



# PLANNING COMMISSION STUDY SESSION MEMORANDUM

December 18, 2019

To: Planning Commissioners  
From: Jennifer Savage, Senior Planner  
Subject: Hospital Zoning

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The study session has been scheduled to discuss Hospital Zoning in San Clemente. The City Council initiated a zoning amendment on January 15, 2019 (Attachment 1) to explore permitting hospitals in additional areas in the City. The initiation included any necessary amendments to the General Plan, Municipal Code (Zoning Ordinance), Specific Plans, and Local Coastal Program. This study session presents two options for zoning additional sites for hospital use.

Staff reached out to regional hospital operators to assess the needs of a new hospital. A new hospital would require land for buildings but also for future growth, open space, a parking surface and/or structure, and separate vehicle and pedestrian entrances for emergency and outpatient services. There are limited vacant properties large enough to support a new hospital.

In addition to the land constraint, San Clemente's existing zoning regulations limit where a new hospital could locate. In 2016, the City amended the Zoning Ordinance and General Plan to allow hospitals in the Regional Medical Facilities zoning district. There is only one property that is currently zoned Regional Medical Facilities. Existing zoning regulations are further discussed below.

## **Where are hospitals allowed now?**

The current Zoning Ordinance allows regional-serving hospital uses and accessory uses in the Regional Medical Facilities zoning district (RMF) (See Table 1 on next page). Ambulance services are allowed in the Community Commercial (CC) 2-4 and RMF zoning districts. Specialty hospitals were added to the Zoning Ordinance in 2016 and are allowed in the CC 4 zoning district. A specialty hospital provides in-patient services for specialized treatment and recovery; a hospital provides emergency, clinical, and temporary medical services.

**Table 1. Zones Allowing Hospitals and Related Uses**

Use	Zone									
	NC 1.1	NC 1.2	NC 1.3	NC 2	NC 3	CC 1	CC 2	CC 3	CC 4	RMF
Hospital										C
Ambulance Services							C	C	C	C
Accessory Uses to Hospital										P
Specialty Hospital									C	
Ambulance Services Office Only	P	P	P	P	P	P	P	P	P	

The current General Plan allows hospital related uses in the Regional Medical Facilities land use designation. Hospitals are also allowed in the Forster Ranch and Talega Specific Plans, and the Coastal Zone (Table 2 below).

**Table 2. Specific Plans Allowing Hospitals**

Plan	Allows Hospitals	Land Use Designation
Forster Ranch Specific	X	Neighborhood Commercial
Talega Specific	X	Commercial
Coastal Land Use Plan	X	Community Commercial & Public

**Where were hospitals allowed in the past?**

Between 1993 and 2015, the Zoning Ordinance allowed hospitals uses in the Community Commercial (CC) 2 and 3 zoning districts. The Zoning Ordinance also allowed ambulance services and ancillary uses to hospitals in the same zoning districts. In 2016, the City removed ancillary uses to hospitals from the CC2 and CC3 zoning districts. Medical offices were, and continue to be, permitted in these zoning districts.

**Table 3. Zones Previously Allowing Hospitals and Related Uses**

Use	Zone								
	NC 1.1	NC 1.2	NC 1.3	NC 2	NC 3	CC 1	CC 2	CC 3	RC 2
Hospital							C	C	
Ambulance Services							C	C	
Accessory Uses to Hospital							P	P	
Ambulance Services Office Only	P	P	P	P	P	P	P	P	

**Hospital Siting Alternatives**

Staff has developed two options for increasing opportunities to locate hospitals in San Clemente \_1. Create a Hospital Overlay and/or 2. Make hospitals an allowed use in specific zoning districts. Each option is discussed below.

**1. Hospital Overlay**

The first option is creating a new Hospital Overlay. The overlay would establish development standards and allow hospitals on specific parcels/properties with a Conditional Use Permit (CUP).

Staff used the concept of a Hospital Overlay to explore what parcels/properties the overlay would be applied to. Staff explored a variety of sites based on size, land/building use or vacancy, and zoning. In addition, staff reached out to regional hospital operators to understand whether hospital operators seek specific property characteristics when determining where to site a hospital. Staff found from the hospital outreach that while certain site characteristics may be ideal, a hospital site is largely determined by the market.

Without a list of desirable sites characteristics, staff relied on size, zoning, and surrounding uses to ascertain sites that could support the development of a hospital. The sites considered for the Hospital Overlay are shown in Figure 1, Attachment 4.

**2. Hospitals as an Allowed Use**

The second option is adding Hospitals as an Allowed Use. This option would allow hospitals in specific zoning districts with a Conditional Use Permit (CUP). This option would establish the same development standards previously allowed and would use the same zones that previously allowed hospitals. Development standards would consist of a 2.0 floor area ratio, 4 stories, 54 foot top of roof, and 45 foot plate line. Figure 2, Attachment 5, illustrates the CC and NC zones; staff is considering the CC properties for the Hospital as an Allowed Use option.

**How do the two options compare?**

Both options would require environmental review. However, the Hospital as an Allowed Use option would required less extensive environmental review. Both options would also require amendments to the General Plan and Specific Plans, in additional to the Municipal Code. See Table 4 below.

**Table 4. Comparison of Two Options**

Option	Environmental Review	General Plan Amendments	Specific Plans Amendments	Local Coastal Program Amendments
Hospital Overlay	x	x	x*	--
Hospital as an Allowed Use	x	x	--	--

x = Required

\* = Forester Ranch, Talega, and Rancho San Clemente Specific Plans

## **Staff Request**

Staff requests that the Planning Commission discuss the two options as presented and provide comments and direction.

### Attachments:

- 1) Council Report January 15, 2019
- 2) Old Zoning Ordinance Section 17.36 – Commercial Zones and Standards  
(Excerpts)
- 3) Current Zoning Ordinance Section 17.36 – Commercial Zones and Standards  
(Excerpts)
- 4) Figure 1 – Sites Considered for Hospital Overlay
- 5) Figure 2 – Sites Considered for Hospital as an Allowed Use



Agenda Item 6Q**Approvals:**City Manager [Signature]Dept. Head [Signature]Attorney [Signature]Finance [Signature]

## AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING  
Meeting Date: January 15, 2019

**Department:** Community Development  
**Prepared By:** City Attorney

**Subject:** INITIATION OF AMENDMENT TO THE SAN CLEMENTE GENERAL PLAN, MUNICIPAL CODE TITLE 17 (ZONING), AND SPECIFIC PLANS REGARDING LOCATION, PERMITTING, AND STANDARDS FOR HOSPITAL USES, TO ALLOW FOR MORE SITES IN THE CITY TO ACCOMMODATE HOSPITALS.

**Fiscal Impact:** The initiation of General Plan and Zoning Amendments may require the expenditure of funds for California Environmental Quality Act (CEQA) review. The amount of that expenditure is unknown at this time until the extent of the General Plan and Zoning Amendments are known. If the environmental review associated with this initiation requires an allocation of funds from the General Fund, staff may return to City Council to make the request.

**Summary:** This item is for the City Council to consider the initiation of amendments to the General Plan, Municipal Code (Zoning), Specific Plans and Local Coastal Program regarding the location, permitting, and standards for hospital uses in the City, to allow for more sites in the City to accommodate hospitals.

**Background:** The City's General Plan establishes two categories of land use designations to allow for hospital uses: Community Commercial (CC), which, among other commercial uses, allows for medical offices and related uses; and Regional Medical Facilities (RMF), which allows for a regional-serving hospital with accessory uses.

Consistent with the General Plan, the City's Zoning Code defines hospital uses and permits these uses in certain zoning districts. The Zoning Code identifies four hospital and hospital-related uses:

- Ambulance services.
- Accessory uses to hospital, for example, laboratories, medical offices, florists, and parking lots.
- Hospital, which means either a general acute care hospital, as defined by Health and Safety Code section 1250(a) or a standalone emergency department as defined in the Municipal Code. (SCMC, § 17.88.030 (see "Hospital").)
- Specialty hospital, which means a facility for 24-hour paid in-patient services for specialized treatment and recovery of chronic health conditions and elective procedures. (SCMC, § 17.88.030 (see "Specialty Hospital").)

