

MINUTES OF THE ADJOURNED REGULAR MEETING
OF THE CITY OF SAN CLEMENTE
PLANNING COMMISSION
June 24, 2015 @ 7:00 p.m.
City Council Chambers
100 Avenida Presidio
San Clemente, CA

6B7

1. CALL TO ORDER

Chair Darden called the Adjourned Regular Meeting of the Planning Commission of the City of San Clemente to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

Chair Darden led the Pledge of Allegiance.

3. ROLL CALL

Commissioners Present: Vonne Barnes, Barton Crandell, and Michael Smith; Chair pro tem Jim Ruehlin, Vice Chair Donald Brown, and Chair Julia Darden

Commissioners Absent: Wayne Eggleston

Staff Present: Jim Pechous, City Planner
John Ciampa, Associate Planner
Scott Smith, City Attorney
Eileen White, Recording Secretary

4. SPECIAL ORDERS OF BUSINESS - None

5. MINUTES

A. Minutes from the Planning Commission Adjourned Regular Meeting of June 9, 2015

IT WAS MOVED BY VICE CHAIR BROWN, SECONDED BY CHAIR PRO TEM RUEHLIN, AND UNANIMOUSLY CARRIED TO APPROVE THE MINUTES OF THE ADJOURNED REGULAR MEETING OF JUNE 9, 2015, AS SUBMITTED BY STAFF.

6. ORAL AND WRITTEN COMMUNICATION

Lew Avera, Michael Kaupp, Don Prime, Karen Ahola, Brenda Miller, and Cathy Lentz, residents, thanked Chair Darden for her tenure on this Commission, and

thanked her for her excellent core values, ability to collaborate in the spirit of compromise, thoughtful approach, non biased review, honesty, and articulateness. In addition, she handled herself with a high level of integrity, grace, dignity, fairness, kindness, and enthusiasm for creative and positive ideas. During her time on this Commission she has not been afraid to make tough decisions and has been an inspiration and mentor to others.

Chair Darden thanked everyone for their kind words, and expressed assurance that the new Commission will handle the new and exciting challenges coming its way thoughtfully and skillfully. She found her time on the Commission to be a most rewarding experience. During this time she has met so many inspiring people and had the pleasure of providing input on projects and seeing them executed. She individually thanked many people for their tenure on the Commission, assistance with projects, and inspiring behavior. She commended staff, fellow Commissioners, and advocates within the community for their professionalism, skills, kindness, sense of humor, and integrity.

7. CONSENT CALENDAR - None

8. PUBLIC HEARING

**A. Coastal Land Use Plan for the City's Local Coastal Program (Ciampa)
(continued from 06-17-15)**

Public Hearing to consider a request for the Planning Commission to review and make a recommendation of approval to the City Council for the adoption of the City's Land Use Plan for the City's Local Coastal Program.

John Ciampa, Associate Planner, narrated a PowerPoint Presentation entitled, "Local Coastal Program, Land Use Plan, dated June 24, 2015. A copy of the presentation is on file in Planning Division.

Noting the attendance of members of the public from the Cypress Point, Cyprus Cove, and Cyprus Shores communities, Associated Planner Ciampa reviewed sections of code pertinent to that area, noting the new language is not more restrictive than existing California Coastal Commission (CCC) regulations. The City is required to enforce the same restrictions as those in the existing Coastal Act, and the City's Local Coastal Plan (LCP) is subject to CCC approval.

Chair Darden invited the public to provide comment.

Testimony Regarding Cypress Point, Cyprus Cove, and Cyprus Shores:

John McDowell, attorney for Cyprus Cove, thanked staff for clarifying code; expressed concern that remodeling the clubhouse may trigger requirement that public access be provided.

Michael Asay, president of the Cyprus Shores Homeowners Association and appearing on its behalf, described difficulties the community would have providing public access through its narrow entryway with historic palm plantings; advised the beach is fully accessible to the public from adjacent beaches; opined requiring the community to provide public access would be a taking of property and negatively affect property values.

David Westendorf, resident, opposed public access through the existing private streets in the community; requested staff notify him personally of any additional issues regarding the community.

