historic resource or archaeological resource pursuant to 15064.5. It is not anticipated will the proposed zone change will destroy a unique paleontological resource or site, unique geologic feature, or human remains. If development of a shelter uncovers resources, the City requires a qualified archeologist assess the find and develop a course of action plan to preserve the find.

6. *Geological and Soils*

The project will not have any negative impacts on the City's geological and soils, since there are no proposed changes to development standards pertaining to geological and soils review in conjunction with development within the City. Any new construction will require geotechnical/engineering soil studies to determine development feasibility and/or requirements.



### 7. *Greenhouse Emissions*

The proposed project would not generate additional greenhouse emissions as the project sites are located in developed areas. There is no conflict with adopted City or local plans for purposes of reducing emissions of greenhouse gases as there are no proposed changes to development standards pertaining to greenhouse emissions in conjunction with development within the City.

### 8. *Hazards and Hazardous Materials*

The project will not have any impacts on the City's hazards and hazardous materials, since the proposed amendments do not change regulations pertaining to hazards and hazardous materials review in conjunction with development within the City.

### 9. *Hydrology and Water Quality*

The project will not have any negative impacts on the City's hydrology and water quality, since the proposed amendments do not modify development standards or other requirements that affect water quality within the City or surrounding area.

### 10. *Land Use and Planning*

The project will not have any impacts on the City's land use and planning, since the proposed amendments are consistent with existing policies identified in applicable regulatory documents, such as the City's General Plan. And, the project does not modify development standards that are in place to prevent adverse impacts on the environment.

### 11. *Mineral Resources*

There are no significant (economically viable) mineral resources in the City. Therefore, the project will not affect mineral resources.

### 12. *Noise*

The project will not have any impacts on noise within the City, since the proposed amendments do not intensify development or change any regulations pertaining to noise standards, therefore, it is anticipated that there will be no impacts.

### 13. *Population and Housing*

The project will not have impacts on population and housing, since the proposed amendments do not change land use designations, land use boundaries, or development standards pertaining to density.

### 14. *Public Services*

The project will not affect public services, since the City would be able to maintain acceptable level of service.

### 15. *Recreation*

The project will not have any impacts on recreation within the City, since the proposed amendments do not change land use designations, land use boundaries, or density standards requiring additional demand for recreational services.



#### 16. *Transportation*

The project will not have any impacts on transportation, since the proposed amendments do not change the demand for more transportation facilities, decrease the availability for parking, or conflict with any existing plans for alternative transportation.

#### 17. *Utilities and Service Systems*

The project will not affect utilities and service systems, since adequate levels of service will be maintained.

#### 18. *Mandatory Findings of Significance*

The scope of the project will not have an adverse immediate or cumulative impact on the quality of the environment. The project amends land use regulations in Chapter 17 specific to emergency shelters to ensure Zoning Ordinance consistency with state legislation.

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**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF SAN CLEMENTE, CALIFORNIA  
TO AMEND THE MUNICIPAL CODE TO IMPLEMENT SENATE BILL 2 ("SB 2"), THE  
EMERGENCY SHELTER ACT; CITY FILE NO.ZA 14-121.**

**WHEREAS**, State law requires all cities and counties to address emergency shelter needs (*Government Code* §65302(c));

**WHEREAS**, the City of San Clemente has evaluated land use and zoning opportunities and constraints to comply with SB 2 requirements to determine ways to best meet the requirements while balancing community safety, needs and resources; and

**WHEREAS**, the Planning Commission held five public meetings to help determine how best to meet emergency shelter needs; and

**WHEREAS**, City Housing Element policies and programs call for the adoption of an ordinance to implement SB 2 requirements; and

**WHEREAS**, the Planning Commission recommended the City Council amend the Zoning Ordinance to establish an Emergency Shelter (ES) Overlay Zone which allows the establishment of homeless shelters by right in various areas, as described in Exhibits A and B; and

**WHEREAS**, the Planning Commission recommended the City Council adopt development standards that establish operational and management standards that apply to homeless shelters established under this ordinance, as shown in Exhibit A; and

**WHEREAS**, July 15, 2014 the City Council held a duly noticed public hearing on the subject application, and considered evidence presented by City staff and other interested parties, and continued the meeting to a date certain; and

**WHEREAS**, August 19, 2014 the City Council held a duly noticed public hearing on the subject application, and considered evidence presented by City staff and other interested parties.

**WHEREAS**, the Planning Division reviewed this proposed ordinance and related General Plan and specific plan amendments pursuant to the California Environmental Quality Act (CEQA), and determined that the proposed actions will not have significant, adverse environmental impacts, and that, therefore, a Negative Declaration is warranted, as shown in Exhibit C;

**NOW, THEREFORE**, the City Council of the City of San Clemente hereby ordains as follows:

**Section 1: Findings.** The City Council finds as follows:

- A. The proposed Zoning Ordinance and Map amendments are consistent with the General Plan as amended.
- B. The proposed amendments will not adversely affect the public health, safety and welfare in that the amendment implements General Plan policies and objectives for residential development.
- C. The proposed amendments are necessary to comply with State Housing law and to meet community emergency shelter needs.

**Section 2. Emergency Shelter Overlay Zone.** The City Council hereby amends the Zoning Ordinance, as shown in Exhibit A, and the official Zoning Map, as shown is Exhibit B, to establish the Emergency Shelter (ES) Overlay Zone to comply with State mandate SB 2.

**Section 3. Development Standards.** The City Council hereby approves the Development Standards, Exhibit A, to comply with SB 2 requirements in State Housing Law and further directs that these standards be included in Section 17.56.100 of the San Clemente Municipal Code.

**Section 4. Environmental Determination.** The City Council hereby has considered the Initial Environmental Study and Negative Declaration of Environmental Impact prepared by the City's Community Development Department for the proposed actions, as shown in Exhibit C. The City Council concurs with the Study's findings and hereby approves the Negative Declaration.

**Section 5. Severability.** If any portion of this Ordinance, or the application of any such provision to any person or circumstance shall be held invalid, the remainder of this Ordinance to the extent it can be given effect of the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby and to this extent the provisions of this Ordinance are severable.

**Section 6. Certification of Passage.** The City Clerk shall certify to the passage of this Ordinance and this Ordinance shall take effect as provided by law

INTRODUCED at a regular meeting of the San Clemente City Council on August 19, 2014.

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Mayor

**PASSED AND ADOPTED** at a regular meeting of the San Clemente City Council on \_\_\_\_\_, 2014.

**EXHIBIT A**  
**Zoning Ordinance Amendment**  
**Ch. 17.56 - Overlay Districts**

Add:

**17.56.100. Emergency Shelters**

**Purpose and Intent.** The purpose of the Emergency Shelter “ES” Overlay designation is to identify those areas where Emergency Shelters are allowed by right, subject to the development and operational standards set forth in this Chapter 17.56. The ES Overlay meets the requirements of State law by designating specific areas where Emergency Shelters, also referred to as “homeless shelters”, may be established and operated by right, to meet the shelter needs based on homeless population estimates in the City’s General Plan Housing Element. The goals for areas with this designation are as follows:

1. To facilitate efforts to address the needs of homeless persons in the City of San Clemente by identifying locations where Emergency Shelters are allowed by right and by establishing objective development and operational standards for Emergency Shelters.
2. To protect public safety, maintain land use compatibility, and preserve property values, neighborhood quality and economic vitality while addressing an identified humanitarian need.
3. To locate such facilities, to the maximum extent possible, close to public transportation, public and community services, near job centers, away from residential neighborhoods, schools, and parks.
4. To allow small-scale, family-oriented Emergency Shelters as an accessory use to Churches and other Religious Institutions.
5. To ensure that Emergency Shelters are designed in accordance with applicable standards, as allowed under State law, and that they comply with City standards and guidelines applying to all other uses in the zone.
6. To ensure that Emergency Shelters are operated in a responsible and community-sensitive manner that prevents and avoids impacts to adjacent neighborhoods and enables residents, businesses and property owners to support, monitor, communicate with shelter operators, and seek City action to protect public health, safety and welfare.
7. To minimize illegal use of open space areas within the City of San Clemente for homeless encampments, loitering, littering and other problems associated with homeless camps.
8. To achieve a Housing Element which complies with State law and that fully addresses all housing needs in the community while balancing other important

community needs and goals, to protect public safety, neighborhood peace and aesthetics, and economic vitality.

**17.56.101. Application of Emergency Shelter (ES) Overlay Zone Requirements.**

The requirements of this section are for Emergency Shelters within the ES Overlay Zone, and for Emergency Shelters allowed as accessory uses to Churches and other Religious Institutions. Emergency Shelters that comply with these standards may be established without use permit or any other discretionary City review.

