

**MINUTES OF THE ADJOURNED REGULAR MEETING  
OF THE CITY OF SAN CLEMENTE  
PLANNING COMMISSION  
June 18, 2014 @ 6:00 p.m.  
City Council Chambers  
100 Avenida Presidio  
San Clemente, CA**

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**1. CALL TO ORDER**

Chair Darden called the Adjourned Regular Meeting of the Planning Commission of the City of San Clemente to order at 6:05 p.m.

**2. PLEDGE OF ALLEGIANCE**

Commissioner Kaupp led the Pledge of Allegiance.

**3. ROLL CALL**

Commissioners Present: Wayne Eggleston, Michael Kaupp, Jim Ruehlin, and Kathleen Ward; Chair pro tem Barton Crandell, Vice Chair Donald Brown and Chair Julia Darden

Commissioners Absent: None

Staff Present: Jim Pechous, City Planner  
Jeff Hook, Principal Planner  
Sean Nicholas, Associate Planner  
Amber Gregg, Associate Planner  
Denise Obrero, Housing Programs Planner  
Ajit Thind, Assistant City Attorney  
Eileen White, Recording Secretary

**4. SPECIAL ORDERS OF BUSINESS - None**

**5. MINUTES**

**A. Minutes from the Planning Commission Adjourned Regular Meeting of May 28, 2014**

IT WAS MOVED BY VICE CHAIR BROWN, SECONDED BY COMMISSIONER WARD, AND UNANIMOUSLY CARRIED to receive and file the minutes of the Regular Meeting of May 28, 2014, as presented.

**B. Minutes from the Planning Commission Regular Study Session of June 4, 2014**

IT WAS MOVED BY COMMISSIONER KAUPP, SECONDED BY VICE CHAIR BROWN, AND UNANIMOUSLY CARRIED to receive and file the minutes of the Regular Study Session of June 4, 2014, as presented.

**C. Minutes from the Planning Commission Regular Meeting of June 4, 2014**

IT WAS MOVED BY COMMISSIONER EGGLESTON, SECONDED BY CHAIR PRO TEM CRANDELL, AND UNANIMOUSLY CARRIED to receive and file the minutes of the Regular Meeting of June 4, 2014, as presented.

**6. ORAL AND WRITTEN COMMUNICATION**

Chair Darden announced that tonight would be Commissioner Kaupp's last meeting as a Planning Commissioner; advised several members of the public had submitted requests to speak.

Candace Haggard, resident, compared Commissioner Kaupp's ability to bring two sides of an issue together to agreement to a tapestry woven together to make a beautiful picture. He has the ability to recognize how people feel, and why they feel that way, and let them know they have been heard no matter what their opinion. The City has benefitted as a whole from his service to the community as a Planning Commissioner.

Nesa Anderson, resident, stated that in her work as a real estate agent she often gives tours around the City, and is always struck by its beautiful details, such as magazine racks along Avenida Del Mar, beautiful landscaping, and tiled murals, to name a few, that are an indication of Commissioner Kaupp's influence throughout the City. Many have been recipients of his Monterey Pine tree giveaways. She also thanked him for his work on the Design Review Subcommittee and especially his genial nature and diplomatic ability to encourage agreements that have resulted in higher quality designed projects.

Karen Ahola, resident, lauded Commissioner Kaupp for his extraordinary commitment to public service, well prepared presence at all meetings he attended, and respectful consideration for each and every applicant and project. She thanked him for his endeavors, philanthropy, and service to the community.

Kathryn Stovall Dennis, resident, thanked Commissioner Kaupp for working tirelessly and with style and class to make San Clemente a better place to live.

John Dorey, resident, thanked Commissioner Kaupp for his intelligence, insight, generosity, intuitive judgment, creativity, and sense of humor enjoyed throughout the years by him and his late wife Stephanie, as well as the community at large.

