

CALIFORNIA COASTAL COMMISSION

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July 19, 2001

Item M 6e RECORD PACKET COPY

TO: Commissioners and Interested Persons

FROM: Deborah Lee, South Coast District Director
Teresa Henry, South Coast District Manager
Anne Kramer, Coastal Program Analyst

SUBJECT: City of San Clemente Local Coastal Program Amendment 2-01
(Downtown Mixed Use Standards)

SUMMARY OF STAFF REPORT**DESCRIPTION OF THE SUBMITTAL**

The Land Use Plan (LUP) amendment consists of a request to alter the standards for mixed-use projects (commercial with residential) on small lots and on lots with designated historic structures in the MU 3 Zone of Downtown San Clemente. The proposed amendment would allow: 1) a reduction in the minimum commercial FAR (floor area ratio) required for mixed use developments on small lots (0.35 to 0.15), 2) a reduction in the minimum number of residential units required (2 to 1) and 3) residential development to be sited on the ground floor of historic structures under certain circumstances. These changes are intended to allow property owners to accommodate parking requirements on site and to provide for greater design flexibility.

The major issue discussed in this staff report is adequate provision of parking and visitor-serving development in the Downtown area.

SUMMARY OF STAFF RECOMMENDATION

Commission staff recommends that the Commission **DENY** the proposed City of San Clemente Local Coastal Program Amendment 2-01 as submitted, and **APPROVE** the proposed City of San Clemente Local Coastal Program Amendment 2-01 as revised by the suggested modifications. The motions to accomplish this are found on Page 3.

As submitted, ambiguous language exists in the land use plan amendment inconsistent with Section 30510 of the Coastal Act and Sections 13552 and 13511 of Title 14 of the California Code of Regulations. To ensure proper application of the land use plan, clarification is required. Suggested modifications clarify these ambiguities and correct minor typographical errors.

ANTICIPATED AREAS OF CONTROVERSY

There are no outstanding issues or areas of controversy associated with the proposed LUP amendment.

ADDITIONAL INFORMATION

For further information, please contact **Anne Kramer** at the South Coast District Office of the Coastal Commission at **(562) 590-5071**. The proposed amendment to the Land Use Plan (LUP) of the City of San Clemente LCP is available for review at the Long Beach Office of the Coastal Commission or at the City of San Clemente Community Development Department. The City of San Clemente Community Development Department is located at 910 Calle Negocio, San Clemente, CA 92672. **Kelly Main** is the contact person for the City's Planning Division, and she may be reached by calling **(949) 361-6100**.

EXHIBITS

1. City Council Resolution No. 01-23
2. Vicinity Map
3. Map of Downtown San Clemente
4. Map of Designated Historic Structures Downtown
5. Special Districts in San Clemente

**I. COMMISSION RESOLUTION ON CITY OF SAN CLEMENTE
LOCAL COASTAL PROGRAM AMENDMENT 2-01**

Following a public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation is provided just prior to each resolution.

A. RESOLUTION #1 Resolution to deny certification of the City of San Clemente Land Use Plan Amendment 2-01, as submitted

Motion #1

*"I move that the Commission **CERTIFY** the City of San Clemente Land Use Plan Amendment 2-01 (Downtown Mixed Use Regulations), as submitted."*

Staff Recommendation

Staff recommends a **NO** vote and the adoption of the following resolution and findings. An affirmative vote by a majority of the appointed Commissioners is needed to pass the motion.

Resolution #1

The Commission hereby **DENIES** certification of the Land Use Plan Amendment 2-01 as submitted by the City of San Clemente and adopts the findings set forth below on the grounds that the amendment does not conform with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan amendment would not comply with the California Environmental Quality Act because there are feasible alternatives or mitigation measures which could substantially lessen any significant adverse impact which the Land Use Plan Amendment may have on the environment.

B. RESOLUTION #2 (Resolution to certify the City of San Clemente's Land Use Plan Amendment 2-01, if modified)

Motion #2

*"I move that the Commission **CERTIFY** the City of San Clemente Land Use Plan Amendment 2-01 (Downtown Mixed Use Regulations), if it is modified in conformance with the suggestions set forth in this staff report."*

Staff Recommendation

Staff recommends a **YES** vote and the adoption of the following resolution and findings. An affirmative vote by a majority of the appointed Commissioners is needed to pass the motion.

Resolution #2

The Commission hereby **CERTIFIES** the Land Use Plan Amendment 2-01 submitted by the City of San Clemente if modified as suggested and adopts the findings set forth below on the grounds that the Land Use Plan amendment with suggested modifications will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the land use plan amendment if modified as suggested, complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts which the Land Use Plan Amendment may have on the environment.

II. PROCEDURAL PROCESS (LEGAL STANDARD FOR REVIEW)

A. *Standard of Review*

The standard of review for land use plan amendments is found in Section 30512 of the Coastal Act. This section requires the Commission to certify an LUP amendment if it finds that it meets the requirements of, and is in conformity with, the policies of Chapter 3 of the Coastal Act. Specifically, Section 30512 states: *"(c) The Commission shall certify a land use plan, or any amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3 (commencing with Section 30200). Except as provided in paragraph (1) of subdivision (a), a decision to certify shall require a majority vote of the appointed membership of the Commission."*

B. *Procedural Requirements*

Pursuant to Section 13551(b) of Title 14 of the California Code of Regulations, a resolution for submittal must indicate whether the local coastal program amendment will require formal local government adoption after Commission approval, or is an amendment that will take effect automatically upon the Commission's approval pursuant to Public Resources Code Sections 30512, 30513 and 30519. The City of San Clemente's submittal indicates that this LCP amendment will take effect upon Commission certification. However, this certification is subject to suggested modification by the Commission. Therefore, the LCP amendment will not become effective until the City of San Clemente formally adopts the suggested modifications and complies with all the requirements of Section 13544, including the requirement that the Executive Director determine the City's adoption of the amendment to the Land Use Plan is legally adequate.

III. BACKGROUND

The Commission certified the Land Use Plan (LUP) for the City of San Clemente Local Coastal Program (LCP) on May 11, 1988, and certified major amendments in October 1995 and June 2001.

On April 10, 1998, the Commission certified with suggested modifications the Implementation Plan (IP) portion of the Local Coastal Program. The suggested modifications expired on October 10, 1998. The City re-submitted on June 3, 1999, but withdrew the submittal on October 5, 2000.

The current LUP amendment request was submitted by the City of San Clemente on June 11, 2001 to the South Coast District. On June 15, 2001, Coastal Commission staff notified the City that the amendment request was incomplete. The City submitted additional information on June 18, 2001. On July 11, 2001, Commission staff notified the City that the amendment request was complete. The amendment request is now being submitted for Commission action.

IV. SUMMARY OF PUBLIC PARTICIPATION

The City of San Clemente approved the Land Use Plan amendment request through a City Council public hearing on May 2, 2001. City Council Resolution No. 01-23 adopted the Negative Declaration and approved General Plan Amendment 00-145, Zoning Amendment 00-146 and Local Coastal Program Amendment 00-147 (Exhibit 1). Prior to approving the LUP amendment request, the City held multiple public workshops and meetings to present the proposed land use and zoning changes to the public. The Planning Commission held a public hearing on April 3, 2001 and the City Council held a public hearing on May 2, 2001.

The City sent mailed notices for the project to over 700 individuals or agencies. Public notices appeared in the local paper, the San Clemente Sun Post News. A public review period for the proposed amendment was provided and noticed. The minutes of the public meetings, City staff reports for the project, summaries of the substantive public comments on this project, and City staff, Planning Commission and City Council responses were provided with the amendment request.

The City prepared a Negative Declaration for the proposed project. The public review period for the environmental document lasted 30 days and ran from October 20, 2000 to November 20, 2000. City staff concluded that the proposed changes to the mixed use regulations would not have a significant adverse effect on the environment.

V. LAND USE PLAN SUGGESTED MODIFICATIONS

The City's proposed land use plan amendment contains ambiguous language, which must be clarified pursuant to Section 30510 of the Coastal Act and Sections 13511 and 13552 of Title 14 of the California Code of Regulations, as will be discussed further in the following section. For comparative purposes, this section presents the City's submitted language, followed immediately by the Commission's suggested modifications to that language.

Suggested Modification # 1

Table 3-1, Coastal Land Use Plan Classifications

As Submitted: The City of San Clemente proposes the following alterations to Table 3-1, Coastal Land Use Plan Classifications, on page 3-5 of the City of San Clemente LUP. Language proposed by the City is shown in **underlined boldface italics**. No deletions are proposed. The Commission's suggested modifications to the City's proposed language are provided in the following section.

Coastal Land Use Plan Classifications
Table 3-1

Category	Typical Principal Uses	Maximum Density/ Intensity and Height
MU 1, 1.1; 1.2, 2, 3, 4.1 and 4.2	The mixed use zones allow a combination of commercial uses with residential units allowed on upper floors.	Floor area ratio/height: MU1.1: 0.35/2 stories MU1.2: 0.35/3 stories MU 2: 0.5/2 stories MU 3: 1.0/2 stories MU 4.1: 1.0 to 2.0/30 feet MU 4.2: 1.0/per slope
	Most MU zones allow Neighborhood Commercial (NC) and Community Serving Commercial (CC) uses as described above. However, the MU 1.2-p-A also allows regional commercial uses.	
	Residential units are allowed on the second floor and higher, <u>with exceptions provided for structures on the City's Designated Historic Structure's List and located in the area designated in this Plan as Downtown San Clemente,</u> when integrated with commercial, excluding large scale single use functions (e.g. grocery stores) and provided impacts are mitigated.	Floor area ratio/height: MU 1.1: 1.0/3 stories MU 1.2: 1.0/4 stories MU 2: 1.5/3 stories MU 3: 2.0/3 stories MU 4.1: 1.0 to 2.0/30 feet MU 4.2: 1.0/per slope

Suggested Modifications

Suggested Modifications: The Commission certifies the following, with modifications as shown. Language as submitted by City of San Clemente is shown in straight type. Language recommended by the Commission for ~~deletion~~ is shown in ~~strike-out~~. Language proposed to be **inserted** by the Commission is shown in **underlined** ***boldface italics***.

