

# CITY OF SAN CLEMENTE

## City Council Minutes

### Adjourned Regular Meeting – November 13, 2013

*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.*

An Adjourned Regular Meeting of the San Clemente City Council was called to order on November 13, 2013 at 5:09 p.m. in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California, by Mayor Baker.

**PRESENT** BROWN\*, DONCHAK\*\*, EVERT\*\*\*, HAMM, MAYOR BAKER  
\* Arrived at 5:30 p.m.  
\*\*Left meeting at 10:49 p.m.  
\*\*\*Left meeting at 7:15 p.m.

**ABSENT** NONE

**STAFF PRESENT** Pall Gudgeirsson, City Manager; Jeff Goldfarb, City Attorney; Joanne Baade, City Clerk; George Aghabegians, Deputy City Clerk

### **PLEDGE OF ALLEGIANCE**

Councilmember Donchak led the Pledge of Allegiance.

### **PUBLIC HEARING – GENERAL PLAN**

1. **Introduction to the Draft Centennial General Plan, Draft Environmental Impact Report, Draft Bicycle and Pedestrian Master Plan, and Draft Climate Action Plan** (Continued from the Council Meetings of September 24, 2013, October 1, 2013, October 8, 2013, October 15, 2013 and November 5, 2013)

Public Hearing concerning the Draft Centennial General Plan, Draft Environmental Impact Report, Draft Bicycle and Pedestrian Master Plan, and Draft Climate Action Plan.

Mayor Baker invited the Public Hearing to continue.

Cheryl Moe, San Clemente, requested that the word “our” be removed from Policy C-2.05 and that the verbiage be revised so as to be less restrictive in terms of development; suggested that Figure NR-1 (Aesthetic Resources) be revised to include additional public view corridors; requested that Figure C-2 (Environmentally Sensitive Habitat Areas (ESHAs)) be modified to reflect current conditions; urged that language be added to address maintenance of urban runoff

and drainage easements; distributed a paper entitled "Revisions are Needed in the Coastal Element Protecting Sensitive Habitats", that is on file with the City Clerk.

Bill Hart, Chair of the Coastal Advisory Committee and Watershed Task Force, cautioned Council to not jeopardize the City's opportunity to obtain a Local Coastal Program by "watering down" language in the General Plan.

Larry Culbertson, San Clemente, spoke in favor of providing incentives for restoring and preserving one- and two-story buildings in the Downtown Core; urged that Top of Roof (TOR) heights be limited to 33' or below; cautioned Council to not allow the permit-streamlining process to create loopholes; distributed a written transcript of his comments, dated November 13, 2013, that is on file with the City Clerk.

Alan Korsen, San Clemente, commended Council for choosing to limit building heights and stories in the Downtown Core; urged Council to maintain requirements to preserve existing buildings in San Clemente; suggested that additional consideration be given to the manner by which setbacks will be determined if a third-story is permitted.

Principal Planner Hook distributed a staff-prepared Whitepaper, dated November 13, 2013, entitled "*Whitepaper: City Council Direction to Lower Downtown Building Heights*", which is on file with the City Clerk and responded to Council inquiries. Council deferred discussions pertaining to building heights to a future Council meeting.

Principal Planner Hook reviewed a document entitled "*Staff Responses to Comments on the Draft Coastal Element*", dated November 13, 2013, that is on file with the City Clerk. During the course of the meeting, Council accepted the recommendations of the Coastal Commission staff, with the exception of Recommendation 11 (relating to Coastal Hazards). Additionally, Council requested that staff determine whether Recommendation 13 can be worded more clearly.

**Council reviewed the Coastal Element by page and provided direction as follows:**

General Plan Page	Issue	Council Direction
C-13	Council referenced C-2.05 that reads as follows: "We protect our natural resources by prohibiting the encroachment of development, incompatible land uses and sensitive habitat disturbance into designated coastal canyon and coastal bluff areas, consistent with the Local Coastal Program."	C-2.05 was modified to read as follows: "We protect natural resources by restricting the encroachment of development, incompatible land uses and sensitive habitat disturbance into designated coastal canyon and coastal bluff areas, consistent with the Local Coastal Program."

