



5:00 p.m. - Business Meeting Part I
6:00 p.m. - Closed Session
7:00 p.m. - Business Meeting Part II

Mayor James
Mayor Pro Tem Duncan
Councilmember Ferguson
Councilmember Knoblock
Councilmember Ward

Information concerning City Council Meeting protocols and procedures is contained at the end of this agenda.

RULES FOR ADDRESSING COUNCIL

- **Members of the public may address the City Council on matters within the jurisdiction of the City of San Clemente.**
- **If you wish to address Council, please complete one of the blue speaker cards located at the entrance to the Council Chambers and turn it in to the City Clerk or Deputy City Clerk.**
- **Persons wishing to address Council concerning an agenda item will be invited to address Council during the time that Council is considering that particular agenda item. Persons wishing to address Council concerning a non-agenda item will be invited to address Council during the "Oral Communications" portion of the meeting.**
- **When invited by the Mayor, please step to the podium, and if you wish, state your name and the City in which you reside, and make your presentation. Please limit your presentation to three minutes.**

MISSION STATEMENT

The City of San Clemente, in partnership with the community we serve, will foster a tradition dedicated to:

Maintaining a safe, healthy atmosphere in which to live, work and play;

Guiding development to ensure responsible growth while preserving and enhancing our village character, unique environment and natural amenities;

Providing for the City's long-term stability through promotion of economic vitality and diversity...

Resulting in a balanced community committed to protecting what is valued today while meeting tomorrow's needs.

BUSINESS MEETING PART 1 (5:00 P.M.)**CALL TO ORDER****INVOCATION – Pastor Holland Davis, San Clemente Calvary Chapel****PLEDGE OF ALLEGIANCE****ROLL CALL**

- 1. Motion waiving reading in full of all Resolutions and Ordinances**
- 2. Consideration of agenda items requiring immediate action**

Any items agendaized will be considered under New Business, unless otherwise determined by a majority vote of the City Council.

- 3. Oral Communications (Part 1)**

Members of the audience who wish to address Council on matters that are within the jurisdiction of the City of San Clemente, but not separately listed on the agenda, may do so during the Oral Communications portion of the meeting. Speakers may address Council once during either Oral Communications Part 1 or Part 2. A total time limitation of 30 minutes is allocated for Oral Communications Part 1, with each speaker being allotted 3 minutes in which to give his or her presentation. Speaker order is determined by the order in which speaker cards are provided to the City Clerk or Deputy City Clerk at the meeting. Speakers that cannot be accommodated during Oral Communications Part 1 will be invited to address Council during Oral Communications Part 2, which appears on this agenda as Item No. 10. When invited by the Mayor, please step to the podium, and if you wish, state your name and the City in which you reside, and make your presentation. Subject to very limited exceptions, Council is not permitted to discuss or take action on items that do not appear on the agenda.

- 4. Consent Calendar**

All items listed on the Consent Calendar are considered to be routine and will be enacted by one motion without discussion unless Council, Staff, or the public requests removal of an item for separate discussion and action.

A. City Council Minutes

Staff Recommendation:

- (1) **[APPROVE THE CITY COUNCIL SPECIAL MEETING MINUTES OF OCTOBER 18, 2022.](#)**

B. Commission/Committee Minutes

Staff Recommendation:

Receive and file the following:

- (1) JOINT CITY COUNCIL - PLANNING COMMISSION MEETING MINUTES OF AUGUST 31, 2022.
- (2) PLANNING COMMISSION REGULAR STUDY SESSION MINUTES OF SEPTEMBER 7, 2022.
- (3) PLANNING COMMISSION REGULAR MEETING MINUTES OF SEPTEMBER 7, 2022.
- (4) DESIGN REVIEW SUBCOMMITTEE MEETING MINUTES OF SEPTEMBER 28, 2022.
- (5) PLANNING COMMISSION REGULAR MEETING MINUTES OF OCTOBER 5, 2022.
- (6) ZONING ADMINISTRATOR REGULAR MEETING MINUTES OF OCTOBER 6, 2022.
- (7) DESIGN REVIEW SUBCOMMITTEE MEETING MINUTES OF OCTOBER 12, 2022.
- (8) HUMAN AFFAIRS COMMITTEE REGULAR MEETING MINUTES OF OCTOBER 11, 2022.
- (9) PLANNING COMMISSION REGULAR MEETING MINUTES OF OCTOBER 19, 2022
- (10) ZONING ADMINISTRATOR REGULAR MEETING MINUTES OF OCTOBER 20, 2022
- (11) PUBLIC SAFETY COMMITTEE REGULAR MEETING MINUTES OF SEPTEMBER 27, 2022.

