



# PRESS RELEASE

## CITY OF SAN CLEMENTE

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**FOR IMMEDIATE RELEASE**

**CITY RESPONDS TO CLAIM BY CALIFORNIA COASTAL COMMISSION STAFF THAT CAMP FOR UNSHELTERED INDIVIDUALS REQUIRES A COASTAL PERMIT**

September 26, 2019...San Clemente, California...

The City of San Clemente staff work regularly and cooperatively with the Coastal Commission staff on important development projects and environmental issues that impact San Clemente coastal resources. This includes coastal-related matters arising from the City's efforts to comply with the Ninth Circuit's decision this year in *Martin v. City of Boise*, for which the City approved overnight sleeping at a City-owned site on Avenida Pico. The City established a temporary campsite to address concerns over the health and safety of unsheltered individuals camping in the North Beach area's parking lot and train platform.

However, at the September 11, 2019 meeting of the Coastal Commission, Commission Executive Director Jack Ainsworth stated, in response to public comment, that the City would have to seek the Commission's approval for a Coastal Development

Permit (CDP) for the temporary campsite—a position in direct conflict with the Commission’s prior actions.

Last December, Mr. Ainsworth waived the CDP requirement for a temporary housing facility in Venice, which was far more intense than the temporary campsite in San Clemente. The Venice project is located on a Metropolitan Transit Authority-owned maintenance yard and built to shelter 100 homeless adults and 54 transitional age youth. The facility in Venice will function for no more than three years, but includes a 9,900-square foot tension membrane (tent) structure and nine 18-foot high modular trailers for habitation, hygiene, storage, as well as offices for administrative staff and service providers. The project also includes a shaded centralized dining area, bike racks, landscaping, and perimeter walls and fences.

According to San Clemente Community Development Director Cecilia Gallardo-Daly, “It’s inconsistent for Commission staff to determine that the Venice temporary homeless shelter project qualifies for a waiver and the San Clemente’s campsite would not. The temporary campsite in no way impedes coastal access, required no removal of vegetation, has no impacts to sensitive habitat, and does not block blue-water or coastal views. Also, the temporary individual tents do not exceed the height of the zone and are not incompatible with the size and scale of surrounding structures.”

Added Ms. Gallardo-Daly, “These are the same findings made by the Commission Executive Director when he determined, and the Commission affirmed, that Venice temporary homeless shelter qualified for a CDP waiver. The Executive Director and the

Commission found that the Venice project would not adversely impact any coastal resources, public access, or public recreational opportunities. Those are the very same facts that pertain to the San Clemente's temporary campsite."

At the meeting, Mr. Ainsworth also stated that Commission staff had difficulties "getting all the facts together and figuring out what was going on down there" with respect to the City's temporary campsite. Ms. Gallardo-Daly explains that Mr. Ainsworth's understanding does not match the City's record working with his team. "The City has been in constant contact with the Commission's District Director for Orange County regarding the urgency ordinance and the establishment of the camp," states Ms. Gallardo-Daly. "In every phone call, I asked the District Director if Commission staff had all of the information they needed to make a determination, and on more than one occasion, the District Director stated that they had everything they needed. At no time did Commission staff express to us any concern about their access facts or other information regarding the temporary campsite's operation," adds Ms. Gallardo-Daly.

Mr. Ainsworth stated that the Commission is investigating other activities that could trigger a permit. Said Ms. Gallardo-Daly, "That's news to us. Never once, has Commission staff told the City that they were looking into other activities that could trigger a permit. This is vexing."

Mr. Ainsworth informed the Commission that his staff would send the City a follow-up letter regarding his remarks. The City has received no such letter to-date.

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