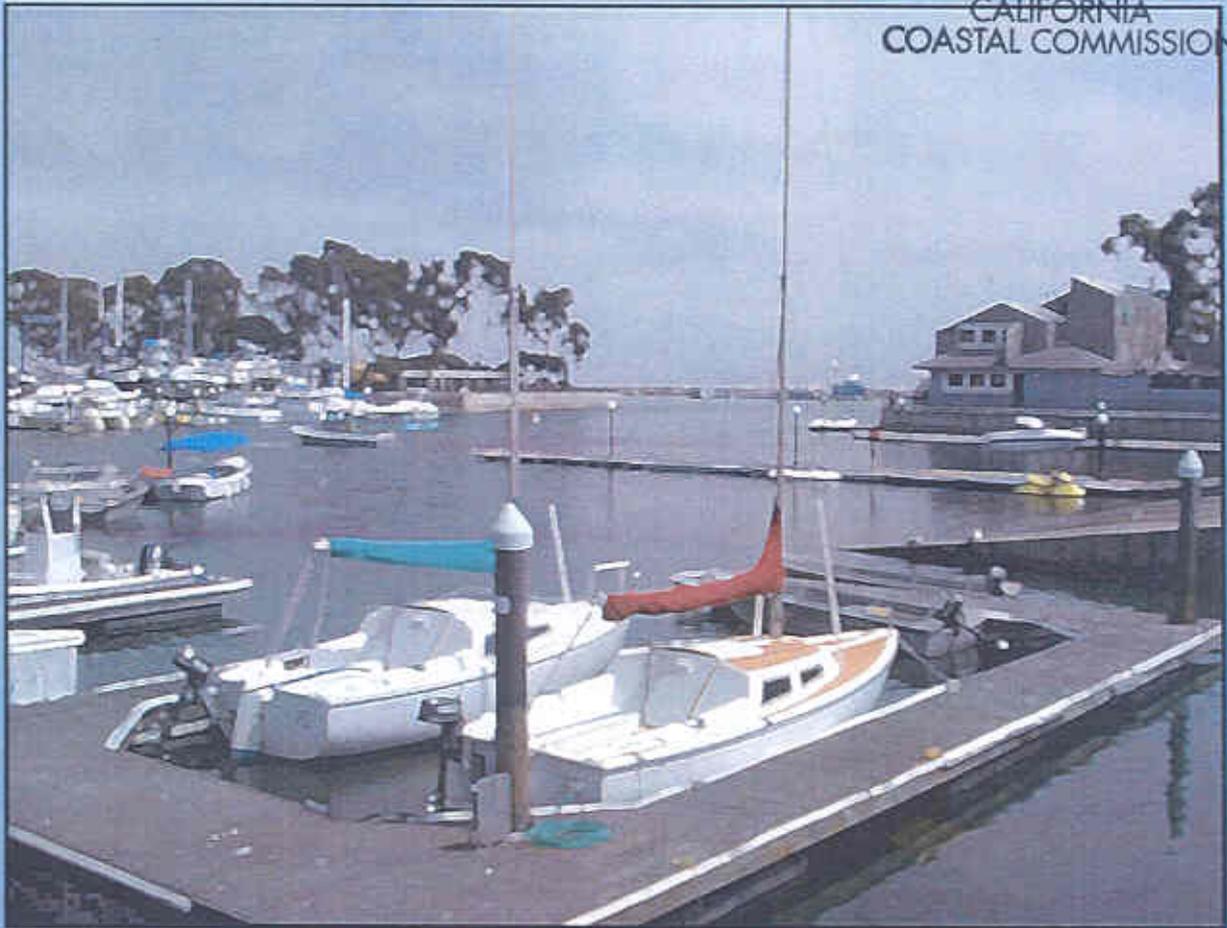


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# Dana Point Harbor Revitalization Plan & District Regulations



City of Dana Point  
Community Development Department

September 2006

# *Dana Point Harbor* REVITALIZATION PLAN & DISTRICT REGULATIONS

Final Program Environmental Impact Report No. 591 certified by the Orange County Board of Supervisors, Resolution No. 05-013 on January 31, 2006

Dana Point Harbor Revitalization Plan Approved by the Orange County City of Dana Point Supervisors Resolution No. 06-014 on January 31, 2006  
Community Development Department

33282 Golden Lantern

Dana Point, CA 92629

Recommended Approval of the Dana Point Harbor Revitalization Regulations by the Dana Point Planning Commission Resolution No. 06-05-21-42 on June 21, 2006  
Contact: Kyle Butterwick, Director of Community Development

Dana Point Harbor Revitalization Plan and District Regulations Adopted by Ordinance No. 06-08 of the Dana Point City Council on September 13, 2006

County of Orange

Submitted to the California Coastal Commission on

Dana Point Harbor Department

24650 Dana Point Harbor Drive

Approved by the California Coastal Commission on

Dana Point, CA 92629

Certified by the Dana Point City Council on

Contact: George Carvalho, Director

Certified by the California Coastal Commission on

September 2006

TABLE OF CONTENTS

Section / Chapter	Title	Page
<b>Section I</b>		
1.	Purpose and Intent	1
2.	Area Description	4
3.	Existing Facilities and Conditions	10
4.	Jurisdictional Considerations	13
<b>Part I Dana Point Harbor Revitalization Plan</b>		
1.	Land Use Plan	I-1.1
1.1	Dana Point Harbor Land Use Plan and Statistical Summary	I-1.1
1.2	Dana Point Harbor Revitalization Plan	I-1.1
1.3	Dana Point Harbor Revitalization Plan Design Themes	I-1.8
1.4	Infrastructure and Utility Improvements	I-1.23
1.5	Implementation Phasing	I-1.28
2.	Final Program Environmental Impact Report No. 591 certified by the Orange County Board of Supervisors, Resolution No. 06-013 on January 31, 2006	I-2.1
2.2	Circulation and Access	I-2.7
	Dana Point Harbor Revitalization Plan Approved by the Orange County Board of Supervisors Resolution No. 06-014 on January 31, 2006	I-2.12
2.3	Revitalization Development Policies	I-2.20
	Recommended Approval of the Dana Point Harbor Revitalization Plan and District Regulations by the Dana Point Planning Commission Resolution No. 06-06-21-22 on June 21, 2006	I-1
<b>Part II</b>		
1.	Overview	II-1.1
2.	Purpose and Objectives	II-2.1
3.	Dana Point Harbor Revitalization Plan and District Regulations Adopted by Ordinance No. 06-08 of the Dana Point City Council on September 13, 2006	II-4.1
5.	Day-Use Commercial Planning Area 2	II-5.1
6.	Submitted to the California Coastal Commission on Marine Commercial Planning Area 3	II-6.1
7.	Marine Commercial Planning Area 4	II-7.1
8.	Approved by the California Coastal Commission on Educational/Institutional Planning Area 6	II-8.1
9.	Educational/Institutional Planning Area 6	II-9.1
10.	Certified by the Dana Point City Council on Education Basin Planning Area 8	II-10.1
11.	Educational Basin Planning Area 8	II-11.1
12.	Certified by the California Coastal Commission on Marine Services and Harbor Entrance Planning Areas 9 and 10	II-12.1
13.	Marine Services and Harbor Entrance Planning Areas 11 and 12	II-13.1
14.	Off-Dock Parking Standards and Regulations	II-14.1
15.	Sign Standards and Regulations	II-15.1
16.	Discretionary Permits and Procedures	II-16.1

**Dana Point Harbor  
REVITALIZATION PLAN &  
DISTRICT REGULATIONS**

TABLE OF CONTENTS

Section / Chapter	Title	Page
<b>Section 1</b>		
1.	Purpose and Intent	1
2.	Area Description	4
3.	Existing Facilities and Conditions	6
4.	Jurisdictional Considerations	13
<b>Part I Dana Point Harbor Revitalization Plan</b>		
1.	Land Use Plan	I-1.1
1.1	Dana Point Harbor Land Use Plan and Statistical Summary	I-1.1
1.2	Dana Point Harbor Revitalization Plan	I-1.1
1.3	Dana Point Harbor Revitalization Plan Design Themes	I-1.8
1.4	Infrastructure and Utility Improvements	I-1.23
1.5	Implementation Phasing	I-1.24
2.	Coastal Act Consistency	I-2.1
2.1	Resource Protection	I-2.1
2.2	Circulation and Access	I-2.7
2.3	Public Recreation	I-2.12
2.4	Marine Environment	I-2.16
2.5	Revitalization Development Policies	I-2.20
<b>Part II Dana Point Harbor Revitalization District Regulations</b>		
1.	Overview	II-1.1
2.	Purpose and Objectives	II-2.1
3.	General Provisions and Regulations	II-3.1
4.	Marine Services Planning Area 1	II-4.1
5.	Day-Use Commercial Planning Area 2	II-5.1
6.	Visitor-Serving Commercial Planning Area 3	II-6.1
7.	Marine Commercial Planning Area 4	II-7.1
8.	Day-Use Recreation Planning Area 5	II-8.1
9.	Educational-Institutional Planning Area 6	II-9.1
10.	Conservation Planning Area 7	II-10.1
11.	Education Basin Planning Area 8	II-11.1
12.	West and East Marina's Planning Areas 9 and 10	II-12.1
13.	Marine Services and Harbor Entrance Planning Areas 11 and 12	II-13.1
14.	Off-Street Parking Standards and Regulations	II-14.1
15.	Sign Standards and Regulations	II-15.1
16.	Discretionary Permits and Procedures	II-16.1

Section / Chapter	Title	Page
Part II	Dana Point Harbor Revitalization District Regulations (continued)	
17.	Revitalization Plan and Statistical Table Regulations and Procedures	II-17.1
18.	Definitions	II-18.1
19.	Harbor Legal Description	II-19.1

#### LIST OF EXHIBITS

No.	Title	Page
1.1-1	Regional Vicinity Map	5
1.1-2	Planning Area Map	7
1-1	Land Use Map	I-1.2
1-2	Landscape District Map	I-1.12
2-1	Commercial Core Area Improvements	I-1.26
1.1	District Zoning Map	II-1.2
17.1	Dana Point Harbor Revitalization Plan	II-17.2
19.1	Boundary Exhibit	II-19.2

#### LIST OF TABLES

No.	Title	Page
1-1	Dana Point Harbor Land Use Summary	I-1.1
1-A	Dana Point Harbor District Zoning Statistical Summary	II-1.1
17-A	Dana Point Harbor Revitalization Plan Statistical Table	II-17.3

**1.1 Dana Point Harbor Summary Table and Land Use Plan**

The Dana Point Harbor Revitalization Plan consists of a Land Use Plan (Exhibit 1-1, *Dana Point Harbor Land Use Plan*), Summary Table (Table 1-1) along with project descriptions, policies, plan elements and design themes. The Dana Point Harbor Revitalization Plan is intended to comprehensively replace the certified Land Use Plan (the 1986 plan) for Dana Point Harbor that is included in the City's Land Use Plan/LCP. The Dana Point Harbor District Regulations, provided in Part II of this document, is intended to replace the City's Planned Community Program document that is presently in effect for Dana Point Harbor.

**Table 1-1  
LAND USE SUMMARY TABLE**

Land Use Category	Planning Areas	Gross Acres	Percent of Total Harbor
Marine Services	1	25.2	9.2
Day-Use Commercial	2	18.1	6.5
Visitor-Serving Commercial	3	9.5	3.4
Marine Commercial	4	25.6	9.3
Day-Use Recreation	5	21.1	7.6
Educational-Institutional	6	3.6	1.3
Conservation	7	4.0	1.4
Education Basin	8	25.8	9.3
West & East Marinas	9, 10	76.2	27.5
Marine Services & Harbor Entrance	11, 12	67.7	24.5
<b>Total:</b>		<b>276.8</b>	

**1.2 Dana Point Harbor Revitalization Plan**

The Dana Point Harbor Revitalization Project (Revitalization Plan) establishes a new Commercial Core (the northerly portion of Planning Area 1 and Planning Area 2) that includes the replacement and/or remodeling of all existing retail and restaurant buildings. The Commercial Core revitalization also includes the reconfiguration of all existing surface parking areas to provide additional parking, new boater loading and drop-off areas, new dry-stack boat storage facilities and improvements to several boater service and public restroom buildings. The initial phase of the proposed Dana Point Harbor Revitalization Plan provides for the relocation of certain yacht brokerage firms and other harbor-related offices uses to the new Commercial Core area.

Dana Point Harbor Land Use Plan  
Exhibit 1-1

Outside the Commercial Core area, the Dana Point Harbor Revitalization Plan provides for a number of future improvements (the remaining portion of Planning Area 1 and Planning Areas 3 through 7 [landside] and 8 through 12 [waterside]). Planning Area 3 plans include a new, Marina Hotel complex with conference and recreational facilities in addition to providing up to 220 new guest rooms and other visitor-serving amenities. Plans for Planning Area 4 allow for the future renovation and/or expansion of the Dana Point and Dana West Yacht Clubs, restaurant renovations and modifications to the Harbor Patrol Offices to provide additional meeting rooms or staff office space. Other work is anticipated to be performed to reconfigure and/or reconstruct the marina docks and portions of the seawall in Planning Areas 8 through 12, subject to a separate permitting and environmental review process to add additional guest boater docks closer to the Commercial Core with a dinghy dock area adjacent to Dana Wharf.

The proposed Dana Point Harbor Revitalization Plan improvements will occur in two main phases over approximately 10 to 22 years. The near-term improvements (referred to as Phase I) are estimated to take approximately 5 to 7 years to complete after obtaining the necessary jurisdictional approvals and consists of the northerly portion of Planning Area 1 and all of Planning Area 2, collectively referred to as the "Commercial Core" area of the Harbor ("Marine Services" – the Embarcadero and Shipyard area and "Day Use Commercial" – The Dana Wharf and Mariners Village areas). The long-term improvements (referred to as Phase II) are anticipated to commence as funding sources are identified and jurisdictional approvals are obtained and consists of future improvements in Planning Areas 3-12 including renovations to structures and street improvements on the Island and reconfiguration of the Marinas. Future improvements may also occur in the southern portion of Planning Area 1 and include the second Dry Stack Boat Storage Building, reconfiguration of the shipyard and operations building as well as the construction of a potential lighthouse facility near the end of Puerto Place.

The Revitalization Plan has been developed with the specific intent of promoting Coastal Act compliance by enhancing public access opportunities, providing updated visitor-serving commercial and marine recreational amenities and promoting coastal resource preservation throughout the Harbor. Specific improvements described by Planning Area include:

#### Planning Area 1 – Marine Services

The Dana Point Harbor Revitalization Plan provides enhancements to the Marine Services area by ultimately adding two (2) dry stack boat storage facility buildings in the Northeast Marine Services Area (near the intersection of Puerto Place and Dana Point Harbor Drive) with a capacity to store up to

800 boats generally ranging in size from 20 to 40 feet when both buildings are completed.

Currently, County maintenance buildings occupy a portion of this site. As part of the Dana Point Harbor Revitalization Plan, the County maintenance facilities will be demolished. An existing telecommunications tower may require relocation.

The dry stack facilities will offer enhanced boater services, including valet launch and retrieval services. Access to the dry stack facilities and the launch ramp will be via Puerto Place. The first dry stack boat storage facility will contain approximately 400 spaces and includes 5,600 sq. ft. of new offices and boater lounge area, a hoist, boat maintenance area, 9,100 sq. ft. marine store and other support space. Development of this facility will also require the reconfiguration and modification of the wet slip staging area, currently located adjacent to the boat launch ramp area. This area is utilized to dock the vessels for client access and as a drop-off area prior to the return of boats to the dry stack building.

The second dry stack building will occupy a portion of the existing Dana Point Shipyard area that will be reconfigured following expiration of the current operator lease. The development of the second dry stack facility will provide additional capacity of approximately 400 spaces. At full buildout, the marine services area parking will include 458 vehicle parking spaces, approximately 93 surface boat storage spaces and 230 car with trailer parking spaces. This reallocation results in the addition of 170 parking spaces and 47 cars with trailer spaces (achieved by a decrease of 130 cars with trailer spaces currently located within Planning Area 2). Surface boat storage in Planning Area 1 will decrease by approximately 423 spaces, however, this reduction will be partially off-set by the dry stack boat storage buildings. Additionally, as part of a Harborwide program being contemplated, a seasonal water taxi service stop may be located at the terminus of Puerto Place.

#### Planning Area 2 – Day-Use Commercial

The Dana Point Harbor Revitalization Plan establishes a large, centralized outdoor Festival Plaza, located at the southern terminus of Street of the Golden Lantern, within the central portion of the Harbor's Commercial Core. The Festival Plaza provides direct views across the Commercial Core by creating an open plaza along this section of waterfront as well as a central gathering space for events, activities, and celebrations throughout the year. Currently, these activities are limited to a small area of lawn adjacent to a restaurant service dock. The Festival Plaza includes approximately 35,000 sq. ft., with a combination of landscaping, decorative paving and informal

seating areas. As designed, the Pedestrian Promenade extends from Casitas Place to Dana Wharf and varies in width from 15 feet to 50 feet.

With completion of the new Commercial Core buildings and facilities, the existing businesses and restaurants will be relocated and demolition of Mariner's Village and Mariner's Alley will occur, making way for the construction of additional guest and boater parking areas. The new retail area improves water orientation and integration with the Festival Plaza, the Pedestrian Promenade and the merchants located on Dana Wharf.

Planning Area 2 will replace and/or rehabilitate approximately 26,600 sq. ft. of existing retail uses and 51,300 sq. ft. of existing restaurant uses, thereby creating a net additional 6,200 sq. ft. of retail and 27,100 sq. ft. of restaurant uses. The Revitalization Plan calls for the relocation of the yacht brokerages within existing Boater Service Buildings 1 and 2 to the second and third floors of the new Wharf building that will be connected to the Commercial Core area by a second story pedestrian bridge. Commercial and restaurant uses will be integrated into a two level podium structure, accommodating approximately 89 parking spaces and contain waterfront retail uses on the bottom level and additional restaurant facilities and limited parking on the second level.

Adjacent to the Commercial Core is a new two-level parking deck that provides an estimated 610 parking spaces. The upper level of the parking deck is designed to provide direct access from Street of the Golden Lantern; the lower level is accessed from both Street of the Golden Lantern and the adjacent surface parking lot. With the construction of the parking deck and the reconfiguration of the surface parking lots, a net increase of 403 parking spaces in Planning Area 2 is provided. Parking area improvements have been designed to leave the new Dana Point Harbor Entry Monument Sign and landscaping improvements in place.

### Planning Area 3 – Visitor Serving Commercial

The Dana Point Harbor Revitalization Plan provides for the future replacement of the existing Marina Inn with a new facility located in the present hotel location or relocated closer to the waterfront to promote a stronger pedestrian connection with the Pedestrian Promenade and Festival Plaza. The new hotel is planned to provide up to a maximum of 220 guest rooms with full-service guest amenities, including expanded lobby area with guest services, 2,750 sq. ft. restaurant, up to 12,000 sq. ft. of special function and meeting rooms, 500 sq. ft. of ancillary retail space, a 1,500 sq. ft. fitness center, pool and other outdoor activity facilities (sand volleyball court, etc.).

In addition to traditional hotel accommodations, the proposed hotel may include suites (up to 20 percent of the total number of rooms) that provide guests with a bedroom, living area, dining rooms, kitchens, clothes washers and dryers. The final design of the hotel may also include connections to adjoining rooms, allowing multiple bedroom suite accommodations. The new hotel rooms will have private decks or balconies for guests to take advantage of the views and oceanfront climate. These suites will be intended to encourage longer stays, particularly for families with children.

The architectural character of the hotel will be compatible with the California Coastal theme of the new Commercial Core, possibly including terraced levels of buildings in various configurations to maximize views and break up building massing as viewed from surrounding vantage points. The hotel building design will also emphasize providing adequate parking for guests and maintaining convenient access to parking areas for boaters. Parking areas may be provided using a combination of at-grade parking lots and some underground parking facilities, allowing direct access to the Harbor and hotel facilities. A parking deck with access directly from Dana Point Harbor Drive, Casitas Place or the Commercial Core area may also be considered as part of the overall hotel design to separate the main guest entrances from service and delivery functions.

#### Planning Area 4 – Marine Commercial

The Harbor Patrol Facility is proposed to be expanded from 6,000 sq. ft. to 7,500 sq. ft. A potential seasonal water taxi may be provided, with pick-up/drop-off locations at the Harbor Patrol Facility, at one or more locations in Island Park and at the Dana Point Yacht Club.

The improvements at the Dana Point Yacht Club and Dana West Yacht Club, including an expansion of up to 5,000 sq. ft., provides storage for kayaks, rowboats and other small craft used by the yacht clubs, as well as increase the overall square footage. Additionally, the seven boater service buildings may be expanded by an additional 2,000 to 5,000 sq. ft. each.

A material disposal station will be installed within Planning Area 4 to facilitate boater drop-off of materials such as bilge pads. Plans also include enhancements in visitor parking availability and the replacement of existing turn-around at each end of Dana Drive to resolve large vehicle and emergency access constraints. Additional public parking may also be provided through the reconfiguration of Dana Drive. Other improvements to Planning Area 4 include the extension of pedestrian access to the Channel

Side Tie docks and reconfiguration of existing parking on Dana Drive to provide parking for boaters using Channel Side Tie Docks.

Planning Area 5 – Day Use Recreation

Planning Area 5 includes a potential expansion of the Youth and Group Facility, which currently offers meeting rooms for recreational activities, community events, and private parties, as well as sailing and ocean-related educational programs. The Youth and Group Facility may ultimately increase by approximately 6,000 sq. ft. to a total of 17,000 sq. ft. There may be a seasonal water taxi pick-up/drop-off station adjacent to the facility. Contemplated circulation and access improvements include the realignment of Dana Point Harbor Drive adjacent to the proposed facility to remove the existing traffic circle to improve traffic circulation. Currently, Cove Road provides secondary access to the Harbor; this roadway is configured for vehicles only. Additional enhancements include picnic area improvements, upgraded restrooms and reconfigured parking areas.

Planning Area 6 – Educational-Institutional

The Ocean Institute consists of a series of buildings devoted to creating unique marine laboratory environments that serve as learning centers for the At Sea, Ecology, and Surf Science/Overnight programs. Other support buildings house a bookstore (Campus Store), a multipurpose room, a main lobby, an exhibit area, student services, administration, a library and conference room and other support spaces. Recreational uses within the vicinity of the Ocean Institute include the Old Cove Marine and Native Plant Preserves. To facilitate access to the Ocean Institute, a seasonal water taxi stop may be located adjacent to the Ocean Institute's Tall Ship Harbor. The Ocean Institute was recently completely renovated and the Dana Point Revitalization Plan does not contemplate any future expansion of these facilities.

Planning Area 7 – Conservation

The Revitalization Plan provides for the preservation the coastal bluff-face as an important coastal resource. Planning Area 7 includes a small amount of coastal sage scrub, which is a sensitive plant species that provides habitat for other sensitive plant and animal species. Only limited improvements to surface drainage facilities are contemplated as part of the Dana Point Harbor Revitalization Plan.

Planning Area 8 – Educational Basin

The Dana Point Harbor Revitalization Plan provides for the renovation of the marine portions of Baby Beach. The non-motorized craft launching area and

picnic and park area within Baby Beach and Federal anchorage area will remain. However, because of ongoing water quality concerns, the form and function of this area may be modified based on the findings of water quality research that is currently underway. Potential

changes range from implementing water quality Best Management Practices to reconfiguration of the sandy bottom to promote water movement.

#### Planning Areas 9 and 10 – West and East Marinas

Proposed as part of the Dana Point Harbor Revitalization Plan are provisions for the future reconfiguration and/or reconstruction of the East and West Marinas. Proposed plans for the East Marina include the construction of 22 additional visitor docks and improving visitor access to the Commercial Core. Although the number of visitor docks will slightly increase, the total number of boat slips within the East and West Marina Basins are anticipated to decrease to approximately 1,988 docks based on preliminary planning and feasibility estimates. Dock space will be supplemented by the dry stack boat storage capacity of new facilities located within Planning Area 1.

The reconstruction and reconfiguration of the docks will likely require relocation of the dock system guide piles or construction of new piles. As part of the marina work, the docks' reconfiguration will include facilities compliant with the Americans with Disabilities Act (ADA) and will provide improved lighting, security, signage and upgrade utility connections for vessels. All dock work will be phased to minimize loss or disruption of existing docks. This may involve use of temporary floating, staging and/or imported prefabricated docks to minimize construction time.

#### Planning Areas 11 and 12 – Marine Services and Harbor Entrance

The Dana Point Harbor Revitalization Plan provides renovations to the Harbor Entrance including several changes to improve access to the water and the circulation of boat traffic in the Harbor. The Revitalization Plan will increase the efficiency and recreational value of the channel by adding channel side tie docks. To improve boat/vessel circulation in the Harbor, the Dana Point Harbor Revitalization Plan includes modernization of the docks in the Marine Services area and sport fishing boat docks and the potential relocation of the fuel dock facility. Improvements to Planning Areas 11 and 12 also include the reconfiguration/relocation of rental and Marine Services area docks. Channel side-tie docks may be added to facilitate construction and temporary docking facilities during the reconfiguration of docks in the East and West Marinas (Planning Areas 9 and 10).

### 1.3 Dana Point Harbor Revitalization Plan Design Themes

The Dana Point Harbor is viewed as a unique marine recreational facility that provides year round activities for local residents, the boating public and visitors. The Dana Point Harbor Revitalization Plan proposes to upgrade the amenities and facilities to address present and future demand and also enhance varied opportunities for inside and outside

dining, walking, viewing and public access ways. The defining vision behind the Dana Point Harbor Revitalization Plan is to unify the entire Harbor under the design theme of "California Coastal". This vision is a hybrid-style based on the historic characteristics of coastal villages merged with the California traditions of open space and outdoor living.

The model for a California Coastal Village is a coastal area that has an appearance of being constructed over time, with buildings being added as needed, while at the same time allowing the various buildings to differentiate themselves based on users and individual type of businesses. Generally, buildings will share a color palette of cool colors, mixed with brighter accents and contrasting trim elements. Building exterior finishes will also share many materials which can be deployed in numerous ways such as clapboard, shingle, stone trim and stucco. By unifying some architectural elements, such as roof pitches and railings, these buildings will present a varied yet unified village appearance.

The scale of Dana Point Harbor allows the creation of a unique setting that includes the clustering of buildings together to provide a comfortable pedestrian setting for retail merchants and restaurants. The new village will also be moved closer to the existing Dana Wharf to create a stronger pedestrian link with the buildings that will remain and adjacent parking areas. A small number of careful architectural interventions will bring the California Coastal style to the existing buildings to remain, but allow their uniqueness to enhance the overall Commercial Core by appearing to have been built over time.

One of the key components of the Dana Point Harbor Revitalization Plan is the creation of a major open space activity center at the terminus of the Street of the Golden Lantern. The Festival Plaza, flanked by commercial buildings containing retail shops onto the waterfront level and restaurants with sweeping views of the Harbor and ocean beyond on the second level will provide a distinctive activity center for the Harbor. The Festival Plaza opens at the waterfront, with a Pedestrian Promenade that links the new Commercial Core with the rest of the Harbor.

The key to the success of the revitalization of the Harbor is the arrival sequence, both for pedestrians and vehicles. Architecture and landscape are coordinated to frame views of the spectacular Harbor setting. The emphasis on view corridors that will ultimately will draw visitors down to the waterfront, the Festival Plaza and Pedestrian Promenade areas is a major goal of the architectural and overall design of the Dana Point Harbor Revitalization Plan.

### Architectural Character

As is the case in many areas of the City of Dana Point, Dana Point Harbor is an eclectic mix of California Coastal classic design features. The new Commercial Core area consists of buildings successfully grouped around a pedestrian scaled plaza or "Festival Plaza". The plaza has direct links to a major Pedestrian Promenade. The building clusters are composed of individual buildings with exterior arcades or a mix of exterior arcades and internal courtyards. Buildings are located in a manner that shelters the courtyards from westerly winds acting as a transition open space between larger open spaces and the interior courtyard areas.

### **Building Elevation Illustrative Exhibit**

At maturity, Dana Point Harbor will have a range of buildings falling into two generic visual categories, foreground buildings and background buildings. A limited number of foreground buildings will have distinctive forms, further accented by using varying types of decorative materials, colors and signage, distinguishing them from the balance of buildings. These focal point buildings in the Commercial Core include a number of restaurants and major shops.

While all buildings will be aesthetically appealing, some are intended to provide backdrops to the foreground buildings. They play an important role in creating open spaces but will not become the major objects of visual focus. Such buildings as restrooms, boater support and Harbor offices will be visually united with other buildings, but assume a less visually significant character.

### Landscape Character

The existing landscape in Dana Point Harbor is characterized by relaxed, informal clusters of Eucalyptus, Pine, Melaleuca and Acacia. Native plantings of Lemonade Berry, Baccharis, Prickley Pear and Buckwheat are typical in the coastal bluff areas; while more semi-tropical plantings frame the existing urbanized areas. Along the waterfront areas, turf, exotic specimen trees such as Coral, Fig and Giant Bird of Paradise are commonly used landscape treatments.

