Chapter 1

INTRODUCTION

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101 Purpose and Objectives

The purpose of this Specific Plan is to implement the City’s General Plan and be responsive to the goal of preserving San Clemente’s unique atmosphere, historical identity, and significant natural features. The objectives of the Specific Plan for the Marblehead Coastal property is as follows:

I. Provide for a variety of land uses within the Specific Plan area capable of generating significant new tax revenues to the City.
   • Provide for regional shopping and local employment opportunities, visitor and community-serving commercial and recreational uses, a range of housing opportunities, preservation of habitat values and sensitive plants using a combination of on-site and off-site measures, and appropriate on-site open space.
   • Provide for planning and design concepts for Marblehead Coastal that are consistent with the amended General Plan.
   • Provide for development standards within Marblehead Coastal adequate to implement planning and design concepts that are consistent with the existing community character and quality.
   • Provide for implementation of the City’s Master Landscape Plan for Scenic Corridors (MLPSC).

II. Promote Regional Commercial Uses to Generate Sales Tax Revenues.
   • Provide an ongoing source of significant sales tax revenue to address the long-term fiscal needs of the City.

Provide a source of revenue adequate to fund the construction of major coastal access improvements, particularly the Interstate 5/Avenida Vista Hermosa Interchange and the extension of Avenida Vista Hermosa to Avenida Pico.
III. Enhance Existing and Future Public Access to the Coast

- To relieve existing and projected traffic congestion levels; to provide necessary coastal access for future inland residential development within the City; and to provide for major circulation system improvements, particularly the Interstate 5/Avenida Vista Hermosa interchange and the extension of Avenida Vista Hermosa to Avenida Pico to the west and the extension of Avenida Vista Hermosa to Calle Frontera to the east, as well as to provide alternative coastal access for inland residents and from the Foothill Transportation Corridor-South.

- To provide for internal public trail linkages, including the trails in Marblehead Canyon and along the bluff face; to enhance access to the coast for inland residents; and to connect proposed visitor-serving commercial and residential uses within Marblehead Coastal to the North Beach Village and other shoreline attractions.

IV. Enhance Future Public Recreation Opportunities along the Shoreline by Providing Upland Recreation and Visitor-Serving Areas Designed to Support Recreational Use of Public Beaches in the City.

- Determine whether Marblehead Coastal is a feasible site for a resort destination facility, considering physical and biological site constraints, competition from other sites with direct beach access and amenities, the desire of hotel owners/managers to develop a hotel on the site, and other factors.

- If development of a resort destination facility on-site is not economically or fiscally feasible, provide for visitor-serving retail and commercial uses on-site within the regional commercial center and the visitor-serving retail site located adjacent to the public park and close to the North Beach Village.

- Provide for day-use commercial and recreation-serving uses that serve residents and visitors in a manner that will complement and support public beach areas.

- Provide for 3.4-acres of public ocean view parks on the site.

- Provide for an 8.6-acre general open space area adjacent to Shorecliffs Middle School and the future Avenida Vista Hermosa Interchange.

- Maintain the City’s tradition of high quality public places.

V. Provide for New or Future Residential Development.

- Concentrate new residential uses within developed areas and in close proximity to existing employment opportunities, consistent with Coastal Act policy, the City of San Clemente General Plan, the South Subregion NCCP/HCP Program, and County of Orange and SCAG policies.

- Provide for new residential development in a manner that will implement the City’s Inclusionary Housing Program, Growth Management Program, and Urban Design Program.
VI. Provide for Viable Long-Term Protection and Enhancement of On-Site Wetlands and Native Vegetation.

- Preserve on-site wetlands to the maximum extent feasible and consolidate isolated wetlands within Marblehead Canyon in order to maximize wetland values and facilitate long-term management of wetland resources.

- Enhance long-term wetland values within Marblehead Canyon by maintaining a reliable source of low-flow water to the wetlands.

- Enhance habitat values by planting higher value wetland vegetation.

- To the extent feasible, restore on-site sage scrub habitats to enhance the value of the wetlands and other preserve native plants, such as the Blochman’s dudleya.

- Complete implementation of the Blochman’s dudleya Translocation and Restoration Program consistent with the Coastal Development Permit and this Specific Plan.

VII. Manage On-Site Habitat Resources Restored and Protected as a Part of the Specific Plan.

- Provide long-term funding sources for the management and enhancement of protected and restored habitat resources.

- Utilize project funding sources and mechanisms for long-term management/enhancement of Marblehead Canyon resources, the Blochman’s dudleya Reserve and the wetlands located within the project canyons.

