

**CITY OF DANA POINT
AGENDA REPORT**

Reviewed By:	
DH	<u>X</u>
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CA	—

DATE: NOVEMBER 18, 2014

TO: CITY MANAGER/CITY COUNCIL

FROM: URSULA LUNA-REYNOSA, DIRECTOR OF COMMUNITY DEVELOPMENT

SUBJECT: HEARING ON AMENDMENTS TO COASTAL DEVELOPMENT PERMIT CDP13-0018 FOR DEVELOPMENT OTHERWISE REFERRED TO AS THE DANA POINT HARBOR COMMERCIAL CORE PROJECT, A PARKING MANAGEMENT PLAN, A MASTER SIGN PROGRAM AND APPROVALS IN CONCEPT FOR DANA POINT HARBOR.

RECOMMENDED ACTION: That the City Council conduct a Public Hearing and adopt a Resolution for approval entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING COASTAL DEVELOPMENT PERMIT CDP13-0018(I), AMENDING COASTAL DEVELOPMENT PERMIT CDP13-0018 FOR DEVELOPMENT OTHERWISE REFERRED TO AS THE DANA POINT HARBOR COMMERCIAL CORE PROJECT, A PARKING MANAGEMENT PROGRAM, A MASTER SIGN PROGRAM AND APPROVALS IN CONCEPT.

BACKGROUND: The project applicant, OC Dana Point Harbor, County of Orange, submitted a request for approval of a Coastal Development Permit (CDP) for the development, otherwise known as the Commercial Core Project (Project), to allow for the phased demolition of existing commercial and boater support facilities, renovation and/or construction of new retail/restaurant/office space for a total of 31,949 sq. ft. of retail uses, 12,309 sq. ft. of office-related uses, 77,178 sq. ft. of restaurant (with an additional 13,822 sq. ft. of outdoor dining areas), 2-level parking deck, open Festival Plaza area and Dry Stack Boat Storage Building. Site improvements also include circulation/street/parking area reconfigurations, installation of two new traffic signals, crosswalks and infrastructure improvements, relocation of the existing South Coast Water District Sewer Lift Station and telecommunications/SONGS towers. The Project is concurrently being processed with a Parking Management Program and Master Sign Program.

A duly noticed public hearing was held by the Planning Commission on May 12, 2014. At the hearing, after taking public testimony from 21 speakers, the Planning Commission voted 4-1 to approve the Coastal Development Permit subject to nine (9)

findings and fifty-three (53) conditions of approval. Planning Commission Resolution No. 14-05-12-21 was adopted approving the requested Project. On May 27, 2014, Bruce Heyman, the "Appellant" filed an appeal of the Planning Commission approval action. Since the Appellant's letter did not specifically cite the basis of the appeal, including how the Appellant is negatively impacted by the Planning Commission determination, it was necessary for City staff to address issues identified in letters submitted as part of the correspondence provided to the Commissioners on the day of the Planning Commission's public hearing for the Project.

A duly noticed public hearing was held by the City Council on June 17, 2014 to consider the appeal of the Planning Commission's approval of the Dana Point Harbor Revitalization Commercial Core Project CDP (CDP13-0018). At the hearing, after taking public testimony from Erin Meluso, speaking on behalf of the Appellant and 20 other speakers, the City Council unanimously adopted Resolution No. 14-06-17-06 upholding the Planning Commission's approval of CDP13-0018.

Following the action by the City Council, a Notice of Final Action related to the City Council's action on the CDP, as required by both the Coastal Act and City's Local Coastal Program (LCP), was submitted to the Long Beach office of the California Coastal Commission on June 19, 2014, along with copies of the City Council Agenda Report for June 17, 2014, adopted Resolution No. 14-06-17-06 and approved Minutes (sent under separate cover on July 2, 2014) (Supporting Documents D, G, and H). A Notification of Appeal Period was provided to the City by Coastal Commission staff, dated June 26, 2014, indicating an expiration of the appeal period on July 8, 2014.

A subsequent appeal was filed by the Appellant (Supporting Document B) on June 27, 2014 at the offices of the California Coastal Commission in Long Beach for the following stated reasons:

- The Harbor Implementation Plan requires 493 dry boat spaces be maintained in Planning Area 1 at all times;
- City's approval does not adequately address submittal requirements for the Dry Stack Boat Storage Building CDP application to the Coastal Commission;
- The Baseline Analysis to establish current levels of recreational boating resources as a basis for the Transportation Management Plan includes material errors and omissions; and
- Building heights within the Commercial Core do not conform to the building heights character of the community.

It should be noted that the points raised as part of the Coastal Commission appeal are identical to the points contained in the letters previously submitted by the Appellant to the Planning Commission at their May 12, 2014, public hearing for the Project. Those same points were again repeated in the Appellant's letter appealing the City Planning Commission's approval, and subsequently considered and unanimously rejected by the City Council at their June 17, 2014 hearing.

Following, and unrelated to the appeal filed by the Appellant, a separate appeal (A-5-DPT-14-0036) was filed on behalf of Coastal Commissioners Mary Shallenberger and Dr. Robert Garcia on July 8, 2014 (collectively, the "Coastal Appellant", attached as Supporting Document C). Areas of concern identified in the appeal prepared by Coastal Commission staff on behalf of the Coastal Appellant include:

- The approval does not provide a discussion of how the proposed Commercial Core building heights will protect and enhance significant coastal public views from scenic viewpoints and that community character of the area is preserved;
- Project design does not preserve adequate land area to provide the minimum 493 dry boat storage spaces should the future Dry Boat Storage facility not be constructed;
- The Shoreline Management Plan and Wave Uprush Analysis as submitted fails to adequately address design and operational measures incorporated into the Project to protect coastal resources from future impacts associated with flooding, sea-level rise and storm surge;
- A comprehensive sign program was not prepared for the entire Harbor; and
- A Parking Management Plan was not provided for Coastal staff's review of the CDP.

Subsequent to the filing of the appeals, OC Dana Point Harbor and City staff met with Coastal Commission staff to review the Commercial Core Project and pertinent Coastal Act Policies. Discussions with Commission staff revealed that additional project findings, minor plan design changes and supplemental information needed to be included in several of the technical studies prepared as part of the project analysis in order for the Coastal Commission to determine that no substantial issue(s) exist with the City's approvals. In addition to clarifications provided in the Agenda Report to demonstrate consistency with specific policy and development regulations in the City's Harbor LCP, several revisions have been incorporated into the Project documentation to address specific comments provided by Coastal Commission staff and include:

- A *Dana Point Harbor Boat Launch Ramp Parking – Summer, Weekends and Holiday Utilization Report* (Exhibit 2) has been prepared to demonstrate the proposed design of the boat launch ramp parking area as previously approved by the City satisfies current and future demand for parking vehicles with trailers and meets or exceeds the Department of Boating and Waterways size guidelines.
- To ensure the timely construction of the Dry Stack Boat Storage Building and associated infrastructure improvements, the *Commercial Core Project Implementation Phasing Schedule* (Exhibit 3) has been updated to include project processing (submittal of a separate CDP application for Coastal Commission approval) and construction milestones (submittal of

construction plans for plan check review). Conditions of approval numbers 55 and 56 (indicated in underlined, boldface type) have been added to the Draft Amendment Resolution to further ensure these milestones are addressed.

