

**MINUTES OF THE SPECIAL MEETING
OF THE CITY OF SAN CLEMENTE
PLANNING COMMISSION
June 20, 2012 @ 6:00 p.m.
City Council Chambers
100 Avenida Presidio
San Clemente, CA 92672**

07/03/12
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1. CALL TO ORDER

Chair Anderson called the Special Meeting of the Planning Commission of the City of San Clemente to order at 6:03 p.m.

2. PLEDGE OF ALLEGIANCE

Commissioner Crandell led the Pledge of Allegiance.

3. ROLL CALL

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

Commissioners Absent: Donald Brown

Staff Present: Jim Pechous, City Planner
Jeff Hook, Principal Planner
John Ciampa, Associate Planner
Zackary Posen, Senior Civil Engineer
Ajit Thind, Assistant City Attorney
Eileen White, Recording Secretary

Chair Anderson congratulated reappointed Commissioners Ruehlin, Kaupp, and Brown.

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

A. San Onofre Foundation (SOF) Presentation (Jim Kempton)

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A presentation by SOF Executive Director Jim Kempton introducing the SOF to the City. Mr. Kempton will explain their mission, present the importance of the San Onofre and San Clemente State Parks as economic engines for the City, and enumerate the value and treasure that the Parks provide the citizens.

Executive Director Kempton provided an overview of the Foundation’s mission, programs, and educational efforts; updated the Commission on the status of the lease negotiations to ensure the parks remain open to the public; agreed to forward the Foundation’s wish list to staff. He agreed to return to provide additional information if needed, and provided his contact information to the Commissioners and staff.

B. General Plan Advisory Committee (GPAC) Update (Bill Hart)

A presentation by GPAC member Bill Hart updating the Commission on recent GPAC meetings. Mr. Hart will summarize key General Plan policy discussions and comments raised at the meetings.

Mr. Hart was not present at the meeting.

5. MINUTES

A. Minutes from the Regular Planning Commission Meeting of June 6, 2012.

IT WAS MOVED BY COMMISSIONER RUEHLIN, SECONDED BY VICE CHAIR AVERA AND CARRIED 5-0-1, WITH CHAIR PRO TEM DARDEN ABSTAINING, to receive and file the minutes of the Regular Planning Commission Meeting of June 6, 2012, with the following revision:

Page 13, 3rd to last paragraph, replace “Planner Pechous” with “City Planner Pechous”

6. ORAL COMMUNICATIONS

George Gregory, resident, recounted his experiences trying to develop a nonconforming property in compliance with City codes, and asked for staff help and guidance with his project. Staff and Mr. Gregory exchanged contact numbers.

7. WRITTEN COMMUNICATIONS - None

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8. CONSENT CALENDAR**9. PUBLIC HEARING****A. 2110 South El Camino Real – (Sign Exception Permit 12-123) – Montgomery Motorcycle Company Signage (Ciampa)**

A request to consider a sign that exceeds the allowed square footage and width for a business within the Neighborhood Commercial (NC3) zoning district located at 2110 South El Camino Real. The legal description is Lots 3/4, Block 8 of Tract 852, Assessor's Parcel Number 690-444-02.

John Ciampa, Associate Planner, recommended the Commission continue this agenda item to their next meeting in order to ensure compliance with proper noticing requirements.

IT WAS MOVED BY COMMISSIONER RUEHLIN, SECONDED BY COMMISSIONER KAUPP, AND UNANIMOUSLY CARRIED TO CONTINUE 2110 SOUTH EL CAMINO REAL – (SIGN EXCEPTION PERMIT 12-123) – MONTGOMERY MOTORCYCLE COMPANY SIGNAGE, TO THE REGULAR MEETING OF JULY 18, 2012.

[AGENDA ITEM CONTINUED TO NEXT PLANNING COMMISSION MEETING.]

B. 1717 ½ North El Camino Real, 724 ½ South El Camino Real, 111 ½ Calle Seville, 154 ½ West Canada, 415 ½ North Ola Vista – (Conditional Use Permit (CUP) 11-253, CUP 12-091, CUP 12-092, CUP 12-093, CUP 12-094) – NextG Networks Cell Applications (Ciampa)

A request to consider installation of micro-cellular antennas (distributed antenna systems) on existing light and utility poles within the City of San Clemente at the following locations: 1) Intersection of North El Camino Real and Boca de la Playa; 2) Intersection of South El Camino Real and West Avenida Cadiz; 3) Intersection of Avenida Cabrillo and South Calle Seville; 4) Intersection of Calle Puente and West Canada; 5) Intersection of North Ola Vista and West Avenida Palizada.

