

CITY OF SAN CLEMENTE

LOCAL COASTAL PROGRAM

LAND USE PLAN



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CITY OF SAN CLEMENTE

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CHAPTER 1: INTRODUCTION

San Clemente's coastline provides many benefits. It is the main influence on the community's identity and beach culture, it creates a desirable climate and living environment, it provides stunning scenery and recreational opportunities, it attracts tourists and businesses, and provides diverse marine and shore habitats that are home to many plant and animal species. San Clemente is unique as it is one of the last small town beach communities in southern California. Coastline protection and land use often involve competing interests and needs. These interests must be carefully balanced to ensure long-term protection of San Clemente's unique coastal resources and character.

1.1 The Coastal Act

In October 1972, the United States Congress passed Title 16 U.S.C. 1451-1464, which established a federal coastal zone management policy and created a federal coastal zone. By that legislation, the Congress declared a national interest in the effective management, beneficial use, protection and development of the coastal zone in order to balance the nation's natural, environmental and aesthetic resource needs with commercial-economic growth. The Congress found and declared that it was a national policy "to encourage and assist the states to exercise effectively their responsibilities in the coastal zone through the development and implementation of management programs to achieve wise use of the land and water resources of the coastal zone giving full consideration to ecological, cultural, historic, and aesthetic values as well as to the need for economic development (16 U.S.C. 1452b)". As a result of that federal enactment, coastal states were provided a policy and source of funding for the implementation of federal goals.

The California Coastal Zone Conservation Act of 1972 (Proposition 20) was a temporary measure passed by the voters of the state as a ballot initiative. It set up temporary regional coastal commissions with permit authority and a directive to prepare a comprehensive coastal plan. The coastal commissions under Proposition 20 lacked the authority to implement the Coastal Plan but were required to submit the Plan to the legislature for "adoption and implementation".

The California Coastal Act of 1976 is the enacting law approved by the State Legislature. The Coastal Act established a different set of policies, a different boundary line, and different permitting procedures than Proposition 20. Further, it provides for the transfer of permitting authority, with certain limitations reserved for the State to local governments through adoption and certification of a Local Coastal Program by the California Coastal Commission

1.2 Local Coastal Program

Land use planning and development standards in the City of San Clemente's coastal zone are governed by the California Coastal Act of 1976 as amended and contained in the California Public Resources Code (Section 30000 et seq.). The Coastal Act directs "[each] local government lying, in whole or in part, within the coastal zone" to prepare a Local Coastal Program (LCP) for its portion of the California coastal zone (Section 30500).

The purpose of the LCP is to carry out the resource protection policies of the California Coastal Act of 1976. The LCP is a comprehensive long-term planning blueprint governing development in the City of San Clemente's coastal zone. The coastal zone is a distinct geographic area of land and water defined by the California Coastal Act that extends along the coastline. The approximate boundaries of the City's coastal zone are depicted in Figure 1-1, Coastal Zone Boundaries. "Development" includes construction of physical improvements, as well as changes in the use of land or water, as specifically defined within Chapter 7 (Definitions) herein. Any activity that meets the definition of development within the coastal zone requires a Coastal Development Permit unless the development is categorically excluded, exempt, or permit requirements are waived.

1.2.1 Local Coastal Program Components

A Local Coastal Program (LCP) is defined as "a local government's (a) land use plans, (b) zoning ordinances, (c) zoning district maps, and (d) within sensitive coastal resources areas, other implementing actions which when taken together meet the requirements of and implement the provisions and policies of [the Coastal Act] at the local level." (PRC Section 30108.6) A Land Use Plan (LUP) is defined as "the relevant portion of a local government's general plan, or local coastal element which are sufficiently detailed to indicate the kinds, location, and intensity of land uses, the applicable resource protection and development policies, and where necessary, a listing of implementing actions." (PRC Section 30108.5). "Implementing actions" means the ordinances, regulations, or programs which implement either the provisions of the certified local coastal program or the policies of [the Coastal Act] and which are submitted pursuant to Section 30502. (PRC Section 30108.4) Zoning ordinances, zoning district maps and other implementing actions (Implementation Program) are required to conform with, and be adequate to carry out provisions of the LUP.

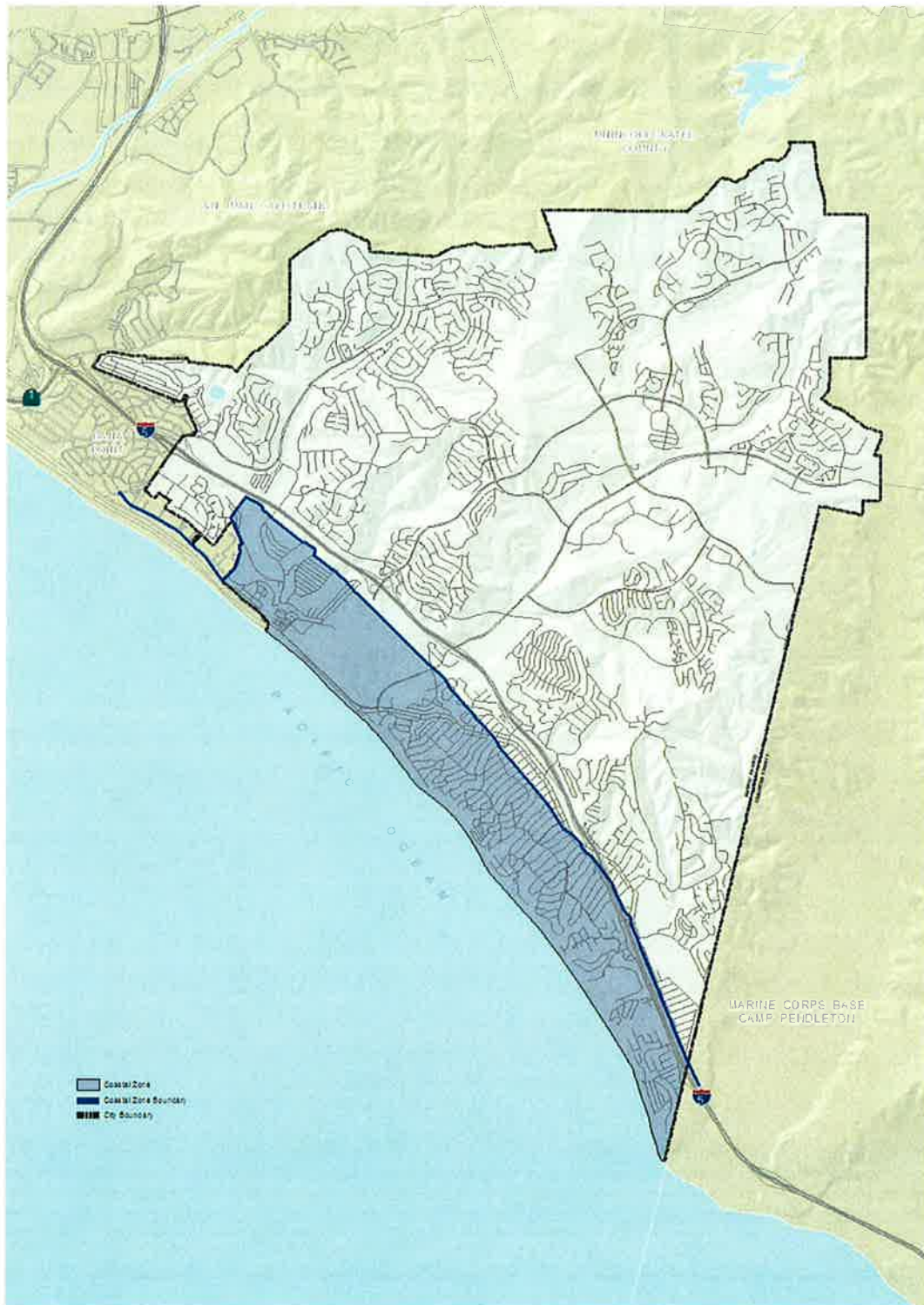


Figure 1-1
COASTAL ZONE BOUNDARIES

As required by the Coastal Act, the City of San Clemente's LCP is comprised of a Land Use Plan (LUP), an Implementation Program (IP), accompanying land use and zoning maps, and, where necessary, other implementing actions. More specifically, the City's LUP consists of Chapters 1 through 7, all appendices, and land use maps. The LUP contains written policies that indicate which land uses are appropriate in the various parts of the Coastal Zone. The LUP policies and programs also guide how natural resources shall be protected when land is developed, how public access to the coast shall be preserved, and how other coastal resources shall be maintained and enhanced. The City's IP consists of the zoning ordinances specific to the coastal zone and the zoning maps for the coastal zone. The IP plays a central role in carrying out the policies and programs of the LUP and contains specific requirements that apply to development projects, as well as detailed procedures for applicants to follow in order to obtain a coastal development permit.

The City's LUP was certified by the California Coastal Commission (CCC) in May 1988, and updated in October 1995 to maintain consistency with the City's 1993 General Plan. In 1996, a draft IP was prepared and submitted to CCC for review; however, the IP review process was never completed. This LUP will replace all provisions of the previously certified 1988 LUP.

1.2.2 General Goals and Objectives

In order to provide a Local Coastal Program (LCP) which conforms to the intent of the Coastal Act of 1976 (PRC Section 30001.5), the overriding goals of the City of San Clemente LCP shall be to:

1. Protect, maintain and, where feasible, restore and enhance the Coastal Zone's natural and manmade resources;
2. Ensure orderly, balanced conservation and utilization of Coastal Zone resources, taking into account the social and economic needs of the people of the state;
3. Maximize public access to and along the coast and public recreational opportunities in the Coastal Zone, consistent with best resource conservation principles and practices, and with constitutionally protected rights of private property owners;
4. Ensure that coastal-dependent and coastal-related development have land use priority over other types of coastal development; and
5. Coordinate with state and local agencies and to encourage beneficial public uses, including educational uses, in the Coastal Zone.

The following standards shall be applied by the City to achieve the goals and objectives of the Coastal Act in applying the policies of this LUP:

(1) The policies of Chapter 3 of the Coastal Act (PRC Sections 30200 – 30263) shall be the guiding policies of the LUP.

(2) Where conflicts occur between the policies contained in the LUP and those contained in any element of the City's General Plan, zoning or any other ordinance, the policies of the LUP shall take precedence in the Coastal Zone.

(3) Prior to approval of any Coastal Development Permit, the City shall make the finding that the development conforms to the policies and requirements contained in the LUP.

1.2.3 Coastal Development Permit Authority

After LCP certification, permit authority over most new development will transfer from the California Coastal Commission (CCC) to the City of San Clemente, which applies the requirements of the LCP in reviewing proposed new development. The CCC retains permanent coastal permit jurisdiction over development proposed on tidelands, submerged lands, and public trust lands (PRC Section 30519). Any amendments to the certified LCP will require review and approval of the CCC prior to becoming effective.

In addition, certain types of development and development within certain geographic areas approved by the City after certification of the LCP are appealable to the CCC (PRC Section 30603). Appealable development includes:

1. Developments approved by the local government between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tideline of the sea where there is no beach, whichever is the greater distance.

2. Developments approved by the local government not included in paragraph (1) that are located on tidelands, submerged lands, and public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff.

3. Developments approved by the local government not included with paragraph (1) or (2) that are located in a sensitive coastal resource area.

4. Any development approved by a coastal county that is not designated as the principal permitted use under the zoning ordinance or zoning district map approved pursuant to Chapter 6 (commencing with Section 30500).

5. Any development which constitutes a major public works project or a major energy facility.

The grounds for an appeal of an approval of a permit are limited to an allegation that the development does not conform to the standards set forth in the certified LCP or the public

access policies of the Coastal Act. In addition, the grounds for an appeal of a denial of a permit for a major public works project or major energy facility referenced in number five above are limited to an allegation that the development conforms to the standards set forth in the certified LCP and the public access policies of the Coastal Act.

Severability Clause:

If any policy, chapter, section, subsection, paragraph, sentence, clause, phrase or other portion of the LUP is for any reason held to be invalid or unenforceable by a court, such decision shall not affect the validity of the remaining portions of the LUP.

1.3 How to Use This Plan

The Land Use Plan (LUP) contains goals, policies, and implementing actions for specific coastal land uses contained in the plan. The Coastal Act contains coastal resources planning and management policies that address public access, recreation, marine environment, land resources, development, and industrial development. The Coastal LUP addresses these topics under the following chapters:

Table 1-1: Land Use Plan Organization Matrix

Topic	Section and Page	Coastal Act Reference
Introduction	Chapter 1	Sections 30000-30012
Land Use	Chapter 2	Section 30213, 30220, 30221, 30222, 30223, 30250, 30252, 30253
Public Access and Recreation	Chapter 3	Section 30210, 30211, 30212, 30212.5, 30214, 30220, 30222,
Marine and Land Resources	Chapter 4	Section 30230, 30231, 30233, 30235, 30236 30240, 30107.5
Hazards & Shoreline/Bluff Development	Chapter 5	Sections 30235, 30253
Visual and Historic Resources	Chapter 6	Sections 30251, 30244, 30253

Definitions	Chapter 7	Sections 30100-30122,
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Each chapter is divided into sections and subsections. Each chapter includes the following sections: (1) an introduction section to the resource or topical focus of the chapter; (2) identification summary of relevant Coastal Act policies; and (3) the identification of policies adopted by the City to address the requirements of the Coastal Act.

2.0 LAND USE AND NEW DEVELOPMENT

2.1 Introduction

The Coastal Zone is approximately 2,058 acres in area, of which approximately 80 percent is developed. With the exception of the State Park, several city parks, beaches, bluffs and coastal canyons, the Coastal Zone within San Clemente consists mostly of urbanized areas with residential, commercial and/or industrial development. ~~The last significant parcel of undeveloped land in San Clemente in the Coastal Zone is the Marblehead Coastal site that is in the process of being developed with a 663,877 square foot commercial outlet, 309 homes and public parks and trails.~~

~~This portion of the Land Use Plan establishes the goals and policies that will determine the manner in which growth, development and preservation occur in the City's Coastal Zone. The policies in Chapter 3 of the Coastal Act (Public Resources Code Sections 30200 through 30263) are the guiding policies of the Land Use Plan.~~

The Coastal Act requires the protection of coastal resources, including public access, land and marine habitat, and scenic and visual quality. Section 30250 of the Coastal Act requires new residential, commercial, or industrial development to be located near existing developed areas, where it will not have significant adverse impacts, either individually or cumulatively on coastal resources. Coastal Act Section 30253 requires protection of special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses. Additionally the Coastal Act contains various provisions protecting and encouraging the provision of lower cost visitor and recreational facilities and gives priority to the use of land suitable for visitor-serving recreational facilities over private residential, general industrial, or general commercial development. (Coastal Act Sections 30210-30224).

The LUP provides parameters for new development within the City's Coastal Zone. Land use types include residential, commercial, mixed use, public, recreational, and open space. The Land Use and New Development section describes each land use within the City, including the type, maximum density, and intensity for each use that may be permitted consistent with all applicable LCP policies. (See Table 2-1). The Land Use Map (Figures 2-1a, 2-1b, 2-1c, and 2-1d) depicts the land use designation for each parcel within the City's Coastal Zone. New development in the City's Coastal ZoneCity is required to be consistent with the LUP map and all applicable LCP policies.

2.2 Coastal Act Policies

The Coastal Act Policies below are included within the Land Use and Development section of the Land Use Plan:

Section 30211 ~~Development not to interfere with access~~

~~Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.~~

Section 30213 Lower cost visitor and recreational facilities; encouragement and provision; overnight room rentals (in part)

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

Section 30220 Protection of certain water-oriented activities

Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

Section 30221 Oceanfront land; protection for recreational use and development

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Section 30222 Private lands; priority of development purposes

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Section 30223 Upland areas

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

Section 30250 Location; existing developed area

- a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.
- b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.
- c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

Section 30252 Maintenance and enhancement of public access

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

Section 30253 Minimization of adverse impacts

New development shall do all of the following:

- 1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
- 2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.
- 3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development.
- 4) Minimize energy consumption and vehicle miles traveled.

- 5) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.

Section 30260 Location or expansion

~~Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this section and Sections 30261 and 30262 if (1) alternative locations are infeasible or more environmentally damaging; (2) to do otherwise would adversely affect the public welfare; and (3) adverse environmental effects are mitigated to the maximum extent feasible.~~

~~Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts of overcrowding or overuse by the public of any single area.~~

~~Provide for oceanfront land suitable for recreational use and development, unless present and foreseeable future demand for public or commercial recreational activities can be accommodated by existing development.~~

~~The use of private lands suitable for visitor serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over the private residential, general industrial or general commercial development, but not over agriculture or coastal dependent industry.~~

2.3 Land Use Designations

The Land Use Plan utilizes the same land use designations found in the Land Use Element of the City's General Plan. The Land Use Plan Maps (Figures 2-1a-d) designates the allowable land use, including the type, maximum density and intensity, for each parcel. Figures 2-2a-c show the land use overlays found in the coastal zone.

2.3.1 Land Use Designations

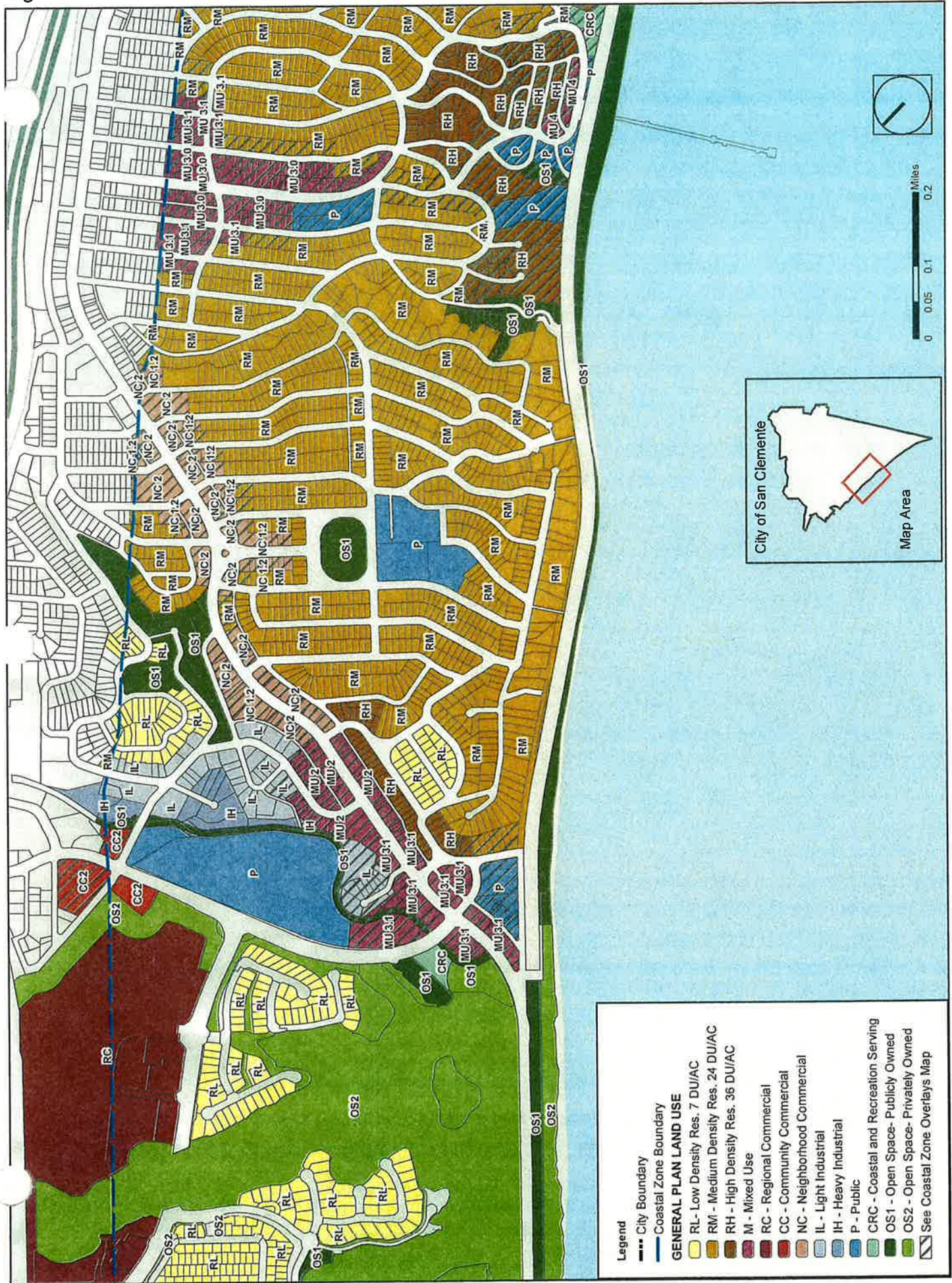
Figure 2-1a: Coastal Land Use Map



Data Source: City of San Clemente
12.22.2014



Figure 2-1 b

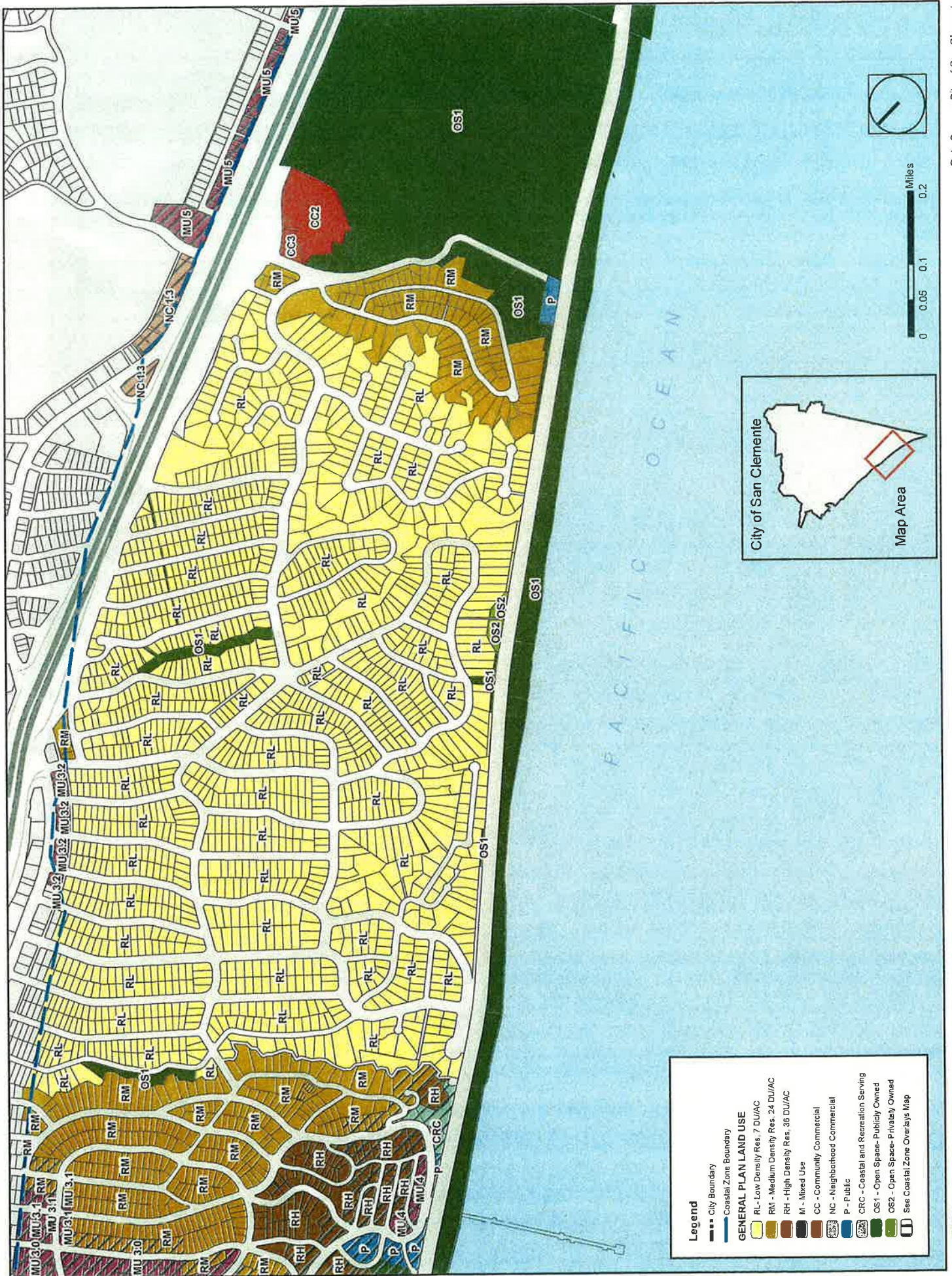


Data Source: City of San Clemente
2.18.2015

Figure 2-1 B
LAND USE



Figure 2-1c



Data Source: City of San Clemente
2.18.2015



Figure 2-1d

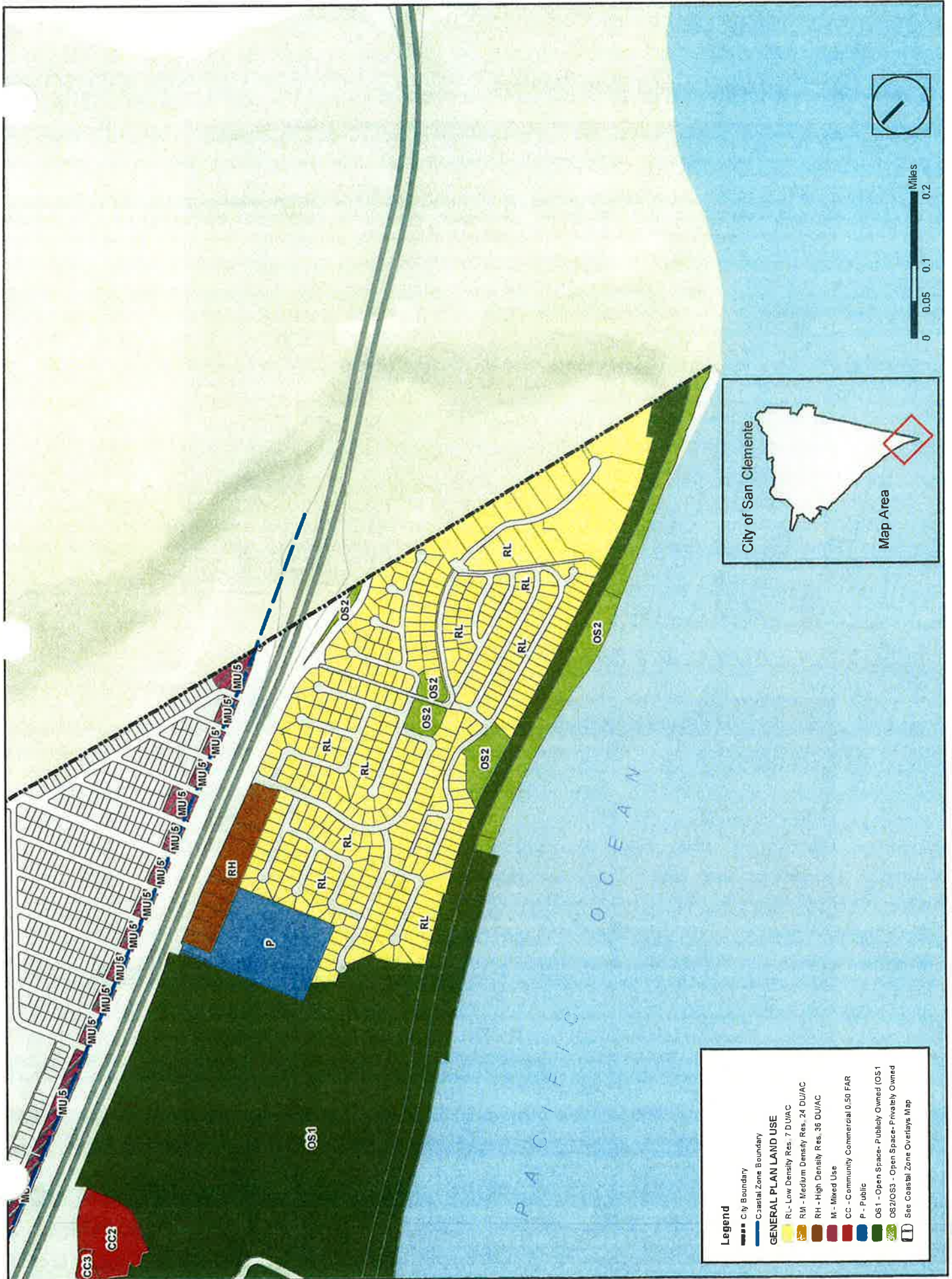
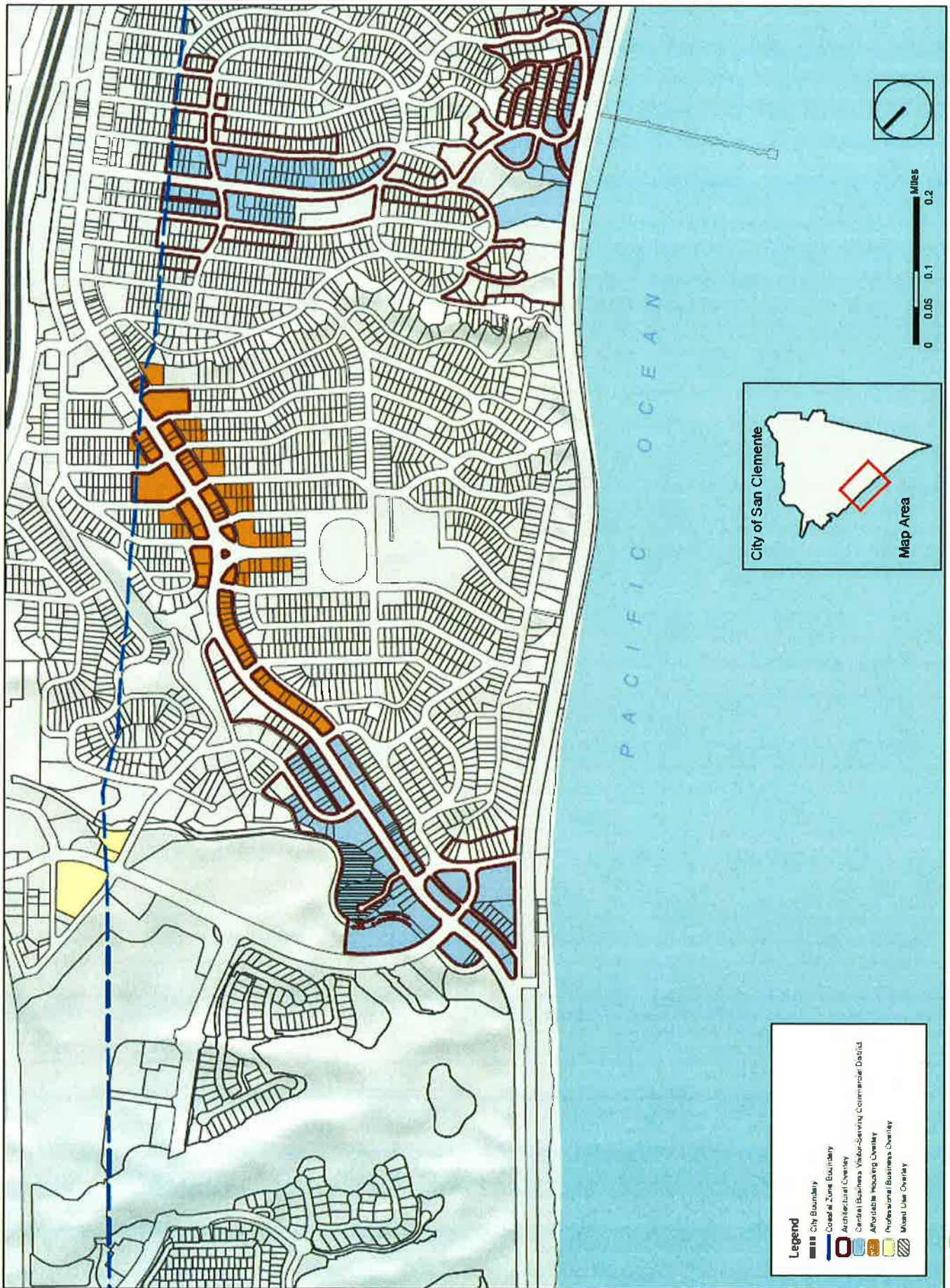


Figure 2-1E

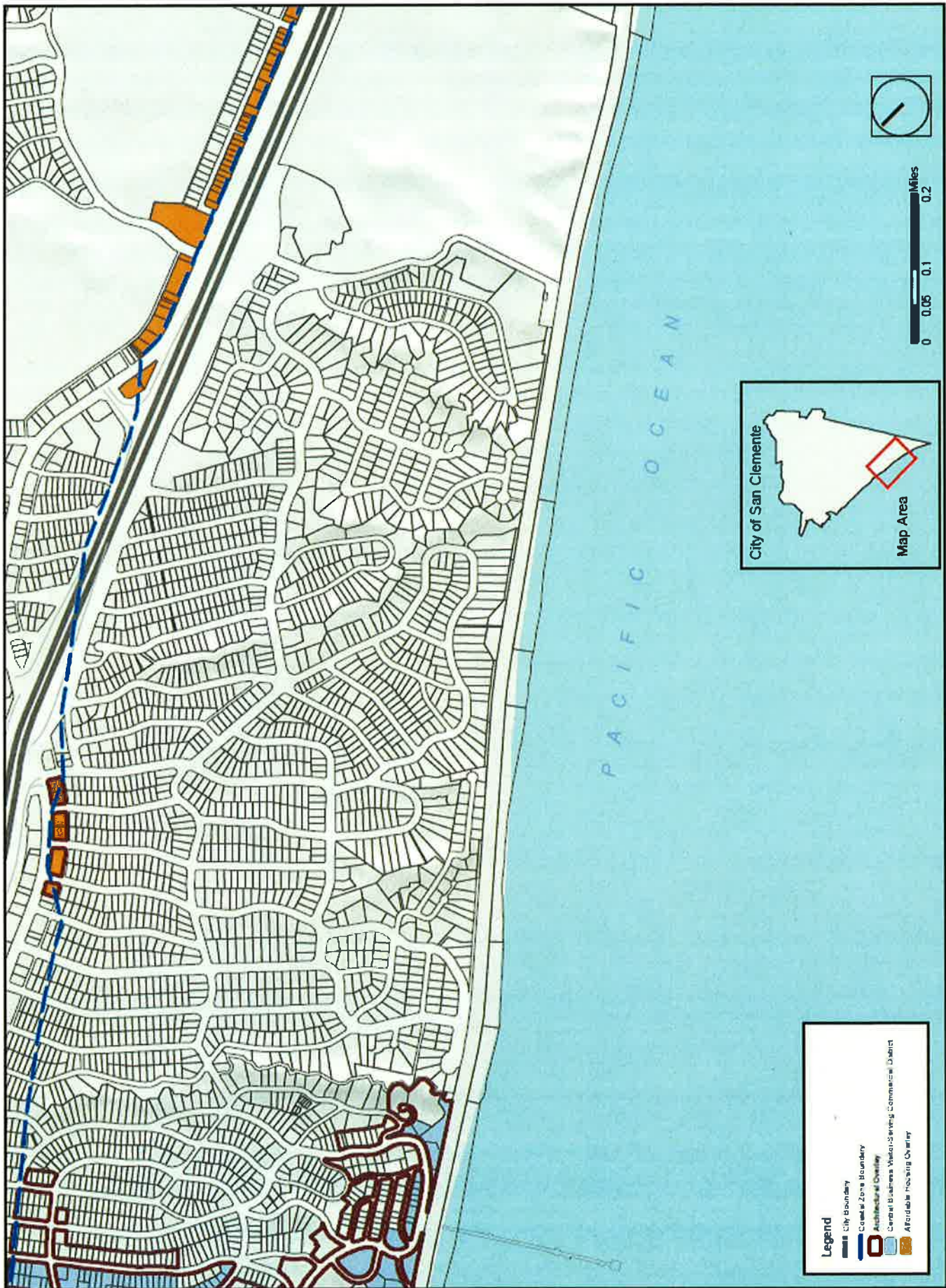


Data Source: City of San Clemente
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Figure 2-1-E
LAND USE COASTAL ZONE OVERLAYS



Figure 2-1F

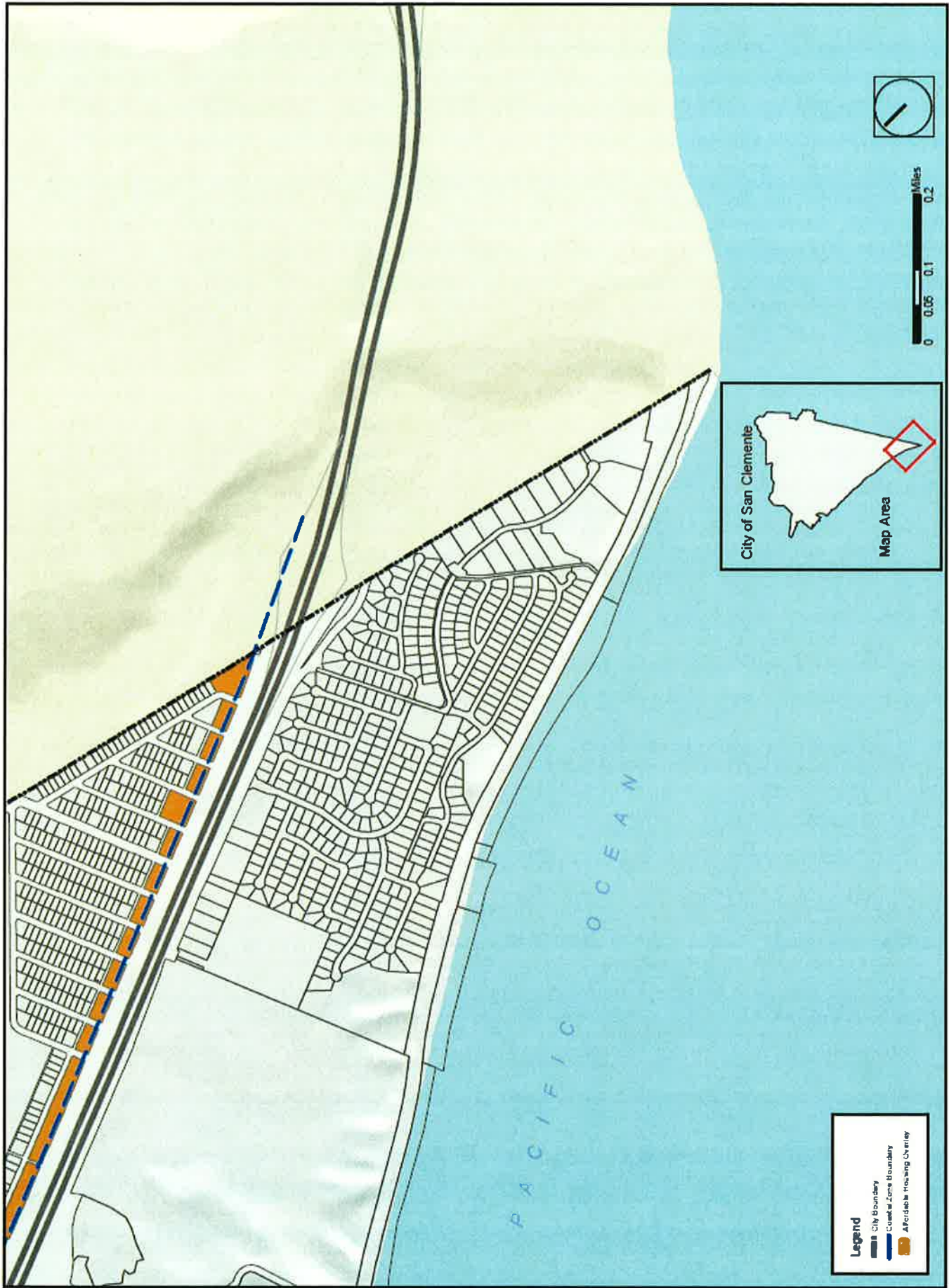


Data Source: City of San Clemente
12.22.2014

Figure 2-1F
LAND USE COASTAL ZONE OVERLAYS



Figure 2-1G



Data Source: City of San Clemente
12.22.2014

Figure 2-1G
LAND USE COASTAL ZONE OVERLAYS



Table 2-1: Coastal Land Use Designations

<u>Land Use Designations</u>	<u>Maximum Density/</u>	<u>Building Height</u>	<u>Allowable Uses</u>
<u>Residential</u>			
<u>Residential Very Low (RVL)</u>	<u>1 unit per 20 gross acres</u>	<u>25 feet</u>	<u>Single-family detached homes, typically in an estate setting, Bed-and Breakfast</u>
<u>Residential Low (RL)</u>	<u>4.5 units per gross acre</u> <u>7.0 units per net acre</u>	<u>25 feet</u>	<u>Single-family detached homes</u> <u>Bed-and Breakfast</u>
<u>Residential Medium Low (RML)</u>	<u>7.0 units per gross acre</u> <u>10.0 units per net acre</u>	<u>25 feet</u>	<u>Single-family detached and attached homes, including clustered homes and townhomes</u> <u>Bed-and Breakfast</u>
<u>Residential Medium (RM)</u>	<u>15.0 units per gross acre</u> <u>24.0 units per net acre</u>	<u>25 feet</u>	<u>Single-family detached and attached homes, including clustered homes and townhomes, Bed and Breakfast facilities and multifamily apartments</u>
<u>Residential High (RH)</u>	<u>24.0 units per gross acre</u>	<u>45 feet</u>	<u>Single-family attached homes, including townhomes and condominiums,</u>

	<u>36.0 units per net acre</u>		<u>and multifamily apartments and Bed and Breakfast facilities</u>
<u>Commercial</u>			
<u>Neighborhood Serving (NC)</u>	<u>NC 1.1: 0.35 FAR</u> <u>NC 1.2: 0.35 FAR</u> <u>NC 1.3: 0.35 FAR</u> <u>NC 2: 0.50 FAR</u> <u>NC 3: 0.75 FAR</u>	<u>1 story; TOR: 15 ft.</u> <u>2 stories; TOR: 33ft.; PL: 26ft.</u> <u>3 stories; TOR: 45 ft.; PL: 37 ft.</u> <u>2 stories; TOR: 33 ft.; PL: 26 ft.</u> <u>3 stories; TOR: 45 ft.; PL: 37 ft.</u>	<u>Local-serving retail commercial, personal service, professional office, lodging, cultural facilities, churches, and eating and drinking uses, vehicle related repair, sales and service</u>
<u>Community Serving Commercial (CC)</u>	<u>CC 1: 0.50 FAR</u> <u>CC 2: 0.5 FAR</u> <u>If Hospital use, 2.0 FAR</u>	<u>2 stories; TOR: 33 ft.; PL: 26 ft.</u> <u>3 stories; TOR: 45 ft.; PL: 37 ft.</u> <u>If hospital use: 4 stories TOR: 54 ft.; PL: 45 ft.</u>	<u>More intense development of local- serving retail commercial; visitor-serving commercial; personal service; professional office; hospital, medical offices, churches congregate care, and related uses; lodging; cultural uses and eating and drinking uses, vehicle related repair, sales and service</u>

<u>Regional Serving (RC)</u>	<u>0.50–2.00 FAR</u>	<u>3 stories TOR: 45 ft. PL: 37 ft. Exceptions granted for a theater and/or clocktower (62 ft. for highest architectural projection; PL: 55 ft.).</u>	<u>Regional-serving retail commercial; visitor-serving commercial; entertainment; dining; financial and professional offices; lodging</u>
<u>Coastal and Recreation Serving (CRC)</u>	<u>1.00-1.50 FAR</u>	<u>Per existing building height at street elevation</u>	<u>Coastal-oriented retail and visitor-serving commercial, recreation, dining, and lodging</u>
<u>Industrial Light (IL)</u>	<u>LI 1: 0.35 FAR</u> <u>LI 2: 0.50 FAR</u>	<u>2 stories or 3 stories with office; 45 ft..</u> <u>WPCSP 3 stories; TOR: 45 ft.; PL: 37 ft.</u>	<u>A mixture of business park, research and development, professional offices, light industrial uses such as light assembly and manufacturing, and supportive retail. Limited retail and service commercial uses supporting these areas are allowed.</u>
<u>Industrial Heavy (IH)</u>	<u>0.75 FAR</u>	<u>2 stories; 35 ft.</u> <u>WPCSP: 2 stories: 25 ft. except concrete batch plant structures 70 ft</u>	<u>Industrial uses including vehicle storage, manufacturing warehousing, and wholesaling</u>
<u>Mixed Use</u>			

			second floor or higher.
<u>MU 3.1</u>	<p><u>1.00 FAR without residential</u></p> <p><u>2.00 FAR with residential</u></p> <p><u>>24.0–36.0 dwelling units per acre</u></p>	<p><u>Commercial projects:</u></p> <p><u>2 stories;TOR: 33ft;PL: 26ft</u></p> <p><u>For mixed use projects with lots greater than 12,000 sf:</u></p> <p><u>3 stories;TOR: 45 ft.PL: 37 ft.</u></p> <p><u>Mixed use projects with lots 12,000 sf or smaller:</u></p> <p><u>2 stories;TOR: 33 ft.;PL: 26 ft. (An exception for 3 stories, TOR: 45 ft., PL: 37 ft. may be granted through CUP.)</u></p>	<p><u>A vertical or horizontal mix of commercial and residential uses, including concentrated visitor-serving commercial, lodging and dining facilities. Office (outside pedestrian areas)</u></p>
<u>MU 3.2</u>	<p><u>1.00 FAR without residential</u></p> <p><u>1.50 FAR with residential</u></p> <p><u>>10.0-24.0 dwelling units per acre</u></p>	<p><u>2 stories without residential;TOR: 33 ft.;PL: 26 ft.</u></p> <p><u>3 stories with residential;TOR: 45 ft.;PL: 37 ft.</u></p>	<p><u>A vertical or horizontal mix of commercial and residential uses, including ground floor visitor-serving uses.</u></p>
<u>MU 4</u>	<p><u>1.00-2.00 FAR</u></p> <p><u>>24.0–36.0 dwelling units per acre</u></p>	<p><u>30 feet</u></p>	<p><u>A vertical or horizontal mix of commercial and residential uses, including ground floor visitor-serving uses. Attached and</u></p>

			<u>multifamily housing is permitted on the second floor or higher.</u>
<u>MU 5</u>	<u>0.35 FAR</u> <u>>24.0–36.0 dwelling units per acre</u>	<u>Commercial projects:</u> <u>2 stories;TOR: 33ft.;PL: 26 ft.</u> <u>Residential projects:</u> <u>2 stories;TOR: 33 ft.PL: 26 ft</u>	<u>Commercial and residential uses, including ground floor visitor-serving uses. Attached and multifamily housing is permitted on the second floor or higher.</u>
<u>Public</u>			
<u>Public (P)</u>			<u>Governmental administrative and related facilities, utilities, schools, public and private parking and undeveloped parks</u>
<u>Open Space</u>			
<u>Open Space (OS2) (Private)</u>	<u>N/A</u>	<u>To be determined on an individual basis.</u>	<u>Privately owned parklands, recreational facilities, passive open space areas; habitat protection areas and golf courses</u>
<u>OS2</u>			<u>Privately owned parklands and recreational</u>

			<u>facilities providing active recreation, including sports fields and golf courses</u>
<u>OS2-Conservation</u>			<u>Privately owned habitat protection areas</u>
<u>Open Space (OS 1) (Public)</u>	<u>N/A</u>	<u>To be determined on an individual basis.</u>	<u>Publicly owned existing and dedicated parklands, passive open space areas, beaches, active recreational facilities, public and private parking and golf courses</u>
<u>OS1</u>			<u>Publicly owned parklands and recreational facilities providing active recreation, including sports fields and golf courses</u>
<u>OS1-Conservation</u>			<u>Publicly owned habitat protection areas</u>

Overlays

<u>Architectural Design (-A)</u>	<u>As specified in underlying land use designation.</u>	<u>As specified in the underlying land use zone.</u>	<u>Uses permitted by the underlying land use category; must be designed in accordance with Spanish Colonial Revival standards</u>
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<u>Visitor-Serving Commercial District (-VSCD)</u>	<u>As specified in underlying land use designation</u>		<u>Uses permitted by the underlying land use category (mixed use or commercial); that promote the development and retention of pedestrian-oriented land uses, including but not limited to commercial, lodging, eating and drinking establishments.</u>
<u>Affordable Housing (-AH)</u>	<u>As specified in underlying land use designation.</u>	<u>As specified in the underlying land use zone.</u>	Affordable Housing
<u>Medical Office (-MO)</u>	<u>0.75 FAR No change to underlying use (Community Commercial); add option if Master Plan is approved.</u>	<u>As specified in the underlying land use zone.</u>	<u>Provides additional medical office capacity with Master Plan. Ancillary retail and service uses allowed. Community Commercial uses are still permitted as underlying land use.</u>
<u>Planned Residential District (-PRD)</u>	<u>As specified in underlying land use designation.</u>	<u>No Change</u>	<u>Provides flexible regulations to foster creative design, environmental sensitivity, variety, innovation, and amenities</u>
<u>Professional Business (-PB)</u>		<u>0.75 FAR No change to underlying use (Community Commercial); adds</u>	<u>Provides additional office capacity and institutional uses (e.g., small university, college</u>

		<u>option if a Master Plan is approved.</u>	<u>or trade school) with Master Plan. Ancillary retail and service uses allowed. Community Commercial uses are still permitted as underlying land use.</u>
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Residential Land Use

San Clemente is home to diverse residential neighborhoods, from the planned communities of Marblehead to the older neighborhoods and subdivisions generally located along the east side of Interstate 5 and the areas west to the Pacific Ocean. Neighborhoods offer a variety of single family and multifamily housing opportunities in a number of settings (e.g., along golf courses, overlooking the Pacific Ocean, in master planned communities with amenities like swimming pools and tennis courts, or in mixed use developments). Public open space and recreation may be permitted. Senior housing may also be permitted.