- To ensure the capacity to provide dry storage for a minimum of 493 boats in the event that presently unforeseen reasons preclude the construction of the Dry Stack Boat Storage Building, an alternative plan that includes the storage of boats using a 3-level outdoor rack system is proposed (Exhibit 4). The plan maintains the current launch ramp design and utilizes a portion of the Puerto Place Lot for dry boat storage in addition to continuing to provide vehicle parking (eliminates 43 vehicle spaces, resulting in a surplus of 79 parking spaces in Parking Zone I, overall).
- The Preliminary Shoreline Management Plan and Wave Uprush Analysis have been revised to include analysis of potential future shoreline hazards (including inundation) associated with projected sea level rise, tsunamis and storm surges. Condition of approval number 54 (indicated in underlined, boldface type) has been included to require the preparation of an updated Shoreline Management Plan with assessments of seasonal and long-term shoreline changes and incorporating any new regulations and/or management practices to reduce the risks of flooding and inundation.

Pursuant to Section 9.69.030(b) of the Dana Point Zoning Code, the Planning Commission, at their August 11, 2014 hearing, referred any required amendments to the Commercial Core Project CDP13-0018 to the City Council, the last City body to take action on the Project.

These amendments to the City Council's approval of CDP13-0018 were scheduled to be considered by the council at a duly noticed public hearing on October 7, 2014. At the request of the applicant, the City Council continued the public hearing to the meeting of November 18, 2014 (Supporting Document I).

DISCUSSION: After the Coastal Commission certifies a Local Coastal Program (LCP), the authority to issue Coastal Development Permits (CDPs) for new development not in the Commission's original permit jurisdiction is delegated to the local government which in the case of the Dana Point Harbor, authority is delegated to the City of Dana Point. Development authorized by a local CDP must be determined to be consistent with the policies and standards of the City's certified LCP, however the Coastal Commission retains an on-going appellate oversight role to assure the effective implementation of LCPs with respect to issues of statewide concern under the Coastal Act. Coastal Act Section 30625 allows for the appeal of local CDPs to the Coastal Commission by a permit applicant, any aggrieved person or any two members of the Commission. Pursuant to Coastal Act Section 30603(b), the grounds for an appeal pursuant to Section 30603(a) are limited to allegations that the development does not conform to the standards set forth in the certified LCP or the public access policies set forth in the

Coastal Act. In the event an appeal is filed with the Commission, the local approval of the CDP is stayed pending a decision by the Commission on the appeal. The Coastal Act also establishes a presumption that an appeal should be heard by the Commission unless a determination that “no substantial issue exists” with respect to the grounds for which the appeal was filed (14 CCR 13115).

The staff reports, including all attachments, that were presented to the Planning Commission and subsequently to the City Council on appeal for consideration of the original Coastal Development Permit (CDP13-0018) application is included as Supporting Document D. The staff reports contain additional details and analysis regarding the Project and the Appellant’s documented reasons for the appeal. Correspondences received subsequent to the release of staff reports but prior to or at both the Planning Commission and City Council public hearings regarding the project are also included as Supporting Documents E and F.

The following text specifically addresses concerns that were raised by the Appellant, the Coastal Appellant, or both, and provides further clarification to how the Project complies with the policies and implementing provisions of the City’s Harbor LCP and Chapter 3 of the California Coastal Act:

1. PRESERVATION OF PUBLIC VIEWS: The Coastal Act places emphasis on the preservation of coastal views as a public resource by stating in Section 30251:

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 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.

As stated in the findings adopted by the Orange County Board of Supervisors for the certification of FEIR No. 591 (FEIR), the proposed Commercial Core Project “will result in significant and unavoidable long-term off-site aesthetic impacts due to the development of the Dry Stack Boat Storage Building which would obstruct views from surrounding roadways, parks and State Beaches.” The FEIR also described that project design features (PDFs) have been incorporated into the proposed Project to reduce the long-term impacts. These design features include the preservation of views of the bluff areas by restricting any buildings from being located immediately adjacent to the bluffs; the planting of trees in the Harbor to provide a visually soft and natural backdrop while framing and protecting significant public view opportunities; the realignment of Street of the Golden Lantern to provide a viewshed to the Harbor; and the consolidation of commercial uses to provide new views of the marina areas and ocean not presently

available from certain public vantage points. The FEIR further concluded that no feasible mitigation measures or project alternatives could be implemented to fully avoid or reduce these impacts while continuing to meet the Project's goals of maintaining the Harbor's current character and family atmosphere, renovating and maintaining the Harbor's appearance; maintaining a full-service Harbor; providing better utilization of parking spaces; and providing significantly more parking in the Commercial Core area of the Harbor.

The impacts on the aesthetic character of the Commercial Core Project, caused by grading, building construction and landscape removal were analyzed as part of the aesthetics analysis in Final EIR No. 591 (Section 4.2, pages 4.2-1 through 4.2-86). An evaluation of the effects on public scenic views and compatibility of the Project with adjacent local aesthetic resources was included using photographic simulations, verified using story poles to show a conceptual representation of the views "before" and "after" project implementation. In total, 9 views were selected from a variety of locations and angles to depict the Project. The same vantage points were also reevaluated as part of the Commercial Core Project CDP application to determine if any substantial changes occurred as a result of refinements to the design of the Project with the preparation of more detailed design and engineering plans.

The following provides an analysis of the policies in the City's Harbor LCP (Land Use Plan Part I) intended to implement Coastal Act Section 302251 to preserve public views:

Public Access and Recreation Policy I-6.1.1-10 states that:

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.) and 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.

As shown on Sheets A-02, A-03, A-04, A-08 & A-09 (Exhibit 8, Tab One) and Sheets L-3 & L-5 (Exhibit 8, Tab Three), the Commercial Core Project has been designed with a large, landscaped Festival Plaza located at the water's edge that includes the required amenities including a direct link to the terminus of the Street of the Golden Lantern, incorporation of view overlook opportunities and connected pedestrian pathways throughout the Commercial Core Project to satisfy this policy requirement.

Development Policies I-8.2.1-7 and I-8.5.2-2 (duplicate) state that:

The design and layout of the future development shall be consistent with the approved Land Use Plan and preserve views of the bluff area.

As depicted on the Dana Point Harbor Revitalization Plan (Harbor LCP Land Use Plan Part I, Exhibit 17.1), the Commercial Core Project has been designed to be in substantial conformance with the development principals contemplated by the certified LCP, including locating all proposed new structures (commercial buildings and the Dry

Stack Boat Storage Building) immediately adjacent to the waterfront and thereby maintaining significant setbacks from the coastal bluff area, an important coastal resource.