Environmental factors, such as salt water infiltration, relatively high soils compaction, heavy clays and typical California coastal soil conditions inhibit plant species selection. Additionally, view considerations are of high community importance. The careful selection and placement of trees to open and maintain Harbor view corridors, while adequately screening parking areas, building facades and creating comfortable pedestrian areas are all important design considerations. As the existing Eucalyptus trees gradually succumb to old age and disease, a comprehensive approach is envisioned to ensure that in instances where replacement is necessary, new tree plantings are compatible in character (Melaleuca, some species of smaller Eucalyptus such as Eucalyptus lehmannii) are used to reduce overall tree heights and enhance views.

The maintenance of turf areas, such as the park and recreation areas adjacent to Dana Point Harbor Drive in Planning Area 5 and portions of Planning Area 4 (the Island) are critical to the accommodate active and passive recreational activities. The use of drought tolerant groundcovers, including native plant species in non-recreational areas will be encouraged to promote water conservation and reduce the potential for water runoff. The overall landscape concept for Dana Point Harbor must therefore accommodate a wide variety of priorities, while maintaining the distinct California Coastal environment that is characteristic of the Harbor.

### Landscape Districts

In response to the varying character of different areas of the Dana Point Harbor, the Landscape Master Plan is comprised of four major districts: the

Bluffs, the Harborfront, the Island and Terraces as shown on Exhibit 1-2,  
*Landscape District Map.*

The character of each of the unique landscape districts that make up the Dana Point Harbor Revitalization Plan and the goals for creating a sense of order and direction for each can be summarized as follows:

*The Bluffs (District 1)* – is characterized by the beautiful sandstone bluffs that frame inland views along the western portion of the Harbor. The landscape in this area is a distinct blend of the natural and manmade, with a blend of California natives and Mediterranean ornamental plantings that cover the less vertical bluff areas. In areas at the base of the bluffs, clusters of Eucalyptus, Pine and some Norfolk Island Pines are common. It is the goal of the landscape design in these areas to preserve established trees wherever possible and enhance the character of these areas by supplementing them with trees such as Melaleuca and Eucalyptus lehmannii. Overall, the intent of the Harbor is to provide new groundcover plantings that are reflective of the natural character of the Bluffs, while addressing water conservation and integration with the native species to minimize maintenance-associated costs and promote water conservation.

Landscape District Map  
Exhibit 1-2

*The Harborfront (District 2)* – is characterized by the urban uses of the Commercial Core, including shops, restaurants with outdoor dining around the Festival Plaza. A more semi-tropical landscape character is provided that incorporates varying textures, colors, sculptural qualities, solar and wind protection. Large specimen trees that provide sheltered shade areas, flowering vines, shade-tolerant tropicals and fragrant jasmine and salvias are all intended to create a unique activity center in the Harbor. Potted specimen plantings and colored pavement treatments are also utilized along the edges of the retail areas to provide additional textures and interest.

*The Island (District 3)* – is characterized by tall clusters of Washingtonia Palms, providing a significant vertical element to the long and somewhat narrow Island area of the Harbor. Current land uses, such as the yacht clubs, restaurant, boater parking and service buildings necessitate detailed ground plane plantings similar to the harbor-front area. Utilizing semi-tropical and smaller groupings of palms (Mediterranean Fan, Pigmy Date Palm and Senegal Date Palm) and combining more 'exotic' plantings of Calliandra, Agave, Hesperaloe and Yuacca provide unique focal points throughout the Island. The overall landscape design also maintains turf areas adjacent to the main channel, providing opportunities for active and passive recreation activities.

*The Terraces (District 4)* – the design of parking areas along Dana Point Harbor Drive are anchored by tree species reflective of the existing relaxed and informal nature of the Harbor. As the Harbor has matured over the last 30-years, many of the existing Eucalyptus trees require replacement with trees of a more suitable vertical scale. Species of trees with a lower mature height, similar character and drought tolerant characteristics include Melaleuca, Pine and Eucalyptus lehmannii. Special consideration is also to be given to the placement of new trees in order to maintain view corridors and provide adequate visibility for motorist along Dana Point Harbor Drive. Where possible, areas between parking stalls will be planted with drought tolerant ornamental grasses (Deergrass, Hybrid Fountain Grass, etc.) to minimize maintenance and provide pervious areas to absorb surface water runoff. The potential of these parking area planters to serve as bio-filtration reservoirs by incorporating them into the overall landscape design both reduces the presence of hardscape areas and provides partial screening of the cars.

The plant materials selected to achieve the framework of trees, shrubs and groundcovers in each of the districts, includes the following:

**The Bluffs (District 1)**

Dana Point Harbor Drive, Bluff transition areas, Ocean Education Center  
*Natural character, California natives, drought tolerant, transitional landscaping incorporates existing turf areas and specimen trees*

Botanical Name	Common Name	Remarks
<b>Trees</b>		
Araucaria spp.	Norfolk Island Pine	Open pyramid form
Chilopsis linearis	Desert Willow	Specimen; along streets/medians
Erythrina caffra	Coral Tree	Specimen; snowy flowers
Eucalyptus ficifolia	Red-Flowering Gum	Dome-shaped; snowy flowers
Eucalyptus lehmannii	Bushy Yate	Small, compact tree
Ficus rubiginosa	Rusty Leaf Fig	Evergreen dome
Leptospermum laevigatum	Tea Tree	Large shrub
Maytenous boaria	Mayten Tree	Slow growing, evergreen
Melaleuca linariifolia	Flaxleaf Paperbark	Vertical evergreen
Melaleuca quinquenervia	Cajeput Tree	Buffer tree; upright open form
Metrosideros excelsus	New Zealand Christmas Tree	Evergreen, prune to form
Phoenix canariensis	Date Palm	Entry specimen tree
Pinus halepensis	Aleppo Pine	Buffer tree @ base of bluff
Pinus torreyana	Torrey Pine	Buffer tree @ base of bluff
Schinus molle	California Pepper	Evergreen, prune to form
Tristania conferta	Brisbane Box	Vertical growth when young
Washingtonia hybrid	Hybrid Fan Palm	Vertical element
Washingtonia robusta	Mexican Fan Palm	Golden Lantern entry tree
<b>Shrubs and Groundcover</b>		
Acacia spp.	Acacia	
Agave spp.	Agave	
Aloe spp.	Aleo	
Alyogne huegelii	Blue Hibiscus	
Anigozanthos flavidus	Kangaroo Paw	
Arbutus Unedo	Strawberry Tree	Large shrub
Arctostaphylos spp.	Manzanita	
Artemisia californica	Coastal Sagebrush	
Baccharis pilularis	Dwarf Coyote Bush	
Bougainvillea spp.	Bougainvillea	
Calliandra spp.	NCN	
Callistemon spp.	Bottlebrush	
Carex tumulicola	Sedge	Highly adaptable groundcover
Carissa macrocarpa spp.	Natal Plum	
Carpobrotus spp.	Ice Plant	
Ceanothus spp.	California Lilac	
Cistus spp.	Rockrose	
Clematis spp.	Bower Vine	
Coleonema pulchrum	Pink Breath of Heaven	
Convolvulus mauritanicus	Ground Morning Glory	
Cordylone australis	Dracaena	

**The Bluffs**

Botanical Name	Common Name	Remarks
<b>Shrubs and Groundcover (continued)</b>		
<i>Cynodon dactylon</i>	Bermuda Grass	
<i>Cuphea hyssopifolia</i>	False Heather	
<i>Delosperma 'Alba'</i>	White Trailing Ice Plant	
<i>Diets bicolor</i>	Fortnight Lily	
<i>Dudleya</i> spp.	Dudleya	
<i>Echium fastuosum</i>	Pride of Madeira	Entry accent
<i>Eriogonum</i> spp.	Buckwheat	
<i>Feijoa sellowiana</i>	Pineapple Guava	
<i>Fescue</i> spp.	Fescue Grass	
<i>Festuca mairei</i>	Marie's Fescue	
<i>Fremontodendron</i> spp.	California Flannelbush	
<i>Grevillea</i> spp.	NCN	
<i>Hakea suaveolens</i>	Sweet Hakea	Large screening shrub
<i>Hemerocallis hybrids</i>	Daylily	
<i>Hesperaloe parviflora</i>	NCN	
<i>Heteromeles arbutifolia</i>	Toyon	Large screening shrub
<i>Heuchera</i> spp.	Coral Bells	
<i>Iris</i> spp.	Douglas Iris	
<i>Juncus</i> spp.	Rush	
<i>Lampranthus</i> spp.	Ice Plant	
<i>Lantana</i> spp.	Lantana	
<i>Lavatera bicolor</i>	Mallow	
<i>Lavendula</i> spp.	Lavender	
<i>Leptospermum scoparium</i>	New Zealand Tea Tree	
<i>Leymus triticoides</i>	Creeping Rye	
<i>Ligustrum texanum</i>	Waxleaf Privet	
<i>Limonium perezii</i>	Sea Lavender	
<i>Liriope gigantea</i>	Lily Turf	
<i>Lonicera japonica</i>	Honeysuckle	
<i>Lyonothamnus floribundus</i>	Catalina Ironwood	
<i>Malosma laurina</i>	Laurel Sumac	
<i>Melaleuca nesophila</i>	Pink Melaleuca	Screen shrub
<i>Miscanthus sinensis</i>	Eulalia Grass	
<i>Mimulus</i> spp.	Monkeyflower	
<i>Muhlenbergia</i> spp.	Deergrass	Highly adaptable groundcover
<i>Myoporum pacificum</i>	NCN	
<i>Nolina parryi</i>	Nolina	
<i>Oenothera</i> spp.	Primrose	
<i>Opuntia</i> spp.	Prickly Pear	
<i>Pelargonium</i> spp.	Geranium	
<i>Pennisetum</i> spp.	Hybrid Fountain Grass	Entry / Parking lot groundcover
<i>Phlomis fruticosa</i>	Jerusalem Sage	
<i>Ribes</i> spp.	Evergreen Currant	
<i>Rhampholepis indica</i>	India Hawthorn	

**The Bluffs**

Botanical Name	Common Name	Remarks
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Shrubs and Groundcover (continued)

Romneya coulteri	Matilija Poppy	
Rosa spp.	Rose	
Rosmarinus officinalis	Rosemary	
Salvia spp.	Sage	
Santolina virens	Santolina	
Scirpus spp.	Tule	
Senecio spp.	Common name varies	
Stenotaphrum secundatum	Saint Augustine Grass	
Stipa tenuissima	Mexican Feather Grass	
Tagetes lemmonii	NCN	
Trichostema lanatum	Woolly Blue Curls	
Verbena spp.	Verbena	
Yucca spp.	Yucca	

**The Harborfront (District 2)**

Commercial Core, including shops, restaurants with outdoor dining and the waterfront promenade  
*Refined character, semi-tropical, colorful, shade tolerant*

Botanical Name	Common Name	Remarks
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Trees

Agonis flexuosa	Peppermint Tree	Small evergreen tree
Cupaniopsis anacardioides	Carrott Wood	Small evergreen dome/parking lot
Chamerops humilis	Mediterranean Fan Palm	Specimen clumps; potted
Chilopsis linearis	Desert Willow	Small deciduous tree
Erythrina caffra	Kafferboom Coral Tree	Large specimen tree
Eucalyptus ficifolia	Red-Flowering Gum	Dome-shaped; prune seed caps
Eucalyptus lehmannii	Bushy Yate	Small compact tree
Geijera parvifolia	Australian Willow	Weeping Willow effect
Ficus spp.	Fig	
Leptospermum laevigatum	Tea Tree	Patio specimen; large shrub
Maytenus boaria	Mayten Tree	Slow growing, evergreen
Melaleuca linariifolia	Flaxleaf Paperbark	Vertical evergreen
Melaleuca quinquenervia	Cajeput Tree	Buffer tree; upright open growth
Metrosideros excelsus	New Zealand Christmas Tree	Specimen patio tree
Phoenix canariensis	Date Palm	Entry specimen tree
Phoenix reclinata	Senegal Date Palm	Specimen clumps
Phoenix roebelinii	Pigmy Date Palm	Specimen clumps
Pinus halepensis	Aleppo Pine	Buffer tree
Pinus thunbergiana	Japanese Black Pine	20' tall, slow to moderate growth
Pinus torreyana	Torry Pine	Harbor plaza tree
Platanus acerifolia	London Puase tree	Prune to maintain small size

**The Harborfront**

Botanical Name	Common Name	Remarks
Trees (continued)		
Podocarpus spp.	Fern Pine	Prune to maintain small size
Rhus lancea	African Sumac	Slow growing; open spreading
Schinus molle	California Pepper	Specimen patio tree
Schinus terebinthifolius	Brazilian Pepper	Evergreen dome/Parking lot
Srelitzia nicolai	Giant Bird of Paradise	Entry accent / plaza potted specimen
Trachycarpus fortunei	Windmill Palm	Moderate growth, single trunk
Tristania conferta	Brisbane Box	
Washingtonia hybrid	Hybrid Fan Palm	Plaza specimen tree
Washingtonia robusta	Mexican Fan Palm	Street of the Golden Lanter entry tree

**The Harborfront**

Botanical Name	Common Name	Remarks
Shrubs and Groundcover		
Abutilon hybridum	Flowering Maple	Shaded areas only
Agave spp.	Agave	
Aloe spp.	Aloe	
Alyogne huegelii	Blue Hibiscus	
Anigozanthos flavidus	Kangaroo Paw	
Arbutus Unedo	Strawberry Tree	Large shrub
Bambusa spp.	Bamboo	
Bignonia spp.	Trumpet Vine	
Bougainvillea spp.	Bougainvillea	
Calliandra spp.	NCN	
Callistemon spp.	Bottlebrush	
Carex tumulicola	Sedge	Plaza accent
Carissa macrocarpa spp.	Natal Plum	
Cerastium tomentosum	Show-in-Summer	
Cistus spp.	Rockrose	
Clematis spp.	Bower Vine	
Clytostoma callistegiodes	Violet Trumpet Vine	
Coleonema pulchrum	Pink Breath of Heaven	
Convolvulus mauritanicus	Ground Morning Glory	
Coprosma repens	Mirror Plant	
Cordylina australis	Dracaena	
Cynodon dactylon	Bermuda Grass	
Cuphea hyssopifolia	False Heather	
Cyperus papyrus	Papyrus	
Dietes bicolor	Fortnight Lily	Parking deck shrub
Distictis buccinatoria	Blood-Red Trumpet Vine	
Dudleya spp.	Dudleya	
Echium fastuosum	Pride of Maeria	Entry accent
Fatsia japonica	Japanese Aralia	Shaded areas only

**The Harborfront**

Botanical Name	Common Name	Remarks
<b>Shrubs and Groundcover (continued)</b>		
<i>Feijoa sellowiana</i>	Pineapple Guava	
<i>Fescue spp.</i>	Fescue Grass	
<i>Festuca mairei</i>	Marie's Fescue	
<i>Hesperaloe parviflora</i>	NCN	
<i>Heteromeles arbutifolia</i>	Toyon	
<i>Jasminum polyanthum</i>	NCN	
<i>Juncus spp.</i>	Rush	
<i>Lampranthus spp.</i>	Ice Plant	
<i>Lantana spp.</i>	Lantana	
<i>Lavatera bicolor</i>	Mallow	
<i>Lavendula spp.</i>	Lavender	
<i>Leptospermum scoparium</i>	New Zealand Tea Tree	
<i>Ligustrum texanum</i>	Waxleaf Privet	
<i>Limonium perezii</i>	Sea Lavender	
<i>Liriope gigantea</i>	Lily Turf	Shaded areas / pots
<i>Lonicera japonica</i>	Honeysuckle	
<i>Melaleuca nesophila</i>	Pink Melaleuca	Screen shrub
<i>Miscanthus sinensis</i>	Eulalia Grass	
<i>Muhlenbergia dumosa</i>	Bamboo Grass	Pots
<i>Muhlenbergia rigens</i>	Deergrass	Plaza accent
<i>Nandina domestica</i>	Heavenly Bamboo	
<i>Parthenocissus tricuspidata</i>	Boston Ivy	
<i>Pelargonium spp.</i>	Geranium	
<i>Pennisetum spp.</i>	Hybrid Fountain Grass	
<i>Philodendron selloum</i>	Philodendron	
<i>Phlomis fruticosa</i>	Jerusalem Sage	
<i>Pittosporum tenuifolium</i>	NCN	'Silver Sheen'
<i>Pittosporum tobira</i>	Mock Orange	
<i>Podocarpus spp.</i>	Fern Pine	
<i>Prunus spp.</i>	Catalina Cherry	
<i>Raphiolepis indica</i>	India Hawthorn	
<i>Rosa spp.</i>	Rose	
<i>Rosmarinus officinalis</i>	Rosemary	
<i>Salvia spp.</i>	Sage	
<i>Santolina virens</i>	Santolina	
<i>Scirpus spp.</i>	Tule	Plaza accent / groundcover
<i>Senecio spp.</i>	Common name varies	
<i>Solanum jasminoides</i>	Potato Vine	
<i>Stenotaphrum secundatum</i>	Saint Augustine Grass	
<i>Stipa tenuissima</i>	Mexican Feather Grass	Plaza accent
<i>Strelitzia reginae</i>	Bird of Paradise	
<i>Tagetes lemmonii</i>	NCN	
<i>Trachelospermum jasminoides</i>	Star Jasmine	
<i>Verbena spp.</i>	Verbena	
<i>Yucca spp.</i>	Yucca	

**The Island (District 3)**

Boater facilities, restaurants with outdoor dining and the waterfront park  
Vertical, open and exotic character; defined by clusters of tall palms, tropical plantings

Botanical Name	Common Name	Remarks
<b>Trees</b>		
Agonis flexuosa	Peppermint Tree	Small evergreen
Chamerops humilis	Mediterranean Fan Palm	Specimen clumps; potted
Erythrina caffra	Coral Tree	Specimen; focal point tree
Ficus spp.	Fig	Evergreen patio tree
Geijera parvifolia	Australian Willow	Weeping Willow effect
Leptospermum laevigatum	Tea Tree	Patio specimen tree; large shrub
Maytenous boaria	Mayten Tree	Slow growing evergreen
Melaleuca linariifolia	Flaxleaf Paperbark	Vertical evergreen
Melaleuca quinquenervia	Cajeput Tree	Buffer tree; upright open growth
Metrosideros excelsus	New Zealand Christmas Tree	Patio specimen tree
Phoenix reclinata	Senegal Date Palm	Specimen clumps
Phoenix roebelinii	Pigmy Date Palm	Specimen clumps
Rhus lancea	African Sumac	Slow growing; open form
Strelitzia nicolai	Giant Bird of Paradise	Entry accent / potted specimen
Trachycarpus fortunei	Windmill Palm	Accent palm tree; slow growing
Washingtonia hybrid	Hybrid Fan Palm	Vertical accent tree
Washingtonia robusta	Mexican Fan Palm	Main Island character tree

**The Island**

Botanical Name	Common Name	Remarks
<b>Shrubs and Groundcover</b>		
Agave spp.	Agave	
Aloe spp.	Aleo	
Alyogne huegelii	Blue Hibiscus	
Anigozanthos flavidus	Kangaroo Paw	
Arbutus Unedo	Strawberry Tree	Large shrub
Bignonia spp.	Trumpet Vine	
Bougainvillea spp.	Bougainvillea	
Calliandra spp.	NCN	
Callistemon spp.	Bottlebrush	
Carex tumulicola	Sedge	Highly adaptable groundcover
Cariassa macrocarpa spp.	Natal Plum	
Carpobrotus spp.	Ice Plant	
Ceanothus spp.	California Lilac	
Cerastium tomentosum	Show-in-Summer	
Cistus spp.	Rockrose	
Clematis spp.	Bower Vine	
Clytostoma callistegiodes	Violet Trumpet Vine	
Coleonema pulchrum	Pink Breath of Heaven	
Convolvulus mauritanicus	Ground Morning Glory	
Coprosma repens	Mirror Plant	

**The Island**

Botanical Name	Common Name	Remarks
<u>Shrubs and Groundcover (continued)</u>		
<i>Cordyline australis</i>	Dracaena	
<i>Cuphea hyssopifolia</i>	False Heather	
<i>Cynodon dactylon</i>	Bermuda Grass	
<i>Cyperus papyrus</i>	Papyrus	
<i>Delosperma 'Alba'</i>	White Trailing Ice Plant	
<i>Diets bicolor</i>	Fortnight Lily	
<i>Distictis buccinatoria</i>	Blood-Red Trumpet Vine	
<i>Echium fastuosum</i>	Pride of Madeira	Entry accent
<i>Fatsia japonica</i>	Japanese Aralia	Shaded areas only
<i>Feijoa sellowiana</i>	Pineapple Guava	
<i>Fescue spp.</i>	Fescue Grass	
<i>Festuca mairei</i>	Marie's Fescue	
<i>Ficus repens</i>	Creeping Fig	
<i>Gazania spp.</i>	Gazania	
<i>Pelargonium spp.</i>	Geranium	
<i>Gazania spp.</i>	NCN	
<i>Hakea suaveolens</i>	Sweet Hakea	Large screening shrub
<i>Hemerocallis hybrids</i>	Daylily	
<i>Hesperaloe parviflora</i>	NCN	
<i>Heteromeles arbutifolia</i>	Toyon	Large screening shrub
<i>Jasminum polyanthum</i>	NCN	
<i>Lampranthus spp.</i>	Ice Plant	
<i>Lantana spp.</i>	Lantana	
<i>Lavatera bicolor</i>	Mallow	
<i>Lavendula spp.</i>	Lavender	
<i>Leptospermum scoparium</i>	New Zealand Tea Tree	
<i>Ligustrum texanum</i>	Waxleaf Privet	
<i>Limonium perezii</i>	Sea Lavender	
<i>Lonicera japonica</i>	Honeysuckle	
<i>Lyonothamnus floribundus</i>	Catalina Ironwood	
<i>Melaleuca nesophila</i>	Pink Melaleuca	Screen shrub
<i>Miscanthus sinensis</i>	Eulalia Grass	
<i>Muhlenbergia spp.</i>	Bamboo Grass	
<i>Muhlenbergia spp.</i>	Deergrass	Highly adaptable groundcover
<i>Nandina domestica</i>	Heavy Bamboo	
<i>Osteospermum fruticosum</i>	Freeway Daisy	
<i>Parthenocissus tricuspidata</i>	Boston Ivy	
<i>Pelargonium spp.</i>	Geranium	
<i>Pennisetum spp.</i>	Hybrid Fountain Grass	Entry / Parking lot groundcover
<i>Philodendron selloum</i>	Philodendron	
<i>Phlomis fruticosa</i>	Jerusalem Sage	
<i>Pittosporum tenuifolium</i>	NCN	'Silver Sheen'
<i>Pittosporum tobira</i>	Mock Orange	
<i>Podocarpus spp.</i>	Fern Pine	

**The Island**

Botanical Name	Common Name	Remarks
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Shrubs and Groundcover (continued)

Rhampholepis indica	India Hawthorn	
Rosa spp.	Rose	
Rosmarinus officinalis	Rosemary	
Salvia spp.	Sage	
Santolina virens	Santolina	
Scirpus spp.	Tule	
Senecio spp.	Common name varies	
Solanum jasminoides	Potato Vine	
Stenotaphrum secundatum	Saint Augustine Grass	
Stipa tenuissima	Mexican Feather Grass	
Strelitzia reginae	Bird of Paradise	
Tagetes lemmonii	NCN	
Tupidanthus calyptratus	NCN	
Verbena spp.	Verbena	
Yucca spp.	Yucca	

**The Terraces (District 4)**

Parking areas and recreational amenities

*Transition zone between Bluff areas and the Harborfont; clustered tree plantings, drought tolerant plant species, natural and ornamental grass groundcovers*

Botanical Name	Common Name	Remarks
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Trees

Agonis flexuosa	Peppermint Tree	Small evergreen tree
Chilopsis linearis	Desert Willow	Small deciduous tree
Cupaniopsis anacardioides	Carrott Wood	Small evergreen dome/parking lot
Eucalyptus ficifolia	Red-Flowering Gum	Dome-shaped; prune off seed caps
Eucalyptus lehmannii	Bushy Yate	Small, compact tree
Melaleuca quinquenervia	Cajeput Tree	Buffer tree; upright open growth
Metrosideros excelsus	New Zealand Christmas Tree	Specimen patio tree; prune to form
Platanus acerifolia	London Puase Tree	Prune to maintain small size
Pinus thunbergiana	Japanese Black Pine	20' tall, slow to moderate growth
Pinus torreyana	Torry Pine	Harbor plaza tree
Platanus racemosa	California Sycamore	Deciduous buffer tree
Schinus molle	California Pepper	Specimen patio tree
Schinus terebinthifolius	Brazillan Pepper	Evergreen dome/parking lot
Tristania conferta	Brisbane Box	Evergreen with vertical form
Washingtonia hybrid	Hydrid Fan Palm	Plaza specimen tree
Washingtonia robusta	Mexican Fan Palm	Golden Lantern entry tree

**The Terraces**

Botanical Name	Common Name	Remarks
<u>Shrubs and Groundcover</u>		
Acacia spp.	Acacia	
Agave spp.	Agave	
Aloe spp.	Aloe	
Anigozanthos flavidus	Kangaroo Paw	
Arctostaphylos spp.	Manzanita	
Arbutus Unedo	Strawberry Tree	Large shrub
Baccharis pilularis	Dwarf Coyote Bush	
Carex tumulicola	Sedge	Plaza accent
Carissa macrocarpa spp.	Natal Plum	
Carpobrotus spp.	Ice Plant	
Cistus spp.	Rockrose	
Coleonema pulchrum	Pink Breath of Heaven	
Convolvulus mauritanicus	Ground Morning Glory	
Cuphea hyssopifolia	False Heather	
Delosperma 'Alba'	White Trailing Ice Plant	
Dietes bicolor	Fortnight Lily	Parking deck shrub
Echium fastuosum	Pride of Madeira	Entry accent
Eriogonum spp.	Buckwheat	
Feijoa sellowiana	Pineapple Guava	
Festuca mairei	Marie's Fescue	
Grevillea spp.	NCN	
Hakea suaveolens	Sweet Hakea	Large screening shrub
Hesperaloe parviflora	NCN	
Heteromeles arbutifolia	Toyon	
Juncus spp.	Rush	
Lampranthus spp.	Ice Plant	
Lantana spp.	Lantana	
Lavatera bicolor	Mallow	
Lavendula spp.	Lavender	
Leptospermum scoparium	New Zealand Tea Tree	
Ligustrum texanum	Waxleaf Privet	
Limonium perezii	Sea Lavender	
Lyonothamnus floribundus	Catalina Ironwood	
Malosma laurina	Laurel Sumac	
Melaleuca nesophila	Pink Melaleuca	Screen shrub
Miscanthus sinensis	Eulalia Grass	
Muhlenbergia rigens	Deergrass	Plaza accent
Myoporum pacificum	NCN	
Osteospermum fruticosum	Freeway Daisy	
Pennisetum spp.	Hybrid Fountain Grass	
Phlomis fruticosa	Jerusalem Sage	
Rhaphiolepis indica	India Hawthorn	
Rhus integrifolia	Lemonade Berry	
Rosmarinus officinalis	Rosemary	

**The Terraces**

Botanical Name	Common Name	Remarks
<u>Shrubs and Groundcover (continued)</u>		
Salvia spp.	Sage	
Santolina virens	Santolina	
Senecio spp.	Common name varies	
Stipa tenuissima	Mexican Feather Grass	Plaza accent
Tagetes Lemmonii	NCN	
Verbena spp.	Verbena	
Yucca spp.	Yucca	

**1.4 Infrastructure and Utility Improvements**

The Dana Point Harbor Revitalization Plan includes the relocation and/or replacement of a number of the wet and dry utility systems (water, sewer, natural gas, electrical, telephone, cable, etc.). All new utility systems will be designed, located, and sized according to regulatory and utility service provider standards. Improvements include various infrastructure and utility elements, signage and landscape improvements to enhance the Harbor's appearance and provide adequate infrastructure. These elements include:

Streets

- Planning Area 1: Improvements to Puerto Place, include widening the existing western right-of-way (ROW), constructing new entries to the Marine Services area and installation of a traffic signal at the intersection of Dana Point Harbor Drive and Puerto Place (subject to future traffic study and signal warrants). The Revitalization Plan also eliminates the existing Embarcadero Place driveway and the left-turn pocket in the median of Dana Point Harbor Drive.
- Planning Area 2: Realignment of the terminus of the Street of the Golden Lantern, including construction of a split-level ramp providing parking deck access into the Commercial Core area from the Dana Point Harbor Drive intersection; constructing traffic circle links on both levels of the parking deck to the Festival Plaza; and constructing a left-turn pocket and additional exit lane from the parking deck.
- Planning Area 4: Future improvements to the Dana Drive turn-arounds on the Island to improve vehicle circulation and to provide additional public parking opportunities.

- *Planning Area 5*: Future modification of the turnaround on Dana Point Harbor Drive adjacent to the Youth and Group Facility and to provide better access for large vehicles (i.e., buses and emergency vehicles).