Commercial Land Use

San Clemente offers a full spectrum of retail, service, professional, office, medical, tourist-related, and entertainment uses at a range of intensities to meet the daily needs of our residents and employees and attract visitors to our key destination areas. In addition to providing jobs, amenities and services, commercial uses generate tax revenues that are essential for maintaining our community’s quality of life. Visitor-serving commercial uses are permitted and encouraged in designated pedestrian areas. Senior housing may also be permitted.

Mixed-Use

Mixed-use zoning, as it is applied in San Clemente, refers to the vertical or horizontal mixing of commercial and residential uses. The Land Use Plan provides for the development of single or combined parcels for mixed commercial and residential development. Vertically mixed structures typically incorporate retail, office, and/or parking on the lower floors and residential units above. Areas that allow a horizontal mix also allow stand-alone uses and provide greater flexibility as to where specific uses are located on a site. While the Plan does not mandate the development of mixed-use projects, it does permit these in key commercial areas.

~~Areas designated as mixed-use are concentrated in the six of the eight Focus Areas, described below of the General Plan: Los Molinos (Pico Plaza area), North Beach/North El Camino Real, Del Mar/T Zone, Pier Bowl, South El Camino Real (West of Interstate 5), and South El Camino Real (East of Interstate 5). The development standards that apply to Mixed Use zoning may vary by district. Several mixed use zones are established, depending upon the land use intensity, arrangement and relationship of residential and commercial uses on a site. These relationships are summarized in Table LU-1 and graphically shown on Figures LU-3a, LU-3b, and LU-3c. Mixed-use zones create enhanced vitality and pedestrian activity in areas where residents have convenient access to retail, services, jobs and other amenities. They can also help reduce vehicle trips and associated air pollution, provide “built-in” customers for businesses, and encourage development of convenient and affordable housing opportunities, while providing visitor-serving uses to encourage tourism. Senior housing may also be permitted.~~

Industrial Land Use

A wide range of employment-generating land uses are provided within these areas, including manufacturing, research and development, offices, and in designated areas, automobile, truck, boat, RV and motorcycle sales and services. The allowable mix and intensity of uses within these areas provide significant job opportunities for residents and allows development to respond to changing market conditions and commercial space needs. The industrial areas also allow a range of compatible or complementary, non-industrial uses that benefit from the location and type of facilities, such as restaurants, religious facilities, specialized schools, emergency shelters, and other public assembly uses.

Open Space

Lands are designated for parks, beaches, natural open space, active recreational areas and trails to provide a variety of recreational opportunities and maintain the scenic beauty of the community. Plan policy includes the continuation and maintenance of existing parks, beaches, and trails; preservation of open space which is publicly owned, encumbered by easements, or maintained by homeowners associations; dedication of new parklands and open space through the development review process; preservation of coastal canyons and significant environmental habitats, and the construction of new pedestrian and bike trails in the City.

Public Land Use

Public uses include governmental offices, hospitals, social services, recreational and cultural facilities, schools and libraries. To effectively serve the public, such uses are located throughout the City.

2.3.2 City Overlays

Architectural Overlay

The purpose of the "-A" Overlay designation is to signify a visually distinct district in San Clemente, containing structures characterized by two significant design orientations: 1) the City's traditional architectural style, Spanish Colonial Revival, and 2) a pedestrian orientation.

Visitor Serving Commercial District Overlay

The purpose of the Visitor Serving Commercial District (-VSCD) Overlay designation in the City's Coastal Zone is to signify core commercial and mixed-use districts in which the City will encourage pedestrian uses to be located in pedestrian spaces (on the street level of the project along the sidewalk/street), thereby facilitating pedestrian activity along sidewalks and throughout the area. This goal is to be achieved by reviewing all uses requiring discretionary review for their appropriateness in pedestrian spaces. The City recognizes that the market for pedestrian uses in the MU3 zone fluctuates and, as such, provides this discretionary review process for the approval of non-pedestrian uses in pedestrian spaces.

Planned Residential District Overlays

The purpose of the Planned Residential District (-PRD) Overlay is to provide flexible regulations in order to foster innovation, variety, amenities, and a sensitivity to the natural topography in residential development. The intent is to allow development to deviate from conventional residential standards to achieve higher quality rather than increased density.

Special Residential Overlays

Special Residential Overlays identify the special characteristics of specific communities that were developed in the City with specific development standards. The Implementation Plan will identify the specific development standards for each Special Residential Overlay in the Coastal Zone.

North Beach Parking Overlay

The purpose of the North Beach Parking Overlay designation is to improve parking availability and efficiency in the North Beach area by creating parking standards for the commercially zoned parcels which are responsive to this unique area, and to protect the

residents by not impacting parking in the residential area. The intent of the North Beach Parking Overlay is to address parking for the district as a whole.

Affordable Housing Overlay

The purpose of this section is to provide for the development of affordable rental and for sale housing in commercial and mixed use zones. The intent is to facilitate the development of affordable housing, enable the City to meet its housing goals, and ensure that affordable developments will be compatible with surrounding land by establishing an overlay district and standards.

Automobile Related Land Uses

~~Given San Clemente's location along Interstate 5, the primary vehicular corridor between western Orange and San Diego Counties, San Clemente has a long history of providing automobile-oriented services, particularly along the historic El Camino Real Corridor.~~

~~El Camino Real has long provided various automotive repair services, auto-related retail businesses and fueling stations for San Clemente residents, employees, visitors and travelers. As residential neighborhoods adjacent to the corridor developed, concerns increased about the compatibility of automobile-related uses along El Camino Real with adjacent neighborhoods and with the surrounding community character.~~

~~The long range intent for automobile-related uses is that these uses are gradually relocated from El Camino Real to industrial areas and business parks in the City. In the meantime, General Plan policies allow automobile-related uses that are existing at the time of adoption of this General Plan to continue. The policies are intended to improve the compatibility of such uses with surrounding uses.~~

Visitor-Serving Land Use/Tourism

~~Visitor serving facilities include public and private development that provides service, food or accommodations. Some of the existing coastal visitor serving uses within the San Clemente Coastal Zone include hotels, motels, bed and breakfast inns, youth hostel, time share units, campgrounds, restaurants, public parking lots, motion picture theater, specialty retail and other commercial recreational development.~~

~~San Clemente offers many opportunities to use and enjoy the coast, including the many public beaches, the historic Municipal Pier, the Ole Hanson Beach Club, ocean front parks, the California Coastal Trail, which includes the City's Beach Trail, which runs the length of the City, the Amtrak and Metrolink train facilities, and numerous public access trails that link the community with the Pacific Ocean. San Clemente currently provides~~

~~445 overnight accommodations in the Coastal Zone, which can serve coastal visitors. Coastal visitor serving facilities are concentrated in the Camino de los Mares, Los Molinos, North Beach, El Camino Real, Del Mar/T Zone, and Pier Bowl areas. Visitor-serving facilities include hotels, motels, bed and breakfast inns, a youth hostel, time share units, campgrounds, restaurants, public parking lots, specialty retail, and other commercial recreational development.~~

~~There are twelve coastal visitor-serving facilities (hotels, motels and inns) listed in Table 2.2, as well as an estimated 3000 vacation rental units.~~

~~Table 2.2: Hotels, Motels and Inns within the Coastal Zone~~

2.3.3 Focus Areas and Marblehead Coastal Plan Area

San Clemente is known as the “Spanish Village by the Sea” and is comprised of various neighborhoods and communities that vary in terms of their uses, types of development and architectural character. Focus Areas, considered to have the most potential for change, have been identified by the community. Four Focus Areas are located in the Coastal Zone and one located just outside (surf zone) known as the “Surf Zone” is located just outside the Coastal Zone boundary. These areas are identified below and their locations are depicted on Figure 2-3, Focus Area Locations Map. Focus Area policies provide specific direction for certain communities, in addition to all other applicable policies of the LCP.

The Marblehead Coastal Development Plan Area was previously considered a “white hole,” or uncertified segment of the Coastal Zone, but is now included as a part of the City’s LCP. Policies for the Marblehead Coastal Development Plan Area carry forward the requirements of the Coastal Development Permit No. 5-03-013 conditions of approval.

Los Molinos Focus Area

The Los Molinos Focus Area is a unique industrial district in the community. It celebrates its history as the industrial center for the surfing industry, a place known for its local artisans and craftsman, and as an area where business incubation is encouraged. At the same time, the area continues to allow successful small businesses to maintain and expand their operations. Los Molinos is primarily an industrial and commercial neighborhood located north of the western end of North El Camino Real. ~~bounded on the east by interstate 5, on the west by the Avenida Pico and Marblehead Coastal, on the north by Marblehead Coastal, and on the south by Los Obreros Land and residential neighborhoods.~~

It is envisioned as a thriving, creative business incubator district that builds upon its industrial and surf heritage. Vehicle and marine sales and services are also accommodated in this area. The largely commercial area east of Calle Industrias and adjacent to Interstate 5 is envisioned as an institution-anchored employment center offering learning, employment and housing opportunities.

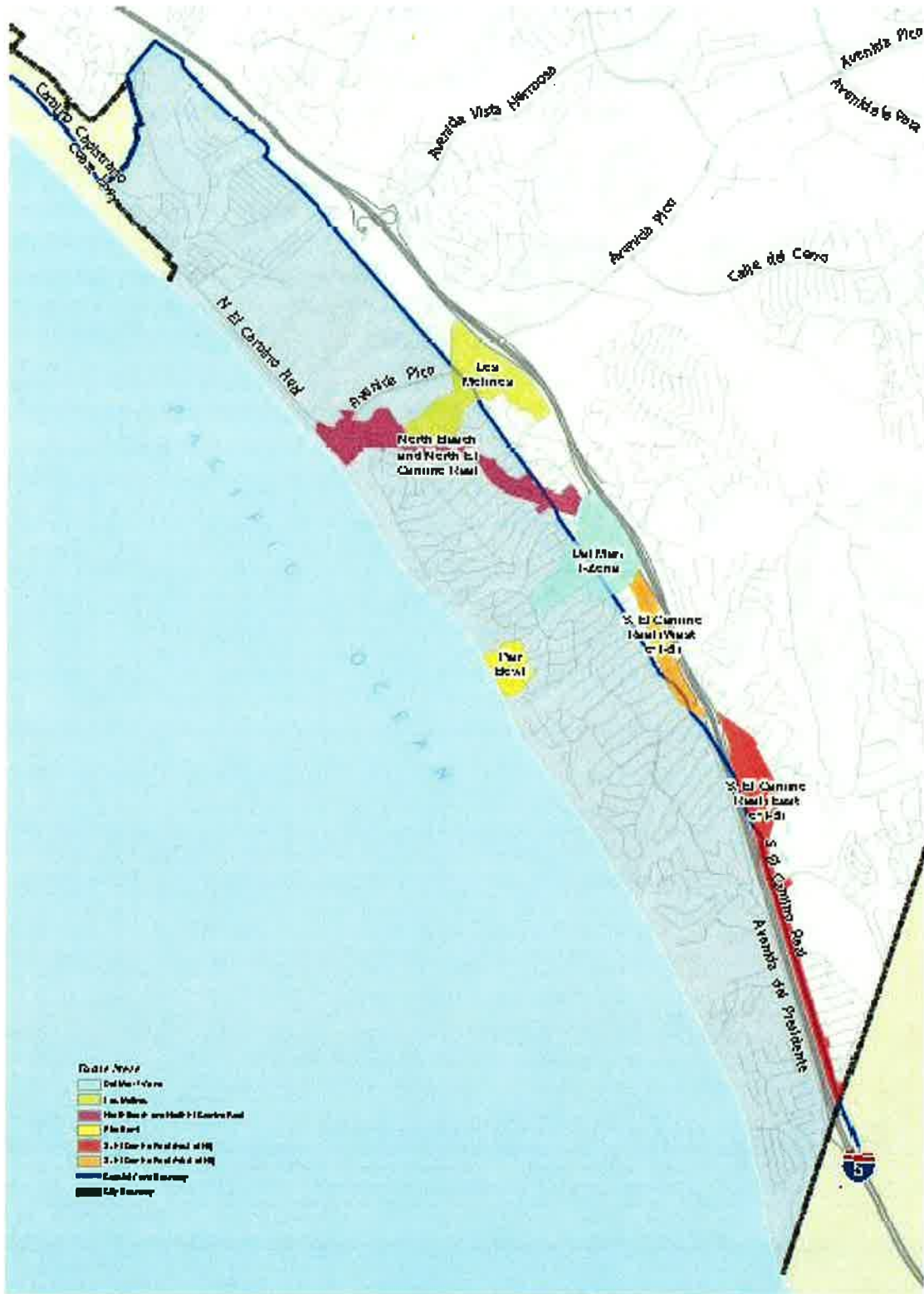


Figure 2-3
FOCUS AREAS



North Beach/North El Camino Real Focus Area

The North Beach/North El Camino Real Focus Area is a unique, community- and coastal visitor-oriented entertainment hub and recreation area. It is an important City gateway along the historic El Camino Real/Pacific Coast Highway from beach cities to the north. The area's on-going revitalization is based on the community's desire to preserve and enhance its key assets. The Area's assets include: views of the ocean, convenient beach access, a rich inventory of historic buildings, access to passive and active recreational amenities and numerous visitor-serving shops and services.

With access to the Metrolink rail station, the Beach Trail, numerous bikeways and pedestrian paths, and the historic El Camino Real corridor that connects many of the City's activity areas, the NB/NECR area is a key multimodal transportation hub. There is a balance between automobile, bicycle and pedestrian mobility, and the area is well connected to adjacent neighborhoods.

Del Mar/T-Zone Focus Area and Downtown Core

The Del Mar/T-Zone is the City's historic core and the heart of the Downtown area. It is the City's most diverse, pedestrian-oriented visitor serving commercial district, offering retail shops, commercial services, eating and drinking establishments, offices and dwellings – a true mixed-use district. It is, as stated in the General Plan Guiding Principles, “the heart of the Spanish Village by the Sea—it is everybody's neighborhood.” As a successful retail, restaurant and entertainment center, it attracts locals and visitors with activities throughout the day and evening and with festive street fairs and festivals throughout the year. The Area exhibits a balance between economic and cultural vitality and village character through its Spanish Colonial Revival architecture, pedestrian-orientation and ocean views that provide a unique sense of place. The retail core is well connected to residential neighborhoods within and adjacent to the area, and it serves as one of the primary community gathering places.

The vision for the T-Zone is to maintain its overall character, scale and massing of buildings, while creating opportunities for improvements, enhancements and refinements to the physical environment.

Pier Bowl Focus Area

The Pier Bowl Focus Area is a high activity, pedestrian-oriented, coastal activity center serving residents and visitors. It capitalizes on its exceptional ocean views, ocean-side location, and abutting historic Municipal Pier. The former home of the City's founder, Ole Hanson (now the Casa Romantica Cultural Center and Gardens) is located here, plus many other historic resources. The Pier Bowl is another key destination area of the City with a rich heritage.

The Pier Bowl Focus Area is defined by its exceptional beach experience, rich history, nearby amenities and its own Amtrak/Metrolink station. It is an ocean-side recreation area with a mix of housing types, lodging, beach- and community-serving retail uses, small-scale supporting services, and strong connections to other the Del Mar/T-Zone and North Beach areas. One of the City's most recognizable landmarks—the San Clemente Municipal Pier—is a destination in its own right, offering dining, sightseeing, fishing and other recreation opportunities.

Marblehead Coastal Area

The Marblehead Coastal ~~Specific Plan~~ Area is located in the northern portion of the City, just seaward of the I-5 Freeway. Marblehead Coastal includes residential and commercial development, public parks, trails and open space and associated infrastructure including roads and utilities on a 201.38-acre site that is primarily located within the Coastal Zone. (The portion of the development extending inland of the Coastal Zone boundary is not a part of the LCP.) The Coastal Commission previously approved the overall development plan in 2003, with multiple subsequent amendments. The policies in Section 2.4.9 outline the special conditions of CDP 5-03-013 ensure protection of coastal resources and consistency with the Coastal Act. The City assumes permit authority for the Marblehead Coastal ~~Development Plan~~ Area upon LCP certification.

Surf Zone Focus Area

Located just outside of the Coastal Zone, the Surf Zone is a significant visitor-serving area that provides much of the lodging stock to serve visitors to San Clemente. The southern end of the Surf Zone is the trail head to the world famous Trestles surfing area. The Surf Zone refers to the areas along South El Camino Real, south of Avenida Valencia to the San Diego County line. The LUP contains policies to encourage the continued provision of overnight accommodations in the Surf Zone area.

2.2 Coastal Act Policies

~~The Coastal Act Policies set forth below are incorporated herein as policies of the Land Use Plan:~~

Section 30211 Development not to interfere with access

~~Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.~~

Section 30213 Lower cost visitor and recreational facilities; encouragement and provision; overnight room rentals

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

Section 30220 Protection of certain water-oriented activities

Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

Section 30221 Oceanfront land; protection for recreational use and development

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Section 30222 Private lands; priority of development purposes

The use of private lands suitable for visitor serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal dependent industry.

Section 30223 Upland areas

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

Section 30250 Location; existing developed area

d) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

e) Where feasible, new hazardous industrial development shall be located away from existing developed areas.

~~f) Visitor serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.~~

Section 30252 Maintenance and enhancement of public access

~~The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.~~

Section 30253 Minimization of adverse impacts

~~New development shall do all of the following::~~

- ~~1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.~~
- ~~2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.~~
- ~~3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development.~~
- ~~4) Minimize energy consumption and vehicle miles traveled.~~
- ~~5) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.~~

Section 30260 Location or expansion

~~Coastal dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this section and Sections 30261 and 30262~~

~~if (1) alternative locations are infeasible or more environmentally damaging; (2) to do otherwise would adversely affect the public welfare; and (3) adverse environmental effects are mitigated to the maximum extent feasible.~~

~~Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts of overcrowding or overuse by the public of any single area.~~

~~Provide for oceanfront land suitable for recreational use and development, unless present and foreseeable future demand for public or commercial recreational activities can be accommodated by existing development.~~

~~The use of private lands suitable for visitor serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over the private residential, general industrial or general commercial development, but not over agriculture or coastal dependent industry.~~

2.4 Land Use and New Development Policies

2.4.1 Residential Development Policies

Goal 2-1 Achieve a mix of residential neighborhoods and housing types that meets the diverse economic and physical needs of residents, that is compatible with existing neighborhoods and the surrounding environmental setting, and that reflects community expectations for high quality.

Policies

LU-1 **General.** Accommodate the development of a variety of housing types, styles, tenure and densities that are accessible to and meet preferences for different neighborhood types (e.g., mixed use pedestrian environments and traditional suburban neighborhoods), physical abilities and income levels, pursuant to the Land Use Plan and Housing Element. (LU-1.01)

LU-2 **Access to Amenities.** Require residential developments to be designed to promote safe and convenient access to nearby commercial centers, community facilities, parks, open space, transit facilities, bikeways, trails and other amenities, as applicable. (LU-1.02)

LU-3 **Maintenance of Neighborhood Character.** Maintain elements of residential streets that unify and enhance the character of neighborhoods, including parkways, street trees, and compatible setbacks. (LU-1.03)

LU-4 *Historically-Significant Neighborhood Character.* Encourage the preservation of historically significant residential and commercial structures and for any defined historic district. Protect its its Character-defining components features to the historic resources should be protected.

LU-5 *Single-Family Residential Uses.* Require that single-family houses and sites be designed to convey a high level of architectural and landscape quality in accordance with the ~~Urban Design Element and Zoning Code~~, and consideration of the following (LU-1.04):

- a) Varied and distinct building elevations, facades, and masses (avoiding undifferentiated "box-like" structures);
- b) Building scale and massing that is compatible with existing development;
- c) Use of ~~extensive site~~ landscaping to complement the architectural designs of structures;
- d) Reduced area and width of paving in front yards for driveway and garage access; and
- e) Location and design of garages so that they do not dominate the appearance of the dwelling from the street.

LU-6 *Multi-Family Residential Uses.* Require that multi-family residential projects be designed to convey a high level of quality and distinctive neighborhood character ~~accordance with the Urban Design Element and Zoning Code~~. New multi-family housing development projects shall (LU-1.05):

- a) Use building materials, colors, and forms which complement the neighborhood, while allowing flexibility for distinctive, high-quality design solutions;
- b) Design all building elevations to convey the visual character of individual units rather than a single, continuous building mass and volume;
- c) Visually hide or buffer subterranean parking garages;
- d) Use a well-defined roofline;
- e) Include separate, well-defined entries to convey the visual character of individual identity of each residential unit. Entries may be developed onto exterior facades, interior courtyards, and/or common areas;
- f) Locate and design parking areas and garages to be architecturally integrated with and complementary to the main structure;
- g) Use generous site landscaping, consistent with City Landscape Standards;
- h) Include setbacks, consistent with the surrounding neighborhood, along the street frontage containing landscaping. Building entries shall be connected to public sidewalks to encourage safe and convenient pedestrian access; and
- i) Minimize the total area of driveway paving in relation to landscaping. At least fifty (50) percent of the street yard shall be landscaped; and

- j) Provide on-site open space amenities that are accessible and of sufficient size to be usable by tenants, in common areas and/or with individual units pursuant to the Zoning Code.

LU-7 Residential Infill. Require that new residential development be compatible with adjacent structures and land uses and we require (LU-1.06):

- a) Mitigation of noise, traffic (automobile and truck), and lighting impacts of abutting commercial uses, where applicable;
- b) Use of complementary building materials, colors, and forms, while allowing flexibility for distinguished design solutions.

LU-8 Categorical Exclusion. Allow for permit exclusion of qualifying types of residential development through California Coastal Commission approval of a new Categorical Exclusion order.

LU-9 Air Quality. Require new development to utilize appropriate SCAQMD air quality mitigation measures. (NR-5.01)

LU-10 Site Planning and New Building Design. Require energy-efficient subdivision, site planning and building design in compliance with local and state code requirements, as applicable. Measures to be considered include building orientation and shading, landscaping, maximum use of natural daylight, reflectance of building, natural ventilation, active and passive solar heating and hot water system, etc. In establishing these energy related design requirements, balance energy-efficient design with good planning principles. (NR-6.02)

LU-11 Retrofit of Commercial and Residential Buildings. Encourage and provide incentives for voluntary retrofitting of commercial and residential buildings to reduce energy use. (NR-6.03)

LU-12 Green Building. Encourage application of green building practices and pursuit of LEED certification where feasible.

LU-13 New Residential Development and Remodeling Projects Light Pollution. Require development projects and major remodel projects to minimize light pollution and trespass while enhancing safety and aesthetics. (NR-7.01)

LU-14 Non-conformance. Require new development to meet all current development standards. Non-conforming structures shall be brought into conformance with current codes and standards for projects that result in an addition of 50% or more of the gross square footage of the existing structure or the demolition of 50% or more of the existing exterior linear length of the walls For development

within potentially hazardous areas, including bluffs and coastal canyons, triggers are specified in Chapter 5 Hazards Policies..

LU-15 Nonconforming mobilehome and mobilehome park uses. Nonconforming mobilehomes may be replaced, renovated, remodeled, expanded or repaired. New mobilehome accessory structures and utility improvements are permitted. Mobilehome park common areas, roadways, and utility improvements may also be added, repaired, renovated, remodeled, expanded or replaced. All mobilehome and mobilehome park improvements shall comply with Mobilehome Parks and Installations Act.

LU-16 Affordable Housing Density Bonuses. Implement the provisions of Government Code Section 65915 regarding the provision of density bonuses and other regulatory incentives for affordable and senior housing projects. When an applicant seeks a density bonus for a housing development within, or for the donation of land for housing within, the City, the City shall provide the applicant with incentives or concessions for the production of housing units. Affordable, senior, and density bonus projects must comply with the required setbacks for bluffs, coastal canyons, and ESHA.

2.4.2 Commercial Development Policies

Goal 2-2 Achieve and maintain a healthy employment base with diverse retail, office, and service uses that: 1) meet citizens' needs; 2) help generate municipal revenues that improve quality of life; 3) are compatible with adjacent residential neighborhoods; and 4) support the goals and policies of the Economic Development Element.

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, NC2 and NC3. The General Plan restricts the intensity of the Neighborhood Commercial Zones primarily through the floor area ratio limit for the zones

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.

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 Regional Commercial Zone regulated by the Zoning Ordinance: RC 2. The General Plan primarily distinguishes this site by the uses allowed.

Coastal and Recreation Serving (CRC). City will encourage pedestrian uses to be located in pedestrian spaces (on the street level of the project along the sidewalk/street), thereby facilitating pedestrian activity along sidewalks and throughout the area.

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

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

Policies

LU-17 *Development Quality.* Require that new development protect community character by providing architecture, landscaping and urban design of equal or greater quality than in keeping with the character of the surrounding development, and by respecting the architectural character and scale of adjacent buildings. Infill development and redevelopment shall be reviewed for compatibility with the character of the surrounding neighborhood as part of the coastal development permit application review process (LU-2.01)

LU-18 *Lot Combinations, Subdivisions, and Mergers.* The City shall discourage lot combinations, subdivisions, and lot mergers for redevelopment where the result may adversely impact community character.

LU-19 *Identification of Commercial Areas.* Require distinctive entry and informational signage, street trees, street furniture, pedestrian-scaled lighting, and other improvements to uniquely identify individual commercial districts, including: the Downtown Core, North Beach, South El Camino Real, Pico Plaza, Los Molinos, Camino de los Mares, Avenida Pico, Marblehead Coastal, and Shorecliffs. (LU-2.02)

LU-20 *Neighborhood Compatibility.* Require that commercial projects abutting residential neighborhoods be designed and operated to protect residents from the

effects of noise, light, odors, vibration traffic, parking and other operational impacts. (LU-2.03)

Environmental Compatibility and Quality. Require commercial districts and uses to be compatible with their environmental setting, promote City environmental goals and be designed and operated to avoid or mitigate environmental impacts. (LU-2.07)

LU-21 Visitor-Serving Commercial Uses in the Visitor Serving Commercial District (VSCD). Prioritize visitor-serving commercial uses shall be a priority in over other types of new commercial development, as private lands suitable for visitor-serving commercial recreational facilities. These uses shall designed to enhance public opportunities for coastal recreation and shall have priority over general commercial development in the VSCD Overlay. The Overlay protects the visitor-serving uses and prevents the conversion of existing visitor-serving development to other uses.

LU-22 Types of Visitor-Serving Commercial Uses. Visitor-serving retail, hotels/motels, and eating/drinking establishments are allowed uses in all commercially designated areas.

LU-23 Overnight Accommodations. Encourage the provision and retention of a range of overnight accommodations serving visitors to San Clemente.

2.4.3 Mixed Use Development Policies

Goal 2-3 Promote and support development in areas designated for Mixed Use that is attractively designed, adds vitality and pedestrian activity, enhances economic opportunities, reduces vehicle trips and associated air pollution and offers convenient and affordable housing opportunities for all income levels.

POLICIES:

LU-24 Horizontal and Vertical Mix. Permit a range of horizontally and vertically mixed uses appropriate to key areas of the City. (LU-3.01)

Flexibility. ~~Apply flexible development standards to respond to changing market demands, where it can be demonstrated that by doing so, the proposed development or land use will help achieve General Plan goals. (LU-3.02)~~

LU-25 Ground Floor Retail. In pedestrian-oriented environments, require retail uses to be located on the ground floor to provide convenience and good visibility for shoppers. Whenever possible, require off-street parking to be screened and located on the side or at the rear of buildings. (LU-3.03)

LU-26 Upper Floors. Where buildings over two stories are allowed, require building facades above the second floor to be set back from lower, street-facing facades to minimize building height and bulk, ~~pursuant to the Zoning Ordinance, Design Guidelines, and applicable Specific Plans.~~ (LU-3.04)

LU-27 Stand Alone Residential Uses. In Mixed Use areas outside the VSCD Overlay, stand alone residential uses are permitted. In these areas, require stand alone dwellings to be compatible with adjacent commercial and mixed uses and with adjacent neighborhoods. Such developments shall (LU-3.05):

- a) buffer the residential use from abutting commercial uses;
- b) adequately mitigate the noise, traffic, parking (automobile and truck), and lighting impacts of abutting commercial use;
- c) locate and design dwellings to provide adequate security and privacy for residents; and
- d) minimize, to the extent practical, adverse impacts on the integrity and continuity of nearby commercial uses by considering the long term needs of commercial and residential uses, such as commercial loading, solid waste and recycling storage, private open space, landscape buffers, noise and odors.

LU-28 Visitor-Serving Commercial Uses in Mixed Use Development. ~~First-floor commercial visitor-serving amenities such as directional signage, benches, and drinking fountains shall be a provided as~~ Prioritize visitor-serving commercial uses on the ground floor of proposals for mixed use development. as pPrivate lands suitable for visitor-serving commercial recreational facilities, designed to enhance public opportunities for coastal recreation, shall have priority over private residential development and general commercial development. The VSCD Overlay prioritizes visitor-serving uses within the Overlay.

LU-29 Types of Visitor-Serving Uses in Mixed Use Development. Prioritize visitor-serving commercial uses such as eating/drinking restaurants, lodging, shops, and tourist-oriented businesses in mixed use developments.

2.4.4 Industrial Development Policies

~~For specific guidance for the areas, please refer to their respective Focus Areas and applicable Specific Plan documents identified below.~~

Goal 2-4 Create and maintain diverse employment opportunities located in areas that provide strategic advantages for employers to locate in San Clemente, provide head-of household jobs, generate municipal revenues, and improve quality of life, while minimizing impacts on surrounding neighborhoods.

POLICIES:

LU-30 Existing Industrial Property Owners and Businesses. Recognizing the industrial heritage of the area and its economic benefits to the community, we allow property owners and business to maintain and expand their operations, consistent with the General Plan and Zoning Code. LU-9.01.

~~All General Plan guidance for Industrial Land Uses and their surrounding areas are contained within the Land Use Designations descriptions and in the Focus Areas noted below. Additional guidance for these areas is provided by Specific Plans for each area.~~

2.4.5 Open Space Development Policies

Goal 2-5 Preserve open spaces which provide visual relief, amenities and recreational opportunities, protect environmental resources, protect the population from environmental hazards, and are in balance with new development.

Policies

LU-31 Active Open Space. Designate lands for the provision of active recreational open spaces ~~on the Coastal Land Use Plan Map~~ which are sufficient to meet the needs of existing and future residents (*GP Policy 1.9.1, V.1*).

LU-32 Passive Open Space. Designate lands for the provision of passive and visual open space ~~on the Coastal Land Use Plan Map~~, which provide a balance to the urban and suburban development of the City (*GP Policy 1.9.2, V.2*).

LU-33 Habitat Protection. Designate lands for habitat protection that are subject to development restrictions ~~the Coastal Land Use Plan Map~~.

LU-34 Significant Resources and Hazards. Designate lands for the protection of significant environmental resources and protection of life and property. ~~from environmental hazards on the Coastal Land Use Plan Map~~ (*GP Policy 1.9.3, V.3*).

LU-35 Recreational Development. Provide for the development of additional open spaces for active recreational purposes ~~in accordance with the Parks and Recreation Element and Master Plan of Parks and Recreation~~ (*GP Policy 1.9.10, V.4*).

LU-36 Open Space Increase. Encourage an increase in the City's stock of areas designated for recreational and conservation uses and acquisition of new properties for this purpose.

LU-37 Open Space Preservation. The City of San Clemente requires city voter approval that changes the permitted uses of open space lands to non-open space uses. (*Ordinance 1475 Measure V, See Appendix **)

2.4.6 Public and Development Policies

Goal 2-6 Provide a variety of public areas that can be used for such as governmental, administrative, recreational, cultural, public safety facilities, and educational purposes, to meet the broader community's needs and designed to be compatible with surrounding neighborhoods, and with the architectural character of the local areas in which they are located.

POLICIES:

LU-38 Existing and New Public Uses. Allow the continuation of public recreational, cultural (libraries, museums, etc.), educational, and governmental uses (police, lifeguard, fire, etc.), and health and social service uses at their locations ~~as of the date of adoption of this General Plan~~. In addition allow the development of new Public uses in areas designated as public and in other land use zones where they complement and are compatible with adjacent land uses. (LU-6.01)

LU-39 New Private and Non-profit Uses. Allow compatible private and nonprofit recreation, cultural, educational, institutional, and health and social services and other similar uses in areas designated for commercial or business park uses. (LU-6.02)

LU-40 Religious Facilities. Allow for the continuation of existing and development of new religious facilities in any land use zone where they are compatible with adjacent uses. (LU-6.03)

LU-41 Child and Adult Day Care. Allow for the continuation of existing and development of new child and adult day-care facilities in any land use zone where they are compatible with adjacent uses. (LU-6.04)

LU-42 Public Buildings and Sites. Establish standards for City-owned facilities and coordinate with other public agencies to ensure that public buildings and sites are designed to be compatible in scale, mass, character, and architecture with adjacent buildings ~~and to ensure they follow design standards in this General Plan and in the Design Guidelines~~ for the district or neighborhood in which they are located, including the use of landscaped setbacks, walls, and other appropriate elements to mitigate operational and visual impacts on adjacent land uses. (LU-6.05)

Automobile-Related Land Uses

~~**Goal 2-12** Encourage the relocation of automobile-related uses to industrially designated lands and business parks and permit the continuation of automobile-related uses, existing as of the date of adoption of this Plan, that do not detract from the aesthetics, character and function of the surrounding area.~~

POLICIES:

~~**New Fueling Stations and Supporting Service Facilities.** We pPermit the development of new fueling stations and support facilities in commercial and business park districts, provided they are (LU-5.01):~~

- a) ~~Designed to convey a high quality architectural and landscape character, consistent with the overall character and image of the City, as specified in the Urban Design Element; and~~
- b) ~~Limited to a single corner of a street intersection and located at a limited number of key activity intersections, as designated in the Specific Plans for the Ranches; and~~
- c) ~~Consistent with the Zoning Ordinance and Design Guidelines.~~

~~**Existing Fueling Stations and Supporting Service Facilities.** We pPermit the continuation of fueling stations and supporting service facilities existing as of the date of adoption of this General Plan and located along major streets and highways. Expansion or modification of such facilities shall be designed to convey a high quality architectural and landscape character, consistent with the overall character and image of the City as specified in the Urban Design Element. (LU-5.02)~~

~~**New Automobile-Related Service and Repair Uses.** We pPermit the development of automobile-related service and repair uses (e.g., tire shops, lube and tune, and other similar uses) in certain commercial and business park districts and designated sites within specific plan areas. Such uses shall be designed to convey a high quality architectural and landscape character, consistent with the overall character and image of the City as specified in the Urban Design Element. New car rental businesses on El Camino Real are allowed if the new business is limited to an office use and up to five (5) rental cars on site at any time. (LU-5.03)~~

~~**El Camino Real and Other Mixed Use and Pedestrian-Oriented Areas.** With the exception of automobile-related parts sales with no onsite installation of parts, we prohibit new and major expansions of automobile-related uses along El Camino Real and in other commercial and mixed use areas of the City designated to promote pedestrian activity. (LU-5.04)~~

~~**Existing Auto-Related Service and Repair Uses along El Camino Real.** We cConsider automobile-related service and repair uses located along El Camino Real, existing as of the date of adoption of this Plan, to be conforming land uses which may continue. Expansion of such uses or structures shall not be allowed. Modification of such facilities shall be designed to convey a high quality architectural and landscape character, consistent with the overall character and image of the City as specified in the Urban Design Element. (LU-5.05)~~

2.4.7 Visitor-Serving Land Use and Development Policies

Coastal Act policies (PRC 30212.5, 30213, 30220-30223 and 30250 (c)) require provisions for public and low cost recreation and visitor serving facilities by requiring that suitable land be designated for these uses and that they be given priority. The LUP contains policies and land uses designed to maintain and expand the mixture of both public and private recreational and visitor-serving facilities in the City.

Visitor serving facilities include public and private development that provides service, food or accommodations. Some of the existing coastal visitor-serving uses within the San Clemente Coastal Zone include hotels, motels, bed and breakfast inns, time share units, campgrounds, restaurants, public parking lots, movie theater, specialty retail and other commercial recreational development.

San Clemente offers many opportunities to use and enjoy the coast, including the many public beaches, the historic Municipal Pier, the Ole Hanson Beach Club, ocean front parks, the California Coastal Trail, which includes the City's Beach Trail, and runs the majority length of the City, the Amtrak and Metrolink train facility, and numerous public access trails that link the community with the Pacific Ocean. San Clemente currently provides 445 overnight accommodations in the Coastal Zone, which can serve coastal visitors. Coastal visitor-serving facilities are concentrated in the Camino de los Mares, Los Molinos, North Beach, El Camino Real, Del Mar/T-Zone, and Pier Bowl areas.

There are ~~Fourteen~~^{nineteen} coastal visitor-serving facilities (hotels, motels and inns) listed in Table 2-2, as well as an estimated 3,000 vacation rental units. The City also has 160 camping sites, of which 72 are for recreational vehicles, at San Clemente State Beach.

Table 2-2: Hotels, Motels and Inns within the Coastal Zone

Name	Address	Number of Rooms	Rate (\$)
<u>Always Inn: Bed and Breakfast</u>	<u>177 Avenida Cabrillo</u>	<u>3</u>	<u>255</u>
Beachcomber	533 Avenida Victoria	12	330
<u>Best Western Casa Blanca Inn</u>	<u>1601 N. El Camino Real</u>	<u>63</u>	<u>188</u>
<u>San Clemente Surf Inn</u>	<u>3619 S. El Camino Real</u>	<u>12</u>	<u>100</u>
Casa Tropicana	610 Avenida Victoria	<u>89</u>	<u>330</u>

<u>Comfort Suites San Clemente Beach</u>	<u>3701 S. El Camino Real</u>	<u>65</u>	<u>189</u>
<u>Hampton Inn and Suites</u>	<u>2481 S. Camino Real</u>	<u>69</u>	<u>249</u>
<u>La Vista Inn Motel</u> <u>Holiday Inn Express</u>	35 Calle De Industrias <u>2435 S. El Camino Real</u>	100 <u>10</u>	120
<u>Rodeway Inn</u>	<u>1301 N. El Camino Real</u>	<u>43</u>	<u>177</u>
San Clemente Cove	104 S. Alameda	<u>33</u> <u>34</u>	<u>177</u>
San Clemente Inn	2600 Ave. Del Presidente	97	185
Sea Horse Inn	602 Victoria	11	249
<u>Travelodge</u>	<u>2441 S. El Camino Real</u>	<u>23</u>	<u>160</u>
Villa Del Mar Inn	612 Avenida Victoria	8	?
Total		<u>445</u> <u>457</u>	

Source: AAA and business' website

Policy Intent

LUP policies provide for maintaining and enhancing the variety of visitor-serving facilities and uses that exist in San Clemente's Coastal Zone. These uses will continue to be located throughout the Coastal Zone.

Goal 2-7 Protect, promote, and provide visitor-serving facilities in San Clemente's Coastal Zone.

POLICIES:

LU-43 Overnight Accommodations. Protect, encourage and, where feasible, provide lower cost overnight accommodations in the Coastal Zone, including the possibility of a youth or elder hostel. (C-1.14)

LU-44 Lower and Moderate Cost Opportunities. Encourage and maintain lower and moderate cost coastal recreational and visitor-serving uses and opportunities.

LU-45 Priority Use. Visitor-serving commercial and/or recreational facilities in commercial and visitor-serving areas shall be given priority over private residential or general commercial development.

LU-46 Affordability Classification. Establish a classification method to define whether a facility providing overnight accommodations is lower, moderate, or higher cost within the San Clemente hotel submarket. Classification criteria may include Average Daily Rate (ADR) during peak summer season and per person value.

LU-47 Inventory. Conduct an annual inventory of the number of existing motel and hotel rooms and room rates overnight accommodations serving San Clemente. The inventory will include: number of rooms, affordability classification, and type of lodging.

LU-48 Range of Pricing. Encourage new overnight visitor accommodation developments to provide a range of rooms and room prices in order to serve all income ranges. Consistent with Section 30213 of the Coastal Act, the City shall in no event (1) require that overnight room rental be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private land; nor (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

LU-49 Protection of Overnight Accommodations Stock. Discourage reduction in total stock of overnight accommodations in existence as of the effective date of adoption of this Land Use Plan. Based on the City's 2015 inventory shown in Table 2.2, there are 14 hotels/motels in the City's coastal zone providing 457 rooms and 160 campsites.

LU-50 Overnight Accommodations Affordability Ratio. Protect the variety and affordability of overnight accommodations available to the City's visitors by maintaining an equivalent ratio of lower, moderate and higher cost accommodations. At no time shall should the percentage of higher cost accommodations exceed 33% of the total stock.

LU-51 Conversion. Any hotel/motel rooms for which a certificate of occupancy has been issued on or before the effective date of adoption of this Land Use Plan shall should not be permitted to convert to a limited use overnight visitor accommodation.

LU-52 Timeshares (Fractional/Limited Use) Accommodations. Prohibit Discourage new fractional timeshare or limited-use overnight accommodations in areas designated for hotel/motels use meant to serve as a priority visitor-serving commercial uses.

LU-53 **Mitigation for Higher Cost Overnight Accommodations.** Establish a method to mitigate potential impacts of new higher cost overnight accommodations on San Clemente's lower cost visitor-serving accommodations to ensure that a balance of overnight accommodations types at various price points continue to be provided. Mitigation may include creation of new lower cost accommodations or contribution to an account used to fund the creation or protection of lower cost accommodations within the San Clemente coastal area. Priority shall be given to mitigation proposals providing lower cost overnight accommodations to organized youth programs.

