

# CITY OF SAN CLEMENTE

## City Council Minutes

### Adjourned Regular City Council Meeting – February 2, 2016

*These minutes reflect the order in which items appeared on the meeting agenda and do not necessarily reflect the order in which items were actually considered.*

An Adjourned Regular Meeting of the San Clemente City Council was called to order on February 2, 2016 at 4:30 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California, by Mayor Baker.

**PRESENT** BROWN\*, DONCHAK\*\*, HAMM, WARD, MAYOR BAKER  
\*Left the meeting at 11:00 p.m.  
\*\*Arrived at 5:00 p.m. and left the meeting at 11:23 p.m.

**ABSENT** None.

**STAFF PRESENT** James Makshanoff, City Manager; Scott Smith, City Attorney; Joanne Baade, City Clerk; Laura Campagnolo, Deputy City Clerk

#### **4:30 P.M. INTERVIEWS/SELECTION OF INDUSTRY SPECIALIST POSITION ON INVESTMENT ADVISORY COMMITTEE**

Council interviewed the following Investment Advisory Committee (Industry Specialist) applicant:

William Blackwill.

MOTION BY COUNCILMEMBER BROWN, SECOND BY COUNCILMEMBER HAMM, CARRIED 4-0 (COUNCILMEMBER DONCHAK ABSENT), to appoint William Blackwill to fill an Industry Specialist position on the Investment Advisory Committee for a partial term to expire June 30, 2017.

**CLOSED SESSION**

MOTION BY COUNCILMEMBER BROWN, SECOND BY MAYOR PRO TEM WARD, CARRIED 5-0, to recess to Closed Session at 5:00 p.m. to discuss the following:

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
Pursuant to Government Code Section 54956.9(d)(1)  
Case Name: City of San Clemente v Eric Olson  
Case Number:30-2015-00811144
  
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2)  
Number of potential cases: 1
  
- C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
Pursuant to Government Code Section 54956.9(d)(1)  
Case Name: City of San Clemente v Sobertec LLC  
Case Number: 30-2015-00805227 (consolidated with 30-2015-00790256)

In attendance for the full Closed Session were all members of the City Council, City Manager Makshanoff, Assistant City Manager Sund, City Attorney Smith and Community Development Director Gallardo-Daly.

**MEETING RECONVENED**

Council reconvened at 6:06 p.m., with all members present.

**INVOCATION**

Robin Margraf, Pastoral Associate, Our Lady of Fatima Church, gave the invocation.

**PLEDGE OF ALLEGIANCE**

Mayor Baker led the Pledge of Allegiance.

The adjourned item from the January 19, 2016 Council meeting (i.e. Regulation of Short-Term Lodging Units) resumed as follows:

9. **New Business. (Continued from City Council meeting of January 19, 2016)**

A. **Code Amendment – Regulation of Short-Term Lodging Units**

Report from the Community Development Director concerning the possibility of amending the Code of the City of San Clemente relative to regulation of short-term lodging units.

Councilmember Brown recused himself from deliberations on this item because his wife works in the real estate industry and the item being discussed could have a material effect on the real estate market; left the meeting room at 6:10 p.m.

City Attorney Smith reported that the majority of Councilmembers live within 500 feet of a vacation rental, but do not have to recuse themselves from deliberations; explained that the Fair Political Practices Commission regulations allow Councilmembers to vote on issues that would have the same effect on the public generally.

MaryBeth Shae, San Clemente, voiced concerns with a rental property near her home; spoke in opposition to short-term rentals.

Diana Rudolph, San Clemente, urged Council to exempt short-term rental units from the proposed ordinance; cited concerns with long-term rental agreements.

Harry Snyder, San Clemente, spoke in support of grandfathering existing short-term rental units from the ordinance under consideration.

Nick Stever, San Clemente, reported that he owns a duplex in which his family occupies one of the units and plans to rent the second unit as a vacation rental; urged Council to exempt current vacation rentals from the proposed Code amendment, or as an alternative, that Council differentiate between investors and owner occupants.

Karen Kasa, San Clemente, reported that she owns property in the Pier Bowl that is occasionally used as a short-term vacation rental; urged Council to continue to allow vacation rentals; stated she needs the income and has never had a problem with a short-term rental.

Jack Bellis, San Clemente, reported that he has no concerns with the vacation rentals in his neighborhood; urged Council to allow short-term rentals, especially those that provide rooms in an owner-occupied home.

Jim Bieber, San Clemente, asserted that it would be ill-advised to place the short-term rental issue on the ballot since it would pit neighbor against neighbor and would entail expensive and onerous campaigns; stated that if the City bans short-term vacation rentals, those homes could legally be converted to sober living facilities.

Joe Janis, San Clemente, urged Council to support the proposed Code Amendment since short-term rental units represent businesses in residential neighborhoods.

Jim Dahl, San Clemente, stated that Ordinance No. 1450 (concerning regulation of noise) already enables the City to enforce problem rental properties.

Janice Krause, San Clemente, reported that she lives in close proximity to 10 to 15 vacation rentals; stated that the noise impact from the rentals is especially problematic during summer months.

Carol Halper, San Clemente, spoke in opposition to short-term rentals; noted that vacation renters are not always aware of parking and noise standards within the neighborhood.

Brad Den Dulk, San Clemente, opined that short-term rentals provide positive benefits to the community; urged Council to consider how short-term rentals fulfill community needs.

Brad Malamud, San Clemente, voiced concern that an analysis on the economic impact of the potential regulation of vacation rentals has not been conducted; urged Council to be conservative in its decision.

The following individuals indicated on their speaker cards that they did not wish to speak, but conveyed their written positions as follows:

Tanya Dewald, San Clemente – Opposed placing the issue on the ballot for November 2016 and opposed short-term rentals in R1 neighborhoods.

Dara Luangpraseut, San Clemente – Opposed placing the issue on the ballot for November 2016 and opposed short-term rentals in R1 neighborhoods.

Jim Laurent, San Clemente – Opposed placing the issue on the ballot for November 2016 and opposed short-term rentals in R1 neighborhoods.

Valerie Hirsch, San Clemente – Supported the proposed ordinance to regulate short-term rentals and opposed placing the issue on the ballot for November 2016.

Chad Nelson, San Clemente - Opposed placing the issue on the ballot for November 2016 and opposed short-term rentals in R1 neighborhoods.

Jay Gilbo, San Clemente – Opposed placing the issue on the ballot for November 2016 and supported regulation of short-term rentals.