C. Warrant Register

- (1) APPROVE WIRE TRANSFER NOS. 2731 THROUGH 2732 AND WARRANT NOS. 584066 THROUGH 584167, PAID ON 10-14-22, IN THE AMOUNT OF \$ 4,507,444.29
 - (2) APPROVE WIRE TRANSFER NOS. 2733 THROUGH 2736 AND WARRANT NOS. 584168 THROUGH 584335, PAID ON 10-21-22, IN THE AMOUNT OF \$ 1,197,442.98
 - (3) APPROVE WIRE TRANSFER NOS. 2737 AND WARRANT NOS. 584336 THROUGH 584490, PAID ON 10-28-22, IN THE AMOUNT OF \$ 1,989,999.43
- TOTAL WARRANT REGISTER..... \$ 7,694,886.70

Payroll Register

Warrant Nos. 885 through 887
 Automatic Deposit Advises 81638
 through 81915, for the period
 10-3-22 through 10-16-22, paid
 on 10-21-22, in the amount of \$ 423,030.13

TOTAL PAYROLL REGISTER... \$ 423,030.13

D. CONTRACT AMENDMENT - MARIPOSA PEDESTRIAN BEACH TRAIL BRIDGE REPLACEMENT

Staff Recommendation

Approve, and authorize the City Manager to execute, Amendment No. 1 to Contract C20-52, by and between the City of San Clemente and KPFF Consulting Engineers, providing for additional services concerning scope of work, design and permitting for the replacement of the Mariposa Pedestrian Beach Trail Bridge. This contract amendment increases the contract from \$327,000 to an amount not to exceed \$554,840 (an increase of \$227,840) and extends the contract term through July 31, 2024.

E. [ORDINANCE NO. 1736 \(SECOND READING\) - GENERAL PLAN AMENDMENT, SPECIFIC PLAN AMENDMENT, COASTAL LAND USE PLAN AMENDMENT, AND ZONING AMENDMENT; WEST PICO CORRIDOR SPECIFIC PLAN UPDATE AND ARCHITECTURAL OVERLAY EXPANSION](#)

Staff Recommendation

Adopt Ordinance No. 1736 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, CERTIFYING ADDENDUM NO. 4 TO THE GENERAL PLAN ENVIRONMENTAL IMPACT REPORT, AND APPROVING ZONING AMENDMENT 21-240; TO ACHIEVE CONSISTENCY BETWEEN THE GENERAL PLAN, LOCAL COASTAL PROGRAM, AND WEST PICO CORRIDOR SPECIFIC PLAN, AND AMEND THE ZONING MAP TO EXPAND THE WEST PICO CORRIDOR SPECIFIC PLAN AREA AND THE ARCHITECTURAL OVERLAY DISTRICT BETWEEN THE DOWNTOWN AND PIER BOWL AREAS

F. [RECOMMENDATION OF THE PUBLIC SAFETY COMMITTEE TO CONSIDER SITE AT 380 AVENIDA PICO \(THE CITY'S WATER RECLAMATION PLANT PROPERTY\) AS A POTENTIAL LOCATION FOR AN EMERGENCY FOOD STORAGE UNIT](#)

Staff Recommendation

Staff recommends that the City Council approve the Public Safety Committee's recommendation to allow a portion of the City's Water Reclamation Plant property located at 380 Avenida Pico to be used for the placement of an emergency food-storage unit.

5. Reports

A. Commissions and Committees

(1) [RESIGNATION OF WILLIAM HANRAHAN FROM THE PUBLIC SAFETY COMMITTEE](#)

Staff Recommendation

1. Appoint Mr. Greenwald to fill the two-year term on the Public Safety Committee.
OR
2. Direct staff to solicit applications for a technical professional with a public safety background to fill the position.
OR
3. Leave the position vacant.