LU-54 **Pier Bowl and North Beach.** Prioritize visitor-serving and recreational uses in areas designated mixed use in the Pier Bowl and North Beach areas.

LU-55 **Surfing Heritage.** Recognize the value of our beaches, surfing and the surfing industry to the City's heritage and economy. Encourage the preservation and growth of this aspect of the City's cultural and economic fabric. (ED-3.04)

LU-56 **Heritage Tourism.** Recognize heritage tourism as an integral part of our Economic Development. (ED-3.05)

LU-57 **Bicycle Tourism.** Leverage San Clemente's position as a regional coastal route to capture bicycle tourism. (ED-3.06)

LU-58 **Sports Tourism and Competition.** Leverage San Clemente's position as a regional center for sports tourism and competition, with emphasis on surfing, aquatic sports, golf, and soccer. (ED-3.07)

LU-59 **Vacation Rentals.** The City shall conditionally allow the renting of residential properties as vacation rentals within residentially zoned areas when they do not present any negative impacts to the established residential neighborhood. Vacation rentals shall not have any negative impacts on the adjacent residential properties, and shall conform to the requirements of the zone, standards, and laws established by the City.

2.4.8 Conservation and Sustainability.

LU-60 **New development shall:**

- a) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.
- b) Minimize energy consumption and vehicle miles traveled (PRC 30253).
- c) Implement the regional Air Quality Management Plan (AQMP) air quality mitigation measures for new development.

- d) Minimize water consumption rates in San Clemente through site design, use of efficient systems, drought tolerant landscape and other techniques.
- e) Implement National Pollutant Discharge Elimination System (NPDES) to prevent storm water run-off pollution in accordance with the Federal Clean Water Act. (VII.2, GP Policy 6.4)

LU-61 Greenhouse Gases (GHG) Emissions Reductions. Reduce GHG emissions in accordance with regional, State and Federal regulations, consistent with the adopted Climate Action Plan. (NR-5.03)

LU-62 Indoor Air Quality. Comply with State Green Building Codes relative to indoor air quality. (NR-5.04)

LU-63 Particulate Matter. Support efforts to reduce particulate matter to meet State and Federal Clean Air Standards. (NR-5.06)

LU-64 Conservation Strategy. Require conservation as the first strategy to be employed to meet energy-saving standards. (NR-6.01)

LU-65 Reduce Water Consumption. Continue to help reduce per capita potable water consumption and related energy use through implementation of water conservation programs and through public education and outreach. (NR-6.09)

LU-66 Alternative Fueling Stations. Encourage the private sector to provide vehicle fueling stations that cater to electric and other alternative fueled vehicles and require such facilities for City operations and facilities, where appropriate. (NR-6.10)

LU-67 Sensitive Land Uses. Prohibit the future siting of sensitive land uses (schools, churches, residential, and similar uses), within distances defined by the California Air Resources Board for specific source categories, unless such uses include sufficient mitigation. (NR-5.02)

LU-68 Green Building. Require new development to comply with State Green Building Codes and encourage new development to pursue LEED certification where feasible.

LU-69 Solar Panels. The use and location of solar panels shall be in compliance with state law and should be in compliance with height restrictions and located where they would not impact visual, cultural, and biological resources.

2.4.9. Focus Areas and Marblehead Specific Plan-Coastal Area

Los Molinos Focus Area

Goal 2-8 Maintain a vibrant business incubator district that respects, protects, and builds upon the area's eclectic character and land uses, and that provides new educational and employment opportunities for San Clemente's residents and employees.

POLICIES:

LU-70 Existing Industrial Property Owners and Businesses. Recognizing the industrial heritage of the area and its economic benefits to the community, allow property owners and business to maintain and expand their operations, consistent with the General Plan and Zoning Code. (LU-9.01)

LU-71 Los Molinos Public/Private Partnership. The City will routinely communicate and collaborate with existing property owners and businesses to understand their needs, identify strategies to improve their businesses and properties, and ensure compliance with City standards and regulations. (LU-9.02)

LU-72 Design Treatment. Encourage an eclectic mix of architectural styles, colors, materials, landscaping and public art throughout the area, consistent with City Design Guidelines and the Urban Design Element. (LU-9.06)

LU-73 Nearby Residential Neighborhoods. Work with property owners, businesses and nearby residents to avoid, and where they possible, resolve conflicts between industrial operations and residents' quality of life. (LU-9.07)

LU-74 Entryways/Corridor Landscaping. Maintain entryways and an attractive, well-defined landscaped edge along Avenida Pico and Calle de Los Molinos to signify arrival to the City of San Clemente and the Los Molinos area. (LU-9.08)

LU-75 Los Molinos and the Surf Zone. Encourage the use of diverse architectural styles that reflect the eclectic character and local context of these areas. Emphasis shall be placed on quality design and building materials per the Zoning Code and Design Guidelines. (UD-5.08)

North Beach/North El Camino Real Focus Area

Goal 2-9 Re-establish and maintain a vibrant community- and visitor-serving, mixed use entertainment center which capitalizes on its proximity to the beach and significant historic resources.

POLICIES:

- LU-76 *Miramar Theater Rehabilitation.*** Encourage the rehabilitation and adaptive reuse of the historic Miramar Theatre. (LU-10.02)
- LU-77 *Gateways.*** Enhance and maintain attractive gateways and informational signage signifying arrival to the North Beach/North El Camino Real area at the following locations along North El Camino Real: 1) the northern entrance to North Beach, 2) the historic entryways to Max Berg Plaza Park at El Portal, and 3) the southern entryway to the area at Avenida Palizada. (LU-10.03)
- LU-78 *Quality Development.*** Require that site, building and landscape development be of high quality design and materials and that promote pedestrian activity, in accordance with the Urban Design Element, North Beach Specific Plan and Zoning Ordinance. (LU-10.06)
- LU-79 *Automobile-Related Land Uses.*** Support the conversion of automobile-related land uses in the area to conforming uses, such as recreation, entertainment and retail sales. We prohibit new automobile-related uses and proactively work with property owners of existing automobile-related land uses to improve the appearance and compatibility of such properties. (LU-10.15)
- LU-80 *Residential Buffers.*** While entertainment and cultural uses are focuses of the Area's revitalization, we require new development to be compatible with nearby residential uses through horizontal distance requirements and building and site design standards. established by the Zoning Ordinance and Specific Plan. (LU-10.16)
- LU-81 *Partnerships.*** Create public-private business partnerships to develop City owned property and encourage the development of privately-owned land and to help transform the district into an active, mixed-use, recreation and entertainment hub. (LU-10.18)
- LU-82 *North Beach.*** Require initiatives, investments, and development approvals for the North Beach area to contribute to our vision of the area as a multi-modal, mixed-use entertainment and recreation district that emphasizes the pedestrian experience and preserves and enhances its key assets. These assets are views of the ocean, access to the beach, a rich inventory of historic resources, access to recreational opportunities and numerous shops and services for residents and visitors alike. (ED-4.02)
- LU-83 *El Camino Real.*** Require initiatives, investments, and development approvals for El Camino Real to contribute to our vision of the area as a mixed-use, multi-modal

corridor with historic resources and different commercial nodes that primarily serve the needs of San Clemente residents and businesses. (ED-4.04)

LU-84 Design Treatment. We require that new buildings and major building remodels in the Del Mar/T-Zone, North Beach, and Pier Bowl areas, and on portions of El Camino Real utilize Spanish Colonial Revival architecture, per the Architectural Overlay District. (UD-5.05)

Del Mar/T-Zone Focus Area and Downtown Core

Goal 2-10 Preserve and where appropriate, improve the Del Mar/T-Zone so that it serves as the symbolic, functional, historic and physical center of the City; emphasizing its use as a pedestrian-oriented commercial and residential "village" providing for the needs of residents and visitors.

POLICIES:

~~**Land Uses.** We prioritize and guide land uses, particularly retail uses, to the locations identified in the Del Mar/T-Zone Mixed Use Guide and consistent with the Land Use Plan and Zoning Ordinance. (LU-11.02)~~

~~**Flexibility.** We allow flexibility to accommodate market changes for the mix of uses identified in the Del Mar/T-Zone Mixed Use Guide, if doing so promotes achieving the Area's vision and improves livability, reduces vehicular trips, creates community gathering places and activity nodes, or helps strengthen its character and identity. (LU-11.03)~~

LU-85 Outdoor Dining. Encourage the development of outdoor dining and other similar uses which do not impede pedestrian use of the sidewalks. (LU-11.04)

LU-86 Design Treatment. Require Spanish Colonial Revival Architecture for all new buildings and major remodels in accordance with the Architectural Overlay.

LU-87 Public Spaces and Plazas. Provide public spaces, such as courtyards, plazas and paseos, flexible parkways and streets for community gatherings and civic events through a combination of development standards, incentives and the use of public property (e.g., adjacent to community facilities or the temporary use of Avenida Del Mar). (LU-11.09)

LU-88 Unique Commercial Character. Encourage unique, locally-based businesses and services that help maintain and enhance Downtown's unique village character. (LU-11.10)

LU-89 Avenida Del Mar/T-Zone. Require initiatives, investments, and development approvals for the Avenida Del Mar and T-Zone area to contribute to the City's vision of the area as an amenity-rich, multi-modal, mixed-use district that emphasizes the pedestrian experience. This district is characterized by its historic resources and is one of San Clemente's specialty retail and entertainment destinations, serving residents and visitors. (ED-4.01)

Pier Bowl and Pier Focus Area

Goal 2-11 Preserve and where appropriate, revitalize the Area to maintain an attractive and easily accessible, pedestrian-oriented center of resident and visitor activities which capitalizes on its history and coastal location, and which embodies much of the small town, beach-oriented lifestyle enjoyed by San Clemente residents.

POLICIES:

LU-90 Views/Scenic Corridors. Preserve public view corridors consistent with the Urban Design Element. Ocean views are among the most valued assets in the Pier Bowl area. New development should take advantage of, and not detract from, these important view corridors. (LU-12.01)

LU-91 Infill Development. Accommodate development that is compatible with coastal-oriented and community-serving commercial uses (including overnight accommodations), mixed residential and commercial uses, residential uses, and public recreational uses whose function or scale are compatible with the Pier Bowl Area's recreational character. (LU-12.02)

LU-92 Parking. To address parking constraints during peak season and peak hour demand, we give high priority to parking strategies that reexamine improved efficiencies at existing parking lots, encourage shared parking, explore greater use of and access to remote parking facilities, and minimize impacts to existing view corridors. The City will avoid structures as parking solutions. (LU-12.03)

LU-93 Connectivity to the Del Mar/T-Zone. Provide effective visual and transportation connections to the Del Mar/T-Zone area with visual cues such as signage, landscaping and lighting and work with property owners and businesses to provide transit options for visitors seeking to visit both the Pier Bowl and Del Mar/T-Zone destinations. (LU-12.04)

LU-94 Wayfinding Signage. Provide clear wayfinding signage, or other methods, at key locations throughout the area (e.g., train station, Pier Bowl parking lot, Casa Romantica, etc.) to direct visitors to local amenities. (LU-12.05)

LU-95 *Economic Development.* Leverage Del Mar/T-Zone and Pier Bowl economic development efforts and special events to enhance regional appeal and encourage visitors to visit both destinations. The City will support efforts to develop tools that aid in the Area's revitalization. (LU-12.07)

LU-96 *Pier Bowl.* Require initiatives, investments, and development approvals for the Pier Bowl area to contribute to our vision of the area as a historic, multi-modal, mixed-use entertainment and recreation district that emphasizes the pedestrian experience, provides beach and ocean access, and is the focus for ocean-related activities for residents and visitors. (ED-4.03)

LU-97 *Design Treatment.* Require Spanish Colonial Revival Architecture for all new buildings and major remodels.

Marblehead Coastal Development Plan Area

GOAL 2-13 Develop the Marblehead Coastal Development Plan Area in conformance with CDP 5-03-013 as amended.

LU-98 *Marblehead Coastal Development.* The Marblehead Coastal development shall be consistent with CDP 5-03-013 as currently amended and as it may be amended in the future.

Surf Zone Focus Area

LU-99 *Surf Zone Overnight Accommodations.* Encourage retention of low and moderate cost accommodations in the Surf Zone area to support tourism in San Clemente.

3.0 PUBLIC ACCESS AND RECREATION

3.1. Introduction

San Clemente has many opportunities to access, use, and enjoy the coast. The City provides 18 beach access points. The City's shoreline is five miles in length, including two miles of City beaches, one mile of State Beach and ~~one~~ two miles of private beaches. City beaches are open from 4:00 am to midnight (per City Ordinance 749) and the State Beach is open from 6:00 am to 10:00 pm (daylight savings) and 6:00 am to 8:00 pm (standard time). The public can enjoy a number of amenities and activities, including the historic Municipal Pier, the Ole Hanson Beach Club, ocean front parks and campgrounds, and the City's Beach Trail.

3.1.1 Mobility

Regional Vehicular Circulation

The principal component of the regional transportation system affecting San Clemente is the San Diego Freeway (I-5). This freeway provides a direct link with the Orange County/Los Angeles and San Diego metropolitan areas.

Pacific Coast Highway provides a second regional link for beach access to San Clemente. Paradoxically, the Coast Highway is outside the Coastal Zone in San Clemente for much of its length. Known as El Camino Real throughout San Clemente, it defines the major commercial business district of the City. El Camino Real is subject to heavy utilization and congestion on summer weekends and on all holidays.

The third regional link to the City is located outside the Coastal Zone and will be provided by the extension of Avenida La Pata from San Juan Capistrano. La Pata is expected to be completed in 2016 and will connect to Del Rio in the Forester Ranch community and Avenida Pico within the Talega and Rancho San Clemente communities.

Public Transportation

There are four bus service lines in the City operated by the Orange County Transportation Authority (OCTA). Public transit services in San Clemente are described in detail below:

Route 1 operates seven days of the week and connects San Clemente to Long Beach. Within the City of San Clemente, Route 1 runs along El Camino Real. Outside of the City, it runs along Pacific Coast Highway (PCH). This route has timed stops at the intersection of El Camino Real and Santa Margarita and El Camino Real and Avenida Pico within the City. Weekday service frequency is approximately every half hour., ~~with service provided~~

~~from 4:30 AM to 11:00 PM, and weekend/holiday service frequency is approximately every hour, with service provided from 5:20 AM to 8:45 PM.~~

Route 91 operates seven days of the week and connects San Clemente to Laguna Hills. Within the City of San Clemente, Route 91 runs along El Camino Real and Los Molinos. Outside of the City, it runs along Paseo De Valencia, Camino Capistrano, Del Obispo Street and PCH. This route has a timed stop at the intersection of Avenida Pico and Los Molinos within the City. Weekday service frequency is approximately every 35 minutes, ~~with service provided from 4:57 AM to 11:16 PM, and weekend/holiday service frequency is approximately 45 minutes, with service provided from 6:50 AM to 8:24 PM.~~

Route 191 operates seven days of the week and connects San Clemente to Mission Viejo via Rancho Viejo Road, Camino Capistrano and El Camino Real. This route has a timed stop at the intersection of El Camino Real and Santa Margarita, San Clemente Pier, San Clemente Metrolink Station within the City. Weekday service frequency is approximately every 30 minutes ~~during the AM and PM peak hours, with service provided from 6:00 AM to 7:31 PM, and weekend/holiday service frequency is approximately 60 minutes, with service provided from 6:06 AM to 7:30 PM.~~

Route 193 operates Monday through Friday and connects San Clemente Metrolink Station to "Pico Plaza" via Camino de Los Mares, Camino Vera Cruz and Avenida Pico. This route has a timed stop at San Clemente Metrolink Station, Wal-Mart San Clemente and Sears Plaza within the City. Weekday service frequency is approximately every 60 minutes, with service provided from 6:00 AM to 7:14 PM and weekend/holiday service frequency is approximately an hour, with service provided from 6:18 AM to 6:39 PM.

Rail Service

The LOSSAN Corridor runs between San Diego and San Luis Obispo. The segment that runs through San Clemente is a single track and is owned and maintained by the OCTA. Although the right-of-way is owned by the OCTA, the San Clemente Beach Trail – part of the California Coastal Trail – and protective fencing and improved, signalized pedestrian-grade crossings parallel to the railroad tracks are maintained by the City of San Clemente. The railroad carrier through City of San Clemente is used by Amtrak and Metrolink. The two passenger rail services operate separate stations in San Clemente at two different locations. The Amtrak station is located at San Clemente Pier (shared with Metrolink), while the Metrolink station is located at the north beach area. Rail services are described below:

Amtrak provides service for the purpose of recreation in the City of San Clemente. Trains (Pacific Surfliner and California Coastal Services) stop at the San Clemente Pier daily in the spring and summer, from late April to October. During the rest of the year, service is

limited to weekends and holidays only. There are four northbound and southbound trains which serve this facility on the weekdays. On weekends, there are two trains (both northbound and southbound) which serve this facility. Regional access to this facility is via Avenida Del Mar and Avenida Madrid, which connect to El Camino Real. Local access to the station is provided through the driveway along Avenida Victoria. Paid parking spaces are currently provided at the station. OCTA bus Route 191/191A serves the station during summer.

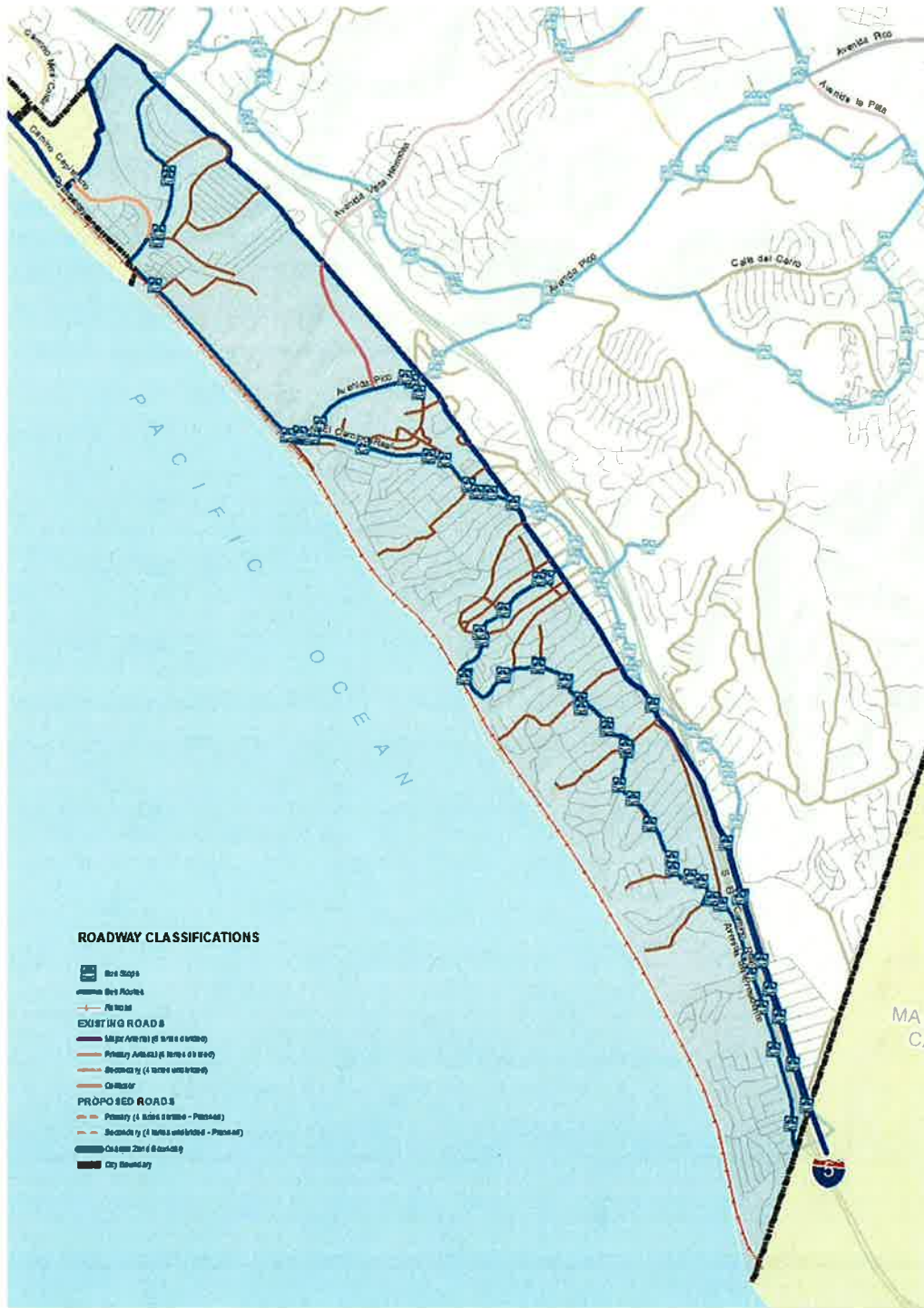
Metrolink commuter trains inaugurated service for the City of San Clemente in 1995, providing peak hour commuter transportation to key cities in both Orange and Los Angeles Counties. Currently, two Metrolink lines provide service in the City of San Clemente (at San Clemente Metrolink Station and San Clemente Pier), which are the Orange County Line and Inland Empire – Orange County Line. There are 28 northbound and southbound trains which stop at San Clemente Metrolink Station on the weekdays when trains begin accessing the station at 5:04 AM and with service continuing until 7:57 PM. On the weekends, service begins at 9:15 AM and continues until 6:11 PM with 8 trains (both northbound and southbound) accessing the station. Regional access to this station is available from Avenida Pico and El Camino Real. Local access to the station is provided through the driveways along El Camino Real. Paid parking spaces are available at the station. OCTA bus Routes 91 and 191 service the station. Two northbound and two southbound Metrolink trains only stop at San Clemente Pier station on weekends.

Bike and Pedestrian Circulation

The City of San Clemente promotes safe, convenient and efficient facilities and programs for bicycle and pedestrian travel. There are several bike routes through the City of San Clemente – two run parallel to the coast: one along El Camino Real and one along South Ola Vista. The north/south routes are located on Avenida Pico, Camino De los Mares, and Avenida Vista Hermosa.

The City has a network of trails that run from the beach, up the canyons and along its ridge lines. These trails have been designed to provide a safe walking, hiking and riding experience, while maintaining San Clemente's coastal environment. The ridge line trails provide spectacular views of the coast in both directions and pristine coastal canyons in adjacent inland wildlife reserves. San Clemente is an unusual Orange County coastal City in that it is bordered on two sides by protected wild lands easily accessible to San Clemente's citizens via the City's trail system.

Figure 3-1: Road, Bus, and Rail Routes



**Figure 3-1
ROAD, BUS, AND RAIL ROUTES**



Figure 3-2: Bike and Pedestrian Trails

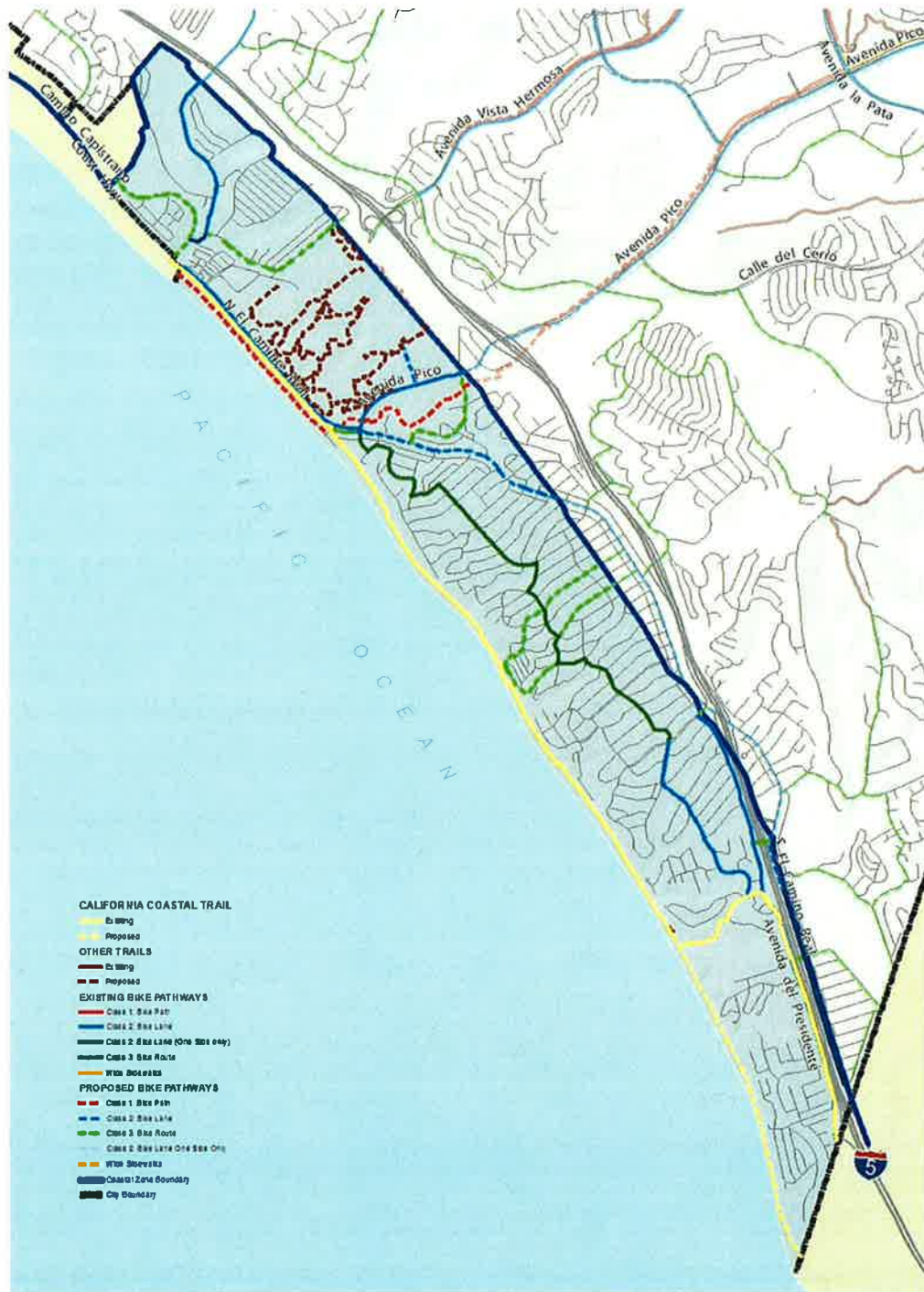


Figure 3-2
BIKE AND PEDESTRIAN TRAILS



Figure 3-3: Coastal Access Points



**Figure 3-3
COASTAL ACCESS POINTS**



3.1.2 Shoreline Access

In terms of implementing the Coastal Act, there are two basic types of public access: vertical access, or access to the shoreline, and lateral access, or access along the shoreline. The City has a total of 18 private and public access points that provide excellent access opportunities to a five mile stretch of City, State, and private beaches (see Figure 3-3, Coastal Access Map). In addition, the Beach Trail provides lateral access along the shoreline extending from the Metro Station parking lot at North Beach south to Calafia State Beach.

The City beaches, municipal pier, and Beach Trail are open to the public from 4:00 am to midnight (per City Ordinance 749). The San Clemente State Beach Park and the Beach Trail from the T-Street restrooms to Calafia Beach is open from 6:00 am to 10:00 pm (daylight savings) and 6:00 am to 8:00 pm (standard time).

There are, however a number of private beach areas where public access is presently not available above the mean high tide line. Providing public access to these private areas and further improvement to existing public access is desirable.

The Coastal Access Maps (Figures 3-4 through 3-21) and accompanying descriptions identify the 18 public and private shoreline access points to the beaches and Beach Trail within the City in order from north to the south. ~~San Clemente also provides visitor serving commercial uses in the Coastal Zone, particularly within Los Molinos, North Beach, El Camino Real, Del Mar/T-Zone, and Pier Bowl areas. Visitor serving facilities include hotels, motels, bed and breakfast inns, a youth hostel, time share units, campgrounds, restaurants, public parking lots, specialty retail, and other commercial recreational development.~~

AREA A: ESTRELLA/NORTH (Access Points 1 and 2)

- Access Point 1: Pochè: The location of Access Point 1 is shown in Figure 3-4. This is the northernmost beach access in the City, serving beaches in both the cities of San Clemente and Dana Point. The beach nearest the drainage outlet and at the southernmost end of Dana Point is owned and operated by the County of Orange. The beach beginning at the northernmost City limit and toward the south is privately owned with its use restricted to residents of the Shorecliffs community and their guests. Pochè Beach is a popular surfing and body boarding area. Public access and a public County beach are located just north of the privately owned Shorecliffs beach; however, this portion of the beach is located in the City of Dana Point. The private access is a walkway that uses the Prima Deshecha storm drainage channel for passage under the Coast Highway. This access is temporarily closed due to needed maintenance of the

walkway. Current access is provided via the crosswalk at the signalized intersection to a catwalk under the railroad bridge and to the beach.

Figure 3-4: Poche



• Access Point 2: Capistrano Shores Mobile Home Park This access is shown in Figure 3-5. Access Point 2 is not open for public use. The access point is through the Capistrano Shores Mobile Home Park. Access is from one driveway at the intersection of North El Camino Real and Avenida Estacion. Utilization of the beach at this point is limited to residents of the mobile home park. The road which provides access to the mobile homes—The single entrance to the mobile home park is located at the intersection of North El Camino Real and Avenida Estacion. Utilization of the beach in front of the mobile home park is accessed from the north or south access points. The private driveway which provides entrance to the mobile home park is posted as a private drive at the point where the entrance driveway crosses the OCTA railroad tracks. The beach and beach entrance adjacent to this area is quite can be narrow depending on the tide level. Access to this area from the public beach located to the south is impossible limited during high tide due to the narrow width of the beach and a combination stone and wood bulkhead designed to that protects the mobile homes from large surf. There are no public amenities within this area of the coastline.

Figure 3-5: Capistrano Shores Mobile Park



AREA B - PICO/PALIZADA (Access Points 3 through 6)

This 4,000 foot stretch of beach extends south from a public access area near the Ole Hanson Beach Club at the north, to a point just south of the termination of Avenida La Paloma. This area is characterized by a major public access point at North Beach and a 100 foot high bluff that makes the remainder of the access points less convenient to use.

The northern portion of the Pico/Palizada Area can be reached by Avenida Pico, which has a four way diamond interchange with the San Diego Freeway. The area can also be reached from the San Diego Freeway via Avenida Palizada, which has a southbound off/northbound on interchange. The area contains one of the most accessible City beaches from the I-5 Freeway North Beach.

• Access Point 3: North Beach

North Beach, one of the principal beach access points in San Clemente, is located in this area (see Figure 3-6). North Beach, as its name indicates, is the northern most public beach in the City. Vehicular access to North Beach is from El Camino Real to Avenida Estacion or Boca de la Playa, where several public parking areas can be reached. An off-street parking lot with metered parking, as well as on-street metered and non-metered spaces are available. There are approximately 345 parking spaces available at this location, 107 are located in the off street parking lot, 149 on Avenida Estaban, 22 on Avenida Pico, 33 On Boca De La Playa, and 34 on Avenida Deshecha.

North Beach is the location of the City's Metrolink train station. The Metrolink station shares 150 parking spaces with beach and recreational parking. Approximately 100 spaces are reserved for recreational and beach parking only. The station includes a platform with three canopies designed in a Spanish Colonial Revival motif. In the future the City is considering adding additional parking on the City owned vacant lot along North El Camino Real.

The beach itself is reached by crossing the railroad right-of-way at-grade crossing with safety controls at the southern end of the Avenida Estacion parking area. This is also the trailhead for the northern point of the San Clemente Beach trail, which runs 2.253 miles south to Calafia Beach.

Figure 3-6 North Beach



Beach amenities maintained by the City include: picnic tables, a snack bar, restrooms, shower, fire pits, volleyball courts, and a children's play area. North Beach is a family oriented beach that experiences heavy use in the summer. The beach connects with the publicly owned two acres of the Ole Hanson Beach Club located on the bluff at the southeastern portion of this area. The Ole Hanson Beach Club contains picnic benches, a 25 yard lap pool, a wading pool a recreation building (the Ole Hanson Beach Club), and a lookout point which affords a panoramic view of the coastline. The Beach Club is a historic building (designated on the National Register of Historic Places) that is currently under rehabilitation and is owned and operated by the City. The building is used for a variety of community and recreational activities, and it is

available to be rented for weddings, social and other special events. The design requirements of the area encourage a pedestrian oriented "village atmosphere." Retail shops, gift shops, restaurants, hotels, bed-and breakfast inns, entertainment, and residential units on upper floors are all uses allowed under the plan. Public improvement projects envisioned for North Beach include the establishment of a multi modal transportation center, landscape and streetscape improvements, directional signs, PCH improved class I bike path, median and landscaping from North Beach to Camino Capistrano.

In addition to Access Point 3, there are three other access points within the Pico/Palizada area designated as Access Points 4,5 and 6 (see Figures 3-7, 3-8, and 3-9). They are similar to one another in that they primarily serve adjacent residential areas, have very limited on-street parking, and require the use of steep stairways and/or ramps to reach the beach.

- Access Point 4: Dije Court (204 Beach)

The Dije Court access is located at the termination of Dije Court at Buena Vista. The access connects to the beach trail "Two-O-Four" (204) beach via a steep stairway descending from a 100 foot bluff. The beach is accessed by a at-grade crossing with safety warning and control devices with stairs that lead down the rock revetment to the beach. There are no public amenities due to the narrow beach area. This is one of the more popular surfing beaches in the City (see Figure 3-7).

Figure 3-7 Dije Court



- Access Point 5: El Portal (204 Beach)

The El Portal access is located at the intersection of West El Portal and Buena Vista. A series of stairways and ramps down a narrow canyon lead to "204 Beach." The area at the top of this access currently under rehabilitation to provide an ADA accessible viewing area in addition to the existing picnic table with a panoramic view. The beach access via an at-grade crossing with safety warning and control devices and by a drainage channel under the railroad trestle. There are no public facilities on the beach (See Figure 3-8).

Figure 3-8 El Portal



- Access Point 6: Mariposa

The Mariposa access is located at the junction between West Escalones and West Mariposa (see Figure 3-9). Mariposa beach is accessed by a 300 foot concrete ramp down a narrow canyon which connects to the beach trail and a below grade crossing under the railroad to access the beach. There are no public facilities on the beach; and because Mariposa is a point, the beach sand is depleted in this area. West Reef, a popular fishing and diving area, is located approximately one-third mile offshore in front of this access.

Figure 3-9 Mariposa



AREA C – PRESIDIO/CENTRAL (Access Points 7 through 12)

The Presidio/Central Area includes those beach areas immediately west of the traditional downtown or central area of the City of San Clemente. There are more access points (six) in this area than in any other sector of the City. Three of the access ways (Linda Lane Park, Municipal Pier, and T-Street) lead to the City's most popular and highly developed concentration of beach improvements. The Avenida Presidio and El Camino Real I-5 Freeway exits provide the most direct means of access to the beach in the Presidio/Central area. Local access is provided by a number of connector streets, all of which intersect El Camino Real. Although all streets which cross El Camino Real lead toward the beach, seven streets provide the most direct access. These streets are: Avenida Palizada, Avenida Del Mar, Avenida Granada, and Avenida Victoria (all of which are located in the central core of San Clemente's commercial downtown area), Avenida Barcelona, Esplanade, and Paseo de Cristobal.

• Access Point 7: Linda Lane Park

Linda Lane Park was constructed by the City of San Clemente in 1975 (see Figure 3-10). The park facilities provide excellent parking and beach recreation opportunities. There are approximately 131 parking spaces in the Linda Lane area. Recreation facilities within the park include a children's play area and a picnic area. The recreational facilities on the beach, coined "Second Spot" by the locals, includes two volleyball courts and restrooms. Vehicular access to Linda Lane is provided by Linda

Lane itself (which is one way westbound). Beach and park users exit via Mecha Lane (one way northbound), which intersects Avenida Marquita.

The beach is accessed by a large storm drain tunnel under the railroad right-of-way. There is also an approved access that leads from Arenoso Lane to Linda Lane Park and a public lookout point from Linda Lane Park.

Figure 3-10 Linda Lane Park



• Access Point 8: Corto Lane

Corto Lane access is located on Corto Lane, a short street with a cul-de-sac at the end. The access is located between two large condominium projects and leads to a long stairway that makes its way down the coastal bluff. The beach access is a licensed at-grade crossing with safety warning and control devices. This access point leads to the beach called "Second Spot" (see Figure 3-11).

Figure 3-11 Corto Lane



• Access Point 9: Municipal Pier

The Municipal Pier access can be reached by a number of routes through San Clemente. The most direct route is provided by Avenida Del Mar and Avenida Victoria, turning west from El Camino Real. The configuration of Avenida Del Mar and Avenida Victoria form the "bowl" of the pier area, and are the main components of the roadway network in the vicinity. Avenida Granada, Avenida Rosa, and Avenida Algodon also provide convenient access to the Pier Bowl by connecting with Avenida Del Mar and Avenida Victoria west of El Camino Real. Access to the Pier Bowl is also available by bus, established bicycle routes, and the beach trail.

The Municipal Pier access (see Figure 3-12) is located at the base of the Municipal Pier adjacent to commercial shops, train and bus stops, a park, the beach and the Marine Safety Headquarters. The beach is very popular for surfing, body boarding, swimming, and sunbathing. The pier offers fishing, scenic walks and a small concession and bait-and-tackle shop at the end. The Fisherman's restaurant, bar, and beach concession stand are located at the base of the Pier. The Pier Bowl area is also known for its special community events--such as the Fourth of July fireworks show, Chowder Cook-Off, and Ocean Festival. Due to the diversity of attractions in the Pier Bowl, the Municipal Pier access receives the highest use of any access in the City.

Figure 3-12 Municipal Pier



• Access Point 10: T-Street

The T-Street access is located at the end of West Paseo de Cristobal, which can be reached by the Avenida Presidio exit from the 1-5 Freeway, using either Esplanade or West Paseo de Cristobal from El Camino Real. The means of access is a pedestrian railroad overpass from an on-street metered parking area which accommodates approximately 107 cars with 78 metered spaces (see Figure 3-13). The concrete overpass was constructed in 1981 for safe pedestrian access over the railroad tracks. Public facilities on the beach at T-Street include restrooms, showers, fire pits, snack shop, shade structures, and picnic tables. There is a bluff top walk with benches overlooking the coast.

Figure 3-13 T-Street



- Access Point 11: La Boca del Canon

This private access is reached by either Avenida Presidio or El Camino Real exits from the I-5 Freeway. It is located on La Boca del Canon (See Figure 3-14), a private residential street with a vehicle gate which connects to La Rambla. The beach is reached by crossing the railroad track via two at-grade locations at either "South T-Street" or Lost Winds, both which have safety warning devices and gates. Parking in the community is limited to on-street spaces for residents, and their guests, of La Boca del Canon; however, public parking is available on surrounding public streets. There are no public facilities on the beach at this location. This access point is where the City beach ends and the State beach begins.

Figure 3-14 Boca del Canon



- Access Point 12: Lost Winds

The Lost Winds beach access is located 435 feet south of Leslie Park, off the streets Calle de Los Alamos and Calle Lasuen (see Figure 3-15). Originally named after the street "Lasuen," mispronunciation over the years has transformed the name of this beach to "Lost Winds." The Lost Winds access is a ten foot wide easement between two residences with a dirt path that leads from the street down a steep slope. The upper portion of the path consists of decorative interlocking paver, then steps formed from railroad ties lead to a dirt path that slopes gradually down a small valley to the beach. Access to the beach is over the licensed at-grade crossing with safety controls. The beach area is improved with three volleyball courts. Parking at both Leslie Park and the beach is limited to on-street spaces. The Lost Winds access is located within

a residential area, and for this reason, it is used primarily by local residents of San Clemente. Lost Winds is a popular surf break.

Figure 3-15 Lost Winds



AREA D – CALAFIA/SOUTH (Access Points 13 through 18)

This area comprises almost one-half of San Clemente's two-five mile coastline. The area extends from a public access known as "Riviera" to the southern boundary of the City, which is also the Orange/San Diego County line. Area D contains one improved public access, the San Clemente State Beach Park, and two private access points. Bluffs approximately 100 feet high characterize the shoreline in this area and greatly restrict beach access. At the southern portion, the height of the bluffs gradually decreases.

The northern portion of the Calafia/South Area can be reached from the San Diego Freeway I-5) by exiting at the Avenida Calafia interchange. To reach the two southernmost access points, the most direct route is the Cristianitos four way interchange, constructed in 1981. Four access points have been identified in this area:

• Access Point 13: Riviera

The Riviera access is shown on Figure 3-16. It is a municipally maintained public access which primarily serves surrounding residential development.

Located in a small canyon, the access is somewhat isolated. The only amenity provided at the beach is one fire pit. The beach is very popular among local surfers and sunbathers. Vehicular access is off South Ola Vista via Avenida de la Riviera,

Calle Monte Cristo, and Avenida la Costa to Plaza a la Playa. The beach trail and beach access is located at the northern portion of the Plaza a la Playa culde-sac. The accessway consists of a short concrete footpath and stairway, which leads to a concrete storm drain tunnel under the railroad tracks. This access is especially beneficial in that the location of adjacent residences and the local topography result in the tunnel being the easiest route to the beach. Parking is limited to on-street spaces. There are no signs indicating the access location.

Figure 3-16 Riviera



• Access Point 14: Montalvo

This access point is located where the street Avenida Montalvo changes into Avenida Lobeiro (see Figure 3-17). The portion of this access extending from the street to the canyon bottom was required as a condition to the Sea Point Villa's development. An additional easement to complete the access over private property within Montalvo Canyon was obtained by the City. The access point is taken off Avenida Montalvo, along the eastern side of the Sea Point Villa project. A stairway leads to the bottom of Montalvo Canyon, where a small bridge extends over the drainage in the canyon bottom, and connects to the beach trail and under the train trestle to the beach. The access point is difficult to find and for this reason is used mainly by the residents in the area (see Figure 3-17).

Figure 3-17 Montalvo



• Access Point 15: Avenida Calafia - San Clemente State Beach

The third beach access point in the Calafia/South Area is at the northwestern edge of the San Clemente State Beach. Access via Avenida Calafia, which leads directly to the beach. Avenida Calafia is one of the most direct, and therefore easiest, routes to the shoreline. Pedestrian access is also available from Avenida Lobeiro through Calafia Park with stairs that lead down to the beach access.

Present facilities at Calafia Beach include:

- Beach concession stand
- Restrooms
- Showers
- Picnic tables

Beach access is taken from a licensed at grade crossing with safety improvements and stairs that lead down to the beach. This is also the southern trailhead for the beach trail, which runs north 2.53 miles to North Beach. The City is currently working on a southern extension of the Beach Trail to the San Clemente State Beach.

Figure 3-18 Avenida Calafia



• Access Points 16: San Clemente State Beach

Access to the San Clemente State Beach is taken off Avenida Calafia where it intersects with a road accessing the campgrounds and beach area. San Clemente State Beach consists of 6,000 feet of ocean frontage (see Figure 3-19) and contains 110 acres of beach and upland area. Perpendicular sandstone cliffs, 70 feet in height, face the ocean beach. The sandstone cliffs found in this area provide an excellent example of the area's ancient submarine landscape and are often used by local colleges and high schools for geology field studies. The campground is located on an uplifted marine terrace at about the 100 foot elevation contour. The bluffs and terrace are interrupted by many deeply eroded canyons and arroyos.

Figure 3-19 San Clemente State Beach



Present facilities at San Clemente State Beach include:

- Group camp
- Campsites
- Trailer sites with connections
- Picnic sites
- Day use parking spaces
- Beach lifeguard facilities
- Park office and facilities

A path from the camp grounds and day use parking lot at the top of the bluff within the State Park provides access to the beach.

Access Points 17 and 18: Avenida de Las Palmeras/Calle Ariana

The two remaining access points are located in the southern portion of the Calafia/South Area. Both accesses are privately maintained and controlled, access to the public is prohibited. Access Point 17, Avenida de Las Palmeras, (see Figure 3-20) is the principal beach access for the Cypress Shores and Cove communities. There is a paved roadway leading to the beach, with a limited number of parking spaces, a clubhouse, park and picnic area. These facilities are used exclusively by residents of Cypress Shores and Cove and their guests and are not open to the public. Beach access is provided via an underpass beneath the trestle.

Figure 3-20 Avenida de las Palmeras



Access Point 18, Calle Ariana, (see Figure 3-21) is a foot path leading to the beach. The path forms an extension of Calle Ariana and runs along the boundary line between the Cypress Shores and the Cotton's Point Estates Communities. There are no beach facilities at this location. This site is a private access for the exclusive use of residents

and guests of the Cypress Shores community. There is no approved licensed access at this point over the railroad tracks, which is dangerous because of the high speed of the trains at this point and the curve of the railroad tracks.

Figure 3-21 Calle Ariana



E. ACCESS OUTSIDE CITY LIMITS

Located just south of the City and Orange County boundary is the public parking lot and beach access for Trestles Beach and Cottons Point. Although this public parking lot and public access is within the jurisdiction of the United States Marine Corps it is identified here because it is the closest public access to Cottons Point and other private City beaches. Cottons Point and Trestles Beach is one of the premier surfing areas in southern California and as such is considered an important recreational resource for not only the City of San Clemente, but all of Southern California. Since this parking lot and access point are on Federal land, the City, County and State Agencies have no direct jurisdiction over the disposition of this property at present.

F. FUTURE ACCESS POINTS

Continued public access to the beach south of Avenida Calafia, in particular the Trestles surfing area just across the County line, is largely dependent on use of federal lands. State and local agencies have no direct jurisdiction over disposition of this property at present. Moreover, there is no means of ascertaining whether the Federal Government has plans for the property which would interfere with, or obstruct, public access.

Development conditions have been imposed by the City of San Clemente on the Cottons Point project which will assist in ensuring public access to the Trestles in the event access through Federal land is lost.

