

Attachment 2 – Redline of Zoning Amendment ZA24-193

Chapter 17.26 is proposed to be added to the Zoning Code in its entirety, as included on pages 2-27 of this Exhibit. Beginning on page 27 of this Exhibit, language proposed to be deleted from the Zoning Code is identified in ~~strike-through~~. Language proposed to be added to the Zoning Code is identified in underline. Within the zoning tables, land uses with proposed revisions to permitted or conditional uses are identified in **red text** within each row in addition to ~~strike-through~~ and underline within specific cells.

(follows this page)

Add Zoning Code Chapter 17.26 Objective Design Standards for Multi-Family Residential and Residential Mixed-Use Development

17.26.010 Purpose and Intent.

The State of California continues to enact new laws that accelerate housing production by streamlining the approval of housing development at the local level. The Objective Design Standards supplement the development standards of the City of San Clemente Zoning Code and further the goals, policies, and implementation of the General Plan, which encourages an elevated design and fosters an enhanced quality of life through the built environment. The Objective Design Standards provide architectural and site design requirements for new multi-family residential and residential mixed-use development.

17.26.020 Applicability.

- A. The design standards of this chapter apply to any project that is reviewed under the procedures set forth in the zoning code. The following multi-family residential projects qualify for ministerial review under the Objective Design Standards *only*, without the requirement for discretionary review or consideration of other design standards:
1. Affordable Housing and Senior Housing Projects, consisting of efficiency, studio, one-, two-, three-, and/or four-bedroom units, which meet the requirements of a “Qualified Affordable Housing Development Project” pursuant to Zoning Code Section 17.56.090 (Housing Overlay) and accompanying map.
 2. Other multi-family residential development projects, where such use is permitted in the applicable zoning district and subject to ministerial processing pursuant to California Government Code Section 65913.4.
 3. Any other housing-related project that qualifies for objective, ministerial, or administrative review pursuant to State law.

17.26.030 Development Project Review.

Multi-family residential development projects shall be reviewed consistent with the procedural and development requirements of Zoning Code Section 17.56.090 (Housing Overlay) or relevant State law, subject to the Objective Design Standards of this section. Projects meeting the applicability provisions are eligible for ministerial review and are statutorily exempt from environmental review pursuant to CEQA Section 16268. A Coastal Development Permit shall be required for projects within the Coastal Zone.

17.26.040 Development Allowances to Meet Housing Element Density Goals.

In order to ensure that there is potential for multi-family residential development projects within the Housing Overlay and for other projects subject to ministerial review to obtain the maximum density allowed pursuant to the Zoning Code, certain development allowances shall apply, in addition to any allowances or exceptions authorized by State law. These allowances shall apply to multi-family residential development projects on sites with identifiable constraints, which based

on a strict application of the Zoning Code could not be feasibly developed with 100% of the number of units allowed.

- A. The minimum unit size within the Housing Overlay shall be 190 square feet, consistent with the “efficiency unit” category of accessory dwelling unit referenced in Zoning Code Section 17.88.030. No maximum unit size shall apply but the economic incentive to provide large units shall not be accepted as justification that it would be infeasible to provide the maximum number of units on a site.

- B. Multi-family residential development projects shall conform to the development standards that apply to the underlying residential zoning district, mixed-use zoning district, or commercial zoning district in which the project is located, with the following exceptions:
 - 1. The number of required vehicle parking spaces may be reduced to a minimum of one space per residential unit, or fewer spaces if the residential development is within ½ mile of public transit as defined by California Government Code Section 65863.2, in order to maximize housing density.
 - 2. The required landscaping area may be provided at grade, in planter boxes, or as vertical planting on walls such as vines on a trellis, planting in gabions, or mounted plant boxes. Vertical planting area is calculated as wall surface area covered with plant material based on expected plant size at maturity, with vine specimens being expected to cover 10 square feet even if smaller at the time of planting.

17.26.050 Objective Design Standards.

- A. Site Design Standards.
 - 1. Open Areas. New development shall provide usable residential open areas (as defined by Title 17, Section 17.88 (Definitions), subject to the following standards.
 - a. The greater of 60 square feet per residential unit or 20% of the total lot area shall be used for open areas; setback areas may be used to meet the open area requirement.
 - 2. Parking Location, Access, and Design
 - a. Parking Location. Locate parking areas to the rear or internal locations of the property, using alley access where an alley exists. Where site conditions of severe topography or biological resources prevent parking areas from being located to the rear of the property, the following standards apply:
 - i. Locate parking areas to the interior side with a maximum horizontal dimension measured parallel to the sidewalk of 65 feet and setback 10 feet from property lines and 5 feet from the face of buildings.
 - ii. Street frontage of a single parking area shall be limited to one double row with circulation aisle (65 feet maximum length still applies). A building shall be sited beyond the street fronting parking area before additional parking row(s) are added.

- iii. The setback area shall be fully landscaped in accordance with Section 17.26.050(A)(4), unless used as a pedestrian walkway. If a pedestrian walkway is proposed, the walkway shall be a minimum width of 5-feet along the entire length of the setback area and be constructed of firm, stable, and slip-resistant materials (e.g., poured-in concrete), permeable paving, or concrete pavers.
 - b. Parking Access and Driveways. The number of driveway openings to public streets shall be limited to 1 driveway opening per 150 linear feet of lot area abutting a public street (street frontage). This limit does not apply to access from alleys. Private street or alley access shall serve as the primary vehicular access to parking areas, if available. If not available, then public streets may provide access. When access is possible to access a site from more than one public street, use the street with the least traffic volume.
 - c. Internal Circulation (Larger Development). Larger development, defined as multi-family developments (20+ units) and mixed-use developments (10,000 square feet and larger), that proposes internal circulation (i.e., sidewalks, streets, and drives) internal to the site shall be subject to the following circulation standards.
 - i. Align new streets and sidewalks with existing streets and sidewalks. Connected sidewalk(s), shared driveways, shared access drives, or shared parking count toward this requirement.
 - ii. Provide a sidewalk on at least one (1) side of a private drive. The sidewalk shall be a minimum width of 5-feet along the entire length of the drive, compliant with Americans with Disabilities Act standards, and shall be constructed of firm, stable, and slip-resistant materials (e.g., poured-in concrete), permeable paving, or concrete pavers.
 - iii. Create landscaped buffer of minimum 5-feet between the buildings and the private drive(s) that include groundcover and shrubs a minimum of 30-inches in height after two years of growth and one (1) tree per 25 linear feet of adjacent building elevation.
 - d. Parking Design.
 - i. Parking Structures. Structured parking provides parking within a structure below, at, or above grade. If a parking structure is proposed, the following standards shall be required.
 - 1. Locate parking structures to the rear or interior portions of the property. Where site conditions related to severe topography, or biological resources prevent a parking structure from being located to the rear or interior portions of the property:
 - a. Place the short dimensions of the parking structure at the street edge, measured horizontally from the street fronting

- width of the garage and vertically from the ground to the top of the structure.
- b. Utilize vertical planting on the portions of the parking structure along street frontage. If vertical planting including vines and trees planted within 5 feet of the building façade or along the building facade does not restrict at least 50% of the total view of the parking structure as observed from any street frontage, then architectural features, false facades, and/or screening devices shall be provided.
 - c. When the structure will serve a mixed-use development, locate storefronts, offices, or other commercial space along the ground level of street frontage. When this is not possible, provide one of the following:
 - i. Parking structure with an integrated ground floor shop.
 - ii. Parking structure with a planted visitor serving patio space that covers at least 50% of the horizontal street frontage(s).
 - d. Garage entries, loading and service entries, utility rooms, stairs, elevators, and other similar elements shall occupy no more than 20% of the width of a building façade that fronts a public street.
- ii. **Parking Courts.** A parking court is a type of parking area where parking is provided between the street and the building. Where 50 or more parking total parking stalls are proposed, then portions of those stalls shall be broken up within smaller parking courts in accordance with the following standards:
 - 1. Parking courts shall consist of 25 or fewer spaces.
 - 2. Parking courts shall be physically separated from each other using building structures, landscaped areas including parking diamonds, or pedestrian walkways.
 - iii. **Parking Drives.** A parking drive is a paved way located outside the public right-of-way that provides vehicular access between the street and parking area, that also incorporates open parking spaces, carports, or garage doors along the length. If parking drives are proposed, the following standards shall be required.
 - 1. Arrange parking in bays. Separate each 8 spaces of continuous perpendicular or angled parking from others by planting areas not less than one parking space wide.

2. In Multi-family projects over 30 dwelling units, the location of Parking Drives shall be internal to the site and not located around the periphery or edge of the site adjacent to public street(s) where visible from public view.
- iv. Covered Parking. When covered parking is required pursuant to Section 17.64.050 (Off-Street Parking Requirements by Land Use), then covered parking shall be provided by means of garages, carports, and trellised canopies.
 1. Carports and garage door openings shall not be located adjacent to the primary street unless there is no other driveway access available onsite for parking.
 2. When visible from the public street frontage, covered parking entrances shall be recessed by a minimum of 18 inches from the street-facing elevation and be accompanied by projecting elements such as porches, windows, trellises, architectural ornament, or landscaping. An extended or projected feature shall project a minimum of 2 feet and run horizontally for a minimum depth of 4 feet.
 3. Garage entries, loading and service entries, utility rooms, stairs, elevators, and other similar elements shall occupy no more than 20% of the width of a public street facing building façade.
3. Streetscape Design.
 - a. Sidewalk Design. New development shall provide a sidewalk, measured from the front property line to the planned curb, in the entire area within the public right of way that is not dedicated to vehicle and bicycle circulation or other planned improvements, which may include street furniture and trees. Sidewalk materials and construction shall be provided as per City standard in consultation with Public Works staff. The walking surface shall be concrete finish in accord with the City Standard, with the exceptions for use of Historic Tile Sidewalk Materials specified in Zoning Code 12.08.030
 - b. Development proposed in a Pedestrian District shall provide widened sidewalk spaces for pedestrian seating and planting at select mid-block and corner locations. These improvements may be implemented by a future City streetscape program, or individually with new developments. Developers shall incorporate the required sidewalk space into the project plans and work with the City to determine if the project location is suitable for this type of improvement as part of the project or as part of a future City streetscape program.
 - c. Street Lighting. Street lighting shall be provided as per City Standard in consultation with Public Works staff. The single lamp fixture shall be used on all

streets in the Pedestrian District except for El Camino Real. A double lamp fixture shall be used on El Camino Real.

- d. Street Furniture. Street furniture means the functional elements, objects, and pieces of equipment installed and mounted along streets including public art, seating benches, fountains, planters and planting pots, bicycle parking, and bins and trash containers. If proposed, street furniture shall only be located in widened sidewalk spaces that are more than 12 feet in width.
4. Landscaping. In addition to landscape standards contained in Chapter 17.68 (Landscape Standards) of the Zoning Code, projects shall conform to the following standards.
 - a. Site Interior/Yard Planting. Landscaping shall be utilized for all required front, side, and rear yard areas that are not specifically used for parking, driveways, walkways, or open space (private, common, and pedestrian space) in accordance with the following standards.
 - i. Landscaping shall include groundcover and shrubs a minimum of 30-inches in height and a maximum of 42” in height if within a front yard setback area, after two years of growth, and one tree (minimum 24-inch box size) provided for each 300 square feet of yard area. Trees shall be spaced at a minimum of 25 feet on center.
 - ii. Projects shall utilize plant materials that are drought tolerant and primarily native to Coastal California, such as those identified in in Appendix A – Plant Selection Guide.
 - b. Parking Area Landscaping. In addition to standards contained in Section 17.64.060 (Design Standards for Off-Street Parking Facilities) of the Zoning Code, projects shall conform to the following standards, in addition to site line standards imposed by the Engineering Department required for vehicle safety.
 - i. Perimeter Landscaping. Perimeter landscaping shall be provided to visually screen off-street surface parking areas from the public street view, adjacent properties, and open space (private, common, and pedestrian space). Screening shall be in accordance with the following standards.
 1. Screening shall be provided by planting or a combination of planting and low solid walls or earth berms between 30 and 42 inches high.
 - a. Screened perimeter areas shall be 10 feet deep along public streets and 5 feet deep along interior property lines.
 - b. If a wall is used to create the screen, it shall not be greater than 42 inches high if located within the front yard setback.
 - c. Solid walls used for screening shall be accompanied by a minimum 5-foot-wide landscaped edge between the property line and the wall, facing the street.