Chair Darden commented that only a select few members of the community had been asked to speak; allowing everyone that wanted to speak would have taken too much time. Commissioner Kaupp is a special man who raised the standards of a village. Three unique qualities Commissioner Kaupp has include incredible vision to recognize hidden jewels under patinas, tremendous courage to follow visions which may not be popular or readily apparent to all, and the skill set to realize those visions. These tools include tremendous sensitivity to architecture and landscaping, as well as the ability to guide others to get along. She thanked him for mentoring her during her tenure on the Commission, and commented that his impacts will never be forgotten, both through the projects he helped design and through other Commissioners he helped train and inspired.

Commissioner Ward commented that it had been an honor to serve with Commissioner Kaupp for the past year and that she appreciated his ability to simplify a project and make its details less complicated.

Commissioner Eggleston stated that Commissioner Kaupp has been an incredible asset to the City; speculated it would be very difficult to find a suitable replacement on the Design Review Subcommittee.

Vice Chair Brown thanked Commissioner Kaupp for his outreach, leadership and service to the community; compared his diplomacy as the ability to lead a cage of hungry tigers to drink milk together; commented that he has the ability to make things easier to understand; noted his presence will be felt for many years in the Downtown and the City overall.

Chair pro tem Crandell thanked Commissioner Kaupp for mentoring other Commissioners, either intentionally or by example; commented the Commission will miss Commissioner Kaupp's wealth of knowledge gleaned from 14 years of service; requested he continue coming to meetings and share opinions on projects.

Commissioner Ruehlin commended Commissioner Kaupp for his graciousness, mentoring, and friendship. In the future, as he ponders projects, he will ask himself, "What would Commissioner Kaupp do?" when making difficult decisions.

Jim Pechous, City Planner, narrated a PowerPoint Presentation displaying projects influenced by Commissioner Kaupp throughout the years, noting that through his tenure on the Planning Commission and Design Review Subcommittee, Commissioner Kaupp has raised the quality of design throughout the City, and made a difference in the town.

Commissioner Kaupp stated that he is flattered and humbled by the kind words spoken on his behalf this evening. One of his strategies that has helped him during his tenure on the Commission and his personal life is continuing to ask questions until he fully understands the issues at hand, and then try his best to be fair and thoughtful with decisions. He estimated he has spent approximately

6500 hours as a Commissioner and Design Review Subcommittee Member for the past 14 years, which pencils out to 271, 24-hour days. He recounted his experience with the remodel of the Pacific Bell Switch Station on Avenida Pico at the start of his tenure on the Commission, when he asked for improved design to reflect the building's location along a scenic corridor, and the applicant returned with a beautiful building featuring arches, tile work, landscaping, and a tower. He loves the City, and encouraged those on the Commission to not be afraid to ask for beautiful architecture on projects going forward. He thanked all that spoke for their kind words.

Jim Pechous, City Planner, announced that tonight would also be the last Commission meeting for Jeff Hook, Principal Planner, as he had been brought on for a "limited term" of four years and that term is now coming to an end. He thanked Mr. Hook for guiding the City through the General Plan update process, the 2011 Housing Element Update, Avenida Serra Affordable Workforce Housing Development, Local Coastal Planning Grant, and many other projects. He praised his skill with negotiations and thanked him for mentoring the entire staff. Mr. Hook brought a wealth of experience as a planner working in other cities as well as the ability to help others honed from his many years as a professor at California State Polytechnic University, San Luis Obispo.

Chair Darden also thanked Mr. Hook for his excellent skills, especially the ability to summarize the Commission's ramblings into a succinct statement to reach clear conclusions and Commission actions during late night meetings.

Vice Chair Brown thanked Mr. Hook for all the information provided through the General Plan update process, as well as all his valuable efforts on behalf of the City.

Commissioner Kaupp commented that Mr. Hook's expertise made a huge, positive impact on the General Plan update process.

Commissioner Ruehlin praised Mr. Hook for his intelligence and experience; commented as a member of the General Plan Advisory Committee on the positive impacts Mr. Hook made to the General Plan update process, which had been stalled before he came on board.

Jeff Hook, Principal Planner, thanked the Commissioners for their kind words and added that it has been a pleasure working with the Commission, City Council and staff.

