

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071

RECORD PACKET COPY**Item Tu 9a**

November 21, 2002

TO: Commissioners and Interested Persons

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

SUBJECT: City of San Clemente Local Coastal Program Amendment 1-02 (MU2 Office Use FAR Increase)

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

The Land Use Plan (LUP) amendment consists of a request to increase the allowable floor area ratio (FAR) for office use components of mixed-use projects in the Mixed Use (MU2) land use designation, throughout the San Clemente Coastal Zone, City of San Clemente. The amendment would allow increased office uses in lieu of residential uses on upper levels of mixed-use projects. The amendment would not affect the allowable ratio of retail commercial uses.

The major issues discussed in this staff report are visitor-serving development and public access.

SUMMARY OF STAFF RECOMMENDATION

Commission staff recommends that the Commission **APPROVE** the proposed City of San Clemente Local Coastal Program Amendment 1-02 as submitted. The motion to accomplish this is found on Page 3.

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 Blemker** 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 Local Coastal Program (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 92672. Larry Longenecker is the contact person for the City's Planning Division, and he may be reached by calling (949) 361-6100.

EXHIBITS

1. City Council Resolution No. 02-104
2. Vicinity Map
3. Map of MU2 Designated Properties

I. **COMMISSION RESOLUTION ON CITY OF SAN CLEMENTE
LOCAL COASTAL PROGRAM AMENDMENT 1-02**

Following a public hearing, staff recommends the Commission adopt the following resolution and findings.

Motion

*"I move that the Commission **CERTIFY** the City of San Clemente Land Use Plan Amendment SCL MAJ 1-02 as submitted."*

Staff Recommendation

Staff recommends a **YES** vote. Passage of this motion will result in certification of the land use plan amendment as submitted and adoption of the following resolutions and findings. The motion to certify as submitted passes only upon affirmative vote of a majority of the appointed Commissioners.

Resolution

The Commission hereby **CERTIFIES** the City of San Clemente Land Use Plan Amendment 1-02 as submitted and adopts the findings stated below on the grounds that the amendment will meet the requirements of and be in conformity with the policies of Chapter 3 of the California Coastal Act. Certification of the Land Use Plan amendment 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 amendment on the environment, or 2) there are no further feasible alternatives or mitigation measures that could substantially lessen any significant adverse impacts on the environment that may result from certification of the land use plan.

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 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.

III. BACKGROUND

The Commission certified the Land Use Plan (LUP) for the City of San Clemente Local Coastal Program on May 11, 1988, and certified a major amendment in October 1995. The amendment involved revisions to the format of the LUP, insertion of new graphics, addition of text and incorporation of elements of their revised General Plan. The City updated the General Plan in 1993.

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 August 23, 2002 to the South Coast District. Additional information was requested by Coastal Commission staff on September 18, 2002. City staff submitted the information on November 15, 2002. On November 15, 2002, Coastal 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 November 6, 2002.¹ City Council Resolution No. 02-104 adopted the Mitigated Negative Declaration and approved General Plan Amendment 01-093 and Local Coastal Program Amendment 02-035 (Exhibit 1). Prior to approving the LUP amendment request, the City held four community meetings to present the proposed land use change to the public. The Planning Commission held public hearings on March 19, 2002 and April 16, 2002. The City Council held public hearings on July 3, 2002 and November 6, 2002.

The City of San Clemente prepared a Mitigated Negative Declaration for the proposed land use change. The public review period for the assessment was for 30 days and ran from April 5, 2002 to May 6, 2002. City staff concluded that the proposed change would not have a significant adverse effect on the environment.

Two speakers testified at the City Council meeting of July 3, 2002. Their comments related to a specific mixed-use project being proposed concurrently and did not relate to the LUP amendment. One speaker testified at the April 16, 2002 Planning Commission meeting. That speaker inquired about the meeting practices of the City's Design Review Sub-Committee (DRSC). The City staff report indicates that there were some inquiries about the mixed-use project, but no opposition. No written correspondence was received. Therefore, it is assumed that the inquiries were received via telephone.

V. FINDINGS FOR APPROVAL OF THE CITY OF SAN CLEMENTE'S LAND USE PLAN AMENDMENT AS SUBMITTED

The Commission hereby finds and declares as follows. The following pages contain the specific findings for approval of the City of San Clemente Land Use Plan Amendment SCT MAJ 1-02 as submitted.

