

CITY OF SAN CLEMENTE

***RANCHO SAN CLEMENTE
SPECIFIC PLAN***

DECEMBER 2002

CITY OF SAN CLEMENTE

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LAST REVISED FEBRUARY 2016

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TABLE OF CONTENTS

CHAPTER 1.....	1-1
INTRODUCTION.....	1-1
101 Purpose And Objectives.....	1-1
102 Applicability And Organization Of Specific Plan.....	1-2
103 Relationship To Other City Planning Documents.....	1-2
104 Size And Location Of Property.....	1-4
105 Rancho San Clemente Planning History.....	1-4
<i>Figure 1-1, Regional Context.....</i>	1-5
<i>Figure 1-2, Inland Ranches.....</i>	1-6
TABLE 1-1, PLANNING HISTORY.....	1-7
106 General Plan And Zoning.....	1-8
<i>Figure 1-3, General Plan Land Use.....</i>	1-9
107 Existing Physical Conditions.....	1-10
TABLE 1-2, EXISTING LAND USE.....	1-10
108 Authority And Severability.....	1-12
CHAPTER 2.....	2-1
MASTER PLAN.....	2-1
201 Planning Concepts.....	2-1
202 Master Land Use Plan.....	2-2
<i>Figure 2-1, Land Use Exhibit.....</i>	2-4
TABLE 2-1, LAND USE STATISTICAL SUMMARY.....	2-5
203 Affordable Housing Program.....	2-7
TABLE 2-2, AFFORDABLE HOUSING DISTRIBUTION.....	2-7
204 Parks, Open Space And Recreation Trails.....	2-8
TABLE 2-3, OPEN SPACE STATISTICAL SUMMARY.....	2-8
205 Grading Concept.....	2-9
<i>Figure 2-2, Open Space Features.....</i>	2-10
206 Circulation Plan.....	2-11
<i>Figure 2-3, Circulation Plan.....</i>	2-11
207 Landscape Concept.....	2-13
208 Infrastructure Plan.....	2-13
<i>Figure 2-4, Scenic Corridors.....</i>	2-14
CHAPTER 3... ..	3-1
DESIGN GUIDELINES.....	3-1
301 Purpose.....	3-1

302 Grading Design Guidelines.....	3-2
304 landscape Guidelines.....	3-3
<i>Figure 3-1, Scenic Setback Concept</i>	3-11
CHAPTER 4	4-1
PHASING AND IMPLEMENTATION.....	4-1
401 Development Phasing.....	4-1
402 Circulation Phasing.....	4-1
403 Bikeway And Trail Phasing.....	4-2
404 Infrastructure Improvements.....	4-2
405 Funding Of Public Facilities.....	4-4
406 Maintenance Responsibilities.....	4-6
TABLE 4-1, MAINTENANCE RESPONSIBILITIES.....	4-6
CHAPTER 5	5-1
DEVELOPMENT STANDARDS.....	5-1
501 Residential Development Subdivisions.....	5-1
TABLE 5-1, CONVENTIONAL SUBDIVISIONS.....	5-5
TABLE 5-2, PLANNED UNIT DEVELOPMENTS.....	5-6
502 Neighborhood Commercial Standards.....	5-7
503 Mixed Use Standards.....	5-9
504 Industrial Development Standards.....	5-11
505 Public Use Standards.....	5-15
506 Private Open Space Standards.....	5-17
507 Institutional Standards.....	5-19
CHAPTER 6	6-1
DEVELOPMENT REVIEW.....	6-1
601 Development Review Procedures.....	6-1
602 Amendments To The Specific Plan.....	6-3
CHAPTER 7	7-1
DEFINITIONS.....	7-1
APPENDICES	
Appendix A – California Government Code Sections 65450 through 65457	
Appendix B – Index of Applicable Zoning Ordinance Sections	
Appendix C – List of Invasive and Undesirable Plant Species	
Appendix D – Orange County Fuel Modification Guidelines	
Appendix E – Resolution of Approval	

Chapter 1

INTRODUCTION

101	Purpose and Objectives
102	Applicability and Organization of Specific Plan
103	Relationship to Other City Planning Documents
104	Size and Location of Property
105	Rancho San Clemente Planning History
106	General Plan and Zoning
107	Existing Physical Conditions
108	Authority and Severability

101 Purpose And Objectives

The purpose of this Specific Plan is to implement the City's General Plan with respect to the development of Rancho San Clemente. In support of this purpose, the Specific Plan's objectives are:

- I. To provide planning and design concepts for Rancho San Clemente consistent with the General Plan;
- II. To provide for the implementation of the City's Inclusionary Housing Program, Growth Management Program, Urban Design Program, and Master Landscape Plan for Scenic Corridors
- III. To provide a set of development standards for the Specific Plan Area to implement the foregoing planning and design concepts;
- IV. To regulate land uses and development in conformance with the City's Zoning Ordinance and Hillside Development Ordinance No. 841;
- V. To provide a balance of land uses within the Specific Plan area, including a wide range of housing opportunities, educational, institutional, open space, and recreational uses, with a substantial employment center including commercial, business park, and industrial park in close proximity to residential areas;
- VI. To phase development in step with provision for the infrastructure and services needed to support the new development;
- VII. To reduce intrusion on the natural topography and open space by preserving the primary ridgeline, gateway knoll, and perimeter open space areas.

102 Applicability And Organization Of Specific Plan

The Rancho San Clemente Specific Plan is both a planning and a regulatory document to implement the goals, policies, and objectives of the San Clemente General Plan. The chapters are written to guide and regulate land use and development in a manner unique to Rancho San Clemente, while implementing City-wide plans and policies.

The provisions of this Specific Plan apply to all real property within the area known as Rancho San Clemente, depicted on Figures 1-1 and 1-2. The following is an outline of the chapters in this Specific Plan:

- Chapter 1: Introduction
- Chapter 2: Master Plan
- Chapter 3: Design Guidelines
- Chapter 4: Phasing and Implementation
- Chapter 5: Development Standards
- Chapter 6: Development Review and Applications
- Chapter 7: Definitions

103 Relationship To Other City Planning Documents

I. GENERAL PLAN

The General Plan is the fundamental planning policy document of the City of San Clemente. It defines and sets forth rules by which the community will be permitted to develop in the future. It is intended to guide all planning environmental decisions, and land use in the City for the next ten to twenty years. Goals, objectives, and policies are established by the various General Plan Elements. These Elements include Land Use, Housing, Economic Development, Urban Design, Growth Management and Circulation among others.

The General Plan establishes what types of land uses will be permitted and where, how dense the development will be, and the proportional relationship of the built environment to the natural environment. The General Plan also identifies the location and amounts of open space to be preserved; the basic design and phasing of the circulation system; future infrastructure and public services needs; and how environmental resources will be protected. The City's physical form and image, economy, and social fabric are greatly influenced by the General Plan. The Rancho San Clemente Specific Plan is a tool for the implementation of the General Plan and all of its elements that apply to the Rancho San Clemente area.

II. ZONING ORDINANCE

The City's Zoning Ordinance is the document that implements the General Plan. It provides regulations regarding permitted land uses, development standards, the development entitlement process, etc. for all parcels of land within the corporate boundaries of the City of San Clemente. Certain areas of the City, e.g. the Pier Bowl, Rancho San Clemente, Forster Ranch, Marblehead Inland, the Pico Corridor and Talega are zoned SP (Specific Plan). The various adopted Specific Plans for these areas are incorporated into the Zoning Ordinance by reference. They establish regulations applicable to the land within the boundaries of a particular Specific Plan. Likewise, the Zoning Ordinance provides certain regulations that apply within the Specific Plan areas. Each Specific Plan incorporates sections of the Zoning Ordinance by reference.

III. SIGN ORDINANCE

The Sign Ordinance contains regulations pertaining to signs throughout the City. This Specific Plan incorporates the Sign Ordinance by reference.

IV. DESIGN GUIDELINES

The City's adopted Design Guidelines, which apply to all areas of the City except for the Inland Ranch Specific Plan areas, contain architectural and site design guidelines for use by planners, architects, landscape architects and other design professionals. Their purpose is to implement the General Plan Urban Design Element. Chapter 3 of this Specific Plan contains design guidelines similar in purpose and content to the Design Guidelines, but created for and applicable to areas within Rancho San Clemente.

V. MASTER LANDSCAPE PLAN FOR SCENIC CORRIDORS

The Master Landscape Plan for Scenic Corridors contains streetscape design standards for all arterial highways identified in the Scenic Highways Element of the General Plan. In a manner similar to the Design Guidelines, this Rancho San Clemente Specific Plan incorporates guidelines from the Master Landscape Plan for Scenic Corridors for Avenida Pico and Avenida La Pata.

VI. HILLSIDE DEVELOPMENT ORDINANCE

The City's Hillside Development Ordinance contains regulations pertaining to grading and development in hillside areas such as Rancho San Clemente. Chapter 3 of this Specific Plan contains general grading and other design guidelines which are consistent with and meant to be used in concert with the Hillside Development Ordinance.

104 Size And Location Of Property

Rancho San Clemente is located generally southeast of Avenida Pico (with the exception of Planning Areas 1 and 25), about one-half mile inland of the Interstate 5 freeway. It is bounded by Marblehead Inland on the west, the Talega and Forster Ranch Specific Plan areas to the north, and Camp Pendleton U.S. Marine Corps Base on the east (See Figure 1-1). Rancho San Clemente consists of approximately 1,943 acres of land with elevations varying from less than 80 feet to more than 900 feet above sea level. This planned community has several significant features, including a primary ridgeline and a prominent knoll adjacent to Avenida Pico. These features are visible from many areas of the community.

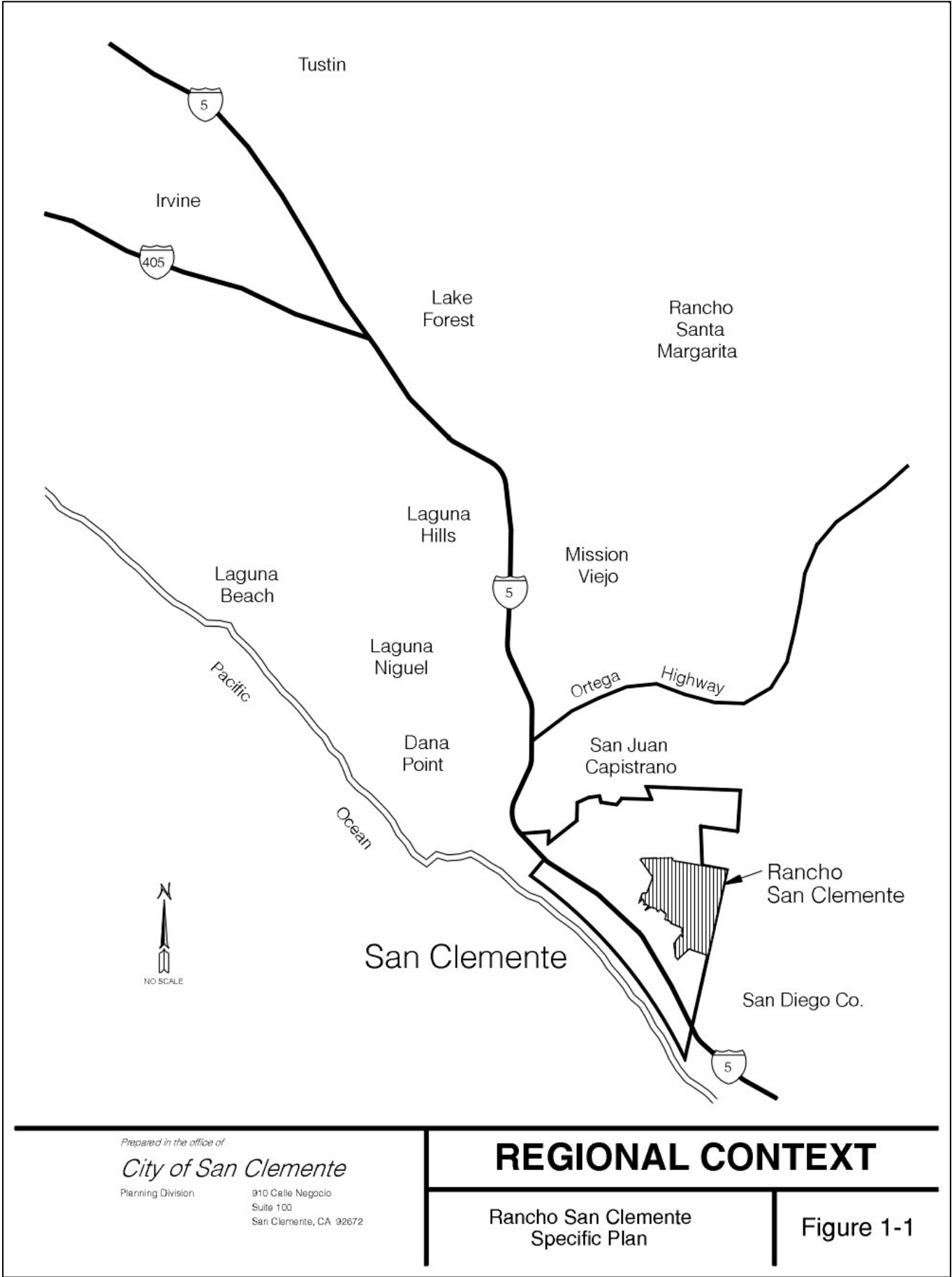
105 Rancho San Clemente Planning History

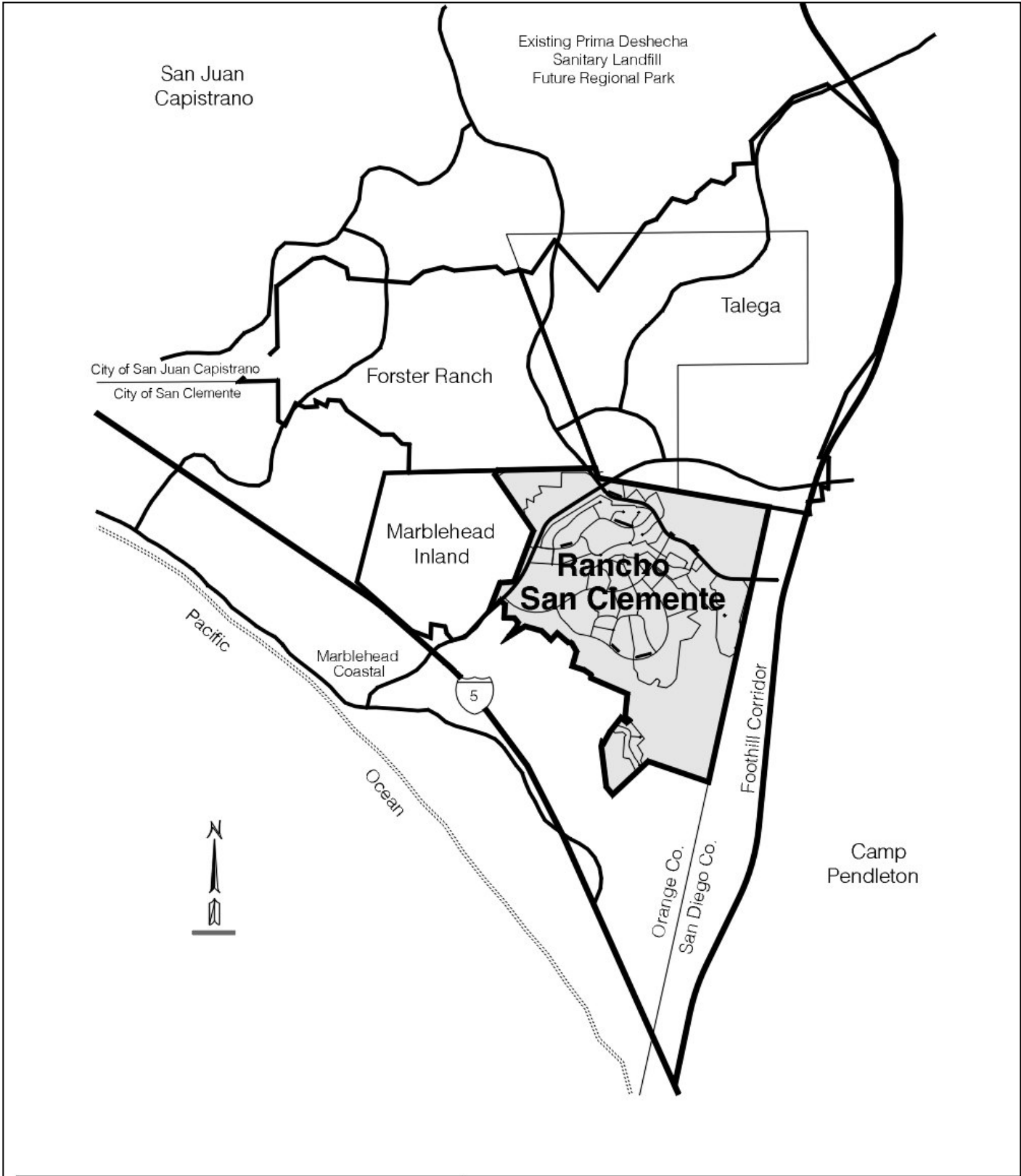
I. ORIGINAL SPECIFIC PLAN

In July 1982, the City Council adopted a new Citywide General Plan. At about the same time, the City Council also adopted a new Hillside Development Ordinance and a major amendment to the Zoning Ordinance. The zoning amendment created a "Development District", designated "D-D" on the zoning map, for the inland area of the City. This D-D District allowed for a maximum of 1.5 dwelling units per gross acre overall and required more detailed planning prior to development and was applied to the four major inland ranch properties (see Figure 1-2).

Subsequent to the 1982 General Plan adoption, Specific Plans were adopted for three of the four ranches including Rancho San Clemente. The original Rancho San Clemente Specific Plan was adopted by the City Council on November 16, 1983 by Ordinance No. 876 and amended in 1989 to accomplish the following:

- A. Grading which is responsive to the natural terrain and preserves designated primary ridgeline, gateway knoll, and significant open space.
- B. A change in the mix of housing types that will be available in the various residential areas to be developed on the property.
- C. The addition of a support commercial area for the business park, a 30.7 acre industrial park, a 44.7 acre community park, a mixed use area at the future nucleus of the inland community to provide retail, residential, and business uses, and sites designated Institutional.
- D. A more workable circulation plan.





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INLAND RANCHES

Rancho San Clemente
Specific Plan

Figure 1-2

II. SUBSEQUENT GENERAL PLAN/SPECIFIC PLAN AMENDMENTS

In 1994, the City Council approved GPA 94-02/SPA 94-02 resulting in several land use designation changes in Rancho San Clemente. In 1995 the City Council approved two more General Plan land use changes in Rancho San Clemente, which are implemented in this revised Rancho San Clemente Specific Plan. The following Table 1-1 summarizes the 1994/95 land use designation changes:

**TABLE 1-1
PLANNING HISTORY**

PLANNING AREA	ACTION FILE	FROM	TO
3A	GPA 94-02 SPA 94-02	NA Business Park	NA Business Commercial
5	GPA 94-02 SPA 94-02	P Parking	I2 Business Park
6	GPA 94-02 SPA 94-02	P Parking	I2 Business Park
8A	GPA 94-02 SPA 94-02	P Parking	I2 Business Commercial
8B	GPA 94-02 SPA 94-02	P Parking	I3 Industrial Park
8B	GPA 95-03 SPA 95-01	I3 Industrial Park	I2 Business Park
10A	GPA 94-02 SPA 94-02	RL Low Density Residential	RM Medium Density Residential
11A	GPA 94-02 SPA 94-02	RL Low Density Residential	RML Medium-Low Density Residential
16	GPA 94-02 SPA 94-02	Inst. Institutional	RML Medium-Low Density Residential
18	GPA 94-02 SPA 94-02	RL Low Density Residential	RML Medium-Low Density Residential
26	GPA 95-02 SPA 95-01	NC2 Neighborhood Commercial	I2 Business Park
27	GPA 94-02 SPA 94-02	NC2 Neighborhood Commercial	I2 Business Commercial

GPA 94-02/SPA 94-02 was partly initiated by individual property owners and partly by the City. Privately initiated changes were made for Planning Areas 3A, 5, 6, 8A, 8B, 16, and 27. The City expanded Planning Area 8B by 2.03 acres, decreasing Planning Area 4 by the same amount and changed the densities in Planning Areas 10A, 11A, and 18 to reflect actual buildout.

GPA 95-02 changed the land use designation on Planning Area 26 from NC2 Neighborhood Commercial to I2 Light Industrial. GPA 95-03 changed the land use designation for Planning Area 8B from I3 Heavy Industrial to I2 Light Industrial and lowered the maximum number of dwelling units permitted in Rancho San Clemente to from 2,931 to 2,568.

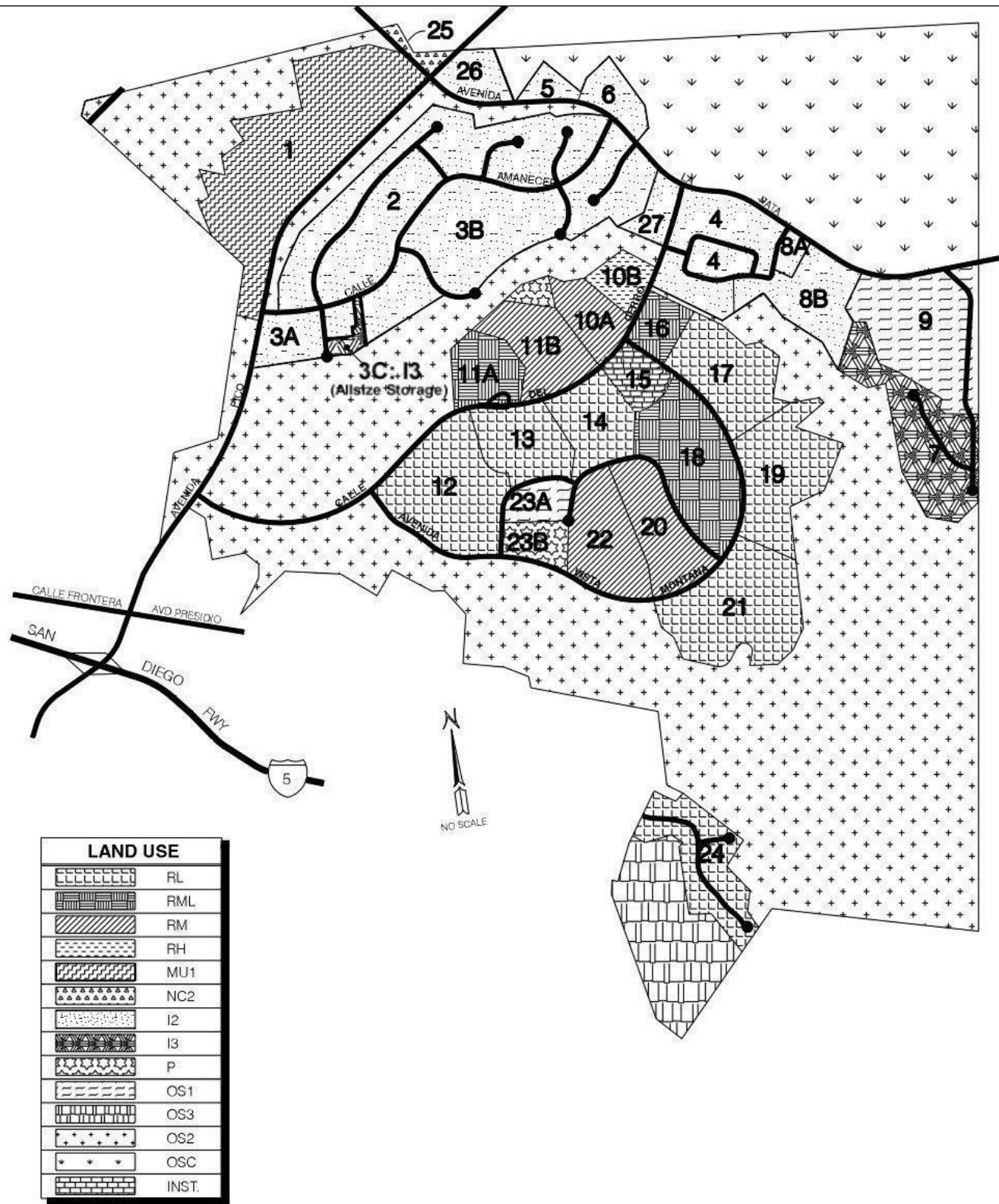
In addition to the land use changes identified above, the Rancho San Clemente Specific Plan was in need of an amendment that would implement the 1992 Comprehensive General Plan and make it consistent in format with the other inland ranch Specific Plans. This Rancho San Clemente Specific Plan (SPA 95-01) serves those purposes. It incorporates policies from the City's 1992 General Plan and other adopted planning programs, and is compatible with the City's 1995 comprehensive Zoning Ordinance update.

106 General Plan And Zoning

The City's General Plan land use designations for Rancho San Clemente are shown on Figure 1-3. They include the following:

RL	Residential - Low Density (Max 4.5 D.U./Gross Acre)
RML	Residential - Medium Low Density (Max 7.0 D.U./Gross Acre)
RM	Residential - Medium Density (Max 15 D.U./Gross Acre)
RH	Residential - High Density (Max 24.0 D.U./Gross Acre)
MU1.2	Mixed Use
NC2	Neighborhood Commercial
I2	Light Industrial
I3	Heavy Industrial
P	Public
OS1	Public Open Space
OS2	Private Open Space
OS3	Private Restricted Open Space
OSC	Golf Course

The Zoning for Rancho San Clemente is RSCSP - Rancho San Clemente Specific Plan. This Specific Plan sets forth permitted uses and development standards. Development within Rancho San Clemente shall conform to all provisions contained in this Specific Plan, as well as the SPRSC Zone and sections of the City's Zoning Ordinance adopted herein by reference.



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GENERAL PLAN LAND USE ELEMENT

Rancho San Clemente
Specific Plan

Figure 1-3

107 Existing Physical Conditions

Rancho San Clemente has been subdivided into either numbered lots for development purposes or lettered lots for permanent open space. The majority of the development area has been either rough or precisely graded. Any new grading proposed in Rancho San Clemente will be to refine rough graded areas already approved for development. The residential "bowl" area in and around Vista Del Cerro and Vista Montana is almost completely developed and surrounded by permanent open space including a ridgeline pedestrian trail. There is a City neighborhood park and a public elementary school in the bowl area. Planning Area 24 (Sea Ridge Estates) is a custom lot development, remote from the residential bowl area. Approximately 50% of the lots have homes already built.

