

5.1 SCOPE

This chapter sets forth the Land Use Plan policies for the Dana Point Harbor, including Marine Services, Day-Use Commercial, Visitor-Serving Commercial, Marine Commercial, Recreation, Education-Institutional and Marinas. These land use and design policies as well as policies related to local roads, infrastructure and other Harbor facilities are intended to guide implementation of the Revitalization Plan components and facilitate the on-going operation of the Harbor.

5.2 POLICIES

1. Develop standards for building intensity, including standards for ground coverage, setbacks, open space/landscaping . . . floor area ratios, size and height restrictions.
2. Establish maximum intensities of development for each of the various land use categories.
3. Assure that land use intensities are consistent with capacities of existing and planned public service facilities. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land uses, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation and visitor-serving land uses shall not be precluded by other development. (Coastal Act Sections 30250, 30254)
4. Work closely with Orange County to plan for the future development within the Harbor area and to assure that additional development is compatible with existing uses and enhances the scenic, recreational and visitor opportunities for the area. (Coastal Act Sections 30220-224, 30233, 30234, 30250, 30252, 30255)
5. The development of unified or clustered commercial centers and neighborhood commercial centers rather than continued development of strip commercial shall be encouraged to minimize significant adverse individual or cumulative impacts on public areas. (Coastal Act Sections 30250, 30252)
6. Require comprehensive analysis and mitigation for any proposed General Plan Amendment to ensure that the amendment will result in a desirable mixture of land uses meeting the social and fiscal needs of the City and its residents.
7. The location and amount of new development should maintain and enhance public access to the coast by facilitating the provision or extension of transit service,

providing non-automobile circulation within the development, providing adequate parking facilities or providing substitute means of serving the development with public transportation and assuring the potential for public transit for high intensity uses. (Coastal Act Section 30252)

8. Consider the impacts on surrounding land uses and infrastructure when reviewing proposals for new development. (Coastal Act Section 30250)
9. The location and amount of new development should maintain and enhance public access to the coast by assuring that the recreational needs of new residents will not overload nearby coastal recreational areas through the correlation of the amount of development with local park acquisition and development plans with the provision of on-site recreational facilities to serve the new development. (Coastal Act Section 30252(6))
10. Oceanfront land that is suitable for coastal dependent aquaculture shall be protected for that use and proposal for aquaculture facilities located on those sites shall be given priority, except over other coastal dependent developments or uses. (Coastal Act Section 30222.5)
11. Require new development to contribute its share of the cost of providing necessary public services and facilities through equitable development fees and exactions. (Coastal Act Section 30250)
12. Consider the constraints of natural and man-made hazards in determining the location, type and intensities of new development. (Coastal Act Sections 30240, 30253)
13. Consider the environmental impacts of development decisions. (Coastal Act Sections 30240, 30241, 30242, 30243 & 30244)
14. Regulate the construction of non-recreational uses on coastal stretches with high predicted storm wave run-up to minimize risk of life and property damage. (Coastal Act Section 30253)
15. Improve public places and recreational facilities as focus points for each community. (Coastal Act Section 30213)
16. Encourage site and building design that takes advantage of the City's excellent climate to maximize indoor-outdoor spatial relationships. (Coastal Act Section 30250)

17. Encourage buildings and exterior spaces that are carefully-scaled to human size and pedestrian activity.
18. Encourage outdoor pedestrian spaces, sidewalks and usable open space in all new development.
19. Promote extensive landscaping in all new projects while emphasizing the use of drought-tolerant plant materials.
20. Encourage aesthetic roof treatment as an important architectural design feature.
21. Consolidate adjacent parking lots, without reducing the number of parking stalls, in order to decrease the number of ingress and egress points onto arterials. (Coastal Act Sections 30210, 30252)
22. Develop design concepts to address marine and light industrial activities. (Coastal Act Section 30260)
23. Encourage design concepts to incorporate the City's coastal influence into site and building design.
24. Site and architectural design shall respond to the natural landform whenever possible to minimize grading and visual impact. (Coastal Act Section 30250)
25. Establish building code, setback, site design and landscaping requirements that assure adequate fire protection to minimize risks to life and property. (Coastal Act Section 30253)
26. Encourage innovative site and building designs and orientation techniques which minimize energy use by taking advantage of sun/shade patterns, prevailing winds, landscaping and building materials.
27. Maintain local legislation to establish, update and implement energy performance building code requirements established under State Title 24 Energy Regulations. (Coastal Act Section 30250)
28. Mitigate the impacts of development on sensitive lands such as, but not limited to, steep slopes, wetlands, cultural resources and environmentally sensitive habitat areas through the development review process. (Coastal Act Sections 30233, 30240, 30244, 30253)