Coastal Land Use Plan Classifications
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Category	Typical Principal Uses	Maximum Density/ Intensity and Height
MU 1, 1.1, 1.2, 2, 3, 4.1 and 4.2	The mixed use zones allow a combination of commercial uses with residential units allowed on upper floors.	Floor area ratio/height: MU1.1: 0.35/2 stories MU1.2: 0.35/3 stories MU 2: 0.5/2 stories MU 3: 1.0/2 stories MU 4.1: 1.0 to 2.0/30 feet MU 4.2: 1.0/per slope
	Most MU zones allow Neighborhood (NC) and Community Serving Commercial (CC) uses as described above. However, the MU 1.2-p-A also allows regional commercial uses.	
	Residential units are allowed on the second floor and higher, with exceptions provided for structures on the City's Designated Historic Structure's <u>Structures</u> List and that are located in the area designated in this Plan as Downtown San Clemente, when integrated with commercial, excluding large scale single use functions (e.g. grocery stores) and provided impacts are mitigated.	Floor area ratio/height: MU 1.1: 1.0/3 stories MU 1.2: 1.0/4 stories MU 2: 1.5/3 stories MU 3: 2.0/3 stories MU 4.1: 1.0 to 2.0/30 feet MU 4.2: 1.0/per slope

Suggested Modification # 2 ***Addition of Figure 3-2, Special Districts***

The proposed amendment references an "area designated in this Plan as Downtown San Clemente." However, the San Clemente LUP does not contain a graphic depiction of the Downtown area. To clarify the location of the Downtown Special District referenced in the City's Land Use Plan, the Commission suggests the following modification to Section F, Special Districts, on page 3-13 of the LUP. With this modification, new graphics depicting the boundaries of all four (4) "Special Districts" shall be added to the City's LUP, as generally depicted in Exhibits 5a-5d.

Suggested Modifications

The following language is existing in the LUP. No changes are proposed by the City. Language proposed to be **inserted** by the Commission is shown in **underlined boldface italics**.

Policy Intent

Plan policy provides for a hierarchy of special district which, due to their unique character and land uses, are considered in further detail to address their functional role and form. The special districts include: Downtown San Clemente, Pier Bowl, North Beach, and Marblehead Coastal (**see Figures 3-2 through 3-5**).

Suggested Modification # 3 **Policy Language Correction, Page 3-15**

As Submitted: The City of San Clemente proposes the following alterations to Policy VI. 3, Downtown San Clemente, on page 3-15 of the City of San Clemente LUP. Language proposed by the City is shown in **underlined boldface italics**. No deletions are proposed. The Commission's suggested modifications to the City's proposed language are provided further below.

- VI.3 Accommodate the development of residential uses on the second floor or higher of structures containing commercial uses and or parking on the lower levels **with exceptions possible through discretionary review for buildings on the City's Historic Structure's List**. (GP Policy 12.3)

Suggested Modifications: The Commission certifies the following, with modifications as shown. Language as submitted by City of San Clemente is shown in straight type. Language recommended by the Commission for deletion is shown in ~~strike-out~~. Language proposed to be **inserted** by the Commission is shown in **underlined boldface italics**.

- VI.3 Accommodate the development of residential uses on the second floor or higher of structures containing commercial uses and or parking on the lower levels with exceptions possible through discretionary review for buildings on the City's Historic ~~Structure's~~ **Structures** List. (GP Policy 12.3)

VI. FINDINGS FOR DENIAL OF THE CITY OF SAN CLEMENTE'S LAND USE PLAN AMENDMENT, AND APPROVAL WITH MODIFICATIONS

The Commission hereby finds and declares as follows. The following pages contain the specific findings for denial of the City of San Clemente's Land Use Plan Amendment 2-01, as submitted, and approval with modifications.

Site Description

The area affected by the proposed amendment includes all small lots and lots with designated historic structures within the MU 3 zone in the Downtown area of the City of San Clemente, Orange County (Exhibits 2 and 3). The City's Downtown area is located directly seaward of the Interstate 5 Freeway, approximately 0.75 miles inland of the ocean. As described in the City's LUP, Downtown San Clemente functions as the symbolic "core" of the City. The policies of the LUP are intended to emphasize its pedestrian and "village" character. Community and visitor serving uses, with residential units on upper stories, are encouraged in the Downtown area.

Proposed Amendment

The proposed LUP amendment (SCT MAJ 2-01) involves changes to the development standards for small lots and for lots with designated historic structures in the MU 3 (Mixed Use) zone in Downtown San Clemente. In this instance, the City has defined small lots as those 12,000-square feet or less. (Most lots within this category have the following dimensions: 40' by 100'; 60' by 100'; 80' by 100'; 120' by 100'.) Locally designated historic structures within the Downtown area are depicted on Exhibit 4.

The proposed amendment allows for 1) a reduction in the minimum commercial FAR (floor area ratio) required and 2) a reduction in the minimum number of residential units required. In addition, the amendment allows for an exception for historic buildings to allow residential development on the street level of mixed-use projects, where residential development is currently limited to upper levels. These reductions in commercial FAR and minimum residential units, and exception for historic structures will be granted on a discretionary basis for mixed-use projects proposed at sites that meet certain criteria (i.e. meets definition of "small lot", structure on City's Historic Structures List, etc.).

As identified in the City's submittal, current standards within the MU 3 zone present challenges to mixed-use development in the Downtown area for the following reasons:

- 1) *Small lots cannot accommodate the minimum amount of development required by current standards:*
 - ◆ *Given the large minimum requirements (two residential units and .35 commercial floor area ratio (FAR), it is physically impossible to provide an adequate number of parking spaces on a small lot;*

Findings

- ◆ Given these large minimum requirements, conversions of existing residential and historic structures to mixed use projects are extremely difficult.
- 2) Given the limited dimensions of small lots, it is difficult to achieve a commercially viable project with the architectural quality desired for this area of the City. The following design challenges were identified:
- ◆ Minimal commercial floor area is possible on the ground level: The percentage of a lot devoted to driveway, backup area, and parking limits the commercial square footage achievable on the ground floor of the project;
 - ◆ Mixed-use projects on small lots are likely to have long unbroken building elevations: This is because buildings in this zone, as in most commercial zones, can be located along property lines. Fire codes prevent openings for windows and doors when a building is located along a property line. Yet, when dealing with small lots, designers are forced to located buildings along property lines to achieve the maximum floor space possible;
 - ◆ Minimal landscaping space is available: So much of a small lot is being taken up by building, parking and driveway, it is difficult to find room for landscaping on the site;
 - ◆ Projects that are out of scale with surrounding buildings: Mixed use projects are allowed to be three stories. The scale of existing development on the periphery of this zone is one to two stories. Three story projects will appear out of scale with surrounding development. The design flexibility required to achieve compatibility with neighboring one and two story projects is limited with a small lot.

For the reasons cited above, the City has determined that the current minimum requirements for residential and commercial development are impediments to constructing mixed-use projects on small lots and historic lots in the Downtown area. As such, they have undertaken an effort to revise their General Plan, Zoning Ordinance and Land Use Plan to revise such minimum requirements. The General Plan and Zoning Ordinance have been modified as follows:

1. The minimum commercial FAR required for small lots is reduced from .35 (1400 square feet on a 40' by 100' lot) to .15 (600 square feet on a 40' by 100' lot).
2. The minimum number of residential units is reduced from 2 to 1.

While these changes to the General Plan and Zoning Ordinance are specific and quantitative, the proposed MU 3 changes (which are the subject of the current LUP amendment) are more general in nature. As shown in Exhibit 1, only two revisions are proposed by the City in the current amendment request—one to the Land Use Plan Classifications (Table 3-1) and one to the supporting policy text. As discussed below,

Findings

the Commission is proposing clarification of these revisions as illustrated in the "Suggested Modifications" section of this staff report. Corrections to typographical errors are also suggested.

Table 3-1 of the proposed amendment states that exceptions will be provided for *"structures on the City's Designated Historic Structures List and located in the area designated in this Plan as Downtown San Clemente."* This language is unclear as to which structures and which geographic area are being described. As currently phrased, the statement could be interpreted to mean that exceptions will be provided for historic structures as well as for all other structures located in the Downtown area. The intent of the language is for exceptions to be available only for those historic structures that are located in the Downtown. Suggested modification #1 clarifies this statement.

Also, as cited above, the proposed amendment references an *"area designated in this Plan as Downtown San Clemente."* However, the San Clemente LUP does not contain a graphic depiction of the Downtown area. As such, it is unclear in what location of the City the proposed standards will apply. The Commission suggests that "Special Districts Maps", in general conformance with those included in the current staff report as Exhibits 5a-5d, be included in the LUP. Exhibits 5a-5d illustrate the boundaries of all four "special districts" in the City of San Clemente, including the Downtown. Suggested modification #2 clarifies the location of the Downtown area identified in Table 3-1.

Coastal Act Policies

As stated previously, the Coastal Act is the standard of review in the current analysis. Pursuant to Section 30510 (b) of the Coastal Act, the City's LUP submission must contain the following:

..., in accordance with guidelines established by the commission, materials sufficient for a thorough and complete review.

Section 13552 of Title 14 of the California Code of Regulations states, in pertinent part, that LCP amendment submittals must include:

- (b) All policies, plans, standard, objectives, diagrams, drawings, maps, photographs, and supplementary data, related to the amendment in sufficient detail to allow review for conformity with the requirements of the Coastal Act.*
- (d) An analysis that meets the requirements of Section 13511 or an approved alternative pursuant to Section 13514 and that demonstrates conformity with Chapter 6 of the Coastal Act.*

Section 13511 of the California Code of Regulations requires the local government to include the following in the scope of a LCP (in this case an LUP amendment):

Findings

- (a) *The policies of Chapter 3 of the California Coastal Act...shall be applied to determine the kind, location and intensity of land and water uses that would be in conformity with the policies of the Act.*

Although the City submitted an LCP amendment request believed to be consistent with the requirements of Section 13552 and 13511 cited above, ambiguity still remained pertaining to the "*kind, location and intensity*" of land use to be allowed in the MU 3 zone. For instance, the language was not clear as to which structures within the Downtown were allowed exceptions to the requirement that residential units be provided on upper floors (historic structures only or all structures). In addition, there was no graphic provided that illustrated the boundaries of the Downtown area, which is the subject of the proposed amendment. Consequently, the Commission suggested the modifications identified in Section V of the current staff report.

With incorporation of the suggested modifications for clarification purposes, the proposed LUP amendment is in conformity with all applicable sections of the Coastal Act, including those related to lower cost visitor and recreational facilities and public access, as provided below.

Section 30213 states:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

Section 30252 states, in pertinent part:

The location and amount of new development should maintain and enhance public access to the coast by...