Public Parking

A summary identifying the methods of access, types of public facilities, and extent of parking for each of the eighteen specific access points is presented in Table 3-1. The parking rate for all City meters is currently \$1.50 per hour and the time limits for all of the City metered parking areas is identified in the table. The information provided in Table 3-1 is accurate based on the 2015 completion of this document.. ~~Time limits for metered parking is identified in the Table 3-1 below.~~

Table 3-1 Beach Access, Amenities and Parking

Area Division	Location/Name	Type of Public Access	Beach Amenities	# of Parking Spaces			
				On-Street	On-Site	Metered Hours	Total
Estrella/North	Poche	Stairs & tunnel beneath PCH	16 Picnic tables, 9 benches, 1 swing, 1 shower, 2 volleyball courts, 2 squash ball courts, 1 fire pit, 1 clubhouse, 1 swing set, 1 BBQ & 1 play area. All amenities are private.	0	10	None	10
	Capistrano Shores Mobile Home Park	None (Private)	None	0	0	None	0
Pico/Palizada	North Beach	Footpath	4 fire pits, 7 picnic tables, 1 snack bar, 1 restroom, 1 swing set, 1 shower, 1 play area, 1 Volleyball court	89	256	345 9am-6pm Commuter 4:30am-6PM	345
	Dije Court	Stairway	3 Benches	0	10	None	10
	Ave. W. El Portal	Stairway	1 bench, 1 picnic table	0	10	None	10
	Mariposa	Asphalt ramp	None	0	15	None	15
Presidio/Central	Linda Lane City Park	Foot-Path	6 picnic tables, 9 benches, 2 play areas, 1 swing.	131	0	129 10am-5pm	131
	Corto Lane	Stairway	1 fire pit, 2 showers, 1 restroom, 1 bench, 1 volleyball court, 1 trellis, 1 picnic table 1 fitness structure	0	5	None	5
	San Clemente Municipal Pier	Foot-Path	6 shade structures, 1 shower, 2 BBQs, 4 fire pits, 10 picnic tables, 2 swings, 2 trellis, 1 pier, 1 restaurant, 1 snack shop, 1 restroom, 1 Marine Safety	111	151	258 10am-5pm	262
	"T" Street	Foot-Path	2 Bathrooms, 1 snack shop, 1 trellis, 10 picnic benches, 3 fire pits, 4 shade structures, 1 shower	0	107	78 9am-7pm No Parking 12am-4am	107

La Boca del Canon	None (Private)	None	0	0	0	None	0
Lost Winds	Foot-Path/Stairs	<u>3 volleyball courts</u>	0	10	0	<u>None</u>	10
Riviera	Stairway	<u>1 fire pit, 1 bench</u>	0	10	0	<u>None</u>	10
Montalvo	Foot-Path/Stairway	<u>None</u>	0	0	0	<u>None</u>	0
Calafia-S.C. State Beach	Foot-Path	<u>None. See appendix for amenities off the beach area.</u>	208	0	0	<u>208 State Beach hours</u>	208
San Clemente State Beach	Footpath/Tunnel	<u>None. See appendix for amenities off the beach area</u>	175	0	0	<u>23 State Beach hours</u>	175
Ave. de las Palmeras	None (Private)	<u>4 volleyball courts, 7 picnic tables, 1 swing, 2 BBQs 4 fire pits</u>	0	0	0	<u>None</u>	0
Calle Ariana	None (Private)	<u>None</u>	0	0	0	<u>None</u>	0
Totals			928	422	0	1,041	1,350

3.1.3 California Coastal Trail

The City participated and consulted with the National Park Service, the State Department of Parks & Recreation, the State Coastal Conservancy, and other public and private entities and interested parties in designing, locating, funding, acquiring, and implementing the California Coastal Trail (CCT) segment located within San Clemente's Coastal Zone.

This section of the CCT, known as the "San Clemente Beach Trail" (Beach Trail), is a popular route used by pedestrians and bicyclists, linking beach access points from North Beach to Calafia State Beach. The Beach Trail is a 2.253 mile long trail that is comprised of decomposed granite with a half mile long bridge segment. The northern and southern sections of the trail are located on the inland side of the train tracks and the middle segment (Corto Lane to T-Street) is located on the ocean side of the train tracks. The trail is improved with post and cable fencing to protect users from passing trains. The Beach Trail has 13 access points to the beach that include licensed at grade crossings, underpasses, and bridges. The Beach Trail is part of a continuous trail system traversing the length of the state's coastline, designed and sited to link with contiguous trail links located along many Coastal jurisdictions.

The CCT in San Clemente has achieved these objectives:

- a. Provides a continuous walking and hiking trail as close to the ocean as possible;
- b. Provides maximum access for a variety of non-motorized uses by utilizing alternative trail segments where feasible;
- c. Maximizes connections to existing and proposed local trail systems;
- d. Ensures that all segments of the trail have vertical access connections at reasonable intervals;
- e. Maximizes ocean views and scenic coastal vistas;
- f. Provides an educational experience where feasible through interpretive facilities.

3.1.4 Recreational Opportunities and Amenities

Maximum public coastal access is a fundamental goal of the Coastal Act and a key part of San Clemente's charm. The Coastal Act goes beyond just ensuring physical access. It also emphasizes the importance of recreation and visitor-serving land uses that meet a wide range of incomes and interests.

The City's founder, Ole Hanson, realized recreational spaces and opportunities are an important aspect in providing a high quality of life for the citizens of San Clemente. Perhaps the greatest recreational asset of San Clemente is its coastal setting, enjoying a sunny Mediterranean climate with mild winters and warm summers. The vast open space areas along San Clemente's eastern, southern, and western borders (Camp Pendleton,

Cleveland National Forest, and the Pacific Ocean) have helped to maintain its small town character and enhanced its recreational opportunities. The beaches, parks, and community focal areas within San Clemente's Coastal Zone provide a wide range of recreational opportunities. This section describes San Clemente's most valuable recreational resources. The Appendix includes maps showing the location of the various amenities on and adjacent to the beach within the City.

Municipal Pier

With the development of San Clemente, Ole Hanson provided a number of recreational facilities. Two of these facilities within the Coastal Zone, the Municipal Pier and the Ole Hanson Beach Club, remain in use today. The quarter-mile long Municipal Pier was built as a gift to the community in 1928. The Municipal Pier has been destroyed by large surf and rebuilt several times, most recently in 1983. The primary recreational use of the Pier is for fishing and for quiet strolls to enjoy the beautiful setting and sunset. At the base of the pier is the Fisherman's Restaurant and Bar.

Ole Hanson Beach Club

The Ole Hanson Beach Club and swimming pool was also built in 1928, and has since been a focal area for recreational activities for San Clemente. The Beach Club is situated at North Beach on Avenida Pico and Boca de la Playa, and is adjacent to commercial and residential uses. The Beach Club has two meeting rooms, two outdoor terraces, showers, bathrooms, kitchen facilities, a six lane 25-yard pool and an instructional pool. The Beach Club is used for a variety of uses including: open lap swimming, recreational swimming, swim lessons, water aerobics, recreational classes, City meetings, and for weddings and receptions.

Community Center and Public Library

The San Clemente Community Center and Public Library are situated in the heart of downtown San Clemente at Avenida Del Mar and North Calle Seville. The Community Center contains an auditorium, kitchen, art gallery, meeting rooms, and the offices of the Beaches, Parks, and Recreation Department. The surrounding grounds offer shuffleboard courts and passive open space area. The Library Complex, in addition to housing the County Library, provides two multi-purpose rooms, an arts and crafts room, and a kitchen area.

Parks

There are a total of seven **fourteen** City operated parks and one State Park located within the Coastal Zone:

Community Center Park

The Community Center Park is located at the northeast corner of Avenida Del Mar and North Calle Seville. The park has an area of 1.75 acres and includes meeting rooms, outdoor shuffleboard, a grass play area, and 91 parking spaces. The library is immediately adjacent to the Community Center within the City's downtown core and is surrounded by residential and commercial uses.

San Gorgonio Park

This 23 acre community park is located south of the San Diego Freeway (I-5) between Via San Gorgonio, Avenida Vaquero and Calle Vista Torito. The park is located within the Shorecliffs residential community. Facilities at this park include two Little League diamonds, a football field, a soccer field, a basketball court, picnic facilities, restrooms, and 130 parking spaces.

Bonito Canyon Bicentennial Park

Bonito Canyon is an 11-acre community park located north of El Camino Real at Calle Valle. The park is surrounded by residential, hotel and commercial uses. This park facility includes a picnic area, Little League diamond, children's play area, restrooms, and a grass play area. Bonito Canyon is also the location of the Boys and Girls Club facility, which includes two indoor gyms, game room, arts and crafts and meeting room and 60 parking spaces.

Max Berg Plaza Park

This 3.62-acre historic neighborhood park is located in the block surrounded by El Prado, Calle Puente, Avenida Aragon, and Avenida Del Poniente. The park is located within a multi-family residential neighborhood and is adjacent to Las Palmas Elementary School. The park contains a children's play area, rose garden, fountain, restrooms, grass play area, and 55 street parking spaces.

Linda Lane Park

Linda Lane Park is a four-acre site located within the Pier Bowl area and Linda Lane, which is adjacent to the beach and multi-family residential uses. Recreational amenities include coastal access, swings and creative play equipment, picnic tables, benches, grass play area and 135 parking spaces (all metered).

Parque Del Mar

Parque Del Mar is located in the heart of the Pier Bowl Area. This park primarily serves as an extension of the pier and beach facilities. The Parque Del Mar is a linear park that extends from the Beachcomber Hotel to the base of the bluff below the Casa Romantics

and is adjacent to residential and mixed uses. Parque Del Mar includes the main entrance to the Municipal Pier, the Amtrak Station, picnic tables, passive open space, and 160 parking spaces.

Park Semper Fi

Park Semper Fi is a Special Use Facility and was established as a tribute to the United States Marine Corps in 2005. The park is approximately one-eighth of an acre, and is situated on a slope above Parque Del Mar. The park has a historical monument that was dedicated to the Marine Corps centrally located in the park.

Leslie Park

Situated between Calle de los Alamos and the Coastal Bluff, Leslie Park is a 4,500 square foot pocket park. The park is divided into two viewing levels, which are connected by a walkway and set of stairs built in 1980. There is no beach access from this park. Leslie Park provides panoramic views up and down the coast from the top of a steep cliff. The park only has on-street residential parking.

Calafia Beach Park

Calafia Beach Park is located at the end of Avenida Calafia at the mouth of a coastal canyon and is operated by the State Parks. The park is located adjacent to Calafia State Beach and the open space of the San Clemente State Park. The lower portion of this park includes coastal access, bathrooms, showers, and a beach concession facility. A portion of this park is located on the coastal bluff overlooking the beach and parking area, which has 208 parking spaces. This area includes passive open space with benches and scenic vistas. The street parking here is limited to two hours for non residents of the area and is the only preferential parking in the Coastal Zone.

Jim Johnson Memorial Sports Park

This 8.72 acre community park is located directly north of the adjacent Shorecliffs Middle School, and directly south of the San Diego Freeway (I-5) and Avenida Vista Hermosa. Only a portion of the park is located within the Coastal Zone. Facilities at this park include three unlighted soccer fields, restroom/concession building, a children's play area, picnic areas, lighted basketball court, parking, and a bus/vehicle student drop off area for the adjacent middle school.

Pico Park

This 1.56 acre community park is located on Avenida Pico south of the San Diego Freeway (I-5). Facilities include a lighted basketball court, restroom building, children's play area, picnic facilities and 14 parking spaces.

Canyon View Park

This 1 acre community park is located on Avenida Costa Azul south of the San Diego Freeway (I-5). Facilities include a restroom building, children's play area, picnic facilities and 6 parking spaces.

Vista del Sol Park

This 1.23 acre is a passive park area that is located on Avenida Costa Azul south of the San Diego Freeway (I-5). Facilities include a restroom building, picnic facilities and 14 parking spaces.

Ocean View Park

This .56 acre is a passive park area that is located near the intersection of Avenida Vista Hermosa and Via Canon Verde, directly south of the San Diego Freeway (I-5).

Schools

Three schools are located within the City's Coastal Zone and provide active recreation areas:

Concordia Elementary School

This school is located west of Avenida Presidio and south of the San Clemente State Park boundary within a residential neighborhood. The school contains a baseball diamond and children's play area.

Las Palmas Elementary School

Located on Calle Puente between Del Poniente and Avenida Aragon in a residential neighborhood. The school has a baseball diamond, soccer field, and children's play area.

Shorecliffs Middle School

Located at 240 Via Socorro in a residential neighborhood, the school includes basketball and volleyball courts, track and a sports field.

Beaches

Located between the Dana Point Headlands and San Mateo/Cotton's Point is the Capistrano Bight. Within the Capistrano Bight is a southwestern facing stretch of coastline with pristine sandy beaches, five miles of which make up the San Clemente coastline. San Clemente beaches are popular for surfing, body boarding, sun bathing, volleyball, fishing, and other ocean related activities. The beaches within San Clemente are divided

into State, City, and private beaches.

San Clemente State Beach

San Clemente State Beach includes 6,000 feet of shoreline, and 110 acres of campground area at the southern end of San Clemente's Coastal Zone and bordered on the north and south by residential uses. The campground facilities accommodate approximately 180,000 visitors a year although the number of campers will fluctuate from year to year based on weather conditions. The San Clemente State Beach campgrounds are one of the most heavily utilized facilities in the State Park system. There are currently 16057 camping spaces: 885 family camp tent sites; 72 with disposal hookups for campers recreational vehicle spaces. In addition there is one group campsite that accommodates up to fifty people.

San Clemente City Beach

The San Clemente City Beach includes two miles, or approximately twenty acres, of coastline. Annually, City beaches receive approximately 2.5 million visitors. The number of visitors in any one year is greatly dependent on the summertime weather. Single and multi-family residential uses are located along the 100 foot tall bluffs that overlook the beach. The most heavily used City beaches are the Pier Bowl, North Beach, and "T" Street. The Pier Bowl, with its concentration of year around activities and is the City's most popular beach. Some of the facilities on the beach include: the Municipal Pier, volleyball courts, fire pits, picnic areas, beach concession stands, restrooms, and showers.

Private Beaches

Two sections of the City's coastline at the City's extreme northern and southern borders are privately owned, restricting the access and use of these beaches. Public access is allowed seaward of the mean high tide line at all times to provide lateral access along the beach. The northern section of private beach begins at the City's northern border and stretches south approximately one mile and is adjacent to residential uses and the open space of the Marblehead Coastal development. This section of beach is owned by Shorecliffs Homeowners Association, Palm Beach Mobile Home Court, the Capistrano Shores Mobile Home Park, and several private owners. Near the City's southern border is approximately one mile of beach owned by the Cypress Cove and Cypress Shores Homeowners Associations. A description of these private beaches and communities is provided below:

Pochè Beach

Poche Beach in San Clemente sits on the northernmost end of San Clemente. The beach is located at the intersection of Camino Capistrano and Pacific Coast Highway. The beach

is located adjacent to residential uses on all three sides. This beach area is privately owned and use of the amenities is restricted to residents of the Shorecliffs community and their guests. Public access is allowed seaward of the mean high tide line at all times to provide lateral access along the beach. Improvements on this beach include a beach club, two paddle tennis courts, and a basketball court. Pochè Beach is a popular surfing and body boarding area. Public access and a public beach are located just north of the privately owned Shorecliffs beach; however, this portion of the beach is located in the City of Dana Point (see Figure 3-22). Just south of Pochè beach is a short stretch of beach owned by the Palm Beach Mobile Home Court. Public access is allowed seaward of the mean high tide line at all times to provide lateral access along the beach. This beach has no improvements, and it is only accessible to residents of the mobile home park.

Figure 3-22 Pochè Public and Private Beach Areas



Capistrano Shores Beach and Community

This development consists of a three quarter mile stretch of beach with 90 mobile homes developed parallel to the shoreline with revetment to protect the mobile homes from storms. The mobile home park is an existing non-conforming use under the City Zoning Ordinance and General Plan. Access is from one driveway at the intersection of North El Camino Real and Avenida Estacion. Utilization of the beach at this point is limited to residents of the mobile home park. The road which provides access to the mobile homes

is posted as a private drive at the point where the entrance driveway crosses the OCTA railroad tracks. The beach entrance adjacent to this area is quite narrow. Access to this area from the public beach located to the south is impossible during high tide due to a combination stone and wood bulkhead designed to protect the mobile homes from large surf. There are no public amenities within this area of the coastline. The single entrance to the mobile home park is located at the intersection of North El Camino Real and Avenida Estacion. The entrance to the Park is not a beach access point. Utilization of the beach in front of the mobile home park is accessed from the north or south access points. The private driveway which provides access to the mobile homes is posted as a private drive at the point where the entrance driveway crosses the OCTA railroad tracks. The North Beach entrance adjacent to this area can be narrow depending on the tide level. Access to this area from the public beach located to the south is limited during high tide due to a combination stone and wood bulkhead designed to protect the mobile homes and the City improvements for drainage from larger surf. There are no public amenities within this area of the coastline.

Cypress Cove

Cypress Cove is one of three private communities near the City's southern border. The Community is zoned Residential Low (RL) and located west of the I-5 freeway. The community has private streets and gated access. The community has a clubhouse, tennis courts, and pool. Access to the beach is at the north end of the community that goes down the bluff and provides access to the beach. The community also has a 2.2 acre park that is located along the bluff and adjacent to the viewpoint and beach access with 21 parking spaces.

Cypress Shores

Cypress Shores is located to the south of Cypress Cove and west of the I-5 freeway. The community is zoned RL and has a gated access. The community has a viewpoint along the bluff, clubhouse, pool and tennis courts. Beach access is at the south end of the community.

Cotton's Point Estates

Cotton's Point Estates is a small gated private community within Cypress Shores that is comprised of 16 lots at the southern most tip of San Clemente. The Western Whitehouse home of Richard Nixon until 1980 is located within this community along the bluffs in front of Cotton's Point surf break.

Cypress Shores/Cove Beach

Access to this private beach is limited to the residents of the Cypress Shore, Cypress Cove, and Cotton's Point Estates communities. The beach is one mile long and starts at the southern boarder of the San Clemente State Beach and ends at the City's southern

boarder. The beach is bordered to the east by bluffs and the train tracts with revetment. The beach area is improved with volleyball courts, benches, swings, BBQs, picnic tables, and fire pits.

Surfing Areas

San Clemente is a well-known surfing area and is the home of many of the world's past, present and future surfing professionals. The surf areas located within or near the City's Coastal Zone are valuable recreational resources that are enjoyed year round. There are a total of eight established surfing areas within the City's boundaries. Perhaps the most well-known surfing beaches in the area, are Trestles and San Onofre, located just south of the San Clemente city limits. From north to south the surfing beaches within San Clemente include:

- Pochè - Poche Beach is a County beach within the City of Dana Point, but this general area also extends into the northern portion of the City's Coastal Zone. This beach includes both a reef break and beach break and is located in the northern portion of the City's Coastal Zone.
- 204 – Considered both a rock reef break and a beach break; 204 is located just south of North Beach.
- The Pier - The Pier is a beach break where wave shape is enhanced by the buildup of sand next to the pier. The Pier break is located on the north side of the Municipal Pier. Surfing on the south side of the Pier is prohibited.
- T-Street - T-Street is a reef break that is located in front of the T-Street overpass. ~~During the summer, surfing is not allowed due to its popularity with body boarders and bodysurfers~~ During the summer surfing is prohibited June 15 to September 15 from 10 AM to 6 PM weekends, and from 11 AM to 6 PM weekdays, or any other times as designated by lifeguards for public safety. Surfing is allowed at the beach break just south of T-Street (named "Beach House").
- Lost Winds - Lost Winds is a beach break that is located in front of the Lost Winds access point.
- Riviera - Riviera is a beach break located adjacent to the Riviera Beach storm drain and access point.
- State Park - State Park is a beach break that is located south of the Calafia Beach access point.
- Cotton's Point - Cotton's Point is located at the very southern edge of the City limits and is an outstanding left point break. The closest public access is the Trestles

access.

Community Events

San Clemente holds a variety of community events during the year include Earth Day, art shows, surf contests, car show, beach concerts, art show, and farmers markets. The larger events include:

- The Ocean Festival - Billed as "The Greatest Show on Surf," the Ocean Festival features a variety of ocean related events. Held during the month of July, the Ocean Festival continues to increase in attendance and the number of events since its early beginning in 1977 as a lifeguard competition. In addition to the traditional lifeguard competition, ocean events also include surfing contests and legends presentation, sand castle building contest, ocean related arts and displays, presentations on the history of surfing, music, biathlon competition, swimming contest, junior "King Neptune" and "Little Mermaid" competitions, and more.
- The Fiesta - The Fiesta, held during the month of August, is an annual block party event on Avenida Del Mar. During the Fiesta, downtown streets are closed to vehicles and Avenida Del Mar is transformed into a giant stage where the music plays all day long. This carnival atmosphere includes three stages where performers play music that range from country to rock-and-roll. There are also rides and games for children, food, drinks and other types of street entertainment.
- Fourth of July Fireworks - The Fourth of July Fireworks show is among the most popular of San Clemente's community events. The fireworks show first began at the end of the Municipal Pier in the 1950's and has continued every year since. The Fourth of July weekend is the most popular weekend of the year and attracts thousands of people to the City's beaches.

3.2. Coastal Act Policies

The Coastal Act Policies set forth below are incorporated herein as policies of the Land Use Plan:

Section 30210 Access; recreational opportunities; posting

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211 Development not to interfere with access

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30212 New development projects

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or, (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

(b) For purposes of this section, "new development" does not include:

(1) Replacement of any structure pursuant to the provisions of subdivision (g) of Section 30610.

(2) The demolition and reconstruction of a single-family residence; provided, that the reconstructed residence shall not exceed either the floor area, height or bulk of the former structure by more than 10 percent, and that the reconstructed residence shall be sited in the same location on the affected property as the former structure.

(3) Improvements to any structure which do not change the intensity of its use, which do not increase either the floor area, height, or bulk of the structure by more than 10 percent, which do not block or impede public access, and which do not result in a seaward encroachment by the structure.

(4) The reconstruction or repair of any seawall; provided, however, that the reconstructed or repaired seawall is not a seaward of the location of the former structure.

(5) Any repair or maintenance activity for which the commission has determined, pursuant to Section 30610, that a coastal development permit will be required unless the commission determines that the activity will have an adverse impact on lateral public access along the beach. As used in this subdivision "bulk" means total interior cubic volume as measured from the exterior surface of the structure.

(c) Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by Sections 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution.

Section 30212.5 Public facilities; distribution

Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts of overcrowding or overuse by the public of any single area.

Section 30214 Implementation of public access policies; legislative intent

(a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:

(1) Topographic and geologic site characteristics.

(2) The capacity of the site to sustain use and at what level of intensity.

(3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.

(4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.

(b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. Nothing in this section or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X of the California Constitution.

(c) In carrying out the public access policies of this article, the commission and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs.

Section 30220 Protection of certain water-oriented activities

Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

Section 30221 Oceanfront land; protection for recreational use and development

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Section 30222 Private lands; priority of development purposes

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

3.3. Goals and Policies

Create and maintain outstanding public access and recreational and visitor-serving opportunities in the Coastal Zone, consistent with effective resource conservation practices and the protection of private property rights.

3.3.1 Mobility

Policy Intent

Plan policy provides for both the preservation and the addition of transportation and circulation to coastal access points and coastal activity centers.

GOAL:

Goal 3-1 Provide a circulation/transportation and parking system within the Coastal Zone to:

- a) Support existing, approved, and planned land uses throughout the Coastal Zone while maintaining a desired level of service on all streets and all intersections;
- b) Support development of regional transportation facilities which ensure the safe and efficient movement of people to, from, and within the Coastal Zone; encourage fewer people to drive, reducing circulation and parking demand and promotes the focal areas within the Coastal Zone as a destination resort area;
- c) Provide a citywide system of safe, efficient and attractive bicycle and pedestrian routes for commuter, school, and recreational use;
- d) Provide sufficient, well-designed and convenient on-street parking and off-street parking facilities throughout the City;
- e) Develop and maintain an effective public trail system, including bicycle, hiking, and equestrian trails.

Policies

PUB-1 Pedestrian and Bicycle Connectivity. Encourage connectivity by developing and maintaining pedestrian and bicycle trails, where appropriate, along our coastline, including designated railroad crossings for pedestrians. (BPR-3.05)

PUB-2 Interconnected Neighborhoods. Neighborhoods should be interconnected with safe, well-designed and maintained walking and biking trails, sidewalks. (BPR-6.04)

PUB-3 Compact Neighborhoods. Support compact, neighborhood-serving development that provides healthy foods or essential services within walking or biking distance from residential neighborhoods, schools and parks. (BPR-6.06)

PUB-4 Unified Trail System. The City strives to develop a comprehensive trails plan that is coordinated with the State, County, and City plans for a unified trail system.

PUB-5 Trails. Encourage use of public trails and work with civic organizations, community groups, youth groups, homeowner associations, regional and state agencies and non-profit organizations to improve, expand and maintain the trail network. (BPR-6.07)

PUB-6 Roadway system. Require the City's roadways to (M-1.01):

- a) Accommodate public transit, motor vehicles, bicyclists, skateboarders and pedestrians within the public right-of-way wherever feasible.
- b) Consider Federal, State, Orange County and City standards and guidelines for roadway design, maintenance and operation.
- ~~c) Comply with Orange County Transportation Authority (OCTA) requirements for arterial highways as determined through the Master Plan of Arterial Highways (MPAH) and Measure M. Maintain at least a Level of Service (LOS) D or better at all intersections, except where flexibility is warranted based on a multi-modal LOS evaluation, or where LOS E is deemed appropriate to accommodate complete streets facilities.~~
- ~~d) Provide future roadway capacity. called for by this Element and as shown in the Future Roadway System map.~~
- e) Ensure that new roadways, ramps, traffic control devices, bridges or similar facilities, and significant changes to such facilities, are designed to accommodate multi-modal facilities, and where feasible, retrofit existing facilities to improve the balance for the users of the roadway.
- ~~f) Be maintained in accordance with best practices. and the City's Street Improvement Program.~~

PUB-7 Innovative Design. Support the design principles for Living Streets. Consider use of innovative transportation design features, such as, but not limited to Intelligent Transportation System improvements, modern day roundabouts, midblock and corner bulbouts and road diets where such changes can improve the balance of the roadway and its compatibility with surrounding land uses. (M-1.11.)

PUB-8 Streetscapes and Major Roadways. During the design, construction or significant modification of major roadways, the City will promote scenic parkways or corridors to improve City's visual quality and character, enhance adjacent uses, and integrate roadways with surrounding districts. To accomplish this, the City will (M-1.18):

- a) Encourage the creation and maintenance of median planters and widened parkway plantings;
- b) Retain healthy, mature trees in the public right-of-way, where feasible;
- c) Emphasize the planting and maintaining California Native tree species of sufficient height, spread, form and horticultural characteristics to create the desired streetscape canopy, shade, buffering from adjacent uses, and other desired streetscape characteristics, while considering impacts to public view corridors.
- d) Encourage the use of water-conserving landscaping, street furniture, decorative lighting and paving, arcaded walkways, public art, and other pedestrian-oriented features to enhance the streetscape appearance, comfort and safety.
- e) Encourage and where possible, require undergrounding or stealthing of overhead utility lines and equipment, cellular facilities and related ground mounted structures.
- f) When possible, consolidate signs in the public right-of-way to reduce sign clutter, improve sight distance, maintain or improve safe access and reduce costs.
- g) Design and locate street lighting with shielding or "cutoffs" to prevent glare, avoid excess lighting and preserve dark night time skies.

PUB-9 Electric Vehicles. Support the use of neighborhood- and long-range electric vehicles and identify routes and designate special parking for such Neighborhood Electric Vehicles (NEVs) at beaches and commercial locations (M-2.01).

PUB-10 Accessible Pedestrian Facilities. All new streets shall have provisions for the adequate and safe movement of pedestrians, including improvements for the elderly and disabled (M-2.03).

PUB-11 Accessible Transit. Provide bicycle, pedestrian and wheelchair access to all transit facilities and maintain bicycle, pedestrian and wheelchair facilities so that they are safe, attractive and well lit (M-2.04).

PUB-12 Rail Facilities and Programs. Support the retention of passenger rail facilities at North Beach and in the Pier Bowl to help meet inter-city and regional transportation needs (M-2.05).

PUB-13 Regional Rail Service. Support the expansion of Metrolink and Amtrak service by the Southern California Regional Rail Authority, OCTA, and other agencies to enhance San Clemente's regional transit accessibility for residents, employees and visitors (M-2.06).

PUB-14 Coordinated Land Use Planning for Transit. Encourage higher density, mixed-use development in areas with existing and planned transit service. (M-2.07)

PUB-15 Transit Service. Support the maintenance of existing bus service and encourage transit service enhancements by OCTA to ensure all residents have access to adequate and safe transit. (M-2.08)

PUB-16 Senior and Disabled Public Transit. Support the provision of appropriate and cost-effective transit services for seniors, disabled persons and those who are unable to drive motor vehicles by coordinating with regional transit providers, non-profit service providers, private services, and community-based services. (M-2.09)

PUB-17 Bicycle and Pedestrian Wayfinding. Bicycle and pedestrian network wayfinding and information shall be provided through signs, street markings or other technologies. (M-2.11)

PUB-18 Pedestrian and Bicycle Connectivity. Encourage connectivity by developing and maintaining pedestrian and bicycle trails, where appropriate, along our coastline, including designated railroad crossings for pedestrians. (BPR-3.05)

PUB-19 Pier Bowl and North Beach. Enhance the Pier Bowl and North Beach areas to function as recreational, cultural and economic hubs. We also maximize accessibility for residents, visitors and commuters, including train passengers, to create easy and natural transitions between the beach, beach trail and local businesses or cultural attractions. (BPR-3.06)

PUB-20 Integration of Bicycle Planning. Integrate development of the bicycle facilities network into larger land use planning and development projects. (M-2.12)

PUB-21 Bicycle and Pedestrian Network. Plan, develop and maintain a comprehensive bicycle and pedestrian network. (M-2.13)

PUB-22 Pacific Coast Bicycle Route. Support the continued improvement of the Pacific Coast Bicycle Route and where financially feasible, assist in its implementation. (C-1.12)

PUB-23 Bicycle Facilities. In preparing City land use plans and applicable Capital Improvement Programs, the City will address bicycle needs, including (M-2.19):

- a) Attractive destination facilities, such as secure bicycle lockers, showers, and changing rooms that are conveniently located for bicyclists, i.e. a bike station);
- b) Facilities for bicycle parking within newly-built and renovated multi-family residential developments, residential condominiums and apartment conversions to condominiums, multi-use and non-residential sites;
- c) Safe, secure, attractive and convenient bicycle parking; and
- d) Wayfinding systems and traffic control signage or markings for all bicycle facilities.

PUB-24 Regional Bicycle and Pedestrian Coordination. Coordinate regional trail and bicycle planning, acquisition and development efforts with adjacent jurisdictions. (M-2.20)

PUB-25 External Linkages. Link on-road and off-road bicycle and pedestrian facilities within San Clemente to existing and planned facilities in adjacent and regional jurisdictions. (M-2.21)

PUB-26 Off-Road Trail Linkages. Where feasible, the City connects off-road trails with the on-road transportation network. (M-2.22)

PUB-27 Unpaved Trails. Require unpaved bicycle and pedestrian trails on City controlled property to be built and maintained using recognized best practices. (M-2.27)

PUB-28 Implementation of Bicycle and Pedestrian Improvements. Consider implementing bicycle and pedestrian improvement projects as part of other street improvement projects. (M-2.43)

PUB-29 Bicycle Parking. Provide convenient, secure, attractive and easy to use bicycle parking at public buildings, commercial areas, multi-family residential development projects, and at schools and parks and encourage other agencies to provide bicycle parking for rail transit and Park-n-Ride facilities. (M-2.44)

PUB-30 Access to Public Lands. Improve appropriate legal access to lands open for public use by bicyclists and pedestrians. (M-2.46)

PUB-31 Bicycle- and Pedestrian-Oriented Site Design. Encourage bicycle and pedestrian-oriented site design in commercial areas. (M-2.48)

PUB-32 Alleys/Paseos. Consider improvements to City alleyways to provide automobile and electric vehicle access as well as alternative pedestrian and bicycle routes, where appropriate. (LU-10.10)

PUB-33 Pedestrian Connectivity. Require development projects and site plans to be designed to encourage pedestrian connectivity among buildings within a site, while linking buildings to the public bicycle and pedestrian network. (M-2.50)

PUB-34 Beneficial Commercial Uses on Public Sidewalks. Consider approving certain commercial uses on public sidewalks in the ~~Pedestrian Overlay District~~ when those uses benefit the overall pedestrian environment. (M-2.54)

PUB-35 Automobile Parking Demand. Reduce automobile parking demand by improving public transit, bicycle and pedestrian mobility, particularly to and from our key destination areas. (M-4.03)

PUB-36 Alternative Parking Strategies. Consider alternative parking strategies that address multi-modal parking needs, improve land use efficiency and enhance environmental quality, such as use of energy-saving/generating features, demand based parking strategies, stacking, alternative paving, and accommodating multiple uses. (M-4.04)

PUB-37 Parking Requirements. Support the evaluation and possible consolidation of parking requirements to facilitate the gradual transition of land uses and to simplify standards. (M-4.05)

PUB-38 Comprehensive Parking Strategies. Base parking decisions and related improvements in key commercial areas (e.g., North Beach, Del Mar/T-Zone, Pier Bowl, and Plaza San Clemente) on comprehensive parking and circulation strategies, ~~such as the adopted North Beach Parking Master Plan.~~ (M-4.06)

PUB-39 Alternative Parking Requirements and Incentives. Consider incentives to encourage alternative parking, such as crediting bicycle, neighborhood electric vehicles (NEV), motorcycle and scooter parking spaces toward meeting a portion of the required automobile parking. (M-4.07)

PUB-40 Citywide Identity Graphics. Develop a citywide identity graphics program to clearly mark directions to public buildings, parks, the beach front, Del Mar business district, the Pier Bowl, North Beach, public parking areas, prominent natural features and City entry points. (VIII.2)

PUB-41 Parking Fees. A range of parking fees should be implemented in areas used by the public to access public beaches and parks in order to maximize public access and recreation opportunities. Changes to existing time limits or hours of operation and

substantial changes to parking fees which have the potential to change the intensity of public use of the beach or public access to the ocean shall require a Coastal Development Permit.

3.3.2 Shoreline Access

Goals

GOAL 3-2 Create and maintain outstanding public access and recreational and visitor-serving opportunities in the Coastal Zone, consistent with effective resource conservation practices and the protection of private property rights.

- a. To create and maintain outstanding public access in the Coastal Zone, consistent with effective resource conservation practices and the protection of private property rights.
- ~~b. Provide and maintain a comprehensive and safe beach access network and improve the City's public coastal access system wherever possible.~~

Policies

PUB-42 Coastal Public Access. Establish, protect, maintain, and, where feasible, expand and enhance a system of public coastal access to the shoreline, beaches, tidelands, and recreational facilities in a manner that achieves the following(C-1.01):

- a) Maximizes public access to and along the shoreline;
- b) Is safe and feasible;
- c) Includes, where appropriate, pedestrian, hiking, bicycle, and equestrian trails;
- d) Provides connections to beaches, parks, and recreational facilities and trail networks with adjacent jurisdictions;
- e) Includes, where appropriate, well-designed and maintained support facilities such as parking, restrooms, fire pits, trash facilities, resting/view places, snack bars, picnic tables, and bike racks;
- f) Provides access to coastal view corridors;
- g) Maximizes public coastal views;
- h) Facilitates alternative modes of transportation, such as walking, bicycling, and public transit, including local shuttles;
- i) Is consistent with policies regarding hazards, bluff, resource, cultural resource and wildlife habitat preservation;
- j) Minimizes alterations to natural landforms;
- k) Protects environmentally sensitive habitat areas (ESHAs);
- l) Meets facility needs to provide public safety services, including lifeguards, fire, and police service;

- m) Is managed to be permanently available;
- n) Balances the rights of individual property owners with the public's rights of access;
- o) Is compatible with adjacent development; and
- p) Is developed in cooperation with the following: State Department of Parks and Recreation, State Department of Fish and Wildlife, State Coastal Conservancy, State Lands,- Orange County and private organizations.

PUB-43 Preserving Public Access. Review proposals for coastal land use and development to ensure they do not interfere with the public's right of access by ensuring that (C-1.04):

- a) Public transit needs are accommodated, as required by Orange County Transport Association;
- b) Commercial and visitor-serving commercial uses are located near housing to encourage walking and bicycling;
- c) Non-automobile mobility options are provided within new development;
- d) Adequate parking facilities, or a substitute means of serving the development with public transportation, is provided;
- e) Proposals are consistent with public safety and security needs;
- f) Proposals protect fragile coastal resources and effectively mitigate potential impacts;
- g) Public coastal access is provided on site in proportion to the impact resulting from the proposal, unless there is a convenient and easily accessible alternative nearby;
- h) Gates, guardhouses, barriers, or other structures that would inhibit public access to and along the shoreline and to beaches, coastal parks, trails, or coastal bluffs are generally not permitted, with the exception of devices associated with safe access along and across the railroad.

PUB-44 Beach Access Inventory. The City will conduct an inventory of existing beach access facilities on a periodic basis to determine requirements of renovation and/or future capital improvement items, prepare a capital improvements program, and adopt a prioritization schedule for renovation. (IX.3)

PUB-45 Primary Beach Access Points. The maintenance and enhancement of public non-vehicular access to the shoreline shall be of primary importance when evaluating any future public or private improvements in the Coastal Zone. (IX.5) The City's five primary beach access points are (IX.4):

- North Beach

- Linda Lane
- Municipal Pier
- "T" Street
- Avenida Calafia (San Clemente State Beach)

PUB-46 New Development Public Access Requirements. New developments lying between the first public roadway and the shoreline shall provide both physical and visual access to the coastline in proportion to the impact resulting from the new development (IX.15). The location and amount of new development should maintain and enhance public access to the coast by:

- a) Facilitating the provision or extension of transit service;
- b) Providing commercial facilities within or adjoining residential development or in other areas that will minimize use of coastal access roads;
- c) Providing multi-modal facilities and access routes within and adjacent to the development;
- d) Providing adequate parking facilities or a substitute means of serving the development with public transportation or non-motorized transportation modes;
- e) Ensuring the potential for public transit for high intensity uses;
- f) Ensuring that the recreational needs of new residents will not overload nearby coastal recreation areas, by correlating the amount of development with local park acquisition and development plans with the provision of on-site recreational facilities to serve the new development.

PUB-47 New Development Requiring Public Lateral Access Easement. Any new development lying between the first public roadway and the coast which has ownership interests to the mean high tide line shall ~~be required to~~ require provide a direct dedication or an irrevocable offer to dedicate (OTD) ~~of dedication of~~ an easement to allow public lateral access along the beach. Such ~~offers of dedication~~ OTDs shall run with the land in favor of a public agency or a private association approved by the Executive Director of the Coastal Commission. Such offers shall be in effect for a period of 21 years, and shall be recorded free of prior liens, except tax liens.

~~The~~Each lateral public access easement shall extend inland from the mean high tide line to the toe of a bluff. In cases where development is not located on a bluff, but on the beach, lateral public access shall extend no closer than 10 feet to a residence to allow for a privacy buffer. In no case shall the area available for public use be closer than ten (10) feet to any residence with the exception that in the event that the area seaward of the 10-

foot buffer is impassable. For example, at extreme high tides, the public shall have the right of pass and repass within the 10-foot buffer area.

Where a residential development of greater than twenty units is proposed along a shorefront bluff top lot, and no beach area exists to allow for vertical and lateral access to the shoreline, public access for viewing purposes shall be provided as an alternative. Such access shall run along the bluff edge, and shall extend a minimum of twenty feet inland from the bluff edge, but no closer than ten feet to any residential unit.

Modifications to the recommended dimensions of bluff top viewing areas shall be permitted in order to maintain public safety (including bluff stability), habitat values and the rights to privacy of the property owner and adjacent property owners. In areas where a residential structure exists in the vicinity of the proposed access, the access way shall be sited and designed to provide a buffer area between the access way and the structure. Generally, a 10-foot buffer between the access way and the residential structure will be adequate to protect the right to privacy of those potentially affected. This dimension, however, may be enlarged or diminished depending on individual site characteristics.

PUB-48 Private New Development Requiring Public Vertical Access Easement.

Any new development proposed by the private communities listed below shall be required to provide a direct dedication or an irrevocable offer of dedication to dedicate (OTD) of an easement to allow public vertical access to the mean high tide line in all new development projects causing or contributing to adverse public access impacts, unless adequate access is available nearby. Vertical accessways shall be a sufficient size to accommodate two-way pedestrian passage and landscape buffer and should be sited along the border or side property line of the project site or away from existing or proposed development to the maximum extent feasible.

Such offers of dedication shall run with the land in favor of a public agency or private association approved by the City Community Development Director and Coastal Commission Executive Director. Such offers shall be in effect for a period of twenty-one (21) years, and shall be recorded free of prior liens, except tax liens. The access easement shall measure at least 10-feet wide. Development permits will require public vertical access for new development at the following private communities:

- i. Private beach areas between Capistrano Shores and the northern City limit
- ii. Capistrano Shores Mobile Home Park
- iii. La Ladera (La Boca del Canon)
- iv. Cypress Shores (Avenida de las Palmeras/Calle Ariana)
- v. Cotton's Point

~~PUB-49 What is not New Development.~~ For purposes of this section, "new development" does not include (IX.16):

- ~~a) Replacement of any structure pursuant to the provisions of Subdivision (g) of Section 30610 of the Public Resources Code.~~
- ~~b) The demolition and reconstruction of a single family residence, provided that the reconstructed residence shall not exceed either the floor area, height, or bulk of the former structure by more than ten percent and that the reconstructed residence shall be sited in the same location on the affected property as the former structure.~~
- ~~c) Improvements to any structure which do not change the intensity of its use, which do not increase either the floor area, height or bulk of the structure by more than 10 percent, which do not block or impede public access, and which do not result in a seaward encroachment by the structure.~~
- ~~d) Any repair or maintenance activity for which the Coastal Commission has determined, pursuant to Section 30601, that a coastal development permit will be required unless the Commission determines that such activity will have an adverse impact on lateral public access along the beach.~~

~~PUB-50 When Must Projects Required to Provide Public Access.~~ For the purpose of determining when a project is required to provide access, the following shall be considered (IX.17):

- ~~a) Access dedication requirements shall apply only to the extent permissible under the "takings" clauses of the United States and California Constitutions.~~
- ~~b) The provision and protection of public access to the shoreline can be considered a "legitimate governmental interest." If the specific development project places a burden on this interest, then the City may have grounds to deny the development or impose conditions on the development to alleviate the burden.~~

~~PUB-51 New Development Restrictions on Limiting Public Access.~~ New development shall not incorporate gates, guardhouses, barriers or other structures designed to regulate or restrict access where they would inhibit public access to and along the shoreline and to beaches, coastal parks, trails or coastal bluffs.

~~PUB-52 Dedicated Public Access Areas.~~ The City will pursue dedication and acceptance, where feasible, of beach access and other offers-to-dedicate (OTD) throughout the City. After the date of certification of the LCP, the City will keep an inventory of public access and open space dedications or OTDs offers-to-dedicate to ensure that such areas are known to the public and protected through the coastal development permit process.

PUB-53 Conversion of Public Access. Prohibit the conversion of new private streets, or the conversion of public streets to private streets, where such a conversion would inhibit public access to and along the shoreline and to beaches, coastal parks, trails or coastal bluffs.

PUB-54 Maximizing Public Access. Consistent with the policies above, provide maximum public access from the nearest public roadway to the shoreline and along the shoreline with new development except where (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources or (2) adequate access exists nearby.

Maintenance of Access Points

PUB-55 Beach Access Facilities. The City will develop a comprehensive network of improved beach access facilities at all designated primary beach access points (Figure 3-3) which will ultimately provide safe access to all City owned beaches. (IX.6)

PUB-56 City Maintenance of Facilities and Access Points. Improvements to beach facilities and beach access points which are administered by the City of San Clemente shall specifically be intended to maintain, enhance and maximize public use of the beach and ocean (IX.1).

PUB-57 Maintenance of Access Points. The maintenance and enhancement of improved and licensed public non-vehicular access across the railroad tracks and to the shoreline shall be of primary importance when evaluating any future public or private improvements in the Coastal Zone. The City's five primary beach access points are (IX.4 & IX.9):

- 1) North Beach
- 2) Linda Lane
- 3) Pier Bowl Underpass
- 4) "T" Street
- 5) Avenida Calafia (San Clemente State Beach)

The following five secondary access points are:

- 1) Dije Court
- 2) El Portal
- 3) West Mariposa
- 4) Lost Winds
- 5) Riviera

The City shall encourage non-vehicular access to these points, in order to minimize conflict with local residential neighborhoods and to maximize the capacity of the primary access points to serve regional visitors.

PUB-58 Access Management Program. For the private beach area north of Capistrano Shores and the Capistrano Shores, La Ladera, Cypress Shores and Cotton's Point, an access management program shall be prepared when development in one of these private communities is required to dedicate or offer to dedicate public access in accordance with the City LCP and State requirements. The purpose of the access management programs shall be to provide maximum public access consistent with the Coastal Act of 1976, the analysis contained in this Element, and site specific constraints. The access management programs shall be implemented by the City of San Clemente or other public agencies or private associations which have accepted the offers of dedication (IX.13).

The access management program shall include the following:

- a) Establish hours of public access which shall include, at a minimum, the hours between sunrise and sunset.
- b) Provide bicycle racks for a minimum of 5 bicycles at the beach terminus of the vertical access way, where feasible.
- c) Provide public access signage at the entrances of private communities to inform the public of the access way and its hours of operation.
- d) Provide public restroom facilities, where feasible.

