

**MINUTES OF THE REGULAR MEETING  
OF THE CITY OF SAN CLEMENTE  
PLANNING COMMISSION  
March 19, 2014 @ 7:00 p.m.  
City Council Chambers  
100 Avenida Presidio  
San Clemente, CA 92672**

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**1. CALL TO ORDER**

Chair Darden called the Regular Meeting of the Planning Commission of the City of San Clemente to order at 7:01 p.m.

**2. PLEDGE OF ALLEGIANCE**

Commissioner Kaupp led the Pledge of Allegiance.

**3. ROLL CALL**

Commissioners Present: Wayne Eggleston, Michael Kaupp, Jim Ruehlin, and Kathleen Ward; Chair pro tem Barton Crandell, Vice Chair Donald Brown and Chair Julia Darden

Commissioners Absent: None

Staff Present: Jim Pechous, City Planner  
Denise Obrero, Housing Programs Planner  
Jeff Hook, Principal Planner  
Ajit Thind, Assistant City Attorney  
Eileen White, Recording Secretary

**4. SPECIAL ORDERS OF BUSINESS - None**

**5. MINUTES**

**A. Minutes from the Planning Commission Regular Study Session of March 5, 2014**

IT WAS MOVED BY COMMISSIONER RUEHLIN, SECONDED BY VICE CHAIR BROWN, AND UNANIMOUSLY CARRIED to receive and file the minutes of the Regular Study Session of March 5, 2014, as submitted by staff.

**B. Minutes from the Planning Commission Regular Meeting of March 5, 2014**

IT WAS MOVED BY COMMISSIONER KAUPP, SECONDED BY COMMISSIONER RUEHLIN, AND UNANIMOUSLY CARRIED to receive and file the minutes of the Regular Meeting of March 5, 2014, as submitted by staff.

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

**7. CONSENT CALENDAR - None**

**8. Public Hearing**

**A. SB2 Emergency Shelter Ordinance (Obrero)**

Senate Bill 2, the Emergency Shelter Ordinance (SB 2), requires that cities adopt an ordinance allowing the establishment of emergency shelters to accommodate the local need, by right, in at least one land use zone. This would include at least one year around shelter and could include other seasonal or special purpose shelters, such as a shelter for threatened or abused women and children. SB 2 also addresses the need to allow transitional and supportive housing by right in at least one zone. The ordinance does not require cities to build, fund or operate emergency shelters. It allows cities to establish standards to regulate and provide emergency shelters' location, size, parking, proximity to other emergency shelters, length of stay, lighting, security and management. The City completed an evaluation of areas with the potential to meet SB 2 requirements and based on that evaluation, is considering amendments to the Rancho San Clemente Specific Plan and the Zoning Ordinance to allow such uses in the Specific Plan Area's Business Park zone.

Chair Darden announced that the City is not reviewing a City- or privately-supported shelter or any specific shelter at this time. State law allows cities and counties to establish and enforce certain standards for any emergency shelter within their jurisdictions. Tonight, the Commission will review potential zones, hear public testimony and continue this item to a future meeting. Staff will continue to review potential sites, including ones submitted by the public. The Commission will review staff's recommended draft development standards this evening and indicate their preferences by straw votes. The Commission retains the ability to revisit the draft standards if more stringent or relaxed standards are necessary. The public will have the opportunity to share their points of view with the Commission. Chair Darden requested the public refrain from speaking/clapping from their seats and treat all speakers with courtesy. The goal is to come up with a win-win solution to satisfy the State, provide for the homeless, and protect residents.

Commissioner Ruehlin commented that he was absent from the meeting of February 5 when this agenda item was first discussed. He has reviewed the video from the meeting, and feels adequately prepared to participate in the discussion this evening.

