

**MINUTES OF THE ADJOURNED REGULAR MEETING
OF THE CITY OF SAN CLEMENTE
PLANNING COMMISSION
July 8, 2020 @ 6:00 p.m.
Teleconference Only via
www.san-clemente.org/live or Cox Channel 854**

CALL TO ORDER

Chair Ruehlin called the Adjourned Regular Meeting of the Planning Commission of the City of San Clemente to order at 6:04 p.m. The meeting was offered teleconference only due to the COVID-19 Pandemic, and available to the public via live stream from the City's YouTube Channel or live on Cox Channel 854.

2. PLEDGE OF ALLEGIANCE

Commissioner Brown led the Pledge of Allegiance.

3. ROLL CALL

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

Commissioners Absent: None

Staff Present: *Gabriel J. Perez, City Planner
*Jennifer Savage, Senior Planner
*Katie Crockett, Associate Planner
*Kyle Webber, Community Development Technician
*Matthew Richardson, Assistant City Attorney
*Eileen White, Recording Secretary

*Participated in the meeting via teleconference.

4. SPECIAL ORDERS OF BUSINESS

A. Selection of Planning Commission Chair, Vice-Chair, and Chair Pro Tem

It was moved by Commissioner Brown and seconded by Commissioner Crandell to nominate Commissioner Ruehlin, Commissioner Blackwell, and Commissioner Wu for Chairman, Vice Chairman and Chair pro tem, respectively. There were no other nominations.

Commissioner Ruehlin was elected Chairman, Commissioner Blackwell was elected Vice Chairman, and Commissioner Wu was elected Chair pro tem on unanimous votes.

B. Selection of Coastal Advisory Committee Member

Select one member to serve on the Coastal Advisory Committee, which meets the second Thursday of each month at 7:00 p.m. in the Community Center, Ole Hanson Fireside Room.

Commissioner Kuczynski volunteered to serve on the Coastal Advisory Committee and was elected on a unanimous vote.

C. Selection of Design Review Subcommittee Members

Select three members to serve on the Design Review Subcommittee (DRSC), which meets the second and fourth Wednesday of each month at 4:00 p.m.

The Commissioners concurred for the sake of continuity to elect a permanent 3-member subcommittee rather than continue with the rotating format.

It was moved by Chair Ruehlin and seconded by Vice Chair Crandell to nominate Commissioner Crandell (Chair), Chair pro tem Wu, and Commissioner Brown as the three members of the Design Review Subcommittee.

In a substitute motion, it was moved by Chair pro tem Wu and seconded by Commissioner Kuczynski to nominate Vice Chair Crandell (Chair), Commissioner Blackwell, and Chair pro tem Wu as the permanent Design Review Subcommittee, with Commissioner Brown serving as alternative.

Vice Chair Crandell (Chair), Commissioner Blackwell, and Chair pro tem Wu were elected on a unanimous vote as the permanent Design Review Subcommittee, with Commissioner Brown serving as alternative.

The Commission concurred that for the benefit of applicants and continuity of project review, the DRSC team in place for an applicant's first review will remain intact until the project has completed its review and is ready to be forwarded to the Planning Commission for consideration.

5. MINUTES

A. Minutes from the Planning Commission Regular Study Session of June 3, 2020

IT WAS MOVED BY COMMISSIONER BROWN, SECONDED BY COMMISSIONER CRANDELL AND CARRIED 5-0-1, WITH CHAIR RUEHLIN ABSTAINING, TO APPROVE THE MINUTES OF THE PLANNING COMMISSION REGULAR MEETING OF JUNE 3, 2020, as submitted.

B. Minutes from the Planning Commission Regular Meeting of June 3, 2020

IT WAS MOVED BY COMMISSIONER BROWN, SECONDED BY VICE CHAIR BLACKWELL AND UNANIMOUSLY CARRIED TO APPROVE THE MINUTES OF THE PLANNING COMMISSION REGULAR MEETING OF JUNE 3, 2020, as submitted

6. ORAL AND WRITTEN COMMUNICATION

None

7. CONSENT CALENDAR

None

8. PUBLIC HEARING

A. 318 West Avenida Gaviota – Cultural Heritage Permit 20-017 – Giobbi Residence (Webber)

A request to consider a pool/spa extending towards the coastal canyon, a 361 sq. ft. first floor addition, and 160 sq. ft. second story deck on an existing single-family residence abutting two historic resources at 319 W. Ave Gaviota and 320 W. Ave Gaviota. The site is located in a Coastal Canyon and is subject to Coastal Commission approval.

Kyle Webber, Community Development Technician, narrated a PowerPoint Presentation entitled, "Giobbi Residence, CHP 20-017" dated July 8, 2020. A copy of the Presentation is on file in Planning Division. In response to questions from the Commission, he confirmed that owners of residences on Avenida Cristobal living within the 300 foot radius of the project were notified of this project; the landscaping will be evaluated for fire hazard safety by the Orange County Fire Authority (OCFA) during the review process; the Zoning Ordinance allows for a mix of setback calculations in determining setback compliance.