**17.56.102. Emergency Shelter Overlay District Established.** The City hereby establishes an "Emergency Shelter Overlay Zone" (ES) or District. In this District, Emergency Shelters which meet the standards set forth in this Chapter 17.56 shall be allowed by right. The ES Overlay shall consist of:

- a. Public and Civic Center zoned properties; excluding parcels with schools or school facilities; and
- b. City owned parcels, not located in residential zones and a minimum of 500 feet from residential zoned properties.

**17.56.103. Development Standards.** Emergency Shelters shall comply with the following standards:

**A. Separation.** An Emergency Shelter shall not be established or operated at any location less than three hundred (300) feet from another Emergency Shelter providing shelter and other services to homeless persons.

**B. Number of Emergency Shelters.** The number and capacity of Emergency Shelters allowed without use permit review shall be limited to that required to meet the shelter needs of the number of estimated homeless persons in the City, as established by current reliable information and approved by the City Council.

**C. Emergency Shelter as Accessory Use to Churches and Other Religious Institutions.** Emergency Shelters shall also be allowed, by right, as an accessory use to Churches and Religious Institutions located outside the ES Overlay District, subject to a ten-bed limit per facility.

**D. Maximum Number of Beds.** The maximum number of beds per Emergency Shelter facility shall not exceed 35 within the ES Overlay District. The maximum number of Emergency Shelter beds in a Church or other Religious Institution shall not exceed a maximum of ten beds per facility.

**E. Floor Area Requirement.** Emergency Shelters shall provide a total building floor area of not less than 125 square feet per shelter bed.

**F. On-Site Waiting and Intake Areas.** On-site waiting and client intake areas shall be provided within the Emergency Shelter building. Outdoor waiting areas, if provided, shall be visually screened from the public right-of-way and from adjacent land uses.

**G. Entries and Outdoor Use Areas.** Entries and outdoor use areas shall be located and fully screened with landscaping, fencing or similar measure so that they are not visible from a public street or adjacent use.

**H. Parking.** On-site parking shall be supplied at a ratio of not less than one vehicle space per five beds, plus one additional space for the resident manager and each additional staff person. Parking spaces shall be designed to meet City standards. Enclosed, secure bicycle parking shall be provided on-site at the ratio of not less than one bicycle parking space per ten beds.

**I. Site Lighting.** Site lighting shall be provided for safety and security, consistent with City standards and Design Guidelines.

**J. Architectural Review.** Emergency Shelters shall comply with the City's Design Guidelines and where applicable, the Rancho San Clemente Specific Plan and West Pico Specific Plan architectural and development standards to ensure shelters are compatible with their surroundings, provide adequate privacy between uses and minimize potential impacts of the proposed shelter on adjacent uses.

**17.56.104. Emergency Shelters. Operational Standards.** Emergency Shelters shall be operated in conformance with the following standards:

**A. Shelter Operator.** The Emergency Shelter shall be operated by a responsible Social Service Provider with experience in managing or providing social services.

**B. Supervision.** The Emergency Shelter shall provide at least one qualified on-site supervisor at all times, plus one attendant for each twenty occupants.

**C. Maximum Stay.** Occupancy for any individual or family shall not exceed 180 days in a 365-day period.

**D. Management Plan.** Each Emergency Shelter operator shall submit a management plan for the Community Development Director's review and approval prior to commencement of shelter operations. Said Plan shall include site security measures including, but not limited to fencing, surveillance measures, and on-site security personnel; Neighborhood Relations Plan and enforcement provisions; client

intake and screening; services to be provided; length of stay; drug and alcohol screening requirements; parking provisions; hours of operation; signage; staff training; monitoring, Case Management and oversight measures; annual reporting and review; emergency plan, including, but not limited to emergency contact numbers, evacuation plans and on-site safety measures; and provisions to allow an on-site kennel or off-site pet care for shelter clients.

**17.56.105. Definitions.**

A. "Emergency Shelter" (also referred to as "homeless shelter") means housing with minimal supportive services for homeless persons, and that is limited to occupancy of six months or less by a homeless person.

B. "Church or Religious Institution" means a building which is used as an established place of worship, has a regular congregation and regularly offers religious service, represents a recognized creed and form of worship and is affiliated with an organization of ordained clergy. Legal, conforming churches and religious institutions may operate an Emergency Shelter as an accessory use, pursuant to this Chapter 17.56.

C. "Social Service Provider" means an agency or organization licensed or supervised by any federal, state or local health/welfare agency that participates in the federal Homeless Management Information System (HMIS) and has demonstrated experience with the homeless population by assisting individuals and families achieve economic self-sufficiency and self-determination through a comprehensive array of programs and actions.

D. "Case Management" means a system for arranging and coordinating care and services whereby a case manager assesses the needs of the client and client's family and arranges, coordinates, monitors, and advocates for services to meet the client's needs.

E. "Neighborhood Relations Plan" means 1) a description of operational rules and procedures to be followed to maintain safety, security and compatibility with adjacent land uses, businesses, residents, and property owners, 2) protocol to respond to neighbor or public questions or complaints on a 24-hour basis, and 3) Public information resources and communication methods to be used maintain clear communication between the Emergency Services Provider, the City, local Police, Fire and Medical agencies, businesses and residents.

**Zoning Ordinance Amendment**  
**Ch. 17.88 – Definitions**

Add:

17.88.030 – "C" Definitions:

**C**

**"Carport"** means an accessible structure used for automobile shelter which is permanently roofed.

**Carport, Street-Facing.** "Street-facing carport" means a carport which is oriented toward the street from which primary access to the carport is taken.

**"Change of Copy"** means the change of any words, letters, numbers, figures, designs or other symbolic representations incorporated into a sign.

**"Church or Religious Institution"** means a building which is used as an established place of worship, has a regular congregation and regularly offers religious services, represents a recognized creed and form of workshop and is affiliated with an organization of ordained clergy. Legal, conforming churches and religious institutions may operate an emergency shelter as an accessory use, pursuant to San Clemente Municipal Code Chapter 17.56.

**"Coastal sage scrub"** means a natural occurring plant community consisting mostly of perennial shrubs and groundcovers adapted to winter rains and summer drought that occurs mostly on coastal hills and canyons within Central and Southern California. Typical Coastal sage scrub plants include: *Rhus integrifolia* (Lemonadeberry), *Heteromeles arbutifolia* (Toyon or California Holly), *Artemisia californica* (Coastal Sagebrush), *Eriogonum fasciculatum* (California Buckwheat), *Quercus agrifolia* (Coast Live Oak), and *Salvia* spp. (various species of Sage).



**Zoning Ordinance Amendment**  
**Ch. 17.48.020 – Permitted and Conditional Uses within Public Zones Table**

Use	CVC	P	INST
Emergency Shelter	P	P	

6. Refer to Section 17.56.100, Emergency Shelter Overlay. Exception, Public zoned parcels with a school or school faculties shall not be permitted to establish an emergency shelter.