The following elements may be incorporated into the management program:

- i) The accepting agency may charge a reasonable entrance or use fee, comparable to those charged by the State and City operated day use facilities, in order to defray costs for maintenance.'
- ii) The community association may be allowed, subject to permit approval, to erect small posts, bollards or similar structures at reasonable intervals in order to delineate the public access and recreation areas. Small signs describing the uplands as private property may also be allowed, subject to permit approval. No fences may be erected on the beach.

PUB-59 Accessible Viewpoints. A resting/viewplace should be provided at appropriate accessways near the inland entry point. Such facilities would be of benefit to older people or others who would find negotiating the steep accessways tiring, and would capitalize on the panoramic coastal views available from the bluff edges (IX 12).

PUB-60 Limitation on Vacations of Public Right-of-WaysROW. Vacations of public rights-of-way that provide public parking, public access and/or public recreational

opportunities require a Coastal Development Permit unless the vacation serves a public purpose or benefit.

PUB-61 Preferential Parking Limitations. New preferential parking districts in the coastal zone are prohibited except where such restrictions would not have a direct impact to coastal access, including the ability to use public parking. A coastal development permit is required to establish new, or modify existing preferential parking districts

PUB-62 Locations for Trash Receptacles. Trash receptacles shall be placed at appropriate access ways and should be placed in aesthetically pleasing enclosures (IX.18).

PUB-63 Public Access to Private Beaches. The City will pursue acquisition of public access to private beach areas, where feasible.

PUB-64 Use of Municipal Pier and Public Beaches. No person shall be upon or use the public pier or any public beach of the City of San Clemente between the hours of 12:00 midnight and 4:00 A.M. of the following day. (Ord 749, Section 18-22). The public is allowed in the area seaward of the mean high tide allow for all hours of the day.

PUB-65 Beach Curfew. ~~The City of San Clemente currently has a beach curfew in the interest of public safety between the hours of 12:00 midnight and 4:00 A.M. of the following day for the municipal pier and upland beach areas (Ord 749, Section 18-22). The beach curfew cannot apply to the area of California Coastal Commission's CCG original jurisdiction (i.e. State tidelands, submerged lands and public trust lands) including, but not limited to, the area seaward of the mean high tide line. The public shall be permitted access to the water's edge and at least 20 foot inland of the wet sand of all beaches at all times.~~

PUB-66 Beach Closures. Closure to public use of any portion of the beach inland of the mean high tide line is not encouraged and requires a Coastal Development Permit which must maintain the public's right to gain access to State tidelands. Limit measures that restrict public use of the beach to those necessary to address documented public safety events that cause a risk or hazard to the general public; these measures shall be the minimum necessary to address the potential risk or hazard to the general public. Reassess the need for continuation of safety measures that limit public access on a periodic basis to assure maximum public access is provided.

PUB-67 Non-vehicular Access. Promote non-vehicular access in the Coastal Zone to minimize parking conflicts and to enhance our ability to serve regional Visitors (C-1.05).

PUB-68 Public Infrastructure. Protect, maintain and enhance public infrastructure that provides public access to the shoreline, beaches, coastal parks, and trails, including the City's Beach Trail. (C-1.06)

PUB-69 San Onofre State Park. Support continued public access to and use of those areas of Camp Pendleton under lease to the State Parks Department. (GM-1.08)

3.3.3 California Coastal Trail

PUB-70 California Coastal Trail. Support establishment of the California Coastal Trail (CCT) by others and where financially feasible, assist in its implementation and include possible future CCT extensions and connections within San Clemente and to adjacent cities. Future extensions of the CCT will incorporate signage with the State adopted CCT logo. (C-1.07)

3.3.4 Recreational Opportunities and Amenities

PUB-71 Recreational Opportunities. Protect, and where feasible, expand and enhance recreational opportunities in the Coastal Zone. (C-1.08)

PUB-72 Availability of Amenities. The City shall protect the availability of beach amenities on public City, County or State beaches for the general public. Availability shall be to all members of the general public on an equal basis. A reservation system for public beach amenities may not be established by private entities.

PUB-73 Lower-cost Visitor Serving Public Recreational Opportunities. Establish and maintain public beaches and parks to provide free and lower-cost visitor serving public recreational opportunities. (C-1.09)

PUB-74 Visual Compatibility. Maintain, improve and develop our recreational resources in ways that are visually compatible with the character of surrounding areas. (C-1.10)

PUB-75 Visitor-serving Public Facilities. Protect, promote, and provide sustainably designed recreational and visitor-serving public facilities in San Clemente's Coastal Zone. ~~as described in the Table 2.1: Coastal Land Use Plan Classifications.~~ (C-1.11)

PUB-76 Recreational Fishing. The City supports recreational coastal fishing. (C-1.13)

PUB-77 Recreational Users. Provide indoor and outdoor recreational programs and facilities appropriate for a range of income levels, ages and abilities. (BPR-1.02)

PUB-78 Programming. Program City parks and other recreation facilities for efficient and creative uses, consistent with the type of facility, user groups served and community needs. (BPR-1.01)

PUB-79 Underserved Youths and Adults. Promote low-cost or free, safe and fun recreational program for underserved youths and adults as part of our local crime prevention efforts. (BPR-1.06)

PUB-80 Beach Fire Pits. Oppose (AQMD) efforts to prohibit the use or reduce the number of fire pits existing in 2014 on San Clemente's public beaches (14 fire pits currently exist). Any change to the fire pits, including but not limited to the quantity, size, or location of the fire pits, or type of fuel used in the fire pits, constitutes development requiring a coastal development permit. (NR-5.08)

~~**PUB-81 Overnight Accommodations.** Lower-cost visitor and recreational facilities, including hotels, motels and camping opportunities in the Coastal Zone shall be protected, encouraged, and where feasible, provided. Developments providing public recreational opportunities are preferred. Any proposal to demolish existing overnight accommodations within the Coastal Zone shall be required to demonstrate that rehabilitation of the units is not feasible. New development that eliminates existing lower cost accommodations or provides high cost overnight visitor accommodations or limited use overnight visitor accommodations such as timeshares, fractional ownership and condominium hotels shall provide lower cost overnight visitor accommodations commensurate with the impact of the development on lower cost overnight visitor accommodations in San Clemente or pay an "in lieu" fee to the City in an amount to be determined in accordance with law that shall be used by the City to provide lower cost overnight visitor accommodations.~~

~~**PUB-81 Range of Pricing.** Encourage new overnight visitor accommodation developments to provide a range of rooms and room prices in order to serve all income ranges. Consistent with Section 30213 of the Coastal Act, the City shall in no event (1) require that overnight room rental be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor serving facility located on either public or private land; nor (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.~~

PUB-82 Evaluation of User Needs. Evaluate user feedback, track facility use, and utilize projections to understand park and recreation facility needs and plan for future acquisition and development. (BPR-2.02)

PUB-83 Beach and Park Maintenance. Maintain beach and park facilities in good condition and strive to meet Council-adopted community standards. (BPR-2.03)

PUB-84 Universal Access. Seek to provide, where feasible, inclusive recreation facilities that meet or exceed accepted standards for Universal Access. (BPR-2.10)

PUB-85 Resource Conservation. Maintain beach resources to conserve natural, recreational, and economic resources. (BPR-3.01)

PUB-86 Pier Maintenance. Regularly monitor the pier and its structures for safety and cleanliness and provide adequate funding and staff support for its maintenance. (BPR-3.03)

PUB-87 Balance. Enhance beach areas that are appropriate for recreational development, without destroying natural resources or beauty. (BPR-3.04)

PUB-88 Marine Safety. Provide an appropriate level of Marine Safety personnel and facilities for the protection of beach users. (BPR-3.07)

PUB-89 Relocation of Railroad Right-of-Way. Support the potential relocation of the railroad right-of-way away from the beach to the vicinity of the Interstate 5 freeway. (BPR-3.08)

PUB-90 Open Space Preservation. Encourage and support the preservation of open space within and adjacent to the City. (BPR-4.01)

PUB-91 Trails and Staging Areas. Support the development, maintenance and enhancement of local trails and staging areas using best sustainable practices. (BPR-4.02)

PUB-92 Trail Connections. Collaborate with other public agencies and private parties to establish connections between trails. (BPR-4.04)

PUB-93 Smoking. Smoking shall not be allowed in City-owned or operated buildings, parks, beaches or other facilities, except in areas specifically designated for this purpose. (BPR-6.03)

PUB-94 Maximum Public Use. Improvements to beach facilities and beach access points which are administered by the City of San Clemente shall specifically be intended to provide for the maintenance and enhancement of maximum public use of the beach and ocean. (IX.1)

PUB-95 Beach Access Signage. Implement a coordinated beach access sign program to facilitate regional access from Interstate 5 to these primary beach access points.

PUB-96 Public Access Safety. Promote the increased safety of access to the shoreline. Provide improved access for the handicapped at a minimum of one of the primary access points administered by the City.(IX.7)

PUB-97 Temporary Events. Require a CDP for temporary events which meet all of the following criteria:

- a) Are held between Memorial Day weekend and Labor Day;
- b) Occupy any portion of a sandy beach area (unless it is located in a remote area with minimal demand for public use and there is no potential for adverse effect of sensitive coastal resources); and
- c) Involve a charge for general public admission and/or seating where no fee is currently charged for use of the same area (unless any fee charge is for preferred seating only and more than 75 percent of the provided seating capacity is available free of charge for general public use).

A temporary event may be subject to CDP review even if the criteria above are not met at the discretion of the Community Development Director if the temporary event has the potential for significant adverse impacts on coastal resources or public access.

PUB-98 Recreation Fishing on Pier. The City protects the rights of the public to access and use the pier for recreational fishing.

4.0 MARINE AND LAND RESOURCES

4.1 Introduction

Natural habitats within the City's Coastal Zone are primarily located in the coastal canyon and bluff areas, as well as in the marine environment. San Clemente is committed to restoring, preserving and enhancing marine resources and Environmentally Sensitive Habitat Areas (ESHA), including wetlands, estuaries, riparian areas, sand dunes and other natural habitats in the Coastal Zone. ~~San Clemente's beach and Coastal Zone has experienced extensive urbanization and recreational use over a number of years that has shaped the natural environment.~~

4.1.1 Environmentally Sensitive Habitat Areas

"Environmentally sensitive habitat" means any ecosystem or habitat that has rare plant or animal life or is itself rare (see definitions in Chapter 7). An example of an environmentally sensitive habitat is the Coastal Sage Scrub plant community, which is not only environmentally important because it supports a variety of native plants and animals (including two rare species: the California Gnatcatcher and the Cactus Wren), but also because the habitat itself is becoming increasingly scarce and easily impacted by human activities.

"Environmentally sensitive habitat areas (ESHA)" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments. Three main elements must be met for an area or habitat to be considered ESHA. First, a geographic area can be designated ESHA either because of the presence of individual species of plants or animals or because of the presence of a particular habitat. Second, for an area to be designated as ESHA, the species or habitat must be either rare or it must be especially valuable. Finally, the area must be easily disturbed or degraded by human activities. ESHA in San Clemente's Coastal Zone are limited to the few remaining undeveloped areas, primarily in the coastal canyon and bluff areas (see Figures 4-1a-e, Potential ESHA map). There are limited amounts of wetlands, riparian areas, native grasses, and coastal sage scrub on the 253 acre Marblehead Coastal site.

The California Department of Fish and Game's Wildlife's (CDFW) "List of California Terrestrial Natural Communities Recognized by the California Natural Diversity Database" (CNDDDB) provides an inventory of California's natural communities and identifies those that are considered rare because of their highly limited distribution. These rare communities may or may not contain individual species that are rare, threatened, or endangered.

Several of the natural communities designated rare by CDFW occur in the City of San Clemente and are easily disturbed or degraded by human activity; and therefore, are presumed to meet the definition of ESHA under the Coastal Act. Potential sensitive habitat in San Clemente are generally shown on Figures 4-1a-e. Development projects will require focused surveys near these areas that are identified as sensitive habitat to determine if ESHA exists. In the City, potential sensitive habitat generally include, but are not limited to, the following:

- a. Coastal scrub communities.
- b. Native grasslands.
- c. Monarch butterfly aggregation sites, including autumnal and winter roost sites and related habitat areas.
- d. Creek and riparian areas, including ephemeral streams.
- e. Wetlands, such as vernal pools and emergent wetlands.
- f. Coastal bluffs/coastal bluff scrub.
- g. Sandy beaches.
- h. ~~Marine habitats.~~

Coastal Scrub Communities

California sagebrush scrub, California sagebrush-California buckwheat scrub, lemonade berry scrub, and quailbush scrub are all considered coastal scrub communities. Of these four vegetation communities, only lemonade berry scrub is considered vulnerable to extirpation and degradation by CDFW (2010) and thus is considered a rare vegetation community. Although California sagebrush scrub and its sub-associations (i.e., California sagebrush-California buckwheat scrub, and quailbush scrub) have suffered enormous losses in California (estimates are as high as 85% for California sagebrush scrub and associated communities), there are still thousands of acres in existence and this community type is no longer listed as rare by CDFW. Nevertheless, coastal scrub communities have the potential to support a number of rare species such as the coastal California gnatcatcher, a federally threatened species, and as such they meet the definition of ESHA because of their especially valuable role in the ecosystem. Coastal scrub communities are important transitional or "edge" habitats adjacent to coastal bluffs, wetlands/riparian areas, and the Pacific Ocean, providing important functions such as supporting pollinators for wetland plants and essential habitat for edge-dependent animals like several species of butterflies that nectar on upland plants but whose caterpillars require wetland vegetation. Coastal scrub communities, specifically California sagebrush scrub and associated sub-associations, also provides essential nesting and foraging habitat for the coastal California gnatcatcher and other special-status plant and wildlife species and such these communities constitute ESHA.

Within the survey area, the California sagebrush-California buckwheat scrub community occurs in one patch located in San Clemente State Beach. It is co-dominated by coastal sagebrush and Eastern Mojave buckwheat. Associated species in this community include lemonade sumac, Menzies' goldenbush, coyotebrush, and fourwing saltbush (*Atriplex canescens*).

The lemonade berry scrub is found along canyon slopes and coastal bluffs within San Clemente State Beach. In the on-site community along the canyon slopes, lemonade sumac is the dominant species with emergent ornamental species such as bank catclaw (*Acacia redolens*) and Peruvian peppertree. In the on-site community along the coastal bluffs within San Clemente State Beach, associated species include seacliff buckwheat (*Eriogonum parvifolium*), fingertips (*Dudleya edulis*), and coastal sagebrush.

Quailbush scrub forms an intermittent shrub layer and is found along the coastal areas of the plan area. In the on-site community, quailbush is the dominant species. Associated species in this community on site include fourwing saltbush (*Atriplex canescens*), coastal pricklypear (*Opuntia littoralis*), coastal sagebrush, and a low percent cover of sea fig (*Carpobrotus chilensis*).

Grass- and Herb-Dominated Communities

Native grassland communities are imperiled with conservative estimates placing the loss of California's native Mediterranean grasslands at more than 90%. Native grasslands are continuing to disappear at an alarming rate, often displaced by non-native annual grasses and forbs caused by human-induced disturbances (CNPS 2008). Giant wild rye grassland is considered a CDFW high priority community because it is vulnerable to extirpation due to human-induced disturbances and as such it meets the definition of ESHA.

Broad-Leafed Upland Tree Dominated Communities

Although eucalyptus groves typically provide very little habitat value, lands supporting groves of eucalyptus trees along and within Calafia Canyon on the grounds of San Clemente State Beach meet the definition of ESHA as monarch butterfly roosting habitat. As early as 2011 overwintering monarch butterflies began roosting in eucalyptus trees near a parking lot associated with the San Clemente State Beach campground near Avenida del Presidente (The Monarch Program 2014). Although monarch butterflies are not threatened with extinction, their autumnal and winter aggregation sites, or roosts, are especially vulnerable to disturbance. Sites that provide the key elements essential for successful monarch butterfly aggregation areas and/or are locations where monarchs have been historically present shall be considered ESHAs. These elements include stands of eucalyptus or other suitable trees that offer shelter from strong winds and storms, provide a microclimate with adequate sunlight, are situated near a source of water or moisture, and that provide a source of nectar to nourish the butterflies.

Areas supporting eucalyptus groves in proximity to the mapped roost site have the potential to provide overwintering opportunities to monarch butterflies. Therefore, those eucalyptus groves supporting roosting monarch butterflies along and within Calafia

Canyon meet the definition of ESHA because of the important role they play in providing roost habitat for monarch butterflies.

The areas of mapped eucalyptus groves within the coastal canyons north of Calafia Canyon do not meet the definition of ESHA despite supporting mixed stands of eucalyptus trees for the following reasons. One, unlike the mapped overwintering site near Calafia Canyon, which supports more open and naturally vegetated habitats associated with San Clemente State Beach, the eucalyptus groves in the remaining coastal canyons to the north are much more urbanized and developed, resulting in extensively disturbed and fragmented patches of eucalyptus trees bound by residential homes and ornamental landscaping. The existing habitats in these areas already exist in a disturbed and degraded condition as a result of past and present human activities and development. The stands of eucalyptus trees in these canyons support an understory of ornamental groundcover with very few clearings, the patch size is fairly limited, and unlike the mapped overwintering site off of Avenida del Presidente, the remaining eucalyptus groves are isolated from larger intact areas of native vegetation. Further, the remaining canyons north of Calafia Canyon are indirectly affected by human presence primarily due to the close proximity of the trees to existing homes. The extent of existing disturbance and the close proximity of these groves to adjacent, existing homes would not change. Thus, the remaining eucalyptus groves in the City do not constitute ESHA. Eucalyptus groves comprised of red gum eucalyptus and redbox (*Eucalyptus polyanthemos*) were mapped on the grounds of San Clemente State Beach at the far end of the survey area as well as along the slopes and canyon bottoms of Palizada, Trafalgar, Lobos Marinos, and Montalvo Canyons. As of November 2014, a eucalyptus grove just outside of the survey area along Avenida del Presidente supported an overwintering population of monarch butterflies with a record estimated 240 roosting butterflies (The Monarch Program 2014).

One patch of arroyo willow thickets was observed in the bottom of Calafia Canyon. A second smaller stand was observed at the far east end of the survey area near Vista Blanca. In the on-site community, arroyo willow is the dominant species. Associated understory species include coastal sagebrush (*Artemisia californica*) and lemonade sunac (*Rhus integrifolia*). Disturbed forms of arroyo willow thickets community on-site contained a higher percent cover of bare ground and non-native species including Washington fan palm (*Washingtonia robusta*).

Waters of the United States, including Wetlands

Small patches of arroyo willow thickets, several ephemeral stream channels, and a potential disturbed vernal pool are present in the City's coastal zone (see Figures 4-1a-e) and are presumed to meet the definition of ESHA given their status as riparian wetlands and potential waters of the U.S./State subject to regulation by the USACE, RWQCB, CDFW, and CCC.

Although not all riparian habitat types are rare throughout the state, in southern California over 90% of the original riparian habitats had been lost to development by 1989. All remaining native riparian habitats in southern California, including arroyo willow thickets,

meet the definition of ESHA both because of their rarity and because of their important roles in the ecosystem. For example, many species of birds nest and roost in riparian habitat but forage in adjacent California sagebrush scrub and chaparral habitats.

Similarly, ephemeral stream channels provide the same ecological and hydrological functions as perennial streams by moving water, nutrients, and sediment throughout the watershed and comprise a large portion of the watersheds in our region (EPA 2008). Ephemeral streams are the defining characteristic of many watersheds in dry, arid and semi-arid regions, and serve a critical role in the protection and maintenance of water resources, human health, and the environment. When functioning properly, ephemeral streams provide landscape hydrologic connections; stream energy dissipation during high-water flows to reduce erosion and improve water quality; surface and subsurface water storage and exchange; ground-water recharge and discharge; sediment transport, storage, and deposition to aid in floodplain maintenance and development; nutrient storage and cycling; wildlife habitat and migration corridors; support for vegetation communities to help stabilize stream banks and provide wildlife services; and water supply and water-quality filtering (EPA 2008). They provide a wide array of ecological functions including forage, cover, nesting, and movement corridors for wildlife. Within the City, ephemeral stream channels likely collect, treat pollutants through toxicant trapping and nutrient retention, and convey runoff from adjacent urbanized development to the Pacific Ocean.

A potential vernal pool, disturbed in nature, was documented on a flat terrace near the edge of a coastal bluff at the far north end of the City near Palizada Canyon (Figure 4-1a). Vernal pools, an especially rare wetland habitat in southern California, shall be preserved and protected throughout California. As previously mentioned, vernal pools provide habitat for a number of rare plants and animal such as the federally endangered San Diego fairy shrimp and they're highly susceptible to disturbance and degradation. Because vernal pools play an important role in the ecosystem by providing habitat to rare plants and animals and because they're vulnerable to extirpation, all vernal pools in San Clemente are considered ESHA.

Sandy Beaches

Sandy beach habitats are protected by not only the federal Clean Water Act and River and Harbors Act but by Section 30230 of the Coastal Act, which requires that marine resources be maintained, enhanced, and, where feasible, restored. Protection of marine habitats is required not only for their biological significance, but also for their commercial, recreational, scientific, and educational value. Within the City, sandy beaches can provide nesting and foraging opportunities for a number of special-status wildlife species including, but not limited to, California least tern, which has been recorded in the City. All areas extending from the mean high tide line landward to the top of the ocean bluffs shall be considered for designation as ESHAs.

Existing development located within the required buffer area would be allowed to remain, and permit additions and remodels less than 50 percent of the existing gross floor area of the structure would be allowed so long as the development does not encroach closer towards the ESHA or wetland.

The biological inventory completed in the Coastal Zone was unable to provide a detailed survey of many of the coastal canyons because they are private property and access was not allowed. Since additional evidence is necessary to determine if ESHA is in these areas, the burden is on the property owner, when they are proposing a project, to rebut the presumptions made in the biological inventory.

Figure 4-1 Coastal Canyons



4.1.2 Marine Environment

San Clemente's coastal marine environment is limited to a continuous open coast sandy beach. Such beaches are sparsely populated by marine plants and animals in comparison with rocky shores. There is a large diversity of marine animals that can be found along San Clemente's shoreline; however, only six or seven common animals occur in any abundance on heavily surf swept sand beaches.

Animals commonly found along the beach include the following:

- Several species of isopods (e.g., pill bugs), including *Alloniscus perconvexus* and *Tylos punctatus*. These are air-breathing animals one quarter inch to one inch long, which make mole-like burrows just beneath the sand surface.
- Sand crabs, *Emerita analoga* often occur in dense patches on the beach, with the largest individuals at the lowest level of the beach sand. They reach a maximum size of about 1-1/2 inches long. Spiny sand crabs, *Blepharipoda occidentalis*, also about 1-1/2 inches long, occur in the sub-tidal region of sandy beaches, as do *Archaeomysis maculate*, a small shrimp-like crustacean.
- Various clam species inhabit the sandy beach. These include Bean Clam, *Donax gouldi*, a small, wedge-shaped clam averaging one inch in length; a Razor Clam, *Sisiqua patula*, a long (shell up to six inches) thin clam with fragile shining valves; and the Pismo Clam, *Tivela stultorum*, a large (up to seven inches or more in length), slow-growing species, which requires surf to survive.
- An elongate hydroid, *Chytia bakeri*, often found on Pismo Clams and Beans Clams, is the only hydroid found on exposed sandy beaches.
- *Glycera* sp., a Bloodworm, is a bright red opeliid polychaete worm about 1-1/2 to 2 inches long, which lives in a narrow band at about mid-tide level. A Polychaete worm, *Nainereis dendritica*, which reaches a length of 12 inches, is sometimes found at and below the lowest tide level.

The Pismo Clams and Razor Clams are now rare due to the loss of sand, deterioration of water quality, and human activities. It is questionable whether Pismo and Razor Clams can ever be re-established within the intertidal zone as long as heavy recreational use, dramatic shifts (erosion and accretion) of sand, and pollution continues.

The nearshore and surf zones contain a number of fish species, many of which are popular as food. These species include Surf Perch, Corbina, and Striped Bass. While not an intertidal form, the famous Grunion, *Leuresthes tenuis*, a smelt-like fish, is common in the local area. San Clemente is not a principal breeding ground for the Grunion.

In addition to the sandy beach and near shore habitats, there are numerous rock and clay finger reefs off the San Clemente shoreline that help form kelp forest and rich marine habitat, as shown in Figure 4-3, Coastal Reefs. Three of the larger reef formations include:

- West Reef: The main portion of this rock reef is located approximately 1,700 feet off shore from Mariposa Point. There are a number of smaller rock formations located between the outer reef and the shoreline. These rocks are partially exposed during mean low tide. The reef is an occasional surf spot during larger swells and is known for its exceptional fishing and diving. This rock reef is an important habitat for a large number of marine species. The rocks located along the coastline are a good location to observe inter-tidal species during extreme low tides.
- San Mateo Rocks: These rocks, with a total exposed surface area at mean low tide of approximately 14,000 square feet, are located 2,400 feet offshore, opposite the Riviera storm drain. This is an important habitat area, supporting an extensive array of marine life. California Sea Lions, *Zalophus Californianus*, are often observed basking themselves on the rocks. The San Mateo Rocks are relatively undisturbed because wave and tidal action make it extremely difficult to approach them.
- Pier Pilings and Artificial Reefs: There is an artificial reef located along both the north and south sides of the Municipal Pier. The San Clemente Pier wharf pilings form a distinctive habitat area. The pilings and artificial reef create a living environment for both marine plants and animals, which, in turn, help to make the pier a good place for fisherman.
- Wheeler North Reef: The reef was developed as mitigation by the Commission in 1991 for the loss of 179 acres of high density kelp bed community for the operation of SONGS Units 2 and 3. SONGS artificial reef large sustains 150 acres of medium- to high-density kelp bed community, together with funding for a mariculture/marine fish hatchery. The project area is located offshore of San Clemente, California, in water depths of approximately 11.5 to 15 meters (38 to 49 ft.). The project area is an 862-acre leased parcel located 0.6 miles offshore of the San Clemente beach between the San Clemente City Pier to the north and San Mateo Point, approximately 2.5 miles to the south. The reef is built of quarry rock or rubble concrete that covers at least 42% (but no more than 86%) of the seafloor. The construction of the reef was completed on September 11, 2008.

San Clemente's Watersheds and Drainage Channels

San Clemente has two main drainage channels that transport rain water and runoff from the inland watersheds to the ocean. A description of these drainage channels are provided below.

Prima Deshecha Canada (M01) Watershed Points

The urbanized flood control channel and storm drain system begins at the north eastern end of Camino de Los Mares and Diamante. From this point, runoff is transported through a concrete channel all the way to Poche Beach. San Clemente has the only developed area in the watershed, which is 2,580 acres (3.9 sq. miles), about 60% of the watershed's total 4,400 acres (6.9 sq. miles).

Segunda Deshecha Canada Channel (M02)

Urban runoff from the 4,800-acre Segunda Deshecha (M02) watershed drains through both natural and open concrete-lined channels, and discharges from a concrete box outlet structure directly onto San Clemente's North Beach which drains to the Pacific Ocean. North Beach is located on the northern portion of the City's shoreline near the western end of Avenida Pico. The City constructed an M02 Urban Runoff Treatment Facility upstream of North Beach to divert and treat up to 1.5 cfs of dry weather urban runoff from the M02 channel, thus eliminating dry weather urban runoff reaching North Beach. The channel's current flow rate is around 0.88 cfs.

Assuming current conditions persist, existing plant and animal life along the sandy beach can probably maintain themselves indefinitely. The LUP provides protection for marine resources such as intertidal areas and nearshore shallow fish habitat. Although development proposed in tidelands or submerged lands would remain under the permit jurisdiction of the Coastal Commission, the LUP provides guidance regarding the protection of marine areas.

Figure 4-1a Potential ESHA Habitat Study Areas Map



Figure 4-1b Potential ESHA Habitat Study Areas Map



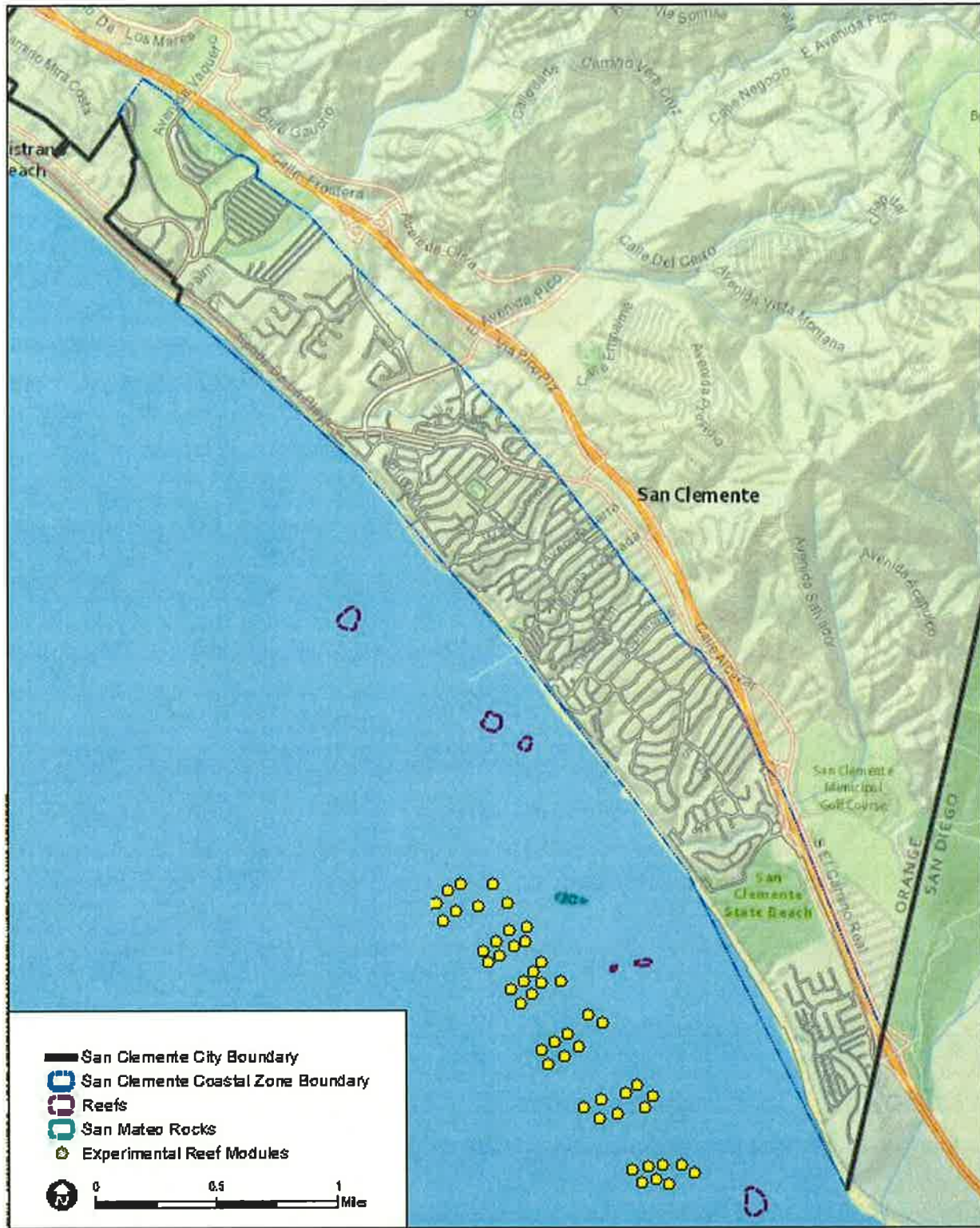
Figure 4-1c Potential ESHA Habitat Study Areas Map



Figure 4-1c Potential ESHA Habitat Study Areas Map



Figure 4-2 Coastal Reefs



4.1.3 Water Quality

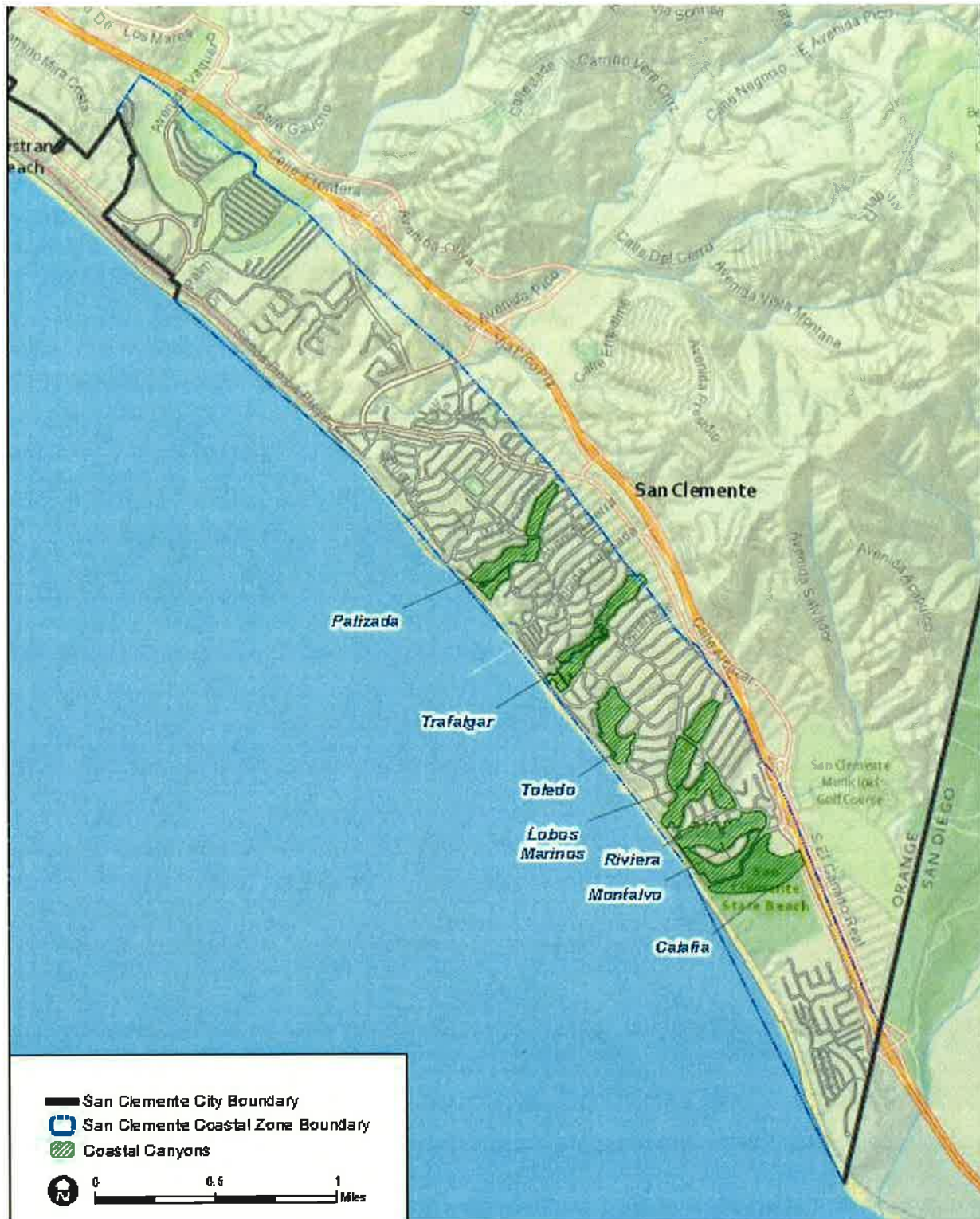
The City's Coastal Zone is primarily urban in nature. As such, the water and marine resources in the area are impacted by pollutants normally associated with urban activities and land uses. Stormwater runoff occurs during rains when water drains off hard impervious surfaces such as paved streets, parking lots, and building rooftops and is carried through the storm drain system to local creeks and canyons and eventually discharged to the ocean. Dry weather urban runoff is generated by irrigating landscaped areas, hosing hardscapes, and other human activities. Runoff is the principal source of pollutants discharged into the ocean within San Clemente's Coastal Zone. The list of potential pollutants includes fertilizers, pesticides, vehicle hydrocarbons, greases, oil, rubber, plastics, asbestos, paint, metals, bacterial organisms, and coarse litter, all of which can enter coastal waters through storm drains and flood control channels. ~~In addition, the SERRA sewage outfall, located north of the City's Coastal Zone at Capistrano Beach, contributes organic material, bacteria, viruses, constituents of emerging concern and possibly toxic substances.~~ The San Onofre Nuclear Power Plant, located south of the City, contributes heat and thermal pollution; however, it is in the processing of being decommissioned.

The LUP provides for the protection of water quality. Policies RES-44 through RES-68 promote the elimination of pollutant discharges, including nonpoint source pollution, and minimization of runoff into the City's waters through regulation of new construction and development, including site planning, monitoring, and permit conditions of approval. The policies also require that Federal and State water quality objectives established in documents such as the California Water Quality Control Plan, the General Construction Storm Water Permit, the General Industrial Permit, and the Orange County NPDES Phase I Municipal Storm Water permit be incorporated into planning and implementation of new development.

4.1.3.4 Coastal Canyons and Bluffs

There are nine coastal canyons in San Clemente, including the two Marblehead Coastal Canyons, Palizada Canyon, Trafalgar Canyon, Toledo Canyon, Lobos Marinos Canyon, Riviera Canyon, Montalvo Canyon, and Calafia Canyon. The coastal bluffs in San Clemente run parallel to the coastline, interrupted only where coastal valleys and canyons intersect with the bluff face. The coastal bluffs and canyons contain important natural habitat.

Figure 4-3 Coastal Canyons



San Clemente's coastal canyons represent remnants of what was once a much larger habitat zone. Most of the City's coastal canyons (the only exception being the canyons located in Marblehead Coastal) are surrounded by residential development. The canyons have been cut off from larger habitat areas since the 1930s. Urbanization around the coastal canyons has led to the introduction of invasive non-native plants. In addition, the introduction of domestic animals has impacted the native fauna. The introduction of domestic dogs and cats from the surrounding urban areas impacts native bird, small mammal, and reptile populations. Despite these impacts, indicator species of Coastal Sagebrush Scrub plant communities are present. The primary environmental value of these habitat areas is their representation of an ever-diminishing resource within an urbanized area of the coast.

~~The City's Coastal Bluffs and Canyons Management Guidelines have identified m~~Major issues and threats associated with urban encroachment into coastal canyons include erosion, invasive plant species, surface slope failures, detrimental drainage improvements, excess watering, visual disruptions, private access ways used by the general public, changes in runoff patterns, and significant unique maintenance issues. In addition, the canyons (with the exception of Marblehead Coastal and Calafia Canyons) are divided into hundreds of privately owned parcels, limiting the potential for restoration. To address these issues, the LUP provides policies requiring development setbacks from coastal canyons for both new development and redevelopment, policies requiring that drainage be directed away from canyons to reduce erosion, and policies requiring native landscaping.

4.2 Coastal Act Policies

The Coastal Act Policies set forth below are incorporated herein as policies of the Land Use Plan:

Section 30230 Marine Resources; maintenance

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 Biological Productivity; water quality

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the

protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30233 Diking, filling or dredging; continued movement of sediment and nutrients

(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of [the California Coastal Act], where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

- 1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.
- 2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.
- 3) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and public recreational opportunities.
- 4) Incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.
- 5) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.
- 6) Restoration purposes.
- 7) Nature study, aquaculture, or similar resource dependent activities.

(b) Dredging and soils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge soils suitable for beach replenishment should be transported for these purposes to appropriate beaches or into suitable longshore current systems.

(c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. ~~Any alteration of coastal wetlands identified by the Department of Fish and Game Wildlife, including, but not limited to, the 19 coastal wetlands identified~~

in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California", shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division.

- (d) Erosion control and flood control facilities constructed on water courses can impede the movement of sediment and nutrients that would otherwise be carried by stormwater runoff into coastal waters. To facilitate the continued delivery of these sediments to the littoral zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a coastal development permit for such purposes are the method of placement, time of year of placement, and sensitivity of the placement area.

Section 30235 Construction altering natural shoreline

Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal dependent uses or protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impact on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded, where feasible.

Section 30236 Water supply and flood control

Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the floodplain is feasible, and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.

Section 30240 Environmentally sensitive habitat areas; adjacent developments

- (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.
- (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would

significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

Section 30107.5 Environmentally Sensitive Area

"Environmentally sensitive area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

4.3 Goals & Policies

4.3.1. Environmentally Sensitive Habitat Areas

GOAL 4-1 Ensure San Clemente's Coastal Zone environment is protected, maintained, and, where feasible, enhanced, including its significant plant and wildlife species and natural, ~~historical and human-made~~ resources.

GOAL 4-2 Protect and preserve significant plant and wildlife species that exist within the coastal canyons in the City's Coastal Zone.

The following policies apply to ESHA as defined in Chapter 7.

RES-1 **ESHA Designation.** Define any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem, and that could easily be disturbed or degraded by human activities and developments, as ESHA.

The following areas shall be considered ESHA, in accordance with Section 30107.5 of the Coastal Act, throughout San Clemente, unless there is compelling site-specific evidence to the contrary:

- Any area that includes habitat for species and plant communities recognized as threatened or endangered by the state or federal governments; plant communities recognized by the State of California (in the Terrestrial Natural Communities Inventory) as restricted in distribution and very threatened; and those habitat types of limited distribution recognized to be of particular habitat value, including wetlands, riparian vegetation, eucalyptus groves associated with monarch butterfly roosts, and native grasslands.
- Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem,

- and that could be easily disturbed or degraded by human activities and developments.
- Areas supporting coastal streams and aquatic resources.
- The recorded or potential presence of plant or animal species designated as rare, threatened, or endangered under State or Federal law.
- Areas that contribute to the viability of plant species for which there is compelling evidence of rarity, for example, those species with a California Rare Plant Rank (CRPR) of 1B (rare or endangered in California and elsewhere) or 2B (rare, threatened, or endangered in California but more common elsewhere) as defined by the California Native Plant Society (CNPS).

Existing developed areas and existing fuel modification areas required by the City of San Clemente or the Orange County Fire Authority for existing, legal structures do not meet the definition of ESHA.

Areas within San Clemente that are dominated by one of the habitats discussed in Section 4.1.1 on Figures 4-1a-e, Potential ESHA Habitat Study Areas Map, are presumed to be ESHA, unless there is strong site-specific evidence including quantitative data documented by a qualified biologist that rebuts that presumption.

RES-2 **Site-Specific Surveys.** Proposals for development on sites where potential habitat study areas ESHAs are shown on Figures 4-1a-e, or where there is probable cause to believe that potential sensitive habitat may exist, shall be required to provide the City with a site-specific biological study that includes the following information:

- A base map that delineates topographic lines, parcel boundaries, and adjacent roads.
- A vegetation map that identifies species that may be indicators of ESHAs.
- A soils map that delineates hydric and non-hydric soils, if applicable.
- An inventory of plant and animal species that indicates the potential existence of ESHAs.
- A detailed map that shows the conclusions regarding the boundary, precise location and extent, or current status of the ESHA based on substantial evidence provided in the biological studies.

- A description of the vegetation, including an estimate of the ground cover of the major species and a species inventory

Attributes to be evaluated when determining a habitat's integrity/connectivity include the habitat's patch size and connectivity, dominance by invasive/non-native species, the level of disturbance, the proximity to development, and the level of fragmentation and isolation.

RES-3 ***ESHA Buffer.*** A setback or buffer separating all permitted development from an adjacent ESHA shall be required and shall have a minimum width as described below.

- A minimum buffer of 25 feet shall be provided around all coastal scrub communities, including California sagebrush scrub, California sagebrush-California buckwheat scrub, lemonade berry scrub, and quailbush scrub.
- A minimum buffer of 10 feet shall be provided around all native grasslands including wild rye grassland.
- A minimum buffer of 100 feet shall be provided around all existing and historic monarch butterfly roost sites as measured from the outer extent of the tree canopy. The buffer may be reduced to 50 feet in circumstances where the trees contribute to the habitat but are not considered likely to function as an aggregation site, such as along narrow windrows.
- A general buffer of 100 feet, and in no case less than 50 feet, shall be provided around all waters of the United States, including wetlands. A 100-foot minimum buffer area shall not be reduced when it serves the functions of slowing and absorbing flood waters for flood and erosion control, sediment filtration, water purification, and groundwater recharge.

The purpose of such setbacks shall be to prevent any degradation (or further degradation) of the ecological functions provided by habitat areas. Development adjacent to an ESHA shall prevent impacts to habitat values or sensitive species to the maximum extent feasible. Native vegetation shall be provided in buffer areas to serve as transitional habitat. All buffers shall be of a sufficient size to ensure the biological integrity and preservation of the ESHA they are designed to protect.

Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

Smaller ESHA buffers may be allowed only where it can be demonstrated that (1) the required buffer width is not possible due to site-specific constraints, and (2) the proposed narrower buffer would be sufficiently protective of the biological integrity of the ESHA given the site-specific characteristics of the resource and the type and intensity of disturbance.

RES-4 **Buffer Maintenance.** ESHA buffers shall be maintained exclusively with native vegetation to serve as transitional habitat and provide distance and physical barriers to human and domestic pet intrusion. Invasive plant species are prohibited within ESHA and ESHA buffer areas.

