



# AGENDA REPORT

## CITY OF SAN CLEMENTE

### City Council Meeting

910 Calle Negocio  
2nd Floor  
San Clemente, California  
www.san-clemente.org

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**Meeting Date:** 3/21/2023

Agenda Item: 6I

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**Department:** Community Development  
**Prepared By** Christopher Wright, Associate Planner II

**Subject:**  
**2022 GENERAL PLAN ANNUAL PROGRESS REPORT**

**Fiscal Impact:**

There is not an anticipated direct fiscal impact. This item provides a status update on existing plans and programs. It does not initiate new projects that involve expenditures.

**Summary:**

State law requires the City to provide an annual progress report on the implementation of the General Plan. The report must be presented to the City Council for its review and acceptance and then submitted to the State. Staff recommends the City Council accept the General Plan 2022 Annual Progress Report (APR) and direct staff to submit a copy to the State to meet requirements.

**Background:**

California Government Code Section 65400 requires the City to prepare an annual status report on Centennial General Plan implementation. The annual progress report must be presented to City Council for review and acceptance, and then submitted to the Governor's Office of Planning and Research (OPR) and the State Office of Housing and Community Development (HCD) by April 1st of each year. The purpose of the progress report is to provide information to the City Council to assess how the General Plan is being implemented. The report also provides State required information regarding the City's progress in meeting its share of regional housing needs.

**Discussion:**

The General Plan 2022 APR (Attachment 2) describes major actions taken in 2022 to implement the General Plan according to City Council priorities. The APR is organized in four sections: 1) Introduction, 2) General Plan Status and Amendments, 3) Strategic Implementation Program, and 4) Housing Activity and Programs. Appendix A includes HCD forms for Housing Element 2022 reporting.

### **2022 Accomplishments by Department**

#### **Beaches, Parks, and Recreation**

- Environmental review (CEQA) initiated for Richard T. Steed Memorial Park Master Plan Update.
- Initiated design for planned pickle ball court complex at Richard T. Steed Memorial Park.

### **City Manager**

- The City conducted a Healthcare Roundtable in April 2022, bringing in executives from several Southern California hospital systems, to discuss facilities in San Clemente and the trajectory of the healthcare industry.
- The City hosted a workshop on Community Choice Energy in July 2022.
- The City conducted a listening session in November of 2022 regarding the plans for potential HOV expansion along the I-5 freeway through San Clemente.
- The City coordinated several trainings with the Small Business Development Center (SBDC), including a grant program “Main Street Digital” in fall 2022.
- The City hired a consultant (New City America) to investigate a Business Improvement District (BID) in downtown. The results showed that property owners were not currently supportive of initiating a BID.
- Began recruitment for a new Chief of Police Services and new City Manager.

### **Community Development**

- Adopted 6th Cycle 2021-2029 Housing Element approved by the California Department of Housing and Community Development (HCD).
- Adopted Safety Element.
- Completed State annual reporting for General Plan and Housing element Annual Progress Report (APR).
- Adopted 2022 California Building Codes.
- Updated all City’s Specific Plans for General Plan, Zoning Code, and state and federal law consistency.
- Adopted SB9 implementation ordinance and fee schedule consistent with state law.
- Adopted Accessory Dwelling Unit ordinance consistent with state law.
- Implemented new permit tracking software system (Central Square).
- Initiated permit streamlining code amendments.
- Initiated zoning code amendments to implement programs in the adopted Housing Element.
- Received \$500,000 grant from the California Coastal Commission for a Nature Based Coastal Resiliency Feasibility Study to develop sand retention pilot projects.
- Resumed the Shoreline Monitoring Program to measure changes in the shoreline to determine beach erosion hotspots.
- Provided annual Water Efficient Landscape Ordinance data to California Department of Water Resources (DWR).
- Local data exchange for 2019-2050 Orange County Growth Forecast Projections in conjunction with Southern California Association of Governments (SCAG).
- Maintained Development Story Map providing information on current planning projects to the public.

### **Public Safety**

- Pursued and obtained over \$14,000 in grants and funding for training for the lifeguards and Junior Lifeguard programs.
- Continued to monitor and provide sand measurement data for beach erosion, and worked with Public Works on Marine Safety relocation feasibility study.
- Over 1,800 swimmers in distress were physically rescued by ocean lifeguards, over 26,000 visitors were proactively warned or advised of dangers by on-duty staff, and over 1,000 medical aids were performed.

### **Public Works**

- Renewed the Pedestrian Audible Warning Systems (PAWS) waiver in April 2021 and will begin the process again in fall 2023.
- Completed Council Chambers at City Hall.
- Completed Marine Safety Building relocation study.
- Completed pavement rehabilitation of 30 miles of City streets.
- Completed Steed Park ballfield light project.
- Started sidewalk rehabilitation of Avenida Cabrillo.

### **Utilities**

- Improved utility infrastructure. Replacement and rehabilitation design continues on various reservoirs, pump stations and within the water, wastewater and storm drain systems. Completed projects include: Ferric Tank, Ave. Pico Recycled Water Line Relocation, Water Reclamation Plant (WRP) Sluice Gate Replacements, La Pata Lift Station Wet Well Rehabilitation, sewer and storm drain system linings, WRP Electrical System Rehabilitation, WRP Security Gate, Installed Storm Drain Catch Basin Trash Capture Devices, Calle Vista Torito Storm Drain Repair and El Camino Real Storm Drain Upgrade.
- Continued evaluating Water Reclamation Plant efficiency opportunities to improve operation and reduce chemical and power use. Process is ongoing. One major improvement is to create flow equalization to improve blower optimization and lower power and chemical costs. The project is being developed with design anticipated in FY 2024.
- Worked with customers to meet waste recycling and diversion requirements. Response: CR&R and City staff increased outreach to residential, multi family, commercial and industrial customers.
- Final design Phase II Recycled Water Expansion is completed for an expansion at Camino de Los Mares and Camino Vera Cruz. In addition, a Recycled Water Master Plan Update is being conducted by AKM Consulting Engineers to evaluate additional future expansion.

### ***City Council Options and Recommended Actions:***

#### **City Council Options**

- Adopt Resolution 23-06 accepting the General Plan 2022 Annual Progress Report.
- Continue the Item with direction to provide additional information.
- Provide specific direction to the City Manager for action.
- Deny Resolution 23-06 with direction to reconsider the Item.

Staff Recommendation

1. Adopt Resolution No. 23-06 entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ACCEPTING THE GENERAL PLAN 2022 ANNUAL PROGRESS REPORT"; and
2. Direct staff to submit the 2022 APR to the State as required by law.

***Attachments:***

1. Resolution for General Plan 2022 APR
2. General Plan 2022 APR
  - Appendix A - Housing Reporting Data for 2022
  - Appendix B - Zoning Amendments for Housing Element Implementation

***Notification:***

Agenda posted at City facilities.

# ATTACHMENT 1

## RESOLUTION NO.

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ACCEPTING THE GENERAL PLAN 2022 ANNUAL PROGRESS REPORT

WHEREAS, the State of California requires cities and counties to have an adopted General Plan to provide guidance on land use decisions; and

WHEREAS, on February 4, 2014, the City Council approved the Centennial General Plan, dated February 2014, and certified Final Environmental Impact Report (FEIR), State Clearinghouse (SCH) No. 2013041021, mitigation monitoring program, and statements of overriding consideration; and

WHEREAS, the City of San Clemente Centennial General Plan (“General Plan”) is the City’s comprehensive long-term policy document comprised of goals and policies for achieving San Clemente’s vision. The plan guides land use and physical development of the geographic area of the incorporated City limits; and

WHEREAS, the General Plan contains the seven State-required elements and six additional elements, as follows: 1) Land Use; 2) Urban Design; 3) Historic Preservation; 4) Economic Development; 5) Mobility and Complete Streets; 6) Housing, 7) Beaches, Parks and Recreation; 8) Natural Resources; 9) Coastal; 10) Safety; 11) Public Services, Facilities and Utilities; 12) Growth Management; and 13) Governance; and

WHEREAS, each element of the General Plan has a set of goals and policies that are intended to achieve specific objectives. The City’s Strategic Implementation Program (SIP), updated each fiscal year, lists and prioritizes specific projects and ongoing programs or “Implementation Measures” that align with goals and policies in General Plan Elements, excluding Housing. For the Housing Element, implementation measures are included in a Housing Action Plan certified by the California Department of Housing and Community Development (“HCD”) with the Housing Element; and

WHEREAS, California Government Code Section 65400(a)(2)(A) requires the City to annually prepare a report regarding the status and progress in the implementation of the City’s General Plan and Housing Element; and

WHEREAS, California Government Code Section 65400(a)(2)(B) requires the City to include in the Annual Progress Report (APR) the City’s progress in meeting its share of regional housing needs; and

WHEREAS, California Code of Regulations, Title 25, Division 1, Chapter 6, Sections 6200, *et seq.*, requires the City to use in the report forms and definitions adopted by the California Department of Housing and Community Development (“HCD”) to report on the status and progress implementing the City’s Housing

Element; and

WHEREAS, California Government Code Section 65400(a)(2)(F) requires the City to include in the report an assessment of the degree to which the General Plan complies with the guidelines developed and adopted pursuant to Section 65040.2 and the date of the last revision to the General Plan; and

WHEREAS, California Government Code Section 65400(a)(2) requires the City to submit the report to the Governor's Office of Planning and Research ("OPR") and HCD by April of each year; and

WHEREAS, the Planning Division has determined in accordance with the California Environmental Quality Act (CEQA) that the General Plan 2022 Annual Progress Report ("2022 APR") is not a project under the California Environmental Quality Act (CEQA). The APR is an informational report documenting progress towards implementing the General Plan and does not make decisions for City actions; and

WHEREAS, on March 21, 2023, the City Council of the City of San Clemente held a public meeting on the 2022 APR, considered written and oral comments, and facts and evidence presented by City staff, and other interested parties. The 2022 APR is included as Attachment 2 of the March 21, 2023 City Council staff report, incorporated herein by reference.

NOW, THEREFORE, The City Council of the City of San Clemente does hereby resolve as follows:

Section 1. Incorporation of Recitals.

The City Council hereby finds that all of the facts in the Recitals are true and correct and are incorporated and adopted as findings of the City Council as if fully set forth in this resolution.

Section 2. CEQA Findings.

The Progress Report is not a project under the California Environmental Quality Act (CEQA) because the report is an informational report documenting progress towards implementing the General Plan and does not make decisions for City actions.

Section 3. Acceptance of 2022 APR

Based on the foregoing recitals and findings above, and the written and oral comments, facts, and evidence presented, the City of San Clemente City Council, pursuant to Section 65400(a)(2) of the Government Code, has reviewed the 2022 APR that is Attachment 2 to the March 21, 2023 City Council staff report, incorporated herein by reference. The City Council accepts and finds the 2022 APR:

- A. Adequately assesses the status of the General Plan and Housing Element and its implementation;

- B. Provides information regarding the City's progress in meeting its share of regional housing needs;
- C. Uses the forms and definitions adopted by HCD to report on the status and progress in implementing the City's Housing Element;
- D. Adequately assesses the degree to which the General Plan complies with the General Plan Guidelines; and
- E. Accurately documents the date of the last revision to the General Plan.

Section 4. Submission of Progress Report

Pursuant to California Government Code Section 65400(a)(2), the City shall submit the Progress Report to OPR and HCD.

Section 5. Certification.

The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

ATTEST:

\_\_\_\_\_  
City Clerk of the City of  
San Clemente, California

\_\_\_\_\_  
Mayor of the City of San  
Clemente, California

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

I, LAURA CAMPAGNOLO, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. \_\_\_\_\_ was adopted at a regular meeting of the City Council of the City of San Clemente held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by the following vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
 CITY CLERK of the City of  
 San Clemente, California

Approved as to form:

\_\_\_\_\_  
 City Attorney



# San Clemente General Plan 2022 Annual Progress Report



*Prepared by:*

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March 2023

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**1.0 INTRODUCTION**

California Government Code Section 65400 requires the City to prepare an annual report on the status of the Centennial General Plan and progress in its implementation. The annual progress report must be presented to the City Council for review and acceptance, and then submitted to the Governor’s Office of Planning and Research (OPR) and the Housing and Community Development (HCD) by April 1<sup>st</sup> of each year. The purpose of the progress report is to provide information for the City Council to assess how the General Plan is being implemented. Also, the report provides State required information regarding the City’s progress in meeting its share of regional housing needs. The State has guidelines for preparing the progress report that are general to allow flexibility in the form and content of reports, based on the circumstances, resources, and constraints for each jurisdiction.

On February 4, 2014, the City Council adopted the Centennial General Plan, the City’s comprehensive long-term policy document comprised of goals and policies for achieving San Clemente’s vision. Since General Plan adoption, the City has made progress on the General Plan Strategic Implementation Program (SIP) that lists and prioritizes projects and ongoing programs to implement General Plan goals and policies, known as “Implementation Measures” (IMs). Housing IMs are identified and evaluated separately in the Housing Action Plan certified by HCD with the 2021-2029 Housing Element. This 6<sup>th</sup> cycle of the Housing Element ends on October 15, 2029.

This report provides a 2022 General Plan Annual Progress Report (“2022 APR”) to fulfill the State requirements. The document is organized in four sections.

Section	Description
1. Introduction	This section summarizes the purpose of the annual progress report.
2. General Plan Status and Amendments.	This section provides background on the Centennial General Plan, amendment requirements, and amendments adopted in 2022.
3. Strategic Implementation Program.	This section describes the SIP, provides a status update, and highlights major actions taken in 2022 to make progress on goals and policies in the General Plan.
4. Housing Activity and Programs	This section provides background on the Housing Element and summary of housing activity and programs in 2022. Appendix A includes HCD APR forms for Housing Element 2022 reporting

## **2.0 GENERAL PLAN STATUS AND AMENDMENTS**

### **2.1 Background on Centennial General Plan**

The City's Centennial General Plan was adopted in February 2014. The comprehensive long-term policy document is largely comprised of goals (what we want to achieve) and policies (how we accomplish these goals) for achieving San Clemente's vision. It guides growth and development to achieve optimum results from the City's physical, economic, environmental and human resources. Per State law, General Plans are required to include seven elements (Land Use, Housing, Circulation, Noise, Safety, Open Space and Conservation). The organization of these seven elements, and any optional elements, are determined by the local jurisdiction.

The Centennial General Plan is made up of thirteen elements: 1) Land Use; 2) Urban Design; 3) Historic Preservation; 4) Economic Development; 5) Mobility and Complete Streets; 6) Housing, 7) Beaches, Parks and Recreation; 8) Natural Resources; 9) Coastal; 10) Safety; 11) Public Services, Facilities and Utilities; 12) Growth Management; and 13) Governance. State law requires the Housing Element be updated in a cycle of at least every eight years, along with a Housing Action Plan for implementation of housing goals and policies. The most recent Housing Element, a mid-term update, was approved by the City Council on October 10, 2017, and certified by the State on January 22, 2018. Similar to other jurisdictions, the City is in the process of pursuing State certification of a Housing Element update for 2022-2029.

Each element has a set of goals and policies that are intended to achieve specific objectives. Implementation measures for General Plan elements, other than Housing, are included in a Strategic Implementation Program (SIP). Housing implementation measures are included in Housing Element Action Plan.

### **2.2 Amendment Requirements and Process**

Local governments are required to keep their General Plans current and internally consistent. Although General Plans must be kept current, there is no specific requirement that a local government update its General Plan on a particular timeline, with the exception of the Housing Element that must be updated every eight years. Municipal Code Section 17.16.020 establishes procedures for the initiation of processing requests for a General Plan amendment. These procedures require that a General Plan amendment be initiated by either: 1) a majority vote of the City Council, or 2) the submittal of an application from a property owner or agent. Once initiated, the General Plan amendment and related environmental document is considered by the Planning Commission and a recommendation is made to the City Council via resolution. The City Council takes final action at a public hearing. California Government Code Section 65358 allows required General Plan elements to be amended up to four times in a calendar year.

### 2.3 General Plan Amendments Adopted in 2022

In 2022, two General Plan Amendments (GPA) were adopted:

- Senior Housing and Medical Office. On November 1, 2022, the City adopted Resolution 22-40, approving GPA 22-097; changed the land use designation of a site at 654 Camino De Los Mares to construct a mixed-use project with 250 for-rent senior residential units and a 7,500 square foot medical office. The GPA changed the land use designation from Regional Medical Facilities 1 (RMF1) to Community Commercial 4 (CC4).
- West Pico Corridor Specific Plan Update and Architectural Overlay Expansion. On October 18, 2022, the City adopted Resolution 22-39, approving GPA 21-238. This City-initiated long-range planning updated the West Pico Corridor Specific Plan for consistency with the General Plan, Coastal Land Use Plan and Zoning; expanded the Architectural Overlay district; and changed the land use designation of two parcels located at 1510 Avenida De La Estrella (APNs 057-020-45 and 057-020-67) to High Industrial from a split of Light Industrial and High Industrial.
- Housing Element and Safety Element Updates. On September 20, 2022, the City adopted Resolution 22-36, approving GPA 20-036; updates to the Housing Element and Safety Element according to State law.

### 2.4 Summary of General Plan Amendments

Table 1 below presents a summary of General Plan amendments adopted up to December 31, 2022. Table 2 on the next page identifies the adoption dates for each of the General Plan elements. The General Plan as amended through 2022 complies with State General Plan guidelines to a high degree. The following information is provided consistent with the requirements of Government Code Section 65400(a)(2)(F).

**Table 1 – General Plan Amendments (as of December 31, 2022)<sup>1</sup>**

Adoption Date	Amendment No.	Resolution No.	Project Name
11-1-22	22-097	22-40	Senior Housing and Medical Office
10-18-22	21-238	22-39	West Pico Corridor Specific Plan Update and Architectural Overlay Expansion
9-20-22	20-036	22-36	Housing Element and Safety Element Updates
2-16-21	20-011	21-03	Roadway Systems Update
12-17-19	19-291	19-56	Pier Bowl Specific Plan Update
10-10-17	17-261	17-33	Housing Element Mid-term Update 2013-2022
9-5-17	15-331	17-29	Housing Element 2013-2022 and Amendment to Emergency Shelter Overlay
12-20-16	16-374	16-75	Clean-up Edits
10-18-16	16-319	16-64	Emergency Shelter Overlay

Adoption Date	Amendment No.	Resolution No.	Project Name
5-23-16	16-002	16-13	Freeway Oriented Signs and Sign Exceptions
1-19-16	15-427	16-03	Camino De Los Mares Medical Zones
11-3-15	15-049	15-47, 15-48	Clarifications, Land Use Changes, and Addendum No. 1 to General Plan Final Environmental Impact Report
8-19-14	14-123	14-34	Emergency Shelter Overlay to Implement State law SB2

<sup>1</sup> On February 4, 2014, the City adopted the Centennial General Plan (General Plan Amendment 13-043) via Resolution 14-01.

**Table 2 – Adoption Dates for General Plan Elements (as of December 31, 2022)**

General Plan Element	Adoption Date	Amendment No.	Resolution No.
Land Use	11-1-22	22-097	22-40
Urban Design	11-3-15	15-049	15-47,15-48
Historic Preservation	2-14-14	13-043	14-01
Economic Development	2-14-14	13-043	14-01
Mobility and Complete Streets	2-14-14	13-043	14-01
Housing	9-20-22	20-036	22-36
Beaches, Parks and Recreation	11-3-15	15-049	15-47,15-48
Natural Resources	2-14-14	13-043	14-01
Coastal	11-3-15	15-049	15-47,15-48
Safety	10-5-21	20-036	21-40
Public Services, Facilities and Utilities	11-3-15	15-049	15-47,15-48
Growth Management	2-16-21	20-011	21-03
Governance	11-3-15	15-049	15-47,15-48

### 3.0 STRATEGIC IMPLEMENTATION PROGRAM

#### 3.1 Purpose and Update Process

Since General Plan adoption, the City has made progress on the General Plan Strategic Implementation Program (SIP) that lists and prioritizes projects and ongoing programs to implement General Plan goals and policies, known as “Implementation Measures” (IMs). Housing IMs are listed and evaluated separately in the Housing Action Plan. The SIP describes and ties implementation measures to elements and policies, and identifies the status, priority, and lead department for each action item. Annually, City departments review IMs they are responsible for, provide a status update and summary of accomplishments, and provide recommendations on which IMs to address in the following year. Additionally, departments may recommend SIP changes based on a review of resources, workload, prior Council direction, community need and interest, opportunities for efficiencies, and other criteria. The City annually updates the SIP with the budget for the next fiscal year to:

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- Ensure the General Plan responds to changing needs and conditions, and to commit resources to the community’s long-term vision;
- Evaluate progress towards goals by reviewing the status of IMs underway or completed;
- Determine IMs to implement in the next fiscal year;
- Identify department or entity to lead and/or help carry out IMs.

Table 3.2 provides a summary of 2022 accomplishments toward implementing the General Plan according to the Strategic Implementation Program. The current SIP is on the City’s website at this [link](#).

**3.2 Major Implementation Activities for 2022**

Table 3 summarizes 2022 major actions to implement the General Plan.

**Table 3 – Summary of 2022 Implementation Progress**

Department	Implementation Actions
Beaches, Parks, and Recreation	<ul style="list-style-type: none"> <li>• Environmental review (CEQA) initiated for Richard T. Steed Memorial Park Master Plan Update.</li> <li>• Initiated design for planned pickle ball court complex at Richard T. Steed Memorial Park</li> </ul>
City Manager	<ul style="list-style-type: none"> <li>• The City conducted a Healthcare Roundtable in April of 2022, bringing in executives from several Southern California hospital systems, to discuss facilities in San Clemente and the trajectory of the healthcare industry.</li> <li>• The City hosted a workshop on Community Choice Energy in July of 2022.</li> <li>• The City conducted a listening session in November of 2022 regarding the plans for potential HOV expansion along the I-5 freeway through San Clemente.</li> <li>• The City coordinated several trainings with the SBDC, including a grant program “Main Street Digital” in the fall of 2022.</li> <li>• The City hired a consultant (New City America) to investigate a BID in downtown. The results showed that property owners were not currently supportive of initiating a BID.</li> <li>• Began recruitment for a new Chief of Police Services, City Attorney, and a new City Manager.</li> </ul>

San Clemente 2022 Annual Progress Report

Department	Implementation Actions
Community Development	<ul style="list-style-type: none"> <li>● Adopted 6th Cycle 2021-2029 Housing Element approved by HCD.</li> <li>● Adopted Safety Element.</li> <li>● Completed State annual reporting for General Plan and Housing element Annual Progress Report (APR).</li> <li>● Adopted 2022 California Building Codes.</li> <li>● Updated all City’s Specific Plans for General Plan, Zoning Code, and state and federal law consistency.</li> <li>● Adopted SB9 implementation ordinance and fee schedule consistent with state law.</li> <li>● Adopted Accessory Dwelling Unit ordinance consistent with state law.</li> <li>● Implemented new permit tracking software system (Central Square).</li> <li>● Initiated permit streamlining code amendments.</li> <li>● Initiated zoning code amendments to implement programs in the adopted Housing Element.</li> <li>● Received \$500,000 grant from the California Coastal Commission for a Nature Based Coastal Resiliency Feasibility Study to develop sand retention pilot projects.</li> <li>● Resumed the Shoreline Monitoring Program to measure changes in the shoreline to determine beach erosion hotspots.</li> <li>● Provided annual Water Efficient Landscape Ordinance data to DWR.</li> <li>● Local data exchange for 2019-2050 Orange County Growth Forecast Projections in conjunction with SCAG.</li> <li>● Maintain Development Story Map providing information on current planning projects to the public.</li> </ul>
Public Safety	<ul style="list-style-type: none"> <li>● Pursued and obtained over \$14,000 in grants and funding for training for the lifeguards and Junior Lifeguard programs.</li> <li>● Continued to monitored and provide sand measurement data for beach erosion, and worked with Public Works on Marine Safety relocation feasibility study.</li> </ul> <p>Over 1,800 swimmers in distress were physically rescued by ocean lifeguards, over 26,000 visitors were proactively warned or advised of dangers by on-duty staff, and over 1,000 medical aids were performed.</p>
Public Works	<ul style="list-style-type: none"> <li>● Renewed the PAWS waiver in April of 2021 and will begin the process again in fall of 2023.</li> <li>● Completed Council Chambers at City Hall</li> <li>● Completed Marine Safety Building relocation study</li> <li>● Completed pavement rehabilitation of 30 miles of City streets</li> <li>● Completed Steed Park ballfield light project</li> <li>● Started sidewalk rehabilitation of Avenida Cabrillo.</li> </ul>



Department	Implementation Actions
Utilities	<ul style="list-style-type: none"> <li>• Improved utility infrastructure. Replacement and rehabilitation design continues on various reservoirs, pump stations and within the water, wastewater and storm drain systems. Completed projects include: Ferric Tank, Ave. Pico Recycled Water Line Relocation, WRP Sluice Gate Replacements, La Pata Lift Station Wet Well Rehabilitation, sewer and storm drain system linings, WRP Electrical System Rehabilitation, WRP Security Gate, Installed Storm Drain Catch Basin Trash Capture Devices, Calle Vista Torito Storm Drain Repair and El Camino Real Storm Drain Upgrade.</li> <li>• Continued evaluating Water Reclamation Plant efficiency opportunities to improve operation and reduce chemical and power use. Process is ongoing. One major improvement is to create flow equalization to improve blower optimization and lower power and chemical costs. The project is being developed with design anticipated in FY 2024.</li> <li>• Worked with customers to meet waste recycling and diversion requirements. Response: CR&amp;R and City staff increased outreach to residential, multi family, commercial and industrial customers.</li> <li>• Final design Phase II Recycled Water Expansion is completed for an expansion at Camino de Los Mares and Camino Vera Cruz. In addition, a Recycled Water Master Plan Update is being conducted by AKM Consulting Engineers to evaluate additional future expansion.</li> </ul>

#### 4.0 HOUSING ACTIVITY AND PROGRAMS

##### 4.1 Background on Housing Element

The Housing Element was last adopted in 2022 for the 2021-2029 planning period. State law requires the preparation of a Housing Element as part of a jurisdiction's General Plan (Government Code Section 65302(c)). It is the primary planning guide for local jurisdictions to identify and prioritize the housing needs of the City and determine ways to best meet these needs while balancing community objectives and resources. The 2022 Housing Element consists of five chapters, including: 1) Introduction; 2) Needs Assessment; 3) Housing Constraints, 4) Housing Resources, and 5) Housing Action Plan; and the Appendices.