These uses are allowed only in the following commercial zones: Community

Commercial 2, 3, and 4 (CC 2, CC 3, and CC 4) and Regional Medical Facilities 1 (RMF 1). The uses permitted as shown below (“P” means permitted, “C” means permitted subject to the issuance of a Conditional Use Permit, and blank means not permitted) (see SCMC, table 17.36.020):

Use	Zones			
	CC 2	CC 3	CC 4	RMF 1
Ambulance Services	C	C	C	C
Accessory Uses to Hospital				P
Hospital				C
Specialty Hospital			C	

These zones also set standards and requirements for the development of these uses.

Further, several of the City’s specific plans—including the Forster Ranch, Rancho San Clemente, Talega, and West Pico Corridor Specific Plans—also include land use standards and regulations concerning hospital-related uses in commercial areas. Like in the Zoning Code, these standards are consistent with the underlying General Plan land use designations.

Under the City’s current land use regulations, a hospital, as defined by the Zoning Code, is permitted at one site in the City: 654 Camino De Los Mares.

**Discussion:**

At its December 18, 2019 meeting, the Council directed staff to bring back for the Council’s consideration the initiation of a Zoning Amendment to permit hospitals on additional sites in the City. As shown in the background discussion above, this consideration would necessarily include initiation of amendments to the General Plan and Specific Plans in addition to a Zoning Amendment.

To permit hospitals on additional sites, the amendments could include one or more of the following:

- Creating of a hospital overlay in the Zoning Code, which could conditionally permit hospitals at appropriate and suitable sites in the City.
- Adding hospital as a conditionally permitted use in other zones.
- Calibrating land use standards to accommodate development of a hospital compatible with and capable to serve the City and region.
- Analyzing adjacent areas around potential hospital sites for areas that might also be appropriate for related medical uses.

Given the interrelationship among the General Plan, Zoning Code, and the specific plans, any one approach may require an amendment to all three sets of documents. Should additional sites be identified in the Coastal Zone, a Land Use Plan Amendment to the Local Coastal Program (specific to the sites in the Coastal Zone only) may need to be prepared and submitted to the Coastal Commission for consideration. Additional environmental review may be required for amendments to the General Plan and Zoning Maps.

**Environmental**

**Review:** The initiation of an amendment would not, in itself, in any way impact or alter the physical environment. Accordingly, this action is exempt from environmental review under State CEQA Guidelines, section 15061(b)(3), the General Rule Exemption.

**Recommended**

**Action:** STAFF RECOMMENDS THAT the City Council take the following actions:

Initiate the necessary amendments to the General Plan, Municipal Code (Zoning), Specific Plans and Local Coastal Program to allow more sites in the City that accommodate hospital uses and refer this item to the Planning Commission to provide a recommendation to the Council.

**Attachments:** 1. Excerpts of SCMC 17.36.020 (Commercial Use Regulations) and 17.88.30 (Definitions)

**Notification:** Not applicable.

**Excerpts of the San Clemente Municipal Code related to hospital uses 17.36.020 (Commercial Use Regulations) and 17.88.030 (Definitions):**

**17.36.020 - Commercial Use Regulations.**

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

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

**Table 17.36.020  
Commercial Zone Uses**

Use	Zones										NOTE	
	NC 1.1	NC 1.2	NC 1.3	NC 2	NC 3	CC 1	CC 2	CC 3	CC 4	RMF 1		
<b>2. Hospital Uses</b>												
Ambulance Services							C	C	C	C		
Accessory Uses to Hospital (e.g. laboratories, medical offices, florists, and parking lots).										P	2	
Hospital										C		
Specialty Hospital									C			

Footnotes:

2. Refer to Section 17.28.220, Parking Lots, of this title, for special provisions for single-use parking lots.

### **17.88.030 - Definitions.**

**"Hospital"** means either a general acute care hospital, as defined by Health and Safety Code section 1250(a), that provides a wide range of emergency, clinical, and temporary medical services to the general public, or, to the extent permitted by law, a "standalone emergency department" as defined in Chapter 17.88, Definitions, of this title. It does not include any other "health facility" identified in Health and Safety Code section 1250; nor does it include any other type of specialty hospital.

**"Specialty Hospital"** means any facility place, or building that is maintained and operated exclusively to provide 24-hour paid in-patient services for the specialized treatment and recovery of chronic health or mental health conditions or elective procedures or treatments. Services provided may include, but are not limited to, food service nutrition counseling acupuncture, massage fitness and physical therapy, and pharmaceutical and medical attention. This type of facility is distinct from an acute care general hospital and from a residential use where these services are occasional or otherwise incidental to a primarily residential occupancy.

**"Standalone emergency department"** means a medical facility that satisfies each of the following criteria:

- (1) The emergency department shall operate under the consolidated license of a general acute care hospital and meet all of the requirements imposed under that license, including being within 15 miles of its parent hospital.
- (2) The emergency department shall be a conversion from a previously existing acute care campus and may not be a newly developed freestanding emergency department.
- (3) The emergency department shall be open 24 hours a day, 365 days a year.
- (4) The emergency department shall be staffed by at least one board-certified emergency physician at all times.
- (5) The emergency department shall be staffed with properly trained emergency room nurses and meet the minimum staffing requirements for emergency departments in this state.
- (6) The emergency department shall have a complete range of laboratory and diagnostic radiology services, including a complete array of laboratory test, basic X-ray, computerized tomography (CT) scan, and ultrasound capabilities.
- (7) The emergency department shall meet the specialty call requirements, as defined by the Orange County Emergency Medical Services Agency, under its consolidated license.
- (8) The emergency department shall have transfer agreements with specialty centers, such as trauma, burn, and pediatric centers, to meet the needs of the injury or patient population served in the community.
- (9) The emergency department shall have the capabilities to stabilize patients with emergency medical conditions and to transport them to its parent hospital or other higher level of care facilities in a safe and timely manner, consistent with the standards of care in the local communities.
- (10) The emergency department shall have a fully functioning transport program with a proven track record of safely transporting patients who require admission to its parent hospital or other higher level of care and specialty services facilities, such as trauma, burn, and pediatric facilities.

- (11) All applicable federal and state regulatory requirements shall be met under the consolidated license of a general acute care hospital, including all applicable regulations of the Centers for Medicare and Medicaid Services and Title 22 of the California Code of Regulations.

Excerpts from Old Zoning Ordinance

**17.36.010 Purpose and intent.**

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

- A. **Neighborhood Commercial (NC) Zones.** Neighborhood Commercial Zones are intended to be less intense than community or regionally oriented commercial zones in San Clemente. There are five neighborhood commercial zones: NC 1.1, NC 1.2, NC 1.3, NC 2 and NC 3. The General Plan restricts the intensity of the Neighborhood Commercial Zones primarily through the floor area ratio limit for the zones. The maximum floor area ratio limits for these districts range from .35 to .75. The uses prescribed by the General Plan for the Neighborhood Commercial Zones are essentially the same as those prescribed by the General Plan for the Community Commercial Zones, which are described below.
  
- B. **Community Commercial (CC) Zones.** Community Commercial Zones are more intense than Neighborhood Commercial Zones. The General Plan allows for this additional intensity by allowing higher floor area ratio limits in the Community Commercial Zones. There are three Community Commercial Zones: CC 1, CC 2 and CC 3. The maximum floor area ratio limits for these districts range from 0.5 to 0.7. The General Plan allows the same uses in the Community Commercial Zones as it allows in the Neighborhood Commercial Zones, with the exception of provisions for an automobile center on the 400—500 block of Camino de Estrella and hospital uses within the CC 2 zone.
  
- C. **Regional Commercial (RC) Zones.** Regional Commercial Zones are designed to allow region-oriented uses. The sites in San Clemente receiving this designation are large, and can accommodate an intensity of development required for a region-oriented use. There is one Regional Commercial Zone regulated by the Zoning Ordinance: RC 2. The General Plan primarily distinguishes this site by the uses allowed. The RC 2 zone provides for the continued use and development of the existing hospital facilities at 654 Camino de los Mares.