29. New development shall:
 - a. Minimize risks to life and property in areas of high geologic, flood and fire hazard; and
 - b. 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. (Coastal Act Section 30253)
30. The Dana Point Harbor Revitalization Project promotes a new Commercial Core area through the replacement and/or remodeling of all existing retail and restaurant buildings, reconfiguration of all existing surface parking areas to provide additional parking, adding new boater loading and drop-off areas, providing a new dry-stack boat storage facility and improvements to several boater service and public restroom buildings.
31. Dana Point Harbor Revitalization Plan improvements will be implemented in two main phases over approximately 5 to 20 years. The near-term improvements, including the renovation of the Commercial Core and Marine Services areas once commenced are estimated to take between 2 and 5 years to complete and long-term improvements (outside Planning Areas 1 and 2) will be implemented as funding sources are identified and jurisdictional approvals obtained.
32. The Dana Point Harbor 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.
33. New development shall be sited and designed on the most suitable portion of the site while ensuring protection and preservation of natural and sensitive site resources by providing for the following:
 - Protecting areas that provide important water quality benefits, areas necessary to maintain riparian and aquatic biota and/or that are susceptible to erosion and sediment loss;
 - Analyzing the natural resources and hazardous constraints of planning areas and individual development sites to determine locations most suitable for development;
 - Promoting clustering of development on the most suitable portions of a site taking into account geologic constraints, sensitive resources and natural drainage features;

- Preserving and protecting riparian corridors, wetlands and buffer zones;
- Minimizing disturbance of natural areas, including significant trees, native vegetation and root structures;
- Using natural drainage as a design element, maximizing the preservation of natural contours and native vegetation; and
- Limiting land disturbance activities such as clearing and grading, limiting cut-and-fill to reduce erosion and sediment loss and avoiding steep slopes, unstable areas and erosive soils.

5.2.1 Marine Services Policies

1. Facilities serving the commercial fishing and recreational boating industries shall be protected and where feasible, upgraded. 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)
2. Renovation of the southern portion of the Marine Services area of the Harbor (southern portion of Planning Area 1) may include reconfiguration of the areas presently used for non-shipyard related activities such as boat storage, boat brokerages, jet-ski rentals and sales and kayak rentals to include a future mast-up boat storage area and a lighthouse facility proposed to be located at the terminus of Puerto Place.
3. To provide enhancements to boater facilities and services in the northwest portion of the Marine Services Area (Planning Area 1) includes construction of one (1) dry stack boat storage facility building with a capacity to store up to 400 boats generally ranging in size from 20 to 40 feet. Other services include up to 5,600 sq. ft. of new offices, a boater lounge area, a hoist, boat maintenance area, reconfiguration of the wet slip staging area and other boat maintenance and support space.
4. A material disposal station shall be installed in the Marine Commercial area (Planning Area 4) to facilitate boater drop-off of materials such as bilge pads.

5.2.2 Visitor-Serving Policies

1. Future visitor-serving facilities will be located in those areas designated as tourist recreation/commercial by the Land Use Plan.

2. Harbor visitor-serving and overnight accommodations (Planning Area 3) will be enhanced by potential replacement and/or remodeling of the Marina Hotel complex to include conference and recreational facilities in addition to providing up to 220 new guest rooms and amenities.
3. Renovation of the Marine Commercial area (Planning Area 4) may include the potential expansion of the yacht clubs, restaurant upgrades and modifications to the Harbor Patrol offices to provide additional meeting rooms and staff office space.
4. Public access and views of the waterfront shall be enhanced through the creation of a large, centralized outdoor Festival Plaza (approximately 35,000 sq. ft.), located at the southern terminus of the Street of the Golden Lantern that provides a combination of landscaping, special paving and informal seating opportunities, serving as a central gathering place for events, activities and celebrations.
5. The Commercial Core area shall include a Pedestrian Promenade, located immediately adjacent to the waterfront and extending from Casitas Place to Dana Wharf that will vary in width from 15- to 50-feet.
6. Design of the Commercial Core buildings and facilities shall improve the water orientation of these visitor-serving land uses through the integration with the Festival Plaza, the Pedestrian Promenade and the merchants located on Dana Wharf.
7. As a part of the Revitalization Plan, commercial and restaurant uses will be integrated into a two-level podium structure, with parking and waterfront retail uses on the bottom level and restaurant facilities and additional parking on the second level.
10. The two-level parking deck in the Commercial Core area is designed to provide direct access from the Street of the Golden Lantern and the lower level is accessed from both Street of the Golden Lantern and the adjacent Harbor surface parking areas.
11. The design of the renovated or new Marina Hotel in addition to traditional guest accommodations will encourage longer stays, particularly for families with children by providing up to 20% of the total number of rooms with guest amenities in addition to a bedroom, that include a living area, dining room, kitchen, clothes washers and dryers.
12. Some hotel rooms may provide accommodations for larger groups by offering connections to adjoining rooms, allowing multiple bedroom suites.

