

These minutes will be considered for approval at the Planning Commission meeting of 03-22-2023.

**MINUTES OF THE REGULAR MEETING
 OF THE CITY OF SAN CLEMENTE
 PLANNING COMMISSION
 March 8, 2023 @ 6:00 p.m.
 San Clemente City Hall Council Chambers
 910 Calle Negocio, San Clemente, CA 92673
 Teleconference via www.san-clemente.org/live or Cox Channel 854**

CALL TO ORDER

Chair McKhann called the Regular Meeting of the Planning Commission of the City of San Clemente to order at 6:01 p.m. The meeting was offered in person at San Clemente City Hall Council Chambers, 910 Calle Negocio, San Clemente, California, 92673, and also via live stream from the City’s YouTube Channel or live on Cox Channel 854.

2. PLEDGE OF ALLEGIANCE

Chair pro tem Camp led the Pledge of Allegiance.

3. ROLL CALL

Commissioners Present: Barton Crandell, Brent Davis, Gary P. McCaughan, M.D. Karen Prescott-Loeffler (8:25 p.m. arrival); Chair pro tem M. Steven Camp, Vice Chair Cameron Cosgrove, Chair Scott McKhann

Commissioners Absent: None

Staff Present: Jonathan Lightfoot, Economic Development Officer, (Acting Commission Secretary)
 Cecilia Gallardo-Daly, Community Development Director
 Christopher Wright, Associate Planner II
 Matthew Richardson, Assistant City Attorney

4. SPECIAL ORDERS OF BUSINESS

None

5. MINUTES

A. Minutes from the Regular Planning Commission Meeting of February 22, 2023.

IT WAS MOVED BY COMMISSIONER MCCAUGHAN, SECONDED BY COMMISSIONER CRANDELL AND UNANIMOUSLY CARRIED TO RECEIVE AND FILE THE MINUTES FROM THE FEBRUARY 22, 2023, PLANNING COMMISSION REGULAR MEETING AS SUBMITTED.

6. ORAL AND WRITTEN COMMUNICATION

None

7. CONSENT CALENDAR

None

8. PUBLIC HEARING

A. Zoning Amendment 22-366 – Zoning Permit Streamlining

A request to consider a City-initiated amendment to Title 17 (Zoning) of the San Clemente Municipal Code to:

A. Clarify planning permit review procedures to facilitate staff implementation and promote public understanding;

B Consolidate planning applications, making it easier for the public to understand which zoning permits are required and to submit applications, and reduce staff time on report writing, which allows the reallocation of those resources to other City priorities and review of other project applications. These amendments preserve findings for project consistency with planning documents, such as the General Plan, Zoning Ordinance, and Design Guidelines, use compatibility, quality design, historic preservations, and other planning issues. Therefore, the amendments maintain a focus on ensuring projects implement community goals and policies for quality of life;

C. Update the staff-level approval process for minor architectural changes. Currently the Zoning Code has a “staff waiver” application that functions as a permit rather than a waiver. There are approval findings, an ability to add conditions, and types of eligible projects, including a broad category: “Other minor projects that do not substantially alter the visual appearance and/or architectural integrity of the property or structure.” The proposed Ordinance replaces the staff waiver application with an “Administrative Development Permit” to:

1) Replace criteria for review of administrative applications. Currently, there are required findings that would be replaced with objective general and project-specific standards, (e.g., projects that won’t affect character-defining features of historic structures, such as a privacy fence constructed of certain materials). The general standards address design issues, such as architectural style, materials, colors, massing, scale, and historic considerations. The project-specific standards are additional objective criteria for eligible projects, such as types of windows that are minor for staff approval.

2) List types of eligible projects for staff approval that meet general and project standards. The existing broad category for eligible projects would be removed with a list of specific set of projects staff has authority to act upon. This makes the administrative process more objective. The projects that don't meet eligibility criteria would require a public hearing. Also, the City Planner would continue to have the authority to refer applications to a public hearing if finding a proposal has potential for significant public concern or impacts; and

3) Record of staff approvals would be included in City Council packets for transparency and public oversight of staff decisions. Currently, staff waiver decisions are reported to the Planning Commission in their agenda packet and the City Council reviews the minutes at the follow-up hearing with review of Planning Commission minutes.

D. Streamline the level of review required to approve several project types, while maintaining public minutes of decisions and appeal procedures, when experience has shown the project have not had issues of significant public concerns or impacts to prompt a higher level of public review.

Christopher Wright, Associate Planner II, narrated a PowerPoint Presentation entitled, "Zoning Permit Streamlining, ZA 22-36," dated March 8, 2023. A copy of the Presentation is on file in Planning Division.

Chair McKhann opened the public hearing.

