



The Dana Point Harbor Revitalization Plan and District Regulations dated September 2006

This document is being made available by the County of Orange – Dana Point Harbor Department and the City of Dana Point to help facilitate communication regarding proposed future improvements to Dana Point Harbor. The document reflects approvals by each of these agencies as described in their respective actions (provided following the Table of Contents). Prior to the issuance of any permits for the implementation of the improvements shown on the Dana Point Harbor Revitalization Plan, a Local Coastal Program Amendment must be certified by the California Coastal Commission, a process that is currently underway.

Dana Point Harbor Revitalization Plan & District Regulations



City of Dana Point
Community Development Department

September 2006

WEST AND EAST MARINAS
PLANNING AREAS 9 AND 10 REGULATIONS

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 publics 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*.

- 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*.

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PLANNING AREAS 9 AND 10 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.

MARINE SERVICES AND HARBOR ENTRANCE
PLANNING AREAS 11 AND 12 REGULATIONS

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.

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- 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*.
- 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

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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.

OFF-STREET PARKING
STANDARDS AND REGULATIONS

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.

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- b. The maximum grades will generally provide adequate sight 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:

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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.

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- 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:

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| 1. Surface boat storage | 0.25 parking spaces per boat. |
| 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. |

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| 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

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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.

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

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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

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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 building 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)

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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 placed 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 ($3\frac{1}{2}$) 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

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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.

DISCRETIONARY PERMITS AND PROCEDURES

- 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.

DISCRETIONARY PERMITS AND PROCEDURES

- 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.

DISCRETIONARY PERMITS AND PROCEDURES

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 (applicants 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.

DISCRETIONARY PERMITS AND PROCEDURES

- 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.

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- 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.