Many graded pads in the Rancho San Clemente Business Park are available for new development with business park and business commercial uses. North of Avenida La Pata are three vacant developable Planning Areas and the Pacific Golf Clubhouse and Course. On the south side of La Pata, east of Vista Del Cerro are sites for development of auto service uses, business park, business commercial and heavy industrial, as well as the City's Richard Steed Memorial Park softball complex. The 142 acres north of Avenida Pico (Planning Area 1) is planned as a mixed use commercial and residential complex. Table 1-2 provides a summary of development status as of mid-1997:

**TABLE 1-2
EXISTING LAND USE**

Planning Area	Tract	Acres	D. U.	1994 Land Use	GP
1	TT 13530	65 * 77 * *incl. open space	162 - 286	Regional Commercial Proposed SF houses	MU1.2
2	T12402 and T 12766	103.1	NA	partially developed	I2
3	T 12124, T 12125, T 12852	93.0	NA	partially developed	I2
4	T 13467 and T 13688	30.6	NA	partially developed	I2
5	Lot 13, T 12125	4.4	NA	vacant	I2
6	Par. 2, PM 86-330	8.1	NA	vacant	I2
7	T 14609	30.7	NA	vacant	I3
8A	Lot 3, T 12126	1.1	NA	vacant	I2

**TABLE 1-2
(CONTINUED)**

Planning Area	Tract	Acres	D. U.	1994 Land Use	GP
8B	L3, T 12126 & L7, 8, T 13467	23.9	NA	vacant	I2
9	Lot 2, T 12126	46.9	NA	softball park	OS1
10A	T 12284	10.3	86	detached condos	RM
10B	T 12378	11.5	250	apartments	RH
11A	T 12283	16.3	114	detached condos	RML
11B	T 12314	20.5	264	attached condos	RM
12	T 12426	28.8	133	SF houses	RL
13	T 12359	21.9	76	SF houses	RL
14	T 12892	21.2	88	SF houses	RL
15	Lot 18, T 12125	7.0	NA	vacant	INST
16	TT 14986	8.8	43	approved SF houses	RML
17	T 14760	26.9	124	approved SF houses	RL
18	T 12883	34.0	204	SF houses	RML
19	T 14759	30.0	92	approved SF houses	RL
20	T 13182	25.7	198	condos	RM
21	T 12864	33.1	130	SF houses	RL
22	Lot 5, T 12127	25.3	368	apartments	RM
23	Lots 12, 13, T 12124	15.7	NA	park/school	OS1/P
24	T 12254	14.8	47	custom home lots	RL
25	Lot 3, T 12125	2.4	NA	vacant	NC2
26	Lot 4, T 12125	7.8	NA	vacant	I2
27	Lot 16, T 12125	5.6	N	vacant	I2
ROADS		58.0	NA	built	
OPEN SPACE		1097.0	NA	open space	

108 Authority And Severability

I. LEGAL AUTHORITY

This Specific Plan has been prepared and adopted pursuant to Sections 65450 through 65457 of the California Government Code (applicable Government Code sections reproduced as Appendix A).

II. SEVERABILITY

In the event that any plan, diagram, regulation, condition, program, or other portion of this Specific Plan is held invalid by a court of competent jurisdiction, such portion(s) shall be deemed separate, distinct, and independent provisions of the Specific Plan and the invalidity of such provisions shall not affect the validity of the remaining provisions of the Specific Plan.

III. TERMINOLOGY

Within this Specific Plan, words used in the present tense shall include the future; words in the singular shall include the plural. The word “shall” is mandatory and the word “may” is permissive. The word “should” refers to policy guidance which must be followed in the absence of important opposing considerations recognized by the City as valid and overriding. For the purposes of this Specific Plan, certain terms shall be defined as set forth in Chapter 7. Terms not listed shall be defined per the City's Zoning Ordinance, or if not listed in the Zoning Ordinance, shall be construed in accordance with accepted usage.

Chapter 2

MASTER PLAN

201	Planning Concepts
202	Master Land Use Plan
203	Affordable Housing Program
204	Parks, Open Space, and Recreation Trails
205	Grading Concept
206	Circulation Plan
207	Landscape Concept
208	Infrastructure Plan

201 Planning Concepts

I. BALANCED COMMUNITY

The plan provides a balanced mix of land uses, including business park, commercial, industrial, residential, public, recreational, and open space land uses. The business park, industrial park and commercial development will provide employment opportunities for residents of the City, helping to achieve job creation.

II. VARIETY OF HOUSING OPPORTUNITY

The plan includes a range of housing types and densities. There are provisions for affordable housing in accordance with the General Plan Housing Element.

III. RIDGELINE PRESERVATION POLICY

The plan calls for a natural appearing topographical profile and the preservation the primary ridgeline and natural areas including the knoll area at the “gateway” to Rancho San Clemente along Avenida Pico.

IV. OPEN SPACE, TRAILS AND RECREATION

Recreation opportunities within Rancho San Clemente include a 27 hole golf course, a community park, a 47 acre softball complex, and a ridgeline hiking trail which extends from the knoll near the gateway along Avenida Pico, clockwise around the residential “bowl” area to the Sea Ridge Estates development in Planning Area 24. The plan requires adherence to the City's General Plan Growth Management Policies with regard to the amount and quality of open space. Over half of the 1,943 acres of land in Rancho San Clemente are designated open space. All areas not designated for development by a Planning Area number will remain as open space.

202 Master Land Use Plan

Figure 2-1 is the Master Land Use Plan for Rancho San Clemente. It shows open space areas and planned land uses for Planning Areas identified by a number which corresponds to Table 2-1.

Rancho San Clemente has many neighborhoods which are defined by open space buffers and arterial highways. Each cluster of Planning Areas represents a mixture of compatible land uses. Planning Areas 1 and 25 are located west side of the intersection of Avenida Pico and Avenida La Pata and are designated for commercial and mixed uses.

The business park, which is planned for office, research and development, light industrial, and supporting retail uses, includes Planning Areas 2, 3A, 3B, 5, 6, 8, 26, and 27. Planning Areas 7 is planned for heavy industrial uses. Planning Area 4 is designated Business Park, and is planned as a transition area between the office/light industrial uses and the heavy industrial uses. Planning Area 4 allows for auto service and repair uses.

The residential bowl area where the majority of residential development exists includes Planning Areas 10 through 23. The bowl area includes park and school uses and a future institutional site. Planning Areas 1 and 24 are also residential, but isolated from the rest of Rancho San Clemente.

The major open space areas including the softball park (Planning Area 9) and golf course encompass the entire planned community and provide a buffer between the business/industrial uses and the residential areas. They serve to preserve natural habitat, as well as visually define neighborhoods.

I. RESIDENTIAL USES

Residential areas have been clustered to maximize open space and preservation of significant natural features including the primary ridgeline and gateway knoll. This has minimized the necessity for altering the natural topography, reduced the need for additional infrastructure, and promoted more opportunities for affordable housing units.

The residential core has been located within the bowl area of the site to minimize grading and visual impacts. The bowl area is the area within and around the Calle Del Cerro/Avenida Vista Montana loop. All of the residential areas, with the exception of Planning Areas 1 and 24, are located along this loop or on directly connecting roads. This places residences within easy access of the business park, commercial areas, the neighborhood park and Lobo Elementary School, while maintaining a functional separation of residential uses.

II. BUSINESS PARK USES

The business park concept is intended to provide a balanced community through the creation of a substantial employment base integrated with the residential areas. The business park is designed to attract high-technology, light manufacturing, and office uses which are environmentally compatible with adjacent residential and open space uses. The business park uses have been located principally in close proximity to Avenida Pico and Avenida La Pata, and are separated from the residential bowl area by the gateway knoll and ridgeline. The business park provides a variety of employment opportunities.

III. INDUSTRIAL PARK

The industrial park has been located in an area behind the primary ridgeline, where impacts to residential areas are minimized. The industrial park setting provides infrastructure and design that are suitable for a variety of similar manufacturing and storage operations. Access to the industrial park is taken from Avenida La Pata near the City boundary with Camp Pendleton.

IV. MIXED USE

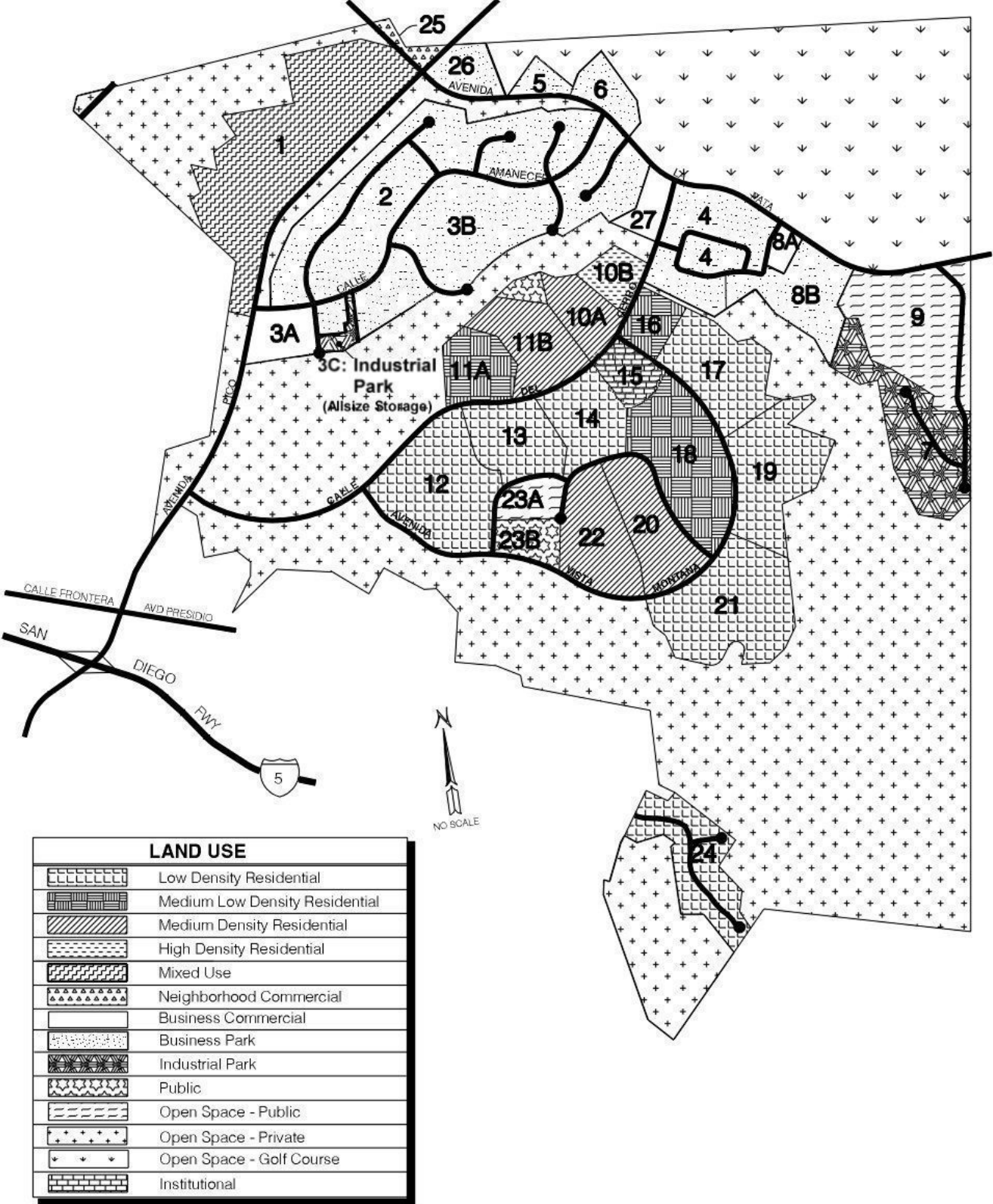
The mixed use center has been located along Avenida Pico in order to benefit all segments of the community of Rancho San Clemente, as well as the City of San Clemente as a whole. The regional shopping uses and entertainment center are expected to draw patrons from the South Orange County region, thus promoting the economic health of San Clemente. A residential area has been approved behind the regional shopping center in accordance with the General Plan "Mixed Use" policies.

V. COMMERCIAL USES

The commercial use concept involves provision for a neighborhood commercial center at the northwest corner of Avenida Pico and La Pata and four business commercial sites conveniently accessible to the business park. The business commercial sites are intended to serve the needs of businesses and employees of the Rancho San Clemente Business Park.

VI. PUBLIC/INSTITUTIONAL USES

A public elementary school has been built on the lower portion of the Vista Montana/Del Cerro loop, adjacent to the Rancho San Clemente neighborhood park. Additionally, there is a communications tower in the open space between Planning Areas 8B and 17, a City water reservoir adjacent to Planning Areas 10A and 11B, and a future institutional site at the intersection of Calle Del Cerro and Vista Montana (Planning Area 15).



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LAND USE EXHIBIT

Rancho San Clemente
Specific Plan

Figure 2-1

TABLE 2-1
LAND USE STATISTICAL SUMMARY

PERMITTED LAND USE	PLANNING AREA	ACRES	MAXIMUM DENSITY	MAXIMUM D. U.'S
Low Density Residential	12	28.8	4.5	133
Low Density Residential	13	21.9	4.5	76
Low Density Residential	14	21.2	4.5	88
Low Density Residential	17	26.9	4.5	124
Low Density Residential	19	30.0	4.5	92
Low Density Residential	21	33.1	4.5	130
Low Density Residential	24	14.8	4.5	47
Medium Low Residential	11A	16.3	7.0	114
Medium Low Residential	16	8.8	7.0	43
Medium Low Residential	18	34.0	7.0	204
Medium Density Residential	10A	10.3	15.0	86
Medium Density Residential	11B	20.5	15.0	264
Medium Density Residential	20	25.7	15.0	198
Medium Density Residential	22	25.3	15.0	368
High Density Residential	10B	11.5	24.0	250
Mixed Use	1	78.1	15.0	286
Residential Sub-Total		407.2		2503

**TABLE 2-1
(CONTINUED)**

PERMITTED LAND USE	PLANNING AREA	ACRES	MAXIMUM DENSITY	MAXIMUM D. U.'S
Neighborhood Commercial	25	2.4	NA	NA
Business Commercial	3A	11.3	NA	NA
Business Commercial	8A	1.1	NA	NA
Business Commercial	26	7.8	NA	NA
Business Commercial	27	5.6	NA	NA
Business Park	2	103.1	NA	NA
Business Park	3B	77.3	NA	NA
Business Park	4	30.6	NA	NA
Business Park	5	4.4	NA	NA
Business Park	6	8.1	NA	NA
Business Park	8B	23.9	NA	NA
Industrial Park	7 & 3C	35.1	NA	NA
Softball Park	9	46.9	NA	NA
School/Park	23	15.7	NA	NA
Institutional	15	7.0	NA	NA
Open Space/Golf Course		1,097.0	NA	NA
Roads		58.0	NA	NA
GRAND TOTAL		1942.5		

203 Affordable Housing Program

As required by San Clemente's Housing Element - Inclusionary Housing Program, the developers of Rancho San Clemente shall provide for a minimum of fifteen percent (15%) of the units built within the Rancho San Clemente Specific Plan area as affordable housing units.

By 1995, a total of 329 affordable dwelling units meeting the Inclusionary Housing Program requirements had been constructed and credited to Rancho San Clemente. The only ~~three~~ two remaining residential areas to be developed are Planning Areas 1 and 16. Each of those Planning Areas has an affordable housing requirement equal to 14% of the total dwelling units built in that Planning Area in order to meet the overall 15% requirement for Rancho San Clemente. Table 2-2 shows the distribution of existing affordable dwelling units and future requirements in Rancho San Clemente.

**TABLE 2-2
AFFORDABLE HOUSING DISTRIBUTION**

	Total D.U.'s	Affordable D.U.'s	% Affordable
Residential Planning Areas approved Prior to 1995	2,174	329	15.1%
Planning Area 1	162 to 286	23 to 40	14%
Planning Area 16	43	6	14%
TOTAL	2,379 to 2,503	358 to 375	15%

NOTE: If the owners of Planning Area 1 choose to revise Tentative Tract 13530 to accommodate 286 dwelling units (the maximum density permitted by the General Plan and this Specific Plan for that Planning Area), the affordable housing requirement for Planning Area 1 will increase from 23 to 40 affordable dwelling units, or 14 % of the ultimate number approved.

The City's Inclusionary Housing Program allows for satisfaction of the affordable housing requirement either on-site, off-site, or through in-lieu fees. Tentative Tract Map conditions for Planning Areas 1 and 16 will allow the developers of those Planning Areas to specify how the Inclusionary Housing Program requirements will be met.

204 Parks, Open Space And Recreation Trails

Approximately 60% of the area within Rancho San Clemente is planned for passive or active open space. Table 2-3 summarizes the various types of open space within Rancho San Clemente. Figure 2-2 is the Open Space Features Plan for Rancho San Clemente.

TABLE 2-3
OPEN SPACE STATISTICAL SUMMARY

OPEN SPACE AREA	ACRES
Rancho San Clemente Park/Lobo Elementary School	15.7
Richard Steed Softball Park	46.9
Private/Golf Course	1097.0
Total Open Space	1159.6

I. PUBLIC OPEN SPACE

Planning Area 23A is developed as a City neighborhood park (Rancho San Clemente Park) of approximately seven acres. This park is located to complement the Lobo Elementary School on Avenida Vista Montana and provide traditional active park uses and play fields. The 46.9 acre partially developed Richard Steed Softball Park (Planning Area 9) is located at the easterly terminus of Avenida La Pata. The location of this facility away from the residential areas is intended to avoid potential conflicts such as glare from night lighting on the residential areas and noise conflicts from the organized team softball and softball activities.

II. PRIVATE OPEN SPACE

Private open space areas include passive (natural) areas (771.4 acres), re-contoured natural areas (77 acres), and active (Pacific Golf Club, Rancho San Clemente Tennis Club, etc.) areas (248.6 acres). The passive open-space areas offer aesthetic relief from the urban environment and buffers which define the neighborhoods of Rancho San Clemente. All of the area designated "Open Space, Private" on Figures 2-1 and 2-2 constitute a "Significant Biological Resources" and a "Visual Resources - Ridgeline Protection" Zone. No development, except for the existing tennis club shall be permitted within these overlay zones. Likewise, the Pacific Golf Club is designated for golf course use and shall not be developed with any other uses.

III. BIKEWAYS AND RECREATION TRAILS

In accordance with Figure 2-2, an extensive network of bicycle, equestrian, and hiking trails will be developed throughout Rancho San Clemente. A regional hiking trail has been constructed along the primary ridgeline, providing access to the knoll area at the gateway to Rancho San Clemente. This trail extends from the gateway knoll in a clockwise direction along the ridgeline to Planning Area 24, encompassing the residential bowl area. Planning Area 1 has been conditioned to provide a connection to the off-site Forster Ranch Ridgeline trail in accordance with Figure 2-2.

Class I off-road bikeways are to be constructed along the west side of Avenida Pico, from the boundary of Talega, to the boundary of Marblehead Inland, and along the north side of Avenida La Pata from Avenida Pico to the Forster Ranch boundary. Class I off-road bikeways are to be separated from the curb by means of a landscaped parkway averaging at least 6 feet in width, except within 50 feet of street intersections, where bikeways may be placed adjacent to the curb.

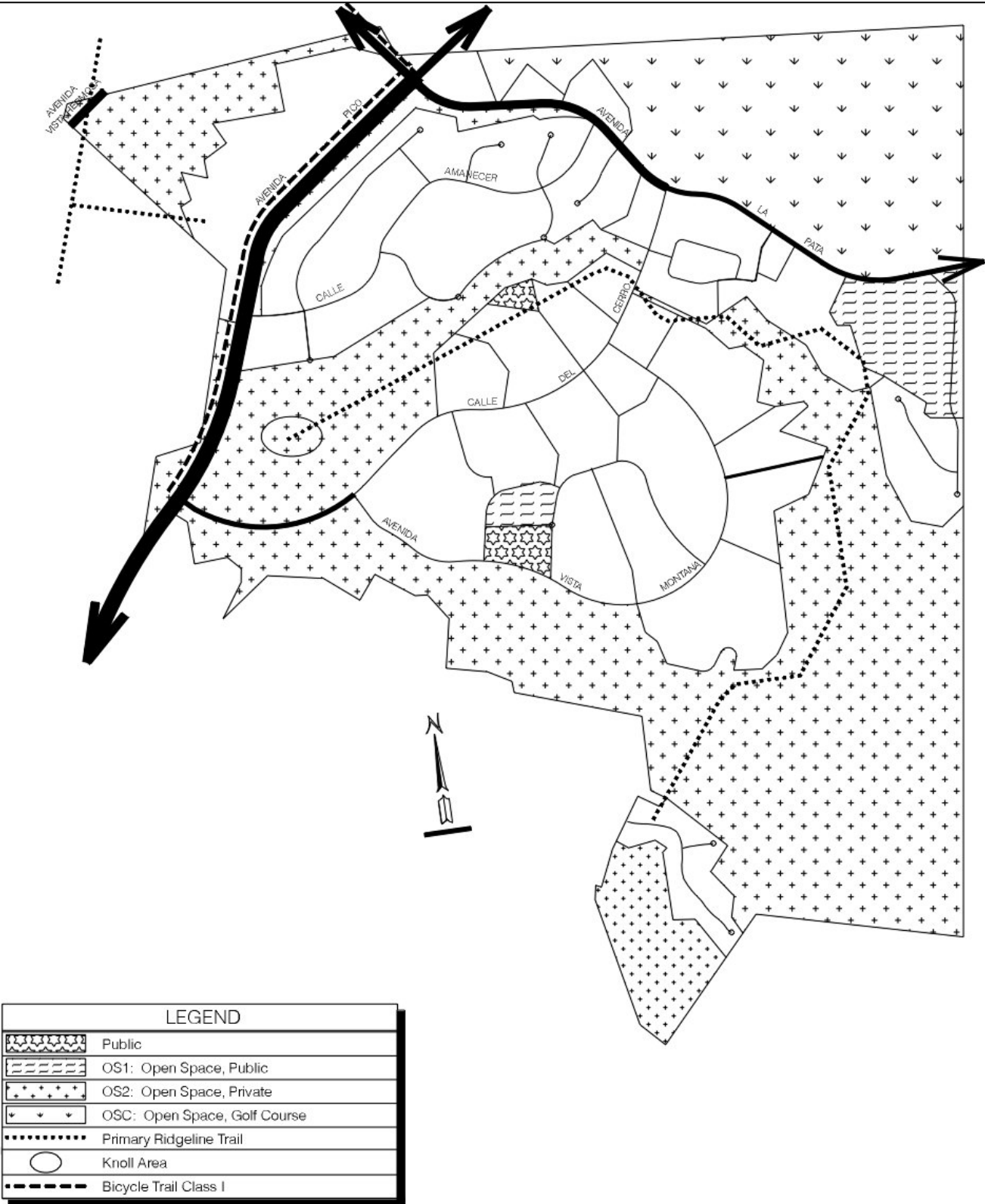
205 Grading Concept

The general character and scenic quality of Rancho San Clemente is typified by steep, grassy slopes and narrow ridgelines with winding valleys below. The nature of the soils and underlying geology have resulted in a series of landslides distributed throughout the property. These factors serve as the major determinants in the treatment and design of the property for urban use.

The grading concept was developed to incorporate the general design approach and development guidelines presented in Chapter 3 - Design Guidelines. A natural appearing topographical profile will be maintained, where possible, with necessary grading operations carried out so that the resulting forms will have a sculptured rather than an abrupt, angular appearance. The primary ridgeline and the natural preservation areas at the gateway along Avenida Pico, including the knoll area, will be preserved.

The Rancho San Clemente community has been mass graded, creating rough pads for development. A grading concept has been approved for Planning Area 1 to accommodate an approved mixed use development. Some limited and precise grading is expected to occur in other rough graded areas, subject to a Site Plan Permit.

Significant features of the grading concept include: 1) full compliance with the City's Hillside Development Ordinance No. 841; 2) the preservation of the primary ridgeline and viewshed area; 3) the use of contour grading on major slopes to recreate the character of the natural landforms before grading and provide a softer more natural appearance for graded slopes; and 4) an emphasis on landform preservation and maximum ungraded open space.



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OPEN SPACE FEATURES

Rancho San Clemente
Specific Plan

FIGURE 2-2

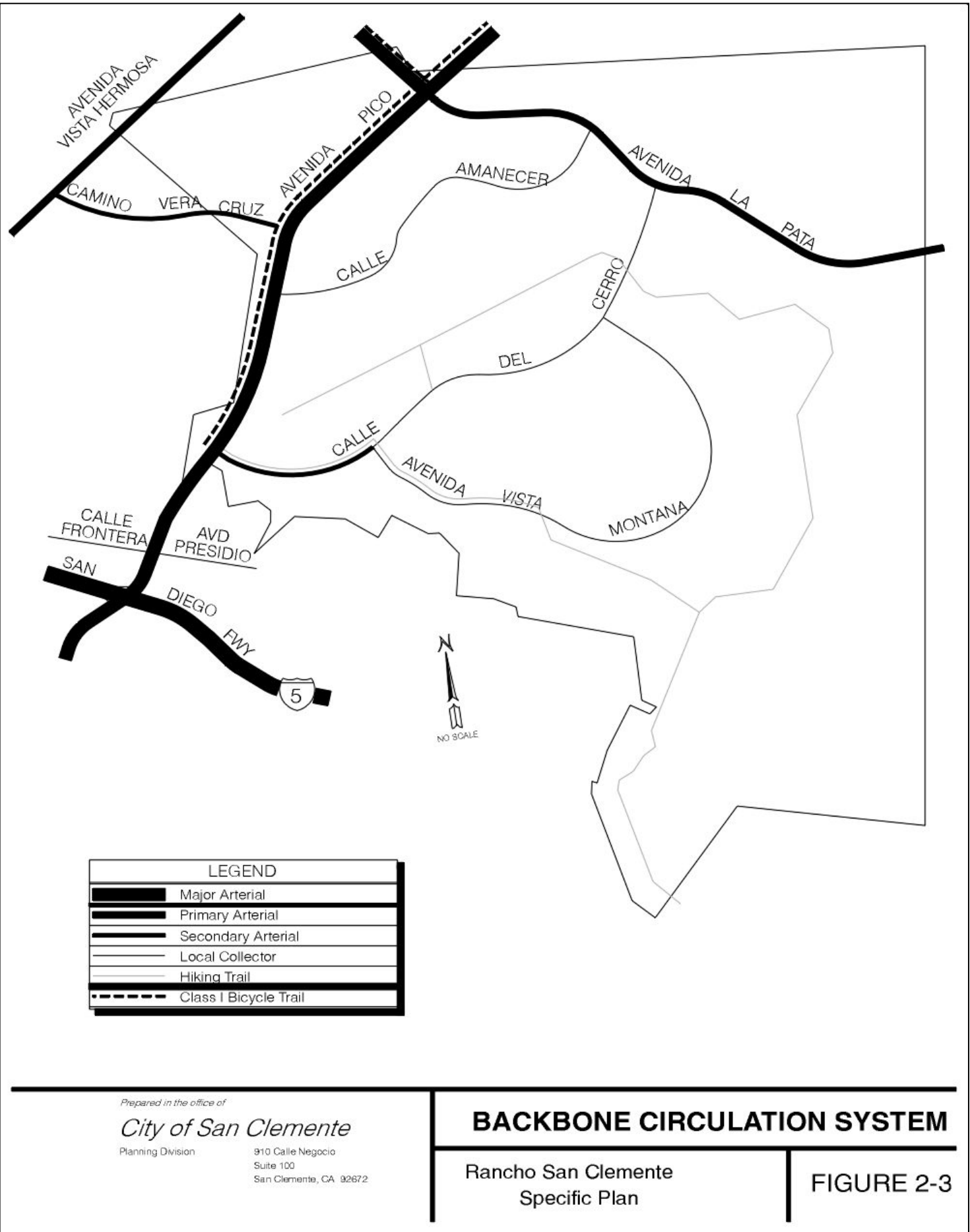
206 Circulation Plan

Figure 2-3 shows the Circulation Plan for Rancho San Clemente. The definitions for roadway classifications are found in the General Plan Circulation Element. The Circulation Plan contains the following roadway elements:

- I. Avenida Pico is a Major Arterial Highway providing access to the Rancho San Clemente Specific Plan area. Avenida Pico will ultimately connect the Foothill Transportation Corridor with the Interstate 5 Freeway.
- II. Avenida La Pata is a Major Arterial Highway west of Avenida Pico and planned as a Primary Arterial Highway east of Avenida Pico. It provides access to the business and industrial parks, as well as the Pacific Golf Club and the Richard Steed Softball Park. Avenida La Pata will ultimately be extended northward through the Prima Deshecha Regional park site to Ortega Highway.
- III. Camino Vista Pacifica is a secondary arterial highway which will provide a link between the communities of Rancho San Clemente, Marblehead Inland, and Forster Ranch. It connects Avenida Pico and Avenida Vista Hermosa.
- IV. Calle Del Cerro is a secondary arterial from Avenida Pico eastward to its intersection with Avenida Vista Montana. From that point on it becomes a local collector street.
- V. Local Collectors within Rancho San Clemente include Calle Del Cerro, Calle Amanecer, Avenida Vista Montana and several streets in the business park.