Development Policy I-8.4.1-2 states that:

Ensure development within designated and proposed scenic corridors are compatible with scenic enhancement and preservation and shall not significantly impact public views through these corridors. (Coastal Act Section 30251)

A View Analysis based on the placement of story poles was conducted and included as part of the Commercial Core Project CDP application (Exhibit 8, Tabs Seven & Eight, respectively) that confirmed the current project design is consistent with the coastal resource policies of the Dana Point Harbor Revitalization Plan and District Regulations (Harbor LPC) and the findings adopted for certification of FEIR No. 591 pertaining to the analysis of primary and secondary views depicted on the Harbor LCP Land Use Plan Part I, Exhibit 8-1, *Dana Point Harbor View Corridors*. The analysis provides graphic depictions showing a before and after comparison indicating how the proposed project site and architectural design responds to the natural landform by minimizing grading and visual impacts; avoids the appearance of long and continuous structures by providing open space areas, setbacks from public walkways, varied roof treatments and staggered building facades; and promotes the architectural character of a California Coastal design theme. Additionally, as contemplated by the City's Harbor LCP, the Project provides for the realignment of Street of the Golden Lantern to provide additional public views to the Harbor and the consolidation of commercial uses to provide enhanced views of the marina areas and ocean not presently available. The View Analysis demonstrates that with implementation of landscape design for the proposed Project, existing trees will be removed and replaced with tree species of a more appropriate vertical scale and location to enhance public views of the Harbor Marinas and Pacific Ocean.

Development Policy I-8.4.1-3 states that:

Site and architectural design shall respond to the natural landform whenever possible to minimize grading and visual impact. (Coastal Act Section 30250)

As shown on Sheets C-2A through C-2C (Exhibit 8, Tab Two) the majority of grades throughout the Commercial Core Project area will remain essentially the same as existing grades with only minor cuts and fills generally ranging between a few inches to as much as 1 to 2 feet. Some site improvements will however require more significant earthwork to create suitable pads for the proposed commercial buildings and the parking deck. New Buildings 10 and 12 will require fills up to 1 foot and cuts up to 5 feet and Building 11 will require fills up to 3 feet. The proposed parking deck will require cuts of approximately 2 to 4 feet to allow at grade access from adjoining surface parking areas and Dana Wharf to the lower level of the deck. Total earthwork for all proposed construction phases is approximately 58,400 cubic yards of cut and 16,700 cubic yards of fill for the 37.7 acre Project site.

Development Policy I-8.4.1-6 states that:

The planting of trees within new development will provide a visually soft and natural backdrop while framing and protecting significant public view opportunities.

As shown on Sheets L-1 through L-12 (Exhibit 8, Tab Three) the landscape design for the Commercial Core considers a 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. Tree removal and mitigation (minimum 1:1 replacement) plans (Exhibit 8, Tab Three, Sheets L-13 and L-14) have also been prepared to replace existing trees (approximately 62% are various species of Eucalypts trees) with tree species of a more suitable vertical scale and that are more sensitive to preserving both public views and view considerations received from surrounding residents.

Development Policies I-8.5.1-1 and I-8.5.1-2 state that:

New building architecture shall encourage irregular massing of structures; and Building massing should be asymmetrical and irregular with offsets in plan, section and roof profile.

As shown on Sheets A-07, A-11, A-12, A-13, A-14, A-17, A-18 & A-19 for the Commercial Core and Sheet A-24 for the Dry Stack Boat Storage Building (Exhibit 8, Tab One), all structures have been designed with irregular building facades and varying roof heights to reduce the effects of building massing in conformance with these policy requirements.

Development Policy I-8.5.1-3 states that:

All new development in the Harbor shall not exceed a maximum building height of thirty-five (35) feet; exceptions to the 35-foot height limit include the following:

- *Dry Stack Boat Storage Building in the Marine Services Commercial area (Planning Area 1) shall have a maximum building height of sixty-five (65) feet;*
- *Commercial Core area (Planning Area 2) buildings fronting the Festival Plaza or structures fronting the East Marina Boat Basin (Planning Area 10) shall be a maximum of sixty (60) feet high;*
- *Visitor-Serving Commercial (Planning Area 3) building(s) shall have a maximum height of fifty (50) feet;*
- *Elevators, appropriately screened mechanical units and chimneys that do not exceed the ten percent (10%) of the total roof area for all new and existing/remodeled structures, should conform to the applicable height limit, but may exceed that height limit by no more than five (5) additional feet.*

These heights are only allowed to the extent that significant coastal public views through scenic corridors and from scenic viewpoints are protected and enhanced. The height of the buildings, excluding the dry stack storage building, should be consistent with the community character. The limitations on height of

the Marine Services Commercial area (Planning Area 1) shall not apply to shipyard cranes and/or other equipment necessary to provide for boat maintenance and repair.

As shown on Sheets A-15, A-16, A-18, A-19, A-20 for the Commercial Core buildings and Sheet A-25 for the Dry Stack Boat Storage Building (Exhibit 8, Tab One), all proposed structures are less than the maximum allowable building heights, except for the proposed Dry Stack Boat Storage Building, planned at the maximum permitted building height for Planning Area 1 of 65 feet (with exceptions). All Commercial Core buildings that are located fronting the Festival Plaza have been integrated into the design of the podium structure and have been designed to incorporate architectural design features as required for exceptions to building heights (up to 60 feet) in conformance with the City's Harbor LCP Part II District Regulations, Development Standards and Requirements, Sections II-4.5 and II-5.5. All other Commercial Core buildings (not part of the podium structure) do not exceed the 35 foot maximum allowable height limit, as measured from finished grade.

Development Policy I-8.5.1-4 states that:

The appearance of long, continuous row structures shall be avoided through the provision of open spaces, setbacks from public walkways, varied roof treatments, staggered, stepped-back exterior building facades and incorporation of a variety of building designs, materials and colors.

The Commercial Core Project has been designed to avoid the appearance of continuous building facades through the incorporation of architectural features as depicted on Sheets A-04, A-06, A-08, A-09, A-11 through A-19 for the Commercial Core buildings, Sheet A-24 for the Dry Stack Boat Storage Building and Sheets A-26 through A-30 for the remodeling of existing buildings on Dana Wharf (Exhibit 8, Tab One) in conformance with these policy requirements. A colors and materials board is provided (Exhibit 8, Tab One, last page for color/materials pallet). Variations in colors and materials for individual tenant spaces are intended to provide opportunities to create individualized store frontages and unique identities for individual businesses throughout the Commercial Core. The proposed Sign Program also provides opportunities for businesses to combine different signage options and locations to further create a unique identity.

Harbor LCP Part II District Regulations (Chapter II-3) also includes General Regulation 8 that is specific to maintaining the objective to integrate new Harbor Revitalization projects into the character of the community.