- d. Landscaping shall include groundcover and shrubs a minimum of 30-inches in height after two years of growth and one tree (minimum 24-inch box size) provided for each 300 square feet of perimeter area between the property line and the parking area. Trees shall be spaced at a minimum of 25 feet on center.
 - ii. Interior Landscaping. For surface parking lots greater than 5,000 square feet, an internal area of at least 10% of the total parking area shall be planted with a combination of trees and shrubs in accordance with the following standards.
 1. Tree spacing shall be such that every designated parking space is within 30 feet of the trunk of a tree (minimum 24-inch box size). Landscaped fingers or “planted breaks” may be used.
 2. If palm trees are used for interior landscaping, then other tree species with large canopies shall also be used.
 3. Projects shall utilize plant materials that are drought tolerant and primarily native to Coastal California, such as those identified in Appendix A – Plant Selection Guide
 - iii. Street Trees. Street trees along public streets shall be provided in consultation with Public Works staff and shall consist primarily of drought tolerant species native to Coastal California, such as those included in Appendix A – Plant Selection Guide.
 1. Street trees shall be provided at an interval of 30 feet along the entire length of the property line adjacent to a public street, except where driveway or utility locations prohibit placement.
 2. Street trees shall be planted with enough distance from the curb so a parked car door can open without hitting the tree.
 3. Provide a 4-foot by 4-foot planting space or well under each tree.
 4. The ground surface of the planting space or well shall be level with the sidewalk.
 5. Use stone blocks or steel grates as approved by the City.
 6. Low precipitation and drip-type systems shall be installed.
5. Building Equipment and Service Areas
 - a. Ground-Mounted Equipment on Private Property. Ground-mounted equipment, such as air conditioning units, landscape irrigation's controls, transformers, fuse boxes, telephone equipment, gas meters, water meters, stand pipes, and fire sprinkler connectors, shall be located underground, outside the front yard setback. When no front yard setback is required, ground mounted equipment should not be located in the area between the street and the building closest to the street.

- b. Where ground-mounted equipment cannot be located outside the front yard due to topographical, biological, or minimum building density constraints, ground-mounted equipment located in the front yard shall be located where not visible from public view or shall be screened from public view. Screening of ground-mounted equipment must be designed and constructed similar to adjacent landscaping, architecture and/or materials.
 - c. Roof-Mounted Equipment. All roof-mounted appurtenances including, but not limited to air conditioning units, and mechanical equipment shall be shielded and architecturally screened from view from on-site parking areas, adjacent public streets, and adjacent residentially zoned property. It shall be located in an equipment well which is screened by a screening wall, parapet wall or equipment well. The height of such equipment, mounted in the well, shall not exceed the height of the architectural element used to screen the well. To the extent that topographical, biological, or minimum building density constraints make the placement of equipment and screening as required above infeasible, visibility of equipment and screening shall be minimized to the greatest extent feasible. Roof screens shall be sheathed in a matching or complementary material to the exterior building and may include metal panels, parapet walls or screens constructed of exterior grade plywood or other durable materials.
6. Outdoor Lighting All outdoor lighting shall comply with the following standards. For specific lighting requirements related to architectural styles, see Section 17.26.050(C).
- a. Step Lighting.
 - i. All step lighting within the residential development must incorporate a grate cover or directional light shield cover to direct and focus the emitted light towards the ground surface.
 - ii. The grate cover or directional cover must be constructed of durable and weather-resistant materials, meeting ASTM standards for outdoor use, to ensure longevity and performance in various environmental conditions.
 - iii. The design of the grate cover or directional cover shall align with the overall architectural aesthetics of the development while prioritizing functionality and safety.
 - b. Exterior Light Fixtures.
 - i. Street facing Exterior light fixture illumination must be downward directed, limited to spillover within the property boundary, and employ light diffusion techniques, such as specialized glass treatments or diffusers, to evenly distribute and soften the emitted light.
 - ii. The glass treatments applied to exterior light fixtures shall adhere to industry-standard light transmission and diffusion properties, ensuring optimal illumination without causing glare or light pollution.
 - iii. Light diffusion materials must be resistant to discoloration or degradation caused by environmental factors, guaranteeing consistent performance over time.

- iv. Exterior light fixtures shall be selected based on the principles of sustainable lighting design, incorporating energy-efficient technologies and compliant with ENERGY STAR requirements.
 - v. The color temperature of exterior light fixtures shall align with recommended guidelines to create a visually comfortable and harmonious outdoor environment for residents and passersby.
 - vi. Lighting that is directed at neighboring properties is not permitted.
7. Signage. Sign design shall be consistent with the following standards:
- a. Construction
 - i. Signs shall be constructed as to not obstruct line of sight for pedestrians, bicyclists or vehicular drivers.
 - ii. All permanent sign faces shall be constructed of permanent materials including, but not limited to, painted and/or sandblasted wood, ceramic tile, applied letters, carved wood, metal, plastic or other compatible, durable and waterproof material. No material more combustible than treated wood shall be used in the construction of any permanent sign.
 - iii. All signs shall be constructed in accordance with all applicable Uniform Building Code and National Electrical Code provisions.
 - iv. Sign support hardware shall be of a compatible material with the sign it supports and shall complement the architecture and design of building to which it is affixed.
 - v. Signs shall be designed and oriented to minimize light or glare upon adjacent residential properties and public rights-of-way.
 - b. Lighting of Signs
 - i. Electrical lines from buildings to signs shall be concealed from public view. Exposed raceways are prohibited.
 - ii. Light fixtures in planted areas or within support structures shall be screened so that light spillover is restricted to the sign area.
 - iii. All external lighting shall be directed away from any adjacent residential uses and public rights-of-way.
 - iv. Internally lighted signs shall be a maximum of 200,000 lumens.
 - v. Front lit channel letters shall be employed rather than halo lighted signs.
 - c. Landscaping
 - i. Landscaped planters shall be required to be installed at the base of all permanent freestanding signs.
 - ii. The area of the landscaped planter shall be at least equal in size to the area of two sign faces for pole signs and one sign face for monument signs.
 - iii. All landscaped planters shall be irrigated and landscaped with living plant material. Drought tolerant, low maintenance plants shall be utilized wherever possible.
 - d. Signage size and location shall comply with the objective requirements of Section 17.84 (Sign Regulations).

B. Building Design Standards.

1. Building Form and Massing.

- a. Scale down the street-facing facades of buildings more than two stories high in order to reduce apparent height. Achieve this by stepping back the third story and any additional stories at least 10 feet from the street-facing property line, or 5 feet beyond the lower street-facing portion of the building face, whichever setback is greater. The third story stepback is not required to be uniform. A variety of methods to achieve the stepback may be used.
- b. Buildings over two stories in height that have frontages on a common open space or courtyard shall have their top story set back at least 5 feet from the building face at the courtyard.
- c. For buildings with 2 or more stories, the first floor shall have the tallest plate height by a minimum of 10% higher than any other plates.
- d. Buildings on sloping lots shall step down with the topography of the slope, where visible from public view, unless such design would make it infeasible to achieve the maximum density given the size of the lot.
- e. Building frontages on public streets shall include defined projecting or recessed architectural elements such as building or unit entrances, bays, bay windows, stair towers, balconies, verandas, porches, trellises, overhangs, and loggias count toward this requirement. Such elements shall occur at a minimum of every 30 feet and each story shall have at least two of the following features:
 - i. A recessed feature that has a minimum depth of 6 feet used to define courtyards, entries, balconies, porches, loggias, or other outdoor spaces along the perimeter of the building.
 - ii. An extended or projected feature that projects a minimum of 2 feet and runs horizontally for a minimum depth of 4 feet used to emphasize architectural elements such as entrances, bays, stair towers, balconies, and verandas.
 - iii. Offsets of façade or roof line of 2 feet or greater in height.
- f. Roof lines shall not extend horizontally by more than 20 feet in length without at least one prominent change as described below.
 - i. Provide variation in roof height of at least 24 inches measured from the highest point of each roof line. Variation in roof height shall be accompanied by plan offsets.
 - ii. Provide variation in roof form such as gable, hipped, shed, or parapet, pitch (i.e., low to medium), or orientation. Variation in roof orientation shall be accompanied by plan offsets.
 - iii. Provide variation in architectural elements such as molding, cornices, eaves, overhangs, corbels, and brackets.

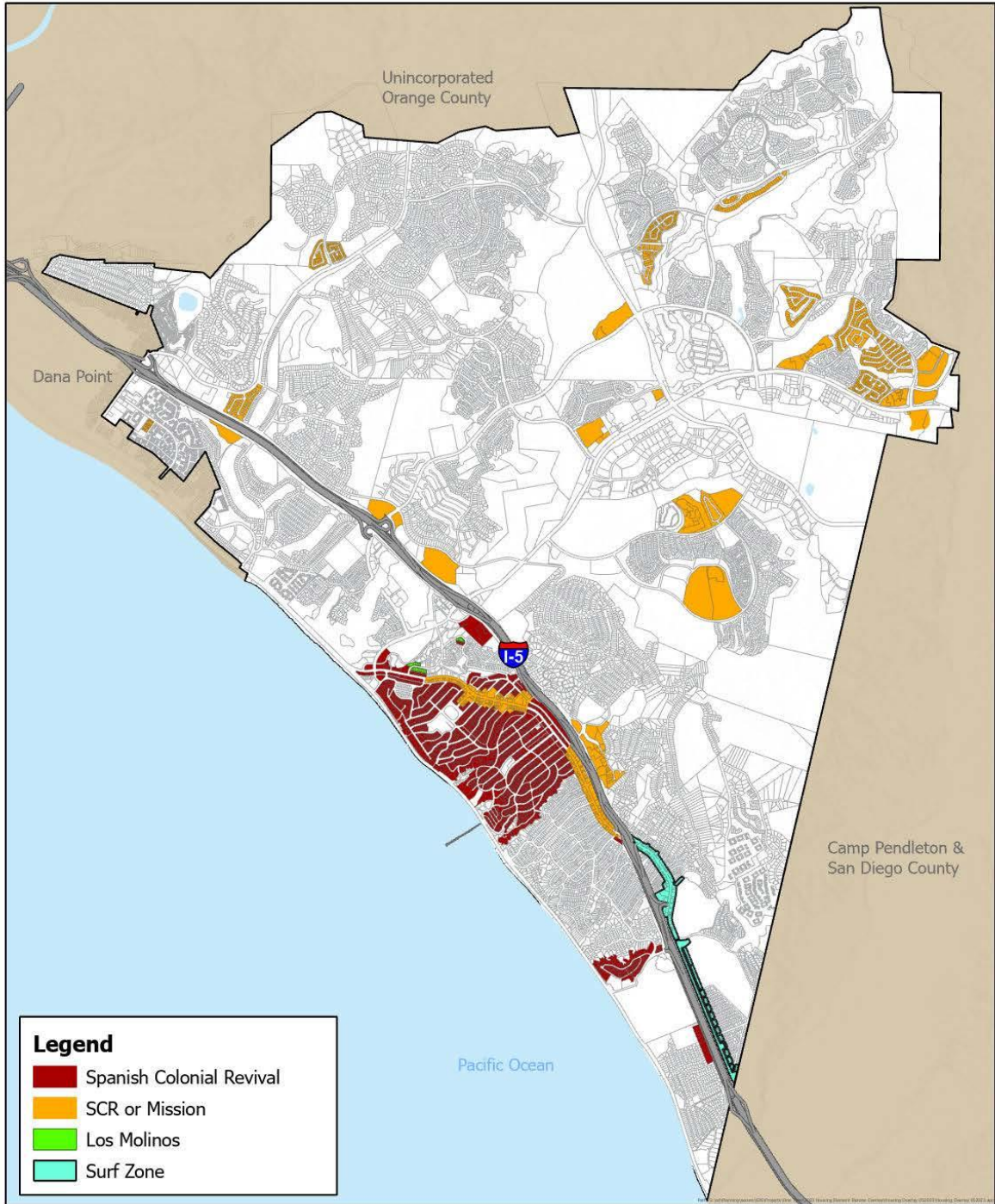
2. Building Entrances. Entrances shall be oriented in accordance with the following standards.