- (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads...*
- (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation.*

The proposed changes to the land use standards in the MU 3 zone will not reduce current parking requirements. In actuality, the proposed amendment will allow parking requirements to be accommodated on lots with limited square footage. At present, property owners often cannot fit the necessary commercial square footage and the required parking spaces on the ground floor. Many owners request parking waivers through the City's Downtown Parking Waiver Program. Public access to the coast can be adversely impacted by new development if adequate parking spaces are not provided. Patrons of the new development will compete with beach-goers for public parking spaces. In this case, the project is located 0.75 miles from the coast in a visitor-serving commercial area. As such, parking in the project area is not typically utilized for beach parking, but serves visitors to Downtown commercial development (i.e. restaurants and retail shops). It is necessary that adequate parking be provided

Findings

Downtown so that visitors can frequent the commercial area, while not impacting beach parking further seaward.

The proposed changes to the MU 3 standards will not negatively affect priority visitor-serving development in this area. New development on small lots and on lots with designated historic structures will still be required to develop in accordance with the *Mixed Use* designation, which allows for a combination of commercial and residential uses on a single lot. On small lots, the minimum commercial floor area ratio (FAR) will be reduced; however, the same number of commercial developments will be provided. While there will be a net reduction in the square footage of commercial use due to the reduction in the FAR, the total *number* of commercial facilities will not decline. Each small lot will still be required to provide some form of commercial development on the ground floor.

On lots with a designated historic structure, residential development will be allowed on the ground floor in cases where it is determined that the provision of commercial development on the first level would compromise the integrity of the structure. If it can not be accommodated on the ground floor, commercial development will be required on an upper floor. The change will allow for greater design flexibility. With the proposed amendment, the exception could only be granted if commercial floor area is provided in the project and the project meets the purpose and intent of the MU 3 land use designation. Therefore, the exception allowing residential development on the ground floor of mixed-use projects in historic structures will not eliminate the requirement for provision of commercial development.

While commercial development will remain a requirement in all mixed-use projects on small lots and on lots with designated historic structures, commercial uses are not restricted to those that are solely tourist/visitor-serving in nature. As such, sites may be developed with any type of commercial use, including those that are neighborhood serving and/or community serving. Only lots that are designated *Coastal and Recreation Services (CRC)* are limited to tourist/visitor-serving uses. The nearest CRC area is located directly adjacent to the Municipal Pier, approximately 0.75 miles from the subject site. The proposed amendment will not adversely affect priority "*lower cost visitor and recreational facilities*" to be protected and encouraged under Section 30213 of the Coastal Act. Commercial development, both visitor and non-visitor serving, will continue to be encouraged in mixed-use projects throughout Downtown. In addition, the proposed amendment will allow for easier provision of on-site parking on small lots, thereby ensuring that visitors to the commercial area will park Downtown and will not occupy beach parking further seaward.

Therefore, the Commission finds that the proposed development will not have any adverse impacts on lower cost visitor serving use and is consistent with Sections 30222 and 30213 of the Coastal Act. In addition, the Commission finds that the land use plan amendment, with incorporation of the suggested modifications, is in conformance with and adequate to carry out Sections 30250 and 30252 of the Coastal Act.

VII. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Section 21080.5 of the California Environmental Quality Act (CEQA) exempts local governments from the requirement of preparing an environmental impact report (EIR) in connection with a local coastal program (LCP). Instead, the CEQA responsibilities are assigned to the Coastal Commission. Additionally, the Commission's Local Coastal Program review and approval procedures have been found by the Resources Agency to be functionally equivalent to the CEQA environmental review process. 14 C.C.R. § 15251(f). Thus, under Section 21080.5 of CEQA, the Commission is relieved of the responsibility to prepare an environmental impact report for each local coastal program submitted for Commission review and approval. Nevertheless, the Commission is required when approving a local coastal program to find that the local coastal program does conform to the provisions of CEQA.

The amendment involves a change to the mixed-use standards in the MU3 zone of Downtown San Clemente. Due to ambiguities in language and lack of graphics, the proposed amendment has been found not to be in conformance with Coastal Act policies and the California Code of Regulations. To resolve the concerns identified, suggested modifications have been made to the City's Land Use Plan. Without the incorporation of these modifications, the proposed amendment as submitted, is not adequate to carry out the policies of Chapter 3 of the Coastal Act. The suggested modifications minimize or mitigate any potentially significant environmental impacts of the proposed amendment.

As modified, the Commission finds that approval of the Land Use Plan amendment will not result in significant adverse environmental impacts within the meaning of the California Environmental Quality Act. In addition, the Commission finds that there are no further feasible alternatives or mitigation measures, beyond those suggested through modifications, that would substantially lessen any significant adverse impacts which the Land Use Plan Amendment may have on the environment.

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RESOLUTION NO. 01-23

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SAN CLEMENTE, CALIFORNIA, APPROVING GENERAL PLAN
AMENDMENT 00-145 AND LOCAL COASTAL PLAN LAND USE PLAN
AMENDMENT 00-147 AND AMENDING THE DESIGN GUIDELINES OF THE
CITY OF SAN CLEMENTE**

WHEREAS, on May 6, 1993, the City Council of the City of San Clemente approved a comprehensive update of the General Plan, including the designation of MU3 for "Downtown" San Clemente; and

WHEREAS, in November of 1991, the City Council of the City of San Clemente adopted the Design Guidelines of the City of San Clemente; and

WHEREAS, on February 7, 1996, the City Council of the City of San Clemente approved a comprehensive update of the Zoning Ordinance, including development standards for mixed-use projects in the MU3 zone; and

WHEREAS, on March 20, 1996, pursuant to Division 20 Section 30000 et seq. of the California Public Resources Code and the California Coastal Act, the California Coastal Commission certified an update to the City of San Clemente Coastal Land Use Plan, including the designation of MU3 for "Downtown" San Clemente; and

WHEREAS, the City Council has approved a Coastal Implementation Plan, including the designation of MU3 for "Downtown" San Clemente; and

WHEREAS, since the adoption of all of the above, it has become evident to the City that the development standards for mixed-use projects found in the General Plan, Zoning Ordinance, and the Coastal Land Use Plan and Implementation Plan cannot be complied with on small lots within the zone in a manner that is compatible with other policies, standards and guidelines found in the General Plan, Zoning Ordinance, Coastal Element, and Urban Design Guidelines; and

WHEREAS, the City Council of the City of San Clemente desires the development of mixed-use and commercial projects on lots of 12,000 square feet or smaller and recognizes the constraints associated with lots of small size, width and depth; and

WHEREAS, an amendment to the General Plan requires that the Coastal Land Use Plan be updated to make it consistent with the Land Use Element of the General Plan; and

WHEREAS, the Planning Division completed an environmental assessment of the project in accordance with the California Environmental Quality Act (CEQA), having determined that the project will not have any potential adverse impacts, and that a Negative Declaration is warranted; and

EXHIBIT No. 1

Application Number:

SCT-MAJ-02-01

Resolution 01-23

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WHEREAS, a Negative Declaration reflecting the independent judgment of the City of San Clemente was prepared on October 9, 2000, and was advertised for the required 30-day public review period from October 20, 2000, through November 20, 2000; and

WHEREAS, on September 5, 2000, October 17, 2000, November 14, 2000, December 19, 2000, January 2, 2001, February 6, 2001, March 6, 2001, March 20, 2001, and April 3, 2001, the Planning Commission held a duly noticed public hearing on the subject application, and considered evidence presented by the public, City Staff, and other interested parties; and

WHEREAS, on May 2, 2001, the City Council held a duly noticed public hearing on the subject application, and considered evidence presented by the public, City Staff, and other interested parties.

NOW, THEREFORE, the City Council of the City of San Clemente hereby resolves as follows:

Section 1: Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15063, an initial study has been prepared for this Project. After reviewing the initial study and the proposed Negative Declaration, the City Councils find that the Negative Declaration reflects the independent judgment of the City of San Clemente and that the Project will not have a significant impact upon the environment. As a result of its review of the aforementioned documents, the City Council approves the Negative Declaration and authorizes the issuance of a Notice of Determination pursuant to CEQA Guidelines Section 15075. The City Planner is the custodian of records for those documents comprising the record of proceedings on the Negative Declaration. Those records are stored in the Planning Division of the City of San Clemente.

Pursuant to Title 14, California Code of Regulations Section 753.5(c)(1), the Planning Commission recommends that the City Council determine that, after considering the record as a whole, there is no evidence that the proposed Project will have the potential for any adverse effect on wildlife resources or the habitat upon which the wildlife depends. Furthermore, on the basis of substantial evidence, the City Council finds that any presumption of adverse impact has adequately been rebutted, and that, therefore, pursuant to Fish and Game Code Section 711.2 and Title 14, California Code of Regulations Section 753.5(a)(3), the Project is not required to pay Fish and Game Department filing fees.

Section 2: With respect to General Plan Amendment (GPA) 00-145, the City Council finds as follows:

- A. The amendments to the Land Use Element are internally consistent with those portions of the General Plan which are not being amended.
- B. The amendments will not adversely affect the public health, safety and welfare in that the project implements General Plan historic preservation policies and objectives without adversely affecting commercial development opportunities concurrent, economic development objectives of the City, and traffic circulation

EX. 1 2/24

Section 3: With respect to Local Coastal Program Land Use Plan Amendment (LCPA) 00-147, the City Council finds as follows:

- A. The adoption of the Local Coastal Program Amendment 00-147 will not render the City General Plan or Coastal Land Use Plan internally inconsistent; and
- B. The amendment is consistent with the provisions of the Coastal Act of 1976 in that:
 - 1. The land use change will not impact or reduce public access to any coastal resources.
 - 2. The project site is far away from the coastal, visitor serving areas of the City and the loss of potential commercial areas will not inhibit the City's ability to provide a full range of coastal, visitor serving uses.
- C. This Update to the Coastal Element Land Use Plan is consistent with all surrounding land uses and determines it is in the public interest and general welfare of the community and properties in the coastal neighborhoods;
- D. That this amendment of the Local Coastal Program be submitted to the California Coastal Commission for approval and certification;

Section 4: With respect to the proposed amendment to the Design Guidelines of the City of San Clemente, the City Council adopts the amendments attached hereto as Exhibit 2:

Section 5: That the City Council hereby certifies that this amendment of the Local Coastal Program is intended to be carried out in a manner fully in conformity with the California Coastal Act;

Section 6: The City Council hereby adopts a Negative Declaration and approves General Plan Amendment 00-145 and Local Coastal Program Land Use Plan Amendment 00-147 and the amendment to the Design Guidelines of the City of San Clemente subject to the above Findings, the amendments to the General Plan and Local Coastal Program Land Use Plan incorporated herein by reference and attached hereto as Exhibit 1 and the amendments to the Design Guidelines of the San Clemente incorporated herein by reference and attached hereto as Exhibit 2;


Section 7: The California Coastal Commission is hereby requested to consider, approve and certify the City of San Clemente Coastal Element Land Use Plan Comprehensive Update attached hereto as Exhibit "1"; and

Section 8: Pursuant to Section 13551(b) of the Coastal Commission Regulations, the City of San Clemente Coastal Element Land Use Plan Amendment will take effect automatically upon final action of The California Coastal Commission action.