Denise Obrero, Housing Programs Planner, narrated a PowerPoint Presentation entitled, "Senate Bill 2 (SB 2), Homeless Shelter Emergency Housing, dated March 19, 2014." SB 2 requires cities and counties to designate at least one zone where emergency shelters, transitional, and supportive housing are permitted by right. Following research, staff analyzed areas for potential SB 2 zoning, and a subcommittee was formed by the City Manager to analyze and evaluate areas for SB 2 zoning suitability. The subcommittee recommended the Rancho San Clemente Business Park (RSCBP) to be the most appropriate area. The Commission considered the staff proposal at its February 5th meeting, directed staff to provide additional information and ensure participation of stakeholders, and continued the agenda item to tonight's meeting. Included in the staff report were case studies of two homeless shelters closest to the City, preliminary draft development standards, summary of questions and staff responses to questions raised by the Commission at its February 5th meeting, and evaluations of sites suggested at a March 4th, 2014 meeting hosted by the RSCBP. Staff recommended the Commission consider the Draft SB 2 Development Standards and suggested SB 2 alternatives, provide direction to staff, and continue the item to a date certain to 1) review a draft Zoning Ordinance, Map and Specific Plan Amendment, and 2) make a recommendation to the City Council regarding SB 2 compliance.

Commissioner Eggleston established from Ajit Thind, Assistant City Attorney that a cost analysis by the City to determine if the lot is suitable for development is not required by SB 2. The Attorney also noted that nothing in the SB 2 law references creating a standard that local residents are given preference and that he does not recommend including that language in the SB 2 development standards. He speculated that local preference is allowed at the Laguna Beach shelter because it is owned and operated by that city. Commissioner Eggleston explained that he spoke to Sacramento officials, who informed him that although a locals' preference standard may not be prohibited, it may affect funding.

Jim Pechous, City Planner, commented that for a site or an area to be found suitable under SB 2 requirements, it has to be suitable for development. If a site requires such costly improvements that it would make development of an emergency shelter cost-prohibitive, the site or area are not likely to be considered suitable by the State and the City would not meet SB 2 requirements. Under SB 2, the City is not obligated to put in needed infrastructure such as sewer pumps or access roads, nor is it obligated to build a shelter. He agreed to check with engineering staff

regarding estimated costs for needed improvements on any potential sites under consideration and report back.

In response to questions from the Commissioners, Ms. Obrero discussed the benefits of having an indoor intake area; described how staff arrived at the estimated count of 65 homeless, taking into consideration a community count, regional survey, and estimate based on existing population; advised the count is for adult, individual homeless, noting that there are other options and services available for homeless families/single parents; confirmed that the Industrial and Business Park zones of the Rancho San Clemente Specific Plan are under consideration for SB 2 zoning, but that no specific parcel had been identified.

Chair Darden opened the public hearing. She acknowledged that the Commission had received a substantial amount of written communication from the public on this issue.

Barbara Scheinman, Saddleback Memorial Hospital employee, no city of residence given, encouraged the Commission to comply with SB 2 in lieu of waiting for a suit to be filed to force them to address homeless adults as was the case in Laguna Beach; advised many of the homeless use up the hospital's emergency room beds just to sleep off/recover from substance abuse; noted cities with shelters have found many of the homeless will refrain from abusing alcohol/drugs so they can use the shelters; encouraged the Commission to help come up with a solution to address the homeless population that considers San Clemente their home.

Steven Hagy, resident, once ran a homeless shelter in Capistrano Beach. The shelter had funding, plenty of volunteers who were willing and able to help, pray, feed, and stay with the homeless without fear. The City has a moral obligation to address the needs of the homeless. At a homeless shelter those in need can get medical treatment. He encouraged the public to lose the fear of the homeless that all struggle with and come together as a community to make a difference. He prefers the location adjacent to Heritage Church as a potential site.

Vonne Barnes, resident and president of the Rancho San Clemente Homeowners Association and speaking on their behalf, opposed rezoning of land in Rancho San Clemente for use as a homeless shelter. She said the Association was not invited to participate in the debate or meetings, and the homeless problem is a City-wide problem that should not be shouldered by just one community. There is nothing to indemnify the Association from costs associated with housing the homeless, or to address the associated chronic issues. Of particular concern is the potential for fire danger in a very high fire hazard area. She speculated that other sites are more suitable and will have less negative impacts and potential for fire hazards.

Peter Jeanseau, resident, opposed changing zoning to allow a homeless shelter to be built in Rancho San Clemente where the homeless will be landlocked in a remote fire hazard area. He believes the vacant retail center on Camino de Estrella would be a better location as it is close to bus stops, a grocery store, I hope offices, churches, and a hospital. In the Rancho San Clemente location, it would take close to 30 minutes for a person needing emergency medical attention to be driven to the hospital. The buildings on Camino de Estrella are in place; it is not in a severe fire hazard area, open space, or school, and all infrastructure is in place.

