CHAPTER 6 • DEVELOPMENT REVIEW

601 GENERAL APPLICABILITY

The development review procedures contained within this Chapter are applicable to the 3,510.0 acres of the Talega Specific Plan area established by the Talega Joint Planning Authority.

602 DEVELOPMENT REVIEW PROCEDURES

A. Purpose and Applicability

The purpose of this Section 602 is to specify the steps required to review new development projects within the City portion of the Talega Specific Plan area. All development projects proposed under this Specific Plan in the City of San Clemente shall be reviewed in accordance with the provisions of this chapter. Upon approval by the City Planner, some of the review phases in this section may be carried out concurrently.

B. Environmental Review

All entitlement applications shall undergo environmental review in accordance with the California Environmental Quality Act (CEQA) Guidelines and City procedures.

C. Area Plan Review

Preparation and approval of Area Plans may be required by the City Planner if he/she determines that a more detailed study of a particular village would be necessary to implement this Specific Plan. Area Plans would require Planning Commission and City Council approval prior to or concurrent with the approval of any Tentative Tract Map, Tentative Parcel Map, Site Plan, Planned Unit Development and/or Conditional Use Permit in the City portion of the Talega Specific Plan area if necessary. Area Plan boundaries shall adhere to the Village boundaries shown on Figure 2-3 in Chapter 2 of this document, and could include one or several of the Specific Plan Villages. Area Plan boundaries different than that shown in Figure 2-3 may be approved by the City Planner without requiring an amendment to this Specific Plan.

Area Plans shall be submitted by the landowner and shall consist of:


b. A land use exhibit depicting the location and acreage of proposed development areas, the designated land uses, open space areas, public streets, and utilities.
c. A slope analysis exhibit and a conceptual grading plan and viewshed analysis for development proposed within the Area Plan.

d. A preliminary landscape concept, recreational amenities, and trails exhibit.

e. A description of the status of compliance with the City’s Inclusionary Housing Program.

f. Revised Tables 2-1 and Table 2-2, if necessary.

g. Other information of similar level of detail as required by the City Planner to ensure consistency with the City’s General Plan.

Area Plans shall be reviewed for compliance with the following provisions:

1. **Fiscal Impact** - A fiscal impact analysis is required for each Area Plan. Absent a City-adopted Fiscal Impact Mitigation Agreement or Development Agreement providing for fiscal impact mitigation, the applicant shall demonstrate to the satisfaction of the City, utilizing the City’s Fiscal Impact Model, that the proposed development will be fiscally balanced (that is, no negative fiscal impact), when analyzed on a cumulative basis considering previously approved development in Talega. Evidence shall be provided to verify that previously approved revenue-generating uses are producing their projected revenues.

2. **Arterial Highways** - The arterial highway alignments adjacent to or within the subject planning area shall be reviewed and approved by the City Engineer. The visual impact of the proposed grading for any arterial highway shall be reviewed by the City Engineer and the City Planner, particularly with regard to the traversing of ridgelines. The City of San Juan Capistrano, the Orange County Transportation Authority, and the Orange County Environmental Management Agency (EMA) shall be given the opportunity to review and comment on any proposed Area Plan, arterial highway alignment or transportation corridor. City and/or County Master Plans may need to be amended if inconsistencies are identified.

3. **Traffic Model** - Prior to approval of an Area Plan, a traffic analysis shall be performed by the landowner or his/her designee, utilizing the City’s traffic model, to determine the impact of the proposed development on the existing level of service for arterial highways and intersections. Such analysis should be in compliance with the approved Talega Development Agreement which states that the City’s LOS standards must be satisfied (Talega Development Agreement, §6.3.1). The Area Plan shall include proposed mitigation measures to ensure that acceptable levels of service (Level of Service C for Links and Level of Service D for intersections during peak hours) are maintained on and off site. The Area Plan shall also describe the method of funding for the completion and extension of arterial highways, including Avenida Vista Hermosa and Avenida La Pata, to the Talega project area boundaries.
4. Regional Trails and Bikeways - The Area Plan shall depict any trails and/or bikeways within the subject planning area, and describe the method of funding for the completion of these facilities to the Talega project area boundaries.

5. Utilities - The Area Plan shall include an exhibit depicting existing and proposed utilities. All Area Plans for planning areas in or adjacent to the San Diego Gas and Electric (SDG&E) easement for regional transmission lines shall be reviewed by SDG&E. In addition, the feasibility of providing a reclaimed water reservoir to serve the Segunda Basin may be explored.

6. Public Safety - The Area Plan shall include a description of the proposed program for provision of police, fire, and emergency services to the proposed development. The Area Plan shall depict fuel-modification zones and identify street grades, widths, and configurations that will accommodate major fire apparatus.

7. Noise - Efforts shall be made in grading and site design to take advantage of and enhance shielding effects provided by the natural topography.