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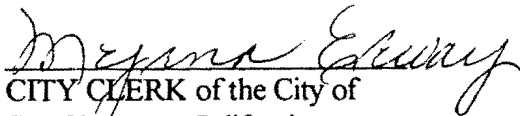
Section 9: The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED this 2nd day of May, 2001.



Mayor of the City of
San Clemente, California

ATTEST:



CITY CLERK of the City of
San Clemente, California

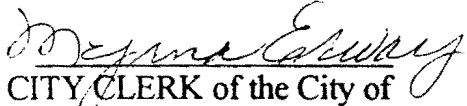
STATE OF CALIFORNIA)
COUNTY OF ORANGE) §
CITY OF SAN CLEMENTE)

I, MYRNA ERWAY, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. 01-23 was adopted at a regular meeting of the City Council of the City of San Clemente held on the 2nd day of May, 2001, by the following vote:

AYES: DAHL, DOREY, EGGLESTON, RITSCHER, MAYOR DIEHL

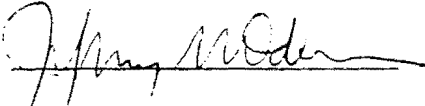
NOES: NONE

ABSENT: NONE



CITY CLERK of the City of
San Clemente, California

Approved as to form:



City Attorney

EXHIBIT 1

The following changes shall be made throughout the text and tables of the General Plan and Coastal Land Use Plan for mixed-use projects (residential integrated with commercial uses) in the area designated in this plan as Downtown San Clemente, MU3:

Section 1: Limitations for the individual land use designations included as part of Table 1-3 of the City of San Clemente General Plan and the Local Coastal Plan, Land Use Plan Classifications, and identified below are hereby amended as indicated below:

TABLE 1-3

Land Use Plan Classifications

Mixed Use	Typical Principal Uses (not all-inclusive)	Maximum Density/Intensity and Height
MU 1, 1.1, 1.2, 2, 3, 4.1 and 4.2	<ul style="list-style-type: none"> Neighborhood (NC) and community serving Commercial (CC) uses as described above. MU 1.2-p-A also allows regional commercial uses 	Floor area ratio/height MU 1.1: 0.35/2 stories MU 1.2: 0.35/3 stories MU 2: 0.5/2 stories MU 3: 1.0/2 stories MU 4.1: 1.0 to 2.0/30 feet MU 4.2: 1.0/per slope
	<ul style="list-style-type: none"> Residential units on the second floor and higher, <u>with exceptions provided for structures on the City's Designated Historic Structure's List and located in the area designated in this Plan as Downtown San Clemente.</u> Integrated with the commercial, excluding large-scale single use functions (e.g., grocery stores) and provided that impacts are mitigated. 	Floor area ratio/height MU 1.1: 1.0/3 stories MU 1.2: 1.0/4 stories MU 2: 1.5/3 stories MU 3: 2.0/3 stories MU 4.1: 1.0 to 2.0/30 feet MU 4.2: 1.0/per slope

Section 2: The following sentence, included as sentence 3 of Section 10, Pedestrian-Oriented Overlay Zone Land Use Policies, of the City of San Clemente General Plan and the Local Coastal Plan, and identified below is hereby amended as indicated below:

In these areas, the ground floor of structures will be restricted to uses that facilitate pedestrian use such as retail shops and restaurants, with exceptions possible for historic structures on the City's Designated Historic Structures List, as indicated within the specific districts included in this plan.

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Section 3: Subsection B.1.a, Downtown San Clemente, of the City of San Clemente General Plan and the Local Coastal Plan, and identified below is hereby amended in its entirety as indicated below:

a. Downtown San Clemente

Retain Existing Map (Figure 1-1)

Policy Intent

The Downtown area depicted in **Figure 1-1** will be continued as the symbolic "core" of the City, maintaining its pedestrian-oriented "village" character. Community- and tourist-serving retail commercial, entertainment, restaurants, offices, and public uses are accommodated. Outdoor and courtyard cafes, flower sales, and similar uses are encouraged. Residential units would be permitted on the upper floors to enhance the area's activity and provide housing opportunities for those working in the commercial establishments, with exceptions possible through discretionary review for buildings on the City's Designated Historic Structure List. The Plan suggests that shared parking facilities be developed, using their street-facing areas for commercial uses.

Physically, future development would occur as infill, consistent in scale (2-3 stories) and character with the prevailing Spanish Colonial Revival buildings. Pedestrian activity is emphasized, particularly along Avenida Del Mar and the El Camino Real intersection, by the siting of buildings along the sidewalk frontages, incorporation of courtyards, transparent facades, streetscape, and similar design, and locating offices and other low customer/activity uses to the rear or above street-facing retail, restaurants, entertainment, and other comparable uses.

Objective

- 1.12 Maintain the Downtown area as the symbolic functional and physical center of the City; emphasizing its use as a pedestrian-oriented commercial and residential "village" providing for the needs of residents and tourists (areas designated as "MU 3-p-A" and "MU 3-A").

Policies

Permitted Uses

- 1.12.1 Accommodate the development of community and visitor serving commercial uses, including retail, financial, household supply and furnishings, eating and drinking establishments, food sales, drug stores, personal and business services, professional offices, art and cultural facilities, entertainment, overnight accommodations, public facilities (auditoriums, vest

EX. 1
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pocket parks, etc.), and similar uses (*I 1.1, I 1.5, and I 1.6*).

- 1.12.2 Accommodate the development of residential uses on the second floor or higher of structures containing commercial uses and/or parking on the lower levels, with exceptions possible through discretionary review for buildings on the City's Designated Historic Structure List. (*I 1.1, I 1.5, and I 1.6*).
- 1.12.3 Allow for the development of shared-parking facilities, which, at a minimum, incorporate retail along the street frontage (*I 1.1, I 1.5, and I 1.6*).
- 1.12.4 Encourage the development of outdoor dining and other similar uses which do not impede pedestrian use of the sidewalks (*I 1.1, I 1.5, I 1.6, I 1.7, and I 1.8*).
- 1.12.5 Consider extending the MU 3-p-A designation to cover all lots fronting Avenida Del Mar between Avenida Seville and the Pier Bowl. (*I 1.9*)

Density/Intensity and Height

- 1.12.6 Permit the development of sites as follows:
- a. Exclusively for commercial use: to a maximum intensity of a floor area ratio (FAR) of 1.0 and height of two (2) stories; and
 - b. Integration of residential with commercial uses: to a maximum FAR of 2.0 and height of three (3) stories, providing that a minimum FAR of 0.35 and maximum FAR of 1.0 is developed for commercial use (*I 1.1, I 1.5, and I 1.6*). Exceptions to the minimum FAR requirement for commercial uses in a mixed-use project may be granted through discretionary review as follows:
 - i. For lots of 12,000 square feet or smaller, a minimum commercial FAR of 0.15 may be developed, with an accompanying limitation on the maximum floor area of a mixed-use project of 1.5; and

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- ii. For buildings on the City's Designated Historic Structure List, the appropriate minimum commercial FAR may be determined through discretionary review, as long as commercial floor area is provided in the project and the project meets the purpose and intent of the MU3 land use designation.

Design and Development

- 1.12.7 Require that structures located in the "MU 3-p-A" zone be sited and designed to enhance pedestrian activity along the sidewalks, as stipulated in policy 1.10.2 (*1.1.1, 1.1.5, 1.1.6, 1.1.8, and 1.1.10*)
- 1.12.8 Require that new development and renovations of existing structures be designed in a Spanish Colonial Revival style in accordance with the Urban Design Element (*1.1.1, 1.1.5, 1.1.6, 1.1.12, and 1.1.19*).
- 1.12.9 Maintain a distinctive visual and physical environment for the Downtown area's public streetscape in accordance with the Urban Design Element, including the use of consistent street trees, landscape (planters), street furniture (benches, trash receptacles, news racks, etc.), street and crosswalk paving, pedestrian-scaled lighting, public and entry signage, and other appropriate elements (*1.1.18*).
- 1.12.10 Link individual buildings and sites with each other through the use of walkways in addition to street-abutting sidewalks (*1.1.5, 1.1.12, and 1.1.19*).
- 1.12.11 Integrate improvements into the design of individual sites and public streetscape which facilitate transit use of the Downtown, such as bus shelters and recessed access points (*1.1.5, 1.1.17, and 1.1.18*).

Section 4: The Planning staff is directed to make any non-substantive changes to the proposed General Plan and Local Coastal Plan Amendment which would include, but not be limited to, correction of the numbering of various tables and names of various sections, additions to the table of contents, additions and/or corrections to cross-references to other sections, and the addition of graphics indicated in this amendment, and similar non-substantive changes.

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Ex. 1
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EXHIBIT 2

The following guidelines shall be added as Appendix A to the Design Guidelines of the City of San Clemente

**Architectural Guidelines
MU 3 Zone
Mixed-use Projects on Small Lots
(12,000 square feet or smaller)**

1. Purpose

The purpose of these guidelines is to augment the City's Design Guidelines to address the design challenges (see Background below) that arise when mixed-use projects are constructed on small lots in the MU3 zone. (For the purpose of these guidelines, "small lots" shall mean lots of 12,000 square feet or less.) These guidelines reflect the City's acknowledgement that small-lot development presents specific design challenges requiring special attention.

These guidelines, in tandem with the main principles and guidelines in the City's Design Guidelines, are meant to maintain and enhance the unique "Spanish-Village-by-the-Sea" character of the MU3 zone (referred to in the City's Design Guidelines as The Del Mar District). The intent is to encourage site and structural development that exemplifies the Ole Hanson era. At the same time, creative interpretation of Spanish Colonial Revival architecture should be permitted, where appropriate.

2. Application

These guidelines will be used in the design review processes called for in the City's Zoning Ordinance for the following types of projects on small lots in the MU3 zone:

- New mixed-use development; and/or
- Exterior modifications, alterations, or additions to buildings remaining as mixed-use and/or converting to mixed-use.

These guidelines may also be used, in conjunction with the City's Zoning Ordinance, to assist with a determination of whether mixed-use projects on small lots are eligible for staff, Zoning Administrator, or Planning Commission waivers from design review.

For the purposes of these design guidelines, the projects described in this section shall be referred to as "mixed-use projects on small lots." Please refer to the City Zoning Ordinance for details on the design review and waiver processes.