Steve Hathaway, San Clemente - Opposed placing the issue on the ballot for November 2016 and opposed short-term rentals in R1 neighborhoods.

Art Alarolo, San Clemente – Opposed requiring property owners to live at rental units on a full-time basis.

Judy Brown, San Clemente – Supported regulating short-term rentals.

John Van Epp, San Clemente – Opposed short-term rentals in R1 neighborhoods.

Tish Colburn, San Clemente - Opposed placing the issue on the ballot for November 2016 and opposed short-term rentals in R1 neighborhoods.

Deb Jackson, San Clemente - Opposed placing the issue on the ballot for November 2016 and opposed short-term rentals.

Mike Bowshier, San Clemente - Opposed placing the issue on the ballot for November 2016 and opposed short-term rentals.

Susan Nelson, San Clemente - Opposed placing the issue on the ballot for November 2016 and opposed short-term rentals in R1 neighborhoods.

Gloria Widmann, San Clemente – Supported the proposed Code Amendment.

Monica Burick, San Clemente - Opposed placing the issue on the ballot for November 2016 and opposed short-term rentals in R1 neighborhoods.

Community Development Director Gallardo-Daly responded to issues raised during public commentary; reported that Staff has revised its proposed Ordinance (contained as Attachment 2 to her supplemental report, dated February 2, 2016) to delete the requirement for business licenses.

During the course of discussion, individual Councilmember(s) requested that the Planning Commission consider the following in conjunction with its consideration of a possible Zoning Amendment to address short-term lodging units (STLUs). The below requests were expressed by at least one Councilmember and do not necessarily reflect Council consensus:

- Possible grandfathering/amortization of existing STLUs.
- Possibility of phasing out STLUs over a specific period of time.
- Assessment of STLUs in terms of zoning laws, General Plan, Land Use Plan, Municipal Code, Housing Element, and Specific Plans.
- Identification of residential zones (i.e., Residential Low, Residential Medium, and Residential High) in which STLUs may be compatible.
- Whether limitations should be placed on the number of days per calendar year in which properties may be rented as a STLU.
- Whether owner occupancy requirements should be imposed on STLU properties and, if so, the appropriate length of time in which property owners should be required to reside in their STLUs.
- Possible placement of a cap on the number of STLU permits issued in the City.
- Possible enactment of STLU density restrictions (i.e., the number of STLUs that should be allowed within a specific geographical radius or area).
- Possible STLU occupancy level restrictions.
- Best practices utilized by other cities with respect to STLUs, including their reasons for choosing the approaches selected.

Council requested that Staff provide a report on the possibility of placing an increase in the City's transient occupancy tax on the ballot for the General Municipal Election on November 8, 2016.

Council discussed the possibility of amending the version of the Ordinance as recommended by Staff in the following respects: 1) Eliminate the amortization clause, and 2) Add a section to provide that only an STLU owner that holds a previously issued vacation rental property permit as of February 2, 2016 is eligible to receive an STLU permit.

**MOTION BY COUNCILMEMBER DONCHAK, SECOND BY MAYOR BAKER, FAILED 2-2-1 (COUNCILMEMBERS HAMM AND MAYOR PRO TEM WARD VOTING NOE AND COUNCILMEMBER BROWN RECUSED), to bifurcate the motion to enable the common sense rules to be voted upon separately from the Ordinance introduction.**

MOTION BY COUNCILMEMBER HAMM, SECOND BY MAYOR PRO TEM WARD, CARRIED 3-1-1 (COUNCILMEMBER DONCHAK VOTING NOE AND COUNCILMEMBER BROWN RECUSED), to direct Staff to modify the version of the Ordinance recommended by Staff to: 1) Eliminate the amortization clause, and 2) Add a section to provide that only a short-term lodging unit owner that holds a previously issued vacation rental property permit as of February 2, 2016 is eligible to receive a short-term lodging unit permit.

Council recessed this item to later in the meeting to enable Staff to modify the Ordinance as specified in the above motion. Council resumed discussion of this item after consideration of Agenda Item 12-A, as follows:

Councilmember Brown again recused himself from deliberations on this item because his wife works in the real estate industry and the item being discussed could have a material effect on the real estate market; left the meeting at 11:00 p.m.

City Attorney Smith distributed copies of the revised Ordinance and explained the changes made thereto.

Paul Dashkowitz, San Clemente, opined that residents within a 300' radius of a property that has applied for a short-term lodging unit permit should have veto power over whether the permit is granted; urged that the issue of short-term lodging units be placed on the ballot for voter determination.

MOTION BY COUNCILMEMBER HAMM, SECOND BY MAYOR BAKER, CARRIED 3-1-1 (COUNCILMEMBER DONCHAK VOTING NOE AND COUNCILMEMBER BROWN RECUSED), to introduce Ordinance No. 1617 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA AMENDING SAN CLEMENTE MUNICIPAL CODE SECTION 1.16.030 REGARDING VIOLATIONS OF STATE OR FEDERAL LAW, CHAPTER 3.24, ARTICLES I AND III, REGARDING SHORT-TERM LODGINGS, SECTION 8.48.040 REGARDING GENERAL NOISE REGULATIONS, AND SECTION 9.16.010 REGARDING LOUD AND UNRULY GATHERINGS, AND ADDING CHAPTER 9.20 REGARDING REPEAT NUISANCE SERVICE-CALL FEE. This Ordinance, as introduced, varies from Staff's recommended Ordinance that was contained as Attachment 2 to the Community Development Director's supplemental report of February 2, 2016, in the following respects:

1. The requirement for a business license was deleted.
2. The amortization clause was deleted.
3. New language was added to Ordinance Section 3.24.180 – Permit Required, as follows:

*“D. Only an STLU owner that holds a previously issued vacation rental property permit as of 5:30 pm on February 2, 2016 is eligible to receive an STLU permit.”*

**MEETING RECESSED**

Council recessed at 8:15 p.m. and reconvened at 8:29 p.m., with all members present.