C-14	Council referenced C-2.12 that reads as follows: "We seek to prevent the introduction, reproduction or spread of harmful non-native plant and animal species through public education, maintenance of marine facilities and by assisting local, state and federal agencies enforce laws protecting marine resources."	Council requested that consideration of funding the eradication of harmful non-native species take place during the next budget study session.
C-17	Council referenced C-4.05 that reads as follows: "We require shoreline development and bluff retention devices to be sited and designed to take into account predicted future changes in sea level. New structures shall be set back a sufficient distance landward or be designed to eliminate or minimize, to the maximum extent feasible, hazards associated with anticipated sea level rise, as established by Federal or State authorities, over the expected economic life of the structure."	C-4.05 was modified to read as follows: "We require shoreline development and necessary bluff retention devices to be sited and designed to take into account predicted future changes in sea level. New structures shall be set back a sufficient distance landward or be designed to eliminate or minimize, to the maximum extent feasible, hazards associated with anticipated sea level rise, as established by Federal or State authorities, over the expected economic life of the structure."
C-18	<p>Council referenced Implementation Measures 3 and 4 that read as follows:</p> <p>3. "Protect the public's right of coastal access where acquired through historic use or legislative authorization. Where substantial evidence of prescriptive rights exists as adjudicated by a court of law, City shall seek to acquire public access easements or require public access easements as a condition of development."</p> <p>4. "Where there is substantial evidence that a prescriptive right, as adjudicated by a court of law, of coastal access exists, development shall be designed, or conditions shall be imposed, to preserve coastal access or to preserve the option of securing future access."</p>	Council directed staff to work with the City Attorney and Coastal Commission staff to determine if Implementation Measures 3 and 4 can be rewritten and/or combined for clarity.
C-18	Council referenced Implementation Measure 8 relating to Access Management Programs; requested that a new subsection be added relating to animal waste disposal and management.	A new subsection 8.e. is to be added to provide for signage relating to proper animal management and proper animal waste disposal on the beach trail.
C-18	Council referenced Implementation Measure 8.b. that reads as follows: "The provision of aesthetically pleasing bicycle racks for at least 25 bicycles at the beach terminus of the vertical accessway; and"	Verbiage in Implementation Measure 8.b. is to be revised to read as follows: "The provision of aesthetically pleasing bicycle racks for an appropriate amount of bicycles based on use; and"

C-19	Council referenced Implementation Measure 13 that reads as follows: "Develop informational aids for where native plants are required to be planted in coastal canyon and bluff areas, their planting and care, for the removal of officially designated invasive plant species, and for Orange County Fire Authority landscaping requirements for fire safety."	Staff is to revise Implementation Measure 13 for clarity.
C-19	Council referenced Figure C-2 (Environmentally Sensitive Habitat Areas).	A new Implementation Measure 14 is to be added on Page C-19 under Environmentally Sensitive Habitat to read as follows: "Evaluate ESHAs to determine their viability, restore degraded ESHAs, remove ESHA designation from areas that no longer contain environmentally sensitive habitat and develop standards to protect ESHAs as open space."  Additionally, Council requested that Figure C-2 be modified to include Marblehead Coastal canyons.

Cheryl Moe, San Clemente, voiced concern with the portion of the Natural Resources Element relating to riparian overlay zones and urged, as an alternative, that an urban runoff overlay zone be established to improve ESHAs.

Mark McGuire, San Clemente, recommended that the City conduct strategic removal of invasive species to enhance the value of open space habitats; recommended that the City seek credit from applicable agencies for such an effort.

Bill Hart, San Clemente, recommended that the following bolded language not be included in the first paragraph of the Coastal Hazards Section: *"As addressed in the Safety Element, landslides, seismic, liquefaction, tsunamis, flooding, **erosion, landslides, oversaturation of coastal bluffs and canyons, and nuclear events are potential risks in coastal San Clemente.**"*

**Council reviewed the Natural Resources Element by page and provided direction as follows:**

General Plan Page	Issue	Council Direction
NR-2	Council referenced NR-1.02 that reads as follows: "Natural Areas. In natural areas that are undeveloped or essentially so, we require applicants for proposed projects to:"	The term "Natural Areas" is to be defined in the General Plan Glossary.