8. Soils, Geology, and Grading - Proposed grading shall be permitted only in areas for which an Area Plan has been approved. An Area Plan shall be approved prior to issuance of any grading permit. If grading is proposed outside the subject planning area for any reason including arterial highways, remedial grading, and/or drainage facilities, it shall be reviewed by the City’s Development Management Team (DMT) prior to issuance of a grading permit. The DMT may determine that an Area Plan is not necessary prior to issuance of a grading permit for remedial, dirt disposal or infrastructure purposes, provided that the grading permit is categorically exempt from CEQA or a Negative Declaration is made.

The Area Plan shall depict the proposed grading in sufficient detail to determine compliance with Figure 3-1, Conceptual Cut and Fill Plan, of this Specific Plan, the City’s Hillside Development Ordinance No. 841, Grading Manual, and the approved Talega Resource Management Plan. A description of the phasing of proposed grading shall be included showing no more than 200 acres of grading for development purposes in any proposed grading phase, with the exception of remedial grading, geologic stabilization, golf course or park construction, borrow sites, disposal sites and arterial highways [refer to Section 302B96]. The grading plan shall show proposed areas of cut and fill, topography, steepness of slope, a description of haul routes, access points to the site, and a watering and sweeping program designed to minimize impacts of haul operations.

Grading shall be minimized in open space planning areas and in proximity of ridgelines. Grading in open space areas shall be limited to that which is necessary to create surfaces for Open Space uses permitted by Section 507. In the event that a City-approved soils report recommends remedial grading in an Open Space planning area, such proposed grading shall be evaluated in accordance with CEQA; and if approved by the City, shall be conditioned so that a natural appearance is recreated.
The Area Plan shall include a viewshed analysis based on the final design and grading plans for Avenida Talega, Avenida La Pata, Avenida Pico, and Avenida Vista Hermosa. Viewpoints are to be determined by the City Planner. The intent of this analysis is to evaluate view impacts and to ensure that any grading and development will not extend above Nob Hill or the background ridgeline which forms the northwest property boundary. In the vicinity of Nob Hill, no pad elevation shall exceed 660 feet MSL. The Primary Ridgeline as identified in the approved Talega Resource Management Plan shall be protected in accordance with General Plan provisions.

9. Parks - The Area Plan shall depict and identify all public and private parks which are located within the subject planning area.

10. Landscaping - The Area Plan shall include a preliminary landscape concept which designates all areas to be landscaped, the ownership and maintenance responsibility, the palette of plant materials, and an open space transition plan. Said plan shall be prepared by a licensed landscape architect and shall include cross-sections depicting the physical relationship of proposed development to open space areas.

The Area Plans which include golf course shall contain a Landscape Management Plan for the golf course areas. The plan shall identify plant species and turf species, irrigation systems and procedures, and regulations and guidelines for the application of fertilizers and pesticides.

11. Drainage - The Area Plan shall identify public and private drainage facilities. Area Plans containing the existing primary channel of the Segunda Deshecha Canada shall demonstrate that preservation of the channel in open space will be achieved to the maximum extent feasible. The degree of preservation of the channel shall take into account geotechnical engineering constraints of the site and the approved land use plan.

12. Affordable Housing - Please refer to Section 205, Affordable Housing Implementation Program, for details on the affordable housing program for Talega.

13. Natural Features and Significant Vegetation - The Area Plan shall identify significant natural features and vegetation and a description of measures proposed to implement the Talega Resource Management Plan. Vegetation which is determined to be habitat for endangered species or potentially endangered species shall be preserved unless a mitigation plan is approved. Particular attention to preservation of natural features as identified in the Resource Management Plan shall be given, taking into account: a) the relative value of resources intended to be preserved in the context of the Talega project area; and b) the feasibility of minimizing impacts in the area, given geotechnical constraints (i.e., landslides, slope instability).

14. Urban Design - The Area Plan shall be reviewed for conformance with Chapter 3, Design Guidelines and with the City of San Clemente Design Guidelines, Zoning
Code, Hillside Development Code, Master Landscape Plan for Scenic Corridors, and other relevant adopted policies, particularly with regard to grading, landscaping, viewshed protection, pedestrian circulation, and site design. Rural development standards that differ from City guidelines for roadway design and landscaping, subject to review and approval by planning and engineering divisions, may be approved as part of the Area Plan process for Villages A, D and E.

15. Prima Deshecha Landfill - The Area Plan that encompasses the Regional Park site (Planning Areas A-4 and D-99) shall be distributed to the Orange County Health Care Agency and Orange County Integrated Waste Management Department for review and comment.

D. Tentative Map Review

Tentative Maps shall be approved only if found to be in conformance with an Area Plan approved pursuant to Section 602-C as may be required by the City Planner. Applications for approval of Tentative Tract and Tentative Parcel Maps shall be reviewed in accordance with the Subdivision Map Act and City’s most current Subdivision Ordinance (Chapter 35 of the Municipal Code). The City may impose specific conditions on Tentative Maps in addition to the requirements of this Specific Plan. Preliminary ‘will-serve’ letters from the Santa Margarita Water District shall be submitted with the Tentative Map publication.