Guidelines adopted by HCD are also considered in the preparation of the Housing Element (Section 65585). Periodic review of the Housing Element is required to evaluate:

1. The appropriateness of its goals, objectives and policies in contributing to the attainment of the state housing goals;
2. The element's effectiveness in attaining the City's housing goals and objectives; and
3. The progress of the element's implementation (Section 65588). Implementation programs are in the Housing Action Plan of the certified Housing Element. Progress in meeting the State Regional Housing Need Allocation (RHNA) and implementing programs in the Housing Action Plan is detailed in Appendix A and summarized below.

The goals of the Housing Action Plan are to:

1. Provide adequate opportunities of new housing for persons at all economic levels as well as those with special needs by ensuring that the General Plan and Zoning Ordinance designate sufficient land at appropriate densities and in appropriate locations to accommodate the City’s share of regional housing needs, and
2. Create adequate opportunities for housing by facilitating the production of high-quality affordable housing for lower income through inclusionary housing, incentives, direct financial assistance, and administrative support.

**4.2 Activity on Housing Applications, Permits, and Construction**

Table 4 is a summary of Appendix A information on 2022 housing activity for applications received (building permits and entitlements), entitlements, issued building permits, and finalized constructed units. Refer to Appendix A Tables A and A2 for a detailed inventory. Activity on housing units vary in terms of the steps completed to obtain permits and complete construction. For example, a project could be initiated and completed in the same calendar year or portion of the development process can start in a calendar year and extend into the next APR.

**Table 4 – 2022 Housing Unit Activity**

<b>Income Level</b>	<b>Proposed Units - Applications</b>	<b>Entitled Units</b>	<b>Units Issued Permits</b>	<b>Constructed Units</b>
Very Low	20	20	0	0
Low	0	0	0	0
Moderate	37	12	28	16
Above Moderate	301	234	7	13
<b>Total Units</b>	<b>358</b>	<b>266</b>	<b>35</b>	<b>26</b>

Note: Extremely low-income households are served by very-low income units.

**4.3 Regional Housing Needs Allocation (RHNA) Progress**

Progress on the State Regional Housing Needs Allocation is based on issued permits in a calendar year, not on units constructed. Refer to Appendix A, Table B for an annual accounting of RHNA progress for the 6<sup>th</sup> cycle Housing Element planning period from 10/15/2021 to 10/15/2029. Table 5 below is a summary of the status of the City’s RHNA by income category based on 2022 permitting activity.

**Table 5 – RHNA Status for 5<sup>th</sup> Cycle – 10/15/21 to 10/15/29**

Income Level		RHNA Allocation by Income Level	2021	2022	Total units to date	Remaining RHNA by Income Level
Very Low	Deed Restricted	282	0	0	0	282
	Non-Deed Restricted		0	0		
Low	Deed Restricted	164	0	0	0	164
	Non-Deed Restricted		0	0		
Moderate	Deed Restricted	188	0	0	33	155
	Non-Deed Restricted		2	28		
Above Moderate		348	151	7	163	185
Total RHNA credit		<b>982</b>				
Total Units			<b>153</b>	<b>35</b>	<b>196</b>	<b>786</b>

**4.4 Sites Identified or Rezoned to Accommodate Housing Need**

There are adequate sites to meet the City’s remaining RHNA for each income category so no sites need to be added to meet no net loss State requirements. As a result, Table C in Appendix A is blank.

**4.5 Program Implementation Status**

The Housing Action Plan includes 17 programs listed below. Table D of Appendix A provides the 2022 status of program implementation. In addition to reoccurring program activities, in 2022 the City completed an evaluation of the inclusionary housing program (Program 5) and adopted an update the Housing Element with State certification pending.

1. Provide Adequate Sites and Monitoring for No Net Loss
- 2A. By-Right Approval for Projects with 20 Percent Affordable Units
- 2B. SB 35 Streamlining for Projects with Affordable Units
3. Lot Consolidation
4. Density Bonus Ordinance.
5. Affordable Housing Overlay
6. Inclusionary Housing Program
7. Affordable Housing Development
8. Accessory Dwelling Units (ADUs)

9. Pursue Funding Sources and Programs
10. Acquisition and Conversion of Market-Rate Housing to Affordable Housing
11. Sustainable Policies
12. Affirmatively Furthering Fair Housing
13. Social Services Grant Program
14. Zoning Ordinance Amendments
15. Monitoring of Emergency Shelter Overlay
16. Neighborhood Revitalization Program
17. Preserve At-Risk Housing

#### **4.6 Density Bonus**

In November 2022, the City approved a density bonus for an affordable housing project, SC Senior Housing and Medical Office Development, at 654 Camino De Los Mares SC Senior Housing and Medical Office Development. The project includes 30 very-low income units and 230 above-moderate units with a 78 percent density bonus and exceptions for height, parking,, and open space. This is therefore included in Table E, Appendix A.

#### **4.7 Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites**

In 2022, there were no dwelling units counted toward RHNA that were substantially rehabilitated, converted from non-affordable to affordable by acquisition, and preserved, including mobilehome park preservation, consistent with the standards set forth in Government Code section 65583.1, subdivision (c). As a result, Table F in Appendix A is blank that is optional.

#### **4.8 Disposition of City-owned Properties on the Housing Element Sites Inventory**

The City does not own properties listed in the Housing Element Sites Inventory so Table G in Appendix A is blank. Government Code section 65400.1 requires jurisdictions to list sites in APR Table G that are owned by a locality, included in the housing element sites inventory, and were sold, leased, or otherwise disposed of during the reporting year. The listing of sites must include the entity to whom the site was transferred, and the intended use of the site.

**4.9 Declared Surplus City-owned or Controlled Lands**

The City has declared four of its properties as “surplus sites”, defined in Government Code section 54221(b), that are owned in fee and unnecessary for the City’s use. The properties are identified in Table 6 below and in Appendix A, Table H. Government Code section 54230 requires localities to create an inventory of surplus lands, and lands in excess of its foreseeable needs, if any, pursuant to Section 50569. Surplus sites are located in a jurisdiction’s urbanized areas and urban clusters, as designated by the United States Census Bureau, that the jurisdiction owns or controls. The entirety of San Clemente is designated as an urbanized area.

**Table 6 – Declared Surplus Sites**

<b>APN</b>	<b>Street Address/Intersection</b>	<b>Existing Use</b>	<b>Number of Units</b>	<b>Surplus Designation</b>	<b>Parcel Size (in acres)</b>
678-163-01	Avenida La Pata/West Avenida Vista Hermosa	Vacant	N/A	Surplus Land	2.29
690-372-03	754 Avenida Acapulco	Vacant	N/A	Surplus Land	0.17
690-012-01	100 Avenida Presidio	Vacant	N/A	Surplus Land	2.89
690-012-02	100 Avenida Presidio	Vacant	N/A	Surplus Land	1.82

## **Housing Element 2022 Annual Progress Report**

This appendix includes 2022 reporting data on implementation of the certified 2021-2029 Housing Element Mid-term Update for the 6<sup>th</sup> cycle (10/15/2021 to 10/15/2029)

<b>Jurisdiction</b>	San Clemente	
<b>Reporting Year</b>	2022	(Jan. 1 - Dec. 31)
<b>Planning Period</b>	6th Cycle	10/15/2021 - 10/15/2029

<b>Building Permits Issued by Affordability Summary</b>		
<b>Income Level</b>		<b>Current Year</b>
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	28
Above Moderate		7
<b>Total Units</b>		<b>35</b>

Note: Units serving extremely low-income households are included in the very low-income permitted units totals

<b>Units by Structure Type</b>	<b>Entitled</b>	<b>Permitted</b>	<b>Completed</b>
SFA	0	0	0
SFD	1	2	13
2 to 4	3	5	0
5+	250	0	0
ADU	12	28	16
MH	0	0	0
<b>Total</b>	<b>266</b>	<b>35</b>	<b>29</b>

<b>Housing Applications Summary</b>	
Total Housing Applications Submitted:	75
Number of Proposed Units in All Applications Received:	358
Total Housing Units Approved:	358
Total Housing Units Disapproved:	0

<b>Use of SB 35 Streamlining Provisions</b>	
Number of Applications for Streamlining	0
Number of Streamlining Applications Approved	0
Total Developments Approved with Streamlining	0
Total Units Constructed with Streamlining	0

<b>Units Constructed - SB 35 Streamlining Permits</b>			
<b>Income</b>	<b>Rental</b>	<b>Ownership</b>	<b>Total</b>
Very Low	0	0	0
Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>

Cells in grey contain auto-calculation formulas

Jurisdiction	San Clemente	
Reporting Year	2022	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	10/15/2021 - 10/15/2029

**ANNUAL ELEMENT PROGRESS REPORT  
Housing Element Implementation**

Note: "\*" indicates an optional field  
Cells in grey contain auto-calculation formulas

**Table A  
Housing Development Applications Submitted**

Project Identifier					Unit Types		Date Application Submitted	Proposed Units - Affordability by Household Incomes							Total Approved Units by Project	Total Disapproved Units by Project	Streamlining	Density Bonus Law Applications	Application Status	Notes		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20			
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SFA,SFD,2 to 4,5+ADU,MH)	Tenure R=Renter O=Owner	Date Application Submitted- (see instructions)	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Total PROPOSED Units by Project	Total APPROVED Units by project	Total DISAPPROVED Units by Project	Was APPLICATION SUBMITTED Pursuant to GC 65913.4(b)7 (SB 35 Streamlining)	Did the housing development application seek incentives or concessions pursuant to Government Code section 65915?	Were incentives or concessions requested pursuant to Government Code section 65915 approved?	Please indicate the status of the application.	Notes*
Summary Row: Start Data Entry Below								20	0	0	0	0	37	301	358	358	0					
	057-031-07	109 REVUELTA		B22-0164	ADU	R	1/25/2022						1	1	1	1		No	No	No	Approved	
	057-033-46	128 AVENIDA		B22-0977	SFD	O	4/27/2022						1	1	1	1		No	No	No	PENDING	
	057-033-46	128 AVENIDA		B22-1509	ADU	R	7/13/2022						1	1	1	1		No	No	No	PENDING	
	057-091-11	AVENIDA DE LA		B22-1374	SFD	O	6/22/2022						1	1	1	1		No	No	No	PENDING	
	057-091-14	0 AVENIDA DE LA		B22-0968	SFD	O	4/27/2022						1	1	1	1		No	No	No	PENDING	
	057-153-17	115 E EL PORTAL B		IC22-041, B22-1485	ADU	R	7/7/2022						1	1	1	1		No	No	No	PENDING	Coastal Commission approval pending
	057-161-04	1401 AVENIDA DE LA ESTRELLA		IC22-269	ADU	R	8/10/2022						1	1	1	1		No	No	No	Approved	
	057-162-03	1501 AVENIDA DE		B22-1505	ADU	R	7/13/2022						1	1	1	1		No	No	No	Approved	
	057-162-54	128 CALLE		B22-1637	SFD	O	8/1/2022						1	1	1	1		No	No	No	PENDING	
	058-052-41	103 W ESCALONES		IC22-135	ADU	R	4/18/2022						1	1	1	1		No	No	No	Approved	
	058-091-14	100 AVENIDA ROSA		CHP23-008	2 to 4	R	1/10/2022						3	3	3	3		No	No	No	Approved	
	058-091-15	142 AVENIDA ROSA		B22-0186	2 to 4	R	1/28/2022						2	2	2	2		No	No	No	Approved	
	058-091-43	130 AVENIDA ROSA		B22-1885	2 to 4	R	9/7/2022						2	2	2	2		No	No	No	PENDING	
	058-104-03	229 AVENIDA MONTEREY		B22-1742	2 to 4	R	8/15/2022						2	2	2	2		No	No	No	PENDING	
	058-104-03	229 AVENIDA MONTEREY		B22-1829	ADU	R	8/26/2022						1	1	1	1		No	No	No	PENDING	
	058-112-09	247 AVENIDA DEL MAR		IC22-160	ADU	R	5/10/2022						1	1	1	1		No	No	No	Approved	
	058-113-67	259 AVENIDA GRANADA		B22-1941	ADU	R	9/13/2022						1	1	1	1		No	No	No	PENDING	
	058-121-26	224 AVENIDA MIRAMAR C		B22-0498, IC22-156	ADU	R	3/2/2022						1	1	1	1		No	No	No	PENDING	
	058-122-39	240 AVENIDA SIERRA		B22-0847	2 to 4	R	4/12/2022						2	2	2	2		No	No	No	PENDING	
	060-243-27	2306 CALLE LA SIERRA		B22-0485	ADU	R	3/2/2022						1	1	1	1		No	No	No	PENDING	
	060-261-08	238 VIA RANCHO		B22-0047	ADU	R	1/12/2022						1	1	1	1		No	No	No	PENDING	
	060-271-03	227 CALLE CAMPESIÑO B		B22-1469, IC-194	ADU	R	7/5/2022						1	1	1	1		No	No	No	PENDING	
	060-281-36	3524 CALLE TIARA		B22-2584, IC22-414	SFD	O	12/13/2022						1	1	1	1		No	No	No	PENDING	Coastal Commission approval pending
	675-072-19	654 CAMINO DE LOSC Senior Housing and		MP22-089	5+	R	3/21/2022	20						230	250	250		No	No	No	APPROVED	
	675-171-11	9 VIA TUNAS		B22-0558	SFD	O	3/9/2022						1	1	1	1		No	No	No	APPROVED	
	675-174-29	20 MARANA		B22-1701	SFD	O	8/10/2022						1	1	1	1		No	No	No	APPROVED	
	675-174-50	8 MAR DEL REY		B22-1097	SFD	O	5/12/2022						1	1	1	1		No	No	No	APPROVED	
	675-193-02	27000 PASEO ACTIVO		B22-1473, VAR 21-001	SFD	O	1/27/2022						1	1	1	1		No	No	No	PENDING	
	675-226-14	3907 CALLE ABRIL		B22-1706	ADU	R	8/10/2022						1	1	1	1		No	No	No	PENDING	
	680-191-30	2967 CALLE FRONTERA		B22-2319	ADU	R	11/3/2022						1	1	1	1		No	No	No	PENDING	
	680-241-08	2878 VIA BELLOTA		B22-0295	SFD	O	2/7/2022						1	1	1	1		No	No	No	PENDING	
	680-391-06	2940 ARROYO		B22-1995	ADU	R	9/21/2022						1	1	1	1		No	No	No	PENDING	
	680-521-03	3015 EMINENCIA DEL NORTE		B22-2572	SFD	O	12/12/2022						1	1	1	1		No	No	No	PENDING	
	690-095-07	401 CALLE FIESTA		B22-0313	ADU	R	2/8/2022						1	1	1	1		No	No	No	Approved	
	690-101-13	944 AVENIDA PRESIDIO		B22-2540	SFD	O	12/7/2022						1	1	1	1		No	No	No	PENDING	
	690-122-04	446 CALLE MIGUEL		B22-0738	SFD	O	3/29/2022						1	1	1	1		No	No	No	PENDING	
	690-182-12	AVENIDA SAN JUAN		PH22-485	5+	O	12/22/2022						6	6	6	6		No	No	No	Approved	
	690-445-29	15 W AVENIDA JUNIPERO B		B22-0500	ADU	R	3/2/2022						1	1	1	1		No	No	No	Approved	
	690-482-15	786 AVENIDA SALVADOR		B22-2254	SFD	O	10/25/2022						1	1	1	1		No	No	No	PENDING	
	691-261-14	335 AVENIDA VAQUERO		IC22-128	ADU	R	4/12/2022						1	1	1	1		No	No	No	Approved	
	691-294-05	2703 VIA LADO		IC22-245	ADU	R	7/19/2022						1	1	1	1		No	No	No	Approved	
	691-425-01	200 VIA SOCORRO		B22-1295	SFD	O	6/14/2022						1	1	1	1		No	No	No	PENDING	
	691-425-02	202 VIA SOCORRO		B22-1296	SFD	O	6/14/2022						1	1	1	1		No	No	No	PENDING	



Jurisdiction	San Clemente
Reporting Year	2022 (Jan. 1 - Dec. 31)
Planning Period	6th Cycle 10/15/2021 - 10/15/2029

**ANNUAL ELEMENT PROGRESS REPORT  
Housing Element Implementation**

Note: "\*" indicates an optional field  
Cells in grey contain auto-calculation formulas

**Table A  
Housing Development Applications Submitted**

Project Identifier				Unit Types		Date Application Submitted	Proposed Units - Affordability by Household Incomes							Total Approved Units by Project	Total Disapproved Units by Project	Streamlining	Density Bonus Law Applications	Application Status	Notes			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19				
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SFA,SFD,2 to 4,5+ADU,MH)	Tenure (R=Renter O=Owner)	Date Application Submitted- (see instructions)	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Total PROPOSED Units by Project	Total APPROVED Units by project	Total DISAPPROVED Units by Project	Was APPLICATION SUBMITTED Pursuant to GC 65913.4(b)? (SB 35 Streamlining)	Did the housing development application seek incentives or concessions pursuant to Government Code section 65915?	Were incentives or concessions requested pursuant to Government Code section 65915 approved?	Please indicate the status of the application.	Notes*
Summary Row: Start Data Entry Below							20	0	0	0	0	37	301	358	358	0						
	691-434-54	117 VIA BELLAS ARTES		B22-1976	ADU	R	9/20/2022						1	1	1			No	No	No	PENDING	
	692-044-25	501 ELENA LN		B22-0658	2 to 4	R	3/16/2022						2	2	2			No	No	No	PENDING	
	692-051-08	254 W AVENIDA PALIZADA		IC22-294	2 to 4	R	8/23/2022						2	2	2			No	No	No	Approved	
	692-051-14	314 ENCINO LN		IC22-396	ADU	R	1/17/2022						1	1	1			No	No	No	Approved	
	692-052-07	323 ENCINO LN		B22-2895	SFD	O	12/13/2022						1	1	1			No	No	No	Approved	
	692-054-13	329 AVENIDA CABRILLO B		B22-1052	ADU	R	5/9/2022						1	1	1			No	No	No	Approved	
	692-073-28	222 W MARIPOSA		CHP22-148	ADU	R	4/28/2022						1	1	1			No	No	No	Approved	
	692-082-25	227 W CANADA		B22-2183, IC22-065	ADU	R	10/17/2022						1	1	1			No	No	No	Pending	
	692-091-04	238 W MARIPOSA		IC22-394	ADU	R	11/7/2022						1	1	1			No	No	No	Approved	
	692-102-20	101 EL ORIENTE		CUP22-019	5+	R	1/26/2022						6	6	6			No	No	No	Approved	
	692-121-15	1629 CALLE LAS BOLSAS		B22-2536	2 to 4	R	12/7/2022						2	2	2			No	No	No	Pending	
	692-121-16	1601 CALLE SACRAMENTO		B22-2534	2 to 4	R	12/7/2022						2	2	2			No	No	No	Pending	
	692-121-17	1603 CALLE SACRAMENTO		B22-2535	2 to 4	R	12/7/2022						2	2	2			No	No	No	Pending	
	692-122-30	111 DJE CT		IC22-159	2 to 4	R	5/10/2022						2	2	2			No	No	No	Approved	
	692-122-41	1516 BUENA VISTA C		IC22-087	5+	R	3/21/2022						1	1	1			No	No	No	Approved	
	692-142-40	105 TRAFALGAR LN		B22-0150	ADU	R	1/24/2022						1	1	1			No	No	No	Pending	
	692-143-34	105 W AVENIDA CADIZ B		B22-0804	ADU	R	4/7/2022						1	1	1			No	No	No	Pending	
	692-143-40	117 W AVENIDA CADIZ		B22-0596, IC22-095	ADU	R	3/10/2022						1	1	1			No	No	No	Pending	
	692-143-52	141 W AVENIDA CADIZ B		B22-0320	ADU	R	2/9/2022						1	1	1			No	No	No	Approved	
	692-152-19	103 ESPLANADE		B22-0666, IC22-203	ADU	R	3/17/2022						1	1	1			No	No	No	Pending	
	692-153-30	118 W PASEO DE CRISTOBAL		B22-0682, IC22-013	ADU	R	1/18/2022						1	1	1			No	No	No	Approved	
	692-171-18	1430 S EL CAMINO REAL		CUP22-412	5+	R	11/18/2022						10	10	10			No	No	No	Approved	
	692-211-26	134 W AVENIDA DE LOS LOBOS MARINOS B		B22-0957	ADU	R	4/26/2022						1	1	1			No	No	No	Approved	
	692-241-06	215 AVENIDA BARCELONA B		B22-0347	ADU	R	2/14/2022						1	1	1			No	No	No	Approved	
	692-262-04	332 W PASEO DE CRISTOBAL		B22-0713	SFD	O	3/28/2022						1	1	1			No	No	No	Pending	
	692-263-18	244 LA RAMBLA		B21-1705	SFD	O	8/9/2022						1	1	1			No	No	No	Pending	
	692-272-05	323 LA RAMBLA		IC22-379	2 to 4	O	10/31/2022						2	2	2			No	No	No	Approved	
	692-272-10	320 LA RAMBLA		VAR22-346	2 to 4	O	9/23/2022						3	3	3			No	No	No	Approved	
	692-291-01	1614 S OLA VISTA		B22-1147, IC22-056	ADU	R	2/23/2022						1	1	1			No	No	No	Approved	
	692-361-10	126 AVENIDA DEL REPOSO		IC22-298	ADU	R	8/24/2022						1	1	1			No	No	No	Approved	
	692-361-16	135 AVENIDA FLORENCIA		B22-2131, IC22-303	ADU	R	8/26/2022						1	1	1			No	No	No	Pending	
	692-361-24	129 AVENIDA FLORENCIA		B22-0461	SFD	O	2/28/2022						1	1	1			No	No	No	Pending	