**7. CONSENT CALENDAR - None**

**8. PUBLIC HEARING**

**A. Strategic Implementation Program for the Centennial General Plan  
(Pechous)**

The Planning Commission will consider adopting a resolution recommending that the City Council approve the Draft Strategic Implementation Program's (SIP) implementation priorities. The SIP is a list of implementation measures the City will carry out to achieve the Centennial General Plan's goals and policies over time. It was prepared by the City's general plan consultant and identifies community needs and priorities. Strategic planning provides a framework to connect day-to-day and short-term City actions to long-term goals. It also provides a tool to evaluate the effectiveness of General Plan implementation measures to help improve City operations and services.

Jim Pechous, City Planner, reviewed the staff report; provided report of issues raised by the Commission at a previous meeting. Staff recommended the Commission recommend the City Council approve the Strategic Implementation Plan as presented by staff.

Sean Nicholas, Associate Planner, reported that he spoke with Steve Craig, the developer of Marblehead Coastal, regarding potential trolley service from Marblehead Coastal to Downtown and Mr. Craig indicated he would be interested in exploring ways to partner with the City to provide trolley services.

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

Chair Darden commented that the Commission had discussed this proposal in depth at previous study session/meetings.

Vice Chair Brown suggested the Commission consider revision to clarify no. 22 on Page 6 of 21, "Review and update the Zoning Ordinance and Design Guidelines to require three-story buildings in the downtown area to reflect high-quality design...character."; agreed that City Planner Pechous' suggestion to omit "in the core area of the downtown" would address his concerns.

Vice Chair Brown suggested the Commission consider upgrading the priority for no. 8 on Page 14 of 21, "The City will develop and implement a utilities undergrounding plan to avoid the adverse impacts to aesthetic resources of public utilities and unmanned...hardship," from green to yellow. Because of the complexities of undergrounding utilities, including the entitlements, access to properties, coordination with SDG&E, etc., he believes that there are many tasks that can be started within the next three years rather than waiting until five years. The Commissioners agreed the priority on this item should be changed from green to yellow.

IT WAS MOVED BY VICE CHAIR BROWN, SECONDED BY COMMISSIONER KAUPP, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC 14-026, A RESOLUTION OF THE PLANNING

COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, RECOMMENDING APPROVAL TO CITY COUNCIL OF THE 2014-2015 STRATEGIC IMPLEMENTATION PROGRAM FOR THE CENTENNIAL GENERAL PLAN, with the following revisions:

Page 6 of 21, no. 22, 1<sup>st</sup> sentence, omit "in the downtown area."

Page 14 of 21, no. 8, change priority for this project from green to yellow.

**[ACTION SUBJECT TO CITY COUNCIL APPROVAL]**

- B. Zoning Amendment 14-121/General Plan Amendment 14-122/Specific Plan Amendment 14-123, Consideration of Adopting a Resolution to Recommend that the City Council Approve a Negative Declaration of Environmental Impact, Amend the Zoning Ordinance and Precise Zoning Plan, and Amend the General and/or Specific Plans to Implement Senate Bill 2, the "Emergency Shelter Act" (Obrero)**

The Planning Commission will continue its discussion from the May 28, 2014 meeting and consider adopting a resolution recommending that the City Council establish an "SB 2 Overlay District" and development standards for emergency shelters. The new Overlay District would include properties in the Rancho San Clemente Business Park at least 500 feet from Residential zones with a 35-bed limit, and in the Calle de Industrias area north of Avenida Pico and adjacent to Interstate 5, with a 50-bed limit. Within the Overlay, emergency shelters would be allowed, by right, up to a maximum total capacity of 70 beds. Emergency shelters would also be allowed by right as accessory uses to churches, with a six-bed limit per church. At the meeting, the Commission will consider a draft SB 2 ordinance, negative declaration of environmental impact, and draft amendments to the Zoning Ordinance, Precise Zoning Plan, General Plan, Rancho San Clemente and West Pico Corridor Specific Plans.