3. Use of Design Guidelines

These guidelines are to be used in conjunction with the Design Guidelines of the City of San Clemente. To use these design guidelines, first consult the City's Design Guidelines and then refer to these supplemental guidelines.

These guidelines are intended to serve as a guide to property owners, business persons, developers, and/or builders of mixed-use projects on small lots in the MU3 zone. These guidelines will also provide a framework for design review by City staff, the Planning Commission Design Review Subcommittee, the Planning Commission, and the City Council, as well as input from community members. The guidelines shall serve as the basis for the decision-makers to formulate the necessary findings for their design-related decisions.

4. Background/Design Challenges and Objectives

The vision for Downtown San Clemente provided in the City's General Plan (1993) is one of a vibrant and relatively urban pedestrian atmosphere. The maximum height (3 stories) and floor area (2.0) allowed for mixed-use projects in this district support this vision. It can be particularly challenging to accommodate this intensity of development on small lots, which by their nature have less room to offset, buffer, and/or mitigate dense projects than large lots have. The limited amount of space on a small lot can make it difficult to achieve both the goal of relatively urban development and development that complies with the City's Spanish Colonial Revival design guidelines.

The following potential design challenges have been identified with regard to mixed-use development on small lots:

- **Massing, scale, and height: "Overly massive" buildings, buildings that appear "top heavy," and/or buildings that appear too tall and narrow.** This type of massing is directly contrary to the low-scale and relatively limited massing typically found on small lots in Spanish Colonial Revival districts and neighborhoods encouraged in the City's Design Guidelines. Massing problems on small lots can result from a number of factors. Given Downtown San Clemente's "village"-like scale, currently (2001) one to two stories in height, three-story structures can seem imposing and "out-of-scale" or "out of character" to the Downtown pedestrian. The ocean views from upper stories and the limited building footprints possible at the street level (because of the size of the lot and the parking required) can result in significant amounts of square footage being proposed for upper stories. The relatively narrow street frontage of most small lots can intensify the tall and narrow appearance of three story structures.
- **Massing, scale, and elevation: Long and/or tall unbroken (without openings, stepbacks, or setbacks) side and/or rear elevations.** The limited amount of space for floor area and parking on small lots is the primary contributor to this design challenge. In order to achieve desirable interior spaces and to accommodate parking, buildings almost certainly need to be located at a zero setback from rear and side property lines. When buildings are located along a side property line, public safety concerns prohibit openings for doors and

EX. 1
10/24

windows and balcony materials. In addition, the parking spaces and driveways required for projects limits the amount of floor area that can be built on the street level of the project. This means that additional floor area is pushed into upper stories, competing for space that could be used for balconies and stepbacks.

- **Long driveways that can appear “cavernous” and “architecturally uninteresting.”** On small lots, driveways, which require a minimum width to provide adequate circulation, take up a relatively bigger proportion of the lot than on larger lots. This means that a driveway can be particularly problematic for a small lot, which by its nature, has less room to accommodate the required driveway and development that can offset the aesthetic impacts of driveways;
- **Limited landscaping and outdoor spaces.** Landscaping and outdoor spaces are two design elements that can address some of the above design challenges. The limited size of small lots can mean fewer street level opportunities for landscaping and outdoor spaces. The need for outdoor spaces and landscaping on upper stories can compete with need for interior floor area.

The specific design objectives established here for mixed-use projects on small lots, which accompany other design objectives set forth in the main body of the City’s Design Guidelines, are as follows:

- Massing, proportion and scale appropriate to Spanish Colonial Revival style;
- Compatible scale with and/or sensitive scaling toward existing neighborhood development;
- Side and rear elevations that are visually interesting from public and pedestrian spaces;
- Driveways that are designed to be as visually interesting to the pedestrian as possible;
- High density, high-quality and pedestrian-oriented landscaping and materials chosen and placed to enhance public and pedestrian views of projects.

The guidelines provided in the following section are intended to provide specific suggestions to help achieve the objectives described above and in the main body of the City’s Design Guidelines.

5. Design Guidelines

Along with the guidelines provided in the main body of the City’s Design Guidelines, mixed-use projects on small lots should comply with the following guidelines:

1. “Box-like” building forms and long unbroken and/or blank elevations are discouraged, particularly when visible from the street. The building volume or mass should be broken up into smaller units to better relate to the physical scale of the MU3 zone. Additional design techniques that should be used to break up unacceptable bulk and mass include, but are not limited to:

Ex. 1
11/24

- Stepbacks within stories and between stories, thereby creating elevations with varied planes;



- Setbacks from side and/or rear property lines so that doors and windows may be provided to break up elevations;
- Use of varied rooflines and/or a combination of gabled, hip, and shed roofs;



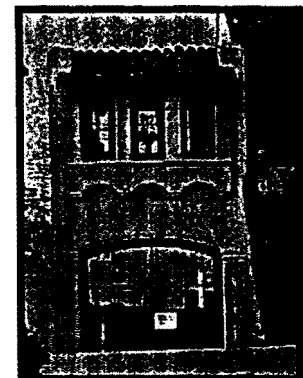
- Use of a combination of horizontal and vertical elements, eg. pilasters, columns, exterior stairways, towers, etc.;



2. Stepbacks of at least five feet should be provided for at least 25 percent of the building face on each story; this will provide building off-sets and variation in building mass.

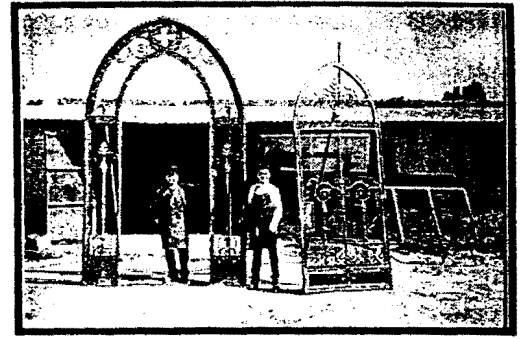
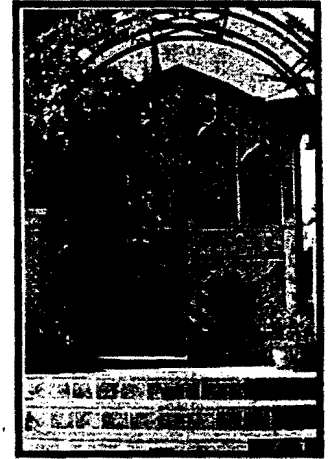
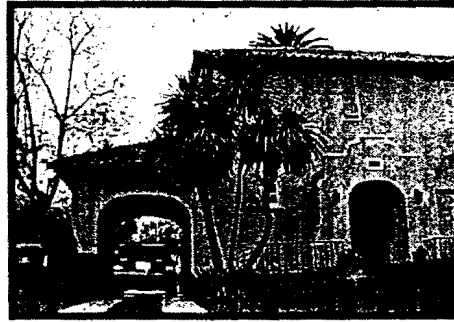
EX. 1
12/24

3. Third stories should be setback at least 20 feet from the front property line and 10 feet from lower stories, particularly on front and side elevations toward the street.
4. Areas of maximum height and the building's highest points should be setback from neighboring structures. Crowding or overwhelming neighborhood buildings should be avoided. The general building form should not contrast greatly with neighboring structures. If the neighboring structure is one or two-stories, then it will be particularly important to consider: 1) Significantly limiting the size of the 3rd story of the project or eliminate it entirely; and 2) Significantly stepping back the 2nd and 3rd story elements from the first story to reduce massing incompatibilities between neighboring properties.
5. Where existing or approved neighboring projects have side walls located at zero setback, proposed projects are encouraged to be located along these side walls.
6. When a street slopes, a project is encouraged to be located on the side of the lot that minimizes the differences in height between adjacent projects.
7. The appearance of vertical canyons between structures and/or between a building and the neighboring property, including those created by driveways, should be minimized. A variety of design techniques can be used to minimize the appearance of canyons, including, but not limited to:
 - Stepping back upper stories along the side elevations to increase the distance between structures as building height increases and to minimize the vertical appearance of elevations;
 - Providing a variety of planes along side elevations to create visual interest;
 - Providing setbacks from the property line along side elevations, particularly toward the street and in upper stories, to provide visual interest and to allow for doors and windows and other openings that create visual interest;
 - The construction of port cocheres, gates, arbors, and residential and commercial spaces above the driveway to add interesting architectural elements to the project and to



Ex. 1
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shield the view of the rear portions of the project from the street.



- The use of interesting and varied paving materials in the driveway including pavers, bricks, stone, stamped concrete, and combinations of these materials;
 - The use of landscaping along driveways and in upper stories to buffer the massing of buildings.
 - Providing significant visual interest in buildings located at the rear of the driveway and visible from the street.
8. Buildings on sloping lots should step down with the topography of the lot.
 9. The minimization of curb cuts and other spatial gaps along streets is encouraged and is particularly important given the narrow street frontages of small lots. Shared parking and accessways are strongly encouraged. During the review process, applicants should attempt to make legal arrangements to share driveways and parking, where appropriate. Conditions of approval that relate to shared parking and access should be considered as part of the project review process.
 10. Pedestrian linkages to other projects and streets is encouraged to encourage pedestrian circulation and minimize the need for additional parking and access to parking.
 11. Materials should be used to reduce the apparent mass and/or scale of a building. Please refer to City's Design Guidelines and particularly the Guidelines for Spanish Colonial Revival Districts for guidelines regarding materials. Complementary colors on window mullions, building trim and other design elements is encouraged to reduce a building's perceived scale.
 12. Landscaping and outdoor spaces such as balconies, niches, and small courtyards should be used to reduce the apparent height, massing, and scale of buildings. The following uses of landscaping are encouraged:
 - At least one canopy form tree should be provided along the front elevation, either at ground level or on a second story balcony to buffer massing impacts

Ex. 1
14/24

on the street. For the purposes of this guideline, a palm tree is not considered a canopy tree. A canopy form tree may be defined as a tree that has a width dimension similar to the height of the tree. A canopy form tree's overhead plane provides fuller density, which results in an improved screening effect. (Please refer to the attached list of recommended canopy trees);

- Landscaping on the street level and on upper stories that is chosen to maximize pedestrian interest and to buffer and/or compliment massing and scale, including the use of hanging baskets, planters and/or pots containing trees, shrubs, hedges, ornamental plants, and climbing vines. (Please refer to the attached list of recommended plants for pots);
- ~~Higher density plantings that can provide significant texture and color to projects by combining varied and substantive plant materials.~~ Selections of plant materials that provide contrast through texture and color variation (i.e., screening in multiple levels). Screening types of plant material (plants that are primarily evergreen) include plants that have a high foliage density. The following is one example of multiple level landscaping: Foreground plant- Pittosporum variegata; Midground plant; Phothia Fransei; Bacground plant- Prunus caroliniana 'compacta'.



