



STAFF REPORT SAN CLEMENTE PLANNING COMMISSION

Date: August 4, 2021

PLANNER: Stephanie Roxas, Senior Planner

SUBJECT: Interpretation (INT) 21-182 – Elks Overnight RV Parking

BACKGROUND:

The Benevolent and Protective Order of Elks is a national fraternal charitable organization. Membership into the organization is exclusive in that membership is extended by invitation only, requires sponsorship by other members, and requires collection of membership dues. The local San Clemente Elks Lodge (“Elks”) was established in 1958. The Elks Lodge is located at 1505 North El Camino Real in the North El Camino Real Mixed-Use Zone within the Central Business and Architectural Overlay Districts (MU2-CB-A). Parking is provided on a large 20,000 square foot lot, separated by the Los Obreros Lane alley. Vehicle access to the parking lot is provided off Calle De Los Molinos. The Elks Lodge building and parking lot are illustrated below.



According to the applicant’s letter (Attachment 1), an Elks employee parked their recreational vehicle (RV) in the parking lot for an extended period of time. The City received a complaint from a member of the public. Staff found that the overnight parking

of a RV on private property violated the following San Clemente Municipal Code Section 9.04.100, which states:

*“Trailers, Mobilehomes, etc. - Occupancy Outside Mobilehome Parks.
Except as provided in Title 17, no person shall occupy or use any mobilehome, trailer, camp car, vehicle or other conveyance, tent or temporary structure of any kind as a dwelling or for living or sleeping purposes upon any public or private property within the city, except within a mobilehome park or campground which is operating under a license or other permit from the city, or operating under jurisdiction of the state.”*

Zoning Ordinance Section 17.04.040 allows applicants to request an interpretation if they believe there are ambiguities in the Zoning Ordinance concerning the appropriate classification of a particular use or the applicability of any standards. The City Planner is authorized to determine whether the interpretation is “major” or “minor” in nature. At the time, the City Planner determined this is a “major” interpretation due to its potential for public impact or concern. “Major” interpretations are subject to Planning Commission action.

REQUEST:

The applicant requests the following Planning Commission interpretation:

- Determine that overnight RV parking is a function of their use, which is classified in the Zoning Ordinance as a “club and social organization” per Table 17.40.030.

In the attached letter, the Elks provide their justification for the request. A “club and social organization” is a conditionally permitted use in the in the Zoning Ordinance, but the use is not defined in the Code. The Elks was established prior to this Code requirement, and, therefore, does not have an active Conditional Use Permit. The applicant’s request is comprised of the following:

- Allowing Elks members to park RVs overnight in the Elks’ parking lot at 126 Calle De Los Molinos.
- Allowing a maximum of six (6) vehicles at any given time.
- Allowing vehicles to stay overnight for a maximum of five (5) days.

SUMMARY:

If the Planning Commission supports the request, this Code interpretation would not be limited to the Elks; it would apply to other similar club and social organization uses. Specifically, if approved, other clubs and social organizations would be permitted to offer overnight RV parking to their members without requiring a separate zoning approval. To limit the potential impact for public concern, staff recommends limiting this Code interpretation to only social organizations with a paid membership, a physical location in

the City, possessing a private parking lot not shared with other tenants, and permitted only as an ancillary use.

If the Planning Commission denies the request, the City would determine that overnight RV parking is not an ancillary use and function of clubs and social organizations.

The Planning Commission's action will be reflected in the meeting minutes and does not require formal adoption of a resolution.

Attachment:

1. Letter of Justification



**San Clemente Elks Lodge
#2068**

July 15, 2021

To Whom It May Concern:

This is not a request for a commercial use, only member Elks with appropriate Identification will be allowed.

Background:

Elks enhance their RV enjoyment and extend their travel budget by being a member of the Elks Lodge. The Benevolent and Protective Order of the Elks has an impressive nationwide network of more than 2,000 neighborhood lodges in nearly 1 million members. The Elks history of community service dates back more than 140 years. The Elks is a charitable organization that has a history of providing tens of millions of dollars annually in educational scholarships to our country's youth and are great supporters of our Nation's Veterans.

You may be asking yourself why Elk families travel the highways and stay at our lodges. Well, within this impressive community-based network of Elks lodges, many offer convenient, short-term and affordable RV accommodations. Almost all provide inexpensive dining and entertainment and all provide a welcoming, friendly and helpful environment willing to assist and advise you during your visit to their cities, such as San Clemente. Elk's members have found the Elks network of lodges to be one of the friendliest, most affordable and convenient RV accommodations available. The lodges are usually located close to the center of the town like San Clemente Lodge. Elk's members and staff have a wealth of local knowledge they can guide members to attractions and venues that they may have never found on their own. Elk's members are also members of the local business community and their knowledge and associations with other local businesses which helps direct them to reputable establishments, which in turn helps our lodge and local business prosper in San Clemente.

All Elks Clubs in the United States encourage traveling Elks Members to park their RV's in their parking lots. This 'reciprocal benefit' is widely advertised and is a source of revenue for the individual Clubs. San Clemente Elks Lodge had done this for almost 50 years.

Current Situation:

The Elks have recently come in conflict with the City's recently passed Camping Ordinance. A local Elks employee was parked there for an extended period and neighbors notified Code Enforcement. The result is NO RV parking in the Elks parking lot. A revenue loss and concern from the National Organization as San Clemente is a popular destination.

This is a request by the San Clemente Elks Lodge, #2068 to allow limited overnight parking for recreational vehicles in the Elks Lodge privately owned parking lot located at 126 Camino de Los Molinos, for a maximum of six (6) vehicles and a maximum stay per vehicle of five (5) days. This parking will be limited to Elk's members.

Who will be required to check in at the lodge and prove that they are Elks members in good standing with appropriate identification.

We believe the requested parking is reasonable and appropriate based on the following:

- The parking lot is privately owned by the Elks Club, which is a not for profit and is located in a commercial/industrial area. There is very limited residential housing in the areal.
- There is space available in the parking lot for up to 10 R.V.'s. We will only allow sic (6) at this time.
- Only Elk members with appropriate identification will be allowed to camp in the lot.
- Any person parking in the lot will be required to check in at the lodge and place a permit in the windshield of the vehicle.
- This permission will be limited to parking and uses within the vehicle. It will be dry camping only, no electricity and water at this time. No outdo0r cooking or other outdoor activity will be permitted.

Your Thoughtful consideration of this request is appreciated.

Sincerely,



William (Bill) Dunham
Exalted Ruler
San Clemente Elks Lodge, #2068