John Ciampa, Associate Planner, narrated a PowerPoint Presentation entitled "CUP 12-091, CUP 12-092, CUP 12-093, CUP 12-094, NextG Networks Cellular Applications, dated June 20, 2012." He summarized the proposed installations, reviewed findings required to allow the proposed height increases, displayed photos of the sites before and after installations, discussed DRSC discussion and revisions, and referred to an additional condition requiring replacement of equipment if improved technology resulting in reduced visibility is available within the next three years. Staff recommended approval of the request as conditioned.

Joe Milone, representing NextG (recently acquired and renamed Crown Castle NG West Incorporated), explained that the proposed equipment is fiber optic technology, certified by the Federal Government, to provide coverage and capacity for cellular providers. The proposed low-powered installation will provide increased coverage and capacity resulting in increased safety due to fewer dropped calls. Sprint has contracted with NextG to install equipment to improve its services, which are diminished in this area due to hills and dense vegetation. In response to questions, he advised that the installation, with minor revisions such as thicker antennas, could potentially provide coverage for another provider; noted that Federal regulations limit cities' abilities to refuse public utility installations; discussed strict guidelines mandating distance of the antennas from each other and other public utilities; reviewed alternative equipment options; advised neither the antennas or power boxes can be installed underground; discussed alternative designs used in coastal cities with similar goals regarding the undergrounding of power lines; noted that lowering the antennas to heights required by City codes would significantly decrease the antennas' ability to send and receive signals. He noted that this application has been in the process for a year, and that each location has been carefully selected to ensure optimum coordination, minimal impacts, and maximum performance.

Chair Anderson opened the public hearing.

John Dorey, resident, endorsed installation of additional antennas by any and all fiber optic technology providers as well as cellular phone providers in order to increase coverage to his home and many others who currently are unable to receive cell phone service from their homes.

Chair Anderson closed the public hearing.

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During the ensuing discussion, the Commissioners, either individually or in agreement, provided the following commentary:

- Reviewed discussion of project at DRSC meeting, pointing out that certain revisions were made to improve aesthetic impacts and reduce the visibility of the antennas and power boxes.
- Expressed concern regarding the installation at North Beach on El Camino Real due to the area's evolving improvements, status as a gateway to the City, and scheduled undergrounding of utility poles.
- Requested Planning and Legal staff research and provide additional information concerning the City's discretion and ability to provide input regarding the aesthetic impacts associated with public utility applications.
- Commented that the proposed antenna and power box equipment, to be installed on utility poles that already appear to be "rats' nests" due to existing equipment, only add to the power poles' already disheveled and unattractive appearance.
- Commented that the additional equipment, installed on utility poles already appearing to be overburdened with equipment, hardly appeared noticeable due to existing equipment.
- Requested the agenda item be continued to order to allow the Commission to discuss the City's ability to provide direction regarding the subject installation with the City Attorney.
- Requested the applicant provide documentation to back up the information used to make the findings necessary in order to approve this installation. In addition, the applicant was requested to provide documentation to indicate why alternative solutions/locations/antenna heights, etc., are not technically feasible.
- Commented that the high cost of installing the proposed equipment supports the provider's claims that the equipment is necessary to improve capacity and increase coverage; namely that the carriers would not arrange for costly improvements unless substantial benefits were received.

IT WAS MOVED BY COMMISSIONER KAUPP, SECONDED BY COMMISSIONER CRANDELL, AND UNANIMOUSLY CARRIED TO CONTINUE 1717 ½ NORTH EL CAMINO REAL, 724 ½ SOUTH EL CAMINO REAL, 111 ½

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CALLE SEVILLE, 154 ½ WEST CANADA, 415 ½ NORTH OLA VISTA – (CONDITIONAL USE PERMIT (CUP) 11-253, CUP 12-091, CUP 12-092, CUP 12-093, CUP 12-094) – NEXTG NETWORKS CELL APPLICATIONS TO THE REGULAR MEETING OF JULY 18, 2012.

[AGENDA ITEM CONTINUED TO NEXT PLANNING COMMISSION MEETING.]

10. NEW BUSINESS - None

11. OLD BUSINESS

A. General Plan Policies (Hook)

Continued review of draft General Plan Natural Resources and Safety Element goals, policies and implementation measures.

Jeff Hook, Principal Planner, displayed GPAC revised draft elements on the overhead projector, and requested the Planning Commission provide input. The final draft of the General Plan will return to the Commission for final review and action.

Fire

Following discussion, the Commissioners suggested revisions as follows:

- Requested staff include “canyons” in the introduction, as they are a major source of fuel for wildfires
- Under “Additional Links,” add “Multi Hazard Plan Link”

Noise

Following discussion, the Commissioners suggested revisions as follows:

- Directed staff to add goals and policies addressing noise and view issues related to the I-5 Freeway, specifically freeway noise reduction efforts and objectives, and establishing policies regarding the construction of new and/or removal of existing sound walls to ensure retention of views.