(Ord. 1172 § 3 (part), 1996)

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

**Table 17.36.020  
Commercial Zone Uses**

Use	Zones										NOTE	
	NC 1.1	NC 1.2	NC 1.3	NC 2	NC 3	CC 1	CC 2	CC 3		RC 2		
1. Commercial												
Antiques (Retail Sales)	P	P	P	P	P	P	P	P				
Art Galleries	P	P	P	P	P	P	P	P				

Excerpts from Old Zoning Ordinance

Bakery Goods/Sales (No Wholesale Distributors)	P	P	P	P	P	P	P	P				
Barber Shops	P	P	P	P	P	P	P	P				
Bicycle Shops	P	P	P	P	P	P	P	P				
Bookstores	P	P	P	P	P	P	P	P				
Carpet Sales	MC	MC	P	P	P	P	P	P				
Ceramics (Retail Sales)	MC	MC	P	P	P	P	P	P				
Cleaners and Laundromats (No Linen Service)	P	P	P	P	P	P	P	P				
Clothing (Retail Sales)	P	P	P	P	P	P	P	P				
Confectionery Stores (Small Scale Production with Retail Sales)	P	P	P	P	P	P	P	P				
Convenience Stores	C	C	C	C	C	C	C	C				1
Drugstores/Pharmacies	P	P	P	P	P	P	P	P				
Electronics (Retail Sales and Repair)	P	P	P	P	P	P	P	P				
Fabric Stores	P	P	P	P	P	P	P	P				
Florists (Retail Sales)	P	P	P	P	P	P	P	P				
Floor Covering Stores	MC	MC	P	P	P	P	P	P				
Furniture Stores (Retail Sales)	MC	MC	P	P	P	P	P	P				
Glass/Mirror Sales	MC	MC	P	P	P	P	P	P				
Grocery/Food Stores (Not Convenience Stores)	P	P	P	P	P	P	P	P				
Gunsmith/Gun Shops			C	C	C	C	C	C				
Hardware Stores	P	P	P	P	P	P	P	P				
Home Appliance Stores (Retail Sales and Repair)	MC	MC	P	P	P	P	P	P				



Excerpts from Old Zoning Ordinance

Ice Cream Parlors (Retail Sales with Small Production)	P	P	P	P	P	P	P	P				
Interior Decorating Stores	MC	MC	P	P	P	P	P	P				
Janitorial Supplies			P	P	P	P	P	P				
Jewelry Stores	P	P	P	P	P	P	P	P				
Lawnmower Sales/Service	MC	MC	P	P	P	P	P	P				
Liquor Sales:												
a. Hard Alcohol	C	C	C	C	C	C	C	C				
b. Beer and Wine (Off- Site Consumption Only)	MC	MC	MC	MC	MC	MC	MC	MC				
Locksmith Shops	MC	MC	P	P	P	P	P	P				
Mail-Order Stores	MC	MC	P	P	P	P	P	P				
Medical/X-Ray Equipment (Sales Only)			P	P	P	P	P	P				
Medical Marijuana Dispensaries												
Music Sales	P	P	P	P	P	P	P	P				
Newsstands (On Private Property)	P	P	P	P	P	P	P	P				
Nurseries (Indoor Garden Retail Sales)	MC	MC	P	P	P	P	P	P				
Nurseries (Outdoor Garden Retail Sales)			C	C	C	C	C	C				
Office Equipment/Supplies	C	C	P	P	P	P	P	P				
Paint/Wallpaper Sales	MC	MC	P	P	P	P	P	P				
Patio/Outdoor Furniture Sales	MC	MC	P	P	P	P	P	P				
Pawn Shops			C	C	C	C	C	C				
Pet Shops	MC	MC	MC	MC	MC	MC	MC	MC				

Excerpts from Old Zoning Ordinance

Pet Supply Stores	MC	MC	P	P	P	P	P	P				
Photographic Equipment Sales	MC	MC	P	P	P	P	P	P				
Pottery (Retail Sales with Small Production)	MC	MC	P	P	P	P	P	P				
Shoe Stores (Retail Sales and Repair)	P	P	P	P	P	P	P	P				
Specialty Food Stores	P	P	P	P	P	P	P	P				
Sporting Goods (Retail Sales)	MC	MC	P	P	P	P	P	P				
Stationery Stores	P	P	P	P	P	P	P	P				
Surfboard (Custom Manufacturing)			C	C	C	C	C	C				
Swimming Pool Accessory Shops	MC	MC	P	P	P	P	P	P				
Tailors/Dressmakers	P	P	P	P	P	P	P	P				
<b>2. Hospital Uses</b>	<b>NC 1.1</b>	<b>NC 1.2</b>	<b>NC 1.3</b>	<b>NC 2</b>	<b>NC 3</b>	<b>CC 1</b>	<b>CC 2</b>	<b>CC 3</b>		<b>RC 2</b>		<b>NOTE</b>
Ambulance Services							C	C				
Ancillary Uses (Minor) to Hospital, such as Laboratories, Florists, Parking Lots							P	P				2
Hospital							C	C				
<b>3. Lodging</b>	<b>NC 1.1</b>	<b>NC 1.2</b>	<b>NC 1.3</b>	<b>NC 2</b>	<b>NC 3</b>	<b>CC 1</b>	<b>CC 2</b>	<b>CC 3</b>		<b>RC 2</b>		<b>NOTE</b>
Bed and Breakfast Inns:												3
a. Five or Fewer Guest Rooms		P	P	P	P	P	P	P				
b. Six to 10 Guest Rooms		MC	MC	MC	MC	MC	MC	MC				
c. Over 10 Guest Rooms		C	C	C	C	C	C	C				

Excerpts from Old Zoning Ordinance

Hotel and Ancillary Uses		C	C	C	C	C	C	C				
Motels			C	C	C	C	C	C				
Timeshares		C	C	C	C	C	C	C				
<b>4. Professional Offices, Financial Institutions and Related Uses</b>	<b>NC 1.1</b>	<b>NC 1.2</b>	<b>NC 1.3</b>	<b>NC 2</b>	<b>NC 3</b>	<b>CC 1</b>	<b>CC 2</b>	<b>CC 3</b>		<b>RC 2</b>		<b>NOTE</b>
Ambulance Services (Office Only)	P	P	P	P	P	P	P	P				
Banks/Financial Institutions	P	P	P	P	P	P	P	P				
Banks/Financial Institutions with Drive-Through Facilities	C	C	C	C	C	P	P	P				
Newspaper Publication and Office		P	P	P	P	P	P	P				
Employment Agencies		P	P	P	P	P	P	P				
Offices, Medical	P	P	P	P	P	P	P	P		P		
Offices, Professional	P	P	P	P	P	P	P	P				
Offices, Veterinary/Animal Hospitals	MC	MC	P	P	P	P	P	P				
Secretarial Services	P	P	P	P	P	P	P	P				
Telemarketing Services		P	P	P	P	P	P	P				
Travel Agencies	MC	MC	P	P	P	P	P	P				
<b>5. Public/Quasi Public and Institutional Uses</b>	<b>NC 1.1</b>	<b>NC 1.2</b>	<b>NC 1.3</b>	<b>NC 2</b>	<b>NC 3</b>	<b>CC 1</b>	<b>CC 2</b>	<b>CC 3</b>		<b>RC 2</b>		<b>NOTE</b>
Churches	C	C	C	C	C	C	C	C				
Clubs/Social Organizations	C	C	C	C	C	C	C	C				
Congregate Care Facilities		C	C	C	C	C	C	C		C		4
Convalescent Homes		C	C	C	C	C	C	C		C		

Excerpts from Old Zoning Ordinance

Day Care Facilities:												5
a. Small Day Care Homes	O	O	O	O	O	O	O	O		O		6
b. Large Day Care Homes	MC	MC	MC	MC	MC	MC	MC	MC		MC		
c. Day Care Centers	C	C	C	C	C	C	C	C		C		
Group Instruction/Group Counseling	MC	MC	MC	MC	MC	MC	MC	MC				
Libraries	P	P	P	P	P	P	P	P				
Parking Lots	MC	MC	MC	MC	MC	MC	MC	MC				7
Parking Structures	C	C	C	C	C	C	C	C				
Parks	O	O	O	O	O	O	O	O		O		8
Public Utilities:												9
a. City-Initiated Projects	O	O	O	O	O	O	O	O		O		
b. Projects Initiated by Outside Agencies:												
i. Major Utilities	C	C	C	C	C	C	C	C		C		
ii. Minor Utilities	P	P	P	P	P	P	P	P		P		
Schools, Public and Private	C	C	C	C	C	C	C	C				
Transportation Facilities			C	C	C	C	C	C				
<b>6. Residential Uses</b>	<b>NC 1.1</b>	<b>NC 1.2</b>	<b>NC 1.3</b>	<b>NC 2</b>	<b>NC 3</b>	<b>CC 1</b>	<b>CC 2</b>	<b>CC 3</b>		<b>RC 2</b>		<b>NOTE</b>
Affordable Housing Projects			P	P	P							10
Senior Housing Projects		C	C	C	C	C	C	C				11
<b>7. Restaurants and bars</b>	<b>NC 1.1</b>	<b>NC 1.2</b>	<b>NC 1.3</b>	<b>NC 2</b>	<b>NC 3</b>	<b>CC 1</b>	<b>CC 2</b>	<b>CC 3</b>		<b>RC 2</b>		<b>NOTE</b>
Bars, cocktail lounges (with or without	C	C	C	C	C	C	C	C				