Site Description and Zone Designation

The area affected by the proposed amendment includes all properties designated Mixed Use 2 (MU2) in the coastal zone of the City of San Clemente, Orange County (Exhibit 2). The MU2 designation allows neighborhood commercial (NC) and community serving commercial (CC) uses with a FAR of 0.5-1.5 and a maximum height of 2-3 stories. (If residential units are integrated with commercial development, the FAR may increase to 1.5 with a maximum height of 3 stories. If no residential units are

¹ The City Council initially approved the Land Use Plan amendment through Resolution 02-73 adopted on July 3, 2002. Coastal Commission staff deemed the amendment request incomplete due to an improper resolution of submission pursuant to Section 30510 (a) of the Coastal Act. The City Council adopted a revised resolution of submission on November 6, 2002.

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provided, the FAR remains at 0.5 with a maximum height of 2 stories.) The NC designation allows retail commercial, eating and drinking establishments, household goods, food sales, drugstores, building materials and supplies, professional offices, personal services, recreational commercial, overnight accommodations, cultural facilities, and similar uses. The CC designation allows all the same uses as the NC designation with a possible automobile center at Camino de Estrella or Avenida Pico. All MU2 properties are located within the North Beach Study Area, along El Camino Real and Calle de Los Molinos (Exhibit 3). The MU2 properties total 5.62 acres, or 244,731 square feet.

Coastal Act Policies

As stated previously, the Coastal Act is the standard of review in the current analysis. The Coastal Act encourages the provision of lower cost visitor and recreational facilities and provides that development should maintain and enhance public access to the coast. As explained below, the proposed LUP amendment is in conformity with all applicable sections of the Coastal Act, including the following:

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 30250 states, in pertinent part:

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

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...

Proposed Change in Land Use Designation

The City's LUP was certified by the Commission in 1988 and comprehensively updated in 1995. The proposed amendment (SCL MAJ 1-02) involves a request to increase the allowable floor area ratio (FAR) for office use components of mixed-use projects in the Mixed Use (MU2) land use designation. However, the total FAR allowed will remain at 1.5. Within the allowable 1.5 FAR, the amendment will allow increased office uses in

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lieu of residential uses. The amendment will not affect the maximum allowable ratio of retail commercial uses, but may in practice result in additional retail development, as will be explained below.

Currently, the FAR specified in the LUP allows a maximum 1.5 FAR for mixed use projects, including a minimum commercial component of .35 FAR and a maximum commercial component of .50 FAR, with the remaining allowable FAR (1.0 to 1.15 maximum) to be residential. The commercial FAR standards currently affect all types of commercial development—retail, restaurant and office. As such, a project proponent may now fulfill the commercial FAR with solely office space and no retail.

With the proposed LUP amendment, the maximum FAR will remain 1.5. However, office space will be allowed to replace some residential space, up to .50 FAR, such that the maximum commercial FAR would be 1.0. At least .35 FAR must be retail/restaurant commercial. As such, the project proponent will not be allowed to fulfill the commercial FAR with solely office space. The amendment would also require each mixed use project to provide a minimum .30 FAR as residential space, thereby retaining the residential component of mixed use projects. Projects in mixed-use zones are only allowed to achieve the full FAR if substantial public benefit is provided.

The following is an analysis of the development or redevelopment potential of all MU2 properties, by square foot, comparing the FAR standards of the current LUP with that of the amended LUP.

Land Use	FAR	Current LUP Standards
Residential	1.0-1.15	244,731—281,440 sq. ft.
Commercial (Office/Retail/Restaurant)	0.35-0.5	85,655—122,365 sq. ft.

Land Use	FAR	Amended LUP Standards
Residential	0.3-1.15	73,419—281,440 sq. ft.
Office Commercial	0-1.0	0—244,731 sq. ft.
Retail/Restaurant Commercial	0.35-0.5	85,655—122,365 sq. ft.

As shown in the table above, the allowable office commercial FAR will increase (up to 1.0 FAR) and the retail/restaurant commercial FAR will not be changed by the proposed amendment. Retail/restaurant commercial FAR will remain 0.35-0.5. However, retail commercial uses may increase as a result of the amendment. Project proponents must provide a minimum retail/restaurant commercial use, where office commercial use could have been provided before. As such, the potential for visitor-serving development on the ground floor will increase as a result of the amendment.

The amendment will primarily affect the amount of residential space provided in mixed-use developments. As amended, the LUP will allow the ratio of residential uses to be reduced if office uses are proposed in their place. The proposed amendment will allow up to 1.0 FAR of office space to replace the allowable residential FAR in mixed-use projects. However, a minimum 0.3 FAR for residential development must still be

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provided to maintain a viable mixed-use development. The allowable residential FAR will be 0.3-1.15.

