

March 6, 2015

To: Planning Commission
From: Jim Hare, Consultant
Subject: Zoning updates of mixed use and commercial zones
Copies: James Pechous, City Planner; Christopher Wright, Associate Planner

Introduction

This memorandum is to frame and provide background information for a discussion by your Planning Commission of updates to the Mixed Use Zones and Commercial Zones. These updates are intended to bring consistency between the Centennial General Plan as adopted in February 2014, and with clarifying general plan amendments directed by the City Council on February 3, 2015.

Recommendation

Staff recommends that the Planning Commission hear and discuss the presentation and provide input and guidance.

Background

On February 4, 2014, the City Council adopted the Centennial General Plan [CGP]. As an implementing step, on August 19, 2014, the City Council approved a contract with James B. Hare to prepare amendments to the City's Zoning Ordinance to bring the ordinance into conformance with the new CGP. December 17, 2014, staff and the consultant conducted Study Session presentation on the update process, parameters and some early design concepts.

On February 2, 2015, the City Council gave direction on seven particular clarifications to the CGP, including development criteria for MU 3.1 and MU 3.2 zones. As a companion item on this Study Session agenda, the various proposed Centennial General Plan amendments will be discussed. Prior to this study session, staff intends to meet with the Architectural Guild of South Orange County, a local group of building professionals, to get feedback.

This item is focused on expediting the implementing zoning for the Mixed Use Zones [MU] and the Commercial Zones, in order to allow for the consideration of pending development proposals in those areas.

Discussion

This report is presented in three parts

- Discussion of revisions to the MU 3.2 Zone, coordinating with the CGP revision discussed in the companion item and primarily addressing controls on height and the prohibition of 'stand alone' residential;

- Discussion of revisions to the MU 3.1 Zone, coordinating with the CGP revision discussed in the companion item and primarily addressing an allowance for 'stand-alone' residential uses;
- Presentation of the preliminary draft update of the Mixed Use Zones and the preliminary draft update of the Commercial Zones.

MU 3.2 Zone Revision

Applicable Area

The MU 3.2 zone is applied to parcels fronting on El Camino Real and extending westward to parallel alley behind. There are two such parcel rows, one bounded on the north by Avenida Rosa and on the south by Avenida Cadiz, and the other bounded on the north by Avenida Esplanade and on the south by Avenida Valencia. The parcels comprising this designated area slope downward from El Camino Real by heights ranging from about seven to twenty-one feet. These parcels are currently in the Neighborhood Commercial Zone (NC 2).

Proposed Zoning Approach

Staff's proposed approach would do the following

- Rezone the property from the existing NC 2 Zone to a new MU 3.2 Zone
- Allow commercial uses similar to the NC 2 Zone in a mix with residential, at a maximum density of 10 – 24 dwellings per acre.
- Per City Council direction, define and prohibit 'stand alone' residential development
- Per City Council direction, establish a maximum floor area ratio of 1.0 for lots smaller than 12,000 square feet, and 1.5 for lots with area 12,000 square feet and greater.
- Per City Council direction, establish a two-story height above the property frontage facing onto El Camino Real, creating a height ceiling from that point to the back of the lot.

The wording and criteria for these implementing measures are shown in Attachment 1 to this memorandum. Included in that attachment is a purpose statement for the MU 3.2 zone, revisions defining 'Stand Alone Residential', and definitions clarifying the definition of 'Plate Line' and 'Plate Height'. Lastly, the development criteria are shown in the 'cell' form that will be used for all zones in the zoning consistency work program, per the formats shared with the Planning Commission at its Study Session on December 17, 2014.

Issues

Perhaps the most noteworthy of the proposed zoning provisions has to do with the appropriate height limit and the method of measuring height in this particular zone. The proposed method and requirement would work as follows:

- The initial datum [ground starting place] for the measurement is the center point on the front property line abutting El Camino Real, half way between the two side property lines.
- From this point, measuring upwards, a 'lid' is placed over the property for the plate line height. A separate 'lid' is applied to the top of building roofs...
- No 'top of plate', as that phrase is generally used in the Zoning Code, can be higher than the lid anywhere on the site. Essentially, the ceilings of areas inside the building containing habitable or leasable space cannot be higher than the lid. Rearward, as the site falls away in varying degrees from the El Camino Real frontage, the space under the lid gets higher. .
- An overall height limit using standard height measurement methodology would also be in place on these sites. The conventionally-measured general height limit will come into play on sites with significant grade differential, which in some cases may lead to designs which step down the slope.

While staff is confident in the methodology outlined above, the actual dimensions of the height limitations is still a subject of discussion. Currently, the General Plan identifies a maximum two-story plate line height of 26 feet and 33 feet for top of roof. From presentations at the City Council meeting and comments received after the meeting, concerns have been raised that these limits are not feasible due to current construction techniques and market vertical requirements for commercial space. This is being researched and will be discussed with the Architectural Guild of South Orange County. The Council direction is to reduce allowable building mass from three stories to two along El Camino Real, which reduces the allowed height. Staff is considering whether to recommend an increase of the two story height limit to a plate line of 30 feet and top-of-roof of 35 feet, using the measurement methodology described above. This may be recommended depending on public comments received and analysis completed. Staff intends to provide more information on these issues at the meeting, and perhaps the Architectural Guild will be providing a technical white paper on their position

As a final note, staff proposes that placing limits on height is preferred to setting the number of stories. This will be especially important on the rear of buildings, where being able to vary story height and introduce elements such as garage entrances would allow for design options within the height limitations

MU 3.1 Zone Revision

Applicable Area

The MU 3.1 Zone is commonly thought of as the transitional ring of parcels surrounding downtown. These parcels front, Avenida Serra between Ola Vista and the alley parallel and west of El Camino Real; the north side of Avenida Cabrillo from five parcels west of Ola Vista to the alley; the south side of Avenida Granada from one parcel west of Ola Vista to the alley; both sides of Avenida Victoria from one parcel west of Ola Vista to the alley; the north side of Avenida Rosa from Ola Vista to the alley; and the east side of

Avenida de la Estrella between Avenida Palazada and Avenida Presidio. These sites are presently zoned MU3. Also, several sites are located within the Coastal Zone Overlay and Architectural Overlay.

Proposed Zoning Approach

Staff's proposed approach would do the following:

- Rezone the parcels from MU3 to MU 3.1.
- Maintain all current development criteria in the base zone.
- Maintain the Architectural Overlay provisions, with the exception of the ground floor residential prohibition.
- Per the City Council direction, amended the permitted uses table to include 'Stand Alone Residential' as a permitted use.

Attachment 2 is a summary of the changes and, again, the development criteria shown in the 'cell' form.

Issues

The sole net effect of the proposed revision within the base zone is to allow the development of purely residential projects within the downtown transition area. The general policy effects of this preliminary City Council direction are discussed in the companion item on the CGP amendments. The proposed zoning amendment essentially allows development on the new MU 3.1 parcels to use the size, setback and density standards shown in the development standards cell as controls for potential all-residential parcels. Thus, the scale and design of residential projects would mimic potential neighboring mixed use projects. Therefore, all residential projects could, at the applicant's discretion, be constructed in such a way as to allow for future conversion to mixed use as market conditions would warrant. Staff is considering zoning standards or future design guidelines discourage driveways facing the sidewalk in the downtown for residential use. There are existing design guidelines but perhaps changes are needed to make them more effective.

Mixed Use Zone Amendments Presentation

Attachment 2 and Attachment 3 to this memorandum are preliminary drafts of an amended and reformatted Chapter 17.40, Mixed Use Zones, and Chapter 17.36, Commercial Zones. Except for the changes discussed above for the MU 3.1 and the MU 3.2 zones, the changes in these documents are reflective of the formatting systems discussed with the Planning Commission in Study Session on December 17, 2014. In some instances, additional changes may be needed for standards to reflect new land use policies in the CGP. With the exception of these issues, staff sees these amendments as structural rather than substantive, relying on outcomes of the CGP process as having resolved any controversy.

Reiterating from the December 17, 2014 Study Session memorandum,

The mission of the update project is to translate and insert the standards set forth in the CGP into the Zoning Ordinance. The following objectives set the means by which this effort will be managed within the constraints of the contract:

- 1. All provisions of the Zoning Ordinance not related to the CGP will be retained in full force, effect and verbatim wording;*
- 2. In addition to the update insertions, referral threads will be followed out to assure internal consistency and quality control;*
- 3. Although not a specific part of the work program, the project will guide and inform revisions to the Zoning Map and the Zoning Map Legend;*
- 4. Work will be conducted through three phases comprising: (a) Standard Zones and Overlays, (b) Specific Plans, and (c) Coastal; and,*
- 5. 'Mission creep' or the expansion of objectives will be resisted to the fullest extent possible, but ongoing guidance to City Staff will be offered regarding issues found in the Zoning Ordinance.*

The chain of the work program in the statement above is altered by the City Council's direction to expedite the Mixed Use and Commercial zones. Nevertheless, staff will deliver the remainder of the zones and overlays as the next phase of work in accordance with the objectives stated above.

Features in the Mixed Use Zone Presentation

The following summarizes the changes to the Mixed Use Zones (Chapter 1740):

- Expand the Mixed Use Zones from MU 3 and MU 5.1, to MU 2, MU 3.1, MU 3.2, MU 4 and MU 5.1, per the CGP;
- Do not include the zone MU 1 for parcels on El Camino Real (ECR) at El Portal, which was included in the initial CGP, but recommended to revert to the NC 2 zone by City Council direction on February 2, 2015. In making this change, Mixed Use designations would range from MU2 to MU5. Rather than to eliminate a MU1 designation altogether, staff is considering whether to change one of the other Mixed Use designations to MU1, or "backfill MU1" to maintain the existing format and order of designations. For example, MU5 could be changed to MU1 so Mixed Use designations range from MU1 to MU4.
- Add Purpose and Intent language regarding the MU 3.2 zone as presented in Attachment 1 of this memorandum;
- Add the expanded zone categories list to the Permitted uses table and reformat per the models presented to the Planning Commission on December 17, 2014 for clarity;
- Include the use category of 'Stand Alone Residential' and mark per Attachments 1 and 2 of this memorandum;
- Reformat the Development Standards table per the models presented to the Planning Commission on December 17, 2014;
- Insert Development Standards for the expansion zones, in accordance with Table LU-1 of the CGP; and,
- Update the Development Standards for the MU 3.2 zone per the example in Attachment 1 of this report.

Features in the Commercial Zone Presentation

The following summarizes the changes to the Commercial Zones (Chapter 17.36):

- Expand the Commercial Zones to add NC 1.3 and consolidate the RC 1 and CRC Zones, per the CGP;
- Modify the Purpose and Intent language to reflect the new list of commercial zones;
- Consolidate the several tables currently comprising the Commercial Zones Permitted Uses, add the expanded zone categories and break the table into Neighborhood and Community/Regional halves due to space limitations; reformat per the models presented to the Planning Commission on December 17, 2014 for clarity;
- Include the use category of 'Stand Alone Residential' and mark per Attachments 1 and 2 of this memorandum, and mark as Prohibited;
- Reformat the Development Standards table per the models presented to the Planning Commission on December 17, 2014; and
- Insert Development Standards for the expansion zones, in accordance with Table LU-1 of the CGP.
- Update land use tables to reflect some new policies in the CGP, including those for automotive uses. This is pending.

ATTACHMENTS

1. Clarification amendments (Mixed Use Zones MU3.1, MU3.2)
2. Preliminary draft – Chapter 17.36 Commercial Zones and Standards
3. Preliminary draft – Chapter 17.40 Mixed-Use Zones and Standards

ATTACHMENT 1

CLARIFICATION AMENDMENTS **MIXED USE ZONES (MU 3.1, MU 3.2)** **RESPONDING TO CITY COUNCIL DISCUSSION, FEBRUARY 2, 2015**

Add Purpose Statement at SCMC Section 17.40.010.B for MU 3.2 Zone

MU 3.2 Zone, El Camino Real South, West of Interstate 5 Mixed Use Zone. This zone is particularly applied to parcels fronting the west side of El Camino Real and backing onto the parallel alley west of El Camino Real, southward of Downtown and northward of the Interstate 5 overcrossing. These particular parcels average approximately one hundred feet (100') in depth and slope downward from El Camino Real. The alley at the rear of these parcels abuts the single family residential RL zone. The intent of the MU 3.2 zone is to provide for commercial development fronting El Camino Real and promote mixed use development while accounting for the sloping sites, avoiding over-height frontage development on El Camino Real and respecting the scale of the neighboring residential areas.

Add 'Stand Alone Residential' Use Category in Permitted Uses Table at SCMC 17.40.030, and Define at SCMC Chapter 17.88

Define "Stand Alone Residential", for inclusion in the Mixed Use Zone permitted uses table: "The use of a lot or joined lots exclusively for residential and residential-ancillary purposes."

Code MU 3.2 as prohibiting Stand Alone Residential; code MU 3.1 and MU 5 as permitting Stand Alone Residential

Add Definition of Plate Line and Plate Height within the Calculation of Height Sections at SCMC Section 17.24.110

Plate Line. The top of the highest horizontal framing member or solid wall of a building or structure or part thereof, upon which a roof deck or ceiling rafters rest.

Plate Height. Dimension of a building or structure measured from the plate line to [a] grade, using the standards set forth in this Section; or, [b] to such other datum as may be particularly established. For the purposes of this Title, features excluded from this measurement shall include gable ends, vertical parapet extensions, towers, turrets and similar architectural roof elements.