**Zoning Ordinance Amendment**  
**Ch. 17.08.010 – Zones Established**

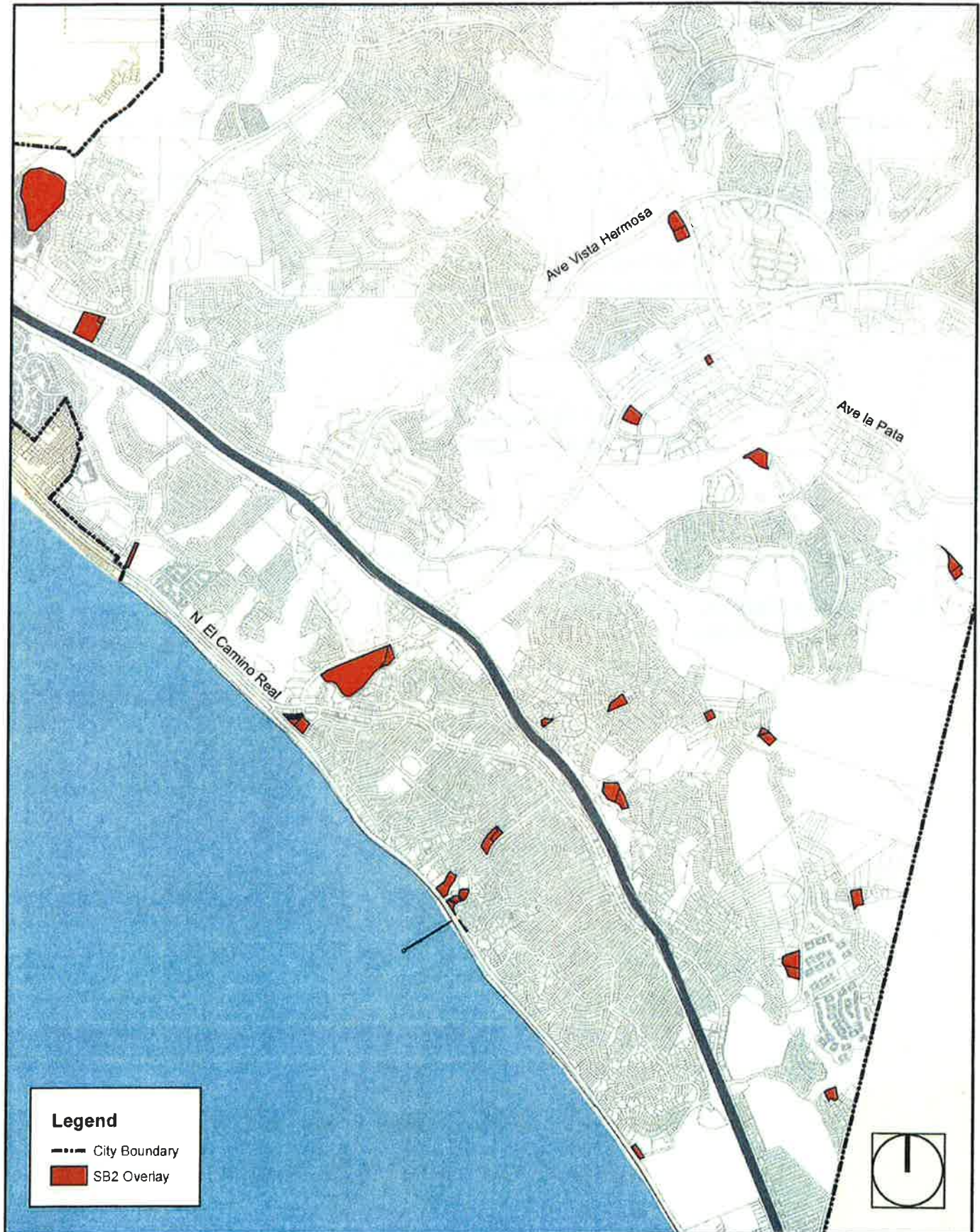
Add:

**Zone Title**

**Map Designation**

**G. Overlay Districts**  
Emergency Shelter

-ES



Data Source: City of San Clemente 08.11.2014

0 0.2 0.4 0.8 Miles

**Exhibit C**  
**Initial Environmental Study and Negative Declaration**

**CITY OF SAN CLEMENTE**  
**ENVIRONMENTAL CHECKLIST FORM**

1. Project Title: SB2 Emergency Shelter Ordinance
2. Lead Agency Name and Address: City of San Clemente  
910 Calle Negocio, Suite 100  
San Clemente, CA 92673
3. Contact Person and Phone Number: Amber Gregg (949) 361-6196
4. Project Location: City of San Clemente
5. Project Sponsor's Name: City of San Clemente  
and Address 910 Calle Negocio, Suite 100  
San Clemente, CA 92673
6. General Plan Designation: Emergency Shelter Overlay; may include Public and Civic Center zoned parcels, City owned properties city-wide in Commercial, Business Park, and Industrial zoned properties, and properties in the Rancho San Clemente Business Park and West Pico Corridor Specific Plans. Project will also modify permitted uses for all churches which are located through out the City and in every Land Use designation.
7. Zoning: Emergency Shelter Overlay; may include Public and Civic Center zoned parcels, City owned properties city-wide in Commercial, Business Park, and Industrial zoned properties, and properties in the Rancho San Clemente Business Park and West Pico Corridor Specific Plans. Project will also modify permitted uses for all churches which are located through out the City and in every Land Use designation.
8. Description of the Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary)

Amend the General Plan, applicable specific plans, the Zoning Ordinance and Precise Zoning Map to allow emergency shelters, "by right," to comply with State law. The amendments designate an SB 2 overlay zone or "emergency shelter overlay", establishes development and management standards for homeless shelters, and allows homeless shelters as accessory uses to churches with a ten-bed limit. Senate Bill 2 (SB 2) requires

all Cities allow emergency homeless shelters by right in at least one zone. State criteria for SB 2 zones include, sufficient size and capacity to accommodate identified homeless need, realistic potential for development or reuse opportunities, and near transit, job centers and public and community services. Emergency Shelter Overlay; may include Public and Civic Center zoned parcels, City owned properties city-wide in Commercial, Business Park, and Industrial zoned properties, and properties in the Rancho San Clemente Business Park and West Pico Corridor Specific Plans. Project will also modify permitted uses for all churches which are located through out the City and in every Land Use designation. The City proposes to allow emergency shelters by right for up to 35 persons on parcels within the emergency shelter overlay.

The proposed project includes development standards for emergency homeless shelters which include but are not limited to:

- a) Maximum number of beds.
- b) Floor area requirements of 125 square feet per bed.
- c) Maximum length of stay, and
- d) A management plan.

A copy of the proposed modifications are provide under the attached exhibits.

9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings)  
The Emergency Shelter Overlay; includes Public and Civic Center zoned parcels, and, City owned properties city-wide in Commercial, Business Park, and Industrial zoned properties. Other areas considered for the overlay includes approximately 3.5 acres of Community Commercial designated parcels located in the West Pico Corridor Specific Plan, 250 acres of Business Park. Project will also modify permitted uses for all churches which are located through out the City and in every Land Use designation.

Public and Civic Center zoned parcels are dispersed throughout the community and located in every land use designation. They are commonly surrounded by residential zones. The City owned properties in commercial, business park and industrial locations are surrounded by commercial and industrial uses, and are at least 500 feet from residential zones.

The subject area of the West Pico Corridor Specific Plan is a predominantly improved area with a mix of commercial and light industrial uses. To the north and west is a steep slope, east is the I-5 freeway, and south is a mix of commercial uses. Residential zones are at least 500 feet from the area. The area has access to transit, job centers, and public and community services

The Rancho San Clemente, Business Park is a predominantly developed area that is surrounded by open space slopes. Residential zones are at least 500 feet from the SB 2 overlay zone. The area has access to transit, job centers, and public and community services.

Churches in San Clemente are located is all land use designations with the exception of open space: residential, institutional, public, mixed use and commercial.

10. Other public agencies whose approval is required: (e.g. permits, financing approval, or participation agreement).

California Department of Housing and Community Development (as part of its mandatory review of the City's Draft 2014-2015 Housing Element).

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**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The following Initial Study indicates that the project may result in potential environmental impacts in the following marked categories:

<b>Aesthetics</b>	<b>Agricultural Resources</b>	<b>Air Quality</b>
<b>Biological Resources</b>	<b>Cultural Resources</b>	<b>Geology/Soils</b>
<b>Greenhouse Gas Emissions</b>	<b>Hazards/Hazardous Materials</b>	<b>Hydrology/Water Quality</b>
<b>Land Use/Planning</b>	<b>Mineral Resources</b>	<b>Noise</b>
<b>Population/Housing</b>	<b>Public Services</b>	<b>Recreation</b>
<b>Transportation/Traffic</b>	<b>Utilities &amp; Service Systems</b>	<b>Mandatory Findings of Significance</b>

**ENVIRONMENTAL DETERMINATION:**

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION has been prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect: (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
For

## EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e. g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards and state whether such effects were addressed by mitigation based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less Than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
  - a) the significance criteria or threshold, if any, used to evaluate each question; and
  - b) the mitigation measure identified, if any, to reduce the impact to less than significant.

## INITIAL STUDY

### A. INITIAL STUDY CHECKLIST

IMPACT CATEGORY	Sources*	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
*See Source References at the end of this Checklist.					