The internal circulation system is designed to respect the topography while providing the most efficient and convenient access with minimum pavement area. The circulation system includes three major internal roadways: Calle Del Cerro, Avenida Vista Montana, and Calle Amanecer. These collector streets connect the interior neighborhoods of Rancho San Clemente with Avenida Pico and La Pata. Calle Amanecer serves the business park, while a loop system composed of Calle Del Cerro and Avenida Vista Montana serves the residential area. Separate monumented entry ways have been installed at the residential and business park entries from Avenida Pico. Main access to Planning Area 24 is provided through the newer portion of Avenida Salvador, with emergency access from San Pablo.

Implementation of circulation improvements is addressed in Chapter 4, Phasing and Implementation. As stated in Section 207, rights-of-way, parkways, setbacks, landscaping, and other design features for scenic highways shall be in accordance with the City's General Plan, Scenic Highways Element and Master Landscape Plan for Scenic Corridors. For safety and aesthetic reasons, street parking will generally be prohibited on arterial highways within Rancho San Clemente, unless the City determines that unusual circumstances justify such parking.



207 Landscape Concept

The landscape concept for Rancho San Clemente is aimed at linking the various development areas through the use of formal streetscenes, walls and fencing, and informal slope planting. Key entry points to different areas are defined by entry monument walls with accent landscaping. Landscaping along Avenida Pico and Avenida La Pata will be consistent with the City's Master Landscape Plan for Scenic Corridors (MLPSC). Undeveloped open space areas will remain natural.

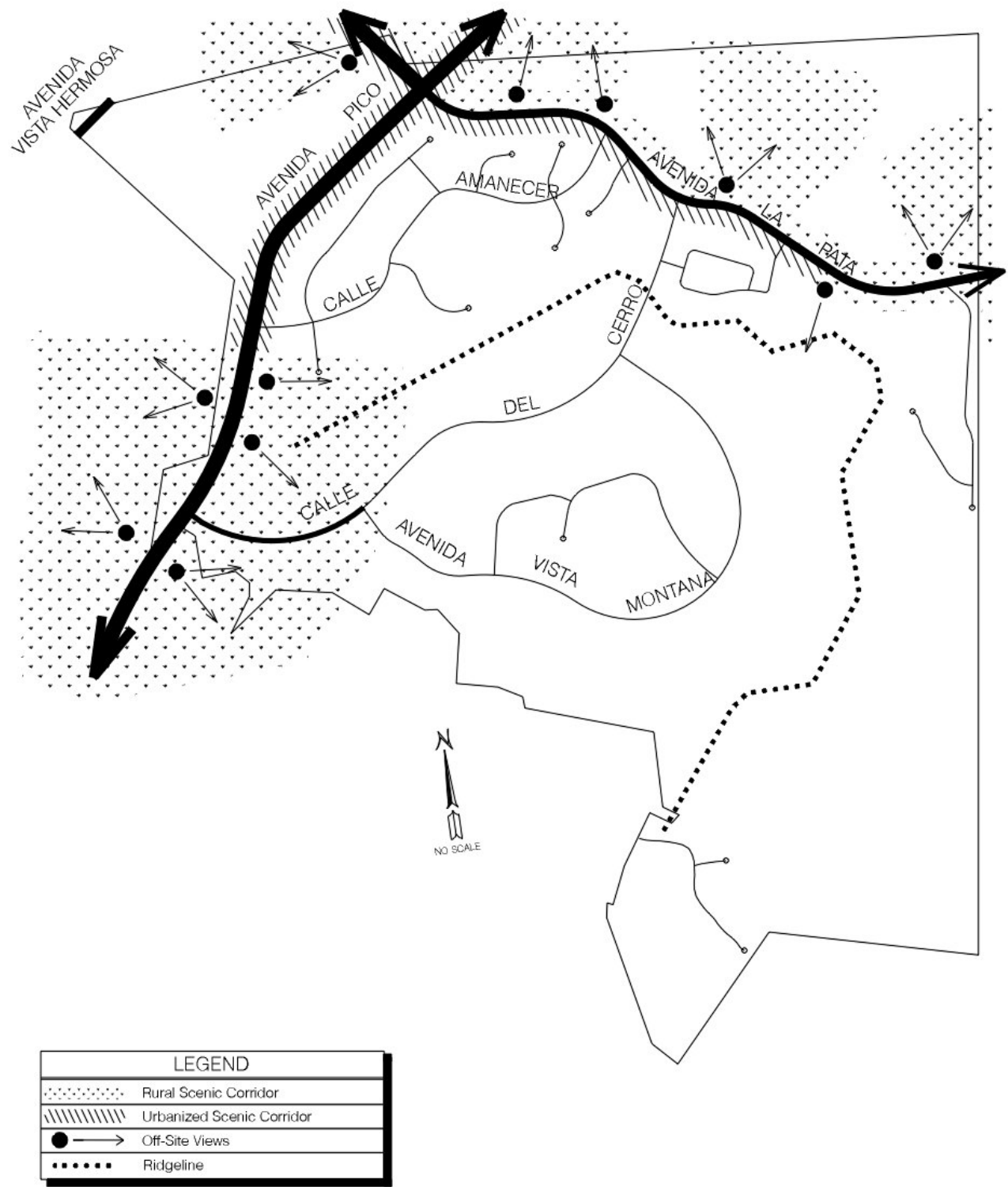
Continuity throughout Rancho San Clemente is achieved by both streetscape and slope planting. Streets provide linear continuity by the planting of formal rows of street trees. Slopes will be planted informally and will meander through development areas. In addition, choice of species, planting pattern, and other aspects of landscape design is aimed at reflecting the appearance of natural slopes in the area.

Figure 2-4 identifies Avenida Pico and Avenida La Pata as Scenic Corridors. The City's Master Landscape Plan For Scenic Corridors describes each corridors's unique identity. The design standards contained in Chapter 3 are aimed at implementing the goals and concepts within the 1992 General Plan Scenic Highways Element and the Master Landscape Plan For Scenic Corridors. Rights-of-way, parkways, setbacks, landscaping, and other design features for scenic highways shall be in accordance with the Chapter 3 Design Guidelines and Chapter 5 Development Standards.

208 Infrastructure Plan

Backbone water and sewer facilities within Rancho San Clemente are essentially developed and stubbed out to developable lots of record. There is sewer and water capacity available for the remaining areas of Rancho San Clemente which are designated for development. Chapter 4, Phasing and Implementation describes fee programs which will ensure that the appropriate infrastructure fees are paid for future development proposals.

Drainage from Rancho San Clemente flows to the Segunda Deshecha Canada Channel and Cristianitos Creek. The area tributary to each drainage course will remains unchanged from its natural condition with no diversion of drainage. Some of the uses permitted in the industrial park have the potential to adversely impact local water quality. Of particular concern is the impact of industrial wastes in surface runoff flowing to the Cristianitos-San Mateo Creek drainage. This Specific Plan allows auto-related services, including painting of autos and of heavy equipment in Planning Area 4 of the Business Park and Planning Area 7, the Industrial Park Planning Area. These activities have the potential to discharge oils, paints, grease, heavy metals, and other pollutants into the storm drain system, and hence, into the downstream surface water. Mitigations against these potential effects are contained in Chapter 4 Phasing and Implementation and Chapter 5 Development Standards.



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SCENIC CORRIDORS

Rancho San Clemente
Specific Plan

FIGURE 2-4

Chapter 3

DESIGN GUIDELINES

301	Purpose
302	Grading Design Guidelines
303	Site Design Guidelines
304	Landscape Guidelines
305	Architectural Guidelines

301 Purpose

I. PURPOSE

The purpose of this Section is to ensure that development within Rancho San Clemente will be consistent with the City's General Plan Goals, Urban Design Program, and Master Landscape Plan for Scenic Corridors. This chapter provides guidelines for grading, site planning, scenic corridors, landscaping, and architecture.

II. USE OF GUIDELINES

Although these Design Guidelines are to be followed by developers, project designers, and City decision-makers in the design and review of development projects, they are not precise zoning regulations, but guidelines to be considered as qualities of good design in order to implement General Plan Goals and Policies, the Hillside Development Ordinance, the Urban Design Program, and the Master Landscape Plan for Scenic Corridors. City decision-makers should use the Guidelines to assist in the discretionary review to approve, modify, or deny projects. The Design Guidelines should motivate design efforts toward meeting the City's quality standards. More specifically, the Guidelines objectives are to:

- A. Define a consistent approach to site planning, architecture, streetscape, lighting, landscaping, and other design elements.
- B. Help implement the grading, land use, landscape, and other concepts described in Chapter 2.
- C. Direct specific project designs toward achieving visual harmony within Rancho San Clemente.
- D. Develop pedestrian and open space linkages within and between neighborhoods.

302 Grading Design Guidelines

The following guidelines are provided in order to implement the City's Hillside Development Ordinance No. 841.

I. NATURAL LANDFORMS

Grading should maintain or enhance the major natural landforms within Rancho San Clemente, such as the Gateway Knoll and the Primary Ridgeline. Manufactured slopes should be contoured to blend with the natural terrain at the development edge. Large flat slopes and highly visible downdrains should be avoided.

II. SLOPE STABILIZATION

Vegetation, irrigation, and continuing maintenance programs should be used to stabilize manufactured slopes, with trees and shrubs used to soften their appearance.

III. MAXIMUM GRADIENT

The maximum gradient for manufactured slopes should not exceed a ratio of 2:1 (exceptions shall be consistent with the City's Grading Ordinance).

IV. RIDGELINE PRESERVATION

No grading should occur within 200 feet measured horizontally from the topographic center of the primary ridgeline identified on Figure 2-2.

V. CURVILINEAR STREETS

Streets should be curvilinear and designed so that the dwelling units will blend with the natural topography when viewed from a distance. Long straight streets should be avoided.

VI. RIDGELINE VIEWS

Building pads should be designed and sited in a manner that compliments the natural topography and does not interrupt the view of the primary ridgeline from selected public vista points. The ridgeline should be visible as a backdrop for development, allowing for the appearance of ridgeline between the roofline and the skyline.

303 Site Design Guidelines

I. RESIDENTIAL DEVELOPMENT

- A. Pedestrian and Open Space Linkages - Open space areas should be designed to link residential neighborhoods to other parts of the community through development of playgrounds, footpaths, recreation trails, and vista points.
- B. Setback Variation - In single family detached projects, front yard setbacks should be varied sufficiently to create visual interest, variety, and individuality along the street. In attached and multi-family projects, individual buildings should be turned and oriented in a variety of ways to avoid monotonous garage door corridors.
- C. Natural Features - Prominent natural features should be preserved where feasible, with view windows from public streets. Buildings and other structures should assume varied profiles in order to enhance scenic vistas.
- D. Relation to Site - Structures should be appropriate in mass and scale to the site on which they are located, in order to achieve visual balance and harmony with the surrounding prominent natural features.
- E. Recycling and Trash Storage - Storage areas and trash enclosures should be designed to be an adequate size to allow for storage of recyclable materials, including separate containers for glass, plastic, paper, etc., when required. Such areas should be screened from view by walls and landscaping.
- F. Project Identification Signs - Projects should be identified by low monument signing to provide neighborhood identification. Such signs should be harmonious in scale, form, materials, and colors with residential buildings, walls, and other structures, and shall conform to the City's Sign Ordinance.
- G. Open Space and Views - Attached and multi-family projects should be planned to maximize the feeling of open space within the development. Design methods to achieve this include curving streets, orienting development toward open areas and views, and separation of structures to create pocket views.
- H. Circulation Pattern - Streets, pedestrian paths and bike paths should contribute to a system of fully connected and interesting routes to all destinations. Their design should encourage pedestrian and bicycle use by being as narrow as safety standards will allow and spatially defined by landscaping and structures; and by discouraging high speed traffic.

II. COMMERCIAL DEVELOPMENT

The following general guidelines apply to Planning Area 1 as well as all other commercial developments within Rancho San Clemente.

- A. Pedestrian Environment - Defined outdoor spaces, such as arcades, colonnades, and courtyards, should be provided. The internal and external streetscape design should encourage pedestrian activity. Pedestrian walkways should be identified with textured and/or colored paving and buffered from automobile traffic by use of landscaped planters, bollards, street furniture, etc. Vertical elements should be employed to draw the pedestrian to designated walkways leading from the parking areas to the commercial activity areas.
- B. Outdoor Lighting - Parking lot and outdoor lighting should be the minimum needed to accommodate safety and security, while minimizing impacts on surrounding residential areas. Decorative fixtures with shields to direct light downward should be used for overhead lighting. Bollard or other low-height lighting should be used whenever possible for pedestrian areas. Light fixture design should be consistent with the character of the project.
- C. Signs - Commercial centers should be identified by a sign program with monument signing and wall signs for individual tenants. Such signs may include logos and should be harmonious in scale, form, materials, and colors with project buildings, walls, and other structures. Signs must comply with the City's Sign Ordinance.
- D. Variations in Building Footprint - Building footprints should be designed with variations composed of insets, entries, corners, and jogs integrated with adjacent outdoor areas in order to create visual interest and give a sense of small scale and intimacy.
- E. Parking Lot Interconnections - Parking lot design should provide for vehicular and pedestrian access to adjacent parcels where uses are compatible and where such connection is practical in order to provide interconnections without requiring vehicles and pedestrians to re-enter the public right-of-way.
- F. Parking Lot Size - Parking lots should be broken up into modules by means of intervening landscaping, access drives, or buildings in order to avoid large unbroken expanses of paved areas.

- G. Parking Lot Buffering - There should be a buffer area of at least five (5) feet between buildings and parking areas or driveways, in order to avoid placing paved vehicular areas next to building walls. These buffer areas should be landscaped or designed as pedestrian walkways with landscaped planters. Parking areas should be screened from the street by landscaping and berming.
- H. Parking Lot Entries - Parking lot entries should be located as far as possible from intersections in order to minimize congestion and conflicts. For projects on major or primary arterials, or where otherwise determined necessary by the City, full curb return street intersection type entries should be used instead of standard driveway approaches. Major entries should be at least thirty (30) feet wide and all entries should be at least two hundred (200) feet apart.
- I. Screening of Service Areas - Service and storage areas and trash enclosures should be screened from public view by means of walls and landscaping.

III. BUSINESS PARK/INDUSTRIAL PARK

- A. Pedestrian Orientation - The siting of buildings around common pedestrian walkways is encouraged. Pedestrian walkways should be provided connecting individual buildings.
- B. Outdoor Lighting - Parking lot and outdoor lighting should be the minimum needed to accommodate safety and security, while minimizing impacts on surrounding residential areas. Decorative fixtures with shields to direct light downward should be used for overhead lighting. Bollard or other low-height lighting should be used whenever possible for pedestrian areas. Light fixture design should be consistent with the character of the project.
- C. Project Identification Signs - Projects should be identified by low-level monument signing in order to provide business center identification. Such signs may include logos and should be harmonious in scale, form, materials, and colors with project buildings, walls, and other structures. Signs must comply with the Sign Ordinance.
- D. Variations in Building Footprint - Building footprints should be designed with variations composed of insets, entries, corners, and jogs integrated with adjacent outdoor areas in order to create visual interest and give a sense of small scale.
- E. Parking Lot Buffering - There should be a buffer area of at least five (5) feet between buildings and parking areas or driveways in order to avoid placing paved vehicular areas next to building walls. Except where there are

walkways, this buffer area should be landscaped. Parking and circulation areas should be screened from the street by landscaping and berming.

- F. Screening of Service Areas - Service and storage areas and trash enclosures should be screened from public view by means of walls and landscaping.

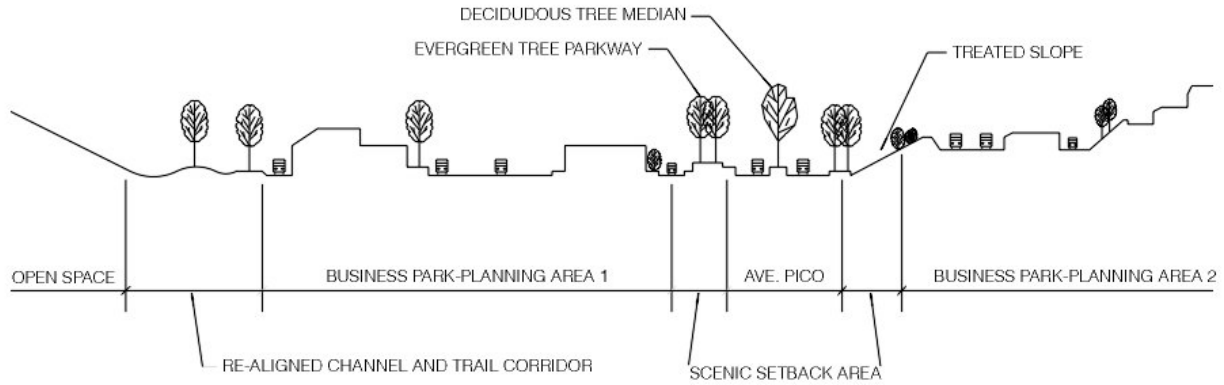
304 Landscape Guidelines

I. LANDSCAPE ELEMENTS

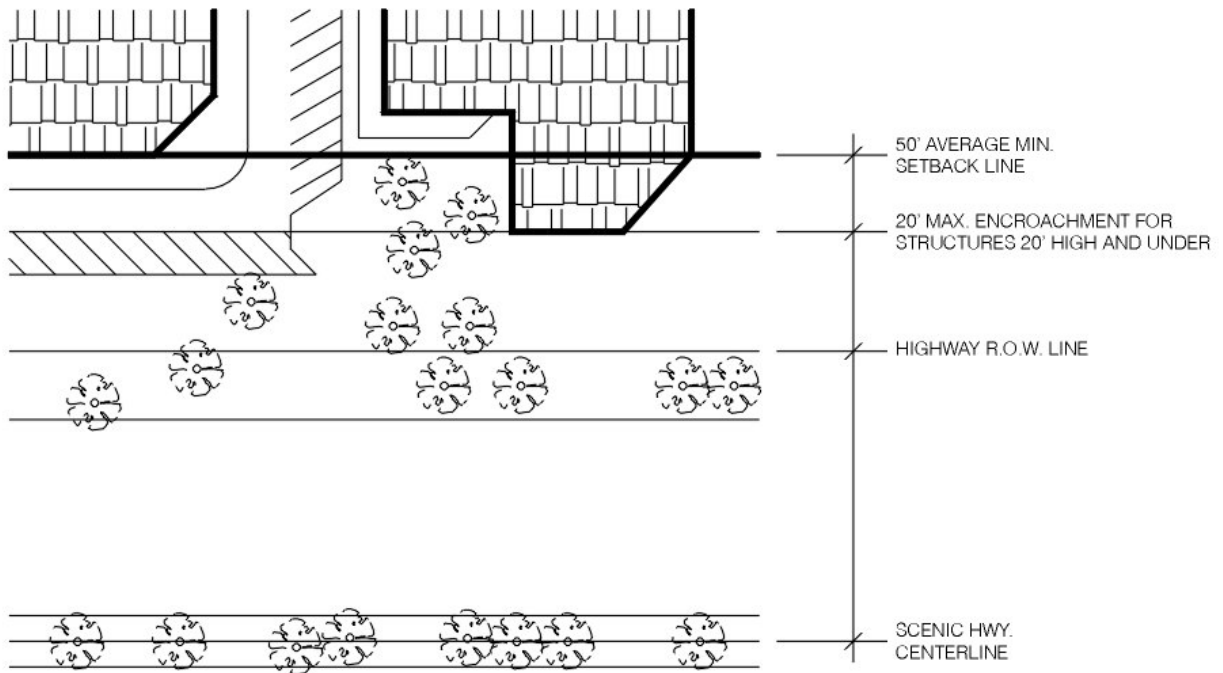
- A. Project Entries - Major project entries should be designed as special statements reflective of the character of the project in order to establish identity for residents, commercial tenants, and visitors. Special paving textures, flowering accents, and specimen trees should be used to reinforce the entry statement.
- B. Slope Landscaping - Major slope banks should be graded and landscaped to reflect the appearance of natural slopes in the area. Shrubs should be arranged in broad informal masses of the same plant materials. These masses should be built up to produce a "mounding" or textured appearance on the slope surface similar to natural slopes. Trees used on slopes should be of rounded, less vertical species. They should be planted in informal groupings on the lower half of the slope to visually reduce the height of the slope when viewed from below without blocking views from the top.
- C. Parking Area Screening - Parking and circulation areas should be screened from the street by means of landscaping and berming in order to shield views of cars and paving while promoting views of buildings on the site. A minimum average of one tree should be planted within parking lots for every five parking spaces.
- D. Boundary Landscaping - Boundary landscaping should be installed along all property lines with at least one tree planted for every 30 lineal feet on average. Also, landscape mounding should be used along all arterial highways unless determined unfeasible by the Planning Commission or City Council as appropriate, due to safety or other site considerations.
- E. Decorative Paving - Decorative paving at project entries and interior project pedestrian areas should be used. This should consist of brick, tile, pavers, stamped concrete, or similar materials.
- F. Street Trees - On local and collector streets, street trees should be provided in front yards at an average ratio of one tree per every 25 feet of frontage in order to provide a shade canopy along street edges and visually soften the effect of buildings and hardscape as viewed from the street. Trees should be minimum 15-gallon size and should be planted within 15 feet of the sidewalk (or curb where there is no sidewalk). Preferred species include Liquidambar, London Plane, Camphor, Honey Locust, Purple Plum, Star Pine, Canary Island Pine, Fern Pine, various palm species, and other species as identified by the developer and approved by the City.

II. SCENIC HIGHWAYS

- A. Parkways Within Right-of-Way - In accordance with the Master Landscape Plan for Scenic Corridors, landscaped parkways adjacent to scenic highways should generally be 15 to 20 feet in width. Bikeways may be placed within or outside these parkways. Sidewalks may be adjacent to the curb or may meander through the parkways. Such specific design considerations will be as approved by the City at the project level of review.
- B. Setbacks from Right-of-Way - Figure 3-1 shows that average minimum building setbacks from scenic highway rights-of-way should be 50 feet. In order to promote a variety of depth and visual relief for buildings adjacent to the highway, buildings up to 20 feet in height may be placed as close as 30 feet from the right-of-way, provided the 50-foot average setback is maintained for each project frontage. Within the above setbacks, a minimum 20 feet of permanent landscaping should be provided. Refer to Chapter Five for required setbacks from scenic highways.
- C. Plant Palette - Plant materials utilized in scenic highway medians and parkways should be consistent with the City's Master Landscape Plan for Scenic Corridors. Avenida Pico is the "Eucalyptus Corridor," with Eucalyptus Cladocalyx as the primary street tree. Ficus Rubiginosa and Platanus Racemosa may be used as accent trees in the parkways along Avenida Pico. For Avenida La Pata, the "Oak Corridor," Quercus Agrifolia is the primary street tree to be accented with Platanus Racemosa in the parkways.
- D. Walls adjacent to Scenic Corridors - Masonry or stucco walls or view fences (e.g. wrought iron) should be used adjacent to scenic highways instead of wood fences. Designs should incorporate colors, materials, and finishes to blend with the surrounding environment. Wall standards are as follows:
 - 1. Materials and general appearance are to be consistent on both sides of the street along the length of each scenic highway.
 - 2. Setbacks for walls should vary to add interest to the streetscape. Long straight stretches of wall are to be avoided. Walls may also be "opened up" at selected locations with panels of wrought iron, tubular steel, or similar materials.
 - 3. Wall heights should be less than six feet wherever feasible.
 - 4. Landscaping should be integrated into wall design to soften appearance.



SECTION A - TYPICAL SCENIC CORRIDOR SECTION



SCENIC SETBACK CONCEPT

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TYPICAL SCENIC SECTION AND SETBACK

Rancho San Clemente
Specific Plan

FIGURE 3-1

III. FUEL MODIFICATION (See also Appendix D)

A fuel modification zone is a wide strip of land where flammable native vegetation is removed or thinned and partially or totally replaced with drought tolerant, fire resistant plants. The many variables involved with fuel modification make precise regulations for general application infeasible. Therefore, each project must be reviewed for its distinctive needs. These guidelines may be modified in areas where unique conditions exist, subject to review and approval of the Fire Chief.

Fuel modification generally consists of a “wet zone” and one or more “thinning zones”. The wet zone generally extends fifty (50) feet to one hundred (100) feet from the edge of a graded pad or limit of the area where storage of combustible materials or combustible structures may be located. The wet zone is planted with fire resistant plants only and irrigated. The thinning zone adjacent to the wet zone is usually 50 to 100 feet in width, with dead and dying vegetation removal required. Approximately 50% to 30 % of the native vegetation is removed and may be replaced with drought tolerant, fire resistant plant material. Plant selection should comply with the Fuel Modification Standards of the Orange County Fire Authority.

IV. CRITERIA FOR PLANT SELECTION

Plant materials should be chosen on the basis of both functional and visual characteristics. The following additional criteria should be used in plant selection:

- A. Plant Selection Considerations - Consideration should be given to the reduction of landscape maintenance and water consumption, adaptability to high-salt and high-boron soil conditions present in San Clemente, low fire-fuel content in transition areas between development and open space, and enhancement of slope stability and erosion control.
- B. Undesirable Species - Invasive or otherwise undesirable species, as listed in Appendix D, should not be used unless the City determines that other desired characteristics of such a species for a specific use will override the undesirable characteristics.
- C. Native Species - Within natural open space areas preference should be given to species native to the Southern California coastal region, and subject to the foregoing constraints pertaining to soil and other environmental conditions.

305 Architectural Guidelines

I. RESIDENTIAL

The purpose of the residential architectural guidelines is to provide general design criteria and guidance for development of the various residential neighborhoods in Rancho San Clemente. They apply to all residential and mixed use Planning Areas with the exception of Planning Area 24, which has its own custom home design guidelines. These guidelines have been developed to establish a high level of product quality, assure both variety and compatibility, and to enhance the community's overall value.

These architectural guidelines do not propose rigid adherence to a single or limited number of styles. Rather, the goal is to promote both visual compatibility and variety in a community setting. This is achieved through architectural innovation and by utilizing a number of contemporary styles.

Each neighborhood within Rancho San Clemente will create its own character. The project will remain unified through the use of quality landscaping and entry monumentation.

A. Building Mass and Form

1. *Variation in Roofline* - A key technique for creating a sense of variety within a residential project is to vary the heights and forms of the homes as seen from the street. This can be accomplished by utilizing both one and two story buildings and elements. To improve the visual relationship between adjacent one and two story buildings, it is desirable to introduce an intermediate transition between them. This can be done by either introduce a composite 1 & 2 story unit to place between the two buildings or create a single story architectural element within the two story building to lessen it's apparent height. Views of the residential development from public vantage points are equally important. A monotonous appearance can be avoided by incorporating a mixture of hip, shed and gable roofs on the rear elevations, increasing building separation, and varying the orientation of building footprints.
2. *Mixed Height Elements in Multi-family* - By including single story units in a two-story multi-family building, the apparent size is reduced. When the single story condition is an end unit the visual impact of the building is reduced both at the adjacent pedestrian level and from a distance. Reducing the height of an interior unit helps to visually break the building mass into smaller elements.