All new buildings in the Harbor shall be consistent with the character of the community in architectural form, bulk and height of the community, including other structures located within one-half (½) mile of the Dana Point Harbor LCP boundary. New development within the Harbor shall provide a scale and setting for retail merchants and restaurants that encourages pedestrian opportunities

through the use of widened sidewalks, outdoor plazas, promenades, courtyards and landscape design. Long, continuous row structures shall be avoided through the provision of open spaces, setbacks from public walkways, varied roof treatments, staggered and stepped-back exterior building facades and the incorporation of a variety of building designs, materials and colors.

The architectural features of buildings, including building style, materials and the height of the structures are some of the important considerations in determining compatibility with the surrounding community character. The *Building Heights Within 0.5 Mile of Dana Point Harbor Exhibit* (Exhibit 5) depicts existing structures surrounding the Harbor and their heights. As indicated on the Exhibit, 13 structures presently exist within 0.5 mile of the Harbor boundary, ranging in height between 42 and 55 feet. By comparison, there are 5 new structures proposed as part of the Harbor Commercial Core Project that exceed the base height limit of 35 feet, 1 building (the Dry Stack Boat Storage Building) is proposed at the maximum building height of 65 feet for Planning Area 1 and all others are at or below the maximum building height of 35 ft. or the allowable exception of 60 ft. if the building is connected to the parking deck podium structure. The exception, as allowed by the City's Harbor LCP Part II District Regulations, Section II-5.5 for Planning Area 2 requires incorporating architectural design features, public view preservation features and limiting habitable building square footage to areas of the building below 40 feet (as measured from finished grade). The proposed structures have been determined to be in compliance with these requirements.

PRESERVATION OF PUBLIC VIEWS ANALYSIS: The Dana Point Harbor Revitalization Commercial Core Project is proposed to consist of a combination of existing and new buildings, either grouped around a pedestrian scaled plaza or "Festival Plaza" or linked together by a Pedestrian Promenade. Buildings are located in a manner that shelters the courtyards from westerly winds while acting as a transitional open space between larger open areas, such as the Festival Plaza and several interior courtyard areas. Generally, the buildings have been designed to share a common color palette of cool colors, mixed with brighter accents and contrasting decorative trim elements. The building exterior finishes share many materials that are combined in various ways, including clapboard, shingle, stone trim, plaster and stucco to provide compatible exterior facades throughout the Commercial Core area (Exhibit 8, Tab One, last page for color/materials pallet).

As shown on the architectural plans for the Project (Exhibit 8, Tab One, Sheets A-02 through A-19), through the use of architectural and urban design elements, such as variable roof pitches, use of common pedestrian paths and stairways connecting outdoor courtyards, the proposed buildings present a varied yet unified village appearance. As compared to the existing condition, the new Commercial Core buildings will also be located closer to Dana Wharf to create a stronger pedestrian link with the existing buildings that will remain in the Dana Wharf area (Exhibit 8, Tab One, Sheets A-02 through A-17).

In conformance with the Harbor LCP Part II District Regulations, Development Standards and Requirements, Section II-5.5 for Day Use Commercial Planning Area 2, commercial buildings with orientations connecting the two level parking deck and the Festival Plaza have been designed with varying roof heights and some asymmetry of the exterior walls. These features reduce the perceived height and bulk of the structures by segmenting the buildings massing into smaller parts, primarily on the second level. As specifically indicated on Sheet A-10 (see Exhibit 8, Tab One), the design of Buildings 7, 8 and 9 provide for the following percentages of building roof heights in compliance with the City's Harbor LCP Part II District Regulations, Development Standards and Requirements, Section II-5.5:

Building	Total Roof Area (sq. ft.)	Roof Area (sq. ft.) Exceeding 40 ft.	Roof Area (sq. ft.) Exceeding 50 ft.	Maximum Allowed Building Height
7	9,915	4,730 (47.7%)	1,140 (11.4%)	Above 40 ft. ≤ 50% total roof area Above 50 ft. ≤ 25% total roof area
8	16,042	7,490 (46.6%)	1,055 (6.5%)	
9	11,723	5,692 (48.6%)	2,420 (20.6%)	

To limit the potential of expansion of usable square footage above two floors in the Day Use Commercial Planning Area 2, the City's Harbor LCP Part II District Regulations, Development Standards and Requirements provision II-5.5 c) 4) requires that any additional height above 40 ft. (as measured from finished grade) only be used for the purpose of integrating architectural features (i.e., sloped roofs, dormers, etc.) into the building design and not to provide additional gross floor area. As shown on the architectural Building Height Sections (Exhibit 8, Tab One, Sheets A-15, A-16 and A-18), all usable square footage with structures associated with the parking deck podium are located below the required maximum 40 foot building height limit. The following summary provides the designed heights of each floor of Commercial Core Buildings 6, 7, 8 and 9:

Building No.	Finish Grade Elevation	Level 2 Floor Height	Level 3 Floor Height	Designed Building Height	Maximum Building Height
6	+8'-0" MSL	19'-6"	32'-0"	56'-0"	60'-0"
7	+10'-0" MSL	17'-0"	--	52'-5"	60'-0"
8	+10'-0" MSL	17'-0"	--	54'-7"	60'-0"
9	+10'-0" MSL	17'-0"	30'-0"	58'-4"	60'-0"

As indicated in both the summary above and as shown on the Project architectural plans, both Building 6 (previously referenced in the City's Harbor LCP as Conceptual Building 4) and Building 9 include architectural design features that provide for a third level of usable floor area below the 40 ft. height limitation threshold. For Building 6, Planning Area 2 Development Standards (Section II-5.5 c) 5) provides a special building height exception that allows usable floor area above the 40 ft. height limit if the building footprint is less than 5,000 sq. ft. and the majority of the upper level is used to

accommodate a “harbor-wide view for purposes of harbor-related safety operations”. In the case of Building 6, the third floor is planned as the OC Dana Point Harbor Operations Offices as was contemplated at the time of Harbor LCP certification by the Coastal Commission to provide County staff with a unobstructed vantage point to oversee operations necessary to protect public safety. For Commercial Core Building 9, the design includes a first level with 2,504 sq. ft. of restaurant and 7,533 sq. ft. of retail space and a second level with 8,805 sq. ft. of restaurant and an additional 2,246 sq. ft. mezzanine space occupying a third level. As shown on Sheet A-15 (Exhibit 8, Tab One), the height of the first floor measures 17 ft., the second floor is 13 ft. and the mezzanine measures 10 ft., thereby no usable floor area exceeds the 40 ft. height limitation. The square footages noted are also fully consistent with the Parking Management Plan calculations for determining building parking requirements for the uses described (Exhibit 9, Tab K, pages 45 and 60).

Consistent with the architectural design elements incorporated into the Commercial Core buildings, the Dry Boat Storage Building includes the use of pitched roofs, overhangs, dormers, step-backs and decorative/non-reflective windows with awnings that serve to break up building massing. The Dry Boat Storage Building is designed to share a compatible color palette of cool colors, mixed with brighter accents and contrasting trim elements to complement the buildings in Mariners Village and the Dana Wharf areas (Exhibit 7, Sheets A-22 through A-25).

