

These minutes were approved by the Coastal Advisory Committee on 2-12-15.

**MINUTES**  
**CITY OF SAN CLEMENTE**  
**REGULAR COASTAL ADVISORY COMMITTEE MEETING**  
 Thursday, January 8, 2015 @ 7:00 p.m.  
 Community Center, Ole Hanson Fireside Room  
 100 N. Seville, San Clemente, CA 92672

---

**1. CALL TO ORDER**

Chair Brown called the meeting to order at 7:00 p.m.

**2. PLEDGE OF ALLEGIANCE**

Committee Member McMains led the Pledge of Allegiance.

**3. ROLL CALL**

Present: Alison Betts, Richard Dickey, Chris McCormack, and John McMains; Vice Chair Susan Ambrose and Chair Don Brown

Absent: None

Staff Present: Mary Vondrak, Senior Management Analyst  
 Jim Pechous, City Planner  
 Eileen White, Recording Secretary

**4. APPROVAL OF MINUTES**

A. Minutes of the Regular CAC Meeting of December 13, 2014

IT WAS MOVED BY COMMITTEE MEMBER MCMAINS, SECONDED BY COMMITTEE BETTS, AND CARRIED 4-0-2, WITH COMMITTEE MEMBER MCCORMACK AND VICE CHAIR AMBROSE ABSTAINING, to receive and file the minutes of the Regular CAC Meeting of December 13, 2014, as presented.

**5. PUBLIC INPUT**

Chair Brown announced receipt of 3 letters received pertaining to item 7.A. Land Use Plan (LUP) Review, and summarized as follows: Letter from Al Cullen, resident, noting that the under highway access to Poche Beach is unpermitted and questioning the validity of including Poche Beach as a San Clemente beach when its access is located on a County beach within the City of Dana Point; letter from Lee Strother, resident, requesting that the existing blufftop at the end of La Rambla above Boca del Canon Beach be preserved as a public coastal viewpoint; letter from Alexander Maniscalco, The Loftin Firm, PC attorney representing Capistrano

Shores, objecting to language in the City's Local Coastal Program with regard to public coastal access through the mobile home park, Non-conforming language that attempts to regulate mobile homes as though they are structures rather than personal property, language from the City's Local Coastal Program adopted from the California Coastal Commission's Draft Sea-Level Rise Policy Guidance document, and language in the Local Coastal Program regarding Designated Scenic View corridors.

Alexander Maniscalco, The Loftin Firm, Attorney representing Capistrano Shores Mobile Home Park, summarized his letter dated January 6, 2015, and referred to letters attached supporting the Park's positions.

Cheryl Moe, architect, expressed concern that language within the document will result in overregulation of coastal areas for little benefit; requested the City address areas of short term concern including management of the watersheds, overwatering leading to hillside failures/landslides, and the threat of West Nile Virus.

**6. UNFINISHED BUSINESS - None**

**7. NEW BUSINESS**

**A. Land Use Plan**

Jim Pechous, City Planner, narrated John Ciampa, Associate Planner's PowerPoint Presentation entitled, "Local Coastal Program, Coastal Advisory Committee, January 8, 2015"; discussed the purpose of tonight's meeting, definition of the Local Coastal Program, and benefits the City's residents will realize with adoption of the LCP. He displayed a map indicating the areas under LCP regulations, discussed the City's goals for the LCP and reviewed the chapters that make up the Land Use Plan (LUP) portion of the LCP. Additionally, he discussed the progress to date in the update process, including completion of the Biological Inventory Survey, and provided a timeline of the update process. Staff recommended the Committee review and provide comments on the draft LUP.

Chair Brown commended staff on the work performed to date; requested an update when the Biological Inventory Survey has been completed, especially with regard to ESHA data; suggested the Committee review the document chapter by chapter and call out any questions/comments/suggested revisions.

In response to questions/comments, City Planner Pechous noted that staff will review the legends and revise for readability/clarification; advised a resident complaining about blocked sidewalks as a result of illegal businesses to contact Public Works for information. He noted information on walkability/mobility issues are located in the Bicycle Pedestrian Master Plan in the Mobility Element of the City's General Plan. In response to testimony

from residents that prior and valid approvals exist for properties, he agreed the document should provide a process to allow variances to be approved if plans do not comply with the new standards going forward.