- a. Mixed-Use Buildings.
 - i. Buildings located adjacent to public streets shall have primary (main) pedestrian entrances for commercial uses oriented to face adjoining street(s).
 - ii. Buildings not located adjacent to public streets shall have primary (main) pedestrian entrances for commercial uses oriented to face parking areas, walkways, or open space such as courtyards or plazas.
 - iii. Buildings with more than 100 linear feet of public street frontage shall provide at least one building entrance for each 100 linear feet.
 - iv. Entrances shall be recessed a minimum of 2 feet from the sidewalk right-of-way.
 - v. Entrances shall be clearly recognizable from the street using one or more of the following methods:
 - 1. Awnings or canopies above an entry with an 8-foot minimum height above the finished grade.
 - 2. Architectural elements such as columns, porticos, overhanging roofs, or ornamental light fixtures.
 - vi. When non-residential and residential uses are in a vertical mixed-use structure, separate pedestrian entrances shall be provided for each use.
 - vii. The entrance to residential portions of the building or additional commercial suites (upper floors) shall be accessed through a street level lobby, architecturally integrated entry corridor, from an adjacent alley, or from an internal parking area.
 - b. Multi-Family Residential Development.
 - i. Each unit entrance shall have a non-obstructed, direct sightline either toward the street or to an interior or exterior open space on the site such as verandas, open passages, outdoor courtyards, ~~or~~ gardens, or parking areas.
 - ii. When an outdoor courtyard or garden is used as an entrance to dwellings, the courtyard or courtyard entry shall open directly to the public street and sidewalk adjacent to the site.
3. Building-Street Edge. The building-street edge is defined as the configuration of buildings and open spaces along the street frontage of the site. Where a multi-story development is proposed, one of the following building-street edge configurations at the ground level shall be used.
- a. Continuous uninterrupted building edge at the sidewalk for the length of the street frontage.
 - b. Continuous uninterrupted building edge with recessed or projected covered walkway, pedestrian plaza, courtyard, or a combined building and pedestrian open space (e.g., patio or veranda), built to the sidewalk for the length of the street

frontage. Any proposed recessed or projected features shall conform to Section 17.26.050(B)(1)(d)(i-ii).

- c. A combination of building, pedestrian open space, and parking frontage, parallel to the sidewalk for the length of the street frontage. The street frontage of a single parking area shall be limited to one double row with circulation aisle (65 feet). A building or building element shall occur before an additional parking row is added. All parking areas shall be setback at least 10 feet from front and side street property lines, with the setback area fully landscaped.
4. Additional Building Design Standards Applicable to Mixed-Use Buildings.
 - a. Storefront Transparency. All glass in windows and doorways shall be 90 percent clear for maximizing visibility into stores. A minimal amount (2 to 3 percent) of neutral tinting of glass to achieve sun control is acceptable if the glass appears essentially transparent when viewed from the outside. Opaque, reflective, or dark tinted glass that obstructs interior views at the street level is prohibited.
 - b. Public Realm. At least 50 percent of the building frontage facing a public street, primary pedestrian way, or parking lot shall be devoted to pedestrian-oriented features (e.g., storefronts, pedestrian entrances to nonresidential uses; transparent display windows; landscaping).

C. Architectural Design Districts. There are distinct architectural styles and patterns of design that comprise San Clemente’s character. These are represented in four Architectural Design Districts: Spanish Colonial Revival, Mission, Los Molinos, and Surf Zone. All new development proposed within an Architectural Design District identified in Figure 17.26.050(C) shall comply with the standards for the applicable Architectural Design District.



Architectural Design Districts

0 2,000 4,000 Feet



1. Spanish Colonial Revival.

- a. Background. The original architecture of San Clemente is expressive of the founder's vision of a "Spanish Village by the Sea" The historic image and identity of the community is reinforced through the design of buildings and gardens that reflect the traditions of California's Spanish Colonial Revival.
- b. Applicability. Properties designated as Spanish Colonial Revival on Figure 1 shall comply with the architectural design standards contained in this section, which are excerpted from the Henry Lenny Guidelines and interpreted in the context of the Henry Lenny Design Guidelines if a standard in this section is unclear. Properties designated as SCR or Mission on Figure 1 have the option to comply with either of the architectural design district standards. Development identified as Spanish Colonial Revival shall comply with these standards.
- c. Form and Massing
 - i. Building facades shall be asymmetrical by incorporating:
 1. A minimum of 2 or more roof planes; and
 2. A minimum of 1 vertically oriented element (e.g., elements that are built upwards) and 1 horizontally oriented element (e.g., elements that are longer than they are tall).
 - ii. For buildings with 2 or more stories, the first floor shall have the tallest plate height, by a minimum of 10% higher than any other plates.
- d. Roof Design.
 - i. Roof Configuration. The following configurations are permitted.
 1. The structure's primary roof element shall be gabled, hipped, and shed roofs.
 2. Flat roofs as accents on elements of the main building, such as roof decks, porches, and colonnades. Where visible from public view, flat roofs shall have a color and material that matches the tile used on pitched roofs on the same structure. This requirement does not apply to parapet walls which may be a different material.
 - ii. Roof Materials. The following materials are permitted.
 1. Terra cotta flat or barrel tiles.
 - iii. Roof Elements. Roofs shall incorporate ridges, hips, valleys, rakes, and eaves subject to the following standards.
 1. Ridges. A horizontal line of intersection at the top between sloping planes of a roof.
 - a. Ridge tiles shall cap all adjacent roof sections and be packed with mortar.
 - b. Three to four booster tiles shall be used at the ends.

- c. All flashing and waterproofing membrane materials shall be hidden from public view.
 2. Valleys. A valley is an intersection of two inclined roof surfaces, toward which rainwater flows. Valleys shall be of either type:
 - a. A standard/cut valley treatment where tiles are cut and secured to the roof leaving a straight path for water to shed.
 - b. A woven valley treatment where tiles are weaved back and forth across the midpoint from both sides of the valley.
 3. Rakes. A rake is the inclined, occasionally projecting, edge of a sloping roof. On a tile roof, tiles shall be rolled over rakes in at least one of the following ways:
 - a. Plain rake-to-wall transition.
 - b. Slaked stucco to encapsulate the tile.
 - c. Rake terminated with rafter tail or cornice.
 4. Eaves. An eave is the overhanging lower edge of the roof.
 - a. Eaves shall have exposed rafter tails with spacing of no more than three times the width of the rafter.
 - b. Construct corbels/brackets of stone, wood, or stucco. Carvings shall be a classical profile such as an ogee, cyma recta, or cyma reversa.
 - c. Bird stops shall be of mortar with weep or drain holes.
- iv. Roof drainage systems shall blend into the building through utilization of at least one of these systems:
 1. Rain gutters shall either be cornice gutters (as referenced on page 71 of the Henry Lenny Design Guidelines) or copper round gutters.
 2. Downspouts shall be copper and vertical from the roof or gutter to the ground. When a downspout engages the wall, a copper leader box shall be used.
 3. Scuppers shall use clay tiles, spouts, sculpted faces or gargoyles, or tapered canals.
- e. Exterior Walls, Ceilings, and Flooring.
 - i. Exterior walls.
 1. The walls shall be constructed with a 12-24 inch thick solid material or as false walls that provide the same appearance as a 12-24 inch thick wall at articulation points and door/window openings.
 2. The total area of solid building façade (plain wall) shall be greater than the total area of door and window openings in the wall, except at storefront locations.

3. At least 80% of rectangular wall openings shall be vertically oriented. If horizontal openings are proposed, they shall be broken up vertically by using a loggia, arcade, or mullion placement.
 4. Wall Finishes. The following finishes are permitted.
 - a. Smooth finish stucco with or without scoring. Sprayed on, mixed or textured stucco finish is not permitted.
 - b. Whitewashed brick.
 - c. Cantera stone in warm tones.
 5. Wall Colors. The following colors are permitted.
 - a. Primary wall colors shall be white or off-white.
 - b. Secondary wall colors shall be white, off-white, or earth tone.
 - c. Accents, trim, and highlighting features shall contrast with the white, off-white, or earth tone colors (e.g., dark blue, green, and brown).
- ii. Exterior Ceilings.
 1. Exterior ceilings shall have a minimum clearance of 9 feet.
 2. Exterior Ceilings shall be vaulted, beamed, or covered.
 3. If beamed ceilings are proposed, stained wood is required.
 4. Coves, beams, and vaults shall correspond with the spacing of arcades or columns.
 - iii. Exterior Flooring and Hardscape Surfaces. The following flooring and hardscape surfaces are permitted.
 1. Brick punctuated with glazed tiles.
 2. Brick in herring bone, basket weave, or soldier course pattern.
 3. Terra cotta or Lincoln tile (Mexican Clay).
 4. Flag stone, stand stone, or limestone.
 5. Plain concrete with scoring patterns or colored concrete in sand type, non-red colors.
 6. Pebble mosaic tiles in black, gray, or sand type, non-red colors.
 7. French style cement or ceramic tiles.
- f. Windows and Doors.
 - i. Window Types and Components.
 1. Permitted window types include:
 - a. Casement with a single pane of glass or divided.
 - b. Double hung.
 - c. Decorative (e.g., vent, round, oval, quatrefoil).
 2. Glass areas shall be broken up by mullions and transoms.
 3. When proposed, focal windows shall be triple-arched or windows with parabolic shaped grills of wood, iron, or other elaborations.

4. Frames and mullions shall be metal, wood, or fiberglass; painted, or stained; stucco framing is acceptable.
 5. Decorative metalwork shall be traditional Spanish Colonial Revival style steel.
 6. Windows shall be set toward the interior to allow the wall thickness to be revealed on the exterior of the building. Insets shall be a minimum of 4 inches.
- ii. Door Types and Components.
 1. Permitted door types include:
 - a. Wood panel with or without glass.
 - b. Wood and glass.
 - c. Fiberglass
 - d. Antique or found doors.
 - e. Plank doors.
 2. Frames and mullions shall be wood, painted, or stained; stucco or tile framing is acceptable.
 3. Doors shall be set back in deeply recessed and arched openings. Insets shall be a minimum of 6 inches.
- g. Exterior Lighting.
 - i. Lanterns, pendants, sconces, gas lamps, and other decorative fixtures of Spanish Style (i.e., geometric and angular with points and spikes) shall be used on building exteriors.
 - ii. Recessed lighting is permitted if the cans are treated with wrought iron or a painted shroud (wrapping around and extending vertically beyond the light bulb).
 - iii. Placement of fixtures shall be restricted to entrances, passageways, pedestrian spaces, and arcades.
 - h. Architectural Elements. If included, where visible from public view, these architectural elements shall be designed as follows.
 - i. Balconies and Porches.
 1. Balconies and porches shall be constructed of iron or wood with painted or stained finishes.
 2. Design shall be one of the following:
 - a. Balcony or porch with supporting posts from ground to floor.
 - b. Cantilevered or projecting balcony or porch with posts supporting the roof.
 - c. Cantilevered or projecting balcony or porch and cantilevered or projecting roof with no supporting posts.
 - d. Recessed balconies or porches.