The removal or addition of pictures in these guidelines by City staff for the purpose of further clarifying the guidelines does not require amendment of these guidelines.

EX. 1
15/24

These guidelines shall take effect _____, 2001 (30 days after the City Council's second reading of Ordinance XX.)

Attachments:

List of Recommended Canopy Trees

List of Recommended Plants for Pots

Ex. 1
16/24

The following addition shall be made to page 54 of the Design Guidelines of the City of San Clemente:

5. Mixed-use Projects on Small Lots
(Lots 12,000 square feet or smaller)

Follow Appendix A

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EX. 1
17/24

Trees

1. Trees for General Site Conditions

Trees in this section are appropriate for ornamental planting purposes in yards, open spaces, and planted setbacks. They need supplemental irrigation compatible with low water using shrubs and ground covers.

1a. Evergreen and Deciduous, (D), Non-Flowering Trees

- Agonis flexuosa - PEPPERMINT TREE
- Agonis juniperina - JUNIPER MYRTLE
- Arccatum romanzoffianum - QUEEN PALM
- Brachychiton populneus - BOTTLE TREE
- Brahea armata - MEXICAN BLUE FAN PALM
- Brahea brandegeei - SAN JOSE HESPER PALM
- Brahea edulis - GUADELUPE PALM
- Calocedrus decurrens - INCENSE CEDAR
- Casuarina equisetifolia - HORSETAIL TREE
- Casuarina stricta - COAST BEEFWOOD
- Cedrus atlantica - MT. ATLAS CEDAR
- Cedrus deodara - DEODAR CEDAR
- Cedrus libani - LEBANON CEDAR
- C - Ceratonia siliqua - CAROB (male only)
- C - Cinnamomum camphora - CAMPHOR TREE
- C - Cordyline indivisa - BLUE DRACAENA
- C - Cupaniopsis anacardioides - CARROTWOOD
- C - Cupressus sempervirens - ITALIAN CYPRESS
- Eucalyptus camaldulensis - RED GUM
- Eucalyptus citriodora - LEMON SCENTED GUM
- Eucalyptus cladocalyx - SUGAR GUM
- Eucalyptus lehmannii - LEHMAN'S GUM
- Eucalyptus leucocylon - WHITE IRONBARK
- Eucalyptus polyanthemus - SILVER DOLLAR GUM
- Eucalyptus rudis - FLOODED GUM
- Eucalyptus spathulata - SWAMP MALLEE
- Eucalyptus viminalis - MANNA GUM
- C - Ficus rubiginosa - RUSTY-LEAFED FIG
- Fraxinus velutina "Modesto" - MODESTO ASH (D)
- Gelgiera parviflora - AUSTRALIAN WILLOW
- Ginkgo biloba "Fairmount" - MAIDENHAIR TREE (male only) (D)
- C - Juglans californica - SOUTHERN CALIFORNIA BLACK WALNUT (D)
- C - Ligustrum lucidum - GLOSSY PRIVET
- Lithocarpus densiflorus - TANBARK OAK
- Melaleuca linearifolia - FLAXLEAF PAPERBARK
- C - Olea europaea (fruitless varieties) - OLIVE
- Parkinsonia acureata - MEXICAN FAN PALM
- Phoenix canariensis - CANARY DATE PALM
- Phoenix reclinata - SENEGAL DATE PALM
- Pinus species - PINE
- Pistachia chinensis - CHINESE PISTACHE (D)

C - canopy
D - DOTS

EX. 1
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- Pittosporum phyllaeroides - WILLOW PITTOSPORUM
- Platanus racemosa - CALIFORNIA SYCAMORE (D)
- Podocarpus gracilior - FERN PINE
- Quercus agrifolia - COAST LIVE OAK
- Quercus illex - HOLLY OAK
- Quercus kelloggii - CALIFORNIA BLACK OAK (D)
- Quercus subra - CORK OAK
- Rhus lancea - AFRICAN SUMAC
- Schinus molle - CALIFORNIA PEPPER
- Schinus terebinthefolius - BRAZILIAN PEPPER
- Trachycarpus fortunei - WINDMILL PALM
- Tristania conferta - BRISBANE BOX
- Umbrellularia californica - CALIFORNIA BAY
- Washingtonia filifera - CALIFORNIA FAN PALM
- Washingtonia robusta - MEXICAN FAN PALM
- Zizyphus jujuba - CHINESE DATE (D)

1b. Evergreen and Deciduous, Flowering Trees

- Acacia species - ACACIA
- > - Arbutus unedo - STRAWBERRY TREE
- Arbutus menziesii - MADRONE
- Brachychiton acerifolius - FLAME TREE (D)
- Callistemon species - BOTTLEBRUSH
- Chorisia speciosa - FLOSS SILK TREE (D)
- Cotinus coggygia - SMOKE TREE (D)
- Eriobotrya deflexa - BRONZE LOQUAT
- Eriobotrya japonica - LOQUAT
- Eucalyptus sideroxylon - RED IRONBARK
- - Jacaranda acutifolia - JACARANDA (D)
- - Koelreuteria bipinnata - CHINESE FLAME TREE (D)
- Lagerstroemia indica - CRAPE MYRTLE (D)
- Lagunaria patersonii - PRIMROSE TREE
- Lyonothamnus floribundus var. - CATALINA IRONWOOD
- > - Melaleuca nesophila - PINK MELALEUCA
- Melaleuca quinquenervia - CAJEPUT TREE
- Melaleuca styphelloides - BOTTLE BRUSH
- Metrosideros excelsus - NEW ZEALAND CHRISTMAS TREE
- Metrosideros kermadecensis - NCN
- Prunus caroliniana - CAROLINA CHERRY
- Prunus cerasifera "Atropurpurea" - PURPLE LEAFED PLUM
- Prunus ilicifolia - CATALINA CHERRY
- Pyrus calleryana 'Bradford' - BRADFORD PEAR (D)
- Robinia ambigua - PINK LOCUST (D)
- Robinia pseudoacacia - BLACK LOCUST (D)

2. Trees for Confined Planting Spaces.

Trees in this section could be planted in courtyards, terraces, beside sidewalks and buildings. They need supplemental irrigation compatible with low water using shrubs and ground covers.

Agonis flexuosa - PEPPERMINT TREE

- P - Agonis juniperina - JUNIPER MYRTLE
P - Arecastrum romanzoffianum - QUEEN PALM
Brachrichton populneus - BOTTLE TREE
Brahea armata - MEXICAN BLUE FAN PALM
Brahea brandegeei - SAN JOSE HESPER PALM
Brahea edulis - GUADELUPE PALM
P - Cordyline indivisa - BLUE DRACAENA
Eucalyptus citriodora - LEMON SCENTED GUM
Geigera parviflora - AUSTRALIAN WILLOW
Melaleuca nesophila - PINK MELALEUCA
Melaleuca quinquenervia - CAJUPUT TREE
Melaleuca styphelioides - BOTTLE BRUSH
Metrosideros excelsus - NEW ZEALAND CHRISTMAS TREE
Metrosideros kermadecensis - NCN
Pyrus calleryana 'Bradford' - BRADFORD PEAR (D)
Trachycarpus fortunei - WINDMILL PALM

3. Trees for Parking Lots

Trees planted within parking lots or on parking lot perimeters must have a clearance between the paving and lateral branches of at least 8'. The trees on this list either are naturally high branching or can be pruned successfully to become high branching.

- U - Arecastrum romanzoffianum - QUEEN PALM
U - Cupaniopsis anacardioides - CARROTWOOD
Platanus racemosa - CALIFORNIA SYCAMORE (D)
Podocarpus gracilior - FERN PINE
Pyrus calleryana 'Bradford' - BRADFORD PEAR (D)
Washingtonia filifera - CALIFORNIA FAN PALM
Washingtonia robusta - MEXICAN FAN PALM

4. Trees for Difficult Sites.

Trees listed here are for areas which might have high foot traffic and adverse conditions such as school yards, park fringes, and beside dirt paths.

- U - Eucalyptus leucoxylon - WHITE IRONBARK
U - Pterocarya stenoptera - CHINESE WINGNUT TREE (D)
U - Schinus molle - CALIFORNIA PEPPER
U - Schinus terebinthifolius - BRAZILIAN PEPPER

5. Trees for High Fire Hazard Areas

Trees listed here have low fuel capacities; therefore, they are useful for planting in areas which border native sites. These trees survive with limited supplemental irrigation.

- P - Arbutus unedo - STRAWBERRY TREE
Ceratonia siliqua - CAROB TREE
Pittosporum phylliraeoides - WILLOW PITTOSPORUM
P - Prunus caroliniana - CAROLINA CHERRY
Prunus ilicifolia - CATALINA CHERRY

Schinus terebinthifolius - BRAZILIAN PEPPER**6. Street Trees**

Trees listed here are divided into three categories: 6a.) Those trees suitable for planting along streets which are view corridors; 6b.) Trees suitable for planting along streets without ocean views; and 6c.) trees for specific streets.

6a. View Corridor Trees

These trees have slender silhouettes and are short to moderate in height. One is deciduous (D) which is an extremely desirable characteristic.

- >— *Arbutus unedo* - STRAWBERRY TREE
- Arecastrum romanzoffianum* - QUEEN PALM
- Brahea armata* - MEXICAN BLUE PALM
- Brahea brandegei* - SAN JOSE HESPER PALM
- Brahea edulis* - GUADALUPE PALM
- >— *Callostemon species* - BOTTLEBRUSH
- Geigera parviflora* - AUSTRALIAN WILLOW
- Melaleuca quinquenervia* - CAJUPUT TREE
- Pyrus calleryana* 'Bradford' - BRADFORD PEAR (D)
- Trachycarpus fortunei* - WINDMILL PALM
- Washingtonia filifera* - CALIFORNIA FAN PALM
- Washingtonia robusta* - MEXICAN FAN PALM

6b. Non-view Corridor Trees

These trees have broader crowns than the trees listed above but are still within the same height limits. Deciduous (D) habits are not preferable as they are on View Corridors. All of the View Corridor Trees may be used on Non-view Corridors.