Table A2

Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units

Project Identifier		Unit Types		Affordability by Household Incomes - Completed Entitlement											
1		2	3	4										5	6
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SFA,SFD,2 to 4,5+,ADU,MH)	Tenure R=Renter O=Owner	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Entitlement Date Approved	# of Units issued Entitlements
Summary Row: Start Data Entry Below							20	0	0	0	0	12	234		266
	057-031-07	109 REVUELTA CT		B22-0164	ADU	R									0
	057-156-27	115 E MARIPOSA B		B21-2445	ADU	R									0
	057-162-03	1501 AVENIDA DE LA ESTRELLA C		B22-1505	ADU	R									0
	057-162-77	136 Calle Redondel B		B19-2023	ADU	R									0
	058-052-41	103 W ESCALONES		IC22-135	ADU	R						1		7/15/2022	1
	058-073-14	123 AVENIDA SERRA C		B21-0103	ADU	R									0
	058-091-14	100 AVENIDA ROSA		CHP22-008	2 to 4	R							3	5/18/2022	3
	058-091-15	142 AVENIDA ROSA		B22-0186	2 to 4	R									0
	058-121-26	224 AVENIDA MIRAMAR C		B22-0498, IC22-156	ADU	R						1		5/24/2022	1
	058-121-26	224 AVENIDA MIRAMAR D		B22-1403, IC22-156	ADU	R						1		5/24/2022	1
	060-051-05	431 CALLE GOMEZ		B20-0629	SFD	O									0
	060-063-13	505 ARDILLA LN		B20-1736	SFD	O									0
	060-083-11	322 AVENIDA SANTA MARGARITA B		B21-2095	ADU	R									0
	060-182-04	2400 S OLA VISTA B		B21-1047	ADU	R									0
	060-271-03	227 CALLE CAMPESINO B		B22-1469, IC-194	ADU	R						1		6/29/2022	1
	675-072-19	654 CAMINO DE LOS	SC Senior Housing at	MP22-089	5+	R	20						230	11/15/2022	250
	675-172-13	4 Via Cancha		B19-0902	SFD	O									0
	675-173-40	27 Marbella		B16-2679	SFD	O									0
	675-193-02	27000 PASEO ACTIVO		B22-1473, VAR 21-001	SFD	O							1	3/2/2022	1
	678-102-34	6700 CAMINO CRESTA B		B21-1527	ADU	R									0
	679-191-14	2245 CALLE OPALO B		B20-1504	ADU	R									0
	680-341-11	2907 CABALLISTA DEL SUR		B20-1742	ADU	R									0
	680-442-10	1406 JINETTE B		B21-1277	ADU	R									0
	680-451-21	2904 Novilla		B19-2680	ADU	R									0
	680-461-02	3160 INCLINADO B		B20-1025	ADU	R									0
	680-461-04	3164 INCLINADO B		B20-2212	ADU	R									0
	680-581-23	2705 CEPA UNO		B21-1566	ADU	R									0
	690-095-07	401 CALLE FIESTA		B22-0313	ADU	R									0
	690-122-05	448 CALLE MIGUEL		B21-2444	ADU	R									0
	690-201-28	203 E AVENIDA RAMONA B		B21-2320	ADU	R									0
	690-412-53	116 E AVENIDA DE LOS LOBOS MARINOS B		B20-1138	ADU	R									0
	690-423-18	114 Avenida San Pablo		B17-1494	ADU	R									0

Table A2

Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units

Project Identifier		Unit Types		Affordability by Household Incomes - Completed Entitlement											
1		2	3	4										5	6
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SFA,SFD,2 to 4,5+,ADU,MH)	Tenure R=Renter O=Owner	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Entitlement Date Approved	# of Units issued Entitlements
Summary Row: Start Data Entry Below							20	0	0	0	0	12	234		266
	690-445-20	15 W AVENIDA JUNIPERO B		B22-0500	ADU	R									0
	691-083-09	3008 LA VENTANA		B21-1775	SFD	O									0
	691-252-33	2803 Via Montecito		B19-2489	SFD	O									0
	691-261-14	335 AVENIDA VAQUERO		IC22-128	ADU	R						1	7/27/2022	1	
	691-425-03	204 VIA SOCORRO		B21-1222	SFD	O									0
	691-425-04	206 VIA SOCORRO		B21-1223	SFD	O									0
	691-425-05	208 VIA SOCORRO		B21-1224	SFD	O									0
	691-425-06	210 VIA SOCORRO		B21-1225	SFD	O									0
	692-054-13	329 AVENIDA CABRILLO B		B22-1052	ADU	R									0
	692-076-01	217 W MARQUITA B		B20-1178	ADU	R									0
	692-082-25	227 W CANADA		B22-2183, IC22-065	ADU	R						1	6/28/2022	1	
	692-091-04	238 W MARIPOSA		IC22-394	ADU	R						1	10/6/2022	1	
	692-143-40	117 W AVENIDA CADIZ		B22-0596, IC22-005	ADU	R						1	2/2/2022	1	
	692-143-52	141 W AVENIDA CADIZ B		B22-0320	ADU	R									0
	692-153-30	118 W PASEO DE CRISTOBAL		B22-0682, IC22-013	ADU	R						1	3/10/2022	1	
	692-153-39	1107 S OLA VISTA		B20-1290	SFD	O									0
	692-161-16	101 W PASEO DE CRISTOBAL C		B20-1901	ADU	R									0
	692-171-05	125 W AVENIDA GAVIOTA B		B20-2321	ADU	R									0
	692-191-25	142 W Avenida Junipero B		B19-1078	ADU	R									0
	692-211-26	134 W AVENIDA DE LOS LOBOS MARINOS B		B22-0957	ADU	R									0
	692-241-06	215 AVENIDA BARCELONA B		B22-0347	ADU	R									0
	692-272-14	312 La Rambla		B20-0862	SFD	O									0
	692-291-01	1614 S OLA VISTA		B22-1147, IC22-056	ADU	R						1	4/20/2022	1	
	692-291-38	213 AVENIDA PRINCESA		B20-1284	SFD	O									0
	692-291-39	211 AVENIDA PRINCESA		B20-1283	SFD	O									0
	692-292-02	204 W Avenida De Los Lobos Marininos B		B20-0854	ADU	R									0
	692-311-30	207 W AVENIDA SAN ANTONIO		B21-0399	SFD	O									0
	692-312-27	405 W AVENIDA DE LOS LOBOS MARINOS B		B21-0488	ADU	R									0
	692-361-10	126 AVENIDA DEL REPOSO		IC22-298	ADU	R						1	10/24/2022	1	

Table A2

Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units

Project Identifier				Unit Types		Affordability by Household Incomes - Completed Entitlement									
1				2	3	4						5	6		
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SFA,SFD,2 to 4,5+,ADU,MH)	Tenure R=Renter O=Owner	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Entitlement Date Approved	# of Units issued Entitlements
Summary Row: Start Data Entry Below							20	0	0	0	0	12	234		266
	692-361-16	135 AVENIDA FLORENCIA		B22-2131, IC22-303	ADU	R						1		10/5/2022	1
	692-363-39	208 Avenida De La Grulla C		B20-0686	ADU	R									0
	692-381-34	104 AVENIDA PELAYO		B21-0795	2 to 4	R									0
	692-381-34	104 AVENIDA PELAYO		B21-0798	ADU	R									0
	692-381-35	106 AVENIDA PELAYO C		B21-1467	ADU	R									0
	692-381-35	106 AVENIDA PELAYO D		B21-1468	ADU	R									0
	692-382-09	135 AVENIDA PELAYO		B21-1409	ADU	R									0
	692-382-29	166 AVENIDA ARAGON B		B21-0701	ADU	R									0
	692-382-29	166 AVENIDA ARAGON		B21-1132	2 to 4	R									0
	692-395-47	148 W CANADA C		B21-0739	ADU	R									0
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**Table A2**

**Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units**

Project Identifier			Affordability by Household Incomes - Building Permits							8	9
			7								
Current APN	Street Address	Project Name <sup>+</sup>	Very Low- Income Deed Restricted	Very Low- Income Non Deed Restricted	Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderate- Income Deed Restricted	Moderate- Income Non Deed Restricted	Above Moderate- Income	Building Permits Date Issued	# of Units Issued Building Permits
			0	0	0	0	0	28	7		35
057-031-07	109 REVUELTA CT							1		10/13/2022	1
057-156-27	115 E MARIPOSA B							1		9/21/2022	1
057-162-03	1501 AVENIDA DE LA ESTRELLA C							1		12/2/2022	1
057-162-77	136 Calle Redondel B							1		6/7/2022	1
058-052-41	103 W ESCALONES										0
058-073-14	123 AVENIDA SERRA C							1		9/22/2022	1
058-091-14	100 AVENIDA ROSA										0
058-091-15	142 AVENIDA ROSA								2	6/14/2022	2
058-121-26	224 AVENIDA MIRAMAR C										0
058-121-26	224 AVENIDA MIRAMAR D										0
060-051-05	431 CALLE GOMEZ										0
060-063-13	505 ARDILLA LN										0
060-083-11	322 AVENIDA SANTA MARGARITA B							1		3/21/2022	1
060-182-04	2400 S OLA VISTA B							1		3/2/2022	1
060-271-03	227 CALLE CAMPESINO B										0
675-072-19	654 CAMINO DE LOS	SC Senior Housing and Medical Office Development									0
675-172-13	4 Via Cancha										0
675-173-40	27 Marbella										0
675-193-02	27000 PASEO ACTIVO										0
678-102-34	6700 CAMINO CRESTA B							1		2/16/2022	1
679-191-14	2245 CALLE OPALO B										0
680-341-11	2907 CABALLISTA DEL SUR										0
680-442-10	1406 JINETTE B							1		10/11/2022	1
680-451-21	2904 Novilla										0

**Table A2**

**Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units**

Project Identifier			Affordability by Household Incomes - Building Permits							8	9
			7							8	9
Current APN	Street Address	Project Name <sup>+</sup>	Very Low- Income Deed Restricted	Very Low- Income Non Deed Restricted	Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderate- Income Deed Restricted	Moderate- Income Non Deed Restricted	Above Moderate- Income	Building Permits Date Issued	# of Units Issued Building Permits
			0	0	0	0	0	28	7		35
680-461-02	3160 INCLINADO B										0
680-461-04	3164 INCLINADO B							1		11/4/2022	1
680-581-23	2705 CEPA UNO							1		6/28/2022	1
690-095-07	401 CALLE FIESTA							1		6/15/2022	1
690-122-05	448 CALLE MIGUEL							1		6/20/2022	1
690-201-28	203 E AVENIDA RAMONA B							1		4/18/2022	1
690-412-53	116 E AVENIDA DE LOS LOBOS MARINOS B										0
690-423-18	114 Avenida San Pablo										0
690-445-20	15 W AVENIDA JUNIPERO B							1		12/16/2022	1
691-083-09	3008 LA VENTANA								1	6/15/2022	1
691-252-33	2803 Via Montecito										0
691-261-14	335 AVENIDA VAQUERO										0
691-425-03	204 VIA SOCORRO										0
691-425-04	206 VIA SOCORRO										0
691-425-05	208 VIA SOCORRO										0
691-425-06	210 VIA SOCORRO										0
692-054-13	329 AVENIDA CABRILLO B							1		12/8/2022	1
692-076-01	217 W MARQUITA B										0
692-082-25	227 W CANADA										0
692-091-04	238 W MARIPOSA										0
692-143-40	117 W AVENIDA CADIZ										0
692-143-52	141 W AVENIDA CADIZ B							1		9/14/2022	1

**Table A2**

**Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units**

Project Identifier			Affordability by Household Incomes - Building Permits							8	9
			7							8	9
Current APN	Street Address	Project Name <sup>+</sup>	Very Low- Income Deed Restricted	Very Low- Income Non Deed Restricted	Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderate- Income Deed Restricted	Moderate- Income Non Deed Restricted	Above Moderate- Income	Building Permits Date Issued	# of Units Issued Building Permits
			0	0	0	0	0	28	7		35
692-153-30	118 W PASEO DE CRISTOBAL							1		7/26/2022	1
692-153-39	1107 S OLA VISTA										0
692-161-16	101 W PASEO DE CRISTOBAL C										0
692-171-05	125 W AVENIDA GAVIOTA B										0
692-191-25	142 W Avenida Junipero B										0
692-211-26	134 W AVENIDA DE LOS LOBOS MARINOS B							1		9/14/2022	1
692-241-06	215 AVENIDA BARCELONA B							1		12/1/2022	1
692-272-14	312 La Rambla										0
692-291-01	1614 S OLA VISTA							1		10/5/2022	1
692-291-38	213 AVENIDA PRINCESA										0
692-291-39	211 AVENIDA PRINCESA										0
692-292-02	204 W Avenida De Los Lobos Marinos B										0
692-311-30	207 W AVENIDA SAN ANTONIO								1	3/21/2022	1
692-312-27	405 W AVENIDA DE LOS LOBOS MARINOS B							1		4/11/2022	1
692-361-10	126 AVENIDA DEL REPOSO										0
692-361-16	135 AVENIDA FLORENCIA										0
692-363-39	208 Avenida De La Grulla C										0
692-381-34	104 AVENIDA PELAYO								2	6/9/2022	2
692-381-34	104 AVENIDA PELAYO							1		6/9/2022	1
692-381-35	106 AVENIDA PELAYO C							1		5/9/2022	1

Table A2

Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units

Project Identifier			Affordability by Household Incomes - Building Permits								
			7							8	9
Current APN	Street Address	Project Name+	Very Low- Income Deed Restricted	Very Low- Income Non Deed Restricted	Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderate- Income Deed Restricted	Moderate- Income Non Deed Restricted	Above Moderate- Income	Building Permits Date Issued	# of Units Issued Building Permits
692-381-35	106 AVENIDA PELAYO D		0	0	0	0	0	28	7		35
								1		5/9/2022	1
692-382-09	135 AVENIDA PELAYO							1		8/22/2022	1
692-382-29	166 AVENIDA ARAGON B							1		5/5/2022	1
692-382-29	166 AVENIDA ARAGON								1	5/5/2022	1
692-395-47	148 W CANADA C							1		6/14/2022	1
											0
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**Table A2**

**Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units**

Project Identifier			Affordability by Household Incomes - Certificates of Occupancy									
Current APN	Street Address	Project Name <sup>+</sup>	10							11	12	
			Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Certificates of Occupancy or other forms of readiness (see instructions) <u>Date Issued</u>	# of Units issued Certificates of Occupancy or other forms of readiness	
			0	0	0	0	0	0	16	13		29
057-031-07	109 REVUELTA CT											0
057-156-27	115 E MARIPOSA B											0
057-162-03	1501 AVENIDA DE LA ESTRELLA C											0
057-162-77	136 Calle Redondel B											0
058-052-41	103 W ESCALONES											0
058-073-14	123 AVENIDA SERRA C											0
058-091-14	100 AVENIDA ROSA											0
058-091-15	142 AVENIDA ROSA											0
058-121-26	224 AVENIDA MIRAMAR C											0
058-121-26	224 AVENIDA MIRAMAR D											0
060-051-05	431 CALLE GOMEZ									1	10/4/2022	1
060-063-13	505 ARDILLA LN									1	9/6/2022	1
060-083-11	322 AVENIDA SANTA MARGARITA B							1			8/8/2022	1
060-182-04	2400 S OLA VISTA B											0

**Table A2**

**Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units**

Project Identifier			Affordability by Household Incomes - Certificates of Occupancy									
Current APN	Street Address	Project Name <sup>+</sup>	10							11	12	
			Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Certificates of Occupancy or other forms of readiness (see instructions) <u>Date Issued</u>	# of Units issued Certificates of Occupancy or other forms of readiness	
			0	0	0	0	0	0	16	13		29
060-271-03	227 CALLE CAMPESINO B											0
675-072-19	654 CAMINO DE LOS	SC Senior Housing and Medical Office Development										0
675-172-13	4 Via Cancha									1	8/8/2022	1
675-173-40	27 Marbella									1	1/27/2022	1
675-193-02	27000 PASEO ACTIVO											0
678-102-34	6700 CAMINO CRESTA B								1		8/4/2022	1
679-191-14	2245 CALLE OPALO B								1		8/10/2022	1
680-341-11	2907 CABALLISTA DEL SUR								1		7/27/2022	1
680-442-10	1406 JINETTE B											0
680-451-21	2904 Novilla								1		9/29/2022	1
680-461-02	3160 INCLINADO B								1		1/31/2022	1
680-461-04	3164 INCLINADO B											0
680-581-23	2705 CEPA UNO											0
690-095-07	401 CALLE FIESTA											0
690-122-05	448 CALLE MIGUEL								1		12/22/2022	1
690-201-28	203 E AVENIDA RAMONA B											0

**Table A2**

**Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units**

Project Identifier			Affordability by Household Incomes - Certificates of Occupancy									
Current APN	Street Address	Project Name <sup>+</sup>	10							11	12	
			Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Certificates of Occupancy or other forms of readiness (see instructions) <u>Date Issued</u>	# of Units issued Certificates of Occupancy or other forms of readiness	
			0	0	0	0	0	0	16	13		29
690-412-53	116 E AVENIDA DE LOS LOBOS MARINOS B								1		5/12/2022	1
690-423-18	114 Avenida San Pablo								1		2/15/2022	1
690-445-20	15 W AVENIDA JUNIPERO B											0
691-083-09	3008 LA VENTANA											0
691-252-33	2803 Via Montecito									1	2/11/2022	1
691-261-14	335 AVENIDA VAQUERO											0
691-425-03	204 VIA SOCORRO									1	10/12/2022	1
691-425-04	206 VIA SOCORRO									1	10/20/2022	1
691-425-05	208 VIA SOCORRO									1	10/12/2022	1
691-425-06	210 VIA SOCORRO									1	10/12/2022	1
692-054-13	329 AVENIDA CABRILLO B											0
692-076-01	217 W MARQUITA B								1		6/1/2022	1
692-082-25	227 W CANADA											0
692-091-04	238 W MARIPOSA											0

**Table A2**

**Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units**

Project Identifier			Affordability by Household Incomes - Certificates of Occupancy									
Current APN	Street Address	Project Name <sup>+</sup>	10							11	12	
			Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Certificates of Occupancy or other forms of readiness (see instructions) <u>Date Issued</u>	# of Units issued Certificates of Occupancy or other forms of readiness	
			0	0	0	0	0	0	16	13		29
692-143-40	117 W AVENIDA CADIZ											0
692-143-52	141 W AVENIDA CADIZ B											0
692-153-30	118 W PASEO DE CRISTOBAL								1		11/18/2022	1
692-153-39	1107 S OLA VISTA									1	5/2/2022	1
692-161-16	101 W PASEO DE CRISTOBAL C								1		5/5/2022	1
692-171-05	125 W AVENIDA GAVIOTA B								1		6/28/2022	1
692-191-25	142 W Avenida Junipero B								1		4/4/2022	1
692-211-26	134 W AVENIDA DE LOS LOBOS MARINOS B											0
692-241-06	215 AVENIDA BARCELONA B											0
692-272-14	312 La Rambla									1	10/3/2022	1
692-291-01	1614 S OLA VISTA											0
692-291-38	213 AVENIDA PRINCESA									1	8/9/2022	1
692-291-39	211 AVENIDA PRINCESA									1	8/9/2022	1

**Table A2**

**Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units**

Project Identifier			Affordability by Household Incomes - Certificates of Occupancy									
Current APN	Street Address	Project Name <sup>+</sup>	10							11	12	
			Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Certificates of Occupancy or other forms of readiness (see instructions) <u>Date Issued</u>	# of Units issued Certificates of Occupancy or other forms of readiness	
			0	0	0	0	0	0	16	13		29
692-292-02	204 W Avenida De Los Lobos Marinos B								1		10/20/2022	1
692-311-30	207 W AVENIDA SAN ANTONIO											0
692-312-27	405 W AVENIDA DE LOS LOBOS MARINOS B											0
692-361-10	126 AVENIDA DEL REPOSO											0
692-361-16	135 AVENIDA FLORENCIA											0
692-363-39	208 Avenida De La Grulla C								1		4/7/2022	1
692-381-34	104 AVENIDA PELAYO											0
692-381-34	104 AVENIDA PELAYO											0
692-381-35	106 AVENIDA PELAYO C											0
692-381-35	106 AVENIDA PELAYO D											0
692-382-09	135 AVENIDA PELAYO											0
692-382-29	166 AVENIDA ARAGON B											0
692-382-29	166 AVENIDA ARAGON											0

**Table A2**

**Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units**

Project Identifier			Affordability by Household Incomes - Certificates of Occupancy									
			10						11		12	
Current APN	Street Address	Project Name <sup>+</sup>	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Certificates of Occupancy or other forms of readiness (see instructions) <u>Date Issued</u>	# of Units issued Certificates of Occupancy or other forms of readiness	
			0	0	0	0	0	0	16	13	29	
692-395-47	148 W CANADA C										0	
											0	
											0	
											0	
											0	
											0	
											0	
											0	
											0	
											0	
											0	
											0	
											0	
											0	
											0	
											0	

Table A2

Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units

Project Identifier			13	14	15	Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions	Term of Affordability or Deed Restriction	Demolished/Destroyed Units			Density Bonus			
Current APN	Street Address	Project Name*	How many of the units were Extremely Low Income?	Was Project APPROVED using GC 65913.4(b)? (SB 35 Streamlining) Y/N	Infill Units? Y/N	Assistance Programs for Each Development (may select multiple - see instructions)	Deed Restriction Type (may select multiple - see instructions)	For units affordable without financial assistance or deed restrictions, explain how the locality determined the units were affordable (see instructions)	Term of Affordability or Deed Restriction (years) (if affordable in perpetuity enter 1000)	Number of Demolished/Destroyed Units	Demolished or Destroyed Units	Demolished/Destroyed Units Owner or Renter	Total Density Bonus Applied to the Project (Percentage Increase in Total Allowable Units or Total Maximum Allowable Residential Gross Floor Area)	Number of Other Incentives, Concessions, Waivers, or Other Modifications Given to the Project (Excluding Parking Waivers or Parking Reductions)	List the incentives, concessions, waivers, and modifications (Excluding Parking Waivers or Parking Modifications)	Did the project receive a reduction or waiver of parking standards? (Y/N)
			20	0								0				
057-031-07	109 REVUELTA CT		0	N				Based on comp rents/HCD ADU calculator								
057-156-27	115 E MARIPOSA B		0	N				Based on comp rents/HCD ADU calculator								
057-162-03	1501 AVENIDA DE LA ESTRELLA C		0	N				Based on comp rents/HCD ADU calculator								
057-162-77	136 Calle Redondel B		0	N				Based on comp rents/HCD ADU calculator								
058-052-41	103 W ESCALONES			N				Based on comp rents/HCD ADU calculator								
058-073-14	123 AVENIDA SIERRA C		0	N				Based on comp rents/HCD ADU calculator								
058-091-14	100 AVENIDA ROSA			N				Based on comp rents/HCD ADU calculator								
058-091-15	142 AVENIDA ROSA		0	N												
058-121-26	224 AVENIDA MIRAMAR C			N				Based on comp rents/HCD ADU calculator								
058-121-26	224 AVENIDA MIRAMAR D			N				Based on comp rents/HCD ADU calculator								
060-051-05	431 CALLE GOMEZ		0	N												
060-063-13	605 ARDILLA LN		0	N												
060-083-11	322 AVENIDA SANTA MARGARITA R		0	N				Based on comp rents/HCD ADU calculator								
060-182-04	2400 S OLA VISTA B		0	N				Based on comp rents/HCD ADU calculator								
060-271-03	227 CALLE CAMPESINO B			N				Based on comp rents/HCD ADU calculator								
675-072-19	654 CAMINO DE LOS	SC Senior Housing ar	20	N			DB, Other		55				78.0%	2	Development Standards Modification	Yes
675-172-13	4 Via Cancha		0	N												
675-173-40	27 Marbella		0	N												
675-193-02	27000 PASEO ACTIVO			N												
678-102-34	6700 CAMINO CRESTA B		0	N				Based on comp rents/HCD ADU calculator								
679-191-14	2245 CALLE OPALO B		0	N				Based on comp rents/HCD ADU calculator								
680-341-11	2907 CABALLISTA DEL SUR		0	N				Based on comp rents/HCD ADU calculator								
680-442-10	1406 JINETTE B		0	N				Based on comp rents/HCD ADU calculator								
680-451-21	2904 Novilla		0	N				Based on comp rents/HCD ADU calculator								
680-461-02	3160 INCLINADO B		0	N				Based on comp rents/HCD ADU calculator								
680-461-04	3164 INCLINADO B		0	N				Based on comp rents/HCD ADU calculator								
680-581-23	2705 CEPANO		0	N				Based on comp rents/HCD ADU calculator								
690-095-07	401 CALLE FIESTA		0	N				Based on comp rents/HCD ADU calculator								
690-122-05	448 CALLE MIGUEL		0	N				Based on comp rents/HCD ADU calculator								
690-201-28	203 E AVENIDA RAMONA B		0	N				Based on comp rents/HCD ADU calculator								

