

RESOLUTION NO. 1-2014
RESOLUTION OF THE BOARD OF DIRECTORS OF THE RANCHO SAN CLEMENTE
COMMUNITY ASSOCIATION IN OPPOSITION TO REZONING ANY RANCHO SAN
CLEMENTE LAND FOR THE PURPOSE OF BUILDING A HOMELESS SHELTER

WHEREAS, the state of California has passed Senate Bill 2 requiring municipalities to zone land for the expressed purpose of providing a homeless shelter; and

WHEREAS, the “city staff” of San Clemente has proposed that zoning for this land be located in Rancho San Clemente; and

WHEREAS, this decision in the “staff report” was made without the residents of RSC being informed of this action and without the opportunity to participate in the “task force” or in at least 5 meetings held by staff and homeless advocates; and

WHEREAS, the areas proposed for the re-zoning are located near a “very high fire hazard severity zone” as determined by the California Department of Forestry and approved by the city council (see attached map); and

WHEREAS, RSC’s Open Space includes a vast area of non-irrigated land covered with indigenous flora and fauna on hillsides and canyons surrounding more than 5,000 residents; and

WHEREAS, the threat of fire to the safety of our residents and property is very real, and RSCCA has worked diligently with Nick Pivaroff, Orange County Fire Authority Senior Fire Inspector, to comply with costly regulations to protect the health, safety and property of residents; and

WHEREAS, Open Space near the proposed homeless shelter sites constitute an attractive nuisance where homeless individuals construct and reside in illegal campsites, setting fires to cook meals on a regular basis; and

WHEREAS, the City Code defines Open Space land use as, “land which will remain undeveloped and may provide for preservation of an environment suitable to wildlife and flora indigenous to the area...;” and

WHEREAS, Deputy Joseph Bull, who works with the homeless in RSC, verifies that some of the homeless have a preference for privacy and will live out of sight in campsites until they are disturbed by other transients, public complaints, or Law Enforcement Action; and

WHEREAS, the proposed 65-75 bed homeless shelter may increase the number of transients, including homeless with chronic alcohol, drug and mental health issues, that choose to reside in campsites in the Open Space areas, and will substantially increase the risk of fire hazards, costs and liabilities for RSCCA members; and

WHEREAS, the staff report fails to suggest a program to indemnify any Homeowners Association for its cost to remove the homeless and their possessions from the illegal occupation of land in order to restore the property, habitat, flora, fauna, and to cover legal expenses, and all other direct or indirect associated costs; and

WHEREAS, locating the shelter in a land-locked Commercial or Industrial Park is far from the areas of the city where most of the homeless reside; and

WHEREAS, locating a homeless shelter in the Industrial Park adjacent to the Richard Steed Memorial Sports Park, baseball park and, public unsupervised skateboard park frequented by youth is inappropriate; and

WHEREAS, the city staff has failed to perform "due diligence" in researching this issue and has written a seriously flawed, incomplete, and inadequate report; and

WHEREAS, SB 2 allows the city one full year after the adoption of the Housing Element to select a zone for a homeless shelter; and as re-certification of the Housing Element is due in 2014, the city still has one year to carefully select an appropriate zone for a homeless shelter; and

WHEREAS, the city staff needs to conduct research to consider pointing out the pros and cons of at least 6 areas of the city for the re-zoning of land for a homeless shelter, not just areas in Rancho San Clemente; and


NOW, THEREFORE BE IT RESOLVED THAT the Board of Directors of Rancho San Clemente Community Association are unequivocally opposed to the "city staff report" that proposes rezoning land in Rancho San Clemente for use as a Homeless Shelter; and

NOW, THEREFORE BE IT FURTHER RESOLVED THAT the Board of Directors of Rancho San Clemente Community Association are unequivocally opposed to rezoning of land in the Business or Industrial Park area of Rancho San Clemente for a Homeless Shelter.

March 13, 2014



Vonne Barnes, RSCCA Board President



Bob Carson, RSCCA Board Vice-President



Rob Searle, RSCCA Board Director



George Peavy, RSCCA Treasurer



Pete Jeanseau, RSCCA Secretary