

**MINUTES OF THE REGULAR MEETING  
OF THE CITY OF SAN CLEMENTE  
PLANNING COMMISSION  
November 4, 2015 @ 7:00 p.m.  
City Council Chambers  
100 Avenida Presidio  
San Clemente, CA**

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**1. CALL TO ORDER**

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

**2. PLEDGE OF ALLEGIANCE**

Commissioner Smith led the Pledge of Allegiance.

**3. ROLL CALL**

Commissioners Present: Michael Blackwell, Michael Smith, Zhen Wu; Chair pro tem Barton Crandell, Vice Chair Jim Ruehlin, Chair Donald Brown

Commissioners Absent: Wayne Eggleston

Staff Present: Jim Pechous, City Planner  
Sean Nicholas, Associate Planner  
Cliff Jones, Associate Planner  
Matthew Richardson, Assistant City Attorney  
Eileen White, Recording Secretary

**4. SPECIAL ORDERS OF BUSINESS**

**A. Selection of City Lighting Subcommittee Members**

City Council has directed the Planning Commission to create a three member subcommittee to develop an ordinance that addresses possibilities of different lights for different areas of the City, safety standards, adaptability, etc.

Chair pro tem Crandell nominated Commissioner Eggleston, Commissioner Blackwell, and Vice Chair Ruehlin for the subcommittee and Vice Chair Ruehlin seconded the nomination. There were no other nominations. Commissioner Eggleston, Commissioner Blackwell and Vice Chair Ruehlin were elected to the City Lighting Subcommittee on a unanimous vote.

**5. MINUTES**

**A. Minutes from the Planning Commission Regular Meeting of October 21, 2015**

IT WAS MOVED BY CHAIR PRO TEM CRANDELL, SECONDED BY COMMISSIONER SMITH AND CARRIED 4-0-2, WITH VICE CHAIR RUEHLIN AND CHAIR BROWN ABSTAINING, TO APPROVE THE MINUTES OF THE REGULAR MEETING OF OCTOBER 21, 2015, AS SUBMITTED.

**6. ORAL AND WRITTEN COMMUNICATION - None**

**7. CONSENT CALENDAR**

**A. Six Month Review Poche Burger and Kitchen Conditional Use Permit 15-014 (Atamian)**

Report by staff regarding the operations of a restaurant facility approved to sell a full range of alcoholic beverages for indoor and outdoor on-site consumption, located at 2727 Via Cascadita, Suite I.

Jim Pechous, City Planner, reviewed the staff report; confirmed that outdoor seating has not commenced.

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

IT WAS MOVED BY VICE CHAIR RUEHLIN, SECONDED BY COMMISSIONER SMITH, AND UNANIMOUSLY CARRIED TO DIRECT STAFF TO EXTEND THE REVIEW PERIOD UNTIL 6 MONTHS AFTER THE START OF PATIO SERVICE.

**[DECISION FINAL. SUBJECT TO APPEAL OR CALL UP BY COUNCIL]**

**8. PUBLIC HEARING**

**A. Zoning Amendment 15-225 – Sign Exception Permit Amendments (Nicholas) (continued from 10-21-15)**

Public Hearing to consider a request for modifications to the Sign Exception Permit and applicable modifications to the sign ordinance, including but not limited to removal of freeway oriented signs and limitations on the size of signs.

Sean Nicholas, Associate Planner, narrated a PowerPoint Presentation entitled, "Sign Exception Permit and Sign Ordinance Amendments, dated November 4, 2015." A copy of the Presentation is on file with Planning Division.

Jim Pechous, City Planner, commented that part of the intent of the amendments is to evaluate the possibility of prohibiting freeway oriented.

Chair Brown opened the public hearing.

Chair Brown announced receipt of 4 letters on the dais opposing the removal of existing freeway signs in the City.

Scott Williams, representing Valley Integrated Corporation, established that at this time there is no proposal to remove signage in compliance with code; noted freeway signs are important for motorists.