Harborwide Utilities, Drainage, Lighting, and Signage

- Upgraded utility capacities to serve the proposed improvement areas, including upgrading storm drain facilities;
- Improved lighting on streets, in parking areas and pedestrian walkways;
- Improved commercial, directional and public information signage; and
- In Planning Area 1 – replacement of an existing 18-inch storm drain and outlet structure with a 36-inch pipe and new outlet structure.

Quay Wall–Slope Panel and Bulkhead

Planning Areas 8, 9, 10, 11 and 12:

- Repair and partial replacement of the existing quay wall slope panels by filling voids and gaps and by placing a tie-back system or anchor rods where needed to provide improved longevity and seismic safety; and
- Replace degraded rock revetment as needed.

Harborwide Walkways and Landscaping Improvements

- Improved pedestrian walkways, including new paving, signage and access ramps that comply with Americans with Disabilities Act (ADA) requirements; and
- New landscaping and irrigation systems in the Commercial Core area and enhancement of existing landscaping throughout the Harbor as Revitalization Plan projects are implemented over time.

## 1.5 Implementation Phasing

The Dana Point Harbor Revitalization Plan improvements will be implemented in phases depending upon the availability of various funding grants and market demand. The overall Project components as generally described, will be developed in incremental steps, but are structured by their priority into

two principal groups: Near-term or Phase I and Long-term or Phase II improvements.

The proposed Commercial Core area improvements are anticipated to be completed in the near-term by the year 2012 and Harborwide projects or long-term activities are anticipated to be incrementally implemented in multiple phases as funding becomes available through buildout (estimated between 2017 and 2030).

*Near-term (Phase I - Project Level, Planning Areas 1 and 2)*: This phase of the Revitalization Plan projects in the northerly portion of Planning Area 1 and Planning Area 2, including:

- Construction of the Commercial Core retail area and parking deck;
- Phased demolition of existing Boater Service and commercial buildings and the County Maintenance Yard;
- Remodeling of existing commercial and restaurant buildings on Dana Wharf;
- Improvements to Catalina Express Ferry Service facility;
- Construction of the first dry-stack boat storage building;
- Remodeling/replacement of boater service buildings;
- Maintenance of rock revetments; and
- Street, lighting and infrastructure improvements.

Improvements within the Commercial Core area will be phased to minimize disruption of existing businesses and restaurants. The first construction phase will create access and additional parking opportunities; the new Commercial Core and Festival Plaza will then be constructed before existing businesses are relocated, followed by the demolition of Mariner's Village and Mariner's Alley to create additional parking opportunities. The construction of the Commercial Core consists of the development of Planning Areas 1 (northerly portion only) and 2 and is anticipated to move forward in increments of approximately 10 to 14 months, with completion of all improvements in approximately 5 to 7 years from the start of construction.

Generally, phasing of construction will begin in the area of the Embarcadero Marina Boat Launch parking area with construction of the new parking deck and extend to the main Harbor vehicular entrance with the construction of the entrance ramp structure. During this phase, the County South Coastal Operations Administration Office and Maintenance Yard will be demolished.

With completion of the parking deck, construction will commence on the new Commercial Core facilities. Crews will first remove existing structures and facilities and construct new subsurface infrastructure, including water, sewer and power transmission lines. Utilities being replaced will be adequately sized for future improvements.

Following completion of the underground infrastructure improvements, construction of the podium deck (extending from the completed parking deck) will begin, followed by construction of the restaurant and retail buildings. Completion of the Commercial Core buildings will then allow existing tenants in the Mariners Village to make individual tenant improvements prior to moving into the new buildings.

Construction in the Commercial Core will also entail completing the surrounding surface parking lots and constructing the first dry stack boat storage building with adjoining marine retail store.

Long-term (Phase II - Program Level, Planning Areas 3-12): Consists of the Revitalization Plan elements within Planning Areas 3 through 12 and the southern portion of Planning Area 1, including:

- Potential expansion of existing yacht clubs, boater service buildings and yacht broker buildings;
- Construction of the second dry stack boat storage building;
- Expansion of the Harbor Patrol Office and the Youth and Group Facility;
- Reconfiguration of the shipyard;
- Replacement of the Marina Inn and parking area;
- Reconfiguration of the surface parking areas and restrooms at the terminus of Puerto Place;
- Potential construction of a Harbor Lighthouse facility;
- Realignment/reconfiguration of Dana Point Harbor Drive and adjoining parking areas in the vicinity of the Youth and Group Facility; and
- Replacement and reconfiguration of the East and West Marinas.

All of these projects will require separate discretionary approvals including appropriate environmental review. Consistent with the landside improvements, construction phasing to replace the marina facilities will focus

on minimizing the amount of disruption to marina operations and availability of boater facilities and services.

Dana Point Harbor is located entirely within the Coastal Zone as defined by the California Coastal Act of 1976. The primary purposes of the Coastal Act are to protect, maintain and where feasible, enhance and restore the natural and scenic qualities of coastal resources; assure an orderly and balanced use and conservation of coastal zone resources; maximize public access consistent with conservation principles and constitutionally protected private property rights; assure priority for coastal-dependent and coastal-related development; and, encourage state and local government cooperation concerning planning and development. The Coastal Act ensures the conservation of coastal resources through the implementation of a series of coastal resources planning and management policies.

The Coastal Act requires local governments to prepare Local Coastal Programs for areas located within the Coastal Zone. Local Coastal Programs are comprised of the relevant portions of a local government's general plan, zoning ordinances, zoning district maps and other implementing actions, which, when taken together meet the requirements of and implement the provisions and policies of the California Coastal Act at the local level.

The following general policies shall provide the framework for interpreting the Land Use Plan (LUP) components for the Dana Point Harbor Revitalization Plan:

1. Where policies within the LUP overlap, the policy that is the most protective of the coastal resources shall take precedence;
2. Where there are conflicts between the policies set forth in this LUP and those set forth in any element of the City of Dana Point General Plan Elements, other adopted plans, programs or existing ordinances, the policies of this LUP shall take precedence; and
3. In the event of any ambiguities or conflicts not resolved by (1) or (2) above or by other provisions of the Dana Point Harbor Revitalization Plan and District Regulations, the policies of the California Coastal Act shall guide interpretation of this LUP.

## **1.6 Resource Protection**

### Background

The existing Dana Point Harbor area is fully developed, being comprised of buildings of varying height, surface parking areas, meandering walkways, large open space grass areas with picnicking facilities, native and non-native vegetation and landscaping and boat docks. More specifically, an overview of existing Harbor resources includes:

### *Trees*

All of the trees within Dana Point Harbor, including the native trees, were planted as landscape, ornamental trees. Of the approximately 525 eucalyptus (*Eucalyptus* sp.) trees, a non-native species, approximately 175 of the eucalyptus trees are large with good ecological or aesthetic value; the remaining trees are small or leggy, with little canopy cover. Approximately 40 native California sycamore (*Platanus racemosa*) trees are located east of Island Way in Planning Areas 1 through 3. The sycamore trees throughout the Harbor are typically large and healthy. Also located throughout the Harbor are approximately 25 pines (*Pinus* sp.) that are generally less than 20 feet in height. Additionally, there are Norfolk Island Pines (*Araucaria heterophylla*) located near the Youth and Group Facility. Other common trees included Coral trees (*Erythrina* sp.), Bay Fig (*Ficus macrophylla*), and various species of palm.

### *Vegetation*

Most of the Harbor is covered with asphalt parking lots, commercial buildings, expansive lawn areas and scattered ornamental landscaping. The vegetation community subtypes in the developed areas is non-native, commercial and ornamental landscaping. Ornamental landscaping consists of planted and maintained trees, shrubs, flowers and turf grass. Very few native species can be observed in the Harbor, with the exception of the native plants installed in the native plant garden at the Ocean Institute in Planning Area 6 and the coastal bluff scrub in Planning Area 7.

Within the Harbor, southern coastal bluff scrub occurs along the northern side of Dana Point Harbor Drive, along the bluffs in Planning Area 7. This area is not easily accessible to the public. The vegetation on the bluffs consists of coastal scrub species, including California sagebrush, coyote brush, California bush sunflower and dudleya. Sensitive plant species that have a potential to occur in this plant community, include aphanisma, Coulter's saltbush, south coast saltscale, Blochman's dudleya and cliff spurge. Implementation of the Dana Point Harbor Revitalization Plan designates Planning Area 7 for Conservation land uses and therefore precludes any new development other than that required to maintain existing surface drainage facilities. The nearest construction to the bluff areas includes realignment of Dana Point Harbor Drive, the Youth and Group Facility expansion and replacement of the existing Marina Inn. Construction in these areas will not encroach into the native habitat in Planning Area 7 and therefore will not impact potentially sensitive species in Planning Area 7.

### *Urban Environment*

Current uses within the Harbor area produce light and glare typical of a small-craft Harbor, with relatively limited high-intensity lighting and small amounts of metallic surfaces on existing facilities. Existing on-site light sources include parking lot lighting, interior lighting from the assemblage of buildings that comprise the Commercial Core, security lighting and flood lighting at the boat docks. Occasional special events require temporary lighting, typically placed in the parking lot areas. Glare generation in the Harbor is predominantly a nighttime event. With the exception of the Ocean Institute, there are no buildings that have large glass or polished surfaces. Reflective materials such as windows generate minimal glare.

### *Cultural Resources*

The Paleontology Literature and Records Review obtained from the San Bernardino County Museum indicate that the Harbor area is underlain by sediments of the Capistrano Formation and marine terrace deposits. The Capistrano Formation has yielded fossil remains of foraminifera, echinoids and marine vertebrates, including sharks and whales. The marine terrace deposits have yielded marine invertebrate fossils (molluscs, crustaceans, and echinoids) and marine vertebrate fossils (sharks, rays, and bony fish).

The historical property data file at the South Central Coastal Information Center at California State University, Fullerton, currently lists 28 properties in the vicinity of the City of Dana Point that have been evaluated for their potential historical significance. Four archaeological sites have been documented within one-half mile of Dana Point Harbor, however none of the sites are located in or directly adjacent to the existing or proposed Harbor facilities.

### Relevant Coastal Act Policy Sections for Resource Protection

Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat and only uses dependent on those resources shall be allowed within those areas. Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas and shall be compatible with the continuance of those habitat and recreation areas. (Coastal Act Section 30240)

Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required. (Coastal Act Section 30244)

### Project Design Features and Requirements

1. The Landscape Concept Plan provides a design to minimize the loss of native trees within the Harbor. Trees that are removed during construction will be replanted on at least a 1:1 ratio. The landscape replanting program provides a preferential use of native species and vegetation.
  
2. In accordance with the Orange County Grading and Excavation Code, prior to the issuance of a Grading Permit, written evidence shall be provided ensuring that a County-certified archaeologist and paleontologist been retained to observe grading activities and salvage and catalogue archaeological and paleontological resources as necessary. The archaeologist and paleontologist shall be present at the pre-grading conference, shall establish procedures for archaeological and paleontological resource surveillance and shall establish, in cooperation with the County of Orange
  - Dana Point Harbor Department, procedures for temporarily halting or redirecting work to permit the sampling, identification and evaluation of the artifacts as appropriate. The archaeological and paleontological observer shall also determine appropriate actions, in cooperation with the County of Orange – Dana Point Harbor Department for exploration and/or salvage.
  
3. The Dana Point Harbor Revitalization Plan provides for the protection of the natural bluffs (Planning Area 7) by restricting the siting of any structures on the bluffs with the exception of drainage control structures. Recreational structures (i.e., picnic areas and shelters) located adjacent to the bluffs are permitted only in existing developed lawn areas. In areas that abut the bluffs, a landscape buffer shall be maintained. All plant material shall be native or naturalized drought tolerant species to provide a transition between natural and ornamental landscaped areas.
  
4. In compliance with the National Pollution Discharge Elimination System, water quality Best Management Practices (BMP's) will be designed to remove pollutants to an acceptable level prior to outletting into the waterways. These features may include diversion structures, media filtration systems and vertical drop outlet structures in accordance with the approved Conceptual Water Quality Management Plan for Dana Point Harbor. All storm drain systems shall be designed to comply with the requirements of the County of Orange Local Drainage Manual and Master Plan of Drainage.

### Consistency

The policies contained in Coastal Act Article 5 are intended to protect environmentally sensitive habitat areas against any significant disruption of

habitat values and require that only uses dependent on those resources shall be allowed within those areas. The policies place priority on maintaining productive coastal agricultural land and require that development in areas adjacent to environmentally sensitive habitat areas, including parks and recreation areas be sited and designed to prevent impacts that would significantly degrade the habitat value of these areas.

Although most undeveloped areas of the California coast, as well as many isolated pockets of open space in urban areas provide a "habitat" for many species of animals and plants, the intent of the Coastal Act is preservation of significant habitat resources. Environmentally sensitive habitat areas are defined as "any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and that could be easily disturbed or degraded by human activities and developments." (Coastal Act Section 30107.5)

The Dana Point Harbor Revitalization Plan enhances the existing parkland throughout the Harbor by incorporating upgraded landscaping, maintaining active and passive recreation uses and upgrading public service facilities such as restrooms. Additionally, the Revitalization Plan creates an approximately 4-acre Conservation Planning Area 7 to preserve the natural bluffs that are a significant regional natural coastal resource and establishes regulatory mechanisms for the ongoing preservation of the coastal bluff face areas. Further, areas that include sensitive species of habitat will be protected by creating landscape buffer areas to minimize construction and land use related impacts on the native coastal bluff scrub habitat. All landscaping in areas adjacent to Conservation Planning Area 7 (including any required temporary erosion control) will be maintained by the County of Orange. Native plants used for landscaping shall be provided, to the maximum extent practicable, from seeds and vegetative sources in and around the bluffs. No plant species listed as problematic and/or invasive by the California Native Plant Society, California Exotic Pest Plant Council or as may be identified from time to time by the State of California shall be utilized in the Harbor. No plant species listed as a 'noxious weed' by the State of California or the U.S. Federal Government shall be utilized.

Implementation of the Dana Point Harbor Revitalization Plan will include the removal of some native and non-native trees as part of construction activities. However, design features that have been incorporated into the Revitalization Plan, including the replacement of native trees into newly developed or other landscaped areas will minimize the effects of selective tree removal on bird species that include the black-crowned night herons, snowy egrets and different species of raptors that forage in and around the Harbor. Additionally, other practices such as noise avoidance will be implemented throughout the construction process where possible to reduce impacts on bird species.

The selection of plant species in the Landscape Concept Plan considers environmental factors, such as salt-water infiltration, relatively high soils compaction, heavy clays and typical California coastal soil conditions. The careful selection and placement of trees to open and maintain Harbor view corridors, while adequately screening parking areas, building facades and creation comfortable pedestrian rest areas are all important design considerations incorporated into the Dana Point Harbor Revitalization Plan. As the existing Eucalyptus trees gradually succumb to old age and disease, implementation of the Harbor Landscape Concept Plan will ensure that in instances where replacement is necessary, new tree planting are compatible in character (Melaleuca and some other small species of Eucalyptus such as Socalyptus lehmannii) and are used to reduce the effects of obstructing views of the ocean from neighboring areas.

Due to the varying character of the existing Harbor improvements, the Landscape Concept Plan divides the facilities into four major districts: the Bluffs (District 1), the Harbor Front (District 2), the Island (District 3) and the Terraces (District 4). The goal for the Bluffs area is to preserve established trees wherever possible and enhance the character of these areas by supplementing them with trees such as Melaleuca and Eucalyptus lehmannii and includes naturalized groundcovers reflective of the natural character of the area.

A more semi-tropical landscape character will be provided in the Commercial Core by incorporating plant materials that provide varying types of textures, colors, sculptural qualities, in addition to solar and wind protection. Large specimen trees that provide sheltered shade areas, flowering vines, shade-tolerant tropicals and fragrant jasmine and salvias are all intended to create a unique activity center. Potted specimen plantings and colored pavement treatment will also be used to break up the larger hardscape areas.

The Island area of the Harbor will utilize semi-tropical and smaller groupings of palms (Mediterranean Fan, Pigmy Date Palm and Senegal Date Palm), combined with more "exotic" plantings of Calliandra, Agave, Hesperaloe and Yuacca to provide unique focal points throughout the Island. The overall landscape design also maintains the existing turf areas adjacent to the main channel to continue providing opportunities for active and passive recreation activities.

Landscaping for the Terraces areas, which includes land uses such as parking areas located along Dana Point Harbor Drive, Baby Beach, the Visitor-Serving and Marine Services Planning Areas (PAs 3 and 1, respectively) will receive special consideration to provide for the screening of structures as well as maintaining view corridors to the Harbor and ocean. Trees will be

placed to maintain view corridors and provide adequate visibility for motorists along Dana Point Harbor and the Street of the Golden Lantern coming into the Harbor's main vehicle entrance to the Commercial Core. Where adequate space exists in areas between parking stalls and adjacent to roadways, drought tolerant grasses will be planted to minimize maintenance and provide pervious areas to absorb surface runoff.

The Dana Point Harbor Revitalization Plan requires compliance with the South Coast Air Quality Management District Rule 403 to ensure the implementation of soil erosion techniques during construction activities and implementation of all feasible BMPs in order to reduce erosion. Additionally, requirements for the preparation and approval of erosion control plans prior to the commencement of any grading operations that specifies practices to prevent off-site siltation, construct or upgrade drainage facilities and minimize slope erosion will be implemented in conformance with Part II – Chapter 3, *General Provision and Regulations*.

The Revitalization Plan also includes a minor amount of improvements to Doheny State Park and the Old Cove Marine Preserve. Existing landscaping along the edge of the boundary between Doheny State Beach and the Marine Services area will be enhanced to further reduce visual impacts associated with the improvements to the Marine Services Planning Area 1. Access to the Old Cove Marine Preserve will be confined to two locations from the Ocean Institute and interpretive signage installed to protect sensitive species and their habitat. The Old Cove Marine Preserve itself will not be affected by any of the improvements proposed as part of the Dana Point Harbor Revitalization Plan.

## 1.7 Circulation and Access

### Background

The design of the future Commercial Core area emphasizes a pedestrian oriented environment designed to take full advantage of the Harbor's unique setting and promote better access to parking, retail businesses, restaurants and boater facilities. Two critical components of the proposed Revitalization Plan improvements are the creation of a centralized Festival Plaza and Pedestrian Promenades along the waterfront. The Festival Plaza, to be comprised of landscaping, specialized pavement and seating will be located at the southern terminus of the Street of the Golden Lantern. Consistent with the Revitalization design goals established by the Dana Point Harbor Advisory Committee, the Festival Plaza adds a significant central gathering space for Harbor-wide events and outdoor entertainment surrounded by Harbor merchants and restaurateurs.

The other central component to providing a strong pedestrian-orientation for the Harbor is the creation of Pedestrian Promenades that serve to link the land uses located throughout the Commercial Core area. As envisioned in the Harbor Revitalization Plan, a continuous Pedestrian Promenade (varying in width from 15 to 50-feet as measured from the Harbor bulkhead) will be created between Island Way and the businesses located on Dana Wharf. To provide a safer and more convenient connection between the Marina Inn, visitor and boater parking areas and the businesses located in the Commercial Core, a secondary Pedestrian Promenade will be created as part of a new linear park.

The Vehicular circulation system throughout the Commercial Core will be significantly enhanced by providing dedicated parking areas to serve the merchants, restaurants, surface boat storage and boater needs. Additionally, to assist boaters with loading and unloading of supplies and guests, several short-stay boater drop-off areas will be provided in close proximity to the marinas edge.

### Relevant Coastal Act Policy Sections for Circulation and Access

In carrying out the requirements of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners and natural resource areas from overuse. (Coastal Act Section 30210)

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to the use of

dry sand and rocky coastal beaches to the first line of terrestrial vegetation. (Coastal Act Section 30211)

Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources; (2) adequate access exists nearby; or (3) agriculture would be adversely affected. (Coastal Act Section 30212)

Wherever appropriate and feasible, public facilities, including parking areas or facilities shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area. (Coastal Act Policy Section 30212.5)

Lower cost visitor and recreational facilities shall be protected, encouraged and where feasible, provided. Developments providing public recreational opportunities are preferred. (Coastal Act Section 30213)

Public access shall be implemented in a manner that takes into account the need to regulate the time, place and manner of public access depending on the facts and circumstances in each case, including, but not limited to the following: (1) topographic and geologic site characteristics; (2) the capacity of the site to sustain use and at what level of intensity; (3) the appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses; and (4) the need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area. (Coastal Act Section 30214)

#### Project Design Features and Requirements

1. Construction phasing for the Harbor Revitalization Plan has been designed to minimize the disruption of vehicular and pedestrian access routes and parking availability throughout the Harbor. In the event of temporary closures, alternate routes and clear directional signage will be provided.
2. Harbor visitors and guest parking at the off-site locations may include regularly scheduled shuttle transportation during special events and

periods of peak Harbor usage. Conditions of project approval also require that the County of Orange – Dana Point Harbor Department develop a construction sign program to direct Harbor visitors and boaters to available parking locations.

3. Implementation of a Traffic Management Plan (that includes management strategies for construction areas) will minimize disruptions of traffic flow during construction activities. The Plan includes the locations of shuttle drop-off areas, relocation of public transit facilities and provisions for valet service (if construction activities do not allow convenient parking adjacent to existing businesses). Additionally, should any construction work occur in Caltrans or City of Dana Point rights-of-way, issuance of encroachment permits will be required from the appropriate agency(ies).
4. The construction phasing plan for the Commercial Core includes early construction of the parking deck and ramp, augmenting parking for Harbor visitors and boaters.
5. A seasonal water taxi service may be incorporated throughout the Harbor to reduce average daily trips (ADTs) during peak Harbor usage periods.
6. The Dana Point Harbor Revitalization Plan provides for future improvements to Dana Point Harbor Drive at the west end of the Harbor in front of Youth & Group Facility that may include the reconfiguration and realignment of the roadway to provide improved road circulation and facilitate access by large vehicles, including buses.
7. Dedicated boater drop-off areas and parking are provided in the Commercial Core.
8. Enhanced lighting for streets, parking lots, and pedestrian will be implemented with Revitalization Plan improvements.
9. Existing surface parking may be restriped to improve efficiencies in parking stall configuration.
10. The Dana Point Harbor Revitalization Signage Plan includes recommendations on signage throughout the Harbor to reduce pedestrian/vehicle conflicts (i.e., no crossing signs).
11. Off-Site Roadway Improvements:

- a. *Camino Capistrano/Stonehill Drive* – Restripe the northbound Camino Capistrano approach from two left-turn lanes and one shared through/right-turn lane to consist of one left-turn lane, one shared left/through lane, and one right-turn lane. Widen or restripe the southbound Camino Capistrano approach from one left-turn lane, two through lanes, and one right-turn lane to consist of one left-turn lane, two through lanes, and two right-turn lanes. Widen or restripe the eastbound Stonehill Drive approach from one left-turn lane, one through lane, and one right-turn lane to consist of one left-turn lane, two through lanes, and one right-turn lane. Modify the Camino Capistrano/Stonehill Drive intersection signal phasing from protected phasing to split phasing.
  
- b. *Doheny Park Plaza/Pacific Coast Highway* – Prior to issuance of the first building permit in Planning Areas 3 through 12 (subsequent to development of the Commercial Core), the County of Orange Dana Point Harbor Department shall enter into an agreement to conduct a study to and potentially fund (on a fair share basis) the widening of the eastbound Pacific Coast Highway approach from one left-turn lane and two through lanes to consist of one left-turn lane and three through lanes; and to widen the westbound Pacific Coast Highway approach from one left-turn lane, one through lane, and one shared through/right-turn lane to consist of one left-turn lane, two through lanes, and one shared through/right-turn lane.
  
- c. *Puerto Place/Dana Point Harbor Drive* – Six months following completion of the Commercial Core improvements (Planning Areas 1 and 2), the County of Orange Dana Point Harbor Department will initiate a traffic intersection study to determine if a traffic signal and/or other capacity improvements are needed at the intersection of Puerto Place and Dana Point Harbor Drive. If a traffic signal or capacity improvements are warranted, the County of Orange will be responsible for installing the signal or capacity improvements in a manner meeting the approval of the Manager, Orange County, RDMD/Subdivision and Grading in consultation with the City of Dana Point Public Works Director.

12. *Street of the Golden Lantern/Dana Point Harbor Drive* – During a typical summer weekday/weekend (at least 12 months following completion of the Commercial Core improvements in Planning Areas 1 and 2), the County of Orange - Dana Point Harbor Department will

initiate a traffic intersection study to determine if capacity improvements are needed at the intersection of Street of the Golden Lantern and Dana Point Harbor Drive. The study shall investigate whether adequate queuing storage lengths are provided (i.e., ensure that vehicles entering into a left turn movement do not spill out onto the through traffic lanes). If capacity improvements are warranted, the County of Orange Dana Point Harbor Department will be responsible for implementing the improvements in a manner meeting the approval of the Manager, RDMD/Road Divisions in consultation with the City of Dana Point Public Works Director.

13. Upon final design of the Commercial Core improvements, the County of Orange Dana Point Harbor Department shall prepare a queuing analysis for the parking deck located at Street of the Golden Lantern and Dana Point Harbor Drive. The queuing analysis shall be based on the Crommelin Methodology and analyze all ingress/egress points to recommend the appropriate number of inbound/outbound lanes, lane storage requirements, and access controls.

#### Consistency

The policies contained in Article 2 of the California Coastal Act focus on providing for maximum public access to beach and the provision of recreational use of the coastline, consistent with private property rights and environmental protection practices. Further, the policies require that development not interfere with public access, except where it is inconsistent with public safety and natural resource protection or limits facilities for boaters and other water-dependent uses or industries. New development is encouraged to provide convenient access from the nearest public roadway to the shoreline, including parking areas that minimize the potential for overcrowding or overuse of a single area.

As implemented, the Dana Point Harbor Revitalization Plan will continue to allow the Harbor to provide a wide range of public access opportunities to the coast through the reconfiguration of the main Harbor vehicular entrance and providing dedicated parking for visitors and businesses in the Commercial Core, boaters and boat service users. The physical design of the Commercial Core will facilitate the consolidation of a majority of the Day-Use Commercial land uses by clustering the commercial businesses and restaurants in one centralized area and providing more convenient parking accessibility.

The Dana Point Harbor Revitalization Plan provides for improvements to the vehicular circulation system to minimize pedestrian conflicts, thereby

improving public access to the Commercial Core area and the ocean. The vehicular entrance to the Harbor from Dana Point Harbor Drive and Street of the Golden Lantern will provide direct access to the parking deck facility, enhancing accessibility to the businesses located in the Commercial Core area. An above ground pedestrian bridge will be located east of the Festival Plaza, providing an unimpeded pedestrian connection to the Dana Wharf area. Non-vehicular accessibility of the different areas of the Harbor may also be enhanced by the provision of a seasonal water taxi service.

To reduce the current commercial/retail parking shortage and improve access, the Dana Point Harbor Revitalization Plan proposes to consolidate parking areas into a two-level parking deck north of the proposed new commercial buildings that will extend directly from Street of the Golden Lantern and Dana Point Harbor Drive. The new parking deck facility will provide efficient ingress and egress and allow for safe pedestrian movement from the parking areas to shopping and restaurants. Additionally, a seasonal shuttle service may be provided for employees and overflow visitor parking areas to enhance visitor parking opportunities.

Implementation of the traffic management strategies to be developed as part of a comprehensive Traffic Management Plan will minimize short-term disruptions of traffic flow during construction activities and continue with long-term ways of managing traffic throughout the year. The Plan includes the locations of shuttle drop-off areas, relocation of public transit facilities and provisions for valet service (if construction activities do not allow convenient parking adjacent to existing businesses).

The signage program will be consistent with the California Coastal theme. Commercial signage will be of appropriate village scale and designed for legibility within the pedestrian-scale Festival Plaza. Column-mounted blade signs perpendicular to the pedestrian flow will be easily readable and additional elements may be printed on the awnings. The signage will be proportional in size to the proposed awnings and limited by reasonable vertical head heights along the pedestrian right-of-way. Directional and wayfinding signage will also reflect the material and color palettes appropriate to the Dana Point Harbor Revitalization Plan.

## 1.8 Public Recreation

### Background

Dana Point Harbor contains a wide variety of recreational facilities and activities in the Commercial Core area, along the beaches and throughout the Harbor's twelve Planning Areas. The goal of these Planning Areas is to provide regional recreation activities and facilities that successfully meet the diverse interests of existing and future residents of the entire County, by designating the most appropriate and cost effective uses for each Planning Area. Recreational facilities provided include:

Planning Area 1 (Marine Services) – Most of Planning Area 1 consists of boat services and storage. The Marina Services area is located at the south-central portion of Planning Area 1. Components of the Dana Point Harbor Revitalization Plan include a completely renovated public boat launch, a non-motorized boat launch, jet ski and boat rentals, a hoist for launching and retrieving boats and dry surface storage spaces for boats. In addition, the Catalina Express (a high-speed ferry to Catalina Island) has service out of Planning Area 1.