Excerpts from Old Zoning Ordinance

dancing and/or entertainment)												
Restaurants:												
a. With drive-through			C	C	C	C	C	C				12
b. With no on-site consumption of liquor, no dancing, no entertainment	P	P	P	P	P	P	P	P				
c. With on-site sale of beer and wine:												
i. Indoors	MC	MC	MC	MC	MC	MC	MC	MC				
ii. Outdoors with up to 16 outdoor seats or four tables	MC	MC	MC	MC	MC	MC	MC	MC				
iii. Outdoors with more than 16 outdoor seats and/or four tables	MC	MC	MC	MC	MC	MC	MC	MC				
d. With on-site sale of hard alcohol:												
i. Indoors	C	C	C	C	C	C	C	C				
ii. Outdoors with up to 16 outdoor seats or four tables	MC/C	MC/C	MC/C	MC/C	MC/C	MC/C	MC/C	MC/C				13,14
iii. Outdoors with more than outdoor 16 seats and/or four tables	C	C	C	C	C	C	C	C				13,14
e. With dancing and/or entertainment that has:												
i. No amplified sound	MC	MC	MC	MC	MC	MC	MC	MC				
ii. Amplified sound	C	C	C	C	C	C	C	C				
<b>8. Unclassified Uses</b>	<b>NC 1.1</b>	<b>NC 1.2</b>	<b>NC 1.3</b>	<b>NC 2</b>	<b>NC 3</b>	<b>CC 1</b>	<b>CC 2</b>	<b>CC 3</b>		<b>RC 2</b>		<b>NOTE</b>
Accessory Buildings	C	C	C	C	C	C	C	C		C		

Excerpts from Old Zoning Ordinance

Alcohol Beverage Sales Concurrent with Motor Vehicle Fuel-Convenience Store Sales	C	C	C	C	C	C	C	C				15
Amusement Centers	C	C	C	C	C	C	C	C				16
Animal Grooming Shops	MC	MC	MC	P	P	P	P	P				
Bowling Alleys			C	C	C	C	C	C				
Drive-Thru Facilities, When in Conjunction with a Use Permitted or Conditionally Permitted in this Zone			C	C	C	C	C	C				
Grading, Not Accompanying a Development Request:												17
a. Emergency	P	P	P	P	P	P	P	P		P		
b. Major	C	C	C	C	C	C	C	C		C		
c. Minor	P	P	P	P	P	P	P	P		P		
Health/Fitness/Sports Clubs and Facilities	C	C	C	C	C	C	C	C				
Massage			C	C	C	C	C	C				18
Accessory Massage	MC	MC	MC	MC	MC	MC	MC	MC				18
Mortuaries			C	C	C	C	C	C				
Pool Halls			C	C	C	C	C	C				19
Recycling Facilities:												20
a. Reverse Vending Machines	P	P	P	P	P	P	P	P				
b. Small Collection	C	C	P	P	P	P	P	P				
c. Large Collection			C	C	C	C	C	C				
Theaters			C	C	C	C	C	C				
Urban Private Storage												

Excerpts from Old Zoning Ordinance

Wine Tasting (Only as an Accessory Use to establishments selling wine or wine related products as a primary use)	MC	MC	MC	MC	MC	MC	MC	MC				
<b>9. Vehicle-Related Repair, Sales and Service</b>	<b>NC 1.1</b>	<b>NC 1.2</b>	<b>NC 1.3</b>	<b>NC 2</b>	<b>NC 3</b>	<b>CC 1</b>	<b>CC 2</b>	<b>CC 3</b>		<b>RC 2</b>		NOTE 21
Car Washes			C	C	C	C	C	C				
Service/Gas Station	C	C	C	C	C	C	C	C				22
Vehicle Parts/Accessories Sales			MC	MC	MC	MC	MC	MC				
Vehicle Dealerships (Sales, Leasing, Rental, New and Used):												23
a. Auto Dealerships with fewer than 10 cars			MC	MC	MC	MC	MC	MC				
b. All Other Vehicle Dealerships			C	C	C	C	C	C				
Vehicle Repair/Service, Minor			C	C	C	C	C	C				24

Footnotes:

- 1 Refer to Section 17.28.120, Convenience Stores/Retail Establishments Selling Convenience Items, of this title, for special provisions for convenience stores.
- 2 Refer to Section 17.28.220, Parking Lots, of this title, for special provisions for single-use parking lots.
- 3 Refer to Section 17.28.090, Bed and Breakfast Inns, of this title, for special provisions for bed and breakfast inns.
- 4 Refer to Section 17.28.110 Congregate Care Facilities of this title for special provisions for congregate care facilities.
- 5 Refer to Section 17.28.100, Child Day Care Facilities, this title, for special provisions for day care facilities.

## Excerpts from Old Zoning Ordinance

- 6 Small-family day care homes are permitted in single-family homes. A Minor Conditional Use Permit is required to allow small-family day care homes in other residential dwellings. Small-family day care homes only shall operate in buildings that were lawfully constructed.
- 7 Refer to Section 17.28.220, Parking Lots, of this title, for special provisions for parking lots.
- 8 Refer to Section 17.28.230, Public Park Facilities, of this title for review requirements for parks.
- 9 Refer to Section 17.28.240, Public Utilities, of this title, for special provisions for public utilities.
- 10 Refer to Section 17.56.090, Affordable Housing Overlay Zone, for projects in Commercial and Mixed-Use Zones, of this title, for special provisions for Affordable Housing Projects.
- 11 Refer to Section 17.28.280, Senior Housing Projects, of this title, for special provisions for senior housing projects.
- 12 Refer to Section 17.28.260, Restaurants, Drive-In, Drive-Through, of this title, for special provisions for drive-in/drive-thru restaurants.
- 13 When a restaurant has an approved CUP for the service of alcohol indoors and a CUP is required for the service of alcohol outdoors, then the applicant may request an amendment to the existing CUP to extend service outdoors. When a restaurant has an approved CUP for the service of alcohol indoors and an MCUP is required for the service of alcohol outdoors, an MCUP is the only application necessary (an amendment to the existing CUP shall not be necessary).
- 14 If a CUP has been previously approved for service of hard alcohol indoors, then that service may be extended outdoors for outdoor facilities with no more than 16 seats or four tables with the approval of an MCUP. If no CUP has been approved for service of hard alcohol indoors, then any service of hard alcohol outdoors requires a CUP.
- 15 Refer to Section 17.28.040, Alcoholic beverages and motor vehicle fuel, concurrent sale of, of this title, for special provisions for concurrent sales of motor fuel and alcoholic beverages.
- 16 Refer to Section 17.28.050, Amusement Centers, of this title, for special provisions for arcades/amusement centers.
- 17 Refer to Section 17.28.130, Grading, of this title, for special provisions for grading requests that are not accompanying development requests.
- 18 Massage is subject to Section 5.28 of the City of San Clemente Municipal Code. Refer to Section 17.28.185, Massage Establishments, of this title, for special provisions for massage establishments and accessory massage establishments.
- 19 The provisions for amusement centers shall apply to pool halls. Please refer to Section 17.28.050, Amusement Centers, for special provisions for amusement centers.
- 20 Refer to Section 17.28.250, Recycling Facilities, of this title, for special provisions for recycling facilities.
- 21 Refer to Section 17.28.330, Vehicle Service and Repair-Related Facilities, for provisions for all vehicle service and repair-related facilities.