- e. Open balconies over porches or loggias.
- ii. Colonnades and Arcades.
 - 1. Columns and Colonnades.
 - a. Columns shall be round or square in shape with no capital or base.
 - b. Column heights shall be between 7 and 10 times its width.
 - c. Column spacing shall be no more than 6 times its width from center to center, and no less than 4 times its width from face to face.
 - 2. Arcades and Arches.
 - a. Arcades shall be located against plain surfaces.
 - b. Arches shall be fully round or semi-circular.
 - c. Arches and support column shall be a minimum of 18 inches deep, with an articulated column base.
- iii. Awnings.
 - 1. Awning fabric shall be canvas in natural colors, earth tones, deep jewel tones, or black.
 - 2. Awnings shall be designed in a triangular shape in a catenary curve, open on the sides with either a pane or decorative valance.
 - 3. Supports shall be wrought iron or wood.
- iv. Exterior Staircase.
 - 1. The tread shall be a stone, paver, or finished concrete.
 - 2. The riser at the face of each stair shall be enhanced with a decorative tile.
 - 3. The railing can be a stepped or rounded-stucco wall, wrought iron, wood, or tile cap that is a continuation of building form. No glass or chain link is permitted.
- v. Towers/Chimneys/Cupolas
 - 1. Projections shall be used to emphasize important architectural elements such as entrances, bays, stair towers, balconies, and verandas. Elements higher up on a building, such as a tower, shall be scaled up.
 - 2. Decorative towers, chimneys, and cupolas shall incorporate stucco, brick, terra-cotta pipe, barrel tiles, or ironwork.
- i. Character Defining Features. Projects with 10 or more units shall include a minimum of 1 of the features listed below.
 - i. Courtyard.
 - ii. Patio or Plaza.
 - iii. Colonnades and Arcades.

2. Mission.

- a. Background. The Mission architectural design district is derived from the Mediterranean region and was often used in the design of the California Missions. Common features of Mission architecture include stucco and plaster walls, low to medium pitched roofs, columns and archways, and exposed wood features.
- b. Applicability. Properties designated as Spanish Colonial Revival or Mission on Figure 1 have the option to comply with either of the architectural design district standards. Development identified as Mission shall comply with these standards.
- c. Form and Massing of building facades shall be asymmetrical by incorporating:
 - i. A minimum of 2 or more roof planes; and
 - ii. A minimum of 1 vertically oriented element (e.g., elements that are built upwards) and 1 horizontally oriented element (e.g., elements that are longer than they are tall).
 - iii. For buildings with 2 or more stories, the first floor shall have the tallest plate height by a minimum of 10% higher than any other plates.
- d. Roof Design
 - i. Roof Configuration. The following configurations are permitted.
 1. The structure's primary roof element shall be gabled and shed roofs with raised parapets.
 2. Hipped roofs with straight or flared eaves for towers, turrets, and belvederes.
 3. Flattened or semi-circular domes on towers.
 4. Pointed caps on circular towers.
 5. Flat roofs as accents on elements of the main building, such as roof decks, porches, and colonnades. Where visible from public view, flat roofs shall have a color and material that matches the tile used on pitched roofs.
 6. Pent eave roofs with brackets.
 7. Roof dormers with gable or hipped roofs, raised parapets.
 - ii. Roof Materials. The following materials are permitted.
 1. Terra cotta flat or barrel tiles.
 2. Standing seam metal, painted plaster, or decorative tile may be used for dome roofs.
 - iii. Roof Elements. Elements shall be provided as follows.
 1. Roof Elements. Roofs shall incorporate ridges, hips, valleys, rakes, and eaves subject to the following standards.
 - a. Ridges. A ridge is a horizontal line of intersection at the top between two sloping planes of a roof.
 - i. Ridge tiles shall cap all gables and be packed with mortar.

- ii. Three to four booster tiles shall be used at the ends.
 - iii. All flashing and waterproofing membrane materials shall be hidden from public view.
 - b. Hips. A hip is the inclined projecting angle that is formed by the junction of two adjacent sloping sides of a roof.
 - i. Hip tiles shall be capped and packed with mortar.
 - ii. Three to four booster tiles shall be used at the ends.
 - iii. If no hip cap is used, ridge tiles shall lap over hip tiles.
 - c. Valleys. A valley is an intersection of two inclined roof surfaces, toward which rainwater flows. Valleys shall be of either type:
 - i. A standard/cut valley treatment where tiles are cut and secured to the roof leaving a straight path for water to shed.
 - ii. A woven valley treatment where tiles are weaved back and forth across the midpoint from both sides of the valley.
 - d. Rakes. A rake is the inclined, occasionally projecting, edge of a sloping roof. On a tile roof, tiles shall be rolled over rakes in at least one of the following ways:
 - i. Plain rake-to-wall transition.
 - ii. Slaked stucco to encapsulate the tile.
 - iii. Rake terminated with rafter tail or cornice.
 - e. Eaves. An eave is the overhanging lower edge of the roof.
 - i. Eaves shall have exposed rafter tails with spacing of no more than three times the width of the rafter.
 - ii. Construct corbels/brackets of stone, wood, or stucco. Carvings shall be a classical profile such as an ogee, cyma recta, or cyma reversa.
 - iii. Bird stops shall be of mortar with weep or drain holes.
- 2. Roof drainage systems shall blend into the building through utilization of at least one of these systems:
- 3. Rain gutters shall either be cornice gutters (as referenced on page 71 of the Henry Lenny Design Guidelines) or copper round gutters.
 - a. Downspouts shall be copper and vertical from the roof or gutter to the ground. When a downspout engages the wall, a copper leader box shall be used.
 - b. Scuppers shall use clay tiles, spouts, sculpted faces or gargoyles, or tapered canals.

e. Exterior Walls, Ceilings, and Flooring.

i. Exterior walls.

1. Wall Thickness. Walls are subject to the following standards.

a. Wall thickness shall be between 12 and 24 inches.

- i. 1. The walls shall be constructed with a 12-24 inch thick solid material or as false walls that provide the same appearance as a 12-24 inch thick wall at articulation points and door/window openings.

b. The total area of solid building façade (plain wall) shall be greater than the total area of door and window openings in the wall, except at storefront locations.

c. At least 80% of rectangular wall openings shall be vertically oriented. If horizontal openings are proposed, they shall be broken up vertically by using a loggia, arcade, or mullion placement.

2. Wall Finishes. The following finishes are permitted.

a. Adobe.

b. Smooth or pool trowel finish stucco with or without scoring; or painted or built-up brown coat finish stucco. Sprayed on, mixed or textured stucco finish is not permitted.

c. Stone masonry such as river rock veneer on cut stone, cast stone, or foundation walls, chimneys, and front porch balustrades.

d. Clay tile.

e. Wrought iron in Mission Revival, Arts and Crafts, or traditional design.

f. Cement plaster with spatter dash finish or sand finish.

g. Wood paneling (when used for accent trim, framing, and decorative elements). Oak paneling with dropped panels on walls and soffits of a recessed main entrance.

3. Wall Colors. The following colors are permitted.

a. Light earth tone, white, or off-white.

b. Accents, trim, and highlighting features shall contrast with the light earth tone, white, or off-white colors (e.g., dark blue, green, and brown).

ii. Exterior Ceilings.

1. Exterior ceilings shall have a minimum clearance of 9 feet.

2. Exterior Ceilings shall be vaulted, beamed, or covered.

3. If beamed ceilings are proposed, stained wood is required.

4. Coves, beams, and vaults shall correspond with the spacing of arcades or columns.
- iii. Exterior Flooring and Hardscape Surfaces. The following flooring and hardscape surfaces are permitted.
 1. Brick punctuated with glazed tiles.
 2. Brick in herring bone, basket weave, or soldier course pattern.
 3. Terra cotta or Lincoln tile (Mexican Clay).
 4. Flag stone, stand stone, or limestone.
 5. Plain concrete with scoring patterns or colored concrete in sand type, non-red colors.
- f. Windows and Doors.
 - i. Window Types and Components.
 1. Permitted window types include:
 - a. Casement with a single pane of glass or divided.
 - b. Double hung.
 - c. Decorative (e.g., vent, round, oval, quatrefoil).
 2. Glass areas shall be broken up by mullions and transoms.
 3. When proposed, focal windows shall be triple-arched or windows with parabolic shaped grills of wood, iron, or other elaborations.
 4. Frames and mullions shall be metal, wood, or fiberglass; painted, or stained; stucco framing is acceptable.
 5. Decorative metalwork shall be traditional Mission style steel.
 6. Windows shall be set toward the interior to allow the wall thickness to be revealed on the exterior of the building. Insets shall be a minimum of 4 inches.
 - ii. Door Types and Components.
 1. Permitted door types include:
 - a. Wood panel with or without glass.
 - b. Wood and glass.
 - c. Fiberglass
 - d. Antique or found doors.
 - e. Plank doors.
 2. Frames and mullions shall be wood, painted, or stained; stucco or tile framing is acceptable.
 3. Doors shall be set back in deeply recessed and arched openings. Insets shall be a minimum of 6 inches.
- g. Exterior Lighting.
 - i. Lanterns, pendants, sconces, gas lamps, and other decorative fixtures of Spanish Style (i.e., geometric and angular with points and spikes) or Arts and Crafts style shall be used on building exteriors.

- ii. Recessed lighting is permitted if the cans are treated with wrought iron or a painted shroud (wrapping around and extending vertically beyond the light bulb).
 - iii. Placement of fixtures shall be restricted to entrances, passageways, pedestrian spaces, and arcades.
 - h. Architectural Elements. See Spanish Colonial Revival.
 - i. Character Defining Features. Projects with 10 or more units shall include a minimum of 1 of the features listed below.
 - i. “Companario.” A scalloped wall pierced for the hanging of bells.
 - ii. Ornamented Openings. Lavish embellishments at entrances.
 - iii. “Corredor.” Outdoor arcade for shaded protection, gathering, and walking.
 - iv. Bell Tower. Tiered vertical element.
 - v. Quadrangle – Courtyard or Patio with water element (e.g., fountain, pool).
 - vi. Colonnades and Arcades.
- 3. Surf Zone Design District.
 - a. Background. The Surf Zone Design District is located along South El Camino Real (East of I-5). The design standards for this area feature an eclectic mix of architectural styles, which together can be described as “Surf Zone” architecture. This is a mixture of Contemporary, Polynesian, Australian, and Seaside/Fishing.
 - b. Applicability. Properties designated as Surf Zone in Figure 1 shall comply with the architectural design standards contained in this section.
 - c. Roof Design.
 - i. Roofs shall be a combination of at least two pitch types (e.g., steep gable roofs of 10:12 or greater and low hipped roofs of 3:12 or greater with long overhangs).
 - ii. Isosceles (sharp) triangular forms and shapes shall be used for the composition of gabled or hipped roofs.
 - iii. Wood beams shall be used to highlight roof lines and angular details including roof lines and entryways.
 - d. Materials and Colors.
 - i. Materials and Textures. A minimum of 2 different materials shall be used for building exteriors:
 - 1. Wood: unfinished lumber, finished and coated lumber, and laminated wood.
 - 2. Steel: stainless, corten, galvanized.
 - 3. Masonry: brick, stone.
 - 4. Stucco.
 - 5. Concrete.
 - 6. Bamboo, pill grass, sugar cane

7. Tiki style fiberglass.
 - ii. Base Colors.
 1. The base tone of the building shall be associated with earth tones, or colors found on the beach (e.g., sandy beige and hues of soft blues, grays, and greens).
 2. No two buildings shall share the same color scheme if they are next to or adjacent to each other. Adjacency does not include buildings behind primary structures or buildings across the street.
 3. On walls visible from public rights-of-way with no windows or architectural features, a mural or vertical planting is permitted.
 - iii. Accent Colors. Accent colors that contrast with the base color shall be used for front doors, window/door frames, railings, mailboxes, lettering and numbering, and other framing details. These details shall not be the same color as the building.
 - e. Decorative Accents and Details.
 - i. Awnings.
 1. Fabric or cloth in an accent color that contrasts with that of the building. Awnings shall not be the same color as the building.
 2. Metal or wood awnings.
4. Los Molinos Design District.
- a. Background. The Los Molinos Design District is an eclectic industrial district center for the local surfing industry, manufacturing, arts and crafts, and business incubation. Most buildings with this style will be 1-2 stories in height with vaulted roofs, allowing for ample light to flood the interior of the building.
 - b. Applicability. Los Molinos is generally defined as properties within Los Molinos Industrial Park, Bonita Canyon Park (west of Calle Bonito), and residential parcels on Avenida De La Estrella and Calle Bonita. Properties designated in Figure 1 as Los Molinos shall comply with architectural design standards contained in this section and detailed in the West Pico Corridor Specific Plan.
 - c. Roof Design. Roofs shall be designed subject to the following standards.
 - i. Varied roof-pitch is acceptable.
 - ii. Built-up roofs shall be accompanied by parapets.
 - iii. Roof aggregate shall be earth tone colors (warm and muted shades of brown, gray, beige, red) and applied to cover the entire roof.
 - iv. Metal roofing systems are acceptable if earth colors are used (warm and muted shades or brown, gray, beige red).
 - v. Roof equipment shall be screened from public view through enclosures that match the architectural style of the primary structure and are painted to match the roof color. Equipment that contributes to the architectural

character of the site and district (e.g., windmills, water towers, cisterns) are exempt from this requirement.

d. Exterior Walls, Flooring, and Signage.

i. Exterior walls.

