

**MINUTES OF THE REGULAR MEETING
OF THE CITY OF SAN CLEMENTE
PLANNING COMMISSION
April 19, 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 6:00 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: Gary P. McCaughan, M.D., Chair pro tem M. Steven Camp, Vice Chair Cameron Cosgrove, Chair Scott McKhann

Commissioners Absent: Barton Crandell, Brent Davis, Karen Prescott-Loeffler,

Staff Present: Jonathan Lightfoot, Economic Development Officer, (Acting Planning Commission Secretary)
Laura Coury, Assistant Planner
Kyle Webber, Assistant Planner
Christopher Wright, Associate Planner II
Elizabeth Mitchell, City Attorney
Eileen White, Recording Secretary

On a 4-0 straw vote, the Commission voted to rearrange the agenda. These minutes reflect the order in which items appeared on the meeting agenda and do not necessarily reflect the order in which items were actually considered.

4. SPECIAL ORDERS OF BUSINESS

None

5. MINUTES

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

IT WAS MOVED BY COMMISSIONER MCCAUGHAN, SECONDED BY CHAIR PRO TEM CAMP AND UNANIMOUSLY CARRIED TO RECEIVE AND FILE THE MINUTES FROM THE MARCH 22, 2023, PLANNING COMMISSION REGULAR MEETING AS SUBMITTED.

6. ORAL AND WRITTEN COMMUNICATION

None

7. CONSENT CALENDAR

None

8. PUBLIC HEARING

- A. Conditional Use Permit 22-255, Sancho's Tacos Full Alcohol, 1101 S. El Camino Real

A request to consider full alcohol service (Type 47 License) for indoor and outdoor consumption at an existing restaurant located at 1101 S. El Camino Real.

Laura Coury, Assistant Planner, reviewed the staff report and responded to clarification questions of the Commissioners. Technical issues prevented display of the PowerPoint Presentation.

Chair McKhann opened the public hearing.

Valerie Sacks and Donny Lancaster, applicant's representative and applicant, respectively, thanked Planner Coury and staff for their assistance with this application; responded to questions regarding parking, restaurant seating, and patio lighting; stated that their goals are to expand alcohol service to include a wider range of offerings for the clientele and increase opportunities for business longevity and future growth.

Chair McKhann closed the public hearing.

IT WAS MOVED BY CHAIR PRO TEM CAMP, SECONDED BY COMMISSIONER MCCAUGHAN AND UNANIMOUSLY CARRIED TO:

1) Determine the Project is Categorically Exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15301 (Class 1: Existing Facilities) and;

2) Adopt Resolution no. PC 23-007, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 22-255, SANCHO'S TACOS ALCOHOL SERVICE, LOCATED AT 1101 SOUTH EL CAMINO REAL AND FIND THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER SECTION 15301 OF THE CEQA GUIDELINES (14 CCR § 15301, CLASS 1: EXISTING FACILITIES)."

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

Deputy City Attorney Michelle stated for the record that the Planning Commission's action may be appealed within ten days of its decision.

B. 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" that:

1) Replace criteria for review of administrative applications. Currently, there are required findings that would be replaced with objective general

choice to install story poles or utilize computer programs; requiring third-party certification of the simulation results; or only requiring story poles/computer simulations if requesting a height variance. Discussion of this topic will continue at the June 7 meeting.

- Discussion of revising language regarding deadlines on inactive projects, including number of days before applicant is contacted as well as the amount of time the applicant has to respond after being contacted. Planner Wright will bring back revised language for further discussion.
- Discussion of public noticing requirements and whether in-concept reviews for non-discretionary applications in the Coastal Zone should require noticing or whether certain types of applications in the Coastal Zone should require noticing. Staff noted that the Long Range Planning team is currently working on the Local Coastal Program, and that considerations of this issue could be addressed under that work program..
- Suggestion to revise the Special Activities Permit request process, including potential to allow for approval of several activities at the same time rather than limiting it to one approval per year. Also suggested that certain types of Special Activities Permits may require Planning Commission review to ensure that proper notification is occurring for events and additional scrutiny for events in sensitive areas.. Staff clarified that Special Activities Permits are managed by the Planning division for activities on private property, while Special Event Permits are managed by the Beaches Parks and Recreation Department for activities on City Properties, including City-sponsored events.
- Consideration of revising the appeal process to allow the Planning Commission to appeal projects approved at the Zoning Administrator level.
- Established from staff that any testimony provided by a Planning Commissioner at higher level meetings can only be presented as a private citizen unless permission has been granted to speak for the Commission.

