

**MINUTES OF THE ADJOURNED REGULAR MEETING
OF THE CITY OF SAN CLEMENTE
PLANNING COMMISSION
June 19, 2013 @ 4:00 p.m.
City Council Chambers
100 Avenida Presidio
San Clemente, CA 92672**

1. CALL TO ORDER

Chair Avera called the Regular Meeting of the Planning Commission of the City of San Clemente to order at 4:05 p.m.

2. PLEDGE OF ALLEGIANCE

Commissioner Anderson led the Pledge of Allegiance.

3. ROLL CALL

Commissioners Present: Nesa Anderson, Barton Crandell, Michael Kaupp and Jim Ruehlin; Chair pro Tem Donald Brown, Vice Chair Julia Darden and Chairman Lew Avera

Commissioners Absent: None

Staff Present: Jim Pechous, City Planner
Jeff Hook, Principal Planner
Sharon Heider, Beaches, Parks and Recreation Director
Nick Giugni, Marine Safety Officer
Jen Tucker, Emergency Planning Officer
Ajit Thind, Assistant City Attorney
Eileen White, Recording Secretary

Agenda items are presented in the originally agendized format for the benefit of the minutes' reader, but were not necessarily heard in that order.

4. SPECIAL ORDERS OF BUSINESS - None

5. MINUTES

A. Minutes from the Adjourned Regular Meeting of June 5, 2013

IT WAS MOVED BY COMMISSIONER KAUPP, SECONDED BY CHAIR PRO TEM BROWN, AND CARRIED 6-0-1, WITH VICE CHAIR DARDEN ABSTAINING, to receive and file the minutes of the Adjourned Regular Meeting of June 5, 2013, as submitted by staff.

6. ORAL AND WRITTEN COMMUNICATION - None**7. CONSENT CALENDAR - None****8. PUBLIC HEARING****A. Public Hearing Draft Centennial General Plan (Hook)**

At this meeting, the Commission is expected to review the Draft Safety, Public Services/Facilities/Utilities, Growth Management and Governance Elements, and the Draft Glossary. The Commission may also continue its review of one or more draft Elements introduced at its June 11, 2013 meeting. These were the Draft Mobility and Complete Streets, Beaches Parks and Recreation, Natural Resources and Coastal Elements.

The Draft General Plan was prepared by the City's consultant, The Planning Center, with extensive input received during over 50 public workshops and meetings held by the General Plan Advisory Committee (GPAC), a 25-member citizen committee appointed by the City Council, and the City's Planning Commission. The Commission will review draft goals, policies and programs and may change, delete or add language in 12 General Plan chapters, or "elements" that address a wide range of issues, such as Land Use, Mobility and Complete Streets, Beaches, Parks and Recreation and Safety. Once adopted, the Centennial General Plan will help guide public and private decisions regarding land use, fiscal issues, capital improvements, public safety and many other important aspects of San Clemente's character and quality of life through 2028.

The Draft Plan, Initial Environmental Study and Notice of EIR Preparation are available on the City's website at http://san-clemente.org/sc/Services/planning/GeneralPlan/PublicHearingDraftCombined_vers050113.pdf and anyone may comment on items under discussion.

Jeff Hook, Principal Planner, briefly reviewed the staff report, providing a brief outline of the work accomplished to date on the General Plan and suggesting a format to follow this evening. He recommended the Commission review the Draft Beaches, Parks and Recreation, Coastal, Natural Resources, Safety, Public Services/Facilities/Utilities, Growth Management, and Governance Elements, consider the staff recommended revisions, hear public testimony, and provide direction to staff.

In response to questions from the Commissioners, Mr. Hook suggested the Commission consider revisions suggested by staff as they would Consent Calendar items and only focus on those items in need of discussion or revising; noted the balance of the Complete Streets and

Mobility Element would be presented for their consideration at their June 26, 2013, meeting.