The Regular City Council Business Meeting of February 2, 2016 commenced as follows:

1. **SPECIAL PRESENTATIONS**

**A. Planning Commission Update**

Planning Commission Chair Don Brown summarized the Planning Commission's recent accomplishments and future efforts, which include the following:

1. Recent Accomplishments

- A. Capistrano Shores Wall and Landscaping
- B. Future Potential Zoning Amendments
- C. Three Sessions on Short Term Lodging Units
- D. Medical Marijuana Ordinance
- E. General Plan Amendment for CC4 and Medical Zone
- F. General Plan Housing Element Update
- G. Sign Exception Permit Ordinance Amendments
- H. Future Zoning Amendment/GPA Phase 2/3-  
will now integrate All Zones and Specific Plans into Zoning Ordinance
- I. Transportation Committee
  - 1. Parking on Cabrillo and North Beach
  - 2. Camino del Rio Traffic Calming
- J. Strategic Implementation Program (SIP) Annual Review

2. Future Efforts

- A. Short Term Lodging Units
- B. Local Implementation Plan (LIP)
- C. Specific Plans

2. **ORAL COMMUNICATIONS (PART 1)**

**Zika Virus**

Jim Dahl, City's representative to the Orange County Vector and Mosquito Control Board, reported on the Zika Virus that has been found in Orange County; urged residents to contact Orange County Vector Control if they are bitten by a mosquito during daylight hours.



3. MOTION BY COUNCILMEMBER BROWN, SECOND BY MAYOR PRO TEM WARD, CARRIED 5-0, to waive reading in full of all Resolutions and Ordinances.

4. **CONSIDERATION OF AGENDIZING ITEMS REQUIRING IMMEDIATE ACTION**

None.

5. **CLOSED SESSION REPORT – CITY ATTORNEY**

City Attorney Smith announced that Council took no reportable action during Closed Session.

6. **CONSENT CALENDAR**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER BROWN, CARRIED 5-0, to approve the Consent Calendar, with the removal of Items E, H, and J.

- A. **City Council Minutes**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER BROWN, CARRIED 5-0, to approve the following:

1. Minutes of the Regular City Council Meeting of January 5, 2016.

- B. **Commission/Committee Minutes**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER BROWN, CARRIED 5-0, to receive and file:

1. Minutes of the Regular Golf Course Committee Meeting of November 5, 2016.
2. Minutes of the Regular Zoning Administrator Meeting of January 20, 2016.
3. Minutes of the Regular Study Session of the Planning Commission of January 20, 2016.
4. Minutes of the Regular Planning Commission Meeting of January 20, 2016.
5. Minutes of the Regular Beaches, Parks, and Recreation Commission Meeting of January 12, 2016.

C. **Warrant Register**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER BROWN, CARRIED 5-0, to approve:

Warrant Nos. 529991 through 530170  
paid on 1/15/2016, in the amount of ..... \$ 904,425.67

Wire Transfers 1474 through 1477,  
Warrant Nos. 530171 through 530285  
paid on 1/22/2016, in the amount of ..... \$ 938,839.24

TOTAL WARRANT REGISTER .....\$1,843,264.91

**Payroll Register**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER BROWN, CARRIED 5-0, to approve:

Warrant Nos. 460 through 464 and  
Automatic Deposit Advises 29677 through  
29984 for the period of 1/4/2016 through  
1/17/2016, paid on 1/22/2016,  
in the amount of ..... \$449,665.41

TOTAL PAYROLL REGISTER ..... \$449,665.41

D. **Notice of Completion – Water Reclamation Plant Building “K”  
Drainage Improvements**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER BROWN, CARRIED 5-0, to:

1. Accept the Water Reclamation Plant Building “K” Drainage Improvements, Project No. 25207, from the contractor, Fleming Environmental, Inc.
2. Approve, and authorize the Mayor to execute and City Clerk to record, the Notice of Completion for the Water Reclamation Plant Building “K” Drainage Improvements.
3. Authorize the City Clerk to release the Payment Bond 35 days from the recordation of the Notice of Completion upon verification with the Engineering Division that no liens have been levied against Fleming Environmental, Inc.

*Motion continued on following page*

4. Authorize the City Clerk to release the Performance Bond upon receipt of a Warranty Bond in the amount of 25% of the construction cost.

F. **Notice of Completion – Calafia Pump Station Surge Tank Replacement**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER BROWN, CARRIED 5-0, to:

1. Accept the Calafia Pump Station Surge Tank Replacement, Project No. 12449, from the contractor, Fleming Environmental, Inc.
2. Approve, and authorize the Mayor to execute and the City Clerk to record, the Notice of Completion for the Calafia Pump Station Surge Tank Replacement.
3. Authorize the City Clerk to release the Payment Bond 35 days from the recordation of the Notice of Completion upon verification with the Engineering Division that no liens have been levied against the contractor, Fleming Environmental, Inc.
4. Authorize the City Clerk to release the Performance Bond upon receipt of a Warranty Bond in the amount of 25% of the construction cost.

G. **Contract Award – La Esperanza Pressure Reducing Station Rehabilitation**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER BROWN, CARRIED 5-0, to:

1. Approve the plans and specifications for the La Esperanza Pressure Reducing Station Rehabilitation FY 2016, Project No. 15405.
2. Approve, and authorize the Mayor to execute, Contract C16-03, by and between the City of San Clemente and O'Connell Engineering and Construction, providing for the La Esperanza Pressure Reducing Station Rehabilitation FY 2016, in the amount of \$231,950.

I. **Final Parcel Map 2006-303 – Ladas Condos (1501 Calle Sacramento)**

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER BROWN, CARRIED 5-0, to:

1. Accept on behalf of the City of San Clemente the water rights as dedicated.
2. Approve Final Parcel Map 2006-303 as it conforms to the requirements set forth in the Subdivision Map Act and the previously approved Tentative Parcel Map.
3. Authorize the Public Works Director/City Engineer to execute the Final Parcel Map.
4. Authorize the City Clerk to execute and submit the Final Parcel Map to the County of Orange for recordation.

**ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION**

E. **Notice of Completion – Main Pump Station Rehabilitation and Force Main Cathodic Protection**

Council indicated that complaints have been received concerning odor issues at the wastewater treatment plant.

Public Works Director/City Engineer Cameron responded that Staff is researching the situation to determine the source of the odor problem and to ascertain whether the problem was resolved when the rehabilitation work ended, or whether corrective actions are needed; stated that Staff will prepare a report to Council concerning the results of its investigation.

MOTION BY MAYOR PRO TEM WARD, SECOND BY COUNCILMEMBER HAMM, CARRIED 5-0, to:

1. Accept the Main Pump Station Rehabilitation and Force Main Cathodic Protection, Project Nos. 10203 and 12202, from the contractor, Newest Construction Company, Inc.
2. Approve, and authorize the Mayor to execute and the City Clerk to record, the Notice of Completion for the Main Pump Station Rehabilitation and Force Main Cathodic Protection.