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- Directed staff to add policies to address noise levels generated by vehicles on major roads throughout the City, including those roads scheduled for extension, such as La Pata, and roads that will be impacted by outside influences, such as proposed impacts to Avenida Pico with the development of the Rancho Mission Viejo project. (Section 8)
- Under policy S-4.3., following “community character,” insert “natural resources”

Radiological Hazards

Following discussion, the Commissioners suggested revisions as follows:

- Removal of Policy SE-5.5 as it is not relevant to this section, or to the City in general.
- Relocation of Policy SE-5.7 to a more relevant section of the document.
- Inclusion of goals and policies, to be established through public opinion workshops/surveys and City Council, related to the upcoming (2018) renewal of the lease for the San Onofre Nuclear Generating System (SONGS), especially with regard to surveying the public to determine support for lease renewal, and the safe storage/removal of spent rods at the site.
- Requested staff research and consider for inclusion language to a) address the relocation of spent fuel rods and other nuclear wastes to safe locations outside of urbanized areas that meet Federal and State standards, b) Consider adding implementation measures that call for City to evaluate safety impacts related to SONGS relicensing and community concerns, as well as taking an informed position on relicensing prior to NRC action, c) consider implementing a radiation monitoring policy or performance measure, and d) provide additional information re timing and noticing to the public on effluent release permits (radioactive discharges).

Public Comment:

Richard Boyer, resident and GPAC member, is employed at SONGS as a Radiation Specialist. He believes the 600 employees from the SONGS Plant that live in San Clemente should have a voice in the relicensing consideration. He described normal levels of radiation

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generated from the human body, radiation levels humans are exposed to on a daily basis generated by the natural environment, and levels produced by the plant. He discussed processes employed by the Plant to contain, process, and expend waste products of nuclear generation, and advised that some medical procedures expose humans, and are expelled into the environment through human waste products, in far greater concentrations of radiation than those released by the plant. In addition, he discussed the storage and/or removal of spent fuel rods.

Gary Hedrick, resident, opined that the City Council should not allow relicensing of the plant unless plans for spent fuel rod removal and/or storage issues are resolved to the City's satisfaction. He discussed safety concerns attached to spent fuel rod storage including long term effects, earthquake precautions, risk of exposure, and excess amount on site. He noted the NRC is considering conducting an epidemiology study of this site, which will help determine the health risks and exposure in the adjacent community, and requested the City support the selection of SONGS for the study. In addition, he requested establishment of process where residents are alerted in advance of radiation releases, in order to give residents the option to take action, such as staying indoors if desired, similar to advance notice of poor air quality.

Hazardous Materials

The Commissioners approved this section without revision.

Public Comment:

Gary Hedrick, resident, gave Chair Anderson copies of letters that City Council sent to the regulation agencies regarding legal release of radiation into the environment following the leak that occurred on January 31, 2012, for their consideration. He noted that Concordia Elementary School required the students to stay indoors that day, just as if it had been a high level of smog day. He reiterated his earlier request that residents be given advance notice of radiation release dates and times so they may take action if desired.

Chair Anderson forwarded the letters to staff for copying and distribution to the Commissioners.

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Emergency Services, Preparedness, Response, and Recovery

Following discussion, the Commissioners provided commentary/suggested revisions as follows:

- Agreed that this section adequately addresses the necessary CERT training brought up in an earlier discussion.
- Agreed that Information Technologies (IT) should be included in emergency preparation procedures for the purpose of protection of data, communication to citizens in the event of an emergency, website support, etc. A formal approach to manage what IT should do in the event of an emergency should be mentioned in this section.
- Revised S-7.1. to add "Information Technology" to the list of departments.
- Added "Alert OC", and any other emergency notification agencies to the "Additional Links" section.
- Commented that sheltering in place is taught in CERT training, and CERT graduates are then certified to act as active participants in emergency situations.

Public Comment:

Gary Hedrick, resident, suggested that the "sheltering in place" drill that is taught in CERT training should be offered to residents, extended into the school system etc., as that will be an important tool for residents in the event of an emergency, when roads are closed or impossible to pass, and residents will be required to secure their homes using sheltering in place guidelines. He advocated the sharing of sheltering in place guidelines to residents, and the development of proper facilities in schools in the event that survival technique is required.

Safety Element Implementation Measures

Following discussion, the Commissioners suggested revisions as follows:

- Requested the City Attorney review Measures 1 through 3 to clarify the type and source of information the City keeps on hand and available upon request to residents.