NR-5	Council referenced NR-2.08 that reads as follows: "Trees as Screening Tool. Where screening of public utilities and/or telecommunication facilities is determined by the City to be desirable, the strategic location, selection, planting and care of trees or other plant materials will be considered as a tool for screening or redirecting views."	The word "care" in NR-2.08 is to be replaced with the word "maintenance".
NR-5	Council referenced NR-2.09 relating to public view corridors.	Council directed that Ms. Moe's suggested public view corridors, together with Marblehead Coastal, be considered as part of the Visual Resource Assessment discussed in Implementation Measure 10.
NR-9	Council referenced NR-5.06 that reads as follows: "Alternative Fueling Stations. We encourage the siting and installation of alternative fueling (non-fossil fuel) stations".	NR-5.06 is to be deleted inasmuch as it is redundant with NR-6.10.
NR-10	Council referenced the Energy Conservation introductory section and Electricity subsection paragraphs and noted that the General Plan needs to be re-written to reference the future closure of SONGS.	Staff is to draft General Plan language, for future Council consideration, that addresses the future closing of SONGS. Language is to address safety, City's partnership in the decommissioning process, future of the fuel rods, facility re-use (possibly for Liquid Natural Gas), etc. Council suggested that a link to SONGS' website be included.
NR-11	Council referenced NR-6.10 that reads as follows: "Alternative Fueling Stations. We encourage the private sector to provide vehicle fueling stations that cater to electric and other non-petroleum fueled vehicles and require such facilities for City operations and facilities, where appropriate."	NR-6.10 is to be amended to read as follows: "Alternative Fueling Stations. We encourage the private sector to provide vehicle fueling stations that cater to electric and other alternative-fueled vehicles and require such facilities for City operations and facilities, where appropriate."  Further, "Alternative Fueling Stations" is to be defined in the Glossary.
NR-13	Council referenced Implementation Measure 4 that reads as follows: "Create signage along the Coastal Beach Trail and in the Vista Hermosa Sports Park for educational outreach about critical habitats and native plant and animal species."	Implementation Measure 4 is to be modified to read as follows: "Create minimal and appropriate signage in the Vista Hermosa Sports Park and along the Coastal Beach Trail, and other trails where appropriate, for educational outreach about critical habitats and native plant and animal species."

NR-14	Council noted the lack of reference in the General Plan to fire pits.	Staff is to determine an appropriate General Plan section (possibly in the Beaches, Parks and Recreation Element) to include verbiage that acknowledges that fire pits are a valuable cultural amenity for San Clemente, even though they may cause some deterioration of air quality along the beaches.
NR-14	Council referenced Implementation Measure 20 that reads as follows: "Ensure that energy conservation improvements for historic buildings, such as window replacements, shall preserve original historic features, materials, and details, consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties."	Implementation Measure 20 is to be modified to read as follows: "Ensure that energy conservation improvements for historic buildings preserve original historic features, materials, and details, consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties."
NR-15	Council referenced Implementation Measure 15 that reads as follows: "Benchmark and sub-meter all City facilities."	Implementation Measure 15 is to be modified to read as follows: "Consider programs to benchmark and sub-meter all City facilities."
NR-16	Council referenced Figure NR-1 (Aesthetic Resources) and requested that Marblehead Coastal be included.	Figure NR-1 (Aesthetic Resources) on Page NR-16 is to be revised to provide detailed maps of corridors and include Marblehead Coastal.

**MEETING RECESSED**

Council recessed at 7:15 p.m. and reconvened at 7:42 p.m., with all members present, with the exception of Councilmember Evert, who left the meeting at 7:15 p.m.

**Council reviewed the Safety Element by page and provided direction as follows:**

General Plan Page	Issue	Council Direction
S-1	Council referenced the Primary Goal on Page S-1 that reads as follows: "Continue to be a well-prepared community that understands and mitigates exposure to potential natural and human-made hazards and effectively responds to and recovers from public safety emergencies."	The Primary Goal on Page S-1 is to be revised to read as follows: "Continue to be a well-prepared community that understands and limits exposure to potential natural and human-made hazards and effectively responds to and recovers from public safety emergencies."
S-2	Council referenced S-1.06 that reads as follows: "Critical Facilities. We encourage property owners and agencies to ensure that existing buildings housing critical public facilities such as schools, hospitals and emergency services are seismically strengthened to meet applicable building codes."	S-1.06 is to be deleted in its entirety.