Development Standards in New Cell Format for MU 3.2 at 17.40.040 (including the El Camino Real Height Limitation provision)

MU 3.2 Development Standards	
Standard	MU 3.2 Zone Requirement
Lot Area, Minimum	6,000 Square Feet
Lot Width, Minimum	60'-0"
Residential Density, Minimum / Maximum	Minimum one dwelling unit per 4,500 square feet of lot area; maximum of one dwelling unit per 1,800 square feet of lot area.
Front Setback, Minimum	0'-0"
Interior Side Setback, Minimum	0'-0"

Street Side Setback, Minimum	0'-0"
Rear Setback Minimum	0'-0"
Lot Coverage, Maximum	100 percent of lot area
Floor Area Ratio, Maximum	For lots less than 12,000 square feet, 1.00; for lots 12,000 square feet and greater, 1.50.
Height Limitation, General	A maximum plate height of 34'-0" and a maximum Top of Roof height of 42'-0"[WC1][JH2]
Height Limitation, El Camino Real Frontage	The following shall be applied in addition to the General Height Limitation: As measured above the elevation of the midpoint of the front lot line [i.e- El Camino Real Frontage], no plate line shall exceed a height of 30'-0", nor shall a top of roof exceed a height of 35'-0". [WC3][JH4]

Development Standards in New Cell Format for MU 3.1 at 17.40.040. (for reference)

MU 3.1 Development Standards	
Standard	MU 3.1 Zone Requirement
Lot Area, Minimum	6,000 Square Feet
Lot Width, Minimum	60'-0"
Residential Density, Minimum / Maximum	Minimum one dwelling unit per 1,800 square feet of lot area; maximum of one dwelling unit per 1,200 square feet of lot area.
Front Setback, Minimum	0'-0"
Interior Side Setback, Minimum	0'-0"
Street Side Setback, Minimum	0'-0"
Rear Setback Minimum	0'-0"
Lot Coverage, Maximum	100 percent of lot area
Floor Area Ratio, Maximum	For lots less than 12,000 square feet, 1.00; for lots 12,000 square feet and greater, 2.0.
Height Limitation	Without Residential, 2 Stories with a maximum plate height of 30'-0" and a maximum Top of Roof height of 35'-0" Mixed Use with Residential, 3 Stories with a maximum plate height of 37'-0" and a maximum Top of Roof height of 45'-0"

CHAPTER 17.36 COMMERCIAL ZONES AND STANDARDS

PRELIMINARY PRESENTATION DRAFT

CHAPTER 17.36 COMMERCIAL ZONES AND STANDARDS ¹¹

Sections:

[17.36.010 Purpose and intent.](#)

[17.36.020 Commercial use regulations.](#)

[17.36.030 Commercial zone general development standards.](#)

[17.36.040 Commercial zone special development standards.](#)

17.36.010 Purpose and intent.

The General Plan details the goals, objectives and policies for the City's commercial zones, including provisions for a range of retail and office uses necessary to support the daily needs of residents of and visitors to San Clemente. It is the purpose of this chapter to implement the General Plan's vision for the commercial zones through development regulations that allow for a variety of retail and office uses, while creating distinct commercial areas that are compatible with their surrounding environment.

- A. **Neighborhood Commercial (NC) Zones.** Neighborhood Commercial Zones are intended to be less intense than community or regionally oriented commercial zones in San Clemente. There are four neighborhood commercial zones: **NC1.1, NC1.2, NC 1.3, NC2 and NC3**. The General Plan restricts the intensity of the Neighborhood Commercial Zones primarily through the floor area ratio limit for the zones. The maximum floor area ratio allowed in the NC Zones—0.35—is smaller than those allowed in other commercial zones. The uses prescribed by the General Plan for the Neighborhood Commercial Zones are essentially the same as those prescribed by the General Plan for the Community Commercial Zones, which are described below.
- B. **Community Commercial (CC) Zones.** Community Commercial Zones are more intense than Neighborhood Commercial Zones. The General Plan allows for this additional intensity by allowing higher floor area ratio limits in the Community Commercial Zones. There are three Community Commercial Zones: CC 1, CC 2 and CC 3. The maximum floor area ratio limits for these districts range from 0.5 to 0.7. The General Plan allows the same uses in the Community Commercial Zones as it allows in the Neighborhood Commercial Zones, with the exception of provisions for an automobile center on the 400—500 block of Camino de Estrella and hospital uses within the CC 2 zone.
- C. **Regional Commercial (RC) Zones.** Regional Commercial Zones are designed to allow region-oriented uses. The sites in San Clemente receiving this designation are large, and can accommodate an intensity of development required for a region-oriented use. There is one general-purpose Regional Commercial Zone, RC 1, and one special purpose area regulated by the RC 2 zone. The General Plan primarily distinguishes the RC 2 site by the uses allowed, which provides for the continued use and development of the existing hospital facilities at 654 Camino de los Mares.

(Ord. 1172 § 3 (part), 1996)

(Ord. No. 1536, § 4(Exh. A), 6-21-2011)

17.36.020 Commercial use regulations.

- A. **Permitted and Conditionally Permitted Uses.** **Tables 17.36.020(A), Commercial Zone Uses, Neighborhood Commercial Zones, and 17.36.020(B), Commercial Zone Uses, Community and**

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Regional Commercial Zones, list uses which shall be the primary uses allowed to occur on a property. All uses except for those provided for in Sections 17.28.210, Outdoor Display Areas, and 17.28.300, Temporary Uses and Structures, of this title shall be conducted within enclosed structures. The primary uses identified in Table 17.36.020, Permitted and Conditional Uses Within Commercial Zones, shall be permitted or conditionally permitted as indicated:

P —	Where the symbol "P" appears, the use shall be permitted.
MC —	Where the symbol "MC" appears, the use shall be permitted subject to the issuance of a Minor Conditional Use Permit, in accordance with Section 17.16.070, Minor Conditional Use Permits, of this title.
C —	Where the symbol "C" appears, the use shall be permitted subject to the issuance of a Conditional Use Permit, in accordance with Section 17.16.060, Conditional Use Permits, of this title.
O —	Where the symbol "O" appears, the use is subject to an alternative review process described in a subsequent footnote.

B. Prohibited Uses. The following uses are prohibited:

1. Uses that are listed in Table 17.36.020, Commercial Zone Uses, but are not identified as either permitted—"P"—or conditionally permitted—"MC or C"; and
2. Uses that have been excluded from Table 17.36.020, Commercial Zone Uses, unless they are found by the City to be similar to permitted or conditionally permitted uses.
3. Uses where a blank cell appears within Table 17.36.020.
4. The following uses are not permitted in any commercial zone:
 - a. Medical Marijuana Dispensaries.

**Table 17.36.020(A)
Commercial Zone Uses, Neighborhood Commercial Zones**

Use	NC 1.1	NC 1.2	NC 1.3	NC 2	NC 3	
1. Commercial	NC 1.1	NC 1.2	NC 1.3	NC 2	NC 3	NOTE
Antiques (Retail Sales)	P	P	P	P	P	
Art Galleries	P	P	P	P	P	
Bakery Goods/Sales (No Wholesale Distributors)	P	P	P	P	P	

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Barber Shops	P	P	P	P	P	
Bicycle Shops	P	P	P	P	P	
Bookstores	P	P	P	P	P	
Carpet Sales	MC	MC	MC	P	P	
Ceramics (Retail Sales)	MC	MC	MC	P	P	
Cleaners and Laundromats (No Linen Service)	P	P	P	P	P	
Clothing (Retail Sales)	P	P	P	P	P	
Confectionery Stores (Small Scale Production with Retail Sales)	P	P	P	P	P	
Convenience Stores	C	C	C	C	C	1
Drugstores/Pharmacies	P	P	P	P	P	
Electronics (Retail Sales and Repair)	P	P	P	P	P	
Fabric Stores	P	P	P	P	P	
Florists (Retail Sales)	P	P	P	P	P	
Floor Covering Stores	MC	MC	MC	P	P	
Furniture Stores (Retail Sales)	MC	MC	MC	P	P	
Glass/Mirror Sales	MC	MC	MC	P	P	
Grocery/Food Stores (Not Convenience Stores)	P	P	P	P	P	
Gunsmith/Gun Shops				C	C	
Hair Salons	P	P	P	P	P	
Hardware Stores	P	P	P	P	P	
Home Appliance Stores (Retail Sales and Repair)	MC	MC	MC	P	P	
Ice Cream Parlors (Retail Sales with Small Production)	P	P	P	P	P	
Interior Decorating Stores	MC	MC	MC	P	P	
Janitorial Supplies				P	P	
Jewelry Stores	P	P	P	P	P	
Lawnmower Sales/Service	MC	MC	P	P	P	
Liquor Sales:						

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a. Hard Alcohol	C	C	C	C	C	
b. Beer and Wine (Off-Site Consumption Only)	MC	MC	MC	MC	MC	
Locksmith Shops	MC	MC	MC	P	P	
Mail-Order Stores	MC	MC	MC	P	P	
Medical/X-Ray Equipment (Sales Only)				P	P	
Medical Marijuana Dispensaries						
Music Sales	P	P	P	P	P	
Newsstands (On Private Property)	P	P	P	P	P	
Nurseries (Indoor Garden Retail Sales)	MC	MC	MC	P	P	
Nurseries (Outdoor Garden Retail Sales)				C	C	
Office Equipment/Supplies	C	C	C	P	P	
Paint/Wallpaper Sales	MC	MC	MC	P	P	
Patio/Outdoor Furniture Sales	MC	MC	MC	P	P	
Pawn Shops				C	C	
Pet Shops	MC	MC	MC	MC	MC	
Pet Supply Stores	MC	MC	MC	P	P	
Photographic Equipment Sales	MC	MC	MC	P	P	
Pottery (Retail Sales with Small Production)	MC?	MC?	P?	P	P	
Shoe Stores (Retail Sales and Repair)	P	P	P	P	P	
Specialty Food Stores	P	P	P	P	P	
Sporting Goods (Retail Sales)	MC	MC	MC	P	P	
Stationery Stores	P	P	P	P	P	
Surfboard (Custom Manufacturing)				C	C	
Swimming Pool Accessory Shops	MC	MC	MC	P	P	
Tailors/Dressmakers	P	P	P	P	P	
2. Hospital Uses	NC	NC	NC	NC	NC	NOTE
	1.1	1.2	1.3	2	3	
Ambulance Services						

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Ancillary Uses (Minor) to Hospital, such as Laboratories, Florists, Parking Lots ²						2
Hospital						
3. Lodging	NC 1.1	NC 1.2	NC 1.3	NC 2	NC 3	NOTE
Bed and Breakfast Inns:						3
a. Five or Fewer Guest Rooms				P	P	
b. Six to 10 Guest Rooms				MC	MC	
c. Over 10 Guest Rooms				C	C	
Hotel and Ancillary Uses				C	C	
Motels					C	
Timeshares				C	C	
4. Professional Offices, Financial Institutions and Related Uses	NC 1.1	NC 1.2	NC 1.3	NC 2	NC 3	NOTE
Ambulance Services (Office Only)	P?	P?	P?	P	P	
Banks/Financial Institutions Special Consideration, ATM's?	P	P	P	P	P	
Banks/Financial Institutions with Drive-Through Facilities?	C	C	C	C	C	
Newspaper Publication and Office				P	P	
Employment Agencies				P	P	
Offices, Medical	P	P	P	P	P	
Offices, Professional	P	P	P	P	P	
Offices, Veterinary/Animal Hospitals	MC	MC	MC	P	P	
Secretarial Services	P	P	P	P	P	
Telemarketing Services				P	P	
Travel Agencies	MC	MC	MC	P	P	
5. Public/Quasi Public and Institutional Uses	NC 1.1	NC 1.2	NC 1.3	NC 2	NC 3	NOTE
Churches	C	C	C	C	C	

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Clubs/Social Organizations	C	C	C	C	C	
Congregate Care Facilities				C	C	4
Convalescent Homes				C	C	
Day Care Facilities:						5
a. Small Day Care Homes	O	O	O	O	O	6
b. Large Day Care Homes	MC	MC	MC	MC	MC	
c. Day Care Centers	C	C	C	C	C	
Group Instruction/Group Counseling	MC	MC	MC	MC	MC	
Libraries	P	P	P	P	P	
Parking Lots	MC	MC	MC	MC	MC	7
Parking Structures	C	C	C	C	C	
Parks	O	O	O	O	O	8
Public Utilities:						9
a. City-Initiated Projects	O	O	O	O	O	
b. Projects Initiated by Outside Agencies:						
i. Major Utilities	C	C	C	C	C	
ii. Minor Utilities	P	P	P	P	P	
Schools, Public and Private 1—12						
Greater than 12	C	C	C	C	C	
Transportation Facilities				C	C	
6. Residential Uses	NC	NC	NC	NC	NC	NOTE
	1.1	1.2	1.3	2	3	
Affordable Housing Projects				P	P	10
Manufactured Homes						
Mobile Homes:						
a. Units						
b. Subdivisions and Parks						
Residential Units						
Senior Housing Projects		C	C	C	C	11