- B. City Manager
- C. City Attorney
- D. Council Members
- E. Council Subcommittee Updates

CLOSED SESSION (6:00 P.M.)**A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Existing litigation pursuant to Government Code section 54956.9(d)(1)

Number of Cases: 1

Case Name: City of San Clemente v. Foothill/Eastern Transportation Corridor Agency, et al.

Riverside Superior Court Consolidated Case No. 1800232

CA Court of Appeal Case No.: E078045 (Fourth Appellate District, Division 2)

B. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code section 54956.9(d)
(2)

Number of potential cases: 2

[\(Settlement Agreement with current owner is linked to agenda.\)](#)

[\(Comment Letter - Southwest Regional Council of Carpenters.\)](#)

BUSINESS MEETING PART 2 (7:00 P.M.)**6. Closed Session Report - City Attorney****7. Special Presentations****Homeless Update**

Homeless update to be provided at the November 15, 2022 City Council Meeting.

8. Public Hearings

The Public Hearing process includes a staff presentation, a presentation by the applicant not to exceed ten (10) minutes, and public testimony (not to exceed three minutes per speaker). Following closure of the Public Hearing, the City Council will respond to questions raised during the hearing, discuss the issues, and act upon the matter by motion.

A. 654 CAMINO DE LOS MARES - MASTER PROJECT (MP) 22-089, GENERAL PLAN AMENDMENT (GPA) 22-097, ZONING AMENDMENT (ZA) 22-098, TENTATIVE PARCEL MAP (TPM) 22-099, CONDITIONAL USE PERMIT (CUP) 22-100, SITE PLAN PERMIT (SPP) 22-103, ARCHITECTURAL PERMIT (AP) 22-101, AND DEVELOPMENT AGREEMENT - SENIOR HOUSING AND MEDICAL OFFICE

[Link 1 of 3](#), [Link 2 of 3](#), [Link 3 of 3](#)

Scheduled to be heard at **7:30 p.m.**

A Public Hearing to consider a request to demolish an existing medical building and surface parking lot; construct a mixed-use project with 250 for-rent senior residential units and a 7,500 square foot medical office.

Staff Recommendation

1. Adopt Resolution No. 22-40 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA APPROVING AND ADOPTING AN ADDENDUM TO THE SAN CLEMENTE HOUSING AND SAFETY ELEMENTS UPDATE PEIR UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, APPROVING MASTER PROJECT (MP) 22-089, ARCHITECTURAL PERMIT (AP) 22-101, CONDITIONAL USE PERMIT (CUP) 22-100, GENERAL PLAN AMENDMENT (GPA) 22-097, SITE PLAN PERMIT (SPP) 22-103, TENTATIVE PARCEL MAP (TPM) 22-099, ZONING AMENDMENT (ZA) 22-098, AND DEVELOPMENT AGREEMENT FOR A REQUEST TO DEVELOP A MIXED-USE PROJECT WITH 250 FOR-RENT SENIOR RESIDENTIAL UNITS AND A 7,500 SQUARE FOOT MEDICAL OFFICE; SUBDIVIDE ONE LOT INTO TWO LOTS; REZONE THE PROPERTY FROM REGIONAL MEDICAL FACILITIES 1 (RMF1) TO COMMUNITY COMMERCIAL 4 (CC4); AND CHANGE THE GENERAL PLAN DESIGNATION FROM RMF TO CC, LOCATED AT 654 CAMINO DE LOS MARES.
2. Introduce Ordinance No. 1737 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA APPROVING AND ADOPTING AN ADDENDUM TO THE SAN CLEMENTE HOUSING AND SAFETY ELEMENTS UPDATE PEIR UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND APPROVING GENERAL PLAN AMENDMENT (GPA) 22-097, ZONING AMENDMENT (ZA) 22-098, AND DEVELOPMENT AGREEMENT FOR A MIXED-USE PROJECT WITH 250 FOR-RENT SENIOR RESIDENTIAL UNITS AND A 7,500 SQUARE FOOT MEDICAL OFFICE; TO SUBDIVIDE ONE LOT INTO TWO LOTS; TO REZONE THE PROPERTY FROM REGIONAL MEDICAL FACILITIES 1 (RMF1) TO COMMUNITY COMMERCIAL 4 (CC4); AND TO CHANGE THE GENERAL PLAN DESIGNATION FROM RMF TO CC, LOCATED AT 654 CAMINO DE LOS MARES.