Richard Metcalf, resident and president of the Bella Vista Homeowners Association in Rancho San Clemente, spoke on behalf of 150 homeowners. He supported the proposal to designate zoning for a homeless shelter at the almost vacant Camino de Estrella strip mall and felt Rancho San Clemente is not suitable because traffic is already heavy with business park employees, the elementary school is too close, and traffic is always moving very quickly. The homeless bring trash in the form of liquor bottles and cigarette butts, and urinate in the landscaping. He does not support putting a homeless shelter in the middle of one of the better residential areas, and requested the Commission consider alternative sites.

Linda Wesselman, resident, supported allowing the zoning designation to allow a homeless shelter to be built somewhere within the City, but not in the Rancho San Clemente Business Park. The La Pata location would not be suitable because the site is too steep and it is too far from the last bus stop. She stated preference for the Camino de Estrella strip mall because it already has a building on it; asked the Commission to consider the needs of the homeless who need to be closer to transportation services.

Tom Alexander, resident and property owner in the Ranch San Clemente Business Park, opposed changing the zoning designation to allow a homeless shelter in the business park. The homeless would be forced out of the shelter at 8 a.m. and they would loiter, sleep, bother businesses, commit petty crimes, and drive away business. Park representatives were not included in workshops or ad hoc committee meetings. The park is a livelihood for many and they need to attract tenants, not drive away business and tenants to other cities. The park association wants to help solve the problem and has suggested an alternative location. He suggested the City bring together a group including homeless advocates, businesses, residents, and City staff to come up with a creative solution that will meet the needs of all parties. The City should bring the community together to deal with the problem, noting that people will support the plan if they have been included in the planning process.

Thomas Maurielle, resident and attorney representing Rancho San Clemente, expressed concerns regarding due process, including noticing.

He supported the City's efforts to comply with SB 2, but does not believe the business park is the best location for a homeless shelter, citing problems with specific land use, compatibility and other issues. Seismic issues may also be a concern. He is opposed to creating an overlay on 300 acres because it is inferior land use planning and suggested the City come up with one or more realistic sites and change the zoning for those specific sites instead. He advocated the City taking the Association's offer of the 7-acre site at the corner of Calle Del Cerro and Avenida Pico instead.

William Lee Miller, Lake Forest resident, pointed out that a lot of Orange County is located in a seismic zone, so this would not disqualify any existing property from rezoning. With regard to the 7-acre site on Avenida Pico, any builder proposing to build on a vacant site would have to deal with the same issues, providing access and constructing infrastructure. A geologist and engineer would have to be brought in to study and advise how to build on the site. Sewer, water, and power are all available along Avenida Pico. There is no difference in standards between developing this lot and any other vacant lot in town. As a member of the Rancho San Clemente Business Park Association Board, he recommended the Commission consider rezoning other sites, including the 7-acre site offered to them by the board, rather than rezoning the entire Rancho San Clemente area.

Rueben Casey, resident and Rancho San Clemente Business Park boardmember, urged the Commission to base their decision on common sense and reasoning and reject the business park as a homeless shelter location rather than base their decision on the emotional reasons for helping the homeless.

Jeff Scott, resident and new Executive Director of IHope, advised helping the homeless is a complex problem that needs to be addressed in a collaborative format with multiple agencies and representatives involved. He noted that IHope does not encourage homeless people from other cities to come to San Clemente. He advocated for selecting several sites for consideration rather than one large area and noted that although he is new to this position, he is actively involved in making this proposal work.

Tom Barnes, resident, opposed the proposed location, and noted that Rancho San Clemente Business Park representatives were not included in the decision making process; expressed a preference for 6 or 7 sites around the City; advocated starting the process over again with a new plan and inviting all stakeholders to provide input. He cautioned that changing zoning from open space to allow development might require a City-wide vote, and reminded the Commission that unpopular proposals, such as the condos on the golf course, illegal signs at the outlet mall, large Ralphs shopping center, and The Lab Project have been stopped by organized groups in the past.