RES-5 **Monarch Butterfly ESHA.** Stands of eucalyptus trees along and within Calafia Canyon (Figure 4-1c) constitute monarch butterfly ESHAs and as such shall be protected against significant disruption of habitat values, and only uses or development dependent on and compatible with maintaining such resources shall be allowed within these ESHAs or their buffer areas. This policy also applies to any areas that become monarch butterfly ESHA in the future. The following standards shall apply to monarch butterfly ESHAs in the City:

- No development, except as otherwise allowed by this policy, shall be allowed within monarch butterfly ESHAs or ESHA buffers.
- Since the specific locations of aggregation sites may vary from one year to the next, the focus of protection shall be the entire grove of trees rather than individual trees that are the location of the roost.
- Removal of vegetation within monarch ESHAs shall be prohibited, except for minor pruning of trees or removal of dead trees and debris that are a threat to public safety.
- Public trails and access ways are considered resource-dependent uses and may be located within a monarch ESHA or its buffer; however, such features shall be sited to avoid or minimize impacts to aggregation sites.
- Interpretative signage is allowed within a monarch ESHA or its buffer, but it shall be designed to be visually unobtrusive.
- Butterfly research, including tree disturbance or other invasive methods, may be allowed subject to City approval of a permit.

RES-6 **Development in ESHA.** ~~We protect Environmentally Sensitive Habitat Areas (ESHAs) by restricting development in ESHAs consistent with the~~

Local Coastal Program and the California Coastal Act. (C 2.10). ESHA shall be protected against significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas. Limited public access improvements and minor educational interpretive and research activities and development may be considered resource-dependent uses.

RES-7 **Development Near ESHA.** Existing development that was constructed prior to this document that is located within the required buffers identified in policy RES- 2 is allowed to be remodeled or expanded up to 50 percent as long as the development does not encroach closer provides an increased setback/buffer from the ESHA.

RES-8 **ESHA Protection.** Measures, including, but not limited to, trail creation, signage, placement of boardwalks, and fencing shall be implemented as necessary to protect ESHA.

RES-9 **Development Adjacent to ESHA.** Where feasible, confine development adjacent to ESHAs to low impact land uses, such as open space and passive recreation. Development in areas adjacent to ESHAs and parks and recreation areas shall be sited and designed to prevent impacts that would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

RES-10 **Application Requirements.** Applications for new development within or adjacent to potential ESHA habitat study areas shall include an inventory of the plant and animal species present on the project site prepared by a qualified biologist. If the initial inventory indicates the presence or potential for sensitive species or habitat on the project site, a detailed site-specific biological study/assessment shall be required for CDP processing. The biological resources study shall include, but not be limited to: 1) analysis of available literature and biological databases, such as the California Natural Diversity Database, to determine sensitive biological resources that have been reported historically from the proposed development project vicinity; 2) review of current land use and land ownership within the proposed development project vicinity; 3) assessment and mapping of vegetation communities present within the proposed development project vicinity; and 4) general assessment of potential jurisdictional areas, including wetlands and riparian habitats.

a) If sensitive biological resources are identified within or adjacent to the proposed development project area, as outlined in the biological resources report, the construction limits shall be clearly flagged to ensure impacts to sensitive biological resources are avoided or minimized, to the maximum extent feasible.

Prior to implementing construction activities, the City of San Clemente shall require applicants to contract with a qualified biologist to verify that the flagging clearly delineates the construction limits and sensitive resources to be avoided.

b) If sensitive biological resources are known to occur within or adjacent to the proposed development project area, as outlined in the biological resources report, the City of San Clemente shall require applicants to contract with a qualified biologist to develop and implement a project-specific contractor training program to educate project contractors on the sensitive biological resources within and adjacent to the proposed development project area and measures being implemented to avoid and/or minimize impacts to these resources. Project contractors shall be required to comply with the requirements of the program.

c) If sensitive biological resources are present within or adjacent to the proposed development project area and impacts may result from construction activities, as outlined in the biological resources report, the City may require that a developer retain a qualified biological monitor to be present during all or a portion of the construction activities to ensure impacts to the sensitive biological resources are avoided or minimized to the extent feasible. The specific biological monitoring requirements shall be determined on a project-by-project basis. The qualified biological monitor shall be approved by the City on a project-by-project basis based on applicable experience with the sensitive biological resources that may be impacted by the proposed development project activities. (2014 Centennial General Plan Final EIR, MM 3-1)

RES-11 ***Lighting Adjacent to ESHA.*** Shield and direct exterior lighting away from ESHAs to minimize impacts to wildlife.

RES-12 ***ESHA Mitigation.*** Mitigation shall not substitute for implementation of a project alternative that would avoid impacts to ESHA. Require mitigation in the form of habitat creation or substantial restoration for allowable impacts to ESHA and other sensitive resources that cannot be avoided through the implementation of siting and design alternatives. Priority shall be given to on-site mitigation. Off-site mitigation measures shall only be approved when it is not feasible to fully mitigate impacts on-site.

RES-13 ***Conservation of ESHA.*** In conjunction with new development, require that all preserved ESHA, buffers, and all mitigation areas, onsite and offsite, be conserved/dedicated (e.g., open space direct dedication, offer to dedicate (OTD), conservation easement, or deed restriction) in such a manner as to ensure that the land is conserved in perpetuity. A management plan and

funding shall be required to ensure appropriate management of the habitat area in perpetuity. The City shall maintain an inventory of open space dedications or OTDs to ensure such areas are known to the public and are protected through the coastal development permit process.

RES-14 **Open Space Management.** Require all direct open space dedications or OTDs to be made to a public agency or other appropriate entity that will manage the open space area on behalf of the public.

RES-15 **Mitigation Ratios.** Apply the following mitigation ratios for allowable impacts to upland vegetation: 4:1 for Vernal Pools; 3:1 for Coastal Sage Scrub, California Buckwheat Scrub, and Arroyo Willow Thickets; 2:1 for Ephemeral Stream Channels; and 1:1 for Lemonade Berry Scrub, Quailbush Scrub, Giant Wild Rye Grassland, Maritime Succulent Scrub, Native Grassland, and Southern Mixed Chaparral. The ratios represent the acreage of the area to be restored/created to the acreage impacted.

RES-16 **Monitoring ESHA Mitigation Measures.** Mitigation Measures shall be monitored to ensure they are completed and in compliance with approved permits.

4.3.2 Marine Resources

~~Plan policy provides for maintaining a safe and healthy beach and marine environment for beach users and populations of all local marine species.~~

GOAL 4-3 Provide and maintain a safe and healthy beach and marine environment for beach users and the local marine life.

RES-17 **Beach and Marine Environment.** The City shall provide a litter-free and enjoyable beach and marine environment. (C-2.01)

RES-18 **Uses within the Marine Environment.** Uses of and within the marine environment shall be conducted to (1) maintain the long-term biological productivity of coastal waters, (2) help ensure the continuation of a healthy, self-renewing marine ecosystem, and (3) help ensure the long-term survival of healthy populations of marine plants and animals. (C-2.11)

RES-19 **Marine Protected Areas.** Any marine area that meets the ESHA criteria shall be considered ESHA and shall be accorded all protections provided for ESHA in the LCP. ~~Any marine area that meets the ESHA criteria, including Areas of Special Biological Significance and Marine Protected Areas (as~~

designated by the California Department of Fish and Wildlife) shall be considered ESHA and shall be accorded all protections provided for ESHA in the LCP.

RES-20 **Marine Mammal Habitat.** Marine mammal habitats shall not be altered or disturbed by development of recreational facilities or any other new land uses.

RES-21 **Fish Habitat.** Nearshore shallow fish habitats and shore fishing shall be preserved, and where appropriate and feasible, restored or enhanced.

RES-22 **Cobble.** ~~Do not remove~~ Cobble shall not be removed from the beach. Cobble is a native geomorphological feature of San Clemente's beaches, occurring due to natural processes, and its removal has potential consequences to the health of the beach structure.

RES-23 **Beach Management Plan.** The City shall ensure that the appropriate department is the lead in the implementation of Policies RES-22 through RES-28 regarding beach maintenance. Activities that constitute 'development' in a beach management plan must be approved with a coastal development permit.

RES-24 **Safety.** Public safety shall take precedence in operational practices, including implementation of Policies RES-22 through RES-28. Operational practices shall reflect that maximizing the safety, health, and well-being of the public at the beach is a primary concern, and the use of emergency and maintenance vehicles and equipment is necessary to ensure safety.

RES-25 **Kelp.** Kelp has an important role in the ecological and structural condition of the beach, provides habitat and nutrients for coastal marine animal and vegetative species, and provides direct and indirect support for sand retention. The City places value on the habitat value of kelp wrack as well as the recreational use of the beaches, and the following actions are intended to balance the two: As such, the City shall:

1.) Remove excessive kelp, in the dry sand areas, during the summer season, May 15th through September 15th, to provide maximum sandy beach space for public use while protecting grunion-spawning grounds in the wet sand areas;

2.) Allow kelp to remain on the beach during the winter season, September 16th through May 14th;

3.) At any time, remove excessive kelp in cases of extreme kelp build-up, at the direction of the City Manager or designee.

RES-26 **Native Beach Vegetation.** Native beach vegetation has a natural role in the ecological, structural, and aesthetic conditions of the San Clemente Beach, providing habitat for coastal marine species, and sand retention support. As such, the City shall:

- 1.) Protect existing native beach vegetation in established sand hummocks and dunes; and
- 2.) Seek to identify locations where planting of native beach vegetation can be implemented, and work with appropriate organizations for planting and establishment of native beach vegetation.

RES-27 **Beach Debris.** Remove large driftwood and debris since it may create potential dangers from wave action, or by its presence on the sand.

RES-28 **Sand Grooming and Sand Berms.** Sand has a primary role in the use and enjoyment of San Clemente's beaches; as such, conduct beach and sand maintenance as follows:

- 1.) Conduct scheduled sand grooming during the summer season, May 15th through September 15th, on dry sand areas, avoiding the wet sand areas in an effort to protect grunion-spawning grounds and kelp wrack;
- 2.) Conduct sand pushing above the wet sand and high tide/wrack line twice a year, or timing as directed by the City Manager. Sand pushing is the action of moving sand mechanically with the intention to:
 - a) Create berms in order to protect beach facilities,
 - b) Attempt to stockpile sand, whenever available in late autumn and early winter,
 - c) Prevent loss of sandy beach into the ocean,
 - d) Remove man-made berms in the late spring to prepare the beach for public use during the summer season

A Coastal Development Permit is typically required for sand grooming and construction of sand berms, and Coastal Development Permits issued for these activities shall be consistent with the Hazards and Public Access policies of this LUP.

RES-29 **Use of Mechanized Equipment on Beach.** Beach maintenance shall strike a balance between protection of habitat and maintaining the value of sandy beach **the recreational value of the beach.**

1. Mechanized equipment may be permitted for use on the dry sand areas of the beach above the high tide/wrack line, for the following activities:

- a) Regular maintenance operations, including: (1) beach cleaning (e.g., trash, driftwood, and large debris removal); (2) leveling for recreational activities; (3) seasonal re-contouring to clear stairways (e.g., after storms) or address safety hazards (e.g., steep drop-offs near public access points on the beach, due to storms or erosion events); and (3) installing lifeguard towers and handicap ramps;
- b) Seasonal sand grooming and construction of sand berms, as provided in Policy RES-28;
- c) Kelp removal on dry sand areas above the high tide/wrack line between May 15th and September 15th, as provided in Policy RES-25.
- d) Safety activities, including use of lifeguard vehicles and other emergency machines.
- e) Construction activities covered by a separate CDP.

2. The use of mechanized equipment for beach grooming is subject to the following management provisions:

- a) No equipment will be stored on the sandy beach.
- b) No mechanized equipment will operate in the wet sand (below the ordinary high tide line), except in cases of emergency and when required for safety reasons.
- c) Maintenance activities will be scheduled to prevent conflict with access and use of the beach by the public.
- d) Debris shall be reused or disposed of at the City landfill. Disposal at other sites within the coastal zone requires a separate CDP.
- e) The operation of any equipment will be with safety as the first consideration.

RES-30 **Offshore Drilling.** The City will continue to actively oppose offshore oil drilling of ocean waters along the Pacific Coast where visual and

environmental quality have the potential to be severely impacted for residents and beach users. (IV.9)

4.3.3 Wetlands

RES-31 **Wetlands.** Recognize and protect wetlands for their scenic, recreational, water quality, and habitat values. (C-2.08) The biological productivity and the quality of wetlands shall be protected and, where feasible, restored.

RES-32 **Wetland Definition.** Wetlands include lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens. Wetlands, as detailed by Section 13577 (b)(1) of Title 14 of the California Code of Regulations, also include land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to vegetated wetlands or deep-water habitats. Any unmapped areas that meet these criteria are wetlands and shall be accorded all of the protections provided for wetlands in the LCP.

RES-33 **Wetland Protection.** Any wetland area mapped as ESHA potential habitat study areas or otherwise any area determined to have previously been wetland shall not be deprived of protection, as required by the policies and provisions of the LCP, on the basis that habitat has been illegally removed, filled, degraded, or that species of concern have been illegally eliminated.

RES-34 **Biological Study.** Where a project site has the potential for wetlands to be present, the City shall require the submittal of a detailed biological study of the site, including a delineation of all wetland areas on the project site.

RES-35 **Wetland Delineation.** Wetland delineations shall be conducted according to the definitions of wetland boundaries contained in Section 13577(b) of Title 14 of the California Code of Regulations. Wetland shall be defined as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of

surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate. The delineation report shall include at a minimum (1) a map at a scale of 1":200' or larger with polygons delineating all wetland areas, polygons delineating all areas of vegetation with a preponderance of wetland indicator species, and the location of sampling points, and (2) a description of the surface indicators used for delineating the wetland polygons. ~~Paired sample points will be placed inside and outside of vegetation polygons and wetland polygons identified by the consultant conducting the delineation.~~ Paired sample points shall be placed inside and outside wetland polygons and polygons containing a preponderance of wetland indicator species to document the accuracy of the mapped boundaries.

RES-36 **Wetland Buffer.** Buffer areas shall be provided around wetlands to serve as transitional habitat and provide distance and physical barriers to human intrusion. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the wetland they are designed to protect ~~but in no case shall they and should~~ be less than 100 feet in width. A reduced wetland buffer may be allowed only where it can be demonstrated that (1) only a 50-foot wide buffer is not possible due to site-specific constraints, and (2) the proposed narrower buffer would be sufficiently protective of the biological integrity of the ESHA given the site-specific characteristics of the resource, and the type and intensity of disturbance.

RES-37 **Development Near Wetlands.** Existing development that was constructed prior to this LUP that is located within the required buffers identified in policy RES- 376 are allowed to be remodeled or expanded up to 50 percent as long as the development provides an increased setback from the wetland.

RES-38 **Wetland Impacts.** The diking, filling, or dredging of open coastal waters, wetlands, and estuaries, and lakes may be permitted only where there is no feasible less-environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, ~~and estuaries, and shall be limited to the following activities,~~ as specifically outlined in Coastal Act Section 30233, including but not limited to:

- a. Incidental public service purposes including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines;
- b. Restoration purposes; and

c. Nature study, aquaculture, or similar resource-dependent activities.

RES-39 ***Wetland Mitigation.*** Where any dike or fill development the diking, filling, or dredging of wetlands is permitted in accordance with the Coastal Act and any applicable LCP policies, mitigation measures shall include, at a minimum, creation or substantial restoration of wetlands of a similar type. Adverse impacts will be mitigated at a ratio of 3:1 seasonal for all wetlands, freshwater marsh and riparian areas, and at a ratio of 4:1 for vernal pools and saltmarsh, unless the applicant provides evidence establishing, and the City finds, that creation or restoration of a lesser area of wetlands will fully mitigate the adverse impacts of the dike or fill project. Mitigation for riparian areas shall be 3:1. However, in no event will the mitigation ratio be less than 2:1 unless, prior to the development impacts, the mitigation is completed and is empirically demonstrated to meet performance criteria that establish that the created or restored wetlands are functionally equivalent or superior to the impacted wetlands. Lower mitigation ratios may be allowed for mitigation completed in advance of the project impacts. A ratio of 1:1 may be allowed if prior to the allowable wetland impact, the mitigation is empirically demonstrated to meet performance criteria that establish that the created or restored wetland is functionally equivalent or superior to un-impacted natural reference wetlands.

RES-40 ***Monitoring Wetland Mitigation Measures.*** Mitigation Measures shall be monitored to ensure they are completed and in compliance with approved permit requirements.

RES-41 ***Material for Beach Replenishment.*** Material that is removed from erosion control/flood control facilities that is suitable for beach replenishment should be used for such purposes on appropriate beaches, or placed into suitable longshore current systems.

RES-42 ***Agency Approvals.*** Coastal Development Permit Applications for development within or adjacent to wetlands shall include evidence of the preliminary approval of the California Department of Fish and Game Wildlife, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and other resource management agencies, as applicable.

RES-43 ***Agency Jurisdiction and Permits.*** The City of San Clemente shall require applicants to obtain permits from all responsible agencies for development projects that have the potential to impact jurisdictional waters, wetlands, and riparian habitat under the jurisdiction of the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and/or San Diego Regional Water Quality Control Board. The agency authorization would include impact avoidance

and minimization measures, as well as mitigation measures for unavoidable impacts. Specific avoidance, minimization, and mitigation measures for impacts to jurisdictional resources shall be determined through discussions with the regulatory agencies during the proposed development's project permitting process and may include monetary contributions to a mitigation bank or habitat creation, restoration, or enhancement projects. (2014 Centennial General Plan Final EIR, MM 3-4)

4.3.4 Water Quality

Goal: Maintain and restore biological productivity and coastal water quality appropriate to maintain optimum populations of marine and freshwater organisms and to protect human health.

RES-44 **Water Resources.** Existing and new development shall not degrade San Clemente's water resources or water quality. (PSFU-5.01)

RES-45 **Recycled Water.** Encourage, and in some cases require, the use of recycled water when available ~~through a Mandatory Use Ordinance.~~ The City will continue to expand its recycled water program, and will seek new and improved technologies and best practices to use water more efficiently. (PSFU-5.08)

RES-46 **Wastewater System.** The City shall provide and maintain a system of wastewater collection and treatment facilities to adequately convey and treat wastewater generated in the City of San Clemente service area. (PSFU-5.10)

RES-47 **Xeriscape Planting to Conserve Water.** To conserve water, the City shall require new development to plant drought-tolerant landscaping, consisting of at least 60 percent (by landscaped area) California Native plants, and shall encourage such plantings in existing development. (PSFU-5.12)

RES-48 **Low Impact Design Strategies.** New development and redevelopment shall give precedence to We require the use of a Low Impact Development approach to stormwater management, which integrates site design strategies with small-scale, distributed Best Management Practices to replicate the site's natural hydrologic balance through infiltration, evapotranspiration, harvesting, detention, or retention of stormwater, to the maximum extent appropriate and feasible. slow urban runoff, improve filtration, and reduce the volume of discharges through best management practices. (PSFU-6.10)

RES-49 Stormwater and Urban Runoff Management. The City shall maintain a comprehensive stormwater/urban runoff management plan, and provide adequate funding to implement the plan, to minimize impacts on our watershed, canyons, coastal bluffs, beaches, and marine resources. (PSFU-7.01)

RES-50 Enforcement. The City shall maintain adequate legal authority to implement and enforce local plans and ordinances to comply with applicable regional, state, and federal requirements for stormwater runoff management and mitigation to protect our water quality and coastal resources. (PSFU-7.03)

RES-51 Impervious Surfaces and Infiltration. New development should minimize the installation of impervious surfaces, where feasible, especially impervious areas directly connected to the municipal storm drain system, to maximize on-site infiltration, except where infiltration would exacerbate geologic hazards, in order to minimize increases in stormwater or dry weather runoff. (PSFU-7.05) Redevelopment projects shall, where feasible, increase the area of pervious surfaces. Development shall be planned, sited, and designed to maintain or enhance on-site infiltration of runoff, where appropriate and feasible.

~~**Urban Run-off Quantity.** We encourage the use of low impact development strategies to intercept run-off, slow runoff discharge rates, increase infiltration and ultimately reduce discharge volumes to meet design capacities of City storm drain systems. (C-2.01, PSFU-7.06)~~

RES-52 Stormwater and Urban Runoff Management. ~~We~~The City shall protect coastal and marine resources by installing runoff treatment systems implementing the Clean Ocean Program and conducting pollution prevention activities (e.g., street sweeping, drain and catch basin maintenance, water quality testing, site inspections, and spill cleanups) to address stormwater and urban runoff pollution and comply with applicable Federal, State, and regional requirements. (C-2.03)

RES-53 Creation and Restoration of Areas with Water Quality Benefits. Where feasible, development shall be planned, sited, and designed development to preserve or enhance non-invasive vegetation to achieve water quality benefits such as transpiration, interception of rainfall, pollution uptake, shading of waterways to maintain water temperature, and erosion control. New development and redevelopment shall preserve, and where possible, create or restore areas that provide important water quality benefits, such as riparian corridors, coastal canyons, vernal pools, wetlands, and buffer zones, and the City encourages land acquisition of such areas. (PSFU-7.08)

RES-54 **Maintain or Enhance Natural Drainage Features.** Development should protect the absorption, purification, and retention functions of natural drainage features (e.g., stream corridors, drainage swales, topographical depressions, floodplains, and wetlands) that exist on the site. Where feasible, drainage plans shall be designed to complement and utilize existing drainage patterns and features, conveying drainage from the developed area of the site in a non-erosive manner with appropriate treatment. Where new stormwater outfalls cannot be avoided, plan, site, and design outfalls to minimize adverse impacts to coastal resources from outfall discharges, including consolidation of existing and new outfalls, where appropriate. Disturbed or degraded natural drainage systems hydrologic features should be restored, where feasible.

RES-55 **Stormwater Runoff Plans.** Integrate storm water quality protection into construction and post-construction activities at all development sites. All projects that require a CDP and have the potential for adverse water quality or hydrology impacts to coastal waters shall prepare both a construction-phase and a post-development runoff plan. Runoff management shall be addressed early in the development's planning and design stages. As part of coastal development permit CDP approval, the City shall require that the runoff plans include stormwater pollution control and runoff control measures or systems, and a maintenance program, as necessary. The post-development maintenance program shall be for the life of the development.

RES-56 **Minimizing Pollutants and Runoff.** Site, design, and manage new development and improvements, including – but not limited to – landscaping, to protect coastal waters from nonpoint source pollution by minimizing the transport of pollutants in runoff and minimizing post-development changes in the site's runoff volume, flow rate, timing, and duration. Review new development and improvements for potential degradation of water quality and water resources. The level of detail provided to address the plan's requirements shall be commensurate with the type and scale of the development, and the potential for adverse water quality and hydrology impacts to coastal waters. ensure that they meet the requirements of the NPDES Municipal Stormwater Permit's Low Impact Development (LID) Requirement

RES-57 **Best Management Practices for Development.** To control pollutant discharges, minimize post-development changes in runoff flows, and provide long-term, post-construction erosion control and water quality protection in all physical development, Site Design and Source Control BMPs shall be required for all new development and redevelopment.

1) **Site Design BMPs:** Any project design feature that reduces the generation of pollutants or reduces the alteration of the natural drainage features, such as minimizing impervious surfaces or minimizing grading/site disturbance.

2) **Source Control BMPs:** Practices that prevent release of pollutants into areas where they may be carried by runoff, such as covering work areas and trash receptacles, practicing good housekeeping, requiring maintenance operational procedures, using efficient irrigation, and reducing use of landscaping chemicals.

RES-58 **Developments of Water Quality Concern.**

Certain categories of development pose a greater threat of adverse impacts to water quality and hydrology due to the extent of impervious surface area, type of land use, or proximity to coastal waters (or proximity to a creek, channel or storm drain system that leads to coastal waters). The City shall identify categories of "developments of water quality concern" (Definition and thresholds provided in CH 7) and shall require additional BMPs for these developments. Developments of water quality concern shall be required to comply with the following policies:

1) Conduct a polluted runoff and hydrologic site characterization by a qualified licensed professional, early in the development planning and design stage, and document the expected effectiveness of the proposed BMPs.

2) Design required Low Impact Development (LID), Treatment Control, and Runoff Control BMPs to infiltrate, retain, or treat the amount of runoff produced by an appropriate design storm (e.g., the 85th percentile design storm standard), where feasible.

85th percentile design storm standard: Design BMPs to infiltrate, retain, or treat the amount of runoff produced by all storms up to and including the 85th percentile 24-hour storm event for volume-based BMPs, or the 85th percentile 1-hour storm event (with an appropriate safety factor of 2 or greater) for flow-based BMPs.

3) Use an LID approach to stormwater management that will retain on-site (by means of infiltration, evapotranspiration, or harvesting) the runoff volume from the 85th percentile design storm, to the extent appropriate and feasible.

4) Conduct an alternatives analysis to demonstrate that there are no appropriate and feasible alternative project designs that would substantially improve runoff retention, if a proposed development will not retain on-site the runoff volume from the 85th percentile design storm using an LID approach.

5) Use a Treatment Control BMP (or suite of BMPs) to remove pollutants of concern from any portion of the 85th percentile design storm runoff volume that will not be retained on-site using Site Design strategies and LID BMPs, or if additional pollutant removal is necessary to protect coastal waters. The type of treatment should be effective for removing the pollutants generated by the development.

Treatment Control BMPs: Structural systems designed to remove pollutants from runoff by processes such as gravity settling of particulate pollutants, filtration, biological uptake, media absorption or any other physical, biological or chemical process. Examples include vegetated swales, detention basins, and storm drain inlet filters.

6) Use a Hydromodification Control BMP to minimize adverse post-development changes in the runoff flow regime, if a development adds a net total of more than 15,000 ft² of impervious surface area, and using appropriate and feasible Site Design strategies and LID BMPs will not retain on-site the runoff volume from the 85th percentile design storm.

Hydromodification Control BMPs: Structural systems designed to minimize post-development changes in runoff flow characteristics and maintain the natural watershed, by processes such as infiltration, evapotranspiration, harvesting and use, detention, or retention. Examples include retention structures such as basins, ponds, topographic depressions, and stormwater vaults. For non-exempt Priority Development Projects, implement a system designed to reduce the potential for hydromodification impact by using designs such as infiltration and detention basins, bioinfiltration facilities, underground detention vaults, and instream grade controls.

RES-59 ~~Post-Construction BMPs.~~ Where post-construction treatment control BMPs are required, the BMPs (or suites of BMPs) shall be designed to infiltrate and/or treat the amount of storm water runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume based BMPs, and/or the 85th percentile, 1 hour storm even, with an appropriate safety factor (i.e. 2 or greater), for flow-based BMPs. The term "treatment" includes physical, biological and chemical processes such as filtration, the use of bio-swales, detention and retention ponds and adsorption media. The actual type of treatment should be suited to the pollutants generated by the development.

RES-60 **BMP Maintenance.** As part of the Coastal Development Permit process, the City shall require all development to implement appropriate protocols to manage all design features used to mitigate stormwater runoff (including ongoing operation, maintenance, inspection, and training), to protect coastal water quality for the life of the development.

RES-61 **Water Quality Impacts of Development Projects.** Public and private development and re-development projects shall be sited and designed to prevent, reduce, or remove pollutant discharges and to minimize increases in stormwater runoff volume and rate to prevent adverse impacts to coastal waters to the maximum extent practicable. Where required by the nature and extent of a proposed project and where deemed appropriate by City staff, Projects shall develop a construction phase and a post-development runoff plan a project shall have a plan that addresses both temporary (during construction) and permanent (post-construction) measures for all project that require a CDP and have the potential for adverse water quality or hydrology impacts to coastal waters. These plans should control erosion and sedimentation, to reduce or prevent pollutants from entering storm drains, drainage systems and watercourses, and to minimize increases in stormwater runoff volume, and flow rate, timing, and duration to prevent adverse changes in the hydrology of coastal waters.

RES-62 **Minimization of Water Quality Impacts During Construction.** Development shall minimize the land disturbance activities of construction (e.g., clearing, grading, cut-and-fill, and soil compaction), especially in erosive areas (including steep slopes, unstable areas, and erosive soils), to avoid detrimental water quality impacts caused by increased erosion or sedimentation. Development shall minimize pollution of runoff by construction chemicals and materials.

RES-63 **Canyon Drainage Devices.** Drainage devices extending into the canyon will be allowed only when 100 percent site drainage to the street is not practical, to be determined by the City.

RES-64 **Construction Measures.** The City shall require that construction be conducted with provisions for the control of sediment transport and debris originating at the construction site as follows:

1. For necessary grading operations, the smallest practical area of land will be exposed at any one time during development, and the length of exposure will be kept to the shortest practical amount of time. The clearing of land should be avoided during the winter rainy season, and all measures for removing

sediments and stabilizing slopes should be in place before the beginning of the rainy season.

2. Sediment control measures will be installed with the initial grading operations and maintained through the development process to remove sediment from runoff waters to the maximum extent practicable. All captured sediment shall be retained on site unless removed to an approved disposal location.
3. Temporary vegetation, seeding, mulching, or other suitable stabilization methods will be used to protect soil subject to erosion that has been disturbed during grading or development. All cut-and-fill slopes disturbed soil areas that are inactive shall be stabilized with suitable stabilization measures as soon as feasible and no later than 14 days after inactivity. At project completion, all disturbed soil areas must be planted to provide permanent soil stabilization/erosion control. ~~immediately..native grasses and shrubs, appropriate nonnative plants, or with accepted landscaping practices. Primarily native, drought-tolerant, non-invasive landscaping species shall be used (only California native species shall be used in areas adjacent to coastal canyons and bluffs).~~
4. ~~to accommodate increased runoff resulting from modified soil and surface conditions as a result of development. Implement BMPs, where necessary, to either infiltrate runoff or treat it prior to conveyance off-site during construction.~~

RES-65 **Timing of Grading.** ~~In high erosion areas (such as development adjacent to steep slopes), prohibit the City will strive to minimize non-emergency earth-moving operations during the rainy season (extending from October 15 to April 15). If the City approves grading during the rainy season appropriate BMPs shall be implemented. Approved grading shall not be commenced unless there is sufficient time to complete grading operations before the rainy season. If grading operations are not completed before the rainy season begins, grading should be halted and temporary erosion control measures shall be put into place to minimize erosion until grading resumes after April 15, unless the City determines that completion of grading would be more protective of sensitive environmental resources and would minimize erosion and sedimentation. Erosion control measures should be required for any ongoing grading project or any completed grading project that is still undeveloped. Grading during the rainy season may be permitted to remediate hazardous geologic conditions that endanger public health and safety.~~

RES-66 **Material Stockpile Control Best Management Practices.**
Manage the temporary storage of construction materials for public projects or

landslide material on road shoulders using the most current BMPsto eliminate materials being transported into adjacent drainage courses, to protect air and water quality, and to minimize the spread of invasive plant species. Ensure that landslide material is deposited in permitted landfills or sites with valid permits to accept fill.

RES-67 **Best Management Practices for Public Agencies.** Require that public agencies use the most effective BMPs to protect natural resources at project sites and maintenance yards, when the maintenance and modification of public infrastructure involves the removal of vegetation and/or earth. Where feasible, plan, site, and design development to preserve or enhance non-invasive vegetation to achieve water quality benefits such as transpiration, interception of rainfall, pollution uptake, shading of waterways to maintain water temperature, and erosion control.

RES-68 **Water Quality Features Not Considered Wetlands.** Water quality features, such as detention basins, will not be subject to wetland policies if they are created from uplands and where there is evidence that wetlands or natural drainages did not historically exist.

4.3.5 Other Biological Resources

RES-69 **Natural Areas.** In natural areas that are undeveloped, or partially undeveloped, applicants the City shall require that development:

- a) avoid significant impacts, including retention of sufficient natural space where appropriate;
- b) retain watercourses, riparian habitat, and wetlands in their natural condition;
- c) maintain habitat linkages (wildlife corridors) between adjacent open spaces, water sources and other habitat areas and incorporated these into transportation projects and other development projects to maintain habitat connectivity;
- d) incorporate visually open fences, or vegetative cover to preserve views, ensure continued access and to buffer habitat areas, open space linkages or wildlife corridors from development, as appropriate;
- e) locate and design roads such that conflicts with biological resources, habitat areas, linkages or corridors are minimized; and
- f) utilize open space or conservation easements when necessary to protect sensitive species or their habitats. (NR-1.02)

The City will maintain an inventory of open space dedications, easements, and offers-to-dedicate to ensure that habitat areas are protected from the date of LCP certification.

RES-70 **Coastal Canyons.** Encourage activities which improve the natural biological value, integrity and corridor function of the coastal canyons through vegetation restoration, control of non-native species, and landscape buffering of urban uses and development.

RES-71 **Coastal Canyon Areas Protection.** Preserve designated, undeveloped "natural" coastal canyon areas that are intended to be open space buffers.

RES-72 **Natural Resources.** Protect natural resources by restricting the encroachment of development, incompatible land uses and sensitive habitat disturbance into designated coastal canyon areas.

RES-73 **Coastal Canyon Integrity.** Prohibit development and grading that alters the biological integrity of the coastal canyons, ~~unless it is replaced with habitat of equivalent value, and in conformance with the habitat protection policies below.~~

RES-74 **Drainage Devices.** Drainage devices extending into the canyon will be allowed only when 100 percent site drainage to the street is not practical, to be determined by the City. Drainpipes are to be designed and placed to minimize impacts to the canyon, including visual impacts. Where practical, when extensions are made to existing drainpipes, the entire length of pipe shall be brought into conformance. Adequate visual impact mitigation may include color of original pipe, painting of pipe to blend with natural surroundings, screening of pipe using vegetation and other natural land features, or any other method deemed appropriate. Avoid construction of new stormwater outfalls and direct stormwater to existing facilities with appropriate treatment and filtration, where feasible. Where new outfalls cannot be avoided, plan, site, and design outfalls to minimize adverse impacts to coastal resources from outfall discharges, including consolidation of existing and new outfalls where appropriate.

RES-75 **Natural Resources.** Protect natural resources by restricting the encroachment of development, incompatible land uses and sensitive habitat disturbance in designated coastal canyon areas.

RES-76 **Biological Assessment.** A Biological Assessment Report is required for any development located along a coastal canyon or bluff, on or adjacent to any beach area, within or adjacent to any stream or wetland, and on vacant and undeveloped portions of developed lots with native vegetation, when the development results in the removal of any native vegetation and when an Initial Study has determined that there is a potential for a significant adverse impact to biological resources. The Biological Assessment Report shall (VI1.10, GP Policy 10.1.3):

- a) Be prepared by a qualified professional and addresses the proposed project's impact on rare species, including state and federally listed and candidate plants and animals; California Department of Fish and Game Wildlife (CDFWG) Special Animals; natural communities of high inventory priority with the CDFG's Nongame Heritage Program, and any other special interest species or communities identified in the General Plan Technical Background Report, or those hereafter named by state or federal trustee agencies;
- b) Identify avoidance and mitigation measures necessary to eliminate significant adverse impacts to sensitive biological resources; and
- c) Define a program for monitoring and evaluating the effectiveness of the specified mitigation measures.
- d) Any mitigation required due to an unavoidable negative impact should be located on-site, where feasible and should be of similar habitat type. Any off-site mitigation should be located within the City's boundaries close to the project site.

RES-77 **Riparian Habitats.** ~~Prohibit development and grading which alters the biological integrity of sensitive habitats, including Riparian Corridors unless no feasible project alternative exists which reduces environmental impacts to less than significant levels, or it is replaced with habitat of equivalent value, as acceptable to the City Council.~~ a. Where no environmentally feasible alternative exists ~~Development within adjacent to streams or riparian corridors~~ not considered to be ESHA shall avoid removal of native vegetation; prevent erosion, sedimentation and runoff; provide for sufficient passage of native and anadromous fish; prevent wastewater discharges and entrapment; prevent groundwater depletion or substantial interference with surface and subsurface flows; and protect and re-establish natural vegetation buffers. (NR-1.03)

RES-78 **Riparian Buffer.** Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the riparian habitat and corridors are designed to protect and should be 100 feet in width. A reduced buffer may be allowed only where it can be demonstrated that 1) a 50-foot wide buffer is possible due to site-specific constraints, and 2) the proposed narrower buffer would be sufficiently protective of the biological integrity of the ESHA given the site-specific characteristics of the resource and of the type and intensity of disturbance.

RES-79 **Threatened and Endangered Species.** Preserve the habitat of threatened and endangered species in place as the preferred habitat conservation strategy. (NR-1.04)

RES-80 **Agency Approvals.** The City of San Clemente shall require applicants of public and private development projects that have the potential to affect listed species to obtain written authorization from the U.S. Fish and Wildlife Service that the grading or construction activity is in compliance with regulations on the “take” of the listed species that would directly or indirectly be impacted. Any mitigation requirements set forth by such agencies shall be incorporated into the project’s final design plans. (2014 Centennial General Plan Final EIR, MM 3-2)

~~**Development Proposals.** We protect the natural resources found in the Coastal Zone by evaluating development proposals, as required under the California Environmental Quality Act and as described in the Zoning Ordinance. (C-2.02)~~

~~**Native Landscaping.** We ensure that new landscaping for new development in coastal bluffs, coastal canyons or sensitive habitat areas or~~

~~ESHAs within the Coastal Zone uses primarily plants that are native to the local region, as described in Zoning Ordinance, Coastal Zone (CZ) Overlay District, and prohibit the planting of invasive plant species. (C-2.06)~~

RES-81 **Native Landscaping.** Drought-tolerant native landscaping is required in coastal canyon and bluff areas, to reduce erosion and maintain natural open space areas. Invasive plant species are prohibited in all landscaping. (C-2.07)

RES-82 **Drought Tolerant/Native Species Landscaping.** Ornamental plantings in new, non-residential development should consist primarily of drought tolerant and California native species. Lawns or other high water-use landscaping may be approved only in small areas and special public locations, or as required by the Fire Department. Invasive plant species are prohibited in all landscaping. (UD-5.18)

- RES-83** ***Coordination with State and Federal Agencies.*** The City will work with the state and federal resource protection agencies, businesses, private organizations and individuals to protect natural and marine resources within the City. (C-2.09)
- RES-84** ***Non-Native Species.*** The City seeks to prevent the introduction, reproduction or spread of harmful non-native plant and animal species through public education, maintenance of marine facilities, and by assisting local, state, and federal agencies to enforce laws protecting marine resources. The City will consider restoration of open space areas and removal of invasive plants. (C-2.12)
- RES-85** ***San Mateo Creek Watershed.*** The City supports continued environmental protection of the San Mateo Creek Watershed. (GM-1.09)
- RES-86** ***Minimize Fuel Modification.*** All new development shall be sited and designed to minimize required fuel modification and brushing to the maximum extent feasible in order to minimize habitat disturbance or destruction, removal or modification of natural vegetation, and irrigation of natural areas, while providing for fire safety. Development shall utilize fire-resistant materials.
- RES-87** ***Alternative Fuel Modification.*** Alternative fuel modification measures, including but not limited to landscaping techniques to preserve and protect habitat areas, buffers, designated open space, or public parkland areas, may be approved by the Fire Department only where such measures are necessary to protect public safety. All development shall be subject to applicable federal, State and City fire protection requirements.
- RES-88** ***Fuel Modification Plan.*** Applications for new development near native or sensitive habitat shall include a fuel modification plan for the project site, approved by the Fire Department. Additionally, applications shall include a site plan depicting the brush clearance, if any, that would be required on adjacent properties to provide fire safety for the proposed structures.
- RES-89** ***Vegetation Removal Calculation.*** If natural vegetation removal is proposed, applications for new development shall include the total acreage of natural vegetation that would be removed or subject to other fuel modification requirements, such as thinning.
- RES-90** ***Landscape Area Requirements.*** Use primarily native plant species in landscape areas within required fire clearance zones. All efforts shall be made to conserve water. Invasive plants are strictly prohibited.

RES-91 **Mitigation Ratio.** Removal of native vegetation with habitat value, including removal for fuel modification, shall require mitigation at a 3:1 ratio.

RES-92 **Bird-Safe Building Standards.** All new buildings, and major renovations/remodels of existing buildings, shall be required to comply with bird-safe building standards for façade treatments, landscaping, lighting, and building interiors.

RES-93 **Street Trees.** The City will maintain a healthy stock of park, public area and street trees and encourage the planting of trees with significant canopies that provide numerous benefits, including reduced urban heat gain, natural shading and wind screening, air filtration, and oxygen production. Only non-invasive tree species shall be used. (NR-5.07)

RES-94 **Native Tree Protection.** New development shall be sited and designed to preserve native trees to the maximum extent feasible and to prevent any encroachment into the protected zone of mature individual native trees to the maximum extent feasible. Protected Zone means that area within the dripline of the tree and extending at least five feet beyond the dripline, or 15 feet from the trunk of the tree, whichever is greater. If there is no feasible alternative that can prevent tree removal or encroachment, then the alternative that would result in the fewest or least significant impacts shall be selected. Adverse impacts to mature native trees shall be fully mitigated at a 1:1 ratio with priority given to on-site mitigation. Mitigation shall not substitute for implementation of the feasible project alternative that would avoid impacts to native trees or native habitat.

New development on sites containing native trees shall incorporate the following native tree protection measures:

- a. Protective fencing shall be used around the outermost limits of the protected zones of the native trees within or adjacent to the construction area that may be disturbed during construction or grading activities. Before the commencement of any clearing, grading, or other construction activities, protective fencing shall be placed around each applicable tree. Fencing shall be maintained in place for the duration of all construction. No construction, grading, staging, or materials storage shall be allowed within the fenced exclusion areas, or within the protected zones of any onsite native trees.
- b. Any approved development, including grading or excavation, that encroaches into the protected zone of a native tree shall be undertaken using only hand-held tools.

c. The applicants shall retain the services of a qualified independent biological consultant or arborist, approved by the City, to monitor native trees that are within or adjacent to the construction area. Public agencies may utilize their own staff who have the appropriate classification. If any breach in the protective fencing occurs, all work shall be suspended until the fence is repaired or replaced.

RES-95 **Tree Trimming and Removal.** Tree trimming and approved tree removals shall be conducted during time periods of the year that does not disturb roosting/nesting birds. Make every effort to preserve mature trees before considering tree removal. Preferred approaches, where possible, include modifying street improvements to preserve trees or using best horticultural practices such as watering and fertilizing, pest control, pruning, staking and guying.

RES-96 **Public View Corridors.** Require that street trees planted along designated public view corridors have narrow form and open structure to allow greater visual access. Street trees should be carefully placed and/or properly pruned, following best arboricultural practices, to achieve the desired goals without interruption of significant public views. (UD-6.06)

RES-97 **Native Trees.** Encourage the planting of Native California trees where their use is aesthetically, horticulturally and ecologically appropriate. Examples of potentially appropriate species include Coast Live Oak, California Sycamore and White Alder. (UD-6.07)

RES-98 **Public Vistas.** Prune and maintain plantings on public land to ensure that public vistas to and along the shoreline from public vantage points are preserved.

5.0 HAZARDS & SHORELINE/BLUFF DEVELOPMENT

5.1 Introduction

The City of San Clemente contains areas subject to natural hazards that present risks to life and property. Potential hazards in the City include, but are not limited to, coastal bluffs, slopes with low stability and high landslide potential, surface slope failures, seismic ground shaking, liquefaction, flooding, wave action, tsunami, and fire hazards.

In addition, storm generated tidal surges and rising sea levels present potential hazards that must also be considered. These events may result in loss of beach sand and other sedimentary deposits which are critical to the protection of coastal lands and bluffs and for public safety, recreation and wildlife habitat. A key component of the LCP is managing development in conformance with Coastal Act policies in order to respond to coastal hazards, reduce risks to life and property, avoid substantial changes to natural landforms and minimize and preferable avoid the need for protective structures.

5.1.1 Coastal Bluffs and Coastal Canyons

Coastal bluffs are a vertical landform consisting of gently sloping or steep faces of sediment or soil that line most of the San Clemente coastline. The exceptions are the locations where streams have cut into the bluffs to form arroyos, canyons, or gently sloping valleys. The coastal bluffs and canyons are the prominent topographic feature within the Coastal Zone.

The coastal bluffs were shaped as the coastline was slowly uplifted from the ocean bottom during the Pliocene Epoch (1.6 million years ago). For this reason, marine fossils--similar to the species living in deep water today--show up in the Capistrano Formation (the marine deposit that makes up much of San Clemente's coastal bluffs).

The uplifted coastline has formed a steep bluff face. As the coastline emerged, coastal processes began to work on the bluff face. The wave action eroded away the bluff face and caused the bluff to break off, further steepening the face. Coastal bluffs are susceptible to erosion and slope failure from wave and tidal action. Measures to address this erosion, including armoring with shoreline protective devices, can have significant adverse impacts, such as: direct loss of sandy and rocky intertidal areas, interruption of natural shoreline processes, impediments to public access to and along the coastline as a result of the structure's physical occupation of the beach, and degradation of scenic and visual resources. In San Clemente, this erosional process has been interrupted by the development of the railroad and Pacific Coast Highway along the seaward most edge of the City. There is no longer a wave undercutting effect on the bluff face due to the existence of the riprap protected railroad. However, the railroad and Pacific Coast

Highway have continued the erosional processes on the bluff face resulting in projected cliff faces. Large talus accumulations at the base of the bluff are periodically removed by maintenance crews whose purpose is to keep Pacific Coast Highway and the railroad open. Despite the elimination of natural processes, the coastal bluff remains a very prominent coastal feature. The City's Land Use Plan and the Coastal Act contain policies for restricting development on coastal bluffs

There are nine coastal canyons in San Clemente, including the two Marblehead Coastal Canyons, Palizada Canyon, Trafalgar Canyon, Toledo Canyon, Lobos Marinos Canyon, Riviera Canyon, Montalvo Canyon, and Calafia Canyon (see Figure 4-1, Coastal Canyons). Most of the City's coastal canyons (the only exception being the canyons located in Marblehead Coastal) are surrounded by residential development. The canyons have been cut off from larger habitat areas since the 1930s. Major issues and threats associated with urban encroachment into coastal canyons includes private access ways, erosion, incompatible plant material, surface slope failures, damaging drainage improvements, excess watering, visual disruptions, private access ways used by the general public, non-structural runoff, and significant unique maintenance issues. To address these issues, the LUP provides policies requiring development setbacks from coastal canyons for both new development and redevelopment, policies requiring that drainage be directed away from canyons to reduce erosion, and policies requiring native landscaping.