The public hearing for this agenda item will remain open during its continuance.

IT WAS MOVED BY COMMISSIONER MCCAUGHAN, SECONDED BY VICE CHAIR COSGROVE AND UNANIMOUSLY CARRIED TO CONTINUE ZONING AMENDMENT 22-366, ZONING PERMIT STREAMLINING, WITH THE PUBLIC HEARING HELD OPEN, TO THE MEETING OF JUNE 7, 2023.

[ITEM CONTINUED. PLANNING COMMISSION DECISION PENDING.]

9. NEW BUSINESS

A. General Plan Strategic Implementation Program (SIP)

A request to forward a recommendation to the City Council on the approval of an annual update to the General Plan Strategic Implementation Program for Fiscal Year 2023-2024 ("FY24")

Kyle Webber, Assistant Planner, reviewed the staff report. Technical issues limited display of the PowerPoint Presentation.

Chair McKhann invited the public to provide testimony. There being no one present to provide testimony, the Commission discussion commenced.

Comments/Suggestions:

- Comment that SB 167 calls for “objective” design standards; requested the Planning Commission and Design Review Subcommittee (DRSC) be involved in reviewing City Code to remove “subjective” design standards in this state-mandated process of establishing objective design standards for certain types of development;
- Established from staff that this project is an annual update used to help City Council allocate resources and prioritize projects during the annual budget process.

IT WAS MOVED BY COMMISSIONER MCCAUGHAN, SECONDED BY CHAIR PRO TEM CAMP AND UNANIMOUSLY CARRIED TO:

1) Determine a review of the project has been completed according to the California Environmental Quality Act (CEQA), and find the FY24 SIP is not subject to CEQA according to State CEQA Guidelines Section 15378 and Section 15061(b)(3); and

2) Adopt Resolution no. PC 23-005, entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE THE GENERAL PLAN STRATEGIC IMPLEMENTATION PROGRAM (SIP) FOR FISCAL YEAR 2023-2024.”

[ACTION SUBJECT TO CITY COUNCIL APPROVAL.]

Deputy City Attorney Mitchell stated for the record that the Planning Commission’s action may be appealed within ten days of its decision.

10. OLD BUSINESS

None

11. REPORTS OF COMMISSIONERS AND STAFF

A. Tentative Future Agenda

Reports received and filed.

B. Staff Waiver Report

Reports received and filed.

Saturday Car Show: Discussion ensued regarding any complaints submitted through the City regarding the Saturday car shows. Staff agreed to contact the operators for comment as well as a listing of any complaints that have come through their own website. Staff will provide an update once research is complete.

North Beach Miramar Theater Remodel: Following request for an update, staff indicated that they have set up a meeting with the developers to discuss the project, with staff going into the meeting to 1) determine needed repairs, 2) create a plan to protect the unfinished work, and 3) address site clearance and security issues.

Planning Commission Ethics Training: Request that all Commissioners respond to staff's request to conduct the online training together at City Hall.

State Historic Preservation Training: Request that all Commissions to contact staff if they haven't already to arrange for online training at City Hall.

12. ADJOURNMENT

THERE BEING NO OTHER BUSINESS BEFORE THE COMMISSION, IT WAS MOVED BY VICE CHAIR CAMP, SECONDED BY COMMISSIONER MCCAUGHAN AND UNANIMOUSLY CARRIED TO ADJOURN THE MEETING AT 8:07 P.M. TO THE NEXT REGULAR PLANNING COMMISSION MEETINGS TO BE HELD IN-PERSON ON MAY 3, 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, Acting Planning Commission Secretary