9. Unfinished Business

None.

10. New Business

A. [TRANSIENT OCCUPANCY TAX ALLOCATION](#)

(Agendized at the September 20, 2022 City Council meeting by Councilmember Knoblock, with the support of Mayor James and Councilmember Ferguson.)

Staff Recommendation

Provide direction to staff for earmarking of Transient Occupancy Tax revenues to make policy modification, as necessary.

B. REPORT OF TRAFFIC CALMING PETITIONS RECEIVED REGARDING THE COAST NEIGHBORHOOD AND CALLE FRONTERA

(Agendized at the October 18, 2022 City Council Meeting by Council.)

Staff Recommendation

Receive and file the Administrative Report dated November 1, 2022, and on file with the City Clerk.

C. UPDATE ON PRESSURE WASHING OF SIDEWALKS IN THE DOWNTOWN AREA

(Agendized at the October 18, 2022 City Council Meeting by Councilmember Knoblock, with the support of Mayor James and Mayor Pro Tem Duncan.)

Staff Recommendation

Provide direction to staff regarding which option to pursue.

D. SUNDAY FARMERS MARKET RETURN TO AVENIDA DEL MAR

(Agendized at the September 20, 2022 City Council Meeting by Mayor James, with the support of Councilmember Knoblock, and Mayor Pro Tem Duncan.)

Staff Recommendation

Receive and file the Administrative Report dated November 1, 2022, and on file with the City Clerk.

E. ORDINANCE TO ADOPT VARIOUS BUILDING CODE REGULATIONS AND LOCAL AMENDMENTS

Staff Recommendation

1. Introduce Ordinance No. 1738 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING TITLE 15 CHAPTERS 15.05, 15.08, 15.11, 15.12, 15.14, 15.16, 15.17, 15.18, 15.20, 15.22, 15.23 AND TITLE 8 CHAPTER 8.16 OF THE SAN CLEMENTE MUNICIPAL CODE AND, ADOPTING BY REFERENCE THE 2022 CALIFORNIA BUILDINGS STANDARDS CODE (CALIFORNIA CODE OF REGULATIONS, TITLE 24), CONSISTING IN PART OF THE 2022 ADMINISTRATIVE CODE, THE 2022 CALIFORNIA BUILDING CODE, THE 2022 CALIFORNIA RESIDENTIAL CODE, THE 2022 CALIFORNIA ELECTRICAL CODE, THE 2022 CALIFORNIA MECHANICAL CODE, THE 2022 CALIFORNIA PLUMBING CODE, THE 2022 CALIFORNIA FIRE CODE, THE 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE, THE 2022 CALIFORNIA ENERGY CODE, THE 2022 CALIFORNIA HISTORICAL BUILDING CODE, THE 2022 CALIFORNIA EXISTING

BUILDING CODE, AND THE 2022 CALIFORNIA REFERENCED STANDARDS CODE, TOGETHER WITH CERTAIN ADDITIONS, AMENDMENTS AND DELETIONS.

2. Find that the changes and modifications to the 2022 Editions of the California Building, Plumbing, Mechanical, Electrical, Residential, Existing Building, and Fire Codes are reasonably necessary due to local conditions in San Clemente. Other amendments are of an administrative or procedural nature and concern themselves with subjects that are not covered by the Code or are reasonably necessary to safeguard life and property within the City of San Clemente. Adoption of these codes as amended will implement the latest codes in the City and complies with current State law and repeals Ordinance 1636.
3. Set the Building Code Amendments for Public Hearing on December 6, 2022, and direct staff to advertise the Public Hearing as required by State law.

11. Reports (continued from Business Meeting Part 1)

A. Commissions and Committees

(1) **[RESIGNATION OF WILLIAM HANRAHAN FROM THE PUBLIC SAFETY COMMITTEE](#)**

Staff Recommendation

1. Appoint Mr. Greenwald to fill the two-year term on the Public Safety Committee.
OR
2. Direct staff to solicit applications for a technical professional with a public safety background to fill the position.
OR
3. Leave the position vacant.