Implementation of the Project is consistent with the provisions of the Dana Point Harbor Revitalization Plan and District Regulations in that, although views from public vantage points along the Street of the Golden Lantern and those areas to the northwest will be somewhat altered as a result of the consolidation of Commercial Core buildings, the project allows for the significant enhancement of public views of the marina areas that presently are obscured by existing buildings (Exhibit 8, Tabs Seven and Eight, Dana Point Harbor Revitalization View Analysis and Story Pole View Analysis, respectively). Also, with the creation of the Festival Plaza that aligns with the main Harbor entrance from Street of the Golden Lantern and the incorporation of numerous public view outlook locations as part of the Commercial Core podium design, significant, expanded and new view opportunities are provided.

As acknowledged in FEIR No. 591, although certain views from the public parks located north of the Harbor along the bluffs will be somewhat altered by the implementation of the Dry Stack Boat Storage Building, as the result of extensive public review and incorporation of project design changes to reduce the number of Dry Stack Boat Storage Buildings from 2 to 1 (at the time of Dana Point Planning Commission and City Council approvals of the LCP for the Dana Point Harbor), the facilities have been designed and located to minimize view impacts from the designated vantage points as identified in the Harbor LCP (see Harbor LCP, Harbor View Corridors Exhibit 8-1). The design of the Commercial Core buildings improves the water orientation of publically accessible visitor serving facilities and is compatible with the surrounding community. Through limitations on proposed building and roof heights, incorporation of greater

architectural design features in the building's design and the usage of variable building facades to minimize the effects of building massing, the proposed Project fully satisfies the City's Harbor LCP Part II District Regulations, Development Standards and Requirements for exceptions to building heights for Planning Areas 1 and 2.

PRESERVATION OF PUBLIC VIEWS CONCLUSIONS: Although certain views from the public parks located north of the Harbor along the bluffs will be somewhat altered by the implementation of the planned Dry Stack Boat Storage Building, as a result of extensive public review and implementation of the recommended design modifications at the time of the Dana Point City Council approval of the Dana Point Harbor Revitalization Plan, the facility has been designed and located to minimize view impacts from these public viewpoints. A finding (number 4) has been included in the Draft Resolution approving amendments to CDP13-0018 stating the projects conformance with the provisions of the Dana Point Harbor Land Use Plan and District Regulations to preserve significant coastal public views through the creation of enhanced coastal view opportunities, protection of scenic view corridors and the use of architectural design features to reduce building massing and promote a village atmosphere consistent with the character of the existing community. Further, discussions have been provided to address how the Commercial Core Project is consistent with the building height exception standards for Harbor LCP Planning Areas 1 and 2; how the Project protects and enhances significant coastal public views through scenic corridors; and documentation describing consistency with roof area related to overall building height requirements as identified in the appeal prepared on behalf of the Coastal Appellants.

2. DRY BOAT STORAGE: The appellant and Coastal Commission staff have raised several issues pertaining to the provision of dry boat storage spaces within the Harbor and more specifically in Marine Services Commercial Planning Area 1. The appeal, filed by the Coastal Appellants concludes that the application, as previously approved by the City, does not adequately address the phased construction of the Commercial Core Project in a manner that retains existing dry boat storage spaces during the 5-year construction period and further does not identify the location that boats are to be temporarily relocated.

As was specifically referenced in the June 17, 2014 Agenda Report (pages 4 & 5) considered by the City Council, the requirement to provide a total of 493 boats to be stored on dry land has always been a fundamental component of the Commercial Core Project. The Harbor LCP contains both policy and regulatory requirements to maintain space for at least 493 boats to be stored on dry land in Planning Area 1 that are satisfied by the Commercial Core Project as follows:

Coastal-Dependent/Related Development Policy I-4.2.2-10 that states:

Ensure that the redevelopment of Dana Point Harbor maintains and enhances the following coastal-dependent and coastal-related uses:

- *Redesign and expand the existing 5.7-acre boat launch facility to maximize the number of vehicle with trailer parking spaces meeting minimum Department of Boating and Waterways guidelines (10 x 40 feet). Some larger*

and smaller vehicle with trailer parking spaces shall also be provided in adequate amount to meet demand as determined through the coastal development permit process;

- Maintain space for at least 493 boats to be stored on dry land in Planning Area 1; 400 of these spaces may be provided in a dry stack storage facility. Maintain a minimum of 93 surface boat storage spaces, that can accommodate vessels that cannot be stored in a dry stack storage building, within the Harbor at all times; additional spaces shall be provided where feasible;
- Removal of any existing slips prior to construction and full operation of the boat storage facility shall only occur pursuant to an approved CDP for marina redevelopment that addresses impacts associated with any loss of slips; and
- Maintain designated boater parking at a minimum ratio of 0.60 parking spaces per boat slip or side tie.

As shown on Sheets A-02, A-03, A-05 & A-25 (Exhibit 8, Tab One), the Commercial Core Project has been designed with the capacity to park 1,689 vehicles, 336 vehicles with trailers (in the sizes listed below and shown on Sheet A-02) and the dry storage of 495 boats at project completion to satisfy this policy requirement. Approximately 94% of all vehicles with trailer spaces provided are specifically designed to meet or exceed Department of Boating and Waterways size guidelines. The sizes proposed are also consistent with the findings of the *Dana Point Harbor Boat Launch Ramp Parking – Summer, Weekend and Holiday Utilization Report* (Exhibit 2), that analyzed the weekend and holiday data collected for use of the public launch ramp parking during the peak summer period of July, August and September for the years 2010 to 2014. The report concludes that the proposed launch ramp parking area provides a variety of space sizes, including 60% of which are “pull through” spaces that best accommodate the typical users of the Dana Point Harbor Launch Ramp. Implementation of the proposed plans also ensures the provision of designated boater parking at a minimum ratio of 0.6 spaces per boat slip or side tie. No anticipated loss of slips is anticipated as part of the Commercial Core Project.

	Size of Vehicle with Trailer Spaces (ft.)	No. of Spaces Provided	Percent of Total
	10x30	14	4.1
	10x35	8	2.4
Dept. of Boating and Waterways guideline standard →	10x40	56	17.2
	10x45	193	57.1
	10x50	44	13.0
	12x40	1	0.3
	12x45	2	0.6
	12x50	18	5.3
	Totals:	336	100

Coastal-Dependent/Related Development Policy I-4.4.1-3 states that:

To provide enhancements to boater facilities and services in the Marine Services Commercial area (Planning Area 1), one (1) dry stack boat storage facility building may be constructed with a capacity to store up to 400 boats generally ranging in size from 20 to 40 feet. The existing functionality and mode of use of surface boat storage by boaters should be provided within any dry stack boat storage facility to the maximum extent possible. Other services may include ancillary marine-related administrative, professional and business offices, marine retail store, a boater lounge area, a hoist, boat maintenance area and potentially other boat maintenance and support facilities. The existing public launch ramp and associated vehicle and trailer parking facilities shall be enhanced and maintained. There shall be no net loss of the existing 334 vehicles with trailer parking spaces. The existing vehicle with trailer spaces shall be reconfigured such that spaces are maximized and meet the minimum California Department of Boating and Waterways guidelines of 10 x 40 feet to the greatest extent feasible while taking into consideration the demand for larger and smaller spaces. An adequate amount of larger and smaller vehicle with trailer parking spaces shall also be provided for the type of tow vehicles and vessels that use the launch ramp facility as determined through the Coastal Development Permit process.

