



# City of San Clemente Planning Division

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CITY OF SAN CLEMENTE  
PLANNING DIVISION

March 16, 2021

Juaneno Band of Mission Indians  
Sonia Johnston, Chairperson  
P.O. Box 25628  
Santa Ana, CA 92799

**RE: Notice of Opportunity to Consult Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18 for the Housing Element and Safety Element Updates in the City of San Clemente, County of Orange, California**

Dear Ms. Johnston:

Pursuant to the provisions of AB 52 and SB 18, as the lead agency under the California Environmental Quality Act (CEQA), the City of San Clemente hereby extends an invitation to consult on the CEQA review of the Housing Element and Safety Element Updates project in order to assist with identifying and/or preserving and/or mitigating project impacts to Native American cultural places including:

- Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine; and
- Native American historic, cultural, or sacred site that is listed or may be eligible for listing in the California Register or Historical Resources including historic or prehistoric ruins and any burial ground, archaeological, or historic site.

The project will consider General Plan Amendments for the Housing and Safety Elements, including environmental analysis for potential rezoning of various properties in the City of San Clemente. The project is described in more detail in Attachment 1, which includes a map of potential properties for rezoning. The City will prepare a Program EIR pursuant to CEQA.

If you desire to consult with the City on the review of the Housing Element and Safety Element Updates project, please respond in writing within thirty (30) days of the date of this letter. If you do not respond to this letter within 30 days of receipt, it will be presumed that you have declined consultation. Thank you for your consideration on this

matter and please do not hesitate to contact me should you have any additional questions.

Sincerely,

Jennifer Savage, AICP | CTP  
Senior Planner  
(949) 361-6186  
savagej@san-clemente.org

**Attachments:**

1. Notice of Preparation
2. Draft Map of Potential Properties for Rezoning



# City of San Clemente Planning Division

## Notice of Preparation of an Environmental Impact Report

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**Date:** February 12, 2021

**To:** Responsible and Trustee Agencies, Organizations, and Interested Parties

**Lead Agency:** City of San Clemente, Community Development  
Contact: Jennifer Savage, Planning Division  
910 Calle Negocio, San Clemente CA 92673

**Subject:** City of San Clemente Safety and Housing Element Update

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The City of San Clemente (City) will be the Lead Agency and will prepare an Environmental Impact Report (EIR) for the project described below. The purpose of this Notice of Preparation (NOP) is to provide responsible agencies and interested stakeholders with information describing the project and to request feedback on the on the scope and content of the environmental document, the potential environmental effects that are of most concern, and what alternatives to the project should be analyzed within the EIR.

### **Scoping Meeting:**

Consistent with Section 21083.9 of the California Environmental Quality Act (CEQA) Statute, a public scoping meeting will be held to solicit comments regarding the scope and analysis of the EIR. The scoping meeting will provide information about the CEQA process and will enable interested stakeholders to provide meaningful comments that identify environmental issues and alternatives that are recommended for consideration in the EIR. Public comments received at the Scoping Meeting and/or in writing during the NOP scoping process will be included as part of the EIR.

### Zoom Virtual Meeting

Date: February 25, 2021

Time: 5:30 p.m. to 6:30 p.m.

You may participate on your computer or via telephone, as follows:

On your computer:

Link: <https://us02web.zoom.us/j/86916740891?pwd=Y0xDeHZ6U0ZiSURrdkgzUHJKQ1Jidz09>

Meeting ID: 869 1674 0891

Passcode: 599569

Via telephone:

Dial: +1 669 900 9128 or find your local number at: <https://us02web.zoom.us/j/keJZL1qiRg>

Meeting ID: 869 1674 0891

Passcode: 599569

### **Project Location:**

The City of San Clemente is located in Orange County about 26 miles south of Irvine, California. San Clemente is bordered on the east and southeast by the County of San Diego, Camp Pendleton, and unincorporated portions of Orange County, on the west by the Pacific Ocean and Dana Point, on the north by the City of San Juan Capistrano and unincorporated portions of Orange County (Figures 1 and 2). The City is about 18 square miles in size and has a population of about 67,000 people with approximately 27,500 housing units. The City has two Metrolink stations: San Clemente and San Clemente Pier. The locations of specific potential rezones sites are shown on Figure 3.

### **Project Description:**

The project includes an update to two General Plan elements, the Safety Element, and the Housing Element. The project would additionally implement rezoning necessary to achieve the City's Regional Housing Needs Assessment (RHNA). A summary of each project element is provided below.

#### Safety Element

The City's General Plan Safety Element Update will include revisions needed to comply with the latest planning guidance related to wildfire planning and will provide general updates with currently available data. Additionally, recent legislative changes (Government Code 65302(g)(4)) require Safety Elements, "be reviewed and updated as necessary to address climate adaptation and resiliency strategies." The Safety Element update is expected to include the following mapping updates:

- Critical Facilities
- Flood Hazard
- Geologic, Seismic and Soils Hazards
- Tsunami Inundation Risk
- High Fire Hazard Severity Zones
- Hazardous Materials Sites

In addition to various updates to maps within the Safety Element, the update will include policy and information addressing emergency evacuation, climate vulnerability and adaptation, and wildfire. Results from the City's Sea Level Rise Vulnerability Assessment will be incorporated by reference. Parallel efforts are underway with current efforts to update the City's Local Hazard Mitigation Plan, which will additionally be incorporated by reference.