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7. Restaurants and bars	NC 1.1	NC 1.2	NC 1.3	NC 2	NC 3	NOTE
Bars, cocktail lounges (with or without dancing and/or entertainment)	C	C	C	C	C	
Restaurants						
a. With drive-through				C	C	12
b. With no on-site consumption of liquor, no dancing, no entertainment	P	P	P	P	P	
c. With on-site sale of beer and wine:						13
i. Indoors	MC	MC	MC	MC	MC	
ii. Outdoors with up to 16 outdoor seats or four tables	MC	MC	MC	MC	MC	
iii. Outdoors with more than 16 outdoor seats and/or four tables	MC	MC	MC	MC	MC	
d. With on-site sale of hard alcohol:						13,14
i. Indoors	C	C	C	C	C	
ii. Outdoors with up to 16 outdoor seats or four tables ?						
iii. Outdoors with more than outdoor 16 seats and/or four tables	C	C	C	C	C	
e. With dancing and/or entertainment that has:						
i. No amplified sound	MC	MC	MC	MC	MC	
ii. Amplified sound	C	C	C	C	C	
8. Unclassified Uses	NC 1.1	NC 1.2	NC 1.3	NC 2	NC 3	NOTE
Accessory Buildings	C	C	C	C	C	
Alcohol Beverage Sales Concurrent with Motor Vehicle Fuel-Convenience Store Sales	C	C	C	C	C	15
Amusement Centers	C	C	C	C	C	16
Animal Grooming Shops	MC	MC	MC	P	P	

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Bowling Alleys				C	C	
Drive-Thru Facilities, When in Conjunction with a Use Permitted or Conditionally Permitted in this Zone				C	C	
Grading, Not Accompanying a Development Request:						
a. Emergency	P	P	P	P	P	
b. Major	C	C	C	C	C	
c. Minor	P	P	P	P	P	
Health/Fitness/Sports Clubs and Facilities	C	C	C	C	C	
Internet Access Studio/Internet Café	P	P	P	P	P	
a. With five or more computers available to the public (excluding school, library and similar public uses)	C	C	C	C	C	
Massage	P	P	P	P	P	19
Mortuaries				C	C	
Pool Halls				C	C	20
Recycling Facilities:						21
a. Reverse Vending Machines	P	P	P	P	P	
b. Small Collection	C	C	C	P	P	
c. Large Collection				C	C	
Theaters				C	C	
Urban Private Storage						
Wine Tasting (Only as an Accessory Use to establishments selling wine or wine related products as a primary use)	MC	MC	MC	MC	MC	
9. Vehicle-Related Repair, Sales and Service	NC	NC	NC	NC	NC	NOTE
	1.1	1.2	1.3	2	3	
Car Washes				C	C	22
Service/Gas Station	C	C	C	C	C	23
Vehicle Parts/Accessories Sales				MC	MC	

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Vehicle Dealerships (Sales, Leasing, Rental, New and Used):						23
a. Auto Dealerships with fewer than 10 cars				MC	MC	
b. All Other Vehicle Dealerships				C	C	
Vehicle Repair/Service, Minor				C	C	24

Table 17.36.020(B)
Commercial Zone Uses, Community and Regional Commercial Zones

Use	CC 1	CC 2	CC 3	RC 1	RC 2	
1. Commercial	CC 1	CC 2	CC 3	RC 1	RC 2	NOTE
Antiques (Retail Sales)	P	P	P	P		
Art Galleries	P	P	P	P		
Bakery Goods/Sales (No Wholesale Distributors)	P	P	P	P		
Barber Shops	P	P	P	P		
Bicycle Shops	P	P	P	P		
Bookstores	P	P	P	P		
Carpet Sales	P	P	P	P		
Ceramics (Retail Sales)	P	P	P	P		
Cleaners and Laundromats (No Linen Service)	P	P	P	P		
Clothing (Retail Sales)	P	P	P	P		
Confectionery Stores (Small Scale Production with Retail Sales)	P	P	P	P		
Convenience Stores	C	C	C	P		1
Drugstores/Pharmacies	C	C	C			
Electronics (Retail Sales and Repair)	P	P	P	P		
Fabric Stores	P	P	P			
Florists (Retail Sales)	P	P	P	P		
Floor Covering Stores	P	P	P			

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Furniture Stores (Retail Sales)	P	P	P	P		
Glass/Mirror Sales	P	P	P	P		
Grocery/Food Stores (Not Convenience Stores)	P	P	P			
Gunsmith/Gun Shops	C	C	C			
Hair Salons	P	P	P			
Hardware Stores	P	P	P			
Home Appliance Stores (Retail Sales and Repair)	P	P	P			
Ice Cream Parlors (Retail Sales with Small Production)	P	P	P	P		
Interior Decorating Stores	P	P	P	P		
Janitorial Supplies	P	P	P			
Jewelry Stores	P	P	P	P		
Lawnmower Sales/Service	P	P	P			
Liquor Sales:						
a. Hard Alcohol	C	C	C	C		
b. Beer and Wine (Off-Site Consumption Only)	MC	MC	MC	MC		
Locksmith Shops	P	P	P			
Mail-Order Stores	P	P	P	P		
Medical/X-Ray Equipment (Sales Only)	P	P	P			
Medical Marijuana Dispensaries						
Music Sales	P	P	P	P		
Newsstands (On Private Property)	P	P	P	P		
Nurseries (Indoor Garden Retail Sales)	P	P	P	P		
Nurseries (Outdoor Garden Retail Sales)	C	C	C			
Office Equipment/Supplies	P	P	P			
Paint/Wallpaper Sales	P	P	P			
Patio/Outdoor Furniture Sales	P	P	P	P		
Pawn Shops	C	C	C			

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Pet Shops	MC	MC	MC			
Pet Supply Stores	P	P	P			
Photographic Equipment Sales	P	P	P	P		
Pottery (Retail Sales with Small Production)	P	P	P	P		
Shoe Stores (Retail Sales and Repair)	P	P	P	P		
Specialty Food Stores	P	P	P	P		
Sporting Goods (Retail Sales)	P	P	P	P		
Stationery Stores	P	P	P	P		
Surfboard (Custom Manufacturing)	C	C	C			
Swimming Pool Accessory Shops	P	P	P			
Tailors/Dressmakers	P	P	P			
2. Hospital Uses	CC 1	CC 2	CC 3	RC 1	RC 2	NOTE
Ambulance Services		C			C	
Ancillary Uses (Minor) to Hospital, such as Laboratories, Florists, Parking Lots ²		P			P	2
Hospital		C			C	
3. Lodging	CC 1	CC 2	CC 3	RC 1	RC 2	NOTE
Bed and Breakfast Inns:						3
a. Five or Fewer Guest Rooms	P	P	P	C		
b. Six to 10 Guest Rooms	MC	MC	MC	C		
c. Over 10 Guest Rooms	C	C	C	C		
Hotel and Ancillary Uses	C	C	C	C		
Motels	C	C	C	C		
Timeshares	C	C	C	C		
4. Professional Offices, Financial Institutions and Related Uses	CC 1	CC 2	CC 3	RC 1	RC 2	NOTE
Ambulance Services (Office Only)	P	P	P			

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Banks/Financial Institutions Special Consideration, ATM's?	P	P	P			
Banks/Financial Institutions with Drive-Through Facilities?	P	P	P			
Newspaper Publication and Office	P	P	P	P		
Employment Agencies	P	P	P			
Offices, Medical	P	P	P		P	
Offices, Professional	P	P	P	P		
Offices, Veterinary/Animal Hospitals	P	P	P			
Secretarial Services	P	P	P			
Telemarketing Services	P	P	P			
Travel Agencies	P	P	P	P		
5. Public/Quasi Public and Institutional Uses	CC 1	CC 2	CC 3	RC 1	RC 2	NOTE
Churches	C	C	C			
Clubs/Social Organizations	C	C	C			
Congregate Care Facilities	C	C	C		C	4
Convalescent Homes	C	C	C		C	
Day Care Facilities:						5
a. Small Day Care Homes	O	O	O		O	6
b. Large Day Care Homes	MC	MC	MC		MC	
c. Day Care Centers	C	C	C		C	
Group Instruction/Group Counseling	MC	MC	MC			
Libraries	P	P	P			
Parking Lots	P	P	P	C		7
Parking Structures	C	C	C	C		
Parks	O	O	O	C	O	8
Public Utilities:						9
a. City-Initiated Projects	O	O	O	C	O	
b. Projects Initiated by Outside Agencies:						

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i. Major Utilities	C	C	C	C	C	
ii. Minor Utilities	P	P	P	C	P	
Schools, Public and Private 1—12 Individuals ?						
Greater than 12 Individuals ?				C		
Transportation Facilities				C		
6. Residential Uses	CC 1	CC 2	CC 3	RC 1	RC 2	NOTE
Affordable Housing Projects	P	P	P			10
Manufactured Homes						
Mobile Homes:						
a. Units						
b. Subdivisions and Parks						
Residential Units						
Senior Housing Projects	C	C	C			11
Stand Alone Residential						
7. Restaurants and bars	CC 1	CC 2	CC 3	RC 1	RC 2	NOTE
Bars, cocktail lounges (with or without dancing and/or entertainment)	C	C	C	C		
Restaurants						
a. With drive-through	C	C	C			12
b. With no on-site consumption of liquor, no dancing, no entertainment	P	P	P	P		
c. With on-site sale of beer and wine:						13
i. Indoors	MC	MC	MC	MC		
ii. Outdoors with up to 16 outdoor seats or four tables	MC	MC	MC	C		
iii. Outdoors with more than 16 outdoor seats and/or four tables	MC	MC	MC	C		
d. With on-site sale of hard alcohol:						13,14
i. Indoors	C	C	C	C		

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ii. Outdoors with up to 16 outdoor seats or four tables ?				MC		
iii. Outdoors with more than outdoor 16 seats and/or four tables	C	C	C	C		
e. With dancing and/or entertainment that has:						
i. No amplified sound	MC	MC	MC	MC		
ii. Amplified sound	C	C	C	C		
8. Unclassified Uses	CC 1	CC 2	CC 3	RC 1	RC 2	NOTE
Accessory Buildings	C	C	C	C	C	
Alcohol Beverage Sales Concurrent with Motor Vehicle Fuel-Convenience Store Sales	C	C	C			15
Amusement Centers	C	C	C	C		16
Animal Grooming Shops	P	P	P			
Bowling Alleys	C	C	C	C		
Drive-Thru Facilities, When in Conjunction with a Use Permitted or Conditionally Permitted in this Zone	C	C	C			
Grading, Not Accompanying a Development Request:						
a. Emergency	P	P	P	P	P	
b. Major	C	C	C	C	C	
c. Minor	P	P	P	P	P	
Health/Fitness/Sports Clubs and Facilities	C	C	C	C		
Internet Access Studio/Internet Café	P	P	P	P		
a. With five or more computers available to the public (excluding school, library and similar public uses)	C	C	C	C		
Massage	P	P	P	P	P	19
Mortuaries	C	C	C			
Pool Halls	C	C	C	C		20

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Recycling Facilities:						21
a. Reverse Vending Machines	P	P	P			
b. Small Collection	P	P	P			
c. Large Collection	C	C	C			
Theaters	C	C	C	C		
Urban Private Storage ?						
Wine Tasting (Only as an Accessory Use to establishments selling wine or wine related products as a primary use)	MC	MC	MC	MC		
9. Vehicle-Related Repair, Sales and Service	CC 1	CC 2	CC 3	RC 1	RC 2	NOTE
Car Washes	C	C	C			22
Service/Gas Station	C	C	C			23
Vehicle Parts/Accessories Sales	MC	MC	MC			
Vehicle Dealerships (Sales, Leasing, Rental, New and Used):						23
a. Auto Dealerships with fewer than 10 cars	MC	MC	MC			
b. All Other Vehicle Dealerships	C	C	C			
Vehicle Repair/Service, Minor	C	C	C			24

Footnotes:

- 1 Refer to Section 17.28.120, Convenience Stores/Retail Establishments Selling Convenience Items, of this title, for special provisions for convenience stores.
- 2 Refer to Section 17.28.220, Parking Lots, of this title, for special provisions for single-use parking lots.
- 3 Refer to Section 17.28.090, Bed and Breakfast Inns, of this title, for special provisions for bed and breakfast inns.
- 4 Refer to Section 17.28.110 Congregate Care Facilities of this title for special provisions for congregate care facilities.
- 5 Refer to Section 17.28.100, Child Day Care Facilities, this title, for special provisions for day care facilities.
- 6 Small-family day care homes are permitted in single-family homes. A Minor Conditional Use Permit is required to allow small-family day care homes in other residential dwellings. Small-family day care homes only shall operate in buildings that were lawfully constructed.