Planning Area 2 (Day-Use Commercial) – Most of the Commercial Core is located within Planning Area 2. Approximately 26,600 sq. ft. of existing retail uses and 51,300 sq. ft. of existing restaurant uses are located within the Commercial Core. Adjacent to the boardwalk, between Mariner's Village and Dana Wharf, a 5,000 square foot boater service building provides office space for yacht brokers and restrooms with showers and laundry washing facilities for boaters. In addition, Dana Wharf Sportfishing and Dana Island Yachts provide boat and fishing charters.

Planning Area 3 (Visitor-Serving Commercial) – The Marina Inn at Dana Point provides year round hotel accommodations for guests and visitors offering a variety of recreational amenities and services for the visiting public. Additionally this Planning Area provides boater parking to support boat slips in Planning Area 10 and also provides boat service buildings which include offices, restrooms, showers and laundry washing facilities for recreational boaters.

Planning Area 4 (Marine Commercial) – Planning Area 4 includes the Dana West Yacht Club and the Dana Point Yacht Club. The Dana West Yacht Club is a full-service club that provides junior sailing programs, racing programs and billfish tournaments. The Dana Point Yacht Club also provides junior sailing programs, racing programs and permanent and visitor slips available on a reservation or first-come-first-serve basis. Along the southern boundary of the island is a one-half-mile picnic park area that includes picnic areas with benches, restroom facilities and barbecues on wide grassy areas. Planning Area 4 also includes the Aventura Sailing Association, which provides boat rentals, sailing instruction, cruises, whale-watching charters and racing programs.

Planning Area 5 (Day-Use Recreation) – Planning Area 5 is dedicated to open-space recreational activities and educational uses. Key recreational amenities include the 11,000 sq. ft. Dana Point Harbor Youth and Group Facility, Baby Beach (with a non-motorized craft launch and fishing pier access and parking). Planning Area 5 is a popular location for picnics, beach activities, beginner sailing, kayaking and private parties. Specifically, the Dana Point Harbor Youth and Group Facility (Youth and Group Facility) is located on a one-acre site within the southeastern portion of Planning Area 5. This facility is a center dedicated to the promotion of boating, sailing and safety around the water. Many groups, including the Girl Scouts, Saddleback College, the Boy Scouts and the Coast Guard Auxiliary use the facility for public instruction and recreation. The programs held at the Youth and Group facility include basic boating, rowing, canoeing, sailing, marine safety education, summer camps and tide pool walks. The Youth and Group Facility includes docks, three buildings (comprised of the 3,500 sq. ft. Dana Cove Room with kitchen and stage), administration building, conference room, three classrooms, storage and showers.

Planning Area 6 (Education/Institutional) – Planning Area 6 includes the Ocean Institute within the southeastern portion of the Planning Area. The Institute is dedicated to providing education on marine life and its preservation and public programs, including sailing trips on an historic ship (the Spirit of Dana Point), summer camps and marine life excursions. The Ocean Institute has a 5,200 sq. ft. exhibit space featuring interactive demonstration areas focused on sea floor exploration. The Institute also provides classes on living systems, surf science, sea floor exploration and advanced education. The Institute includes a lecture hall and conference center totaling 3,000 square feet inside and 2,000 square feet outdoors. Two tallships are harbored at the

Ocean Institute, the Spirit of Dana Point and the Pilgrim, which provide historical connections to Dana Point Harbor.

Planning Area 7 (Conservation) – Planning Area 7 is reserved for conservation. The area includes bluff land with native and non-native habitat. Hiking walkways traverse the area and there are small park areas for resting and picnicking.

Planning Area 8 (Waterside – Educational Basin) – Planning Area 8 includes the Pilgrim Dock and Sea Explorer Dock adjacent to the Ocean Institute and the marine portions of Baby Beach. The Fishing Pier is also located within this Planning Area as well as a launching area for non-motorized craft contiguous to the Youth and Group facility.

Planning Areas 9 and 10 (West and East Marina's) – Planning Area 9 (West Marina) and PA 10 (East Marina) consist of 2,260 boat docks. Additionally, Planning Area 9 includes 42 visitor docks, 13 Youth & Group slips and 11 docks for the Dana Point Yacht Club.

Planning Areas 11 and 12 (Marine Services and Harbor Entrance) – Planning Area 11 includes the Catalina Express dock, the Embarcadero Boat Rental Docks, Sport Fishing Docks, Charter Fishing Docks, Bait Receiver and the shipyard docks. Planning Area 12 is the marine entrance to the Harbor from the Pacific Ocean.

#### Relevant Coastal Act Policy Sections for Public Recreation

Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses. (Coastal Act Section 30220)

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area. (Coastal Act Section 30221)

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have a priority over private residential, general industrial or general commercial development, but not over agriculture or coastal-dependent industry. (Coastal Act Section 30222)

Oceanfront land that is suitable for coastal dependent aquaculture shall be protected for that use and proposals for aquaculture facilities located on those sites shall be given priority, except over other coastal dependent developments or uses. (Coastal Act 30222.5)

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible. (Coastal Act Section 30223)

Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by development dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge and by providing for new boating facilities in natural harbors, new protected water areas and in areas dredged from dry land. (Coastal Act Section 30224)

### Project Design Features and Requirements

1. Separate pedestrian walkways will be provided as part of the ramp design to minimize pedestrians using parking aisles to access the Commercial Core businesses.
2. Pedestrian linkages will be created between Harbor amenities, such as the Pedestrian Promenade and linear park.
3. Various amenities will be enhanced in the waterside areas, including improved boater drop-off areas, dedicated boater parking, upgraded boater service buildings and restrooms, landscaping upgrades and convenient seasonal water taxi drop-off and pick-up areas throughout the Harbor.

### Consistency

The Recreation Policies contained in Article 3 of the California Coastal Act are intended to provide protection for suitable oceanfront land to be used for recreational purposes as well as maintaining necessary upland areas necessary to support coastal recreation uses, where feasible. The policies prioritize water-oriented recreational activities and encourage increased recreational boating use of coastal waters by developing support facilities (e.g., dry storage areas, public launching facilities, etc.). The policies also place priority on the use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation over private residential, general industrial or general commercial development, but not over agriculture or coastal-dependent industry.

The Dana Point Harbor Revitalization Plan provides for the expansion of existing marine uses through the expansion of a dry storage facility for approximately 800 boats, reconfiguration of the East and West Marinas to include facilities for larger vessels and additional visitor/guest docks in the vicinity of the Commercial Core. Other improvements include the expansion of the Harbor Patrol facilities and yacht clubs. Further, recreational opportunities will be increased through the expansion of the Youth and Group Facility and planned enhancement to the existing park areas throughout the Harbor.

Implementation of the Dana Point Harbor Revitalization Plan will increase the availability of water-oriented recreational activities by expanding space and facilities for boaters and existing yacht and boater service buildings; creating

improved pedestrian areas in the marinas and enhancing park areas. Additionally, when construction activities are undertaken in the submerged areas of the Harbor, adequate provisions will be used to ensure that the minimum amount of damage occurs to the marine environment.

The Dana Point Harbor Revitalization Plan design protects the Harbor's small boat character. The Revitalization Plan anticipates the reconfiguration/reconstruction of the marina docks and seawalls, enhancement of the guest boater slips by placement of additional slips adjacent to the Commercial Core area and includes the provision of dinghy docks adjacent to Dana Wharf. The relocation of the yacht brokerage offices and other Harbor-related offices will provide better access and help minimize parking conflicts. The sport fishing facilities are planned to remain in their present location. As part of the overall marina reconfiguration and renovation project, adequate facilities will be provided to comply with the Americans with Disabilities Act (ADA) in addition to enhanced lighting, signage and upgraded wet and dry utility systems.

The meandering walkways that extend the length of Planning Area 5 and the linear pedestrian pathways provided in Planning Areas 1 and 2 will include scenic outlooks and opportunities for passive recreational activities, however, none of the facilities will be located directly on the beach.

Implementation of the Dana Point Harbor Revitalization Plan improvements will increase the availability of water-oriented recreational activities by expanding space and facilities for boaters including Boater Services Buildings, yacht brokers and yacht clubs and by creating improved pedestrian areas in the marinas and enhancing park and picnic areas.

## **1.9 Marine Environment**

### Background

Originally, the Dana Point Harbor was an open coast, mixed sand and rocky beach located between the Dana Point Headlands and San Juan Creek. The area provided favorable habitat for fish and invertebrates and the sand beach served as roosting and nesting habitat for shorebirds. In the 1970's, a breakwater was constructed and the Harbor was dredged and completed. The bottom topography and composition within the Harbor are relatively uniform. The bottom is generally covered by silt that exhibits variable chemical properties. The channels of the Harbor are maintained to design depth of between 8 and 15 feet by periodic dredging by the County of Orange to ensure that the bottom profile does not vary greatly. Development of the Harbor has altered the local physiography to that of an embayment.

The Dana Point Harbor modifications have changed the type of habitat available for marine organisms. These modifications have created artificial habitats, which support a wide diversity of biological communities. Because of dredging and filling, very little sandy-beach and shallow-water habitats remain. Benthic (at the bottom of a body of water) habitat has also been altered. However, the deep-water habitat for fish has expanded because of the emplacement of bulkheads, riprap for shoreline breakwaters and pier pilings. The riprap provides refuge and foraging habitat for fish and birds and the protected, open waters of the Harbor maintain a diverse fish community that in turn provides food for several species of birds.

#### Relevant Coastal Act Policy Sections for Marine Environment

Marine resources shall be maintained, enhanced and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Use of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific and educational purposes. (Coastal Act Section 30230)

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats and minimizing alteration of natural streams. (Coastal Act Section 30231)

Protection against the spillage of crude oil, gas, petroleum products or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur. (Coastal Act Section 30232)

The diking, filling or dredging of open coastal waters, wetlands, estuaries and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative and where feasible mitigation measures have been provided to minimize adverse environmental effects. (Coastal Act Section 30233)

Facilities serving the commercial fishing and recreational boating industries shall be protected and where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not

to interfere with the needs of the commercial fishing industry. (Coastal Act Section 30234)

The economic, commercial and recreational importance of fishing activities shall be recognized and protected. (Coastal Act Section 30234.5)

Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls and other construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion and when designed to eliminate or mitigate adverse impacts on local shoreline and sand supply. (Coastal Act Section 30235)

Channelizations, dams or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible and be limited to: (1) necessary water supply projects; (2) flood control projects where no other method for protecting existing structures in the floodplain is feasible and where such protection is necessary for public safety or to protect existing development; or (3) developments where the primary function is the improvement of fish and wildlife habitat. (Coastal Act Section 30236)

#### Project Design Features and Requirements

1. Future waterside improvements to the east and west breakwaters (Planning Areas 8, 11, and 12) shall be reconstructed within the seaward footprint of the existing structures except as necessary to provide for public safety or public access. Construction activities taking place below the mean higher high water (MHHW) mark shall prepare a focused marine biological survey to determine if sensitive species are present.
2. The County of Orange – Dana Point Harbor Department shall an effective combination of erosion and sedimentation control BMPs to be implemented during construction in order to ensure minimum impacts to water quality or the marine environment are minimized to the maximum extent practical. State of the art BMPs may include, but are not limited to:
  - Erosion to be controlled by landscaping (leave existing vegetation in place where possible), paving and drainage structures;

- Berms (sand bags) around all construction sites to catch run-off;
  - Wind and tracking controls to minimize pollutants from being tracked into and out of the Project site;
  - During wet weather, Harbor basin inlets shall be protected by placing a wire mesh and gravel filter to intercept debris and soil runoff; and
  - Appropriate housekeeping activities to minimize the potential for pollutants from material storage, waste management or construction activities.
3. The Orange County - Dana Point Harbor Department shall obtain coverage under the NPDES Statewide Stormwater Permit for General Construction Activities from the Regional Water Quality Control Board prior to commencement of any construction activities associated with the Dana Point Harbor Revitalization Plan.
4. The Dana Point Harbor Revitalization Plan provides for the upgrading of marine commercial and recreational Harbor boating uses as envisioned under the Coastal Act (Section 30234).

### Consistency

The Marine Resource policies of the Coastal Act are intended protect the marine environment and recognize the economic, commercial and recreational importance of fishing activities and the facilities that provide them. To this end, the policies require that uses of coastal waters, streams, wetlands, estuaries and lakes be carried out in a manner that will restore and sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific and educational purposes. The policies require protection against the spillage of crude oil, gas, petroleum products or hazardous substances in relation to any development or transportation of such materials. The policies require implementation of strict environmental protection practices during any necessary diking, filling or dredging of open coastal waters, wetlands, estuaries and lakes to reduce any significant disruption of habitats and water circulation. The policies also require that standards for maintaining the quality of water through the implementation of erosion control and flood control facilities are achieved.

The potential impact on Harbor and marina biota associated with the potential future dock reconfigurations will be evaluated once a specific design for the dock modifications is identified. The marina and slip

improvements may range from simple dock and column renovations to phased replacement and/or reconstruction of docks and columns. Sedimentation and water quality impacts would be addressed through site-specific permitting requirements. The Harbor generally lacks inner harbor unique benthic species (e.g., eel grass). Additionally, on-going maintenance that is carried out by the County includes periodically dredging the Harbor. This maintenance activity is designed to maintain a navigable waterway and is subject to separate regulatory agency permitting.

In compliance with Coastal Act Policies to improve water quality, the Dana Point Harbor Revitalization Plan will enhance the biological productivity of the coastal waters through the upgrading of utility systems and treatment of runoff. Enhancements to the water quality within Dana Point Harbor will be implemented through the incorporation

of state-of-the-art Best Management Practices (BMPs). Additionally, as part of the on-going Clean Beaches Initiative, diversions are contemplated for the drainages adjacent to the Baby Beach area. All dry-weather runoff or low-flow runoff that previously sheet flowed or drained into the storm drain system and directly from the Harbor will be treated by a series of pre-treatment and treatment BMPs. The implementation of a full range of BMPs including non-structural and on-site structural BMPs is proposed with the revitalization of the Commercial Core area and will reduce the total amount of pollutants in the storm water runoff.

Numerous BMPs have been incorporated into the design of the Dana Point Harbor Revitalization Plan in order to reduce pollutant loading into the Harbor and includes the maintenance of storm drain stenciling and signage for new storm drain construction in order to discourage dumping of waste and other materials into the drains. Other design features include the requirement for preparation of a comprehensive Water Quality Management Plan (with progressive amendments as new revitalization projects throughout the Harbor are identified) and Storm Water Pollution Prevention Plans in compliance with National Pollution Discharge Elimination System permits. Each Coastal Development Permit will require the implementation of state-of-the-art strategies to reduce the effects of pollutants on coastal water quality.

Water quality and conservation will also be addressed by diverting low-flow "nuisance" runoff to the sanitary sewer system for treatment where feasible, thereby avoiding dry weather flows being introduced into beach areas or the Harbor in general. The Dana Point Harbor Revitalization Plan also proposes to continue to expand a public awareness program focused on maintaining water quality standards by limiting the use of fertilizers and pesticides and performing routine maintenance of grease interceptors for restaurants and storm water treatment technologies.

To reduce beach erosion, the Dana Point Harbor Revitalization Plan proposes the repair and renovation of the existing quay wall slope panels by filling voids and gaps and by placing a tie-back system of anchor rods where necessary to provide for the improved longevity of recreational uses and address any existing seismic safety concerns.

## **1.10 Revitalization Development Policies**

### Background

Dana Point Harbor is located within the northwest-trending Peninsular Ranges in southern California. The Peninsular Ranges province is an elongated area characterized by parallel fault-bounded mountain ranges and intervening valleys. The Harbor is a coastal reentrant (cove) protected by the Headlands at Dana Point. The protected cove owes its existence to differing resistance to wave erosion of the two bedrock formations exposed along a fault in the steep coastal bluff. Bedrock units include the Capistrano Formation and the San Onofre Breccia, both of which are exposed in the sea cliffs

behind the Harbor, which are separated by the Dana Cove Fault. The weaker Capistrano Formation has been preferentially eroded, creating Dana Cove. More youthful sediments have been deposited in the Harbor, including colluvium, alluvium, beach deposits, talus and artificial fill placed during the original construction of the Harbor in the 1970's.

A well-defined fault zone passes diagonally through the Harbor, directly under and nearly parallel to the fishing pier located in the western portion of the Harbor (PAs 5 and 8). The seaward projection is estimated to be approximately 250 ft. wide, consisting of sheared breccia and contoured siltstones and sandstones. No seismic activity has been reported along this fault, which has been classified as inactive. The closest active fault to the Harbor is the South Coast Offshore Zone of Deformation (likely the offshore connection between the Newport-Inglewood and Rose Canyon Faults) which is located approximately 3.4 miles to the southwest.

The Dana Point Harbor Revitalization Project (Revitalization Plan) establishes a Commercial Core (northerly portion of Planning Area 1 and all of Planning Area 2) that includes the replacement and/or remodeling of all existing retail and restaurant buildings. The Commercial Core redevelopment (Phase I) also provides for the reconfiguration of all existing surface parking areas to provide additional parking, new boater loading and drop-off areas, new dry-stack boat storage spaces and improvements to several boater service and public restroom buildings. The initial phase of the proposed Revitalization

Plan will provide for the relocation of certain yacht brokerage firms and other harbor-related offices uses to the Commercial Core area.

Outside the Commercial Core area (Phase II), the Revitalization Plan provides for a number of future improvements (southerly portion of Planning Area 1 and Planning Areas 3 through 7 [landside] and 8 through 12 [waterside]). Plans for Planning Area 4 allow for the future renovation and/or expansion of the Dana Point and Dana West Yacht Clubs, restaurant renovations and modifications to the Harbor Patrol Offices to provide additional meeting rooms or staff office space. Additional work is anticipated to be performed to reconfigure and/or reconstruct the marina docks and portions of the seawall, subject to a separate permitting and environmental review process to add additional guest boater slips closer to the Commercial Core and to construct a dinghy dock area adjacent to Dana Wharf.

Relevant Coastal Act Policy Sections for Revitalization Plan Development

(a) New residential, commercial or industrial development, except as otherwise provide in this division shall be located within, contiguous with or in close proximity to, existing developed areas able to accommodate it or, where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been

developed and the created parcels would be no smaller than the average size of surrounding parcels. (b) Where feasible, new hazardous industrial development shall be located away from existing developed areas; and (c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors. (Coastal Act Section 30250)

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and to minimize the alteration of natural land forms, to be visually compatible with the character of the surrounding areas and where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting. (Coastal Act Section 30251)

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service; (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads; (3) providing non-automobile circulation with the development; (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation; (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings; and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development. (Coastal Act Section 30252)

New development shall: (1) Minimize risks to life and property in areas of high geologic, flood and fire hazard; (2) Assure stability and structural integrity and neither create nor contribute significantly to erosion, geologic instability or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs; (3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development; (4) Minimize energy consumption and vehicle miles traveled; and (5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses. (Coastal Act Section 30253)

Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. Where appropriate, coastal-related

developments should be accommodated within reasonable proximity to the coastal-dependent uses they support. (Coastal Act Section 30255)

#### Project Design Features and Requirements

1. Within the Commercial Core, the appearance of long, continuous row structures will be avoided through the provision of open spaces, varied roof treatments, staggered exterior building facades and incorporation of a variety of building designs, materials and colors.
2. All signage shall be of a consistent architectural style. All externally illuminated signs in landscape areas shall have lighting sources that are hidden by vegetation or installed flush with the grade. Signage shall be

designed to complement the architecture of the building and shall emphasize natural materials.

3. All fences and walls within the Harbor will be designed to have a minimum impact on coastal and scenic views from public areas. Enclosures used to shelter outside eating areas will be designed using clear materials with awnings or covers that are integrated into the architectural design of the buildings.
4. All roof-mounted mechanical equipment and communication devices that are visible from the Harbor will be hidden behind building parapets or screening materials from both ground level and elevated areas to the extent feasible. Ground-level mechanical equipment, storage tanks and other similar facilities shall be screened from view with dense landscaping and/or walls of materials and finishes compatible with the adjacent areas. In addition, service, storage, maintenance, utilities loading and refuse collection areas would be located generally out of view of public rights-of-way and uses adjacent to the development area.
5. All new solid waste (refuse/trash collection areas) will be screened from public view.
6. The design and layout of the future buildings in the Harbor shall be in conformance with the approved Dana Point Harbor Revitalization Plan and preserve views of the bluff area.
7. The Dana Point Harbor Revitalization Plan provides for the protection of the bluffs (Planning Area 7) by restricting the siting of any structures on the bluffs with the exception of drainage control structures and restricting recreational structures (e.g., picnic areas) adjacent to the bluffs.
8. Street and parking lot lighting shall be positioned to enhance the vehicular and pedestrian safety. Lighting shall be concentrated on intersections and pedestrian crosswalks and shall be shielded to direct the light downward.
9. The project will utilize minimally reflective glass and other materials used on the exterior of the buildings and structures will be selected with attention to minimizing reflective glare.
10. Roof-mounted solar panels, metal panels and skylight should incorporate non-reflective materials and be designed to point away from roadways.
11. All exterior lighting will be designed and located to avoid intrusive effects on the adjacent land uses atop the bluffs and Doheny State Beach. New

lighting fixtures will be designed to direct light on-site and away from other areas.

12. The parking deck in Planning Area 2 is designed to include a light well that separates the upper deck area, allowing light and/or installation of landscaping elements to enhance its visual appearance.
13. Creation of the Festival Plaza and the Pedestrian Promenade along the waters edge in Planning Area 2 provides for extended structural setbacks from the bulkhead areas and provides a large outdoor activity area in close proximity to restaurants and shops.
14. All new buildings will include storm water collection systems (e.g., roof-top drainage conveyed to a storm drain system equipped with treatment devices in conformance with the Dana Point Harbor Water Quality Management Plan).
15. Reduction of vehicle trips is achieved by implementing a comprehensive Traffic Management Plan for Dana Point Harbor that may include, but may not be limited to:
  - Potential shuttle service to off-site (remote) parking areas;
  - Potential shuttle service to regional visitor attractions and for hotel guests;
  - Potential seasonal water taxi service;
  - Visitor boat slips and dinghy docks located near restaurants and retail areas; and
  - Phased construction of the Dana Point Harbor Revitalization Plan improvements to minimize the size of areas subject to disruption from construction activities.
16. The design of the dry-stack storage building includes covered areas for boat maintenance.
17. Interior and exterior water conservation measures will be incorporated into all Harbor Revitalization projects as development occurs. Measures include (but are not limited to) low-flush toilets, low-flow faucets and installation of efficient irrigation systems to minimize water runoff and evaporation in landscape areas.
18. Various amenities will be provided to the waterside areas, including improved boater drop-off areas, dedicated boater parking areas, improvements to some boater service buildings and public restrooms and potential convenient seasonal water taxi drop-off and pick-up areas throughout the Harbor.

19. Prior to the issuance of any grading or construction-related permit for new buildings, a geotechnical report shall be prepared for approval by the County of Orange, Manager, RDMD/Subdivision and Grading. All foundation and setback requirements will reflect geologic and structural engineering evaluations of the site as recommended by a registered geotechnical and structural engineer.

### Consistency

Policies included in Article 6 of the Coastal Act are intended to protect the scenic beauty of the coastal landscape as a resource of public importance. Policies direct new housing and other development to existing urbanized and/or developed areas with adequate services, rather than allowing a scattered pattern of subdivision and potentially dividing continuous areas of the coastline into divided communities. The policies regulate new development to ensure compliance with air quality regulations; to minimize risks in areas of high geologic, flood and fire hazard to assure stability and structural integrity; to neither create nor contribute significantly to erosion, geologic instability or destruction of the coastline or surrounding areas; and where appropriate, to protect the public's right to access.

A major emphasis of the Dana Point Harbor Revitalization Plan is the replacement/remodeling of existing retail and restaurant establishments and the upgrading of boater service facilities to meet present day Building Code standards. The Revitalization Plan provides a comprehensive approach by creating additional opportunities for visitors and local residents including the creation of a centralized Commercial Core unifying the commercial uses around a centralized plaza with enhanced pedestrian pathways, all designed to provide direct linkages to existing facilities throughout the Harbor. The design of open plaza areas and retail/restaurant uses facing the marina provides enhanced opportunities for Harbor visitors and boaters to enjoy the waterfront areas.

The Commercial Core area will include the reconfiguration and/or replacement of all the existing retail and commercial uses and the construction of one dry-stack boat storage building as shown on Exhibit 2-1, *Commercial Core Area Improvements*. The existing shops and restaurants will be reconfigured into a consolidated series of articulated two- and three-story terraced building arranged around a centrally located Festival Plaza, connected together by open walkways. The Festival Plaza will be approximately 35,000 sq. ft., terraced down to a waterfront Pedestrian Promenade that is intended to increase public access to the marina. Buildings fronting the plaza will

include outdoor table and seating areas and will be protected from the sun by vine-covered trellises and architectural shade structures.

## Commercial Core Area Improvements

### Exhibit 2-1

The design of the Commercial Core has been developed to enhance pedestrian circulation using a number of strategies. An above ground pedestrian bridge will be located east of the Festival Plaza, providing an unimpeded pedestrian connection to the Dana Wharf area. The terrace design of the buildings and a partially buried parking deck will enhance the overall views of the Commercial Core area from vantage points along Dana Point Harbor Drive and the Street of the Golden Lantern. Further, the realignment of the Street of the Golden Lantern with the open area of the Festival Plaza will provide increased visibility of the marina and ocean beyond.

The Marine Services area within the northeastern portion of the Commercial Core will be reconfigured to accommodate at-grade launch ramp parking,

mast-up boat storage and boater parking. Ultimately, this area includes the development of one dry-stack boat storage building partially extending into the channel and associated cranes inside the buildings. The dry-stack boat storage facility is approximately 65-feet in height and will be of an architectural style consistent with the Commercial Core area improvements.

The Dana Point Harbor Revitalization Plan combines the existing characteristics of the Harbor, including pedestrian scale buildings, boater and marina facilities, with improvements in vehicular and pedestrian circulation that will encourage Harbor users and visitors to enjoy all of the available amenities without reliance on vehicles to get from place to place. Design features to be included as part of a comprehensive Traffic Management Plan include programs to provide additional parking at off-site locations during special events and holiday weekends, shuttle service from more remote locations inside the Harbor and a potential seasonal water taxi service are intended to minimize parking and traffic conflicts. Vehicular circulation will be enhanced through the reconfiguration of the main Harbor vehicle entrance to provide direct access to the parking deck located adjacent to the Commercial Core area and the reconfiguration of existing surface parking lots to improve circulation.

With completion of the main Harbor vehicle entrance, ocean and Harbor views from the Street of the Golden Lantern and adjacent land uses will be enhanced. The Dana Point Harbor Revitalization Plan will preserve the overall character of the Harbor by maintaining the architectural character and providing regulations to screen rooftop mechanical equipment and modulate building massing. Implementation of the Commercial Core area improvements will enhance the viewsheds of the Harbor and Pacific Ocean through the clustering of the commercial uses, the development of the Festival Plaza at the terminus of the Street of the Golden Lantern and utilizing landscaping to screen parking areas from view.

The Dana Point Harbor Revitalization Plan will preserve and enhance public views in the Harbor by providing additional landscaping and the realignment of Dana Point Harbor Drive in the area adjacent to the Youth and Group Facility and Baby Beach, thereby increasing available park space and potentially enhancing parking opportunities.

The facilities located throughout Dana Point Harbor currently generate light and glare from sources that include indoor and outdoor lighting, security lighting and parking lot and boat dock lighting. Additionally, light that is reflected off building surfaces (i.e., windows and metal fixtures) marina equipment, boats and automobiles. The predominant lighting for the Harbor is currently provided by unshielded pole fixtures. These unshielded fixtures are

the source of significant nighttime glare and light pollution. The other major source of lighting in the Harbor is provided by recessed step lights. This form of lighting is used throughout the Harbor and is typically found along

the seawalls (quay walls or bulkheads). Pedestrian areas are also illuminated using a wide variety of surface and semi-recessed area lighting fixtures.

One of the principal goals of the Dana Point Harbor Revitalization Plan is to improve the nighttime ambiance of the Harbor by minimizing glare, obtrusive light and artificial sky glow by limiting outdoor lighting that is misdirected, excessive or unnecessary. The Dana Point Harbor Revitalization Plan proposes the replacement of existing parking area lighting, initially in Planning Areas 1 and 2 as part of the improvements to the Commercial Core. The systematic replacement of substandard fixtures throughout the Harbor as improvements to the remaining Planning Areas will be included as part of the overall design of these areas. New lighting will utilize directional lighting techniques and low wattage bulbs that direct light downwards and minimize light spillover. All fixtures will be of a type that minimizes impacts to adjacent land uses and sensitive coastal resources and will conform with the nighttime security standards of the Orange County Sheriff's Department.

Architectural and landscape lighting will similarly be focused onto plant elements in order to minimize light pollution. Landscape fixtures will be concealed or placed on trees. The double row of palms placed along the main Harbor entrance will serve as a source of indirect street and pedestrian walkway lighting, with light sources focused on the tree trunks and canopies.