The Commissioners reviewed the Draft Elements with staff, discussed potential revisions/comments, and took straw votes to ensure majority concurrence. Recommended revisions are as follows:

Beaches, Parks, and Recreation Element

Recreational Programming

- BRP-1.04, staff recommended revision accepted.
- BPR-1.05, staff recommended revision accepted with revision to replace “an appropriate...and visitors.” with “a safe experience.”

Beaches

- BRP-3.04, staff recommended revision accepted.
- BRP-3.07, staff recommended revision accepted with revision to replace “We support the eventual relocation” with “We support the potential relocation”
- BRP-3.09, staff recommended revision accepted with addition of “when environmental effects on natural resources and surf are minimized.”
- BRP-3.10, staff recommended revision accepted with revision to replace “continue” with “support efforts”
- BRP-3.04, staff recommended revision accepted.

Beaches, Parks and Recreation Element Implementation Measures

- No. 8, staff recommended revision accepted.
- No. 18, staff recommended revision accepted.
- Nos. 27 & 28, staff recommended revision accepted as long as both sets of uses are included; replace “fruits and vegetables” with “agricultural products”
- No. 46, delete 2nd sentence in its entirety.
- No. 49, staff recommended revision accepted with revision to delete “Provide education to introduce and”

Chair Avera opened the public hearing, and there being no public testimony, closed the public hearing.

Coastal Element

Implementation of the Coastal Act

- Introduction, 3rd paragraph, 1st sentence, replace “Land Use Plan” with “Local Coastal Program Land Use Plan”
- Introduction, 4th paragraph, 1st sentence replace “Implementation Plan” with “Local Coastal Program”

Coastal Access and Recreational and Visitor-Serving Opportunities

- C-1.03, 8th paragraph, replace “Shoreline Access Policy IX.19” with correct title/number; staff to consider adding flexibility as to the required path widths; staff to meet with California Coastal Commission staff to update language and confirm specific direction regarding five private communities called out.

Protecting Sensitive Habitats, Historical and Natural Resources, and the Marine Environment

- C-2.05, staff to revise to make consistent with the Coastal Act and Local Coastal Program.

Chair Avera opened the public hearing.

Written Communication dated June 19, 2013, from The Loftin Firm, Attorneys at Law, representing Capistrano Shores Mobilehome Park, objecting to Coastal Element C-103 regarding vertical access for Capistrano Shores Mobilehome Park; and written communication from Cheryl Moe dated June 11, 2013 regarding the need to allow certain encroachments into coastal canyons.

Chair Avera closed the public hearing.

Natural Resources Element

Aesthetic Resources

- NR-2.01, staff recommended revision accepted.
- NR-2.08, new policy as follows: “Trees as Screening Tool. Where screening of public utilities and/or telecommunication facilities are determined by the City to be desirable, the strategic location, planting, placement, and care of trees or other plant material, will be considered as a tool for screening or redirecting views.”

Mineral Resources

- NR-4.01, staff recommended revision accepted with revision to change policy to not permit mineral extraction except for specific named circumstances, e.g. sand and gravel mining.

- Staff to add separate policy regarding prohibiting offshore oil drilling and onshore support facilities.

Energy Conservation

- NR-6.04, staff recommended revision accepted with revision to strike the first sentence in its entirety.
- NR-6.06, staff recommended revision accepted.

Natural Resources Implementation Measures

- New policy no. 4, staff recommended revision denied.
- No. 8, no change to policy
- New policy no. 13, staff recommended revision accepted.

Chair Avera opened the public hearing, and there being no public testimony, closed the public hearing.

Safety Element

Safety Element

- Introduction, staff recommended revision accepted with revision to last sentence: do not strike “by preventing or mitigating,” replace “conflicts” with “hazards and avoiding”

Geologic, Seismic, and Soil Hazards

- S-1.04, staff recommended revision accepted.
- S-1.05, staff recommended revision accepted.

Flooding and Marine Hazards

- S-2.01, staff recommended revision accepted with revision to strike “We use natural..., and”; insert “we” in front of “support”
- S-2.02, insert “debris” in front of “structures”

Fire

- S-3.04, staff recommended revision accepted, policy deleted.
- S-3.05, staff recommended revision accepted.