The purpose of this meeting item is to comply with a State law, "SB 2", the Emergency Shelter Act. SB 2 requires cities and counties to allow homeless shelters by right in at least one land use zone. The ordinance does not require cities to build, provide funding for, or operate such uses. Local governments may establish standards to regulate emergency shelters' location, size, parking, proximity to other emergency shelters, length of stay, lighting, security, and to require a management plan.

Chair Darden announced that she received communications from Bob Adams, president of the Rancho San Clemente Business Park (RSCBP), indicating interest in the potential to allow 35-bed count emergency shelters at the three church sites located in RSCBP in lieu of rezoning the entire business park. For this reason, and because this option had received a fair degree of interest from the Commission in earlier meetings,

she requested staff add this option as an alternative action for consideration this evening.

Amber Gregg, Associate Planner, narrated a PowerPoint Presentation entitled, "Draft SB 2 Ordinance, Locations and Development Standards, dated June 18, 2014." She provided background information on the project, reviewed its progress through the review process to date and summarized the Staff Recommendation. The Staff Recommendation is based on the Commission's direction from the May 28<sup>th</sup> meeting. She noted that staff has added a requirement for an annual report as part of the draft Management Plan standards, in response to Commission direction.

In response to a request from Commissioner Eggleston, Jeff Hook, Principal Planner, displayed a conceptual shelter "bubble diagram" indicating how the intake area would be separate from an outdoor patio/area intended as an outdoor smoking area. In addition, he clarified that if the Commission were to recommend allowing 35-bed shelters at church sites in RSCBP, there is potential that the 70-bed estimated homeless need could met within the business park. He noted that the alternative proposal for consideration includes five church sites (three in RSCBP and two in Talega) with a maximum of 35 beds per facility. The five subject parcels are all located at least 500 feet from residential uses.

Chair Darden opened the public hearing. She requested that all speakers and audience members show respect and refrain from speaking, applauding, and/or interrupting the speakers. The three-minute time limit for each speaker will be strictly enforced.

Richard Metcalf, resident, referred to the City's Mission Statement, which alludes to "...a safe and healthy atmosphere in which to live, work, and play while protecting what is valuable today." He established that none of the Commissioners live in Rancho San Clemente; opined that locating an emergency homeless shelter 500 feet from residences is still too close; stated that a link between installation of homeless shelters and increased crime and/or decreased property values has been proven and offered to provide statistics. He asked if the Commission is aware that the City proposes reducing the number of Sheriff's Department patrol officers in next year's budget; expressed concern that locating an emergency homeless shelter in Rancho San Clemente Business Park will increase burglaries, crime, and unsavory behavior in the neighborhood.

Bob Adams, resident and RSCBP Board President, noted the Business Park's CC&Rs do not allow fencing; stated that allowing homeless shelter on any lot within the Business Park will reduce property and business sales, which would be a detriment to both the City and the Business Park. In previous meetings, Business Park Association representatives did not comment on the number of beds allowed at church sites in RSCBP

because they felt that number should be left up to each individual church. He suggested the Commission reconsider including the Triangle Site, owned by the Association and located in an Opens Space Zone adjacent to Avenida Pico and Calle de Cerro, as an option. He added that there is an exception in Measure V that would allow use of up to one acre of Open Space zoned land without having to put the use to a vote of the people.

Richard Henderson, resident, opposed the number of acres proposed by the City for potential location of homeless shelters. He suggested the Commission consider only designating the minimum amount of acreage to satisfy the State's requirement.

Steve Pezman, resident, supported keeping the homeless shelter away from residences, but did not support the large amount of acreage proposed for rezoning to allow a homeless shelter by right. He noted the homeless people that currently frequent a kitchen that feeds the homeless are not known for their cooperative spirit or rule obedience. They might not want to use the designated transportation, may prefer to continue camping in the open space areas, and may create disturbances while migrating through residential areas to arrive at the homeless shelter. He expressed concern regarding negative impacts to residents, employers, and business people visiting the area.