Excerpts from Old Zoning Ordinance

22 Refer to Section 17.28.290, Service Stations, of this title, for special provisions for service/gas stations.

23 Refer to Section 17.28.310, Vehicle Dealerships, of this title, for special provisions for vehicle dealerships. The sales, leasing, and/or rental of new and/or used vehicles which meet any of the following criteria shall be prohibited within the commercial zones described in this chapter:

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

**Table 17.36.037  
CC 2 Development Standards**

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

**Table 17.36.039  
CC 4 Development Standards**

<b>CC 4 Development Standards</b>	
<b>Standard</b>	<b>CC 4 Zone Requirement</b>
Lot Area, Minimum	6,000 Square Feet
Lot Width, Minimum	60'-0"
Front Setback, Minimum	0'-0"
Interior Side Setback, Minimum	0'-0"

## Excerpts from Old Zoning Ordinance

Street Side Setback, Minimum	0'-0"
Rear Setback Minimum	0'-0"
Lot Coverage, Maximum	60 percent of lot area;
Floor Area Ratio	.50;
Height Limitation	45'-0" Top of Roof; 37'-0" Plate; 3 Stories.

**Table 17.30.041  
RMF 1 Development Standards**

<b>RMF 1 Development Standards</b>	
<b>Standard</b>	<b>RMF 1 Zone Requirement</b>
Lot Area, Minimum	6,000 Square Feet
Lot Width, Minimum	60'-0"
Front Setback, Minimum	0'-0"
Interior Side Setback, Minimum	0'-0"
Street Side Setback, Minimum	0'-0"
Rear Setback Minimum	0'-0"
Lot Coverage, Maximum	80 percent of lot area
Floor Area Ratio	2.0
Height Limitation	54'-0" Top of Roof; 45'-0" Plate; 4 Stories.

## Excerpts from Current Zoning Ordinance

## 17.36.010 - Purpose and Intent.

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

- A. **Neighborhood Commercial (NC) Zones.** Neighborhood Commercial Zones are intended to be less intense than community or regionally oriented commercial zones in San Clemente. There are five neighborhood commercial zones: NC 1.1, NC 1.2, NC 1.3, NC 2, and NC 3. The General Plan restricts the intensity of the Neighborhood Commercial Zones primarily through the floor area ratio limit for the zones. The maximum floor area ratio limits for these districts range from 0.35 to 0.75. The uses prescribed by the General Plan for the Neighborhood Commercial Zones are essentially the same as those prescribed by the General Plan for the Community Commercial Zones, which are described below.
- B. **Coastal and Recreation Serving Commercial (CRC) Zone.** The Coastal and Recreation Serving Commercial Zone provides particular standards to support retail commercial activities, recreation, dining and lodging oriented to San Clemente's beaches and visitor areas. It is applied in the Specific Plans within the Coastal Zone (CZ).
- C. **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 four Community Commercial Zones: CC 1, CC 2, CC 3, and CC 4. The maximum floor area ratio limits for these districts range from 0.5 to 0.7. The General Plan allows the same uses in the Community Commercial Zones as it allows in the Neighborhood Commercial Zones, with the exception of additional medical related uses.
- D. **Regional Commercial (RC1) Zone.** The Regional Commercial Zone is applied to an area in which the scale of the site, its access and location provide an appropriate setting for regional serving retail commercial, entertainment, dining, and financial and professional offices. This site is located within the Marblehead Coastal Specific Plan area.
- E. **Regional Medical Facilities (RMF) Zones.** The Regional Medical Facilities Zone is designed to allow regional general hospital uses. The site in San Clemente receiving this designation is large and can accommodate an intensity of development required for a regional oriented-serving hospital use. There is one Regional Medical Facilities Zone regulated by the Zoning Ordinance: RMF1. The General Plan primarily distinguishes this site by the uses allowed. The RMF1 zone provides for the continued use and development of the existing general hospital facilities at 654 Camino De Los Mares.

(Ord. No. 1609/1610, § 4(Exh. B, 1), 11-17-2015; Ord. No. 1616, § 4, 2-2-2016; Ord. No. 1652, § 4, 5-15-2018)

## 17.36.020 - Commercial Use Regulations.

- A. **Permitted and Conditionally Permitted Uses.** Tables 17.36.020, Commercial Zone Uses, list uses which shall be the primary uses allowed to occur on a property. All uses except for those provided for in Sections 17.28.210, Outdoor Display Areas, and 17.28.300, Temporary Uses and Structures, of

this title shall be conducted within enclosed structures. The primary uses identified in Table 17.36.020, Commercial Zone Uses, shall be permitted or conditionally permitted as indicated:

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

B. Prohibited Uses. The following uses are prohibited:

1. Uses that are listed in Table 17.36.020 but that are not identified as either permitted — "P" — or conditionally-permitted — "MC" or "C"; and
2. Uses that are excluded from Table 17.36.020, unless they are found by the City to be similar to permitted or conditionally-permitted uses.
3. Uses where a blank cell appears in Table 17.36.020.
4. As indicated in Table 17.36.020, the following uses are not permitted in any commercial zone:
  - a. Marijuana Cultivation.
  - b. Marijuana Manufacturing.
  - c. Marijuana Testing Laboratory.
  - d. Marijuana Delivery.
  - e. Marijuana Dispensary.
5. The cultivation of industrial hemp, as defined in Section 11018.5 of the California Health and Safety Code, is not permitted in any commercial zone to the fullest extent allowed by state law.

**Table 17.36.020  
Commercial Zone Uses**

Use	Zones										
<b>1. Commercial</b>	<b>NC 1.1</b>	<b>NC 1.2</b>	<b>NC 1.3</b>	<b>NC 2</b>	<b>NC 3</b>	<b>CC 1</b>	<b>CC 2</b>	<b>CC 3</b>	<b>CC 4</b>	<b>RMF 1</b>	<b>NOTE</b>

Antiques (Retail Sales)	P	P	P	P	P	P	P	P	P		
Art Galleries	P	P	P	P	P	P	P	P	P		
Bakery Goods/Sales (No Wholesale Distributors)	P	P	P	P	P	P	P	P	P		
Barber Shops	P	P	P	P	P	P	P	P	P		
Bicycle Shops	P	P	P	P	P	P	P	P	P		
Bookstores	P	P	P	P	P	P	P	P	P		
Carpet Sales	MC	MC	P	P	P	P	P	P	P		
Ceramics (Retail Sales)	MC	MC	P	P	P	P	P	P	P		
Cleaners and Laundromats (No Linen Service)	P	P	P	P	P	P	P	P	P		
Clothing (Retail Sales)	P	P	P	P	P	P	P	P	P		
Confectionery Stores (Small Scale Production with Retail Sales)	P	P	P	P	P	P	P	P	P		
Convenience Stores	C	C	C	C	C	C	C	C	C		1
Drugstores/Pharmacies	P	P	P	P	P	P	P	P	P		
Electronics (Retail Sales and Repair)	P	P	P	P	P	P	P	P	P		
Fabric Stores	P	P	P	P	P	P	P	P	P		
Florists (Retail Sales)	P	P	P	P	P	P	P	P	P		
Floor Covering Stores	MC	MC	P	P	P	P	P	P	P		
Furniture Stores (Retail Sales)	MC	MC	P	P	P	P	P	P	P		
Glass/Mirror Sales	MC	MC	P	P	P	P	P	P	P		

Grocery/Food Stores (Not Convenience Stores)	P	P	P	P	P	P	P	P	P		
Gunsmith/Gun Shops			C	C	C	C	C	C	C		
Hardware Stores	P	P	P	P	P	P	P	P	P		
Home Appliance Stores (Retail Sales and Repair)	MC	MC	P	P	P	P	P	P	P		
Ice Cream Parlors (Retail Sales with Small Production)	P	P	P	P	P	P	P	P	P		
Interior Decorating Stores	MC	MC	P	P	P	P	P	P	P		
Janitorial Supplies			P	P	P	P	P	P	P		
Jewelry Stores	P	P	P	P	P	P	P	P	P		
Lawnmower Sales/Service	MC	MC	P	P	P	P	P	P	P		
Liquor Sales:											
a. Hard Alcohol	C	C	C	C	C	C	C	C	C		
b. Beer and Wine (Off-Site Consumption Only)	MC	MC	MC	MC	MC	MC	MC	MC	MC		
Locksmith Shops	MC	MC	P	P	P	P	P	P	P		
Mail-Order Stores	MC	MC	P	P	P	P	P	P	P		
Marijuana Cultivation											
Marijuana Delivery											
Marijuana Dispensary											
Marijuana Manufacturer											