Table A2

Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units

Project Identifier			Streamlining	Infill	Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions	Term of Affordability or Deed Restriction	Demolished/Destroyed Units			Density Bonus				
Current APN	Street Address	Project Name*	13	14	15	16	17	18	19	20			21	22	23	24
			How many of the units were Extremely Low Income?	Was Project APPROVED using GC 65913.4(b)? (SB 35 Streamlining) Y/N	Infill Units? Y/N*	Assistance Programs for Each Development (may select multiple - see instructions)	Deed Restriction Type (may select multiple - see instructions)	For units affordable without financial assistance or deed restrictions, explain how the locality determined the units were affordable (see instructions)	Term of Affordability or Deed Restriction (years) (if affordable in perpetuity enter 1000)	Number of Demolished/Destroyed Units	Demolished or Destroyed Units	Demolished/Destroyed Units Owner or Renter	Total Density Bonus Applied to the Project (Percentage Increase in Total Allowable Units or Total Maximum Allowable Residential Gross Floor Area)	Number of Other Incentives, Concessions, Waivers, or Other Modifications Given to the Project (Excluding Parking Waivers or Parking Reductions)	List the incentives, concessions, waivers, and modifications (Excluding Parking Waivers or Parking Modifications)	Did the project receive a reduction or waiver of parking standards? (Y/N)
			20	0						0		0				
690-412-53	116 E AVENIDA DE LOS LOBOS MARINOS B		0	N				Based on comp rents/HCD ADU calculator								
690-423-18	114 Avenida San Pablo		0	N				Based on comp rents/HCD ADU calculator								
690-445-20	15 W AVENIDA JUNIPERO B		0	N				Based on comp rents/HCD ADU calculator								
691-083-09	3008 LA VENTANA		0	N												
691-252-33	2803 Via Montecito		0	N												
691-261-14	335 AVENIDA VAQUERO			N				Based on comp rents/HCD ADU calculator								
691-425-03	204 VIA SOCCORRO		0	N												
691-425-04	206 VIA SOCCORRO		0	N												
691-425-05	208 VIA SOCCORRO		0	N												
691-425-06	210 VIA SOCCORRO		0	N												
692-054-13	329 AVENIDA CABRILLO B		0	N				Based on comp rents/HCD ADU calculator								
692-076-01	217 W MARQUITA B		0	N				Based on comp rents/HCD ADU calculator								
692-082-25	227 W CANADA			N				Based on comp rents/HCD ADU calculator								
692-091-04	238 W MARIPOSA			N				Based on comp rents/HCD ADU calculator								
692-143-40	117 W AVENIDA CADIZ			N				Based on comp rents/HCD ADU calculator								
692-143-52	141 W AVENIDA CADIZ B		0	N				Based on comp rents/HCD ADU calculator								
692-153-30	118 W PASEO DE CRISTOBAL		0	N				Based on comp rents/HCD ADU calculator								
692-153-39	1107 S OLA VISTA		0	N												
692-161-16	101 W PASEO DE CRISTOBAL C		0	N				Based on comp rents/HCD ADU calculator								
692-171-05	125 W AVENIDA GAVIOTA B		0	N				Based on comp rents/HCD ADU calculator								
692-191-25	142 W Avenida Junipero B		0	N				Based on comp rents/HCD ADU calculator								
692-211-26	134 W AVENIDA DE LOS LOBOS MARINOS B		0	N				Based on comp rents/HCD ADU calculator								
692-241-06	215 AVENIDA BARCELONA B		0	N				Based on comp rents/HCD ADU calculator								
692-272-14	312 La Rambla		0	N												
692-291-01	1614 S OLA VISTA		0	N				Based on comp rents/HCD ADU calculator								
692-291-38	213 AVENIDA PRINCESA		0	N												
692-291-39	211 AVENIDA PRINCESA		0	N												
692-292-02	204 W Avenida De Los Lobos Marinos B		0	N				Based on comp rents/HCD ADU calculator								
692-311-30	207 W AVENIDA SAN ANTONIO		0	N												



Table A2

Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units

Project Identifier			Streamlining	Infill	Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions	Term of Affordability or Deed Restriction	Demolished/Destroyed Units			Density Bonus				
			13	14	15	16	17	18	19	20			21	22	23	24
Current APN	Street Address	Project Name*	How many of the units were Extremely Low Income?	Was Project APPROVED using GC 65913.4(b)? (SB 35 Streamlining) Y/N	Infill Units? Y/N*	Assistance Programs for Each Development (may select multiple - see instructions)	Deed Restriction Type (may select multiple - see instructions)	For units affordable without financial assistance or deed restrictions, explain how the locality determined the units were affordable (see instructions)	Term of Affordability or Deed Restriction (years) (if affordable in perpetuity enter 1000)	Number of Demolished/Destroyed Units	Demolished or Destroyed Units	Demolished/Destroyed Units Owner or Renter	Total Density Bonus Applied to the Project (Percentage Increase in Total Allowable Units or Total Maximum Allowable Residential Gross Floor Area)	Number of Other Incentives, Concessions, Waivers, or Other Modifications Given to the Project (Excluding Parking Waivers or Parking Reductions)	List the incentives, concessions, waivers, and modifications (Excluding Parking Waivers or Parking Modifications)	Did the project receive a reduction or waiver of parking standards? (Y/N)
			20	0						0		0				
692-312-27	405 W AVENIDA DE LOS LOBOS MARINOS B		0	N				Based on comp rents/HCD ADU calculator								
692-361-10	126 AVENIDA DEL REPOSO			N				Based on comp rents/HCD ADU calculator								
692-361-16	135 AVENIDA FLORENCIA			N				Based on comp rents/HCD ADU calculator								
692-363-39	208 Avenida De La Grulla C		0	N				Based on comp rents/HCD ADU calculator								
692-381-34	104 AVENIDA PELAYO		0	N												
692-381-34	104 AVENIDA PELAYO		0	N				Based on comp rents/HCD ADU calculator								
692-381-35	106 AVENIDA PELAYO C		0	N				Based on comp rents/HCD ADU calculator								
692-381-35	106 AVENIDA PELAYO D		0	N				Based on comp rents/HCD ADU calculator								
692-382-09	135 AVENIDA PELAYO		0	N				Based on comp rents/HCD ADU calculator								
692-382-29	166 AVENIDA ARAGON B		0	N				Based on comp rents/HCD ADU calculator								
692-382-29	166 AVENIDA ARAGON		0	N				Based on comp rents/HCD ADU calculator								
692-395-47	148 W CANADA C		0	N				Based on comp rents/HCD ADU calculator								

Jurisdiction	San Clemente	
Reporting Year	2022	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	10/15/2021 - 10/15/2029

**ANNUAL ELEMENT PROGRESS REPORT  
Housing Element Implementation**

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.  
Please contact HCD if your data is different than the material supplied here

Table B														
Regional Housing Needs Allocation Progress														
Permitted Units Issued by Affordability														
Income Level		1	Projection Period - 06/30/2021- 10/14/2021	2									3	4
		RHNA Allocation by Income Level		2021	2022	2023	2024	2025	2026	2027	2028	2029	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Very Low	Deed Restricted	282	-	-	-	-	-	-	-	-	-	-	-	282
	Non-Deed Restricted		-	-	-	-	-	-	-	-	-	-	-	
Low	Deed Restricted	164	-	-	-	-	-	-	-	-	-	-	-	164
	Non-Deed Restricted		-	-	-	-	-	-	-	-	-	-	-	
Moderate	Deed Restricted	188	-	-	-	-	-	-	-	-	-	-	33	155
	Non-Deed Restricted		3	2	28	-	-	-	-	-	-	-	-	
Above Moderate		348	5	151	7	-	-	-	-	-	-	-	163	185
Total RHNA		982												
Total Units			8	153	35	-	-	-	-	-	-	-	196	786
Progress toward extremely low-income housing need, as determined pursuant to Government Code 65583(a)(1).														
		5		2021	2022	2023	2024	2025	2026	2027	2028	2029	6	7
		Extremely low-income Need											Total Units to Date	Total Units Remaining
Extremely Low-Income Units*		141		-	-	-	-	-	-	-	-	-	-	141

\*Extremely low-income housing need determined pursuant to Government Code 65583(a)(1). Value in Section 5 is default value, assumed to be half of the very low-income RHNA. May be overwritten.  
 Note: units serving extremely low-income households are included in the very low-income RHNA progress and must be reported as very low-income units in section 7 of Table A2. They must also be reported in the extremely low-income category (section 13) in Table A2 to be counted as progress toward meeting the extremely low-income housing need determined pursuant to Government Code 65583(a)(1).  
 Please note: For the last year of the 5th cycle, Table B will only include units that were permitted during the portion of the year that was in the 5th cycle. For the first year of the 6th cycle, Table B will only include units that were permitted since the start of the planning period. Projection Period units are in a separate column.  
 Please note: The APR form can only display data for one planning period. To view progress for a different planning period, you may login to HCD's online APR system, or contact HCD staff at [apr@hcd.ca.gov](mailto:apr@hcd.ca.gov).

Jurisdiction	San Clemente	
Reporting Year	2022	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	10/15/2021 - 10/15/2029

**ANNUAL ELEMENT PROGRESS REPORT  
Housing Element Implementation**

Note: "*" indicates an optional field Cells in grey contain auto-calculation formulas
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Table C																		
Sites Identified or Rezoned to Accommodate Shortfall Housing Need and No Net-Loss Law																		
Project Identifier				Date of Rezone	RHNA Shortfall by Household Income Category				Rezone Type	Sites Description								
1				2	3				4	5	6	7	8		9	10	11	
APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Date of Rezone	Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income	Rezone Type	Parcel Size (Acres)	General Plan Designation	Zoning	Minimum Density Allowed	Maximum Density Allowed	Realistic Capacity	Vacant/Nonvacant	Description of Existing Uses	
Summary Row: Start Data Entry Below																		

## ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

<b>Jurisdiction</b>	San Clemente		
<b>Reporting Year</b>	2022	(Jan. 1 - Dec. 31)	
<b>Table D</b>			
<b>Program Implementation Status pursuant to GC Section 65583</b>			
<b>Housing Programs Progress Report</b>			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
<b>Name of Program</b>	<b>Objective</b>	<b>Timeframe in H.E</b>	<b>Status of Program Implementation</b>
Program 1: Provide Adequate Sites and Monitoring for No Net Loss	<p>1) Within three years of the 6th Housing Element statutory deadline, rezone candidate sites with a housing overlay (H) of up to 71.6 acres but at least necessary to accommodate the City's RHNA shortfall of 244 lower income units, 21 moderate income units, and 277 above moderate income units. The rezoning process will include community outreach, including community outreach for additional potential rezone sites if the candidate sites become unavailable.</p> <p>2) Facilitate development on the rezoned sites by establishing appropriate objective development standards (including height limit, number of stories, lot coverage, and parking) that would allow development projects to achieve the allowable densities. Specifically, consistent with City practice, the City will allow development potential to be calculated for the entire site based on gross density, while allowing the residential units/mixed use components to be clustered on portions of the site.</p>	<p>For 1, within 3 years.</p> <p>For 2, ongoing.</p>	<p>Ongoing.</p> <p>The Housing Element was certified in October 2022. In November 2022, the City initiated a process that is ongoing to rezone candidate sites with a housing overlay and adopting objective design standards. The objective design standards will also be applied to by-right approval of housing projects and SB35 streamlined developments. This project is ongoing with completion planned for 2023.</p>

**Housing Programs Progress Report**

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
Program 1: Provide Adequate Sites and Monitoring for No Net Loss	<p>3) Monitor and update the sites inventory continuously to assess its adequacy for meeting the RHNA, particularly for sites capable of facilitating the development of lower income housing.</p> <p>4) Make the inventory of vacant and underutilized sites available to interested developers. Every other year, reach out to developers and property owners to facilitate projects with appropriate parcel sizes, including lot splits or lot consolidation to create appropriately sized parcels (e.g. 0.5 to 10 acres) and/or other incentives or mechanisms to facilitate affordability and meet RHNA requirements. See Programs 3 and 7 for additional housing development outreach. The sites inventory will be posted on the City's website, the City's housing sites GIS app, and updated annually.</p>	Ongoing	Ongoing. Staff updates the sites inventory on an ongoing basis, posts the list on the City's website, and provides the site inventory to our list of interested affordable housing developers.
Program 1: Provide Adequate Sites and Monitoring for No Net Loss	<p>5) Should properties identified in the residential sites inventory become unavailable during the planning period for housing for lower income households, resulting in a shortfall in sites for meeting the RHNA, within six months, the City will identify additional sites of appropriate size and density and rezone, if and as necessary per Government Code § 65863.</p>	For 5, ongoing implementation. If there is a shortfall found, the City has six months to identify additional sites.	Ongoing. Sites in the inventory have not become unavailable during the planning period to result in a shortfall in available sites for meeting the RHNA for very-low and low income housing. Therefore, no sites are entered into APR Table C. There are remaining adequate sites in the site inventory of an appropriate size and density to meet RHNA for all income categories.

**Housing Programs Progress Report**

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
Program 2A, By-Right Approval for Projects with 20 Percent Affordable Units	<p>1) For reuse sites, amend the Zoning Ordinance by the end of 2022 and apply a housing overlay to establish by-right approval process as required by AB 1397, which allows the City to require the architecture/design of all projects to meet objective design standards.</p> <p>2) Concurrently with the establishment of a housing overlay on candidate sites and within three years of the 6th Housing Element statutory deadline, establish a by-right approval process allowing the City to require the architecture/design of all projects to meet objective design standards.</p>	For 1, by end of 2022. For 2, within 3 years.	Ongoing. The Housing Element was certified in October 2022. The City initiated a process that is ongoing to rezone candidate sites with a housing overlay and adopt objective design standards. The objective design standards will also be applied to by-right approval of housing projects. This project is ongoing with completion planned for 2023.
Program 2B, SB 35 Streamlining for Projects with Affordable Units	1) Within three years of Housing Element adoption, and no later than October 2024, develop procedures to address the streamlining requirements of SB 35	Within 3 years.	Ongoing. The Housing Element was certified in October 2022. In November 2022, the City initiated a process that is ongoing to initiate rezoning of candidate sites with a housing overlay and adopting objective design standards. The objective design standards will also be applied to by-right approval of housing projects and SB35 streamlined developments. This project is ongoing with completion planned for 2023.
Program 3, Lot Consolidation	<p>1) Facilitate lot consolidation via the following:</p> <p>a) by the end of 2022, develop informational materials on the City's new Lot Consolidation program and promote available incentives to developers, especially to property owners and developers of sites in the Residential Sites Inventory and Candidate Rezone Sites, and</p> <p>b) an ongoing basis, provide technical assistance regarding the lot consolidation process to interested parties.</p>	For 1, end of 2022. For 2, ongoing.	Ongoing. The City's Zoning Ordinance is on the City website, including its Lot Consolidation program. The City will continue to explore and implement opportunities to promote the program incentives. Ideas for this will be explored in 2023.

**Housing Programs Progress Report**

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
Program 3, Lot Consolidation	<p>2) By 2022, make the inventory of vacant and underutilized sites available to interested developers. The sites inventory will be posted on the City's website, the City's housing sites GIS app, and updated annually and assist in identifying sites with lot consolidation potential. (Table 4-4 identifies vacant and underutilized parcels in the City and Table 4-6 identifies candidate sites for rezoning.):</p> <p>a) Process lot consolidation applications concurrently with other applications for development, and</p> <p>b) By 2025, re-evaluate the trend of lot consolidation and make modifications as necessary to promote housing and mixed use development on small sites, if the City determines lot consolidation is relevant and appropriate.</p>	<p>For 2a, ongoing.</p> <p>For 2b, by 2025.</p>	<p>Ongoing.</p> <p>Staff updates the sites inventory on an ongoing basis, posts the list on the City's website, the City's GIS app, and provides the site inventory to our list of interested affordable housing developers. The City will continue to add data to the GIS app for lot consolidation potential, and vacant and underutilized sites. Updates are planned for 2023. The City has informed housing developers of the GIS app and website information.</p> <p>2a) The City will process applications expeditiously when recieved. To-date, no development applications have been submitted that use the lot consolidation program. The City will promote the program when communicating with developers.</p> <p>2b) The City will initiate this work program to meet the objective within the timeframe.</p>
Program 4, Density Bonus Ordinance.	<p>1) Update Density Bonus Ordinance by the end of 2022 to reflect recent changes to the State density bonus law.</p>	<p>By end of 2022</p>	<p>Ongoing.</p> <p>The Housing Element was certified in October 2022. In December 2022, the City adopted Ordinance 1740 for an update to its Density Bonus Ordinance, provided in Appendix B.</p>

**Housing Programs Progress Report**

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
Program 5, Affordable Housing Overlay	<p>1) Continue to implement the requirements of the Affordable Housing Overlay Zone.</p> <p>2) Concurrently with the housing overlay in Program 1, and by-right approvals in Program 2A, modify the Affordable Housing Overlay Zone to improve the effectiveness of the Overlay Zone and make amendments as necessary. Specifically, evaluate the effectiveness and create one Housing Overlay (H) with objective design standards, minimum levels of affordable housing units, and by-right approval if 20 percent of the units are set aside for lower income (very low and low) households (see Program 2A). As part of this review, amend the development standards for height limits, number of stories, lot coverage, and parking requirements to ensure that development projects have the ability to achieve the allowable densities. The City will invite and engage the community, including the development community, to provide feedback during this process.</p>	<p>For 1, ongoing.</p> <p>For 2, within 3 years.</p>	<p>Ongoing.</p> <p>1) The Affordable Housing Overlay was analyzed in the 2017 Housing Element Midterm Update. The overlay has been effective in developing affordable units. The City continues to apply the overlay and seek opportunities to enhance its effectiveness. In 2018, the City changed the Affordable Housing Overlay zoning standards to allow stand-alone residential units and affordable housing on any mixed-use zoned lots in the Housing Element site inventory. There were no proposed affordable housing projects in 2018 to 2022 that would take advantage of the in-lieu fee. In November 2022, the City initiated a process that is ongoing to rezone candidate sites with a housing overlay and adopt objective design standards. The project is ongoing with completion planned for 2023.</p> <p>In Progress.</p> <p>2) The Housing Element was certified in October 2022. In November 2022, the City initiated a process that is ongoing to rezone candidate sites with a housing overlay and adopting objective design standards. The objective design standards will also be applied to by-right approval of housing projects and SB35 streamlined developments. This project is ongoing with completion planned for 2023.</p>
Program 5, Affordable Housing Overlay	<p>3) Prioritize inclusionary in-lieu fees for lower income affordable housing projects proposed in the Affordable Housing Overlay / Housing Overlay (see also Program 7).</p>	<p>Ongoing</p>	<p>Ongoing.</p> <p>The City continues to implement the Inclusionary Housing Program. In 2017, the City conducted a public survey on how to prioritize the in-lieu fee. The City initiated an in-lieu fee ordinance in 2019. The City reviewed the in-lieu fee formula in 2021 and determined the current formula is appropriate. The City pursues opportunities to use the in-lieu fees to support the development of affordable housing units.</p>



**Housing Programs Progress Report**

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
Program 6, Inclusionary Housing Program	<p>1) Continue implementation of the Inclusionary Housing Program.</p> <p>2) By 2025, the City will retain a consultant to evaluate the effectiveness of Inclusionary Housing Program in facilitating the development of all income levels, and conduct a feasibility study to evaluate increasing the inclusionary housing requirement from 4% very low to 15% (5% very low, 5% low, and 5% moderate). Updates to the Inclusionary Housing Program will reflect the new requirement with a corresponding updated in-lieu fee (paid if affordable units are not provided on-site) to reflect current land and construction costs, and other related updates.</p>	<p>For 1, ongoing.</p> <p>For 2, by 2025.</p>	<p>Ongoing.</p> <p>1) The City continues to implement the Inclusionary Housing Program. In 2017, the City conducted a public survey on how to prioritize the in-lieu fee. The City initiated an in-lieu fee ordinance in 2019. The City reviewed the in-lieu fee formula in 2021 and determined the current formula is appropriate. The City pursues opportunities to use the in-lieu fees to support the development of affordable housing units.</p> <p>In Progress.</p> <p>2) The City will include the feasibility study in its work program to meet this objective within the timeframe.</p>
Program 7: Affordable Housing Development	<p>1) Proactively encourage and facilitate the development of affordable housing by non-profit organizations for lower income households, particularly those with special needs including large households, seniors, extremely low-income (ELI) households, and households with persons who have disabilities or developmental disabilities with the goal of creating 446 affordable units for lower income households between 2021 and 2029 (282 extremely low and very low income and 164 low income units, see Program 1). Specifically, the City will:</p> <p>a) Provide letters of support to affordable housing developers' applications to local, State, and Federal agencies for funding, provided the proposed projects are consistent with the goals and policies of the City's General Plan.</p> <p>b) Evaluate, every other year, the City's Zoning regulations for potential constraints to the development of housing for persons with special needs.</p>	<p>Ongoing.</p>	<p>Ongoing.</p> <p>1) Projects are reviewed according to density bonus regulations. The City continues to implement the Affordable Housing Overlay Zone and Inclusionary Housing Program. Staff consults the HCD website to identify funding sources for affordable housing and meet with housing organizations annually. In 2022, the City entitled one affordable housing project a density bonus to support the inclusion of 20 very-low income units.</p> <p>a) The City continues to provide letters of support to affordable housing developers' applications, and will develop marketing and economic development strategies to implement Centennial General Plan land use goals. Also, the City has assigned urban planners with specialized knowledge and experience in specific districts to serve as liaisons that provide services and information, including news on programs for housing and social services.</p> <p>b) The City continues to monitor the Zoning Ordinance and process amendments as needed to ensure regulations are consistent with State law and remove barriers to affordable housing construction.</p>