Mixed-use development that combines residential and commercial uses is consistent with Section 30252 of the Coastal Act, which encourages the reduction of vehicle trips on coastal access roads. As described previously, the MU2 designated lots are located within an area of North Beach that is developed with a mix of commercial and residential uses. Pursuant to Section 30250, the areas designated MU2 are located in existing developed areas that are capable of accommodating new development.

The proposed change in land use ratios will increase opportunities for priority visitor-serving development. The Mixed Use designation does not restrict commercial uses to those that are solely tourist/visitor-serving in nature. As such, the 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 1 mile south of the North Beach area. Therefore, the proposed amendment will not have an adverse effect on the priority *"lower cost visitor and recreational facilities"* to be protected and encouraged under Section 30213 of the Coastal Act.

Therefore, the Commission finds that the proposed amendment may benefit lower cost visitor serving uses and is consistent with Section and 30213 of the Coastal Act. In addition, the Commission finds that the Land Use Plan amendment, as submitted, is in conformance with and adequate to carry out Sections 30250 and 30252 of the Coastal Act.

VI. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Section 21080.9 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 environmental review process. 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 request to increase the allowable floor area ratio (FAR) for office use components of mixed-use projects in the Mixed Use (MU2) land use designation, throughout the San Clemente Coastal Zone. As proposed, the change in

land use ratio will be consistent with existing development and the character of the surrounding neighborhood. In addition, the change may increase the provision of visitor-serving commercial development.

The Commission finds that approval of the Land Use Plan amendment will not result in significant adverse environmental impacts under the meaning of the California Environmental Quality Act. In addition, the Commission finds that there are no feasible alternatives under the meaning of CEQA which would reduce the potential for significant adverse environmental impacts which have not been explored.



RESOLUTION NO. 02-104

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING RESOLUTION 02-73 APPROVING GENERAL PLAN AMENDMENT (GPA) 01-093/LOCAL COASTAL PROGRAM LAND USE PLAN AMENDMENT (LCPA) 02-035, CONSISTING OF AMENDMENTS TO THE LAND USE AND COASTAL ELEMENTS FOR THE COASTLINE MIXED USE DEVELOPMENT ON NORTH EL CAMINO REAL

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 MU2 and MU3 for North Beach; and

WHEREAS, the City Council has approved a Local Coastal Implementation Plan, including the designation of the North Beach Study Area; and

WHEREAS, on February 7, 1996, the City Council of the City of San Clemente approved a comprehensive update of the Zoning Ordinance, which stipulates that the North Beach Study Area is subject to Ordinance 794; and

WHEREAS, since the adoption of all of the above, it has become evident to the City that mixed use development within the North Beach Study Area cannot occur in compliance with the policies, standards and guidelines found in the General Plan, Coastal Element, and Urban Design Guidelines; and

WHEREAS, on May 10, 2001, an application was submitted, and on March 28, 2002, completed, by Michael Luna, 31681 Camino Capistrano, Suite 105, San Juan Capistrano, CA 92675, for a request to amend the City's General Plan and Coastal Element to allow a higher floor area ratio (FAR) for office use components of mixed use projects in the Mixed Use (MU2-p-A) land use designation; a Zoning Amendment to allow residential uses to be incorporated into commercial projects in the General Commercial (C2) zone of the North Beach Study Area; and the construction of an approximately 24,314 square foot, mixed use (retail/office/residential) project with underground parking on a 20,000 square foot vacant lot within the C2 zone of the North Beach Study Area and within the Coastal Zone on N. El Camino Real, the legal description being Lots 4, 5, 6, 7 and 8, Block 1 of Tract 821; and

WHEREAS, the Land Use Element and Coastal Element are closely related and all amendments together are designated as GPA 01-093/LCPA 02-035; and

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Review of the aforementioned documents, the City Council hereby approves the Mitigated 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 Mitigated 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 City Council determines 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 hereby 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: The City Council finds and determines as follows with regard to GPA 01-93/LCPA 02-035 for the amendments to the Land Use Element and Coastal Element, including all proposed changes described in Exhibit 'A' attached hereto:

- A. The amendments 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 mixed use policies and objectives without adversely affecting commercial, tourist and visitor-serving development opportunities; economic development objectives; and traffic circulation.