*Motion continued on following page*

3. Authorize the City Clerk to release the Payment Bond 35 days from the recordation of the Notice of Completion upon verification with the Engineering Division that no liens have been levied against the contractor, Newest Construction Company, Inc.
4. Authorize the City Clerk to release the Performance Bond upon receipt of a Warranty Bond in the amount of 25% of the construction cost.

H. **Notice of Completion – El Portal Beach Access Rehabilitation**

Council noted that the El Portal Access Rehabilitation project was completed under budget, on time, and with excellent quality.

During the course of discussion, Council requested that 1) Staff monitor the El Portal stairs in the summer months to determine whether the brown paint finish causes the steps to become too hot for use by barefoot beachgoers; and 2) that a trash receptacle be placed at the bottom of the El Portal stairs.

MOTION BY COUNCILMEMBER HAMM, SECOND BY COUNCILMEMBER BROWN, CARRIED 5-0, to:

1. Accept the El Portal Beach Access Rehabilitation Project, Project No. 23101, from the contractor, Wright Construction Engineering Corporation.
2. Approve, and authorize the Mayor to execute and the City Clerk to record, the Notice of Completion for the El Portal Beach Access Rehabilitation Project.
3. Authorize the City Clerk to release the Payment Bond 35 days from the recordation of the Notice of Completion upon verification with the Engineering Division that no liens have been levied against the contractor, Wright Construction Engineering Corporation.
4. Authorize the City Clerk to release the Performance Bond upon receipt of a Warranty Bond in the amount of 25% of the construction cost.

J. **Contract Award – Playground Replacement and Declaration of Surplus Property at Bonito Canyon Park and Marblehead Park**

Deputy Public Works Director Bonigut displayed photographs of the new playground equipment that was installed at Bonito Canyon Park and Marblehead Park.

MOTION BY COUNCILMEMBER DONCHAK, SECOND BY COUNCILMEMBER HAMM, CARRIED 5-0, to:

1. Approve the purchase and installation of playground equipment including installation, from Landscape Structures, Inc., utilizing the HGACBuy Cooperative Purchase Agreement, at a cost not to exceed \$324,000.
2. Approve, and authorize the Mayor to execute, Contract C16-04, by and between the City of San Clemente and HGACBuy for Cooperative Purchasing.
3. Approve and authorize the Mayor to declare the property contained on the List of Surplus Property for Donation (Attachment 4 to the Administrative Report, dated February 2, 2016) as surplus property for donation.
4. Authorize the Public Works Director to donate the items contained on the List of Surplus Property for Donation to Kids Around the World for the purpose of benefitting the youth of an underprivileged community.
5. Approve, and authorize the Mayor to execute, the Release and Indemnification Agreement with Kids Around the World.

7. **PUBLIC HEARINGS**

A. **Coastal Land Use Plan**

Continued Public Hearing to consider the June 30, 2015 Planning Commission recommendation to adopt the City's Land Use Plan for the City's Local Coastal Program.

Associate Planner Ciampa narrated a PowerPoint presentation entitled "Coastal Land Use Plan" and, along with City Planner Pechous, responded to Council inquiries. A hard copy of the presentation is on file with the City Clerk.

Mayor Baker opened the Public Hearing.

Eric Wills, San Clemente, identified documents and commentary that Capistrano Shores, Inc. wishes to incorporate into the administrative record; noted that Capistrano Shores entered into a tolling agreement with the City concerning its litigation, due in part because it viewed the LUP as a path to end the litigation; stated that the only dispute remaining relates to the 50% destruction issue and noted that this provision can be deleted from the LUP; disagreed with Staff's recommendation for deferred certification and urged that Capistrano Shores be included in the LUP.

Ray Spencer, Mission Viejo, stated that he owns a lot on Avenida San Antonio; urged Council to move forward with the LUP; commented on the arbitrary nature of setbacks and ESHA; opined that the Plan focuses on what cannot be done in canyons and the importance of maintaining the status quo; urged that the Plan also address ways in which property owners who want to make improvements to the canyons can be rewarded.

Cheryl Moe, San Clemente, reported that she met with Staff and many of her concerns have been resolved; provided Council with a copy of a document that identifies her proposed modifications to the LUP. A copy of Ms. Moe's submittal is on file with the City Clerk.

Christy Armstrong, San Clemente, referenced the potential ESHA Resources Maps that are labeled as 4-1, 4-2, 4-3, and 4-4, noting that Figure 4-3 (i.e. the Toledo Canyon map) does not identify ESHA areas and does not outline the bluff that exists at the bottom of the canyon.

Mark McGuire, San Clemente, voiced concern that some canyon exhibits, particularly the Marblehead canyon exhibits, show the true canyons, while other exhibits show the canyons and perimeter lots that potentially touch the canyons; suggested that at some point in the future, the maps should clarify that the exhibits show perimeter lots in addition to the canyons.

There being no others desiring to speak, the Public Hearing was closed.

During the ensuing discussion, Associate Planner Ciampa reviewed Ms. Moe's recommendations and noted the recommendations that Staff supports and those that Staff does not support.

Following discussion, MOTION BY COUNCILMEMBER BROWN, SECOND BY COUNCILMEMBER HAMM, CARRIED 5-0, to:

1. Defer certification of the Capistrano Shores Mobilehome Park which would result in all references, policies, and land use maps that represent the Park area to be eliminated from the Land Use Plan. The Park area would remain under control of the Coastal Commission.
2. Approve the Land Use Plan, as modified in Action #5 below.
3. Adopt Resolution No. 16-02 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING THE UPDATE TO THE CITY OF SAN CLEMENTE COASTAL LAND USE PLAN.
4. Direct Staff to submit the Land Use Plan to the California Coastal Commission for certification, with the Capistrano Shores Mobile Home Park excluded, and with changes as itemized below.
5. Amend the Land Use Plan as indicated in the below table:

Black = Existing text / Current Document

Red = Revisions

Omit = Remove existing

Reason = Reason/Comments

Page	Section/Policy Number	Description
All	All LUP	All maps, background information, references, and policies related to Capistrano Shores were deleted from the LUP. The specific edits to the LUP are identified in more detail below.
18	Section 1.2.1	Text edited as recommended to clearly state that Coastal Development Permits previously obtained through the Coastal Commission will still apply to properties. Any valid CDP, and/or <b>entitlement agreements</b> that were <b>that was</b> granted prior to the certification of the LCP will remain in full force and effect.
22	Section 2.1	Text edited as recommended to provide clarity and connect back to figures. several City parks, beaches, bluffs and coastal canyons, <b>as shown in Land Use Figures 2-1-A through 2-1-D, the Coastal Zone within San Clemente</b> consist mostly of urbanized areas with residential, commercial and/or industrial development.
26	2.3.1 Figure 2-1-A-B	Modified Land Use Map (figure 2-1- A & B) to eliminate the Capistrano Shores Park area. The area was removed from the map and labeled as a Deferred Certification Area (DCA).
32	Section 2.3.1 Table 2-1	Deleted Residential Very Low zoning designation because it is not located in the Coastal Zone. Bed-and-breakfast deleted from the Residential Low (RL) list of allowed uses because the use is not allowed west of the I-5 freeway.