<p>S-7</p>	<p>Council referenced the Radiological Hazards section and Goal on Page S-7 relating to the San Onofre Nuclear Generating Station (SONGS).</p>	<p>The first paragraph under Radiological Hazards is to be re-written to headline that the San Onofre Nuclear Generating Station (SONGS) is located in San Diego County and effective 2013, Southern California Edison is now in charge of its decommissioning. Additionally, the below language is to be incorporated into the Goal section: "In June 2013, Southern California Edison announced that it was going to retire the nuclear power plant which had not been operational since January 2011. This is a process called "decommissioning". The decommissioning process is regulated by the Nuclear Regulatory Commission. Coordination of policies and procedures for radiological hazards would continue to be relevant to the City. Southern California Edison will submit a post shut-down decommissioning activities report to the NRC by June of 2015 and it will provide a timeline and schedule of decommissioning activities."</p>
<p>S-8</p>	<p>Council referenced S-5.05 that reads as follows: "Recycling and Reuse of Radioactive Materials. We encourage the Federal government to investigate the feasibility and implementation of programs for recycling and reuse of radioactive materials."</p>	<p>S-5.05 is to be deleted in its entirety.</p>
<p>S-9</p>	<p>Council referenced the second sentence of the "Emergency Services, Preparedness, Response, and Recovery" section that reads as follows: "Police services are provided by the Orange County Sheriff's Department, fire and emergency medical services are provided by the Orange County Fire Authority, marine safety services are provided by the City of San Clemente Marine Safety Division and at State beaches by the State of California, and emergency preparedness is organized by the City's Emergency Planning Section, Public Works Department."</p>	<p>The second sentence of the "Emergency Services, Preparedness, Response, and Recovery" section is to be amended to read as follows: "Police services are provided by the Orange County Sheriff's Department, fire and emergency medical services are provided by the Orange County Fire Authority, marine safety services are provided by the City of San Clemente Marine Safety Division and at State beaches by the State of California, and emergency preparedness is organized by the City's Emergency Planning Program, Public Works Department."</p>

S-10	Council referenced the second paragraph in the "Emergency Services, Preparedness, Response, and Recovery" section that reads as follows: "San Clemente is susceptible to a variety of natural and human-made safety hazards including earthquakes, floods, marine hazards, fires, crime, and radiation exposure. The General Plan seeks to mitigate these potential threats to life, property, environmental quality, and economic vitality through preventative measures and thorough careful emergency planning."	The second paragraph in the "Emergency Services, Preparedness, Response, and Recovery" section is to be amended to read as follows: "San Clemente is susceptible to a variety of natural and human-made safety hazards including earthquakes, floods, marine hazards, fires, crime, and radiological exposure. The General Plan seeks to mitigate these potential threats to life, property, environmental quality, and economic vitality through preventative measures and through careful emergency planning."
S-10	Council referenced the Goal section that reads as follows: "Continue to be a safe, disaster-resilient community that is prepared through effective community outreach, proactive monitoring, and efficient emergency services, response, recovery."	The Goal section is to be modified to read as follows: "Continue to be a safe, disaster-resilient community that is prepared through effective community outreach, proactive monitoring, and efficient emergency services, response, recovery, and mitigation."
S-10	Council referenced S-7.01 that reads as follows: "Staffing Facilities and Supplies. We maintain adequate staffing, facilities and supplies for our police, fire, marine safety and emergency medical, and emergency planning services to provide appropriate and timely response to emergency needs."	S-7.01 is to be modified to read as follows: "Staffing Facilities and Supplies. We ensure adequate staffing, facilities and supplies for our police, fire, marine safety and emergency medical services, and emergency planning to provide appropriate and timely response to emergency needs."
S-12	Council referenced Implementation Measure 5 that reads as follows: "Evaluate and report on the feasibility of restoring concrete-lined drainage channels back to natural, earthen channels."	Implementation Measure 5 is to be deleted in its entirety.
S-12	Council referenced Implementation Measure 8 that reads as follows: "Partner with Orange County Fire Authority to pursue grant and other funding opportunities for appropriate wildfire mitigation measures, staffing, and facilities, and to support wildfire mitigation efforts in the City and in surrounding open space areas such as the O'Neill Conservancy and San Onofre State Beach."	Implementation Measure 8 is to be revised to read as follows: "Partner with Orange County Fire Authority to pursue grant and other funding opportunities for appropriate Fire and Emergency Medical Services measures, staffing, and facilities, and to support wildfire mitigation efforts in the City and in surrounding open space areas such as the Richard and Donna O'Neill Conservancy and San Onofre State Beach."