B. Elevation and Plan Treatment

1. *Recesses and Shadow* - The effect of sunlight is a strong design consideration since shadow and shade gives the building a sense of depth and substance. Projections, offsets, overhangs and recesses should be utilized in the creation of shadows.
2. *Architectural Projections* - A projection not only creates shadow but also provides a strong visual focal point. It can be used to emphasize some aspect of the design such as an entry or a major window.
3. *Entry Statement* - The entry should be designed to serve as a focal point of the elevation and be readily discernible. The approaching observer should be drawn into it by its visual impact. Front porches are encouraged.
4. *Articulation of Side and Rear Elevations* - The rear and sides of homes backing onto major streets are highly visible from off-site and should be treated in a similar manner to the front elevation. This is particularly true of second story conditions visible above a solid fence line.
5. *Multi-Family Projects* - Facade treatment to break up the building mass should be employed in order to establish a sense of individuality for the separate units within the multi-family building.
6. *Multi-Family Buildings Viewed From a Distance* - The general articulation along with massing should be visible from a distance, however care must be taken when dealing with dominant features such as tower elements, roof forms, and multiple chimneys that they do not take on an overly repetitious pattern against the skyline.

C. Building Mass and Streetscape

1. *Front Elevations* - The design of single family residential units should incorporate front elevations which convey a friendly neighborhood environment. Plans which have living area closer to the street, with garages recessed are encouraged. Front porches are also encouraged.
2. *Interior Lots and Street Corners* - Units located at street corners should be either single story or have a significant single story mass plotted towards the exterior side yard. At interior side yards, it is desirable to create the appearance of increased building separation by stepping the second story mass away from the property line. This decreases the

"canyon-like" effect between buildings and allows greater light penetration into what otherwise might be a dark sideyard.

3. *Edge Conditions in Multi-Family Projects* - Effort should be made to step down the apparent mass of a multi-family building when plotting a certain edge conditions: 1) exterior frontage of the site at major entries; 2) along the major interior collector street; 3) adjacent to lower density projects.

D. Roof Form

1. *Roof Pitch* - The principle roof forms should have a pitch of between 3½:12 and 6:12. A single roof pitch should be used on both sides of a ridge. The more shallow pitches should be used when it is necessary to lessen the apparent building mass.
2. *Roof Types* - There is no single roof type or form that is preferred. With careful design, hip, gable and sheds may be used separately or together on the same roof. Repetitious gable ends along rear elevations should be avoided. Mansard roofs and flat roofs should be avoided.

E. Materials and Colors

1. *General Criteria* - The materials and colors should be compatible with the surrounding residences and contribute to the overall quality of the community.
2. *Walls and Trim*
 - a) *Wood Siding* - Most traditional wood siding techniques are generally acceptable. Hardware siding is acceptable but should be painted with a flat finish to avoid the visual impact of warping. Plywood siding is not acceptable.
 - b) *Stucco Textures* - Smooth, light sand, sand, and machine applied textures are appropriate. Lace textures should be avoided.
 - c) *Trim Materials* - Trim materials should be 2 X or greater. The width of trim should be appropriate to the chosen architectural style or theme. Both re-sawn and smooth finishes are acceptable.

- d) Use of Stone and Brick - The tasteful use of stone and brick is encouraged. Grout should be of a light color.

3. *Roof Materials*

- a) Specific Materials - Clay tile, concrete tile, composition roofing, and other similarly-appearing fire-resistant materials are acceptable from a design viewpoint. Wood shakes or shingles should not be used because of the difficulty in ensuring fire resistance.
- b) Texture and Color - Roof colors should complement the wall and fascia color, and be of a generally neutral tone while avoiding high contrast colors such as bright red, deep oranges, or ceramic blue. The community should have a variety of roof color in order to avoid a monotonous monolithic appearance when a residential area is viewed from a distance. Vents should be of the same color as the surrounding roof surface.

F. Garages

- 1. *Single Family Streetscape* - Units should be designed and plotted so that the living portion of the house becomes the focal point, rather than the garage. Several design strategies can be employed to de-emphasize the garage:
 - a) “Wide-shallow” units allow more of the living area of the house to be seen from the street.
 - b) The living area can be designed to be closer to the street than the garage.
 - c) Front building/ garage setbacks should be varied.
 - d) Where there are three car garages, one of the garage spaces can be recessed with a separate door and separated from the other the double portion of the garage by a landscaped strip in the driveway.
 - e) Some garages can be designed for side entry.
 - f) Provide for a mix of 2 and 3 car garages.

- g) Employ second story feature windows above the garage and strong architectural entry elements.

2. *Garages in Multi-Family Developments*

- a) There should be a 12" - 24" setback variation between each double pair of doors.
- b) Banks of garage doors with more than 8 single or 3 double garages should be avoided.
- c) Break continuous banks of garages with landscape pockets and bays.
- d) Conventional wood panel garage doors are appropriate when properly trimmed. The use of window elements is encouraged. The garage door design should reflect the theme or style of the overall unit design. Proper use of accent colors compliments the architecture and provides visual variety along the streetscape.
- e) It is highly desirable to recess the garage door 6" - 12" from the face of the building. This allows for a strong shadow line and decreases the impact of the door while increasing the apparent sense of mass of the surrounding wall.

II. NEIGHBORHOOD AND MIXED USE COMMERCIAL

The purpose of the commercial architectural guidelines is to provide a design tool which will contribute to attaining certain goals of the City's General Plan Urban Design Element as follows:

- Preserve and strengthen San Clemente's unique atmosphere and historic identity as "The Spanish Village by the Sea."
- Integrate the City's inland neighborhoods with the coastal districts of the city, and provide new attractions that draw San Clemente residents to the inland areas.
- The character of the buildings and open areas should be derived from the influence of the City's Historic Spanish Colonial Revival buildings, Mediterranean climate, and natural features of each site.

A. Architectural Style

There are certain specific elements to be employed when designing commercial development to reflect the Spanish Colonial Revival influence. The massing, asymmetric forms, and spatial relationships should be adequately understood and addressed. The application of the following basic design elements and patterns of the Spanish Colonial Revival tradition is recommended: a) Simple white stucco walls; b) Red or clay tile roofs; c) Arches as an architectural feature; d) Distinctive roof lines with low pitches; e) Balconies and verandas.

B. Building Mass and Form

1. *Mass and Form Relationship to Open Space* - A spatial relationship between indoor and outdoor spaces should be created. The resulting courtyards and patios are defined by the placement of surrounding building mass and walls.
2. *Single and Multi-Story Elements* - It is desirable to create a combination of one, two and three story elements within the larger building form in order to provide a variety of scale and reduce the perceived mass. Elements above the second story should be reduced in size.
3. *Perimeter Mass* -The ends of large building masses should be stepped down with sub elements in order to create a more human scale for the pedestrian.

C. Roofs

Roofs are perhaps the most visually dominant element in Spanish originated designs. In dealing with a commercial application it is desirable to break the large expanses of roof plane into smaller irregular sized areas. The roof type, height and type of overhang should vary enough to enhance the desired irregular asymmetric form and mass.

1. *Roof Types* - The gable roof, the most commonly used type, should have an eave and may have exposed rafter tails. Hipped roofs should be used in combination with gables or on a tower element. Shed roofs may be used in conjunction with verandas and other accent features. In larger commercial spaces it is understood that the flat roof is both economically advantageous and can reduce the apparent size of the building. When a flat roof is used it should be screened by a parapet that is designed to resemble the roof types listed above. The small steeply pitched Mansard should not be utilized. The parapet should maintain the same pitch as the balance of the building complex while

being both high and deep enough to create the illusion of being a true roof.

2. *Screening of Equipment* - All roof equipment should be completely screened within a horizontal line of sight. A screen enclosure behind the parapet may be used if made to appear an integral part of the building. The parapet roof must be tall enough to completely screen the equipment. Superficial mansard treatments which appear as “plant-ions” or “eyebrows” are not acceptable.

D. Elevation Treatment

1. *Articulation of the Facade* - In plan view a continuous facade should be avoided by stepping adjacent store fronts. The main vertical wall plane should be articulate by the use of balconies, verandas, arcades to provide outdoor areas protected from the weather. Wall surfaces should be light colored stucco or plaster with a finish texture influenced by the Spanish Colonial Revival style. Walls should have recessed opening to achieve a shadow impact.
2. *Use of Focal Elements* - The use of focal points in a commercial complex is desirable. The focal elements recommended include courtyards, towers and fountains.

E. Materials and Colors

1. *Roof Materials* - "Two-piece" clay mission barrel tile should be used in commercial projects. However, Spanish "S" tile in clay or cement may be used: (1) for roofs that the City determines are not visually prominent, and/or (2) when the City otherwise determines that "S" tile sufficiently executes the desired Spanish Colonial Revival influence for the building in question. When two-piece barrel tile is used, the tile should be laid in a slightly irregular manner to give a rough uneven texture to the roof appearance. Eaves may be left open, closed with grout or with clay bird stops. The ridge, hip and rake should be of barrel tiles irregularly spaced and grouted. On flat roofs, vents and other exposed equipment should be painted to match the selected tile color. Parapets and enclosures should reflect the exterior wall color. Roof flashing may reflect either the roof or wall color as appropriate.

2. *Wall and Trim Materials* - The primary wall material should be stucco. The texture of the exterior plaster/stucco should be smooth with a slightly-undulating "hump and bump" finish. Heavy "Spanish lace" finishes should not be used. The stucco surface, while relatively smooth, should have a slightly irregular hand applied appearance with radiused corners. Re-sawn wood should be used as secondary wall material for the following and similar elements: 1) Posts and exposed beams; 2) Railing, spindles and grill work; 3) Shutters, window frames and doors.

3. *Accent Materials* - Accent materials should be closely coordinated to achieve a design continuity with the period theme. The following accent materials are acceptable when used in moderation:
 - a) Brick/Clay tile for pavers and wall caps.
 - b) Carved Stone/Cast Concrete for door surrounds, fountains, columns, caps.
 - c) Ceramic Tile for door and window surrounds, fountains, wainscots, stair risers.
 - d) Wrought Iron for railing, grills, hardware and gates.
 - e) Stamped Concrete for paving.

4. *Color Palette* - The colors used should be primarily as follows:
 - a) Stucco/Plaster: white, off-white, occasional cream or light pastels.
 - b) Wood Post/Beams: stain or natural.
 - c) Doors, Windows, Shutters: terra cotta, blue, yellow, ocher, dark or sea green.
 - d) Roof Tile: reddish brown, terra cotta, and natural.

5. *Signs* - Signs should be integrated with the architectural design of the building in a manner consistent with the architectural elements, scale, and massing.

III. BUSINESS PARK DEVELOPMENT

Business commercial, office, industrial, and other uses subject to this Section are allowed a broader stylistic flexibility than commercial uses. Office, industrial, and similar projects may be of a contemporary style. The contemporary style possesses greater compatibility for the plan forms, flexible spaces, and functionally related volumes needed in many business park developments.

A. Building Mass and Form

Massing should be simple and possess strongly integrated geometric forms. The massing should relate to the internal function and nature of the space it is intended to enclose. The building should contrast the solid mass of facade with the lighter elements of the entry. The facade should clearly identify and direct people to the entry. The use of strong shadow lines created by recesses and projections are highly encouraged.

B. Articulation

Differentiation of building facades through the use of materials, colors, and architectural details is encouraged. One-sided architecture, where only the dominant street frontage possesses articulation, should be avoided. If a separate parking structure is provided, the design should be integrated.

C. Roofs

The roof of a larger buildings should generally be flat with the minimum slope necessary for adequate drainage. The use of mansards and other pitched roofs on the major structures are discouraged. Gabled roofs may be acceptable for smaller buildings. Flat roofs should be surrounded by a parapet which is a continuation of the facade material.

D. Screening of Equipment

All roof equipment should be screened to prevent equipment being visible from an off-site horizontal line of sight. This can be done with either a parapet or screen wall designed to be an integral part of the building. Any roof-mounted equipment which is visible from an adjacent building or from surrounding terrain should be located in a compact, neat, and organized manner. Such equipment should be painted to match the surrounding roof surface. Exterior wall drainage, utilities, cabinets, and other systems should be integrated into the design.

E. Wall Materials

Wall materials are divided into two categories. Those dominant materials which comprise eighty (70) to ninety (90) percent of the building's elevation, should consist of painted or textured concrete, brick, split-faced block, or glass (not to exceed 70%). Glass should not have a reflective factor of greater than thirty percent. The remaining accent or entry materials should consist of tile, plaster, glass block, stone, and some metals. Prohibited materials include

wood siding, shingles, pre-engineered types of metal siding. If covered parking or a parking structure is included, the design details and materials should be integrated and complement the major building.

F. Color Palette

Dominant materials generally should be in the range of earthtone, gray, or off-white. Secondary material colors should compliment and act as a tasteful accent to the dominant material color.

G. Entries

The main public entrance should be readily visible from the street, parking area, and pedestrian connection. Emphasis on the entry can be achieved by concentrating a secondary material at the entry with a major projection or recess.

H. Exterior Lighting

Exterior lighting should consciously reinforce the architectural design by emphasizing entry and design features as well as addressing safety considerations.

I. Fences and Walls

Fences and walls used for screening or enclosures should be solid and constructed of materials compatible with the main building. Chain link fencing should be avoided.

Chapter 4

PHASING AND IMPLEMENTATION

- 401 Development Phasing
- 402 Circulation Phasing
- 403 Bikeway and Trail Phasing
- 404 Infrastructure Improvements
- 405 Funding of Public Facilities
- 406 Maintenance Responsibilities

401 Development Phasing

As of the 1995 adoption of this Specific Plan revision, most of the remaining undeveloped land was in the areas designated business park, industrial park or commercial use. Development within Rancho San Clemente began in 1984 and is projected to continue until about 2000. At the close of the year 1995, the business park and industrial park were experiencing steady buildout, and grading plans for the regional shopping center were being processed. The remaining residential parcels were in the preparation stages for development.

402 Circulation Phasing

The arterial highway system within Rancho San Clemente has been completed for a number of years. However, in February, 1995 a new secondary arterial highway was added to the General Plan Circulation Element (General Plan Amendment No. 95-01). The new road, called Camino Vista Pacifica, will be constructed in concert with the regional shopping center approved in Planning Area 1 (Plaza Pacifica).

Tentative Tract 13530 has been conditioned to grade and improve Camino Vista Pacifica from Avenida Pico to the boundary of Marblehead Inland Planning Area 5. It will ultimately connect Avenida Pico with Avenida Vista Hermosa, providing an alternative access to the entire Rancho San Clemente community. Additionally, when Forster Ranch Planning Area 4 is developed, Camino Vista Pacifica will link with Camino Vera Cruz, connecting Rancho San Clemente with Forster Ranch.

403 Bikeway And Trail Phasing

Bikeways and recreation trails within Rancho San Clemente (See Figure 2-2) are nearly complete. The exceptions are the Class I bicycle trails along Avenida Pico and Avenida La Pata, west of Avenida Pico. These trails are to be constructed by the developers of the regional and neighborhood commercial areas west of Avenida Pico. The general alignment of these remaining bikeways is shown on Figure 2-2. Recreation trail easements for trails outside of the public right-of-way shall be offered for dedication to the City and maintained by the developer until responsibility is assumed by the City.

Class I off-road bikeways should be separated from the curb by means of a landscaped parkway averaging at least 6 feet in width, except within 50 feet of street intersections, where bikeways may be placed adjacent to the curb. Width and surface standards for the Class I bikeway along Avenida Pico have been established by Conditions of Approval on Tentative Tract 13530. Construction details will be approved by the City prior to construction. The construction of the remaining bikeways and sidewalks shall be the responsibility of the adjacent property owner/developer and shall be done concurrent with the adjacent highway or street improvements and/or development project. On-street parking shall not be permitted on arterial highways within the Rancho San Clemente, unless the City determines that unusual circumstances justify such parking.

404 Infrastructure Improvements

The backbone infrastructure for Rancho San Clemente has been installed. Sewer and Water capacity are generally available for the remaining undeveloped areas designated for development. Developers of property within Rancho San Clemente will construct additional required infrastructure improvements, such as streets, water lines, sewers, storm drains, etc., in conjunction with their projects. In addition, the developer shall construct required public improvements concurrent with each development in accordance with final engineering drawings approved by the City Engineer. The developer shall construct off-site drainage facilities and a proportionate share of traffic improvements along Avenida Pico and Avenida La Pata which are deemed necessary by the City Engineer and in accordance with the Regional Circulation Financing and Phasing Program (RCFPP). When required by the City, public facilities shall be extended to and beyond the Rancho San Clemente boundaries to serve adjacent properties. When such extensions are required, the City may require subsequent reimbursement by benefiting property owners and/or developers by means of a reimbursement agreement or other mechanism.

I. WATER AND WASTEWATER SYSTEMS

Distribution water mains and sewer trunk lines have been installed throughout Rancho San Clemente in accordance with The City's Water and Wastewater Master Plans. If and when up-grading of facilities is necessary to serve future development, it shall be a condition of approval on new development projects. New development will be required to pay fees for Sewer Assessment District 85-1 and water acreage fees where applicable.

The City's 1994 Reclaimed Water Master Plan calls for the use of reclaimed water for irrigation purposes along Avenida Pico, Avenida La Pata and certain other major slopes. As part of the development review process, new development will be required to tie into the system when it becomes available.

II. DRAINAGE SYSTEM

The major portion of drainage from Rancho San Clemente flows westerly to the Segunda Deshecha Canada Channel and a minor portion flows easterly to the Cristianitos-San Mateo drainage course. The area tributary to each of these major drainage courses will remain unchanged, resulting in no diversion of drainage. The major ridgeline which separates the two drainage basins will not be altered in any manner which would significantly effect tributary drainage areas. Detention and on-site drainage facilities have been designed and constructed in conformance with the requirements established by the City Master Plan of drainage to protect downstream properties from flooding. New development will be conditioned to pay local drainage fees where appropriate.

Some of the uses permitted in the industrial park have the potential to adversely impact local water quality if not properly mitigated. Of particular concern is the potential for industrial waste to contaminate surface runoff flowing to the Cristianitos-San Mateo Creek drainage course. Auto-body and repair services, as well as heavy industrial uses involve the use of oils, paints, heavy metals, and other pollutants which must not be discharged into the storm drain system. All uses within Planning Area 7 shall be subject to a Conditional Use Permit in accordance with the provision in Chapter 5. The following mitigations have been developed to protect the quality of surface runoff.

Uses in which potentially hazardous or toxic materials, petroleum by-products, or other chemicals that may be detrimental to surface waters are used or stored shall be required to include site design features that ensure that any accidental spillage will be contained on-site. Containment shall be provided through provision of firewalls, berms, ancillary drainage systems, retention facilities, etc. Site specific containment features shall be designed, specified, and constructed to the satisfaction of the City's

Development Management Team and the Regional Water Quality Control Board, and shall meet National Pollutant Discharge Elimination System (NPDES) standards.

At the time individual uses are reviewed for Conditional Use Permits, those uses which include activities with the potential to contribute significantly to the degradation of surface waters through introduction of pollutants into the storm-drain system (either individually or cumulatively) shall be required to demonstrate that all surface runoff within the site will be directed through a filtration system.

The storm-drain system for Planning Areas 7 shall include several monitoring manholes for the periodic sampling of run-off and water-quality analysis. Sampling and analysis shall be conducted on a quarterly basis (tri-monthly) by an independent laboratory. Results of the monitoring shall be forwarded to and reviewed by the City Engineer for compliance with Articles 9 and 11, Chapter 30, Title 22 of the California Administrative code and Section 6832 of the California Labor Code.

405 Funding Of Public Facilities

Established mechanisms for the funding of public facilities serving the Rancho San Clemente community include the following:

I. REGIONAL CIRCULATION FINANCING AND PHASING PROGRAM

The Regional Circulation Financing and Phasing Program RCFPP was established by ordinance as a funding mechanism for city-wide circulation improvements. Fees are collected prior to the issuance of building permits and based on square footage of building area.

II. TRANSPORTATION CORRIDOR FEE

The Transportation Corridor fees are administered by the Transportation Corridor Agency for the construction of the Foothill Transportation Corridor. These fees are also collected prior to the issuance of building permits and based on square footage of building area.

III. SAN CLEMENTE SEWER ASSESSMENT DISTRICT NO. 85-1

The backbone sewer system serving Rancho San Clemente was funded through the establishment of Sewer Assessment District 85-1. Developers of property within Rancho San Clemente are required to pay their proportionate share of debt retirement on bonds which were sold to establish the sewer assessment district.

IV. WATER ACREAGE RESERVE FEE

An acreage based water fee is collected prior to final tract map approval.

V. CAPISTRANO UNIFIED SCHOOL DISTRICT FEE

The City requires that prior to the issuance of building permits, evidence must be provided that school facilities fees authorized by State legislation have been paid to the Capistrano Unified School District. The fees are based on square-footage of building area.

VI. BEACH PARKING FEE

The City has established a flat fee to be assessed to each new residential dwelling unit outside the Coastal Zone, to fund beach parking facilities within San Clemente. This fee is collected prior to the issuance of building permits.

VII. PARK ACQUISITION AND DEVELOPMENT FEES

The City has established a Park Acquisition and Development Fee Program in accordance with the Quimby Act. Dedication and improvement of Rancho San Clemente park land has been funded through this program. Park Acquisition and Development Fees may be required as a condition of approval on new residential development which has not already contributed to this program.

VIII. SEGUNDA DESHECHA DRAINAGE FEES

Local drainage fees are assessed prior to final tract map approval for new development within the Segunda Deshecha Canada basin.

IX. PUBLIC SAFETY CONSTRUCTION FUND

A fee is collected prior to the issuance of building permits to offset the increasing costs of fire protection and other public safety services.

406 Maintenance Responsibilities

Facilities to be maintained within Rancho San Clemente include certain infrastructure improvements, common areas, public facilities, private residential streets, etc. In order to ensure that all of these are well-maintained, this Section sets forth the responsibilities of different persons and other entities for their maintenance. Table 4-1, following, assigns the long-term maintenance responsibilities for each area/facility within Rancho San Clemente.

Table 4-1 assigns ultimate maintenance responsibilities. Most improvements constructed by developers within Rancho San Clemente will be maintained by the developer until the improvements are accepted by the City or transferred to the homeowners/property owners association, private property owner, or other entity as the case may be.

TABLE 4-1
MAINTENANCE RESPONSIBILITIES

	Homeowner s Association	Property Owner	City	County
Hillside Open Space	4			
Private Common Areas	4			
Community Parks			4	
Public Streets			4	
Private Streets	4			
Public Street Lighting			4	
Private Street Lighting	4			
Public Storm Drains			4	4
Private Storm Drains	4			
Arterial HWY Medians			4	
Public Street Trees			4	
Landscaped Parkways		4		
Sidewalks*	4	4		
Public Recreation Trails			4	

*NOTE: Refer to City Ordinance No. 1115.

Chapter 5

DEVELOPMENT STANDARDS

501	Residential Development Standards
502	Neighborhood Commercial Standards
503	Mixed Use Standards
504	Industrial Development Standards
505	Public Use Standards
506	Open Space Standards
507	Institutional Standards

501 Residential Development Standards

I. PURPOSE AND APPLICABILITY

- A. Purpose - The residential development standards are established to accommodate residential development including single family and multi-family dwelling units at a maximum density of:

RL	Low Density Residential:	4.5 D. U./Gross Acre
RML	Medium-Low Density Residential:	7.0 D.U./Gross Acre
RM	Medium Density Residential:	15.0 D. U./Gross Acre
RH	High Density Residential:	24.0 D. U./Gross Acre

- B. Applicability - This Section applies to all residential Planning Areas and the residential portion of the Mixed Use Planning Area, according to the following density standards:

	<u>PLANNING AREA</u>
RL	Low Density Residential: 12, 13, 14, 17, 19, 21, 24
RML	Medium-Low Density Residential: 11A, 16, 18
RM	Medium Density Residential: 1(Res.), 10A, 11B, 20, 22
RH	High Density Residential: 10B

- C. Standards and Uses Not Listed - A proposed standard or use that is not expressly addressed in this Specific Plan is subject to the general zoning code. If it is not expressly addressed in the general zoning code, section 17.04.040 governs.
- D. Design Guidelines - All development under this Section is also subject to the Design Guidelines set forth in Chapter 3.

- E. Site Plan Permits - All new development under this Section is subject to a Site Plan Permit in accordance with Chapter 6.

II. PRINCIPAL USES PERMITTED

A. RL: Low Density

1. Conventional subdivisions, including single-family detached dwellings.
2. Private parks and open space.
3. Small family day-care homes.

B. RML: Medium-Low and RM: Medium Density

1. Conventional subdivisions, including single-family detached dwellings.
2. Planned Unit Developments (PUD's), including apartments, condominiums, zero lot line homes, patio homes, and townhouses.
3. Private parks and open space.
4. Small family day-care homes.

C. RH: High Density Residential

1. Planned Unit Developments (PUD's), including apartments, condominiums, zero lot line homes, patio homes, and townhouses.
2. Private parks and open space.
3. Small family day-care homes.

III. CONDITIONAL USES PERMITTED

The following uses shall be allowed, subject to City approval of a Conditional Use Permit or Minor Conditional Use Permit in accordance with the Zoning Ordinance:

- A. Churches, temples, and other places of worship.
- B. Child day-care centers.
- C. Congregate care facilities.
- D. Large family day-care homes.
- E. Model home complexes and temporary real estate sales offices in accordance with the Zoning Ordinance.
- F. Senior housing projects.

IV. ACCESSORY USES AND STRUCTURES PERMITTED

- A. Pools, fences, walls, patios, patio covers, garages, carports, tool and garden sheds, gazebos, and barbecues in accordance with the Zoning Ordinance.
- B. Guesthouses in the RL Low Density Residential areas only.
- C. Home occupations in accordance with the Zoning Ordinance.
- D. Satellite dish antennas in accordance with the Zoning Ordinance. Roof-mounted dish antennas are prohibited.
- E. Other accessory uses and structures determined by the City Planner to be normally incidental to a permitted principal or conditional use.

V. TEMPORARY USES AND STRUCTURES PERMITTED

Construction activities, including offices and materials and equipment storage.

VI. GENERAL DEVELOPMENT STANDARDS

- A. Minimum Building Setback from Scenic Highway ROW - 30 ft for buildings up to 20 ft in ht, 50 feet for buildings 20 ft or over; however in all cases 50 ft average per each scenic highway frontage. (Scenic highways include Avenida Pico, Avenida La Pata, and Avenida Vista Hermosa).
- B. Fences, Walls, and Hedges - Pursuant to the Zoning Ordinance, fences, walls, and hedges serving the same purpose as a fence shall be no greater than 6 feet in height within required side and rear setback areas and 3.5 feet in height within required front setback areas and exterior side setback areas abutting a street. Walls adjacent to scenic highways shall conform to Section 304 II, D. Where swimming pools are located, fences must comply with the City's safety standards for swimming pool fences.
- C. Signs - Residential signs shall be permitted in accordance with the Sign Ordinance.
- D. Recreational Vehicle Storage - The parking or storage of boats, trailers, recreational vehicles, or similar vehicles shall conform to the Zoning Ordinance. Further, such parked or stored vehicles shall be screened so as not to be visible from any scenic highway.
- E. Swimming Pools and Spas - Swimming pools, spas, and similar facilities shall be regulated by the Zoning Ordinance.
- F. Porches, Decks, and Stairways - Porches, decks, stairways, and similar structures shall be regulated by the Zoning Ordinance.
- G. Administrative Adjustments to Standards - In order to foster design creativity and innovation, the Planning Division may grant administrative adjustments to the standards in this Paragraph F in accordance with the Zoning Ordinance if it determines that all of the requirements of the Administrative Adjustments Section of the Zoning Ordinance have been satisfied.
- H. Minimum Private Street and Driveway Widths:

Driveways providing access to 4 or fewer units:	12 feet
Driveways providing access to more than 4 units:	16 feet
Streets with parking on one side only:	28 feet
Streets with parking on both sides:	36 feet

NOTE: All private streets and driveways must meet Orange County Fire Authority standards for fire protection access.