		Bed-and-Breakfast uses are conditionally permitted in all of the residential and mixed use zones of the Pier Bowl Specific Plan and remains in Table 2-1
42	Section 2.3.1 Table 2-1	Delete reference to Capistrano Shores Community in the Open Space Private (OS2) Allowable Uses section of Table 2-1.
47	Section 2.3.1	Delete references to Capistrano Shores Mobilehome Park in the Open Space land use description.
49, 52, 53	Section 2.3.3	Delete reference to Capistrano Shores from Section 2.3.3 title and delete Capistrano Shores Plan Area description from pages 52 & 53.
56	Section 2.4.1 LU-15	Delete last sentence of policy LU-15 which is related to Capistrano Shores. <del>LU-15 shall not apply to mobilehomes, accessory structures, and related mobilehome park common areas and improvements, roadways and utility improvements covered under policy LU-16.</del>
56	2.4.1 LU-16	Delete policy LU-16 for Legal nonconforming mobilehomes and mobilehome park uses related to Capistrano Shores Mobilehome Park.
56	2.4.1 LU-17	Delete policy LU-17 related to Capistrano Shores Mobilehome Park.
57	2.4.1 LU18	Deleted a portion of policy LU-18 related to Capistrano Shores Mobilehome Park. Because of deleted policies, LU-18 is now LU-16.  <b>LU-16 Legal Nonconforming Uses.</b> A nonconforming use shall be terminated when a use occupies a structure that is damaged by an accident and the cost to replace or repair the accident damage is 50 percent or greater than the structure's replacement cost, immediately before the damage occurred. The structure shall be occupied by a use that complies with zoning requirements. <del>This policy shall not apply to legal nonconforming mobilehomes that are subject to LU-16 and LU-17.</del>
63	Section 2.4.7	References to vacation rentals were removed from the LUP. There are nine coastal visitor-serving facilities (hotels, motels, and inns) listed in Table 2-2, <del>as well as an estimated 350 vacation rental units.</del> The City also has 160 camping sites, of which 72 are for recreational vehicles, at San Clemente State Beach.
72	2.4.9, LU-99	Delete policy LU-99 Capistrano Shores Planning Area because it references Capistrano Shores Mobilehome Park
78	Section 3.1.1 Figure 3-3	Coastal Access Point Map Fig. 3-3 was updated to show the removal of Capo Shores and the addition of the Trafalgar Canyon access point.
80	Section 3.1.2	Poché access description was recommended to be edited as follows: <del>The public portion of Poché Beach is located in Dana Point, just north of the private portion of the beach owned by the San Clemente Shorecliffs Beach Club Association (see Figure 3-22). Public access to the public County beach is located just north of the privately owned Shorecliffs beach, in the City of Dana Point. The private Public access to the beach followsuses the Prima Deshecha storm drainage channel for passage under the signalized intersection across Pacific Coast Highway to a catwalk under the rail road tracks and to the beach. This access under Pacific Coast Highway is temporarily closed due to needed maintenance of the walkway and will likely never be restored because of the new access route. Current access is provided via the crosswalk at the signalized intersection to a catwalk under the railroad bridge and to the beach.</del>
81	Section 3.1.2	Private Access Point 2 Capistrano Shores Mobilehome Park has been deleted because the City Council has directed this area will be a deferred

		certification area. The remaining figure and access points were updated to address the revised numbering.
86	Section 3.1.2 Fig 3-9	<p>An additional access path from Buena Vista to Mariposa is shown on Figure 3-8. Additional text was added to describe the access path added to Figure 3-8.</p> <p>The Mariposa access is located at the junction between West Escalones and West Mariposa (see Figure 3-9). <b>Access from Buena Vista to the Mariposa access point entrance is provided by a narrow easement through a property located at 254 West Escalones that fronts both Buena Vista and Mariposa/W. Escalones.</b></p>
90	Section 3.1.1 New Figure 3-13	<p>A new access point was added for Trafalgar Canyon Access Point 9. The image for the access point is now Figure 3-12. Figure 3-3 Coastal Access Points was also updated to depict the new access point. Figure and access points were updated to address the revised numbering</p> <p><b>• Public Access Point 10: Trafalgar Canyon</b></p> <p><b><u>Access to the beach begins off of South Ola Vista along an easement that follows the bottom of the Trafalgar Canyon down to the beach. At the end of the canyon the beach is accessed under a railroad trestle.</u></b></p>
93	Section 3.1.2	<p>Text requested to be edited to more accurately describe the canyon area as follows:</p> <p>Located <b>adjacent to-in</b> a small canyon <b>and concrete drainage channel</b> the access is somewhat isolated.</p>
100	Section 3.1.2 Table 3-1 Beach Access, Amenities, and Parking	<ul style="list-style-type: none"> <li>➤ Access description in Table 3-1 for Pochè Beach was revised to <b>Stairs and walkway to the &amp; tunnel beneath PCH catwalk under train tracks.</b></li> <li>➤ Beach Amenities were also updated for Pochè Beach to ensure they are accurate. <b>1 clubhouse, 146 Picnic tables, benches, , 1 shower, 1 volleyball court, 2 <del>squash ball</del> paddle tennis courts, 1 basketball court, 1 horseshoe court, 14 BBQs &amp; playground equipment.</b> All amenities are private.</li> <li>➤ The total number of parking stalls for Pochè Beach was updated to 18 spaces and the parking totals for the table were updated.</li> <li>➤ Access type for T-Street was modified from Foot-Path to Pedestrian Bridge</li> <li>➤ Access point for Capistrano Shores Mobilehome Park was deleted.</li> <li>➤ New access point was added for Trafalgar Canyon</li> </ul>
104	Section 3.1.4	<p>San Gorgonio Park description modified as follows:</p> <p><b>Facilities at this park include two little league diamonds, <del>football</del> a multi purpose field, <del>soccer field</del>, basketball courts, tennis courts, playground equipment, picnic facilities, BBQs, restrooms, and 130 parking spaces.</b></p>
107	Section 3.1.4	<p>References related to Capo Shores were deleted from the Private Beach Areas description. The Pochè beach ownership was corrected.</p> <p><b>This section of beach is owned by <del>Shorecliffs Homeowners Association</del> San Clemente Shorecliffs Beach Club Association, Palm Beach Mobile Home Court, <del>Capistrano Shores Mobilehome Park</del>, and several private owners.</b></p> <p>Line 8 of Pochè Beach description edited as follows:</p> <p>As described in Section 3.1.2, Shoreline access, the beach area is accessed <b>by the walkway that uses the Prima Deshecha storm drain</b></p>