Chair Ruehlin opened the public hearing.

City Planner Perez read aloud a letter dated July 8, 2020, from Mark McGuire, resident, regarding the procedural and regulatory aspect of the staff report concerning the application of the relevant standards to this

project and stating concern this would set a precedent. City Planner Perez stated that the staff recommendation for this project would remain the same regardless of the regulations applied due to its compliance with both Zoning and Coastal Land Use Plan (LUP) regulations.

Matthew Richardson, Assistant City Attorney, advised the points raised in Mr. McGuire's letter are not relevant to this project; noted staff had been extra cautious with this project in an effort to not create extra hurdles for the applicant at California Coastal Commission (CCC) review.

Gabriel Perez, City Planner, confirmed that the project is required to receive CCC approval through Condition of Approval 4.4.

Following confirmation with the City Planner that there was no additional public testimony, Chair Ruehlin closed the public hearing.

IT WAS MOVED BY COMMISSIONER CRANDELL, SECONDED BY COMMISSIONER BROWN, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC 20-016, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CULTURAL HERITAGE PERMIT 20-017, GIOBBI RESIDENCE, A REQUEST TO CONSTRUCT A FIRST AND SECOND FLOOR ADDITION AND POOL/DECK WITH LANDSCAPING AT A SINGLE-FAMILY RESIDENCE AT 318 WEST AVENIDA GAVIOTA.

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

B. Zoning Amendment 20-069 – Massage Ordinance – Continued from July 8, 2020 (Savage)

A public hearing to consider city-initiated proposal to amend the City's Massage Ordinance. The project would amend San Clemente Municipal Code Title 5 and Title 17, San Clemente Zoning Ordinance, to deter human trafficking activity, clarify existing provisions, and correct erroneous text.

Jennifer Savage, Senior Planner, reviewed the staff report and response to Commission comments during its Study Session review. In response to questions/comments, she agreed to research use of the word, "trainer," and potentially revise its wording/definition to indicate the trainers that are certified/licensed; confirmed that all signage used will be offered in languages recommended for this area.

Chair Ruehlin opened the public hearing, confirmed with staff that no public testimony had been submitted for this item, and closed the public hearing.

IT WAS MOVED BY COMMISSIONER BROWN, SECONDED BY COMMISSIONER KUCZYNSKI, AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC 20-015, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE AND ADOPT AN ORDINANCE AMENDING MASSAGE REGULATIONS TITLE 5 AND TITLE 17 (ZONING AMENDMENT 20-069) OF THE MUNICIPAL CODE TO DETER HUMAN TRAFFICKING ACTIVITY, CLARIFY EXISTING PROVISIONS, AND CORRECT ERRONEOUS TEXT.

[ACTION SUBJECT TO CITY COUNCIL APPROVAL.]

9. NEW BUSINESS

A. Interpretation 20-157 – 1904 Calle De Los Alamos – Tanner Residence (Crockett)

A request for an interpretation from the Planning Commission regarding whether encroachments into coastal bluff setbacks for particular structures are consistent with Development Standards and the Coastal Land Use Plan.

City Planner Perez announced staff is recommending this item be continued.

The Commissioners concurred to request staff review the points raised in Mr. McGuire's letter (Item 8A) to address his concerns.

IT WAS MOVED BY COMMISSIONER BROWN, SECONDED BY CHAIR PRO TEM WU, AND UNANIMOUSLY CARRIED TO CONTINUE INTERPRETATION 20-157 – 1904 CALLE DE LOS ALAMOS – TANNER RESIDENCE TO A DATE UNCERTAIN.

[AGENDA ITEM TABLED.]

10. OLD BUSINESS

None

11. REPORTS OF COMMISSIONERS AND STAFF

- A. Tentative Future Agenda
- B. Zoning Administrator Minutes of June 18, 2020
- C. Staff Waiver Memo and Reports

In response to a comment, City Planner Perez confirmed that the Bowling Alley structure at North Beach had to be demolished after structural analysis

determined the structure in its entirety could not be preserved. He noted that elements determined to be salvageable were preserved and will be incorporated into the reconstruction of the bowling alley building. He agreed to research potential for the property to remain on the Historical Register, provide details regarding its previous condition and add this item to a future agenda for discussion.

12. ADJOURNMENT

IT WAS MOVED BY VICE CHAIR BLACKWELL, SECONDED BY COMMISSIONER BROWN AND UNANIMOUSLY CARRIED TO ADJOURN AT 8:00 P.M. TO THE REGULAR STUDY SESSION OF THE PLANNING COMMISSION TO BE HELD ON JULY 22, 2020, AT **5:00 P.M.** THE REGULAR MEETING WILL BEGIN AT 7:00 P.M. TELECONFERENCE ONLY AND AVAILABLE TO THE PUBLIC VIA LIVE STREAM FROM THE CITY'S YOUTUBE CHANNEL OR LIVE ON COX CHANNEL 854.

Respectfully submitted,



Jim Ruenlin, Chairman

Attest:



Gabriel J. Perez, City Planner