Barbara Scheinman, Saddleback Hospital, San Clemente Campus Employee, assured the Commission that many of the homeless that regularly spend time in the Emergency Room of the hospital identify themselves as San Clemente residents and will stay in a shelter located within the City if it is available to them. She noted construction of a shelter will address many of the problems referred to by speakers opposed to the use. Homeless persons inside a shelter will not need to light fires to cook food or stay warm, reducing fire danger; establishment of a shelter with services provided during the day will reduce loitering on site; providing resources to the homeless population may reduce its numbers. She encouraged the City to comply with regulation to avoid costly litigation, which resulted in the City of Laguna Beach having to establish and fund its own shelter.

Ali Bahramian, speaking on behalf of Kevin Grant, a General Contractor, and business owner in RSCBP, urged the Commission to not allow homeless shelters to be built by right in RSCBP as it may negatively impact the business park and potentially hurt existing businesses that help fuel the City's economy.

David Brant, resident, opposed allowing homeless shelters to be located in RSCBP by right; commented that personal security and property values would be negatively impacted by allowing this use in the community; felt allowing this use in a high fire danger area is unfair and dangerous to existing residents.



Nampet Panichpant-Michelsen, resident, commented that many potential investors from the Pacific Rim will not be interested in investing in businesses in the RSCBP if the City allows homeless shelters by right to be located there.

Sherry Clifford, resident, moved to San Clemente from West Hollywood many years ago to create a safe environment for her son; reported that she cannot allow her son to ride/walk in Rancho San Clemente's trails due to existing homeless camped in the open space area; suggested the City consider transporting the homeless to Santa Ana to existing shelters; requested the City protect its working class from negative impacts from the homeless population.

Justin McCarthy, resident, urged the Commission to discuss the characteristics of the homeless population in their community as it exists today, as directed to in SB 2. He suggested the Commission consider locating a homeless shelter closer to where the majority of the homeless congregate, which is the downtown area.

Jack Kulp, Dana Point resident and RSCBP property owner, opposed allowing homeless shelters to be built by right in the RSCBP as it is unsafe, unfair, and will detract from the beauty and originality of the business park; speculated the security and value of the area will go down if the homeless are allowed to move in.

Sue Molino, resident, questioned why such a large area needs to be designated; asked if the community would have written guarantees to ensure all impacts are addressed; requested clarification whether homeless people would be required to have a job; asked what the homeless would do for lunch or dinner; stated that she will have to disclose when selling her home that as a Talega resident she is located close to a public nuisance and noted that she would have not moved to the area if she had known in advance about potential to have this near her home.

Denise Tittle, resident, stated she would not have moved to San Clemente if she knew of potential to put homeless shelter in Rancho San Clemente in advance; advised locating a homeless shelter near her home will negatively affect the quality of life she purchased when purchasing her home, also negatively affecting her personal wealth and health; noted the City will lose in property tax revenue if her home value is decreased and advised that many will petition to have their property taxes lowered if/when their homes go down in value; suggested most homeless people she sees are drug addicts, alcoholics and/or mentally unstable. She does not want them walking around in her neighborhood; they should be housed nearby where they frequent, such as the Los Molinos area.

Ed Conner, San Juan Capistrano resident and president of the iHope Board, requested the residents allow his organization to help the homeless; advised the only reason why the City of Santa Ana has good homeless programs is due to a lawsuit he filed many years ago to force the issue; suggested he would not pursue litigation to challenge the City's Housing Element if the Commission added the Triangle Site to the list of potential sites and removed the business park from consideration; suggested construction of an emergency shelter will decrease many of the negative impacts from the homeless such as camping/cooking fires in open space, use of emergency room beds, etc.

Nancy McIntyre, resident, urged the Commission to provide 65 to 70 beds in one facility for the City's permanent homeless residents; suggested day services will also help them get the medical attention they need and jobs/training to become productive members of society; suggested services would be provided for adults and families alike; requested the Commission consider increasing the limit for a homeless shelter to between 50 to 60 beds to ensure that all homeless have a bed.

Alan Korsen, resident, opposed allowing a homeless shelter by right in the Triangle Site because it is too close to the shopping center and the high school; the shelter will attract drug addicts, alcoholics, and those with mental issues who should not be anywhere near high school aged children.