- Establish an overall administrative structure to assure long-term funding for the on-site habitat resources throughout the property.

- Focus mitigation for project impacts to the habitat occupied by the coastal California gnatcatcher on the restoration of on-site habitat that emphasizes preserving and managing large-scale habitat areas on-site.

VIII. Design New Land Uses and Related Infrastructure in a Manner That Will Protect Nearby Marine Resources and Beaches.

- Manage on-site and off-site surface runoff in a manner that will sustain and protect on-site wetland resources designated for preservation and enhancement in the Specific Plan.

- Utilize the preserved and enhanced wetlands to filter surface runoff during low flow periods.

- Provide storm water retention capacity within Marblehead Canyon designed to accommodate peak flows generated by the Marblehead Coastal project, consistent with on-site wetlands restoration and enhancement objectives.
IX. Assure Long-Term Bluff Stability to Protect Public Safety and the Public Access Function of El Camino Real.

- Provide for long-term maintenance of the bluffs to protect public safety.
- Maintain the bluffs to protect the historic function of El Camino Real as a key arterial capable of providing coastal access for residents and visitors and protecting the economic viability of existing and proposed commercial and visitor-serving uses located in the City’s North Beach Village and Downtown areas.

X. Phase new development in step with provision for infrastructure facilities and services needed to support this development, to protect public access to the coast, and to fund long-term management of preserved and restored on-site habitat resources.

102 Applicability and Organization of Specific Plan

The Marblehead Coastal Specific Plan is both a planning and a regulatory document developed to implement the goals, policies, and objectives of the City of San Clemente General Plan and California Coastal Act. The Specific Plan provides guidelines and regulations for land use, circulation, resource preservation, and development processing.

The provisions of this Specific Plan apply to all real property within the area known as Marblehead Coastal, depicted on Exhibits 1-1 and 1-2. The following is an outline of the chapters in this Specific Plan:

- Chapter 1: Introduction
- Chapter 2: Master Plan
- Chapter 3: Design Guidelines
- Chapter 4: Phasing and Implementation
- Chapter 5: Development Standards
- Chapter 6: Development Review and Applications
- Chapter 7: Definitions

103 Relationship to Other City Planning Documents

I. GENERAL PLAN

The General Plan is the fundamental planning policy document of the City of San Clemente. It defines and sets forth rules by which the community will be permitted to develop in the future. It is intended to guide planning, environmental, and land use decisions in the City for the next ten to twenty years. The various General Plan Elements establish goals, objectives, and policies. These Elements include Land Use, Housing, Economic Development, Urban Design, Growth Management, Coastal, and Circulation.

The General Plan establishes what types of land uses will be permitted and where they can be located, allowable densities for development, and the proportional relationship of the built environment to the natural environment. The General Plan also identifies the location and criteria for open space preservation, the basic design and phasing of the circulation system, future infrastructure and public services needs, and methods to protect environmental resources. The City’s physical form and image, economy, and social fabric are greatly influenced by the General Plan. This Specific Plan is a tool for
the implementation of the General Plan Elements that apply to the Marblehead Coastal area. This Specific Plan has been prepared concurrently with the requested General Plan Amendment (G.P. 96-01) and assumes that it is approved.

II. ZONING ORDINANCE

The City's Zoning Ordinance is the primary document that implements the General Plan. It provides regulations regarding permitted land uses, development standards, and the development entitlement process for parcels of land within the corporate boundaries of the City of San Clemente. Certain areas of the City (e.g. the Pier Bowl, Marblehead Coastal, Forster Ranch) are zoned SP (Specific Plan). The various adopted Specific Plans for these areas are incorporated into the Zoning Ordinance by reference. They establish regulations applicable to the land within the boundaries of a particular Specific Plan. Likewise, the Zoning Ordinance provides certain regulations that apply within the Specific Plan areas. Each Specific Plan incorporates sections of the Zoning Ordinance by reference.

III. SIGN ORDINANCE

The Sign Ordinance contains regulations pertaining to signs throughout the City. This Specific Plan incorporates the Sign Ordinance by reference. The Regional Serving Commercial zoning district area proposes some signage exceptions.

IV. DESIGN GUIDELINES

The City's adopted Design Guidelines, which apply to all areas of the City except for the Specific Plan areas, contain recommended architectural and site design guidelines for use by planners, architects, landscape architects, and other design professionals. Their purpose is to implement the General Plan Urban Design Element. Chapter 3 of this Specific Plan contains design guidelines similar in purpose and content to the City's Design Guidelines, but created for and applicable to areas within Marblehead Coastal.