13. The design of hotel rooms will include the use of private decks or balconies wherever possible to allow guests to take advantage of the Harbor views and enjoy the oceanfront climate.
14. The design of the hotel will be compatible with the California Coastal design theme of the Commercial Core area and terraced levels of buildings in various configurations to maximize views and break up building massing as viewed from the surrounding vantage points shall be encouraged as part of the design.
15. The hotel building design shall emphasize providing adequate parking for guests and maintaining convenient access to parking areas for boaters.
16. A parking deck with access directly from Dana Point Harbor Drive, Casitas Place or the Commercial Core area may be considered as part of the overall hotel design to separate the main guest entrances from service and delivery functions.

5.2.3 Education-Intuitiional Policies

1. Consider the need for multipurpose meeting rooms and space for community events.
2. Assess the cultural facilities needs for the City, including the need to expand existing facilities.

5.2.4 Infrastructure Policies

1. New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the certified Local Coastal Program. Special districts which include the coastal zone shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with the City of Dana Point certified Local Coastal Program. (Coastal Act Section 30254)
2. Work closely with local-serving water and sewer districts in determining future area needs. (Coastal Act Sections 30250, 30255, 30254)
3. Encourage the use of drought resistant landscaping to reduce overall water use.
4. Support pubic education programs for water conservation.

5. Support the appropriate regional agencies in developing and utilizing reclaimed water facilities.
6. Support the efforts of water and sewer agencies to encourage recycling of wastes and proper disposal of household wastes and waste oil.
7. Evaluate the varying levels of service provided by the water and sewer districts serving the City and support increased coordination among these districts in order to provide consistent service levels.
8. Encourage and support water and sewer districts in the effective management of their revenue resources to ensure equitable service throughout the City.
9. Identify local storm drainage deficiencies and develop a capital improvements program for the correction and replacement of aging or inadequate drainage system components. (Coastal Act Sections 30233, 30235, 30236, 30253)
10. Work with the Orange County Flood Control District in ensuring the adequacy of regional storm drainage facilities. (Coastal Act Sections 30235, 30236, 30253)
11. Periodically evaluate services and service criteria to ensure the City has adequate police, fire and emergency medical services. (Coastal Act Section 30254)
12. Coordinate with the Orange County Sheriff's Department and Orange County Fire Authority for the continued provision of adequate law enforcement and fire protection.

5.3 PROJECT DESIGN FEATURES AND REQUIREMENTS

1. The Dana Point Harbor is not located within the very high fire hazard severity zone per the Orange County Fire Authority (OCFA) maps. However, exposed building construction shall meet all requirements for exposed sides, per OCFA requirements. Additionally, automatic sprinklers shall be provided in all applicable structures, per OCFA requirements.
2. New utilities will be located underground to the extent feasible as part of the Harbor Revitalization Plan improvements. Utility undergrounding activities will be coordinated with the utility providers to ensure that service to adjoining utility customers is not interrupted.

3. Interior and exterior water conservation measures will be incorporated into all Harbor projects as development occurs. Measures will include (but are not limited to) low-flush toilets, low-flow faucets and the installation of efficient irrigation systems to minimize runoff and evaporation.
4. A study of Life Safety and Evacuation shall be conducted for Planning Area 4 to ensure that adequate evacuation can occur should the Island bridge become incapacitated.
5. The Dana Point Harbor Department shall confirm the following items are included as part of the Revitalization Plan design:
 - All applicable building plans shall indicate by note that the interior fire sprinkler system is required for the structure(s). Plans for the fire sprinkler systems shall be submitted for review and approval by the Fire Chief.
 - A supervised fire alarm system with an annunciator, per the requirements of the California Fire Code shall be installed in an accessible location.
 - Access to and around all structures shall meet the OCFA and California Fire Code requirements.
 - A water supply system to supply fire hydrants and automatic fire sprinkler systems shall be installed.
 - Turning radii and access in and around the Harbor and other facilities shall be designed to accommodate large fire department vehicles and their weight.
 - Emergency access shall be maintained during construction.
 - All service roads and fire lanes, as determined by the Fire Chief shall be posted and marked accordingly.
6. Construction shall not block the main navigational channels of the Harbor (Planning Areas 8 through 12).
7. 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, alternative routes and clear directional signage will be provided.
8. Access to the Marine Services areas shall be maintained during all construction phases. A Construction Management Plan shall be prepared identifying the configuration of construction staging areas, temporary access routes and parking areas and will be submitted with development permit applications.
9. A comprehensive signage program for public access shall be implemented in conjunction with the construction of the Commercial Core area and subsequent

Planning Areas within the Harbor to inform the public of the availability of and provide direction to public parking areas, coastal access and on-site recreational amenities.