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- 7 Refer to Section 17.28.220, Parking Lots, of this title, for special provisions for parking lots.
- 8 Refer to Section 17.28.230, Public Park Facilities, of this title for review requirements for parks.
- 9 Refer to Section 17.28.240, Public Utilities, of this title, for special provisions for public utilities.
- 10 Refer to Section 17.56.090, Affordable Housing Overlay Zone, for projects in Commercial and Mixed-Use Zones, of this title, for special provisions for Affordable Housing Projects.
- 11 Refer to Section 17.28.280, Senior Housing Projects, of this title, for special provisions for senior housing projects.
- 12 Refer to Section 17.28.260, Restaurants, Drive-In, Drive-Through, of this title, for special provisions for drive-in/drive-thru restaurants.
- 13 When a restaurant has an approved CUP for the service of alcohol indoors and a CUP is required for the service of alcohol outdoors, then the applicant may request an amendment to the existing CUP to extend service outdoors. When a restaurant has an approved CUP for the service of alcohol indoors and an MCUP is required for the service of alcohol outdoors, an MCUP is the only application necessary (an amendment to the existing CUP shall not be necessary).
- 14 If a CUP has been previously approved for service of hard alcohol indoors, then that service may be extended outdoors for outdoor facilities with no more than 16 seats or four tables with the approval of an MCUP. If no CUP has been approved for service of hard alcohol indoors, then any service of hard alcohol outdoors requires a CUP.
- 15 Refer to Section 17.28.040, Alcoholic beverages and motor vehicle fuel, concurrent sale of, of this title, for special provisions for concurrent sales of motor fuel and alcoholic beverages.
- 16 Refer to Section 17.28.050, Amusement Centers, of this title, for special provisions for arcades/amusement centers.
- 17 Refer to Section 17.28.130, Grading, of this title, for special provisions for grading requests that are not accompanying development requests.
- 18 The provisions for amusement centers shall apply to Internet Access Studios/Internet Cafés. Please refer to Section 17.28.050, Amusement Centers, for special provisions for amusement centers.
- 19 Massage is subject to Section 5.28 of the City of San Clemente Municipal Code.
- 20 The provisions for amusement centers shall apply to pool halls. Please refer to Section 17.28.050, Amusement Centers, for special provisions for amusement centers.
- 21 Refer to Section 17.28.250, Recycling Facilities, of this title, for special provisions for recycling facilities.
- 22 Refer to Section 17.28.330, Vehicle Service and Repair-Related Facilities, for provisions for all vehicle service and repair-related facilities.
- 23 Refer to Section 17.28.290, Service Stations, of this title, for special provisions for service/gas stations.
- 24 Refer to Section 17.28.310, Vehicle Dealerships, of this title, for special provisions for vehicle dealerships. The sales, leasing, and/or rental of new and/or used vehicles which meet any of the following criteria shall be prohibited within the commercial zones described in this chapter:
- 25 Over-sized vehicles as defined in Section 17.88.030, Definitions, Vehicle, Over-Sized, of this title;

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26 Boats with trailers exceeding 40 feet in length, 20 feet in height (not including masts), or 15 feet in width; or Motor trucks as defined in the California Vehicle Code, excluding pick-up trucks, as defined in the same code.

27 Refer to Section 17.28.320, Vehicle Repair Facilities, of this title, for special provisions for vehicle repair facilities.

(Ord. 1314 §§ 37—43, 2006; Ord. 1308 § 13, 2006; Ord. 1182 § 13, 1997; Ord. 1172 § 3 (Repealed by 96-555), 1996)

(Ord. No. 1517, § 3, 8-17-2010; Ord. No. 1524, §§ 5, 6, 12-7-2010; Ord. No. 1536, § 4(Exh. A), 6-21-2011; Ord. No. 1561, § 3(Exh. A, § 20), 11-27-2012; Ord. No. 1575, § 3(Exh. A, § 8), 12-3-2013)

17.36.030 Commercial zone general development standards.

The following property development standards shall apply to all land and permitted or conditionally permitted buildings located within their respective commercial zones.

- A. **Creation of New Lots.** The creation of new lots within commercial zones following the date of adoption of this title shall conform to the minimum dimensions for lots established within this zone, except in the case of condominium lots or individual lots within a shopping center, in which case minimum dimensions shall be applied to the boundaries around the entire center. Individual lots created within shopping centers are exempt from the site development standards stated herein, as they relate to minimum lot areas and lot width, as long as the following conditions are met:
 - 1. A Site Plan Permit for the entire center has been processed and approved pursuant to Section 17.16.050, Site Plan Permits and Minor Site Plan Permits, of this title;
 - 2. Easements for reciprocal access, parking and maintenance are recorded in a form approved by the City Attorney and maintained; and
 - 3. All applicable setbacks adjacent to the exterior boundaries of the shopping center or commercial development are met.
- B. **General Development Standards.** Tables 17.36.030(A), Commercial Zone Development Standards, Neighborhood Commercial Zones, and 17.36.030(B), Commercial Zone Development Standards, Community and Regional Commercial Zones, list the site development standards required for projects located in commercial zones.

Table 17.36.030A

Commercial Zone Development Standards

Development Standards Applicable to Commercial Zones	
Lot Frontage, Minimum	Refer to Section 17.24.140, Lot Frontage Requirements, Minimum, of this title.
Landscape Setback for Parking Areas	Please refer to Section 17.64.060(C), Landscaping, for landscaping setbacks for parking areas.
Setbacks from Residentially Zoned Property	Please refer to Section 17.24.170, Residentially Zoned Property, Development Adjacent to, for setbacks from residentially zoned property.
Parking	For parking requirements, please refer to Chapter 17.64, Parking and Access Standards, of this title.

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Landscaping	Refer to Chapter 17.68, Landscaping Standards, of this title, for landscaping requirements.
Floor Area Ratio, Historic Structures	Please refer to Section 17.24.100, Increases in Floor Area Ratio, for increases in floor area ratio when historic structures are preserved on-site or relocated to appropriate zones

NC 1.1 Development Standards	
Standard	NC 1.1 Zone Requirement
Lot Area, Minimum	4,000 Square Feet
Lot Width, Minimum	40'-0"
Front Setback, Minimum	0'-0"
Interior Side Setback, Minimum	0'-0"
Street Side Setback, Minimum	0'-0"
Rear Setback Minimum	0'-0"
Lot Coverage, Maximum	50 percent of lot area
Floor Area Ratio	.35
Height Limitation	15'-0"; 1 Story

NC 1.2 Development Standards	
Standard	NC 1.2 Zone Requirement
Lot Area, Minimum	4,000 Square Feet
Lot Width, Minimum	40'-0"
Front Setback, Minimum	0'-0"
Interior Side Setback, Minimum	0'-0"
Street Side Setback, Minimum	0'-0"
Rear Setback Minimum	0'-0"
Lot Coverage, Maximum	50 percent of lot area
Floor Area Ratio	.35
Height Limitation	33'-0" Top of Roof; 26'-0" Plate; 2 Stories

NC 1.3 Development Standards	
Standard	NC 1.3 Zone Requirement
Lot Area, Minimum	4,000 Square Feet
Lot Width, Minimum	40'-0"
Front Setback, Minimum	0'-0"

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Interior Side Setback, Minimum	0'-0"
Street Side Setback, Minimum	0'-0"
Rear Setback Minimum	0'-0"
Lot Coverage, Maximum	50 percent of lot area
Floor Area Ratio	.35
Height Limitation	45'-0" Top of Roof; 37'-0" Plate; 3 Stories

NC 2 Development Standards	
Standard	NC 2 Zone Requirement
Lot Area, Minimum	6,000 Square Feet
Lot Width, Minimum	60'-0"
Front Setback, Minimum	0'-0"
Interior Side Setback, Minimum	0'-0"
Street Side Setback, Minimum	0'-0"
Rear Setback Minimum	0'-0"
Lot Coverage, Maximum	50 percent of lot area
Floor Area Ratio	.35; See also Section 17.24.100 "Increases in Floor Area Ratio" pertaining to historic structures on parcels not within the Coastal Zone
Height Limitation	33'-0" Top of Roof; 26'-0" Plate; 2 Stories

NC 3 Development Standards	
Standard	NC 3 Zone Requirement
Lot Area, Minimum	6,000 Square Feet
Lot Width, Minimum	60'-0"
Front Setback, Minimum	0'-0"
Interior Side Setback, Minimum	0'-0"
Street Side Setback, Minimum	0'-0"
Rear Setback Minimum	0'-0"
Lot Coverage, Maximum	50 percent of lot area
Floor Area Ratio	.35
Height Limitation	45'-0" Top of Roof; 37'-0" Plate; 3 Stories

CC 1 Development Standards	
Standard	CC 1 Zone Requirement

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Lot Area, Minimum	6,000 Square Feet
Lot Width, Minimum	60'-0"
Front Setback, Minimum	0'-0"
Interior Side Setback, Minimum	0'-0"
Street Side Setback, Minimum	0'-0"
Rear Setback Minimum	0'-0"
Lot Coverage, Maximum	60 percent of lot area
Floor Area Ratio	.50
Height Limitation	33'-0" Top of Roof; 26'-0" Plate; 2 Stories

CC 2 Development Standards	
Standard	CC 2 Zone Requirement
Lot Area, Minimum	6,000 Square Feet
Lot Width, Minimum	60'-0"
Front Setback, Minimum	0'-0"
Interior Side Setback, Minimum	0'-0"
Street Side Setback, Minimum	0'-0"
Rear Setback Minimum	0'-0"
Lot Coverage, Maximum	60 percent of lot area; A lot coverage of 80 percent of lot area is allowed if the use of the parcel is comprised entirely of uses listed in Table 17.36.020 "Commercial Zone Uses" under subheading "2. Hospital Uses"
Floor Area Ratio	.50; A floor area ratio of 2.00 is allowed if the use of the parcel is comprised entirely of uses listed in Table 17.36.020 "Commercial Zone Uses" under subheading "2. Hospital Uses"
Height Limitation	45'-0" Top of Roof; 37'-0" Plate; 3 Stories. A height of 54'-0" Top of Roof, 45'-0" Plate; 4 stories, is allowed if the use of the parcel is comprised entirely of uses listed in Table 17.36.020 "Commercial Zone Uses" under subheading "2. Hospital Uses"

CC 3 Development Standards	
Standard	CC 3 Zone Requirement
Lot Area, Minimum	6,000 Square Feet
Lot Width, Minimum	60'-0"
Front Setback, Minimum	0'-0"

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Interior Side Setback, Minimum	0'-0"
Street Side Setback, Minimum	0'-0"
Rear Setback Minimum	0'-0"
Lot Coverage, Maximum	80 percent of lot area
Floor Area Ratio	.70
Height Limitation	45'-0" Top of Roof; 37'-0" Plate; 3 Stories.

NOTE: THE RC AND CRC ZONES ARE 'UNDER CONSTRUCTION' AND NEED ADDITIONAL RESEARCH REGARDING SPECIFIC EXISTING AND CGP REQUIREMENTS. STAFF HAS NO CURRENT RECOMMENDATION OR ENDORSEMENT REGARDING THESE ZONES; SUCH RECOMMENDATIONS WILL BE INCLUDED IN THE PUBLIC HEARING VERSION AND DISCUSSED IN THE AGENDA REPORT AT THAT TIME.

RC 1 Development Standards [Per 'RC' of CGP]	
Standard	RC 1 Zone Requirement
Lot Area, Minimum	6,000 Square Feet
Lot Width, Minimum	60'-0"
Front Setback, Minimum	0'-0"
Interior Side Setback, Minimum	0'-0"
Street Side Setback, Minimum	0'-0"
Rear Setback Minimum	0'-0"
Lot Coverage, Maximum	100 percent of lot area
Floor Area Ratio, Minimum	.50
Floor Area Ratio, Maximum	2.00
Height Limitation	45'-0" Top of Roof; 37'-0" Plate; 3 Stories. Exception for a theater or clock tower to a maximum height of 62'-0"; 55'-0" Plate

RC 2 Development Standards [Per Existing 'RC 2' Zone]	
Standard	RC 2 Zone Requirement
Lot Area, Minimum	6,000 Square Feet
Lot Width, Minimum	60'-0"
Front Setback, Minimum	0'-0"
Interior Side Setback, Minimum	0'-0"
Street Side Setback, Minimum	0'-0"
Rear Setback Minimum	0'-0"

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Lot Coverage, Maximum	80 percent of lot area
Floor Area Ratio, Maximum	2.00
Height Limitation	54'-0" Top of Roof; 45'-0" Plate; 4 Stories.

CRC Development Standards [Per CRC of CGP]	
Standard	CRC Zone Requirement
Lot Area, Minimum	6,000 Square Feet
Lot Width, Minimum	60'-0"
Front Setback, Minimum	0'-0"
Interior Side Setback, Minimum	0'-0"
Street Side Setback, Minimum	0'-0"
Rear Setback Minimum	0'-0"
Lot Coverage, Maximum	80 percent of lot area
Floor Area Ratio, Minimum	1.00
Floor Area Ratio, Maximum	1.50
Height Limitation	"Per existing height at street elevation"

CRC Development Standards [Per CRC 4 of CGP]	
Standard	CRC Zone Requirement
Lot Area, Minimum	6,000 Square Feet
Lot Width, Minimum	60'-0"
Front Setback, Minimum	0'-0"
Interior Side Setback, Minimum	0'-0"
Street Side Setback, Minimum	0'-0"
Rear Setback Minimum	0'-0"
Lot Coverage, Maximum	100 percent of lot area
Floor Area Ratio, Maximum	1.00
Height Limitation	45 ft., Architectural features such as towers, cupolas, and chimneys shall be allowed to project up to 50 ft.

(Ord. 1231 § 4, 1999; Ord. 1172 § 3 (part), 1996)

(Ord. No. 1517, § 3, 8-17-2010; Ord. No. 1536, § 4(Exh. A), 6-21-2011)

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17.36.040 Commercial zone special development standards.

Chapter 17.24, General Development Standards, of this title includes a number of special provisions affecting commercial properties. Unless otherwise indicated in the referenced sections, or in other City documents regulating commercial development, the development standards listed in Chapter 17.24, General Development Standards, of this title shall apply to all zones described in this chapter.