Pondo Vleisides, resident, noted that many children attend the Talega Life Preschool and there have been no problems with the homeless being belligerent, urinating on the sidewalk, etc. He has five vans that can be used to transport the homeless from the business park to other areas in town in the mornings, but questioned where they should be taken. As a clergyman, he serves the Lord, and wants to help the homeless with addiction issues and provide food, cleaning facilities, and medical help. He believes the cooperation of churches will be part of the solution to address how to help the homeless.

Tina Metzger, resident, is the lead case manager at IHope. She advocated gathering the community together to solve this problem. She understands the homeless should not be placed in tourist areas, and has concerns with placing the shelter in an industrial area located far from important services. She urged working together as a community to enable the homeless to get programs, rehab, and jobs.

Dawn Price, Laguna Beach resident and Executive Director of the Friendship Shelter in Laguna Beach, advised the City's homeless shelter is located just steps away from nice motels, homes, and businesses. The shelter is a pillar of the community, and features a community garden and small free library for school-aged children. They have been good neighbors; there are no encampments outside the property and no illegal behavior is allowed. The shelter has not attracted homeless from other cities; its population has stayed relatively constant for the 4.5 years it has been operating. With proper security safeguards in place, there have not been any problems at this location and no security issues have surfaced. In response to questions, she noted the City provides the largest source of funds for the shelter, but they also receive some funds from Orange County. Their local police officer is tasked with establishing and maintaining criteria, and the shelter has a pre-printed list of those considered local, with non-resident guests staying and writing in their names if space permits. She estimated that approximately 6 people per night are turned away once the 45 beds are full. The funding from the County is based on how many non-residents are accommodated, and she estimates the funding from the County is approximately \$50,000 per year, with an increase this year to \$60,000. With regard to parking, she noted it is difficult for the City to prohibit parking because it is public property, but they are trying to enact guidelines to prevent the homeless from parking on site during the day. She provided statistics regarding shelter usage and described how the numbers were calculated. They have approximately 44 permanent residents, and are just starting to develop a supportive housing project.

Ken Hite, resident and business park property owner, supported the zoning re-designation to allow homeless shelter for the 7-acre parcel offered by the Rancho San Clemente Business Park Association board

and encouraged staff to continue looking for alternative locations; supported developing a shelter or alternative solutions to help the homeless in the community.

Leslie Davis, resident and former City of San Clemente Housing Coordinator, commended those involved in the process for a thorough and thoughtful job studying the issues. There is no question that a shelter is needed and the City has an obligation to help its least fortunate citizens. Although all sites will have its detractors, a collaboration of people is needed to make the best decision. She encouraged the Commission to make a decision based on the recommendation; felt the time for studying sites is passed; advised shelters can make good neighbors and be run properly. Not having a shelter creates homeless encampments. Shelters have changed lives for the better and when run well are important institutions in a City. She recommended the Commission adopt the recommendation put forth by the ad hoc committee.

Jack Kulp, Dana Point resident and member of the Rancho San Clemente Business Park Board, owns three properties in the business park that employ about 100 people. Those people spend money in the business park to support other businesses. The last thing he wants to see is property devaluation because of a homeless shelter. The board was not aware the business park was being considered for a rezoning to allow a homeless shelter, and once notified, set about to find solutions. They are willing to provide the City with a portion of the 7-acre parcel, and have been informed that a City-wide vote is unnecessary if the property is one acre or less. All the needed utilities are located in the street, and development here would be no different from development on any other vacant unimproved lot within the City. He asked the Commission to consider this property as an alternative to rezoning the entire business park, and not barricade the proposal with problems and objections.

Kay Childs, resident and speaking on behalf of the Human Affairs Committee, supported the rezoning to allow a homeless shelter because the homeless need a place to sleep and get help, and the City needs to comply with SB 2. She is delighted to hear so much positive feedback, and noted that although not all agree with the space being recommended, all agree that a space is necessary.

Ed O'Connor, San Juan Capistrano resident and IHope boardmember, requested that the community not attack or criticize staff for trying to come up with a solution, but instead applaud them for what they have done. San Clemente is one of the most inclusive cities in the County. He noted that IHope will not challenge the standards as proposed by the City and although the business park is not their first choice, it is a start and better than nothing. He challenged the Commission to not see SB 2 as an obligation, but consider it an opportunity to let them help the City. They have time, funds, and the ability to help the homeless. The City's seal



says, "In God We Trust;" he encouraged the Commission to let the City practice what it preached. He cautioned them against just rezoning just one lot as that might not comply with SB 2.