1. Wall Finishes. Exterior walls shall have look of raw exposed materials and textures as described below.

- a. Pre-cast concrete.
- b. Brick.
- c. Split-faced block and ribbed finished corrugated metal (e.g., acid washed or painted).
- d. Stone.
- e. Steel Beams.

2. Wall Colors.

- a. Earth tone (warm and muted shades of brown, gray, beige, red, blue), white, or off-white.
- b. Accents, trim, and highlighting features shall contrast with the light earth tone, white, or off-white colors (e.g., dark blue, green, and brown).
- c. On walls visible from public rights-of-way with no windows or architectural features, a mural or vertical planting is permitted.

ii. Flooring and Hardscape Surfaces. Project entries and interior pedestrian areas shall utilize decorative paving consisting of any of the following:

1. Brick.
2. Tile.
3. Pavers.
4. Stamped concrete.

iii. Building Signage.

1. Building signage shall appear handcrafted (i.e., not manufactured) in the style of one or more of the following sign types:

- a. Projecting signs on decorative metal brackets.
- b. Pinned-off metal or wooden letters applied to a wall.
- c. Signs painted directly on a wall, awning, or window.
- d. Wood sandblasted signs.
- e. Handcrafted or carved signs.

2. Lighting of signs shall be shielded and indirect (versus face-lit internal letters). If external lighting is used, fixtures shall be non-obtrusive and match the architectural style of the building.

Update Zoning Code Section 17.56.090 ~~Affordable Housing Overlay District~~

- A. Purpose and Intent. The purpose of this section is to provide for the development of qualified affordable housing development, including rental and for sale housing, in residential, commercial and mixed-use zones. The intent is to facilitate the development of affordable housing, enable the City to meet its housing goals, and ensure that affordable developments will be compatible with surrounding land uses by establishing an overlay district and standards.
- B. Applicability. This section applies to properties in the ~~Affordable Housing [AH] Overlay [H]. Maps.~~ Properties are identified on the Zoning Map by a "~~AH~~" "H" label after the base zone. ~~For example, NC 2 (AH).~~
- C. Project Qualification. A "Qualified Affordable Housing Development" shall mean a multi-~~ple~~ family rental or for sale housing project consisting of efficiency, studio, one-, two-, three-, and/or four-bedroom units, which meets the following requirements:

1. The housing units on site shall provide at least the following percentage of affordable housing units, based on a minimum of 51 percent of the housing units for households earning no greater than 50 percent of Orange County Median Income by household size, and a maximum of 49 percent the remainder of the units may be market rate rental units or sold as market rate condominiums.
 - i. At least 20% of the housing units are restricted to low-income households; or
 - ii. At least 40% of the housing units are restricted to moderate-income households

All affordable housing units may be in a single category (very low, low, or moderate) or part of a mixture of affordable housing types. An in-lieu fee may replace up to ½ of a single housing that would otherwise be provided¹, but shall not be used in lieu of providing actual affordable housing units on site. Once a qualifying percentage of affordable housing units have been provided, the remaining units on site may be market rate rental units or sold as market rate condominiums.

~~2.3.~~ If units within a project are proposed to be sold as condominiums, then the affordable portion of the project must be sold as condominiums to a 501(c)3 non-profit housing development organization. The non-profit organization must rent out the

¹ e.g. if 2.4 units of low-income housing were required as part of a 12 unit project, the applicant could replace ²/₅ of one required low-income unit with an in-lieu fee and provide two low-income units. This provision does not supersede application of the State Density Bonus law, which requires provision of actual affordable housing units rounded up to the nearest whole number.

enforceably restricted affordable units to households at the applicable income level earning no greater than 50 percent of median income.

~~3. The development shall provide a residential density of not less than 20 dwelling units per acre, up to the maximum number of units allowed by the residential zoning standards identified in this section item D. below.~~

~~3. 4. Market rate~~ All condominiums must be regulated by a legal homeowner's association for the maintenance of the units.

D. Review Requirements. Affordable housing projects are a permitted use in the ~~[AH]~~ Housing Overlay. Refer to use tables in Sections 17.32.030 (Residential Use Regulations), 17.36.030 (Commercial Zone Uses) and 17.40.030 (Mixed-Use Zone Uses). Qualified Affordable Housing Development shall be eligible for ministerial review, subject to the applicable objective design standards contained in Chapter 17.26 (Objective Design Standards for Multi-Family Residential and Residential Mixed-Use Development).

E. ~~Affordable housing projects in commercial and mixed-use zones require either a Cultural Heritage Permit or Architectural Permit per Section 17.16.100, Depending on the project, other discretionary processes may apply per Chapter 17.16.~~

F. Minimum Standards. Affordable housing projects shall conform to ~~applicable~~ the underlying development standards of the underlying zone, with the exception of incentives, concessions and density bonuses as required by Government Code § 65915 or other applicable State law.~~the following exceptions below:~~

~~1. Neighborhood Commercial Zones. Affordable housing projects located in Neighborhood Commercial zones shall conform to the same development standards that apply to RM zoning districts (Residential Medium Density).~~

~~2. Mixed Use Zones (MU 3.1, MU 3.2). Affordable housing projects located in the MU 3.1 and MU 3.2 zones shall conform to development standards for mixed use projects. Affordable housing projects outside of the Coastal Zone may be located at street level.~~

G. Affordable Housing Agreement. ~~In addition to subsection D. above, the following shall apply to all qualified affordable housing projects proposed within the [AH] Overlay:~~

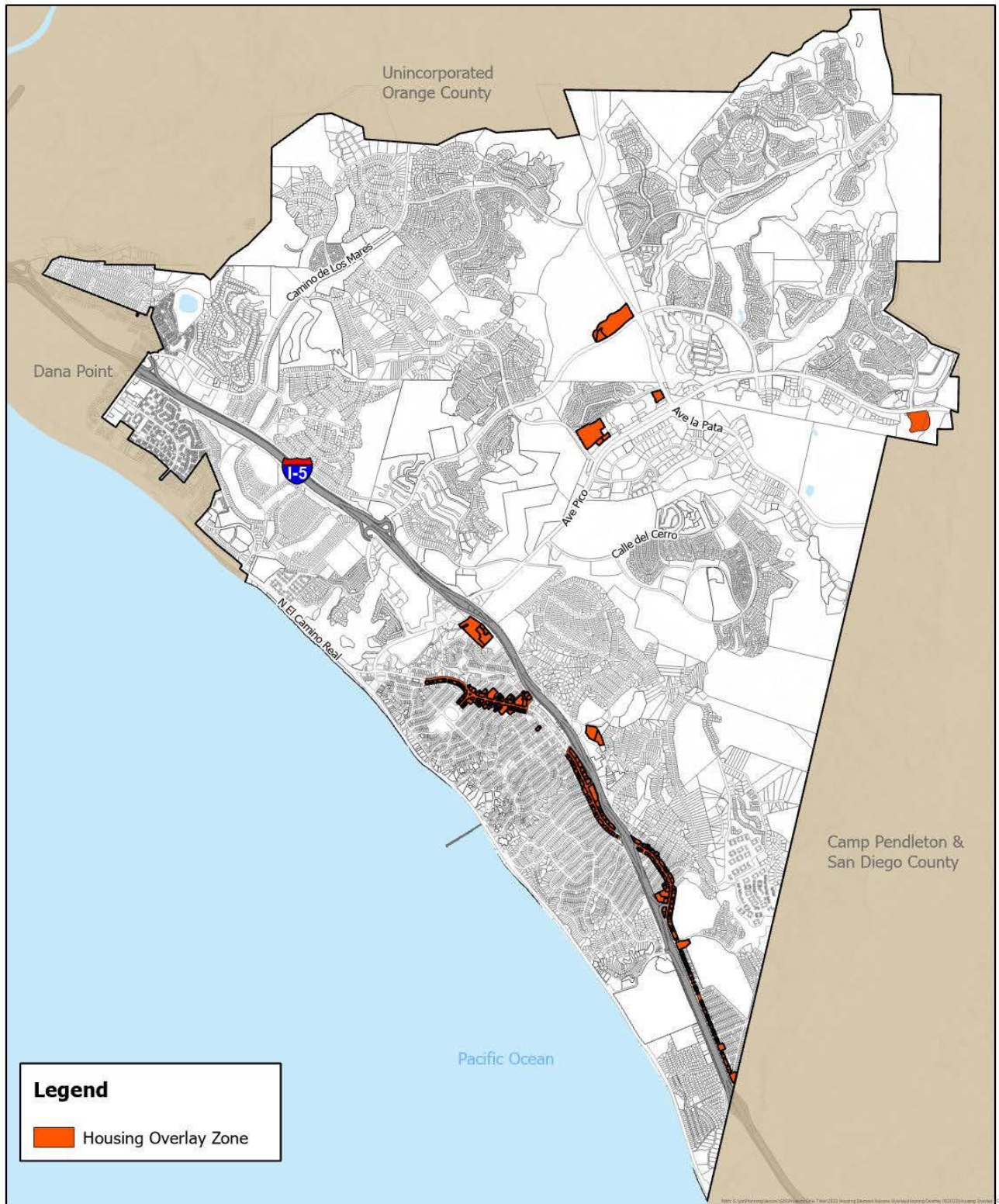
A Qualified Affordable Housing Development project shall ~~have~~ include a legally binding agreement between the applicant and the City, which shall be required to be executed and be recorded against the property on which the Qualified Affordable Housing Development project is to be constructed to ensure that the requirements of this chapter are satisfied.