Noise

- S-4.02, staff recommended revision accepted.

- S-4.06, replace with, “We designate areas where traffic is prohibited to minimize truck traffic noise impacts to sensitive land uses.”
- S-4.08, new policy as follows: “Live Entertainment. We control live entertainment noise conditions by requiring best management practices that minimize impacts on residential and other sensitive uses and ensure compliance with the City adopted noise ordinance.”

Radiological Hazards

- Under “Goal” staff recommended revision accepted with revision to replace “is estimated to take up to 20 years” with “will take decades”
- S-5.06, eliminate in its entirety.

Safety Element Implementation Measures

- No. 3, policy deleted.
- No. 4, staff recommended revision accepted with “work with” replaced with “encourage”; replace “verify” with “ensure”
- No. 6, staff recommended revision accepted with “Where appropriate” inserted in front of “evaluate”
- No. 9, policy deleted.
- No. 14, staff to revise policy to reflect Mobility Element prohibitive plan.
- No. 17, staff recommended revision accepted with revision to insert “City” following “critical”, strike “that use electricity”
- No. 23, staff to flag this for reevaluation by City Council following decommissioning.

Chair Avera opened the public hearing, and there being no public testimony, closed the public hearing.

Public Services, Facilities and Utilities Element

Water Quality and Wastewater

- PSFU -5.11, policy deleted.

Public Services, Facilities and Utilities Element Implementation Measures

- No. 3, no change from original
- No. 14, staff recommended revision accepted.
- New Implementation Measure (19A) staff recommended revision accepted.

- No. 30, staff recommended revision accepted
- New Implementation Measure (19C) staff recommended revision accepted
- New Implementation Measure (19D) staff recommended revision accepted
- New Implementation Measure (19E) staff recommended revision accepted

Chair Avera opened the public hearing, and there being no public testimony, closed the public hearing.

Growth Management Element

Community Edges

- Staff to review introduction to ensure it is accurate with regard to the boundaries of the Rancho Mission Viejo Ranch Plan, Planning Area 8 and the former TRW site and to determine if these are coterminous.
- GM-1.05, staff recommended revision accepted.

Development Outside of the City

- GM-2.04 staff recommended revision accepted with revision to replace “do the following” with “comply with the General Plan including the following”
- GM-2.05, staff recommended revision accepted.
- GM-2.07, add new policy similar to 2.04. to address “non residential subdivisions”

Chair Avera opened the public hearing, and there being no public testimony, closed the public hearing.

Governance Element

System for Governance and Management

- G-1.10, no change from original

Municipal Finance

- G-2.08, no change from original, City Manager/Department Head to revise if necessary
- G-2.11, no change from original, City Manager/Department Head to revise if necessary

Implementing the Centennial General Plan

- G-4.03, staff recommended revision accepted.

Governance Element Implementation Measures

- No. 2, staff recommended revision accepted.

Chair Avera opened the public hearing, and there being no public testimony, closed the public hearing.

General Direction

- Add definitions of “parkland,” “coastal dependent,” coastal related,” “scenic view corridors,” “significant public views” to the glossary.
- Add an Implementation Measure regarding potential relocation of the Railroad.

B. 1509 North El Camino Real – Conditional Use Permit 12-362/Cultural Heritage Permit 12-363/Discretionary Sign Permit 13-082/Sign Exception Permit 13-083/Minor Exception Permit 13-084/Outdoor Dining Permit 13-085 – North Beach Rooftop Bar and Grill (Nicholas)
(continued from 06-05-13)

A request to consider a conversion of a one-story commercial building into a restaurant with an open roof top bar and grill with a full range of alcohol, live amplified music, an off-site parking agreement, parking waivers for outdoor seating, and approve a new sign package which exceeds the allowed total sign area for the site. The project is located at 1509 North El Camino Real within the C2/MU-3 zoning designation. The legal description is Lot 9, of Block 2, of Tract 795, Assessor’s Parcel Number 057-170-31.

Jim Pechous recommended the Commissioners continue this item to the meeting of July 17, 2013, to allow additional time for the applicant to provide information as well as allow the applicant to present revised signage for Design Review Subcommittee review.