#### 1. AESTHETICS -- Would the project:

a) Have a substantial adverse effect on a scenic vista?	1, 3, 4, 5				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	1, 3, 4, 5				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	1, 3, 4, 5				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	1, 3, 4, 5				X

#### 2. AGRICULTURE AND FORESTRY RESOURCES (In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agency may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.) Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	1, 3, 4, 5				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	1, 3, 4, 5				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 112220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	1, 3, 4, 5				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?	1, 3, 4, 5				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	1, 3, 4, 5				X



IMPACT CATEGORY	Sources*	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>*See Source References at the end of this Checklist.</b>					

**3. AIR QUALITY – (Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.) Would the project:**

a) Conflict with or obstruct implementation of the applicable air quality plan?	1-5				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	1-5				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	1-5				X
d) Expose sensitive receptors to substantial pollutant concentrations?	1-5				X
e) Create objectionable odors affecting a substantial number of people?	1-5				X

**4. BIOLOGICAL RESOURCES -- Would the project:**

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	1, 3, 4, 5				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	1, 3, 4, 5				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	1, 3, 4, 5				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	1, 3, 4, 5				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	1, 3, 4, 5				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	1, 3, 4, 5				X

IMPACT CATEGORY	Sources*	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>*See Source References at the end of this Checklist.</b>					

**5. CULTURAL RESOURCES -- Would the project:**

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5	1, 3, 4, 5				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	1, 3, 4, 5				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	1, 3, 4, 5				X
d) Disturb any human remains, including those interred outside of formal cemeteries?	1, 3, 4, 5				X

**6. GEOLOGY AND SOILS -- Would the project:**

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	1, 3, 4, 5				X
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Div. of Mines and Geology Special Pub. 42.)	1, 3, 4, 5				X
ii) Strong seismic ground shaking?	1, 3, 4, 5				X
iii) Seismic-related ground failure, including liquefaction?	1, 3, 4, 5				X
iv) Landslides?	1, 3, 4, 5				X
b) Result in substantial soil erosion or the loss of topsoil?	1, 3, 4, 5				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	1, 3, 4, 5				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	1, 3, 4, 5				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	1, 3, 4, 5				X

**7. GREENHOUSE GAS EMISSIONS -- Would the project:**

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	1, 3, 4, 5				X
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	1, 3, 4, 5				X

IMPACT CATEGORY	Sources*	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
*See Source References at the end of this Checklist.					

**8. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:**

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	1, 3, 4, 5				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	1, 3, 4, 5				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	1, 3, 4, 5				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	1, 3, 4, 5				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	1, 3, 4, 5				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	1, 3, 4, 5				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	1, 3, 4, 5				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	1, 3, 4, 5				X

**9. HYDROLOGY AND WATER QUALITY -- Would the project:**

a) Violate any water quality standards or waste discharge requirements?	1, 3, 4, 5				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	1, 3, 4, 5				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	1, 3, 4, 5				X

IMPACT CATEGORY	Sources*	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>*See Source References at the end of this Checklist.</b>					
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	1, 3, 4, 5				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	1, 3, 4, 5				X
f) Otherwise substantially degrade water quality?	1, 3, 4, 5				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	1, 3, 4, 5				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	1, 3, 4, 5				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	1, 3, 4, 5				X
j) Inundation by seiche, tsunami, or mudflow?	1, 3, 4, 5				X
k) Potentially impact storm water runoff from construction activities?	1, 3, 4, 5				X
l) Potentially impact storm water runoff from post-construction activities?	1, 3, 4, 5				X
m) Result in a potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work/activity areas?	1, 3, 4, 5				X
n) Result in the potential for discharge of storm water to impact the beneficial uses of receiving waters?	1, 3, 4, 5				X
o) Create the potential for significant changes in the flow velocity or volume of storm water runoff to cause environmental harm?	1, 3, 4, 5				X
p) Create significant increases in erosion of the project site or surrounding areas?	1, 3, 4, 5				X
q) Would the project substantially alter the existing drainage pattern of the site or area, or add water features that could increase habitat for mosquitoes and other vectors and a potential for increased pesticide use?	1, 3, 4, 5				X

**10. LAND USE AND PLANNING -- Would the project:**

a) Physically divide an established community?	1, 3, 4, 5				X
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IMPACT CATEGORY	Sources*	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>*See Source References at the end of this Checklist.</b>					
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	1, 3, 4, 5				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	1, 3, 4, 5				X

**11. MINERAL RESOURCES -- Would the project:**

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	1, 3, 4, 5				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	1, 3, 4, 5				X

**12. NOISE -- Would the project result in:**

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	1, 3, 4, 5				X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	1, 3, 4, 5				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	1, 3, 4, 5				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	1, 3, 4, 5				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	1, 3, 4, 5				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	1, 3, 4, 5				X

**13. POPULATION AND HOUSING -- Would the project:**

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	1, 3, 4, 5				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	1, 3, 4, 5				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	1, 3, 4, 5				X

IMPACT CATEGORY	Sources*	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
*See Source References at the end of this Checklist.					

**14. PUBLIC SERVICES:** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	1, 3, 4, 5				X
Police protection?	1, 3, 4, 5				X
Schools?	1, 3, 4, 5				X
Parks?	1, 3, 4, 5				X
Other public facilities?	1, 3, 4, 5				X

**15. RECREATION:**

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	1, 3, 4, 5				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	1, 3, 4, 5				X

**15. TRANSPORTATION/TRAFFIC -- Would the project:**

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	1, 3, 4, 5				X
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	1, 3, 4, 5				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	1, 3, 4, 5				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	1, 3, 4, 5				X
e) Result in inadequate emergency access?	1, 3, 4, 5				X

IMPACT CATEGORY	Sources*	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
*See Source References at the end of this Checklist.					
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	1, 3, 4, 5				X
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	1, 3, 4, 5				X

**17. UTILITIES AND SERVICE SYSTEMS -- Would the project:**

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	1, 3, 4, 5				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	1, 3, 4, 5				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	1, 3, 4, 5				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	1, 3, 4, 5				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	1, 3, 4, 5				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	1, 3, 4, 5				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?	1, 3, 4, 5				X
h) Require or result in the implementation of a new or retrofitted storm water treatment control Best Management Practice (BMP), (e.g. a water quality treatment basin, constructed treatment wetland, storage vault), the operation of which could result in significant environmental effects (e.g. increased vectors or odors)?	1, 3, 4, 5				X
i) Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects, including a potential increase in pesticide use to control mosquitoes and other vectors?	1, 3, 4, 5				X

IMPACT CATEGORY	Sources*	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
*See Source References at the end of this Checklist.					

**18. MANDATORY FINDINGS OF SIGNIFICANCE:**

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	1-5				X
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	1-5				X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	1-5				X

**SOURCE REFERENCES:**

1.	<i>Centennial General Plan, City of San Clemente</i>
2.	<i>CEQA Air Quality Handbook, South Coast Air Quality Management District, April, 1993</i>
3.	<i>General Plan EIR, City of San Clemente, 2014</i>
4.	<i>Zoning Ordinance and Zoning Map, Title 17 of San Clemente Municipal Code, City of San Clemente</i>
5.	<i>Proposed amendments which are provided under:</i> <i>Exhibit A - Zoning Ordinance Amendment</i> <i>Exhibit B - Precise Zoning Map Amendments</i> <i>Exhibit C - General Plan Land Use Element Amendments</i> <i>Exhibit D - General Plan Land Use Map Amendments</i> <i>Exhibit E - Rancho San Clemente Specific Plan Amendments</i> <i>Exhibit F - West Pico Corridor Specific Plan Amendments</i>
Note: The preceding source documents are available for public review at the City of San Clemente Planning Division, 910 Calle Negocio, Suite 100, San Clemente, California.	



**B. EXPLANATIONS OF CHECKLIST RESPONSES:**1. *Aesthetics*

The proposed project would not result in any adverse aesthetic effects. There are no parcels located within scenic vistas or adjacent to scenic highways as defined in the City's General Plan. Security lighting would be a component of any shelter, but the facility would have to comply with California Building Code and the City's light and glare restrictions which prevents spillage and prohibits substantial light and glare. Emergency shelters will not degrade the existing visual character or quality of the site and its surrounding in that shelters will located in existing buildings that have already gone through a design review processes and have been approved, or would construct a new building that would also be subject to design review to ensure it complies with City's Design Guidelines. It is anticipated that there will be no impacts.

2. *Agricultural Resources*

The project will not affect agricultural resources, since there are no agricultural zones within the city. None of the subject parcels are identified as any type of farmland as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The parcels are not subject to the Williamson Act, or identified as forest land.

3. *Air Quality*

The project will not have any direct or indirect effects beyond existing regulation standards, therefore, it is anticipated that there will be no impacts.

4. *Biological Resources*

The project will not have any impacts on the City's biological resources since there are no changes to the Zoning Ordinance that modify land use boundaries or development standards affecting biological resources. The subject areas do not have sensitive habitat or any species identified as a candidate, sensitive, or special status species in local or regional plan or by the California Department of Fish and Game.

5. *Cultural Resources*

The project will most likely not have impacts on the City's cultural resources since there are no changes to the Zoning Ordinance that modify land use boundaries or development standards affecting a historic resource or archaeological resource pursuant to 15064.5. It is not anticipated will the proposed zone change will destroy a unique paleontological resource or site, unique geologic feature, or human remains. If development of a shelter uncovers resources, the City requires a qualified archeologist assess the find and develop a course of action plan to preserve the find.