The Affordable Housing Agreement shall be recorded against the Development Site prior to issuance of building permits ~~for the Qualified Affordable Housing Development.~~

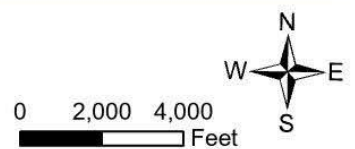
The Affordable Housing Agreement shall be binding on all future owners and successors in

interest. The Affordable Housing Agreement shall include, but not be limited to, the following:

1. Term. A term consistent with the ~~of a~~ minimum number ~~of 30~~ years specified by State law or applicable project funding source, or greater, depending upon whether non-City funding sources require a longer affordability term. Where other public financing has a longer term, the longest term of affordability shall prevail.
2. Property Management. A requirement that the owner shall provide for professional property management of the development including the owner's policies and procedures for renting, managing; maintaining and operating the affordable units. Property management shall also monitor the use of parking spaces within the development to assure that the parking spaces are provided, maintained and used in accordance with the terms of the Affordable Housing Agreement;
3. Occupancy. A requirement that the occupancy of each unit in the development shall be limited so that it does not exceed more than two persons per bedroom plus one additional person;
4. Priority of San Clemente residents. The obligation of the owner to provide first priority to people who live or work in the City to rent the qualified affordable units to the extent the project is funded with San Clemente Developer's In-lieu fees or other housing funds, as permitted by law.
5. Definitions of household income. Means those persons and families whose household income does not exceed the qualifying limits for extremely low, very low, and low income families as established and amended from time to time ~~by the Secretary of Housing and Urban Development and defined in Section 5.603(b) of Title 24 of the Code of Federal Regulations and Section 50106 of the California Health and Safety Code. In the event the federal standards are discontinued, the City shall use the definitions set by the California Department of Housing.~~



Housing Overlay



Update Zoning Code Section 17.32.030 (Residential Zone Uses)

Use	RVL	RL	RML	RM	RH
1. Agricultural					
Animals, Commercial Grazing of Large Species ¹	C				
Apiaries (Bee Farming)	C				
Crop and Tree Farming	C				
Marijuana Cultivation					
Nurseries (Farming Only)	C				
2. Lodging					
Bed-and-Breakfast Inns: ²					
a. 5 or Fewer Guest Rooms	C	C	MC	MC	MC
b. 6 or More Guest Rooms	C	C	C	C	C
Boardinghouse ¹⁸				C ²²	C ²²
STLU ¹⁹		-			O ²⁰
STAR ^{19, 21}	O	O	O	O	O
3. Public/Quasi-Public and Institutional					
Arboretums (Public/Private)	C				
Churches	C	C	C	C	C
Congregate Care Facility ³			C	C	C
Convalescent Care			C	C	C
Day Care Facilities, Children's: ⁴					
a. Small-Family Day Care Home ⁵	P	P	P	P	P
b. Large-Family Day Care Home ⁵	P	P	P	P	P
c. Day Care Center			C	C	C
Home Occupations ⁹	P	P	P	P	P
Parking Lots ⁶		C	C	C	C
Parks ⁷	O		O	O	O
Preserves (Archaeological, Botanical, Geological, Wildlife)	C	C	C	C	C
Public Utilities ⁸					
a. City-Initiated Project	O	O	O	O	O
b. Projects Initiated by Outside Agencies					
i. Major Utilities	C	C	C	C	C
ii. Minor Utilities	P	P	P	P	P
Recreational/Uses (Public/Private, Nonprofit)	C	C	C	C	C
Schools (Public/Private)	C	C	C	C	C
4. Residential Uses					
Accessory Dwelling Units ¹³	P	P	P	P	P
Accessory Uses (Pools, Detached Garages, Tool and Garden Sheds, Gazebos, Patio Covers, Barbecues)	P	P	P	P	P
a. Stables	C				
Guesthouses	C	P			
Home Occupation Permits ⁹	P	P	P	P	P
Mobile Homes ¹¹					
a. Units	C	C	C	C	C
b. Subdivisions and Parks ¹²	C	C	C	C	C
Multi-Family Dwellings Market Rate Residential Project:					

a. 2-4 Units ^{24, 25}			P	P	P
b. 5 Units or More ^{24, 25}			C	C	C
Residential Care Facilities, when licensed to serve six or fewer persons	P	P	P	P	P
<u>Qualified Affordable Housing Development Projects^{23, 25}</u>			<u>P</u>	<u>P</u>	<u>P</u>
Senior Housing Projects ^{14, 23, 25}			<u>€P</u>	<u>€P</u>	<u>€P</u>
Single-Family Dwellings	C	P	P	P	P
5. Unclassified Uses					
Accessory Buildings, Residential ¹⁵ Detached, Over 15 Feet in Height	C	C	C	C	C
a. All Others	P	P	P	P	P
b. Accessory Buildings, Nonresidential ¹⁶	C	C	C	C	C
Grading ¹⁷ (Not Accompanying a Development Request):					
a. Emergency	P	P	P	P	P
b. Major	C	C	C	C	C
c. Minor	P	P	P	P	P
Marijuana Delivery					
Marijuana Dispensary					
Marijuana Manufacturer					
Marijuana Testing Laboratory					

- 1 Refer to Section 17.28.060, Animals, Commercial Grazing and Raising of Large Species, of this title, for special provisions for the commercial grazing of large species.
- 2 Refer to Section 17.28.090, Bed and Breakfast Inns, of this title, for special provisions for bed and breakfast inns.
- 3 Refer to Section 17.28.110, Congregate Care Facilities, of this title for special provisions for congregate care facilities.
- 4 Refer to Section 17.28.100, Child Day Care Facilities, of this title for special provisions for day care facilities.
- 5 Small-family and Large-family day care homes are permitted in a detached single-family dwelling, a townhouse, a dwelling unit within a dwelling, or a dwelling unit within a covered multi-family dwelling in which the underlying zoning allows for residential uses, or a legal non-conforming single-family dwelling unit in nonresidential zone. Small-family day care and large-family daycare homes only shall operate in buildings that were lawfully constructed.
- 6 Refer to Section 17.28.220, Parking Lots, of this title for special provisions for single-use parking lots.
- 7 Refer to Section 17.28.230, Public Park Facilities, of this title for review requirements for parks.
- 8 Refer to Section 17.28.240, Public Utilities, of this title for review requirements for public utilities/buildings.
- 9 Refer to Section 17.28.160, Home Occupations, of this title for special provisions for Home Occupations.
- 10 Reserved.
- 11 Refer to Section 17.28.190, Mobile homes, of this title for special provisions for mobile homes.
- 12 Refer also to Section 17.56.040, Planned Residential District Overlay, of this title, for special provisions for planned residential developments.
- 13 Refer to Section 17.28.270, Accessory Dwelling Units (ADUs), of this title for special provisions for ADUs.
- 14 Refer to Section 17.28.280, Senior Housing Projects, of this title for special provisions for senior housing projects.

- 15 Refer to Section 17.24.040, Accessory Buildings, of this title for special provisions for accessory buildings.
- 16 Refer to Section 17.24.040, Accessory Buildings, of this title for special provisions for accessory buildings.
- 17 Refer to Section 17.28.130, Grading, of this title, for special provisions for grading requests that are not accompanying development requests.
- 18 A boardinghouse may not be located within three hundred (300) feet of any other boardinghouse measured by following a straight line without regard to intervening buildings from the nearest point of the parcel on which the proposed boardinghouse is to be located to the nearest point of the parcel that contains the existing boardinghouse. No more than one (1) boardinghouse is allowed on a legal parcel.
- 19 Refer to Section 17.28.292, STLUs, of this title for special provisions for STLUs including STARs.
- 20 STLUs are only permitted on lots that are designated for STLUs on the City's current adopted "Short-Term Lodging Units (STLU) Allowed Areas" map in Appendix C of this title.
- 21 STARs are permitted in all zones where STLUs are permitted with an STLU zoning permit in accordance with Section 17.16.45. STARs that are located in residential zones where STLUs are not permitted require a STAR permit in accordance with Section 17.16.146.
- 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).
23. Qualified Affordable Housing Developments and Senior Housing Projects are permitted uses on properties in the Housing Overlay but not in all Residential zones. Refer to Section 17.56.090, Housing Overlay Zone for projects in Residential Zones of this title.
24. Market rate residential projects within the Housing Overlay proposing 4 or fewer units that meet the applicable objective design standards contained in Chapter 17.26 shall be permitted ministerially. Market rate residential projects within the Housing Overlay proposing 5 or more units and those that do not meet the objective design standards shall be considered as part of a discretionary review process.
25. Qualified Affordable Housing Developments, Senior Housing, and Market Rate Residential or Mixed Use projects shall not be allowed to convert existing hotel/motel uses which have provided lower cost visitor serving accommodation in the last five years, unless the project provides equivalent new lower cost visitor serving accommodation or unless required to be approved pursuant to State law.

Update Zoning Code Section 17.36.020 (Commercial Zone Uses)

Use	Zones										
	NC 1.1	NC 1.2	NC 1.3	NC 2	NC 3	CC 1	CC 2	CC 3	CC 4	RMF 1	NOTE
1. Commercial											
Antiques (Retail Sales)	P	P	P	P	P	P	P	P	P		
Art Galleries	P	P	P	P	P	P	P	P	P		
Bakery Goods/Sales (No Wholesale Distributors)	P	P	P	P	P	P	P	P	P		
Barber Shops	P	P	P	P	P	P	P	P	P		
Bicycle Shops	P	P	P	P	P	P	P	P	P		
Bookstores	P	P	P	P	P	P	P	P	P		
Carpet Sales	MC	MC	P	P	P	P	P	P	P		
Ceramics (Retail Sales)	MC	MC	P	P	P	P	P	P	P		

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Cleaners & Laundromats (No Linen Service)	P	P	P	P	P	P	P	P	P		
Clothing (Retail Sales)	P	P	P	P	P	P	P	P	P		
Confectionery Stores (Small Scale Production with Retail Sales)	P	P	P	P	P	P	P	P	P		
Convenience Stores	C	C	C	C	C	C	C	C	C		1
Drugstores/Pharmacies	P	P	P	P	P	P	P	P	P		
Electronics (Retail Sales and Repair)	P	P	P	P	P	P	P	P	P		
Fabric Stores	P	P	P	P	P	P	P	P	P		
Florists (Retail Sales)	P	P	P	P	P	P	P	P	P		
Floor Covering Stores	MC	MC	P	P	P	P	P	P	P		
Furniture Stores (Retail Sales)	MC	MC	P	P	P	P	P	P	P		
Glass/Mirror Sales	MC	MC	P	P	P	P	P	P	P		
Grocery/Food Stores (Not Convenience Stores)	P	P	P	P	P	P	P	P	P		
Gunsmith/Gun Shops			C	C	C	C	C	C	C		
Hardware Stores	P	P	P	P	P	P	P	P	P		
Home Appliance Stores (Retail Sales and Repair)	MC	MC	P	P	P	P	P	P	P		
Ice Cream Parlors (Retail Sales with Small Production)	P	P	P	P	P	P	P	P	P		
Interior Decorating Stores	MC	MC	P	P	P	P	P	P	P		
Janitorial Supplies			P	P	P	P	P	P	P		
Jewelry Stores	P	P	P	P	P	P	P	P	P		
Lawnmower Sales/Service	MC	MC	P	P	P	P	P	P	P		
Liquor Sales:											
a. Hard Alcohol	C	C	C	C	C	C	C	C	C		
b. Beer and Wine (Off-Site Consumption Only)	MC	MC	MC	MC	MC	MC	MC	MC	MC		
Locksmith Shops	MC	MC	P	P	P	P	P	P	P		
Mail-Order Stores	MC	MC	P	P	P	P	P	P	P		
Marijuana Cultivation											
Marijuana Delivery											
Marijuana Dispensary											
Marijuana Manufacturer											
Marijuana Testing Laboratory											
Medical/X-Ray Equipment (Sales Only)			P	P	P	P	P	P	P		
Music Sales	P	P	P	P	P	P	P	P	P		

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Newsstands (On Private Property)	P	P	P	P	P	P	P	P	P		
Nurseries (Indoor Garden Retail Sales)	MC	MC	P	P	P	P	P	P	P		
Nurseries (Outdoor Garden Retail Sales)			C	C	C	C	C	C	C		
Office Equipment/Supplies	C	C	P	P	P	P	P	P	P		
Paint/Wallpaper Sales	MC	MC	P	P	P	P	P	P	P		
Patio/Outdoor Furniture Sales	MC	MC	P	P	P	P	P	P	P		
Pawn Shops			C	C	C	C	C	C	C		
Pet Shops	MC	MC	MC	MC	MC	MC	MC	MC	MC		
Pet Supply Stores	MC	MC	P	P	P	P	P	P	P		
Photographic Equipment Sales	MC	MC	P	P	P	P	P	P	P		
Pottery (Retail Sales with Small Production)	MC	MC	P	P	P	P	P	P	P		
Shoe Stores (Retail Sales and Repair)	P	P	P	P	P	P	P	P	P		
Smoke or Tobacco Shops			C			C	C	C	C		1
Specialty Food Stores	P	P	P	P	P	P	P	P	P		
Sporting Goods (Retail Sales)	MC	MC	P	P	P	P	P	P	P		
Stationery Stores	P	P	P	P	P	P	P	P	P		
Surfboard (Custom Manufacturing)			C	C	C	C	C	C	C		
Swimming Pool Accessory Shops	MC	MC	P	P	P	P	P	P	P		
Tailors/Dressmakers	P	P	P	P	P	P	P	P	P		