VII. DEVELOPMENT STANDARDS FOR TYPE OF DEVELOPMENT

TABLE 5-1
CONVENTIONAL SUBDIVISIONS

STANDARD	RL	RML and RM
Maximum Dwelling Units Per Lot	1 principal residence plus 1 guesthouse	1 principal residence
Maximum Height	35 feet, not to exceed 2 stories	35 feet, not to exceed 2 stories
Maximum Site Coverage (solid roofs)*	60%	60%
Minimum Lot Area	5,000 square feet	4,000 square feet
Minimum Lot Width	45 feet	40 feet
Minimum Front Setback From Public Street:	20 feet	20 feet
Minimum Front Setback From Private Street	less than 5 feet or greater than 18 feet**	less than 5 feet or greater than 18 feet**
Minimum Side Setback From Interior Property Line	5 feet	5 feet
Minimum Side Setback From Exterior Property Line	10 feet	10 feet
Minimum Rear Setback	5 feet	5 feet
Parking Requirements Note: Parking space dimensions shall be in accordance with the Zoning (See Appendix Ordinance B for the appropriate Zoning Ordinance Section).	A minimum of 2 parking spaces per dwelling shall be provided in a garage and shall be kept accessible and usable at all times. Where adequate on-street parking is not available, a minimum of .2 uncovered guest spaces per unit shall be provided (rounded to the nearest higher whole number).	A minimum of 2 parking spaces per dwelling shall be provided in a garage and shall be kept accessible and usable at all times. Where adequate on-street parking is not available, a minimum of .2 uncovered guest spaces per unit shall be provided (rounded to the nearest higher whole number).

* Site coverage includes any lot area covered by a solid roof (thus, for example, patio covers with spaces between roof slats shall be exempt from this lot coverage limitation).

**Where garages are less than five feet from the private street, automatic garage door openers are required. Where garages are 18 to less than 20 feet from a private street, sectional roll-up garage doors are required.

TABLE 5-2
PLANNED UNIT DEVELOPMENTS

The purpose of the planned unit development (PUD) standards contained in this Table 5-2 is to provide flexible regulations in order to foster innovation, variety, amenities, in the design of livable neighborhoods. The overall intent is to provide for increases in project quality over conventional projects, rather than for increases in unit yields or substandard development.

	RML	RM and RH
Maximum Dwelling Units Per Lot	No Maximum, provided the density standard is not exceeded	No Maximum, provided the density standard is not exceeded
Minimum PUD Site Area	5 acres	5 acres
Minimum Useable Private or Common Open Space Area Required Per Unit	500 square feet	RM: 400 square feet RH: 300 square feet
Minimum Lot Area	none	none
Minimum Lot Width	none	none
Minimum Setback From Arterial Highway	30 feet	30 feet
Minimum Setback From Public Street	20 feet	20 feet
Minimum Setback From Private Street	5 feet	5 feet
Minimum Setback From Another Building	10 feet	10 feet
Maximum Height	35 feet, not to exceed 2 stories	35 feet, not to exceed 3 stories
Parking Requirements Note: Parking space dimensions shall be in accordance with the Zoning Ordinance (See Appendix B for the appropriate Zoning Ordinance Section).	A minimum of 2 parking spaces per dwelling shall be provided in a garage and shall be kept accessible and usable at all times. Where adequate on-street parking is not available, a minimum of .2 uncovered guest spaces per unit shall be provided (rounded to the nearest higher whole number).	A minimum of 1 covered and 1 uncovered parking space per dwelling shall be provided and shall be kept accessible and usable at all times. Where adequate on-street parking is not available, a minimum of .2 uncovered guest spaces per unit shall be provided (rounded to the nearest higher whole number).

502 Neighborhood Commercial Standards

I. PURPOSE AND APPLICABILITY

- A. Purpose - The neighborhood commercial standards are established to accommodate retail and service uses to serve primarily the residents of nearby neighborhoods.
- B. Applicability - This Section applies to Planning Area 25.
- C. Standards and Uses Not Listed - A proposed standard or use that is not expressly addressed in this Specific Plan is subject to the general zoning code. If it is not expressly addressed in the general zoning code, section 17.04.040 governs.
- E. Design Guidelines - All development under this Section is also subject to the Design Guidelines set forth in Chapter 3.
- F. Site Plan Permits - All projects regulated by this Section shall be subject to a Site Plan Permit in accordance with Chapter 6.
- G. Architectural Permits - All projects regulated by this Section shall be subject to a Site Plan Permit in accordance with Chapter 6.

II. PRINCIPAL USES PERMITTED

All uses permitted by the Zoning Ordinance in the NC2 zone shall be permitted.

III. CONDITIONAL USES PERMITTED

All uses conditionally permitted by the Zoning Ordinance in the NC2 zone shall be permitted subject to a Conditional Use Permit or a Minor Conditional Use Permit, as determined by the Zoning Ordinance.

IV. ACCESSORY USES AND STRUCTURES PERMITTED

Other accessory uses and structures determined by the City to be normally incidental to a permitted principal or conditional use.

V. TEMPORARY USES AND STRUCTURES PERMITTED

- A. Construction activities, including necessary construction offices and materials and equipment storage.
- B. Outdoor sales or promotional events such as parking lot sales or the sale of Christmas trees or other seasonal items in accordance with the Zoning Ordinance.

VI. DEVELOPMENT STANDARDS

- A. Minimum Lot or Building Site Area and Width - None, except that the minimum project area for Site Plan Review shall be 2 acres.
- B. Maximum Floor Area Ratio - The maximum Floor Area Ratio (FAR) shall be 0.35.
- C. Maximum Height - 35 feet, not to exceed 2 stories.
- D. Minimum Building Setback from Scenic Highway ROW - 30 feet for buildings up to 20 feet in height and 50 feet for buildings 20 ft or over. The average setback along a Scenic Highway shall be a minimum of 50 feet per each scenic highway frontage (Scenic highways include Avenida Pico, Avenida La Pata, and Avenida Vista Hermosa.)
- E. Other Setbacks - As approved by the City in conjunction with Site Plan Review.
- F. Landscaping - Landscaped buffers shall be provided at the project perimeter and shall be the following minimum widths: (1) At least 20 feet average width along each Scenic Highway frontage with 15 feet minimum at any point; (2) At least 6 feet average width along each interior property line. The total amount of landscaped area shall be at least 15% of the site. No parking shall be allowed within the required landscaped areas.
- G. Signs - Signs shall be permitted in accordance with the City Sign Ordinance.
- H. Parking - The dimensions and design of the parking area, as well as the number of parking spaces required shall as determined by the Zoning Ordinance for the use established.

503 Mixed Use Standards

I. PURPOSE AND APPLICABILITY

- A. Purpose - The mixed use standards are established to accommodate a mix of residential, retail, office, and service uses.
- B. Applicability - This Section applies to Planning Area 1.
- C. Standards and Uses Not Listed - A proposed standard or use that is not expressly addressed in this Specific Plan is subject to the general zoning code. If it is not expressly addressed in the general zoning code, section 17.04.040 governs.
- D. Concept Plan Required - Prior to approval of any Site Plan or Tentative Map in Planning Area 1, a Concept Plan shall be approved by the City Council. The Concept Plan shall allow for 78.1 acres of development area, with the remainder allocated to landscaped and/or natural open space (including manufactured slopes) and streets. The development area shall be at least 30 percent and not more than 80 percent commercial area and may include a residential area with up to 286 dwelling units at a maximum density of 15 dwelling units per net acre. The Concept Plan may be submitted as one document or as a set of development plans and tentative maps provided such plans and maps encompass the entirety of Planning Area 1.
- E. Design Guidelines - All development under this Section is also subject to the Design Guidelines set forth in Chapter 3.
- F. Site Plan Permits - All projects regulated by this Section shall be subject to a Site Plan Permit in accordance with Chapter 6.

II. USES PERMITTED AND DEVELOPMENT STANDARDS

Medium density residential and commercial development are allowed within the 78.1 acre “development area” as follows:

- A. For areas established by the Concept Plan as residential, the RM Medium Density Residential Standards in Section 501 above shall apply.
- B. For areas established by the Concept Plan as commercial, the uses and conditional uses permitted in the Zoning Ordinance for the CC1 Zone shall apply and the Section 502 Neighborhood Commercial Standards in this Specific Plan shall apply. Drive-thru uses, health and fitness clubs, movie

theaters, nurseries, and parking lots shall not require a Conditional Use Permit.

- C. If a Concept Plan is approved for residential units above commercial development in accordance with the General Plan, the Section 502 Neighborhood Commercial Standards shall apply, except that residential uses may be permitted, the Floor Area Ratio (FAR) may be increased to 1.0 and there may be 4 stories permitted, not to exceed 35 feet in height.

III. CONVERSION OF “UPPER” COMMERCIAL TO RESIDENTIAL USE

The area between the retail commercial center and the 162-lot single family residential development in Planning Area 1 is designated by this Specific Plan as “residential, maximum 15 units per net acre”. It has been determined, however, that the change in designation of this property from a “community commercial” to a residential land use eliminates future sales tax revenues the City will receive from the development of the project. As a result, the change in land use from “community commercial” to “residential, maximum 15 units per net acre” shall only become effective upon the City’s receipt of an in-lieu payment of \$550,000 and the City’s inspection and acceptance of the foundation for the WalMart commercial building evidencing progress towards completion and occupancy of the building by WalMart. Only land uses which are consistent with the “community commercial” land use designation shall be permitted until the effective date of the change to “residential, maximum 15 units per net acre”. No development shall occur on the property unless and until site and development plans are approved by the City.

IV. LOCATION OF SUPERMARKET WITHIN COMMERCIAL CENTER

In order to avoid dilution of the community and subregional-serving character of the western portion of the commercial site in Planning Area 1, supermarket uses are prohibited from locating to the west of the northeasterly entry into the site off of Avenida Pico (Entry “C”).

504 Industrial Development Standards

III. PURPOSE AND APPLICABILITY

A. Purpose - The industrial development standards are established to accommodate the development of a high quality business and industrial park, with areas devoted to supporting retail businesses to serve the needs of businesses and employees of the area. Business and Industrial park uses shall be regulated and conditioned so that the environmental impacts on air quality, storm water runoff, ambient noise level, etc. are mitigated to a level consistent with the goals and policies of the San Clemente General Plan.

B. Applicability - This Section applies to all I2 Light Industrial and I3 Heavy Industrial Planning Areas as follows:

	<u>PLANNING AREA</u>
BC Business Commercial:	3A, 8A, 27
BP Business Park:	2, 3B, 4, 5, 6, 8B, 26
IP Industrial Park:	7, 3C

C. Standards and Uses Not Listed - A proposed standard or use that is not expressly addressed in this Specific Plan is subject to the general zoning code. If it is not expressly addressed in the general zoning code, section 17.04.040 governs.

D. Design Guidelines - All development under this Section is also subject to the Design Guidelines set forth in Chapter 3.

E. Site Plan Review - All development under this Section is subject to a Site Plan Permit in accordance with Chapter 6.

F. Architectural Permits - All projects regulated by this Section shall be subject to a Site Plan Permit in accordance with Chapter 6.

II. PERMITTED USES IN INDUSTRIAL ZONES

The uses listed in the following table are permitted subject to a Site Plan Permit only, if designated by a “P”. If designated by a “C”, the use is conditionally permitted, subject to the approval of a Conditional Use Permit or a Minor Conditional Use Permit as determined by the Zoning Ordinance. If neither a “P” or a “C” appears, the use is prohibited, unless the Planning Commission makes a determination that the use is similar to a permitted or conditionally permitted use and will be consistent with the purpose of this Section 504.

Use	Business Commercial	Business Park	Industrial Park
Adult Oriented Businesses		C	
Alcohol Sales	C	C	
Automotive Services		C (P.A. 4 only)	C
Banks and Financial Offices	P		
Child Day-Care Center	C	C	
Civic Uses	P	P	
Commercial Recreation	C	C	C
Construction/Maintenance		P	P
Membership Organizations	C	C	
Heavy Industrial			C
Heavy Truck Repair			C
Kennel		C (P.A. 4 only)	C
Laboratory, dry	P	P	P
Laboratory, wet	C	C	C
Light Manufacturing		P	P
Medical and Veterinary Clinics	P	P	
Mini- or Private-Storage			P
Offices	P	P	P
Open Space/Parks	P	P	P
Public Utilities	C	C	C
Religious Uses	C	C	
Restaurants	P		
Schools	C	C	
Recreational Vehicle Storage			P
Research and Development		P	P
Retail Sales of Business Commercial Products	P		
Service Uses, such as Barbers, Tailors, Dry Cleaners, Sandwich Shops, Bakeries, Printing, Repairs	P	P Not to exceed 20% of the site	
Transportation Services	C	C	C
Warehousing/Wholesaling		P	P

III. ACCESSORY USES AND STRUCTURES PERMITTED

Accessory uses are allowed incidental to and for the exclusive operation of a permitted use, serving the owners and/or employees of the permitted use. Such accessory uses include cafeterias, conference rooms, day care, and training rooms.

IV. TEMPORARY USES AND STRUCTURES PERMITTED

Construction activities, including offices and materials and equipment storage.

V. GENERAL DEVELOPMENT STANDARDS

- A. Minimum Building Setback from Scenic Highway ROW - 30 feet for buildings up to 20 feet in height, 50 feet for buildings 20 feet or over in height; however in all cases 50 feet average per each scenic highway frontage (Scenic highways include Avenida Pico, and Avenida La Pata).
- B. Fences, Walls, and Hedges - Pursuant to the Zoning Ordinance, fences, walls, and hedges serving the same purpose as a fence shall be no greater than 6 feet in height within required side and rear setback areas and 3.5 feet in height within required front setback areas and exterior side setback areas abutting a street. Walls adjacent to scenic highways shall conform to Section 304 II, D.
- C. Signs - Signs shall be permitted in accordance with the Sign Ordinance.
- D. Administrative Adjustments to Standards - In order to foster design creativity and innovation, the Planning Division may grant administrative adjustments to the standards in this Paragraph F in accordance with the Zoning Ordinance if it determines that all of the requirements of the Administrative Adjustments Section of the Zoning Ordinance have been satisfied.
- E. Enclosure and Screening - All uses, except for outdoor eating areas which are approved in accordance with the Zoning Ordinance, parks, and open space, shall be conducted entirely within an enclosed building or within an area enclosed on all sides by a solid wall or fence not less than six feet in height. If a use is to be conducted outdoors with an approved Site Plan, it shall comply with the requirements of the National Pollutant Discharge Elimination System (NPDES) and screened with landscaping in addition to walls and/or fences. Refer to Chapter 3 - Design Guidelines for acceptable wall and fence materials.
- F. Refuse Collection Areas - All refuse collection areas shall be visually screened from streets and adjacent properties by an opaque structure, shall not be permitted between the street and the front building line, and shall comply with Orange County Fire Authority Standards.

VI. SPECIFIC DEVELOPMENT STANDARDS

Development Standard	Business Commercial or Business Park	Industrial Park
Minimum Lot Size	10,000 square feet	10,000 square feet.
Minimum Street Frontage	60 feet	40 feet
Maximum Height	35 feet, not to exceed 3 stories for office buildings, or 2 stories for other uses	35 feet, not to exceed 2 stories
Maximum Floor Area Ratio	.5	.75
Minimum Front Setback and Landscaped Buffer	20 feet	25 feet
Minimum Side Setback From Public Street	10 feet	10 feet
Minimum Side Setback From Private Street	5 feet	5 feet
Minimum Rear Setback From Public Street	15 feet	15 feet
Minimum Rear Setback From Private Street	10 feet	10 feet
Minimum Parking Standards and Requirements	All parking standards and requirements shall be in accordance with Zoning Ordinance	All parking standards and requirements shall be in accordance with Zoning Ordinance
Surface Runoff Requirements	For uses with the potential to discharge pollutants into the storm drains, Section 404, II. shall apply	For uses with the potential to discharge pollutants into the storm drains, Section 404, II. shall apply
Minimum Landscape Requirements (No parking shall be allowed within the required landscaped area)	15 % of site area, with a minimum 10 foot wide landscaped area adjacent to Ave. Pico or Ave. La Pata. The Front Setback area shall be landscaped. Additional landscaping may be required by Site Plan Review	5 % of site area, with a minimum 10 foot wide landscaped area adjacent to Ave. La Pata. The Front Setback area shall be landscaped. Additional landscaping may be required by Site Plan Review

505 Public Use Standards

I. PURPOSE AND APPLICABILITY

- A. Purpose - The purpose of this Section is to provide for public schools, parks, and other public facilities, and to promote public recreation opportunities.
- B. Applicability - This Section applies to Planning areas 9, 23A, and 23B.
- C. Standards Not Listed - Whenever a standard or regulation is not set forth in this Specific Plan, the Zoning Ordinance shall regulate. An index of Zoning Ordinance sections is listed in the Appendix B of this Specific Plan.
- D. Land Uses Not Listed - In cases where it is not clear whether a proposed land use is permitted under this Section, the Planning Commission shall determine if the use is consistent with the Purpose set forth above and is either permitted as a principal, conditional, accessory, or temporary use, or is not permitted.
- E. Site Plan Review - All projects regulated by this Section shall be subject to Site Plan Review in accordance with Section 601.
- F. Design Guidelines - All development under this Section, other than public schools exempted by state law, is also subject to Design Guidelines set forth in Chapter.

II. PRINCIPAL USES PERMITTED

- A. Civic Uses.
- B. Public Elementary School.
- C. Public Parks and Recreation Facilities.
- D. Public Utilities.

III. ACCESSORY USES AND STRUCTURES PERMITTED

- A. Bikeways and Pedestrian Ways.
- B. Structures incidental and accessory to permitted uses.
- C. Other uses accessory and incidental to a permitted use, such as the sale of food and beverages.

IV. TEMPORARY USES AND STRUCTURES PERMITTED

- A. Construction activities, including necessary construction offices and materials and equipment storage.
- B. Outdoor festivals and similar events within public parks if approved by the City.

V. DEVELOPMENT STANDARDS

All structures and/or parking areas shall be set back a minimum of 30 feet from any street. All other development standards shall be determined through review of a Site Plan Permit and shall conform to Section 304 II. - Scenic Highways.

506 Private Open Space Standards

I. PURPOSE AND APPLICABILITY

- A. Purpose - The purpose of this Section is to provide for the preservation of open space which provides significant biological resources and visual resources, with limited recreation uses.
- B. Applicability - This Section applies to all areas designated Private Open Space or Golf Course Open Space on Figure 2-1.
- C. Standards Not Listed - Whenever a standard or regulation is not set forth in this Specific Plan, the Zoning Ordinance shall regulate. An index of Zoning Ordinance sections is listed in the Appendix B of this Specific Plan.
- D. Land Uses Not Listed - In cases where it is not clear whether a proposed land use is permitted under this Section, the Planning Commission shall determine if the use is consistent with the Purpose set forth above and is either permitted as a principal, conditional, accessory, or temporary use, or is not permitted.
- E. Site Plan Review - All projects regulated by this Section shall be subject to Site Plan Review in accordance with Section 601.

II. PRINCIPAL USES PERMITTED

- A. Open Space.
- B. Public Recreation Trails and Utilities.
- C. Recreation Facilities (limited to the existing golf club and tennis club).

III. ACCESSORY USES AND STRUCTURES PERMITTED

- A. Structures incidental and accessory to permitted uses.
- B. Other uses accessory and incidental to a permitted use, such as the sale of food and beverages.

IV. DEVELOPMENT STANDARDS

All structures and/or parking areas shall be set back a minimum of 30 feet from any street. All other development standards shall be determined through review of a Site Plan Permit and shall conform to Section 304 II. Scenic Highways.

507 Institutional Standards

I. PURPOSE AND APPLICABILITY

- A. Purpose - The Institutional standards are established to accommodate community facility uses.
- B. Applicability - This Section applies to Planning Area 15.
- C. Standards Not Listed - Whenever a standard or regulation is not set forth in this Specific Plan, the Zoning Ordinance shall regulate. An index of Zoning Ordinance sections is listed in the Appendix B of this Specific Plan.
- D. Land Uses Not Listed - In cases where it is not clear whether a proposed land use is permitted under this Section, the Planning Commission shall determine if the use is consistent with the Purpose set forth above and is either permitted as a principal, conditional, accessory, or temporary use, or is not permitted.
- E. Design Guidelines - All development under this Section is also subject to the Design Guidelines set forth in Chapter 3.
- F. Site Plan Permits - All projects regulated by this Section shall be subject to a Site Plan Permit in accordance with Chapter 6.
- G. Architectural Permits - All projects regulated by this Section shall be subject to a Site Plan Permit in accordance with Chapter 6.

II. PRINCIPAL USES PERMITTED

- A. Civic Uses.
- B. Membership Organizations.
- C. Public Safety Uses.
- D. Public or Private Parks and Community Facilities.
- E. Religious Uses.

III. CONDITIONAL USES PERMITTED

- A. Cultural Uses.
- B. Public Utility Uses.
- C. Recreational Land Uses.
- D. Schools and Day Care Facilities.

IV. ACCESSORY USES AND STRUCTURES PERMITTED

Other accessory uses and structures determined by the City to be normally incidental to a permitted principal or conditional use.

V. TEMPORARY USES AND STRUCTURES PERMITTED

- A. Construction activities, including necessary construction offices and materials and equipment storage.
- B. Outdoor sales or promotional events such as parking lot sales or the sale of Christmas trees or other seasonal items in accordance with the Zoning Ordinance.

VI. DEVELOPMENT STANDARDS

- A. Minimum Lot or Building Site Area and Width - None, except that the minimum project area for Site Plan Review shall be 2 acres.
- B. Maximum Height - 35 feet, not to exceed 2 stories.
- C. Setbacks - As approved by the City in conjunction with Site Plan Review.
- D. Landscaping - Landscaped buffers shall be provided at the project perimeter and shall be at least 6 feet average width. The total amount of landscaped area shall be at least 15% of the site. No parking shall be allowed within the required landscaped areas.
- E. Signs - Signs shall be permitted in accordance with the City Sign Ordinance.
- F. Parking - The dimensions and design of the parking area, as well as the number of parking spaces required shall as determined by the Zoning Ordinance for the use established.

Chapter 6

DEVELOPMENT REVIEW

- 601 Development Review Procedures
- 602 Amendments to the Specific Plan

601 Development Review Procedures

I. PURPOSE AND APPLICABILITY

The purpose of this Section 601 is to specify the steps required to obtain City approval for new and supplemental development applications within the Rancho San Clemente Specific Plan area. All private development proposals within this Specific Plan area shall be reviewed and processed in accordance with the provisions of this Chapter and the Zoning Ordinance, following an initial screening by the Community Development Department. Upon a determination by the City Planner, some of the development review phases in this Section may be carried out concurrently. When Site Plan Permits and other applications are processed concurrent with Tentative Maps, the approving body, i.e. City Council or Planning Commission, shall be the approving body stated in the Subdivision Ordinance for Tentative Map approval.

II. ENVIRONMENTAL REVIEW

All applications for discretionary review and approval shall be subject to environmental review in accordance with the California Environmental Quality Act (CEQA) Guidelines and City procedures.

III. CONCEPT PLAN REQUIRED

Prior to approval of any application for development within Planning Area 1, a Concept Plan shall be reviewed and approved by the City Council in accordance with Section 503, I., E. of this Specific Plan. The review procedure for Concept Plan Approval shall be the same as specified by the Zoning Ordinance for Specific Plan Adoption.

IV. TENTATIVE MAPS

Applications for approval of Tentative Tract and Tentative Parcel Maps shall be reviewed in accordance with the City's most current Subdivision Ordinance (Chapter 35 of the Municipal Code). Preliminary grading concept plans shall be approved in association with approval of a Tentative Map. Grading concept plans shall be reviewed for consistency with the City's Hillside Development Ordinance. The City may impose specific conditions on Tentative Maps in addition to the requirements of this Specific Plan.

V. SITE PLAN PERMITS

All applications for new development within the Rancho San Clemente Specific Plan, except for custom homes on individual lots, shall be subject to approval of a Site Plan Permit in accordance with the Zoning Ordinance. The purpose of the Site Plan Permit is to implement both the Design Guidelines in Chapter 3 of this Specific Plan, as well as the Purpose and Intent stated in the Site Plan Permits Section of the Zoning Ordinance. The City may impose specific conditions on Site Plan Permits in addition to the requirements of this Specific Plan. Applications for anything other than new development shall be reviewed and processed in accordance with the Zoning Ordinance requirements for Site Plan Permits or Minor Site Plan Permits as determined by the Zoning Ordinance.

VI. ARCHITECTURAL PERMITS

All applications for new non-residential development within the Rancho San Clemente Specific Plan shall be subject to approval of an Architectural Permit in accordance with the Zoning Ordinance, unless a Concept Plan is approved for that Planning Area. The purpose of the Architectural Permit is to implement both the Design Guidelines in Chapter 3 of this Specific Plan, as well as the Purpose and Intent stated in the Architectural Permits Section of the Zoning Ordinance. The City may impose specific conditions on Architectural Permits in addition to the requirements of this Specific Plan. Applications for anything other than new development shall be reviewed and processed in accordance with the Zoning Ordinance requirements for Architectural Permits or Minor Architectural Permits as determined by the Zoning Ordinance.

VII. RESIDENTIAL GROWTH MANAGEMENT

Prior to issuance of building permits for new residential development projects with five or more dwelling units, Residential Allocations shall be granted by the Residential Development Evaluation Board (RDEB) in accordance with the City's Growth Management Ordinance, Measure B (Chapter 38 of the Municipal Code). No

allocations for residential development shall be granted until a Tentative Tract Map and Site Plan Permit is approved by the City.

VIII. SIGNS

Sign applications shall be processed in accordance with the City's Sign Ordinance.

IX. OTHER APPLICATIONS

Conditional Use Permits, Minor Conditional Use Permits, Variances, Minor Exception Permits, Waivers, City Antenna Permits, Home Occupation Permits, Temporary Use Permits, Sound Amplification Permits, Building Permits, Adult-Oriented Business Permits, and Development Agreements shall be processed in accordance with the Zoning Ordinance.

602 Amendments To The Specific Plan

Amendments to this Specific Plan shall be reviewed and processed in accordance with the Zoning Ordinance. If the City Planner determines that a General Plan Amendment is required, said application shall be reviewed and processed in addition to the Specific Plan Amendment in accordance with the Zoning Ordinance.

Chapter 7

DEFINITIONS

For the purposes of this Specific Plan, certain terms shall be defined as set forth in this Section. Terms not listed herein shall be defined per the City's Zoning Ordinance, or if not listed in the Zoning Ordinance, shall be construed in accordance with accepted usage. Words used in the present tense shall include the future; words in the singular shall include the plural; the words "will" and "shall" are mandatory and the word "may" is permissive. The word "should" refers to policy guidance which must be followed in the absence of compelling opposing considerations identified by the City.

Apartment shall mean a room or suite of rooms which is occupied or which is intended or designed to be occupied by one family for living and sleeping purposes.

Architectural Guidelines shall mean those aesthetic standards imposed on Rancho San Clemente that ensure the quality of development and the overall character as envisioned in the Chapter 3 of this Specific Plan.

Automotive Services shall mean the provision for consumers of care and maintenance related to automotive vehicles. Typical uses include auto-body repair, auto-glass shops, automotive-painting shops, brakes/tire/muffler installation, customizing shops, engine rebuilding, tune-up, and speed shops.

Business Commercial shall mean establishments which provide retail sales of goods or services primarily to businesses. Typical uses include office furniture, products and supply stores, parcel/postal services, computer sales and service, and courier/messenger services.