Table 17.36.040

Special Development Standards for All Commercial Zones

Standards	Sections
Accessory Buildings	Section 17.24.040
Building Equipment and Services and Their Screening	Section 17.24.050
Encroachment into Setbacks and Height Limits, General	Section 17.24.080
Fences, Walls, Hedges	Section 17.24.090
Height Limitations	Section 17.24.110
Increase in Floor Area Ratios	Section 17.24.100
Lighting	Section 17.24.130
Off-Street Loading Area	Section 17.24.150
Relocation of Structures	Section 17.24.160
Residentially Zoned Properties, Development Adjacent To	Section 17.24.170
Retaining Walls	Section 17.24.180
Skirt Walls	Section 17.24.190
Substandard Lots	Section 17.24.200
Through Lots, Rear Yard Setback For	Section 17.24.210
Trip Reduction Measures for Projects With Greater than 100 Employees	Chapter 17.76

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(Ord. 1172 § 3 (part), 1996)

(Ord. No. 1536, § 4(Exh. A), 6-21-2011)

FOOTNOTE(S):

--- (1) ---

Editor's note— Ord. No. 1536, § 4(Exh. A), adopted June 21, 2011, amended Ch. 17.36, in its entirety, to read as herein set out. Prior to inclusion of said ordinance, Ch. 17.36 pertained to similar subject matter. See also the Code Comparative Table and Disposition List. ([Back](#))

CHAPTER 17.40 MIXED-USE ZONES AND STANDARDS

PRELIMINARY PRESENTATION DRAFT

CHAPTER 17.40 MIXED-USE ZONES AND STANDARDS [\[2\]](#)

Sections:

[17.40.010 Purpose and intent.](#)

[17.40.020 Residential densities in mixed-use zones.](#)

[17.40.030 Mixed-use regulations.](#)

[17.40.040 Mixed-use zone general development standards.](#)

[17.40.050 Mixed-use zone special development standards.](#)

17.40.010 Purpose and intent.

The General Plan details the goals, objectives, and policies for the City's mixed-use zones, including the establishment of active, pedestrian-oriented districts which enhance the quality of life and vitality of the City. It is the purpose of this chapter to implement the General Plan's vision for distinct mixed-use zones through development regulations that allow for the mixture of retail, office and residential uses within the same zone, while achieving a high level of architectural quality

A combination of mixed use zones and overlays are established to bring particular development standards for designated parcels within the downtown core, in the transitional areas near the core, in frontage areas on El Camino Real, within the North Beach, in the Pier Bowl and along the southern portion of El Camino Real east of Interstate 5, described in the following paragraphs.

- A. **Downtown Mixed-Use (MU 3) Zone.** The downtown area (MU 3) is defined in the San Clemente General Plan as the symbolic "core" of the City, maintaining its pedestrian-oriented village character. Commercial development—non-residential uses allowed in this zone such as community and tourist-serving retail commercial, entertainment, restaurants, offices, institutional and public uses—and residential uses accompanying commercial development are accommodated within this zone. Along with enhancing the pedestrian nature of downtown, the inclusion of residential uses into commercial development will provide housing opportunities for employees and owners of commercial establishments, as well as others interested in living in the downtown area. As well as the MU3 zoning designation, many of the sites in the downtown area also have an Architectural (-A) Overlay District designation and/or a Central Business (-CB) District overlay designation. The requirements of these overlay districts affect the use, style and physical layout of projects. The overlay districts are described in Chapter 17.56, Overlay Districts

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and Standards, of this title. (Please refer to the City's Zoning Maps for the location of these overlay districts.)

The location of uses and parking within projects is particularly important to the pedestrian ambiance of this zone. In the -CB Overlay District, pedestrian-oriented uses are to be located along the street and less pedestrian-oriented uses to the rear or above street facing spaces.

Throughout the MU 3 zone, residential units are encouraged above the street level of projects to provide housing opportunities for employees, owners of commercial establishments and others interested in living in the downtown area, as well as to make room for more pedestrian-oriented uses on the street level. In the AH Overlay Zone, dwellings are allowed by right at the street level to facilitate development of accessible and affordable housing. The City may allow nonresidential uses included in Table 17.40.030, Permitted and Conditional Uses within the Mixed-use Zone, on the same floor as residential uses (above street level) through the appropriate discretionary review process. Buildings are to be located along the street and parking is to be located behind buildings (or to the side of buildings when parking behind buildings is impossible) to maintain and promote an interesting sidewalk scene for the pedestrian, in accordance with the City's General Plan and Urban Design Guidelines. For specific requirements regarding the location of uses, please refer to Section 17.04.030.2, Special Use Regulations for the Downtown Mixed-Use (MU3) Zone, and Section 17.56.030, Central Business (-CB) Overlay District, of this title, along with the City's General Plan and Urban Design Guidelines. The use of non-residential space in this zone is vital to the pedestrian nature of the area. Non-residential spaces must contain uses that serve clients and patrons that will visit the site. These spaces may not be merely used for storage for other businesses or for adjacent residential uses or be used as spaces that function in the same manner as home occupancy uses.

The scale, architectural style and physical layout of projects in the MU 3 zone are important to its pedestrian-oriented village character. In accordance with the General Plan, future development in this area is to be consistent in scale (2—3) stories and character with the prevailing Spanish Colonial Revival buildings. For specific details, please refer to Section 17.56.020, Architectural (-A) Overlay District, of this title, along with the City's General Plan and the Urban Design Guidelines.

- B. Downtown Transition / North Beach Core Mixed Use (MU 3.1) Zone.** This zoning category serves dual purpose of providing for a transitional level of development surrounding the Downtown Core and establishing mixed use standards for application in portions of the North Beach area. Important distinctions regarding height and design form, plus an allowance for stand-alone residential development, distinguish this zone from the MU 3 zone.

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- C. El Camino Real South, West of Interstate 5 Mixed Use (MU 3.2) Zone.** This zone is particularly applied to parcels fronting the west side of El Camino Real and backing onto the parallel alley west of El Camino Real, southward of Downtown and northward of the Interstate 5 overcrossing. These particular parcels average approximately one hundred feet (100') in depth and slope downward from El Camino Real. The alley at the rear of these parcels abuts the single family residential RL zone. The intent of the MU 3.2 zone is to provide for commercial development fronting El Camino Real and mixed use development opportunity while respecting the scale of development on the neighboring residential areas.
- D. Pier Bowl Mixed Use (MU 4) Zone.** This zone is applied to a limited number of parcels fronting onto Avenida Victoria facing the San Clemente Pier. This zone allows residential units above commercial storefronts.
- E. El Camino Real South, East of Interstate 5 Mixed-Use (MU 5) Zone.** The MU 5 land-use designation accommodates commercial and residential development within the same zone, but limits development such that commercial and residential uses cannot exist on the same lot. The standards for this zone include a requirement that the type of use allowed, residential or commercial, depends upon whether large contiguous areas of that use exist.

(Ord. 1252 § 6, 2001; Ord. 1172 § 3 (part), 1996)

(Ord. No. 1536, § 4(Exh. A), 6-21-2011)

17.40.020 Residential densities in mixed-use zones.

This title limits the maximum **and minimum** residential density for each mixed-use zone; however, the density allowed for any residential project within the City may be limited further through the appropriate discretionary review process, when discretionary review is provided for in this title. The Zoning Administrator, Planning Commission and/or City Council shall have the authority to reasonably condition any residential development subject to discretionary review to ensure proper transition to and compatibility with adjacent developments, existing or proposed.

(Ord. 1172 § 3 (part), 1996)

(Ord. No. 1536, § 4(Exh. A), 6-21-2011)

17.40.030 Mixed-use regulations.

A. Permitted and Conditionally Permitted Uses.

1. **General Requirements.** The uses identified in Table 17.40.030, Mixed-Use Zone Uses, shall be the primary uses allowed to occur on a property. All uses except for those provided for in Sections 17.28.210, Outdoor Display Areas and 17.28.300, Temporary Uses and Structures, of this title shall be conducted within

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enclosed structures. The primary uses identified in Table 17.40.030 shall be permitted or conditionally permitted, as indicated.

P	Where the symbol "P" appears, the use shall be permitted.
MC	Where the symbol "MC" appears, the use shall be permitted subject to the issuance of a Minor Conditional Use Permit, in accordance with Section 17.16.070, Minor Conditional Use Permits, of this title.
C	Where the symbol "C" appears, the use shall be permitted subject to the issuance of a Conditional Use Permit, in accordance with Section 17.16.060, Conditional Use Permits, of this title. If the use is located in the -CB Overlay District, it shall be reviewed for its appropriateness in pedestrian-oriented spaces in accordance with Section 17.56.030, Central Business District Overlay, of this title.
O	Where the symbol "O" appears, the use is subject to an alternative review process described in a subsequent footnote.

2. Special Use Regulations for the Downtown Mixed-Use (MU 3) Zone.

- a. Residential and Nonresidential Uses on the Same Floor. Nonresidential uses shall be permitted on the same floor as a residential use subject to the issuance of a Conditional Use Permit, in accordance with Section 17.16.060, Conditional Use Permits, of this title.
- b. Review of the Location of Pedestrian and Non-pedestrian Uses in the Pedestrian Overlay (-P). Non-pedestrian uses, as defined in Section 17.56.030, Central Business District Overlay, of this title are discouraged in pedestrian-oriented spaces, also defined in Section 17.56.030, Central Business District Overlay, of this title and shall be allowed in such spaces through the discretionary review processes indicated in Table 17.40.030, Permitted and Conditionally Permitted Uses Within Mixed-Use Zones, of this title. For specific criteria for the location of pedestrian and nonpedestrian uses in pedestrian spaces, please refer to Section 17.56.030, Central Business District Overlay, of this title for provisions for the Central Business District Overlay.
- c. Location of Residential Uses. Residential uses shall be limited to floors above street level. Lobbies, entryways, and other nonhabitable space for residential uses shall be allowed on the street level. In the AH Overlay, dwellings that are part of a "Qualified Affordable Housing Development as defined in

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Chapter 17.56.090 of the Zoning Ordinance may be located at the street level. Exceptions may be granted for buildings listed on the City's Designated Historic Structures List subject to the issuance of a Conditional Use Permit, in accordance with Section 17.16.060, Conditional Use Permits, of this title. Prior to approving a Conditional Use Permit for exceptions allowed in this section, all of the following findings must be made along with the general findings required for the approval of a Conditional Use Permit:

- i. The exception is reasonably necessary to maintain the historical integrity of the structure;
- ii. The project meets the intent of the City's Urban Design Guidelines, where it relates to projects in this zone.
- d. **The Use of Non-residential Space.** Non-residential spaces shall contain uses that serve clients and patrons that will visit the site. These spaces may not be merely used for storage for other businesses or for adjacent residential uses or be used in the same manner as home occupancy businesses.
- e. **Location of Parking.** Parking for residential and non-residential purposes shall be located behind buildings or to the side of buildings when parking behind buildings is impossible.

B. Prohibited Uses. The following uses are prohibited:

- 1. Uses that are listed in Table 17.40.030, but are not identified as either permitted—"P"—or conditionally permitted—"MC or C", or "O"; and
- 2. Uses that have been excluded from Table 17.40.030, unless they are found by the City to be similar to permitted or conditionally permitted uses.
- 3. Uses where a blank cell appears within Table 17.40.030

Table 17.40.030

Mixed-Use Zone Uses

Use	Zones						NOTE
	MU 2	MU 3	MU 3.1	MU 3.2	MU 4	MU 5	
1. Commercial Uses							
Antiques	P	P	P	P		P	
Art Galleries	P	P	P	P		P	
Bakery Goods/Sales (No Wholesale Distributors)	P	P	P	P		P	

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Barber Shops	P	P	P	P		P	
Bicycle Shops	P	P	P	P		P	
Bookstores	P	P	P	P		P	
Ceramics (Retail Sales)	P	P	P	P		P	
Cleaners and Laundromats (No Linen Service)	P	P	P	P		P	
Clothing Stores	P	P	P	P		P	
Confectionery Stores (Small Scale Production with Retail Sales)	P	P	P	P		P	
Convenience Stores	C	C	C	C			1
Drugstores/Pharmacies	P	P	P	P		P	
Electronics (Retail Sales and Repair)	P	P	P	P		P	
Fabric Stores	P	P	P	P		P	
Floor Covering Stores	P	P	P	P		P	
Florists (Retail Sales)	P	P	P	P		P	
Furniture Stores (Retail Sales)	P	P	P	P		P	
Grocery/Food Stores (Not Convenience Stores)	P	P	P	P		P	
Gunsmith/Gun Shops	C	C	C	C		C	
Hair Salons	P	P	P	P		P	
Hardware Stores	P	P	P	P		P	
Home Appliance Stores (Retail Sales and Repair)	P	P	P	P		P	
Ice Cream Parlors (Retail Sales with Small Production)	P	P	P	P		P	
Interior Decorating Stores	P	P	P	P		P	
Jewelry Stores	P	P	P	P		P	
Liquor Sales:							

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a. Hard Alcohol	C	C	C	C		C	
b. Beer and Wine (Off-Site Consumption Only)	MC	MC	MC	MC		MC	
Locksmith Shops	P	P	P	P		P	
Mail-Order Stores	P	P	P	P		P	
Medical/X-Ray Equipment (Sales Only)	P			P		P	
Medical Marijuana Dispensaries							
Music Sales	P	P	P	P		P	
Newsstands (On Private Property)	P	P	P	P		P	
Nurseries (Indoor Garden Retail Sales)	P	P	P	P		P	
Nurseries (Outdoor Garden Retail Sales)	C	C	C	C		C	
Office Equipment/Supplies	P	P	P	P		P	
Paint/Wallpaper Sales	P	P	P	P		P	
Patio/Outdoor Furniture Sales	P	P	P	P		P	
Pawn Shops	C	C	C	C		C	
Pet Shops	MC	MC	MC	MC		MC	
Pet Supply Stores	P	P	P	P		P	
Photographic Equipment Sales	P	P	P	P		P	
Pottery (Retail Sales with Small Production)	P	P	P	P		P	
Shoe Stores (Retail Sales and Repair)	P	P	P	P		P	
Specialty Food Stores	P	P	P	P		P	
Sporting Goods (Retail Sales)	P	P	P	P		P	
Stationery Stores	P	P	P	P		P	