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

Use	Zones										
	NC 1.1	NC 1.2	NC 1.3	NC 2	NC 3	CC 1	CC 2	CC 3	CC 4	RMF 1	NOTE
3. Lodging											

Bed and Breakfast Inns:											3
a. Five or Fewer Guest Rooms		P	P	P	P	P	P	P	P		
b. Six to 10 Guest Rooms		MC	MC	MC	MC	MC	MC	MC	MC		
c. Over 10 Guest Rooms		C	C	C	C	C	C	C	C		
Hotel and Ancillary Uses		C	C	C	C	C	C	C	C		
Motels			C	C	C	C	C	C	C		
Timeshares		C	C	C	C	C	C	C	C		

Use	Zones										
4. Personal Services	NC 1.1	NC 1.2	NC 1.3	NC 2	NC 3	CC 1	CC 2	CC 3	CC 4	RMF 1	NOTE
Barber, beauty, nail, and tanning services	P	P	P	P	P	P	P	P	P		
Body Art Establishments											1
Body Piercing Studios	P	P	P	P	P	P	P	P	P		1
Tattoo Parlors	P	P	P	P	P	P	P	P	P		1

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

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Telemarketing Services		P	P	P	P	P	P	P	P		
Travel Agencies	MC	MC	P	P	P	P	P	P	P		

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

Use	Zones										NOTE
	NC 1.1	NC 1.2	NC 1.3	NC 2	NC 3	CC 1	CC 2	CC 3	CC 4	RMF 1	
7. Residential Uses											
<u>Qualified Affordable Housing Development</u> Projects		P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		11, 25
Senior Housing Projects		<u>€P</u>	<u>€P</u>	<u>€P</u>	<u>€P</u>	C	C	C	C		11, 12, 25

Use	Zones										NOTE	
	NC 1.1	NC 1.2	NC 1.3	NC 2	NC 3	CC 1	CC 2	CC 3	CC 4	RMF 1		
8. Restaurants and bars												
Bars, cocktail lounges (with or without dancing and/or entertainment)	C	C	C	C	C	C	C	C	C			
Microbreweries (with limited production up to 5,000 barrels and tasting room) as defined in Section 17.88	C	C	C	C	C	C	C	C	C			
Taprooms as defined in Section 17.88	C	C	C	C	C	C	C	C	C			
Restaurants:												
a. With drive-through			C	C	C	C	C	C	C			13
b. With no on-site consumption of liquor, no dancing, no entertainment	P	P	P	P	P	P	P	P	P			
c. With on-site sale of beer and wine:												
i. Indoors	MC	MC	MC	MC	MC	MC	MC	MC	MC			
ii. Outdoors with up to 16 outdoor seats or four tables	MC	MC	MC	MC	MC	MC	MC	MC	MC			
iii. Outdoors with more than 16 outdoor seats and/or four tables	MC	MC	MC	MC	MC	MC	MC	MC	MC			
d. With on-site sale of hard alcohol:												
i. Indoors	C	C	C	C	C	C	C	C	C			
ii. Outdoors with up to 16 outdoor seats or four tables	MC/C	MC/C	MC/C	MC/C	MC/C	MC/C	MC/C	MC/C	MC/C			14, 15
iii. Outdoors with more than outdoor 16 seats and/or four tables	C	C	C	C	C	C	C	C	C			14, 15
e. With dancing and/or entertainment that has:												
i. No amplified sound	MC	MC	MC	MC	MC	MC	MC	MC	MC			

ii. Amplified sound	C	C	C	C	C	C	C	C	C		
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Use	Zones										NOTE	
	NC 1.1	NC 1.2	NC 1.3	NC 2	NC 3	CC 1	CC 2	CC 3	CC 4	RMF 1		
9. Unclassified Uses												
Accessory Buildings	C	C	C	C	C	C	C	C	C	C		
Alcohol Beverage Sales Concurrent with Motor Vehicle Fuel-Convenience Store Sales	C	C	C	C	C	C	C	C	C			16
Amusement Centers	C	C	C	C	C	C	C	C	C			17
Animal Grooming Shops	MC	MC	MC	P	P	P	P	P	P			
Bowling Alleys			C	C	C	C	C	C	C			
Drive-Thru Facilities, When in Conjunction with a Use Permitted or Conditionally Permitted in this Zone			C	C	C	C	C	C	C			
Grading, Not Accompanying a Development Request:												18
a. Emergency	P	P	P	P	P	P	P	P	P	P		
b. Major	C	C	C	C	C	C	C	C	C	C		
c. Minor	P	P	P	P	P	P	P	P	P	P		
Health/Fitness/Sports Clubs and Facilities	C	C	C	C	C	C	C	C	C			
Massage			C	C	C	C	C	C	C			19
Accessory Massage	MC	MC	MC	MC	MC	MC	MC	MC	MC			19
Mortuaries			C	C	C	C	C	C	C			
Pool Halls			C	C	C	C	C	C	C			20
Recycling Facilities:												21
a. Reverse Vending Machines	P	P	P	P	P	P	P	P	P			
b. Small Collection	C	C	P	P	P	P	P	P	P			
c. Large Collection			C	C	C	C	C	C	C			
Theaters			C	C	C	C	C	C	C			
Urban Private Storage												
Wine Tasting (Only as an Accessory Use to establishments selling wine or wine related products as a primary use)	MC	MC	MC	MC	MC	MC	MC	MC	MC			

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

1. Refer to Chapter 17.28, Special Uses, of this title for special provisions for the referenced land use.
2. Refer to Section 17.28.220, Parking Lots, of this title, for special provisions for single-use parking lots.
3. Refer to Section 17.28.090, Bed and Breakfast Inns, of this title, for special provisions for bed and breakfast inns.
4. Refer to Section 17.28.110, Congregate Care Facilities of this title for special provisions for congregate care facilities.
5. Refer to Section 17.28.100, Child Day Care Facilities, this title, for special provisions for day care facilities.
6. Small-family and large-family day care homes are permitted in a detached single-family dwelling, a townhouse, a dwelling unit within a dwelling, or a dwelling unit within a covered multi-family dwelling in which the underlying zoning allows for residential uses, or a legal non-conforming single-family dwelling unit in a nonresidential zone. Small-family and large-family day care homes only shall operate in buildings that were lawfully constructed.
7. A group-counseling use is conditionally permitted in an RMF 1 zone only if it is integrated into, and secondary in nature to, a Hospital facility. The group-counseling use must serve the primary use of the site as a general Hospital that serves the broader community.
8. Refer to Section 17.28.220, Parking Lots, of this title, for special provisions for parking lots.
9. Refer to Section 17.28.230, Public Park Facilities, of this title for review requirements for parks.
10. Refer to Section 17.28.240, Public Utilities, of this title, for special provisions for public utilities.
11. Qualified Affordable Housing Developments and Senior Housing Projects are permitted uses on properties in the Housing Overlay but not in all Commercial zones. Refer to Section 17.56.090, Affordable Housing Overlay Zone, for projects in Commercial and Mixed-Use Zones, of this title, for special provisions for Affordable Housing Projects.

12. Refer to Section 17.28.280, Senior Housing Projects, of this title, for special provisions for senior housing projects.
 13. Refer to Section 17.28.260, Restaurants, Drive-In, Drive-Through, of this title, for special provisions for drive-in/drive-thru restaurants.
 14. When a restaurant has an approved CUP for the service of alcohol indoors and a CUP is required for the service of alcohol outdoors, then the applicant may request an amendment to the existing CUP to extend service outdoors. When a restaurant has an approved CUP for the service of alcohol indoors and an MCUP is required for the service of alcohol outdoors, an MCUP is the only application necessary (an amendment to the existing CUP shall not be necessary).
 15. If a CUP has been previously approved for service of hard alcohol indoors, then that service may be extended outdoors for outdoor facilities with no more than 16 seats or four tables with the approval of an MCUP. If no CUP has been approved for service of hard alcohol indoors, then any service of hard alcohol outdoors requires a CUP.
 16. Refer to Section 17.28.040, Alcoholic beverages and motor vehicle fuel, concurrent sale of, of this title, for special provisions for concurrent sales of motor fuel and alcoholic beverages.
 17. Refer to Section 17.28.050, Amusement Centers, of this title, for special provisions for arcades/amusement centers.
 18. Refer to Section 17.28.130, Grading, of this title, for special provisions for grading requests that are not accompanying development requests.
 19. Massage is subject to Section 5.28 of the City of San Clemente Municipal Code. Refer to Section 17.28.185, Massage Establishments, of this title, for special provisions for massage establishments and accessory massage establishments.
 20. The provisions for amusement centers shall apply to pool halls. Please refer to Section 17.28.050, Amusement Centers, for special provisions for amusement centers.
 21. Refer to Section 17.28.250, Recycling Facilities, of this title, for special provisions for recycling facilities.
 22. Refer to Section 17.28.290, Service Stations, of this title, for special provisions.
 23. Refer to Section 17.28.310, Vehicle Dealerships, Rental, and Sales of this title, for special provisions for vehicle dealerships.
 24. Refer to Section 17.28.320, Vehicle Service and Repair-Related Facilities, of this title, for special provisions.
- 25 Qualified Affordable Housing Developments, Senior Housing, and Market Rate Residential projects shall not be allowed to convert existing hotel/motel uses which have provided lower cost visitor serving accommodation in the last five years, unless the project provides equivalent new lower cost visitor serving accommodation or unless required to be approved pursuant to State law.

Update Zoning Code Section 17.40.030 (Mixed-Use Zone Uses)

USE	ZONES							
	MU 1	MU 2	MU 3.0	MU 3.1	MU 3.2	MU 3.3	MU 5	NOTE
1. Commercial Uses								
Antiques	P	P	P	P	P	P	P	
Art Galleries	P	P	P	P	P	P	P	

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

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Liquor Sales:								
a. Hard Alcohol	C	C	C	C	C	C	C	
b. Beer and Wine (Off-Site Consumption Only)	MC	MC	MC	MC	MC	MC	MC	
Locksmith Shops	P	P	P	P	P	P	P	
Mail-Order Stores	P	P	P	P	P	P	P	
Marijuana Cultivation								
Marijuana Delivery								
Marijuana Dispensary								
Marijuana Manufacturer								
Marijuana Testing Laboratory								
Medical/X-Ray Equipment (Sales Only)					P		P	
Medical Marijuana Dispensaries								
Music Sales	P	P	P	P	P	P	P	
Newsstands (On Private Property)	P	P	P	P	P	P	P	
Nurseries (Indoor Garden Retail Sales)	P	P	P	P	P	P	P	
Nurseries (Outdoor Garden Retail Sales)	C	C	C	C	C	C	C	
Office Equipment/Supplies	P	P	P	P	P	P	P	
Paint/Wallpaper Sales	P	P	P	P	P	P	P	
Patio/Outdoor Furniture Sales	P	P	P	P	P	P	P	
Pawn Shops	C	C	C	C	C	C	C	
Pet Shops	MC	MC	MC	MC	MC	MC	MC	
Pet Supply Stores	P	P	P	P	P	P	P	
Photographic Equipment Sales	P	P	P	P	P	P	P	

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Pottery (Retail Sales with Small Production)	P	P	P	P	P	P	P	
Shoe Stores (Retail Sales and Repair)	P	P	P	P	P	P	P	
Smoke or Tobacco Shops								
Specialty Food Stores	P	P	P	P	P	P	P	
Sporting Goods (Retail Sales)	P	P	P	P	P	P	P	
Stationery Stores	P	P	P	P	P	P	P	
Swimming Pool Accessory Shops	P	P	P	P	P	P	P	
Tailors/Dressmakers	P	P	P	P	P	P	P	