- Agonis flexuosa* - PEPPERMINT TREE
- Brachychiton populneus* - BOTTLE TREE
- *Cupaniopsis anacardioides* - CARROTWOOD
- *Eucalyptus sideroxylon* - RED IRONBARK
- *Jacaranda acutifolia* - JACARANDA (D)
- *Koeberlinia bipinnata* - CHINESE FLAME TREE (D)
- > — *Ligustrum lucidum* - GLOSSY PRIVET
- > — *Metrosideros excelsus* - NEW ZEALAND CHRISTMAS TREE
- Metrosideros kermadecensis* - NCN
- *Olea europaea* - OLIVE
- *Pistachia chinensis* - CHINESE PISTACHE (D)
- Tristania conferta* - BRISBANE BOX

6c. Trees for Specific Streets

El Camino Real and the Pacific Coast Highway: *Washingtonia robusta* - MEXICAN FAN PALM, 30 feet on center.

El Portal: *Cupaniopsis anacardioides*, to approximate the existing *Ficus* trees near the park
Washingtonia robusta, planted along with the *Cupaniopsis*.

Shrubs: General Use.

Drought resistant shrubs for General Site Conditions.

Shrubs in this section are appropriate for ornamental planting purposes in yards, open spaces, and planted setbacks. They need supplemental irrigation compatible with drought resistant trees and ground covers.

Abelia grandiflora - GLOSSY ABELIA

Acacia - NCN

Agapanthus species - LILY OF THE NILE

Aloe species - NCN

P - *Arbutus unedo* - STRAWBERRY TREE

Bougainvillea species - NCN

Buxus microphylla japonica - JAPANESE BOXWOOD

Caesalpinia gilliesii - BIRD OF PARADISE BUSH

Caesalpinia pulcherrima - BARBADOS PRIDE

Calliandra eriophylla - FAIRY DUSTER

P - *Calliandra tweedii* - BRAZILIAN FLAME BUSH

Callistemon citrinus - BOTTLEBRUSH

Calothamnus quadrifidus - NET BUSH

Carissa grandiflora - NATAL PLUM

Cassia armata - CANDLE BUSH

Cassia artemisioides - FEATHERY CASSIA

Cassia coquimbensis - NCN

Cassia didymobotrya - NCN

Cassia sturtii - NCN

Catha edulis - KHAT

Ceanothus species - CALIFORNIA LILAC

Cercis occidentalis - WESTERN RED BUD

Cercocarpus betuloides - MOUNTAIN IRONWOOD

P - *Chamaerops humilis* - MEDITERRANEAN FAN PALM

Chamaelium uncinatum - GERALDTON WAX FLOWER

Cistus species - ROCKROSE

Comarostaphylis diversifolia - SUMMER HOLLY

Convolvulus cneorum - BUSH MORNING GLORY

Coreopsis verticillata - NCN

Cotinus coggygria - SMOKE TREE

Cotoneaster species - NCN

Crassula species - JADE PLANT

Dendromecon barteri - ISLAND BUSH POPPY

Diets species - AFRICAN IRIS

P - *Dodonaea viscosa* - HOPSEED BUSH

Echium fastuosum - PRIDE OF MADEIRA

Elaeagnus pungens - SILVER BERRY

Encelia californica - BUSH SUNFLOWER

Erigonum giganteum - ST. CATHERINE'S LACE

P - *Escallonia* species - NCN

Euryops pectinatus - NCN

Fallugia paradoxa - APACHE PLUME

P - *Feijoa sellowiana* - PINEAPPLE GUAVA

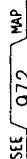
- Galvezia speciosa - BUSH SNAPDRAGON
- Grevillea noellii - NCN
- Hakea laurina - PINCUSHION TREE
- Hakea saligna - WILLOWLEAF HAKEA
- P - Hakea suaveolens - SWEET HAKEA
- Halimocistus sahucii - NCN
- Helianthemum nummularium - SUN ROSE
- Helianthemum scoparium - BUSH ROSE
- Helianthemum vulgare - PROSTRATE SUN ROSE
- Heteromeles arbutifolia - TOYON
- Hibiscus syriacus - ROSE OF SHARON
- Hypericum patulum henryi - NCN
- Ilex species - HOLLY
- Jasmine parkeri - DWARF JASMINE
- Jasmine mesnyi - PRIMROSE JASMINE
- Lantana species - NCN
- Lavandula species - LAVANDER
- P - Leptospermum laevigatum - AUSTRALIAN TEA TREE
- P - Leptospermum scoparium - NEW ZEALAND TEA TREE
- Lupinus arboreus - BUSH LUPINE
- Lyalloma thornberi - FEATHER BUSH
- Mahonia species - OREGON GRAPE
- Melaleuca species - NCN
- P - Metrosideros excelsus - NEW ZEALAND CHRISTMAS TREE
- Metrosideros kermadecensis - NCN
- Mimulus puniceus - RED MONKEY BUSH
- Myoporum species - NCN
- Myrtus communis - TRYE MYRTLE
- Nandina domestica - HEAVENLY BAMBOO
- Nerium oleander - OLEANDER
- Nolina longifolia - NOLINA
- Ochna serrulata - MICKEY MOUSE PLANT
- P - Pennisetum setaceum - FOUNTAIN GRASS
- Photinia species - NCN
- Pittosporum species - MOCK ORANGE
- Plumbago auriculata - CAPE PLUMBAGO
- Portulacaria afra - ELEPHANTS' FOOD
- P - Prunus species - CHERRIES
- Psidium cattleianum - STRAWBERRY GUAVA
- Punica granatum - POMEGRANATE
- Pyracantha species - FIRETHORNE
- Raphiolepis species - HAWTHORNE
- Rhamnus species - COFFEEBERRY
- Rhus species - LAUREL SUMAC
- Ribes species - CURRENTS AND GOOSEBERRIES
- Rosmarinus officinalis - ROSEMARY
- Ruscus hypoglossum - NCN
- Salvia species - SAGE
- Simmondsia chinensis - JOJOBA
- Solanum species - VINES
- Sollya heterophylla - AUSTRALIAN BLUEBELL CREEPER
- Spartium junceum - SPANISH BROOM

Tecomaria species - HONEYSUCKLE
Teucrium fruticans - BUSH GERMANDER
- Thevetia peruviana - YELLOW OLEANDER
Thevetia thevetioides - GIANT THEVETIA

Shrubs: High Fire Hazard Areas

These shrubs may be used in other locations but are particularly suited to fire hazard areas.

Arctotheca calendula - CAPE WEED
Baccharis pilularis - PROSTRATE COYOTE BUSH
Coprosma kirkii - CREEPING COPROSMA
Lippia canescens - LIPPIA
Myoporum parvifolium - MYOPORUM
Nerium oleander - OLEANDER
Pyracantha species - FIRETHORNE
Rhamnus alaternus - BUCKHORN
Ribes species - CURRENTS, GOOSEBERRIES



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SUBJECT
AREA

SEE A F2

1	OCEAN DR
2	PACIFIC DR
3	SURF DR
4	SANDY DR
5	BREAKER DR
6	BEACH DR
7	EBB TIDE DR
8	SEA BREEZE DR
9	TOOTH DR

California Coastal
Commission

3. Industrial Districts

- a. Rancho Business Parks
- b. Los Molinos Business Park
- c. Rancho San Clemente Heavy Industrial Park

4. Ranchlands Planned Communities

1. Commercial and Mixed Use Districts

Goal

Provide a hierarchy of distinct commercial and mixed commercial and residential districts which are differentiated by their functional role and physical form and character.

a. Downtown San Clemente

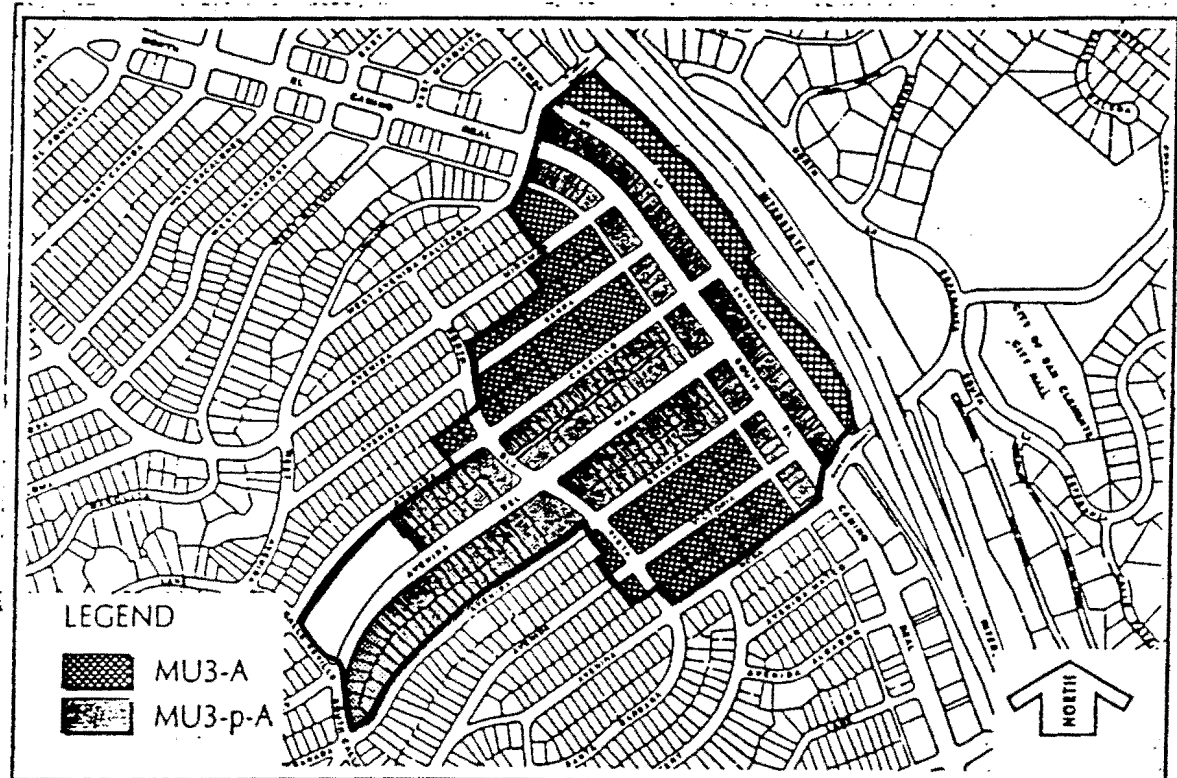


Figure I-1

EXHIBIT No. 3

Application Number:

SCT-MAJ-02-01

**Downtown
San Clemente**



California Coastal
Commission

3. Industrial Districts

- a. Rancho Business Parks
- b. Los Molinos Business Park
- c. Rancho San Clemente Heavy Industrial Park