Inside the Festival Plaza of the Commercial Core, lighting will be of a pedestrian scale with building-mounted and tree-mounted fixtures focused onto the pedestrian pathways. Additionally, existing recessed fixtures located in the bulkhead (quay wall and revetment) will be replaced with energy efficient fixtures that focus light on the Pedestrian Promenade and other pedestrian walkways and stairs.

Further, as part of the architectural design of the future Commercial Core area buildings, windows will be shielded from the sun and will utilize minimally reflective building materials to reduce glare impacts.

The design of new signs throughout the Harbor will not be internally illuminated and therefore will not be a source of nighttime glare. Many restaurants and shops will include architectural treatments such as overhangs, trellises and awnings that will also reduce glare and light pollution. Restrictions are provided in Chapter 15, *Sign Standards and Regulations* that

prohibit lights from flashing, blinking or being of unusual intensity or brightness to minimize the effects on surrounding land uses.

The Dana Point Harbor Revitalization Plan includes the relocation and/or replacement of a number of the wet and dry utility systems (water, sewer, electrical, telephone, natural gas and enhancement of existing landscaping throughout the Harbor as Revitalization Plan projects are implemented.

The Dana Point Harbor Revitalization Plan improvements will be implemented in phases; beginning after all jurisdictional approvals are obtained through completion of Harbor Revitalization Plan buildout. However, because implementing the Revitalization Plan depends upon various funding grants and market demand, the overall Project components are structured by their priority into two phases: Phase I and Phase II.

The Commercial Core area improvements proposed during Phase I are anticipated to be completed by the year 2012 and Harborwide projects included as part of Phase II are anticipated to be incrementally implemented as funding becomes available through buildout of the Dana Point Harbor Revitalization Plan (estimated between 2017 to 2030).

The State of California Planning, Zoning and Development Laws of the Government Code, as articulated by the local agency's General Plan and Zoning Ordinance require that all zoning be consistent with the General Plan and the Government Code.

Dana Point Harbor is divided into two (2) Planning Districts as shown on Exhibit 1.1, *District Zoning Map* and includes the Harbor Marine Land District for a Marine Services area, including dry boat storage, repair and launch facilities; Day-Use Commercial uses, including restaurants, retail shops and parking deck; Visitor-Serving Commercial area with a hotel; Marine Commercial area; Day-Use Recreation; Institutional/Education area that includes the Ocean Institute; and Bluff/Open Space Conversation area. The Harbor Marine Land District is under the land use jurisdiction of the City of Dana Point. The Harbor Marine Water District includes all areas of the Harbor devoted to waterside uses, including the East and West Marinas, Educational Basin, navigational channels and Federal anchorage providing open ocean boat access. The Harbor Marine Water District is under the regulatory jurisdiction of the California Coastal Commission.

By dividing the Harbor into increments, the Dana Point Harbor District Regulations are specifically designed to be consistent with and adequate to carry out the policies of the certified Local Coastal Program for Dana Point Harbor. The District Regulations component and related provisions establish the procedures, definitions and descriptions, including District Zoning Map/Statistical Summary, Dana Point Harbor Revitalization Plan and Statistical Table as well as development standards and requirements for each land use designation.

Table 1-A  
**DANA POINT HARBOR DISTRICT ZONING STATISTICAL SUMMARY**

<b>Land Use Category</b>	<b>Gross Acres</b>
Harbor Marine Land	107.1
Harbor Marine Water	169.7
<b>Total:</b>	<b>276.8</b>

Exhibit 1.1  
**DANA POINT HARBOR DISTRICT ZONING MAP**

**CHAPTER 2  
HARBOR DISTRICT REGULATIONS  
PURPOSE AND OBJECTIVES**

These regulations are intended to govern the Dana Point Harbor Revitalization Plan as well as continued operations and maintenance of the Harbor facilities in accordance with Section 30514 of the California Coastal Act in that a certified Local Coastal Program and all local implementing ordinances, regulations and other actions may be amended by the appropriate local government subject to certification by the Coastal Commission.

Additionally, these regulations are intended to be consistent with and implement the goals and policies of the City of Dana Point General Plan and the Dana Point Harbor Revitalization Plan and District Regulations are intended to replace in total, the Dana Point Harbor Planned Community Development Plan component of the City of Dana Point's Zoning Code (Appendix C).

These regulations encourage innovative site planning and design concepts for the revitalization of Dana Point Harbor, while protecting and managing the visitor-serving, recreational and water oriented activities throughout the Harbor. The regulations also establish a logical and timely sequence of governmental review of development and reuse proposals more fully described in Chapter II-16, *Discretionary Permits and Procedures*.

## GENERAL REGULATIONS

### 1. Definition of Terms

The meaning and construction of words, phrases, titles and terms used in these Dana Point Harbor District Regulations shall be the same as provided in Chapter II-18, *Definitions*.

### 2. Zoning Code Consistency

The Dana Point Harbor Revitalization Plan and District Regulations shall govern all existing and proposed development within Dana Point Harbor.

### 3. Building Code Requirements

The State of California granted title of the Dana Point Harbor Tidelands to the County of Orange in 1961 and it has operated the facilities since first being opened to the public in 1971, all existing and proposed facilities shall be designed and constructed in accordance with the building and operational standards of the County of Orange. Reliance on these same standards is considered an essential part of ensuring that improvements and ongoing operations are of consistent quality and remain available for public use.

Regardless of the provisions of these Dana Point Harbor District Regulations, no construction shall be allowed within the boundaries of Dana Point Harbor, except that which complies with applicable provisions of the Uniform Building Code and various related mechanical, electrical and plumbing codes; the County of Orange Grading and Excavation Code as currently adopted by the Orange County Board of Supervisors.

### 4. Building Site Requirements

All building sites in Dana Point Harbor shall be as specified by each land use district of these Dana Point Harbor District Regulations.

### 5. Building Height Requirements

The building height requirements shall be as specified by each land use district of these Dana Point Harbor District Regulations. The method used for measuring building height is set forth in Chapter II-18, *Definitions*.

### 6. Building Setback Requirements

The building setback requirements shall be as specified by each land use district of these Dana Point Harbor District Regulations.

### 7. Application of Regulations

If an issue, condition or operational situation arises that is not sufficiently covered or provided for in these Dana Point Harbor District Regulations so as to be clearly

understandable, the Director, County of Orange – Dana Point Harbor Department shall determine how to resolve the unclear issue, condition or situation.

**8. Special Events**

Temporary special community events, such as parades, pageants, community fairs, athletic contests, carnivals and other similar uses may be permitted in any area of the Harbor with approval of a Special Event application by the Director, County of Orange – Dana Point Harbor Department.

**9. Incorporation of Conditions, Requirements and Standards**

All conditions, requirements and standards indicated graphically or in writing as part of any approved discretionary permit or detailed plan granted by authority of these regulations, shall have the same force and effect as these regulations. Any use or development established as a result of such approved permit or plan, but not in compliance with all such conditions, requirements or standards shall be in violation of these Dana Point Harbor District Regulations.

**10. Ambiguity**

If ambiguity arises regarding the appropriate classification of a particular use, or with respect to specific matters of height, building site or other development standards, the City of Dana Point Director of Community Development shall resolve the issues, condition or situation. Decisions of the Director of Community Development may be appealed to the City of Dana Point Planning Commission. Decisions of the Planning Commission are appealed to the Dana Point City Council.

**11. Declaration / Severability**

If any portion of these Dana Point Harbor District Regulations are, for any reason, declared by a court of competent jurisdiction to be invalid or ineffective in whole or in part, such decision shall not affect the validity of the remaining portions of these District Regulations. These regulations and each portion of these District Regulations would have been enacted by the legislative body of the local agency irrespective of the fact that one or more portions may be declared invalid or ineffective.

**12. Coastal Development Permit Review**

A Coastal Development Permit is a permit issued by the City of Dana Point or the California Coastal Commission which authorizes establishment, operation and maintenance of a specific use, structure or any development activity. Coastal Development Permit applications may be processed in compliance

with each agencies applicable requirements; either as an application that requires a public hearing or as an administrative approval. When a public hearing is required for landside improvements, the application shall be heard by the City of Dana Point Planning Commission. When a public hearing is not required, the City of Dana Point Director of Community Development shall determine the time and place for the approval action to be taken. For development of improvements in Waterside Planning Areas, an application for a

Coastal Development Permit shall be submitted to the California Coastal Commission for review and approval.

**13. Compliance Required**

No building or structure shall be erected, reconstructed or structurally altered in any manner, nor shall any building or land use be used for any purpose, other than as permitted by and in conformance with these Dana Point Harbor District Regulations.

**14. Sign Maintenance**

All signs shall be maintained in good repair and functioning properly to the satisfaction of the Director, County of Orange – Dana Point Harbor Department. Signs shall be free from all defects including but not limited to cracking, peeling and rusting. Signs that are not properly maintained shall be deemed a public nuisance and may be removed upon proper notice.

**SPECIAL PROVISIONS**

**1. Planning Area Land Uses**

All land uses, sizes and general locations shall be in conformance with these Dana Point Harbor District Regulations and the Dana Point Harbor Revitalization Plan and Statistical Table contained herein. No Planning Area shall exceed the maximum allowable of square footage or land uses indicated within an individual Planning Area and land use district.

**2. Planning Area Boundaries**

- a) Except as otherwise indicated, dimensions and gross acreages are measured from centerlines of streets and highways.
  
- b) When a Planning Area boundary depicted on the Dana Point Harbor Revitalization Plan is also a roadway and that roadway is realigned, the Planning Area boundary and Statistical Table shall be revised to coincide with the realigned roadway. Approval for such boundary and Statistical Table revisions shall be made at the time of Coastal Development Permit approval for realignment of the roadway.

- c) Planning Area boundaries and acreages contained in these Dana Point Harbor District Regulations are approximate based upon current engineering and title information and are depicted at a general level of mapping. Final Planning Area boundaries will be consistent with approved Coastal Development Permits.
- d) Adjustments in Planning Area boundaries resulting in an acreage change of ten percent (10%) or less of the total Planning Area for final street realignments, landscaping, geotechnical or other engineering-related reasons, Coastal Development Permit approvals will not require amendment of the Dana Point

Harbor Revitalization Plan or Statistical Table, provided such adjustments are in compliance with Chapter II-17, *Revitalization Plan and Statistical Table Regulations and Procedures*. Such adjustments shall not have the effect of exceeding the total permitted development intensity combined for all individual Planning Areas or the Dana Point Harbor in total.

**3. Construction Phasing**

Construction phasing for implementation of all Dana Point Harbor Revitalization Plan improvements shall minimize the disruption of vehicular and pedestrian access routes and parking availability to the maximum extent feasible. In the event of temporary closures, alternate routes and clear directional signage shall be provided.

**4. Water Conservation Regulations**

Interior and exterior water conservation measures shall be incorporated into all projects as improvements occur. Measures shall include, but are not limited to, installation of low-flush toilets, low-flow faucets and the installation of efficient irrigation systems in landscaping areas to minimize runoff and evaporation.

**5. Public Road Design Standards**

All roads shall be constructed to County of Orange specifications, including gradients, width, radius of curvature, striping/stenciling and lighting shall insure standard sight distance requirements are achieved.

**6. Public Infrastructure and Utilities**

Public infrastructure and utility buildings, structures and facilities, including but not limited to electrical, gas, water, sewage, water quality and drainage, telephone and cable television facilities, including their storage, distribution or treatment are permitted in all areas of Dana Point Harbor subject to approval of a Coastal Development Permit.

**7. Grading Plans**

Grading Plans for all projects within Dana Point Harbor shall be consistent with the Dana Point Harbor Revitalization Plan and include the following provisions:

- a) Grading Plans shall be accompanied by a geotechnical and soils engineering report that incorporates all pertinent recommendations prior to the issuance of Grading Permits by the County of Orange.
- b) An approved Grading Plan shall show all areas of grading, including remedial grading, inside and outside of the immediate area of development. Grading shall be permitted within all Planning Areas of the Harbor, except Planning Area 7, unless specifically authorized by a Coastal Development Permit for grading of public roads, park facilities, infrastructure or other Dana Point Harbor Revitalization Plan improvements. Remedial grading for development shall be permitted in all landside Planning Areas except Planning Area 7, unless authorized by a Coastal Development Permit to address geotechnical or soils engineering problems. The Grading Plan shall

include provisions for temporary erosion control on all graded sites in accordance with the County of Orange Grading and Excavation Code and the Regional Water Quality Control Board (San Diego Region).

- c) All Grading Plans shall include provisions for safe construction regulation and procedures as identified by the Occupational Safety and Health Agency (OSHA).

**8. Erosion Control Plans**

Erosion Control Plans for all projects within Dana Point Harbor shall identify site specific measures for the control of siltation, sedimentation and other pollutants per the Orange County Grading and Excavation Code. Such a plan shall be approved prior to construction and include instructions for storm events, normal and emergency procedures, as well as procedures following storm events. Standard erosion control measures shall be installed for all projects as required according to County standards. The following erosion control measures shall be incorporated into all project grading plans, as required during construction by the County of Orange and the Regional Water Quality Control Board (San Diego Region) during the rainy season (October 1 to April 30):

- a) Sandbags shall be placed across streets where necessary, depending upon size of catchment and sediment yield.
- b) Erosion control at the sediment sources shall be emphasized during construction.

- c) A stand-by work crew shall be available for emergency work during the rainy season. Necessary materials shall be available on site and shall be stockpiled at convenient locations to facilitate rapid construction of temporary erosion control devices when rain is imminent.
- d) Removable protective erosion control devices shall be put in place at the end of each working day when the 5 day rain probability forecast exceeds 40 percent (40%).
- e) All erosion control measures shall be implemented in conformance with the requirements of the Grading and Excavation Code of the County of Orange. All construction shall be conducted with provisions for the control of sand, dust and debris originating at the construction site. Appropriate areas shall be contained with berms, desilting basins or similar structures to prevent runoff during construction operations.
- f) Prior to issuance of building permits, landscape and erosion control plans shall include provisions for temporary mulching, seeding, landscaping, permanent erosion control or other suitable stabilization measures in order to protect exposed areas during and after construction.

**9. Water Quality Management Plan**

In compliance with the National Pollution Discharge Elimination System, water quality Best Management Practices (BMP's) will be designed to remove pollutants to an acceptable level prior to outletting into the waterways. These features include diversion structures, media filtration systems and vertical drop outlet structures in accordance with the approved Conceptual Water Quality Management Plan for Dana Point Harbor. All storm drain systems shall be designed to comply with the requirements of the County of Orange Local Drainage Manual and Master Plan of Drainage.

**10. Bluff Preservation**

The Dana Point Harbor Revitalization Plan provides for the protection of the natural bluffs (Planning Area 7) by restricting the siting of any structures adjacent to the bluffs with the exception of drainage control structures and recreational structures (i.e., picnic areas and shelters). In areas that abut the bluffs, a landscape buffer shall be maintained. All plant material shall be native or naturalized drought tolerant species to provide a transition between natural and ornamental landscaped areas.

**11. Control of Fugitive Dust**

Coastal Development Permits shall ensure the implementation of measures to minimize fugitive dust identified in SCAQMD Rule 402 (i.e., that there be no dust impacts off-site sufficient to cause a nuisance) and Rule 403 (i.e., that restricts visible emissions from construction). These measures include but are

not limited to: (a) pre-moistening of soil and daily watering; (b) covering loads of dirt; (c) paving roads as soon as possible; (d) ceasing grading during periods of high winds; (e) limiting on-site vehicle speeds to 15 miles per hour or less; and (f) revegetating graded areas after soil disturbance. All grading operations will be conducted in accordance with the Orange County Grading and Excavation Code.

## **12. Archaeological Resources**

In accordance with the Orange County Grading and Excavation Code, prior to the issuance of a Grading Permit, written evidence shall be provided ensuring that a County-certified archaeologist has been retained to observe grading activities and salvage and catalogue archaeological resources as necessary. The archaeologist shall be present at the pre-grading conference, shall establish procedures for archaeological resource surveillance and shall establish, in cooperation with the County of Orange – Dana Point Harbor Department, procedures for temporarily halting or redirecting work to permit the sampling, identification and evaluation of the artifacts as appropriate. If the archaeological observer shall determine appropriate actions, in cooperation with the County of Orange – Dana Point Harbor Department for exploration and/or salvage.

The County of Orange – Dana Point Harbor Department shall obtain approval of the archaeologist's follow-up report from the Manager, County of Orange – Harbors, Beaches and Parks/Coastal and Historical Facilities. The report shall include the period of inspection, an analysis of any artifacts found and the present repository of the artifacts. Excavated finds shall be made available for curatorial purposes to the County of Orange, or its designee, on a first refusal basis. These actions, as well as final mitigation and disposition of the resources shall be subject to approval of the Manager, County of Orange – Harbors, Beaches and Parks/Coastal and Historical Facilities.

## **13. Paleontological Resources**

In accordance with Orange County Grading and Excavation Code, prior to the issuance of a Grading Permit, written evidence shall be provided that a County-certified paleontologist has been retained to observe grading activities and salvage and catalogue fossils as necessary. The paleontologist shall be present at the pre-grading conference, shall establish procedures for paleontological resource surveillance and shall establish, in cooperation with the contractor, procedures for temporarily halting or redirecting work to permit sampling, identification and evaluation of the fossils. If the paleontological resources are found to be significant, the paleontologist shall determine appropriate actions, in cooperation with the County of Orange – Dana Point Harbor Department.

At the completion of grading operations, the County of Orange – Dana Point Harbor Department shall obtain approval of a paleontologist’s follow-up report from the Manager, County of Orange – Harbors, Beaches and Parks/Coastal and Historical Facilities. The report shall include the period of inspection, a catalogue and analysis of the fossils found and the present repository of the fossils. Excavated finds shall be made available for curatorial purposes to the County of Orange, or its designee, on a first refusal basis. These actions, as well as final mitigation and disposition of the resources shall be subject to approval of the Manager, County of Orange – Harbors, Beaches and Parks/Coastal and Historical Facilities.

#### **14. Pedestrian Access and Safety**

As part of all construction operations, the contractor shall ensure that the construction site is adequately barricaded with temporary fencing. If required, a flag person shall be posted at the entrance of the construction site to protect pedestrians and traffic from conflicts with heavy equipment entering or leaving the construction area. Additionally, signs shall be posted to inform the public that construction activities are under way and identify alternate paths of travel. All trails and public access ways within Dana Point Harbor will remain open and usable during construction periods or a detour, approved by the County of Orange – Dana Point Harbor Department will be provided and include appropriate temporary signage.

#### **4.1 Purpose and Intent**

The purpose of these provisions is to regulate the design and development of Marine Service areas in Planning Area 1 of Dana Point Harbor. It is an objective of this Section to permit a variety of compatible uses and facilities supportive of the general marine and boat services industry and serve the regional recreational needs of residents and guests of the County of Orange and City of Dana Point. These regulations permit retail and marine services / commercial uses in accordance with the layout and design, maximum sizes and intensities of development shown on the Dana Point Harbor Revitalization Plan and Statistical Table in Chapter II-17, *Revitalization Plan and Statistical Table Regulations and Procedures*.

#### **4.2 Principal and Other Permitted Uses**

The following principal and other permitted uses in Planning Area 1 are subject to the approval of a Coastal Development Permit as provided in Chapter II-16, *Discretionary Permits and Procedures*.

- a) Boat docks.
- b) Facilities and structures providing for the maintenance and operation of fueling equipment for automobiles and boats, both afloat and on trailers.
- c) Facilities and structures providing for the maintenance and operation of a boat repair yard limited to the alteration, maintenance and repair of the hulls, rigging, sails, engines and accessories of small craft.
- d) Marine retail sales, including boat maintenance supplies, navigational and communications equipment, chandlery, clothing and accessories.
- e) Dry boat storage and maintenance facilities.
- f) Boat wash down facilities.
- g) Facilities and equipment associated with the launching or landing of motor and non-motorized boats, personal water craft (i.e., jet-skies, etc.) or other similar types of motorized marine vehicles, except as may be determined necessary by the Director, County of Orange – Dana Point Harbor Department for recreational or public health and safety reasons.
- h) Boat facilities for the maintenance and operation of small craft and kayak dry storage facilities.
- i) Boat sales and rentals.

- j) Bait receivers.
- k) Commercial and recreational fishing; gathering, collecting or harvesting of fin fish, invertebrates or other marine wildlife.
- l) Facility information offices and centers, information kiosks.
- m) Cafes, restaurants, food and refreshment bars, vending machine food and beverage centers, bars, indoor and outdoor cocktail lounges.
- n) Travel and commercial recreation services and uses.
- o) Public and private recreation facilities.
- p) Seasonal water taxi services including waiting areas and dock facilities.
- q) Lighthouse.
- r) Parking areas and structures (including paid parking).
- s) Administrative, professional and business offices (including yacht brokers, lease agents and management offices).
- t) Public works structures and uses including the maintenance of pedestrian walkways, drainage improvements, flood control improvements and other infrastructure and/or utilities necessary for the permitted development.
- u) Communication transmitting, reception and relay facilities, including standby generators.
- v) Restrooms.

### **4.3 Accessory Permitted Uses**

Accessory uses and structures are permitted subject to approval of a Coastal Development Permit when customarily associated with and subordinate to a Permitted Use on the same building site and include:

- a) Ancillary uses that are directly related to Marine Service uses or facilities are permitted when constructed in a manner that is consistent with the main structure in materials, color palette, roof pitch and form.

- b) Directional and identification signs per Chapter II-15, *Sign Standards and Regulations*.

#### 4.4 Prohibited Uses

Uses not provided for by this Section shall be prohibited; however, certain permitted uses may be generally defined and may require interpretation by the Director, County of Orange – Dana Point Harbor Department in consultation with the City of Dana Point Director of Community Development or by the City of Dana Point Planning Commission with approval of a Coastal Development Permit.

#### 4.5 Development Standards and Requirements

The following standards shall apply except as otherwise established by an approved Coastal Development Permit per Chapter II-16, *Discretionary Permits and Procedures*.

- a) Building site area: No minimum.
- b) Building site width and depth: No minimum.
- c) Building height limit: For the Dry Boat Storage building, sixty-five (65) feet maximum; for the potential lighthouse, seventy (70) feet maximum; for all other buildings, thirty-five (35) feet maximum. Elevators, appropriately screened mechanical units and chimneys that do not exceed ten percent (10%) of the total roof area for all new and existing, remodeled structures not in excess of thirty-five (35) feet, nor exceed the height limit by more than five (5) feet shall be permitted. The limitations on height for Planning Area 1 shall not apply to shipyard cranes and/or other equipment necessary to provide for boat maintenance and repair.
- d) Building setbacks: Ten (10) feet minimum from any street (surface parking and landscaping areas may be included as part of setback area).
- e) Architectural elements: Architectural design elements (including roof overhangs, awnings, dormers, etc.) will be integrated into the building design to shield windows from the sun and reduce the effects of glare. All windows in new construction will be of a type that uses minimally reflective glass.
- f) Dry boat storage building: The design of the dry boat storage building may include covered areas for boat maintenance.

**CHAPTER 4  
HARBOR DISTRICT REGULATIONS  
MARINE SERVICES  
PLANNING AREA 1 REGULATIONS**

- g) Off-Street parking requirements: Off-street parking shall be provided as required by the provisions in Chapter II-14, *Off-Street Parking Standards and Regulations*.
- h) Signs: Signs shall be permitted in accordance with Chapter II-15, *Sign Standards and Regulations*.
- i) Loading: All loading shall be performed on the site. Loading platforms and areas shall be screened from view from adjacent streets and adjoining residential views.
- j) Trash, recyclables and storage areas: All storage, including cartons, containers or trash bins, shall be shielded from view within a building or area enclosed by a wall not less than six (6) feet in height and covered with a roof or other structure. No such area shall be located within fifty (50) feet of any outdoor food service area unless fully enclosed. All public and commercial trash and recyclable containers/bins shall be conveniently located to encourage cleanliness and recycling.
- k) Mechanical equipment: All roof-mounted mechanical equipment and communication devices that are visible from the Harbor will be hidden behind building parapets or screening materials from both ground level and elevated areas to the extent feasible. Ground-level mechanical equipment, storage tanks and other similar facilities shall be screened from view with dense landscaping and/or solid walls of materials and finishes compatible with the adjacent structures.
- l) Fences, Walls: All fences and walls will be designed to have a minimum impact on coastal and scenic views from public areas. Maximum height provided that site distances for vehicular safety purposes are not obstructed shall be eight (8) feet.
- m) Lighting: Street and parking lot lighting shall be concentrated on intersections and pedestrian crosswalks to enhance vehicular and pedestrian safety. All exterior lighting will be designed and located to avoid intrusive effects on the adjacent land uses, atop the bluffs, Doheny State Beach and shall be designed and located so that light rays are aimed at the site.
- n) Landscaping: Drought-tolerant native or non-intrusive, naturalized low-maintenance species are encouraged. Landscaping consisting of evergreen or deciduous trees, shrubs, ground cover and/or hardscape will be installed and maintained subject to the following standards:

**CHAPTER 4  
HARBOR DISTRICT REGULATIONS  
MARINE SERVICES  
PLANNING AREA 1 REGULATIONS**

1. Landscape abutting public streets or other roadways are required and shall be an average depth of ten (10) feet with a minimum depth of five (5) feet.
  2. Textured paving may be used to identify lookouts, pathway crossings and edge treatments. All landscape areas will be planted consistent with the Revitalization Landscape Plan design parameters to preserve and enhance distant ocean views and screen or soften building architecture.
  3. All landscaped areas will be separated from adjacent vehicular areas by a wall or curb at least four (4) inches higher than the adjacent vehicular area or with some other barrier to be protected from vehicular damage.
  4. All areas disturbed by grading operations shall be hydro-seeded or planted with native or non-intrusive naturalized plants to control erosion.
  5. Trees that are removed during construction will be replanted on at least a 1:1 ratio in the Harbor.
  6. Irrigation facilities will be provided for all landscaped areas except where drought-tolerant species have been installed.
- o) Standards for Roads: All roads shall be constructed to County of Orange specifications, including gradients, width, radius of curvature, striping/stenciling and lighting and shall insure that standard sight distance requirements are achieved.

## **5.1 Purpose and Intent**

The purpose of these provisions is to regulate the design and development of the Day-Use Commercial areas in Planning Area 2 of Dana Point Harbor. It is an objective of this Section to permit a variety of compatible uses and facilities supportive of the general community and serve the regional recreational needs of residents and guests of the County of Orange and City of Dana Point. These regulations permit conventional commercial retail, entertainment and recreation uses in accordance with the layout and design, maximum sizes and intensities of development shown on the Dana Point Harbor Revitalization Plan and Statistical Table in Chapter II-17, *Revitalization Plan and Statistical Table Regulations and Procedures*.

## **5.2 Principal and Other Permitted Uses**

The following principal and other permitted uses in Planning Area 2 are subject to the approval of a Coastal Development Permit as provided in Chapter II-16, *Discretionary Permits and Procedures*.

- a) Retail sales, including books, clothing, personal accessories, gifts and novelty items, jewelry, collectables and crafts (includes outdoor retail, food and beverage sales carts).
- b) Cafes, restaurants, food and refreshment bars, vending machine food and beverage centers, bars, indoor and outdoor cocktail lounges.
- c) Facilities and structures providing for the operation of sport fishing and/or charter boat concession, including office, ticketing and dockage space.
- d) Boat docks.
- e) Bait and tackle sales.
- f) Administrative, professional and business offices (including yacht brokers, rental/lease agents, management and governmental offices).
- g) Professional service shops.
- h) Travel and commercial recreation services and uses.
- i) Yacht clubs.
- j) Public and private recreation facilities.
- k) Seasonal water taxi services including waiting areas and dock facilities.

- l) Parking areas and structures, underground and above ground structures (including paid parking).
- m) Small boat and watercraft storage facilities.
- n) Commercial and non-commercial recreation facilities.
- o) Facility information offices and centers, information kiosks.
- p) Public works structures and uses including the maintenance of pedestrian walkways, drainage improvements, flood control improvements and other infrastructure and/or utilities necessary for the permitted development.
- q) Communication transmitting, reception and relay facilities, including standby generators.
- r) Restrooms.

### 5.3 Accessory Permitted Uses

Accessory uses and structures are permitted subject to approval of a Coastal Development Permit when customarily associated with and subordinate to a Permitted Use on the same building site and include:

- a) Ancillary uses that are directly related to Day-Use Commercial uses or facilities are permitted when constructed in a manner that is consistent with the main structure in materials, color palette, roof pitch and form.
- b) Directional and identification signs per Chapter II-15, *Sign Standards and Regulations*.

### 5.4 Prohibited Uses

Uses not provided for by this Section shall be prohibited; however, certain permitted uses may be generally defined and may require interpretation by the Director, County of Orange – Dana Point Harbor Department in consultation with the City of Dana Point Director of Community Development or by the City of Dana Point Planning Commission with approval of a Coastal Development Permit.

## 5.5 Development Standards and Requirements

The following standards shall apply except as otherwise established by an approved Coastal Development Permit per Chapter II-16, *Discretionary Permits and Procedures*.

