

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 said 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.

"Agricultural Uses" shall mean farming, including all types of agriculture and horticulture, grazing, and small animal farms not including commercial kennels, poultry farms, or dairies. Cannabis growing operations are not considered an agricultural use.

"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.

"Bufferyard" shall mean a landscaped setback area at the boundary of a development.

"Business Services" shall mean establishments which provide goods or services primarily to businesses on a retail or wholesale basis. Typical uses include office 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, governmental offices and public safety facilities.

"Clinical Services" means a physical- or mental-health service that is provided on an outpatient basis. The service may be of a preventive, 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.

“Commercial Services” shall mean business and consumer services, such as pest control, plumbing, carpet cleaning, appliance repair, linen and catering services, reprographic services, banking and financial services.

“Condominium” shall mean an estate in real property, consisting of an undivided interest in common in portions of a parcel of land, together with a separate interest space in an apartment, industrial, or commercial building on such land.

“Congregate Care” shall mean a development designed to provide residence for individuals, most often elderly, who may not wish to provide living arrangements for themselves, but are otherwise in good health and maintain a semi-independent lifestyle not requiring on-site medical services or facilities. Congregate care facilities shall provide community on-site food preparation and dining services, and shall provide social and recreation services, but shall not have on-site medical service or individual cooking facilities within the units.

“Construction and Maintenance Services” 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 on 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.

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

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

“Density” shall mean the number of dwelling units per gross acre permitted in any Planning Area.

“Drinking Establishments” shall mean places established for the sale of alcoholic beverages such as beer, wine, and liquor for on-site consumption. Typical uses include restaurants that serve alcoholic beverages, bars, and cocktail lounges.

“Drive-Thru Uses” shall mean establishments which include facilities for the provision of goods, services, or food seated therein. Typical uses include banks, dairies, or restaurants with window service or other auto-oriented facilities.

“Floor Area Ratio” shall mean the total gross floor area (floor space) excluding basements, balconies and stairs, on a site divided by the total land area of the site.

“Gross Floor Area” (G.F.A.) shall mean the total horizontal floor area of all floors of a building, including the exterior walls thereof, measured in square feet.

“Gross Acreage” shall mean the number of acres within a planning area, including local street rights of way but excluding arterial street rights of way.

“Land Use Plan” shall mean an adopted map depicting the approximate location of residential, commercial, public, semi-public and private uses, open space and road systems with a statistical summary of areas and densities for these land uses.

“Live Entertainment Uses” shall mean establishments which provide the facilities and environment for music (live or recorded) or other entertainment performances, including dancing. Typical uses include dinner theaters, discotheques, nightclubs, or restaurants with dance floors.

“Lodging” mean the provision of rooms for the temporary lodging of travelers. Typical uses include hotels and motels, timeshares, and bed-and-breakfast inns.

“Offices, General and Professional” 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, dentists, doctors, veterinarians, engineers, architects, planners, travel agencies, and medical clinics.

“Patio Home” shall mean a detached or attached unit, usually with one side yard (when attached) and interior courtyards or atriums.

“Planned Unit Development” or PUD, shall mean a residential project consisting of residential uses on a single parcel or a combination of residential lots and commonly owned recreation, open space, circulation and/or parking areas arranged in a comprehensive design or plan that treats the entire development or subdivision as a single project. The purpose of this type of development is to take advantage of modern site planning techniques in order to produce an environment of stable, desirable character which will be in harmony with existing and potential development of the surrounding community. A planned unit development incorporates open space and recreational amenities which compensate for the more flexible PUD development standards. PUD’s may include airspace condominiums, townhomes, patio homes, zero lot-line homes, patio homes, attached single-family dwellings, and detached single-family dwellings.

“Planning Area” shall mean any lettered and/or numbered site.

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

“Recontour Grading” shall mean grading intended to present a recontoured natural appearance to blend with the natural topography on the site.

“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.

“Remedial Grading” shall mean grading necessary to remove and/or recompact existing geology that is undesirable or unstable, with respect to recommendations from a registered soils engineer and geologist.

“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 Attached Dwelling” shall mean a single-family dwelling which occupies its own lot but which is physically connected to one other dwelling. The lot line separating the two lots is congruent with the party wall connecting the two dwellings.

“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” shall mean an application for entitlement to use as defined in the Zoning Ordinance.

“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 other dwelling unit.

“Usable Open Area” shall mean property held in private or common ownership, which is not occupied by structures, driveways, or parking areas. No open space area with a dimension less than ten lineal feet, an area less than 200 square feet, or a slope of greater than three percent may count toward this requirement. 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 percent, with each one square foot of patio or balcony equal to one-half 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 feet. Usable open space provided on a balcony shall have a minimum area of 60 square feet, with no dimension less than five feet.

“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.