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Swimming Pool Accessory Shops	P	P	P	P		P	
Tailors/Dressmakers	P	P	P	P		P	
2. Lodging	MU 2	MU 3	MU 3.1	MU 3.2	MU 4	MU 5	NOTE
Bed and Breakfast Inns:							2
a. Five or Fewer Guest Rooms	P	P	P	P		P	3
b. Six to 10 Guest Rooms	MC	MC	MC	MC		MC	3
c. Over 10 Guest Rooms	C	C	C	C		C	
Hotel and Ancillary Uses	C	C	C	C		C	
Motels	C			C		C	
Timeshares	C	C	C	C		C	
3. Professional Offices, Financial Institutions and Related Uses	MU 2	MU 3	MU 3.1	MU 3.2	MU 4	MU 5	NOTE
Ambulance Services (Office Only)	P	P	P	P		P	3
Banks/Financial Institutions	P	P	P	P		P	
Employment Agencies	P	P	P	P		P	3
Offices, Medical:							
a. Optometrists with Retail Space	P	P	P	P		P	
b. Optometrists without Retail Space	P	P	P	P		P	3
c. Other Offices	P	P	P	P		P	3
Offices, Professional and/or General:							
a. Realtors	P	P	P	P		P	
b. Other Offices	P	P	P	P		P	3

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Offices, Veterinary/Animal Hospitals	P	C	C	P		C	
Secretarial Services	P	P	P	P		P	3
Telemarketing Services	P	P	P	P		P	3
Travel Agencies	P	P	P	P		P	
4. Public/Quasi Public and Institutional Uses	MU 2	MU 3	MU 3.1	MU 3.2	MU 4	MU 5	NOTE
Churches	C	C	C	C		C	
Clubs/Social Organizations	C	C	C	C		C	
Congregate Care Facilities	C	C	C	C		C	4
Convalescent Homes						C	
Day Care Facilities:							5
a. Small Day Care Homes ⁵	O	O	O	O		O	6
b. Large Day Care Homes	MC	MC	MC	MC		MC	
c. Day Care Centers	C	C	C	C		C	
Group Instruction/Group Counseling	P	P	P	P		P	3
Libraries	P	P	P	P		P	
Parking Lots	MC	MC	MC	MC		MC	7
Parking Structures	C	C	C	C		C	
Parks	O	O	O	O		O	8
Public Utilities							9
a. City-Initiated Projects	O	O	O	O		O	
b. Projects Initiated by Outside Agencies:							
i. Major Utilities	C	C	C	C		C	
ii. Minor Utilities	P	P	P	P		P	
Schools, Public and Private 1—12 Individuals	MC	MC	MC	MC		MC	

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Greater than 12 Individuals	C	C	C	C		C	
Transportation Facilities	C	C	C	C		C	
5. Residential Uses	MU 2	MU 3	MU 3.1	MU 3.2	MU 4	MU 5	NOTE
Affordable Housing Projects	P	P	P	P		P	10
Manufactured Homes ¹						MC	11
Mobile Homes:						C	12
a. Units						C	
b. Subdivisions and Parks							13
Residential Units	P	P	P	P	P	P	14, 15
Senior Housing Projects	C	C	C	C		C	16
Stand Alone Residential			P			P	15
6. Restaurants and bars	MU 2	MU 3	MU 3.1	MU 3.2	MU 4	MU 5	NOTE
Bars, cocktail lounges (with or without dancing and/or entertainment)	C	C	C	C		C	
Restaurants							
a. With drive-through						C	17
b. With no on-site consumption of liquor, no dancing, no entertainment	P	P	P	P		P	
c. With on-site sale of beer and wine:							
i. Indoors	MC	MC	MC	MC		MC	
ii. Outdoors with up to 16 outdoor seats or four tables	MC	MC	MC	MC		MC	
iii. Outdoors with more than 16 outdoor seats and/or four tables	C	C	C	C		C	

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d. With on-site sale of hard alcohol:							18,19,20
i. Indoors	C	C	C	C		C	
ii. Outdoors with up to 16 outdoor seats or four tables	MC/ C	MC/ C	MC/ C	MC/ C		MC/ C	
iii. Outdoors with more than r 16 seats and/or four tables	C	C	C	C		C	
e. With dancing and/or entertainment that has:							
i. No amplified sound	MC	MC	MC	MC		MC	
ii. Amplified sound	C	C	C	C		C	
7. Unclassified Uses	MU 2	MU 3	MU 3.1	MU 3.2	MU 4	MU 5	NOTE
Accessory Buildings, Residential						C	21
a. Detached, Over 15 Feet in Height						P	
b. All Others						C	
Accessory Buildings, Nonresidential	C	C	C	C		C	21
Alcohol Beverage Sales Concurrent with Motor Vehicle Fuel-Convenience Store Sales	C			C		C	23
Amusement Centers	C	C	C	C		MC	24
Animal Grooming Shops	P			P		C	
Bowling Alleys	C			C		C	
Drive-Thru Facilities, When in Conjunction with a Use Permitted or Conditionally Permitted in this Zone	C			C		C	17
Grading, Not Accompanying a Development Request:							25

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a. Emergency	P			P		P	
b. Major	C	C	C	C		C	
c. Minor	P	P	P	P		P	
Health/Fitness/Sports Clubs and Facilities	C	C	C	C		C	
Internet Access Studio/Internet Café	P	P	P	P		P	
a. With five or more computers available to the public (excluding school, library and similar public uses)	C	C	C	C		C	26
Massage	P	P	P	P		P	27
Mortuaries	C			C		C	
Pool Halls	C	C	C	C		C	28
Recycling Facilities: Reverse Vending Machines	C	MC	MC	P		MC	29
Theaters	C	C	C	C		C	
Urban Private Storage	C	C	C	C			30
Wine Tasting (Only as an Accessory Use to establishments selling wine or wine related products as a primary use)	MC	MC		MC		MC	
8. Vehicle-Related Repair, Sales and Service	MU 2	MU 3	MU 3.1	MU 3.2	MU 4	MU 5	NOTE
Car Washes							
Vehicle Parts/Accessories Sales with no on-site installation services	MC			MC		MC	31

1 Refer to Section 17.28.120, Convenience Stores/Retail Establishments Selling Convenience Items, of this title.

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- 2 Refer to Section 17.28.090, Bed and Breakfast, of this title.
- 3 Refer to Section 17.56.030 Central Business (-CB) Overlay District, of this title. This use is potentially subject to locational criteria within a structure based on its compatibility with the objectives of creating or maintaining pedestrian-oriented space in the Central Business Overlay District.
- 4 Refer to Section 17.28.110, Congregate Care Facilities, of this title.
- 5 Refer to Section 17.28.100, Child Day Care Facilities, of this title.
- 6 Small-family day care homes are permitted in single-family homes. A Minor Conditional Use Permit is required to allow small-family day care homes in other residential dwellings. Small-family day care homes only shall operate in buildings that were lawfully constructed.
- 7 Refer to Section 17.28.220, Parking Lots, of this title.
- 8 Refer to Section 17.28.230, Public Park Facilities, of this title.
- 9 Refer to Section 17.28.240, Public Utilities, of this title.
- 10 Refer to Section 17.56.090 Affordable Housing Overlay District in Commercial and Mixed-Use Zones, of this title, for special provisions for Affordable Housing Projects.
- 11 Manufactured homes are subject to the same requirements as individual mobile homes. Please refer to Section 17.28.190(D), Minimum Standards for Individual Mobile Homes, of this title.
- 12 Refer to Section 17.28.190, Mobile Homes, of this title.
- 13 Refer to Section 17.36.040, Planned Residential District Overlay, of this title.
- 14 Residential uses in the MU3 zone are limited to the floors above street level. In the AH Overlay, dwellings that are part of an affordable housing project are permitted to be located at the street level. Exceptions may be granted for historic structures. Refer to Section 17.40.030(A)(2) (c), Location of Residential Uses, of this title.
- 15 For residential uses in the MU5.1 zone, please refer to Section 17.40.050(A), Residential Use Restrictions for MU5.1, of this title
- 16 Refer to Section 17.28.280, Senior Housing Projects, of this title.
- 17 Refer to Section 17.28.260, Drive-Throughs.
- 18 When a restaurant has an approved CUP for the service of alcohol indoors and a CUP is required for the service of alcohol outdoors, then the applicant may request an amendment to the existing CUP to extend service outdoors.

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19 When a restaurant has an approved CUP for the service of alcohol indoors and an MCUP is required for the service of alcohol outdoors, an MCUP is the only application necessary (an amendment to the existing CUP shall not be necessary).

20 If a CUP has been previously approved for service of hard alcohol indoors, then that service may be extended outdoors for outdoor facilities with no more than 16 seats or four tables with the approval of an MCUP. If no CUP has been approved for service of hard alcohol indoors, then any service of hard alcohol outdoors requires a CUP.

21 Refer to Section 17.24.040, Accessory Buildings, of this title.

~~22 Refer to Section 17.24.040, Accessory Buildings, of this title.~~

23 Refer to Section 17.28.040, Alcoholic beverages and motor vehicle fuel, concurrent sale of, of this title, for special provisions for concurrent sales of motor fuel and alcoholic beverages.

24 Refer to Section 17.28.050, Amusement Centers, of this title.

25 Refer to Section 17.28.130, Grading, of this title.

26 The provisions for amusement centers shall apply to Internet Access Studios/Internet Cafés. Refer to Section 17.28.050, Amusement Centers, of this title.

27 Massage is subject to Section 5.28 of the City of San Clemente Municipal Code.

28 The provisions for amusement centers shall apply to pool halls. Refer to Section 17.28.050, Amusement Centers, of this title.

29 Refer to Section 17.28.250, Recycling Facilities, of this title.

30 Refer to Section 17.28.305, Urban Private Storage, of this title.

31 Refer to Section 17.28.330, Vehicle Service and Repair-Related Facilities, of this title.

(Ord. 1442 §§ 5, 6, 2007; Ord. 1314 §§ 44—48, 2006; Ord. 1308 § 14, 2006; Ord. 1304 § 26, 2005; Ord. 1252 §§ 7 and 8, 2001; Ord. 1182 § 14, 1997; Ord. 1172 § 3 (part), 1996)

(Ord. No. 1524, §§ 7, 8, 12-7-2010; Ord. No. 1536, § 4(Exh. A), 6-21-2011; Ord. No. 1561, § 3(Exh. A, §§ 21—23), 11-27-2012; Ord. No. 1575, § 3(Exh. A, § 9), 12-3-2013)

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17.40.040 Mixed-use zone general development standards.

The following property development standards shall apply to all land and permitted or conditionally permitted buildings located within their respective mixed-use zones.

- A. **The Creation of New Lots.** The creation of new lots within mixed-use zones following the date of adoption of this title shall conform to the minimum dimensions for lots established within this zone, except in the case of condominium lots or individual lots within a shopping center, in which case minimum dimensions shall be applied to the boundaries around the entire center. Parcels created within shopping centers are exempt from the site development standards Stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as the following conditions are met:
 - 1. A conceptual development plan for the entire center has been developed and approved pursuant to the provisions of this title;
 - 2. Easements for reciprocal access, parking and maintenance are recorded in a form approved by the City Attorney, and maintained; and
 - 3. All applicable setbacks adjacent to the exterior boundaries of the shopping center or mixed-use development are met.
- B. **General Development Standards.** Table 17.40.040, Mixed-Use Zone Development Standards, lists the site development standards required for mixed-use development projects.

Table 17.40.040

Mixed-Use Zone Development Standards

Development Standards Applicable to All Mixed Use Zones	
Lot Frontage, Minimum	Refer to Section 17.24.140, Lot Frontage Requirements, Minimum, of this title.
Landscape Setback for Parking Areas	Please refer to Section 17.64.060(C), Landscaping, for landscaping setbacks for parking areas.
Setbacks from Residentially Zoned Property	Please refer to Section 17.24.170, Residentially Zoned Property, Development Adjacent to, for setbacks from residentially zoned property.
Parking	For parking requirements, please refer to Chapter 17.64, Parking and Access Standards, of this title.
Landscaping	Refer to Chapter 17.68, Landscaping Standards, of this title, for landscaping requirements.

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MU 2 Development Standards	
Standard	MU2 Zone Requirement
Lot Area, Minimum	6,000 Square Feet
Lot Width, Minimum	60'-0"
Residential Density, Minimum / Maximum	Minimum one (1) dwelling unit per 1,815 square feet of lot area; maximum of one (1) dwelling unit per 1,210 square feet of lot area.
Front Setback, Minimum	0'-0"
Interior Side Setback, Minimum	0'-0"
Street Side Setback, Minimum	0'-0"
Rear Setback Minimum	0'-0"
Lot Coverage, Maximum	50 percent of lot area.
Residential Development Location Requirement	Habitable residential space shall be located behind or above frontage commercial space.
Floor Area Ratio, Maximum	0.50 without residential; 1.50 with residential
Height Limitation	Without Residential, 2 Stories with a maximum plate height of 26'-0" and a maximum Top of Roof height of 33'-0" Mixed Use with Residential, 3 Stories with a maximum plate height of 37'-0" and a maximum Top of Roof height of 45'-0"

MU 3 Development Standards	
Standard	MU3 Zone Requirement
Lot Area, Minimum	6,000 Square Feet
Lot Width, Minimum	60'-0"
Residential Density, Minimum / Maximum	Minimum one (1) dwelling unit per 1,800square feet of lot area; maximum of one (1) dwelling unit per 1,200 square feet of lot area.
Dwelling Unit Size, Minimum	600 square feet.
Front Setback, Minimum	0'-0"
Interior Side Setback, Minimum	0'-0"

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Street Side Setback, Minimum	0'-0"
Rear Setback Minimum	0'-0"
Lot Coverage, Maximum	100 percent of lot area
Residential Development Location Requirement	Habitable residential space shall be located on the second story or higher.
Floor Area Ratio, Maximum	0.35 without residential; 1.0 with residential [See multiple FARs including 'Public Benefit']
Height Limitation	For all projects 2 Stories with a maximum plate height of 26'-0" and a maximum Top of Roof height of 33'-0". For sites with sloping topography, an exception allowing a maximum height of 3 Stories with a maximum plate height of 37'-0" and a maximum Top of Roof height of 45'-0" may be approved by the City Council per <i>[Cite new section in 17.16 "Applications" providing process for consideration of the exception]</i>
Parking	In the MU3 Zone, parking is to be located behind buildings (or to the side of buildings when parking behind buildings is impossible). The calculation for parking for the Downtown Parking Study Area shall be made as follows: 1. The number of off-street parking spaces which shall be provided for an alteration of use or addition of square footage shall be the net increase ¹ in parking spaces required for the project as a result of the alteration or addition of square footage. ² 2. Waivers of the parking requirements may be approved by the City, in accordance with Section 17.64.125(A) (Waivers) within the Downtown Parking Study Area, of this title.