IT WAS MOVED BY CHAIR PRO TEM BROWN, SECONDED BY COMMISSIONER RUEHLIN,, AND UNANIMOUSLY CARRIED TO CONTINUE 1509 NORTH EL CAMINO REAL – CONDITIONAL USE PERMIT 12-362/CULTURAL HERITAGE PERMIT 12-363/DISCRETIONARY SIGN PERMIT 13-082/SIGN EXCEPTION PERMIT 13-083/MINOR EXCEPTION PERMIT 13-084/OUTDOOR DINING PERMIT 13-085 – NORTH BEACH ROOFTOP BAR AND GRILL TO THE MEETING OF JULY 17, 2013.

[ITEM CONTINUED. PLANNING COMMISSION DECISION PENDING.]

9. NEW BUSINESS - None**10. OLD BUSINESS - None****11. REPORTS OF COMMISSIONERS/STAFF**

Included in the Commissioners' packets for their review:

- A. Tentative Future Agenda
- B. Minutes from the Zoning Administrator meeting of June 5, 2013
- C. Staff Waiver 13-202, 218 W. Paseo De Cristobal
- D. Staff Waiver 13-213, 114 Avenida Aragon
- E. Staff Waiver 13-214, 1608 Calle Las Bolas
- F. Staff Waiver 13-219, 211 W. Avenida Cordoba
- G. Staff Waiver 13-230, 250 Avenida Del Poniente

The Commissioners discussed advantages and disadvantages of extending the terms of the four Planning Commissioners whose terms will end on June 30, 2013. Commissioners suggested that a one month term extension would allow them to complete review and action on the Draft Centennial General Plan on which they have been working as a group for over two years. Advantages of such an extension include maintaining familiarity with the draft General Plan process and content, maintaining the continuity of the Commission as a group and avoidance of potential increased costs/time to bring new members "up to speed." Disadvantages include shortened terms for new Commissioners and loss of opportunities for new Commissioners to provide input on the General Plan. The Commissioners requested that staff draft a letter to City Council from Chair Avera recommending the City Council consider extending the terms of the Commissioners whose terms are ending to allow them to finish review and final action on the General Plan.

IT WAS MOVED BY CHAIR PRO TEM BROWN, SECONDED BY COMMISSIONER KAUPP, AND UNANIMOUSLY CARRIED TO REQUEST STAFF DRAFT A LETTER FROM THE PLANNING COMMISSION RECOMMENDING CITY COUNCIL CONSIDER EXTENDING THE TERMS OF THE COMMISSIONERS WHOSE TERMS ARE ENDING AS OF JUNE 30, 2013, TO ALLOW THEM TO COMPLETE REVIEW AND FINAL ACTION ON THE GENERAL PLAN FOR PURPOSES OF CONTINUITY.

Mr. Hook explained that two additional Commission meetings were planned for July to enable the Commissioners to hear public testimony and review the General Plan EIR. The Commissioners suggested if may be prudent to start the meetings at 5:00 or 6:00 p.m. instead of 4:00 p.m. to ensure that the public has increased opportunity to provide testimony.

12. ADJOURNMENT

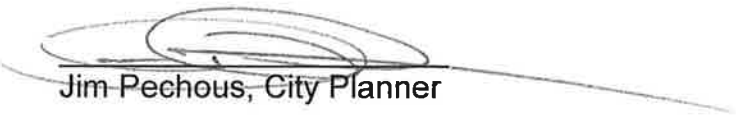
IT WAS MOVED BY COMMISSIONER RUEHLIN, SECONDED BY COMMISSIONER KAUPP, AND UNANIMOUSLY CARRIED to adjourn at 9:12 p.m. to the Adjourned

Regular Planning Commission Meeting to be held at 4:00 p.m. on June 27, 2013, in Council Chambers at City Hall located at 100 Avenida Presidio, San Clemente, CA.

Respectfully submitted,

Lew Avera, Chair

Attest:



Jim Pechous, City Planner

DRAFT