Chapter shall mean a chapter within this Specific Plan unless specifically identified as part of some other document.

City shall mean the City of San Clemente, a municipal corporation.

City Council shall mean the City Council of the City of San Clemente.

Civic Uses shall mean publicly or privately owned and managed facilities for meetings, conventions or exhibitions and other community, social, and multi-purpose uses. Typical uses include community halls and governmental offices.

Clinical service means a physical- or mental-health service that is provided on an out-patient basis. The service may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counseling nature, but clinical service does not include group counseling (as defined in the City of San Clemente zoning ordinance). Examples of clinical service uses include, but are not

limited to, medical, health, chiropractic, and physical-therapy clinics; veterinary facilities; individual-counseling; and emergency-care centers.

Commercial Entertainment Uses shall mean a facility within an enclosed structure provided for entertainment. Typical uses include video game rooms, movie theaters, and bowling alleys.

Commercial Recreation Uses shall mean any facility where the primary intent is to provide amusement, pleasure, or sport. Typical uses include dance studios, golf courses, health and athletic clubs, and youth clubs.

Condominium shall mean an undivided interest in common in a portion of real property coupled with a separate interest in space called a unit (whether or not it is attached to another unit), the boundaries of which are described on a recorded final map, parcel map, or condominium plan, in sufficient detail to locate all boundaries thereof. An individual interest within a condominium may include, in addition, a separate interest in other portions of real property.

Construction/Maintenance shall mean the office of a contractor engaged in construction and maintenance activities performed at the site of construction with administrative and business work performed in the office premises. Company vehicles may be stored outside, but associated equipment and supplies must be stored in a completely enclosed building. Typical uses include construction companies, carpentry services, electrical contractors, handyman services, janitorial services, landscape maintenance services, and plumbing contractors.

Contour Grading shall mean grading on major slopes intended to present a recontoured natural appearance to blend manufactured slopes with the natural topography on the site.

Conventional Subdivision shall mean a residential development divided into individual lots for the construction of single-family detached homes. Conventional subdivisions may have common open space.

Covered Parking shall mean any parking space in a covered garage, parking structure, or a carport.

Cultural Uses refers to facilities involved with the collection and exhibition of objects and the performance of works having literary, artistic, historic, natural historic, musical, and/or scientific value for public appreciation. Typical uses include public art galleries, museums, libraries, and live-arts theater.

Day-Care Center, Child shall mean a facility which provides non-medical care to children under eighteen (18) years of age in need of personal services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than twenty-four hour basis. Day-care center means any child-care facility other than a family day-care home and includes infant centers, pre-schools, and extended day-care facilities.

Density shall mean the number of dwelling units per gross acre permitted in any Planning Area as specified in the Land Use Exhibit, Figure 2-1. Density within each Planning Area may vary as long as the overall density within the total Planning Area is not exceeded.

Drive-Thru Uses" shall mean establishments with window service for automobiles. Typical uses include banks, dairies, or restaurants.

Floor Area Ratio shall mean the total gross floor area, excluding parking structures, interior stairways, and non-habitable subterranean floors of all buildings on a lot divided by the lot area.

Gross Acreage shall mean the number of acres within a planning area, including local street rights of way but excluding arterial and local collector street rights of way (See Figure 2-4).

Gross Floor Area (G.F.A.) shall mean the total enclosed area of all floors of a building, measured to the outside face of the structural members of exterior walls, and including halls, stairways, elevator shafts at each floor level, service and mechanical equipment rooms, and habitable basement or attic areas, but excluding outdoor courtyards and stairways and other exterior space.

Growth Management Program shall mean the Growth Management Element of the General Plan, together with implementation policies and ordinances such as the Growth Management Ordinance (Measure B), Chapter 38 of the Municipal Code, and Chapter 39 of the Municipal Code pertaining to emergency response time.

Heavy Industrial shall be industrial uses which involve the processing, manufacturing, and use of natural resources, raw materials, primary metals, chemicals, petroleum, and petroleum by-products. Typical uses include concrete processing batch plants, sand-and-gravel yards, major automotive repair and recycling, refinery operations, chemical manufacturing and storage, fabrication, storage, warehousing, and manufacturing.

Inclusionary Housing Program shall mean the Housing Element of the General Plan, together with policies and ordinances relating to the provision of affordable housing as defined in the General Plan.

Laboratory, dry means a laboratory where dry materials, electronics, or large instruments are tested and analyzed, with limited piped services. Dry laboratories may require controlled temperature and humidity as well as dust control.

Laboratory, wet means a laboratory where chemicals, drugs or biological matter is tested and analyzed, and which typically requires water, direct ventilation, specialized piped utilities and protective measures.

Land Use Exhibit shall mean Figure 2-1, the adopted map depicting the approximate location of residential, commercial, mixed use, industrial, public, and open space uses along with the statistical summary for these land uses.

Large Family Day-Care Home shall mean a child care facility in a home which provides family day care to seven (7) to twelve (12) children at any one time, including children under the age of 10 years who reside at the home, as defined in the Health and Safety Code Section 1597.40 et seq.

Light Manufacturing Uses shall be industrial uses which are quiet, non-polluting operations wholly contained within a structure or screened from view. Typical uses include manufacture and assembly of apparel and garments; cabinets; canvas products; ceramics; cosmetics; cutlery; dental equipment; drugs and pharmaceuticals; electrical appliances, equipment, and supplies; food processing and production; furniture; glass products; hardware; medical equipment; musical instruments; optical goods; plastic products; precision instruments; scientific instruments; steel and sheet-metal products; and toys.

Membership Organizations shall mean facilities provided for the meetings and activities of members of philanthropic, social, business, or fraternal organizations, but excludes those uses customarily carried on as businesses. Typical uses include union halls, boys' and girls' clubs, and lodge halls.

Mini- or Private Storage shall mean the commercial operation of a storage facility in which consumers may rent an exclusive space for the storage of their personal belongings.

Mixed Use shall mean a combination of certain types of retail commercial, office, and residential which, because of the nature of their operation or access and space needs, can be located within a common development area.

Offices shall mean establishments which provide administrative, consulting, management, and professional services to businesses and individuals. Typical uses include real estate and insurance offices, banks and other financial institutions, accountants, attorneys, engineers, architects, planners, and travel agencies.

Patio Home shall mean a detached unit, usually with a small yard, interior courtyard, or atrium. A patio home may be a condominium if more than one is located on a lot.

Photographic/Reproduction shall mean the provision of services involving technical skills, training or talents for the reproduction of printed or graphic matter for business and individuals. Typical uses including printing establishments, blueprint companies, photography laboratories, and photocopy companies.

Planned Unit Development (PUD) shall mean a residential project consisting of residential uses on a single lot or a combination of lots, with common recreation, open space, circulation and/or parking arranged in a comprehensive plan that treats the entire development as a single project. The purpose of this type of development is to take advantage of superior site planning techniques in order to produce an environment of desirable character which will be in harmony with development of the surrounding community. PUD's may include condominiums, townhouses, patio homes, zero lot-line homes, detached single-family dwellings, private clubhouses, and recreation centers.

Planning Area shall mean any numbered site designated on Figure 2-1.

Planning Commission shall mean the Planning Commission of the City of San Clemente.

Public Land Use shall mean land and/or facilities owned, operated, and maintained by public agencies for the use and enjoyment of the general public.

Public Utility Uses shall mean a business organization, such as a public-service corporation, performing some public service and subject to special government regulations, usually a protected monopoly. Typical uses shall include public-utility buildings, structures, and facilities.

Recreation Land Use shall mean land designated for active or passive recreation activities and for their support facilities.

Religious Uses shall mean facilities for public assembly involving worship and ceremonies that pertain to a system of beliefs. Typical uses include churches, synagogues, and temples.

Research-and-Development Use means the pursuit of knowledge or creation of products in technology-intensive fields. Examples include but are not limited to research and development of computer software, information systems, communications systems, transportation, geographic information systems, multi-media and video technology, drugs, medical technology and genetics. Laboratories may also be included in this use (see also "Laboratory, dry" and "Laboratory, wet"). Development and construction of prototypes may be associated with this use.

Residential Land Use shall mean any parcel or area of land devoted to housing and ancillary uses. The categories of residential land use shall correspond to the residential land-use designation of this Specific Plan.

Section shall mean a section within this Specific Plan unless specifically identified as part of some other document.

Setback shall mean a minimum horizontal distance between the exterior surface of a building, exclusive of architectural projections, fireplaces, or eaves, and the abutting lot or property line; or, when abutting a street, the minimum horizontal distance between the exterior surface of a building, exclusive of architectural projections, fireplaces, or eaves, and the ultimate street right-of-way line (whether public or private) or the sidewalk or curb if so specified.

Single-Family Detached Dwelling shall mean a single-family dwelling which occupies its own lot and is not physically connected to any other dwelling.

Site Plan Permit shall mean an application for entitlement to use as defined in the Zoning Ordinance.

Small Family Day-Care Home shall mean a child care facility in a home which provides family day care to six (6) or fewer children at any one time, including children under the age of 10 years who reside at the home, as defined in the Health and Safety Code Section 1597.40 et seq.

Subdivision Code or Subdivision Ordinance shall mean the Subdivision Code of the City of San Clemente, as last revised.

Temporary Uses shall be any use which is not prohibited by law but is more of a temporary nature than uses as defined within this Specific Plan.

Townhouse or Townhome shall mean a dwelling unit occupying its own lot but also physically attached to at least one (1) other dwelling unit.

Transportation Services shall mean establishments which provide local and regional passenger transportation by bus with terminal facilities. Typical uses include park and ride lots and bus stations.

Warehousing shall mean the storage of trade goods, personal goods, or service products, and equipment by business and retail establishments in an enclosed building. Typical uses include cold storage plants, garages, and warehouses.

Wholesaling shall mean the large storage areas for receiving, selling, and shipping goods to retail dealers. Typical uses include distributors of trade goods and products.

Usable Open Space shall mean private or common property, excluding structures, driveways, parking areas, or areas with a dimension less than ten (10) lineal feet, areas less than two hundred (200) square feet, or slopes greater than three (3) percent.. Recreational facilities, such as swimming pools, tennis courts, and tot lots, may be counted toward this requirement. Private patios and balconies may also be counted toward this requirement, but only at a ratio of fifty (50) percent, with each one (1) square foot of patio or balcony equal to one-half (1/2) square foot of usable open space. In order to count as credit toward this requirement, ground-level patios shall have a minimum area of 150 square feet with no

dimension less than ten (10) feet. Usable open space provided on a balcony shall have a minimum area of sixty (60) square feet, with no dimension less than five (5) feet.

Urban Design Program shall mean the Urban Design Element of the General Plan together with implementation tools such as the Design Guidelines, Chapter 3 of this Specific Plan, and the Master Landscape Plan for Scenic Corridors.

Zero Lot Line Home shall mean a detached dwelling unit constructed adjacent to a side lot line, with no setback on one side of the lot, providing additional usable open space within the increased setback area on the opposing side.

Zoning Ordinance shall mean the San Clemente City Zoning Ordinance as last revised.

APPENDIX A:

INDEX OF APPLICABLE ZONING ORDINANCE CHAPTERS

1. Antennas	Chapter 17.16
2. Conditional Use Permits	Chapter 17.16
3. Definitions	Chapter 17.88
4. Design Review	Chapter 17.16
5. Fences, Walls, Hedges	Chapter 17.24
6. Home Occupations	Chapter 17.28
7. Minor Exception Permits	Chapter 17.16
8. Parking Requirements and Standards	Chapter 17.64
9. Porches, Decks, etc.	Chapter 17.32
10. RV Storage	Chapter 17.64
11. Second Residential Unit	Chapter 17.28
12. Site Plan Permits	Chapter 17.16
13. Specific Plan Amendments	Chapter 17.52
14. Temporary Uses	Chapter 17.28
15. Variances	
16. Chapter 17.16	

APPENDIX B:
LIST OF INVASIVE AND UNDESIRABLE PLANT SPECIES

1. Vinca major - Periwinkle. This species is highly invasive, particularly in riparian areas. It thrives in the moist, shaded habitats found along stream areas and will dominate the habitat along the banks. Its habitat value to animals is not known.
2. Lonicera japonica 'Halliana' - Hall's honeysuckle. Honeysuckle is a vining shrub that can be somewhat invasive. The cultivated Hall's honeysuckle is especially prone to escape from cultivation and invade natural habitats. Its habitat value to animals is probably similar to the native honeysuckle species (prohibited in peripheral zones only).
3. Bromus mollis, B. rubens and Avena barbata - Soft grass, red brome and wild oats. These grasses are non-native and highly invasive. The bromes are commonly referred to as foxtail grasses. Slender wild oats was deliberately introduced as forage for cattle and sheep by the Spanish. These grasses could be used for hydro-seeding since they naturally re-vegetate and dominate disturbed areas. In addition, red brome and slender wild oats tend to dominate the areas in which they are found and prohibit the growth of other plant species. Their habitat value to animals is limited (prohibited in peripheral zones only).
4. Carpobrotus edulis - Hottentot fig. Also commonly known as iceplant. This is a very invasive plant, and will dominate the vegetation in a given area. Particularly successful on slopes. It provides only limited habitat value.
5. Koeleria pyramidalis - Junegrass, commonly used for erosion control, tends to be somewhat invasive. It provides only limited habitat value.
6. Cortaderia jubata - Pampas grass. Highly invasive grass that will take over wetlands. Its habitat value is extremely limited.
7. Senecio mikanioides - German ivy. Not a true ivy, but a perennial vine. Very weedy, invasive plant in coastal California. It provides no real habitat value.
8. Tamarix spp. - Tamarisk. Tamarisk are water lovers and become quickly established along drainage courses. They are very difficult to eradicate.
9. Arundo donax - Giant reed. Extremely invasive and difficult to control, particularly along drainage courses. Its habitat value is extremely limited.
10. Ricinus communis - Castor bean. Extremely invasive; common in degraded wetland areas. Its habitat value is unknown.
11. Additional species determined undesirable by Orange County Fire Authority.

APPENDIX C:

OCFA FUEL MODIFICATION GUIDELINES:

AVAILABLE FROM COMMUNITY DEVELOPMENT DEPARTMENT

OR FROM ORANGE COUNTY FIRE AUTHORITY

APPENDIX D:

CURRENT

RESOLUTION OF APPROVAL

FOR PLAZA PACIFICA PROJECT

(PLANNING AREA 1)

RESOLUTION NO. 99-77

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND APPROVING FOURTH REVISED TENTATIVE TRACT MAP 13530, SITE PLAN PERMIT 98-123, SIGN EXCEPTION PERMIT 98-124, AND AMENDMENT TO CONCEPT PLAN 94-23 FOR THE PLAZA PACIFICA PROJECT

WHEREAS, Pacific Development Group, One Corporate Plaza, Newport Beach, CA 92658, has requested approval of Fourth Revised Tentative Tract Map 13530, Site Plan Permit 98-123, and Sign Exception Permit 98-124, consisting of a site plan and revised tentative map for Area 2 of Plaza Pacifica (eastern portion of commercial area) for a combination Lucky's-Savon store plus shops and other commercial uses, and a sign program for the entire commercial area. The site is a portion of Planning Area 1 in the Rancho San Clemente Specific Plan, the legal description being Lots 1 and 20 of Tract 12124 and Lots 1, 2, and A of Tract 12125; and

WHEREAS, the City's Development Management Team has reviewed the subject applications for compliance with General Plan policies, the Rancho San Clemente Specific Plan, and other applicable City ordinances and policies; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) Guidelines, the City's Planning Division completed an Initial Study for the above referenced project and determined that, although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because of the mitigation measures described in the Initial Study and included in the project. The Planning Division has accordingly recommended that the Planning Commission recommend City Council approval of the Mitigated Negative Declaration; and

WHEREAS, on June 1, 1999, the Planning Commission held a duly-noticed public hearing on the subject applications, considered evidence presented by the Development Management Team, City Staff, and other interested parties, and recommended approval of Fourth Revised Tentative Tract Map TT 13530, Site Plan Permit SPP 98-123, Sign Exception Permit SEP 98-124, and amendment to Concept Plan 94-23; and

WHEREAS, on July 21, 1999, the City Council held a duly-noticed public hearing on the subject applications, considered evidence presented by the City staff and other interested parties, and the recommendations of the Planning Commission.

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

Section 1: Pursuant to CEQA Guidelines Section 15063, an Initial Study has been prepared for this project. After reviewing the Initial Study, the proposed Mitigated Negative Declaration, and all comments received during the public review process, the City Council hereby determines that the project will not have a significant impact on the environment and approves the Mitigated Negative Declaration. This determination reflects the independent judgment of the City Council of the City of San Clemente. The preceding records are retained in

the Planning Division of the City of San Clemente. Also, pursuant to Title 14, California Code of Regulation Section 753.5(c)(1), the City Council has determined 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 of 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. 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 Fourth Revised Tentative Tract Map 13530:

1. The tentative tract map, together with the provisions for design and improvements and the conditions attached hereto as Exhibit A, are compatible with the objectives, policies, general land uses and programs specified in the General Plan of the City of San Clemente and the Rancho San Clemente Specific Plan in that:
 - a. The map is consistent with the Land Use Element of the General Plan and the Rancho San Clemente Specific Plan in that the development intensities conform to those allowed by the General Plan and the Rancho San Clemente Specific Plan for Planning Area 1; specifically the floor area ratio (FAR) for the commercial portion is within the General Plan and Specific Plan maximum of 0.35 and the density of the residential portion is within the General Plan and Specific Plan maximum of 15 dwelling units per net acre, and;
 - b. The map is consistent with all other aspects of the General Plan and the Rancho San Clemente Specific Plan in that the map conforms to said Plans with respect to drainage and sanitary facilities and utilities, including all alignments and grades thereof; location and size of all required easements and right-of-way; lot size and configuration; traffic access; grading; in-lieu fees for park or recreational purposes; housing; and such other specific requirements in the plan and configuration of the entire subdivisions as may be necessary or convenient to ensure conformity to, or implementation of, the General Plan and Rancho San Clemente Specific Plan.
2. The site is physically suitable for the proposed type of development in that it complies with improvement and land use requirements of the General Plan and Rancho San Clemente Specific Plan.
3. The site is physically suitable for the proposed density of development in that it complies with the density requirements of the General Plan and Rancho San Clemente Specific Plan.
4. The design of the subdivision and the proposed improvements are not likely to cause significant environmental damage or substantially and avoidably injure fish or wildlife or other habitat in that the sites are not designated as significant vegetative or wildlife habitat areas.

5. The design of the subdivision and the types of improvements are not likely to cause serious public health problems in that an Initial Study was prepared for the project as required by CEQA, which indicates that, with mitigation, the project will not have a negative adverse impact on public health.
6. The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivisions in that there are no easements acquired by the public at large for access through or use of property within the proposed subdivision.
7. The proposed map, together with the provisions for design and improvements, is consistent with the Subdivision Map Act and the City of San Clemente's Subdivision Ordinance in that the proposal creates a total of 162 single family lots, one residential lot to be subdivided at a later date, 19 commercial lots, and a number of undevelopable lettered lots on 141.7 acres.
8. The proposed map is consistent with the Subdivision Map Act in that it has, to the extent feasible, taken into consideration future passive or natural heating or cooling opportunities.
9. The proposed map, together with the conditions of approval regarding the National Pollutant Discharge Elimination System is consistent with the Subdivision Map Act with regard to water quality.
10. The proposed map is consistent with the Subdivision Map Act in that it has taken into consideration the housing needs of the region balanced with the need for public services.

Section 3: The City Council finds and determines as follows with regard to Site Plan Permit SPP 98-123:

1. The proposed development is permitted within the subject zone pursuant to the approval of a site plan permit and complies with all applicable provisions of the Zoning Code and the Rancho San Clemente Specific Plan, the goals, objectives, and policies of the San Clemente General Plan, and the purpose and intent of the zone in which the development is being proposed.
2. The site is suitable for the type and intensity of development that is proposed in that it complies with the type and intensity requirements of the General Plan and Rancho San Clemente Specific Plan with regard to the commercial portion of the project.
3. As conditioned, the proposed development will not be detrimental to the public health, safety, or welfare, or materially injurious to properties and improvements in the vicinity in that the commercial land use is consistent with the General Plan and Rancho San Clemente Specific Plan and with the existing and planned land uses on surrounding properties.
4. As conditioned, the proposed development will not be unsightly or create disharmony with its locale and surroundings in that the commercial site, landscaping,

architectural, and other plans have been reviewed to ensure design quality and consistency with applicable City ordinances and policies relating to design and visual standards.

5. As conditioned, the proposed development will minimize or eliminate adverse physical or visual effects which might otherwise result from unplanned or inappropriate development, design or location in that the commercial development is consistent with the General Plan, Zoning Ordinance, and Rancho San Clemente Specific Plan relating to land use, development standards, and other applicable regulations and policies.

Section 4: The City Council finds and determines as follows with regard to Sign Exception Permit SEP 98-124:

1. There are unique or unusual circumstances relating to the size of the site or business, shape of the site or business, location and orientation of the site or business, proximity to street frontage or length of street frontage that do not allow the site or business to achieve the goals and objectives of the San Clemente Zoning Ordinance for adequate business identification in that the large size and long frontage of the site and the 130-foot+ setback from Avenida Pico requires development of a special sign program in order to achieve adequate identification.
2. The sign exception permit is not contrary to the intent of the General Plan or the Rancho San Clemente Specific Plan in that it provides a program for attractive controlled signage throughout the Plaza Pacifica commercial center in accordance with the policies of the Urban Design Element and other applicable elements of the General Plan.
3. The sign exception permit is not a grant of special privileges inconsistent with the limitations of other similarly-situated properties in that projects of this size also have or are eligible for special sign programs and that such sign programs, in return for the granted flexibility regarding size and number of signs, provide more stringent controls on their materials, construction, and appearance than is normally imposed by City regulations on signs not covered by such programs.
4. The sign exception permit will not create a traffic or safety hazard and will not adversely impact surrounding properties by increasing light, glare, or noise in that all signs will be set back from all intersections in order to preserve traffic sight lines, all signage will be placed at least 400 feet from the nearest residential lot, and building identification signs will face away from such residential areas.

Section 5: The City Council finds and determines that, per Subsection 503-F of the Rancho San Clemente Specific Plan, amended Concept Plan 94-23, consisting of: (1) Fourth Revised Tentative Tract Map 13350, (2) the approved commercial area site plans, including the site plan approved on January 7, 1998 and supplemented by the present plan for Phase 2 (SPP 98-123), and (3) the previously-approved residential site plans, is consistent with the Rancho San Clemente Specific Plan and the General Plan in that said plans conform to the Specific and

General Plan requirements for comprehensive planning of the entire Rancho San Clemente Planning Area 1.

Section 6: The City Council hereby takes the following actions:

1. Adopts the Mitigated Negative Declaration as attached to the July 21, 1999 staff report distributed to the City Council;
2. Approves Fourth Revised Tentative Tract Map 13530, subject to the conditions specified in Exhibit "A" attached hereto;
3. Approves Site Plan Permit SPP 98-123, subject to the conditions specified in Exhibit "A" attached hereto;
4. Approves Sign Exception Permit SEP 98-124, subject to the conditions specified in Exhibit "A" attached hereto;
5. Approves Amended Concept Plan 94-23 to replace the Concept Plan approved on January 7, 1998 with the most recently approved combination of tentative map and commercial and residential site plans, including previous approvals still in effect, plus the present Fourth Revised Tentative Tract Map 13350 and the site plan for Phase 2 of the commercial area (SPP 98-123);

PASSED AND ADOPTED this 21st day of July, 1999.

Mayor of the City of
San Clemente, California

ATTEST:

CITY CLERK of the City of
San Clemente, California

[SIGNED COPY AVAILABLE AT CITY CLERK'S OFFICE]

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

I, MYRNA ERWAY, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. 99-77 was adopted at a regular meeting of the City Council of the City of San Clemente held on the 21st day of July, 1999, by the following vote:

AYES:

NOES:

ABSENT:

CITY CLERK of the City of
San Clemente, California

Approved as to form:

City Attorney

**EXHIBIT A:
CONDITIONS OF APPROVAL FOR
FOURTH REVISED TENTATIVE TRACT MAP 13530,
SITE PLAN PERMIT 98-123, SIGN EXCEPTION PERMIT 98-124
AND PREVIOUSLY-ADOPTED CONDITIONAL USE PERMIT 94-56**

Notes:

- An asterisk (*) denotes a standard condition of approval.
- Bold type (other than headings) denotes additions or wording changes from the previous approval resolution.
- A ~~strikethrough~~ means a condition deleted because it has already been satisfied or is no longer applicable.

GENERAL CONDITIONS

- 1*. The owner or designee shall develop the approved project in substantial conformance with Fourth Revised Tentative Tract 13530, Site Plan Permit 98-123 Sign Exception Permit 98-124 and previously-adopted Conditional Use Permit 94-56 (allowing sale of alcoholic beverages), and associated elevations, material sample boards, and preliminary landscape plan approved by the City Council, except as modified by these Conditions of Approval. (Plng.)
- 2*. ~~Signage is not part of this review. Any signage for this shopping center, theaters, offices or other uses shall require the owner or designee to submit for review and obtain approval of a Master Sign Program in accordance with the City's Sign Ordinance. All signs within the commercial portion of the project shall conform to the Sign Program approved per Sign Exception Permit 98-124.~~ (Plng.)
- 3*. Within two years after the approval date of **this Fourth Revised** Tentative Tract 13530, unless an extension is granted as provided in Chapter 35 of the Code of the City of San Clemente and Section 66452.6 of the Government Code of the State of California (Subdivision Map Act), the owner or designee shall submit for review and shall obtain the approval of the City Council for, a final map or multiple final maps prepared by a registered civil engineer. The final map(s) shall be subject to all pertinent requirements of the Subdivision Map Act and shall conform to the approved tentative tract map, City standards, and all other applicable approved plans, codes, ordinances, statutes and regulations. (Plng.)
- 4*. The owner or designee shall defend, indemnify and hold harmless the City of San Clemente, its agents, officers and employees from any claim, action or proceeding against the City of San Clemente, its agents, officers or employees to attack, set aside, void or annul an approval of the City of San Clemente concerning Tentative Tract 13530 and associated approvals, when such claim, action or proceeding is brought within the time period provided under Government Code Section 66499.37. The City shall notify the owner or designee of any claim, action or proceeding and the City shall cooperate fully in the defense of the above. (Plng.)

- 5*. The owner or designee shall not pave any street under which cable TV conduit is to be placed without actual notice to Cox Communications or their successor in interest, for the installation of cable conduit. Notice shall be sent to Cox Communications, General Manager, at the company's current headquarters address in Orange County.

Sale of Alcoholic Beverages

- 6*. The sale of alcoholic beverages for off-site consumption shall be limited to the commercial area and shall be limited to the hours of 7 a.m. to 11 p.m. Sunday through Thursday and from 7 a.m. to 12:00 a.m. on Friday and Saturday. Any proposed increase in the hours of operation shall require an amendment to this conditional use permit. **Any sale of alcoholic beverages in connection with the sale of motor vehicle fuel shall require a separate conditional use permit.** (Plng.)
- 7*. The owner or designee shall obey all rules, regulations and conditions imposed upon the project through, but not limited to, the Alcoholic Beverage Commission (ABC) and relevant State laws. Prior to any sale of the ABC license, the owner or designee shall notify the Community Development Department of the sale. (Plng.)
- 8*. Conditional Use Permit No. 94-56 shall become null and void **if the first use (i.e. business) selling alcoholic beverages is not established within two years from the date of this resolution. Since the sale of alcoholic beverages does not require the issuance of a building permit, the first use shall not be deemed to have been established until the date the use becomes operational and/or opens for business within the commercial center.**

The use shall be deemed to have lapsed and Conditional Use Permit 94-56 shall be deemed to have expired one year after the date the use ceases operation and/or the business closes at such location.