4. Ranchlands Planned Communities

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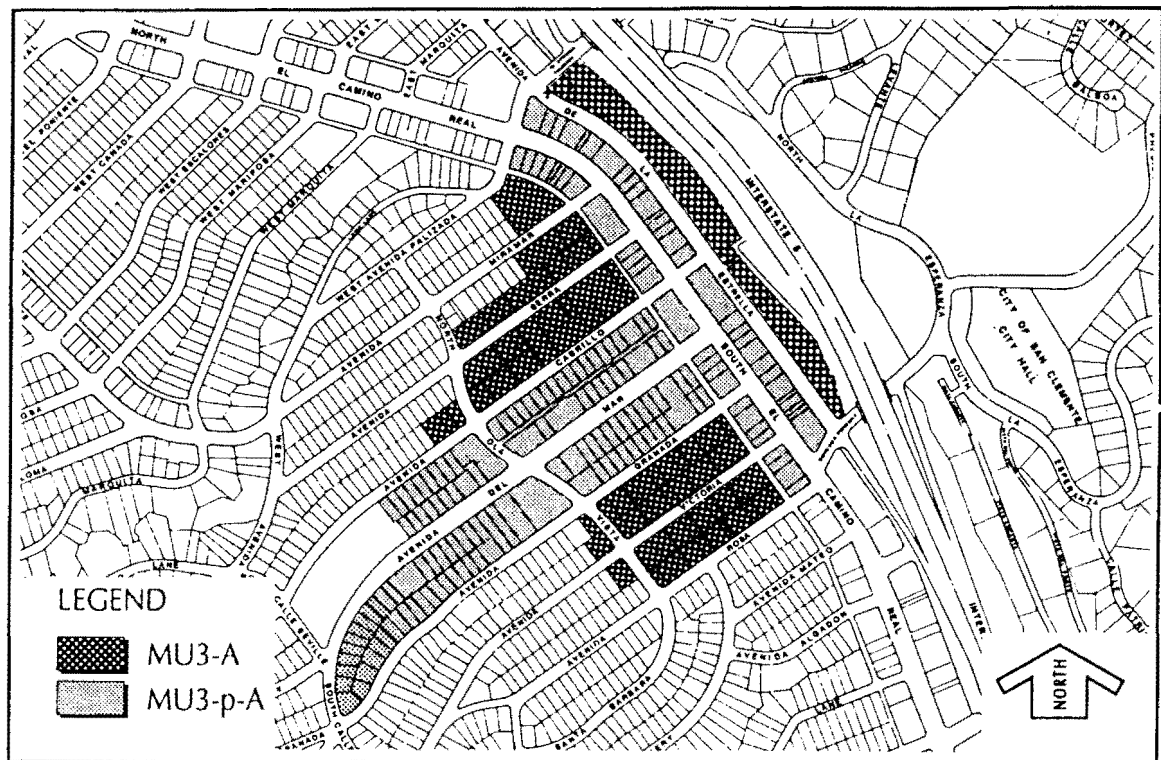


Figure 1-1

EXHIBIT No. 5a

Application Number:

SCT-MAJ-02-01

Downtown District



California Coastal
Commission

b. North Beach

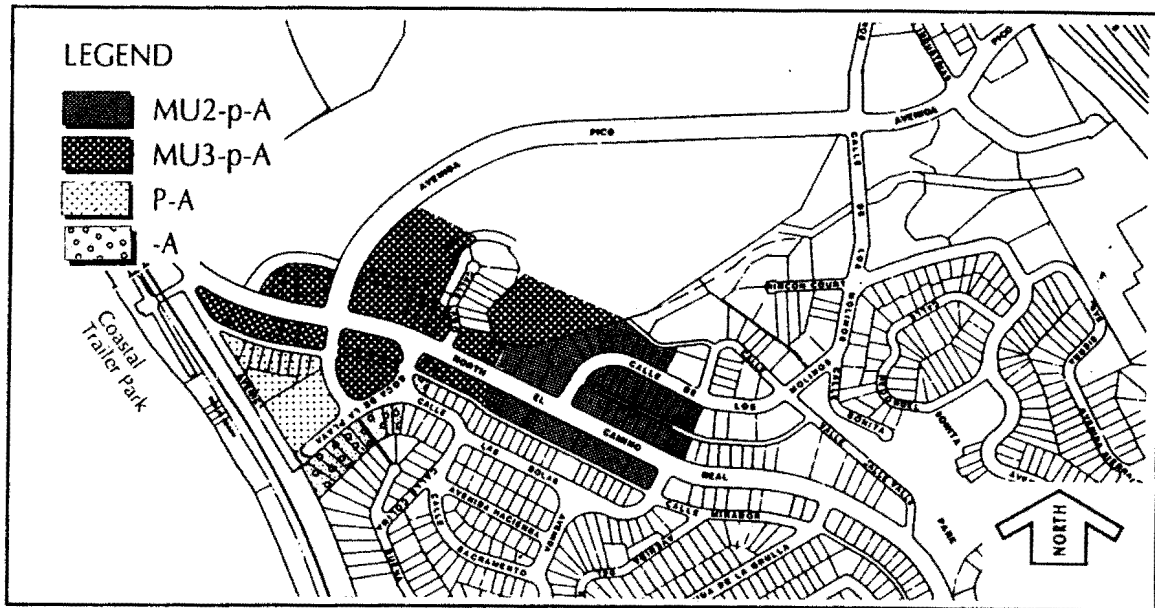


Figure 1-2

Policy Intent

Plan policy provides for the revitalization of the North Beach area as depicted on **Figure 1-2**, as a community- and visitor-serving mixed-use, high activity center of the City. This is intended to capitalize on the area's adjacency to the beachfront and emphasize the significant historic structures including the Ole Hanson Beach Club, Miramar Theater, and Sebastians. It is further intended that the provision of coastal-related uses offers an opportunity to lessen the demands to intensify development at the Pier Bowl.

Retail shops, gift stores, restaurants, hotels/motels, entertainment, and residential units above lower level commercial would be accommodated to establish a pedestrian-oriented "village" environment (similar to the downtown). Opportunities for additional coastal uses (a second pier, beach boardwalk, etc.), a new train station, and/or a multi-modal transportation center are allowed by the policy. Extensive streetscape amenities would be incorporated to provide linkages among individually developed sites and a unique identity for the district.

Objective

- 1.13 Provide for the enhancement of North Beach as a primary City entrance and distinctly identifiable, pedestrian-oriented center of tourist and community activity, capitalizing on its location adjacent to the coast and emphasizing its historic structures (areas designated as "MU 3-p-A", "MU 2-p-A" and "P-A").

EXHIBIT No. 5b

Application Number:

SCT-MAJ-02-01

North Beach DistrictCalifornia Coastal
Commission

Shorecliffs Golf Course site (designated as "CRC 2") (I 1.1, I 1.6, and I 1.7).

Density/Intensity and Height

- 1.21.2 Permit the development at a maximum intensity of a FAR of 1.0 and/or 500 hotel rooms and height of 55 feet, or to the height of Interstate 5 at the periphery of the site, so as to preserve views to the ocean from the freeway, whichever is higher (I 1.1 and I 1.3)

Design and Development

- 1.21.3 Require that new development be designed in its architecture, site plan, and landscape to convey a high quality of visual character, which distinguishes the site as a destination resort of regional importance (I 1.1, I 1.6, I 1.7, I 1.8, I 1.12, and I 1.19).
- 1.21.4 Require pedestrian, visual, and landscape linkages to existing golf course facilities and residential neighborhoods (I 1.1, I 1.6, I 1.7, and I 1.8).

b. Marblehead Coastal

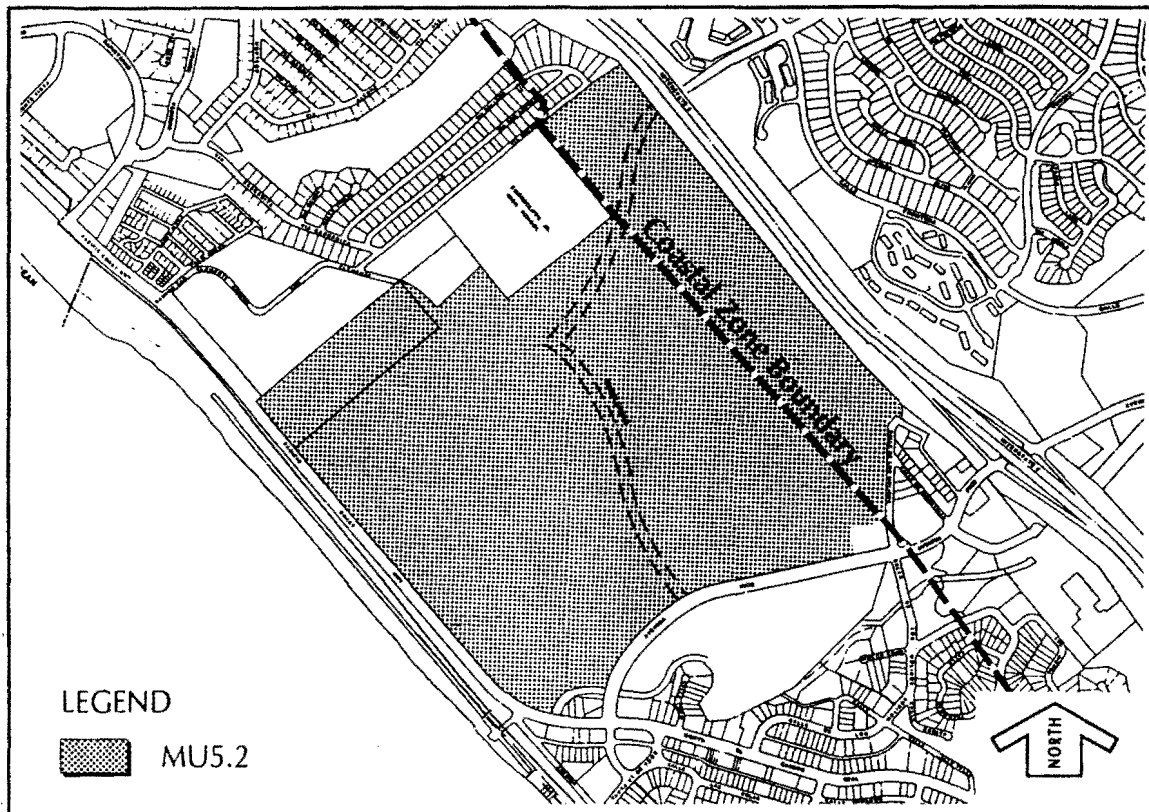


EXHIBIT No. 5d

Application Number:

SCT-MAJ-02-01

**Marblehead Coastal
District**



California Coastal
Commission