

ORDINANCE NO. 1585**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:

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- 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

APPROVED 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) ss.
CITY OF SAN CLEMENTE)

I, **JOANNE BAADE**, City Clerk of the City of San Clemente, California, hereby certify that Ordinance No. _____ having been regularly introduced at the meeting of _____, was again introduced, the reading in full thereof unanimously waived, and duly passed and adopted at a regular meeting of the City Council held on the ____ day of _____, _____, and said ordinance was adopted 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
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

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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, in Commercial, Business Park or Industrial zoning districts, 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 20 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.

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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

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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 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 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).

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

Use	CVC	P	INST
Emergency Shelter	P	P	

6

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

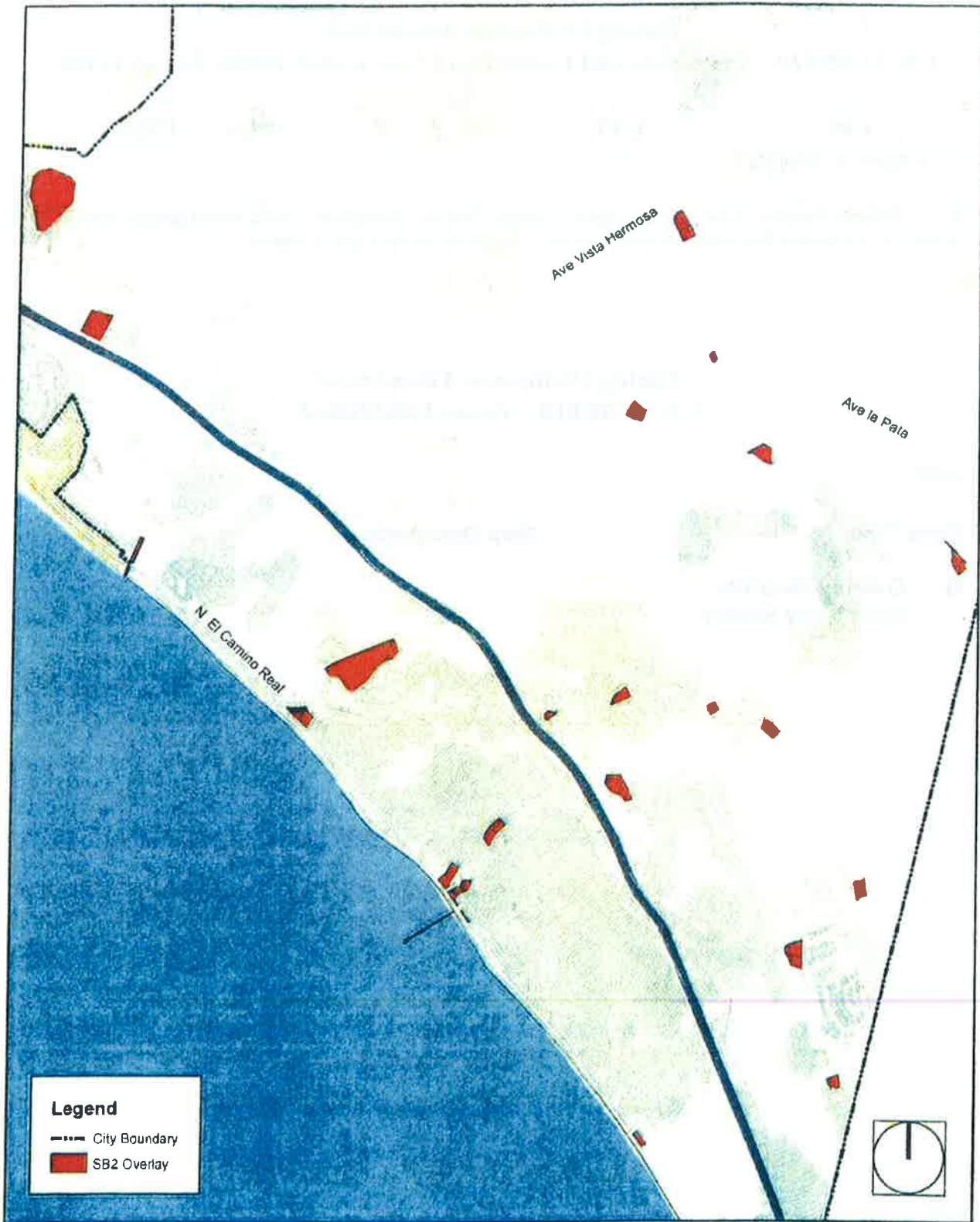
Map Designation

G. Overlay Districts
Emergency Shelter

-ES

Zoning Map - Emergency Shelter Overlay (ES)

EXHIBIT B



Legend

- City Boundary
- SB2 Overlay

Data Source: City of San Clemente 08 11 2014

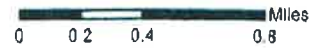


Exhibit C
Initial Environmental Study and Negative Declaration

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).

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

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 11220(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
*See Source References at the end of this Checklist.					
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
*See Source References at the end of this Checklist.					
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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