

These minutes will be approved by the Zoning Administrator on February 23, 2023

**CITY OF SAN CLEMENTE
MINUTES OF THE REGULAR MEETING
OF THE ZONING ADMINISTRATOR
February 9, 2023**

**San Clemente City Hall
First Floor Community Room
910 Calle Negocio
San Clemente, California 92673**

1. CALL TO ORDER

Zoning Administrator Gallardo-Daly called the Regular Meeting of the City of San Clemente Zoning Administrator to order on February 9, 2023 at 3:00 p.m. The meeting was held in the First Floor Community Room of City Hall, 910 Calle Negocio, and San Clemente, California.

Staff Present: Cecilia Gallardo-Daly, Zoning Administrator
David Carrillo, Assistant Planner
Kyle Webber, Associate Planner
Tamara Tatich, Office Specialist

2. MINUTES

- A. Receive and file Minutes from the Zoning Administrator Regular Meeting of January 19, 2023.

3. ORAL AND WRITTEN COMMUNICATION

None

4. PUBLIC HEARING

- A. **655 Camino de Los Mares - Minor Conditional Use Permit 22-403, South County Fitness Pilates Studio**

A request to establish an all-ages, indoor Pilates studio with up to six students and one instructor per class, within an existing 1,444 sq. ft. tenant space located in the Community Commercial Zone (CC4) at the San Clemente Professional Plaza, located at 655 Camino De Los Mares. Operating hours are scheduled from 6 AM to 8 PM M-F and weekends 7:00 a.m. to 1:00 p.m.

Staff recommends that the project be found Categorical Exempt from CEQA pursuant to State CEQA Guidelines Section 15031 (Class 1: Existing Facilities).

Associate Planner Kyle Webber summarized the staff report and confirmed that there were no public comments on this matter.

ZA Gallardo-Daly opened the public hearing. There being no public comments, ZA Gallardo-Daly closed the public hearing.

ZA Gallardo-Daly stated the report was very thorough and that she reviewed the staff report and Conditions of Approval, and has been to the site. ZA Gallardo-Daly stated that she can make the Findings for the Minor Conditional Use Permit for the proposed business. The proposed use is permitted in the zone, it complies with all of the applicable provisions of the Zoning Ordinance and the General Plan, and the site is suitable for the type and intensity of the proposed use. The parking provided for the proposed use will not result in an increase in parking or inadequate parking for the site. The proposed hours of operation are consistent with surrounding uses. No exterior building or site changes, only tenant improvements, are required to operate the business. The proposed uses are consistent with surrounding uses in the medical plaza, including similar types of fitness and yoga studios. The proposed use will not be detrimental to public health, safety or welfare, and the proposed use will not negatively impact surrounding uses. Condition 7.29 in the permit requires the fitness studio to schedule a minimum fifteen break between the end of the each class and the beginning of the next to ensure that there's no overlap of customers or parking concerns.

Based on the information in the staff report and subject to the required Findings and Conditions of Approval, ZA Gallardo-Daly determined the project Categorical Exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Class 1: Existing Facilities).

Action: The Zoning Administrator adopted Resolution ZA23-003, and approved Minor Conditional Use Permit 22-403 - South County Fitness, 655 Camino de Los Mares - subject to the Conditions of Approval.

B. 101 W. Avenida Vista Hermosa - Special Activities Permit 23-009, American Crown Circus 2023 at the Outlets at San Clemente

A request to operate a circus event at the Outlets at San Clemente from March 2, 2023 to March 6, 2023, and from March 9, 2023 to March 13, 2023. Setup for the event, including temporary circus structures, is from February 28, 2023 to March 1, 2023, and breakdown is on March 14, 2023. Expected attendance is 150 to 200 people per day of the event.

Staff recommends that the project be found Categorically Exempt from CEQA pursuant to State CEQA Guidelines Section 15031 (Class 1: Existing Facilities) and Section 15311 (Class 11: Accessory Structures).

Assistant Planner David Carrillo summarized the Staff Report and advised that the applicant is available to answer any questions.

ZA Gallardo-Daly stated that she knew the circus had operated in the past at this location and then asked if there were any public issues or concerns with the past operations. Staff replied that they were not aware of any previous issues or concerns.

Francisco "Pancho" Osorio, the applicant thanked ZA Gallardo-Daly and staff for the opportunity to host a family-focused circus, and that he was pleased the Outlets at San Clemente wanted the family-owned, American Crown Circus to return. ZA Gallardo-Daly acknowledged the popularity of the event with an increase from five days last year to ten days this year.

Having no further questions, ZA Gallardo-Daly opened the public hearing. There being no public comments, ZA Gallardo-Daly closed the public hearing.

ZA Gallardo-Daly thanked Mr. Osorio for the information about the business and thanked staff for a thorough report that outlined the details of operations that included set-up to tear-down, what is expected in between, and that there is no conflict between the other event, Cars and Coffee, that is occurring with regularity at the site.

ZA Gallardo-Daly stated that she read the report, went to the site, reviewed the Conditions of Approval and can make the Findings for the Special Activities Permit. The proposed use is permitted in the subject zone. Pursuant of the approval of a Special Activities Permit, it complies with all the applicable provisions of the San Clemente ordinance, the San Clemente General Plan, and is consistent with the regional commercial zone in the Marblehead Specific Plan. The site is suitable for the type and intensity of the use that is proposed. The location within the shopping center provides ample parking, increases visitors to the shopping center, and is complimentary to the shopping center operations. The proposed use will not be detrimental to the public health, safety or welfare. The event is planned and conditioned to ensure that noise levels are contained below the maximum levels allowed by the City's code. The proposed use will not negatively impact the surrounding land uses, and the live entertainment and amplified sound will be conducted entirely within the circus tent.

Based on the information in the staff report and subject to the required Findings and Conditions of Approval, ZA Gallardo-Daly determined the

project Categorically Exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Class 1: Existing Facilities) and Section 15311 (Class 1: Accessory Structures).

Action: The Zoning Administrator adopted Resolution ZA23-004, and approved – Special Activities Permit 23-009, American Crown Circus 2023 at the Outlets at San Clemente, 101 Avenida Vista Hermosa - subject to the Conditions of Approval.

5. **NEW BUSINESS**

None

6. **OLD BUSINESS**

None

7. **ADJOURNMENT**

The meeting adjourned at 3:18 p.m. to the Regular Meeting of the Zoning Administrator, which will be held Thursday, February 23, 2023 at 3:00 p.m. at Community Development Department, City Hall, First Floor Community Room, located at 910 Calle Negocio, San Clemente, California.

Respectfully submitted,

SAN CLEMENTE ZONING ADMINISTRATOR

Cecilia Gallardo-Daly, Zoning Administrator