6. *Geological and Soils*

The project will not have any negative impacts on the City's geological and soils, since there are no proposed changes to development standards pertaining to geological and soils review in conjunction with development within the City. Any new construction will require geotechnical/engineering soil studies to determine development feasibility and/or requirements.

### 7. *Greenhouse Emissions*

The proposed project would not generate additional greenhouse emissions as the project sites are located in developed areas. There is no conflict with adopted City or local plans for purposes of reducing emissions of greenhouse gases as there are no proposed changes to development standards pertaining to greenhouse emissions in conjunction with development within the City.

### 8. *Hazards and Hazardous Materials*

The project will not have any impacts on the City's hazards and hazardous materials, since the proposed amendments do not change regulations pertaining to hazards and hazardous materials review in conjunction with development within the City.

### 9. *Hydrology and Water Quality*

The project will not have any negative impacts on the City's hydrology and water quality, since the proposed amendments do not modify development standards or other requirements that affect water quality within the City or surrounding area.

### 10. *Land Use and Planning*

The project will not have any impacts on the City's land use and planning, since the proposed amendments are consistent with existing policies identified in applicable regulatory documents, such as the City's General Plan. And, the project does not modify development standards that are in place to prevent adverse impacts on the environment.

### 11. *Mineral Resources*

There are no significant (economically viable) mineral resources in the City. Therefore, the project will not affect mineral resources.

### 12. *Noise*

The project will not have any impacts on noise within the City, since the proposed amendments do not intensify development or change any regulations pertaining to noise standards, therefore, it is anticipated that there will be no impacts.

### 13. *Population and Housing*

The project will not have impacts on population and housing, since the proposed amendments do not change land use designations, land use boundaries, or development standards pertaining to density.

### 14. *Public Services*

The project will not affect public services, since the City would be able to maintain acceptable level of service.

### 15. *Recreation*

The project will not have any impacts on recreation within the City, since the proposed amendments do not change land use designations, land use boundaries, or density standards requiring additional demand for recreational services.

### 16. *Transportation*

The project will not have any impacts on transportation, since the proposed amendments do not change the demand for more transportation facilities, decrease the availability for parking, or conflict with any existing plans for alternative transportation.

### 17. *Utilities and Service Systems*

The project will not affect utilities and service systems, since adequate levels of service will be maintained.

### 18. *Mandatory Findings of Significance*

The scope of the project will not have an adverse immediate or cumulative impact on the quality of the environment. The project amends land use regulations in Chapter 17 specific to emergency shelters to ensure Zoning Ordinance consistency with state legislation.

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## ATTACHMENT 7

# AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING  
Meeting Date: July 15, 2014

City Manager: \_\_\_\_\_  
Dept. Head: \_\_\_\_\_  
Attorney: \_\_\_\_\_  
Finance: \_\_\_\_\_

**Department:** Community Development  
**Prepared By:** Amber Gregg, Associate Planner

**Subject:** **SB 2 EMERGENCY HOMELESS SHELTER ZONE & DEVELOPMENT STANDARDS**

**Fiscal Impact:** None

**Summary:** During the past five months the Planning Commission has heard extensive public testimony on SB 2 and related issues, reviewed State law and implementation guidelines, and considered alternative strategies for complying with SB 2. Commission deliberations have focused on potential shelter locations, development and management standards and at its June 18, 2014 meeting, the Commission forwarded the following recommendations for Council action:

1. Location of Emergency Shelters:
  - a. Designate 16 parcels in the Calle De Industrias area as part of an SB 2 Overlay Zone (**Attachment 3**). In this area, emergency shelters would be permitted by right for up to 50 beds per facility, subject to specific development and operating standards.
  - b. Designate parcels in the Rancho San Clemente Business Park zone that are at least 500 feet from Residential zones as part of an SB 2 Overlay Zone. In this area, emergency shelters would be permitted by right for up to 35 beds per facility, subject to specific development and operating standards.
  - c. Permitted by right as an accessory use to Churches, for up to six beds per church and subject to specific development and operating standards.
2. Adopt Draft Development and Operating Standards for Emergency Homeless Shelters as provided in the attached ordinance provided under **Attachment 2**.

**Background:** **What is SB 2?** Senate Bill 2 (SB 2) is a State mandate that requires all cities and counties to designate at least one zone where emergency shelters (i.e. "homeless shelters") are allowed by right; that is, as a permitted use without requiring approval of a Conditional Use Permit. It does not require a city to fund or build a shelter. As part of the 2011 Housing Element Update, the Department of Housing and Community Development (HCD) worked with the City and certified our Housing Element with the understanding that the City would become compliant with SB 2 requirements. With completion of the Centennial General Plan, the City is focusing on SB 2 compliance as an initial step in updating its 2011 Housing Element.

***San Clemente's efforts to meet housing needs.*** San Clemente has made significant efforts to meet a wide variety of housing needs. The City has three transitional housing facilities; each provide services for specific special needs housing population. Facilities include, Henderson House, Gilchrist House and Laura's House.

*Gilchrist House* provides shelter for women and children. Owned and operated by Family Assistance Ministries, Gilchrist House offers transitional housing in the Vista Los Mares neighborhood with a 26-bed capacity for single women and women with children.

*Henderson House* provides shelter for youth. It is operated by Friendship Shelter Inc., and provides a 24-bed, transitional housing facility. Recently, the Friendship Shelter was awarded a Permanent Supportive Housing HUD grant and now TAY (Transitional Aged Youth ages 18 – 25 year olds) who were formerly homeless and suffering from mental health issues will be housed at the facility. The STAY (Support for Transitional Aged Youth) program will provide the support services along with Friendship Shelter.

*Laura's House* is a domestic violence shelter for women and children that offers counseling, employment, and life-training. Laura's House originally provided 28 beds. In 2011, Laura's House invested \$4.5 million to improve and expand their facility to provide 44 beds and 10 cribs. In 2013, a second facility was established providing an additional 22 beds and two cribs for domestic violence victims.

The City has also made great efforts to meet the affordable housing needs of the community.

*Mendocino* in Talega provides affordable housing for families. Jamboree manages 186 two- and three-bedroom apartment homes for families earning 40-60% of the area median income.

*Mary Erickson Community Housing* (MECH) has been providing affordable housing for families for the past 20 years. They provide a total of 18 units for low and very low rental units in the City.

*Cotton's Point* by META Housing is the latest affordable Senior Housing development. The 76 unit development provides one- and two-bedroom units for low income and mentally challenged elderly. *Casa De Seniors* provides 72 units and *Vintage Shores* has 122 units, for a total of 270 affordable age restricted units.

*Avenida Serra*, currently under construction, will provide 19 very low-income units for workforce housing.

These facilities serve a very important need in our community, but they do not meet the qualifications to satisfy SB 2 requirements for emergency shelter. An emergency shelter is defined as "housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay." (Health & Safety Code § 50801(e).) The facilities provided do not meet that

definition because they serve a specific demographic need, and are not open to all individuals.

### ***City's Efforts to Date***

**Council Subcommittee review.** In April 2013, the City Manager at that time, George Scarborough, created an SB 2 Subcommittee made up of Council members Tim Brown and Bob Baker, and staff members Jim Holloway, Community Development Director, Chief John Coppock, and Denise Obrero, Housing Programs Planner and Secretary of the Human Affairs Committee and The San Clemente Homeless Taskforce.

In September 2013, the Subcommittee analyzed areas that most closely met State criteria and that were located away from residential areas. These areas included Los Molinos, Rancho San Clemente Business Park and the Talega Business Park. After considering the options, the Subcommittee concluded that the Industrial Park Zone of the Rancho San Clemente Business Park appeared to be the most appropriate area because of its location, lot size, availability of public transportation, and proximity to existing social services available through Family Assistance Ministries (FAM), The Friendship Center (AA meetings), Talega Life Church, Heritage Christian Fellowship Church, and The Shoreline Church. A memo detailing the Subcommittee's findings is provided under ***Attachment 9***. A meeting with social workers and Business Park owners at Heritage Church in November resulted in the area being expanded to include the Business Park Zone within the Rancho San Clemente Business Park.

