

ORDINANCE NO. 931

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF SAN CLEMENTE, CALIFORNIA, AMENDING
ORDINANCE NO. 922 (MANAGED GROWTH ORDINANCE)

WHEREAS, at a special municipal election conducted on February 25, 1986, the voters of the City of San Clemente approved an initiative measure (Measure B) which restricts the number of residential building permits that can be issued in the City of San Clemente and establishes a system for allocating the limited number of available building permits; and

WHEREAS, the City Council of the City of San Clemente adopted the initiative by Ordinance No. 922 on March 5, 1986; and

WHEREAS, Section 10 of Ordinance No. 922 provides that the City Council may, after a public hearing by a four-fifths vote, amend certain portions of the Ordinance, providing the amendment is consistent with the intent of the Ordinance; and

WHEREAS, the Planning Commission, sitting as the Residential Development Evaluation Board, conducted a series of public hearings and, after considering the evidence and argument presented by the Planning Division staff and other interested persons, adopted its Resolution No. 86-80 recommending that the City Council adopt an ordinance amending Ordinance 922; and

WHEREAS, on September 3, 1986, the City Council held a duly noticed public hearing, considered the evidence and argument presented by staff and other interested persons, and adopted a Negative Declaration for said amendment.

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

Section 1. Throughout Ordinance text of Ordinance 922, the word "allocation" is substituted for the word "allotment."

Section 2. Section 1D(10) of San Clemente Ordinance 922 is hereby amended to add the words "and police services."

Section 3. Section 1H of San Clemente Ordinance 922 is hereby corrected by substituting the word "timing" for the word "time."

Section 4. Section 2F of San Clemente Ordinance 922 is hereby corrected by substituting the word "be" for the word "the" immediately prior to the word "recorded."

Section 5. Section 6A of San Clemente Ordinance 922 is hereby amended to add the following Section 6A(8):

8. The ability of the Police Department to provide police protection and service according to the established response standards of the City without the necessity of establishing a new station or requiring the addition of major equipment or facilities to an existing station.

Section 6. Section 6B(2) of San Clemente Ordinance 922 is hereby amended to read in its entirety as follows:

(2) The amount and character of open space landscaping;

Section 7. Section 6B(3) is hereby added to read in its entirety as follows:

(3) The amount and character of slope landscaping.

Section 8. Section 6(B)(12) is hereby amended to read in its entirety as follows:

- (13) Those specific units which are formally dedicated for occupancy by low-income persons within a project which is funded or subsidized as a low-income project pursuant to the provisions of applicable federal, state or local laws or programs, shall be entitled to ten additional bonus points. For the purposes of this ordinance, a project is funded or subsidized pursuant to applicable federal, state or local laws or programs if it receives a loan, grant or continuing financial subsidy for the purpose of developing low-income housing units. If the project does not include low-cost housing, this criteria shall not be subtracted or figured into the total percentage points;

Section 9. Section 6B(14) is hereby added to read as follows:

- (14) The provision of units in a project formally reserved and dedicated as senior housing. If the project does not include senior housing, this criteria shall not be subtracted or figured into the total percentage points;

Section 10. Sections 6B(3)-6B(11) are renumbered 6B(4)-6B(12) and Sections 6B(13)-6B(14) are renumbered 6B(15)-6B(16).

Section 11. Section 6C of San Clemente Ordinance 922 is hereby corrected to read in its entirety as follows:

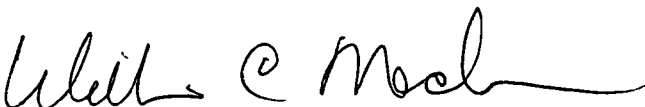
C. After having studied each application in accordance with subsections A and B of this section, in regard to each of these criteria, or so many of them as may be applicable and having assigned evaluation points on a scale of zero to ten in accordance with its finding, the Board shall prepare two lists, one documenting points awarded from subsection A and the other from subsection B of this section, arranging the developments in each list in an order from that receiving the greatest total number of evaluation points to that receiving the lowest number. In addition to listing the number of actual points awarded in each subsection of both Sections 6A and 6B, each section will be totaled and the total shall then be expressed as a percentage of the maximum number of points applicable to each development. The maximum number of points awardable shall not include those elements of the subsections found to be inapplicable.

Section 12. Section 7A(3) of San Clemente Ordinance 922 is hereby amended by adding the following after the first sentence:

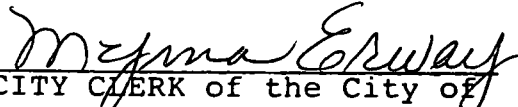
- (3) Minimum Point Requirements. Developments which do not satisfy the subsection minimums in each subsection shall also be eliminated from allocation consideration. The subsection minimums shall be 49% and 50% for Sections 6A and 6B respectively.

Section 13. The City Clerk shall certify to the passage of this Ordinance, and shall cause the same to be published as required by law, and the same shall take effect as provided by law.

APPROVED, ADOPTED, and SIGNED this 17th day of September, 1986.


MAYOR of the City of San Clemente,
California

(SEAL)

ATTEST: 
CITY CLERK of the City of
San Clemente, California

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

I, MYRNA ERWAY, Clerk of the City of San Clemente, California, hereby certify that the foregoing Ordinance having been regularly introduced at the meeting of September 3, 1986 was again introduced, the reading in full thereof unanimously waived, and duly passed and adopted at a regular meeting of the City Council held on the 17th day of September, 1986, and that said ordinance was passed and adopted by the following stated vote, to wit:

AYES: Council Members - CARR, DIEHL, LIMBERG, MECHAM
NOES: Council Members - NONE
ABSENT: Council Members - KOESTER

and was thereafter on said day signed and approved by the Mayor of said City.

ATTEST: Myrna Erway
CITY CLERK of the City of
San Clemente, California

APPROVED AS TO FORM

Jeffrey M. O'Dermas
CITY ATTORNEY