Notes to MU3 Development Standards, "Parking"

¹ This exception is made for the Downtown Parking Study Area because of the results of Downtown, North Beach, and Pier Bowl Parking Needs Assessment completed in 1995. The study found that there was an excess supply of parking space within the Study Area for the uses existing at the time of the study, even considering that a number of lots within the Study Area are nonconforming as to parking. When requests for alterations of use and additional square footage are considered by the City, only the net increase in parking requirements will be assessed, as opposed to requiring that projects make up for existing parking deficiencies within a site.

² Example: If an existing retail establishment currently requiring four parking spaces wishes to convert to a restaurant requiring seven parking spaces, the net increase in

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parking requirements is three spaces. To be permitted by the City, the restaurant in this example would have to be able to cover the net increase of three parking spaces. The following table illustrates the additional parking spaces that the restaurant would need to provide to be approved:

Number of Spaces Currently Provided by the Retail Establishment	Number of Spaces Which Must be Added to Allow the Restaurant
0—4	3
5	2
6	1
7	0

MU 3.1 Development Standards	
Standard	MU3.1 Zone Requirement
Lot Area, Minimum	6,000 Square Feet
Lot Width, Minimum	60'-0"
Residential Density, Minimum / Maximum	Minimum one (1) dwelling unit per 1,815 square feet of lot area; maximum of one (1) dwelling unit per 1,210 square feet of lot area.
Front Setback, Minimum	0'-0"
Interior Side Setback, Minimum	0'-0"
Street Side Setback, Minimum	0'-0"
Rear Setback Minimum	0'-0"
Lot Coverage, Maximum	100 percent of lot area
Floor Area Ratio, Maximum	0.35 without residential; 1.0 with residential
Height Limitation	Without Residential, 2 Stories with a maximum plate height of 26'-0" and a maximum Top of Roof height of 33'-0" Mixed Use with Residential, 3 Stories with a maximum plate height of 37'-0" and a maximum Top of Roof height of 45'-0"

MU 3.2 Development Standards	
Standard	MU 3.2 Zone Requirement

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Lot Area, Minimum	6,000 Square Feet
Lot Width, Minimum	60'-0"
Residential Density, Minimum / Maximum	Minimum one dwelling unit per 4,500 square feet of lot area; maximum of one dwelling unit per 1,800 square feet of lot area.
Front Setback, Minimum	0'-0"
Interior Side Setback, Minimum	0'-0"
Street Side Setback, Minimum	0'-0"
Rear Setback Minimum	0'-0"
Lot Coverage, Maximum	100 percent of lot area
Floor Area Ratio, Maximum	For lots less than 12,000 square feet, 1.00; for lots 12,000 square feet and greater, 1.50.
Height Limitation, General	A maximum plate height of 34'-0" and a maximum Top of Roof height of 42'-0"
Height Limitation, El Camino Real Frontage	The following shall be applied in addition to the General Height Limitation: As measured above the elevation of the midpoint of the front lot line [i.e- El Camino Real Frontage], no plate line shall exceed a height of 30'-0", nor shall a top of roof exceed a height of 35'-0".

MU 4 Development Standards	
Standard	MU 4 Zone Requirement
Lot Area, Minimum	6,000 Square Feet
Lot Width, Minimum	60'-0"
Residential Density, Minimum / Maximum	Minimum one (1) dwelling unit per 1,815 square feet of lot area; maximum of one (1) dwelling unit per 1,210 square feet of lot area.
Front Setback, Minimum	0'-0"
Interior Side Setback, Minimum	0'-0"
Street Side Setback, Minimum	0'-0"
Rear Setback Minimum	0'-0"
Lot Coverage, Maximum	100 percent of lot area

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Residential Development Location Requirement	Habitable residential space shall be located on the second story or higher.
Floor Area Ratio, Maximum	1.0 without residential; 2.0 with residential
Height Limitation	30'-0"

MU 5 Development Standards	
Standard	MU 5 Zone Requirement
Lot Area, Minimum	6,000 Square Feet
Lot Width, Minimum	60'-0"
Residential Density, Minimum / Maximum	Minimum one (1) dwelling unit per 1,800 square feet of lot area; maximum of one (1) dwelling unit per 1,200 square feet of lot area. <i>[This per GP Current zoning has 1du/1200]</i>
Front Setback, Minimum	10'-0"
Interior Side Setback, Minimum	5'-0"
Street Side Setback, Minimum	8'-0"
Rear Setback Minimum	5'-0"
Lot Coverage, Maximum	55 percent of lot area
Residential Development Location Requirement	Habitable residential space shall be located on the second story or higher.
Floor Area Ratio, Maximum	0.35
Height Limitation	2 Stories with a maximum plate height of 26'-0" and a maximum Top of Roof height of 33'-0"

(Ord. 1252 § 9, 2001; Ord. 1190 § 11, 1997; Ord. 1172 § 3 (part), 1996)

(Ord. No. 1536, § 4(Exh. A), 6-21-2011)

17.40.050 Mixed-use zone special development standards.

This section and Chapter 17.24, General Development Standards, of this title, includes a number of special provisions affecting mixed-use properties. Unless otherwise indicated in the referenced sections, or in other City documents regulating mixed-use

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development, the development standards listed in Chapter 17.24, General Development Standards, of this title shall apply to all zones described in this chapter.

Table 17.40.050

Special Development Standards for All Mixed-Use Zones

Standards	Sections
Accessory Buildings	Section 17.24.040
Arbors (Residential Structures Only)	Section 17.32.050(A), Arbors
Building Equipment and Services and Their Screening	Section 17.24.050
Density Allowance for Lots with Less than 3,600 Square Feet of Lot Area (Residential Lots Only)	Section 17.32.050(B), Density Allowance for Lots with Less than 3,600 Square Feet of Lot Area (residential lots only)
Distance Between Primary Buildings, Minimum Required	Section 17.32.050(C), Distance Between Primary Buildings, Minimum Required
Encroachment into Setbacks and Height Limits, General	Section 17.24.080

Standards	Sections
Fences, Walls, Hedges	Section 17.24.090
Front Setback, Special Provisions for Reduction (Residential Lots Only)	Section 17.32.050(D)
Garage Encroachment into the Front Yard Setback (Residential Lots Only)	Section 17.32.050(E)
Height Limitations	Section 17.24.110, Front Setbacks, Special Provisions for Reductions (residential lots only),

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	Section 17.32.050(D), Garage Encroachment into the Front Yard Setbacks (residential lots only), Section 17.32.050(E)
Increase in Floor Area Ratios	Section 17.24.100
Lighting	Section 17.24.130
Off-Street Loading Area	Section 17.24.150
Relocation of Structures	Section 17.24.160
Residential/Nonresidential Use Restrictions for MU3-CB	Please refer to Section 17.56.030, Central Business District Overlay.
Residential/Nonresidential Use Restrictions for MU 5.1 (Minimum Contiguous Use)	Please refer to subsection (A), Residential/Nonresidential Use Restrictions for MU 5.1.
Residentially Zoned Properties, Development Adjacent to	Section 17.24.170
Retaining Walls	Section 17.24.180
Skirt Walls	Section 17.24.190, Special Provisions for Dwelling Units with Front Entrances Located Along the Side Property Line (residential lots only), Section 17.32.050(F)
Special Provisions for Dwelling Units with Front Entrances Located Along the Side Property Line (Residential Lots Only)	Section 17.32.050(F)
Substandard Lots	Section 17.24.200
Through Lots, Rear Yard Setback For	Section 17.24.210

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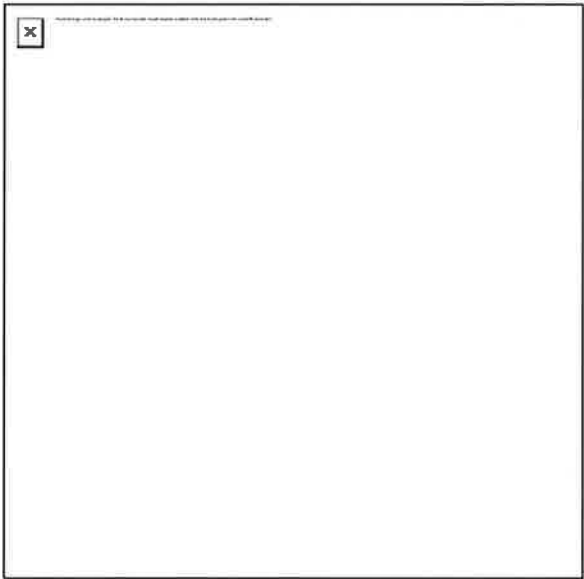
Trip Reduction Measures for Projects With Greater Than 100 Employees	Chapter 17.76
Unit Size, Minimum, MU 3	Please refer to subsection (B), Unit Size, Minimum, MU3.

A. **Residential/Nonresidential Use Restrictions for MU 5.1 (Minimum Contiguous Use).** In order to maintain and enhance the compatibility of existing land uses in the MU 5.1 zone, the development of a vacant site or demolition of an existing primary structure and construction of new primary structure on a site in this zone shall comply with the following standards:

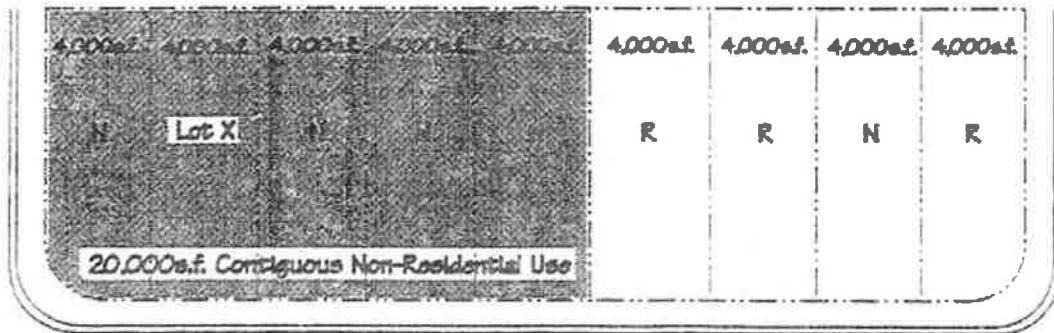
1. Nonresidential development is required on a site when the development would result in a minimum of 20,000 square feet of contiguous lot area devoted to nonresidential development within a block;

Figure 17.40.050A

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Alley



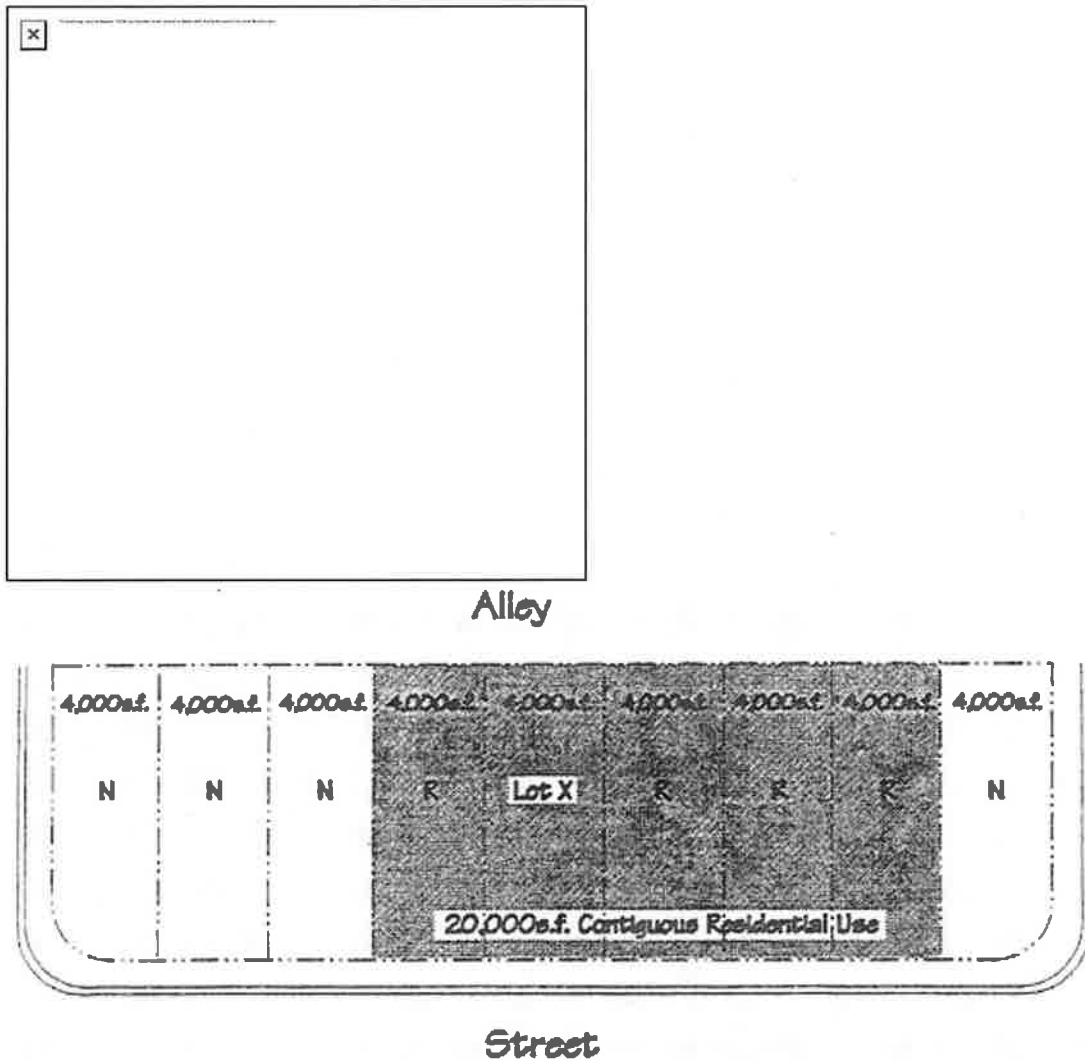
Street

Lot X Must be Developed as Non-Residential

2. Residential development is required on a site when the development would result in a minimum of 20,000 square feet of contiguous lot area devoted to residential development within a block;
3. A choice of nonresidential or residential development is allowed on a site when the following conditions exist:
 - a. The development of the property would result in a minimum of 20,000 square feet of contiguous lot area devoted to both nonresidential and residential development within a block; or
 - b. The subject site is a corner lot; or
 - c. Any other circumstances not addressed by the restrictions described in this section.