		<p><del>channel for passage from a crosswalk that uses the signalized intersection across Pacific Coast Highway to a catwalk under the train tracks and to the beach. under the railroad tracks.</del></p> <p>The Pochè private amenities were revised as follows                  The private recreational amenities on the beach include: a beach clubhouse, paddle tennis courts, playground equipment, volleyball court, <del>and a basketball court and other amenities as identified in Table 3-1.</del></p>
108	Section 3.1.4	Deleted the Capistrano Shores Beach and Community description
109	Section 3.1.4	<p>Text edited to accurately describe the private beach area as follows.                  The beach is one mile long and starts at the southern border of the San Clemente State Beach and ends at the City's southern bo<b>ar</b>der.</p> <p><b>Cypress Shores</b>                  ... community has a viewpoint along the bluff, clubhouse, pool, <del>and tennis courts, and other amenities as identified in Table 3-1.</del></p>
137	Figure 4-1	Figure 4-1 title modified from "Coastal Canyons" to " <b>Coastal Canyon General Location Map</b> "
138-141	Figure 4-1a-d	Figures 4-1a-d label corrected to Figures 4-2a-d
139	Figure 4-1-b	<p>The City's consultant provided the following explanation as to why the Toledo Canyon did not show any potential sensitive habitat in Figure 4-1-b.</p> <p>The biologist survey identified the plant material for Toledo canyon as "parks and ornamental plantings", which was not determined to meet ESHA requirements and therefore not shown on the Potential Sensitive Habitat Area maps as a green hatch.</p>
149	Figure 4-4	Figure 4-4 Watersheds and Outfall map updated to label canyons and correct major and minor outfall locations.
180	Section 5.1.1	<p>Text edited to more accurately describe the coastal canyons in San Clemente.</p> <p>Most of the City's coastal canyons <del>(the only exception being the canyons located in Marblehead Coastal)</del> are surrounded by residential development and are located on private residentially zoned properties, with the exception of the two Marblehead canyons, a smaller lower portion of Palizada Canyon, a small upper portion of Palizada Canyon, and Calafia Canyon. See Figures 4-1 and 4-2-A through 4-2-D.</p>
182	Section 5.1.1	<p>Delete reference to Capo Shores area in Storm Surges/Sea Level Rise section.</p> <p><del>The revetment also protects the bluffs along the shoreline and low lying development from storms and large surf. The Capistrano Shores Mobile Home Park is the only residential development seaward of the railroad tracks and has its own revetment/bulkhead wall along the coastline to protect the community and the railroad from storms and large surf.</del></p> <p><del>The Capistrano Shores Mobile Home Park is the only residential development seaward of the railroad tracks and has its own revetment/bulkhead wall along the coastline to protect the community and the railroad from storms and large surf. Development on the ocean side of the railroad revetment is the only area that has the potential to be impacted by a storm surge or sea level rise.</del></p>
185-197	Sections 5.3.1 through 5.3.3	Policy Sections 5.3.1 and 5.3.2 were reorganized and consolidated As a result of the reorganization, duplicate policies that apply to coastal

		canyons and bluffs/shoreline were consolidated and relocated to Section 5.3.3. Policy cross reference numbers were updated because of the chapter's reorganization. The sections numbering was revised to account for the added section.
185	Section 5.3.1 HAZ-2	<p>The following was added to the end of policy HAZ-2. The duplicate policy HAZ-41 on page 198 for Coastal Canyons was deleted. Now HAZ-17 applies to development in all hazard areas.</p> <p><b>HAZ-17 Development on Hillsides Canyons and Bluffs.</b> New development shall be designed and sited to maintain the natural topographic characteristics of the City's natural landforms by minimizing the area of height of cut and fill, minimizing pad sizes, siting and designing structures to reflect natural contours, clustering development on lesser slopes, avoiding development within setbacks, and/or other techniques. Any landform alteration proposed for reasons of public safety shall be minimized to the maximum extent feasible. <b>Developments partially or wholly located in a coastal canyon or bluff shall minimize the disturbance to the natural topographic characteristics of the natural landforms.</b></p>
186	Section 5.3.1 HAZ-12	<p>Delete portion of Policy HAZ-12 that is related to Capistrano Shores Mobilehome Park. Policy is now HAZ-27 because of reorganization.</p> <p><b>HAZ-27 Non-conforming Structures.</b> <del>The provisions of this policy apply to structures other than mobilehomes, accessory structures; related mobilehome park common area improvements, roadways, and utility improvements, which are separately covered under policy LU-16.</del> Structures lawfully built along a coastal canyon, bluff or shoreline area pursuant to...</p>
190	Section 5.3.1 HAZ-24	HAZ-24 was relocated to the new section 5.3.3 Hazard Area Development. The Policy is now HAZ-33 and applies to all development in hazard areas, not just bluff and shoreline properties.
197	Section 5.3.1 HAZ-38	Policy HAZ-38 was deleted because it is related to Capistrano Shores Mobilehome Park.
198	5.3.2 HAZ-40	<p>Due to reorganization the policy is now HAZ-12 and is edited as follows</p> <ul style="list-style-type: none"> <li>a. A minimum of 30% of the depth of the lot, as measured from the <b>property lines that abut the bottom</b> of coastal canyon, and not less than 15 feet from the canyon edge; or</li> <li>b. A minimum of 30% of the depth of the lot, as measured from the <b>property lines that abut the bottom</b> of coastal canyon, and setback from the line of native vegetation (not less than 15 feet from coastal sage scrub vegetation or not less than 50 feet from riparian vegetation); or</li> <li>d. Ancillary improvements, such as <b>decks and patios, which are at-grade and do not require structural foundations may extend into the setback area no closer than five (5) feet to the canyon edge (as defined in Chapter 7, Definitions), provided no additional fuel modification is required that may</b></li> </ul>