As shown on Sheets A-02, A-05, A-21 through A-25 (Exhibit 8, Tab One), the Commercial Core Project has been designed to include the construction of a Dry Stack Boat Storage building that includes boater amenities and maintains public access to the boat launch ramp facilities, consistent with this policy requirement.

Because a portion of the Dry Stack Boat Storage Building has been designed to cantilever out over the water to enable the direct launching of boats, the Project will require approval of a separate CDP by the California Coastal Commission.

Public Access and Recreation Policy I-6.2.4-7 states that:

As part of any application for a Coastal Development Permit for Revitalization Plan improvements in the Commercial Core, a Parking Management Plan shall be developed which assesses current and anticipated future parking demands throughout the Harbor, taking into account weekday, weekend and seasonal variations in the use of Harbor facilities and develops a plan which makes the best possible use of the parking while prioritizing and avoiding adverse impacts on designated boater parking and boat launch ramp parking (i.e., vehicle with boat trailer) opportunities. The parking needs of the general public visiting the Harbor for boat and non-boat related recreational purposes shall also be considered, especially with regard to any underutilized parking that may exist in Planning Area 4.

A Parking Management Plan (Exhibit 9, Tab K) provides an assessment of the current and anticipated future parking demands for the public boat launch ramp. **The proposed 336 vehicle with trailer parking spaces at the boat launch ramp will provide sufficient capacity to accommodate both current and future demand. This conclusion was confirmed in the October 2014 Dana Point Harbor Boat**

Launch Ramp Parking – Summer, Weekend & Holiday Utilization Report (Exhibit 2). This report analyzed boat launch ramp parking utilization during the busy summer weekend and holiday period between 2010 and 2014. The report concluded that the number and sizes of the proposed 336 space launch ramp parking area is larger than the required capacity to provide launch ramp parking during peak usage periods. The report also confirmed that the boat launch ramp parking area will accommodate potential future increases in the demand for vehicles with trailer parking by showing that on the single highest usage day recorded during the period reviewed (last 5 years) only 83% (278 spaces) of the proposed 336 spaces were used during the 24 hour period. Results also show that the majority of busy summer weekend days never reach more than 60% (201 spaces) utilization of the parking spaces provided with buildout of the Commercial Core Project improvements.

Development Policy I-8.3.1-5 states that:

Pursuant to Coastal Act Section 30601.3, if a proposed Project requires a Coastal Development Permit from both the City of Dana Point (because it includes development in the jurisdiction of the certified Local Coastal Program) and the California Coastal Commission (because it includes development in the Commission's area of retained jurisdiction); and if the applicant, the City of Dana Point and the Commission consent to consolidate the permit action, then the Commission may process and act upon a consolidated Coastal Development Permit application, provided that public participation is not substantially impaired by that review consolidation. The standard of review for a consolidated Coastal Development Permit application submitted pursuant to this policy shall follow Chapter 3 of the Coastal Act (commencing with Section 30200), with the City of Dana Point Local Coastal Program used as guidance. The application fee for a consolidated Coastal Development Permit shall be determined by reference to the Commission's permit fee schedule.

Consistent with this policy and the processing procedures outlined in Harbor LCP Part II District Regulations, Section II-16.3, as part of the requested approvals for the Commercial Core Project, the City is acting on "approvals in concept" that will allow OC Dana Point Harbor to prepare and process a separate consolidated CDP application for consideration by the California Coastal Commission for Dry Stack Boat Storage Building and infrastructure improvements within areas of Coastal Commission retained jurisdiction.

DRY BOAT STORAGE ANALYSIS: CDP13-0018 as approved by the City Council includes this Dry Stack Boat Storage Building (approval in concept). As previously described in the Permit Application Binder (Exhibit 7, Development Phasing and Construction Management, pages 32 through 34), a consolidated CDP will be processed for approval by the California Coastal Commission to complete the discretionary approval process for the Dry Stack Boat Storage Building.

The Dana Point Harbor Revitalization Commercial Core Project improvements are

planned for implementation in 5 principal construction phases as indicated on the *Dana Point Harbor Commercial Core Project Implementation Phasing Schedule* dated September 2014 (Exhibit 3). The overall Project components as generally described in the schedule will be developed in incremental steps, but are structured to minimize the disruption of vehicular and pedestrian access routes and parking availability to the maximum extent feasible. Generally, the initial construction phases will create access and new parking opportunities; the new Commercial Core and Festival Plaza will then be constructed before existing businesses are relocated, followed by the demolition of the existing Mariner's Village and Mariner's Alley to create additional parking and public view opportunities. The final phases of the Project focus on the implementation of the Dry Stack Boat Storage facilities, including the Dry Stack Boat Storage Building and docks, jib crane, outdoor surface boat storage area and small watercraft rentals/sales related activities.

The Implementation Phasing Schedule provides for the consolidated CDP application for the Dry Stack Boat Storage Facilities (building and related infrastructure improvements under the retained jurisdiction of the Coastal Commission) to be prepared by OC Dana Point Harbor for submittal to the Coastal Commission on or about the time construction commences on the Commercial Core podium structure and Buildings 6, 7, 8 and 9 (Exhibit 3, Phase 4A of the Implementation Phasing Schedule). **To ensure the timely processing of the Dry Stack Boat Storage Building CDP, a condition of approval (number 55) has been added to the Draft Resolution (Action Document A), requiring the submittal of the Dry Stack Boat Storage Facility CDP application to the Coastal Commission within 6 months of the start of construction of the Commercial Core podium structures.**

Concurrently, with the processing of this separate CDP by the Coastal Commission, construction will commence on the landside backbone infrastructure improvements approved as part of CDP13-0018(I) to provide new utility lines and access to the Commercial Core Project area, including the future Dry Stack Boat Storage Building. Following issuance of the CDP by the Coastal Commission, work on the Dry Stack Boat Storage Building is anticipated to begin as construction of Commercial Core Buildings 10, 11 and 12 proceeds. **To ensure the provision of a minimum of 493 dry boat storage spaces in Planning Area 1 at project build-out, a condition of approval (number 56) has been added to the attached Draft Resolution requiring that evidence be provided to the City and the Executive Director of the Coastal Commission that construction plans have been submitted to the Orange County Building Department for plan check review prior to the issuance of Building Permits for construction of new Commercial Core Buildings 10 and 11.** Construction of the Dry Stack Boat Storage Building and the remaining Marine Services Commercial improvements are anticipated to commence shortly after existing businesses are relocated to the new Commercial Core area buildings and is planned to take approximately 12 months.