B. City Manager

C. City Attorney

D. Council Members

E. Council Subcommittee Updates

12. Oral Communications (Part 2)

Members of the audience who wish to address Council on matters that are within the jurisdiction of the City of San Clemente, but not separately listed on the agenda, may do so during the Oral Communications portion of the meeting. When invited by the Mayor, please step to the podium, and if you wish, state your name and the City in which you reside, and make your presentation, not to exceed three minutes. Subject to very limited exceptions, Council is not permitted to discuss or take action on items that do not appear on the agenda.

13. Adjournment

The City Council is adjourning tonight's meeting in memory of Fred Swegles. The next Regular Council Meeting is scheduled to take place on November 15, 2022. Part 1 of the Regular Business Meeting will commence at 5:00 p.m. and Closed Session will begin at 6:00 p.m. Part 2 of the Business Meeting will commence at 7:00 p.m. The meeting will take place in the Council Chambers, located at 910 Calle Negocio, 2nd Floor, San Clemente.

Items to be Considered at a Future Meeting

November 15, 2022: Consideration of Night Surfing.

CITY COUNCIL MEETING PROCEDURES

PRESENTATION OF WRITTEN MATERIALS TO COUNCIL

In order to ensure that Councilmembers have adequate time to consider written materials concerning agenda items, it is strongly recommended that such materials be submitted to the City Clerk by noon the date preceding the Council meeting.

MEETINGS RECORDED AND TELEVISED

City Council meetings are broadcast live and are replayed periodically on Cox Communications Local Access Channel 854. Meetings are also available for live-stream or post meeting viewing from the City's website. Meetings are also recorded via audio CD and/or DVD and retained as a City record in accordance with the City's records retention schedule.

USE OF ELECTRONIC VISUAL AIDS BY PUBLIC AT MEETINGS

To allow staff adequate time to confirm software compatibility, individuals wishing to utilize electronic visual aids to supplement their oral presentations at the meeting, must submit the electronic files to the City Clerk by no later than 12:00 p.m. on the day of the meeting. Only compatible electronic formats will be permitted to be used on City audio/visual computer equipment. Staff makes no guarantee that such material will be compatible, but will use its best efforts to accommodate the request.

LENGTH OF MEETINGS

At 11:00 p.m., the City Council will determine which of the remaining agenda items can be considered and acted upon at this meeting and will continue all other agenda items to a future meeting.

AMERICANS WITH DISABILITIES ACT

Pursuant to the Americans with Disabilities Act, persons with a disability who require a disability-related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, may request such modification or accommodation from the City Clerk at (949) 361-8200. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

COMMUNICATION DEVICES

To minimize meeting distractions and sound system interference, please be sure all personal communication devices are turned off or on silent mode.

MEETING SCHEDULE

Regular Council Meetings are held on the first and third Tuesdays of each month in the Council Chambers, located at 910 Calle Negocio, 2nd floor, San Clemente. Part 1 of the Business Meeting will begin at 5:00 p.m. and Closed Session begins at 6:00 p.m. Part 2 of the Business Meeting will commence at 7:00 p.m. Additional meetings of the City Council may be called as needed.

AGENDAS, ADMINISTRATIVE REPORTS AND SUPPLEMENTAL WRITTEN MATERIALS

Agendas and Administrative Reports are available for review and/or copying at the City Clerk's Department as soon as agendas are posted (a minimum of 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting). Agendas and Administrative Reports can also be viewed at the San Clemente Library, located at 242 Avenida Del Mar, or by accessing the City's website at www.san-clemente.org. An "Inspection Copy" of agenda materials is also located at the entrance to the Council Chambers during meetings for public review. All written material distributed to a majority of the Council after the original agenda packet was distributed is available for public inspection in the City Clerk's Department, located at 910 Calle Negocio, San Clemente, during normal business hours.

The City Clerk's Department offers an agenda packet subscription service free of charge. If you wish to receive email copies of City Council agendas, which include hyperlinks to staff reports and other back-up material, register at <http://san-clemente.org/enotification>.