V. MASTER LANDSCAPE PLAN FOR SCENIC CORRIDORS

The Master Landscape Plan for Scenic Corridors (MLPSC) contains streetscape design standards for all arterial highways identified in the Scenic Highways Element of the General Plan. In a manner similar to the Design Guidelines, this Marblehead Coastal Specific Plan incorporates guidelines (which include minor revisions by City Staff) from the Master Landscape Plan for Scenic Corridors for El Camino Real, Avenida Pico, and Avenida Vista Hermosa.

104 Size and Location of Property

The Marblehead Coastal property is located generally southwest of the Interstate 5 Freeway (I-5). It is bounded by I-5 and Marblehead Inland across the freeway to the northeast, the Shorecliffs and Colony Cove residential areas to the northwest, the Pico Corridor and North Beach Village Specific Plan areas to the southeast, and El Camino Real to the southwest. El Camino Real separates Marblehead Coastal from the Capistrano Shores mobile home community and the Pacific Ocean (see Exhibits 1-2 and 1-3). Marblehead Coastal consists of approximately 248 acres of land and has several significant features, including coastal canyons and bluffs, which are visible from many areas of the community.
105 Marblehead Coastal Planning History

I. 1982 GENERAL PLAN

In July 1982, the City Council adopted a new Citywide General Plan. At about the same time, the City Council also adopted a major amendment to the Zoning Ordinance. The zoning amendment created a “Development District - Coastal” ("D-C") designation on the zoning map for the Marblehead Coastal area of the City. This D-C District allowed for a maximum of 7.0 dwelling units per gross acre overall and required more detailed planning prior to development.

Subsequent to the 1982 General Plan adoption, a Specific Plan and Local Coastal Program were prepared for the property. A prominent feature of the Specific Plan was a site for the presidential library of Richard M. Nixon. The Plan called for a variety of residential dwelling units and densities with a maximum number of dwelling units not to exceed 1,198 on approximately 117 acres of land. Approximately 70 acres of land along the I-5 was designated for General Commercial uses, with a 27-acre Tourist Commercial site near North Beach Village. Approximately 24 acres were reserved for parks and public facilities including the Nixon Library site. This Specific Plan was approved by the City of San Clemente for submission; however, the California Coastal Commission never certified the plans and the Nixon Library site was not developed.

II. 1992 GENERAL PLAN

In 1993, the City Council adopted the 1992 General Plan, designating Marblehead Coastal as a site for a destination resort hotel and golf course, with a maximum of 290 dwelling units. However, the 1992 General Plan recognizes that the destination resort hotel might not be economically feasible (see G.P. Policy 1.22.5), and that an alternative land use plan would be considered, subject to environmental review and a General Plan Amendment. The proposed General Plan Amendment 96-01 was processed concurrent with this Specific Plan (SP 95-02) in response to the changes in land uses envisioned for the property.

III. RECENT PROJECT HISTORY (1998 – PRESENT)

On August 5, 1998 the City Council approved Tentative Tract Map 8817, Site Plan Permit (SPP) 97-16 and Coastal Development Permit 97-42 to allow the subdivision of 248 acres and the development of a 434 single family residential dwelling units. Site Plan Permit 97-17, Conditional Use Permit 97-18 and Sign Exception Permit 97-19 to allow development of the commercial portion of the project were denied.

On July 7, 1999 the City Council approved Site Plan Permit 99-16, Conditional Use Permit 99-17 and Sign Exception Permit 99-18 to allow the development of 443,860 square-feet of specialty retail, 176,232 square-feet of entertainment and 80,048 square-feet of general retail.

On March 1, 2000 the City Council approved an Amendment to Tentative Tract Map 8817 and Site Plan Permit 97-16 to preserve additional existing wetland habitat and reduce the number of homes from 434 to 424 and allow other related modifications to the previously approved project.
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Marblehead Coastal

SITE VICINITY

MARBLEHEAD COASTAL
SPECIFIC PLAN/GPA

EXHIBIT 1-2
On September 26, 2001, the City Council conceptually endorsed the site plan revisions prior to the applicant submitting an application to the California Coastal Commission.

On April 9, 2003, the California Coastal Commission conditionally approved the Marblehead Coastal project.

On September 16, 2003, the City Council approved an Amendment to TTM 8817 to preserve additional environmentally sensitive habitat areas and other open space, reduce the amount of developed acreage including a reduction in commercial square footage and the number of residential lots from 424 to 313.