**Housing Programs Progress Report**

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
Program 7: Affordable Housing Development	<p>2) Continue to provide density bonuses and other incentives to developers who provide affordable units. By the end of 2022, develop informational materials on the City's website regarding the City's Lot Consolidation incentives, density bonus, Affordable Housing Overlay, and Inclusionary Housing. Establish priority for assistance for workforce housing targeting those who work and/or live in San Clemente.</p> <p>3) Continue to implement the Affordable Housing Overlay Zone (new Housing Overlay) and Inclusionary Housing Program.</p> <p>4) Every other year, meet with non-profit developers and housing organizations to evaluate projects for acquisition and rehabilitation/new construction of new shelters and long-term affordable housing.</p>	For 2-3, ongoing. For 4, every other year.	<p>Ongoing.</p> <p>2) The City continues to explore funding opportunities and will explore development opportunities with developers and non-profits to build more affordable units or to help convert existing homes as affordable units. Staff continues to provide letters of support for affordable housing developers' applications. The City plans to develop marketing and economic development strategies to implement the Centennial General Plan land use goals. Projects are reviewed according to density bonus regulations. The City continues to implement the Affordable Housing Overlay Zone and Inclusionary Housing Program. Staff consults the HCD website to identify funding sources for affordable housing and meet with housing organizations annually. In 2022, the City entitled one affordable housing project a density bonus to support the inclusion of 20 very-low income units.</p> <p>3) The City continues to implement the Inclusionary Housing Program. In 2017, the City conducted a public survey on how to prioritize the in-lieu fee. The City initiated an in-lieu fee ordinance in 2019. The City reviewed the in-lieu fee formula in 2021 and determined the current formula is appropriate. The City pursues opportunities to use the in-lieu fees to support the development of affordable housing units. In November 2022, the City initiated a process that is ongoing to rezone rezone candidate sites with a housing overlay and adopt objective design standards. The project is ongoing with completion planned for 2023.</p> <p>4) The Housing Element was certified in October 2022. In November 2022, the City initiated a process that is ongoing to rezone candidate sites with a housing overlay and adopting objective design standards. This process includes outreach with affordable housing developers on opportunities to facilitate housing production. For shelters, the City completed a survey in 2021 and found that there was no interest from shelter providers in establishing one in San Clemente. The survey found that Shelter Operators would not allow homeless persons from other cities to utilize available beds. San Clemente is in the process of collaborating with neighboring cities to apply for State grants and other resources in order to address the needs of the unsheltered. The survey also found that there was a general lack of interest from the County and other private entities to develop a shelter in the ES Overlay. They concluded that the lack of interest was not a result of impediments that fall within the scope of factors outlined for the emergency shelter program. The City is exploring partnering with the Orange County Council of Government to reevaluate the City program and pursue changes that could facilitate a shelter.</p>
Program 7: Affordable Housing Development	5) Annually, evaluate available housing funding programs administered by the State HCD and if appropriate, pursue funding for affordable housing (new construction, acquisition/rehabilitation, infrastructure improvements, and other housing assistance).	Ongoing.	<p>Ongoing.</p> <p>The City continues to explore funding opportunities and will explore development opportunities with developers and non-profits to build more affordable units or to help convert existing homes as affordable units. Staff continues to provide letters of support for affordable housing developers' applications. The City plans to develop marketing and economic development strategies to implement the Centennial General Plan land use goals. Staff consults the HCD website to identify funding sources for affordable housing and meet with housing organizations annually.</p>

**Housing Programs Progress Report**

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
Program 8: Accessory Dwelling Units (ADUs)	<p>1) Develop a monitoring program to ensure City is on track to meet the ADU construction goals:</p> <p>a) If by October 2025 the City is not on track in meeting its ADU goal of 120 units, review and revise policies and efforts to increase ADU construction as necessary.</p> <p>2) Facilitate ADU construction through:</p> <p>a) Developing a one-stop shop to assist homeowners to prioritize issues in building ADUs by 2022.</p> <p>b) At least semi-annually, promoting the use of pre-approved site/floor plans for ADU created by the Orange County Council of Governments (OCCOG), such as through the City's newsletter and other social media platforms.</p> <p>c) Pursuing funding at the State level to assist lower income homeowners in developing ADUs.</p>	Ongoing.	<p>Completed:</p> <p>1) The City has a permit tracking system to inventory ADUS so staff can monitor progress towards its construction goals. The City has historically permitted Accessory Dwelling Units (ADUs) in conformance with State law. Since the implementation of the 2017 State ADU Law changes up to October 15, 2021 (end of 5th Cycle), the City has issued permits for 83 ADUs. In December 2022, the City adopted an updated ordinance for ADUs according to State law effective on January 1, 2023. On March 6, 2019, the City adopted an updated ordinance for ADUs in accordance with State law effective prior to January 1, 2020 and submitted the ordinance to the State as part of the 2018 APR. The City updated its ADU ordinance on March 6, 2019 and December 1, 2020 for consistency with State law. The 2020 ADU ordinance update was sent to with the 2020 APR. Staff continues to improve public information on ADU standards on the City website and handouts. This ordinance is included as Exhibit A.</p> <p>2) The City is working with OCCOG on a REAP funded initiative to develop pre-approved plans for ADUs among other resources to assist homeowners develop ADUs by simplifying the review process and reducing costs. The City will continue to explore State funding programs to subsidize ADU construction.</p>
Program 9: Pursue Funding Sources and Programs	<p>1) Continue to apply for and administer CDBG grants annually.</p> <p>2) Pursue funding from sources such as the Permanent Local Housing Allocation (PLHA), CalHome or CalHFA to assist in housing rehabilitation, homeownership, and ADU development.</p> <p>3) Provide letters of support to affordable housing developers' applications to local, State, and Federal agencies for funding, provided the proposed projects are consistent with the goals and policies of the City's General Plan.</p>	Ongoing.	<p>Ongoing.</p> <p>1-2) In 2022, the City administered \$48,712 of CDBG grant funds to four organizations. The City will continue to apply for and administer CDBG grants. City will also look for new funding opportunities and partnerships.</p> <p>3) The City continues to explore funding opportunities and will explore development opportunities with developers and non-profits to build more affordable units or to help convert existing homes as affordable units. Staff continues to provide letters of support for affordable housing developers' applications. The City plans to develop marketing and economic development strategies to implement the Centennial General Plan land use goals. Staff consults the HCD website to identify funding sources for affordable housing and meet with housing organizations annually.</p>

**Housing Programs Progress Report**

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
Program 10: Acquisition and Conversion of Market-Rate Housing to Affordable Housing	<p>1) At least every other year, discuss with non-profit organizations or affordable housing developers the opportunity to collaborate in purchasing a site to be used as transitional housing and/or long-term permanent housing with the goal of increasing the affordable housing inventory by 446 lower income units by 2029.</p> <p>2) On an ongoing basis, work with Code Enforcement to evaluate substandard properties as opportunities for rehabilitation as affordable housing units. Develop a list of potential properties and update annually. Offer the list to nonprofit housing developers.</p>	<p>For 1, every other year.</p> <p>For 2, ongoing.</p>	<p>Ongoing.</p> <p>1) In November 2022, the City initiated a process that is ongoing to rezone candidate sites with a housing overlay and adopting objective design standards. This process includes outreach with affordable housing developers on opportunities to facilitate housing production. The City continues to explore funding and development opportunities with developers and non-profits to build more affordable units or to help convert existing homes as affordable units. Staff continues to provide letters of support for affordable housing developers' applications. The City plans to develop marketing and economic development strategies to implement the Centennial General Plan land use goals.</p> <p>2) In 2023, the City will collaborate with the Fair Housing Foundation and nonprofit housing developers to get input on the creation of a list to maintain and expand through the planning period.</p>
Program 11: Sustainable Policies	<p>1) Continue to implement the Sustainability Action Plan.</p> <p>2) Continue to promote resident participation in available PACE programs by providing links to these programs on City website.</p>	Ongoing.	<p>Ongoing.</p> <p>The City will provide links on its website in 2023 and continue to implement the Sustainability Action Plan. As an implementation measure, the City requires housing development to comply with current Green Building Codes to ensure energy and water conservation and require new units to have solar-ready roofs.</p>
Program 12: Affirmatively Furthering Fair Housing	<p>1) Implement the City's actions for addressing fair housing issues and concerns identified in Table 5-2.</p>	According to Housing Action Plan Table 5-2	<p>Ongoing.</p> <p>The City contracts with Fair Housing Foundation (FHF) to provide fair housing services to City residents, including low-and-moderate income and special needs populations. Services include (1) Discrimination Complaint Intake and Investigation, (2) Outreach and Education, (3) Landlord/Tenant Counseling, and (4) Affirmatively Further Fair Housing Activities. In 2021/2022, the FHF conducted two Fair Housing Workshops, provided a presentation to Community Outreach Alliance. Also, FHF provided over 2,014 pieces of fair housing literature in English and Spanish and public service announcements were aired on the City's cable station.</p>
Program 13: Social Services Grant Program	<p>1) Continue to provide grant applications for housing funds annually.</p> <p>2) Provide assistance to approximately 2,000 persons with special needs, including homeless, seniors and disabled persons, on an annual basis through grant awards.</p>	Ongoing.	<p>Ongoing.</p> <p>The City has awarded Family Assistance Ministries (FAM), \$15,508 in CDBG funds to support FAM's housing and supportive service for households at risk of homelessness and for those that are homeless.</p>

**Housing Programs Progress Report**

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
Program 14: Zoning Ordinance Amendments	<p>1) Complete the above necessary amendments to the Zoning Ordinance by the end of 2022, except where otherwise noted.</p> <p>2) Monitor the Zoning Ordinance for any potential constraints to the development of housing, including the City's procedures for multi-family housing, and process.</p>	For 1, by 2022. For 2, ongoing.	<p>Completed.</p> <p>1) In December 2022, the City updated its Zoning Ordinance for compliance with State law. In November 2022, the City initiated a process that is ongoing to initiate rezoning of candidate sites with a housing overlay and adopting objective design standards. The objective design standards will also be applied to by-right approval of housing projects and SB35 streamlined developments. This project is ongoing with completion planned for 2023.</p> <p>2) The City continues to monitor the Zoning Ordinance and process amendments as needed to ensure regulations are consistent with State law and remove barriers to affordable housing construction.</p>
Program 15: Monitoring of Emergency Shelter Overlay	<p>1) Provide information to property owners and tenants in the Rancho San Clemente Business Park regarding the ES Overlay, including the purpose and intent behind the requirement to accommodate emergency shelter sites in the City.</p> <p>2) Evaluate the rideshare program annually and work with the vendor to improve the program or find alternatives to the program.</p>	Ongoing.	<p>Ongoing.</p> <p>1) The City provides information to the property owners and public on its website and in the process of doing assessments of the ES overlay.</p> <p>2) The City had its soft launch of the ride share program on October 9, 2016, and official launch on April 3, 2018. The City commits to evaluate and address the effectiveness of the rideshare program regularly. The City sent a progress letter to HCD (dated 10/25/18) on the effectiveness of the rideshare program (SC Rides) - a partnership with Lyft and ButterFLi to offer transit. Although the pandemic decreased demand for public transportation services, San Clemente still continued to offer the service in 2023. In 2022, approximately 23,238 rides were provided as of December 31, 2022. Especially during the pandemic, the Public Works department staff focus has been doing outreach to portions of the population that may not be aware of the program and are underserved. Recent outreach has included working with the Orange County Social Services agency, as well as other nonprofits serving underserved populations, such as the YMCA chapter in Orange County. The City has also continued to work with OCTA to improve the program and increase access to the services. On top of establishing a toll free phone number (1-844-440-4672) for riders who need ADA accessible ride services, the City has also worked with the assisted ride vendor for the program (Butterfl) to establish an online booking interface, for users to book rides in addition or instead of the toll free phone number. OCTA has continued to work with the City to support and fund ADA ride services 100% for this program. The City has also expanded the eligible service area around each bus stop from a .1 mile radius to a .25 mile radius, to further extend accessibility for program users.</p> <p>(continued in row below)</p>

**Housing Programs Progress Report**

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
Program 15: Monitoring of Emergency Shelter Overlay	Objective 2 (Continued)	Ongoing.	The subsidized cost for the SC Rides services remains constant, matching the original cost offered by the 191 and 193 OCTA bus routes. Through the OCTA grant, the City already covers a majority of the costs for program users. However, those that may not have the ability to pay the base program fare may be able to receive direct ride assistance from either the City through their Lyft account, or from a local nonprofit. In the past, local nonprofits have worked to offset the base fare costs, including historical partners such as Family Assistance Ministries (FAM), a homeless and housing nonprofit organization located within the ES Overlay; and by Mercy House, a homeless outreach provider. In these select cases, the City or the nonprofit could book rides for the rider directly, ensuring the pickup and destination location. The SC Rides contract with OCTA is set to expire on June 30, 2023. Staff is currently working with OCTA to continue funding for the program; if the City does not receive additional funds, the City is expected to budget the entire program for FY23/24.
Program 15: Monitoring of Emergency Shelter Overlay	3) In the event an emergency shelter is proposed, the City will work with the social service providers and shelter proponents to determine if the rideshare program serves as a feasible transportation option, or secure other alternatives while avoiding burden and costs on the applicants. 4) Should an emergency shelter locate in the business park, the City would work with or partner with the emergency shelter operator to evaluate and implement options for providing transit service to and from the emergency shelter from existing transit routes.	Ongoing.	Ongoing. 3-4) No shelter has been proposed. If a shelter is proposed, the City will implement this program as described.

**Housing Programs Progress Report**

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1 Name of Program	2 Objective	3 Timeframe in H.E	4 Status of Program Implementation
Program 15: Monitoring of Emergency Shelter Overlay	<p>5) At least every two years and as emergency shelters are proposed, assess and update the City's unmet homeless shelter needs, upon review and analysis of reliable data and consideration of input from service providers and public input in a City Council meeting. The unmet homeless shelter needs will be updated when:</p> <p>a) Results of the Biannual Homeless Census (point-in-time) conducted by the Orange County Continuum of Care are available. Annually, the City will participant in the Homeless Census to obtain a specific homeless count for San Clemente, with specific counts for sheltered versus unsheltered homeless.</p> <p>b) Emergency shelters will be allowed without discretionary action until the unsheltered homeless need identified in this assessment is met and continue to be permitted through a discretionary review process.</p>	For 5, every two years.	<p>Completed.</p> <p>The Housing Element was certified in October 2022. In November 2022, the City initiated a process that is ongoing to rezone candidate sites with a housing overlay and adopting objective design standards. This process includes outreach with affordable housing developers on opportunities to facilitate housing production. The Orange County Continuum of Care conducted the most recent Point In Time Count and survey on January 22, 2019. The 2021 Point in Time Count for the Orange County Continuum of care was cancelled by HUD due to the Coronavirus Pandemic. The next Point In Time Count is scheduled to occur by the end of February 2022. In May of 2022, the County of Orange release the results of the 2022 Point In Time Count, which found that there are 81 unsheltered homeless and 50 sheltered in the City of San Clemente. The number of unsheltered individuals dropped by 15 compared to the 2019 point in time count. Since 2021, the City has allocated funds from the Community Development Block Grant and from PLHA funding sources to provide for two limited term full time positions for Community Outreach Workers to serve as liaisons with the local unsheltered population. The City completed a survey in 2021 and found that there was no interest from shelter providers in establishing one in San Clemente. The survey found that Shelter Operators would not allow homeless persons from other cities to utilize available beds. San Clemente is in the process of collaborating with neighboring cities to apply for State grants and other resources in order to address the needs of the unsheltered. The survey also found that there was a general lack of interest from the County and other private entities to develop a shelter in the ES Overlay. They concluded that the lack of interest was not a result of impediments that fall within the scope of factors outlined for the emergency shelter program. The City is exploring partnering with the Orange County Council of Government to reevaluate the City program and pursue changes that could facilitate a shelter.</p>
Program 15: Monitoring of Emergency Shelter Overlay	<p>c) Significant changes in the housing market conditions occur that would impact the City's homeless shelter needs between the Homeless Censuses. The City will consult homeless service providers to establish the appropriate modifications to the established unmet homeless shelter needs.</p> <p>d) Significant changes to the City's homeless strategy occur, such as funding available for homeless housing programs that would reduce the unmet shelter needs.</p>	Ongoing.	Same as row above.

**Housing Programs Progress Report**

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
Program 15: Monitoring of Emergency Shelter Overlay	6) In 2023, update the Emergency Shelter Overlay (ESO) development standards, including but not limited to bed-limit, caps, and maximum separation requirements to reflect and accommodate the most recent point-in-time count, and parking, to ensure development standards comply with State law and are not impediments to siting shelters. In 2024, evaluate additional areas in the City for inclusion in the ESO, including evaluation of access to transportation and services. As a result of the analysis, amend the ESO in 2025 to ensure the ESO consists of up to five to ten acres that is suitable for development with access to transportation and services.	For 6, in 2023.	Completed. In December 2022, the City adopted updates to the Zoning Ordinance for consistency with State law. In November 2022, the City initiated a process that is ongoing to rezone candidate sites with a housing overlay and adopt objective design standards. The objective design standards will also be applied to by-right approval of housing projects and SB35 streamlined developments. This project is ongoing with completion planned for 2023.
Program 16: Neighborhood Revitalization Program	1) Continue to implement the Neighborhood Revitalization Program and advertise at least annually the availability of this program to eligible residents and property owners by announcing in City magazines, placing flyers at all City buildings, posting on City website and social media. Code Enforcement also refers eligible property owners to the City's various programs for assistance. 2) Provide 20 loans through the Home Rehabilitation Program during the Housing Element planning period. 3) Annually, explore and pursue if appropriate, housing funding programs administered by the State HCD to expand the City's Neighborhood Revitalization Program.	Ongoing.	Completed: The City continues to provide CDBG grants for housing rehabilitation to improve neighborhoods. The program is advertised by brochures in City buildings, the City Magazine, Press Releases, and by the Code Enforcement Division. Since 2014, the City has provided 29 loans through the Home Rehabilitation Program. In 2022, the City provided supported the rehabilitation of single-family housing units using CDBG funds. Both homeowners were extremely low-income (i.e., 30% of the county median income or less).



**Housing Programs Progress Report**

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
Program 17: Preserve At-Risk Housing	<p>1) Monitor status of affordable units by maintaining contact with property owners and monitoring updates from websites such as the California Housing Preservation Commission.</p> <p>2) Ensure property owners adhere to new state noticing requirements prior to conversion – three-year, one-year, and six-month notices are required.</p> <p>3) Solicit interest and participation of nonprofit housing developers to acquire and preserve the at-risk units as affordable units.</p> <p>4) Provide letters of support to affordable housing developers' and non-profit applications to local, State, and Federal agencies for funding. See also Programs 7 and 9.</p>	Ongoing.	<p>Ongoing.</p> <p>The City maintains a contact list to monitor status of affordable units with property managers. Staff also evaluates units at risk of converting to market rate housing, and none of the affordable housing units are at risk within the 10 year planning period (2013-2023). The City continues to explore funding opportunities and will explore development opportunities with developers and non-profits to build more affordable units or to help convert existing homes as affordable units. Staff continues to provide letters of support for affordable housing developers' applications. The City plans to develop marketing and economic development strategies to implement the Centennial General Plan land use goals.</p>
Program 17: Preserve At-Risk Housing	<p>5) Continue to work under contract with the Fair Housing Foundation (FHF) and/or other qualified fair housing service providers to provide fair housing services for all segments of the community, including tenant education and assistance. By the end of 2022 and annually thereafter, conduct outreach and education to landlords and tenants regarding the State's new source of income protection (SB 329 and SB 229) that recognizes public assistance such as Housing Choice Vouchers (HCV) and Veterans Assistance Supportive Housing (VASH) as legitimate source of income for rent payments. See also Program 12.</p>	Annually.	<p>Ongoing.</p> <p>The City contracts with Fair Housing Foundation (FHF) to provide fair housing services to City residents, including low-and-moderate income and special needs populations. Services include (1) Discrimination Complaint Intake and Investigation, (2) Outreach and Education, (3) Landlord/Tenant Counseling, and (4) Affirmatively Further Fair Housing Activities. In 2021/2022, the FHF conducted two Fair Housing Workshops, provided a presentation to Community Outreach Alliance. Also, FHF provided over 2,014 pieces of fair housing literature in English and Spanish and public service announcements were aired on the City's cable station.</p>

<b>Jurisdiction</b>	San Clemente	
<b>Reporting Period</b>	2022	(Jan. 1 - Dec. 31)
<b>Planning Period</b>	6th Cycle	10/15/2021 - 10/15/2029

**ANNUAL ELEMENT PROGRESS REPORT**  
**Housing Element Implementation**  
(CCR Title 25 §6202)

Note: "+" indicates an optional field  
Cells in grey contain auto-calculation formulas

<b>Table E</b>									
<b>Commercial Development Bonus Approved pursuant to GC Section 65915.7</b>									
Project Identifier				Units Constructed as Part of Agreement				Description of Commercial Development Bonus	Commercial Development Bonus Date Approved
1				2				3	4
APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Description of Commercial Development Bonus	Commercial Development Bonus Date Approved
Summary Row: Start Data Entry Below				20			230		
675-072-19	654 CAMINO DE LOS MARES	SC Senior Housing and Medical Office Development	MP22-089	20			230	78% density bonus with exceptions for parking, open space, and height	11/15/2022

Jurisdiction	San Clemente	
Reporting Period	2022	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	10/15/2021 - 10/15/2029

## ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

Note: "+" indicates an optional field  
Cells in grey contain auto-calculation formulas

**Table F**

**Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites pursuant to Government Code section 65583.1(c)**

Please note this table is optional: The jurisdiction can use this table to report units that have been substantially rehabilitated, converted from non-affordable to affordable by acquisition, and preserved, including mobilehome park preservation, consistent with the standards set forth in Government Code section 65583.1, subdivision (c). Please note, motel, hotel, hostel rooms or other structures that are converted from non-residential to residential units pursuant to Government Code section 65583.1(c)(1)(D) are considered net-new housing units and must be reported in Table A2 and not reported in Table F.

Activity Type	Units that Do Not Count Towards RHNA <sup>+</sup> Listed for Informational Purposes Only				Units that Count Towards RHNA <sup>+</sup> Note - Because the statutory requirements severely limit what can be counted, please contact HCD to receive the password that will enable you to populate these fields.				The description should adequately document how each unit complies with subsection (c) of Government Code Section 65583.1 <sup>+</sup> . For detailed reporting requirements, see the checklist here: <a href="https://www.hcd.ca.gov/community-development/docs/adequate-sites-checklist.pdf">https://www.hcd.ca.gov/community-development/docs/adequate-sites-checklist.pdf</a>
	Extremely Low-Income <sup>+</sup>	Very Low-Income <sup>+</sup>	Low-Income <sup>+</sup>	TOTAL UNITS <sup>+</sup>	Extremely Low-Income <sup>+</sup>	Very Low-Income <sup>+</sup>	Low-Income <sup>+</sup>	TOTAL UNITS <sup>+</sup>	
Rehabilitation Activity									
Preservation of Units At-Risk									
Acquisition of Units									
Mobilehome Park Preservation									
Total Units by Income									

Jurisdiction	San Clemente	
Reporting Period	2022	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	10/15/2021 - 10/15/2029

**ANNUAL ELEMENT PROGRESS REPORT**  
**Housing Element Implementation**

Note: "\*" indicates an optional field  
Cells in grey contain auto-calculation formulas

**Table F2**

**Above Moderate Income Units Converted to Moderate Income Pursuant to Government Code section 65400.2**

For up to 25 percent of a jurisdiction's moderate-income regional housing need allocation, the planning agency may include the number of units in an existing multifamily building that were converted to deed-restricted rental housing for moderate-income households by the imposition of affordability covenants and restrictions for the unit. Before adding information to this table, please ensure housing developments meet the requirements described in Government Code 65400.2(b).