E. Zoning Administrator Review

Certain applications could be processed through the Zoning Administrator in accordance with Section 17.12.020 of the Zoning Code. The Zoning Administrator Review of minor requests which are not significant enough to require review by the Planning Commission, but due to their scale or location, require discretionary consideration.

F. Design Review

Both residential and non-residential projects within the City portion of the Talega Specific Plan area shall be reviewed utilizing the City’s Urban Design Program, and the Design Guidelines and Development Standards set forth in Chapters 3 and 5 of this Specific Plan. Both residential and non-residential projects also will be subject to review and approval by the City’s Design Review Subcommittee, and shall be reviewed for compliance with the City of San Clemente Design Guidelines, Zoning Code, Hillside Development Code, Master Landscape Plan for Scenic Corridors, and other relevant adopted policies. Projects within the Talega Joint Planning Authority are not subject to the City’s Design Review Subcommittee.

G. Site Plan Review, Conditional Use Permits, And Variances

All projects within the City portion of the Talega Specific Plan area shall be subject to Site Plan Review in accordance with Section 17.52.010 et seq. of the Zoning Code. The City may impose specific conditions on Site Plans in addition to the requirements of this Specific Plan.
Non-residential Site Plans shall be conditioned to comply with the Transportation Demand Ordinance No 1049. Conditional Use Permits and Variances shall be processed in accordance with Sections 17.16.060, 17.16.070 and 17.52.010 et seq. of the Zoning Code. If a Site Plan and/or Use Permit is processed concurrent with a Tentative Map, and City Council approval of the Tentative Map is required, then City Council approval of the Site Plan or Use Permit shall also be required.

H. Signs

Prior to issuance of any administrative sign permit, a discretionary Master Sign Program shall be submitted and processed in accordance with Section 17.84 (or the Sign Ordinance in effect at the time of approval) of the Zoning Code. The Master Sign Program shall include the following information: (a) the number and location of proposed signs; (b) the dimensions; (c) the colors and materials; (d) the method of illumination; and (e) any other information necessary to determine compliance with the City’s Sign Ordinance, Urban Design Program, and Chapter 3, Design Guidelines, of this Specific Plan.

Once a Master Sign Program has been approved for any specific Village(s) or Planning Area(s), a sign permit within that Village(s) or Planning Area(s) may be issued without further discretionary review if it is determined that the proposed sign conforms to the approved Master Sign Program.

The Talega Joint Planning Authority and City of San Clemente Planning Commission approved Discretionary Sign Permits 00-07 and 00-02 on March 23, 2000 and April 4, 2000, respectively. Amendment No. 1 was approved by both the City and the Talega JPA on November 27, 2001. The Talega Master Sign Program outlines the style, specifications and projected locations of signing for residential and business park development areas within Talega. Pursuant to the San Clemente Sign Ordinance and Sign Design Guidelines, the signs are consistent with the architectural style of the community to insure visual continuity. The Talega Master Sign Program does not include specific design criteria for commercial or other uses in Talega. Design criteria for these uses are specific in Chapter 17.84 of the City of San Clemente Municipal Code.

Specific locations of signs are illustrated on the Community Sign Plan Map attached to the Discretionary Sign Permits. These sign locations will change as property is sold and as some future facilities are completed and others are planned. Generally, the number of signs and conceptual locations should remain approximately the same.

Most of the signage would remain only until the Talega development is complete and occupied. Signs that would remain for several years would typically be aluminum panels mounted on a decorative fluted aluminum pole. Signs that are intended for short duration would be constructed of wood.
I. **Grading Permits**

No grading permit shall be issued prior to compliance with Section 602-C-8 above. A rough grading permit may be issued if it is in conformance with an approved Area Plan. Final grading permits shall be issued only when it is determined that the proposed grading is in substantial conformance with the grades indicated on an approved Tentative Map.

J. **Residential Growth Management**

All residential projects of five (5) units or more located in the City portion of the Specific Plan Area are subject to Chapter 38 (Measure B, Ordinance 922) of the City Municipal Code. Allocations for building permits are awarded annually by City Council to eligible residential projects that have received Tentative Map, Site Plan Review, or Conditional Use Permit approvals. The allocations are based, in part, on the project’s satisfaction of the adopted Residential Development Evaluation Board (RDEB) criteria.

603 **AMENDMENTS TO THIS SPECIFIC PLAN**

A. **Amendments**

An amendment to this Specific Plan shall be reviewed in the same manner as the initial Specific Plan adoption per Subsection 17.52 *et seq.* of the Zoning Code. If the City Planner further determines that a Zone Change and/or General Plan Amendment is required, said applications shall be reviewed in addition to the Specific Plan Amendment itself.

Amendments to any of the documents contained in the Appendices may occur without requiring this Talega Specific Plan to be amended. Such amendments, if approved by the appropriate state, county, or city authority, shall take precedence over the pertinent sections of the Talega Specific Plan.

B. **Annexations**

This Specific Plan has been prepared in anticipation of the future annexation of the sphere-of-influence portion of the Specific Plan area to the City of San Clemente. Annexation of the sphere-of-influence area is anticipated to occur in phases over build-out of the project.