Marijuana Testing Laboratory												
Medical/X-Ray Equipment (Sales Only)			P	P	P	P	P	P	P	P		
Music Sales	P	P	P	P	P	P	P	P	P	P		
Newsstands (On Private Property)	P	P	P	P	P	P	P	P	P	P		
Nurseries (Indoor Garden Retail Sales)	MC	MC	P	P	P	P	P	P	P	P		
Nurseries (Outdoor Garden Retail Sales)			C	C	C	C	C	C	C	C		
Office Equipment/Supplies	C	C	P	P	P	P	P	P	P	P		
Paint/Wallpaper Sales	MC	MC	P	P	P	P	P	P	P	P		
Patio/Outdoor Furniture Sales	MC	MC	P	P	P	P	P	P	P	P		
Pawn Shops			C	C	C	C	C	C	C	C		
Pet Shops	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC		
Pet Supply Stores	MC	MC	P	P	P	P	P	P	P	P		
Photographic Equipment Sales	MC	MC	P	P	P	P	P	P	P	P		
Pottery (Retail Sales with Small Production)	MC	MC	P	P	P	P	P	P	P	P		
Shoe Stores (Retail Sales and Repair)	P	P	P	P	P	P	P	P	P	P		
Specialty Food Stores	P	P	P	P	P	P	P	P	P	P		
Sporting Goods (Retail Sales)	MC	MC	P	P	P	P	P	P	P	P		
Stationery Stores	P	P	P	P	P	P	P	P	P	P		
Surfboard (Custom Manufacturing)			C	C	C	C	C	C	C	C		

Swimming Pool Accessory Shops	MC	MC	P	P	P	P	P	P	P		
Tailors/Dressmakers	P	P	P	P	P	P	P	P	P		

Use	Zones										
<b>2. Hospital Uses</b>	<b>NC 1.1</b>	<b>NC 1.2</b>	<b>NC 1.3</b>	<b>NC 2</b>	<b>NC 3</b>	<b>CC 1</b>	<b>CC 2</b>	<b>CC 3</b>	<b>CC 4</b>	<b>RMF 1</b>	<b>NOTE</b>
Ambulance Services							C	C	C	C	
Accessory Uses to Hospital (e.g. laboratories, medical offices, florists, and parking lots).										P	2
Hospital										C	
Specialty Hospital									C		

Use	Zones										
<b>3. Lodging</b>	<b>NC 1.1</b>	<b>NC 1.2</b>	<b>NC 1.3</b>	<b>NC 2</b>	<b>NC 3</b>	<b>CC 1</b>	<b>CC 2</b>	<b>CC 3</b>	<b>CC 4</b>	<b>RMF 1</b>	<b>NOTE</b>
Bed and Breakfast Inns:											3
a. Five or Fewer Guest Rooms		P	P	P	P	P	P	P	P		
b. Six to 10 Guest Rooms		MC	MC	MC	MC	MC	MC	MC	MC		
c. Over 10 Guest Rooms		C	C	C	C	C	C	C	C		
Hotel and Ancillary Uses		C	C	C	C	C	C	C	C		



Motels			C	C	C	C	C	C	C		
Timeshares		C	C	C	C	C	C	C	C		

Use	Zones											NOTE
<b>4. Professional Offices, Financial Institutions and Related Uses</b>	<b>NC 1.1</b>	<b>NC 1.2</b>	<b>NC 1.3</b>	<b>NC 2</b>	<b>NC 3</b>	<b>CC 1</b>	<b>CC 2</b>	<b>CC 3</b>	<b>CC 4</b>	<b>RMF 1</b>		
Ambulance Services (Office Only)	P	P	P	P	P	P	P	P	P			
Banks/Financial Institutions	P	P	P	P	P	P	P	P	P			
Banks/Financial Institutions with Drive-Through Facilities	C	C	C	C	C	P	P	P	P			
Newspaper Publication and Office		P	P	P	P	P	P	P	P			
Employment Agencies		P	P	P	P	P	P	P	P			
Offices, Medical	P	P	P	P	P	P	P	P	P			
Offices, Professional	P	P	P	P	P	P	P	P	P			
Offices, Veterinary/Animal Hospitals	MC	MC	P	P	P	P	P	P	P			
Secretarial Services	P	P	P	P	P	P	P	P	P			
Telemarketing Services		P	P	P	P	P	P	P	P			
Travel Agencies	MC	MC	P	P	P	P	P	P	P			

Use	Zones										
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<b>5. Public/Quasi Public and Institutional Uses</b>	<b>NC 1.1</b>	<b>NC 1.2</b>	<b>NC 1.3</b>	<b>NC 2</b>	<b>NC 3</b>	<b>CC 1</b>	<b>CC 2</b>	<b>CC 3</b>	<b>CC 4</b>	<b>RMF 1</b>	<b>NOTE</b>
Churches	C	C	C	C	C	C	C	C	C		
Clubs/Social Organizations	C	C	C	C	C	C	C	C	C		
Congregate Care Facilities		C	C	C	C	C	C	C	C		4
Convalescent Homes		C	C	C	C	C	C	C	C		
Day Care Facilities:											5
a. Small Day Care Homes	O	O	O	O	O	O	O	O	O		6
b. Large Day Care Homes	MC	MC	MC	MC	MC	MC	MC	MC	MC		
c. Day Care Centers	C	C	C	C	C	C	C	C	C		
Group Instruction	MC	MC	MC	MC	MC	MC	MC	MC	MC		
Group Counseling									C	C	7
Libraries	P	P	P	P	P	P	P	P	P		
Parking Lots	MC	MC	MC	MC	MC	MC	MC	MC	MC		8
Parking Structures	C	C	C	C	C	C	C	C	C		
Parks	O	O	O	O	O	O	O	O	O		9
Public Utilities:											10
a. City-Initiated Projects	O	O	O	O	O	O	O	O	O	O	
b. Projects Initiated by Outside Agencies:											
i. Major Utilities	C	C	C	C	C	C	C	C	C	C	

ii. Minor Utilities	P	P	P	P	P	P	P	P	P	P	
Schools, Public and Private	C	C	C	C	C	C	C	C	C		
Transportation Facilities			C	C	C	C	C	C	C		

Use	Zones										
	NC 1.1	NC 1.2	NC 1.3	NC 2	NC 3	CC 1	CC 2	CC 3	CC 4	RMF 1	NOTE
<b>6. Residential Uses</b>											
Affordable Housing Projects		P	P	P	P						11
Senior Housing Projects		C	C	C	C	C	C	C	C		12

Use	Zones										
	NC 1.1	NC 1.2	NC 1.3	NC 2	NC 3	CC 1	CC 2	CC 3	CC 4	RMF 1	NOTE
<b>7. Restaurants and bars</b>											
Bars, cocktail lounges (with or without dancing and/or entertainment)	C	C	C	C	C	C	C	C	C		
Restaurants:											
a. With drive-through			C	C	C	C	C	C	C		13
b. With no on-site consumption of liquor, no dancing, no entertainment	P	P	P	P	P	P	P	P	P		
c. With on-site sale of beer and wine:											

i. Indoors	MC	MC	MC	MC	MC	MC	MC	MC	MC		
ii. Outdoors with up to 16 outdoor seats or four tables	MC	MC	MC	MC	MC	MC	MC	MC	MC		
iii. Outdoors with more than 16 outdoor seats and/or four tables	MC	MC	MC	MC	MC	MC	MC	MC	MC		
d. With on-site sale of hard alcohol:											
i. Indoors	C	C	C	C	C	C	C	C	C		
ii. Outdoors with up to 16 outdoor seats or four tables	MC/C	MC/C	MC/C	MC/C	MC/C	MC/C	MC/C	MC/C	MC/C		14,15
iii. Outdoors with more than outdoor 16 seats and/or four tables	C	C	C	C	C	C	C	C	C		14,15
e. With dancing and/or entertainment that has:											
i. No amplified sound	MC	MC	MC	MC	MC	MC	MC	MC	MC		
ii. Amplified sound	C	C	C	C	C	C	C	C	C		

Use	Zones										
	NC 1.1	NC 1.2	NC 1.3	NC 2	NC 3	CC 1	CC 2	CC 3	CC 4	RMF 1	NOTE
8. Unclassified Uses											
Accessory Buildings	C	C	C	C	C	C	C	C	C	C	