Project Identifier				Unit Types		Affordability by Household Incomes After Conversion							Units credited toward Above Moderate RHNA		Notes	
1				2	3	4							5		6	
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (2 to 4, 5+)	Tenure R=Renter	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Total Moderate Income Units Converted from Above Moderate	Date Converted	Notes
Summary Row: Start Data Entry Below																

<b>Jurisdiction</b>	San Clemente	
<b>Reporting Period</b>	2022	(Jan. 1 - Dec. 31)
<b>Planning Period</b>	6th Cycle	10/15/2021 - 10/15/2029

**NOTE: This table must only be filled out if the housing element sites inventory contains a site which is or was owned by the reporting jurisdiction, and has been sold, leased, or otherwise disposed of during the reporting year.**

Note: "+" indicates an optional field  
Cells in grey contain auto-calculation formulas

**ANNUAL ELEMENT PROGRESS REPORT  
Housing Element Implementation**

**Table G**

**Locally Owned Lands Included in the Housing Element Sites Inventory that have been sold, leased, or otherwise disposed of**

Project Identifier				2	3	4
1						
APN	Street Address	Project Name <sup>+</sup>	Local Jurisdiction Tracking ID <sup>+</sup>	Realistic Capacity Identified in the Housing Element	Entity to whom the site transferred	Intended Use for Site
Summary Row: Start Data Entry Below						

Jurisdiction	San Clemente
Reporting Period	2022 (Jan. 1 - Dec. 31)

NOTE: This table is meant to contain an inventory of ALL surplus/excess lands the reporting jurisdiction owns

Note: "+" indicates an optional field  
Cells in grey contain auto-calculation formulas

**ANNUAL ELEMENT PROGRESS REPORT  
Housing Element Implementation**

For Orange County jurisdictions, please format the APN's as follows:999-999-99

**Table H**

**Locally Owned Surplus Sites**

Parcel Identifier							Designation	Size	Notes
1	2	3	4	5	6	7			
APN	Street Address/Intersection	Existing Use	Number of Units	Surplus Designation	Parcel Size (in acres)	Notes			
Summary Row: Start Data Entry Below									
678-163-01	Avenida La Pata/West Avenida Vista Hermosa	Vacant		Surplus Land	2.29				
690-372-03	754 Avenida Acapulco	Vacant		Surplus Land	0.17				
690-012-01	100 Avenida Presidio	Vacant		Surplus Land	2.89				
690-012-02	100 Avenida Presidio	Vacant		Surplus Land	1.82				

# ANNUAL ELEMENT PROGRESS REPORT

## Housing Element Implementation

Jurisdiction	San Clemente	
Reporting Period	2022	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	10/15/2021 - 10/15/2029

NOTE: SB 9 PROJECTS ONLY. This table only needs to be completed if there were lot splits applied for pursuant to Government Code 66411.7 OR units constructed pursuant to 65852.21.  
**Units entitled/permitted/constructed must also be reported in Table A2. Applications for these units must be reported in Table A.**

optional field  
 Cells in grey contain auto-calculation formulas

Table I

Units Constructed Pursuant to Government Code 65852.21 and Applications for Lot Splits Pursuant to Government Code 66411.7 (SB9)

Project Identifier				Project Type	Date	Unit Constructed			
1				2	3	4			
APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Activity	Date	Very Low Income	Low Income	Moderate Income	Above Moderate Income
Summary Row: Start Data Entry Below									

<b>Jurisdiction</b>	San Clemente	
<b>Reporting Period</b>	2022	(Jan. 1 - Dec. 31)
<b>Planning Period</b>	6th Cycle	10/15/2021 - 10/15/2029

NOTE: STUDENT HOUSING WITH DENSITY BONUS ONLY. This table only needs to be completed if there were student housing projects WITH a density bonus approved pursuant to Government Code 65915(b)(1)(F)

## ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

Notes
Cells in g

Table J Student housing development for lower income students for which was granted a density bonus pursuant to subparagraph (F) of paragraph (1) of subdivision (b) of Section 65915												
Project Identifier				Project Type	Date	Units (Beds/Student Capacity) Approved						
1				2	3	4						
APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SH - Student Housing)	Date	Very Low- Income Deed Restricted	Very Low- Income Non Deed Restricted	Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderate- Income Deed Restricted	Moderate- Income Non Deed Restricted	Above Moderate- Income
Summary Row: Start Data Entry Below												



Jurisdiction	San Clemente	
Reporting Year	2022	(Jan. 1 - Dec. 31)

**ANNUAL ELEMENT PROGRESS REPORT**  
**Local Early Action Planning (LEAP) Reporting**  
 (CCR Title 25 §6202)

Please update the status of the proposed uses listed in the entity's application for funding and the corresponding impact on housing within the region or jurisdiction, as applicable, categorized based on the eligible uses specified in Section 50515.02 or 50515.03, as applicable.

<b>Total Award Amount</b>	\$ 300,000.00	<i>Total award amount is auto-populated based on amounts entered in rows 15-26.</i>
---------------------------	---------------	---

Task	\$ Amount Awarded	\$ Cumulative Reimbursement Requested	Task Status	Other Funding	Notes
Sites analysis, rezoning, and environmental review	\$210,000.00	\$146,989.40	In Progress	Other	Currently in-progress to complete the rezoning phase of the project. Other funding includes \$209,990 City general funds and \$46,000 SB2 grant funding.
Objective design standards adoption	\$90,000.00	\$0.00	Other (Please Specify in Notes)	None	Started project task in October of 2022. A request for reimbursement has not been completed, since the project is in-progress.

## **Zoning Updates for State law and Housing Element Implementation**

This appendix includes updates to the Zoning Ordinance to meet State housing law and implement the Housing Action Plan

ORDINANCE NO. 1740

AN ORDINANCE OF THE CITY COUNCIL OF SAN CLEMENTE, CALIFORNIA AMENDING SECTION 17.24.070 OF THE SAN CLEMENTE MUNICIPAL CODE REGARDING DENSITY BONUSES AND OTHER AFFORDABLE HOUSING INCENTIVES REQUIRED BY STATE LAW AND FINDING THE ACTION TO BE EXEMPT FROM CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

**WHEREAS**, California's Density Bonus Law (Gov. Code, § 65915 et seq.) encourages developers to build affordable housing (e.g., very low-, low- and moderate-income units) by requiring cities to grant a density bonus, concessions, incentives, and waivers of developments standards for projects that commit certain percentages of their units to affordable housing; and

**WHEREAS**, Government Code Section 65915 requires cities to adopt an ordinance specifying how the city will implement State Density Bonus Law; and

**WHEREAS**, Section 17.24.070 of the San Clemente Municipal Code ("SCMC") contains the City's regulations implementing State Density Bonus Law; and

**WHEREAS**, SCMC section 17.24.070 was last amended via Ordinance No. 1652, which was adopted on May 15, 2018; and

**WHEREAS**, the California Legislature frequently amends the State Density Bonus Law; and

**WHEREAS**, the City desires to remain in compliance with the requirements of State Density Bonus Law; and

**WHEREAS**, this ordinance ("Ordinance") updates SCMC section 17.24.070 by replacing the contents thereof with a provision that incorporates the State Density Bonus Law by reference. As amended by this Ordinance, SCMC section 17.24.070 will provide that density bonuses and other affordable housing incentives required by State law (including but not limited to Government Code section 65915 et seq.) will be available to applicants on the terms and conditions specified in State law; and

**WHEREAS**, incorporating the State Density Bonus Law by reference will ensure that the SCMC remains current whenever the Legislature amends the State Density Bonus Law; and

**WHEREAS**, on November 2, 2022, the Planning Commission conducted a duly noticed public hearing to consider the staff report, recommendations by staff, and public testimony concerning the Ordinance. Following the public hearing, the Planning Commission voted to forward the Ordinance to the City Council with a recommendation in favor of its adoption; and

**WHEREAS**, on November 23, 2022, the City gave public notice of a City Council public hearing to be held to consider this Ordinance by advertisement in a newspaper of general circulation; and

**WHEREAS**, on December 6, 2022, the City Council conducted a duly noticed public hearing to consider the Ordinance, including: (1) the public testimony and agenda reports prepared in connection with the Ordinance; (2) the policy considerations discussed therein; and (3) the consideration and recommendation of the Planning Commission; and

**WHEREAS**, all legal prerequisites to the adoption of the Ordinance have occurred.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1. Incorporation of Recitals.** The recitals above are true and correct and are hereby adopted as findings as if fully set forth herein.

**SECTION 2. CEQA.** The City Council finds that adoption of this Ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 15358 (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Moreover, the proposed action is also exempt under CEQA Guidelines Section 15305 as a minor alteration in land-use limitation, as the proposed action does not allow any more density than before; it merely incorporates California’s density-bonus statute and allowances by direct reference to the statute. Lastly, the City Council finds that this Ordinance is also exempt under CEQA pursuant to Guidelines Section 15061(b)(3) (there exists no possibility that the activity will have a significant adverse effect on the environment) because this Ordinance will not cause a change in any of the physical conditions within the area affected by the Ordinance.

**SECTION 3. Required Findings.** In accordance with subsection (F) of San Clemente Municipal Code section 17.16.040, the City Council hereby makes the following findings:

1. *General Plan.* This Ordinance’s amendments to San Clemente Municipal Code section 17.24.070 are consistent with the City’s adopted General Plan. Specifically, Land Use Element Policy LU-1.01 provides that the City should accommodate the development of a variety of housing types, styles and densities. This Ordinance is consistent with—and effectuates—Policy LU-1.01 by ensuring that qualifying housing projects are afforded the requisite concessions, incentives, and density bonuses required under State law. Collectively, this will facilitate housing projects with a variety of housing types, styles and densities in the City. Furthermore, this Ordinance is consistent with, and in furtherance of, the General Plan as it implements a component of Program 14 from the City’s Sixth Cycle Housing Element

“Housing Action Plan”—which, in relevant part, provides that the City will update its density bonus ordinance to comply with recent changes in State law.

2. *Health, Safety, and Welfare.* Adoption of the Ordinance will not adversely affect the public health, safety, and welfare as it simply updates the San Clemente Municipal Code to comply with state law requirements governing the instances where the City must provide density bonuses and other affordable housing incentives required by state law. Adoption of this Ordinance is also consistent with—and contemplated by—the City’s Sixth Cycle Housing Element, the adoption which the City Council determined will not adversely impact the public health, safety and welfare. For these reasons, adoption of this Ordinance will not adversely affect the public health, safety, and welfare.

**SECTION 4. Code Amendment.** Section 17.24.070 of Title 17 of the San Clemente Municipal Code is hereby amended to read in its entirety as follows:

**“Section 17.24.070 - Density Bonuses and Other Affordable Housing Incentives**

- A. Purpose. The purpose of this Section is to allow density bonuses and other affordable housing incentives to qualifying projects in accordance with State law.
- B. Density Bonus and Affordable Housing Incentives. The density bonuses and other affordable housing incentives required by State law, including, but not limited to, Government Code Section 65915 et seq., shall be available to applicants on the terms and conditions specified in State law.”

**SECTION 5. Severability.** If any provision of this Ordinance or its application to any person or circumstance is held invalid by a court of competent jurisdiction, such invalidity has no effect on the other provisions or applications of the Ordinance that can be given effect without the invalid provision or application, and to this extent, the provisions of this Ordinance are severable. The City Council declares that it would have adopted this Ordinance irrespective of the invalidity of any portion thereof.

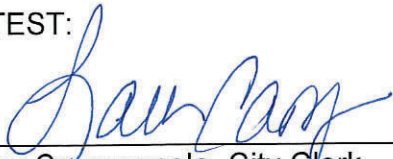
**SECTION 6. Publication.** The City Clerk shall certify to the adoption of this Ordinance and cause it, or a summary of it, to be published once within 15 days of adoption in a newspaper of general circulation printed and published within the City of San Clemente, and shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk in accordance with California Government Code, section 36933.


**SECTION 7. Records.** The documents and materials associated with this Ordinance that constitute the record of proceedings on which the City Council’s findings and determinations are based are located at City Hall, 910 Calle Negocio, San Clemente, CA 92673.

**SECTION 7. Effective Date.** This Ordinance shall become effective 30 days after its adoption.

APPROVED AND ADOPTED this 20 day of December, 2022.

ATTEST:

  
\_\_\_\_\_  
Laura Campagnolo, City Clerk

  
\_\_\_\_\_  
Chris Duncan, Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Scott Smith, City Attorney

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

I, **Laura Campagnolo**, City Clerk of the City of San Clemente, California, hereby certify that Ordinance No. 1740 having been regularly introduced at the meeting of December 6, 2022, was again introduced, the reading in full thereof unananimously waived, and duly passed and adopted at a regular meeting of the City Council held on the 20 day of December, 2022, and said ordinance was adopted by the following vote:

AYES: CABRAL, ENMEIER, KNOBLOCK, MAYOR DUNCAN

NOES: NONE

ABSENT: JAMES

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this 20 day of December, 2022.

  
\_\_\_\_\_  
Laura Campagnolo, City Clerk

ORDINANCE NO. 1741

AN ORDINANCE OF THE CITY COUNCIL OF SAN CLEMENTE, CALIFORNIA AMENDING SECTION 17.56.100 OF THE SAN CLEMENTE MUNICIPAL CODE TO COMPLY WITH ASSEMBLY BILL 139 REGARDING PARKING REQUIREMENTS FOR EMERGENCY SHELTERS AND FINDING THE ORDINANCE NOT SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

**WHEREAS**, on November 1, 2016, the City Council of the City of San Clemente (“City”) adopted Ordinance No. 1634; and

**WHEREAS**, Ordinance No. 1634 amended Chapter 17.56 (Overlay Districts and Standards) of the San Clemente Municipal Code (“SCMC”) to establish a new zoning overlay designation known as the “SB 2 Overlay” zone or district (hereafter referred to as the “SB 2 Overlay Zone”); and

**WHEREAS**, in accordance with California Senate Bill 2, the City allows emergency shelters within the SB 2 Overlay Zone by right so long as each shelter complies with specified operational and development standards (collectively the “Emergency Shelter Standards”); and

**WHEREAS**, the Emergency Shelter Standards are codified in SCMC Section 17.56.100. Among other things, they require shelters to provide on-site parking at a ratio of not less than one vehicle space per five beds; and

**WHEREAS**, on September 26, 2019, the Governor approved California Assembly Bill 139, entitled the “Emergency and Transitional Housing Act of 2019” (“AB 139”); and

**WHEREAS**, following AB 139, cities may require emergency shelters to provide sufficient on-site parking to accommodate all staff working in the emergency shelter, provided that the standards do not require more parking for emergency shelters than other residential or commercial uses in the same zone; and

**WHEREAS**, the City’s draft Sixth Cycle Housing Element (covering 2021 – 2029) provides that the City will amend the Emergency Shelter Standards to establish on-site parking requirements based on staffing level only. This ordinance (the “Ordinance”) so amends the Emergency Shelter Standards; and

**WHEREAS**, on November 2, 2022, the Planning Commission conducted a duly noticed public hearing to consider the staff report, recommendations by staff, and public testimony concerning the Ordinance. Following the public hearing, the Planning Commission voted to forward the Ordinance to the City Council with a recommendation in favor of its adoption; and

**WHEREAS**, on November 23, 2022, the City gave public notice of a City Council public hearing to be held to consider this Ordinance by advertisement in a newspaper of general circulation; and

**WHEREAS**, on December 6, 2022, the City Council conducted a duly noticed public hearing to consider the Ordinance, including: (1) the public testimony and agenda reports prepared in connection with the Ordinance; (2) the policy considerations discussed therein; and (3) the consideration and recommendation of the Planning Commission; and

**WHEREAS**, all legal prerequisites to the adoption of the Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

**SECTION 1. Incorporation of Recitals.** The recitals above are true and correct and are hereby adopted as findings as if fully set forth herein.

**SECTION 2. CEQA.** The City Council finds that this Ordinance is not a “project” subject to the California Environmental Quality Act (CEQA). The Ordinance does not qualify as a project because it has no potential to result in either a direct, or reasonably foreseeable indirect, physical change in the environment. (State CEQA Guidelines, § 15378, subd. (a).) The language merely adjusts the on-site parking requirements for emergency shelters to comply with recent changes in State law. In the alternative, the City Council finds that the Ordinance falls within the “common sense” exemption set forth in State CEQA Guidelines section 15061, subdivision (b)(3), which exempts activity from CEQA where “it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” Here, it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment because the Ordinance simply updates the on-site parking requirements for emergency shelters to comply with State law. The Ordinance will not result in any development or in any new activity with the potential to impact the environment.

**SECTION 3. Required Findings.** In accordance with subsection (F) of San Clemente Municipal Code section 17.16.040, the City Council hereby makes the following findings:

1. *General Plan.* This Ordinance’s amendments to San Clemente Municipal Code Section 17.56.100 are consistent with the City’s adopted General Plan. Specifically, Land Use Element Policy LU-1.01 provides that the City should accommodate the development of a variety of housing types, styles and densities. This Ordinance is consistent with—and effectuates—Policy LU-1.01 by accommodating the development of emergency shelters through reducing the required on-site parking for this use (previously, the on-site parking requirement was one space for every five beds; it’s now based solely on each shelter’s specific staffing needs).



Furthermore, this Ordinance is consistent with, and in furtherance of, the General Plan as it implements a component of the City's Sixth Cycle Housing Element—which, in relevant part, provides that the City will amend the SB 2 Overlay Zone's parking requirements to comply with AB 139.

2. *Health, Safety, and Welfare.* Adoption of the Ordinance will not adversely affect the public health, safety, and welfare as it simply updates the San Clemente Municipal Code to comply with state law requirements governing on-site parking requirements for emergency shelters. Adoption of this Ordinance is also consistent with—and contemplated by—the City's Sixth Cycle Housing Element, the adoption which the City Council determined will not adversely impact the public health, safety and welfare. For these reasons, adoption of this Ordinance will not adversely affect the public health, safety, and welfare.

**SECTION 4. Code Amendment.** Subsection (D)(5) of Section 17.56.100 of the San Clemente Municipal Code is hereby amended to read in its entirety as follows (additions shown in underline and deletions shown in ~~strikethrough~~):

“Parking. Subject to Government Code Section 65583(a)(4)(A)(ii), on-site parking shall be supplied at a ratio of not less than one space for every employee in the largest shift. ~~On-site parking shall be supplied at a ratio of not less than one vehicle space per five beds. Parking spaces shall be designed to meet City standards. Enclosed, secure bicycle parking shall be provided on-site at the ratio of not less than one bicycle parking space per ten beds.~~”

**SECTION 5. Publication.** The City Clerk shall certify to the adoption of this Ordinance and cause it, or a summary of it, to be published once within 15 days of adoption in a newspaper of general circulation printed and published within the City of San Clemente, and shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk in accordance with California Government Code, section 36933.

**SECTION 6. Records.** The documents and materials associated with this Ordinance that constitute the record of proceedings on which the City Council's findings and determinations are based are located at City Hall, 910 Calle Negocio, San Clemente, CA 92673.


**SECTION 7. Severability.** If any provision of this ordinance or its application to any person or circumstance is held invalid, such invalidity has no effect on the other provisions or applications of the ordinance that can be given effect without the invalid provision or application, and to this extent, the provisions of this ordinance are severable. The City Council declares that it would have adopted this ordinance irrespective of the invalidity of any portion thereof.

**SECTION 8. Effective Date.** This Ordinance shall become effective 30 days after its adoption.

APPROVED AND ADOPTED this 20 day of December, 2022.

ATTEST:

  
\_\_\_\_\_  
Laura Campagnolo, City Clerk

  
\_\_\_\_\_  
Chris Duncan, Mayor

APPROVED AS TO LEGAL FORM:

  
\_\_\_\_\_  
Scott C. Smith, City Attorney

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

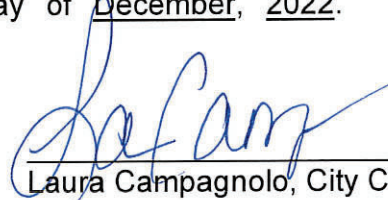
I, **Laura Campagnolo**, City Clerk of the City of San Clemente, California, hereby certify that Ordinance No. 1741 having been regularly introduced at the meeting of December 6, 2022, was again introduced, the reading in full thereof unanimously waived, and duly passed and adopted at a regular meeting of the City Council held on the 20 day of December, 2022, and said ordinance was adopted by the following vote:

AYES: CABRAL, ENMEIER, KNOBLOCK, MAYOR DUNCAN

NOES: NONE

ABSENT: JAMES

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this 20 day of December, 2022.

  
\_\_\_\_\_  
Laura Campagnolo, City Clerk

**ORDINANCE NO. 1742**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA AMENDING SECTION 17.28.270 OF THE SAN CLEMENTE MUNICIPAL CODE GOVERNING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS TO COMPLY WITH CHANGES IN STATE LAW AND FINDING THE ACTION TO BE EXEMPT FROM CEQA (CEQA)**

**WHEREAS**, the City of San Clemente, California ("City") is a municipal corporation, duly organized under the California Constitution and laws of the State of California; and

**WHEREAS**, the Planning and Zoning Law authorizes local agencies to act by ordinance to provide for the creation and regulation of accessory dwelling units ("ADUs") and junior accessory dwelling units ("JADUs"); and

**WHEREAS**, in 2019, the California Legislature approved, and the Governor signed into law a number of bills ("2019 ADU Laws") that, among other things, amended Government Code section 65852.2 and 65852.22 to impose new limits on local authority to regulate ADUs and JADUs; and

**WHEREAS**, in September 2020, the California Legislature approved, and the Governor signed into law, Assembly Bill 3182 ("AB 3182"); and

**WHEREAS**, AB 3182, among other things, amended Government Code section 65852.2 to expand the scenarios under which the City must allow certain ADUs and JADUs with only a building permit; and

**WHEREAS**, in September 2021, the California Legislature approved, and the Governor signed into law, Assembly Bill 345 ("AB 345"); and

**WHEREAS**, AB 345 requires cities to allow the separate sale or conveyance of certain ADUs that satisfy the conditions set forth in Government Code section 65852.26. Such conditions include, among other things, that the ADU or the primary dwelling was constructed by a qualified nonprofit and the ADU is sold to a qualified low-income buyer; and

**WHEREAS**, in September 2022, the Legislature approved, and the Governor signed into law, Assembly Bill 2221 and Senate Bill 897 ("AB 2221" and "SB 897," respectively); and

**WHEREAS**, AB 2221 and SB 897 imposed further restrictions on local authority to regulate ADUs and JADUs, including with respect to height limits, setbacks, application review and denial procedures, unpermitted structures, and JADU configurations; and

**WHEREAS**, the City's regulations governing ADUs and JADUs are provided in Section 17.28.270 of the San Clemente Municipal Code ("SCMC"); and

**WHEREAS**, the City last updated SCMC Section 17.28.270 via Ordinance No. 1707, which was adopted on February 2, 2021; and

**WHEREAS**, additional amendments to SCMC Section 17.28.270 are necessary to comply with the above legislation and HCD's guidance on the same. This ordinance ("Ordinance") so updates SCMC Section 17.28.270; and

**WHEREAS**, on October 21, 2022, the City gave public notice of a Planning Commission public hearing to be held to consider this Ordinance by advertisement in a newspaper of general circulation; and

**WHEREAS**, on November 2, 2022, the Planning Commission held a duly-noticed public hearing to consider the staff report, recommendations by staff, and public testimony concerning this Ordinance. Following the public hearing, the Planning Commission voted to forward the Ordinance to the City Council with a recommendation in favor of its adoption; and

**WHEREAS**, on November 23, 2022 the City gave public notice of a City Council public hearing to be held to consider this Ordinance by advertisement in a newspaper of general circulation; and

**WHEREAS**, on December 6, 2022, the City Council held a duly-noticed public hearing to consider the Ordinance, including: (1) the public testimony and agenda reports prepared in connection with the Ordinance, (2) the policy considerations discussed therein, and (3) the consideration and recommendation by the City's Planning Commission; and

**WHEREAS**, all legal prerequisites to the adoption of the Ordinance have occurred.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE DOES HEREBY ORDAIN AS FOLLOWS:**

**Section 1.** The foregoing Recitals are true and correct and are incorporated herein by this reference.

**Section 2. CEQA.** Under California Public Resources Code section 21080.17, the California Environmental Quality Act ("CEQA") does not apply to the adoption of an ordinance by a city or county implementing the provisions of section 65852.2 of the Government Code, which is California's ADU law and which also regulates JADUs, as defined by section 65852.22. Therefore, the proposed ordinance is statutorily exempt from CEQA in that the proposed ordinance implements the State's ADU law.