S-12	<p>Council referenced Implementation Measures 10 and 13 which read as follows:</p> <p>10. "Work with local, State and Federal agencies to reduce highway- and railroad-generated noise levels to within acceptable General Plan levels."</p> <p>13. "Establish a Quiet Zone for the entire length of the rail corridor through the City of San Clemente. As an interim measure, implement wayside horns at San Clemente's rail crossings."</p>	<p>Implementation Measure 10 is to be modified to read as follows: "Work with local, State and Federal agencies to reduce highway-generated noise levels to within acceptable General Plan levels."</p> <p>Staff is to revise Implementation Measure 13 along the lines of the following: "As part of a larger regional effort, we will seek to improve safety for our residents by establishing a Quiet Zone for the entire length of the rail corridor through the City of San Clemente." The second sentence of the original Implementation Measure, relating to wayside horns, is to be omitted.</p>
S-13	<p>Council referenced the subheading on Page S-13 entitled "Emergency Services, Preparedness, Response, and Recovery".</p>	<p>The subheading entitled "Emergency Services, Preparedness, Response, and Recovery" is to be relocated above Implementation Measure 16.</p>
S-13	<p>Council referenced Implementation Measure 16 that reads as follows: "Create an inventory of critical City facilities and identify whether or not they have emergency backup generators; study the feasibility of obtaining adequate generators for critical City facilities that do not currently have them."</p>	<p>Implementation Measure 16 is to be modified to read as follows: "Study the feasibility and practicality of obtaining adequate generators for critical City facilities that do not currently have them."</p>
S-13	<p>Council referenced Implementation Measure 22 that reads as follows: "Evaluate safety implications of SONGS relicensing and community concerns, and take an informed position on relicensing prior to NRC action."</p>	<p>Implementation Measure 22 is to be deleted in its entirety.</p>
S-13	<p>Council referenced Implementation Measure 23 that reads as follows: "Update the City's Design Guidelines to address aesthetic treatments for property safety treatments, including slope retention, reinforcement and drainage measures, and to address crime prevention features in the orientation and design of new buildings and public facilities."</p>	<p>Staff is to revise Implementation Measure 23 for clarity and bifurcate Implementation Measure 23 into two separate Implementation Measures.</p>
S-13	<p>Council referenced the importance and value of the Ambulance Subscription Program.</p>	<p>Staff is to develop a new Implementation Measure 26 that reads as follows: "Support and maintain an active Ambulance Subscription Program."</p>

S-13	Council noted ramifications associated with utility service disruptions.	Staff is to determine whether it would be appropriate to include verbiage in the General Plan to encourage utility providers to adequately prepare for emergencies to avoid service disruptions.
S-16	Council referenced Figure S-3 (Sea Level Inundation Map).	The title of Figure S-3 is to be renamed "Tsunami Potential Inundation Map".
S-18	Council referenced Figure S-5 (Critical Facilities) and questioned the definitions of "High Occupancy Residential" and "Unreinforced Buildings" in the legend.	Staff is to clarify the use of "High Occupancy Residential" and/or remove it from the legend if deemed appropriate. Further, staff is to replace the words "Unreinforced Buildings" in the legend with the words "Unreinforced Masonry Buildings".

**Council reviewed the Public Services, Facilities and Utilities Element by page and provided direction as follows:**

General Plan Page	Issue	Council Direction
PS-3	Council referenced the second sentence of the Library Services introductory paragraph that reads as follows: "San Clemente's Public Library, a branch of the Orange County Library System, provides free access to collections of books and media in a wide range of subjects, titles and formats."	The second sentence of the Library Services introductory paragraph is to be modified to read as follows: "San Clemente's Public Library historically operates as a branch of the Orange County Library System, provides free access to collections of books and media in a wide range of subjects, titles and formats."
PS-3	Council referenced the Goal subsection under Library Services that reads as follows: "Achieve a library system that meets community needs for library services, including a wide variety of outstanding educational and training opportunities to foster reading, personal growth, knowledge and technical skills for all residents."	The Goal subsection under Library Services is to be modified to read as follows: "Achieve a library system that meets the community's changing needs for library services, including a wide variety of outstanding educational and training opportunities to foster reading, personal growth, knowledge and technical skills for all residents."