USE	ZONES							
	MU 1	MU 2	MU 3.0	MU 3.1	MU 3.2	MU 3.3	MU 5	NOTE
2. Lodging								
Bed and Breakfast Inns:								2
a. Five or Fewer Guest Rooms	O	P	O	P	P	P	P	2
b. Six to 10 Guest Rooms	O	MC	O	MC	MC	MC	MC	2
c. Over 10 Guest Rooms	C	C	C	C	C	C	C	
Boardinghouse							C	29, 31
STLU	O	O	O	O		O	O	30
STAR	O	O	O	O		O	O	30
Hotel and Ancillary Uses	C	C	C	C	C	C	C	
Motels					C		C	
Timeshares	C	C	C	C	C	C	C	

USE	ZONES							
	MU 1	MU 2	MU 3.0	MU 3.1	MU 3.2	MU 3.3	MU 5	NOTE
3. Personal Services								
Barber, beauty, nail, and tanning services	P	P	P	P	P	P	P	

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Body Art Establishments								
Body Piercing Studios	O	P	O	P	P	P	P	3
Tattoo Parlors	O	MC	O	MC	MC	MC	MC	3

USE	ZONES							
	MU 1	MU 2	MU 3.0	MU 3.1	MU 3.2	MU 3.3	MU 5	NOTE
4. Professional Offices, Financial Institutions and Related Uses								
Ambulance Services (Office Only)	O	P	O	P	P	P	P	3
Banks/Financial Institutions	P	P	P	P	P	P	P	
Employment Agencies	O	P	O	P	P	P	P	3
Offices, Medical:								
a. Optometrists with Retail Space	P	P	P	P	P	P	P	
b. Optometrists without Retail Space	O	P	O	P	P	P	P	3
c. Other Offices	O	P	O	P	P	P	P	3
Offices, Professional and/or General:								
a. Realtors	P	P	P	P	P	P	P	
b. Other Offices	O	P	O	P	P	P	P	3
Offices, Veterinary/Animal Hospitals	C	C	C	C	C	C	C	
Secretarial Services	O	P	O	P	P	P	P	3
Telemarketing Services	O	P	O	P	P	P	P	3
Travel Agencies	P	P	P	P	P	P	P	

USE	ZONES							
	MU 1	MU 2	MU 3.0	MU 3.1	MU 3.2	MU 3.3	MU 5	NOTE
5. Public/Quasi Public and Institutional Uses								
Churches	C	C	C	C	C	C	C	

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Clubs/Social Organizations	C	C	C	C	C	C	C	
Congregate Care Facilities	C	C	C	C	C	C	C	4
Convalescent Homes							C	
Day Care Facilities:								5
a. Small Day Care Homes	P	P	P	P	P	P	P	6
b. Large Day Care Homes	P	P	P	P	P	P	P	6
c. Child Day Care Centers	C	C	C	C	C	C	C	
Group Instruction	MC	MC	MC	MC	MC	MC	MC	3
Group Counseling								
Libraries	P	P	P	P	P	P	P	
Parking Lots	MC	MC	MC	MC	MC	MC	MC	7
Parking Structures	C	C	C	C	C	C	C	
Parks	O	O	O	O	O	O	O	8
Public Utilities								9
a. City-Initiated Projects	O	O	O	O	O	O	O	
b. Projects Initiated by Outside Agencies:								
i. Major Utilities	C	C	C	C	C	C	C	
ii. Minor Utilities	P	P	P	P	P	P	P	
Schools, Public and Private 1-12 Individuals	MC	MC	MC	MC	MC	MC	MC	
Greater than 12 Individuals	C	C	C	C	C	C	C	
Transportation Facilities	C	C	C	C	C	C	C	

USE	ZONES							NOTE
	MU 1	MU 2	MU 3.0	MU 3.1	MU 3.2	MU 3.3	MU 5	
6. Residential Uses								
<u>Qualified Affordable Housing Development</u> Projects	<u>P</u>	<u>P</u>	<u>P</u>	P	<u>P</u>	<u>P</u>	P	10, 33
Manufactured Homes							MC	

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Mobile Homes:							C	11
a. Units							C	
b. Subdivisions and Parks								12
<u>Market Rate Residential Units</u>	P	P	P	P	P	P	P	<u>10, 13, 14, 32, 33</u>
Senior Housing Projects	C	C	C	<u>€ P</u>	C	<u>€ P</u>	<u>€ P</u>	<u>10, 15</u>
Stand Alone Residential				P		P	P	14

USE	ZONES							NOTE
	MU 1	MU 2	MU 3.0	MU 3.1	MU 3.2	MU 3.3	MU 5	
7. Restaurants and bars								
Bars, cocktail lounges (with or without dancing and/or entertainment)	C	C	C	C	C	C	C	
Microbreweries (with limited production up to 5,000 barrels and tasting room) as defined in 17.88	C	C	C	C	C	C	C	
Taproom as defined in 17.88	C	C	C	C	C	C	C	
Restaurants:								
a. With drive-through							C	16
b. With no on-site consumption of liquor, no dancing, no entertainment	P	P	P	P	P	P	P	
c. With on-site sale of beer and wine:								
i. Indoors	MC	MC	MC	MC	MC	MC	MC	
ii. Outdoors with up to 16 outdoor seats or four tables	MC	MC	MC	MC	MC	MC	MC	
iii. Outdoors with more than 16 outdoor seats and/or four tables	C	C	C	C	C	C	C	
d. With on-site sale of hard alcohol:								17, 18, 19

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i. Indoors	C	C	C	C	C	C	C	
ii. Outdoors with up to 16 outdoor seats or four tables	MC/C	MC/C	MC/C	MC/C	MC/C	MC/C	MC/C	
iii. Outdoors with more than outdoor 16 seats and/or four tables	C	C	C	C	C	C	C	
e. With dancing and/or entertainment that has:								
i. No amplified sound	MC	MC	MC	MC	MC	MC	MC	
ii. Amplified sound	C	C	C	C	C	C	C	

USE	ZONES							
	MU 1	MU 2	MU 3.0	MU 3.1	MU 3.2	MU 3.3	MU 5	NOTE
8. Unclassified Uses								
Accessory Buildings, Residential								20
a. Detached, Over 15 Feet in Height							C	
b. All Others							P	
Accessory Buildings, Nonresidential	C	C	C	C	C	C	C	20
Alcohol Beverage Sales Concurrent with Motor Vehicle Fuel-Convenience Store Sales							C	21
Amusement Centers	C	C	C	C	C	C	C	22
Animal Grooming Shops							MC	
Bowling Alleys							C	
Drive-Thru Facilities, When in Conjunction with a Use Permitted or Conditionally Permitted in this Zone							C	16
Grading, Not Accompanying a Development Request:								23
a. Emergency	P	P	P	P	P	P	P	

b. Major	C	C	C	C	C	C	C	
c. Minor	P	P	P	P	P	P	P	
Health/Fitness/Sports Clubs and Facilities	C	C	C	C	C	C	C	
Massage								24
Accessory Massage	MC	MC	MC	MC	MC	MC	MC	24
Mortuaries							C	
Pool Halls	C	C	C	C	C	C	C	25
Recycling Facilities: Reverse Vending Machines	MC	MC	MC	MC	MC	MC	MC	26
Theaters	C	C	C	C	C	C	C	
Urban Private Storage	C	C	C	C	C	C		27
Wine Tasting (Only as an Accessory Use to establishments selling wine or wine related products as a primary use)	MC	MC	MC	MC	MC	MC	MC	

USE	ZONES							NOTE
	MU 1	MU 2	MU 3.0	MU 3.1	MU 3.2	MU 3.3	MU 5	
9. Vehicle-Related Service								
Car Washes							C	28
Vehicle Parts Stores	P	P	P	P	P	P	P	28

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

2 Refer to Section 17.28.090, Bed and Breakfast.

3. Refer to Section 17.56.030 Central Business (-CB) Overlay District. This use is potentially subject to locational criteria within a structure based on its compatibility with the objectives of creating or maintaining pedestrian-oriented space in the Central Business Overlay District. A Minor Conditional Use Permit is required to allow non-pedestrian uses in pedestrian-oriented space, as defined in Section 17.56.030.

4 Refer to Section 17.28.110, Congregate Care Facilities.

5 Refer to Section 17.28.100, Child Day Care Facilities.

6 Small-family and large-family day care homes are permitted in a detached single-family dwelling, a townhouse, a dwelling unit within a dwelling, or a dwelling unit within a covered multi-family dwelling in which the underlying zoning allows for residential uses, or a legal non-conforming single-family dwelling unit in a nonresidential zone. Small-family and large-family day care homes only shall operate in buildings that were lawfully constructed.

- 7 Refer to Section 17.28.220, Parking Lots.
- 8 Refer to Section 17.28.230, Public Park Facilities.
- 9 Refer to Section 17.28.240, Public Utilities.
10. Qualified Affordable Housing Developments and Senior Housing Projects are permitted uses on properties in the Affordable Housing Overlay, pursuant to Section 17.56.090. Also, Qualified Affordable Housing Development Projects may provide residential units on the ground floor if necessary to meet minimum density requirements as set forth in the Objective Design Standards Section 17.56.090.
11. Refer to Section 17.28.190, Mobile Homes.
12. Refer to Section 17.36.040, Planned Residential District Overlay.
13. Refer to Section 17.40.0230.A.2 for special use requirements that apply to residential uses.
14. Residential uses may be located on the ground level in the MU 3.1, MU 3.3, and MU 5 zones. For residential uses in the MU 5 zone, please refer to Section 17.40.050(A), Residential Use Restrictions for MU 5.
15. Refer to Section 17.28.280, Senior Housing Projects.
16. Refer to Section 17.28.260, Drive-Throughs.
17. When a restaurant has an approved CUP for the service of alcohol indoors and a CUP is required for the service of alcohol outdoors, then the applicant may request an amendment to the existing CUP to extend service outdoors.
18. When a restaurant has an approved CUP for the service of alcohol indoors and an MCUP is required for the service of alcohol outdoors, an MCUP is the only application necessary (an amendment to the existing CUP shall not be necessary).
19. If a CUP has been previously approved for service of hard alcohol indoors, then that service may be extended outdoors for outdoor facilities with no more than sixteen (16) seats or four (4) tables with the approval of an MCUP. If no CUP has been approved for service of hard alcohol indoors, then any service of hard alcohol outdoors requires a CUP.
20. Refer to Section 17.24.040, Accessory Buildings.
21. Refer to Section 17.28.040, Alcoholic beverages and motor vehicle fuel, concurrent sale of, of this title, for special provisions for concurrent sales of motor fuel and alcoholic beverages.
22. Refer to Section 17.28.050, Amusement Centers.
23. Refer to Section 17.28.130, Grading.
24. Massage is subject to Section 5.28 of the City of San Clemente Municipal Code. Refer to Section 17.28.185, Massage Establishments, of this title, for special provisions for massage establishments. To the extent otherwise allowed, Accessory Massage is permitted only in the commercial portion of a mixed-use building.
25. The provisions for amusement centers shall apply to pool halls. Refer to Section 17.28.050, Amusement Centers.
26. Refer to Section 17.28.250, Recycling Facilities.
27. Refer to Section 17.28.305, Urban Private Storage.
28. Refer to Section 17.28.320, Vehicle Service and Repair-Related Facilities.
29. A boardinghouse may not be located within three hundred (300) feet of any other boardinghouse measured by following a straight line without regard to intervening buildings from the nearest point of the parcel on which the proposed boardinghouse is to be located to the nearest point of the parcel that contains the existing boardinghouse. No more than one (1) boardinghouse is allowed on a legal parcel.

30. Refer to Section 17.28.292, Short-Term Lodging Units, of this title for special provisions for STLUs and STARs.

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).

32. Market Rate Residential or Mixed Use projects within the Housing Overlay proposing 4 or fewer units that meet the applicable objective design standards contained in Chapter 17.26 shall be permitted ministerially. Market Rate Residential or Mixed Use projects within the Housing Overlay proposing 5 or more units and those that do not meet the objective design standards shall be considered as part of a discretionary review process.

33. Qualified Affordable Housing Developments, Senior Housing, and Market Rate Residential projects shall not be allowed to convert existing hotel/motel uses which have provided lower cost visitor serving accommodation in the last five years, unless the project provides equivalent new lower cost visitor serving accommodation or unless required to be approved pursuant to State law.