The owner or designee shall have the right to request an extension of Conditional Use Permit 94-56 if said request is made and filed with the Planning Division prior to the expiration date as set forth herein. The request shall be subject to review and approval by the Planning Commission. (Plng.)

CONDITIONS TO BE SATISFIED PRIOR TO FINAL TRACT MAP APPROVAL

Planning

- 9*. Prior to the first final tract map approval or building permit, the owner or designee shall submit written consent to all of these imposed conditions to the Community Development Director or designee. The owner or designee understands that this resolution of approval will be of no force or effect unless such written consent is submitted to the City. The owner reserves the right to apply for a Development Agreement to be approved by the City Council, which would modify these conditions of approval accordingly. (Plng.)

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10. Prior to the approval of any final tract map for **the theater complex, if any**, the owner or designee shall submit for Community Development Director approval, revised development plans for **the complex**. Said plans shall incorporate the following revisions:
- A. Augmentation of tree planting, overall landscaping, and pedestrian amenities along the main drive aisle in front of the store fronts to create a “grand boulevard” appearance.
 - B. Detailed large-scale plans for both the theater plaza, **if any**, and the main entry plaza in front of Building 5A showing details of water features, enriched paving, pedestrian amenities, landscaping, and other features.
 - C. Refinements and additions to the theater facade, the rear elevations of Major “4” and the other commercial buildings opposite the new PUD residential area, and the flat-roofed tower elements.
 - D. Revisions to access and internal circulation system in response to comments from the City’s Engineering Division to ensure safe and workable circulation such as, but not limited to, adequate turning radii for trucks, redesign of entry “D” as a main entry, landscaping limitations to maintain sight distances, provision of bus turnouts, and provision of 35-foot curb radii arterial street intersection.
 - E. Revisions to the pedestrian access and internal circulation system to ensure convenient and pedestrian-friendly access from surrounding streets and through the parking lot to the stores. Walkways shall be placed: (1) alongside all entry drives, and (2) through the parking lot within medians placed between adjacent rows of parking stalls.

The preceding plans shall be approved by the Community Development Director. If the Director finds that the revisions do not conform to direction given by the Planning Commission during review of the project, he shall refer the relevant plans to the Planning Commission for review. (PIng.)

11. Prior to the first final tract map approval or building permit for residential use, the owner or designee shall submit for review and approval by the Director of Community Development, an Affordable Housing Implementation Plan which provides for the following: (PIng.)
- A. The number of affordable units required shall be 14% of the number of residential dwelling units to be constructed in Rancho San Clemente Planning Area 1.
 - B. The Plan shall indicate that the required number of affordable dwelling units shall be provided on-site, off-site, or by the payment of in-lieu fees as prescribed by the Housing Element of the General Plan, and that the plan will be approved prior to issuance of buildings permits for any residential units.

CC&R's

12. Prior to each final tract map approval or building permit, the owner or designee shall submit to the Community Development Department and shall obtain the approval of the City Attorney or designee of the Covenants, Conditions and Restrictions (CC&R's) for the

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residential development and the commercial development which shall provide for the following:

- A. Creation of at least two separate Master Associations and/or a Sub-associations (residential and commercial) for the purpose of providing for control over the uniformity of boundary fencing, and the perpetual maintenance responsibility of areas including, but not limited to, all common areas, open space, slopes, fuel modification zones, private medians and greenbelts, arterial highway parkway landscaping, irrigation systems, landscaped areas, walls, private streets, street lights, drainage, and weed abatement of the public right-of-way for Vista Pacifica through the off-site open space. All streets, drainage, street lights, street signage and striping improvements within the interior of the residential subdivision designated as private and all commercial streets, drainage, street lights, signage, striping, driveways, accessways and parking areas designated as private shall remain private and shall be maintained by a Master Association and/or Sub-association, or such other provision for maintenance which may be subsequently approved by the City Council. In addition, the CC&R's shall indicate all other areas to be owned and maintained by the Master Association and/or Sub-association and that maintenance of all private drainage facilities shall be in conformance with NPDES requirements. (Eng.)
- B. Within 15 days of the establishment of the homeowners association and/or the commercial property owners association, the owner or designee is required to furnish the Board or Officers of each association a copy of each approved tract map, a copy of the approved site and fencing plan, copies of all approved landscaping plans, a complete set of construction plans for the various residential model types, and approved plans indicating the locations and characteristics of all major project components, utilities, and related data. (Plng.)
- C. Following recordation of each final tract map, each Master Association of this tract shall submit to the Community Development Department, for distribution to the Fire and Beaches, Parks and Recreation Departments, and shall re-submit annually, a list of all current Property Owner Association officers of the Association. (Plng.)
- D. The establishment of setback and height requirements for residential additions and accessory structures conforming with the development standards as set forth in the **most-recently approved site plan** and in City ordinances, including the restriction that no single story structure shall be converted to a two-story structure. (Plng.)
- E. A statement indicating that open space shall be retained by deed restriction as designated open space in perpetuity and maintained by a Master Association and/or the sub-association, and that no development or encroachment shall be permitted within the designated open space, unless approved by the Director of Community Development in accordance with Condition No. 28 below. (Plng.)

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- F. A statement indicating that proposed amendments to the CC&R's shall be submitted for review to the Community Development Director or designee, and shall be approved by the City Attorney prior to the amendments being valid. (Plng.)
- G. A statement indicating that the City has the right, but not the obligation, to enforce any of the provisions of the CC&R's. (Plng.)
- H. Agreement by and between the owner or designee and Association, that storm drain facilities shall be inspected regularly as follows:
- 1) Open channels and catch basins inspected annually before storm season and removal of debris as necessary.
 - 2) Underground drainage facilities over 38" in diameter shall be inspected every 2 years.
 - 3) All facilities shall have debris and sediment removed either manually or by mechanical methods. Flushing shall be used in emergency situations only. (Eng.)
- I. Agreement by the owner or designee and Association that on an annual basis in the month of June, reports will be furnished to the City in compliance with the reporting requirements of codes and ordinances adopted by the City with for NPDES. (Eng.)
- J. The CC&R's shall contain fire prevention and defense provisions including: a) a fire lane map; b) provisions which prohibit parking in fire lanes and a method of enforcement; and c) provisions for maintenance of fuel modification zones. Also, a method for keeping fire protection access easements unobstructed shall be included. The approval of the Fire Chief shall be required for any modifications such as speed bumps, control gates, or parking changes. (Fire)
- K. The CC&R's shall provide for the maintenance of Street "B" from Street Y to Avenida La Pata and the storm drain from Street "B" to the MO2 box culvert by the existing residential master homeowners association. (Eng.)
- L. The PUD residential area may annex into the residential master homeowner association, **or may form a separate homeowner association with provisions for contribution to the maintenance of Street "B"** to the satisfaction of the City. (Plng.)

Buyer Notification

- 13.* Prior to each final residential tract map approval or building permit, the owner or designee shall submit for review, and shall obtain the approval of the City Attorney or designee for, a buyer's notification disclosure form to be given to all potential buyers of the lots/units, which indicates the existence, operations, characteristics, and hazards of the following:
- Prima Deshecha Landfill
 - TRW
 - United States Marine Corps, Camp Pendleton
 - San Onofre Nuclear Generating Station

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- Ford Aerospace
- Fire hazard due to wildland exposure
- The Forster Ranch ridgeline trail and connections
- **The Foothill Corridor “BX” alternative alignment**
- **The future extension of Avenida Vista Hermosa to Avenida Pico**

A place for the buyers' written acknowledgment of these factors shall be provided on the disclosure forms. (Plng.)

Fees

14.* The following fees shall be paid: (Eng.)

- A. Prior to each final tract map approval or building permit, the owner or designee shall pay all applicable subdivision and final map fees for that map, which may include, but are not limited to, City Attorney CC&R review, park acquisition and development, water and sewer connection, drainage, SDG&E street light energizing fee and any fees approved by City Council.
- B. Prior to approval of the first final map, the owner or designee shall pay a reclaimed water fee to the City for the use of the Avenida Pico reclaimed water line. This fee shall be in an amount equal to the applicant's fair share of the cost of the water line as determined by the City Council.

Final Map Requirements

- 15.* Prior to each final tract map approval or building permit within the residential portion of this tentative tract map, the owner or designee shall indicate on the final map that all residential streets, drainage, street lights, street signage and striping improvements within the interior of this subdivision are private and shall be maintained by the Master Association and/or Sub-association, or such other provision for maintenance which may be subsequently approved by the City Council. (Eng.)
- 16.* Prior to each final tract map approval, the owner or designee shall indicate on the final map, the location of all easements for open space and trails, storm drain improvements, public street lights, utilities, reciprocal access, slopes, and landscaping. All drainage easements shall be a minimum of 15 feet wide. No drainage facilities accepted for dedication or maintenance by the City shall be located within any existing or proposed slopes. Facilities less than 54-inch RCP within private streets will not be accepted by the City. No improvements will be allowed to be constructed within any easements to be accepted by the City, without approval of an Encroachment Permit. A Hold Harmless agreement approved by the City Attorney shall be required for all approved encroachments into the public right-of way. (Eng.)
- 17.* Prior to recordation of each final tract map or building permit, the owner or designee shall submit for review, and shall obtain the approval of the County Surveyor for, a digitized tract map pursuant to Orange County Ordinance No. 3809 of January 28, 1991. The owner or

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designee shall pay for all costs of said digital submittals, including supplying digital copies to the City in DFX format of the final, County Surveyor-approved digital map. (Eng.)

18. Prior to each final map approval or building permit, the lot identification shall be adjusted so that all non-buildable lots are identified by letters and buildable lots are identified by numbers to the satisfaction of the City Engineer. (Eng.)
19. Prior to final tract map approval or building permit for any commercial portion of the tentative tract map, reciprocal parking and access easements shall be prepared for recordation by the property owner on the final map, in a manner meeting the approval of the City Attorney, for all land within T.T. 13530 designated as commercial. Title to the land covered by such a reciprocal parking and access easement shall remain with the property owner or property owners association. The purpose of the easement shall be specifically stated in the recording document as being for the purpose of the preservation of access and parking availability as defined by the City and the Sate Subdivision Map Act. (Eng.)

Reports: Soils and Geologic, Hydrology

- 20.* Prior to each final tract map approval or building permit, the owner or designee shall submit for review, and shall obtain the approval of the City Engineer or designee for, a soils and geologic report prepared by a registered geologist and soil engineer which conforms to City standards and all other applicable codes, ordinances, statutes and regulations. (Eng.)
- 21.* Prior to the first final tract map approval or building permit, the owner or designee shall submit for review, and shall obtain the approval of the City Engineer or designee for, a hydrology study prepared by a registered civil engineer to determine the sizes and locations of all on-site drainage facilities in accordance with all applicable City regulations and drainage standards. (Eng.)

Improvement Plans Required

- 22.* Prior to each final tract map approval or building permit, the owner or designee shall submit for review, and shall obtain the approval of the City Engineer or designee for the following improvement plans prepared by a registered civil engineer (for the property within the boundary of each final map and the related off-sites as determined by the City Engineer): (Eng.)
 - A. A grading plan which shows grading, drainage, trails, and street improvements. The minimum gradient of streets in this development shall be 1.0%. All drainage must be conveyed to the street or a City-approved drainage facility. Said grading plans shall include recommendations for mitigation of any landslides identified in the geologic report, slope stabilization, or other geologic hazards.
 - B. A street light improvement plan indicating existing and/or proposed improvements, including, but not limited to, street signage; public and private street name sign locations; striping; street light locations, sizes, wattage and height; and service points, designed per City standards. The plans shall provide for 200 ft. spacing of

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street lights, in addition to street lights being placed at the end of each cul-de-sac and at each street intersection.

23. Prior to each final tract map approval or building permit, the owner or designee shall submit street improvement plans for all public and private streets and arterial highway segments as deemed necessary by the City Engineer or designee to provide adequate access, including but not limited to the following provisions: (Eng.)

- A. All traffic pavement markings (i.e., legends, turn pockets, limit lines, arrows and letters), when used to control an arterial or collector street intersection shall be installed with alkyl thermoplastic no less than 125 millimeters thick.
- B. All centerline striping and lane line striping for all streets shall be installed with 250 V.O.C. paint; water base traffic paint shall not be allowed. All centerline striping on arterial and collector streets shall include the installation of two-way raised pavement markers (R.P.M.'s). Spacing of R.P.M.'s shall be per OCEMA standards.
- C. All traffic pavement markings (i.e., legends, turn pockets, limit lines, arrows and letters), when used to control residential streets and intersections, shall be installed with 250 V.O.C. paint; water base traffic paint shall not be allowed.
- D. All streets, sidewalks, curbs, gutters, storm drains, signage, and street lights, private and public, are designed and shall be constructed in accordance with City standards. Except for Streets X and Y, residential streets shall be designed to have the minimum allowable pavement width, a 4.5-foot wide landscaped parkway adjacent to curb (to be maintained by the homeowners association), and a four foot sidewalk. The section for Camino Vera Cruz shall be designed to the satisfaction of the Community Development Director. Streets shall be the following curb to curb and right-of-way widths, but in no case less than Subdivision Code standards:
 - Streets "A", "C", "E", and "F" 36'/54' (Palacio, Sonrisa, and Maravilla,)
 - Street "B" 40'/58' (Onda)
 - Street "D" 28'/48' (Marbrisa)
 - Street "G" Incoming - 30' and 18',
Outgoing - 30' and 18'
 - Street "X" and "Y" To be determined upon review of
future subdivision.
 - Camino Vera Cruz 70'/86' (IN DEVELOPED AREA)
 - Camino Vera Cruz 70'/95' (THROUGH OPEN SPACE)
- E. Sidewalks shall be installed on both sides of all streets, except for "D" Street ~~and vehicular entrances to the commercial center~~ unless otherwise approved by the City Engineer. "D" Street shall have an eight-foot wide landscaped parkway adjacent to the curb on both sides of the street and a four-foot wide sidewalk on one side only.
- F. ~~Signalized entrances off of Avenida Pico shall have a street entry section with 8 ft. sidewalks on each side, 24 ft. curb to curb each for egress and ingress, and an 8 ft.~~

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~~center median. Internal private sidewalks may be five feet wide in the commercial areas. All entrance configurations shall be approved by the City Engineer. [superseded by sub-condition "Q" following]~~

- G. Improvement plans shall include the total proposed public street curb miles in terms of lineal feet; total proposed storm drain pipe by size, lineal footage and by maintenance responsibility assignment (i.e., City, private, County); and total numbers of street lights proposed by wattage type and by maintenance responsibility assignment (i.e., public, private, SDG&E).
- H. Improvement plans shall include an enriched pavement entrance at all major entrances to private development areas as determined by the City Engineer or designee to be constructed within the private street right-of-way and maintained by the homeowners or property owners association, along with a plan for signs designating private streets at the corner of these entrances. Lane configuration and traffic striping of all entrances and exits to the shopping center shall be designed to the satisfaction of the City Engineer.
- I. No intersecting drives shall be allowed within 150 feet of the curb line of public streets at entrances into the commercial area.
- J. Improvement plans shall provide for dual left turn lanes from Pico at Vera Cruz and from Pico at the ~~south west~~ entrance (Entry B) into the commercial center as each of those phases develops. Right-of-way (R.O.W.) sufficient to accommodate an auxiliary free flow right turn lane at the east end of the development, on Pico, shall be dedicated prior to the first final map recordation. **In addition, R.O.W. sufficient to accommodate a right turn pocket for turns from La Pata onto Pico shall be dedicated prior to recordation of the first final map recorded under the Fourth Revised Tentative Map.**
- K. Without any requirement on behalf of owner or designee to remove or relocate any improvements within the R.O.W., owner or designee shall, as part of Phase I Improvements and prior to issuance of any building permits, include mass grading as may be required for installation at a later date of an auxiliary free flow right turn lane at the East end of the development, on Pico.
- L. Final design of streets "X" and "Y" leading to the PUD residential area shall be determined upon submission of a tentative map to subdivide said residential area.
- M. A median break shall be provided at the intersection of street "B" and Avenida La Pata without the requirement of a traffic signal at this intersection.
- N. The gated entry design on Street G shall provide 50 feet of setback from Vera Cruz, and a turnaround meeting City standards. Plans for all streets shall be submitted to and approved by the Fire Chief. Gates shall only be allowed as shown on the Tentative Map or approved Site Plan. Plans shall show construction details for access gates, fire lanes, locations of red curbing and signage, include sectional views

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and indicate the width measured flow line to flow line. All fire apparatus turnarounds shall be clearly marked. Contact the O.C. Fire Authority Development Review Section at 714-744-0403 for Guidelines.

- O. Bus bays shall be provided at locations approved by the OCTA and the City Engineer in accordance with OCTA standards. Bus bays shall be constructed with each phase of improvements. Any necessary right-of-way for the bus bays shall be dedicated on the final map as required by the City Engineer.
- ~~P. The retaining wall along street “B” (Via Onda) shall be designed as a segmented wall. The final design and landscape treatment of the wall shall be to the satisfaction of the City Engineer and the Community Development Director or their designees.~~
- Q. Entry ramps **A, B and C** shall be a minimum of **24 feet** wide each way, both incoming and outgoing curb-to-curb, with an eight-foot wide curb-to-curb median, and a 13-foot wide landscaped parkway on both sides containing 5-foot wide sidewalks separated from the curb. Sidewalks shall extend alongside the entry driveways into the site, and then through the parking lot to the storefronts. **Entry Ramp D shall have a minimum 35-foot radius curb return and shall be a minimum 40 feet wide for the first 60 feet from the entrance and a minimum 30 feet wide thereafter.**

24. Dedications and Abandonments: (Eng.)

- ~~A. Within 60 days of City Council approval of Tentative Tract 13530 and prior to the issuance of any grading or building permits, the owner or designee shall provide irrevocable offers of dedication to the City for the on-site segments of Avenida Vista Hermosa and Camino Vera Cruz by separate instruments. The owner or designee shall include in the offers the easements necessary to construct the roads.~~
- B. Within 30 days after approval of Revised Tentative Tract 13530, the owner or designee shall submit an application and fees for the abandonment of Street “B” from Street Y to Avenida La Pata and the storm drain from Street “B” to the MO2 box culvert. (Eng.)

25. Except as noted below, prior to the first final tract map approval or building permit, the owner or designee shall submit for review and obtain the approval of the City Engineer, improvement plans and geotechnical reports for the construction of Camino Vera Cruz from Avenida Pico to the boundary of Tentative Tract 15093. The plans shall include horizontal and vertical alignment for Ave. Vista Hermosa at its intersection with Camino Vera Cruz. (Eng.)

In lieu of submitting street, structural, utility and signal plans for review and obtaining approval of them by the City Engineer for the segment of Camino Vera Cruz crossing the MO2 concrete box culvert prior to the first final tract map or building permit, the owner or designee shall enter into an agreement with the City. The improvement agreement will include the requirements and schedule for the completion of plans, provisions if plans are

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not produced, and bonding for 125% of the estimated cost of construction of this segment of roadway, structures, landscaping, utilities, and traffic signals. This agreement will also include the remaining portions of Camino Vera Cruz to be constructed by the owner. (Eng.)

26. Prior to the first final tract map approval or building permit, the owner or designee shall submit for review and approval, landscape plans prepared by registered landscape architects in accordance with Condition No. 44, for slopes associated with Camino Vera Cruz and provide for their irrigation and maintenance by the property owners association for the portion of the road within the tract boundary. Landscape plans for slopes along Camino Vera Cruz outside the tract boundary, within the open space, shall designate native landscape plants to be irrigated and maintained by the owner or designee until such plant material is established and no longer in need of irrigation and maintenance as determined by the City Engineer and the Director of Beaches, Parks, and Recreation. (Eng.)(BP & R)
27. Prior to each final tract map approval or building permit, owner shall submit for review and obtain approval of the City Engineer, improvement plans for traffic signals associated with each final map. The signals for which improvement plans are required for new construction include the following:
 - Avenida Pico and Camino Vera Cruz
 - Avenida Pico and westerly project entrance (Entry B)
 - Avenida Pico and easterly project entrance (Entry C)
 - Camino Vera Cruz and commercial project entrance (Entry A)
 - Camino Vera Cruz and Street "G"

Where determined safe and appropriate by the City traffic engineer, certain of the above signals shall include "protective/permissive" left-turn phasing.

Traffic signal improvements for Pico and Vera Cruz shall be built and approved by the City Engineer prior to completion and acceptance of mass grading for Phase I. Traffic signal improvements for Pico and the southerly project entrance shall be built and approved when project entrance "B" is built. All traffic signal improvements shall be secured by surety bond, in an amount acceptable to the City Engineer, with the approval of each phase of the final map with which they are associated. Signal improvements shall be constructed when warrants are met for the following intersections, except that when street improvements are made at the intersections, all signal conduit and other appurtenances that could later cause a street cut to be made shall be installed at the time the original street improvements are made:

- Avenida Pico and project entrance "C".
- Camino Vera Cruz and Street "G"

Upon buildout of the commercial center or five years from October 2, 1996, whichever comes first, if warrants for the above intersections have not been met, and at the request of the owner or designee, the requirement to hold securities may be reviewed by the City Council. Pico/Amanecer traffic signal improvements are not required, due to Lot "Q" being

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non-buildable. No access shall be permitted to Avenida Pico from the lot at the northwest corner of Pico and Vera Cruz. (Eng.)

Open Space and Public Trails

28. Prior to each final tract map approval or building permit, irrevocable offers of dedication for open space easements shall be prepared for recordation by the property owner on the final map, in a manner meeting the approval of the City Attorney, for all land within T.T. 13530 which is designated as open space. Title to the land covered by such an open space easement shall remain with the property owner or applicable homeowners association. The purpose of the easement shall be specifically stated in the recording document as being for the purpose of the preservation of said area in permanent open space as defined by the City. (Eng.)
29. Prior to final tract map approval, the owner or designee shall enter into an agreement with the City to provide for an irrevocable offer of dedication of a public trail easement, and/or grading, improvement, and maintenance of a recreation trail connection to the public north/south ridgeline recreation trail required by the Forster Ranch Specific Plan in a manner acceptable to the City Engineer and Director of Beaches, Parks, and Recreation or designees. the City shall maintain the trail when and if dedication is completed. (B,P, & R)(Eng.)

Drainage

- 30.* Prior to the first final tract map approval or building permit and the installation of water, sewer and storm drain lines, the owner or designee shall submit for review, and shall obtain the approval of the City Engineer or designee, for routing to the Utilities Manager or designee, 1"=200' plans prepared by a registered civil engineer showing all existing and proposed water services, sewer laterals and mains (including gate valves, pressure reducing stations, reservoirs, lift stations, pressure zones, fire hydrants, manholes, pipe sizes, pipe types and any other related appurtenances). (Eng.)
31. Prior to each final tract map approval or revised grading permit, the owner or designee shall submit for review and shall obtain the approval of the City Engineer or designee, drainage improvement plans prepared by a registered civil engineer which provide for the following: (Eng.)
- A. All storm drain junction structures shall be provided with access manholes.
 - B. Any storm drain extending beyond the project boundary shall be privately maintained. An access/construction easement shall be obtained from off-site property owners for grading, fuel modification and installation of storm drains across the project boundary.

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- C. Terrace drains shall be sloped in such a manner to avoid vertical connecting "V" drains. Down drains will be curved and aligned to be hidden or screened when viewed from the most prominent public locations

Water and Reclaimed Water

- 32. Prior to each final tract map approval or building permit, the owner or designee shall submit for review and shall obtain the approval of the City Engineer or designee, water and reclaimed water improvement plans specific to the project, prepared by a registered civil engineer, which reflect consistency with the City's Water and Reclaimed Water Master Plans and standards. Said plan shall provide for the following:
 - A. Indicate a service system which provides, or allows for, independent water metering.
 - B. Turnouts to loop upper zone water systems shall be constructed off of the City's water main at Avenida La Pata. A PRV station as required by the City Engineer shall be installed at Street B and Avenida La Pata and at the residential street connection of Street "A" to Camino Vera Cruz. Water mains shall be constructed with Phase I and shall be looped from Street "A" to Street "B" in a manner satisfactory to the City engineer to provide service to irrigation meters for landscape irrigation of all slopes.
 - C. All development allowed pursuant to this tentative tract map shall provide design features that conserve water, such as controlled irrigation systems which employ drip irrigation, soil moisture sensors, and automatic systems that minimize runoff and evaporation, landscaping that emphasizes drought tolerant species, low-flush toilets and low-flow faucets, hot water recirculating systems, drinking fountains with self-closing valves, public flush valve operated water closets with maximum 1.75 gallon flush; and use of mulch on top of soil to improve water holding capacity of public- and/or common-landscaped areas.
 - D. All water meters shall be tapped into the public water main and be located in the public R.O.W.
 - E. A double detector check shall be installed at the transition from public to private for water systems.
 - F. A 16-inch water line shall be installed in Avenida Camino Vera Cruz. The City will enter into an agreement with the owner for reimbursement of the over-sizing cost for an 8-inch to 16-inch diameter from the connection in Pico to the point where the owner stops construction of Camino Vera Cruz. The owner or designee shall enter into a reimbursement agreement with the City prior to construction of the water line.
 - G. Construction of a 16-inch reclaimed water line in Camino Vera Cruz using pipe material approved by the City Engineer for landscape irrigation using reclaimed water. All infrastructure requirements necessary to make the reclaimed system operable for this development shall be installed and paid for by the owner or his

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designee. Until reclaimed water is available to the development, the development shall be connected to the potable water system at the owner or designee's expense. The owner or designee shall enter into a reimbursement agreement with the City for the cost of over-sizing this reclaimed water line from 8-inch to 16-inch diameter prior to construction of the reclaimed water line. The City shall reimburse for the oversize pipe cost immediately upon completion and final acceptance of the reclaimed water line by the City. Reimbursement shall cover cost of PVC to ductile iron pipe and oversizing.

- H. All reclaimed service lines shall have backflow preventers and meters at the public R.O.W.
 - I. PVC pipe will be accepted for waterline construction associated with this project, for all water mains up to and including 12-inch. All mains above 12-inch shall be ductile iron.
- 33.* Prior to final tract map approval or building permit, the owner or designee shall quitclaim in favor of the City any interest in the property the owner has in existing rights of way for pipelines for the conveyance of water, and for all rights to all underground water. The owner or designee shall convey the right to all underground water, but without right of entry to the surface thereof, to the City. The owner or designee shall cause no easements to be granted nor recorded over any portion of the property shown on the submitted record map between the tentative map approval date by the Planning Commission and the recording date of the final or record map by the County Recorder. (Eng.)

Sewer

- 34.* Prior to each final tract map approval or building permit, the owner or designee shall submit for review and shall obtain the approval of the City Engineer or designee, wastewater improvement plans specific to the project, prepared by a registered civil engineer, which reflect consistency with the City's Sewer Master Plan and standards. Said plan shall provide for the following: (Eng.)
- A. Sewer mains shall be extra strength VCP sewer pipe.
 - B. Sewer manholes shall be located in the public right-of-way at the property boundary for transition from public to private maintenance. The manholes shall be public.
 - C. Sewer mains shall be laid in a straight line between manholes.
 - D. Distance between sewer manholes shall be a maximum of 350 feet and all manholes shall be lined with PVC liners.
 - E. All manhole covers shall be Alhambra foundry heavy duty traffic covers or equal as approved by the City Engineer or his designee.