PS-8	Council referenced PSFU-5.08 that reads as follows: "Recycled Water. We encourage, and in some cases require, the use of recycled water when available through a Mandatory Use Ordinance. The City encourages the use of domestic greywater for non-potable, non-contact uses, including landscape irrigation if there is no negative impact on urban runoff water quality, and encourages the extension of recycled water facilities to serve all areas."	PSFU-5.08 is to be modified to read as follows: "Recycled Water. We encourage, and in some cases require, the use of recycled water when available through a Mandatory Use Ordinance."
PS-15	Council referenced PSFU-9.02 that reads as follows: "Facility Siting. We collaborate with various utility agencies to ensure local facilities are sited and designed to be safe and compatible with adjacent land uses."	Staff is to expand PSFU-9.02 to encourage utilities to harden their systems and/or provide redundant systems and backups.
PS-16	Council referenced Implementation Measure 2 that reads as follows: "Continue communication and cooperation efforts between City officials and CUSD, especially in the areas of population projections, safety and security, development of schools and funding sources, and monitoring of development activities to prevent overcrowding of schools and help meet future educational needs."	Implementation Measure 2 is to be modified to read as follows: "Continue communication and cooperation efforts between City officials and CUSD, especially in the areas of population projections, safety and security, circulation and pedestrian elements, development of schools and funding sources, and monitoring of development activities to prevent overcrowding of schools and help meet future educational needs."
PS-16	Council referenced Implementation Measure 3 that reads as follows: "Solicit CUSD input to help assess the educational impact of new development through the Development Management Team review process."	Staff is to develop new language for Implementation Measure 3 to provide that the City will work with CUSD to assess the cumulative educational impact of recent and new development through the development review process.
PS-16	Council noted the possibility of establishing a new school district in San Clemente.	Staff is to develop a new Implementation Measure that specifies that the City has the flexibility to consider establishing a new school district in San Clemente if the opportunity presents itself and such action is deemed to best serve the people of San Clemente.
PS-16	Council referenced Implementation Measure 6 that reads as follows: "Work with the County of Orange to evaluate the need and feasibility of expanding San Clemente's library resources/facilities."	Implementation Measure 6 is to be modified to read as follows: "In partnership with the County of Orange, expand the library into the vacated Senior Center, complete with technology, and other resources found in state-of-the-art libraries."

PS-16	Council referenced Implementation Measure 7 that reads as follows: "Explore opportunities to expand library services through creative public/private/non-profit partnerships."	Implementation Measure 7 is to be modified to read as follows: "Explore opportunities to expand library services through creative public/private/non-profit partnerships, either as a supplement or alternative to current branch affiliation with the County of Orange."
PS-16	Council referenced Implementation Measure 8 that reads as follows: "Study the potential of local arts community to contribute to future economic development through tourism, branding and retail spinoffs, and community events or activities."	Implementation Measure 8 is to be revised for clarity to provide that staff will work with the local arts community to contribute to future economic development through tourism, branding and retail spinoffs, and community events or activities.
PS-16	Council referenced Implementation Measure 9 that reads as follows: "Focus City support and encouragement of the arts on cultural groups and organizations that already exist in San Clemente so that they may grow and contribute to the community's cultural richness and diversity."	Implementation Measure 9 is to be modified to read as follows: "Encourage local cultural groups and organizations in San Clemente so that they may grow and contribute to the community's cultural richness and diversity."
PS-17	Council referenced Implementation Measure 10 that reads as follows: "Promote the City's rich cultural history by partnering with private and non-profit organizations to promote and support local arts, history and culture. Examples could include the establishment of a Surfing Heritage Foundation Museum and/or San Clemente Historical Society Museum and archival facility."	Implementation Measure 10 is to be shortened to read as follows: "Promote the City's rich cultural history by partnering with private and non-profit organizations to promote and support local arts, history and culture."
PS-17	Council referenced Implementation Measure 11 that reads as follows: "Establish an Art in Public Places Ordinance and include a funding mechanism."	Implementation Measure 11 is to be modified to read as follows: "Consider establishing an Art in Public Places Ordinance and include a funding mechanism that might include incentives to encourage private development to provide public art."
PS-17	Council referenced Implementation Measure 13 that reads as follows: "Study the potential for incentives to encourage private development to provide public art. These may include, but are not limited to, a waiver of partial waiver of fees or flexibility in development standards."	Implementation Measure 13 is to be deleted in its entirety.
PS-17	Council referenced Implementation Measure 18 that reads as follows: "Help support public and private efforts leading to the rehabilitation and adaptive reuse of the historic Miramar Theatre."	Implementation Measure 18 is to be deleted in its entirety due to redundancy.