5.4 COASTAL ACT CONSISTENCY

Coastal Act §30250 provides, in part:

New residential, commercial or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

Coastal Act §30007.5 provides:

The Legislature further finds and recognizes that conflicts may occur between one or more policies of the division. The Legislature therefore declares that in carrying out the provisions of this division such conflicts be resolved in a manner which on balance is the most protective of significant coastal resources. In this context, the Legislature declares that broader policies which, for example, serve to concentrate development in close proximity to urban and employment center may be more protective, overall than specific wildlife habitat and other similar resource practices.

The Dana Point Harbor Revitalization Project (Revitalization Plan) establishes a Commercial Core that includes the replacement and/or remodeling of all existing retail and restaurant buildings. The Commercial Core revitalization (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 Dana Point Harbor Revitalization Plan will provide for the relocation of several yacht brokerage firms and other harbor-related offices uses to the Commercial Core area.

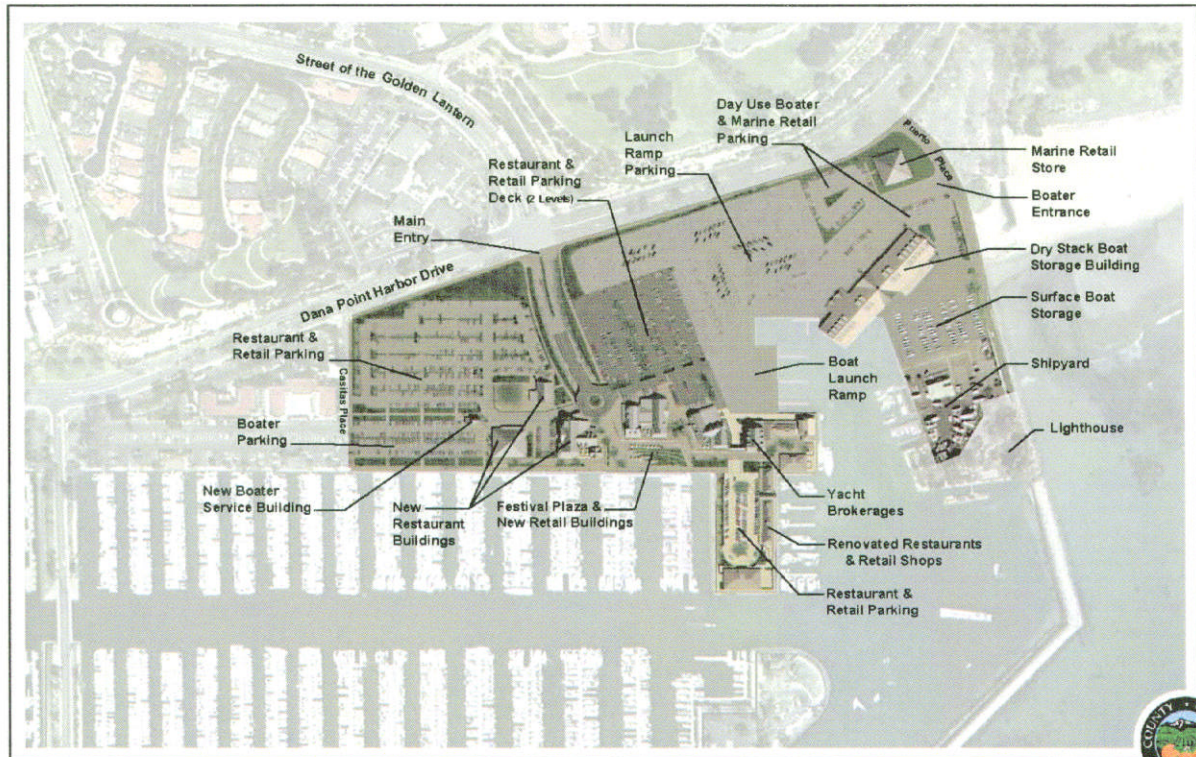
Outside the Commercial Core area (Phase II), the Revitalization Plan provides for a number of future improvements as sources of funding are identified in the future. Plans for the Island (Planning Area 4) allow for the future renovation and/or expansion of the Dana Point and Dana West Yacht Clubs, restaurant 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.

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 development to be located in 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 5-1, *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.



Dana Point Harbor
REVITALIZATION PLAN & DISTRICT REGULATIONS
Supplemental Text

COMMERCIAL CORE AREA IMPROVEMENTS

Exhibit 5-1



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.



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