**Section 3. Required Findings.** In accordance with subsection (F) of San

Clemente Municipal Code section 17.16.040, the Planning Commission hereby makes the following findings:

1. *General Plan.* This Ordinance is, as a matter of law, consistent with the City's General Plan pursuant to Government Code Section 65852.2(a)(1)(C).
2. *Health, Safety, and Welfare.* Adoption of the Ordinance will not adversely affect the public health, safety, and welfare as it simply updates the San Clemente Municipal Code to comply with state law requirements governing the construction of ADUs and JADUs in the City. Adoption of this Ordinance is also consistent with—and contemplated by—the City's Sixth Cycle Housing Element, the adoption which the City Council determined will not adversely impact the public health, safety and welfare. For these reasons, adoption of this Ordinance will not adversely affect the public health, safety, and welfare.

**Section 4. Code Amendments.** Section 17.28.270 of the San Clemente Municipal Code is hereby amended to read as set forth in Exhibit "A," attached hereto and incorporated herein.

**Section 5. Effective Date.** This Ordinance takes effect 30 days following its adoption.

**Section 6. Submittal to HCD.** The City Clerk shall submit a copy of this Ordinance to the Department of Housing and Community Development within 60 days after adoption.

**Section 7. Custodian of Records.** The documents and materials that constitute the record of proceedings on which this Ordinance is based are located at the City Clerk's office located at 910 Calle Negocio, San Clemente, CA 92673. The custodian of these records is the City Clerk.

**Section 8. Severability.** If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The City Council hereby declares that they would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

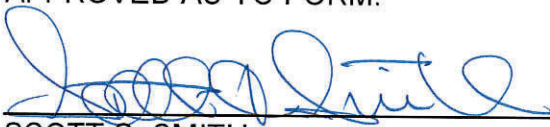
**Section 9. Certification.** The City Clerk shall certify to the adoption of this Ordinance and cause it, or a summary of it, to be published once within 15 days of adoption in a newspaper of general circulation printed and published within the City of San Clemente, and shall post a certified copy of this Ordinance, including the vote for and

against the same, in the Office of the City Clerk in accordance with California Government Code section 36933.

**PASSED, APPROVED, AND ADOPTED** by the City Council of San Clemente, California, on the 20 day of December 2022.

  
\_\_\_\_\_  
CHRIS DUNCAN, MAYOR

ATTEST:  
  
\_\_\_\_\_  
LAURA CAMPAGNOLO  
CITY CLERK

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
SCOTT C. SMITH  
CITY ATTORNEY

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

I, Laura Campagnolo, City Clerk of the City of San Clemente, do hereby certify that the foregoing Ordinance No. 1742 was duly introduced and placed upon its first reading at a regular meeting of the City Council on the 6 day of December, 2022, and thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 20 day of December 2022, by the following vote:

AYES: CABRAL, ENMEIER, KNOBLOCK, MAYOR DUNCAN

NOES: NONE

ABSENT: JAMES

:



---

LAURA CAMPAGNOLO  
CITY CLERK

**17.28.270 Accessory Dwelling Units**

- A. **Purpose and Intent.** The purpose and intent of this section is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) within the City. The regulations in this section are intended to comply with California Government Code §§ 65852.2 and 65852.22, as they may be amended.
- B. **Effect of Conforming.** An ADU or JADU that conforms to the standards in this section will not be:
1. Deemed to be inconsistent with the City's general plan and zoning designation for the lot on which the ADU or JADU is located.
  2. Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.
  3. Considered in the application of any local ordinance, policy, or program to limit residential growth.
  4. Required to correct a nonconforming zoning condition, as defined in subsection C.7 below. This does not prevent the City from enforcing compliance with applicable building standards in accordance with Health and Safety Code section 17980.12.
- C. **Definitions.** As used in this section, terms are defined as follows:
1. "Accessory dwelling unit" or "ADU" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An accessory dwelling unit also includes the following:
    - a. An efficiency unit, as defined by California Health and Safety Code § 17958.1; and
    - b. A manufactured home, as defined by California Health and Safety Code § 18007.
  2. "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.
  3. "Complete independent living facilities" means permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multi-family dwelling is or will be situated.
  4. "Efficiency kitchen" means a kitchen that includes all of the following:
    - a. A cooking facility with appliances.
    - b. A food preparation counter and storage cabinets that are of a reasonable size in relation to the size of the JADU.
  5. "Junior accessory dwelling unit" or "JADU" means a residential unit that satisfies all of the following:
    - a. It is no more than 500 square feet in size.



- b. It is contained entirely within an existing or proposed single-family structure. An enclosed use within the residence, such as an attached garage, is considered to be a part of and contained within the single-family structure.
  - c. It includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family structure.
  - d. If the unit does not include its own separate bathroom, then it contains an interior entrance to the main living area of the existing or proposed single-family structure in addition to an exterior entrance that is separate from the main entrance to the primary dwelling.
  - e. It includes an efficiency kitchen, as defined in subsection C.4 above.
- 6. "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.
  - 7. "Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.
  - 8. "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU.
  - 9. "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.
  - 10. "Public transit" means a location, including, but not limited to, a bus stop or train station or SC Rides, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.
  - 11. "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.
- D. **Permit Procedures.** The following approvals apply to ADUs and JADUs under this section:
- 1. **Building-Permit Only.** If an ADU or JADU complies with each of the general requirements in subsection E below, it is allowed with only a building permit in the following scenarios:
    - a. **Converted on Single-family Lot:** One ADU as described in this subsection D.1.a and one JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:
      - i. Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or (in the case of an ADU only) within the existing space of an accessory structure, plus up to 150 additional square feet if the expansion is limited to accommodating ingress and egress; and
      - ii. Has exterior access that is independent of that for the single-family dwelling; and

- iii. Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes; and
    - iv. The JADU complies with the requirements of Government Code Section 65852.22.
  - b. **Limited Detached on Single-family Lot:** One detached, new-construction ADU on a lot with a proposed or existing single-family dwelling (in addition to any JADU that might otherwise be established on the lot under subsection D.1.a above), if the detached ADU satisfies each of the following limitations:
    - i. The side- and rear-yard setbacks are at least four feet.
    - ii. The total floor area is 800 square feet or smaller.
    - iii. The peak height above grade does not exceed the applicable height limit in subsection E.2 below.
  - c. **Converted on Multifamily Lot:** One or more ADUs within portions of existing multi-family dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. Under this subsection D.1.c, at least one converted ADU is allowed within an existing multi-family dwelling, up to a quantity equal to 25 percent of the existing multi-family dwelling units.
  - d. **Limited Detached on Multifamily Lot:** No more than two detached ADUs on a lot that has an existing or proposed multi-family dwelling if each detached ADU satisfies both of the following limitations:
    - i. The side- and rear-yard setbacks are at least four feet. If the existing multifamily dwelling has a rear or side yard setback of less than four feet, the City will not require any modification to the multifamily dwelling as a condition of approving the ADU.
    - ii. The peak height above grade does not exceed the applicable height limit provided in subsection E.2 below.
- 2. **ADUs that Require an ADU Permit.**
  - a. Except as allowed under subsection D.1 above, no ADU may be created without a building permit and an ADU permit in compliance with the standards set forth in subsections E and F below.
  - b. The City may charge a fee to reimburse it for costs incurred in processing ADU permits, including the costs of adopting or amending the City's ADU ordinance. The ADU permit processing fee is determined the Planning Division and approve by the City Council by resolution.
- 3. **Application Process and Timing.**
  - a. An ADU permit application is considered ministerially, without any discretionary review or a hearing.

- b. The City must approve or deny an application to create an ADU or JADU within 60 days from the date that the City receives a completed application. If the City has not approved or denied the completed application within 60 days, the application is deemed approved unless either:
    - i. The applicant requests a delay, in which case the 60-day time period is tolled for the period of the requested delay, or
    - ii. When an application to create an ADU or JADU is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, the City may delay acting on the permit application for the ADU or JADU until the City acts on the permit application to create the new single-family or multifamily dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.
  - c. If the City denies an application to create an ADU or JADU, the City must provide the applicant with comments that include, among other things, a list of all the defective or deficient items and a description of how the application may be remedied by the applicant. Notice of the denial and corresponding comments must be provided to the applicant within the 60-day time period established by subsection D.3.b above.
  - d. A demolition permit for a detached garage that is to be replaced with an ADU is reviewed with the application for the ADU and issued at the same time.
4. **Impact and Utility Fees.** The following requirements apply to all ADUs and JADUs that are approved under subsections D.1 or D.2 above.
- a. **Impact Fees.**
    - i. No impact fee is required for an ADU that is less than 750 square feet in size. For purposes of this subsection D.4.a, "impact fee" means a "fee" under the Mitigation Fee Act (Government Code § 66000(b)) and a fee under the Quimby Act (Government Code § 66477). "Impact fee" here does not include any connection fee or capacity charge for water or sewer service.
    - ii. Any impact fee that is required for an ADU that is 750 square feet or larger in size must be charged proportionately in relation to the square footage of the primary dwelling unit. (E.g., the floor area of the ADU, divided by the floor area of the primary dwelling, times the typical fee amount charged for a new dwelling.)

b. **Utility Fees.**

- i. If an ADU is constructed with a new single-family home, a separate utility connection directly between the ADU and the utility and payment of the normal connection fee and capacity charge for a new dwelling are required.
- ii. Except as described in subsection D.4.b.i, converted ADUs on a single-family lot that are created under subsection D.1.a above are not required to have a new or separate utility connection directly between the ADU and the utility. Nor is a connection fee or capacity charge required.
- iii. Except as described in subsection D.4.b.i, all ADUs that are not covered by subsection D.4.b.ii require a new, separate utility connection directly between the ADU and the utility.
  - (a) The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU, based on either the floor area or the number of drainage-fixture units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system.
  - (b) The portion of the fee or charge that is charged by the City may not exceed the reasonable cost of providing this service.

E. **General ADU and JADU Requirements.** The following requirements apply to all ADUs and JADUs that approved under subsections D.1 and D.2 above:

1. **Zoning.**

- a. An ADU or JADU subject only to a building permit under subsection D.1 above may be created on a lot in a residential or mixed-use zone.
- b. An ADU subject to an ADU permit under subsection D.2 above may be created on a lot that is zoned to allow single-family dwelling residential use or multi-family dwelling residential use.

2. **Height.**

- a. Except as otherwise provided by subsections E.2.b and E.2.c below, a detached ADU created on a lot with an existing or proposed single family or multifamily dwelling unit may not exceed 16 feet in height.
- b. A detached ADU may be up to 18 feet in height if it is created on a lot with an existing or proposed single family or multifamily dwelling unit that is located within one-half mile walking distance of a major transit stop or a high quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code, and the ADU may be up to two additional feet in height (for a maximum of 20 feet) if necessary to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.

- c. A detached ADU created on a lot with an existing or proposed multifamily dwelling that has more than one story above grade may not exceed 18 feet in height.
  - d. An ADU that is attached to the primary dwelling may not exceed 25 feet in height or the height limitation imposed by the underlying zone that applies to the primary dwelling, whichever is lower. Notwithstanding the foregoing, ADUs subject to this subsection E.2.d may not exceed two stories.
  - e. For purposes of this subsection E.2, height is measured above existing legal grade to the peak of the structure.
3. **Fire Sprinklers.**
- a. Fire sprinklers are required in an ADU if sprinklers are required in the primary residence.
  - b. The construction of an ADU does not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.
4. **Rental Term.** No ADU or JADU may be rented for a term that is shorter than 30 days. This prohibition applies regardless of when the ADU or JADU was created.
5. **No Separate Conveyance.** An ADU or JADU may be rented, but, except as otherwise provided in Government Code Section 65852.26, no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot), or from the lot and all of the dwellings (in the case of a multi-family lot).
6. **Septic System.** If the ADU or JADU will connect to an onsite waste-water treatment system, the owner must include with the application a percolation test completed within the last five years or, if the percolation test has been recertified, within the last 10 years.
7. **Owner Occupancy.**
- a. An ADU that is permitted after January 1, 2020, but before January 1, 2025, is not subject to any owner-occupancy requirement.
  - b. Unless applicable law requires otherwise, all ADUs that are permitted on or after January 1, 2025 are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property as the person's legal domicile and permanent residence.
  - c. As required by applicable law, all JADUs are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence. However, the owner-occupancy requirement in this subsection E.7.c does not apply if the property is entirely owned by another governmental agency, land trust, or housing organization.

8. **Deed Restriction.** Prior to issuance of a building permit for an ADU or JADU, a deed restriction must be recorded against the title of the property in the County Recorder's office and a copy filed with the Planning Division. The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the City and must provide that:
- a. Except as otherwise provided in Government Code Section 65852.26, the ADU or JADU may not be sold separately from the primary dwelling.
  - b. The ADU or JADU is restricted to the approved size and to other attributes allowed by this section.
  - c. The deed restriction runs with the land and may be enforced against future property owners.
  - d. The deed restriction may be removed if the owner eliminates the ADU or JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the Planning Division, providing evidence that the ADU or JADU has in fact been eliminated. The Planning Division may then determine whether the evidence supports the claim that the ADU or JADU has been eliminated. Appeal may be taken from the Planning Division's determination consistent with other provisions of this code. If the ADU or JADU is not entirely physically removed, but is only eliminated by virtue of having a necessary component of an ADU or JADU removed, the remaining structure and improvements must otherwise comply with all applicable legal requirements, including those of the Zoning Code.
  - e. The deed restriction is enforceable by the Planning Division for the benefit of the City. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the City is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the ADU or JADU in violation of the recorded restrictions or abatement of the illegal unit.
9. **Building & Safety.**
- a. **Must comply with building code.** Subject to subsection E.9.b below, all ADUs and JADUs must comply with all local building code requirements.
  - b. **No change in occupancy.** Construction of an ADU does not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code, unless the building official or Code Enforcement Division officer makes a written finding based on substantial evidence in the record that the construction of the ADU could have a specific, adverse impact on public health and safety. Nothing in this subsection E.9.b

prevents the City from changing the occupancy code of a space that was uninhabitable space or that was only permitted for nonresidential use and was subsequently converted for residential use in accordance with this section.

- F. **Development Standards for ADUs that Require an ADU Permit.** The following requirements apply only to ADUs that require an ADU permit under subsection D.2 above.
1. **Passageway.** No passageway is required for an ADU.
  2. **Parking.**
    - a. **Generally.** One off-street parking space is required for each ADU. The parking space may be provided in setback areas or as tandem parking.
    - b. **No Replacement.** When a garage, carport, or other covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required be replaced.
    - c. **Exceptions.** No parking under subsection F.2.a is required in the following situations:
      - i. The ADU is located within one-half mile walking distance of public transit stops, as defined in subsection C.10 above.
      - ii. The ADU is located within an architecturally and historically significant historic district.
      - iii. The ADU is part of the proposed or existing primary residence or an accessory structure under subsection D.1.a above.
      - iv. When on-street parking permits are required but not offered to the occupant of the ADU.
      - v. When there is a city-sanctioned, posted car-share pick-up or drop-off location within one block of the ADU.
      - vi. When the permit application to create an ADU is submitted with an application to create a new single-family or new multifamily dwelling on the same lot, provided that the ADU or the lot satisfies any other criteria listed in subsections F.2.c.i through F.2.c.v above.
  3. **Setbacks.** An ADU that is subject to this subsection F must conform to:
    - a. A 20-foot of the front-yard setback. In addition, the ADU may not be closer than the living area of the primary dwelling to the front property line. This subsection F.3.a is subject to subsection F.4.c below
    - b. Four-foot side- and rear-yard setbacks.
    - c. A detached ADU must be a minimum of five feet from the primary building, measured from the closest point of the ADU (whether wall, balcony, eave, etc.) to the closest point of the primary dwelling.

- d. No setback if the ADU is constructed in the same location and to the same dimensions as an existing accessory building.
4. **Maximum Size.**
  - a. The maximum size of an attached or detached ADU subject to this subsection F is 850 square feet for a studio or one-bedroom unit and 1,000 square feet for a unit with two or more bedrooms.
  - b. An attached ADU that is created on a lot with an existing primary dwelling is further limited to 50 percent of the floor area of the existing primary dwelling.
  - c. Application of other development standards in this subsection F, such as lot coverage, might further limit the size of the ADU, but no application of the percent-based size limit in subsection F.4.b, a front setback, or lot coverage limit may require the ADU to be less than 800 square feet.
5. **Lot Coverage.** No ADU subject to this subsection F may cause the total lot coverage of the lot to exceed 50 percent lot coverage, subject to F.4.c above.
6. **Driveway Access.** The ADU and primary dwelling must use the same driveway to access the street, unless otherwise required for fire apparatus access as determined by the fire authority.
7. **Architecture Review.**
  - a. The materials and colors of the exterior walls, roof, and windows and doors must match the appearance and architectural design of those of the primary dwelling.
  - b. The roof slope must match that of the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.
  - c. The exterior lighting must be limited to down-lights or as otherwise required by the building or fire code.
  - d. The ADU must have an independent exterior entrance, apart from that of the primary dwelling.
  - e. The interior horizontal dimensions of an ADU must be at least 10 feet wide in every direction, with a minimum interior wall height of seven feet.
  - f. Fencing, landscaping, privacy glass, or clerestory windows may be used to provide screening and prevent a direct line of sight to contiguous residential property.
8. **Historic Protections.** An ADU that is on real property that is on or within 600 feet of real property that is listed in the California Register of Historic Resources must be located so as to not be visible from any public right-of-way.



- G. **Nonconforming Zoning Code Conditions, Building Code Violations, and Unpermitted Structures.**
1. **Generally.** The City will not deny an ADU or JADU application due to a nonconforming zoning condition, building code violation, or unpermitted structure on the lot that does not present a threat to the public health and safety and that is not affected by the construction of the ADU or JADU.
  2. **Unpermitted ADUs constructed before 2018.**
    - a. **Permit to Legalize.** As required by state law, the City may not deny a permit to legalize an existing but unpermitted ADU that was constructed before January 1, 2018, if denial is based on either of the following grounds:
      - i. The ADU violates applicable building standards, or
      - ii. The ADU does not comply with the state ADU law (Government Code section 65852.2) or this ADU ordinance (section 17.28.270).
    - b. **Exceptions.**
      - i. Notwithstanding subsection G.2.a above, the City may deny a permit to legalize an existing but unpermitted ADU that was constructed before January 1, 2018, if the City makes a finding that correcting a violation is necessary to protect the health and safety of the public or of occupants of the structure.
      - ii. Subsection G.2.a above does not apply to a building that is deemed to be substandard in accordance with California Health and Safety Code section 17920.3.
- H. **Nonconforming ADUs and JADUs and Discretionary Approval.** Any proposed ADU or JADU that does not conform to the objective standards set forth in subsections A through G of this section may be allowed by the City with an Architectural Permit, in accordance with the other provisions of this title.

ORDINANCE NO. 1743

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA AMENDING VARIOUS PROVISIONS OF THE SAN CLEMENTE MUNICIPAL CODE TO ENSURE CONSISTENCY WITH STATE LAW REGARDING LOW BARRIER NAVIGATION CENTERS AND FINDING THE ACTION TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

**WHEREAS**, the City of San Clemente (“City”) is a municipal corporation, duly organized under the constitution and laws of the State of California; and

**WHEREAS**, in 2019, the Legislature enacted, and the Governor signed into law, Assembly Bill 101 (“AB 101”); and

**WHEREAS**, AB 101 added Article 12 to Chapter 3 of the California Government Code (commencing with section 65660). Among other things, AB 101 requires cities to permit specified Low Barrier Navigation Centers (“LBNCs”) by right in areas zoned for mixed use and nonresidential zones where multifamily uses are allowed; and

**WHEREAS**, the ordinance amends Title 17 of the San Clemente Municipal Code (“SCMC”) to update the City’s regulations to comply with AB 101; and

**WHEREAS**, on November 2, 2022, the Planning Commission of the City of San Clemente held a duly noticed public hearing on this ordinance, at which time it considered all evidence presented, both oral and written. Following the public hearing, the Planning Commission voted to forward the Ordinance to the City Council with a recommendation in favor of its adoption; and

**WHEREAS**, on November 23, 2022, the City gave public notice of a City Council public hearing to be held to consider this ordinance by advertisement in a newspaper of general circulation; and

**WHEREAS**, on December 6, 2022, the City Council conducted a duly noticed public hearing to consider the ordinance, including: (1) the public testimony and agenda reports prepared in connection with the ordinance; (2) the policy considerations discussed therein; and (3) the consideration and recommendation of the Planning Commission; and

**WHEREAS**, all legal prerequisites to the adoption of the ordinance have occurred.

**NOW, THEREFORE**, the City Council of the City of San Clemente does ordain as follows:

**Section 1. Incorporation of Recitals.** The recitals above are each incorporated by reference and adopted as findings by the City Council.

**Section 2. CEQA.** The City Council finds that adoption of this ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Alternatively, the adoption of this ordinance is exempt from CEQA because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. (State CEQA Guidelines, § 15061(b)(3).)

**Section 3. Required Findings.** In accordance with subsection (F) of San Clemente Municipal Code Section 17.16.040, the City Council hereby makes the following findings:

1. *General Plan.* This ordinance's amendments to Title 17 of the San Clemente Municipal Code are consistent with the City's adopted General Plan. Specifically, Land Use Element Policy LU-1.01 provides that the City should accommodate the development of a variety of housing types, styles and densities. This ordinance is consistent with—and effectuates—Policy LU-1.01 by clarifying that LBNCs are permitted by right in specified areas of the City in accordance with state law. Furthermore, this ordinance is consistent with, and in furtherance of, the General Plan as it implements a component of the City's Sixth Cycle Housing Element—which, in relevant part, provides that the City will amend the Municipal Code to update its LBNC regulations to comply with AB 101.
2. *Health, Safety, and Welfare.* Adoption of this ordinance will not adversely affect the public health, safety, and welfare as it simply updates the San Clemente Municipal Code to comply with state law requirements governing the instances where the City must allow LBNCs. The operational requirements provided in subsection (C) of Section 17.28.345 will protect the health, safety, and welfare of LBNC residents and surrounding uses by ensuring LBNCs satisfy the statutory onsite and operational requirements provided in Government Code section 65660 et seq. as well as specified objective local standards (e.g., ensuring qualified LBNC personnel are onsite, ensuring the number of beds is commensurate with the floor area utilized for sleeping purposes etc.). Adoption of this ordinance is also consistent with—and contemplated by—the City's Sixth Cycle Housing Element, the adoption which the City Council determined will not adversely impact the public health, safety and welfare. For these reasons, adoption of this ordinance will not adversely affect the public health, safety, and welfare.

**Section 4. Code Amendment.** Section 17.88.030 (Definitions) of the San Clemente Municipal Code is hereby amended to add a definition for "Low Barrier Navigation Center," which shall read in its entirety as follows:

“Low Barrier Navigation Center” has the same meaning as in California Government Code section 65660(a), as that section is amended from time to time.

**Section 5. Code Amendment.** Section 17.28.345, entitled “Low Barrier Navigation Centers,” is hereby added to Chapter 17.28 (Special Uses) of the San Clemente Municipal Code and shall read in its entirety as follows:

**“17.28.345 – Low Barrier Navigation Centers**

**A. Purpose.** The purpose of this section is to comply with California Government Code section 65660 et seq. regarding Low Barrier Navigation Centers (hereafter referred to as “LBNCs,” and each singularly an “LBNC”)

**B. Allowed Zones.** LBNCs that comply with the provisions of subsection (C) below are permitted by right in areas zoned for mixed use and nonresidential zones permitting multifamily uses.