Peter Rock, resident, supported continued allowance of existing freeway signage; noted benefit of signage to motorists and the City; advised removal of signage may have negative effects on the livelihood of businesses.

Kevin Daehnke, resident, supported working with existing freeway oriented signage owners to ensure continued business visibility and mutual benefits.

Paul Chopra, resident, asked the Commission to consider the importance of freeway signage to existing businesses while considering amendments to the City's codes; requested the Commission continue this issue and ensure the involvement of large stakeholders in this issue before making any decisions.

Brian Whalen, representing Chino Hills Oil, supported freeway oriented signage as a means of informing motorists of needed services; noted business at the subject location will be significantly decreased without freeway oriented signage; advised the City also benefits from motorists spending funds in the community.

Greg Briggs, representing Thrifty Oil Company, opposed removal of freeway oriented signage from the subject location.

Sam Rahimian, Rancho Mission Viejo resident, cautioned that removal of freeway oriented signage from the 76 station would result in decreased revenues for him and the City as well.

Eddie Ghassemi, Rancho Santa Margarita resident, recounted his failed efforts to remodel his Valero gas station and retain the existing signage;

stated covering the sign as an experiment several years ago resulted in decreased sales.

Chair Brown closed the public hearing.

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

- Established from staff that current regulations do not allow for the installation of freeway oriented signage by right.
- Established that staff is aware of potential that architectural elements can be manipulated by architects/sign designers/applicants to increase signage.
- Suggested addition of “per sign” to “64 square foot limitation” for clarification.
- Clarified from staff that recent court decisions call for all temporary signage to be treated equally regardless of their content.
- Supported prohibiting freeway signage as part of the proposed amendments.
- Commented that freeway oriented signage is not as important and will continue to decrease in importance as motorists rely on technology to direct them to goods and services.
- Suggested all freeway oriented signage be evaluated on its own merit in the future.
- Commented that older signage needs to be monitored for its structural integrity.
- Established from staff that freeway oriented signage owners have strong motivation to ensure their signage is properly maintained; the City may require structural analysis of the integrity of signage if remodel is proposed.
- Suggested that allowing businesses to retain existing freeway oriented signage while prohibiting new businesses to erect freeway oriented signage may be inconsistent and unfair; suggested sunset provisions for grandfathered signage; noted official highway signage is very effective for notifying motorists of upcoming services available.
- Established from staff that official Caltrans highway signage is limited to rural or less populated areas; staff will check to see if this policy has been revised.
- Suggested definitions be further clarified to distinguish freeway oriented signage from signage visible from the freeway.
- Confirmed that if the City decides to prohibit freeway oriented signage, any existing would then become non-conforming.
- Supported establishing guidelines for oversized signage, signage coordination with architecture, and discretionary process.

- Asked if the City might run into signage content-based issues if it were to approve a sign exception for an oversized sign but not allow replacement of the sign when the new owner with a similar use proposes to replace the sign with one that changes the design and content but is similar in size.
- Established from staff that sign exception permits may not be legally required to run with the land.
- Requested staff provide text on the process for establishing amortization of non-conforming signage for Commission education and review.
- Suggested stakeholders be involved in suggesting solutions/providing input/establishing alternatives to pole signs.
- Commented that although pole/freeway oriented signs may not be desired by the community, certain businesses, such as gas stations and hotels are freeway oriented businesses in essence, and removing signage may hurt them; these businesses are an essential part of the local economy.
- Requested staff provide an inventory of pole signs and large signage adjacent to freeways that explains the importance and significance of the signage to the businesses, as well as how it relates to Code.
- Suggested tabling the issue to allow staff to bring back additional information, options/alternatives, and a broader perspective of what the Commission should consider while forming a recommendation.

IT WAS MOVED BY VICE CHAIR RUEHLIN, SECONDED BY CHAIR PRO TEM CRANDELL AND UNANIMOUSLY CARRIED TO TABLE ZONING AMENDMENT 15-225 – SIGN EXCEPTION PERMIT AMENDMENTS.