Vice Chair Ambrose described difficulties she has had with accessing/utilizing County services associated with disabled access; advised an unidentified resident complaining of sidewalk blockages to call Code Compliance to report unauthorized activities/actions; commended staff for the excellent document.

Chair Brown invited the public to provide comment.

Mark McGuire, resident, requested staff amend the LUP to reflect conditions attached to the approved Marblehead Coastal CDP, including with regard to public park hours, allowing minor amendments to individual home sites within the master CDP, and clarifying language with regard to fuel modifications to ensure are consistent with OCFA. He requested staff revise language in the LUP that calls for "100 foot setback" for wetlands to reflect actual conditions/regulations/home plot plans in the Marblehead Coastal CDP approved by the CCC. Additionally, he requested revision to HAZ-41 on Page 5-16 to address language regarding swimming pool construction on Canyon Bluffs as it differs from the Marblehead Coastal CDP; requested staff review HAZ-42 on Page 5-16 which requires geotechnical surveys on Coastal Canyon lots to ensure it applies to the Marblehead project; suggested staff ensure they are aware of implications when designating scenic roadway corridors.

Cheryl Moe, resident, requested staff include provisions to address properties that have prior approvals that do not comply with the new setbacks language as well as include provisions that deal with properties that have been/may be altered by slide failures. She suggested the new language appear in HAZ-39 on Page 5-15.

IT WAS MOVED BY CHAIR BROWN, SECONDED BY COMMITTEE MEMBER MCMAINS AND UNANIMOUSLY CARRIED to forward the Land Use Plan to City Council with the following comments:

#### Chapter 1.0 Introduction

Page 1-5, second paragraph, staff to clarify to reflect that the LUP should not trump the General Plan; comment that the LUP and General Plan should be consistent with each other.

#### Chapter 2.0 Land Use and New Development

Page 2-12, provide additional information on OS1-Active and OS2-Passive Zoning Designations.

Page 2-17, staff to review and clarify map legends that are currently too blurry or difficult to read on this page and throughout the document.

Page 2-34, and elsewhere throughout the document, "Exhibit XX" and other references to unintentionally excluded exhibits throughout the document should be located and either removed or provided with the referred to exhibit.

### Chapter 3.0 Public Access and Recreation

Page 3-7, Access Point Poche, staff to review description of access point for accuracy/clarification and revise if necessary.

Page 3-36, verify reference to Article X in Section 30212 (c) for accuracy.

Page 3-44, verify reference to Figure X in PUB-45 for accuracy.

Page 3-46 to 3-49; staff will review PUB 50, 51 & 52 to simplify language and/or consider moving these sections to the IP section if appropriate.

Page 3-50, verify how and when these types of public access requirements become applicable; provide a narrower definition of "new development."

Page 3-51, PUB-64, consider whether curfews conditioned with Marblehead Parks should be included as a policy.

Page 3-53, PUB-77, delete in its entirety; same wording as PUB-75.

General comment regarding sidewalks – consider adding a policy to improve walkability/mobility in the Coastal Zone.

### Chapter 4.0 Marine and Land Resources

Page 4-6 and 4-8, Map needs to be updated or added.

Page 4-12 RES-3, remove strikeout text.

Page 4-13, RES-5, add a policy to deal with special circumstances, especially those lots with CCC approved development boundaries that do not conform to the 3 setback options in this policy, so that there is a process for variances for unique lots and policy pertaining to lots with prior approvals/permits.

Page 4-14, RES 17, consider adding language to address handling of non-native cobble, such as cobble imported during sand replenishment actions.

Page 4-18, RES 29, consider revision to statement regarding required length of wetland setback of 100 feet as this does not reflect actual approved shorter length setbacks in Marblehead Coastal.

Page 4-28, RES-79, consider revision to statement to clarify when this statement applies; also check OCFA regulations for potential conflict.

Page 4-29, RES-80, verify no conflict with California Building Code; also consider moving detail references to IP if appropriate.