Alcohol Beverage Sales Concurrent with Motor Vehicle Fuel-Convenience Store Sales	C	C	C	C	C	C	C	C	C		16
Amusement Centers	C	C	C	C	C	C	C	C	C		17
Animal Grooming Shops	MC	MC	MC	P	P	P	P	P	P		
Bowling Alleys			C	C	C	C	C	C	C		
Drive-Thru Facilities, When in Conjunction with a Use Permitted or Conditionally Permitted in this Zone			C	C	C	C	C	C	C		
Grading, Not Accompanying a Development Request:											18
a. Emergency	P	P	P	P	P	P	P	P	P	P	
b. Major	C	C	C	C	C	C	C	C	C	C	
c. Minor	P	P	P	P	P	P	P	P	P	P	
Health/Fitness/Sports Clubs and Facilities	C	C	C	C	C	C	C	C	C		
Massage			C	C	C	C	C	C	C		19
Accessory Massage	MC	MC	MC	MC	MC	MC	MC	MC	MC		19
Mortuaries			C	C	C	C	C	C	C		
Pool Halls			C	C	C	C	C	C	C		20
Recycling Facilities:											21
a. Reverse Vending Machines	P	P	P	P	P	P	P	P	P		
b. Small Collection	C	C	P	P	P	P	P	P	P		
c. Large Collection			C	C	C	C	C	C	C		

Theaters			C	C	C	C	C	C	C		
Urban Private Storage											
Wine Tasting (Only as an Accessory Use to establishments selling wine or wine related products as a primary use)	MC	MC	MC	MC	MC	MC	MC	MC	MC		

Use	Zones										
	NC 1.1	NC 1.2	NC 1.3	NC 2	NC 3	CC 1	CC 2	CC 3	CC 4	RMF 1	NOTE
<b>9. Vehicle-Related Uses</b>											
Car Washes			C	C	C	C	C	C	C		24
Service Stations	C	C	C	C	C	C	C	C	C		22
Vehicle Parts Stores			P	P	P	P	P	P	P		
Vehicle Dealerships			C	C	C	C	C	C	C		23
Vehicle Sales [fewer than 10 vehicles on site]			MC	MC	MC	MC	MC	MC	MC		23
Vehicle Sales [10 or more vehicles on site]			C	C	C	C	C	C	C		23
Vehicle Rental [5 or fewer vehicles on site]			P	P	P	P	P	P	P		23
Vehicle Rental [6 or more vehicles on site]				MC	MC	MC	MC	MC	MC		23
Vehicle Service and Repair-Related Facilities/Vehicle Repair, Minor or Major			C	C	C	C	C	C	C		24

Footnotes:

1. Refer to Section 17.28.120, Convenience Stores/Retail Establishments Selling Convenience Items, of this title, for special provisions for convenience stores.
2. Refer to Section 17.28.220, Parking Lots, of this title, for special provisions for single-use parking lots.
3. Refer to Section 17.28.090, Bed and Breakfast Inns, of this title, for special provisions for bed and breakfast inns,
4. Refer to Section 17.28.110, Congregate Care Facilities of this title for special provisions for congregate care facilities.
5. Refer to Section 17.28.100, Child Day Care Facilities, this title, for special provisions for day care facilities.
6. Small-family day care homes are permitted in single-family homes. A Minor Conditional Use Permit is required to allow small-family day care homes in other residential dwellings. Small-family day care homes only shall operate in buildings that were lawfully constructed.
7. A group-counseling use is conditionally permitted in an RMF 1 zone only if it is integrated into, and secondary in nature to, a Hospital facility. The group-counseling use must serve the primary use of the site as a general Hospital that serves the broader community.
8. Refer to Section 17.28.220, Parking Lots, of this title, for special provisions for parking lots.
9. Refer to Section 17.28.230, Public Park Facilities, of this title for review requirements for parks.
10. Refer to Section 17.28.240, Public Utilities, of this title, for special provisions for public utilities.
11. Refer to Section 17.56.090, Affordable Housing Overlay Zone, for projects in Commercial and Mixed-Use Zones, of this title, for special provisions for Affordable Housing Projects.
12. Refer to Section 17.28.280, Senior Housing Projects, of this title, for special provisions for senior housing projects.
13. Refer to Section 17.28.260, Restaurants, Drive-In, Drive-Through, of this title, for special provisions for drive-in/drive-thru restaurants.
14. When a restaurant has an approved CUP for the service of alcohol indoors and a CUP is required for the service of alcohol outdoors, then the applicant may request an amendment to the existing CUP to extend service outdoors. When a restaurant has an approved CUP for the service of alcohol indoors and an MCUP is required for the service of alcohol outdoors, an MCUP is the only application necessary (an amendment to the existing CUP shall not be necessary).
15. If a CUP has been previously approved for service of hard alcohol indoors, then that service may be extended outdoors for outdoor facilities with no more than 16 seats or four tables with the approval of

an MCUP. If no CUP has been approved for service of hard alcohol indoors, then any service of hard alcohol outdoors requires a CUP.

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

17. Refer to Section 17.28.050, Amusement Centers, of this title, for special provisions for arcades/amusement centers.

18. Refer to Section 17.28.130, Grading, of this title, for special provisions for grading requests that are not accompanying development requests.

19. Massage is subject to Section 5.28 of the City of San Clemente Municipal Code. Refer to Section 17.28.185, Massage Establishments, of this title, for special provisions for massage establishments and accessory massage establishments.

20. The provisions for amusement centers shall apply to pool halls. Please refer to Section 17.28.050, Amusement Centers, for special provisions for amusement centers.

21. Refer to Section 17.28.250, Recycling Facilities, of this title, for special provisions for recycling facilities.

22. Refer to Section 17.28.290, Service Stations, of this title, for special provisions.

23. Refer to Section 17.28.310, Vehicle Dealerships, Rental, and Sales of this title, for special provisions for vehicle dealerships.

24. Refer to Section 17.28.320, Vehicle Service and Repair-Related Facilities, of this title, for special provisions.

(Ord. No. 1609/1610, § 4(Exh. B, 1), 11-17-2015; Ord. No. 1613, § 5(Exh. A, 4, 5), 1-19-2016; Ord. No. 1616, §§ 4, 5, 2-2-2016; Ord. No. 1624, § 2, 5-17-2016; Ord. No. 1632, § 3(Exh. A, §§ 5, 6), 11-15-2016; Ord. No. 1652, § 4, 5-15-2018)

17.36.030 - Commercial Zone General Development Standards.

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

A. **Creation of New Lots.** The creation of new lots within commercial zones following the date of adoption of this title shall conform to the minimum dimensions for lots established within this zone, except in the case of condominium lots or individual lots within a shopping center, in which case minimum dimensions shall be applied to the boundaries around the entire center. Individual lots created within shopping centers are exempt from the site development standards stated herein, as they relate to minimum lot areas and lot width, as long as the following conditions are met:

1. A Site Plan Permit for the entire center has been processed and approved pursuant to Section 17.16.050, Site Plan Permits and Minor Site Plan Permits, of this title;



2. Easements for reciprocal access, parking and maintenance are recorded in a form approved by the City Attorney and maintained; and
  3. All applicable setbacks adjacent to the exterior boundaries of the shopping center or commercial development are met.
- B. **General Development Standards.** Tables 17.36.030A—17.36.030K list the site development standards required for projects located in commercial zones.

**Table 17.36.030A  
Commercial Zone Development Standards**

Lot Frontage, Minimum	Refer to Section 17.24.140, Lot Frontage Requirements, Minimum, of this title.
Landscape Setback for Parking Areas	Please refer to Section 17.64.060(C), Landscaping, for landscaping setbacks for parking areas.
Setbacks from Residentially Zoned Property	Please refer to Section 17.24.170, Residentially Zoned Property, Development Adjacent to, for setbacks from residentially zoned property.
Parking	For parking requirements, please refer to Chapter 17.64, Parking and Access Standards, of this title.
Landscaping	Refer to Chapter 17.68, Landscaping Standards, of this title, for landscaping requirements.
Floor Area Ratio, Historic Structures	Please refer to Section 17.24.100, Increases in Floor Area Ratio, for increases in floor area ratio when historic structures are preserved on-site or relocated to appropriate zones

**Table 17.36.030G  
CC 1 Development Standards**

Standard	CC 1 Zone Requirement
Lot Area, Minimum	6,000 Square Feet
Lot Width, Minimum	60'-0"
Front Setback, Minimum	0'-0"

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

**Table 17.36.030H  
CC 2 Development Standards**

<b>Standard</b>	<b>CC 2 Zone Requirement</b>
Lot Area, Minimum	6,000 Square Feet
Lot Width, Minimum	60'-0"
Front Setback, Minimum	0'-0"
Interior Side Setback, Minimum	0'-0"
Street Side Setback, Minimum	0'-0"
Rear Setback Minimum	0'-0"
Lot Coverage, Maximum	60 percent of lot area
Floor Area Ratio	0.50
Height Limitation	45'-0" Top of Roof; 37'-0" Plate; 3 Stories.