Jim Walsh, resident, opposed public access and, noting his lengthy history in the community, volunteered to provide any assistance needed regarding this issue to the City.

Bob Adams, resident, noted no opposition to public access from adjacent communities and no opposition to extension of the beach trail through the community. He opposed providing access through the middle of the community through the private streets.

Steve Lane, resident, confirmed with staff that the City was not proposing the community provide public access at this time; requested staff further clarify language in the LCP to assure the residents.

Tom Stringer, resident, thanked staff for their efforts to keep the status quo within the community; noted easy access to the beach from both sides.

Bill Bemus, resident, thanked staff for their efforts to clarify language in the document and maintain the status quo.

Gordon May, resident, opposed public access through the community in order to maintain the safety the community now enjoys for its children and grandchildren.

General Public Testimony:

Alex Maniscalco, representing Capistrano Shores Mobilehome Park, incorporated all correspondence he has submitted to date; thanked staff for assistance; requested additional communication with the City Attorney's Office for the purpose of further clarification and collaboration.

Cheryl Moe, resident, requested the Commission review her correspondence and consider revising language in the LCP as per her suggestions for further clarity; requested staff identify natural watersheds separately from those that are actually just catch basins for urban runoff.

Chair Darden closed the public comment portion of the meeting.

City Planner Pechous advised that the only changes staff made were to clarify existing language in the LUP pertaining to the Cypress Point/Cyprus Cove/Cyprus Shores community; agreed to schedule a meeting with the community for a thorough review of the Coastal Act regulations and the City's LUP. He noted the purpose of the text is to enforce the Coastal Act, and the City cannot erase or ignore it. The revisions are meant to clarify the existing language, which must be included in order for the City to get CCC approval of the LCP.

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

- Expressed concern with being provided proposed changes immediately before tonight's meeting.
- Expressed uneasiness in having confidence in making a recommendation to Council on the document when new information is provided at the last minute.
- Suggested staff add language to policies PUB-47 through PUB-59 indicating that these policies would only apply if PUB-46 (new development requiring public access) applies.
- Revised PUB-59; replace "the private beach...Cotton's Point" with "private communities"
- Recommended staff make it clear to private communities that the City is required by the CCC to include this language, and that the CCC has to sign off on the City's LCP.
- Discussed the memo provided by Scott Smith, City Attorney; requested to view the final language if feasible regarding Capistrano Shores Mobilehome Park, as well as Cypress Point/Cyprus Shores/Cyprus Cove before making a recommendation to City Council.
- Elected to schedule another meeting on June 30, 2015, at 6:00 p.m. to review the majority of final changes before taking action.

IT WAS MOVED BY CHAIR PRO TEM RUEHLIN, SECONDED BY VICE CHAIR BROWN, AND UNANIMOUSLY CARRIED TO CONTINUE COASTAL LAND USE PLAN FOR THE CITY'S LOCAL COASTAL PROGRAM TO THE ADJOURNED REGULAR MEETING OF JUNE 30, 2015.

[ITEM CONTINUED. PLANNING COMMISSION DECISION PENDING.]

9. NEW BUSINESS - None

10. OLD BUSINESS - None

11. REPORTS OF COMMISSIONERS/STAFF

Vice Chair Brown commended Chair Darden for her fairness, intelligence, and service to the community during her tenure on this Commission.

Chair pro tem Ruehlin commended Chair Darden for her intelligence and integrity; commented she leaves two legacies: 1) the City is more beautiful, pristine, and spacious due to her efforts, and 2) the leadership traits she embodied while serving will carry over to the next Commission, including even-handedness, intelligence, thoughtfulness, and kindness.

Commissioner Smith thanked Chair Darden for being a mentor to him and commented on her kind and considerate nature.

12. ADJOURNMENT

IT WAS MOVED BY CHAIR PRO TEM RUEHLIN,, SECONDED BY VICE CHAIR BROWN, AND UNANIMOUSLY CARRIED to adjourn at 10:00 p.m. to an Adjourned Regular Meeting to be held at 6:00 p.m. on June 30, 2015 in Council Chambers at City Hall located at 100 Avenida Presidio, San Clemente, CA.

Respectfully submitted,

Julia Darden, Chair

Attest:



Jim Pechous, City Planner