Larry Culbertson, San Clemente Historical Society President, requested staff clarify standards and guidelines; opined that reducing the level of review required for qualifying projects located near historic structures is not sufficient to protect the historic structure; recommended full environmental review of the proposed amendment due to its potential to negatively impact the environment; suggested complete overhauls of the Zoning Code and Planning Division are unnecessary.

Wayne Eggleston, former Planning Commissioner and City Councilmember, cautioned that the proposed revisions in the amendment may not sufficiently protect San Clemente's assets, which are primarily the beach and historical structures; recounted an example whereby a less seasoned Planning Division official approved a large project on a Coastal Canyon lot that was ultimately unanimously denied by the California Coastal Commission. Advocated for more projects to require public hearings, including reviews of vacation rental units and development on any Coastal canyon or bluff, to protect neighbors' property rights.

Acting Secretary Lightfoot read a letter submitted by Commissioner Prescott-Loeffler detailing her concerns regarding proposed revisions that would eliminate or reduce public hearings on projects, as well as revisions to reduce the 500 feet review requirements for historical structures.

Commissioner Davis read his statement listing concerns he has with the proposed amendment. He thanked staff for their efforts and diligence; commented that although the proposed amendment is an attempt to reduce staff's workload, it will also reduce the City's oversight of projects that may result in negative impacts on the City and its residents; suggested increase in permit fees to cover the costs of the review process; confirmed the need for the Commission to ensure no negative impacts will occur before moving forward with changes.

Chair McKhann closed the public hearing.

Commissioner Prescott Loeffler arrived at 8:25 p.m. and noted she had been listening to the meeting via the City's website while in transit from the airport to the meeting.

Discussion ensued regarding the proposed revisions as presented in the Summary of Proposed Permit Streamlining Items, dated March 8, 2023, as well as the corresponding red-lined and draft copies. Planner Wright responded to questions, provided clarifications and revised language when warranted; and suggested continuing discussion of the item to the next Commission meeting on March 22, 2023.

Commission Comments/Suggestions:

- Suggested that the Commission systematically review each streamlining proposal within Attachment 2, one at a time.
- Expressed a preference that public notice and hearings should be maintained. Streamlining of review from a public hearing decision to staff should not be pursued.
- Commented that protection of historic resources is important to the community so the review process should continue to reflect this.
- Supported a change to allow the Planning Commission to appeal administrative approvals of minor architectural and site plan changes, in addition to City Council. This will provide added oversight and transparency of decisions.
- Supported consolidating public hearing applications in a way that preserves focus on General Plan consistency and quality of life. This will save time for staff, review authorities, and the public.
- Supported clarifying zoning regulations to facilitate consistent City implementation and use by the public, so long as the updated tables and language reflect the Commission's recommendations for changes to the streamlining proposals
- The Commission provided recommendations on support or modifications to item numbers 1-10 of Attachment 2, which summarized the proposed streamlining initiatives. Staff tracked and annotated the recommendations, which are generally summarized above.

- The Commission expressed a desire to continue discussion of the streamlining initiatives to complete their review of item numbers 11-17 of Attachment 2 at the next Planning Commission meeting.

Staff indicated that a memo would be prepared for the March 22nd meeting, but that the primary report materials would remain the same for the continuance.

IT WAS MOVED BY COMMISSIONER MCCAUGHAN, SECONDED BY COMMISSIONER CRANDELL AND UNANIMOUSLY CARRIED TO CONTINUE ZONING AMENDMENT 22-366, ZONING PERMIT STREAMLINING, TO THE MEETING OF MARCH 22, 2023.

[ITEM CONTINUED. PLANNING COMMISSION DECISION PENDING.]

9. NEW BUSINESS

None

10. OLD BUSINESS

None

11. REPORTS OF COMMISSIONERS AND STAFF

A. Tentative Future Agenda

Reports received and filed.

In response to a request, Acting Secretary Lightfoot advised Commissioners desiring a hard copy of the Zoning Code should email him.

Commissioner Crandell reported that he witnessed loud revving of engines at City street lights by drivers exiting the Saturday Car Show; requested Code Compliance follow up to ensure employees/volunteers are stationed at exits and on hand to provide oversight as per the car show’s permit conditions of approval.

12. ADJOURNMENT

IT WAS MOVED BY CHAIR MCKHANN, SECONDED BY CHAIR PRO TEM CAMP AND UNANIMOUSLY CARRIED TO ADJOURN AT 10:10 P.M. TO THE NEXT REGULAR PLANNING COMMISSION MEETINGS TO BE HELD IN-PERSON ON MARCH 22, 2023, AT 6:00 P.M. AT THE SAN CLEMENTE CITY HALL COUNCIL CHAMBERS LOCATED AT 910 CALLE NEGOCIO, 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,

Scott McKhann, Chairman

Attest:

Jonathan Lightfoot, Economic Development Officer

DRAFT