- a) Building site area: No minimum.
- b) Building site width and depth: No minimum.
- c) Building height limit: For new Commercial Core buildings fronting on Festival Plaza, pedestrian bridge connected to Festival Plaza or structures fronting on the East Marina Boat Basin (Planning Area 10), sixty (60) feet maximum; for all other buildings, thirty-five (35) feet maximum. Elevators, appropriately screened mechanical units and chimneys that do not exceed ten percent (10%) of the total roof area for all new and existing, remodeled structures not in excess of thirty-five (35) feet, nor exceed the height limit by more than five (5) feet shall be permitted.
- d) Building setbacks: Ten (10) feet minimum from any street (surface parking and landscaping areas may be included as part of setback area).
- e) Architectural elements: Architectural design elements (including roof overhangs, awnings, dormers, etc.) will be integrated into the building design to shield windows from the sun and reduce the effects of glare. All windows in new construction will be of a type that uses minimally reflective glass.
- f) Parking Deck: The parking deck design shall include a light well that separates the upper deck area, allowing light and/or installation of landscaping elements to enhance the visual appearance. The two-level parking deck shall be engineered and constructed in such a manner to allow for the potential future expansion of the structure to include a third level if required.
- g) Boater Parking: Dedicated boater drop-off and parking areas will be provided throughout the Commercial Core to facilitate boater access.
- h) Pedestrian Access: Separate pedestrian walkways will be provided as part of the parking deck ramp design to minimize the need for pedestrians to use parking aisles to access the business areas of the Commercial Core. In addition, pedestrian linkages will be provided

between Harbor amenities, such as those created by the Festival Plaza, Pedestrian Promenade and linear park.

- i) Off-Street parking requirements: Off-street parking shall be provided as required by the provisions in Chapter II-14, *Off-Street Parking Standards and Regulations*.
- j) Signs: Signs shall be permitted in accordance with Chapter II-15, *Sign Standards and Regulations*.
- k) Loading: All loading shall be performed on the site. Loading platforms and areas shall be screened from view from adjacent streets and adjoining residential views.
- l) Trash, recyclables and storage areas: All storage, including cartons, containers or trash bins, shall be shielded from view within a building or area enclosed by a wall not less than six (6) feet in height and covered with a roof or other structure. No such area shall be located within fifty (50) feet of any outdoor food service area unless fully enclosed. All public and commercial trash and recyclable containers/bins shall be conveniently located to encourage cleanliness and recycling.
- m) Mechanical equipment: All roof-mounted mechanical equipment and communication devices that are visible from the Harbor will be hidden behind building parapets or screening materials from both ground level and elevated areas to the extent feasible. Ground-level mechanical equipment, storage tanks and other similar facilities shall be screened from view with dense landscaping and/or solid walls of materials and finishes compatible with the adjacent structures.
- n) Fences, Walls: All fences and walls will be designed to have a minimum impact on coastal and scenic views from public areas. Maximum height provided that site distances for vehicular safety purposes are not obstructed shall be eight (8) feet.
- o) Shelters: All enclosures used to shelter outside eating areas will be designed using clear materials with awnings or covers that are integrated into the architectural design of the buildings.
- p) Lighting: Street and parking lot lighting shall be concentrated on intersections and pedestrian crosswalks to enhance vehicular and pedestrian safety. All exterior lighting will be designed and located to avoid intrusive effects on the adjacent land uses, atop the bluffs and shall be designed and located so that light rays are aimed at the site.

- q) Landscaping: Drought-tolerant native or non-intrusive, naturalized low-maintenance species are encouraged. Landscaping consisting of evergreen or deciduous trees, shrubs, ground cover and/or hardscape will be installed and maintained subject to the following standards:
1. Landscape abutting public streets or other roadways are required and shall be an average depth of ten (10) feet with a minimum depth of five (5) feet.
  2. Textured paving may be used to identify lookouts, pathway crossings and edge treatments. All landscape areas will be planted consistent with the Revitalization Landscape Plan design parameters to preserve  
  
and enhance distant ocean views and screen or soften building architecture.
  3. All landscaped areas will be separated from adjacent vehicular areas by a wall or curb at least four (4) inches higher than the adjacent vehicular area or with some other barrier to be protected from vehicular damage.
  4. All areas disturbed by grading operations shall be hydro-seeded or planted with native or non-intrusive naturalized plants to control erosion.
  5. Trees that are removed during construction will be replanted on at least a 1:1 ratio in the Harbor.
  6. Irrigation facilities will be provided for all landscaped areas except where drought-tolerant species have been installed.
- r) Standards for Roads: All roads shall be constructed to County of Orange specifications, including gradients, width, radius of curvature, striping/stenciling and lighting and shall insure that standard sight distance requirements are achieved.

## 6.1 Purpose and Intent

The purpose of these provisions is to regulate the design and development of the Visitor-Serving Commercial uses in Planning Area 3 of Dana Point Harbor. It is an objective of this Section to permit a variety of compatible uses and facilities supportive of the general community and serve the regional recreational needs of residents and guests of the County of Orange and City of Dana Point. These regulations permit visitor-serving accommodations (i.e., hotel and motel) uses in addition to commercial retail, entertainment and recreation uses that are consistent with the Coastal Act Policies that provide for a range of uses supportive of the public's enjoyment of the coast. The visitor-serving facilities will be developed in accordance with the maximum sizes and intensities of development shown on the Dana Point Harbor Revitalization Plan and Statistical Table in Chapter II-17, *Revitalization Plan and Statistical Table Regulations and Procedures*.

## 6.2 Principal and Other Permitted Uses

The following principal and other permitted uses in Planning Area 3 are subject to the approval of a Coastal Development Permit as provided in Chapter II-16, *Discretionary Permits and Procedures*.

- a) Overnight visitor accommodations not to exceed 220 rooms.
- b) Retail sales, including books, clothing, personal accessories, gifts, jewelry, collectables and crafts (includes outdoor retail, food and beverage sales carts).
- c) Administrative, professional and business offices (including yacht brokers and management offices).
- d) Boat docks.
- e) Parking areas and structures, underground and above ground structures (including paid parking).
- f) Cafes, restaurants, food and refreshment bars, vending machine food and beverage centers, bars, indoor and outdoor cocktail lounges.
- g) Banquet facilities.
- h) Professional service shops.
- i) Other uses and professional services or facilities customarily found in a hotel.

- j) Travel and commercial recreation services and uses.
- k) Commercial recreation facilities.
- l) Florists, including indoor and outdoor displays.
- m) Seasonal water taxi services including waiting areas and dock facilities.
- n) Facility information offices and centers, information kiosks.
- o) Public works structures and uses including the maintenance of pedestrian walkways, drainage improvements, flood control improvements and other infrastructure and/or utilities necessary for the permitted development.
- p) Communication transmitting, reception and relay facilities.
- q) Restrooms.

### **6.3 Accessory Permitted Uses**

Accessory uses and structures are permitted subject to approval of a Coastal Development Permit when customarily associated with and subordinate to a Permitted Use on the same building site and include:

- a) Ancillary uses that are directly related to Visitor-Serving Commercial uses or facilities are permitted when constructed in a manner that is consistent with the main structure in materials, color palette, roof pitch and form.
- b) Directional and identification signs per Chapter II-15, *Sign Standards and Regulations*.

### **6.4 Prohibited Uses**

Uses not provided for by this Section shall be prohibited; however, certain permitted uses may be generally defined and may require interpretation by the Director, County of Orange – Dana Point Harbor Department in consultation with the City of Dana Point Director of Community Development or by the City of Dana Point Planning Commission with approval of a Coastal Development Permit.

### **6.5 Development Standards and Requirements**

**CHAPTER 6  
HARBOR DISTRICT REGULATIONS  
VISITOR-SERVING COMMERCIAL  
PLANNING AREA 3 REGULATIONS**

The following standards shall apply except as otherwise established by an approved Coastal Development Permit per Chapter II-16, *Discretionary Permits and Procedures*.

- a) Building site area: No minimum.
- b) Building site width and depth: No minimum.
- c) Building height limit: Fifty (50) feet maximum. Elevators, appropriately screened mechanical units and chimneys that do not exceed ten percent (10%) of the total roof area for all new and existing, remodeled structures not in excess of thirty-five (35) feet, nor exceed the height limit by more than five (5) feet shall be permitted.
- d) Building setbacks: Ten (10) feet minimum from any street (surface parking and landscaping areas may be included as part of setback area).
- e) Architectural elements: Architectural design elements (including roof overhangs, awnings, dormers, etc.) will be integrated into the building design to shield windows from the sun and reduce the effects of glare. All windows in new construction will be of a type that uses minimally reflective glass.
- f) Off-Street parking requirements: Off-street parking shall be provided as required by the provisions in Chapter II-14, *Off-Street Parking Standards and Regulations*.
- g) Signs: Signs shall be permitted in accordance with Chapter II-15, *Sign Standards and Regulations*.
- h) Loading: All loading shall be performed on the site. Loading platforms and areas shall be screened from view from adjacent streets and adjoining residential views.
- i) Trash, recyclables and storage areas: All storage, including cartons, containers or trash bins, shall be shielded from view within a building or area enclosed by a wall not less than six (6) feet in height and covered with a roof or other structure. No such area shall be located within fifty (50) feet of any outdoor food service area unless fully enclosed. All public and commercial trash and recyclable containers/bins shall be conveniently located to encourage cleanliness and recycling.

- j) Mechanical equipment: All roof-mounted mechanical equipment and communication devices that are visible from the Harbor will be hidden behind building parapets or screening materials from both ground level and elevated areas to the extent feasible. Ground-level mechanical equipment, storage tanks and other similar facilities shall be screened from view with dense landscaping and/or solid walls of materials and finishes compatible with the adjacent structures.
- k) Fences, Walls: All fences and walls will be designed to have a minimum impact on coastal and scenic views from public areas. Maximum height provided that site distances for vehicular safety purposes are not obstructed shall be eight (8) feet.
- l) Shelters: All enclosures used to shelter outside eating areas will be designed using clear materials with awnings or covers that are integrated into the architectural design of the buildings.
- m) Lighting: Street and parking lot lighting shall be concentrated on intersections and pedestrian crosswalks to enhance vehicular and pedestrian safety. All exterior lighting will be designed and located to avoid intrusive effects on the adjacent land uses, atop the bluffs and shall be designed and located so that light rays are aimed at the site.
- n) Landscaping: Drought-tolerant native or non-intrusive, naturalized low-maintenance species are encouraged. Landscaping consisting of evergreen or deciduous trees, shrubs, ground cover and/or hardscape will be installed and maintained subject to the following standards:
  - 1. Landscape abutting public streets or other roadways are required and shall be an average depth of ten (10) feet with a minimum depth of five (5) feet.
  - 2. Textured paving may be used to identify lookouts, pathway crossings and edge treatments. All landscape areas will be planted consistent with the Revitalization Landscape Plan design parameters to preserve and enhance distant ocean views and screen or soften building architecture.
  - 3. All landscaped areas will be separated from adjacent vehicular areas by a wall or curb at least four (4) inches higher than the adjacent vehicular area or with some other barrier to be protected from vehicular damage.
  - 4. All areas disturbed by grading operations shall be hydro-seeded or planted with native or non-intrusive naturalized plants to control erosion.

**CHAPTER 6  
HARBOR DISTRICT REGULATIONS  
VISITOR-SERVING COMMERCIAL  
PLANNING AREA 3 REGULATIONS**

5. Trees that are removed during construction will be replanted on at least a 1:1 ratio in the Harbor.
  6. Irrigation facilities will be provided for all landscaped areas except where drought-tolerant species have been installed.
- o) Standards for Roads: All roads shall be constructed to County of Orange specifications, including gradients, width, radius of curvature, striping/stenciling and lighting and shall insure that standard sight distance requirements are achieved.

## **7.1 Purpose and Intent**

The purpose of these provisions is to regulate the design and development of Marine Commercial uses in Planning Area 4 of Dana Point Harbor. It is an objective of this Section to permit a variety of compatible uses and facilities supportive of the general boating public and serve the regional recreational needs of residents and guests of the County of Orange and City of Dana Point. These regulations permit marine services, public facilities, private and public clubs that are consistent with the Coastal Act Policies and shall be in accordance with the maximum sizes and intensities of development shown on the Dana Point Harbor Revitalization Plan and Statistical Table in Chapter II-17, *Revitalization Plan and Statistical Table Regulations and Procedures*.

## **7.2 Principal and Other Permitted Uses**

The following principal and other permitted uses in Planning Area 4 are subject to the approval of a Coastal Development Permit as provided in Chapter II-16, *Discretionary Permits and Procedures*.

- a) Marine retail sales, including boat maintenance supplies, navigational and communication equipment, chandlery, clothing and accessories.
- b) Administrative, professional and business offices (including yacht brokers, lease agents and management offices).
- c) Yacht clubs.
- d) Retail sales, including clothing, personal accessories, gifts, jewelry, collectables and crafts (includes outdoor retail, food and beverage sales carts).
- e) Boat docks.
- f) Dry boat storage and maintenance facilities.
- g) Small boat and watercraft storage facilities.
- h) Facilities and equipment associated with the launching or landing of motor and non-motorized boats, personal water craft (i.e., jet-skis, etc.) or other similar types of motorized marine vehicles, except as may be determined necessary by the Director, County of Orange – Dana Point Harbor Department for recreational or public health and safety reasons.
- i) Boat maintenance facilities and operation of small craft and kayak dry storage facilities.

- j) Boat wash down facilities.
- k) Commercial and recreational fishing; gathering, collecting or harvesting of fin fish, invertebrates or other marine wildlife.
- l) Private and public parking areas (including paid parking).
- m) Cafes, restaurants, food and refreshment bars, vending machine food and beverage centers, bars, indoor and outdoor cocktail lounges.
- n) Banquet facilities.
- o) Travel and commercial recreation services and uses.
- p) Public and private recreation facilities.
- q) Law enforcement and Harbor Patrol structures and uses including docks, communication facilities, storage areas, prisoner detention facilities, meeting and administrative office facilities.
- r) Scenic viewpoints, visual outlooks and picnic areas.
- s) Seasonal water taxi services including waiting areas and dock facilities.
- t) Public works structures and uses including the maintenance of pedestrian walkways, drainage improvements, flood control improvements and other infrastructure and / or utilities necessary for the permitted development.
- u) Communication transmitting, reception and relay facilities.
- v) Restrooms.

### **7.3 Accessory Permitted Uses**

Accessory uses and structures are permitted subject to approval of a Coastal Development Permit when customarily associated with and subordinate to a Permitted Use on the same building site and include:

- a) Ancillary uses that are directly related to Marine Commercial uses or facilities are permitted when constructed in a manner that is consistent with the main structure in materials, color palette, roof pitch and form.

- b) Directional and identification signs per Chapter II-15, *Sign Standards and Regulations*.

#### 7.4 Prohibited Uses

Uses not provided for by this Section shall be prohibited; however, certain permitted uses may be generally defined and may require interpretation by the Director, County of Orange – Dana Point Harbor Department in consultation with the City of Dana Point Director of Community Development or by the City of Dana Point Planning Commission with approval of a Coastal Development Permit.

#### 7.5 Development Standards and Requirements

The following standards shall apply except as otherwise established by an approved Coastal Development Permit per Chapter II-16, *Discretionary Permits and Procedures*.

- a) Building site area: No minimum.
- b) Building site width and dept: No minimum.
- c) Building height limit: Thirty-five (35) feet maximum. Elevators, appropriately screened mechanical units and chimneys that do not exceed ten percent (10%) of the total roof area, nor exceed the height limit by more than five (5) feet shall be permitted for any structure.
- d) Building setbacks: Ten (10) feet minimum from any street (surface parking and landscaping areas may be included as part of setback area).
- e) Architectural elements: Architectural design elements (including roof overhangs, awnings, dormers, etc.) will be integrated into the building design to shield windows from the sun and reduce the effects of glare. All windows in new construction will be of a type that uses minimally reflective glass.
- f) Off-Street parking requirements: Off-street parking shall be provided as required by the provisions in Chapter II-14, *Off-Street Parking Standards and Regulations*.
- g) Signs: Signs shall be permitted in accordance with Chapter II-15, *Sign Standards and Regulations*.

**CHAPTER 7  
HARBOR DISTRICT REGULATIONS  
MARINE COMMERCIAL  
PLANNING AREA 4 REGULATIONS**

- h) Loading: All loading shall be performed on the site. Loading platforms and areas shall be screened from view from adjacent streets and adjoining residential views.
- i) Trash, recyclables and storage areas: All storage, including cartons, containers or trash bins, shall be shielded from view within a building or area enclosed by a wall not less than six (6) feet in height and covered with a roof or other structure. No such area shall be located within fifty (50) feet of any outdoor food service area unless fully enclosed. All public and commercial trash and recyclable containers/bins shall be conveniently located to encourage cleanliness and recycling.
- j) Mechanical equipment: All roof-mounted mechanical equipment and communication devices that are visible from the Harbor will be hidden behind building parapets or screening materials from both ground level and elevated areas to the extent feasible. Ground-level mechanical equipment, storage tanks and other similar facilities shall be screened from view with dense landscaping and/or solid walls of materials and finishes compatible with the adjacent structures.
- k) Fences, Walls: All fences and walls will be designed to have a minimum impact on coastal and scenic views from public areas. Maximum height provided that site distances for vehicular safety purposes are not obstructed shall be eight (8) feet.
- l) Shelters: All enclosures used to shelter outside eating areas will be designed using clear materials with awnings or covers that are integrated into the architectural design of the buildings.
- m) Lighting: Street and parking lot lighting shall be concentrated on intersections and pedestrian crosswalks to enhance vehicular and pedestrian safety. All exterior lighting will be designed and located to avoid intrusive effects on the adjacent land uses, atop the bluffs, Doheny State Beach and shall be designed and located so that light rays are aimed at the site.
- n) Landscaping: Drought-tolerant native or non-intrusive, naturalized low-maintenance species are encouraged. Landscaping consisting of evergreen or deciduous trees, shrubs, ground cover and/or hardscape will be installed and maintained subject to the following standards:
  - 1. Landscape abutting public streets or other roadways are required and shall have a minimum depth of five (5) feet.
  - 2. Textured paving may be used to identify lookouts, pathway crossings and edge treatments. All landscape areas will be

**CHAPTER 7  
HARBOR DISTRICT REGULATIONS  
MARINE COMMERCIAL  
PLANNING AREA 4 REGULATIONS**

planted consistent with the Revitalization Landscape Plan design parameters to preserve and enhance distant ocean views and screen or soften building architecture.

3. All landscaped areas will be separated from adjacent vehicular areas by a wall or curb at least four (4) inches higher than the adjacent vehicular area or with some other barrier to be protected from vehicular damage.
  
  4. All areas disturbed by grading operations shall be hydro-seeded or planted with native or non-intrusive naturalized plants to control erosion.
  
  5. Trees that are removed during construction will be replanted on at least a 1:1 ratio in the Harbor.
  
  6. Irrigation facilities will be provided for all landscaped areas except where drought-tolerant species have been installed.
- o) Standards for Roads: All roads shall be constructed to County of Orange specifications, including gradients, width, radius of curvature, striping/stenciling and lighting and shall insure that standard sight distance requirements are achieved.

## **8.1 Purpose and Intent**

The purpose of these provisions is to regulate all Open Space/Recreation uses in Planning Area 5 of Dana Point Harbor. It is an objective of this Section to permit a variety of compatible uses and facilities supportive of the general boating public and serve the regional recreational needs of residents and guests of the County of Orange and City of Dana Point. These regulations permit the expansion and ongoing operation of all recreation and public facilities in accordance with the maximum sizes and intensities of development shown on the Dana Point Harbor Revitalization Plan and Statistical Table in Chapter II-17, *Revitalization Plan and Statistical Table Regulations and Procedures*.

## **8.2 Principal and Other Permitted Uses**

The following principal and other permitted uses in Planning Area 5 are subject to the approval of a Coastal Development Permit as provided in Chapter II-16, *Discretionary Permits and Procedures*.

- a) Open space (natural and modified) active and passive recreation areas.
- b) Scenic viewpoints, visual outlooks and picnic areas.
- c) Community or youth oriented recreational structures and facilities or uses meeting the public's needs for recreational programs, boating and seamanship lessons, organized recreational activities and related equipment storage.
- d) Administrative, professional and business offices (including yacht brokers, lease agents and management offices).
- e) Boat docks.
- f) Small boat and watercraft storage facilities.
- g) Facilities and equipment associated with the launching or landing of non-motorized boats, except as may be determined necessary by the Director, County of Orange – Dana Point Harbor Department for recreational or public health and safety reasons.
- h) Boat facilities for the maintenance and operation of small craft and kayak dry storage facilities.
- i) Boat wash down facilities.

- j) Cafes, restaurants, food and refreshment bars, vending machine food and beverage centers.
- k) Commercial and recreational fishing; gathering, collecting or harvesting of fin fish, invertebrates or other marine wildlife.
- l) Public and private recreation facilities.
- m) Seasonal water taxi services including waiting areas and dock facilities.
- n) Public works, maintenance of pedestrian walkways, drainage improvements, flood control improvements and other infrastructure and / or utilities necessary for the permitted development.
- o) Communication transmitting, reception and relay facilities.
- p) Restrooms.

### **8.3 Accessory Permitted Uses**

Accessory uses and structures are permitted subject to approval of a Coastal Development Permit when customarily associated with and subordinate to a Permitted Use on the same building site and include:

- a) Ancillary uses that are directly related to Day-Use Recreation uses or facilities are permitted when constructed in a manner that is consistent with the main structure in materials, color palette, roof pitch and form.
- b) Directional and identification signs per Chapter II-15, *Sign Standards and Regulations*.

### **8.4 Prohibited Uses**

Uses not provided for by this Section shall be prohibited; however, certain permitted uses may be generally defined and may require interpretation by the Director, County of Orange – Dana Point Harbor Department in consultation with the City of Dana Point Director of Community Development or by the City of Dana Point Planning Commission with approval of a Coastal Development Permit.

### **8.5 Development Standards and Requirements**

**CHAPTER 8  
HARBOR DISTRICT REGULATIONS  
DAY-USE RECREATION  
PLANNING AREA 5 REGULATIONS**

The following standards shall apply except as otherwise established by an approved Coastal Development Permit per Chapter II-16, *Discretionary Permits and Procedures*.

- a) Building site area: No minimum.
- b) Building site width and dept: No minimum.
- c) Building height limit: Thirty-five (35) feet maximum. Elevators, appropriately screened mechanical units and chimneys that do not exceed ten percent (10%) of the total roof area, nor exceed the height limit by more than five (5) feet shall be permitted for any structure.
- d) Building setbacks: Ten (10) feet minimum from any street (surface parking and landscaping areas may be included as part of setback area).
- e) Architectural elements: Architectural design elements (including roof overhangs, awnings, dormers, etc.) will be integrated into the building design to shield windows from the sun and reduce the effects of glare. All windows in new construction will be of a type that uses minimally reflective glass.
- f) Off-Street parking requirements: Off-street parking shall be provided as required by the provisions in Chapter II-14, *Off-Street Parking Standards and Regulations*.
- g) Signs: Signs shall be permitted in accordance with Chapter II-15, *Sign Standards and Regulations*.
- h) Loading: All loading shall be performed on the site. Loading platforms and areas shall be screened from view from adjacent streets and adjoining residential views.
- i) Trash, recyclables and storage areas: All storage, including cartons, containers or trash bins, shall be shielded from view within a building or area enclosed by a wall not less than six (6) feet in height and covered with a roof or other structure. No such area shall be located within fifty (50) feet of any outdoor food service area unless fully enclosed. All public and commercial trash and recyclable containers/bins shall be conveniently located to encourage cleanliness and recycling.
- j) Mechanical equipment: All roof-mounted mechanical equipment and communication devices that are visible from the Harbor will be hidden behind building parapets or screening materials from both ground level

and elevated areas to the extent feasible. Ground-level mechanical equipment, storage tanks and other similar facilities shall be screened from view with dense landscaping and/or solid walls of materials and finishes compatible with the adjacent structures.

- k) Fences, Walls: All fences and walls will be designed to have a minimum impact on coastal and scenic views from public areas. Maximum height provided that site distances for vehicular safety purposes are not obstructed shall be eight (8) feet.
  
- l) Shelters: All enclosures used to shelter outside eating areas will be designed using clear materials with awnings or covers that are integrated into the architectural design of the buildings.
  
- m) Lighting: Street and parking lot lighting shall be concentrated on intersections and pedestrian crosswalks to enhance vehicular and pedestrian safety. All exterior lighting will be designed and located to avoid intrusive effects on the adjacent land uses, atop the bluffs and shall be designed and located so that light rays are aimed at the site.
  
- n) Landscaping: Drought-tolerant native or non-intrusive, naturalized low-maintenance species are encouraged. Landscaping consisting of evergreen or deciduous trees, shrubs, ground cover and/or hardscape will be installed and maintained subject to the following standards:
  - 1. Landscape abutting public streets or other roadways are required and shall have a minimum depth of five (5) feet.
  
  - 2. Textured paving may be used to identify lookouts, pathway crossings and edge treatments. All landscape areas will be planted consistent with the Revitalization Landscape Plan design parameters to preserve and enhance distant ocean views and screen or soften building architecture.
  
  - 3. All landscaped areas will be separated from adjacent vehicular areas by a wall or curb at least four (4) inches higher than the adjacent vehicular area or with some other barrier to be protected from vehicular damage.
  
  - 4. All areas disturbed by grading operations shall be hydro-seeded or planted with native or non-intrusive naturalized plants to control erosion.
  
  - 5. Trees that are removed during construction will be replanted on at least a 1:1 ratio in the Harbor.

**CHAPTER 8  
HARBOR DISTRICT REGULATIONS  
DAY-USE RECREATION  
PLANNING AREA 5 REGULATIONS**

6. Irrigation facilities will be provided for all landscaped areas except where drought-tolerant species have been installed.
- o) Standards for Roads: All roads shall be constructed to County of Orange specifications, including gradients, width, radius of curvature, striping/stenciling and lighting and shall insure that standard sight distance requirements are achieved.

## 9.1 Purpose and Intent

The purpose of these provisions is to regulate all Education/Institutional uses in Planning Area 6 of Dana Point Harbor. It is an objective of this Section to permit a variety of compatible uses and facilities supportive of educational programs and serve the regional recreational needs of residents and guests of the County of Orange and City of Dana Point. These regulations permit the expansion and ongoing operation of all recreation and education/institutional facilities in accordance with the maximum sizes and intensities of development shown on the Dana Point Harbor Revitalization Plan and Statistical Table in Chapter II-17, *Revitalization Plan and Statistical Table Regulations and Procedures*.

## 9.2 Principal and Other Permitted Uses

The following principal and other permitted uses in Planning Area 6 are subject to the approval of a Coastal Development Permit as provided in Chapter II-16, *Discretionary Permits and Procedures*.

- a) Educational institutions, lecture halls and marine research facilities.
- b) Educational exhibit areas and museums.
- c) Scenic viewpoints, visual outlooks and picnic areas.
- d) Administrative offices.
- e) Community or youth oriented recreational structures and facilities or uses meeting the public's needs for recreational programs, boating and seamanship lessons, organized recreational activities and related equipment storage.
- f) Boat docks.
- g) Small boat and watercraft storage facilities.
- h) Facilities and equipment associated with the launching or landing of motorized and non-motorized boats, except as may be determined necessary by the Director, County of Orange – Dana Point Harbor Department for recreational or public health and safety reasons.
- i) Boat facilities for the maintenance and operation of small craft and kayak dry storage facilities.
- j) Boat wash down facilities.

- k) Cafes, restaurants or food and refreshment bars, vending machine food and beverage centers.
- l) Commercial and recreational fishing; gathering, collecting or harvesting of fin fish, invertebrates or other marine wildlife.
- m) Public and private recreation facilities.
- n) Seasonal water taxi services including waiting areas and dock facilities.
- o) Public works, maintenance of pedestrian walkways, drainage improvements, flood control improvements and other infrastructure and / or utilities necessary for the permitted development.
- p) Communication transmitting, reception and relay facilities.
- q) Restrooms.

### 9.3 Accessory Permitted Uses

Accessory uses and structures are permitted subject to approval of a Coastal Development Permit when customarily associated with and subordinate to a Permitted Use on the same building site and include:

- a) Ancillary uses that are directly related to Educational/Institutional uses or facilities are permitted when constructed in a manner that is consistent with the main structure in materials, color palette, roof pitch and form.
- b) Directional and identification signs per Chapter II-15, *Sign Standards and Regulations*.

### 9.4 Prohibited Uses

Uses not provided for by this Section shall be prohibited; however, certain permitted uses may be generally defined and may require interpretation by the Director, County of Orange – Dana Point Harbor Department in consultation with the City of Dana Point Director of Community Development or by the City of Dana Point Planning Commission with approval of a Coastal Development Permit.

### 9.5 Development Standards and Requirements

**CHAPTER 9  
HARBOR DISTRICT REGULATIONS  
EDUCATIONAL / INSTITUTIONAL  
PLANNING AREA 6 REGULATIONS**

The following standards shall apply except as otherwise established by an approved Coastal Development Permit per Chapter II-16, *Discretionary Permits and Procedures*.

