

These minutes will be considered for approval at the Planning Commission meeting of 11-6-2019.

**MINUTES OF THE REGULAR MEETING  
OF THE CITY OF SAN CLEMENTE  
PLANNING COMMISSION  
September 4, 2019 @ 7:00 p.m.  
City Council Chambers  
100 Avenida Presidio  
San Clemente, CA**

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**1. CALL TO ORDER**

Chair Ruehlin 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**

Donald Brown led the Pledge of Allegiance.

**3. ROLL CALL**

Commissioners Present: Donald Brown, Chris Kuczynski Zhen Wu; Chair Jim Ruehlin, Chair pro tem Barton Crandell

Commissioners Absent: Jason Talley, Vice Chair Michael Blackwell

Staff Present: Gabriel J. Perez, City Planner  
Adam Atamian, Code Compliance Manager  
Matthew Richardson, Assistant City Attorney

**4. SPECIAL ORDERS OF BUSINESS**

None

**5. MINUTES**

- A. Minutes from the Adjourned Regular Planning Commission Meeting of August 21, 2019

IT WAS MOVED BY COMMISSIONER BROWN, SECONDED BY CHAIR PRO TEM CRANDELL, AND UNANIMOUSLY CARRIED TO RECEIVE AND FILE THE MINUTES OF THE PLANNING COMMISSION REGULAR MEETING OF August 21, 2019, AS SUBMITTED.

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

## 6. ORAL AND WRITTEN COMMUNICATION

Larry Culbertson, resident, thanked the Commission for inviting Henry Lenny as the information presented was important, timely, and relevant. He commented that alternatives to street parking would be welcomed; noted how important Avenida Del Mar is to residents and visitors; spoke in favor of widened sidewalks; invited all to attend the Historic Home Tour on October 12, 2019, from 10:00 a.m. to 4:00 p.m.

## 7. CONSENT CALENDAR

None

## 8. PUBLIC HEARING

### A. Zoning Amendment 19-290 – Thrift Store Ordinance (Perez)

A request to forward a recommendation to the City Council to amend San Clemente Municipal Code Title 17, the Zoning Ordinance, regarding the regulation of secondhand dealers. The Planning Commission will be considering changes to the Zoning Ordinance in Chapters 17.28, 17.36, 17.40, and 17.88 related to special uses, the permitted zones for the special uses, and related definitions.

Gabriel J. Perez, City Planner, narrated a PowerPoint Presentation entitled, "Zoning Amendment (ZA) 19-290 – Regulation of Secondhand Dealers, 'Thrift Store Ordinance'," dated September 4, 2019. A copy of the presentation is on file in Planning Division.

In response to questions, City Planner Perez described expansions or circumstances that would trigger a new Minor Conditional Use Permit (MCUP) and/or eliminate prior, grandfathered approvals; noted the security plan is proposed in order to decrease/eliminate the dumping of donated items outside when the stores are closed; described differences in definitions for "Antiques" and "Second Hand Goods"; clarified the prohibition of "backdrops" that do not allow a unobstructed view from the windows into the business; advised 365 days is the standard amount of time businesses are allowed to lapse before losing approvals.

Adam Atamian, Code Compliance Manager, described in general terms the process of determination used by Code Compliance staff when faced with signage/issues that are not straightforward; noted no location in the City is immune from experiencing illegal dumping, littering, etc.; advised a Security Plan can be signage that requests the public to refrain from dumping or littering. The signage will allow Code Compliance to establish that businesses are aware of the dumping prohibition, and allow City staff to work with the business to establish flexible and individual solutions that will work for each situation.

Chair Ruehlin opened the public hearing.

Mary Purdue, resident, clarified that if a Thrift Store changed locations, its permits would lapse and they would be under the new regulations; asked for help in creating solutions that will stop the public from dumping on their property.

Chair Ruehlin closed the public hearing.

Comments/Suggestions:

- Suggested there is no need for the City to be involved in a security plan for the inside of the building; recommended revision to clarify the subject Security Plan pertains only to the outside of the building.
- Suggested the “Security Plan” be referred to as a “Storage Plan” with language to ensure the movement and storage of goods is hidden from public view; suggested a storage box to allow goods to be dropped off, but will not allow the public to take items from; expressed preference to require a MCUP rather than a CUP; supported ability to look into the windows and the store beyond from outside the window.
- Supported thrift stores being allowed in Industrial Zoned areas.
- Established there is no specific license required by the State to operate a thrift store.
- Opposed requiring a Security Plan as it is not required by other retail businesses in the City.
- Supported the Ordinance as proposed.
- Suggested fencing off the rear of any property adjacent to an alley to prohibit dumping on private property and allow the City to enforce prohibition against dumping in public.

IT WAS MOVED BY CHAIR PRO TEM CRANDELL SECONDED BY COMMISSIONER WU, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC 19-033, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE AN ORDINANCE TO ENACT ZONING AMENDMENT 19-290, AMENDING MUNICIPAL CODE TITLE 17 (ZONING), CHAPTERS 17.28 (SPECIAL USES), 17.36 (COMMERCIAL ZONES AND STANDARDS), AND 17.88, (DEFINITIONS) TO REGULATE SECONDHAND DEALERS BY DEFINING USES, RESTRICTING USES TO SELECT ZONES, REQUIRING A MINOR CONDITIONAL USE PERMIT TO ESTABLISH USES, AND IMPOSING SPECIAL USE STANDARDS.

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

**9. NEW BUSINESS**

None

**10. OLD BUSINESS**

None

**11. REPORTS OF COMMISSIONERS/STAFF**

- A. Tentative Future Agenda
- B. Zoning Administrator Minutes of August 22, 2019
- C. Staff Waiver Memo and Reports

Chair Ruehlin announced he would not be present for the September 11, 2019, DRSC meeting; requested staff forward the draft of the Pier Bowl Specific Plan as soon as possible to allow maximum time for study by Commissioners; suggested postponement of the October 2, 2019, meeting or rescheduling of the Pier Bowl Specific Plan agenda item as several Commissioners have indicated they will not be able to attend the meeting; announced the Artifex item was not called up by City Council for discussion.

City Planner Perez reported appeal of two of the small cell antenna projects, 3018 Camino Vera Cruz and 1101 Calle del Cerro. These projects will be getting additional review and discussion. He described upcoming zoning code amendments/revisions to be presented to the Commission in the near future.

**12. ADJOURNMENT**

IT WAS MOVED BY COMMISSIONER BROWN, SECONDED BY CHAIR PRO TEM CRANDELL, AND UNANIMOUSLY CARRIED to adjourn at 8:26 p.m. to the next Study Session and Regular Meetings of the Planning Commission to be held on October 2, 2019, at 6:00 p.m. in Council Chambers located at 100 Avenida Presidio, San Clemente, California.

Respectfully submitted,

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Jim Ruehlin, Chair

Attest:

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Gabriel J. Perez, City Planner