**Planning Commission review.** The Planning Commission held five public hearings on SB 2. Staff Reports and Minutes for each meeting are provided under ***Attachments 4-8***. The following is a synopsis of those meetings:

1. *February 5, 2014*, City staff introduced SB 2, Commissioners discussed the City's estimated homeless count, and reviewed Council Subcommittee findings.
2. *March 19, 2014*, Commissioners directed staff to consider all of the sites that had been mentioned at the public hearing. Those locations included: Rancho San Clemente Business Park Association's open-space "triangle lot" adjacent to Ave Pico.; Big Lots/Kmart Retail Center; Calle De Industrias (area behind Denny's Restaurant on Avenida Pico), vacant, City-owned lot adjacent to the Water Treatment Facility; vacant site adjacent to Heritage Church; Rancho San Clemente Industrial Park; Rancho San Clemente Business Park; and citywide Churches. Staff was also directed to research what other cities had done to address SB 2. These topics will be reviewed in further detail later in the report.
3. *May 7, 2014*, Commissioners reviewed site analysis of the seven potential areas. This issue caused community concerns, particularly for residents surrounding the former K-Mart/Big Lots Center on Camino de la Estrella. Due to this site's proximity to residential neighborhoods, the Planning Commission removed the K-Mart/Big Lots site from consideration at the beginning of the meeting. An estimate homeless count of 70 was agreed upon at the meeting. This was based

on San Clemente Police Service information and supported by local and county service providers.

4. *May 28, 2014*, The Planning Commission continued to discuss potential locations and tentatively supported: 1) allowing churches to provide up to six beds for emergency shelter by right, and 2) create an SB 2 Overlay that included 16 parcels along Calle De Industrias, and the parcels 500 feet from residential zones in the Rancho San Clemente Business Park. Draft shelter and development and operating standards were also reviewed and endorsed. It was confirmed that a Conditional Use Permit (CUP) could and should be required for proposed shelter facilities after the City need was met. Staff was directed to incorporate the Planning Commission changes into a draft Ordinance and related documents for Commission action.
5. *June 18, 2014*, Commission discussed potential to limit emergency shelters to churches in the Rancho San Clemente Business Park, with a bed count of 35 beds per facility. That option did not have majority support. On a 4:3 vote, the Planning Commission supported the recommendation which is currently before Council. Commission comments, perspectives and "straw votes" are described in the draft minutes, **Attachment 4**.

**Public notice.** There is considerable public interest in SB 2 and how the City will comply. Consequently, public notice for tonight's meeting was extensive. In all, approximately 1,930 property owner notices were sent. In addition to publishing an ad in a local newspaper, as required by State and local law, public notice was provided several ways:

1. Direct mail notice was sent to property owners within a) Rancho San Clemente Business Park, b) churches and religious institutions, c) Calle De Industrias study area, d) the Rancho San Clemente Triangle site, and e) property owners within 300 feet of these areas.
2. E-mails to persons who had requested meeting notice.
3. 1/8 page legal ad placed in the Sun Post on Friday, July 4, 2014.
4. Updated an SB 2 website on the City's Internet site, explaining SB 2 requirements, review process, areas being considered, and how to provide comments and/or learn more about SB 2. ([www.san-clemente.org/SB2homelessshelter](http://www.san-clemente.org/SB2homelessshelter))

**Community Meetings.** Three community meetings were held.

1. In *November 2013*, a workshop was held at the Heritage Church in San Clemente. At that meeting, many social service providers expressed support for applying an SB 2 Overlay zone in the Rancho San Clemente (RSC) Business Park. However, the business and property owners from this area in attendance either opposed locating a shelter in the Business Park or believed that the area being considered to meet SB 2 requirements should be expanded.

2. *March 4, 2014*, a meeting was held by the RSC Business Park Association to discuss SB 2. At this meeting, most of the Business Park owners opposed zoning the RSC Business Park to allow homeless shelters. They offered suggestions as to where they thought better locations might be for the SB 2 zoning, and offered the Association-owned "triangle Site" and adjacent acreage as a potential homeless shelter site.
3. *April 4, 2014*, Clergy meeting. Staff invited religious leaders from 21 religious institutions to comment on SB 2 and discuss possible church roles in addressing SB 2. Clergy members present agreed that churches could be part of the solution, but should not be viewed as the entire solution. They noted they could help fundraise for a shelter, host overflow beds if needed, and help provide volunteers to support operating a homeless shelter facility.

***How have nearby communities addressed SB 2?*** Attachment 12 describes how South Orange County cities have met SB 2 requirements and summarizes various cities' SB 2 ordinance provisions. For example, *the City of San Juan Capistrano* (SJC) allows homeless shelters by right in the "Public and Institutional Zone" and sets a standard of "no more than one bed per 250 square feet of gross building space." The City states that under its SB 2 ordinance, more than 20 properties are suitable for emergency shelters and transitional housing facilities.

*The City of Dana Point* designated its Community Facilities Zone to meet SB 2 requirements and later, allowed churches to operate homeless shelters as an "accessory use", subject to 10-bed limit. Shelters in the Community Facilities Zone have a 20-bed limit.

In 2009, The American Civil Liberties Union of Southern California successfully sued the *City of Laguna Beach* for alleged illegal treatment of mentally and physically disabled homeless people. As a result of that court action, the City of Laguna Beach financially supports Friendship Shelter's Alternative Sleeping Location ("ASL"). ASL is a 45-bed emergency shelter located in Laguna Canyon, within Laguna Beach City limits.

*The City of Mission Viejo* designated its Business Park Zone (approximately 165 acres) to meet SB 2 requirements.

***Consequences of not complying with SB 2.*** According to the City Attorney, not complying with SB 2 has several potentially serious consequences. It would:

1. Prevent the City from getting State approval of an updated Housing Element. This, in turn, can result in legal challenges to the validity of the City's General Plan.
2. Result in noncompliance with State law, leaving the City vulnerable to legal action.
3. Result in the loss of State housing funds or tax credits, which could affect the City's ability to assist future affordable housing developments.



4. Continue uncertainty as to where and how emergency shelters are allowed, since the Zoning Ordinance is silent on this question.

***How many homeless persons are in San Clemente?*** According to San Clemente Police Services, San Clemente's year round homeless population is estimated at 65-70 persons. This is consistent with the National average that .1% of the population is homeless (.1% of 65,000 = 65). Many cities rely upon local law enforcement to establish current homeless counts. The Sheriff's estimate was also reviewed and supported by local homeless service providers and County social services providers. With the estimated persons being a range of 65-70, the City Attorney stated that the higher number, 70, was the number that needed to be used to ensure the City adequately addressed our shelter need. Planning Commission supported the current estimate. For additional information on how this estimate was met, please refer to the May 7, 2014 Staff Report and minutes provided under **Attachment 6**.

## **SB 2 Site Criteria and Analyzed Locations**

***State criteria for SB 2 Sites.*** According to HCD's Local Planning and Approval Guidelines, **Attachment 10**, cities should use the following criteria in identifying SB 2 sites or zones:

- a) Zoning area(s) identified to allow emergency shelters by right must be of sufficient size and capacity to accommodate the identified homeless need.
- b) The identified zone(s) must have a realistic potential for development or reuse opportunities in the planning period.
- c) Capacity for emergency shelters must be suitable and available and account for physical features (flooding, seismic hazards, chemical contamination, other environmental constraints, and slope instability or erosion) and location (proximity to transit, job centers, and public and community services).

In addition to the above requirements, the Planning Commission directed staff to maintain an adequate buffer between potential shelter areas and Residential zones. The Commission determined that for an SB 2 site to be suitable, it should be located at least 500 feet from a residential zone or school, and that a 1000 foot buffer was desirable.

The Planning Commission also directed staff to review potential impacts of locating a shelter in a high fire hazard area due to public concerns. Staff contacted Orange County Fire Authority (OCFA), San Clemente representative, Lynne Pivaroff and asked if developments, such as a shelter, could be located in high fire danger areas. Ms. Pivaroff said yes, but that such development would have to comply with the California Building Code Chapter 7A. This code section sets requirements for exterior building material and construction requirements to minimize risk due to exterior wildfire exposure. San Clemente has numerous developments within the high fire hazard zone.

**Site analysis.** During the Planning Commission public hearing process, several sites or areas were identified by the Commission, the public, or staff for further study. These are discussed below. Each site or area appears to meet one or more State criteria. The results of the analysis are shown in a matrix, **Table 1**. For a complete analysis of each site, please refer to May 7, 2014 Staff Report and Minutes provided under **Attachment 6**.

In identifying potential SB 2 sites, separating potential shelter locations from residential zones was a primary goal. To analyze this, staff used computer (GIS) mapping to apply 500 foot and 1000 foot “buffers”, or spacing, from all residential zones, which include many schools and parks. The results of that analysis are shown in **Attachment 11**.