Descriptions of the type of hazards associated with coastal bluffs and coastal canyons, and past history, is provided below.

Coastal Erosion/Bluff Erosion/Canyon Erosion

The coastal bluffs and canyons contain important natural habitat. The identified coastal canyons in San Clemente include; the Marblehead Coastal Canyons, Palizada Canyon, Trafalgar Canyon, Toledo Canyon, Lobos Marinos Canyon, Riviera Canyon, Montalvo Canyon, and Calafia Canyon. The coastal bluffs in San Clemente run parallel to the coastline, interrupted only where coastal valleys and canyons intersect with the bluff face.

Coastal bluffs are the vertical landform that lines most of the San Clemente coastline. The exceptions are the locations where streams have cut into the bluffs to form arroyos, canyons, or gently sloping valleys. The coastal bluffs and canyons are the prominent topographic feature within the Coastal Zone.

Coastal bluffs are susceptible to erosion and slope failure from wave and tidal action. Measures to address this erosion, including armoring with shoreline protective devices, can have significant adverse impacts, such as: direct loss of sandy and rocky intertidal areas, interruption of natural shoreline processes, impediments to public access to and

along the coastline as a result of the structure's physical occupation of the beach, and degradation of scenic and visual resources.

The origin or geomorphology of the coastal bluffs began, as the coastline was slowly uplifted from the ocean bottom during the Pliocene Epoch (1.6 million years ago). For this reason, marine fossils--similar to the species living in deep water today--show up in the Capistrano Formation (the marine deposit that makes up much of San Clemente's coastal bluffs). The uplifted coastline has formed a steep bluff face. As the coastline emerged, coastal processes began to work- on the bluff face. The wave action then eroded away the bluff face and caused chunks of the bluff to break off, further steepening the face. In San Clemente, this erosional process has been interrupted by the development of the railroad and Pacific Coast Highway. There is no longer a wave undercutting effect on the bluff face. However, over steepened conditions of the bluff face exist as a direct result of the railroad and the Coast Highway. Large talus accumulations at the base of the bluff are periodically removed by maintenance crews whose purpose is to keep Pacific Coast Highway and the railroad open. Despite the elimination of natural processes, the coastal bluff remains a very prominent coastal feature.

Despite the elimination of natural processes, the coastal bluff remains a very prominent coastal feature. The City's LCP and the Coastal Act contain policies for restricting development on coastal bluffs. There are some cases where the bluffs have been developed; however, this development occurred prior to the enactment of the Coastal Act. Many of the developed structures located in close proximity to the bluff edge and are threatened by the incremental erosion of the bluff face. In other instances, the coastal bluffs have been graded in the interest of public safety, which is the reason for grading some of the Marblehead Coastal bluffs along the Coast Highway. The erosion to San Clemente's coastal bluffs has slowed by the revetment that protects the train tracks for ocean erosion.

Tsunamis

A tsunami is a series of ocean waves caused by a sudden displacement of the ocean floor, most often due to earthquakes. Areas of San Clemente that would be flooded by a 30-foot tsunami are limited to the beach and adjoining low-lying areas (CGS 2009) due to the presence of cliffs near the beach along the San Clemente coastline. The historical tsunami record for California suggests that the tsunami hazard in the Southern California region, from the Palos Verdes Peninsula south to San Diego, is moderate. However, the Southern California historical record is very short and it is possible that Southern California has been impacted by tsunamis for which there is no record. More significantly, there are several active faults immediately offshore of the Southern California area, and any of these could generate a future earthquake that could have a tsunami associated with it.

Storm Surges/Sea Level Rise

The level of the ocean has always fluctuated with changes in global temperatures. The last Ice Age ended approximately 18,000 years ago. Since then the world has been experiencing climate change: most of the ice caps have melted, most of the glaciers have retreated, and sea levels have risen. The majority of the City is protected from storm surges and sea level rise because of San Clemente's natural topography with much of the City is protected by the tall bluffs overlooking the coastline and the existing revetment protecting the railroad along the coast.

Development on the ocean side of the railroad revetment is the only area that has the potential to be impacted by a storm surge or sea level rise. The Capistrano Shores Mobile Home Park has its own revetment protection along the coastline. This development is a legal nonconforming use that has an Open Space land use designation. The City's Marine Safety, Pier, and some small structures including snack shops, shade structures and beach restrooms are also located seaward of the train tracks and would be susceptible to these same hazards. The Marine Safety building and public restrooms have small sea walls to protect them from large storms. The San Clemente Pier has been damaged from large storms, most recently it was reconstructed in 1983.

Geologic and Seismic

San Clemente lies in the northern part of the Peninsular Ranges Geomorphic Province, which is characterized by northwest-trending mountains and valleys extending from the Los Angeles Basin into Baja California. The province is bounded by the San Andreas fault zone on the east—which passes about 51 miles northeast of the Sphere of Influence (SOI)—and extends offshore to the west. San Clemente is in the southern foothills of the Santa Ana Mountains, one of the mountain ranges in the Peninsular Ranges Geomorphic Province. San Clemente lies on a block of earth bounded by the Elsinore Fault, which passes about 17 miles northeast of the City, and the Newport-Inglewood Fault offshore. Most of the City of San Clemente and SOI consist of hills and canyons that are steeper east of I-5.

The two nearest active faults to San Clemente are the Glen Ivy North fault in the Elsinore Fault Zone about 17 miles northeast of the SOI, and an unnamed offshore fault 11 miles southwest of the City, as shown on the 2010 Fault Activity Map prepared by the CGS. A segment of the Newport-Inglewood Fault is 19 miles northwest of the City, and a segment of the Newport Inglewood – Rose Canyon Fault is 19 miles south-southeast of the City; both are identified as active.

The Cristianitos Fault, which is not classified active, extends roughly north–south through the northeast part of the City and the eastern part of the planning area. Several other

smaller faults are mapped in the City and SOI. None of those smaller faults are classified active. The Casa Loma Fault in the San Jacinto Fault Zone, 37 miles northeast of the SOI, is classified active.

According to the US Geological Survey (USGS) hazards maps there are many areas in San Clemente's Coastal Zone that are susceptible to seismically induced landslides. There are no known landslides that were seismically induced. Some landslides in the Coastal Zone may be related to over steepened slopes, block failures, and poor bedding of native soils. In 1990s landslides occurred along the north end of the City that resulted in a bluff protection device installed along the bluffs to the north and south of the intersection of Camino Capistrano and Pacific Coast Highway. Other slides have occurred within the City's Coastal Zone that have impacted a small group of houses within the Shorecliffs and Boca Del Canon communities.

Fire

The entire southern California area is at risk from wildland fires due to its weather, topography and native vegetation. The extended droughts characteristic of California's Mediterranean climate result in large areas of dry vegetation that provide fuel for wildland fires.

San Clemente does not have a lot of potential for significant fires in the Coastal Zone because much of the area is developed and there is not a lot of open space areas that are susceptible to large fires to threaten the built environment. The coastal canyons are the only significant undeveloped area with plant material that would be susceptible to fires. The 2001 Trafalgar Canyon fire is the only recent fire to occur in the Coastal Zone.

5.1.2 Shoreline Development

~~Coastal bluffs are the vertical landform that lines most of the San Clemente coastline. The exceptions are the locations where streams have cut into the bluffs to form arroyos, canyons, or gently sloping valleys. The coastal bluffs and canyons are the prominent topographic feature within the Coastal Zone spanning approximately four out of the five miles of the City's coastline. The railroad tracks and revetment projection parallel the entire coastline. The majority of the development for San Clemente is located on top of the bluffs. The only area in the City that has the potential to be impacted by a storm surge or sea level rise is the Capistrano Shores Mobile Home Park that is located at the north end of the City and seaward of the railroad tracks and has its own revetment protection along the coastline. This development is a legal nonconforming use that has an Open Space land use designation. The City's Marine Safety, Pier, and some small structures including snack shops, shade structures and beach restrooms are also located seaward of the train tracks and would be susceptible to these same hazards. The Marine Safety building and public restrooms have small sea walls to protect them from large storms.~~

The San Clemente Pier has been damaged from large storms, most recently it was reconstructed in 1983.

5.2 Coastal Act Policies

The Coastal Act Policies set forth below are incorporated herein as policies of the Land Use Plan:

Section 30235 Construction Altering Natural Shoreline

Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fishkills should be phased out or upgraded where feasible.

Section 30253 Minimization of Adverse Impacts

New development shall do all of the following:

- (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
- (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.
- (c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.
- (d) Minimize energy consumption and vehicle miles traveled.
- (e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.

5.3 Goals and Policies

5.3.1 ~~Development in Hazardous Areas~~ Coastal Bluff and Shoreline Development

HAZ-1 Hazards Review. Review applications for new development, land divisions and plan amendments to determine the presence of hazards and, if they are present,

ensure the hazards are avoided and/or mitigated, as required by the policies in this Section (C-4.02)

HAZ-2 Siting New Development Development on Hillside and Canyons. New development shall be designed and sited to maintain the natural topographic characteristics of the City's natural landforms by minimizing the area of height of cut and fill, minimizing pad sizes, siting and designing structures to reflect natural contours, clustering development on lesser slopes, avoiding development within setbacks, and/or other techniques. Any landform alteration proposed for reasons of public safety shall be minimized to the maximum extent feasible.

HAZ-3 Development Near Shoreline Hazards. New development that is in proximity to the shoreline a hazard area shall be sited and designed in ways that minimize: risks to life and property, impacts to public access and recreation, impacts to scenic resources, impacts to the quality or quantity of the natural supply of sediment to the coastline, adverse impacts due to runoff, and accounts for sea level rise and coastal storm surge projections.

HAZ-4 Beach Front Setback. Proposed development on a beach front lot shall be setback:

1. In accordance with a stringline; or
2. In accordance with the underlying zoning district setbacks in Table 2-1.

HAZ-5 Development Exposure to Hazards. Minimize the exposure of new development to geologic, inundation from SLR/wave uprush/storm surges, and fire hazards. Ensure that new bluff or shoreline development is safe from, and does not contribute to, geologic instability or other hazards.

HAZ-6 Avoidance of Geologic and Other Hazards. Require applicants for development in areas potentially subject to hazards such as seismic hazards, tsunami run-up, landslides, liquefaction, episodic and long-term shoreline retreat (including beach or bluff erosion), wave action storms, tidal scour, flooding, steep slopes averaging greater than 35%, unstable slopes regardless of steepness, and flood hazard areas, including those areas potentially inundated by accelerated sea level rise, to demonstrate, based on site-specific conditions and using the best available science, that:

- 1) The area of construction is stable for development for based on geologic/geotechnical review,
- 2) The development will not create a hazard or diminish the stability of the area, and

- 3) For shoreline/coastal bluff development, compliance with the policies in Section 5.3.2 below.

HAZ-7 **New Development in Hazard Areas.** New development shall only be permitted where an adequate factor of safety can be provided on ancient landslides, unstable slopes, or other geologic hazards areas.

HAZ-8 **Stabilization of Landslides.** In the event that remediation or stabilization of landslides that affect existing structures or that threaten public health or safety is required, multiple remediation or stabilization techniques shall be analyzed to determine the least environmentally damaging alternative. Maximum feasible mitigation shall be incorporated into the project in order to minimize adverse impacts to coastal resources and to preclude the need for future mitigation.

HAZ-9 **Development Compliance with Fire Safety.** Coastal Development Permit applications for new or redeveloped structures shall demonstrate that the development meets all applicable fire safety standards. New development shall be sited and designed to minimize required initial and future fuel modification and brush clearance in general, and to avoid such activities within native habitat areas, Environmentally Sensitive Habitat Areas (ESHA) and ESHA buffers, and on neighboring property.

HAZ-10 **Applicant's Assumption of Risk.** Applicants with a Coastal Development Permit (CDP) for a development in a hazardous area must record a document exempting the City from liability for any personal or property damage caused by geologic or other hazards on such properties and acknowledging that future shoreline protective devices to protect structures authorized by such a CDP are prohibited.

HAZ-11 **New Development Compliance with Health and Safety.** New development that does not conform to the provisions of the LCP and presents an extraordinary risk to life and property due to an existing or demonstrated potential public health and safety hazard shall be prohibited.

HAZ-12 **Non-conforming Structures.** Structures that are located between the sea and the first public road paralleling the sea lawfully built along a coastal canyon, bluff or shoreline area pursuant to a Coastal Commission-issued Coastal Development Permit or prior to the effective date of the Coastal Act (January 1, 1977) that do not conform to the LCP shall be considered legal non-conforming structures. Such structures may be maintained and repaired, as long as the improvements do not increase the size or degree of non-conformity. Additions and improvements to such structures that are not considered a major remodel, as defined herein, may be permitted provided that such additions or improvements comply with the current

policies and standards of the LCP. Complete demolition and reconstruction or major remodel is not permitted unless the entire structure is brought into conformance with the policies and standards of the LCP.

HAZ-13 Major Remodel. The term major remodel shall apply to proposed development located between the sea and the first public road paralleling the sea that consists of alterations including (1) additions to an existing structure, (2) exterior and/or interior renovations, and/or (3) demolition of an existing bluff top or beachfront or coastal canyon single-family residence or other principal structure, or portions thereof, which results in:

(a) Alteration of 50% or more of major structural components including exterior walls, floor and roof structure, and foundation, or a 50% increase in floor area. Alterations are not additive between individual major structural components; however, changes to individual major structural components are cumulative over time from the date of certification of the LUP.

(b) Demolition, renovation or replacement of less than 50% of a major structural component where the proposed alteration would result in cumulative alterations exceeding 50% or more of a major structural component, taking into consideration previous alterations approved on or after the date of certification of the LUP; or an alteration that constitutes less than 50% increase in floor area where the proposed alteration would result in a cumulative addition of greater than 50% of the floor area taking into consideration previous additions approved on or after the date of certification of the LUP.

HAZ-14 Geotechnical Review. A geotechnical review is required for all bluff top, beachfront and canyon edge parcels where new development or major remodel is proposed. If, as a result of geotechnical review, a greater setback is recommended than is required in the policies herein, the greater of the setbacks shall apply. For bluff top parcels, geotechnical review should include consideration of the expected long-term bluff retreat over the expected life of the structure and should provide information assuring that the development will maintain a minimum factor of safety against land sliding of 1.5 (static) and 1.1 (pseudo static) for the life of the structure. The Building Official can issue building permits for structures that maintain a minimum factor of safety against landslides under certain circumstances and conditions were alternative stability requirements are approved by the City Engineer.

HAZ-15 Removal of Unpermitted and/or Obsolete Structures. Development on the shoreline, canyon, and/or bluff sites must identify and remove all unpermitted and/or obsolete structures, including but not limited to protective devices, fences, walkways, stairways, etc. which encroach into canyons or bluffs or onto public property.

HAZ-16 Infrastructure in Hazard Areas. New critical or replacement or rehabilitation or sensitive infrastructure and uses (i.e., major sewer lines, treatment plants, etc. that involve significant public funding and are typically designed to have a long lifespan) should be evaluated to determine if there is a cost effective and practical alternative within hazard areas. If not, then long lasting materials and protection of facilities should be considered.

5.3.2 Bluff and Shoreline Development Standards and Setbacks

HAZ-17 Blufftop Setback. Proposed development, redevelopment, and accessory structures requiring a foundation on blufftop lots shall be set back at least 25 feet from the bluff edge, or set back in accordance with a stringline drawn between the nearest corners of adjacent structures on either side of the development. Structures developed prior to the Coastal Act could be considered in the stringline setback. This minimum setback may be altered to require greater setbacks when required or recommended as a result of geotechnical review required by policy HAZ-13. (VII.14)

HAZ-18 Blufftop Swimming Pool Setback. The minimum setback for swimming pools is 25 feet from the bluff edge. All new or substantially reconstructed swimming pools shall incorporate a leak prevention/detection system.

HAZ-19 Bluff Face Development. New permanent structures shall not be permitted on a bluff face, except for ~~engineered staircases or accessways~~ public access facilities, including walkways, overlooks, stairways, and/or ramps, may be allowed within the shoreline/bluff top setback established to provide public beach access where no feasible alternative means of public access exists by Polies HAZ-3 and HAZ-17 provided they meet the following criteria: ~~to provide public beach access where no feasible alternative means of public access exists~~ and when

1. Must be designed and constructed to minimize landform alteration of the oceanfront bluff face;
2. Does not contribute to further erosion of the bluff ;
3. Visually compatible with the surrounding areas;
4. Does not require shoreline protection devices;
5. Must be consistent with all other applicable LCP policies,
6. Must be sited and designed to be easily relocated or removed without significant damage to the bluff or shoreline; and
7. Will not cause, expand, or accelerate instability of the bluff.

HAZ-20 New Development and Accessory Structures in Bluff Setbacks. All new development, including additions to existing structures, on bluff property shall be landward of the setback line required by Policy HAZ-17. This requirement shall apply to the principal structure and accessory or ancillary structures such as guesthouses, pools, and septic systems, etc **with a foundation**. Accessory structures such as decks, patios, and walkways, which are at grade and do not require structural foundations may extend into the setback area no closer than 10 feet to the bluff edge, provided such accessory structures:

- 1) Such accessory structures are consistent with all other applicable LCP policies;
- 2) Such accessory structures are sited and designed to be easily relocated landward or removed without significant damage to the bluff area,
- 3) Such accessory structures will be relocated and/or removed and affected area restored to natural conditions when threatened by erosion, geologic instability, or other coastal hazards, and
- 4) No shoreline protective device will be allowed for the purpose of protecting **any** the accessory structure(s).
- 5) **Accessory structures without a foundation shall be sited in accordance with a stringline but not less than 10 feet from the bluff edge.**

HAZ-21 Bluff/Shoreline Landscaping. All landscaping for new blufftop or shoreline development or redevelopment shall consist of native, non-invasive, drought-tolerant, fire-resistant species and any approved irrigation system shall be low volume (drip, micro jet, etc.). Excessive irrigation on bluff top lots is prohibited.

HAZ-22 Blufftop Lot Drainage and Erosion. New development and redevelopment on a blufftop lot shall provide adequate drainage and erosion control facilities that convey site drainage in a non-erosive manner away from the bluff edge to minimize hazards, site instability, and erosion.

HAZ-23 Public Access Facilities in Bluff/Shoreline Setback Areas. Shoreline and bluff area public access facilities, including walkways, overlooks, stairways, and/or ramps, may be allowed within the shoreline/bluff top setback established by Policy **HAZ-4 and HAZ-16** provided they meet the following criteria:

5. Such public access facilities shall only be allowed if consistent with all other applicable LCP policies,
6. Such public access facilities are sited and designed to be easily relocated or removed without significant damage to the bluff or shoreline, and

7. Such public access facilities will not cause, expand, or accelerate instability of the bluff.

HAZ-24 Stability Requirements for Foundations on Bluffs. The City may consider options including a caisson foundation to meet the stability requirement and avoid alteration of the natural landform along the bluffs where setbacks and other development standards would preclude development or redevelopment of a single family residence on a bluff top parcel. CDPs for any such residence shall have a condition that expressly requires a waiver of any rights to new or additional buff retention devices which may exist and recording of said waiver on the title of the bluff top parcel.

HAZ-25 Minimum Development. A CDP may be processed to allow the minimum development necessary to avoid a taking of private property for public use without just compensation where adherence to LCP policies for geologic setbacks and other development standards would preclude construction of a new primary residence on a vacant parcel.

HAZ-26 Public Non-conforming Facilities. Publicly-owned facilities that are existing, legal, non-conforming, and coastal dependent uses, such as public access improvements and lifeguard facilities, located within 25 feet of the edge of the bluff edge or string line may be maintained, repaired and/or replaced as determined necessary by the City. Any such repair or replacement of existing public facilities shall be designed and sited to avoid the need for shoreline protection to the extent feasible.

HAZ-27 Shoreline Development and Marine Safety. New permanent structures shall not be permitted on the sandy beach with the exception of the proposed redevelopment of the City's Marine Safety Headquarters building, a coastal dependent use. Any proposed relocation or redevelopment of the City's Marine Safety Headquarters on the sandy beach shall be located as far landward as feasible and shall be designed to avoid the need for future shoreline protection to the maximum extent feasible. Any CDP authorizing redevelopment of the Marine Safety Headquarters shall require any future shoreline protection device to be sited and designed to mimic natural shoreline features where feasible, and to require a new CDP for any future shoreline protective device for the structure.

HAZ-28 Site-Specific Coastal Hazard Study. A site-specific coastal hazard study is required for new shoreline development, prepared by a qualified professional and based on the best available science. The study should include an evaluation to determine whether any grading (permitted or unpermitted) has occurred and whether the grading, if any, has had an effect on potential inundation hazard.

5.3.3 Bluff and Shoreline Protective Devices

HAZ-29 Bluff and Shoreline Protective Devices. Shoreline protective devices shall be discouraged due to their coastal resource impacts, including visual impacts, obstruction of public access, interference with natural shoreline processes and water circulation, and effects on marine habitats and water quality. The site restoration where existing facilities exist should be encouraged, where feasible.

HAZ-30 Restrict Bluff or Shoreline Protective Devices. The construction, reconstruction, expansion, and/or replacement of a bluff or shoreline protective device, (i.e. revetments, breakwaters, groins, seawalls, bluff retention devices, deep piers/caissons, or other artificial structures) for coastal erosion control and hazards protection, are prohibited unless granted specific exception. Definitions for these devices are provided in Chapter 7.

HAZ-31 Exceptions. Exceptions may be allowed for the construction, reconstruction, expansion, and/or replacement of a bluff or shoreline protective device when required for the protection of coastal-dependent uses, existing development (including a principal structure or residence) or public beaches in danger from erosion, where there is no less environmentally damaging alternative. ~~There are exceptions for the protection of coastal dependent uses, the protection of a principal structure or residence in existence prior to adoption of the Coastal Act (January 1, 1977) ("existing development"), or public beaches in danger from erosion where there is no less environmentally damaging alternative.~~ Repair of shoreline or bluff protective structures or new shoreline or bluff protective structures shall be sited to avoid sensitive resources, designed to eliminate or mitigate adverse impacts on local shoreline sand supply and public access. They shall also be designed to avoid or, where avoidance is not feasible, then minimize and mitigate the ~~minimize the~~ encroachment on the public beach, and designed to minimize adverse visual impacts to the maximum extent feasible. Soft structures and designs that mimic natural shoreline features shall be used, where feasible.

HAZ-32 Expansion/Alteration/Repair of Bluff and Shoreline Retention Devices. Expansion and/or alteration or repair of a legally permitted existing bluff or shoreline retention device, allowed in accordance with Policy HAZ-2631 above, shall require a new CDP. The CDP application shall include a re-assessment of need for the device, the need for any repair or maintenance of the device, and the potential for removal based on changed conditions. The CDP application shall include an evaluation of:

- 1) The age, condition, and economic life of the existing principal structure;

- 2) Changed geologic site conditions including but not limited to, changes relative to sea level rise, implementation of a long-term large scale sand replenishment or shoreline restoration program; and
- 3) Any impact to coastal resources, including but not limited to public access and recreation.

No permit shall be issued for retention, expansion, alteration or repair of the device unless the City finds that the bluff retention/shoreline protection device is still required to protect an existing principal structure in danger from erosion, that it will minimize further alteration of the natural landform of the bluff, and that adequate mitigation for coastal resource impacts, including but not limited to impacts to the public beach, has been provided. The CDP for the shoreline protective device shall require the protective device to be regularly monitored by an engineer or engineering geologist familiar and experienced with coastal structures and processes. Monitoring reports to the City shall be required every five years from the date of coastal permit issuance until coastal permit expiration, which shall evaluate whether or not the shoreline protective device is still required to protect the existing structure it was designed to protect.

HAZ-33 Expiration of Bluff and Shoreline Retention Devices. All CDPs for expansion and/or alteration or repair of bluff retention/shoreline protection devices shall expire when the currently existing structure requiring protection is: 1) redeveloped (per definition of Coastal Redevelopment in the LUP), 2) is no longer present, or 3) no longer requires a protective device, whichever occurs first. The property owner shall apply for a coastal development permit to remove the authorized shoreline protective device within six months of a determination by the City that the device is no longer authorized to protect the structure it was designed to protect because the structure is no longer present or no longer requires armoring. In the case of coastal redevelopment, removal of the authorized shoreline protective device shall be required prior to construction of the redeveloped structure. This policy shall be applicable to any new protective devices that may be permitted in accordance with HAZ-31 and HAZ-32.

HAZ-34 Design of Bluff and Shoreline Retention Devices. Bluff retention devices to protect existing development shall be designed to be compatible with the surrounding bluff vegetation and natural landforms. The design plan approved pursuant to the CDP shall demonstrate that:

- 1) The structure will be colored/constructed with concrete or other approved material that has been colored with earth tones that are compatible with any adjacent bluff vegetation area.

White and black color tones will not be used;

The color will be maintained throughout the life of the structure;

- 2) The structure will be textured for a natural look to blend with the surrounding vegetation, and the color will be maintained throughout the life of the structure. White and black color tones will not be used.
- 3) Drought tolerant, non-invasive vegetation may be used, if feasible, to cover and camouflage the structure.

HAZ-35 Minimizing Impacts of Bluff and Shoreline Retention Devices. All shoreline protective devices shall:

Be sited, designed, and treated to blend in visually with the natural shoreline;

Integrate into natural landforms to the greatest degree possible;

- 4) Include mitigation measures to offset any impacts to coastal resources caused by the project;
- 5) Minimize and mitigate for the impairment and interference with shoreline sand supply and the circulation of coastal waters;
- 6) Address the geologic hazards presented by construction in or near earthquake or landslide hazard zones;
- 7) Protect, and enhance where feasible, public recreational access as much as possible, including by minimizing the displacement of beach; and
- 8) If necessary, be combined with efforts to control erosion from surface and groundwater flows.

HAZ-36 Blufftop and Shoreline Development and Redevelopment Retention Devices. For all new bluff top development or redevelopment on lots with a legally established bluff retention device, the required geologic analysis shall: describe the condition of the existing protection device; identify any impacts it may be having on public access and recreation, scenic views, sand supply and other coastal resources; and evaluate options to mitigate any previously unmitigated impacts of the structure or modify, replace, or remove the existing protective device in a manner that would eliminate or reduce those impacts. In addition, any significant alteration or improvement to the principal existing structure shall trigger such review (i.e., the analysis of the seawall/bluff retention device) and any unavoidable impacts shall be mitigated. The CDP shall limit the life of the bluff retention device to the life of the structure (new development or redevelopment) authorized by CDP.

HAZ-37 Existing Shoreline Revetment Repairs. Construction or repair of any existing shoreline revetment is required to comply with the LUP policies regarding shoreline protective structures herein.

HAZ-38 Development and Bluff Retention Devices. Construction BMPs for Bluff and Shoreline Development. Development on the bluffs or shoreline, including the construction of a bluff retention device or shoreline revetment, shall include measures to ensure that:

- 1) No stockpiling of dirt or construction materials shall occur on the beach;
- 2) All grading shall be properly covered and sandbags and/or ditches shall be used to prevent runoff and siltation;
- 3) Measures to control erosion shall be implemented at the end of each day's work;
- 4) No machinery shall be allowed in the intertidal zone at any time to the extent feasible;
- 5) All construction debris shall be properly collected and removed from the beach, and
- 6) Shotcrete/concrete or other material shall be contained through the use of tarps or similar barriers that completely enclose the application area and that prevent the contact of shotcrete/concrete or other material with beach sands and/or coastal waters.

HAZ-39 Accessory Structures. For CDPs authorizing accessory structures on a bluff or canyon lot that do not meet the bluff or canyon setback a condition shall be applied to the permit that requires the permittee (and all successors in interest) to apply for a CDP to remove the accessory structure(s) if it is determined by a licensed Geotechnical Engineer and/or the City that the accessory structure is in danger from erosion landslide or other form of bluff or slope collapse.

HAZ-40 No Bluff Retention for Accessory Structures. No bluff retention device shall be allowed for the sole purpose of protecting a new or existing accessory structure.

HAZ-41 Restrictions for New Protective Devices Prohibition on Future Shoreline Protective Devices. New shoreline protective devices that alter natural landforms along the bluffs or alter shoreline processes shall not be permitted to protect new development. A condition of the CDP for all new development and redevelopment on bluff or beach property shall require the property owner to record a deed restriction against the property that expressly waives any future right that may exist pursuant to Section 30235 of the Coastal Act, to add new or additional bluff or shoreline retention

devices. This policy requires the removal of any structures that become threatened by hazards if relocation is deemed to be infeasible.

HAZ-42 ~~Bluff and Stabilization Devices for Existing Structures~~ Restrictions for New Shoreline Protective Devices. ~~Construction on public land of new shoreline protective devices, bluff protective devices, and slope stabilization devices for the purpose of protecting private property or private development shall be discouraged.~~ Construction of new shoreline protective devices on public land for the purpose of protecting private property or development subject to the approval of the public land owner, shall be discouraged and to avoid siting on public land to the maximum extent feasible to protect public lands available for general public use.

HAZ-43 Shoreline Management Plan. Develop and implement a shoreline management plan for the City's shoreline areas subject to wave hazards and erosion. The shoreline management plan should provide for the protection of public beaches, existing development, public improvements, coastal access, public opportunities for coastal recreation and coastal resources. The plan must evaluate the feasibility of coastal hazard avoidance, restoration of the sand supply, beach nourishment, and planned retreat.

5.3.2 Coastal Canyon Development Standards and Setbacks

HAZ-44 Canyon Setbacks. New development or redevelopment, including principal structures and accessory structures with structural foundations, shall not encroach into coastal canyons and shall be set back either (VII.15):

- a) A minimum of 30% of the depth of the lot, as measured from the coastal canyon, and not less than 15 feet from the canyon edge; or
- b) A minimum of 30% of the depth of the lot, as measured from the coastal canyon, and setback from the line of native vegetation (not less than 15 feet from coastal sage scrub vegetation or not less than 50 feet from riparian vegetation); or
- c) In accordance with house and deck/patio stringlines drawn between the nearest corners of the adjacent structures (rear corner/side of structure closest to coastal canyon). Structures developed prior to the Coastal Act could be considered in the stringline setback. The development setback shall be established depending on site characteristics and determined after a site visit. (VII.16) ~~In a developed area where new construction is generally infill, no part of a proposed new structure, including decks, shall be built further seaward than a line drawn between the nearest adjacent corners of the adjacent structures. Enclosed living space in the new unit shall not extend further~~

seaward than a second line drawn between the most seaward portions of the nearest corner of the enclosed living space of the adjacent structures. If a greater setback is required as a result of the geotechnical review prepared pursuant to policy HAZ-47, the greater setback shall apply (XV.12).

When selecting the appropriate setback from the above-referenced options, the City shall consider the following factors: safety, minimization of potential impacts to visual resources, community character, protection of native vegetation and equity. A variance shall be required to allow a reduction or deviation to the canyon setbacks identified herein.

HAZ-45 Minimum Coastal Canyon Development. A CDP may be processed to allow the minimum development necessary to avoid a taking of private property for public use without just compensation where adherence to LCP policies for geologic setbacks and other development standards would preclude construction of a new primary residence on a vacant parcel.

HAZ-46 Location of Canyon Development. All new development or redevelopment, including additions to existing structures, on parcels abutting coastal canyons shall be located on geologically stable areas as determined by the geotechnical review prepared pursuant to HAZ-13. This requirement shall apply to the principal structure and accessory or ancillary structures such as guesthouses, pools, and septic systems, etc. Accessory structures such as decks and patios, which are at-grade and do not require structural foundations may extend into the setback area no closer than five (5) feet to the canyon edge (as defined in Chapter 7, Definitions), provided no additional fuel modification is required that may impact native vegetation. No new or redeveloped walkways shall extend into the canyon beyond the required coastal canyon setback.

HAZ-47 Geotechnical Review. A geotechnical review is required for all bluff top, beachfront and canyon edge parcels where new development or major remodel is proposed. If, as a result of geotechnical review, a greater setback is recommended than is required in the policies herein, the greater of the setbacks shall apply. For bluff top parcels, geotechnical review should include consideration of the expected long-term bluff retreat over the expected life of the structure and should provide information assuring that the development will maintain a minimum factor of safety against land sliding of 1.5 (static) and 1.1 (pseudo static) for the life of the structure. The Building Official can issue building permits for structures that maintain a minimum factor of safety against landslides under certain circumstances and conditions were alternative stability requirements are approved by the City Engineer.

HAZ-48 Canyon Pool Setbacks. The minimum setback for swimming pools adjacent to coastal canyons is 15 ft. from the canyon edge. All new or substantially reconstructed swimming pools shall incorporate a leak prevention/detection system.

HAZ-49 Non-conforming Structures Adjacent to Coastal Canyons. Existing, lawfully established structures located on lots abutting coastal canyons, constructed with a Coastal Commission-issued coastal development permit or prior to the effective date of the Coastal Act (January 1, 1977), that do not conform to the LCP shall be considered legal non-conforming structures. Such structures may be maintained and repaired, as long as the improvements do not increase the size or degree of non-conformity or result in lesser coastal canyon setbacks. Additions and improvements to such structures that are not considered a major remodel, as defined herein, may be permitted provided that such additions or improvements comply with the current policies and standards of the LCP. Complete demolition and reconstruction or major remodel is not permitted unless the entire structure is brought into conformance with the policies and standards of the LCP.

HAZ-50 Subdivision. Any subdivision of property in or adjacent to coastal canyons shall be reviewed for consistency with LCP policies. New parcels that do not have an adequate building site area to comply with the setback standards of these policies shall not be created.

5.3.3 Sand Replenishment/Beach Management

HAZ-51 Beaches. Establish a wide, safe, sandy beach to: (a) maintain, and when feasible, provide increased public access and recreational opportunities; (b) minimize impacts on sensitive marine resources; (c) protect water quality; (d) mitigate adverse impacts of bluff retention devices.

HAZ-52 Sand Protection, Enhancement and Restoration. ~~Wide beaches provide critical protection against storm surges and tsunami run-up, and we participate in Support State and regional initiatives that address the protection, enhancement, and restoration of sand and other sedimentary deposits on our coastal beaches because wide beaches provide critical protection against Sea Level Rise, storm surges and tsunami run-up. (C-4.03)~~

HAZ-53 Sand Nourishment. ~~When environmental effects on natural resources and surf are minimized, we s-Support sand nourishment programs using beach-quality sand and other measures to enhance the use, appearance and safety of the City's our beaches when adverse impacts to beach, intertidal, and offshore resources and surf are minimized and when appropriate mitigation measures are incorporated. (BPR-3.10)~~

HAZ-54 Sand Monitoring. Support efforts to monitor sand movement, research the impacts of coastal erosion and implement methods of mitigating further coastal damage to San Clemente's beach environment. (BPR-3.11)

HAZ-55 Erosion and Sediment Loss. Avoid development in areas that are particularly susceptible to erosion and sediment loss, ~~or establish development guidance that identifies these areas and required measures to protect them from erosion and sediment loss.~~ (PSFU-7.07)

5.3.4 Sea Level Rise

HAZ-56 Sea Level Rise Monitoring. Monitor the issue of potential future sea level rise, both in the short term via permitting actions and in the long-term to address future development impacts along the shoreline. (C-4.04)

~~**HAZ-57 Sea Level Rise Protection.** Require shoreline development and necessary bluff retention shoreline protective devices to be sited and designed to take into account predicted future changes in sea level. New structures shall be set back a sufficient distance landward or be designed to eliminate or minimize, to the maximum extent feasible, hazards associated with anticipated sea level rise, as established by Federal or State authorities, over the expected economic life of the structure. (C-4.05)~~

HAZ-58 Ongoing Study. Support efforts by other agencies to study the potential impacts of continued and accelerated sea level rise and flooding of waterways on existing or proposed structures within all development zones, including impacts to development zones, traffic flow, public access, natural areas and water quality. (C-4.06)

HAZ-59 Regional Coordination. Encouraging on-going coordination with neighboring jurisdictions and agencies, and the fostering of a feedback loop to assess the latest climate change data.

HAZ-60 Sea Level Rise and Development. New shoreline development and bluff /shoreline retention protective devices shall be sited and designed to take into account predicted future changes in sea level. In particular, an acceleration of the historic rate of sea level rise shall be considered and based upon up-to-date scientific papers and studies, government and state agency guidance, and reports by national and international groups such as the National Research Council and the Intergovernmental Panel on Climate Change. New structures shall comply with all of the provisions of the LCP and set back a sufficient distance landward to eliminate or minimize, to the maximum extent feasible, hazards associated with anticipated sea level rise over the expected economic life of the structure.

HAZ-61 Sea Level Rise Information. The most recent and accurate scientific information on the effects of long-range sea level rise shall be considered in the preparation of findings and recommendations for all geologic, geotechnical, hydrologic and engineering investigations. Support scientific studies that increase and refine the body of knowledge regarding potential sea level rise in San Clemente, and possible responses to it.

HAZ-62 Impacts of Sea Level Rise. The City shall research and respond to the Impacts of Sea Level Rise

1. Continue to gather information on the effects of sea level rise on the City's shoreline, including identifying the most vulnerable areas, structures, facilities, and resources; specifically areas with priority uses such as public access and recreation resources, (including the California Coastal Trail), the railroad, and existing and planned sites for critical infrastructure. Any vulnerability assessment shall use best available science and multiple scenarios including best available scientific estimates of expected sea level rise, such as by the Ocean Protection Council, Nation Research Council, Intergovernmental Panel on Climate Change, and the West Coast Governors Association.

2. Based on information gathered over time, propose additional policies and other actions for inclusion in the LCP in order to address the impacts of sea level rise. As applicable, recommendations may include such actions as:

- a. Relocation of existing or planned development to safer locations, working with entities that plan or operate infrastructure;
- b. Changes to LCP land uses, and siting and design standards for new development, to avoid and minimize risks;
- c. Changes to standards for development in hazardous locations;
- d. Changes to standards for erosion rates; and
- e. Modifications to the LCP to ensure long-term protection of the function and connectivity of existing public access and recreation resources

5.3.5 Development in Flood Hazard Areas

~~**HAZ-12 Avoidance.** We first seek hazard avoidance as the primary method of minimizing exposure to coastal hazards. (C-4.01)~~

~~**HAZ-13 Hazards Review.** We review applications for new development, land divisions and plan amendments to determine the presence of hazards and, if they are present, ensure the hazards are avoided and/or mitigated, as discussed in the Safety Element. (C-4.02)~~

HAZ-63 Development within flood prone areas subject to inundation or erosion shall be prohibited unless no alternative building site exists on the legal lot and proper mitigation measures are provided to minimize or eliminate risks to life and property from flood hazard. Additionally, the City shall ensure that any permitted development and fill in the 100-year flood plain will not result in an obstruction to flood control and that such development will not adversely affect coastal resources within the floodplain.

HAZ-64 Flood Control Channels. Support the restoration of concrete lined flood control channels back to natural earthen channels, whenever feasible. (S-2.01)

~~**HAZ-15 100-Year Flood Zone.** We prohibit development within the 100-year flood zone unless adequate mitigation is provided against flood hazards. (S-2.03)~~

~~**HAZ-16 Marine Safety.** We maintain adequate staffing for lifeguard services to address beach and swimmer safety needs. (S-2.07)~~

5.3.6 Emergency CDP Actions

HAZ-65 Emergency Coastal Development Permits. The City may grant an emergency permit for areas located in the Coastal Zone and outside of the appeals area, which shall include an expiration date of no more than one year and the necessity for a subsequent regular CDP application, if the City finds that:

1. An emergency exists that requires action more quickly than permitted by the procedures for a CDP and the work can and will be completed within thirty (30) days unless otherwise specified by the terms of the permit.
2. Public comment on the proposed emergency action has been reviewed, if time allows.
3. The work proposed would be consistent with the requirements of the certified LCP.
4. The emergency action is the minimum needed to address the emergency and shall, to the maximum extent feasible, be the least environmentally damaging temporary alternative.

Emergency CDP applications that are located within the appeals area must be reviewed by the Coastal Commission.

HAZ-66 Emergency Coastal Development Permit Expiration. An emergency permit shall be valid for 60 days from the date of issuance unless otherwise specified by the City, but in no case for more than one year. Prior to expiration of the emergency permit, if required, the permittee must submit a regular, CDP application for the development even if only to remove the development undertaken pursuant to the emergency permit and restore the site to its previous condition.

HAZ-67 Monitoring Emergency Coastal Development Permits. All emergency permits shall be conditioned and monitored to insure that all authorized development is approved under a regular coastal development permit in a timely manner, unless no follow up permit is required.

HAZ-68 Emergency Coastal Development Permit Tracking. Maintain the permit tracking and monitoring system to identify and prevent the illegal and unpermitted construction of coastal canyon development and bluff/shoreline retention devices as a component of the City's code enforcement.

HAZ-69 Emergency Coastal Development Permit Exceptions. An exemption from the emergency CDP requirements is allowed for the replacement of structures destroyed by a disaster if the replacement occurs within three years. The replacement of any structure, other than a public works facility, destroyed by a disaster is exempt from the requirement for a coastal development permit, if the replacement structure:

1. Conforms to applicable existing zoning requirements;
2. Is for the same use as the destroyed structure;
3. Does not exceed the floor area of the destroyed structure by more than 10 percent or 500 square feet, whichever is less, or the height or bulk of the destroyed structure by more than 10 percent (the applicant must provide proof of pre-existing height and bulk); and
4. Is sited in the same location on the affected property as the destroyed structure.

6.0 VISUAL, HISTORIC, AND CULTURAL RESOURCES

6.1 Introduction

San Clemente residents and visitors enjoy spectacular scenic resources and unique cultural resources. The Coastal Act policies require the protection of scenic coastal areas and the preservation of cultural resources. Scenic resources include coastal bluffs, coastal canyons, natural landforms and designated scenic view corridors from publicly-owned properties along or through public rights-of-way, as defined in the Coastal Act and/or designated by the City. Historic and cultural resources include sites, districts, structures and distinctive landscapes that convey the City's unique cultural, historical, or architectural heritage. Distinctive cultural resources in the Coastal Zone are located in, but are not limited to, the Del Mar/T-Zone, North Beach, Los Molinos and Pier Bowl areas.

6.1.1 Historic and Cultural Resources

Founded by Ole Hanson in 1925, San Clemente was envisioned as a "Spanish Village by-the-Sea". Development followed a unifying theme which required white stucco buildings with red tile roofs. Many of San Clemente's earlier Spanish style residential, commercial, and public buildings remain, lending a unique character to the community. As the Spanish Village by the Sea, San Clemente boasts a rich and respected history and culture that residents want to celebrate. Those buildings constructed during the Ole Hanson era (1925-1945) that have not been torn down constitute the City's list of historical structures. This totals 210 structures, the majority of which are located within the City's Coastal Zone.

6.1.2 Community Character

San Clemente strives to be a sustainable, vibrant and beautiful community, cherishing its unique seaside character and setting, embracing environmental stewardship, fostering healthy living, and promoting economic and social diversity. San Clemente is unique because of its walkability, small-town character, public spaces that facilitate social interaction and human scale of development. The downtown along Del Mar, Pier Bowl and North Beach embody the City's commercial/visitor-serving areas that contribute to San Clemente's [history/image?] as the Spanish Village by the Sea. New development in the Coastal Zone should strive to keep the spirit of San Clemente unique character and maintain or improve the City's quality of life. Preservation and enhancement of historical resources, celebration of arts and culture, multi-modal transportation network that connects our neighborhoods and key destinations all contribute to San Clemente's unique character.

6.1.3 Bulk and Height Limits

In order to preserve San Clemente's unique character new development and improvements should strive to keep the spirit of San Clemente's unique character as the "Spanish Village by the Sea". The public realm and private buildings should:

- Be respectful of the local context
- Create a walkable pedestrian environment
- Instill a sense of long-lasting quality and pride
- Protect and foster a distinct small-town feel
- Foster the creation of places for social interaction
- Be designed at a human scale
- Be designed at a scale and height that minimizes impacts on public view corridors

6.1.3 Paleontological and Archaeological Resources

The City of San Clemente protects its archeological and paleontological resources in a manner which preserves history or cultural history and traditions, provides scientific or cultural knowledge or provides educational value. These resources are sometimes exposed during development-related activities such as grading and construction. Federal and State regulations guide their assessment, handling and preservation. State law also requires consultation with local Native American tribes during local planning processes to ensure that archeological and cultural resources are protected, preserved and archived.

Human History

Prior to European settlement, the coastal region of Southern California was characterized by rolling hills covered with coastal sagebrush. The region's first human inhabitants were members of the Shoshone Native American tribe. These early residents occupied small villages of dome-shaped huts called "kiitcas," sustained by hunting, gathering, and fishing. One of the largest Native American settlements discovered in Orange County, consisting of several hundred people, was located just five miles north of San Clemente near the mouth of San Juan Creek, overlooking Capistrano Bay.

There are no built resources in San Clemente from this period, though much archaeological evidence of these first inhabitants has been recovered.

The completion of the Transcontinental Railroad in 1869, and its eventual extension to Southern California in 1876, led to the founding of hundreds of new towns in the region. While population and building booms were taking place in Los Angeles and San Diego in the 1880s and 1890s, the land that would become San Clemente remained unimproved. It was traversed first by stagecoach route which followed El Camino Real, California's

main travel route until the arrival of the Santa Fe Railroad in 1888, which linked the region to San Juan Capistrano to the north and San Diego in the south.

As with the Native Americans before them, Spanish and Mexican settlers left little evidence of their presence in the area that would become San Clemente. There are no known built resources in San Clemente from this period, though archaeological resources may be present.