**[AGENDA ITEM TABLED.]**

**9. NEW BUSINESS**

**A. Downtown Paseo Plan (Jones)**

The City of San Clemente prepared a draft Downtown Paseo Plan that will guide future public improvements in San Clemente's downtown alleys and will provide examples of potential private property improvements for properties fronting alleys. The Plan was developed with input from City staff, downtown merchants and property owners, the Downtown Business Association, and the general public. The purpose of this meeting is to present the Plan to the Planning Commission who will be making recommendations on the Plan to the City Council. The Plan is expected to guide future public and private property improvements related to lighting, surface treatment, landscape, trash and storage areas, loading facilities, and signage along downtown alleys.

Cliff Jones, Associate Planner, narrated a PowerPoint Presentation entitled, "Downtown Paseos Plan, dated November 4, 2015." A copy of the Presentation is on file with Planning Division.

Brian Hannigan, Consultant of RRM Design Group, was also present for questions/comments.

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

- Suggested the light fixtures be replaced/improved to be effective with dark skies.
- Suggested the light fixtures be decreased in height to improve lighting and potentially eliminate the need for bollard lighting.
- Established that a combination of shade and palm trees are recommended to provide an open feel and shade where appropriate.
- Established this is the concept design; an additional design phase is warranted as the project progresses.
- Established that due to the existing inherent traffic calming as a result of existing design/current uses, traffic calming measures were not considered within the scope of this project.
- Suggested business owners may want to add signage for rear entrances.
- Established that additional trash enclosures may be needed if the proposed number are insufficient.
- Suggested the pavers removed from the Pier Bowl and already owned by the City could be utilized to save on materials costs; established a concrete base layer would be installed to ensure durability of the tiles.
- Established from staff that certain passages are privately owned.
- Requested staff provide a memo/potential study session on the plans/status/collection process that finances utilities undergrounding.
- Suggested the City consider expanding the improvements for the entire length of the proposed undergrounding.
- Requested staff ensure all cost estimates are correctly stated.

IT WAS MOVED BY VICE CHAIR RUEHLIN, SECONDED BY CHAIR PRO TEM CRANDELL, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC 15-058, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE THE DOWNTOWN PASEOS PLAN

Additional recommendations as follows:

Consideration of extending the boundaries of the paseos plan for the length of the undergrounding project.

Include the recommendations from the Design Review Subcommittee.

Staff to ensure all cost estimates are correctly stated, specifically with regard to signage cost estimates on pages 55, 57, and 69.

**10. OLD BUSINESS - None**

**11. REPORTS OF COMMISSIONERS/STAFF**

- A. Tentative Future Agenda
- B. Minutes from the Zoning Administrator meeting of October 21, 2015
- C. Staff Waiver 15-280, 505 Monterey Lane
- D. Staff Waiver 15-374, 248 Avenida Victoria
- E. Staff Waiver 15-375, 401 S. El Camino Real
- F. Staff Waiver 15-393, 127 Avenida Del Mar

Vice Chair Ruehlin reported that at the last Mobility Task Force meeting, the Task Force received construction/freeway speed limit signage updates as well as information on temporary traffic calming measures to improve safety along I-5 during construction. He noted extra traffic enforcement will be out during the upcoming Marblehead housing opening and provided freeway accident statistics on the freeway corridor through the City.

Chair pro tem Crandell thanked Commissioner Eggleston, Commissioner Blackwell and Vice Chair Ruehlin for their interest in dark skies and willingness to serve on the subcommittee.

**12. ADJOURNMENT**

IT WAS MOVED BY CHAIR PRO TEM CRANDELL, SECONDED BY VICE CHAIR RUEHLIN, AND UNANIMOUSLY CARRIED to adjourn at 10:10 p.m. to the Study Session to be held at 6:00 p.m. on November 18, 2015 in Council Chambers at City Hall located at 100 Avenida Presidio, San Clemente, CA.

Respectfully submitted,

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Don Brown, Chair

Attest:

A handwritten signature in black ink, appearing to read "Jim Pechous", is written over a horizontal line.

Jim Pechous, City Planner

DRAFT