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- Revise Measure 12 to insert “independent” in front of “air monitoring station” and add “and inform the public in a timely manner” to the end of that sentence.
- Add new Measure 18 to read as follows: “Incorporate Information Technology Emergency Preparedness and Response Plan into overall City Emergency Response Plan.
- Requested staff add implementation of a policy regarding early warning of radiological releases in the event it is determined that this information is available.
- Suggested staff review and revise if necessary the wording of Measure 12 to ensure the City maintains control of the station, and includes procedures to follow in the event high readings occur.

Public Comment:

Gary Hedrick, resident, commented that information concerning unintended or intended releases of radiological material into the air should be released to area residents immediately. In addition, any information gathered through independent monitoring (as detailed in Measure 12) should be immediately available to residents.

Commission Comment:

Commissioner Ruehlin requested that two additional elements are added to the General Plan as it continues through the approval process. Firstly, potential impacts of the development of Section Eight of the Rancho Mission Viejo Plan should be studied, including potential for the City to incorporate this area, potential impacts to the City’s infrastructure and services, etc. Secondly, he is concerned about regulating the internal consistency of the General Plan document, as well as consistency with California State Law, the City’s Specific Plans, etc. He would like to be aware of and have an understanding of the process to make the document consistent.

Chair Anderson advised that modification of the City’s specific plans will follow adoption of the General Plan. She requested staff forward Commissioner Ruehlin’s comments regarding the impacts of Section Eight development to the City’s consultants and request comment.

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Principal Planner Hook advised that issues concerning Section Eight development will be addressed within the Growth Management Element of the General Plan, to be presented to the Commission in the months ahead.

Commissioner Crandall commented that consistency within the document itself and between the City's General Plan and State and Federal Plans is a deliverable in the contract and will be provided by the City's consultant.

12. 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 6, 2012
- C. Staff Waiver 12-195, 153 W. Marquita
- D. Staff Waiver 12-199, 125 S. El Camino Real
- E. Staff Waiver 12-201, 1527 N. El Camino Real
- F. Staff Waiver 12-202, 306 Avenida San Pablo
- G. Staff Waiver 12-203, 1608 Calle Las Bolas
- H. Staff Waiver 12-204, 108 Avenida Barcelona
- I. Staff Waiver 12-210, 110 Capistrano Lane
- J. Staff Waiver 12-212, 209 Avenida De La Grulla

Vice Chair Avery commented that due to resignations, the GPAC committee is down approximately 6 or 7 members, and only 15 attended their last meeting. He advised three more meetings are scheduled, with additional meetings anticipated to be added before the process is completed.

Commissioner Ruehlin expressed interest in hearing more about issues discussed in DRSC meetings, especially when those projects are before the Planning Commission. DRSC members agreed to provide additional information at the meetings, and staff noted that the meeting minutes are attached to the staff report on significant projects. City Planner Pechous advised Commissioner Ruehlin to notify him in advance if he'd like to attend any DRSC meeting, so the meeting can be properly noticed to ensure no Brown Act violations.

Commissioner Kaupp invited all to attend the Second Annual Mayor's Walk on Saturday, June 23, 2012, beginning at 10:00 a.m. starting at Antoine's Café and continuing for 5

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blocks down El Camino Real. In addition to the Mayor, Councilmember Donchak will also be present.

City Planner Pechous announced he is still in the process of planning an architectural tour walk to follow up on recent project completions. He anticipates the walk occurring in early August so that the new Ralph's Supermarket building can be included.

Commissioner Ruehlin announced he will be unavailable for two weeks starting on July 23, 2012.

Commissioner Crandell announced he would be unavailable from the 11th to the 25th of August.

City Planner Pechous advised he will schedule the architectural walk via email to ensure all are in town and available to attend.

Principal Planner Hook suggested the Commission cancel the Study Session and start their July 18, 2012, meeting at 6:00 p.m. as more elements of the General Plan will be on the agenda. He believes there is adequate time to notice the meeting to allow the public hearing portion of the meeting to be heard before 7:00 p.m.

Commissioner Crandell thanked Principal Planner Hook for providing the General Plan Updates early to allow increased time for review before tonight's meeting.

13. ADJOURNMENT

IT WAS MOVED BY COMMISSIONER KAUPP, SECONDED BY COMMISSIONER RUEHLIN, AND UNANIMOUSLY CARRIED to adjourn at 10:00 p.m. to an Adjourned Regular Meeting to be held at 6:00 p.m. on July 18, 2012, in Council Chambers at City Hall located at 100 Avenida Presidio, San Clemente, CA.

Respectfully submitted,

Nesa Anderson, Chair

Attest:

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Jim Pechous, City Planner

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