6.2 Coastal Act Policies

The Coastal Act Policies set forth below are incorporated herein as policies of the Land Use Plan:

Section 30251 Scenic and visual qualities

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Section 30244 Archaeological or paleontological resources

Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

Section 30253 Minimization of adverse impacts

New development shall do all of the following:

(e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.

6.3 Goals & Policies

GOAL6-1: Continue to be a community that places high priority on the preservation and enjoyment of our scenic and cultural resources.

6.3.1 Viewpoints & Scenic Corridors

VIS-1 Visual Character and Aesthetic Resources Preservation. Preserve the visual character and aesthetic resources of the City and where feasible, enhance scenic and visual qualities of the coastal zone, including coastal bluffs, visually significant ridgelines, and coastal canyons, open spaces, prominent, mature trees on public lands, and designated significant public views. Where feasible, enhance and restore scenic and visual qualities of the coastal zone, including those to and along the ocean and coastal bluffs. Where protection of visual character and aesthetic resources is not feasible, impacts should be mitigated. (C-3.01)

VIS-2 Scenic View Corridors and Public Views. Enhance existing scenic corridors and identify opportunities for the designation of new corridors and significant public views. (M-1.27) ~~identify and designate the location and orientation of significant designated scenic view corridors and significant public views.~~ (C-3.02)

VIS-3 Public View Corridors of Ocean. Preserve designated public view corridors to the ocean. (NR-2.04)

VIS-4 Street Design. Respect and enhance public view corridors in the design and layout of new streets. (NR-2.05)

VIS-5 Parks and Trails. Locate and design parks and trails to take advantage of ocean, canyon and hillside views. (NR-2.06) New public and private development adjacent to public view corridors shall incorporate public trails, recreation areas and view corridors where feasible.

VIS-6 Underground Utilities. Utilities shall be located underground to avoid the adverse impacts to aesthetic resources caused by public utilities and unmanned telecommunications antennas and facilities, where feasible and where costs of such undergrounding does not pose economic hardship. Where undergrounding is determined by the City to not be physically possible, such features shall be located and designed to reduce their visibility, not adversely impact public view corridors to and along the ocean, and be ~~in developed areas,~~ consistent with prevailing architectural character and scale. In beaches, parks and open spaces areas, such facilities shall be designed and located to blend in with natural colors, textures and landforms. (NR-2.07)

VIS-7 Trees as Screening Tool. Where screening of public utilities and/or telecommunication facilities is determined by the City to be desirable, the strategic location, selection, planting and maintenance of trees or other plant materials will be considered as a tool for screening or redirecting views. (NR-2.08)

VIS-8 Public View Corridors. The City will preserve and improve the view corridors, as designated in Figure 6-1, Public View Corridors, and encourage other agencies with jurisdiction to do so. Specifically, in its capital improvement programs and discretionary approvals, the City will seek to ensure that (NR-2.09):

a.) New development including buildings and landscaping shall be sited and designed to minimize impacts to public views. Siting and design of buildings and landscape should avoid impacts on public view corridors to the extent feasible and blend man-made and man-introduced features with the natural environment. New development shall require a view analysis to ensure that the development reduces impacts on public view corridors.

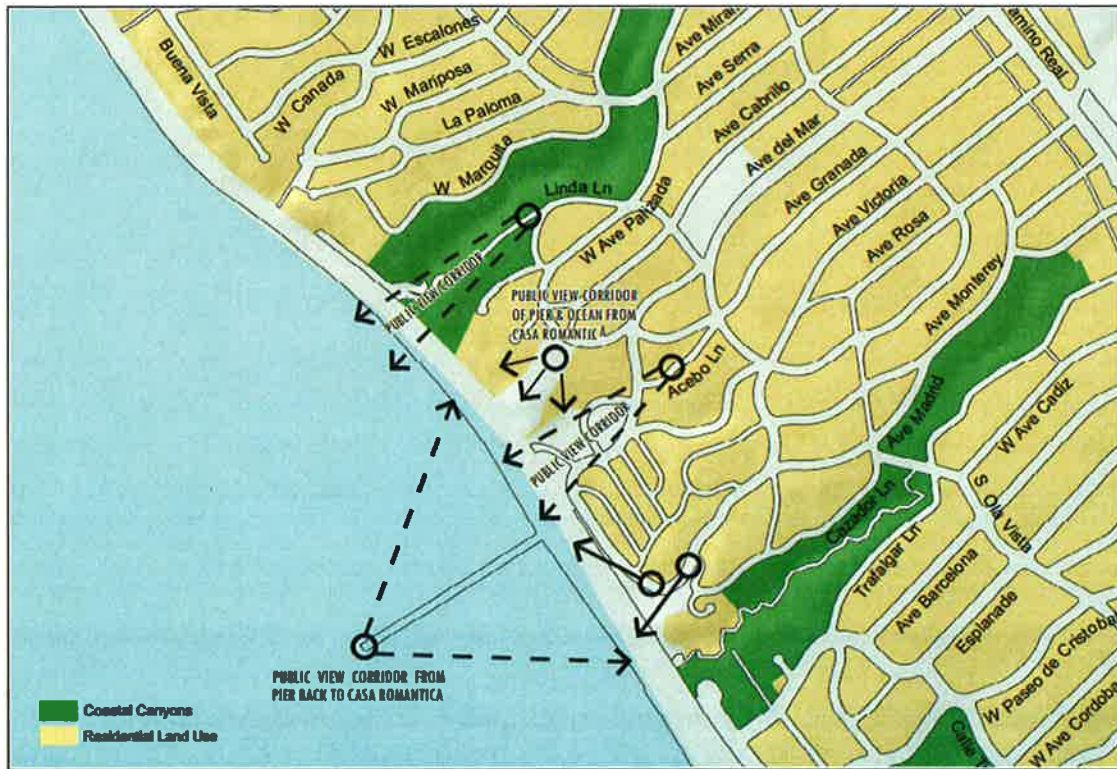
b.) Utilities, traffic signals, and public and private signs and lights shall not impact public view corridors, consistent with safety needs.

c.) Where important vistas of distant landscape features occur along streets, street trees shall be selected and planted so as to facilitate viewing of the distant features.

d.) Street trees planted along designated public view corridors should have narrow form and open structure to allow greater visual access. Street trees should be carefully placed and/or properly pruned, following best arboricultural practices, to achieve the desired goals without interruption of significant public views to and along the ocean.



North Beach - Public View Corridors



Pier Bowl Area - Public View Corridors

~~**VIS-9** **Visual Character and Aesthetic Resources Preservation.** Preserve the visual character and aesthetic resources of the City, including coastal bluffs and beaches, visually significant ridgelines, and coastal canyons, open spaces, prominent, mature trees on public lands, and designated significant public views. Any development on the sandy beach approved in compliance with all other policies of this LUP shall be sited and designed to minimize impacts to public coastal views. as discussed in the Natural Resources Element, Aesthetic Resources Section. (C-3.01)~~

VIS-10 Coastal Canyon Restoration. Promote the restoration of coastal canyons as a visual resource in a manner that is consistent with the goals of the Coastal Act Commission and the City's Coastal Element. (NR-2.03)

~~**VIS-11 Scenic View Corridors and Public Views.** Identify and designate the location and orientation of significant designated scenic view corridors and significant public views. (See Glossary Chapter 7 for definitions of "significant view corridors" and "significant public views.") (C-3.02)~~

VIS-12 Scenic Street Corridor. Designate scenic street corridors to: 1) identify scenic highways and local arterials, 2) describe significant visual linkages between the resources and amenities of San Clemente, and 3) establish objective design and landscaping criteria to maintain quality visual experiences along such corridors through appropriate landscaping, enhancement and protection of public views.

VIS-13 Development Review. Review and require changes to development proposals, as needed, to minimize obstructions of designated significant public views and designated scenic view corridors, and to ensure public and private development projects in the Coastal Zone are of high-quality materials and designed to be attractive and aesthetically compatible with adjacent structures, site improvements, utilities and landscape features, as further described in the Urban Design Element. (C3.04)

VIS-14 Architecture/Design Quality. Require high quality design for buildings at visually significant locations in gateway areas. New buildings and major remodels in Gateway areas adjacent to or opposite I-5 off ramps shall follow Spanish Colonial Revival architectural style and include appropriate entry design elements (e.g., Spanish Colonial Revival and Spanish architecture, landscaping, signage, lighting, streetscape furniture). (UD-2.01)

~~**VIS-15 Spanish Village by the Sea Design Identity.** Require new gateway area development to include appropriate entry design elements (e.g., Spanish Colonial Revival and Spanish architecture, landscaping, signage, lighting, streetscape furniture). (UD-2.02)~~

~~**VIS-16 — Public View Corridors.** Require that street trees planted along designated public view corridors have narrow form and open structure to allow greater visual access. Street trees should be carefully placed and/or properly pruned, following best arboricultural practices, to achieve the desired goals without interruption of significant public views. (UD-6.06)~~

~~**VIS-17 — Scenic Corridor Enhancement and Designation.** Enhance existing scenic corridors and identify opportunities for the designation of new corridors. (M-1.27)~~

VIS-18 New Scenic Corridors or Highways. Expand or designate new scenic highways where protection of community resources warrants their preservation and/or protection. (M-1.29)

~~**VIS-19 — Protection of Scenic Corridors.** Ensure that development is sited and designed to protect scenic corridors and open space/landscape areas by blending man-made and man-introduced features with the natural environment. (M-1.30)~~

VIS-20 Major and Minor Scenic Roadway Corridors. Require the following roadways be maintained and preserved as major or minor scenic corridors with key entry points as shown in Figure 6-2, Scenic Roadway Corridors (M-1.26):

- a) a.) Avenida Pico
- b) b.) El Camino Real/Pacific Coast Highway
- e) c.) Ola Vista
- d) d.) El Camino Real

VIS-21 Siting New Development. Restrict development on sandy beach areas to those structures directly supportive of visitor-serving recreational and public safety uses, such as lifeguard towers, recreational equipment, and restrooms/showers, and design and site such structures to minimize impacts to public coastal views.

scenic quality within each corridor. (M-1.31) Structures shall not exceed the height limits identified in Chapter 2, Section 2.3 Land Use Designations, Table 2-1. Structures may be required to be lower than the maximum height limit in order to protect, restore and/or enhance public views.

VIS-23 Compatible Landscaping. Require development to provide landscaping themes that are compatible with and reinforce the visual character of adjacent, designated scenic corridors. (M-1.32)

VIS-24 Signs. Require the review of the size, height, numbers, and type of on premise signs to limit sign clutter and minimize their impact to scenic corridors and community character. (M-1.33)

VIS-25 Design and Maintenance. Support the proper design, installation and maintenance of scenic highways and scenic corridor elements, including the responsibilities for the maintenance of landscaping and roadway surfaces to be fulfilled by homeowners' associations, community service districts, private owners and public agencies (M-1.35).

VIS-26 Public View Impacts from Shoreline. All proposed large scale development projects which have, or will have, ocean views shall prepare an analysis of the effect of the proposed project on public views. This analysis shall pictorially or photographically indicate the proposed site in its current state and compare it with an illustration showing the proposed building volume (at the same scale) in its proposed location. (VII.18)

VIS-27 Development Design. Development shall be designed and sited to maintain the natural topographic and physiographic characteristics of the project site including the (VII.19):

- a) Minimization of the area and height of cuts and fills;
- b) Minimization of pad sizes;
- c) Encouragement of the "stair stepping" of structures to conform to slopes (by use of retaining walls and other elements); and
- d) Configuration of sites to reflect natural topography, by the clustering of sites and units on lesser slope and avoiding extensive fragmentation of steeper slope and/or other techniques (GP Policy 10.2.8).

6.3.2 Historic & Cultural Resources

CUL-1 Cultural Resources. Protect cultural resources, including historical, archaeological or paleontological features in the Coastal Zone. Where necessary to protect cultural resources, new development shall include an appropriate pre-development investigation such that the new development may be designed to avoid and

minimize impacts, protect and preserve resources from destruction, including requirements for in situ or site-capping preservation plans or, where in situ preservation isn't feasible, recovery plans to mitigate the effects of the development, notification requirements to native American tribes linked to the resources, and including on-site monitoring requirements to include scientific and cultural monitors. (C-2.04)

CUL-2 Historic Resources. In designing and constructing gateway improvements, we preserve and incorporate public views of historic resources. (UD 2-03)

CUL-3 Architectural, Historical, Archaeological and Cultural Resource Preservation and Restoration. Provide for the preservation and restoration of the sites, structures, districts and cultural landscapes which have architectural, historical, archaeological, and/or cultural significance. (C-3.03)

CUL-4 Property Maintenance. Require owners of historic resources to maintain their property in a manner which preserves the property's historic integrity. (HP-2.02)

CUL-5 GEQA Mitigation Requirement. Require mitigation of significant, adverse impacts to onsite and nearby historic resources as part of the coastal development permit process. (HP-2.03)

CUL-6 Adaptive Reuse. Encourage adaptive reuse of historic resources to preserve them and prevent architecturally inappropriate changes, disrepair and demolition. (HP-2.04)

CUL-7 State and Federal Standards. Ensure projects follow the Secretary of Interior Standards for the Treatment of Historic Properties and standards and guidelines as prescribed by the State Office of Historic Preservation for any listed historic resources or properties eligible for historic listing. (HP-2.05)

CUL-8 Planning. Incorporate historic and cultural preservation as an integral part of planning, development and environmental review. (HP-2.09)

CUL-9 Process. Maintain regulations, policies, and fees that support, encourage and ease the process for historic preservation, rehabilitation, restoration, and adaptive reuse. (HP-3.02)

CUL-10 Flexible Development Standards. Provide flexible development standards for historic resources, in the interests of maintaining the resources historic and architectural integrity. (HP-3.07)

CUL-11 Encourage Arts, Heritage and Culture. Encourage, support and promote a range of arts, crafts, heritage and cultural experiences, art exhibitions and performances in public places and civic buildings, historic resources and parks. (PSFU-3.01)

CUL-12 Surfing and Beach Cultures. Recognize and help support the work of artists and organizations that promote, preserve and celebrate San Clemente's rich surfing history, culture and art. (PSFU-3.06)

CUL-13 Architectural Overlay District. Require that new buildings and major building remodels in the Del Mar/T-Zone, North Beach, and Pier Bowl areas, and on portions of El Camino Real utilize Spanish Colonial Revival architecture. ~~per the Architectural Overlay District and Design Guidelines.~~ (UD-5.05)

CUL-14 Preserving Distinctive Architecture. Require new buildings, additions and remodels to follow design standards (per the Implementation Plan) for Spanish Colonial Revival architectural style, except that remodels of architecturally significant buildings eligible or potentially eligible for historic listing with distinctive styles other than Spanish Colonial Revival, such as Post-Modern and Mid-Century Modern architectural styles, should reinforce the buildings' original architectural design. (UD-5.06)

CUL-15 Historically Significant Trees and Public Landscapes. Require that historically significant trees and public landscapes are designated as historic resources and are preserved, wherever possible. (UD-6.05)

CUL-16 Native Trees. Encourage the planting of Native California trees where their use is aesthetically, horticulturally and ecologically appropriate. Examples of potentially appropriate species include Coast Live Oak, California Sycamore and White Alder. (UD-6.07)

CUL-17 Tree Preservation. Make every effort to preserve mature trees before considering tree removal. Preferred approaches, where possible, include modifying street improvements to preserve trees or using best horticultural practices such as watering and fertilizing, pest control, pruning, staking and guying. (UD-6.08)

CUL-18 Architectural Quality. Ensure that the City's architecture in key community and tourist serving areas maintains a high quality of design consistent with the City's history (VII.7, GP Policy 1.1 1).

CUL-19 Casa Romantica. Require that the existing Casa Romantica building be preserved and that any rehabilitation or adaptive reuse be in accordance with the Federal Guidelines for Historic Preservation (VII.9, GP Policy 1.14.13).

CUL-20 New Development. Through the design review process, encourage that new development is compatible with adjacent existing historic structures in terms of scale, mass, building materials and architectural treatment. (XIII.3)

CUL-21 Historic Incentives. Provide incentives to private owners of historic resources to maintain and/or enhance their properties in a manner that will conserve the integrity of such resources in the best possible condition. (XIII.6)

CUL-22 Western White House. Commemorate San Clemente's historical significance as location of "The Western White House". (XIII.7)

CUL-23 Park and Open Space Development. Emphasize the protection, enhancement, and sensitive development of park and open space areas which possess great scenic, environmental, historic, and cultural values. (XIII.11)

CHAPTER 7.0: DEFINITIONS

For the purpose of the Land Use Plan, certain terms shall be defined as set forth in this chapter. Terms not included shall be defined by the California Coastal Act or in the City of San Clemente General Plan, or if not listed, shall be construed in accordance with Chapter 17.88 of the San Clemente Municipal Code, or if not defined herein, with accepted usage. Words used in the present tense shall include the future; words in the singular shall include the plural; the words “will” and “shall” are mandatory and the word “may” is permissive. The word “should” refers to policy guidance which must be followed in the absence of compelling, opposing considerations identified by the City. The City Planner or their designee shall interpret the meaning and intent of minor definitions if ambiguity, and the Planning Commission does major interpretations if inconsistency or conflict exists.

For the purposes of the Coastal Zone, the following definitions shall apply:

1. **“ACTIVE RECREATIONAL AREA”** means an area used for a variety of intense uses such as, but not limited to basketball, tennis, volleyball, softball, soccer or other recreational or sports activities.
2. **“ADJACENT STRUCTURE”** means a structure located on a lot contiguous (sharing a property line) with the proposed structure or development.
3. **“AGGRIEVED PERSON”** means any person or representative who appeared at a public hearing, or by other appropriate means prior to action on a Coastal Development Permit, informed the City of his or her concerns about an application for such permit, or any person who, for good cause, was unable to do either, of the foregoing objects to the action taken on such permit and wishes to appeal such action to a higher authority.
4. **“APPEALABLE AREA”** means the area identified on the Local Coastal Program Post Certification Map as “Appeal Jurisdiction.” Appeals boundaries are determined based on the criteria detailed in Cal. Code Regs. Section 13577.
5. **“APPEALABLE COASTAL DEVELOPMENT PERMIT”** means after certification of the LCP, an action taken by the City on a coastal development permit application in an appealable area may be appealed to the California Coastal Commission for the following types of developments only:

(1) Developments approved by the City between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tideline of the sea where there is no beach, whichever is the greater distance;

(2) Developments approved by the City not included in paragraph 1 that are located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff;

(3) Any development that constitutes a major public works project or a major energy facility. The phrase "major public works" or a "major energy facility" as used in this section and in these regulations generally shall mean: any such project or facility as defined by Section 13012 of the Coastal Commission Regulations and the Coastal Act.

(4) Any development approved by a coastal county that is not designated as the principal permitted use under the zoning ordinance or zoning district map approved pursuant to Chapter 6 (commencing with Section 30500).

(5) Any development which constitutes a major public works project or a major energy facility.

6. **"APPLICANT"** means any person, partnership, corporation, or state or local government, agency applying for a Coastal Development Permit.
7. **"APPROVING AUTHORITY"** means the City Planner, City Council, Planning Commission, or Zoning Administrator approving a Coastal Development Permit.
8. **ARMOR:** To fortify a topographical feature to protect it from erosion (e.g., constructing a wall to armor the base of a sea cliff). (Newport Beach LUP)
9. **ARMOR ROCK (ARMOR STONE):** Natural or man-made rock or rock-like structures that are used for shoreline protection. Commonly, armor rock is used as the outermost layer of a groin or revetment. Many forms of these rocks are utilized; their overall stability depends largely on the type of mechanical interlock between the units, and in-place fitting. (Newport Beach LUP)
10. **"BEACH"** means a sandy, gravel, cobble, or rocky portion of land along the edge of the ocean.
11. **"BEACH FRONT"** means an area of land that is adjacent to the beach and the edge of the ocean.

12. "BIOLOGIST" is a qualified expert with a B.S. or B.A. or equivalent degree in biology, environmental studies, fisheries, geomorphology, or related field, from an accredited university, and at least two years of field and/or laboratory experience in evaluation of land use impacts on fish and wildlife species and their habitats, with evidence of peer-reviewed publications or other related professional literature.

13. "BLUFF" means a high bank or bold headland with a broad, precipitous, sometimes rounded cliff face overlooking a plain or body of water. A bluff may consist of a steep cliff face below and a more sloping upper bluff above.

14. "BUFFER" means a development setback that provides essential open space between development and protected habitat and keep disturbance at a distance. Buffers should be measured from the delineated boundary of an ESHA or wetland or, for streams, from the top of bank or the landward edge of riparian vegetation, whichever provides the larger buffer.

15. "BULKHEAD" Vertical walls built into and along the Harbor shoreline preventing the erosion of land into the water and to protect the land from wave, tide and current action by the water, similar to a "retaining wall" on land. Bulkheads may be directly bordered by water, or may have sloped stones (riprap) or sandy beach located between the bulkhead and the water and land areas. (Newport Beach LUP)

16. "CALIFORNIA COASTAL TRAIL (CCT)" is a continuous interconnected public trail system along the California coastline. It is designed to foster appreciation and stewardship of the scenic and natural resources of the coast and serves to implement aspects of Coastal Act policies promoting non-motorized transportation. The Trail system is to be located on a variety of terrains, including the beach, bluff edge, hillsides providing scenic vantage points, and within the highway right-of-way. It may take many forms, including informal footpaths, paved sidewalks, and separated bicycle paths. When no other alternative exists, it sometimes connects along the shoulder of the road. While primarily for pedestrians, the Trail also accommodates a variety of additional user groups, such as bicyclists, wheelchair users, equestrians, and others as opportunities allow. The CCT consists of one or more parallel alignments. It is intended that the CCT system shall be designed and implemented to achieve the following goals and objectives:

- a) Provide a continuous walking and hiking trail as close to the ocean as possible;
- b) Provide maximum access for a variety of non-motorized uses by utilizing alternative trail segments where feasible;
- c) Maximize connections to existing and proposed local trail systems;

- d) Ensure that the trail has connections to trailheads, parking areas, interpretive kiosks, inland trail segments, etc. at reasonable intervals;
- e) Maximize ocean views and scenic coastal vistas; and,
- f) Provide an educational experience where feasible through interpretive facilities.

17. **“CATEGORICAL EXCLUSION”** is a provision of the Coastal Act (Section 13240), which allows certain categories of development to be excluded from the requirement to obtain a CDP where there is no potential for significant adverse effect on coastal resources.

18. **“CERTIFIED LAND USE PLAN (LUP)”** means a plan for the use of property within the Coastal Zone which has been adopted by the local government and certified by the California Coastal Commission pursuant to the California Public Resources Code.

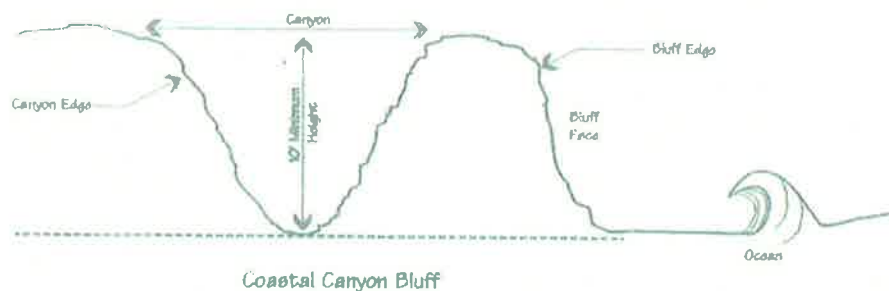
19. **“CERTIFIED LOCAL COASTAL PROGRAM (LCP)”** means a program for the use of property within the Coastal Zone. The Local Coastal Program includes the Land Use Plan and specific regulations, and land use regulation maps, which have been adopted by the local government and certified by the California Coastal Commission pursuant to the Public Resources Code. Local governments with certified LCPs can issue Coastal Development Permits.

20. **“COASTAL ACCESS”** means an area dedicated to provide public access to the beach or for public viewing of the shoreline.

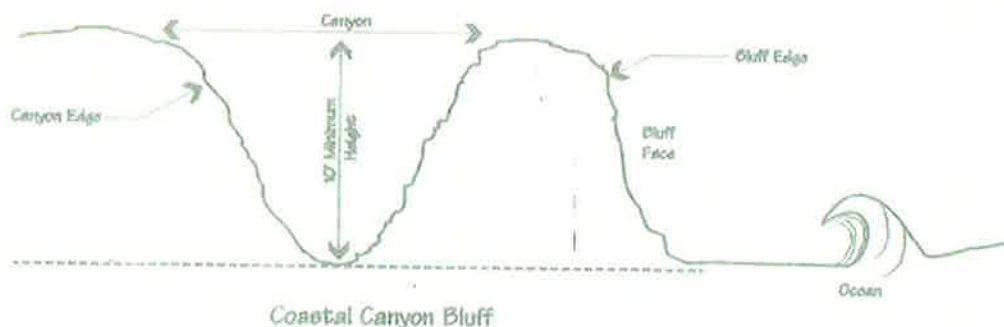
21. **“COASTAL ACT”** means the California Coastal Act of 1976, as amended.

22. **“COASTAL BLUFF”** means any landform that has vertical relief of ten feet or more that is adjacent to the coast. See also “Bluff”. (Refer to Figure 7-1).

Figure 7-1



23. **“COASTAL CANYON”** means any valley, or similar landform which has a vertical relief of ten feet or more.
24. **“COASTAL CLIFF”** means any steep vertical landform which has a vertical relief of ten feet or more.
25. **“COASTAL BLUFF, CANYON FACE, CLIFF FACE”** means a sharp or steep face of rock, decomposed rock, sediment or soil resulting from erosion, faulting, folding, uplifting or excavation of the land mass. The canyon or bluff face may be a simple planar or curved surface or it may be step-like in section (Refer to **Figure 7-1**).



26. **“COASTAL COMMISSION”** means the California Coastal Commission, the state agency established by state law responsible for carrying out the provisions of the Coastal Act and for review of coastal permits on appeal from local agencies.
27. **“COASTAL-DEPENDENT DEVELOPMENT OR USE”** means any development or use that requires a site-on, or adjacent to, the sea to be able to function at all.
28. **“COASTAL DEVELOPMENT PERMIT”** means a permit for any development or use within the coastal zone that is required pursuant to this Plan and of subdivision (a) of Coastal Act Section 30600. ~~discretionary entitlement which is required of development in specified areas of the Coastal Zone to ensure that such development is consistent with the City of San Clemente Land Use Plan.~~
29. **“COASTAL LANDFORM”** means coastal topographic features that form the landscape of the coastal zone. These features include: canyons, bluffs, cliffs, terraces, foothills, and other similar landforms.
30. **“COASTAL REDEVELOPMENT”** shall apply to proposed Redevelopment located between the sea and the first public road paralleling the sea.

31. **“COASTAL-RELATED DEVELOPMENT”** means any use that is dependent on a coastal-dependent development or use.
32. **“COASTAL SAGE SCRUB”** means vegetation which include, but are not limited to, the following: many species of Dudleya, Calandrinia maritima, Cleome isomeris, Coreopsis gigantea, Eriogonum giganteum, Eriogonum grande, Eriophyllum nevinii, Galvesia speciosa, Haplopappus venetus, Hemizonia clementina, Lavatera assurgentiflora, Malacothrix saxatilis, Phacelia lyonii, and Rhus integrifolia, plus two species of Polypodium, Artemisia californica, Crossosoma californicum, Diplacus species, Encelia californica, Eriogonum fasciculatum, Galium, Haplopappus, Helianthemum, Lotus, Lupinus, Malacothamnus, and Opuntia species, Malosma laurina, Salvia spp., Senecio, and Solanum species, and Toxicodendron radicans diversilobum, the sprawling Marah macrocarpus and Calystegia macrostegia, and many other showy herbs like species of Castilleja, Haplopappus, Lotus, Lupinus, and Zauschneria, and Eriophyllum confertiflorum.
33. **“COASTAL ZONE”** means the land and water area boundaries established by the State Legislature as defined in Coastal Act Section 30103. (For a graphic depiction of the coastal zone within the City of San Clemente, refer to the coastal boundary indicated on Figure 1-1, Coastal Zone Boundaries). ~~that land and water area of the City of San Clemente, as described in California Public Resources Code Section 30170 and amendments thereto, and as delineated on the Coastal Zone Boundary Map (Refer to the coastal boundary indicated on the “Zoning Map of the City of San Clemente”).~~
34. **“CUMULATIVE EFFECT”** means the incremental effects of an individual project reviewed in connection with the effects of past projects, the effects of other current projects and the effects of probable future projects.
35. **“DEVELOPMENT, COASTAL”** means the placement or erection, on land, in or under water, of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the California Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use

of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, or timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provision of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 45.11). As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

36. "EDGE" means the upper termination of a bluff, canyon, or cliff. When the top edge is rounded away from the face as a result of erosional processes related to the presence of the steep bluff, canyon, or cliff face, the edge shall be defined as that point nearest the face beyond which the downward gradient of the land surfaces increases more or less continuously until it reaches the general gradient of the bluff, canyon, or cliff. In a case where there is a step-like feature at the top of the bluff face, canyon, or cliff face, the landward edge of the topmost riser shall be taken as bluff edge, canyon edge, or cliff edge (~~refer to Figure 17.60.050(B)~~). Where a coastal bluff curves landward to become a canyon bluff, the termini of the coastal bluff edge, shall be defined as a point reached by bisecting the angle formed by a line coinciding with the general trend of the coastal bluff line along the seaward face of the bluff, and a line coinciding with the general trend of the bluff line along the canyon facing portion of the bluff. Five hundred feet shall be the minimum length of bluff line or edge to be used in making these determinations.

37. "EMERGENCY" means sudden, unexpected occurrence demanding immediate action to prevent or mitigate loss of or damage to life, health, property or essential public services.

38. "ENVIRONMENTALLY-SENSITIVE HABITAT AREA (ESHA)" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments (PRC 30107.5).

~~Environmentally sensitive habitat areas in San Clemente's Coastal Zone include wetlands, riparian areas, habitats of rare or endangered species and several coastal canyons which still contain native plant communities. The environmentally sensitive habitat areas are depicted on the "Environmentally Sensitive Habitat Areas" Map of the City's Land Use Plan. The canyons contain important natural habitat areas. Development of land in and adjacent to the canyons is subject to~~

the canyon preservation policies noted in the City of San Clemente Land Use Plan. The canyons are as follows: Palizada canyon, Trafalgar canyon, Toledo canyon, Lobos Marinos canyon, Riviera canyon, Montalvo canyon, and Calafia canyon (See Figure 4.1: Coastal Canyons).

39. **EROSION** the wearing away of land by natural forces. On a beach, the carrying away of beach material by wave action, currents or the wind.
40. **EXECUTIVE DIRECTOR** means the Executive Director of the California Coastal Commission.
41. **FEASIBLE** means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.
42. **FIRST PUBLIC ROADWAY** means the nearest through public access route (open to vehicular traffic) paralleling the ocean shoreline, which forms a continuous linkage from the northernmost to the southernmost limits of the City of San Clemente shoreline.
43. **First Public Road Paralleling the Sea.** The road nearest the sea, as defined in this Section, and which meets all of the following criteria: shall mean that road nearest the sea, as defined in this Section, and which meets all of the following criteria:
- a) The road is lawfully open and suitable for uninterrupted use by the public;
 - b) The road is maintained by a public agency;
 - c) The road contains an improved all-weather surface open to motor vehicle traffic in at least one direction;
 - d) The road is not subject to any restrictions on use by the public except during an emergency or for military purposes; and
 - e) The road connects with other public roads providing a continuous access system and generally parallels and follows the shoreline of the sea so as to include all portions of the sea where the physical features such as bays, lagoons, estuaries and wetlands cause the waters of the sea to extend landward of the generally continuous coastline.

44. **"FRACTIONAL/LIMITED USE ACCOMMODATIONS"** shared ownership of a vacation or resort property by people in an arrangement which allocates usage rights based on time.
45. **"FUEL MODIFICATION"** means controlling the types, density, and moisture content of plants (or fuel) around structures to create a defensible space.
46. **"GATEWAY"**. Gateways are urban places located at important entry points, as defined in the City's General Plan, into aesthetically pleasing, memorable and understandable arrival places. Gateways are typically located in high visibility areas, close to major transportation facilities that, due to their visual prominence, that shape the aesthetic character of their surroundings.
47. **"GROIN"** is a shoreline protection structure built, usually perpendicular to the shoreline, to trap nearshore sediment or retard erosion of the shore. A series of groins acting together to protect a section of beach is known as a groin system or groin field.
48. **"INTENSIFICATION OF USE"** means a change in the use of a lot or premises which, based upon the provisions of the underlying zone, requires more off-street parking than did the immediately prior legal use of such lot or premises.
49. **"LATERAL ACCESS"** means an area of land providing a connection parallel to the beach, along the beach front, toe of bluff or top of bluff. A lateral accessway may be used for public pass and repass, passive recreational use, or as otherwise designated in the City of San Clemente Local Coastal Program Land Use Plan.
50. **"LOCAL COASTAL PROGRAM"** means a local government's (a) land use plans, (b) zoning ordinances, (c) zoning district maps, and (d) within sensitive coastal resource areas, other implementing actions, which, when taken together, meet the requirements of, and implement the provisions and policies the Coastal Act at the local level.
51. **MAJOR REMODEL** Major remodels constitute an interior or exterior remodel of 50% or more of the structure. Major remodels also include demolitions and/or reconstruction of 50% or more of the structure.
52. **"MAJOR ENERGY FACILITY"** means any energy facility as defined by the California Public Resources Code Section 30107 and exceeding \$50,000 in estimated cost of construction.

53. **“MAJOR PUBLIC WORKS PROJECT”** means any public works project as defined by the California Code of Regulations Section 13012 and exceeding \$50,000 in estimated cost of construction. It may also mean publically financed recreational facilities that serve, affect, or otherwise impact regional or statewide use of the coast by increasing or decreasing public recreational opportunities or facilities.
54. **“MEAN HIGH WATER”** means the 19-year average of all high water heights (if the tide is either semidiurnal or mixed) or the higher high water heights if the tide is diurnal. For diurnal tides high water and higher high water are the same.
55. **“MEAN LOW WATER”** means the 19-year average of all low water heights (if the tide is either semidiurnal or mixed) or the lower low water heights if the tide is diurnal. For diurnal tides low water and lower low water are the same.
56. **“NATIVE VEGETATION”** means vegetation composed of plants which originated, developed, or were produced naturally in the Southern Orange County coastal region and were not introduced directly or indirectly by humans. Native vegetation includes, but is not limited to: marsh vegetation, native grasslands, coastal/inland sage scrub, and oak and riparian woodlands.
57. **“NATURAL AREAS”** undeveloped areas that contain both native and non-native vegetation.
58. **“NON-CONFORMING STRUCTURE”** means a structure that was lawfully erected, but which does not conform with the property development regulations prescribed in the regulations for the district in which the structure is located by reason of adoption or amendment of this code or by reason of annexation of territory to the City.
59. **“NON-CONFORMING USE”** means a use of a structure or land that was lawfully established and maintained, but which does not conform with the use regulations or required conditions for the district in which it is located by reason of adoption or amendment of this code or by reason of annexation of territory to the City.
60. **“OFFER TO DEDICATE (OTD)”** is a document, recorded against the title to a property, which is an OTD to the people of the State of California an easement over the property or a portion of the property. Generally, an OTD allows for specific uses in of the area of the property involved (for example, allowing the public to

walk across the area). The OTD conveys an easement in perpetuity only upon its acceptance on behalf of the people by a public agency or by a nonprofit private entity approved by the executive director of the Coastal Commission.

61. **“PASSIVE RECREATIONAL AREA”** means areas used primarily for non-active type of uses such as open quiet areas, walking paths, stationary benches, picnic facilities and hiking and riding trails.
62. **“PRIMARY VEGETATION LINE”** means one development setback standard that may be utilized for coastal canyons. Characteristics to be established based on an on-site visit, and inventory of existing vegetation and topography.
63. **“PUBLIC BENEFIT COASTAL”** means project elements that are related to coastal recreation or resources, provide a physical or aesthetic benefit to the public and restore or enhance coastal resources. Examples include but are not limited to public access to the beach, coastal recreational trail, passive and active recreational parks, habitat restoration and public viewing areas.
64. **“PUBLIC VIEW”** means any publicly accessible location on dedicated or publicly owned property, including but not limited to, roadways, parks, and cultural or recreational facilities, which affords a view to the public of the ocean, a canyon or hillside area, ESHA, or any other open-space area identified in the General Plan, Zoning Ordinance or Specific Plan.
65. **“PUBLIC TRUST LANDS”** shall be defined as all lands subject to the Common Law Public Trust for commerce, navigation, fisheries, recreation, and other public purposes. Public Trust Lands include tidelands, submerged lands, the beds of navigable lakes and rivers, and historic tidelands and submerged lands that are presently filled or reclaimed and which were subject to the Public Trust at any time. (From California Code of Regulations, section 13577; see tidelands and submerged lands.)
66. **“PUBLIC VISTA/VIEW CORRIDOR”** A view from a public right-of-way, public facility or other publicly-owned use area which is specifically designated in the Land Use Plan and which provides the public at large with views of the Pacific Ocean, shoreline, coastal ridgelines, coastal canyons or other visual resources. Approximate boundaries of a view corridor are identified using a motorist's, cyclist's or pedestrian's line of vision and are typically defined or enframed by landforms, structures and vegetation.

67. "PUBLIC WORKS" means public facilities and infrastructure, including:

1. All production, storage, transmission, and recovery facilities for utilities subject to the jurisdiction of the California Public Utilities Commission, except for energy facilities;
2. All public transportation facilities, including streets, roads, highways, mass transit facilities and stations and bridges, public parking lots and structures, ports, harbors, airports, railroads, and other related facilities;
3. All publicly financed recreational facilities and projects of the State Coastal Conservancy and any development by a special district as required by Section 30114 of the Coastal Act; and
4. All community college facilities.

68. "REDEVELOPMENT" shall apply to proposed development located in the Coastal Zone consisting of alterations including (1) additions to an existing structure, (2) exterior and/or interior renovations, (3) and/or demolition of an existing residence or other principal structure, or portions thereof, which results in:

(a) Alteration of 50% or more of major structural components including exterior walls, floor and roof structure, and foundation, or a 50% increase in floor area. Alterations are not additive between individual major structural components; however, changes to individual major structural components are cumulative over time from the date of certification of the LUP.

(b) Demolition, renovation or replacement of less than 50% of a major structural component where the proposed alteration would result in cumulative alterations exceeding 50% or more of a major structural component, taking into consideration previous alterations approved on or after the date of certification of the LUP; or an alteration that constitutes less than 50% increase in floor area where the proposed alteration would result in a cumulative addition of greater than 50% of the floor area taking into consideration previous additions approved on or after the date of certification of the LUP.

69. "REVELMENT" is a sloped retaining wall; a facing of stone, concrete, blocks, rip-rap, etc. built to protect an embankment, bluff, or development against erosion by wave action and currents. (Coastal Glossary)

70. "RIPARIAN VEGETATION" means an environment associated with plant communities which require high soil moisture conditions maintained by transported fresh water in excess of that otherwise available through local precipitation.

71. “SCENIC RESOURCE or SCENIC CORRIDORS” means places on, along, within, or visible from scenic routes public parklands, public trails, beaches, and State waters that offer scenic vistas of the mountains, canyons, coastline, beaches, and other unique natural features.

72. **SCENIC CORRIDORS/ROADWAY.** A scenic corridor is a linear segment of major or minor streets, or places on, along, within, or visible from scenic routes public parklands, public trails, beaches, and State waters that offer scenic vistas of the mountains, canyons, coastline, beaches, and other unique natural features. Scenic corridors are designated to: 1) identify scenic highways and local arterials, 2) describe significant visual linkages between the resources and amenities of San Clemente, and 3) establish objective design and landscaping criteria to maintain quality visual experiences along such corridors through appropriate landscaping, enhancement and protection of public views.

73. **“SEA”** means the Pacific Ocean and all harbors, bays, channels, estuaries, salt marshes, sloughs, and other areas subject to tidal action through any connection with the Pacific Ocean, excluding nonestuarine rivers, streams, tributaries, creeks, and flood-control and drainage channels.

74. **“SEAWALL”** is a structure separating land and water areas, primarily designed to prevent erosion and other damage due to wave action. It is usually a vertical wood or concrete wall as opposed to a sloped revetment. (Coastal Glossary)

75. **“SHORELINE PROTECTIVE DEVICE”** includes any type of shoreline armoring or protective structures, such as seawalls, revetments, riprap, breakwaters, groins, bluff retention devices, deep piers/caissons, bulkheads, or other artificial structures built for the purpose of protecting land or structures against erosional forces.

76. **“SLAB FOUNDATION”** a foundation type that supports a building in a thin layer of steel reinforces concrete.

77. **“SIGNIFICANT PUBLIC VIEW”** includes places on, along, within, or visible from scenic corridors, public parklands, public trails, beaches, and state waters that offer scenic vistas of the mountains, canyons, coastline, beaches, and other unique natural features; areas that are largely developed such as existing, predominantly built-out residential subdivisions are not included.

78. **“SPECIAL DISTRICT”** means any public agency, other than a local government as defined in this chapter, formed pursuant to general law or special act for the

local performance of governmental or proprietary functions within limited boundaries. "Special district" includes, but is not limited to, a county service area, a maintenance district or area, an improvement district or improvement zone, or any other zone or area, formed for the purpose of designating an area within which a property tax rate will be levied to pay for a service or improvement benefiting that area.

79. "STORM SURGE" A rise above normal water level on the open coast due to the action of wind stress on the water surface. Storm surge resulting from a hurricane also includes the rise in level due to atmospheric pressure reduction as well as that due to wind stress.

80. "STREAM" means a natural watercourse identified as a stream on a map adopted pursuant to a certified Local Coastal Program; or as designated by a solid blue line or other symbol on the USGS 7.5 minute quadrangle series map. The bank of the stream shall be defined as the watershed and relatively permanent elevation or acclivity at the outer line of the stream channel which separates the bed from the adjacent upland, whether valley or hill, and serves to confine the water within the bed and to preserve the course of the stream. In areas where the stream has no discernible bank, the boundary shall be measured from the line closest to the stream where riparian vegetation is permanently established.

81. "STRINGLINE" means in a developed area where new construction is generally infilling and is otherwise consistent with the policies of the Land Use Plan of the City of San Clemente Local Coastal Program, no part of a proposed new structure, including decks, shall be built further toward a bluff edge, canyon edge or beach-front than a line drawn between the nearest adjacent corners of the adjacent structures.

82. "STRUCTURE" means any physical construction, including but not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

83. "SUBMERGED LANDS" means lands that lie below the line of mean low tide.

84. "TEMPORARY EVENT" is an activity or use that constitutes development as defined in this chapter but which is an activity or function which is or will be of limited duration and involves the placement of non-permanent structures such as bleachers, vendor tents/canopies, portable toilets, stages, film sets, and/or involves exclusive use of sandy beach, parkland, filled tidelands, water, streets, or

parking areas in temporary facilities, public or private buildings or open spaces, or outside of buildings which are otherwise open and available for general public use.

85. **“TIDELANDS”** means lands that are located between the line of mean high tide and mean low tide.

86. **“TOE”** means the lowest part of an embankment.

87. **“VERNAL POOLS”** are seasonal depressional wetlands that occur under the Mediterranean climate conditions of the California coast and in glaciated areas of northeastern and mid-western states. They are covered by shallow water for variable periods of time from winter to spring, but may be completely dry for most of the summer and fall (EPA 2015). These wetlands range in size from small puddles to shallow lakes and are usually found in a gently sloping plain of grassland. Western vernal pools are sometimes connected to each other by small drainages known as vernal swales, forming complexes.

88. **“VERTICAL ACCESS”** means an area of land providing a connection between the first public roadway or use area nearest the sea and the publicly-owned tidelands or established lateral accessway. A vertical accessway may be used for public pass and repass, passive recreational use, or as otherwise designated in the City of San Clemente Local Coastal Program Land Use Plan.

89. **“WETLANDS”** means lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens. ~~means areas defined by Section 30121 of the Coastal Act as lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens. The definition of wetland is further detailed by Section 13577 (b)(1) of the California Code of Regulations as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to vegetated wetlands or deep water habitats.~~ land within the Coastal Zone which may be covered periodically or permanently

~~with shallow water, and including salt water marshes, freshwater marshes, open or closed brackish water marshes, swamps, mud flats, and fens.~~

90. **“WETLAND BUFFER”** measurements for wetland buffers is as follows:

(1) Measure 100 feet landward from the upland limit of the wetland. Wetland shall be defined as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deep-water habitats. For purposes of this section, the upland limit of a wetland shall be defined as:

(A) the boundary between land with predominantly hydrophytic cover and land with predominantly mesophytic or xerophytic cover;

(B) the boundary between soil that is predominantly hydric and soil that is predominantly nonhydric; or

(C) in the case of wetlands without vegetation or soils, the boundary between land that is flooded or saturated at some time during years of normal precipitation, and land that is not.

(2) For the purposes of this section, the term "wetland" shall not include wetland habitat created by the presence of and associated with agricultural ponds and reservoirs where:

(A) the pond or reservoir was in fact constructed by a farmer or rancher for agricultural purposes; and

(B) there is no evidence (e.g., aerial photographs, historical survey, etc.) showing that wetland habitat pre-dated the existence of the pond or reservoir. Areas with drained hydric soils that are no longer capable of supporting hydrophytes shall not be considered wetlands.

(c) Estuaries. Measure 300 feet landward from the mean high tide line of the estuary. For purposes of this section, an estuary shall be defined as a coastal water body, usually semi-enclosed by land, having open, partially obstructed,

or intermittent exchange with the open ocean, and in which ocean water is at least occasionally diluted by freshwater from the land. The salinity level maybe periodically increased to above that of the open ocean due to evaporation. The mean high tide line shall be defined.