SECTION 3: With respect to LCPA 02-035, the City Council finds as follows:

- A. The adoption of the Local Coastal Program Land Use Plan Amendment 02-035 will not render the City General Plan, Zoning Ordinance, or Coastal Land Use Plan internally inconsistent.
- 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 will not inhibit the City's ability to provide a full range of coastal, visitor-serving uses.

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WHEREAS, the City's Development Management Team has reviewed the subject amendments for consistency with General Plan policies and other applicable City ordinances and policies; and

WHEREAS, the City Council of the City of San Clemente desires to facilitate the development of mixed-use and commercial projects within the North Beach Study Area in accordance with General Plan objectives, goals and policies; 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, with mitigation, will not have any potential significant environmental impacts, and that, therefore, a Mitigated Negative Declaration is warranted; and

WHEREAS, a Mitigated Negative Declaration reflecting the independent judgment of the City of San Clemente was prepared on April 1, 2002, and was advertised for the required 30-day public review period from April 5, 2002 through May 6, 2002; and

WHEREAS, on March 19, 2002, and April 16, 2002, the Planning Commission held a duly noticed public hearing on the subject application, considered evidence presented by the City staff, the applicant and other interested parties, and recommended approval of the project; and

WHEREAS, on July 3, 2002, the City Council held a duly noticed public hearing on the subject application and considered evidence presented by the City staff, the applicant and other interested parties, and approved the application via Resolution No. 02-73 and Ordinance No. 1263; and

WHEREAS, on August 23, 2002, the City of San Clemente submitted an application (LCPA 02-035) to the California Coastal Commission for an amendment to the City's Coastal Land Use Plan; and

WHEREAS, on September 18, 2002, Coastal Commission staff deemed LCPA 02-035 incomplete, due to an incomplete resolution of approval (Resolution No. 02-73); and

WHEREAS, on November 6, 2002, the City Council considered a revised resolution, that includes additional provisions required by the California Coastal Commission, as well as all the provisions found in Resolution No. 02-73.

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 Mitigated Negative Declaration, the City Council finds that the Mitigated 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

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- C. This Update to the Coastal Land Use Plan is consistent with all surrounding land uses and is in the public interest and general welfare of the community and properties in the coastal neighborhoods.
- D. This amendment of the Coastal Land Use Plan shall be submitted to the California Coastal Commission for approval and certification.

SECTION 4: The City Council hereby certifies that this amendment of the Coastal Land Use Plan is intended to be carried out in a manner fully in conformity with the California Coastal Act.

SECTION 5: The City Council hereby adopts a Mitigated Negative Declaration and approves GPA 01-093 and LCPA 02-035 subject to the above Findings, and the changes described in Exhibit 'A'.

SECTION 6: The California Coastal Commission is hereby requested to consider, approve and certify the amendments to the City of San Clemente Coastal Land Use Plan attached hereto as Exhibit 'A'; and

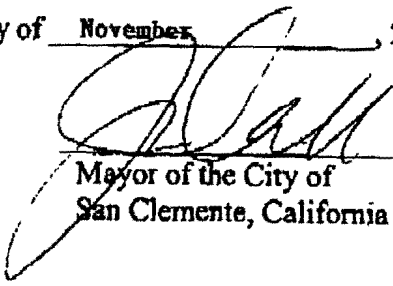
SECTION 7: Pursuant to Section 13551(b) of the Coastal Commission Regulations, the City of San Clemente Coastal Land Use Plan Amendment will take effect automatically upon final action of The California Coastal Commission.

SECTION 8: The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

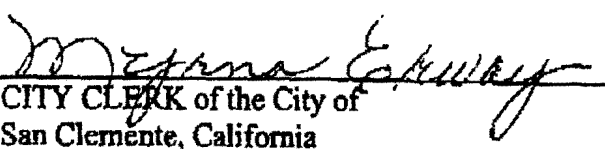
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PASSED AND ADOPTED this 6th day of November, 2002.
Mayor of the City of
San Clemente, California

ATTEST:

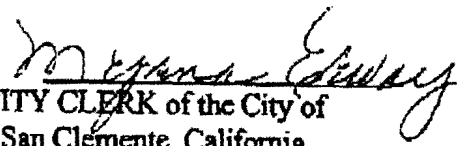

CITY CLERK of the City of
San Clemente, CaliforniaSTATE OF CALIFORNIA)
COUNTY OF ORANGE) §
CITY OF SAN CLEMENTE)

I, MYRNA ERWAY, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. 02-104 was adopted at a regular meeting of the City Council of the City of San Clemente held on the 6th day of November, 2002, by the following vote:

