

“Maintaining a safe and healthy environment in which to live, work, and play.”



Coastal Conversation

City of San Clemente, Community Development Department

Spring 2011, Issue 2

Photo by: Will Buddenhagen



Jim Holloway
Community Development
Director

Message from the Community Development Director

Your Personal Business Liaison

Coming out of the recession and moving forward to better economic times we recognize that one of the things most needed by small businesses is help with understanding existing codes and policies. We have found that a familiar face and specialized knowledge in different geographic areas can be of very valuable assistance to small business owners who are multitasking to an amazing degree. Therefore, the City has recently initiated a Business Liaison/Facilitation support program. The Planners assigned to be Business Liaison/Facilitators can help you with marketing events, which are permitted with Special Activity Permits, all types of signage and banners, Building permits and all types of permits for architectural improvements, business expansions, and tenant improvements (TI's). Some areas like Downtown "T" area and Los Molinos even have City Grant programs that can help businesses with grants of up to \$2,000 to improve signage and paint buildings.

The Planners for your area are:

- ◆ Los Molinos -
Sean Nicholas (949)361-6189
- ◆ Auto Service and Sales on ECR -
Sean Nicholas (949)361-6189
- ◆ Del Mar "T-Zone" -
Cliff Jones (949)361-6186
- ◆ Pier Bowl -
Cliff Jones (949)361-6186
- ◆ North Beach -
Amber Gregg (949)361-6196

These Planners are very familiar with special programs for your specific area, so take advantage of their help.



Friday, April 22nd 2011

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Disabled Access and the Business Community

It is often a surprise to architects, contractors, property owners and business owners that the California Building Code requires existing disabled access deficiencies be addressed every time a tenant improvement is proposed (even small projects). Not only must the construction in the actual area of the proposed improvement meet disabled access regulations but the State Building Code requires that areas along the path of travel serving the tenant space, such as parking lot and restrooms, are improved or upgraded if necessary.



The State Building Code recognizes that this additional burden can be a real hardship on a small project and under certain conditions allows an applicant to claim "Unreasonable Financial Hardship". This hardship may be considered when a proposed improvement has a construction cost of under \$132,536 (2011 dollar threshold). It is important to note that the cost of all work undertaken over the previous three years must be considered when determining if the project is under the dollar threshold, when determining if a hardship exists.

Remember - Accessibility must be addressed whenever tenant improvements are undertaken.

For more information and guidance on disabled access issues that affect businesses visit <http://www.ada.gov/business.htm>. You may also contact the San Clemente Building Division at (949) 361-6100.

By: *Mike Jorgensen, Building Official*

City & Chamber to Sponsor Workshop on Disabled Access Codes

Attorney David Warren Peters has served as a lead counsel in over 300 ADA accessibility lawsuits in California and has documented over 600 false claims. Mr. Peters advises a number of statewide associations, chambers, and other business organizations about how to avoid lawsuits through compliance, and the unique challenges California's "private enforcement" system creates, especially for small business defendants.

The City and Chamber of Commerce has arranged to have Mr. Peters give a 90 minute pro-bono presentation to contractors, architects, property and business owners that should and need to know more about this topic.



DATE: Thursday May 26th
TIME: 4:00 PM
PLACE: 910 Calle Negocio
(2nd floor)

To help us plan logistics please rsvp to Breanna Parrett at (949) 361-6105 or Chamber Person Arlen Flores at (949) 492-1131.

**Contractors, Architects, Property Owners,
and Business Owners...**

YOU COULD BE SUED!!!

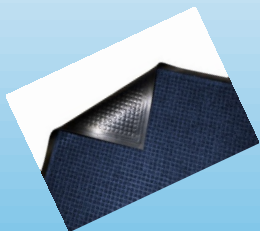
Come to a seminar sponsored by the San Clemente Chamber of Commerce & The City of San Clemente to learn how to avoid ADA non-compliance claims. Tens of thousands of lawsuits have been filed against small businesses throughout California in the past few years. 98% of small businesses may have one or more conditions which could lead to these claims – round door handles, unsecured floor mats, etc.