		<p>impact native vegetation. No new or redeveloped walkways shall extend into the canyon beyond the required coastal canyon setback.</p> <p>When selecting the appropriate setback from the above-referenced options, the City Planner shall consider the following factors:...</p>
199	5.3.2 HAZ-42	<p>The second half of policy HAZ -42 relating to accessory structures was deleted because it has been added to policy HAZ-40 as section (d). Due to the reorganization of the section the policy is now HAZ-13.</p> <p><b>HAZ-13 Location of Canyon Development.</b> All new development or redevelopment, including additions to existing structures, on parcels abutting coastal canyons shall be located on geologically stable areas as determined by the geotechnical review prepared pursuant to HAZ-4328. This requirement shall apply to the principal structure and accessory or ancillary structures such as guesthouses, pools, and septic systems, etc. <del>Accessory structures such as decks and patios, which are at-grade and do not require structural foundations may extend into the setback area no closer than five (5) feet to the canyon edge (as defined in Chapter 7, Definitions), provided no additional fuel modification is required that may impact native vegetation. No new or redeveloped walkways shall extend into the canyon beyond the required coastal canyon setback.</del></p>
228	Ch 7, Term 63	<p>Delete a portion of the definition for "Major Remodel" because it is related to Capistrano Shores Mobilehome Park .</p> <p><del>"Major Remodel" does not include repair, renovation, remodeling, expansion, or replacement of mobilehomes, accessory structures, mobilehome park improvements, or common facilities as permitted under the provisions of Section 2.3.3 of the LUP relating to the Capistrano Shores Planning Area and LUP policy LU-16.</del></p>
227	Ch7, Term 60	<p>Simplified definition for "Limited Use Overnight Accommodations"</p> <p>60. <b>"LIMITED USE OVERNIGHT ACCOMMODATIONS"</b> Any hotel, motel, or other similar facility that provides overnight visitor accommodations wherein <del>some or all or part of the facility of the units, rooms, lots or parcels or other segment of the facility</del> may be sold to a subsequent purchaser who receives the right in perpetuity, for life, or a term of years, to the <del>recurrent, exclusive use or occupancy of all or part of the facility a lot, parcel, unit, room(s), or segment of the facility,</del> annually, or on some other seasonal or periodic basis, <del>for a period of time that has been or will be allotted from the use or occupancy periods into which the facility has been divided and shall include,</del> including but not be limited to timeshare, condominium-hotel, fractional ownership hotel, or uses of a similar</p>

		nature, as those terms shall be defined in the implementing regulations for this land use plan.
229	Ch 7, Term 75	<p>Add "Native" to the definition of "Primary <i>Native</i> Vegetation Line" term</p> <p><b>75. "PRIMARY NATIVE VEGETATION LINE"</b> means one development setback standard that may be utilized for coastal canyons. Characteristics to be established based on an on-site visit, and inventory of existing vegetation and topography.</p>

**B. Draft Housing Element Update – 2013-2021**

Public Hearing to consider the Draft Housing Element for the 2013-2021 State planning period as required by State Law. The Housing Element identifies the goals and policies to meet the City's housing objectives.

Veronica Tam, President and CEO of Tam and Associates, narrated a PowerPoint presentation entitled "2013-2021 City of San Clemente Housing Element", and responded to Council inquiries. A hard copy of Ms. Tam's presentation is on file with the City Clerk.

Senior Planner Gregg announced that possible Housing Element verbiage relative to short term vacation rentals has been placed on the dais in the event Council wishes to include the language in the Housing Element; noted that Staff has received four letters about the Housing Element and will comment on those letters when it submits the Housing Element to the State.

Mayor Baker opened the Public Hearing.

Mike Balsamo, Building Industry Association, reported that the median home price in Orange County is over \$600,000; cited the need for affordable housing and suggested that vacant City-owned properties at La Pata and Vista Hermosa and Calle Extremo should be considered for low-income housing.

Dennis Etlin, San Juan Capistrano, stated that he submitted a letter to Council with specific recommendations; urged Council to oppose the Housing Element, due to his belief that the Plan lacks feasible homeless shelter locations as required by SB2; urged that the feasibility of homeless sites and affordable housing sites be demonstrated before the Housing Element is adopted.

Susan Whittaker, Dana Point, speaking on behalf of the Emergency Shelter Coalition, requested that the letter from Edmond Connor, of Connor, Fletcher & Hedenkamp, dated February 1, 2016, be entered into the record; opined that the Draft Housing Element does not comply with SB2. In response to Council inquiry, Ms. Whittaker stated that the Emergency Shelter Coalition consists of several law firms in Orange County that filed a lawsuit against the City, and further conveyed that she believes the Emergency Shelter Coalition is non-profit.

Linda Tang, Irvine, representing the Kennedy Commission, commended the City on its two recent affordable housing projects; requested the City conduct an additional public workshop to determine the needs of residents; urged the City to include City-owned surplus sites for affordable housing.

Brad Den Dulk, San Clemente, urged Council to strike the verbiage from the Housing Element that speaks to short-term vacation rentals diminishing the availability of affordable housing.

There being no others desiring to speak on this issue, the Public Hearing was closed.

Following discussion, MOTION BY COUNCILMEMBER BROWN, SECOND BY COUNCILMEMBER DONCHAK, CARRIED 5-0, to adopt Resolution No. 16-05 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING THE DRAFT HOUSING ELEMENT FOR 2013-2021 FOR SUBMITTAL TO THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR ITS INITIAL REVIEW, with the following modifications to the draft Housing Element:

1. While the overall vacancy rate was reported by the 2010 Census at 7.9 percent, the detailed vacancy rate by the Census reported the for-rent vacancy at 5.8 percent and the for-sale vacancy at 1.3 percent. Other units were vacant due to foreclosures, seasonal occupancy, or other reasons. Specifically, according to staff research, 508 housing units in the City are used as vacation rentals. The increased presence of vacation rentals has the potential to exacerbate the tight rental housing market in the community, reducing affordable housing opportunities for the workforce. Nonetheless, the real-vacancy rates for the City were within the industry standard of five to six percent for rental housing and two percent for ownership housing.