**Table 17.36.030I  
CC 3 Development Standards**

<b>Standard</b>	<b>CC 3 Zone Requirement</b>
Lot Area, Minimum	6,000 Square Feet
Lot Width, Minimum	60'-0"
Front Setback, Minimum	0'-0"
Interior Side Setback, Minimum	0'-0"
Street Side Setback, Minimum	0'-0"
Rear Setback Minimum	0'-0"
Lot Coverage, Maximum	80 percent of lot area
Floor Area Ratio	.70
Height Limitation	45'-0" Top of Roof; 37'-0" Plate; 3 Stories.

**Table 17.36.030J  
CC 4 Development Standards**

<b>Standard</b>	<b>CC 4 Zone Requirement</b>
Lot Area, Minimum	6,000 Square Feet
Lot Width, Minimum	60'-0"
Front Setback, Minimum	0'-0"
Interior Side Setback, Minimum	0'-0"
Street Side Setback, Minimum	0'-0"
Rear Setback Minimum	0'-0"
Lot Coverage, Maximum	60 percent of lot area;

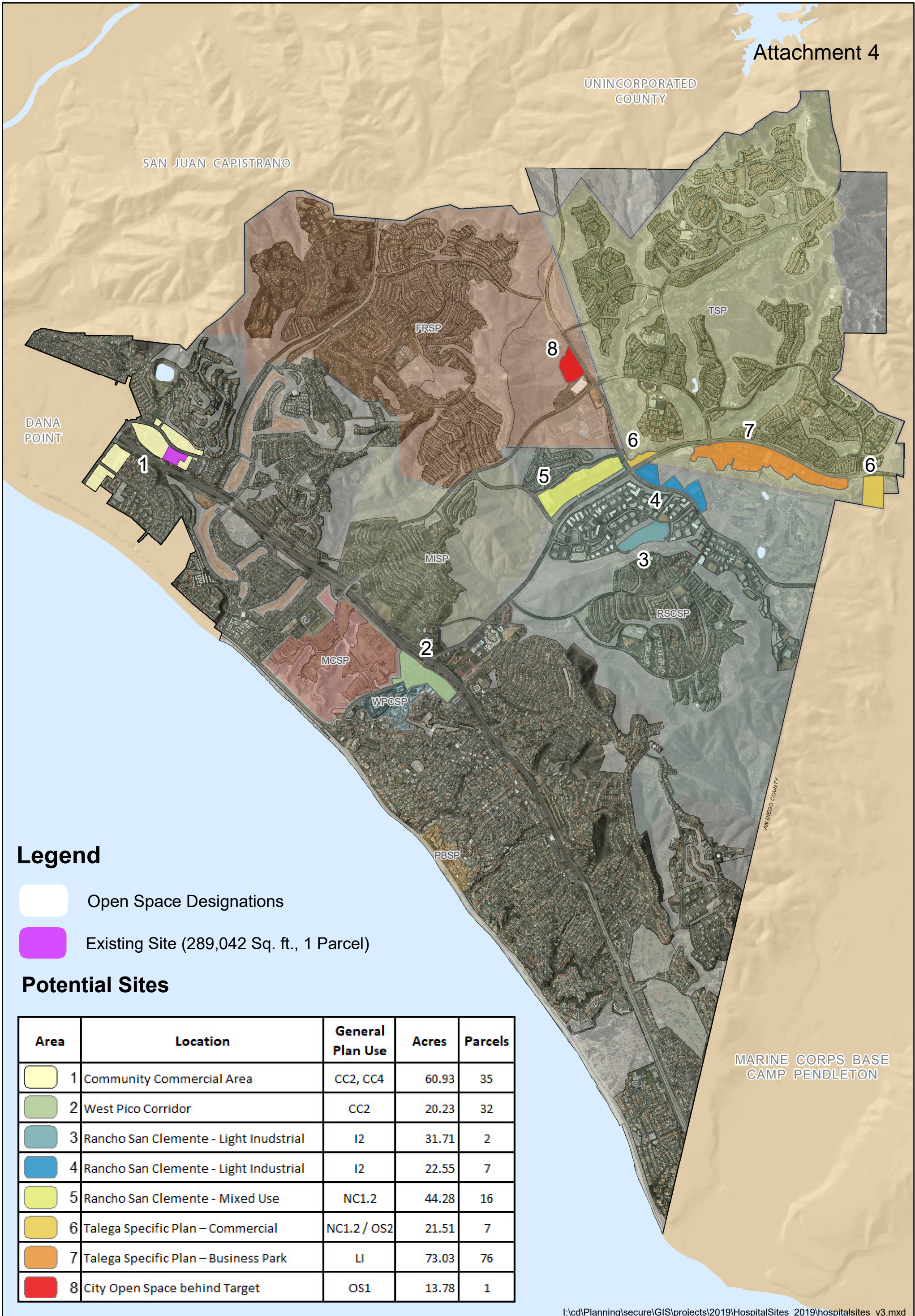
Floor Area Ratio	0.50;
Height Limitation	45'-0" Top of Roof; 37'-0" Plate; 3 Stories.

**Table 17.36.030K  
RMF 1 Development Standards**

<b>Standard</b>	<b>RMF 1 Zone Requirement</b>
Lot Area, Minimum	6,000 Square Feet
Lot Width, Minimum	60'-0"
Front Setback, Minimum	0'-0"
Interior Side Setback, Minimum	0'-0"
Street Side Setback, Minimum	0'-0"
Rear Setback Minimum	0'-0"
Lot Coverage, Maximum	80 percent of lot area
Floor Area Ratio	2.0
Height Limitation	54'-0" Top of Roof; 45'-0" Plate; 4 Stories.

(Ord. No. 1609/1610, § 4(Exh. B, 1), 11-17-2015; Ord. No. 1616, §§ 6—8, 2-2-2016)





**Legend**

- Open Space Designations
- Existing Site (289,042 Sq. ft., 1 Parcel)

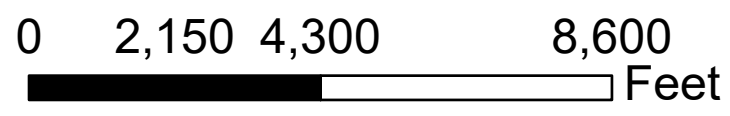
**Potential Sites**

Area	Location	General Plan Use	Acres	Parcels
1	Community Commercial Area	CC2, CC4	60.93	35
2	West Pico Corridor	CC2	20.23	32
3	Rancho San Clemente - Light Industrial	I2	31.71	2
4	Rancho San Clemente - Light Industrial	I2	22.55	7
5	Rancho San Clemente - Mixed Use	NC1.2	44.28	16
6	Talega Specific Plan – Commercial	NC1.2 / OS2	21.51	7
7	Talega Specific Plan – Business Park	LI	73.03	76
8	City Open Space behind Target	OS1	13.78	1

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**Analysis  
Hospital Sites**





UNINCORPORATED COUNTY

SAN JUAN CAPISTRANO

DANA POINT

FRSP

TSP

MISP

RSCSP

MCSP

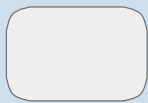
WPCSP

PBSP

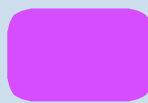
ORANGE COUNTY  
SAN DIEGO COUNTY

MARINE CORPS BASE  
CAMP PENDLETON

### Legend



Open Space Designations



Existing Site (289,042 Sq. ft., 1 Parcel)

### Zoning Classification



Community Commercial (CC)

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# Analysis Hospital Sites