- a) Building site area: No minimum.
- b) Building site width and dept: No minimum.
- c) Building height limit: Thirty-five (35) feet maximum. Elevators, appropriately screened mechanical units and chimneys that do not exceed ten percent (10%) of the total roof area, nor exceed the height limit by more than five (5) feet shall be permitted for any structure.
- d) Building setbacks: Ten (10) feet minimum from any street (surface parking and landscaping areas may be included as part of setback area).
- e) Architectural elements: Architectural design elements (including roof overhangs, awnings, dormers, etc.) will be integrated into the building design to shield windows from the sun and reduce the effects of glare. All windows in new construction will be of a type that uses minimally reflective glass.
- f) Off-Street parking requirements: Off-street parking shall be provided as required by the provisions in Chapter II-14, *Off-Street Parking Standards and Regulations*.
- g) Signs: Signs shall be permitted in accordance with Chapter II-15, *Sign Standards and Regulations*.
- h) Loading: All loading shall be performed on the site. Loading platforms and areas shall be screened from view from adjacent streets and adjoining residential views.
- i) Trash, recyclables and storage areas: All storage, including cartons, containers or trash bins, shall be shielded from view within a building or area enclosed by a wall not less than six (6) feet in height and covered with a roof or other structure. No such area shall be located within fifty (50) feet of any outdoor food service area unless fully enclosed. All public and commercial trash and recyclable containers/bins shall be conveniently located to encourage cleanliness and recycling.
- j) Mechanical equipment: All roof-mounted mechanical equipment and communication devices that are visible from the Harbor will be hidden behind building parapets or screening materials from both ground level

and elevated areas to the extent feasible. Ground-level mechanical equipment, storage tanks and other similar facilities shall be screened from view with dense landscaping and/or solid walls of materials and finishes compatible with the adjacent structures.

- k) Fences, Walls: All fences and walls will be designed to have a minimum impact on coastal and scenic views from public areas. Maximum height provided that site distances for vehicular safety purposes are not obstructed shall be eight (8) feet.
- l) Shelters: All enclosures used to shelter outside eating areas will be designed using clear materials with awnings or covers that are integrated into the architectural design of the buildings.
- m) Lighting: Street and parking lot lighting shall be concentrated on intersections and pedestrian crosswalks to enhance vehicular and pedestrian safety. All exterior lighting will be designed and located to avoid intrusive effects on the adjacent land uses, atop the bluffs and shall be designed and located so that light rays are aimed at the site.
- n) Landscaping: Drought-tolerant native or non-intrusive, naturalized low-maintenance species are encouraged. Landscaping consisting of evergreen or deciduous trees, shrubs, ground cover and/or hardscape will be installed and maintained subject to the following standards:
  - 1. Landscape abutting public streets or other roadways are required and shall have a minimum depth of five (5) feet.
  - 2. Textured paving may be used to identify lookouts, pathway crossings and edge treatments. All landscape areas will be planted consistent with the Revitalization Landscape Plan design parameters to preserve and enhance distant ocean views and screen or soften building architecture.
  - 3. All landscaped areas will be separated from adjacent vehicular areas by a wall or curb at least four (4) inches higher than the adjacent vehicular area or with some other barrier to be protected from vehicular damage.
  - 4. All areas disturbed by grading operations shall be hydro-seeded or planted with native or non-intrusive naturalized plants to control erosion.
  - 5. Trees that are removed during construction will be replanted on at least a 1:1 ratio in the Harbor.

**CHAPTER 9  
HARBOR DISTRICT REGULATIONS  
EDUCATIONAL / INSTITUTIONAL  
PLANNING AREA 6 REGULATIONS**

6. Irrigation facilities will be provided for all landscaped areas except where drought-tolerant species have been installed.
- o) Standards for Roads: All roads shall be constructed to County of Orange specifications, including gradients, width, radius of curvature, striping/stenciling and lighting and shall insure that standard sight distance requirements are achieved.

### 10.1 Purpose and Intent

The purpose of these provisions is to preserve the Conservation Bluff areas and maintain Open Space/passive recreation areas in Planning Area 7 of the Dana Point Harbor. It is the objective of this section to permit compatible uses and facilities supportive of the conservation of regionally significant scenic resources and retention of open space that are consistent with the Coastal Act Policies that provide for a range of uses supportive of the public's enjoyment of the coast.

### 10.2 Principal and Other Permitted Uses

The following principal and other permitted uses in Planning Area 7 are subject to the approval of a Coastal Development Permit as provided in Chapter II-16, *Discretionary Permits and Procedures*.

- a) Public accessways, walking paths and interpretive trails, including handicap-related facilities (access may be limited due to topographic constraints).
- b) Public works, maintenance of pedestrian walkways, drainage improvements, flood control improvements and other infrastructure and / or utilities necessary for the permitted development.
- c) Scenic viewpoints and visual outlooks.
- d) Picnic and lawn areas (adjacent to Dana Point Harbor Drive).
- e) Restrooms.

### 10.3 Accessory Permitted Uses

Accessory uses and structures are permitted subject to approval of a Coastal Development Permit when customarily associated with and subordinate to a Permitted Use on the same building site and include:

- a) Ancillary uses that are directly related to permitted Conservation and open space enhancement uses or facilities.
- b) Directional and identification signs per Chapter II-15, *Sign Standards and Regulations*.

#### 10.4 Prohibited Uses

Uses not provided for by this Section shall be prohibited; however, certain permitted uses may be generally defined and may require interpretation by the Director, County of Orange – Dana Point Harbor Department in consultation with the City of Dana Point Director of Community Development or by the City of Dana Point Planning Commission with approval of a Coastal Development Permit.

### **11.1 Purpose and Intent**

The purpose of these provisions is to regulate all Education Basin waterside uses in Planning Area 8 of Dana Point Harbor. It is an objective of this Section to permit a variety of compatible uses and facilities supportive of educational programs and serve the regional recreational needs of residents and guests of the County of Orange and City of Dana Point. These regulations permit the expansion and ongoing operation of all recreation and waterside facilities in accordance with the maximum sizes and intensities of development shown on the Dana Point Harbor Revitalization Plan and Statistical Table in Chapter II-17, *Revitalization Plan and Statistical Table Regulations and Procedures*.

### **11.2 Principal and Other Permitted Uses**

The following principal and other permitted uses in Planning Area 8 are subject to the approval of a Coastal Development Permit as provided in Chapter II-16, *Discretionary Permits and Procedures*.

- a) Educational and marine research facilities.
- b) Community or youth oriented recreational facilities or uses meeting the public's needs for recreational programs, boating and seamanship lessons, organized recreational activities and related equipment storage.
- c) Boat docks, slips and end/side tie facilities.
- d) Boat mooring and anchoring facilities.
- e) Fishing pier.
- f) Small boat and watercraft storage facilities.
- g) Facilities and equipment associated with the launching or landing of motorized and non-motorized boats, except as may be determined necessary or desirable by the Director, County of Orange – Dana Point Harbor Department for recreational or public health and safety reasons.
- h) Boat facilities for the maintenance and operation of small craft and kayak waterside storage facilities.
- i) Commercial and recreational fishing; gathering, collecting or harvesting of fin fish, invertebrates or other marine wildlife.
- j) Public and private marine or educational recreation facilities.

- k) Public sandy beach (Baby Beach) recreational area.
- l) Buoys, floating or anchored marine navigational aids and facilities.
- m) Harbor breakwater structures and shore protection devices.
- n) Seasonal water taxi services including waiting areas and dock facilities.
- o) Public works, maintenance of docks, drainage improvements, flood control improvements and other infrastructure and / or utilities necessary for the permitted development.
- p) Communication transmitting, reception and relay facilities.

### **11.3 Accessory Permitted Uses**

Accessory uses and structures are permitted subject to approval of a Coastal Development Permit when customarily associated with and subordinate to a Permitted Use on the same building site and include:

- a) Ancillary uses that are directly related to operation of the Education Basin or facilities are permitted when constructed in a manner that is consistent with the main structure in materials, color palette, roof pitch and form.
- b) Directional and identification signs per Chapter II-15, *Sign Standards and Regulations*.

### **11.4 Prohibited Uses**

Uses not provided for by this Section shall be prohibited; however, certain permitted uses may be generally defined and may require interpretation by the Director, County of Orange – Dana Point Harbor Department in consultation with the City of Dana Point Director of Community Development or by the City of Dana Point Planning Commission with approval of a Coastal Development Permit.

### **11.5 Development Standards and Requirements**

The following standards shall apply except as otherwise established by an approved Coastal Development Permit per Chapter II-16, *Discretionary Permits and Procedures*.

**CHAPTER 11  
HARBOR DISTRICT REGULATIONS  
EDUCATION BASIN  
PLANNING AREA 8 REGULATIONS**

- a) Off-Street parking requirements: Off-street parking shall be provided as required by the provisions in Chapter II-14, *Off-Street Parking Standards and Regulations*.
- b) Signs: Signs shall be permitted in accordance with Chapter II-15, *Sign Standards and Regulations*.
- c) Loading: All loading shall be performed on loading platforms and areas designated for such use.
- d) Trash, recyclables and storage areas: All storage, including cartons, containers or trash bins, shall be shielded from view within a building or area enclosed by a wall not less than six (6) feet in height and covered with a roof or other structure. No such area shall be located within fifty (50) feet of any outdoor food service area unless fully enclosed. All public and commercial trash and recyclable containers/bins shall be conveniently located to encourage cleanliness and recycling.
- e) Mechanical equipment: All dock-mounted mechanical equipment, storage tanks and other similar facilities, including communication devices that are visible from landside areas of the Harbor will be hidden behind screening materials from ground level to the extent feasible.
- f) Fences, Walls: All fences and walls will be designed to have a minimum impact on coastal and scenic views from public areas. Maximum height shall be eight (8) feet.
- g) Docks, slips and water oriented facilities: All docks, slips, wharfs, piers and end/side tie facilities will be designed by a licensed professional engineer using standards and requirements for County grading and building permits and any other requirements as deemed necessary by the County of Orange – Dana Point Harbor Department.
- h) Lighting: Dock lighting shall be concentrated on pedestrian accessways to enhance pedestrian safety. All lights shall be designed and located so that light rays are aimed at the docks and slip areas and not directed at the water to the maximum extent feasible.
- i) Standards for Public Accessways: All accessways shall be constructed to County of Orange Specifications, including gradients, widths, radius of curvature and handicap access requirements.

### **12.1 Purpose and Intent**

The purpose of these provisions is to regulate waterside uses in the West and East Marinas in Planning Areas 9 and 10 of Dana Point Harbor. It is an objective of this Section to permit a variety of compatible uses and facilities supportive of commercial and general marine and boat services industry and serve the regional recreational needs of residents and guests of the County of Orange and City of Dana Point. These regulations permit the expansion and ongoing operation of all recreation and waterside facilities in accordance with the maximum sizes and intensities of development shown on the Dana Point Harbor Revitalization Plan and Statistical Table in Chapter II-17, *Revitalization Plan and Statistical Table Regulations and Procedures*.

### **12.2 Principal and Other Permitted Uses**

The following principal and other permitted uses in Planning Areas 9 and 10 in subject to the approval of a Coastal Development Permit as provided in Chapter II-16, *Discretionary Permits and Procedures*.

- a) Boat docks, slips and end/side tie facilities.
- b) Guest docks, slips, end/side tie facilities and dinghy docks.
- c) Community or youth oriented recreational facilities or uses meeting the public's needs for recreational programs, boating and seamanship lessons, organized recreational activities and related equipment storage.
- d) Small boat and watercraft storage facilities.
- e) Facilities and equipment associated with the launching or landing of motorized and non-motorized boats, except as may be determined necessary by the Director, County of Orange – Dana Point Harbor Department for recreational or public health and safety reasons.
- f) Law enforcement and Harbor Patrol docks facilities and uses including docks, communication facilities and storage areas.
- g) Boat facilities for the maintenance and operation of small craft and kayak waterside storage facilities.
- h) Commercial and recreational fishing; gathering, collecting or harvesting of fin fish, invertebrates or other marine wildlife.
- i) Roadway or pedestrian bridges, structural abutments and support facilities.

- j) Public and private recreation facilities.
- k) Buoys, floating or anchored marine navigational aids and facilities.
- l) Seasonal water taxi services including waiting areas and dock facilities.
- m) Public works, maintenance of docks, drainage improvements, flood control improvements and other infrastructure and / or utilities necessary for the permitted development.
- n) Communication transmitting, reception and relay facilities.

### **12.3 Accessory Permitted Uses**

Accessory uses and structures are permitted subject to approval of a Coastal Development Permit when customarily associated with and subordinate to a Permitted Use on the same building site and include:

- a) Ancillary uses that are directly related to operation of the West and East Marinas or facilities are permitted when constructed in a manner that is consistent with the main structure in materials, color palette, roof pitch and form.
- b) Directional and identification signs per Chapter II-15, *Sign Standards and Regulations*.

### **12.4 Prohibited Uses**

Uses not provided for by this Section shall be prohibited; however, certain permitted uses may be generally defined and may require interpretation by the Director, County of Orange – Dana Point Harbor Department in consultation with the City of Dana Point Director of Community Development or by the City of Dana Point Planning Commission with approval of a Coastal Development Permit.

### **12.5 Development Standards and Requirements**

The following standards shall apply except as otherwise established by an approved Coastal Development Permit per Chapter II-16, *Discretionary Permits and Procedures*.

**CHAPTER 12  
HARBOR DISTRICT REGULATIONS  
WEST AND EAST MARINAS  
PLANNING AREAS 9 AND 10 REGULATIONS**

- a) Off-Street parking requirements: Off-street parking shall be provided as required by the provisions in Chapter II-14, *Off-Street Parking Standards and Regulations*.
- b) Signs: Signs shall be permitted in accordance with Chapter II-15, *Sign Standards and Regulations*.
- c) Loading: All loading shall be performed on loading platforms and areas designated for such use.
- d) Trash, recyclables and storage areas: All storage, including cartons, containers or trash bins, shall be shielded from view within a building or area enclosed by a wall not less than six (6) feet in height and covered with a roof or other structure. No such area shall be located within fifty (50) feet of any outdoor food service area unless fully enclosed. All public and commercial trash and recyclable containers/bins shall be conveniently located to encourage cleanliness and recycling.
- e) Mechanical equipment: All dock-mounted mechanical equipment, storage tanks and other similar facilities, including communication devices that are visible from landside areas of the Harbor will be hidden behind screening materials from ground level to the extent feasible.
- f) Fences, Walls: All fences and walls will be designed to have a minimum impact on coastal and scenic views from public areas. Maximum height shall be eight (8) feet.
- g) Docks, slips and water oriented facilities: All docks, slips, wharfs, piers and end/side tie facilities will be designed by a licensed professional engineer using standards and requirements for County grading and building permits and any other requirements as deemed necessary by the County of Orange – Dana Point Harbor Department.
- h) Lighting: Dock lighting shall be concentrated on pedestrian accessways to enhance pedestrian safety. All lights shall be designed and located so that light rays are aimed at the docks and slip areas and not directed at the water to the maximum extent feasible.
- i) Standards for Public Accessways: All accessways shall be constructed to County of Orange Specifications, including gradients, widths, radius of curvature and handicap access requirements.

### **13.1 Purpose and Intent**

The purpose of these provisions is to regulate waterside uses in the Marine Services and Harbor Entrance in Planning Areas 11 and 12 of Dana Point Harbor. It is an objective of this Section to permit a variety of compatible uses and facilities supportive of commercial and general marine and boat services industry and serve the regional recreational needs of residents and guests of the County of Orange and City of Dana Point. These regulations permit the expansion and ongoing operation of all recreation and waterside facilities in accordance with the maximum sizes and intensities of development shown on the Dana Point Harbor Revitalization Plan and Statistical Table in Chapter II-17, *Revitalization Plan and Statistical Table Regulations and Procedures*.

### **13.2 Principal and Other Permitted Uses**

The following principal and other permitted uses in Planning Areas 11 and 12 are subject to the approval of a Coastal Development Permit as provided in Chapter II-16, *Discretionary Permits and Procedures*.

- a) Boat docks, slips and end/side tie facilities.
- b) Fuel docks and storage facilities, end/side tie facilities and bait receiver.
- c) Small boat and watercraft storage facilities.
- d) Facilities and equipment associated with the launching or landing of motorized and non-motorized boats, except as may be determined necessary by the Director, County of Orange – Dana Point Harbor Department for recreational or public health and safety reasons.
- e) Boat facilities for the maintenance and operation of small craft and kayak waterside storage facilities.
- f) Commercial and recreational fishing; gathering, collecting or harvesting of fin fish, invertebrates or other marine wildlife.
- g) Public and private recreation facilities.
- h) Seasonal water taxi services including waiting areas and dock facilities.
- i) Boat mooring and anchoring facilities.
- j) Buoys, floating or anchored marine navigational aids and facilities.

- k) Harbor breakwater structures and shore protection devices.
- l) Public works, maintenance of docks, drainage improvements, flood control improvements and other infrastructure and / or utilities necessary for the permitted development.
- m) Communication transmitting, reception and relay facilities.

### 13.3 Accessory Permitted Uses

Accessory uses and structures are permitted subject to approval of a Coastal Development Permit when customarily associated with and subordinate to a Permitted Use on the same building site and include:

- a) Ancillary uses that are directly related to operation of the Marine Services and Harbor Entrance or facilities are permitted when constructed in a manner that is consistent with the main structure in materials, color palette, roof pitch and form.
- b) Directional and identification signs per Chapter II-15, *Sign Standards and Regulations*.

### 13.4 Prohibited Uses

Uses not provided for by this Section shall be prohibited; however, certain permitted uses may be generally defined and may require interpretation by the Director, County of Orange – Dana Point Harbor Department in consultation with the City of Dana Point Director of Community Development or by the City of Dana Point Planning Commission with approval of a Coastal Development Permit.

### 13.5 Development Standards and Requirements

The following standards shall apply except as otherwise established by an approved Coastal Development Permit per Chapter II-16, *Discretionary Permits and Procedures*.

- a) Off-Street parking requirements: Off-street parking shall be provided as required by the provisions in Chapter II-14, *Off-Street Parking Standards and Regulations*.
- b) Signs: Signs shall be permitted in accordance with Chapter II-15, *Sign Standards and Regulations*.

**CHAPTER 13  
HARBOR DISTRICT REGULATIONS  
MARINE SERVICES AND HARBOR ENTRANCE  
PLANNING AREAS 11 AND 12 REGULATIONS**

- c) Loading: All loading shall be performed on loading platforms and areas designated for such use.
- d) Trash, recyclables and storage areas: All storage, including cartons, containers or trash bins, shall be shielded from view within a building or area enclosed by a wall  
  
not less than six (6) feet in height and covered with a roof or other structure. No such area shall be located within fifty (50) feet of any outdoor food service area unless fully enclosed. All public and commercial trash and recyclable containers/bins shall be conveniently located to encourage cleanliness and recycling.
- e) Mechanical equipment: All dock-mounted mechanical equipment, storage tanks and other similar facilities, including communication devices that are visible from landside areas of the Harbor will be hidden behind screening materials from ground level to the extent feasible.
- f) Fences, Walls: All fences and walls will be designed to have a minimum impact on coastal and scenic views from public areas. Maximum height shall be eight (8) feet.
- g) Docks, slips and water oriented facilities: All docks, slips, wharfs, piers and end/side tie facilities will be designed by a licensed professional engineer using standards and requirements for County grading and building permits and any other requirements as deemed necessary by the County of Orange – Dana Point Harbor Department.
- h) Lighting: Dock lighting shall be concentrated on pedestrian accessways to enhance pedestrian safety. All lights shall be designed and located so that light rays are aimed at the docks and slip areas and not directed at the water to the maximum extent feasible.
- i) Standards for Public Accessways: All accessways shall be constructed to County of Orange Specifications, including gradients, widths, radius of curvature and handicap access requirements.

## **14.1 Purpose and Intent**

These regulations provide and govern the off-street parking of motor vehicles within the Dana Point Harbor. These regulations will result in parking facilities of sufficient capacity to manage traffic congestion, provide safe and convenient facilities for motorists and pedestrians and may be subject to approval of a joint-use or shared parking program.

## **14.2 General Provisions**

Except as otherwise specified in these Dana Point Harbor District Regulations, off-street parking for the Dana Point Harbor shall be in accordance with the following provisions and regulations:

1. Location of off-street parking – Required parking spaces shall be located in close proximity to the use or uses they serve as described in an approved Coastal Development Permit.
2. Common area parking – Common area parking may be approved by a Coastal Development Permit.
3. Joint-use or shared parking – In recognition of the unique characteristics of the Harbor and its uses, a comprehensive plan may be processed with a Coastal Development Permit to demonstrate the aggregate total of otherwise required parking spaces is adequate for the range of commercial and recreational uses proposed.
4. Accessibility and usability – All off-street parking shall be fully and independently usable and accessible.
5. Maximum grades permitted:
  - a. Wherever access is taken from a street, alley or driveway to an off-street parking area serving commercial or community facilities, the driveway or other vehicular accessway shall have a maximum grade of plus fifteen percent (15%) or a minus two percent (-2%), measured from the street, alley or driveway grade along the driveway centerline for a distance of not more than eighteen (18) feet.

Exceptions may be approved by the County of Orange in consultation with the City of Dana Point Public Works Director for conditions where physical design prevents such extreme grade breaks and provides safe sight distance.

- b. The maximum grades will generally provide adequate site distance at street level and prevent vehicles from dragging on extreme grade breaks. Exceptions may be approved by the County of Orange in consultation with the City of Dana Point Public Works Director for conditions where physical design prevents such extreme grade breaks and provides safe sight distance.
  - c. Off-street parking spaces and the abutting parking aisles shall have a maximum grade of five percent (5%). Said grade shall be measured across the parking space and the abutting parking aisle in any direction.
  - d. Ramps or driveways providing vehicular access within the interior of an off-street parking area located beyond eighteen (18) feet from the ultimate right-of-way line of a street, alley or driveway shall have a maximum slope of plus or minus twenty percent (20%). When such a ramp or driveway slopes exceed plus or minus ten percent (10%), the ramp or driveway design shall include transitions not less than eight (8) feet in length, having a slope equal to one-half the ramp slope. When parking is provided on a ramp, the maximum slope shall not exceed six percent (6%).
6. Parking area notices and directional instructions – Parking area notices, each not to exceed two (2) square feet in area and directional instructions lettered on the paved surface of driveways and parking areas are permitted for parking facilities serving commercial and other public uses. Such parking notices may contain the name of the tenant of a building or land use and only such words or symbols that are directly related or essential to parking, enforcement or the direction of vehicular traffic within the parking area.
7. Paving – All permanent paved areas shall be maintained with asphaltic concrete, cement concrete, decorative concrete pavers or other all-weather, non-erodible, hard surfacing. Temporary parking spaces, driveways and maneuvering areas may use decomposed granite or other stable, all-weather surfacing.
8. Lighting – Lights shall be designed and located so that direct rays are aimed at the site.
9. Parking facilities for the physically handicapped – Public accommodations or facilities, including commercial and other public uses

shall provide parking spaces for the physically handicapped in compliance with the following provisions:

- a. Parking spaces required – The following table establishes the number of handicap parking spaces required for any parking area serving one or more land uses:

**Handicapped Parking Requirements**

Total Number of Parking Spaces	Number of Handicapped Parking Spaces Required
1 - 4	0
5 - 40	1
41 - 80	2
81 - 120	3
121 - 160	4
161 - 300	5
301 - 400	6
401 - 500	7
Over 500	1 for each 200 additional spaces

- b. Parking space size – Physically handicapped parking spaces shall be located as near as practical to a primary entrance. If only one space is provided, it shall be fourteen (14) feet wide and outlined to provide a nine (9) foot parking area and a five (5) foot loading and unloading area. When more than one space is provided in lieu of providing a fourteen (14) foot-wide space for each parking space, two spaces can be provided within a twenty-three (23) foot-wide area lined to provide a nine (9) foot parking area on each side of a five (5) foot loading and unloading area in the center. The minimum length of each parking space shall be eighteen (18) feet.
- c. Arrangement of parking spaces – In each parking area a bumper or curb shall be provided and located to prevent encroachment of other cars over the required width of walkways. Also, the space shall be located so that a handicapped person is not compelled to wheel or walk behind parked cars other than their own. Pedestrian ways which are accessible to the physically handicapped shall be provided from each such parking space to the related facilities,

including curb cuts or ramps as needed. Ramps shall not encroach into any parking space except where such encroachment into the length of any handicapped space does not limit the handicapped person's ability to leave or enter their vehicle.

- d. Slope of parking spaces – Surface slopes of parking spaces for the physically handicapped shall be the minimum possible and shall not exceed two percent (2%) in any direction.
- e. Identification – Each parking space reserved for the handicapped shall be identified by a permanently affixed reflectorized sign constructed of porcelain on steel, beaded text or equal, displaying the International Symbol of Accessibility. This sign shall not be smaller than seventy (70) square inches in area and shall be centered at the interior end of the parking space at a minimum height of eighty (80) inches from the bottom of the sign to the parking space finished grade, or centered on the wall at the interior end of the parking space at a minimum height of thirty-six (36) inches from the parking space finished grade, ground or sidewalk. A sign shall also be posed, in a conspicuous place, at each entrance to the off-street parking facility, not less than seventeen (17) inches by twenty-two (22) inches in size with lettering not less than one (1) inch in height, which clearly and conspicuously states the following:

*“Unauthorized vehicles not displaying distinguishing placards or license plates issued for physically-handicapped persons may be towed away at the owners expense.”*

In addition to the above requirements, the surface of each parking space shall have a surface identification duplicating the symbol of accessibility in blue paint, at least three (3) sq. ft. in area.

- f. Parking structures – Entrances to and vertical clearances within parking structures shall have a minimum vertical clearance of 8-feet, 2-inches where required for accessibility to handicap parking spaces.

**14.3 Standards for Individual Permitted Uses**

The following standards delineate the minimum facilities required for the listed individual permitted uses:

1. Surface boat storage	0.25 parking spaces per boat.
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**CHAPTER 14  
HARBOR DISTRICT REGULATIONS  
OFF-STREET PARKING  
STANDARDS AND REGULATIONS**

2. Recreational boat slips and end/side tie facilities	0.6 parking spaces per boat slip or side tie.
3. Commercial boat slips and side tie facilities	Two (2) parking spaces per boat slip or side tie.
4. Boater Service Buildings, County Harbor Patrol and Dana Point Harbor Department offices	One (1) parking space per 250 sq. ft. of gross floor area.
5. Retail and service commercial stores	One (1) parking space per 200 sq. ft. of gross floor area.
6. Restaurants	One (1) parking space per 100 sq. ft. up to 4,000 sq. ft. plus one (1) parking space per 80 sq. ft. of gross floor area above 4,000 sq. ft.
7. Hotel, motel	One (1) parking space per guest room.
8. Yacht clubs	Four (4) parking spaces per 1,000 sq. ft. of gross floor area
9. County Youth and Group Facility	One (1) parking space per 75 sq. ft. of gross floor area

Parking requirements for other uses not referenced above shall be determined as part of a joint-use or shared parking study in accordance with the provisions of Section 14.4 of this Chapter.

**14.4 Joint-Use or Shared Parking**

A reduction in the aggregate total of otherwise required parking spaces for principal uses within Dana Point Harbor shall be permitted for either joint-use or shared parking upon approval of a Detailed Parking Management Plan when submitted as part of a comprehensive Traffic Management Plan approved as part of a Coastal Development Permit by the City of Dana Point. The approval of a parking reduction due to joint-use or shared parking shall be based on the following findings:

1. Such modification shall not have a negative impact on parking for commercial, visitor-serving, boater or recreational uses.

2. Joint-use or shared parking facilities shall be located in close proximity to the land uses they serve.
3. A Detailed Parking Plan, showing all common parking facilities, shall be approved independently or as part of a Coastal Development Permit.
4. Permit approval shall be conditional upon providing evidence to the Director, County of Orange – Dana Point Harbor Department that an agreement is in place.
5. Subsequent individual uses which result in a parking demand more than is provided by the existing parking shall be required to prepare a revision to the Detailed Parking Plan for approval by the Director, County of Orange – Dana Point Harbor Department.

#### **14.5 Exception and/or Modifications to Off-Street Parking Requirements**

The provisions of this Chapter are intended to meet the minimum design needs for off-street parking under most conditions. Where, because of the nature of the use involved or other relevant circumstances, the requirements of this Chapter are considered to be excessive, an exception and/or modification to these provisions may be approved in accordance with the following procedure, provided such exception and/or modification is consistent with the purpose and intent of this Chapter:

1. Exceptions to, or modifications of the off-street parking regulations shall be permitted subject to the approval of a Coastal Development Permit.
2. Any Coastal Development Permit that includes a request for an exception to, or modification of off-street parking requirements shall be processed with a revised Traffic Management Plan or Detailed Parking Management Plan amendment. The burden of proof shall be on the project proponent to establish that the exception to, or modification of the parking standard will not adversely impact the availability of public parking for the affected area of the Harbor.
3. Any Coastal Development Permit proposing to establish an exception to, or modification of off-street parking requirements shall require a public hearing, with public notification before the City of Dana Point Planning Commission.