Nancy McIntyre, resident, encouraged the Commission to approve the proposal, noting that they can all work together to develop a management plan to make the shelter a positive experience for all; a place for the community to get together, make a plan, and do something for the homeless. Family Assistance Ministries (FAM) will provide services and willing volunteers. She noted survey after survey has proven that the homeless would prefer to be in a shelter as they feel safer there than on the streets. She noted the homeless are all around the City; rezoning to allow a shelter would get many off the street.

Lyndie O'Toole, resident, opposed rezoning to allow a homeless shelter in Rancho San Clemente because the kids are all around, unsupervised, walking home from school and playing in the parks. She asked how the City would protect the children if homeless people were transported into the area.

Rob Johnston, commercial real estate agent, advised that if the rezoning is allowed, this park will be the only one of 8 in the area that a homeless shelter can be built. The park currently has a 5% vacancy rate, which would change if a homeless shelter was constructed. He strongly suggested the City look elsewhere to put a homeless shelter, as its installation in this park will be near catastrophic for existing businesses or those that want to expand. He urged the Commission to rezone the 7-acre site offered by the business park board or look elsewhere within the City for a more suitable location. He noted recent German visitors to the park looking for a 26<sup>th</sup> business location would never have even considered the park if there were a homeless shelter nearby.

Father Patrick Crenar, resident, supported formation of a homeless shelter within the City. He complimented staff for their exemplary work and noted he has parishioners on both sides of the issue. He thanked all involved for attempts to come up with solutions, but counseled staff against spending too much time and delaying compliance with SB 2. He questioned where the homeless woman outside Chambers eating her dinner was going to spend the night tonight, and advised there are many needing help. Hospital emergency beds are not the place to house the homeless and the City can do better.

Chair Darden closed the public hearing.

Officer Bull described the process that must be undertaken in order to remove people from loitering/camping on private property, including forms that must be filed and served before citations can be issued. The police are barred from removing property of the homeless, and if removed by a

private citizen, it must be properly stored so it can be collected later. Although going to a shelter is an individual choice, he believes the majority of the homeless will take advantage of shelter, especially in inclement weather. From a patrol deputy standpoint, typically and customarily, the most problems associated with the homeless are drug and alcohol abuse, public urination and defecation, and mental issues. There are homeless frequenting the beach areas, and the police receive many calls for service based on fear of or the behavior of the homeless individual. He agreed the homeless should be kept away from children. Although there is always potential for young people to attack the homeless, in the past seven years it has not been a regular occurrence. With regard to potential to place the homeless in an isolated site or in the business park, he speculated that there would be less calls for support from law enforcement. Typically the homeless prefer areas where people are more tolerant and will not make complaint calls to law enforcement. Although the police would not provide security, they would respond to calls for service. He believes an abundance of security would be the best option. Deputies will transport the homeless to shelters in order to placate callers, but the police cannot be expected to provide taxi service. A shelter would be a positive addition for the community and police services. Dealing with the intoxicated is difficult as shelters will not take intoxicated homeless persons, and if deputies have to "babysit" intoxicated people, they are not available to serve residents.

City Planner Pechous advised that the property owners in the RSC Business Park zone were not contacted or included in the initial meetings because the focus was only on the smaller Industrial Park zone at the beginning. The Industrial Park zone owners were notified of the public hearing. All property owners in the business park listed in the latest County Assessor roles were notified of tonight's meeting.

Principal Planner Hook advised that notification of the first public hearing was placed in local newspapers, property owners within 300 feet were notified by mail, and any members of the public requesting to be notified were notified. He can provide records of those notified. For tonight's meeting, the same notifications were sent and all that provided email addresses at the business park meeting were also notified. Although he did not know the exact number, he estimated that some 1200 notifications were sent out.