**Program 16: Preserve Affordability of Existing Housing Stock**

The City continues to suffer from the loss of affordable housing (both for-sale and rental housing) due to factors such as demand exceeding supply, market conditions, and short-term vacation rentals. As housing prices and rents continue to escalate in the region, affordability of the City existing housing stock is diminishing rapidly. Specifically, the City is committed to managing and containing the presence of vacation rentals in order to ensure that the long-term rental workforce housing inventory is protected. As a beach city, and therefore the extraordinary target of

temporary rental situations, the preservation of affordable workforce rental housing is a priority and requires active management.

**Objectives and Timeframe:**

- Initiate discussions in 2016 to study options for the retention of affordable housing, especially containing and managing vacation rentals in the community.

**Responsible Agency:** San Clemente Community Development Department

**Funding Sources:** Departmental Budget

2. That Table 37 on HE35 entitled “Non-Public Housing Affordable Units” be expanded to include dates.
3. That the portion of HE42 which reads in part as follows “The City is currently processing an amendment to its emergency shelters provisions. The amendment is scheduled for consideration by the City Council on November 17, 2015...” be modified to include the correct date of Council consideration.

8. **UNFINISHED BUSINESS**

None.

9. **NEW BUSINESS**

A. **Interim Consolidated Storage Act of 2015 (H.R. 3643)**

Report from the Public Works Director/City Engineer concerning the possibility of supporting H.R. 3643 (Interim Consolidated Storage Act of 2015).

MOTION BY COUNCILMEMBER HAMM, SECOND BY COUNCILMEMBER BROWN, CARRIED 5-0, to adopt Resolution No. 16-04 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, IN SUPPORT OF H.R. 3643, THE INTERIM CONSOLIDATED STORAGE ACT OF 2015.

The City Clerk is to provide copies of the Resolution to the legislators listed in the document provided by Councilmember Donchak.



Councilmember Donchak stated that she has the opportunity to go to Sacramento on February 10, 2016 to speak on the Integrated Energy Policy Report; noted that the report currently focuses on Diablo Canyon and a delegation from Southern California is attempting to have SONGS incorporated into the report. Council concurred with Councilmember Donchak's attendance and participation.

**B. Review of Requirements to Place Short Term Lodging Unit Ordinance on the November 8, 2016 Ballot**

Report from the Community Development Director concerning the possibility of placing the Short Term Lodging Unit Ordinance on the November 8, 2016 Ballot.

Councilmember Brown recused himself from deliberations on this item because his wife works in the real estate industry and the item being discussed could have a material effect on the real estate market; left the meeting room at 11:00 p.m.

City Manager Makshanoff reviewed the contents of the Administrative Report and, together with City Clerk Baade, responded to Council inquiries.

Council directed Staff to prepare a report on the possibility of including a possible Transient Occupancy Tax increase on the General Municipal Election ballot of November 8, 2016. Council requested that the report address the justification for the increase (e.g., public safety and code enforcement costs), as well as the vote needed (majority versus super majority) in the event the tax increase is to be used for an earmarked, versus a non-earmarked, purpose.

The following individuals completed speaker cards indicating that they did not wish to speak, but opposed placement of the short-term lodging unit ordinance on the ballot:

Harry Snyder, San Clemente  
Chris Gyle, San Clemente

Council determined to not place the short-term lodging unit ordinance on the General Municipal Election ballot of November 8, 2016.

10. **ORAL COMMUNICATIONS (PART 2)**

None.

11. **REPORTS**

A. **Commissions and Committees**

(1) **Establishment of Date(s) for Council to Meet in Joint Session with City Commissions and Committees and Possibility of Cancelling a Meeting in August and January**

City Clerk Baade reviewed the contents of the Administrative Report.

Council canceled its meetings of July 19, 2016, August 16, 2016 and January 3, 2017.

Council scheduled a joint meeting with all Commissions and Committees for August 30, 2016.

B. **City Manager**

None.

C. **City Attorney**

None.

D. **Council Members**

**Dog Park Lighting**

Councilmember Hamm thanked South Coast Lighting for donating lighting for the dog park.

**San Clemente Partners Improving Education Responsibility (SC PIER)**

Councilmember Brown reported that SC PIER is a community group that is advocating for San Clemente to form its own school district; urged interested residents to access information about the community group online or through social media.

12. **RESOLUTIONS/ORDINANCES**A. **Ordinance No. 1616 (Second Reading) – Camino de Los Mares Medical Zones**

MOTION BY COUNCILMEMBER HAMM, SECOND BY COUNCILMEMBER BROWN, CARRIED 5-0, to adopt Ordinance No. 1616 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, TO ADOPT ZONING AMENDMENT 15-428, AND SPECIFIC PLAN AMENDMENTS 15-449 TO 15-452, CAMINO DE LOS MARES MEDICAL ZONES, A CITY INITIATED REQUEST TO AMEND THE ZONING ORDINANCE AND ZONING MAP TO CREATE A REGIONAL MEDICAL FACILITIES ZONE APPLIED TO THE 6.6 ACRE PROPERTY LOCATED AT 654 CAMINO DE LOS MARES, AMEND THE COMMUNITY COMMERCIAL ZONES USE AND DEVELOPMENT STANDARDS, CREATE A COMMUNITY COMMERCIAL 4 ZONE APPLIED TO A PORTION OF THE PROPERTIES ALONG CAMINO DE LOS MARES, AND ADD AND REVISE MULTIPLE MEDICAL-RELATED USES AND DEFINITIONS OF THE ZONING ORDINANCE AND THE FORSTER RANCH, RANCHO SAN CLEMENTE, TALEGA, AND WEST PICO CORRIDOR SPECIFIC PLANS.

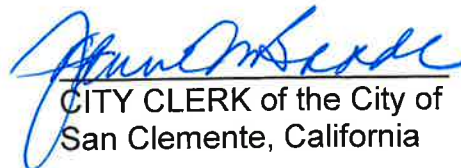
Councilmember Donchak left the meeting at 11:23 p.m.

13. **ADJOURNMENT**

MOTION BY COUNCILMEMBER HAMM, SECOND BY MAYOR BAKER, CARRIED 3-0 (COUNCILMEMBER BROWN AND COUNCILMEMBER DONCHAK ABSENT), to adjourn at 11:30 p.m. The next Regular Council Meeting will be held on February 16, 2016 in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California. Closed Session items will be considered at 5:00 p.m. The Regular Business Meeting will commence at 6:00 p.m.



MAYOR of the City of  
San Clemente, California

  
CITY CLERK of the City of  
San Clemente, California