On July 20, 2004, the City Council of the City of San Clemente approved Residential Site Plan 97-16 and Commercial Site Plan 99-16. The amended residential site plan reduced the residential units from 424 to 313. The amended commercial site plan reduced commercial square footage from 700,140 square feet to 642,584 square feet including a 125-room hotel.

On June 21st, 2005, Final Tract Map No. 8817 was approved by the City Council.

The California Coastal Commission issued Coastal Development Permit 5-03-013, as amended thru A3 for the Marblehead Coastal Project on March 27th, 2006.

On March 28th, 2006, Final Tract Map No. 8817 was approved by the City of San Clemente City Engineer.

On April 11th, 2006, Final Tract Map No. 8817 was recorded by Fidelity National Title.

On May 1st, 2007, the City Council approved Amendment to Site Plan Permit (AM SPP) 97-16, Marblehead Coastal Residential Development and Custom Lots.

106 General Plan and Zoning

The City’s General Plan land use designations for Marblehead Coastal are shown on Exhibit 1-4. They include the following:

- **RL**: Residential Low Density - Single family homes with a maximum gross density of 4.5 dwelling units per acre.

- **CRC1**: Tourist/Visitor Serving Commercial - Coastal related retail, restaurants, overnight accommodations, entertainment, and similar uses.

- **RC1**: Regional Serving Commercial – General retail commercial, factory outlet stores, promotional and specialty retail, restaurants, entertainment, professional offices, financial institutions, lodging, and similar regional serving uses.

- **OS1**: Public Open Space - Publicly owned parklands, parking lots, and other open space.

- **OS2**: Private Open Space - Privately owned open space intended for passive recreation, aesthetic use, and/or resource management.
• OS3: General Open Space – Publicly owned open space limited to open space preservation areas, infrastructure, athletic fields, and access roads and parking.

The present zoning designation for Marblehead Coastal is SPMC - Specific Plan, Marblehead Coastal. This designation is made per Section 17.52020A of Title 17 Zoning. This Specific Plan sets forth permitted uses and development standards to ensure that the site is developed in a consistent and unified manner. Development within Marblehead Coastal shall conform to all provisions contained within this Specific Plan, as well as the SPMC Zone and sections of the City’s Zoning Ordinance adopted herein by reference.

107 Existing Physical Conditions

The Marblehead Coastal property is a moderately sloping coastal plain, incised by coastal canyons. A portion of the site frontage along El Camino Real remains in a natural bluff state; however, the majority of the bluff along the El Camino Real frontage was graded in 1991 in order to avoid imminent bluff failure potentially threatening life and property along the roadway. Elevations range from approximately 20 feet at El Camino Real to 190 feet above sea level at Interstate 5.

Some native vegetation and non-native species such as Aleppo Pines occupy the canyons, while the plains are vegetated with disturbed grasslands. Wetland habitat exists within approximately 6.9 acres of the property. Maritime bluff scrub and coastal sage scrub exist in portions of the canyons and along the bluff face, which has not previously been graded.

108 Authority and Severability

I. LEGAL AUTHORITY

This Specific Plan has been prepared and adopted pursuant to Title 7, Division 1, Chapter 3, Article 8, Sections 65450 through 65457 of the California Government Code (applicable Government Code sections reproduced as Appendix A). The California Government Code authorizes Cities such as San Clemente, to adopt Specific Plans as a more comprehensive method of implementing the General Plan. The Specific Plan bridges the gap between the goals and policies of the General Plan and the site-specific criteria of a tentative tract map or site plan.

This Marblehead Coastal Specific Plan is a regulatory plan constituting the zoning for the property. Development Plans or Agreements, Tract or Parcel Maps, and any action requiring discretionary or ministerial approval by the City shall be consistent with this Specific Plan as adopted by City Council.

II. SEVERABILITY

In the event that any plan, diagram, regulation, condition, program, or other portion of this Specific Plan is held invalid by a court of competent jurisdiction, such portion(s) shall be deemed separate, distinct, and independent provisions of the Specific Plan and the invalidity of such provisions shall not affect the validity of the remaining provisions of the Specific Plan.
III. TERMINOLOGY

Within this Specific Plan, words used in the present tense shall include the future; words in the singular shall include the plural. The word “shall” is mandatory and the word “may” is permissive. The word “should” refers to policy guidance, which must be followed in the absence of important opposing considerations recognized by the City as valid and overriding. For the purposes of this Specific Plan, certain terms shall be defined as set forth in Chapter 7. Terms not listed shall be defined per the City’s Zoning Ordinance, or if not listed in the Zoning Ordinance, shall be construed in accordance with accepted usage.