PS-17	Council referenced Implementation Measure 19 that reads as follows: "Create an official line of communication between the City and several human services related agencies at the County of Orange."	Implementation Measure 19 is to be replaced with the following language: "Continue coordination between the City and services-related agencies and institutions, both locally and regionally."
PS-17	Council referenced Implementation Measure 24 that reads as follows: "Expand local water recycling capabilities."	Staff is to either modify Implementation Measure 24, or add verbiage in an appropriate section of the General Plan, that celebrates and acknowledges the City's continued extensive water recycling expansion projects.
PS-18	Council referenced Implementation Measure 39 that reads as follows: "Increase the minimum construction and demolition waste diversion requirement to 75 percent."	Implementation Measure 39 is to be revised to provide that the City will continue to meet, sustain, or exceed the 75% demolition waste diversion rate.
PS-19	Council referenced Implementation Measure 45 that reads as follows: "Consider adopting a wind power ordinance to define how small wind turbines can be used in the City."	Implementation Measure 45 is to be deleted in its entirety.
PS-19	<p>Council referenced Implementation Measures 41 and 46 that read as follows:</p> <p>41. "Improve energy efficiency at City facilities by replacing incandescent lighting with energy-efficient lighting where feasible, upgrading appliances to EnergyStar, updating HVAC systems and establishing shut-off times, replacing water heaters with energy efficient models, and installing occupancy-sensored lighting."</p> <p>46. "Upgrade City facilities with Energy-Star or equivalent appliances, energy-efficient lighting, energy-efficient HVAC systems, energy-efficient water heaters, occupancy sensing lighting controls, programmable thermostats, and variable speed drive motors in many water and sewer pumping stations."</p>	Staff is to determine whether Implementation Measures 41 and 46 are redundant or can be combined, and to modify the section(s) based on its findings.
PS-19	Council referenced Implementation Measure 49 that reads as follows: "Determine an energy efficiency baseline for City facilities and monitor use and progress."	Implementation Measure 49 is to be deleted in its entirety.
PS-19	Council referenced Implementation Measure 54 that reads as follows: "Consider point-of-sale energy efficiency retrofit requirements."	Implementation Measure 54 is to be deleted in its entirety.

Council reviewed the Growth Management Element by page and provided direction as follows:

General Plan Page	Issue	Council Direction
GM-1	Council referenced the Growth Management Element and Primary Goal sections.	Staff and the City Attorney are to develop language to be incorporated into an appropriate location in the General Plan that provides that new development is responsible for paying its fair share of costs associated with the increased need for facilities and services.
GM-3	Council referenced GM-1.05 that reads as follows: "If changes to our Sphere of Influence are contemplated, we may oppose amendments that would result in any net long-term fiscal cost to the City. We recognize that short-term, net fiscal costs may be acceptable if changes to the Sphere of Influence would yield long-term fiscal benefits, maintain or improve environmental quality, and improve San Clemente residents' quality of life."	GM-1.05 is to be modified to read as follows: "Sphere of Influence. When changes to our Sphere of Influence are contemplated, we oppose amendments that would result in any net long-term fiscal cost to the City. We recognize that short-term, net fiscal costs may be acceptable if changes to the Sphere of Influence would yield long-term fiscal benefits, maintain or improve environmental quality, and improve San Clemente residents' quality of life."
GM-3	Council referenced GM-1.06 that reads as follows: "Communication with Camp Pendleton. We proactively communicate with the United States Marine Corps if any processes, operations, or projects at Camp Pendleton have the potential to impact the City of San Clemente or its residents."	Staff is to revise GM-1.06 for clarify, and to provide that communications with Marine Corps Camp Pendleton, concerning issues that impact the City of San Clemente, are two-way.
GM-4	Council noted the importance of protecting public view corridors and discussed specifying in the General Plan that development projects will not adversely affect view corridors and/or specifying that the City will work with other agencies that have discretionary approval authority over development projects to help preserve public views.	Staff is to work with the City Attorney to develop language to protect public view corridors.
GM-5	Council referenced GM-2.04.f that reads as follows: "Include alleys to minimize the dominance of garages along the street frontage."	GM-2.04.f is to be deleted in its entirety.
GM-5	Council referenced Implementation Measure 1 that reads as follows: "Continue to regularly update development impact fees and/or other financing mechanisms so that development outside City limits that requests use of City services or facilities pays the full costs needed to serve it."	Staff is to expand Implementation Measure 1 to ensure that levels of service for residents will not be decreased.

GM-6	Council referenced Implementation Measure 3 that reads as follows: "Establish an intergovernmental planning committee to address common issues among neighboring jurisdictions."	Implementation Measure 3 is to be deleted in its entirety.
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**Council reviewed the Governance Element by page and provided direction as follows:**

<b>General Plan Section</b>	<b>Issue</b>	<b>Council Direction</b>
G-3	Council referenced G-1.11 that reads as follows: "Keeping the General Plan and Specific Plans Current. From time to time, the City may amend the General Plan to reflect new information, changing conditions, needs and community preferences. This may require updating one or more specific plans and other regulatory documents to maintain consistency."	Staff is to augment the verbiage in G-1.11 to indicate that the City will amend the General Plan as necessary to reflect new information.
G-3	Council discussed adding a new policy that addresses education as it relates to public officials and City employees.	Staff is to develop verbiage for a new policy, G-1.13 (Education) that provides that members of the City Council, Commissions, Committees, and staff will be kept up to date on ethics, best practices, risk management, and trends that might affect San Clemente.
G-6	Council referenced G-3.09 that reads as follows: "Outreach. We surpass minimum or legal notification requirements to facilitate broad public participation in public decision-making."	G-3.09 is to be modified to read as follows: "Outreach. We meet or exceed legal notification requirements to facilitate broad public participation in public decision-making."

**Proposed Land Use Change for 1300 North El Camino Real**

Councilmember Donchak recused herself from discussions pertaining to the property at 1300 North El Camino Real, because her husband and she own property within 500' of the subject property. Councilmember Donchak left the Chambers at 10:49 p.m.

Principal Planner Hook summarized that the prospective buyer for the property at 1300 North El Camino Real approached the City to propose that the property's land use designation be changed to Mixed Use; explained that the Planning Commission considered the proposal and determined that a Mixed Use designation would be appropriate for the location inasmuch as it would allow residential development, commercial development, or a combination of those two land uses, either as vertical or horizontal mixed use.

Following discussion, all three Councilmembers present (Councilmember Donchak recused herself from deliberations due a conflict of interest and Councilmember Evert left the meeting at 7:15 p.m.) supported the designation of Mixed Use for the five contiguous lots at 1300 North El Camino Real.

It was noted that Council will consider at a future meeting a request from the property owner of 112 Avenida Del Poniente that the City not change the property designation on that property.

2. **ORAL COMMUNICATIONS**

None.


3. **ADJOURNMENT**

MOTION BY COUNCILMEMBER HAMM, SECOND BY MAYOR PRO TEM BROWN, CARRIED 3-0 (COUNCILMEMBERS DONCHAK AND EVERT ABSENT), to adjourn at 11:00 p.m.

The next Regular Council Meeting will be held on November 19, 2013 in the Council Chambers, located at 100 Avenida Presidio, San Clemente, California. Closed Session items will be discussed at 5:00 p.m. The public business meeting will commence at 6:00 p.m.



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MAYOR of the City of  
San Clemente, California

  
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CITY CLERK of the City of  
San Clemente, California