Chair Darden requested staff ensure that additional notifications are sent in advance of the next meeting, including representatives from all the various homeowners' associations. In addition, she summarized the following issues and requested staff provide information in advance of the Commission's next meeting where this will be addressed. These include:

- Resolution of the cost prohibition issue, clarification of what needs to be taken into consideration when determining costs to build a shelter.
- Information from Orange County Fire Authority regarding fire hazards in the 7-acre Avenida Pico property and the business park overall.
- Information from other business parks in the State that have rezoned for/implemented homeless shelters and negative impacts that may have arisen including devaluation of property values, vacancies, etc.
- Information regarding the seismic zone locations of potential sites, and request for representative from the Engineering Division to answer questions.
- Facts regarding extending utilities to vacant parcels and potential costs for consideration.
- Clarification regarding the last "Point in Time" count.
- Consideration of separation of the homeless population from safe routes to school, walking paths, parks, kids' athletic fields or areas, etc.
- Information regarding rezoning of open space areas including the threshold at which a vote of the people is needed.

Principal Planner Hook explained that the Housing Element, which is due for an update and will be coming to the Commission for consideration later this year, has to provide an explanation how SB 2 is addressed, including how it provides a "reasonable opportunity" for development of an emergency shelter, as required by State law. The law also sets out certain criteria for locating an SB 2 zoning area, including sufficient capacity to meet estimated need, suitable and available for development, take into consideration physical features like flooding, seismic hazards, slope instability or other environmental constraints, and should be near public transit, job centers and public and community services. Based on the State's criteria, he doubted that identifying just one site for an emergency shelter use would meet SB 2 requirements. He volunteered to bring back information at their next meeting where this will be discussed, including minimum areas required for rezoning, and minimum site sizes to satisfy housing needs. He noted the City deferred submitting the Draft Housing Element until the General Plan was complete, and that now the City intended to move as quickly to prepare and adopt an updated Housing Element. He added that the Housing Element will not be accepted by the State Department of Housing and Community Development unless the City has adopted an SB 2 Ordinance.

City Planner Pechous commented that if only one lot is identified, and that lot is developed as something else entirely, the City would have to identify another zone or property. He does not believe it would be acceptable if they identified only one lot, as there would be so many potential barriers

for its development. He noted that at the meeting with the business park it became clear that the City needed to have a better and more objective review of potential sites; agreed costs related to utilities, access, and development need to be provided for undeveloped sites. Dana Point created a multiple pronged approach whereby each church site was rezoned to allow 10 beds. The number was kept at 10 to avoid impacts to residential areas around the church sites. In addition, Dana Point also established one zone where homeless shelters are allowed by right. Staff will continue to investigate options for consideration at their next meeting including the Dana Point solution.

Vice Chair Brown commented that his research indicates that most of the Rancho San Clemente Business Park and residential area is located in a landslide area; cautioned that because so much of the park is in a landslide area, that concern would probably not, in itself, rule out the RSCBP Association's recommended 7.2 acre site from consideration.

Chair Darden commented on the difficulties associated with this issue and the difficult position staff finds itself in. No matter what area is rezoned, there are going to be people displeased. Staff has done a really good job considering the options and will continue to research potential alternatives. She hopes the community will rally behind staff in its endeavors.

Vice Chair Brown commented that residential housing is located very close to the Sears/Big Lots site on Camino de La Estrella, which may make the site not viable based on criteria.

Commissioner Eggleston suggested staff look into the area behind Denny's Restaurant to see if there are any vacant or potential properties because that may be a viable area.

Commissioner Ward advised that she is uncomfortable putting families with children in a facility designed for single adults. Women and children are usually isolated away from the general homeless population.

Commissioner Crandall asked staff to inquire of the cities in the SB 2 matrix regarding how much land they rezoned to satisfy SB 2, including whether it is necessary to designate a zone or if rezoning of individual properties will satisfy the requirements.