**Table 1**  
**SB2 Study Site Analysis Matrix**

“X” meets criteria

SB 2 Criteria

Sites	Away from Res. <sup>1</sup>	Public Transit w/in ¼ mile <sup>2</sup>	Proximity to Services <sup>3</sup>	Near Job Center <sup>4</sup>	Free from Env. Constraints <sup>5</sup>
1. RSC Triangle Lot	X	X	X	X	
2. Big Lots/Kmart		X	X	X	X
3. Behind Denny’s	X	X	X	X	X
4. Vacant Water Treatment Land		X		X	X
5. Heritage Church Lot	X	X	X	X	X
6. RSC Industrial Park				X	
7. RSC Business Park	X	X	X	X	
8. Churches <sup>6</sup>	Varies by location				
9. Public & Institutional Parcels	Varies by location				

Matrix Footnotes Notes:

- 1) Staff assumed a minimum 500 foot distance from residential zones and schools.
- 2) According to OCTA bus routes dated February 9, 2014

- 3) According to SB 2 Guidelines, potential sites should be close to public transit, job centers, and public and community services. Public and community services include government offices, post office, medical services, churches, and resource centers such as FAM. Staff assumed that services within ¼ of a mile of a project site would classify as "close proximity." This is consistent with federal transit standards for acceptable walking distance.
- 4) Staff assumed that job centers within ¼ of a mile of a project site would classify as close proximity. This is consistent with federal transit standards for acceptable walking distance.
- 5) According to SB 2 Guidelines, potential sites must consider and where possible, mitigate or avoid environmental constraints such as flood-prone areas, seismic hazard areas, fire hazard areas, geologic or soil hazard areas, or areas with chemical contamination.

After considering GIS mapping and site analysis, the Planning Commission narrowed the potential sites to the Calle De Industrias area (area behind Denny's), Rancho San Clemente Business Park and Churches.

The Triangle and the Public and Institutional zones were also considered but later eliminated. The Triangle site meets most of the SB 2 criteria, but it is zoned open space. Pursuant to Measure V, Commissioners doubted the feasibility of the Triangle Site since it was most likely to require a citywide popular vote of the residents, to rezone the area to permit a shelter. According to the Assistant City Attorney, the City should not identify the site as a viable SB 2 location option until the zone was changed. While Measure V allows an exception to the vote requirement for sites of one acre or less, Commissioners doubted that the required City Council findings for an exception could be made (**Attachment 15**). Because of this, the Triangle site was removed from consideration at this time. Staff analyzed the number of Public and Institutional zones that were located at least 500 feet from residential properties. Of the 60 parcels so zoned, only one parcel met the buffer criteria, the Fire Station on Avenida La Pata. Since the site does not have a realistic potential to be redeveloped into a shelter, Public and Institutional zones were also eliminated from further consideration.

In regards to the Rancho San Clemente Business Park, there was discussion of limiting shelters to churches with a maximum bed count of 35 beds per facility, as opposed to permitting it on all parcels 500 feet from Residential zones. The Commission had several concerns with this option, including thoughts that this placed too much of a burden on the churches to meet SB 2 requirements, and that HCD might not approve the limited number of parcels (37) as a realistic opportunity for a shelter to be established.

### **Planning Commission Site Recommendation**

After careful deliberation and extensive public testimony, the Planning Commission recommended that the following areas to be designated as the SB 2 Overlay:

- a. Designate 16 parcels in the Calle De Industrias area as part of an SB 2 Overlay Zone. In this area, emergency shelters would be permitted by right for up to 50 beds per facility, subject to specific development and operating standards.
- b. Designate parcels in the Rancho San Clemente Business Park zone that are at least 500 feet from Residential zones as part of an SB 2 Overlay Zone. In this area, emergency shelters would be permitted by right for up to 35 beds per facility, subject to specific development and operating standards.

- c. And that homeless shelters be permitted by right as an accessory use to Churches, for up to six beds per church and subject to specific development and operating standards that apply to the SB 2 Overlay District.

Table 2 shows the number of parcels and acreage to be included in the SB 2 Overlay based on Planning Commission’s recommendation.

**Table 2  
Number of Parcels in Overlay**

Area/Location	# of Parcels	Acreage
Calle De Industrious	16	3.5
RSC Business Park Sub Area	146	209
All Churches	21	64.1
<b>TOTALS</b>	<b>183</b>	<b>276.6</b>

**Draft SB 2 Development and Management Standards**

SB 2 allows local governments to adopt development and management standards to regulate emergency shelters by establishing:

- a) a nightly maximum number of beds or persons
- b) on-site parking and site lighting requirements
- c) size and location of exterior/interior on-site waiting and client intake areas
- d) on-site management and security requirements
- e) spacing from other emergency shelters in the same zone, and
- f) maximum length of stay

The development standards “must be designed to encourage and facilitate the development of, or conversion to, an emergency shelter” and may not be so restrictive as to “unduly impair shelter operations.” (HCD).

**Maximum Number of Beds.** By setting a standard for the maximum number of shelter beds per shelter, or the minimum required building (or site) square footage per bed, cities can regulate the “intensity” of a homeless shelter use. That is, the number of homeless persons served and the intensity of the use in terms of parking demand, trip generation, noise and other impacts related to shelter use. Allowing a higher maximum number of beds allows SB 2 requirements to be met with a fewer, larger facilities. Alternatively, setting a lower maximum number of beds will require several smaller facilities to meet the estimated homeless needs, thereby promoting a dispersal strategy.

Following are the draft Development and Operating Standards recommended by the Planning Commission:

**17.56.103. Development Standards.** Emergency shelters shall comply with the following standards:

- A. **Separation.** An emergency shelter shall not be established or operated at any location less than three hundred (300) feet from another emergency shelter providing shelter and other services to homeless persons.
- B. **Number of Emergency Shelters.** The number and capacity of emergency shelters allowed without use permit review shall be limited to that required to meet the shelter needs of the number of estimated homeless persons in the City, as established by the current reliable information as approved by the City Council.
- C. **Emergency Shelter as Accessory Use to Churches.** Emergency shelters shall also be allowed, by right, as an accessory use to churches or religious institutions located outside the SB 2 Overlay District, subject to a six-bed limit per facility. Within the Overlay, a 35-bed limit shall apply to churches and religious institutions.
- D. **Maximum Number of Beds.** Maximum number of beds per shelter facility shall not exceed the following:

Within the SB 2 Overlay District:

- 1. Business Park Sub-Area: 35 beds per facility
- 2. Calle De Industrias Sub-Area: 50 beds per facility

Outside the SB 2 Overlay District:

- 1. Churches and other Religious Institutions: six beds per facility

- E. **Floor Area Requirement.** Emergency Shelters shall provide a total building floor area of not less than 125 square feet per shelter bed.
- F. **On-Site Waiting and Intake Areas.** On-site waiting and client intake areas shall be provided within the shelter building. Outdoor waiting areas, if provided, shall be visually screened from the public right-of-way and from adjacent land uses.
- G. **Entries and Outdoor Use Areas.** Entries and outdoor use areas shall be located and fully screened with landscaping, fencing or similar measure so that they are not visible from a public street or adjacent use.
- H. **Parking.** On-site parking shall be supplied at a ratio of not less than one vehicle space per five beds, plus one additional space for the resident manager and each additional staff person. Parking spaces shall be designed to meet City standards. Enclosed, secure bicycle parking shall be provided on-site at the ratio of not less than one bicycle parking space per 10 beds.
- I. **Site Lighting.** Site lighting shall be provided for safety and security, consistent with City standards and Design Guidelines.

J. **Architectural Review.** Homeless shelters shall comply with the City's Design Guidelines and where applicable, the Rancho San Clemente Specific Plan and West Pico Specific Plan architectural and development standards to ensure shelters are compatible with their surroundings, provide adequate privacy between uses and minimize potential impacts of the proposed shelter on adjacent uses.

**17.56.104. Emergency Shelters. Operation Standards.** Emergency shelters shall be operated in conformance with these standards:

A. **Shelter Operator.** The shelter shall be operated by a responsible social service provider with experience in managing or providing social services.

B. **Supervision.** The shelter shall provide at least one qualified on-site supervisor at all times, plus one attendant for each twenty occupants.

C. **Maximum Stay.** Occupancy for any individual or family shall not exceed 180 days in a 365-day period.

D. **On-Site Security.** At least one, trained security staff shall be present on-site during operating hours for a 50-bed shelter.

E. **Management Plan.** Shelter operator shall submit a management plan for Community Development Director's review and approval prior to shelter operation. Said Plan shall include site security measures including, but not limited to fencing, surveillance measures, and on-site security personnel; neighborhood relations plan and enforcement provisions; client intake and screening; services to be provided; length of stay; drug and alcohol screening requirements; parking provisions; hours of operation; signage; staff training; monitoring, case management and oversight measures; annual reporting and review; emergency plan, including, but not limited to emergency contact numbers, evacuation plans and on-site safety measures; and provisions to allow an on-site kennel or off-site pet care for shelter clients.