Once completed, the Marine Services Commercial facilities in Planning Area 1 will

include a large surface parking area for 336 vehicles with boat trailers serving the public launch ramp (the LCP requires a minimum of 334 launch ramp vehicle with boat trailer spaces), 100 vehicle parking spaces (including 6 handicap spaces), controlled gated entry, boat wash down area (draining to the sewer), covered trash receptacles, new lighting and signage. In advance of the construction of the Dry Stack Boat Storage Building, the location of the building pad will be utilized as an interim surface boat storage area, providing a combination of approximately one-hundred (100) 10 x 25 foot boat storage spaces in close proximity to the public boat launch ramp. These spaces will remain available for dry boat storage use until such time as a CDP is approved by the California Coastal Commission allowing for construction of the Dry Stack Boat Storage Building and other infrastructure-related improvements (Exhibit 8, Tab One, Sheets A-02 and A-03).

Both the Harbor LCP and Final EIR No. 591 anticipated the need to provide temporary parking in other areas of the Harbor and/or to store boats at locations outside the Harbor during construction. On completion of construction of the Commercial Core Project, a total of 495 dry boat storage spaces will be provided in the Harbor, specifically in PA 1. As evaluated in the *Baseline for Slips, Dry Boat Storage, Launch Ramp & Parking* (Exhibit 9, Tab J), existing dry boat storage provided in the Harbor is 443 "legal and permitted" spaces. Implementation of the Commercial Core Project will result in an increase of 52 additional spaces provided overall. The dry boat storage spaces are comprised of 105 spaces located in the surface boat storage lot and 390 boats stored in the Dry Stack Boat Storage Building, for a total of 495 dry boat storage spaces at project build out in Planning Area 1.

The Dana Point Harbor Revitalization Plan & District Regulations specifically includes provisions for the construction of a Dry Stack Boat Storage Building. If for some presently unforeseen reason, the Dry Stack Boat Storage Building cannot be permitted and/or constructed, an alternative plan has been developed to provide dry boat storage for the required minimum of at least 493 boats. As indicated on the attached *Surface Boat Storage Alternative* (Exhibit 4), boats may be stored in the following three areas within Planning Area 1: the currently proposed Interim Dry Boat Storage area (Dry Boat Storage Building pad area as depicted on Sheet A-03, (Exhibit 8, Tab One); the Surface Dry Boat Storage lot adjacent to the shipyard; and a portion of Puerto Place Parking Lot (see Parking Lot Id location on Figure 3, Parking Management Plan, Exhibit 9, Tab K). An outdoor 3-level rack system could be used to provide the required minimum 493 spaces. Boats on racks would be delivered to and retrieved from the racks using specially outfitted forklifts or stored on individual trailers on the lower level of the racks. Those boats stored on trailers would utilize the public launch ramp rather than the forklift for delivery and retrieval to/from the water. The top level of the racks would be designed to accommodate the dry storage of taller boats, including sailboats.

Approximately 186 boats (maximum 25 ft. in length) could be stored using the proposed outdoor rack system in the Interim Dry Boat Storage area; approximately 219 boats (maximum 25 ft. in length) could be stored in the Surface Dry Boat Storage Area

and approximately 90 boats (maximum 25 ft. in length) could be stored in the Puerto Place Lot (Parking Lot Id). This would maintain approximately 118 vehicle parking spaces in the Puerto Place Lot, available to provide continued access to coastal recreational opportunities for general public use. The Puerto Place Parking Lot currently provides 161 standard parking spaces. The Parking Management Plan (see Exhibit 9, Tab K, Table 10 – Parking Requirement for Zone I, page 60) indicates an overall parking requirement of 1,607 spaces in Parking Zone I at project buildout, with 1,729 spaces provided (see Parking Management Plan, page 63) as part of the Commercial Core Project (including the Puerto Place Parking Lot). Implementation of the alternative plan to provide dry boat storage using an outdoor rack system would result in an overall reduction of 43 parking spaces in Zone I for a total of 1,686 spaces that would continue to exceed the required parking for Parking Zone I at buildout by 79 spaces.

During construction, boats currently located in the Harbor's dry boat storage area (Embarcadero Lot) will be relocated as needed to one or a combination of off-site storage locations. The actual number of boats to be stored off-site may fluctuate throughout the construction process with the on-going objective of providing as many dry boat storage spaces as possible in the Harbor. The *Construction Management Parking Plan* (see Exhibit 9, Tab M, Exhibit D) documents the phasing and estimated number of boats to be relocated off-site during construction. This information is also summarized on the project phasing descriptions (Exhibit 3).

The principal off-site location for the temporary storing of boats during construction is the nearby South Coast Water District (SCWD) property as was originally described in Final EIR No. 591. Confirmation of the property's availability for boat storage use is provided in a letter from the SCWD General Manager dated August 22, 2014 (Exhibit 6). The letter outlines that the SCWD has plans to accommodate up to an initial ± 250 boats in the Lot A location that will be available sometime in November of 2014. Paved access to Lot A exists. Lot B is designed to accommodate an additional ± 250 boats and is located within the regulatory jurisdiction of the California Coastal Commission and as such will require approval of a Coastal Development Permit by the Coastal Commission before any site improvements can be constructed. As the letter describes, SCWD is presently in the process of obtaining the necessary approvals for the additional site improvements and anticipates having the property ready to provide storage for approximately 500 boats by February 1, 2015.

OC Dana Point Harbor is also presently working to provide additional off-site storage opportunities for boaters, should demand exceed the capacity of the SCWD property. Several additional opportunities are currently under consideration. The Capistrano Unified School District (CUSD) presently owns an under-utilized bus storage and maintenance facility, located on Victoria Boulevard. This facility is fully improved and could be available for the immediate storage of approximately 250 boats, subject to approval of an agreement for the operation and management of the facility. OC Dana Point Harbor is also considering another off-site boat storage opportunity at a nearby

County of Orange landfill site. This location is not as conveniently accessible as the other boat storage options being considered, but could provide lower cost dry boat storage for boaters if developed.

DRY BOAT STORAGE CONCLUSIONS: The certified LCP for the Dana Point Harbor emphasizes that the priority uses of the Harbor are beach access, recreational boating, other water craft uses and parking supporting these uses, including the public launch ramp, dry boat storage and recreational marina parking. The Commercial Core Project includes a phasing and implementation plan that adequately retains existing dry boat storage spaces during the 5 year construction process by using a combination of storage spaces provided in the Harbor, including an interim site utilizing the building pad of the Dry Stack Boat Storage Building and off-site storage provided at the SCWD property and CUSD bus storage and maintenance facility, both located within short distances of the Harbor. A Surface Boat Storage Alternative Plan has also been provided to demonstrate consistency with the Harbor LCP Policies requiring a minimum of 493 dry boat storage spaces are provided in Planning Area 1. The alternative plan proposes utilizing an outdoor/multiple level rack storage system in the event unforeseen circumstances are encountered that would not allow for the planned construction of the Dry Stack Boat Storage Building. Conditions of approval have been incorporated into the amended Draft Resolution providing appropriate milestones for the timely processing of a separate Coastal Development Permit for the Dry Stack Boat Storage Building by the California Coastal Commission and provides for the construction of dry boat storage facilities as specific Commercial Core buildings and site improvements are completed.