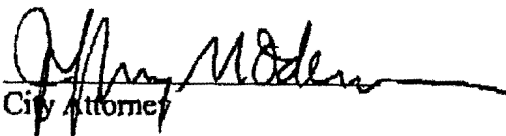
AYES: DIEHL, DOREY, EGGLESTON, RITSCHER, MAYOR DAHL

NOES: NONE

ABSENT: NONE


CITY CLERK of the City of
San Clemente, California

Approved as to form:


City Attorney

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EXHIBIT A

**COASTLINE MIXED USE
TEXT REVISIONS FOR GPA 01-093/LCPA 02-035**

The following changes shall be incorporated within the 1993 General Plan and certified Coastal Land Use Plan (LUP):

1. 1.0, Land Use Element, Section IV.A.1, Table 1-3, Land Use Classifications (page 1-16)

Amend Mixed Use Category "MU2" with a footnote reference and footnote to read:

"Refer to Land Use Element, Section IV.B.1.b, North Beach, "Density, Intensity and Height," Policy 1.13.7 (page 1-42) and implementation programs for exceptions to allow office uses in lieu of some residential for mixed use projects in the MU2-p-A land use designation that provide substantial public benefit."

2. 1.0, Land Use Element, Section IV.B.1.b, North Beach, "Density, Intensity and Height," Policy 1.13.7 (page 1-42), add subsection (c) to read in its entirety as follows:

"For projects that integrate residential with commercial uses and provide substantial public benefit as determined through the discretionary review process, some residential floor area may be substituted with up to 0.5 additional FAR attributed to professional office uses on the second floor above street level and higher under the following circumstances:

- (1) The project's overall FAR does not exceed 1.5;
- (2) The overall commercial FAR, including office, retail, lodging and restaurant, does not exceed 1.0;
- (3) The project's retail/restaurant component FAR does not exceed 0.5; and
- (4) A minimum FAR of 0.3 is provided in residential uses."

3. Certified LUP, Chapter 3, Section 302, Table 3-1, Coastal Land Use Plan Classifications, page 3-5, ~~and General Plan, Chapter 10, Natural and Historic/Cultural Resources Element, Section IV.C, Cultural Resources, Policy 10.4.7 (page 10-20)~~

Amend Mixed Use Category "MU2" with a footnote reference and footnote to read:

"Refer to San Clemente General Plan Land Use Element, Section IV.B.1.b, North Beach, "Density, Intensity and Height," Policy 1.13.7 (page 1-42) and implementation programs for exceptions to allow office uses in lieu of some residential for mixed use projects in the MU2-p-A land use designation that provide substantial public benefit."

~~Revisions are shown on the attached applicable sections of the LUP and the General Plan.~~

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Chapter 3: Goals and Policies

Category	Typical Principal Uses	Maximum Density/ Intensity and Height
P	Governmental administrative and related facilities, utilities, schools, public and private parking, undeveloped parks.	N/A
MU 1, 1.1, 1.2, 2 ³ , 3, 4.1, and 4.2	<p>The mixed use zones allow a combination of commercial uses with residential units allowed on upper floors.</p> <p>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.</p> <p>Residential units are allowed on second floor and higher when integrated with commercial, excluding large scale single use functions (e.g., grocery stores) and provided impacts are mitigated.</p>	<p>Floor area ratio/height:</p> <p>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</p> <p>Floor area ratio/height:</p> <p>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</p>
MU 4.3	<p>Overnight accommodations, restaurants, cultural facilities, museums, and ancillary retail.</p> <p>Residential units on second floor and higher integrated with commercial.</p>	<p>Floor area ratio: 1.0</p> <p>Height:</p> <p>Ocean frontage - no view blockage of Casa Romantica</p> <p>Street frontage - height of buildings on adjacent parcels</p> <p>Same as above</p>
OS 1	Publicly owned existing and dedicated parklands, parking lots, and other.	N/A
OS 2	Privately owned and intended as open space for passive recreation, aesthetic, golf courses and ancillary uses, and /or resource management purposes.	N/A
OSC	Public and private golf courses and ancillary facilities (e.g., clubhouses).	To be determined on an individual basis.
Pedestrian -p	Uses permitted by the underlying land use category. Offices located to rear of ground floor retail and second floor and higher; limited street front use. Pertinent design standards.	As specified by underlying land use zone.
Architectural Design -A	Uses permitted by underlying land use category. Design in accordance with Spanish Colonial Revival standards (Urban Design Element).	As specified by underlying land use zone.