#### Chapter 5.0 Hazards & Shoreline/Bluff Development

Page 5-4, Define the acronym, "SOI" as "Sphere of Influence;" clarify the sentence in the 5<sup>th</sup> paragraph, "There are no known landslides that were seismically induced."; ensure the 5<sup>th</sup> paragraph is factually accurate.

Page 5-11, HAZ-27, 1<sup>st</sup> paragraph, consider alternative to "are prohibited," keeping in mind that exceptions are allowed; check on regulations as to repair of existing protective devices.

Page 5-12, HAZ-28, replace "Fluff" with "Bluff"

Page 5-15, HAZ-39, refer to Page 4-13 re special circumstances and prior approvals that do not conform to these Canyon Setbacks.

Page 5-16, HAZ-41, re Canyon Pool Setbacks, clarify that this does not apply to Marblehead homes adjacent to canyons.

Page 5-16, HAZ-42, amend this to include legal non-conforming structures with approved CDP's built before Jan. 1, 1977.

#### Chapter 6.0 Visual, Historic, and Cultural Resources

Page 6-6, in reference to the view from the Pier back to the Pier Bowl as indicated on map, ensure the CCC does not take this to mean houses should be brown instead of white in the SCR overlay.

#### Chapter 7.0 Definitions

Page 7-1, revise format for consistency, (7.0, DEF-1, etc.)

Page 7-1, #1, see previous comment, (Page 2-12) regarding Active Recreational Area.

Page 7-3, #17, add graphic or remove reference.

City Planner Pechous requested the Committee Members forward any additional comments to Senior Management Analyst Vondrak for forwarding onto him; advised the document will be reviewed by the Planning Commission at several meetings before being presented to Council for their consideration.

**B. Environmental Sustainability Grant Application Recommendations**

Senior Management Analyst Vondrak reviewed the staff report; referred to the submitted applications; recommended the Committee recommend City Manager approval of the Environmental Sustainability Grant Applications for Las Palmas Elementary and Shorecliffs Middle School.

Vice Chair Ambrose commended all those associated with the Shorecliffs Middle School project and discussed elements she observed while visiting the site.

Committee Member Betts established from staff that the Las Palmas project aligns with goals in the Clean Ocean Fund in its efforts to educate regarding runoff prevention as well as pesticide and fertilizer use management.

IT WAS MOVED BY VICE CHAIR AMBROSE, SECONDED BY COMMITTEE MEMBER MCCORMACK, AND UNANIMOUSLY CARRIED to recommend the City Manager fund the Environmental Sustainability Grant Applications from Las Palmas Elementary and Shorecliffs Middle School, appropriating \$2,000 from the Clean Ocean Fund and \$2,000 from the Water Conservation Fund.

**8. ORAL AND WRITTEN COMMUNICATIONS**

**A. Bacterial Monitoring Report dated December 22, 2014.**

Committee Members received and filed item 7A.

**9. ITEMS FROM STAFF**

**A. Potential Future Agenda Items**

Senior Management Analyst Vondrak reviewed the Potential Future Agenda Items and requested the Committee Members provide input. Committee Members added Land Use Plan – ESHA Data Update to the February agenda.

Report received and filed.

**10. ITEMS FROM COMMITTEE MEMBERS**

Chair Brown commented that he met with Mayor Chris Hamm regarding the Sand Réplenishment project and recommended they hear the same presentation the Coastal Advisory Committee heard from Lawrence Honma. Former Committee Member Ken Nielsen offered to contact Mr. Honma and arrange for the presentation.

**11. ADJOURNMENT**

MOVED BY COMMITTEE MEMBER MCMAINS, SECONDED BY COMMITTEE MEMBER MCCORMACK, AND UNANIMOUSLY CARRIED to adjourn at 9:55 p.m. to the Regular Meeting to be held on Thursday, February 12, 2015, at 7:00 p.m. in the Ole Hanson Room of the Community Center located at 100 N. Calle Seville, San Clemente, California.

Respectfully submitted,

  
Don Brown, Chair

Attest:

  
Mary Vendrak, Senior Management Analyst