

**MINUTES OF THE REGULAR MEETING  
OF THE CITY OF SAN CLEMENTE  
PLANNING COMMISSION  
October 6, 2021 @ 7:00 p.m.  
Teleconference Only via  
www.san-clemente.org/live or Cox Channel 854**

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**CALL TO ORDER**

Commissioner Crandell called the Regular Meeting of the Planning Commission of the City of San Clemente to order at 7:00 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**

Chair Crandell led the Pledge of Allegiance.

**3. ROLL CALL**

Commissioners Present: Gary P. McCaughan M.D., Karen Prescott-Loeffler, Chair pro tem Scott McKhann, Vice Chair Hannah M. Tyler, Chair Barton Crandell. (All Planning Commissioners participated via teleconference)

Commissioners Absent: M. Steven Camp, Cameron Cosgrove

Staff Present: \*Adam Atamian, Deputy Community Development Director  
\*Jennifer Savage, Assistant to the City Manager  
  
\*Todd Leishmann, BBK, Acting Assistant City Attorney  
  
\*Participated in meeting via teleconference

**4. SPECIAL ORDERS OF BUSINESS**

None

**5. MINUTES**

- A. Minutes from the Planning Commission Study Session of September 22, 2021
- B. Minutes from the Planning Commission Regular Meeting of September 22, 2021

Minutes of the September 22, 2021, meetings were not included in the Commissioners' packets. The subject minutes will be reviewed at the next meeting.

**6. NEW BUSINESS**

A. Accessory Dwelling Unit Review (Todd Leishmann, BBK)

Todd Leishmann, Acting Assistant City Attorney, provided an overview of the State of California's laws and regulations regarding Accessory Dwelling Units (ADUs), including the types of ADUs and the ADU permit process.

Deputy Community Development Director Atamian provided the code sections where the City's ADU guidelines are located.

**7. ORAL AND WRITTEN COMMUNICATION**

None

**8. CONSENT CALENDAR**

None

**9. PUBLIC HEARING**

A. 123 Avenida Serra – Architectural Permit 21-002 – Busch Accessory Structure (Savage)

A request to consider a detached accessory structure that does not conform to the objective height standard of Section 17.28.270.F.3 for the construction of a new 1,228 square foot two-story accessory structure consisting of a 563 square foot two-car garage on the first floor and a 665 square foot accessory dwelling unit (ADU) on the second floor.

Jennifer Savage, Assistant to the City Manager, summarized the staff report.

Chair Crandell opened the public hearing, and there being no public testimony, closed the public hearing.

During the ensuing discussion, the Commissioners, either individually or in agreement, provided the following commentary:

- Confirmed that the applicant in this instance is allowed to build an ADU on the zero-lot line.
- Expressed concern that the zero-lot line unit would block the light and air from the window of the adjacent building.
- Suggested the applicant set back the second story (ADU unit) 4 feet from the adjacent property to allow the passage of air and light. The

applicant could then either reduce the size of the second story or expand it to expand the overhang four feet over the garage.

- Confirmed with staff that the purpose of the Architectural Permit is to allow the additional height of the garage/ADU structure.

Adam Atamian, Deputy Community Development Director, read aloud the City's definition of an Accessory Building as follows:

"Accessory Building means an enclosed structure used or intended for supporting or sheltering any use or occupancy which may either be attached to or detached from a primary building on the same lot, but which is incidental in scale to the primary building and/or within which a use is being conducted and is accessory to the primary use being conducted on the site."

Chris Park, Architect, agreed to speak with the applicant to determine his response to the suggestion that the ADU be setback four feet from the side and cantilever an additional four feet over the garage.

IT WAS MOVED BY CHAIR CRANDELL, SECONDED BY COMMISSIONER PRESCOTT-LOEFFLER AND UNANIMOUSLY CARRIED TO ADOPT RESOLUTION NO. PC 21-018, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING ARCHITECTURAL PERMIT AP 21-002, BUSCH ACCESSORY STRUCTURE – A REQUEST TO CONSIDER A DETACHED ACCESSORY STRUCTURE THAT DOES NOT CONFORM TO THE OBJECTIVE HEIGHT STANDARD OF SECTION 17.28.270.F.3 FOR THE CONSTRUCTION OF A NEW 1,228 SQUARE FOOT TWO-STORY ACCESSORY STRUCTURE CONSISTING OF A 563 SQUARE FOOT TWO-CAR GARAGE ON THE FIRST FLOOR AND A 665 SQUARE-FOOT ACCESSORY DWELLING UNIT (ADU) ON THE SECOND FLOOR.

Amended as follows:

Square footages of the structures may vary with redesign and shall be adjusted by staff.

Move the accessory structure (upstairs unit) four feet from the property line to make it compliant with the ministerial ADU requirements for approval.

Waive the height limit as shown on the drawings to 23 feet.

Let staff work with the applicant to do the redesign of the unit.

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

## 10. OLD BUSINESS

None

**11. REPORTS OF COMMISSIONERS AND STAFF**

- A. Tentative Future Agenda
- B. Zoning Administrator Minutes of September 23, 2021

Deputy Director Atamian and Acting Assistant City Attorney Leishmann provided overviews of recently enacted Senate Bills SB 10, concerning multi-tenant units and SB 9, concerning lot splits, respectively. City staff will continue to keep the Commissioners informed as additional details and updates become available.

Deputy Director Atamian reported that the Regular October 20, 2021, Planning Commission meeting has been canceled and the next Regular Meeting on November 3, 2021, will take place in person at the Community Center and also be transmitted to the public via live stream.

**12. ADJOURNMENT**

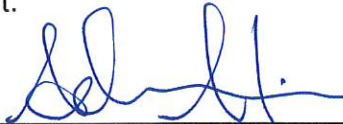
IT WAS MOVED BY CHAIR CRANDELL, SECONDED BY COMMISSIONER MCCAUGHAN, AND UNANIMOUSLY CARRIED TO ADJOURN AT 9:14 P.M. TO THE REGULAR MEETINGS TO BE HELD ON NOVEMBER 3, 2021, AT 6:00 P.M. IN-PERSON AT THE COMMUNITY CENTER, LOCATED AT 100 CALLE SEVILLE, SAN CLEMENTE, CA, 92672, AND TELECONFERENCE AVAILABLE TO THE PUBLIC VIA LIVE STREAM FROM THE CITY'S YOUTUBE CHANNEL OR LIVE ON COX CHANNEL 854.

Respectfully submitted,



Barton Crandell, Chair

Attest:



Adam Atamian, Deputy Community Development Director