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35. Prior to any final tract map approval or building permit, the owner or designee shall submit an application to apportion existing sewer capacity from Sewer Assessment District 85-1 to the lots included in the final tract map. In the event that sewer capacity is deficient for any final tract map within the project, the owner shall purchase the deficient amount of sewer capacity in order to meet the sewer capacity requirements of Sewer Assessment District 85-1. The City Engineer currently projects that the owner will be short approximately 10,000 gallons per day of sewer capacity. In non-residential areas, the owner is creating separate lots for the building pads only. The City Engineer will determine the sewer capacity requirements based upon the total building pad lot area and parking lots and other portions of numbered lots within the non-residential area. All sewer capacity and assessments within the non-residential area shall be apportioned to each building pad lot including that building pad lot's share of parking facilities based upon the ratio of square footage of the buildable lot to the total square footage of all buildable lots. (Eng.)
36. Prior to final tract map approval or building permit, the owner or designee shall submit for review and shall obtain the approval of the City Engineer or designee, a Utilities Master Plan prepared by a registered civil engineer. The plan shall provide for the following:
- A. All public utilities shall be constructed within dedicated public R.O.W.'s; no easements will be accepted by the City through the private commercial areas or landscaped areas in this project.
 - B. All commercial on-site utilities shall be private.
 - C. All existing public easements where public utilities are proposed to be relocated shall be relocated within new easements offered for dedication on the final map. Old easements shall be vacated prior to the issuance of a building permit for the lots involved in the relocation. There shall be no new utility easements other than for the purpose of relocating existing utilities
 - D. All utility mains serving the residential area shall be placed in the streets and are to be directed to Avenida La Pata and Camino Vera Cruz unless otherwise approved by the City Engineer. The utilities shall remain in the Public right-of-way of Avenida La Pata and/or Camino Vera Cruz to connections at or near Pico. Public utilities shall not be placed in slopes unless otherwise approved by the City Engineer.

Public Safety

- 37.* Prior to final tract map approval or building permit, the owner or designee shall submit for review, and shall obtain the approval of the Fire Chief or designee, for water improvement plans indicating water system design, location of valves, and fire hydrant locations. (Fire)

Financial Security and Phasing of Improvements

38. Prior to the first final tract map approval or building permit, the owner or designee shall provide construction phasing plans which outline the improvements required by the City

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Engineer and the Community Development Director for each final tract map to be recorded. Each final tract map shall include all public and private improvements required by the City Engineer to guarantee that the phase can operate independent of the remaining unconstructed infrastructure, including but not limited to, access, circulation, trails, signalization, utilities, parking facilities, lighting, landscaping and irrigation improvements.

Phase I shall include the mass grading of the entire project site as depicted on the tentative tract map, including the grading associated with the construction of a Class I Bike Trail, construction of Vera Cruz from Avenida Pico to the boundary of tentative tract 15093, with sufficient slope landscaping and irrigation to provide adequate erosion control as approved by the City Engineer. Widening and construction of dual left turn lanes from Avenida Pico to Vera Cruz, and signalization construction at the intersection of Avenida Pico and Vera Cruz are to be included in Phase I.

Permanent slope landscaping shall be installed with each phased final tract map including irrigation and appurtenances. Permanent slope landscaping for the manufactured slopes along Vera Cruz shall be included with the first final tract map. Traffic signals required in Condition 27 shall be designed and conduits placed with each appropriate phase.

The owner or designee shall be responsible to grade and construct Camino Vera Cruz from Avenida Pico to the boundary of tentative tract 15093, at their own cost, without any reimbursement. The owner is relieved from constructing Avenida Vista Hermosa within their tract boundary. (Eng.)

39. Prior to each final tract map approval or building permit, the owner or designee shall enter into an agreement providing for the construction of the necessary public and private improvement necessary for each phase as described in Condition 38. With each final map, the owner or designee shall provide separate improvement bonds for 100% of each estimated improvement cost, as prepared by a registered civil engineer and approved by the City Attorney and the City Engineer or their designees, for each, but not limited to, the following: rough grading; precise grading; street improvements; trail improvements; street lights; sewer; water; storm drain; erosion control; landscaping in rights of way, private slopes and open space; and off-site street repair. In addition, the owner or designee shall provide separate labor and material bonds for 50% of the above-estimated improvements costs, as determined by the City Engineer or designee.
40. Prior to issuance of the first residential building permit, the owner or designee shall provide an irrevocable demand payment letter of credit, or other financial security instrument approved by the City Attorney, in the amount of \$650,000.00 and in a form acceptable to the City Manager, to secure performance of the phasing of development as required by Condition No. 58 below. If the owner or designee fails to obtain commercial building permits and inspections, in accordance with Phase A of Condition No. 58 within 2 years of October 2, 1996, the City will draw upon the letter of credit in the amount of \$162,500.00, thereby unconditionally releasing the 61st through the 80th residential building permit. If the owner or designee fails to obtain commercial building permits and inspections in accordance with Phase B of condition No. 58 within 2.5 years of October 2, 1996, the City will draw upon the letter of credit in additional amount of \$162,500.00, thereby unconditionally

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releasing the 81st through the 100th residential building permit. If the owner or designee fails to obtain commercial building permits and inspections in accordance with Phase C of Condition No. 58 within 3 years of October 2, 1996, the City will draw upon the letter of credit an additional amount of \$162,500.00, thereby unconditionally releasing the 101st through the 120th residential building permit. If the owner or designee fails to obtain commercial building permits and inspections in accordance with Phase D of Condition No. 58 within 3.5 years of October 2, 1996, the City will draw upon the letter of credit an additional amount of \$162,500.00, thereby unconditionally releasing the 120th through the 162nd residential building permit. (Eng.)(Bldg.)

CONDITIONS TO BE SATISFIED PRIOR TO RECORDATION

- 41.* Prior to recordation of each final tract map, the owner or designee shall submit for review, and obtain the approval of the County Surveyor for, a digitized tract/parcel map pursuant to Orange County Ordinance No. 3809. The owner or designee shall pay for all costs of said digital submittals, including supplying digital copies to the City of the final County Surveyor-approved digital map in DXF format. (Eng.)

CONDITIONS TO BE SATISFIED PRIOR TO GRADING PERMITS

42. Prior to issuance of grading permits, \$50,000.00 shall be paid to the City in addition to all normal required permit fees. ~~If the theater complex is not built within two years of October 2, 1996, another \$50,000 shall be paid to the City. After two years from October 2, 1996 has elapsed, no further building permits will be issued and no final maps approved unless the second \$50,000 is received by the City or the theater complex is built.~~ (Eng.)
- 43.* Prior to issuance of grading and building permits, the owner or designee shall ascertain from the City Engineer or designee that the City's water supply is adequate to accommodate the anticipated water demands of this project. If an adequate water supply is not available, grading and building permits shall not be issued. Approval of this project does not guarantee that potable water will be available for the project at the time of permit application. (Eng.)

Landscape Plans

44. ~~Prior to August 22, 1996, the owner or designee shall submit for review, and shall obtain the approval of the Community Development Director or designee and Fire Chief in conjunction with the Director, Beaches, Parks and Recreation by Sept 15, 1996, for a detailed landscape and irrigation plan for on- and off-site landscaping, including, but not limited to, medians, parkways, public trails, fuel modification areas, and sloped areas, prepared by a registered landscape architect, and in compliance with all pertinent requirements including, but not limited to guidelines contained in Concept Plan Amendment 94-23 and the City's Master Landscape Plan of Scenic Corridors. Contact the Wildland Fire Defense Planning Section at 744-0498 and/or the Orange County Fire Authority Development Review Section at 744-0477 for fuel modification requirements. The deadline~~

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~~for approval of landscape plans for medians may be extended by the Community Development Director.~~ (Plng.)

45. All landscape irrigation systems shall be designed using the City's reclaimed water standards. In the event reclaimed water is not available at the time the system is put into operation, the system may be connected to the potable water system. When reclaimed water is available, the system shall be converted to reclaimed service. The owner or designee shall install reclaimed water service lines to the meter locations for future connection when reclaimed water is available. (Eng.)

NPDES

- 46.* Prior to final tract map approval or approval of the improvement plans, the owner or designee shall demonstrate to the satisfaction of the City Engineer or designee that the project meets all requirements of the Orange County National Pollutant Discharge Elimination System (NPDES) Storm Drain Program, and Federal, State, County and City guidelines and regulations, in order to control pollutant run-off. The owner or designee shall provide evidence satisfactory to the City Engineer that an NPDES permit has been obtained. The owner or designee shall submit for review, and shall obtain the approval of the City Engineer or his designee for, plans for the regulation and control of pollutant run-off by using Best Management Practices (BMP's). (Eng.)
- 47.* Prior to issuance of grading permits, the owner or designee shall provide the City of San Clemente with evidence of a certified General Construction Activity Storm Water Permit (GCASWP), a Notice of Intent (NOI) filed with the California State Water Resources Control Board, or a certified executed copy of an application for an individual permit to the California State Water Resources Control Board. (Eng.)

Zoning Map

- 48.* Prior to issuance of any permits, the owner or designee shall be responsible for updating the City's mylar Precise Zoning Map by integrating the recorded map into the appropriate sheet(s) of the Zoning Map in a manner satisfactory to the City Planner or designee. (Plng.)

Noise

- 49.* All residential lots and dwellings shall be sound attenuated against present and projected noise, which shall be the sum of all noise impacting the project, so as not to exceed an exterior standard of 65 dB CNEL in outdoor living areas and an indoor standard of 45 dB CNEL in all habitable rooms. Evidence prepared by a County-certified acoustical consultant that these standards will be satisfied in a manner consistent with applicable zoning regulations shall be submitted as follows:
- A. Prior to Council approval of any final map for residential development or prior to the issuance of a grading permit, at the sole discretion of the Community Development Director, an acoustical analysis report shall be submitted to the Building Division for approval. The report shall describe, in detail, the exterior noise environment and

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preliminary mitigation measures. Acoustical design features to achieve interior noise standards may be included in the report in which case it may also satisfy 'B' below.

- B. Prior to the issuance of any grading permits, the landowner shall provide evidence acceptable to the City Engineer that:
- 1) All construction vehicles or equipment, fixed or mobile, operated within 1,000 feet of a dwelling shall be equipped with operating and maintained mufflers.
 - 2) All operations shall comply with Orange County Codified Ordinance Division 6 (Noise Control).
 - 3) Stockpiling and/or vehicle-storage areas shall be located as far as practicable and out of view from dwellings.
- C. The City of San Clemente Noise Ordinance, limiting the hours of construction to between 7:00 a.m. and 6:00 p.m., shall be enforced for areas in the City.

Grading

50. Prior to issuance of grading permits, the owner or designee shall provide a letter from the Orange County Flood Control District approving grading within the District's easement and over the concrete box storm drain and submit structural calculations to the City proving, to the satisfaction of the City Engineer, that there is no adverse impact. (Eng.)
- 51.* Prior to issuance of rough grading permits, final landscape and grading plans shall include provisions for amending soils per the agronomist and landscape architect's reports submitted to the City for review and approval, in addition to an erosion, siltation, and dust control plan to be approved by the City Engineer. The plan shall include measures such as planting of vegetation on all exposed slopes within 90 days of certification and/or prior to October 15 as required by the Grading Ordinance, temporary sedimentation basins and sandbagging, if necessary, and a water and compaction program. The plan shall ensure that discharge of surface runoff from the project during construction activities will not result in increased erosion or siltation immediately downstream of the property. (Eng.)
- 52.* Prior to issuance of grading permits, the City Engineer shall determine that the development of the site shall conform to the general recommendations presented in the geotechnical studies, including specifications for site preparation, landslide treatment, treatment of cut and fill, slope stability, soils engineering, and surface and subsurface drainage, and recommendations for further study. (Eng.)
- 53.* Prior to issuance of grading permits, the owner or designee shall submit for review, and obtain the approval of the City Engineer or designee, a precise grading plan as required by the City Grading Manual and Ordinance. (Eng.)
- 54.* A qualified archaeologist and paleontologist, approved by the City Planner, shall attend any pre-grade meetings and monitor grading operations. If artifacts or fossils are discovered, the archaeologist or paleontologist shall be empowered to divert or redirect grading in the

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vicinity of the remains in order to evaluate and salvage exposed prehistoric artifacts and/or fossils. (Eng.)

55. Prior to issuance of grading permits, the limits of grading shown on the tentative map must be verified by the soils engineer. The owner or designee shall not be allowed to go beyond the limits as shown on the tentative map, unless approved by the Director of Community Development. (PIng.)

CONDITIONS TO BE SATISFIED PRIOR TO BUILDING PERMITS

Planning

56. ~~Prior to issuance of any commercial building permits, the owner or designee shall submit for review and obtain the approval of the Director of Community Development or designee, for architectural and landscape treatment for walls which are intended to be common in the future, but will be end walls until the next adjacent phase is developed. Such walls shall be treated in a manner consistent with the architectural details in Concept Plan Amendment 94-23. (PIng.)~~
- 57.* Prior to issuance of any commercial building permits, the owner or designee shall submit for review and obtain approval of the Director of Community Development or designee plans indicating that the height of any roof mounted equipment shall not exceed the height of the parapet wall intended to screen the equipment, and the equipment will be painted in such a manner as to cause the equipment to blend with the roof when viewed from the residential area behind the commercial center. Additional screening devices may be required in conjunction with tenant improvements if deemed necessary by the Director of Community Development. (PIng.)
58. Prior to issuance of building permits for the 31st through the 60th residential units, except those which may be required for Phase I infrastructure, all Phase I infrastructure identified in Condition 38 above shall be constructed to the satisfaction of the City Engineer. When Phase I has been constructed to the satisfaction of the City Engineer, residential building permits No. 31 through 60 will be issued. (Bldg.)

In addition to this requirement, building permits for the 61st through the 162nd residential unit shall be issued according to the following:

- Phase A: After issuance of building permits and foundation inspections for at least 50,000 square feet of commercial floor area ~~in addition to the theater complex~~, or upon the City's draw of \$162,500.00 from the letter of credit, or other approved financial security instrument, 20 additional residential building permits will be issued.**
- Phase B: After issuance of building permits and foundation inspections for at least 100,000 square feet of commercial floor area ~~in addition to the theater complex~~ and final inspection of at least 50,000 square feet of commercial

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floor area ~~in addition to the theater complex~~, or upon the City's draw of \$162,500.00 from the letter of credit, or other approved financial security instrument, 20 additional residential building permits will be issued.**

Phase C: After issuance of building permits and foundation inspections for at least 150,000 square feet of commercial floor area ~~in addition to the theater complex~~ and final inspection of at least 100,000 square feet of commercial floor area ~~in addition to the theater complex~~, or upon the City's draw of \$162,500.00 from the letter of credit, or other approved financial security instrument, 20 additional residential building permits will be issued.**

Phase D: After completion and final inspection of the main plaza area and 150,000 square feet of commercial floor area ~~in addition to the theater complex~~, or upon the City's draw of \$162,500.00 from the letter of credit, 42 additional residential building permits will be issued. The main plaza area completion may be substituted for any of the above three phases.**

***Owners may request that the City draw money to satisfy this condition. In the event of such an owner request, the City shall draw money from the L.O.C or other approved financial security instrument.*

59. Prior to issuance of residential building permits, the Site Plan shall be revised to note that automatic roll-up garage doors shall be provided. (PIng.)

Building

- 60.* Prior to issuance of any building permits, an acoustical analysis report describing the acoustical design features of the structures required to satisfy the exterior and interior noise standards shall be submitted to the Building Division for approval along with satisfactory evidence which indicates that sound attenuation measures specified in the approved acoustical report(s) have been incorporated into the design of the project. (Bldg.)
- 61.* Prior to the issuance of building permits, the owner or designee shall include within the first four pages of the working drawings a list of all conditions of approval imposed by the final approval for the project. (Bldg.)
- 62.* Building permits shall not be issued unless the project complies with all applicable codes, ordinances, and statutes including, but not limited to, the Zoning Ordinance, the Uniform Fire Code, Security Ordinance, Transportation Demand Ordinance, Title 24 of the California Administrative Code, the Bates Bill, and the Uniform Building Code as adopted by the City.

Along the edge of the site which is exposed to natural open space where wildland fire hazard cannot be mitigated through fuel modification, the building elevation mix shall include only those approved elevations which comply with the Bates Bill and associated City Ordinances.

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Prior to issuance of building permits, the applicant shall submit revised rear elevations to the Planning Commission Design Sub-Committee demonstrating that the rear elevations are sufficiently varied and offer adequate architectural detail and that the roof tile color is adequately varied. The Design Review Sub-Committee shall review the elevations and make a recommendation to the City Planner who shall use his discretion to approve or deny the revised elevations. If denied, the plans shall be returned to the applicant who may revise and resubmit them to the City Planner for approval. (Bldg.)

63*. Prior to issuance of building permits, the owner or designee shall pay all applicable development fees in effect at the time, which may include, but are not limited to, RCFPP, park acquisition and development, public safety, transportation corridor and school fees, etc. (Bldg.)

64.* Prior to the Building Division's approval to pour foundations, the owner or designee shall submit evidence to the satisfaction of the City Building Official or designee that a registered civil engineer or land surveyor has certified that the forms for the building foundations conform to the front, side and rear setbacks and the pad elevations are in conformance to the approved plans. (Bldg.)

65.* Prior to the Building Division's approval of the framing inspection, the owner or designee shall submit evidence to the satisfaction of the City Building Official or designee that a registered civil engineer, land surveyor, or architect has certified that the height of all structures are in conformance to the approved plans. (Bldg.)

Engineering

66.* Prior to issuance of building permits, final tract maps for the affected areas shall have been approved by the City Council and submitted to the County for recordation. (Eng.)

67.* This project shall be subject to all provisions of the City Regional Circulation Funding and Phasing Program (RCFPP). Building permits shall not be issued until the City Engineer or designee has certified that the arterial street network intended to serve this project can accommodate the anticipated trip generation of the project within the acceptable level of service standards. Approval of this project does not guarantee that traffic capacity will be available for the project at the time of permit application. (Eng.)

68.* Prior to issuance of building permits for residential property, issuance of certificates of occupancy for commercial property, or as otherwise authorized by the City Engineer or designee, the owner or designee shall demonstrate to the satisfaction of the City Engineer or designee that all water, sewer and/or storm drain facility improvements necessary to serve the development have been completed in accordance with the approved plans, and that any "as-built" plans, prepared by a registered civil engineer, have been submitted and approved by the City Engineer or designee. (Eng.)

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Public Safety

- 69.* Prior to issuance of building permits, the owner or designee shall submit for review, and shall obtain the approval of the Fire Chief and Chief of Police Services or designees and the City Planner or their designees, all street names and addresses. (Plng.)(Sheriff)(Fire)
- 70.* **Prior to issuance of building permits, the following fire safety conditions shall be satisfied: (Fire)**
- A. **Water Availability: An Orange County Fire Authority Water Availability Form shall be submitted to and approved by the Plan Review Section of the Orange County Fire Authority.**
 - B. **Traffic Signal Pre-emption Devices: Prior to the issuance of building permits, the subdivider shall enter into an agreement with the City for the installation of traffic signal pre-emption equipment.**
 - C. **Street Markings: the applicant shall submit and obtain approval from the Fire Chief for street improvement plans with fire lanes shown. The plans shall indicate the locations of red curbing and signage. A drawing of the proposed signage with the height, stroke and color of lettering and the contrasting background color shall be submitted to and approved by the Fire Chief.**
 - D. **Hazardous Materials Classification for Site Planning: The applicant shall submit to the Fire Chief a list of the quantities of all hazardous, flammable and combustible materials, liquids or gases. These liquids and materials are to be classified according to the "Orange County Fire Authority Chemical Classification Handout". The submittal shall provide a summary sheet listing each hazard class, the total quantity of chemicals stored per class and the total quantity of chemicals used in that class. All forms of materials are to be converted to units of measure in pounds, gallons and cubic feet. In addition, the applicant shall contact the Orange County Fire Authority Hazardous Materials Disclosure Office at 714-744-0463 to obtain a "Hazardous Materials Business Information and Chemical Inventory Packet". This shall be completed and submitted to the Fire Chief before the issuance of any building permits.**
 - E. **Fire Sprinkler System: Prior to the issuance of any building permits on those lot(s)/parcel(s) determined applicable by the Fire Chief, plans for the automatic fire sprinkler system shall be submitted to and approved by the Fire Chief prior to installation. This system shall be operational prior to the issuance of a certificate of use and occupancy.**
 - F. **Building Plans: The applicant shall submit building plans for the review and approval of the Fire Chief. The applicant shall include information on the plans required by the Fire Chief. The Orange County Fire Authority Plans**

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Review Section shall be contacted at 714-744-0403 for the Fire Safety Site/Architectural Notes to be placed on the plans.

CONDITIONS TO BE SATISFIED PRIOR TO CERTIFICATES OF OCCUPANCY

Engineering

71. Prior to issuance of certificates of occupancy for each phase, all improvements required for that phase shall be constructed to the satisfaction of the City Engineer. Construction of Phase One improvements in accordance with Condition No. 38 shall be constructed to the satisfaction of the City Engineer prior to any certificates of occupancy. (Eng.)
- 72.* Prior to issuance of the first Certificate of Occupancy and/or acceptance of improvements for each map phase by the City Engineer or designee, the owner or designee shall submit "as-built" plans prepared by a registered civil engineer, depicting all street signage and signage placements, traffic markings and painted curbing, unless otherwise approved by the City Engineer. (Eng.)
73. Prior to the issuance of any Certificates of Occupancy for each map phase, the owner or designee shall install all underground traffic signal conduit, including, but not limited to, signal, phone, power and loop detector, and other appurtenances, including, but not limited to, pull boxes needed for future traffic signal construction at the intersections listed in these conditions and to interconnect with adjacent intersections, per the City Engineer or designee's direction, in accordance with the approved street improvement plans.

Maintenance

- 74.* Prior to issuance of certificates of occupancy for each phase, the owner or designee shall demonstrate to the satisfaction of the City Engineer or designee that the following have been installed per the approved improvement plans: public and/or private street name signs, regulatory signs constructed of high intensity sheeting, traffic pavement markings controlling arterial, collector and residential street intersections, centerline and lane line striping, and curb painting. (Eng.)(Maint.)
- 75.* Prior to issuance of certificates of occupancy for each phase, the owner or designee shall demonstrate, to the satisfaction of the City Engineer and City Maintenance Manager or their designees, that all street surfaces, curbs, gutters, and/or sidewalks damaged during construction have been repaired/replaced. (Maint.)

Beaches, Parks, and Recreation

- 76.* Prior to issuance of certificate of occupancy for each phase, the owner or designee shall demonstrate to the satisfaction of the Beaches, Parks and Recreation Director or designee that parkway trees have been planted and staked according to the submitted and approved

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parkway tree installation plans. The following standards shall apply unless otherwise approved for private residential streets:

- A. Minimum parkway tree size shall be 15-gallon for canopy trees and ten foot (10') brown trunk height (BTH) for palms.
 - B. Trees shall be planted at thirty-foot intervals in common areas, or one per residential lot frontage.
 - C. All parkway trees shall maintain the following distances from improvements:
 - 1) 10'0" from water, sewer and storm drain lines.
 - 2) 5'0" from hardscape (curbs, sidewalks, street lights, utility boxes, fire hydrants, P.I.V.'s, F.D.C., etc.)
 - 3) 15'0" from drive approaches.
 - 4) 25'0" from curb return at street intersections. (BP&R)
77. Prior to issuance of any certificates of occupancy, the owner or designee shall grade and improve a recreational trail connection from Public Street "A" to a point where it can be connected to the proposed Forster Ranch ridgeline trail in a manner acceptable to the Director of Beaches, Parks, and Recreation. (BP&R)
- 78.* Prior to issuance of certificates of occupancy for each phase, the owner or designee shall submit a letter, signed by a registered landscape architect, to the Community Development Director or designee, stating that all materials for all landscaped areas and fuel modification areas have been installed in accordance with the approved plans, and shall demonstrate to the satisfaction of the Community Development Director or designee, in consultation with the Beaches, Parks and Recreation Director or designee, that all landscaped areas have been landscaped per the approved landscape plans. (BP&R)

Public Safety

- 79.* **Prior to issuance of certificates of occupancy for each phase, the following fire safety conditions shall be satisfied: (Fire)**
- A. **The owner or designee shall demonstrate to the satisfaction of the Fire Chief or designee that the project complies with all applicable provisions of the Uniform Fire Code, as amended and Ordinance No. 962. The building/structure shall have been constructed in conformance with the approved set(s) of plans.**
 - B. **Where required, prior to installation, plans for fire alarm systems shall be submitted to and approved by the Fire Chief. This system shall be operational prior to the issuance of a certificate of occupancy**
 - C. **The approved fire lane marking plan shall be implemented and the CC&R's shall contain a fire lane map and provisions which prohibit parking in the fire lanes, including a method of enforcement.**

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D. Prior to installation, plans for an approved fire-suppression system for the protection of commercial-type cooking equipment shall be submitted to the Fire Chief for review and approval.

- 80.* Prior to issuance of certificates of occupancy for each phase, all fire hydrants shall have a blue reflective pavement marker installed on the street, indicating its location per the Orange County Fire Department standard. These markers shall be maintained in good condition by the Property Owners Association.
- 81.* Prior to issuance of certificates of occupancy for each phase, the owner or designee shall demonstrate to the satisfaction of the Chief of Police Services or designee that the project complies with all applicable provisions of Section 770 of the City's Security Ordinance. (Sheriff)

CONDITIONS TO BE SATISFIED PRIOR TO RELEASE OF FINANCIAL SECURITY

82. Prior to the release of financial security for grading, Camino Vera Cruz and Street "B" shall be temporarily fenced and gated as required by the City Engineer. (Eng.)
- 83.* Prior to release of financial security, the owner or designee shall have completed the stenciling of all catch basins and/or storm drain inlets with labels 3" high in black letters, on either the top of the curb or the curb face adjacent to the inlet "NO DUMPING - DRAINS TO OCEAN". These markers shall be maintained in good condition by the Property Owners Association. (Eng.)
- 84.* Prior to the acceptance of improvements and release of financial security, the owner or designee shall submit the following "as-built" items, certified by a registered civil engineer, to the Engineering Division. All construction improvement "as-built" plans submitted to the City for review and approval shall be in digitized format (DXF file format) as requested by the City:
- A. Duplicate mylars of the recorded final tract map.
 - B. A 1" = 200' scale topographic mylar showing finished contours of the tract at a contour interval of five feet.
 - C. Mylar sheets at a scale of 1"=40', or at an appropriate scale to be determined by the City Engineer or designee, showing water, sewer, storm drain facilities, final grading and street improvements;
 - D. A 1" = 200' scale mylar showing all "as-built" water, sewer and storm drain facilities for utility maintenance purposes. (Eng.)
- 85.* Prior to the release of financial security, the owner or designee shall submit for review, and shall obtain the approval of the City Engineer or designee for, a videotape, filmed in the presence of a City staff representative, of all sewer and drainage improvements. The videotape shall become the property of the City. (Eng.)
- 86.* Prior to the release of financial security, all water and sewer systems, e.g. pump stations, generators, reservoirs, PRV's, etc. shall be fully tested, in the presence of a City Staff representative, to verify system performance in accordance with design specifications. (Util.)

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87. Prior to the release of financial security, the owner or designee shall submit mylar sheets at a scale of 1"=20' or 1"=40', or at an appropriate scale to be determined by the Beaches, Parks and Recreation Director or his/her designee, showing "as built" of grading intended for City Maintenance. (BP&R)
88. Prior to the release of financial security, the owner or designee shall submit to the City Engineer or designee for review and approval, all documentation required by the Federal Emergency Management Agency (FEMA) for revision of the Flood Insurance Rate Map (FIRM) and pay all preliminary and subsequent fees as required by FEMA for the property located within the 100-year flood hazard area. (Eng.)

RANCHO SAN
SPECIFIC PLAN

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