² Refer to San Clemente General Plan Land Use Element, Section IV.B.1.b, North Beach, "Density, Intensity and Height;" Policy 1.13.7 (Page 1-42) and implementation programs for exceptions to allow office uses in lieu of some residential for mixed use projects in the MU2-p-A land use designation that provide substantial public benefit.

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10.0 NATURAL AND HISTORIC/CULTURAL RESOURCES**Objective**

- 10.4 Provide incentives to private owners of historic resources to maintain and/or enhance their properties in a manner that will conserve the integrity of such resources in the best possible condition.

Policies

- 10.4.1 Encourage owners of eligible historic income-producing properties to use the tax benefits provided by the 1981 Tax Revenue Act or as may be amended (*I 10.21*).
- 10.4.2 Consider the waiver of building permit fees for owners of small properties with historic resources who are unable to benefit from other government programs for the rehabilitation, alteration or reuse of their structure(s) only if rehabilitated in accordance with established historic preservation guidelines (*I 10.21*).
- 10.4.3 Consider allowing flexibility in building code requirements for the rehabilitation of historic structures as specified in State Historical Building Code Part 8, Title 24 if rehabilitated in accordance with established historic preservation guidelines (*I 10.17 and I 10.21*).
- 10.4.4 Provide technical advice to private property owners seeking to restore historically significant structures (*I 10.15 and I 10.21*).
- 10.4.5 Seek the participation of the Redevelopment Agency and/or work with local lending institutions to provide appropriate financing for the rehabilitation and restoration of historically significant structures (*I 10.22*).
- 10.4.6 Encourage appropriate adaptive reuse of historic resources in order to prevent misuse, disrepair and demolition, taking care to protect surrounding neighborhoods from incompatible uses (*I 10.21*).
- 10.4.7¹ Prohibit demolitions if other alternatives exist that enable a property owner to sensitively add to the existing structure, or develop an accompanying building on the site that allows property development rights to be realized. Variances of setbacks, heights and parking requirements should be given to make the preservation of an existing historic building feasible when no other reasonable alternative exists (*I 10.21*).

¹ Refer to San Clemente General Plan Land Use Element, Section IV.B.1.b, North Beach, "Density, Intensity and Height," Policy 1.13.7 (Page 1-42) and implementation programs for exceptions to allow office uses in lieu of some residential for mixed use projects in the MU2-p-A land use designation that provide substantial public benefit.

COASTAL COMMISSION
SCL-MAT-1-02

EXHIBIT # 2
PAGE 1 OF 1

Coastal Zone Boundary

COASTAL LAND USE



0 500' 1000' 1500'

MAP 1

LEGEND

Residential

RM	10 Units/ 20 Gross Acres
RM	15 Units/ Gross Acres
RL	4.5 Units/ Gross Acres (7.0 Units/ Net Acres)
RL	7.0 Units/ Gross Acres (10.0 Units/ Net Acres)
RM	15.0 Units/ Gross Acres (24.0 Units/ Net Acres)
RM	24.0 Units/ Gross Acres (38.0 Units/ Net Acres)

Commercial

NC	Neighborhood Serving (1-5) F.A.R. 0.35
CC	Community Serving CC1 & CC2 - F.A.R. 0.5 CC3 - F.A.R. 0.7
CRC	Coastal and Recreation Services See General Plan for Details
RC	Regional Serving RC1 - F.A.R. 0.5 RC2 - F.A.R. 2.0

Mixed Commercial and Residential

MU	Mixed Use Standards Vary with Sub-zone, Refer to General Plan
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Industrial

IL and I2	Light Industrial IL - F.A.R. 0.35 I2 - F.A.R. 0.5
I3	Heavy Industrial I3 - F.A.R. 0.75

Public/ Parking

P	Governmental, Administrative, Utilities, Schools, Public and Private Parking, Undeveloped Parks
CVC	Civic Center

Institutional

Inst	Institutional
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Open Space

OS1	Public Parks and Publicly Owned Open Space
OS2	Privately Owned Open Space (Intended for Open space as formal equipment)
OS3	Privately Owned Open Space (Restricted by Easement)
OSC	Golf courses and Commercial Recreation
OSR	Telaga Reserve

Overlay Districts

P	Pedestrian Overlay
A	Architectural Overlay

* See General Plan for Explanation and Applicability of Net and Gross Area Density

*Designated
Prepares*

MU2