#### Housing Element

State law requires each jurisdiction to demonstrate in their Housing Element that its land inventory is adequate to accommodate its share of the region's projected growth. The Housing Element is a required element of the City's General Plan that sets citywide goals,

objectives and policies for housing and identifies housing conditions and needs within the community. The Housing Element must be updated every eight years. The project will evaluate adoption of the City's 2021-2029 Housing Element, including rezones that will be necessary to implement the Housing Element and achieve the City's RHNA allocation. Although various potential rezone sites will be evaluated in the EIR, the City does not intend to adopt the rezones concurrent with the Housing Element Update (HEU) adoption. Future rezones will be undertaken as a separate action but will rely on the environmental analysis completed with the current environmental document. The HEU will ensure the City's General Plan is internally consistent and in compliance with State housing law.

The City's RHNA allocation is approximately 978 total units, with specific allocations identified for each income group (Table 1). Housing required to meet the RHNA is anticipated to occur from Accessory Dwelling Unit (ADU) construction, reusing sites from prior Housing Element cycles, and rezoning additional sites. Approximately 401 units are anticipated from ADU construction and reuse of prior Housing Element cycle sites. Approximately 577 units are proposed to come from rezone sites that will allow housing in new areas.

Table 1 RHNA 2021-2029		
Income Group (% of County AMI)	Total Housing Units Allocated	Percentage of Units
Extremely Low (30% or less)/Very Low (31-50%)	281	28.70%
Low (51-80% AMI)	163	16.70%
Moderate (81%-120% AMI)	187	19.10%
Above Moderate (>120% AMI)	347	35.50%
<b>Total RHNA Allocation</b>	<b>978</b>	<b>100%</b>
AMI = area median income		

Candidate rezone sites (Table 2) were identified based on the following factors:

- The existence of high vacancy/turnover rates, declining/marginal operations, outdated business models.
- Age and condition of structure.
- Underutilized existing land use, e.g., number of units and/or Floor Area Ratio.
- Expressed interest of property owners or developers for redevelopment.
- Areas exhibiting active development activity.

All housing sites are considered draft as they are subject to further environmental review and approval by City and the California Department of Housing and Community Development.

### **CEQA Requirements**

CEQA requires that public agencies consider the potentially significant adverse environmental effects of projects over which they have discretionary approval authority before acting on those projects (Public Resources Code Section 21000 et. seq.). According to California Code of Regulations Section 15064(f)(1), preparation of an EIR is required whenever a project may result in a significant adverse environmental effect. An EIR is an informational document that is used to inform public agency decision makers and the general public about the significant environmental effects of a project, identify possible ways to mitigate or avoid the significant effects, and describe a range of reasonable alternatives to the project that could feasibly attain most of the basic objectives of the project while substantially lessening or avoiding any of the significant environmental impacts. Public agencies are required to consider the information presented in the EIR when determining whether to approve a project.

### **Potential Environmental Effects**

The following is a list of the subject areas to be analyzed in the EIR consistent with the 2021 CEQA Guidelines.

Aesthetics	Land Use and Planning
Agriculture and Forestry Resources	Mineral Resources
Air Quality	Noise
Biological Resources	Population and Housing
Cultural Resources	Public Services
Energy	Recreation
Geology and Soils	Transportation
Greenhouse Gas Emissions	Tribal Cultural Resources
Hazards and Hazardous Materials	Utilities and Service Systems
Hydrology and Water Quality	Wildfire



 Project Boundary

**FIGURE 1**  
Regional Location

Image Source: Mazar (flown November 2019)





-  Project Boundary
-  Arterial Roadways

FIGURE 2  
Project Location on Aerial Photograph



**Native American Heritage Commission  
Tribal Consultation List  
Orange County  
3/9/2021**

**Campo Band of Diegueno  
Mission Indians**

Ralph Goff, Chairperson  
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Campo, CA, 91906  
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**Ewiiapaayp Band of Kumeyaay  
Indians**

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Alpine, CA, 91901  
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**Ewiiapaayp Band of Kumeyaay  
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**Juaneno Band of Mission  
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**Juaneno Band of Mission  
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**Juaneno Band of Mission  
Indians Acjachemen Nation -  
Romero**

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Director  
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**La Jolla Band of Luiseno  
Indians**

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**La Posta Band of Diegueno  
Mission Indians**

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**La Posta Band of Diegueno  
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This list is current only as of the date of this document and is based on the information available to the Commission on the date it was produced. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Government Code Sections 65352.3, 65352.4 et seq. and Public Resources Code Sections 21080.3.1 for the proposed Housing Element and Safety Element Updates Project, Orange County.

**Native American Heritage Commission  
Tribal Consultation List  
Orange County  
3/9/2021**

**Manzanita Band of Kumeyaay  
Nation**

Angela Elliott Santos, Chairperson  
P.O. Box 1302 Diegueno  
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**Mesa Grande Band of Diegueno  
Mission Indians**

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**Pala Band of Mission Indians**

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**Pauma Band of Luiseno Indians**

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**Pechanga Band of Luiseno  
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**San Luis Rey Band of Mission  
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**Sycuan Band of the Kumeyaay  
Nation**

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This list is applicable only for consultation with Native American tribes under Government Code Sections 65352.3, 65352.4 et seq. and Public Resources Code Sections 21080.3.1 for the proposed Housing Element and Safety Element Updates Project, Orange County.