Most small businesses can make all changes necessary for less than a few hundred dollars and a few hours of work. But if you do not make the changes before a lawsuit is filed (and no notice is required) you may be required to pay \$4,000 or more, plus the claimant's attorney's fees. Many people have been incorrectly told they were "grandfathered" because of the age of their structures – but the deadline to comply was in 1992 and required immediate changes at nearly all businesses open to the public.

This event is being presented by the Chamber, City, and David Warren Peters, an attorney who has been consulted in more than 750 lawsuits throughout the United States. A new law in California may help protect you but only if you take certain steps before you are served with a lawsuit.

What: ADA Seminar with David Warren Peter
When: Thursday May 26th, 2011 4:00PM
Where: Community Development Department
910 Calle Negocio St#100 2nd floor



To help us plan logistics, Please RSVP to Breanna Parrett at (949)361-6105 or Chamber Person Arlen Flores at (949)492-1311.



Spring is Weed Abatement Time



Spring is in the air, so weed abatement is not far behind. Each spring the City of San Clemente notifies undeveloped parcel property owners and some developed property owners of their responsibility to remove weeds from their properties. The native and naturalized landscape of San Clemente is susceptible fire. Therefore, it is very important to reduce this fire potential through the removal of weeds and debris.

There are many factors with regard to vegetation that tend to be overlooked and are of concern. The first of which is the unsightly nature of overgrown bushes, trees, shrubbery, weeds etc. This is especially common with properties that are undeveloped or uninhabited. Landscape that has been left unmanicured can become a public nuisance as defined by Municipal Code 8.52.030. More over, in the dryer months, the weeds die out, becoming very dry which poses the most relevant of concerns, which is potential fire risk. In March of each year, the City Council passes a Resolution, declaring the need to abate weeds,

rubbish and refuse. On or about April 1st, the City's Weed Abatement Contractor will mail notices to all owners of undeveloped parcels in San Clemente declaring the need for weed abatement.

In May, the City Council is asked to pass a Resolution declaring that weeds on all undeveloped properties constitute a public nuisance which must be abated by the removal of the weeds, rubbish and refuse. If the property owner chooses not to remove the weeds, they will be removed by the City and the cost of removal billed to the owner. If not paid, the amount will be assessed upon the land until paid. The notices refer to a parcel number(s) listed by the County Assessor's office most recent tax roll. If the owner feels the property in question should not be included in the weed abatement program, the owner may contact the City's Contractual Weed Abatement Administrator, Ed Stewart & Associates at (949)498-9250.

Should an owner wish to clear their own lot, the lot must be cleared to City standards by May 15th of each weed abatement year. Weeds must be cut to a height no higher than one inch (1") from the ground and the property must be maintained in that manner for the remainder of the calendar year. All lots are inspected for compliance.

For more information on overgrown vegetation and maintenance of property, please visit our city website www.san-clemente.org. Using the **Information** drop down menu, select **Municode Search** and click on Municipal Code. You can use the menu to the left or enter in a key phrase such as "vegetation" in the search box at the top of the page.



Contacting City Staff

Community Development	949-361-6105
Building Division	949-361-6162
Planning Division	949-361-6184
Code Enforcement	949-366-4705
Business License	949-361-6166
Engineering Division	949-361-6119
Customer Liaison	949-361-6100
Police Services	949-770-6011
Fire Dept. Information	714-573-6000
Graffiti Hotline	949-361-8385

Jim Holloway
Community Development Director

Breanna Parrett
Editor

Jim Pechous
City Planner

Mike Jorgensen
Building Official

Jim Smith
Code Enforcement
Manager



2011 Spring Holidays

- Friday April 22nd 2011, Earth Day
- Saturday April 16, 2011, Earth Day Events at the Community Center
- May 30th 2011, Memorial Day (City offices closed)