**CHAPTER 14  
HARBOR DISTRICT REGULATIONS  
OFF-STREET PARKING  
STANDARDS AND REGULATIONS**

### **15.1 Purpose and Intent**

These regulations provide and govern the usage of signs within the Dana Point Harbor and establish standards for the uniform regulation of signs and are intended to produce a consistency in sign design that reinforces the collective image of the Dana Point Harbor Revitalization Plan while maintaining flexibility for individual identification needs. All signs are to be designed, built and installed according to the requirements set forth in this Chapter.

This Chapter permits adequate signage and seeks to prevent unnecessary and unsightly signs inconsistent with the purpose and intent of the Dana Point Harbor Revitalization Plan.

### **15.2 Approval Requirements**

To ensure compliance with the regulations contained in this Chapter, signs shall be approved either as part of a Master Sign Program or as part of a Sign Plan application submitted to the Director, County of Orange – Dana Point Harbor Department (DPHD) and approved by the Dana Point Harbor Review Board (DPHRB).

No signs shall be erected, constructed or altered except for maintenance or repair, except as provided for in this Chapter without written approval by the Dana Point Harbor Review Board. A separate DPHRB approval shall be required for each sign or group of signs in one location or as part of a Master Sign Program. In addition to the requirements set forth in this Chapter, all applicable building and electrical permits shall be obtained in accordance with the Uniform Building Code and Uniform Electrical Code as approved by the County of Orange.

### **15.3 Exempted Signs**

Except as otherwise specified in these Dana Point Harbor District Regulations, the following signs are exempt from the requirements of Section 15.2:

1. Governmental signs providing general information to the public and for control of traffic or similar regulator purposes. These may include, but are limited to street signs, danger signs, landside and waterside warning signs.
2. Memorial tablets or signs, including those indicating names of buildings and dates of construction, when cut into any masonry surface or inlaid so as to be part of the building, or when constructed of bronze or similar non-combustible material.

3. Signs required to be maintained by law or governmental order, rule or regulation, with a total surface area not exceeding ten (10) square feet on any building site or  
  
leasehold. Street address numbers are to be provided with a total surface area not exceeding two (2) square feet.
4. Signs not visible beyond either the boundaries of the leasehold on which they are located or from any public right-of-way or from any parking area or circulation area open to the general public.
5. Parking lot or other traffic directional signs not exceeding four (4) square feet in area per sign. Each parking lot is permitted one (1) such sign per entrance to the lot or premises, to direct pedestrian or vehicular traffic on the same premises.
6. On-site temporary real estate "for lease" signs pertaining to the property they are placed on and limited to four (4) square feet in area or window signs when limited to forty percent (40%) of the total window area.
7. Signs or banners announcing the opening of a new business that, in the aggregate, do not exceed twenty (20) square feet or thirty percent (30%) of the total window area, whichever is greater. Such signs may be erected for a maximum of thirty (30) days during the opening of a new business.

#### **15.4 Approved Signs**

Signs within Dana Point Harbor shall conform to the approved Master Sign Program, except as provided for in the following standards or as otherwise established by approval of the Director, County of Orange – Dana Point Harbor Department and Dana Point Harbor Review Board. Applications for free-standing ground signs, including monument, directional, identification, bulletin boards and temporary, shall be accompanied by scale drawings indicating the size, sign copy, colors, method and intensity of illumination, height, sign area and general location of all signs on the building or leasehold site.

1. Freestanding Monument Signs – For single retail tenants, signs shall be restricted to a maximum height of six (6) feet (including base structure) and width of twelve (12) feet for an overall area of seventy-two (72) square feet. For multi-tenant signs, the maximum dimensions shall not exceed eight (8) feet in height or sixteen (16) feet in width for an overall area of one-hundred and twenty-eight (128) square feet.

All Freestanding Monument Signs shall be two (2) sided, placed in landscaped planter areas in a location perpendicular to the street. All multi-tenant signs shall be restricted to a maximum of six (6) tenant names.

2. Upper Level Tenant Identification Signs – The upper level Tenant Identification Sign is a wall mounted sign placed on a building at or above the second floor level for greater visibility and is intended to identify businesses to pedestrian and roadway traffic. The maximum sign area height and width shall not exceed one-half the wall area height or width to which the sign is attached or a maximum letter height of twenty-four (24) inches. The total sign area shall not exceed one (1) square foot per lineal foot of leased space frontage up to a maximum of forty-two (42) square feet.

Upper Level Tenant Identification Signs will be limited to one (1) sign per street, parking lot, or interior courtyard frontage, not to exceed two (2) signs per building. Sign text will be restricted to the tenant name and type of business (if applicable) or a combination of name and nationally recognized logo (limited to no more than ten percent (10%) larger than the largest letter height).

3. Ground Level Primary Tenant Identification Signs – The Ground Level Primary Tenant Identification Sign is a wall mounted sign placed on a build at the ground floor level and is intended to identify select Harbor tenants to adjacent pedestrian and roadway traffic. The maximum sign area height and width shall not exceed one-half ( $\frac{1}{2}$ ) the wall area height or width to which the sign is attached or a maximum letter height of eighteen (18) inches. The total sign area shall not exceed one (1) square foot per lineal foot of leased space frontage up to a maximum of thirty-six (36) square feet.

Ground Level Primary Tenant Identification Signs will be limited to one (1) sign per street, parking lot, or interior courtyard frontage, not to exceed two (2) signs per building. Sign text will be restricted to the tenant name and type of business (if applicable) or a combination of name and nationally recognized logo (limited to no more than ten percent (10%) larger than the largest letter height).

4. Tenant Identification Awning Signs – The Tenant Identification Awning Sign is a screen printed graphic on an architectural awning above individual tenant entries and is intended to identify select Harbor tenants to adjacent pedestrian and roadway traffic. The maximum sign area height and width shall not exceed one-half ( $\frac{1}{2}$ ) the awning height or width to which the sign is attached or a maximum letter height of twelve (12)

inches. The total sign area shall not exceed one-quarter ( $\frac{1}{4}$ ) square foot per lineal foot of awning area up to a maximum of eighteen (18) square feet.

Tenant Identification Awning Signs will be limited to one (1) sign per tenant entry awning and is limited to the tenant's name only. No more than one (1) sign per tenant on any one building elevation when located on the vertical element of the awning.

5. Tenant Entry Identification Sign – The Tenant Entry Identification Sign is a wall mounted or hanging panel sign above or adjacent to individual tenant entries and is intended to identify tenant entry locations to pedestrians. The maximum sign area height shall not exceed four (4) feet and sign area width shall not exceed eight (8) feet or one-half ( $\frac{1}{2}$ ) the perimeter area height and width to which the sign is attached. The maximum letter height shall not exceed ten (10) inches. The total sign area shall not exceed one (1) square foot per lineal foot of leased space frontage up to a maximum of sixteen (16) square feet.

Tenant Entry Identification Signs will be limited to one (1) sign per tenant entry and is limited to two (2) signs per building. No more than one (1) sign per tenant on any one building elevation when signs are wall mounted or hanging and placed above or adjacent to the tenant's entry. Signs text shall be restricted to the tenant name, business type and/or logo (limited to no more than ten percent (10%) larger than the largest letter height). Signs may be externally illuminated only. All mechanical connections shall be concealed from view.

6. Tenant Directory Signs – The Tenant Directory Sign is a freestanding monument or wall mounted panel sign located at common multi-tenant entry portal areas and is intended to identify all tenants within the specific common multi-tenant area. The maximum sign area height shall not exceed four (4) feet and sign area width shall not exceed six (6) feet or twenty-four (24) square feet. Signs shall be limited to one (1) Tenant Directory Sign per entry portal and sign text shall be restricted to Harbor and/or Commercial Core area maps, tenant names and addresses.
7. Primary Roadway Directional Sign – The Primary Roadway Directional Sign is a two-sided, freestanding post and panel sign paced perpendicular to the roadway and is intended to provide directional information to vehicles and pedestrians. Signs shall not exceed seven (7) feet in height or an overall sign area of five (5) square feet. Sign text shall be restricted to general Harbor location directional information only.

8. Secondary Roadway Directional Sign – The Secondary Roadway Directional Sign is a two-sided, freestanding post and panel sign placed perpendicular to the roadway and is intended to provide directional information to vehicles and pedestrians. Signs shall not exceed five (5) feet in height or an overall sign area of three and one-half (3½) square feet. Sign text shall be restricted to general Harbor location directional information only.
9. Temporary Banners and Fabric Signs – All banners and temporary fabric signage for special events or announcements must be approved by the Director, County of Orange – Dana Point Harbor Department following submittal of an application stating the size, type, style, type size, color and purpose of such banners. Duration of time for authorized display of such banners will be determined at the time of application approval.

### **15.5 Prohibited Signs**

1. Signs that incorporate any manner of mechanical movement, audible elements, flashing or intermittent lighting or moving or otherwise animated forms.
2. Signs that project above a parapet or roof line or signs that are located upon or affixed to the roof of a building.
3. Off-premises signs (except for approved directional signs and free-standing monument/ground signs), including signs or graphics applied to parked vehicles for nearby vendor identification.
4. Signs or graphics, except for addresses, printed directly on the exterior of a building or temporary construction structure.
5. Landscaping that becomes a sign or message.
6. Graphics printed on or adhered to trash bins or their enclosures.
7. Advertising signs on bus benches.

### **15.6 General Sign Requirements**

1. No free-standing sign or sign structure shall be permitted closer than five (5) feet from the street right-of-way line.

2. Sign letter styles and sign colors shall be tenant's option from an approved project letter style and color palette per the Master Sign Program approved by the Dana Point Harbor Review Board.
3. Monument Signs shall be constructed per the Master Sign Program approved by the Dana Point Harbor Review Board.
4. All Illuminated signs shall be per the approved Master Sign Program. Illumination of graphics shall be of a concealed internal monolith light fixture and/or external ground mounted light fixture construction. All mechanical and electrical connections shall be concealed. Visible bracing, conduit or raceways shall not be permitted.

All illuminated signs or lighting devices shall employ only lights emitting a light of constant intensity and no sign shall be illuminated by or contain flashing, intermittent, rotating or moving lighting or lights. In no event shall an illuminated sign or lighting device be placed or directed so as to permit the beams and illumination to be directed or beamed upon a public street, sidewalk or adjacent premises causing glare or reflection that may constitute a traffic hazard or nuisance.

5. Harbor Directional Signs may be placed in the street right-of-way in a landscaped median area per the Master Sign Program approved by the Dana Point Harbor Review Board.
6. All signage shall be of a consistent architectural style. All externally illuminated signs in landscape areas shall have lighting sources that are hidden by vegetation or installed flush with the grade. Signage shall be designed to complement the architecture of the building and shall emphasize natural materials.
7. Signs shall not constitute a traffic hazard. No person shall erect, maintain or cause to be erected or maintained any sign that simulates or imitates in size, color, lettering or design any traffic sign or signal, or that makes use of the words "Stop", "Look", "Danger" or any other words, phrases, symbols or characters in a manner to interfere with, mislead or confuse traffic.

**16.1 General Requirements** – These regulations are intended to guide the implementation of the Dana Point Harbor Revitalization Plan improvements and the on-going operation of the Dana Point Harbor facilities by the County of Orange. All development in landside Planning Areas (1 through 7) shall be subject to the review and approval by the City of Dana Point in accordance with the procedures and requirements described in this Chapter. For all development in waterside Planning Areas (8 through 12), an application for a Coastal Development Permit shall be submitted to the California Coastal Commission for review and approval.

However, because the State of California granted title of the Dana Point Harbor Tidelands to the County of Orange in 1961 and it has operated the facilities since first being opened to the public in 1971, all existing and proposed facilities shall be designed and constructed in accordance with the building and operational standards of the County of Orange. Reliance on these same standards is considered an essential part of ensuring that improvements and ongoing operations are of consistent quality and remain available for public use.

**16.2 General Submission of Plans and Other Data** – All submittals shall be made to the office of the Orange County – Dana Point Harbor Department. Preliminary approval by the Dana Point Harbor Review Board is required for all schematic drawings, architectural renderings and any other relevant information prior to proceeding with preparation of construction plans. The project proponent shall submit a written narrative outline of the intended improvements with a plot plan, followed by schematic architectural renderings and any other material that will fully inform the Dana Point Harbor Department and Dana Point Harbor Review Board as to the architectural style of the improvements planned and any other pertinent information. After the preliminary submittal has been approved by the Director, County of Orange – Dana Point Harbor Department and/or Dana Point Harbor Review Board, the project proponent will be referred to the City of Dana Point Community Development Department in the event a Coastal Development Permit is required or the County of Orange Development Processing Center in the event that only construction permits are required.

All applications for Coastal Development Permits for Planning Areas 1 through 7 shall be in accordance with this Chapter of the Dana Point Harbor District Regulations and the City of Dana Point Zoning Code, Chapter 9.69, *Coastal Development Permit*. In addition to the requirements of this Chapter, all applications for Coastal Development Permits for Planning Areas 8 through 12 (waterside areas) shall be made to the California Coastal Commission in a form consistent with Chapter 5, *Coastal Development Permits Issued by the Coastal Commission* (Government Code Sections 13053.5 through 13053.6). A permit application submitted on the

form available from the Coastal Commission regional offices, together with all necessary attachments and exhibits and a filing fee shall be deemed "filed" after having been received and found complete by the California Coastal Commission.

- 16.3 Coastal Development Permits** – A Coastal Development Permit within Dana Point Harbor is a permit issued by the City of Dana Point or the California Coastal Commission which authorizes establishment, operation and maintenance of a specific use, structure or activity of any development, as defined in Chapter 18, *Definitions*, within the Coastal Zone. Except as otherwise provided by these Dana Point Harbor District Regulations, any person, partnership, corporation or state or local government agency proposing to undertake any development project within the Dana Point Harbor boundary, shall obtain approval of a Coastal Development Permit in compliance with the provisions of these District Regulations and the City of Dana Point Zoning Ordinance for Dana Point Harbor.

A Coastal Development Permit may be processed as a single project Coastal Development Permit or a large-scale Program Coastal Development Permit when it is determined that projects involving the integration of multiple construction phases or master utilities or backbone infrastructure (i.e., roads, backbone flood control/drainage facilities, backbone water distribution facilities, sewer system and similar public works and facilities) to serve existing or proposed land uses in different planning areas is better reviewed at a comprehensive level. A large-scale Program Coastal Development Permit may also be utilized when it can be determined by the Director, County of Orange – Dana Point Harbor Department that several different independent projects by different project proponents can be combined to facilitate the review and approval of construction plans and permits. Large-scale Program Coastal Development Permits may also apply to the preparation and processing of a comprehensive sign program for all or a portion of the Harbor.

Any application for a Coastal Development Permit may be combined with any other discretionary permit application; however any such combined application shall be processed in compliance with the provisions of this Chapter. When it is not feasible to combine a Coastal Development Permit application with one or more other discretionary permit applications, they may be processed in a concurrent manner so that the effective dates of the different actions shall occur at the proper time and in the required sequence.

Coastal Development Permit applications for Planning Areas 1 through 7 may be processed in compliance with applicable requirements; either as an application requiring a public hearing or an application requiring administrative approval. When a public hearing is required, the application

shall be heard by the City of Dana Point Planning Commission at a regularly scheduled meeting. When a public hearing is not required, the City of Dana Point Director of Community Development shall determine the time and place for the approval action to be taken.

All applications to the California Coastal Commission shall be processed and administered in accordance with the procedures contained in Government Code Sections 13056 through 13188.

**16.4 Applications** – Applications for Coastal Development Permits, including any large-scale Program Coastal Development Permits shall contain the following information:

- a) Site or large-scale Plans:
  - 1) Vicinity Map;
  - 2) Title block (applicant's name, business address, date drawn and any applicable professional license information), scale and north arrow;
  - 3) Lease boundaries;
  - 4) Existing use of property;
  - 5) Location, acreage and type of land use for each building site;
  - 6) Square footages of each land use or tenant space on each building site;
  - 7) Access; existing and proposed, including street layout, ultimate widths and right-of-way;
  - 8) Location of existing structures to a minimum of two-hundred (200) feet from the project boundary;
  - 9) Location of all easements, including a description of their purpose and width size;
  - 10) Location of all retaining walls; existing and proposed;
  - 11) Location and size of landscape, open space and recreation areas;
  - 12) Topography: existing and proposed (i.e., Concept Grading Plan in accordance with the provisions of the County Grading and Excavation Manual);
  - 13) Drainage Plan that includes erosion control measures;
  - 14) Utility Plan;
  - 15) Location of all pedestrian access paths, sidewalks and bicycle lanes;
  - 16) Architectural elevations; including, but not limited to: building height, dimensioned projections and overhangs, detailed exterior building materials, colors, and description of any special building treatments;

- 17) Visual analysis to demonstrate the proposed structures have been sited and designed to protect views and are visually compatible with the surrounding areas;
  - 18) Landscape Plan (if applicable); including locations of existing significant vegetation and details on proposed removal or preservation and plant palette;
  - 19) Trash facilities; including location, size and method of screening;
  - 20) Parking areas; including location of handicap parking spaces;
  - 21) Signs; location, height, dimensions, copy (if available) and materials; and
  - 22) Location and size of any exterior improvements proposed, including but not limited to outdoor seating areas, loading, delivery or storage areas.
- b) A list and justification for any proposed Alternative Development Standards.
- c) A Water Quality Management Plan Amendment, if required.

All submittals shall be made to the City of Dana Point Community Development Department for landside area permits (Planning Areas 1 through 7) and the California Coastal Commission for all waterside improvements (Planning Areas 8 through 12). It is required that preliminary approval of all schematic drawings, architectural renderings and any other relevant information be obtained from the office of the County of Orange – Dana Point Harbor Department and/or Dana Point Harbor Review Board prior to proceeding with preparation of any construction plans and/or submittal of any applications to a responsible permitting agency.

- 16.5 Alternative Development Standards** – With approval of any Coastal Development Permit pursuant to the procedures contained in this Chapter, alternative development standards may be established without an amendment to the Local Coastal Program where the standards pertain to: street alignments; building siting or the adjustment of gross square footage of individual land uses within each land use district; construction of parking lots and/or structures; boat dock size and/or configuration adjustments; modifications to recreational areas; and/or modifications to signs and off-street parking requirements.

Alternative Development Standards other than those specified above will require an LCP Amendment.

A Coastal Development Permit proposing to establish alternative development standards shall require a public hearing with public notification pursuant to the requirements of this Chapter. When a Coastal Development Permit proposes to establish an alternative development standard, the burden of proof shall be on the project proponent. The alternative development standards may be approved when it is found that they will result in an equivalent or better project in terms of minimizing adverse impacts and enhancing public benefits to Harbor users.

**16.6 Public Hearing Notification**

For Coastal Development Permit applications requiring a public hearing in accordance with City of Dana Point Zoning Code Section 9.61.050, a public hearing notice shall be prepared and distributed in accordance with the requirements of City of Dana Point Zoning Code Section 9.69.060. For all waterside areas under the jurisdiction of the California Coastal Commission, a public hearing notice shall be prepared and distributed in accordance with the requirements of Government Code Sections 13054 and 13063.

**16.7 Basis of Action** – The City of Dana Point may approve, conditionally approve, or deny a Coastal Development Permit. The basis of this action shall be subject to the findings located in City of Dana Point Zoning Code Section 9.69.070 as modified by these Harbor Development Regulations.

**16.8 De Minimis and Administrative Permits** – Projects that qualify as either De Minimis or Administrative Permits shall be in accordance with City of Dana Point Zoning Code Sections 9.69.110 and 9.69.160, respectively or shall be processed by the California Coastal Commission Executive Director in accordance with Government Code Sections 13145 through 13168.

**16.9 Effective Date** – The final decision on an application for an appealable development shall become effective after ten (10) working days following the California Coastal Commission’s receipt of the Notice of Decision and any applicable supporting documentation.

**16.10 Expiration** – Any Coastal Development Permit granted herein shall be effective for a period of twenty-four (24) months from the effective date. Failure to exercise the permit within the effective period will cause the permit to automatically expire, unless a written request for an extension of time is made in conformance with City of Dana Point Zoning Code Section 9.69.140 for all landside areas or Government Code Section 13169 for all waterside areas. Once construction has been initiated pursuant to the approved Coastal Development Permit, the Coastal Development shall be deemed

established and shall not expire unless work is not diligently pursued to completion.

- 16.11 Amendments to Coastal Development Permits** – An approved Coastal Development Permit may be amended in accordance with City of Dana Point Zoning Code Section 9.69.130 for all landside areas and Government Code Sections 13164 through 13168 for all waterside areas.
- 16.12 Emergency Permits** – The California Coastal Commission or the City of Dana Point may issue emergency permits within the Dana Point Harbor area, subject to the provisions shown in City of Dana Point Zoning Code Section 9.69.150 for landside areas and Government Code Sections 13136 through 13144 for waterside areas.
- 16.13 Appeals** – A Coastal Development Permit is subject to appeal in accordance with City of Dana Point Zoning Code Section 9.69.090.
- 16.14 Fees** – Any application for a Coastal Development Permit initiated by the County of Orange – Dana Point Harbor Department shall be exempt from paying processing fees. All other Coastal Development Permit applications shall pay a processing fee in accordance with the latest fee schedule adopted by the Dana Point City Council or California Coastal Commission.

### **17.1 Purpose and Intent**

The purpose of this Chapter is to provide regulations and procedures for City of Dana Point Planning Commission revisions to the Dana Point Harbor Revitalization Plan and Dana Point Harbor Statistical Table.

### **17.2 Dana Point Harbor Revitalization Plan**

The Dana Point Harbor Revitalization Plan covers those areas of Dana Point Harbor granted to the County of Orange by the California State Legislature in 1961 as part of the Tidelands and Submerged Lands Acquisition Act (Chapter 321 of the Statutes of 1961). As shown on Exhibit 17.1, the Dana Point Harbor Revitalization Plan identifies Planning Areas and corresponding land uses.

The acreages in the Dana Point Harbor Statistical Table may vary without requiring a LCP Amendment provided that the variation is consistent with the total acreage and boundaries of the Dana Point Harbor District Zoning Map and Statistical Summary (Exhibit 1.1 and Table 1-A). Such adjustments shall not have the effect of exceeding the total permitted development intensity combined for all individual Planning Areas or the Dana Point Harbor in total.

### **17.3 Dana Point Harbor Statistical Table**

The Dana Point Harbor Statistical Table contains a statistical breakdown for each of the Planning Areas shown on the Dana Point Harbor Revitalization Plan in terms of acreage and maximum amount of allowable development intensity. All Planning Areas allowing land uses shall not exceed the maximum amount of square footage indicated for the Planning Area in the Dana Point Harbor Revitalization Plan Statistical Table. The estimated square footage on the Statistical Table shall be revised only in accordance with the requirements contained in this Chapter. No amendment to these Dana Point Harbor District Regulations and/or the Dana Point Harbor Revitalization Plan shall be required for the purpose of changing the Planning Area acreage and/or estimated amount of square footage of individual land uses provided:

1. The proposed change is consistent with the adopted Dana Point Harbor District Zoning Map and Statistical Summary;
2. The proposed change does not exceed the maximum amount of square footage assigned to any Planning Area; and
3. The change does not result in an increase in the maximum allowable square footage of land uses permitted within Dana Point Harbor in total.

**CHAPTER 17  
HARBOR DISTRICT REGULATIONS  
REVITALIZATION PLAN AND STATISTICAL TABLE  
REGULATIONS AND PROCEDURES**

**Dana Point Harbor Revitalization Plan  
Exhibit 17.1**

**DANA POINT HARBOR REVITALIZATION PLAN STATISTICAL TABLE**

<b>Land Use Category</b>	<b>Planning Area</b>	<b>Gross Acreage</b>	<b>Estimated Square Footage <sup>(1)</sup></b>	<b>Maximum Square Footage</b>
<b>Marine Service</b>	<b>1</b>	<b>25.2</b>		
Dry-Stack Boat Storage Facility - 1			50,000	50,000
-- Offices / Boater Lounge			5,600	5,600
-- Marine Retail Store			9,100	9,100
Boat Yard Building			5,000	5,000
Lighthouse Facility				
-- Lighthouse Tower			500	500
-- Accessory Facilities <sup>(2)</sup>			2,000	2,000
Fuel Dock			750	750
Planning Area 1 Subtotals:			72,950	72,950
<b>Day-Use Commercial</b>	<b>2</b>	<b>18.1</b>		
Boater Service Building 1			4,000	6,800
Catalina Terminal Building			1,000	1,000
Retail / Office			32,000	32,800
Restaurant			75,000	78,400
Planning Area 2 Subtotals:			112,000	119,000
<b>Visitor-Serving Commercial</b>	<b>3</b>	<b>9.5</b>		
Hotel / Motel			136 rooms	220 rooms
-- Function / Meeting			2,000	12,000
-- Restaurant / Food Service			2,750	2,750
-- Accessory Retail			500	500
-- Fitness / Health Center			450	1,500
Boater Service Building 3			3,600	6,600
Boater Service Building 4			5,000	7,000
Planning Area 3 Subtotals:			14,300 <sup>(3)</sup>	30,350 <sup>(3)</sup>
<b>Marine Commercial</b>	<b>4</b>	<b>25.6</b>		
County Sheriff Harbor Patrol			6,000	7,500
Restaurant			10,000	15,000
Dana Point Yacht Club			12,400	18,000
Boater Service Building D			3,600	8,600
Boater Service Building E			3,600	5,600
Boater Service Building F			3,600	5,600
Boater Service Building 5			4,000	6,600
Boater Service Building 6			3,600	6,600
Boater Service Building 7			3,600	6,600
Boater Service Building 8			3,600	6,600
Planning Area 4 Subtotals:			54,000	86,700
<b>Day-Use Recreation</b>	<b>5</b>	<b>21.1</b>		
Youth & Group Facility			11,000	17,000
Boater Service Building A			3,600	5,600
Boater Service Building B			3,600	5,600
Boater Service Building C <sup>(4)</sup>			3,600	5,600
Planning Area 5 Subtotals:			21,800	33,800
<b>Education / Institutional</b>	<b>6</b>	<b>3.6</b>		
Ocean Institute			32,000	32,000
<b>Conservation</b>	<b>7</b>	<b>4.0</b>	N/A	N/A
<b>Education Basin, Marina, Marine Services and Harbor Entrance (Waterside)</b>	<b>8, 9, 10, 11, 12</b>	<b>169.7</b>	N/A	N/A
<b>Total Acreage:</b>		<b>276.8</b>		

NOTES: (1) Estimated Square Footage includes existing buildings to remain  
(2) Accessory facilities as permitted by Chapter 4  
(3) For hotel, square footage subtotal includes ancillary uses only  
(4) Includes the County Harbor Department Headquarters on the upper floor

**17.4 Procedures for Revisions to the Dana Point Harbor Revitalization Plan and Statistical Table**

Revisions to the Dana Point Harbor Revitalization Plan and Statistical Table shall be in accordance with the following procedures, which are intended to assure compliance with the goals and policies of the City of Dana Point General Plan and the California Coastal Act.

1. Any proposed revision to the Dana Point Harbor Revitalization Plan and/or Statistical Table shall be accompanied by a project proposal consisting of a Coastal Development Permit and shall require a public hearing before the City of Dana Point Planning Commission.
2. All revisions to the Dana Point Harbor Revitalization Plan and/or Statistical Table shall be consistent with the Dana Point Harbor District Zoning Statistical Summary and District Zoning Map. Revisions shall be deemed consistent if they meet the requirements of this Chapter.
3. All Planning Area boundary lines and acreages identified on the Dana Point Harbor Revitalization Plan and Statistical Table are estimates based upon the current level of information and mapping. Refinements to the Planning Area boundaries/acreages are expected to occur with future project design and more detailed engineering and mapping. For this reason, Planning Area boundary lines and acreages shown on the Dana Point Harbor Revitalization Plan and Statistical Table may be refined without amendment the body of these District Regulations, when more accurate information becomes available and is submitted with future Coastal Development Permits.
4. Any proposed revision to increase the estimated amount of square footage allocated to any land use in one or more Planning Area(s) shall be offset by a corresponding decrease in another Planning Area(s), so that the maximum amount of square footage for all identified land uses is not exceeded. The location and extent of both increases and decreases in the Harbor area must be included in the Coastal Development Permit application.
5. Any proposed revision to reallocate the allowable square footage and/or acreage assigned from one Planning Area to another Planning Area by more than ten percent (10%) shall require a public hearing pursuant to Chapter II-16, *Discretionary Permits and Procedures*. Revisions of ten percent (10%) or less may be deemed a minor administrative refinement and may be approved by the City of Dana Point Director of Community Development.

6. Unless determined otherwise, the Dana Point Harbor Revitalization Plan and District Regulations document shall serve as the location and record for any future revisions to the Dana Point Harbor Revitalization Plan and Statistical Table, as they may be approved from time to time.