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Figure 17.40.050B

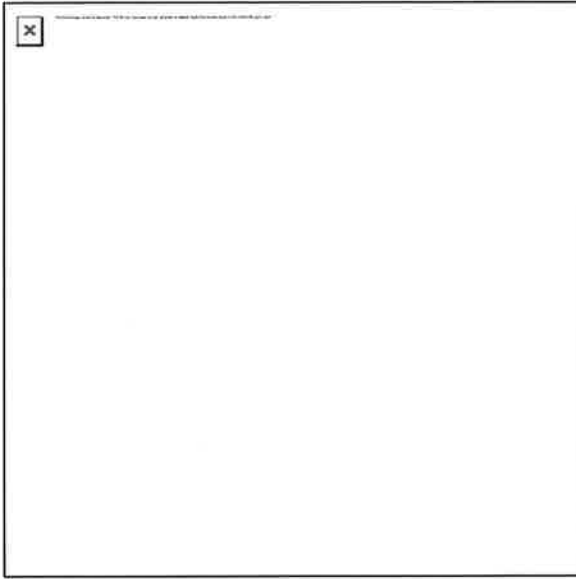


Lot X Must be Developed as Residential

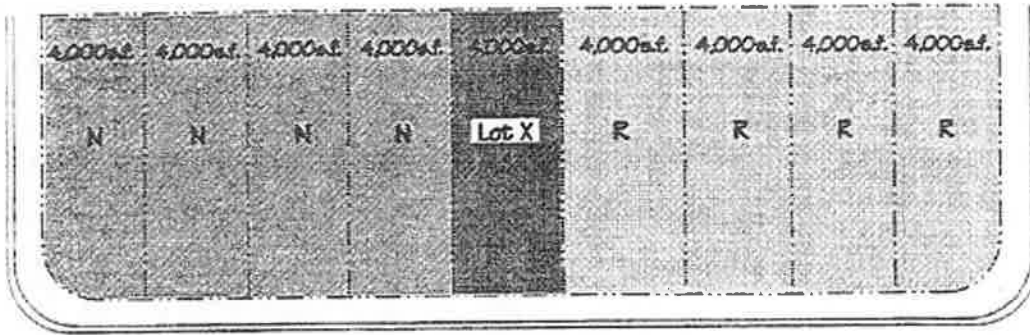
Contiguous lot area, for the purpose of this standard, includes the lot area of contiguous adjacent parcels which are currently developed with the use in question (residential or nonresidential). Contiguous lot area is calculated within blocks. Parcels located on adjacent blocks are not counted in contiguous lot area calculations.

Figure 17.40.050C

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Alley



Street

*Lot X May be Developed With Either Non-Residential or Residential
20,000sq.f. Contiguous Non-Residential Use and Residential Use*

- B. **Unit Size, Minimum, MU 3.** The minimum unit size for dwelling units in the MU 3 zone shall be 600 square feet of habitable floor area. Exceptions to this standard may be granted by the City for affordable or senior housing, through the discretionary review process required for the project.
- C. **Exceptions to the Development Standards for Lots of 12,000 Square Feet or Smaller, MU3 Zone.**
 - 1. Exceptions. Development of commercial and mixed-use projects on lots of 12,000 square feet or smaller shall comply with the standards of the MU3 Zone, with the following exceptions that may be granted through a Conditional Use Permit, in accordance with Section 17.16.060, of this title.

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- a. Minimum Floor Area Ratio for the Commercial Portion of Mixed-use Projects. The minimum floor area requirement for the commercial portion of mixed-use projects, as defined in Table 17.40.040, Mixed-use Zone Development Standards, of this title, may be reduced to the numbers indicated below, as long as the following limitations on maximum project FAR are met:

Standard	Lots 12,000 square feet or smaller
Minimum Floor Area Ratio, Commercial Portion of Mixed-use Projects	.15
Maximum Floor Area Ratio, Mixed-use Project	1.2
With Public Benefit	1.5

- b. Circulation for Commercial and Mixed-use Projects. The following exceptions from parking circulation requirements in the City's Engineering Division Technical Standards, with City Engineer's concurrence may be granted:

Standard	Lots 60 feet wide or less	Lots wider than 60 feet to lots 120 feet wide
Driveway Width, Driveways	16'—24'	20'—24'
	Lots 6,000 square feet or smaller	Lots from 6,001 to 12,000 square feet
Parking Space Width, Parking Spaces Located Adjacent to Walls	9'—11.5'	11.5'

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(This page reserved for graphics to be added at a later date)

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- c. **Maximum Height Limit for Mixed-use Projects.** Three stories, with 45 feet to top-of-roof and 37 feet to plate, may be allowed for mixed-use projects on lots 12,000 square feet or smaller, if the following finding can be made in addition to the other findings required for exceptions for mixed-use projects on small lots and the general findings for Conditional Use Permits:

The Planning Commission has reviewed and considered the project in light of the design guidelines of the City and all appropriate appendices, and finds the project to be acceptable in terms of height, massing, scale and compatibility with and/or sensitivity to neighboring projects.

- d. **Total Parking Space Requirement for Mixed-use Projects on Lots of 6,000 Square Feet or Smaller.** When the calculation of the total number of parking spaces required for a mixed-use project is a number less than five (e.g. 4.9, then the number may be rounded down, if all of the following conditions apply:

Number of Required Parking Spaces	Number Rounded Down to:	Conditions which must apply
Between 4.0 and 4.9	4	<ul style="list-style-type: none"> • Maximum one residential unit; • The net floor area of the residential portion of the project is 2,700 square feet or less; • The total number of bedrooms in the residential portion of the project is 3 or fewer; • The net floor area of the non-residential portion of the project is less than 800 square feet.
Between 3.0 and 3.99	3	<ul style="list-style-type: none"> • Maximum one residential unit; • The net floor area of the residential portion of the project is 1,800 square feet or less; • The total number of bedrooms in the residential portion of the project is 2 or fewer; • The net floor area of the non-residential portion of the project is less than 800 square feet.

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e. Landscaping for Commercial and Mixed-use Projects. The following reductions in the landscaping required in Section 17.68.050(C)(b), Urban Open Area Requirement, of this title, may be granted:

Standard	Lots 6,000 square feet or smaller	Lots from 6,001 to 12,000 square feet
Total Urban Open Area (as percent of net lot area)		No Reduction
If provided on street level	15%	
If provided on multiple levels	25%	
Percentage of Urban Open Area to be provided in Landscaping	20%	
Landscape pockets along the edges of driveways	Pockets for landscaping no deeper than 1 foot (measured into the driveway) or wider than 2 feet (measured along driveway) are allowed to project into the required driveway, as long as the landscaping pockets comply with the following conditions, which are to be included as conditions of approval for the project: <ul style="list-style-type: none"> •Are not so frequent as to essentially narrow the minimum width of the driveway; •Contain landscaping which will not hamper sight distance to the street; •and Contain landscaping which will not protrude into the driveway in a manner that hampers adequate access to and from parking spaces. 	
Landscaping credit for trailing or climbing vines	Through the discretionary review process required for a project, the City may give vine plantings credit for greater than the size of the planting area (toward the landscaping requirement for the project).	

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- f. Miscellaneous Parking Requirements for Existing Development Being Converted to a Mixed-use Project on Lots 6,000 Square Feet or Smaller. When a commercial or residential project legally existing prior to May 16, 2001, is being converted to a mixed-use project, then the requirements for covered parking, parking location, parking space size and parking-related landscaping found in this chapter may be reduced if all of the following findings can be made in addition to the other findings required for exceptions for mixed-use projects on small lots and the general findings for Conditional Use Permits.
 - i. No square footage is being added to the project;
 - ii. There is not net increase in the number of parking spaces required for the project, as defined in Table 17.40.040, Mixed-use Zone Development Standards, footnote 9. The requirement for covered parking spaces is waived for no more than two parking spaces;
 - iii. The conversion improves the quality of the project and the neighborhood;
 - iv. The conversion contributes to the goals established for the land use designation, as defined in the City's General Plan, the purpose and intent established for the zone, as defined in the Zoning Ordinance, and compliance with the guidelines, as defined in the Design Guidelines of the City; and
 - v. Except for the parking requirements being waived, the project meets the intent of the Design Guidelines of the City and all appropriate appendices, as they relate to parking.
 2. Required Findings for Exceptions. Prior to approving a Conditional Use Permit for exceptions allowed in this section, all of the following findings must be made along with the general findings required for the approval of a Conditional Use Permit:
 - a. Because of the limited size of the lot, the exception(s) is(are) reasonably necessary to accommodate development that fulfills the purpose and intent of the MU3 Zone and relevant overlay zones;
 - b. The project meets the intent of the Design Guidelines of the City and all appropriate addendums as it relates to projects in this zone.
- D. Exceptions to the Minimum Floor Area Requirements for the Commercial Portion of Mixed-use Projects for Buildings on the City's Designated Historic Structure List in the MU3 Zone.**
1. Exceptions. Structures on the City's Designated Historic Structures List and located in the MU3 Zone may be excepted from the minimum floor area requirements for the commercial portion of mixed-use projects through a

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Conditional Use Permit, in accordance with Section 17.16.060, Conditional Use Permits, of this title.

2. Required Findings for Exceptions. Prior to approving a Conditional Use Permit for an exception to the minimum commercial floor area for mixed-use projects allowed in this section, all of the following findings must be made along the general findings required for the approval of a Conditional Use Permit:
 - a. The project contains commercial floor area that meets the intent of the zone;
 - b. The exception is necessary to maintain the historical integrity of the structure;
 - c. The project meets the intent of the City's Urban Design Guidelines, as it relates to projects in this zone.

(Ord. 1304 § 27, 2005; Ord. 1252 §§ 10—12, 2001; Ord. 1172 § 3 (part), 1996)

(Ord. No. 1536, § 4(Exh. A), 6-21-2011)

FOOTNOTE(S):

--- (2) ---

Editor's note— Ord. No. 1536, § 4(Exh. A), adopted June 21, 2011, amended Ch. 17.40, in its entirety, to read as herein set out. Prior to inclusion of said ordinance, Ch. 17.40 pertained to similar subject matter. See also the Code Comparative Table and Disposition List. [\(Back\)](#)

--- (1) ---

1 Please refer to Section 17.40.050(B), Unit Size, Minimum, for provisions regarding unit size. [\(Back\)](#)

[\(Back\)](#)

--- (2) ---

2 A minor adjustment to the required front yard setback is available through the approval of a Minor Exception Permit, in accordance with Section 17.16.090, Minor Exception Permits, of this title. [\(Back\)](#)

--- (3) ---

3 A minor adjustment to the required side yard setback is available through the approval of a Minor Exception Permit, in accordance with Section 17.16.090, Minor Exception Permits, of this title. [\(Back\)](#)

--- (4) ---

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4 A minor adjustment to the required side yard setback is available through the approval of a Minor Exception Permit, in accordance with Section 17.16.090, Minor Exception Permits, of this title. ([Back](#))

--- (5) ---

5 A minor adjustment to the required rear yard setback is available through the approval of a Minor Exception Permit, in accordance with Section 17.16.090, Minor Exception Permits, of this title. ([Back](#))

--- (6) ---

6 Refer to Section 17.24.100, Floor Area Ratios, Increase In, of this title. ([Back](#))

--- (7) ---

7 Refer to Section 17.24.100, Floor Area Ratios, Increase In, of this title. ([Back](#))

--- (8) ---

8 Refer to Section 17.40.050(C), Exceptions to the Development Standards for Lots of 12,000 Square Feet, and Section 17.40.050(D), Exceptions to the Minimum Floor Area Requirements for the Commercial Portion of Mixed-use Projects for Buildings on the City's Designated Historic Structure List in the MU3 Zone, of this title. ([Back](#))

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