**C. Operational and Development Standards.** LBNCs must comply with all of the following:

1. **Separation.** No LBNC may be established or operated at any location that is less than 300 feet from another LBNC.

2. **Operational Services.** As required by Government Code section 65662, each LBNC must satisfy all of the following:

a. It offers services to connect people to permanent housing through a services plan that identifies services staffing.

b. It is linked to a coordinated entry system, so that staff in the interim facility or staff who co-locate in the facility may conduct assessments and provide services to connect people to permanent housing. “Coordinated entry system” means a centralized or coordinated assessment system developed pursuant to section 576.400(d) or section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.

c. It complies with Chapter 6.5 (commencing with section 8255) of Division 8 of the Welfare and Institutions Code.

d. It has a system for entering information regarding client stays, client demographics, client income, and exit

destination through the local Homeless Management Information System as defined by section 578.3 of Title 24 of the Code of Federal Regulations.

3. **On-Site Personnel.** Each LBNC must provide both of the following:
  - a. At least one qualified on-site manager at all times for each 20 occupants; and
  - b. At least one qualified attendant at all times for each 20 occupants.
4. **Floor Area; Beds.** The maximum number of beds per LBNC may not exceed one bed for every 50 square feet of floor area used for sleeping purposes.
5. **Objective Development Standards.** Low Barrier Navigation Centers must comply with all objective site, design, and construction standards included in Title 15 (Buildings and Construction), Title 16 (Subdivisions), and Title 17 (Zoning) of this Code as well as any objective design guidelines included in applicable specific plans or otherwise adopted by the City Council.

D. **Ministerial Review; Application Procedures.** LBNC applications will be reviewed and processed ministerially—without discretionary review or a hearing—in accordance with the timelines set forth in Government Code section 65664, as it may be amended from time to time.

E. **Sunset.**

1. Subject to subsection (E)(2) below, this section shall remain in effect until January 1, 2027, and as of that date is repealed.
2. If the Legislature amends Government Code section 65668 to extend the effective date of Government Code section 65660 et seq., then this section shall remain in effect until the date on which Government Code section 65660 et seq. is repealed.”

**Section 6. Certification.** The city clerk shall certify to the adoption of this ordinance and cause it, or a summary of it, to be published once within 15 days of adoption in a newspaper of general circulation printed and published within the City of San Clemente, and shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk in accordance with California Government Code section 36933.

**Section 7. Record of Proceedings.** The documents and materials associated with this ordinance that constitute the record of proceedings on which the City Council’s

findings and determinations are based are located at City Hall, 910 Calle Negocio, San Clemente, CA 92673.

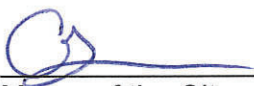
**Section 8. Severability.** If any provision of this ordinance or its application to any person or circumstance is held invalid by a court of competent jurisdiction, such invalidity has no effect on the other provisions or applications of the ordinance that can be given effect without the invalid provision or application, and to this extent, the provisions of this ordinance are severable. The City Council declares that it would have adopted this ordinance irrespective of the invalidity of any portion thereof.

**Section 9. Effective Date.** This ordinance shall become effective 30 days after its adoption.

APPROVED AND ADOPTED this 20 day of December, 2022.

ATTEST:

  
\_\_\_\_\_  
City Clerk of the City of  
San Clemente, California

  
\_\_\_\_\_  
Mayor of the City of San  
Clemente, California

APPROVED AS TO LEGAL FORM

  
\_\_\_\_\_  
City Attorney

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

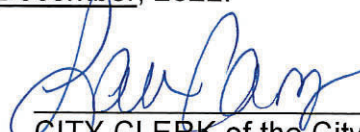
I, **Laura Campagnolo**, City Clerk of the City of San Clemente, California, hereby certify that Ordinance No. 1743 having been regularly introduced at the meeting of December 6, 2022, was again introduced, the reading in full thereof unanimously waived, and duly passed and adopted at a regular meeting of the City Council held on the 20 day of December, 2022, and said ordinance was adopted by the following vote:

AYES: CABRAL, ENMEIER, KNOBLOCK, MAYOR DUNCAN

NOES: NONE

ABSENT: JAMES

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this 20 day of December, 2022.

  
\_\_\_\_\_  
CITY CLERK of the City of  
San Clemente, California

ORDINANCE NO. 1744

**AN ORDINANCE OF THE CITY COUNCIL OF SAN CLEMENTE, CALIFORNIA AMENDING VARIOUS PROVISIONS OF THE SAN CLEMENTE MUNICIPAL CODE TO ENSURE CONSISTENCY WITH STATE LAW REGARDING SUPPORTIVE AND TRANSITIONAL HOUSING AND FINDING THE ACTION TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

**WHEREAS**, the City of San Clemente (“City”) is a municipal corporation, duly organized under the constitution and laws of the State of California; and

**WHEREAS**, in recent years, the State of California has preempted local regulation of certain residential uses, including supportive housing and transitional housing; and

**WHEREAS**, state law defines “supportive housing” as housing with no limit on length of stay, that is occupied by homeless individuals or families, and that is linked to onsite or offsite services that assist the resident(s) in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community; and

**WHEREAS**, state law defines “transitional housing” as buildings configured as rental housing developments that are operated under program requirements requiring the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that is no less than six months from the beginning of the assistance; and

**WHEREAS**, state law requires cities to permit supportive housing as a use by right in zones where multifamily and mixed-uses are permitted if the proposed housing development meets specified statutory requirements (e.g., development size, affordability restrictions, specified percentage of floor area devoted to onsite supportive services); and

**WHEREAS**, state law also requires cities to treat transitional housing and supportive housing as residential uses subject to the restrictions that apply to other residential dwellings of the same type in the same zone; and

**WHEREAS**, the ordinance (“Ordinance”) amends Title 17 of the San Clemente Municipal Code (“SCMC”) to update the City’s regulations governing supportive and transitional housing to comply with the above state law requirements; and

**WHEREAS**, on November 2, 2022, the Planning Commission conducted a duly noticed public hearing to consider the staff report, recommendations by staff, and public testimony concerning the Ordinance. Following the public hearing, the Planning Commission voted to forward the Ordinance to the City Council with a recommendation in favor of its adoption; and



**WHEREAS**, on November 23, 2022, the City gave public notice of a City Council public hearing to be held to consider this Ordinance by advertisement in a newspaper of general circulation; and

**WHEREAS**, on December 6, 2022, the City Council conducted a duly noticed public hearing to consider the Ordinance, including: (1) the public testimony and agenda reports prepared in connection with the Ordinance; (2) the policy considerations discussed therein; and (3) the consideration and recommendation of the Planning Commission; and

**WHEREAS**, all legal prerequisites to the adoption of the Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

**SECTION 1. Incorporation of Recitals.** The recitals above are true and correct and are hereby adopted as findings as if fully set forth herein.

**SECTION 2. CEQA.** The City Council finds that adoption of this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Alternatively, the adoption of this Ordinance is exempt from CEQA because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. (State CEQA Guidelines, § 15061(b)(3).)

**SECTION 3. Required Findings.** In accordance with subsection (F) of San Clemente Municipal Code section 17.16.040, the City Council hereby makes the following findings:

1. *General Plan.* This Ordinance's amendments to Title 17 of the San Clemente Municipal Code are consistent with the City's adopted General Plan. Specifically, Land Use Element Policy LU-1.01 provides that the City should accommodate the development of a variety of housing types, styles and densities. This Ordinance is consistent with—and effectuates—Policy LU-1.01 by clarifying that supportive housing and transitional housing are permitted by right in specified areas of the City in accordance with State law. Furthermore, this Ordinance is consistent with, and in furtherance of, the General Plan as it implements a component of the City's Sixth Cycle Housing Element—which, in relevant part, provides that the City will amend the Municipal Code to comply with recent changes in State housing laws.
2. *Health, Safety, and Welfare.* Adoption of the Ordinance will not adversely affect the public health, safety, and welfare as it simply updates the San

Clemente Municipal Code to comply with state law requirements governing the instances where the City must permit supportive and transitional housing. Adoption of this Ordinance is also consistent with—and contemplated by—the City’s Sixth Cycle Housing Element, the adoption which the City Council determined will not adversely impact the public health, safety and welfare. For these reasons, adoption of this Ordinance will not adversely affect the public health, safety, and welfare.

**SECTION 4. Code Amendment.** The definition for “supportive housing” provided in Section 17.88.030 (Definitions) of the San Clemente Municipal Code is hereby amended to read as follows (additions shown in underline and deletions shown in ~~strikethrough~~):

“Supportive housing” has the same meaning as in California Government Code Section 65650(a), as that section is amended from time to time as defined by Government Code Sections 65582(g). ~~Supportive housing may take various forms. See, e.g., "Single housekeeping unit," and "Short-term lodging unit," "Boarding house."~~

**SECTION 5. Code Amendment.** The definition for “transitional housing” provided in Section 17.88.030 (Definitions) of the San Clemente Municipal Code is hereby amended to read as follows (additions shown in underline and deletions shown in ~~strikethrough~~):

“Transitional housing” ~~as defined by~~ has the same meaning as in California Government Code Sections 65582(j)(i). ~~Transitional housing may take various forms. See, e.g., "Single housekeeping unit" and "Boarding house."~~

**SECTION 6. Code Amendment.** Section 17.28.340 is hereby added to Chapter 17.28 of the San Clemente Municipal Code and shall read in its entirety as follows:

**“Section 17.28.340 - Supportive and Transitional Housing**

- A. Supportive housing is a use by right in all zones where multifamily and mixed uses are permitted in accordance with Government Code Title 7, Division 1, Chapter 3, Article 11 (commencing with Section 65650). No minimum parking requirement is imposed on supportive housing under this paragraph that is within one-half mile of a public transit stop.
- B. Transitional housing and supportive housing are each considered a residential use of property and are subject to those restrictions that apply to other residential dwellings of the same type in the same zone, in accordance with Government Code Section 65583, subdivision (c)(3).”

**SECTION 7. Publication.** The City Clerk shall certify to the adoption of this Ordinance and cause it, or a summary of it, to be published once within 15 days of adoption in a newspaper of general circulation printed and published within the City of San Clemente, and shall post a certified copy of this Ordinance, including the vote for

and against the same, in the Office of the City Clerk in accordance with California Government Code, section 36933.

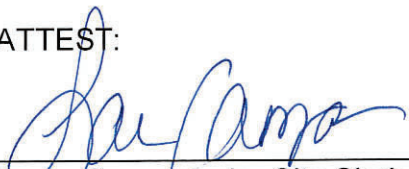
**SECTION 8. Records.** The documents and materials associated with this Ordinance that constitute the record of proceedings on which the City Council's findings and determinations are based are located at City Hall, 910 Calle Negocio, San Clemente, CA 92673.


**SECTION 9. Severability.** If any provision of this Ordinance or its application to any person or circumstance is held invalid, such invalidity has no effect on the other provisions or applications of the Ordinance that can be given effect without the invalid provision or application, and to this extent, the provisions of this Ordinance are severable. The City Council declares that it would have adopted this Ordinance irrespective of the invalidity of any portion thereof.

**SECTION 10. Effective Date.** This Ordinance shall become effective 30 days after its adoption.


APPROVED AND ADOPTED this 20 day of December, 2022.

ATTEST:

  
\_\_\_\_\_  
Laura Campagnolo, City Clerk

  
\_\_\_\_\_  
Chris Duncan, Mayor

APPROVED AS TO LEGAL FORM:

  
\_\_\_\_\_  
Scott C. Smith, City Attorney

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


I, **Laura Campagnolo**, City Clerk of the City of San Clemente, California, hereby certify that Ordinance No. 1744 having been regularly introduced at the meeting of December 6, 2022, was again introduced, the reading in full thereof unanimously waived, and duly passed and adopted at a regular meeting of the City Council held on the 20 day of December, 2022, and said ordinance was adopted by the following vote:

AYES: CABRAL, ENMEIER, KNOBLOCK, MAYOR DUNCAN

NOES: NONE

ABSENT: JAMES

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this 20 day of December, 2022.

  
\_\_\_\_\_  
Laura Campagnolo, City Clerk

ORDINANCE NO. 1745

AN ORDINANCE OF THE CITY COUNCIL OF SAN CLEMENTE, CALIFORNIA AMENDING VARIOUS PROVISIONS OF THE SAN CLEMENTE MUNICIPAL CODE REGARDING RESIDENTIAL CARE FACILITIES AND FINDING THE ACTION TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

**WHEREAS**, the City of San Clemente ("City") is a municipal corporation, duly organized under the constitution and laws of the State of California; and

**WHEREAS**, in recent years, the State of California has limited local regulation of certain residential uses, including various types of state-regulated residential care facilities; and

**WHEREAS**, the ordinance ("Ordinance") amends Titles 5 and 17 of the San Clemente Municipal Code ("SCMC") to update the City's regulations governing residential care facilities to create a streamlined approval process for these uses and comply with state law requirements; and

**WHEREAS**, on November 2, 2022, the Planning Commission conducted a duly noticed public hearing to consider the staff report, recommendations by staff, and public testimony concerning the Ordinance. Following the public hearing, the Planning Commission voted to forward the Ordinance to the City Council with a recommendation in favor of its adoption; and

**WHEREAS**, on November 23, 2022, the City gave public notice of a City Council public hearing to be held to consider this Ordinance by advertisement in a newspaper of general circulation; and

**WHEREAS**, on December 6, 2022, the City Council conducted a duly noticed public hearing to consider the Ordinance, including: (1) the public testimony and agenda reports prepared in connection with the Ordinance; (2) the policy considerations discussed therein; and (3) the consideration and recommendation of the Planning Commission; and

**WHEREAS**, all legal prerequisites to the adoption of the Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

**SECTION 1. Incorporation of Recitals.** The recitals above are true and correct and are hereby adopted as findings as if fully set forth herein.

**SECTION 2. CEQA.** The City Council finds that adoption of this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections

15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Alternatively, the adoption of this Ordinance is exempt from CEQA because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. (State CEQA Guidelines, § 15061(b)(3).)

**SECTION 3. Required Findings.** In accordance with subsection (F) of San Clemente Municipal Code section 17.16.040, the City Council hereby makes the following findings:

1. *General Plan.* This Ordinance's amendments to Title 17 of the San Clemente Municipal Code are consistent with the City's adopted General Plan. Specifically, Land Use Element Policy LU-1.01 provides that the City should accommodate the development of a variety of housing types, styles and densities. This Ordinance is consistent with and effectuates Policy LU-1.01 by clarifying that residential care facilities are permitted in accordance with state law. Furthermore, this Ordinance is consistent with, and in furtherance of, the General Plan as it implements a component of the City's Sixth Cycle Housing Element—which, in relevant part, provides that the City will review state law requirements governing residential care facilities and process any necessary SCMC amendments to ensure compliance with the same.
2. *Health, Safety, and Welfare.* Adoption of the Ordinance will not adversely affect the public health, safety, and welfare as it simply updates the SCMC to comply with state law requirements governing residential care facilities. Adoption of this Ordinance is also consistent with and contemplated by the City's Sixth Cycle Housing Element, the adoption which the City Council determined will not adversely impact the public health, safety, or welfare. For these reasons, adoption of this Ordinance will not adversely affect the public health, safety, or welfare.

**SECTION 4. Code Amendment.** The definition of "boarding house" in Section 17.88.030 (Definitions) of the San Clemente Municipal Code is hereby amended to make this term one word (instead of two) that reads as follows: "boardinghouse." All remaining provisions of this definition are unchanged by this Ordinance.

**SECTION 5. Code Amendment.** The definition for "residential care facility" in Section 17.88.030 of the San Clemente Municipal Code is hereby amended to read in its entirety as follows:

"Residential Care Facility" means an intermediate care facility/developmentally disabled-habilitative or an intermediate care facility/developmentally disabled-nursing, as defined by California Health and Safety Code section 1250; a community care facility, as defined by California Health and Safety Code section

1502; a residential care facility for the elderly, as defined by California Health and Safety Code section 1569.2; a residential care facility for persons with chronic life-threatening illness, as defined by California Health and Safety Code section 1568.01; an alcoholism or drug abuse recovery or treatment facility, as defined by California Health and Safety Code section 11834.02; a pediatric day health and respite care facility, as defined by California Health and Safety Code section 1760.2; a congregate living health facility, as defined by California Health and Safety Code section 1250; or a family care home, foster home, or group home serving persons with mental health disorders or other disabilities or dependent and neglected children under California Welfare and Institutions Code section 5116.”

**SECTION 6. Code Amendment.** The entry for “boarding housing” in Table 17.32.030 of Section 17.32.030 of the San Clemente Municipal Code is hereby amended to make this term one word (instead of two) that reads as follows: “boardinghouse.”

**SECTION 7. Code Amendment.** A new note 22 is hereby added to the two rightmost columns within the row for “boardinghouse” in Table 17.32.030 of Section 17.32.030 of the San Clemente Municipal Code. The new note 22 shall read in its entirety as follows:

“22. But if the boardinghouse is a Residential Care Facility (as defined by Section 17.88.030), allowed administratively under Chapter 5.38 (Residential Care Facility Boardinghouse – Streamlined Administrative Approval).”

**SECTION 8. Code Amendment.** The entry for “boarding house” in Table 17.40.030 of Section 17.40.030 of the San Clemente Municipal Code is hereby amended to make this term one word (instead of two) that reads as follows: “boardinghouse.”

**SECTION 9. Code Amendment.** A new footnote number 31 is hereby added to the rightmost column within the row for “boardinghouse” in Table 17.40.030 of Section 17.40.030 of the San Clemente Municipal Code. The new footnote 31 shall read in its entirety as follows:

“31. But if the boardinghouse is a Residential Care Facility (as defined by Section 17.88.030), allowed administratively under Chapter 5.38 (Residential Care Facility Boardinghouse – Streamlined Administrative Approval).”

**SECTION 10. Code Amendment.** Title 5 (Business Licenses and Regulations) of the San Clemente Municipal Code is hereby amended to add a new Chapter 5.38 (Residential Care Facility Boardinghouse – Streamlined Administrative Approval), to read in its entirety as follows:

**“Chapter 5.38 - Residential Care Facility Boardinghouse Streamlined Administrative Approval”**

Section 5.38.010 – Streamlined Administrative Approval

- A. Definitions. For purposes of this Section 5.38.010, the terms “boardinghouse” and “Residential Care Facility” have the same meaning as provided in Section 17.88.030.
- B. Applicability. When required by state or federal law, a Residential Care Facility serving six or fewer persons is:
  - 1. Exempt from this chapter; and
  - 2. Considered a residential use of property and a single family for purposes of Title 17 of this Code.
- C. License Required. A boardinghouse that is a Residential Care Facility and that is subject to this chapter requires an administrative operating license issued by the City to operate.
- D. Streamlined Ministerial Approval. An application for an administrative operating license is subject only to streamlined administrative review and will be approved if it satisfies each of the following:
  - 1. Maximum Occupancy. No more than two residents reside in each bedroom, not including the room or apartment designated for an onsite house manager.
  - 2. Management. The operator provides an onsite house manager that resides full-time (year-round) in a room or apartment on the property.
  - 3. Management Plan. The City has approved a property management plan for the facility that addresses each of the following: onsite management; maximum occupancy; quiet hours and permitted guest visitation hours; loitering, littering, and disturbing the peace; nuisance reduction; trash collection; smoking; resident pick-up and drop-off procedures; and discharge. City approval is required for any change.
  - 4. Emergency and Security Plan. The City has approved an emergency and security plan that addresses each of the following: security- and management-contact information; authority and responsibility of security staff; a map of the property; an overview of the property’s security features; security-feature testing schedule; overnight-parking policies and vehicle violation-abatement procedures; emergency medical response protocols;



emergency law enforcement response protocols; and daytime and nighttime security-monitoring procedures. City approval is required for any change.

E. Application Review.

1. Administration. The City may create any form, document, online portal, telephone hotline, or other method to facilitate streamlined administrative submittal of applications under this chapter.
2. Review; Timing; Issuance.
  - a. Applications are reviewed by the Community Development Director or the Director's designee.
  - b. A written decision will be issued within 30 calendar days of the City's receipt of a complete application. The decision will be sent to the applicant by first-class mail with return receipt requested.
  - c. An application will be approved and a license will be issued if the application fully complies with the provisions of this Chapter.
3. Appeals. Notwithstanding any other provision of this Code, the City's decision is final unless appealed within 10 business days of the date that the applicant receives the decision in the mail. An appeal will be scheduled to be heard by a hearing officer within 30 calendar days from the date that the City receives the notice of appeal. The decision of the hearing office is final and will be mailed by first-class mail to the applicant with return receipt requested.

F. Modifications or Revocation.

1. An administrative operating license may be revoked when the application contained incorrect, false, or misleading information; or the operator violates the management plan or emergency and security plan; or if three or more nuisance citations are issued at the property within a 30-day period.
2. Before revoking an operating license, a good faith effort to meet and confer with the operator will be made to resolve any of issues identified in subsection (F)(1) above.
3. The operator will be notified of any revocation by first-class mail with return receipt requested. The operator may appeal the revocation in accordance with subsection (E)(3) above.

**SECTION 11. Code Amendment.** Section 5.04.090 (Permits, etc. required for certain businesses) of the San Clemente Municipal Code is hereby amended to add a new subsection (E), to read in its entirety as follows:

“E. Unless it is exempt under Section 5.38.010(B), a boardinghouse that is a Residential Care Facility (as those terms are defined by Section 17.88.030) must obtain an operating license issued in accordance with Chapter 5.38.”

**SECTION 12. Code Amendment.** The row for “Residential Care Facilities, when licensed to serve six or fewer persons” in Table 17.32.030 of Section 17.32.030 of the San Clemente Municipal Code is hereby deleted in its entirety.

**SECTION 13. Publication.** The City Clerk will certify to the adoption of this Ordinance and cause it, or a summary of it, to be published once within 15 days of adoption in a newspaper of general circulation printed and published within the City of San Clemente, and shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk in accordance with California Government Code, section 36933.

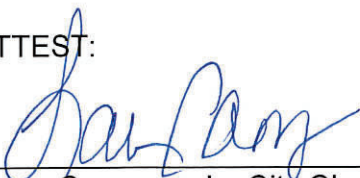
**SECTION 14. Records.** The documents and materials associated with this Ordinance that constitute the record of proceedings on which the City Council's findings and determinations are based are located at City Hall, 910 Calle Negocio, San Clemente, CA 92673.


**SECTION 15. Severability.** If any provision of this Ordinance or its application to any person or circumstance is held invalid, such invalidity has no effect on the other provisions or applications of the Ordinance that can be given effect without the invalid provision or application, and to this extent, the provisions of this Ordinance are severable. The City Council declares that it would have adopted this Ordinance irrespective of the invalidity of any portion thereof.

**SECTION 16. Effective Date.** This Ordinance takes effect 30 days after its adoption.

APPROVED AND ADOPTED this 20 day of December, 2022.

ATTEST:

  
\_\_\_\_\_  
Laura Campagnolo, City Clerk

  
\_\_\_\_\_  
Chris Duncan, Mayor

APPROVED AS TO LEGAL FORM:




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Scott C. Smith, City Attorney

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

I, **Laura Campagnolo**, City Clerk of the City of San Clemente, California, hereby certify that Ordinance No. 1745 having been regularly introduced at the meeting of December 6, 2022 was again introduced, the reading in full thereof unanimously waived, and duly passed and adopted at a regular meeting of the City Council held on the 20 day of December, 2022, and said ordinance was adopted by the following vote:

AYES: CABRAL, ENMEIER, KNOBLOCK, MAYOR DUNCAN

NOES: NONE

ABSENT: JAMES

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this 20 day of December, 2022.




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Laura Campagnolo, City Clerk