Chair Darden closed the public hearing.

Amber Gregg, Associate Planner, addressed many of the questions asked by residents. The overwhelming reasons why the City must comply with SB 2 are to comply with State law, to achieve a certified Housing Element, and to continue to be eligible to receive affordable housing grants. She noted that designating one property, or a very limited number of properties, is not likely to satisfy the requirement because refusal to sell/lease that property would remove the ability for homeless advocates to develop a shelter in the City; advised that the City removed the Los Molinos area from consideration because it is too close to residential areas as well as the Boys and Girls Club; explained that City staff is following State published guidelines in identifying areas where a homeless shelter would be allowed by right. The Triangle Site was eliminated because due to the City's Measure V, it was likely that the property's development would take a City-wide vote, making it a potentially non-viable option.

Ajit Thind, Assistant City Attorney, stated that although Measure V allows an exception for rezoning for up to one acre without going to a public vote if the City Council is able to make certain findings, there are legal questions related to that type of action.

Jeff Hook, Principal Planner, explained that under the proposed draft Ordinance, once the estimated shelter need of 70 beds were reached, the City would have the authority to require a conditional use permit for any proposal for more shelter beds; added that the Housing Element contains an estimated population range for homeless persons and that the Commission's estimate of 65 to 70 homeless persons is consistent with the Housing Element.

Alternative Option Discussion:

Chair Darden asked for a straw vote on whether there is interest in discussing the alternative option, which would replace the Commission's 5/28 direction to rezone the entire RSCBP, outside of a 500 foot buffer from Residential zones with a proposal to allow homeless shelters, by right, by establishing an SB 2 Overlay Zone for the three existing churches in the RSCBP and two churches in Talega Business Park, with a limit of 35 beds per facility. The straw vote to discuss the alternative option passed 4-3 with Commissioners Kaupp, Crandell, Brown, and Darden in favor and Commissioners Ward, Eggleston, and Ruehlin opposed.

Commissioner Crandell opined that because the City has had testimony that churches are unlikely to build homeless shelters on their property due to various other uses on site, it would be disingenuous to suggest the City Council consider these sites when in fact they are not viable options.

Commissioner Ruehlin agreed with Commissioner Crandell.

Vice Chair Brown commented that the issue at hand is land use, not viability. There are no easy solutions and the City has to comply with State law. He is in favor of removing the entire RSCBP and replacing it with the five church sites located within both RSCBP and Talega Business Park. Additionally, he is in favor of keeping the Triangle Site as a potential site, commented that it is located 750 feet from the High School, meets all criteria established in SB 2 and could go to a vote of the people if/when it becomes a viable location for a homeless shelter.

Commissioner Kaupp agreed that the decision was not easy to make and there was no decision that would make everyone happy; thanked those that showed compassion for the homeless during public testimony. Although the alternative option is not a perfect solution, he feels it gives enough options and will allow the City's Housing Element to be certified as a good faith effort. It would also give the RSCBP some assurance that they have some control over where a shelter would go. He does not support the Triangle Site as it would not be a viable option until/unless the public supported rezoning the parcel; agreed that constructing a homeless shelter will address many of the negative impacts currently associated with the homeless camping in open space; and supported Chair Darden's alternative option.

Commissioner Eggleston thanked staff for their efforts regarding this issue. He noted the City is only required to zone one area that would allow homeless shelters by right and establish development and management standards. He suggested that approving rezoning of the entire RSCBP was in direct opposition to General Plan Implementation Measure no. 6 on page 3 of 21 of the Strategic Implementation Plan to update the Rancho San Clemente Specific Plan, to, among other things, protect employment related businesses. The Business Park contributes much more revenue to the City than Downtown businesses do and has far more employees. Business Park owners are highly invested in properties and businesses there, and their investment may be negatively affected by installation of a homeless shelter in their midst. It is not being business-friendly to put a homeless shelter in a premier business park. As an alternative, he suggested the Commission consider a maximum of 6 beds for each church throughout the City, and limiting any homeless shelter in the Calle de Industrias site to a maximum of 25 beds. This will spread out impacts all over the City and together, provide sufficient capacity to meet the minimum of 70 beds needed to house the City's estimated homeless population.