### **Alternative Strategies to Meet SB 2 Requirements**

There is no "one size fits all" strategy for complying with SB 2. Each city and county must meet SB 2 requirements in a manner that addresses its own land use patterns, environmental constraints, and estimated homeless needs. Some specific tools to accomplish this include:

- 1) Designating an existing City zone and amending the Zoning Ordinance to allow a homeless shelter by right, subject to development and operational standards; or
- 2) Creating a new "SB 2 Overlay Zone" to be applied to one or more parcels that are suitable for a homeless shelter, subject to the same development and operational standards as in 1) above, or
- 3) Amending the Zoning Ordinance to allow a homeless shelter as an accessory use to some other allowed or conditionally allowed use, such as Churches, or

- 4) Some combination of these

**Recommended**

**Action:** PLANNING COMMISSION RECOMMENDS THAT the City Council support the proposed SB 2 Overlay area and Development and Operating Standard and:

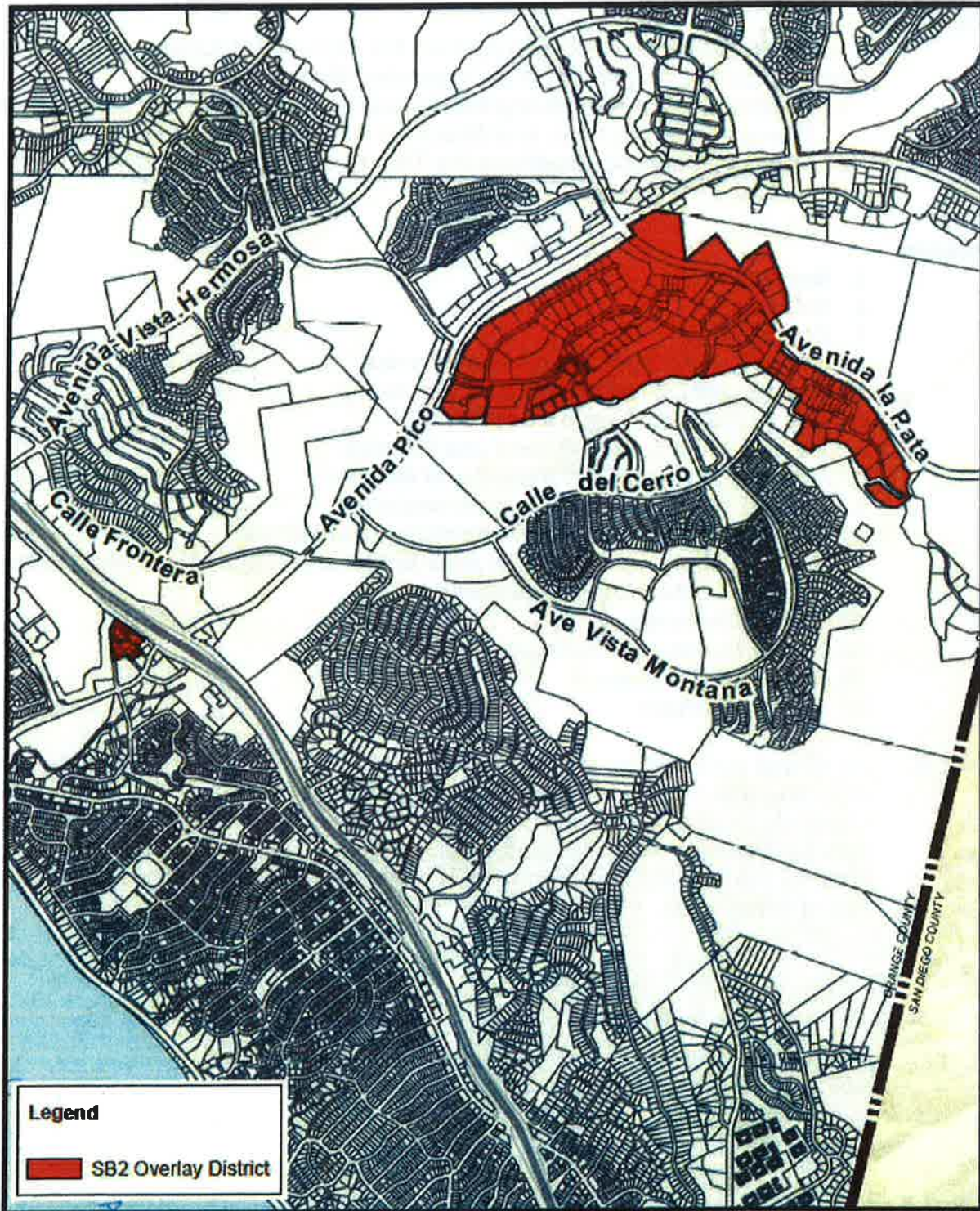
1. Adopt a Resolution updating the General Plan and Land Use Map, Rancho San Clemente Specific Plan, and West Pico Corridor Specific Plan; and
2. Adopt an Ordinance modifying the Title 17 of the Municipal Code, Zoning Code, and the Zoning Map.

**Attachments:**

1. **Resolution**
2. **Ordinance**
3. **Overlay Map**
4. **June 18, 2014 Staff Report and Minutes**
5. **May 28, 2014, Staff Report and Minutes**
6. **May 7, 2014 Staff Report and Minutes**
7. **March 19, 2014, Staff Report and Minutes**
8. **February 5, 2014, Staff Report and Minutes**
9. **Council Subcommittee Recommendation**
10. **SB 2 Statute and HCD Implementation Guidelines**
11. **GIS Map showing residential zone buffer areas, schools & study sites**
12. **How have other Cities addressed SB 2**
13. **Map of Churches**
14. **Map of Public and Institutional Zones**
15. **Measure V Ordinance**
16. **SB 2 Fact Sheet**

**Notification:** An ad was published on July 4, 2014 in the local newspaper, as required by State and local law, and direct mail notice was sent to property owners within a) Rancho San Clemente Business Park, b) business and homeowner associations within Rancho San Clemente, c) churches and religious institutions, d) Calle De Industrias study area, e) the Rancho San Clemente Triangle site, and f) property owners within 300 feet of these areas.

Overlay Map based on  
Planning Commission Recommendation



Prepared: 2014.06.02 Source: City of San Clemente Community Development Dept

0 0.125 0.25 0.5 Miles





SB2 Survey of Various Orange County Cities

CITY	WHERE HOMELESS SHELTERS ARE PERMITTED	HOW HOMELESS COUNT IS ESTABLISHED	GENERAL NOTES
TUSTIN	Homeless shelters are permitted by right in Specific Plan Area	Police Department, Local Homeless Providers	192 beds at shelter, 20 homeless persons in City
ORANGE	Specific zones, as well as an Overlay Area (M-1&M-2)- 500 feet from residential areas, parks, and schools	County "Point in Time" Survey, local homeless providers	Around 500 persons was the homeless count
WESTMINSTER	Overlay Zone (21.4 acres) and public/semi-public zoning district (both permitted by right)	Police Department (30 Day Observation Period), local homeless providers	Estimated homeless count around 65 persons in 2008
PLACENTIA	2 churches provide services, old Farmhouse converted to Shelter (Residential Zone?)	Direct contact with non-profit providers, Police Department	Homeless Intervention Center (serves around 140 persons per year), current city homeless count is around 130 persons
SEAL BEACH	Specific Zone (Boeing Integrated Defense System), not permitted in any other zone	County of Orange Housing and Community Services Department annual estimate, Police Department, Census data	2010 Census recorded no homeless persons in the City
STANTON	Permitted by right in Industrial Zone	County Homeless population count, non-profit organization information	City has a shelter. Shelter must provide patrol officers for an hour after shelter closes in order to ensure that there are no loitering.
DANA POINT	Specific zone (20 in CFZ) and churches provide shelter as an accessory use with a 10 bed limit.	Police Dept. A consultant informed City staff that 10 shelter beds was a sufficient number.	City homeless count is approximately 90 – 100 persons
SAN JUAN CAPISTRANO	Specific zones, Public and Institutional; one bed per 250 sq. feet of gross bldg. space	Resident Notification not done Police Dept.	Homeless count is around 50 persons

CITY	WHERE HOMELESS SHELTERS ARE PERMITTED	HOW HOMELESS COUNT IS ESTABLISHED	GENERAL NOTES
COSTA MESA	Emergency shelters permitted in PDI (Planned Development Industrial) Zone	Local organizations, Point In Time Survey	PDI district is "intended for large, concentrated industrial areas where the aim of development is to create a spacious environment in a park-like setting"
MISSION VIEJO	Allowed by right in Business Parks		