Principal Planner Hook advised there are three different approaches to addressing the SB 2 requirement. One is to designate an existing zone and amend the Zoning Ordinance to allow an emergency shelter in that zone. Second, the City could establish an SB 2 overlay zone which could be applied to contiguous properties or groups of properties that encompass more than one zone. Third, if the City identifies a site or sites that meet the criteria, these could be designated as SB 2 sites. A single

site probably is not possible unless its use only for a homeless shelter was assured and the site met the State's criteria. Because residential and open space zones are so thoroughly dispersed throughout San Clemente, it is difficult to define a specific area where an emergency shelter could be located well away from residential, open space and park uses. He said staff would check with other cities to see if multijurisdictional cooperation is available, if that was the Commission's direction, but added that this approach requires that the City agree to actually fund, construct and/or operate a shared emergency shelter facility. He noted that SB 2 requires a city to set aside enough zoned area to meet estimated homeless needs by right, and that once that is done, the City can set up a CUP process to allow emergency shelters to be located at other locations, if the city desires. Staff agreed to research the City's estimated count of homeless persons and provide details; explained if the maximum number of beds per facility were set at 65, one facility would meet the City's current estimated need; advised that although majority of homeless are single adults, an emergency shelter can be designed to accommodate families or tailored to fit the community's needs.

#### **Commission Recommendations:**

##### **Development Standards:**

The Commissioners reviewed the list of Development Standards and conducted an informal straw vote for each item on the list. They agreed with recommended standards A, B, D, E, F, and G. With regard to item C, the Commission elected to continue consideration of this item until staff provides additional information concerning preference to accommodate all the homeless persons into one location or to consider dispersing potential SB 2 locations.

In response to questions, Jeff Scott with IHope noted there is no preference for a smaller number when building a facility. Depending on the number to be accommodated, there are many designs, floor plans, strategies to minimize risk, etc., that will be part of the management plan for the facility. In addition, the plan must also include flexibility for instances when a mixed condition occurs.

Ed O'Connor advised that at this time IHope does not have the funds to build a shelter, and they would have to have a capital campaign in order to raise funds. The shelter should be built for the maximum of 65 in order to accommodate all those seeking shelter. He envisions a good shelter, providing good services and resources for those in need.

##### **Management Standards:**

The Commissioners agreed with recommended standards A, B, and C.

While discussing the Management Standards, the Commissioners considered the City's ability to participate in architectural review, development standards, lighting needs to ensure adequate safety, and pros and cons of fencing.

City Planner Pechous agreed to meet with Assistant City Attorney Thind to determine how much influence the City can have with requirements including safety, security, and privacy.

Jeff Scott stated that his organization has a lot of work to do to come up with a management plan, which has to address many issues, including security for families and children. The Management Plan is subjective, and depends on capabilities of staff. All issues will be taken into consideration during the planning stage and there are many resources from which to draw. There is much effort to be undertaken to get financing and the facility opened.

City Planner Pechous suggested the Commission consider continuing this item to a special meeting on April 30. Chair Darden informed that she would be unable to attend that meeting, and the Commissioners elected to continue the item to the Regular Meeting of May 7, 2014.

IT WAS MOVED BY COMMISSIONER RUEHLIN, SECONDED BY COMMISSIONER KAUPP, AND UNANIMOUSLY CARRIED TO CONTINUE SB2 EMERGENCY SHELTER ORDINANCE TO THE REGULAR MEETING OF MAY 7, 2014.

**[ITEM CONTINUED. PLANNING COMMISSION DECISION PENDING.]**

**9. NEW BUSINESS - None**

**10. OLD BUSINESS – None**

**11. REPORTS OF COMMISSIONERS/STAFF**

- A.** Tentative Future Agenda
- B.** Minutes from the Zoning Administrator meeting of March 5, 2014
- C.** Staff Waiver 14-064, 105 W. Paseo De Cristobal
- D.** Staff Waiver 14-068, 704 Calle Puente
- E.** Staff Waiver 14-069, 662 Camino De Los Mares
- F.** Staff Waiver 14-075, 533 Avenida Victoria
- G.** Staff Waiver 14-083, 601 N. El Camino Real


**12. ADJOURNMENT**

IT WAS MOVED BY COMMISSIONER KAUPP, SECONDED BY COMMISSIONER RUEHLIN, AND UNANIMOUSLY CARRIED to adjourn at 11:25 p.m. to the Study Session to be held at 6:00 p.m. on April 2, 2014, in Council Chambers at City Hall located at 100 Avenida Presidio, San Clemente, CA.

Respectfully submitted,

\_\_\_\_\_  
Julia Darden, Chair

Attest:

  
\_\_\_\_\_  
Jim Pechous, City Planner

DRAFT