Commissioner Eggleston moved to adopt an alternative plan to apply a limit of 25 beds per shelter facility in the Calle de Industrias area, with a maximum of 6 beds allowed per church throughout the City. Commissioner Ward seconded the motion. Commissioner Eggleston agreed to rescind his motion to allow discussion by the Commission.

In response to Commission questions, Jeff Hook believed that limiting potential SB 2 sites to either Calle de Industrias area or neighborhood churches was not likely satisfy SB 2 requirements. The City would be relying partly on churches to meet homeless needs and the message that City staff heard from local clergy was that while churches want to be part of the homeless solution, they do not believe that churches can or should be considered to be the entire solution. He noted that generally, other Orange County cities have rezoned much larger areas to meet SB 2 requirements.

Commissioner Ruehlin supported reducing the maximum number of beds per facility to 25 in the Calle de Industrias area, but did not agree that it was viable to believe that the rest of the required beds could be satisfied by area churches.

Commissioner Kaupp advised that staff for legal reasons has advised against establishing a maximum number of beds per area, such as 25 beds in the entire Calle de Industrias area, but rather, to establish a minimum spacing between shelter facilities and a maximum number of beds per shelter facility.

Vice Chair Brown felt that Commissioner Eggleston's suggested alternative is too limiting and not viable. He reiterated support for the alternative suggested by Chair Darden, where the entire business park site would be replaced by the five church sites located in the two business parks, and suggested this was a good compromise that dispersed potential shelter impacts.

Chair Darden stated that she received communication from RSCBP today expressing interest in the three church sites rather than the entire business park. She believes this would be a good compromise.

Commissioner Eggleston opined that it is the mission of churches to provide for the homeless, as is practiced in Europe. Churches of all faiths should step up to the plate and help the homeless. He would like the City Council to consider his motion as a potential alternative to other actions.

IT WAS MOVED BY COMMISSIONER EGGLESTON, SECONDED BY COMMISSIONER WARD, AND DENIED ON A 2-5 VOTE, WITH COMMISSIONER EGGLESTON AND COMMISSIONER WARD IN FAVOR AND COMMISSIONER RUEHLIN, COMMISSIONER KAUPP, CHAIR PRO TEM CRANDELL, VICE CHAIR BROWN, AND CHAIR DARDEN OPPOSED, TO RECOMMEND CITY COUNCIL ESTABLISH A MAXIMUM NUMBER OF 25 BEDS FOR THE CALLE DE INDUSTRIAS AREA, WITH A MAXIMUM OF 6 BEDS PER CHURCH AT ALL CHURCHES THROUGHOUT THE CITY.

In response to a question from Commissioner Crandell, Mr. Hook explained that to establish a new church in either business park, a Conditional Use Permit (CUP) would be required. If a CUP were granted, a church would, under the proposed draft SB 2 ordinance, have a right to establish a 35-bed homeless shelter in the RSCBP, subject to the ordinance's development and management standards. If a church moves from the site and another use went in, a homeless shelter would not be allowed on the site by right.

Straw Votes:

A straw vote for the alternative suggested by Chair Darden to replace designation of all parcels in the Rancho San Clemente Business Park Zone with five existing church sites, three in RSCBP and two in Talega Business Park, and including 16 parcels in the Calle de Industrias area, and permit by right as an accessory use to all churches for up to six beds per church, was denied on a 3-4 vote, with Commissioners Darden, Kaupp and Brown voting in favor, and Commissioners Eggleston, Ruehlin, Crandell and Ward opposed.

A straw vote to consider the Commission's direction, as stated by the majority of the Commission at its May 28, 2014 meeting, to designate 16

parcels in the Calle de Industrias area as part of an SB 2 Overlay Zone; designate all parcels in the RSCBP Zone that are at least 500 feet from Residential Zones as part of an SB 2 Overlay Zone; and to permit shelters by right as an accessory use to churches, for up to 6 beds per church, was supported on a 4-3 vote, with Commissioners Ruehlin, Kaupp, Darden and Crandell in favor, and Commissioners Brown, Eggleston and Ward opposed.

Action:

IT WAS MOVED BY COMMISSIONER RUEHLIN, SECONDED BY CHAIR PRO TEM CRANDELL AND CARRIED 4-3, WITH COMMISSIONER KAUPP, COMMISSIONER RUEHLIN, CHAIR PRO TEM CRANDELL AND CHAIR DARDEN IN FAVOR, AND COMMISSIONER EGGLESTON, COMMISSIONER WARD, AND VICE CHAIR BROWN OPPOSED, TO ADOPT RESOLUTION NO. PC 14-022, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE A NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT AND AMEND THE GENERAL PLAN, RANCHO SAN CLEMENTE AND WEST PICO CORRIDOR SPECIFIC PLANS, AND THE ZONING ORDINANCE AND PRECISE ZONING PLAN TO IMPLEMENT CALIFORNIA GOVERNMENT CODE SECTION 65583 REGARDING SENATE BILL 2 ("SB 2"), THE EMERGENCY SHELTER ACT, CITY FILE NUMBERS ZA 14-121; GPA 14-122 AND SPA 14-123, with the following revision:

Staff to add requirement for annual review of the Management Plan.

**[ACTION SUBJECT TO CITY COUNCIL APPROVAL]**

9. **NEW BUSINESS** - None
10. **OLD BUSINESS** – None
11. **REPORTS OF COMMISSIONERS/STAFF**
  - A. Tentative Future Agenda
  - B. Minutes from the Zoning Administrator meeting of May 21, 2014
  - C. Staff Waiver 14-196, 120 S. El Camino Real
  - D. Staff Waiver 14-208, 1640 N. El Camino Real
  - E. Staff Waiver 14-216, 101 Via Pico Plaza

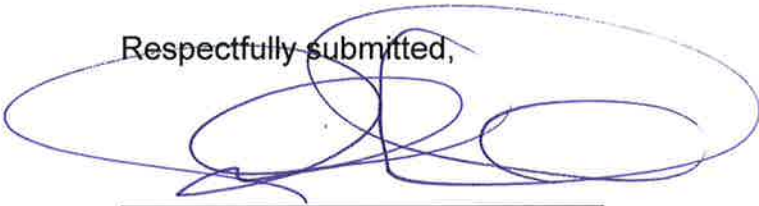
Vice Chair Brown reported that at the last meeting of the Coastal Advisory Committee, the Committee heard a presentation from City Planner Pechous regarding the development of the Local Coastal Program.

Chair Darden reported that she and Vice Chair Brown met today with Sean Nicholas, Associate Planner, and City Planner Pechous to discuss future plans to engage more of the community in the planning process. She anticipates bringing this item to a study session as soon as additional information is gathered.

**12. ADJOURNMENT**

IT WAS MOVED BY COMMISSIONER KAUPP, SECONDED BY VICE CHAIR BROWN, AND UNANIMOUSLY CARRIED to adjourn at 9:32 p.m. in honor of those who have served on the Planning Commission with Michael Kaupp for the last 14 years, namely, Carol Bonner, Ron Runolfson, Nesa Anderson, Duffy Brook, Mitchell Thompson, Daniel Bane, Donald Prime, Lori Donchak, Brenda Miller, Frank Haroldson, Dottie Prohaska, Dennis Papilion, Lew Avera, Cynthia Baker, Kelene Johnson, George Carvalho, David Hahn, Julia Darden, Don Brown, Wayne Eggleston, Kathleen Ward, Jim Ruehlin, and Bart Crandell to the Regular Study Session on July 2, 2014, at 6:00 p.m. in Council Chambers at City Hall located at 100 Avenida Presidio, San Clemente, CA.

Respectfully submitted,



\_\_\_\_\_  
Julia Darden, Chair

Attest:



\_\_\_\_\_  
Jim Pechous, City Planner