3. PRELIMINARY SHORELINE MANAGEMENT PLAN / WAVE UPRUSH ANALYSIES: Under existing conditions, all on-site drainage flows and a portion of off-site runoff from the streets surrounding the Harbor are collected in a series of grate inlets, catch basins and roof drainage pipes, all of which discharge directly into the Harbor through a series of local outfall pipes, County-owned storm drains and/or direct sheet flow from sloped sidewalks and hardscape areas.

Because the Commercial Core Project is located directly adjacent to the waterfront, there is a potential that the proposed improvements could be subject to the impacts of localized flooding associated with future sea level rise, weather and tsunami waves, storm surges or seiches. The frequency of flooding events is expected to rise in the future given current scientific investigations that have concluded that the effects of global climate change may ultimately lead to variable increases in mean sea levels around the world. Although to date, there is no clear consensus about how climate change will affect the severity of storms, waves and surges, the Dana Point Harbor Revitalization Plan and District Regulations included policies and requirements related to these currently studied worldwide trends. The Commercial Core Project implements the Harbor LCP Part I Land Use Plan Policies related to environmental hazards in the following ways:

Development Policy I-8.2.1-3 states that:

Review all applications for new development to determine potential threats from sea level rise, coastal and other hazards.

The subject Project CDP application includes a Preliminary Shoreline Management Plan and Wave Uprush Analysis (Supporting Documents K and L, respectively) that have been revised to address Coastal Commission staff comments. When combined, these technical studies evaluate the potential threats associated with shoreline hazards to satisfy this policy requirement.

Development Policy I-8.6.2-1 states that:

Periodically review tsunami preparation and response policies/practices to reflect current and predicted future sea level trends, development conditions and available tools and information for preparedness and response.

The Preliminary Shoreline Management Plan (Supporting Document K) includes a summary of current emergency management practices for both the County and City of Dana Point. Updated preparedness information will be incorporated into the Harbor Shoreline Management Plan on a periodic basis (every 5 years at a minimum) as required by the Special Provisions of the Harbor LCP.

Development Policies I-8.6.2-2 and I-8.6.2-9 state that:

Periodically review inundation maps and design standards, update identification of susceptible areas, evacuation routes and building codes as new information on tsunami and design standards becomes available.

and;

OC Dana Point Harbor shall prepare an assessment of the potential impacts of inundation from a tsunami taking into account future sea-level rise on the existing and proposed building structures along the seawall.

Inundation mapping for current and projected future conditions has been provided in the Preliminary Shoreline Management Plan (Supporting Document K), indicating that flooding due to storm surges, wave uprush, tsunamis and variable projections for future sea level rise is confined to areas immediately adjacent to the seawalls, including pedestrian walkways and parking areas. The design of both existing and proposed structures in the Harbor are not subject to flooding as concluded using current inundation assumptions for the areas studied. Improvements in the management of potential flooding events due to revisions in regulatory standards and/or new available technologies will be evaluated as part of subsequent updates to the Harbor Shoreline Management Plan. Evacuation routes are shown on the *Designated Emergency Evacuation Routes and Emergency Facilities Exhibit* of the City's General Plan.

Development Policy I-8.6.2-3 states that:

Participate in any regional effort to develop and implement workable response

plans that the County and City emergency services personnel can incorporate into evacuation plans in the case of tsunami warnings.

County emergency services are coordinated by the Orange County Operational Area Emergency Operations Center. City emergency services are coordinated by the City Emergency Operations Center. These centers act as the central point for coordination and operational support of emergency responders. The City's Director of Emergency Services in coordination with the Dana Point Police Services Incident Commander assumes the lead responsibility for implementation of necessary evacuation procedures in the event of a tsunami.

Development Policy I-8.6.2-5 states that:

Include tsunami evacuation route information as part of any overall evacuation route sign program implemented in the City. Evacuation routes out of the Harbor should be clearly posted. An evacuation route traffic monitoring system that provides real-time information on the traffic flow at critical roadways should be considered.

The Preliminary Shoreline Management Plan (Supporting Document K) includes a *Tsunami Hazard Areas and Evacuation Routes* Exhibit as designated by the City of Dana Point General Plan, Public Safety Element. Roadway signs are currently provided along Dana Point Harbor Drive and at all major intersections, inside and outside of the Harbor. The Dana Point Police Services Incident Commander assumes the lead responsibility in coordination with the City of Dana Point Emergency Operations Center (when activated) for implementation of any necessary traffic management procedures in the event of an emergency. Updated evacuation information will be incorporated into the Shoreline Management Plan on a periodic basis (every 5 years at a minimum) as required by the Special Provisions of the City's Harbor LCP.

Development Policy I-8.6.2-10 states that:

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. Take projected sea-level rise into account when evaluating storm wave run-up. (Coastal Act Section 30253)

All existing and proposed Harbor structures are setback from the seawall sufficient distances to minimize damage associated with existing and projected storm wave uprush as indicated by the inundation mapping provided in the Preliminary Shoreline Management Plan (Supporting Document K). Additionally, all proposed Commercial Core buildings, except Building 6 have been designed with finish floor elevations a minimum of 3 to 4 feet above the height of the existing seawall to limit potential damage associated with flooding events. To accommodate pedestrian connections with other buildings on Dana Wharf, the finish floor for Building 6 has been designed 1 to 2 feet above the seawall elevation and is consistent with the floor elevations of the existing buildings to remain.

Development Policies I-8.3-1 and I-8.6.5-2 state that:

Prepare and periodically update (every five years) a Shoreline Management Plan for Dana Point Harbor to assess seasonal and long-term shoreline changes and the potential for flooding or damage from erosion, sea-level rise, waves, storm surge or seiches and provide recommendations for protection of existing and proposed development, public improvements, coastal access, public opportunities for coastal recreation and coastal resources. Plan must also evaluate the feasibility of hazard avoidance, planned retreat, retrofitting existing or proposing new protection devices and restoration of the sand supply and beach nourishment in appropriate areas of the Harbor, if needed.

and;

Due to uncertainties about future sea level rise, a range of likely and extreme rises in sea level shall be used in the planning phase to assess project sensitivity to future water levels, identify possible consequences to the development and the surrounding area if the anticipated sea level is exceeded and determine the minimum acceptable amount of future sea-level rise that can be used for design purposes.

The Preliminary Shoreline Management Plan (Supporting Document K) implements the required monitoring components in the absence of established regulatory standards for the design and protection of Harbor structures and coastal resources subject to damage resulting from sea level rise and episodic storm events that may have impacts to the operations of the Harbor and impact public safety. The analysis provided is based on the best available scientific information as established by the California Coastal Commission Draft Sea Level Rise Policy Guidance document and will be updated on a periodic basis to reflect advances in predictive modeling, required engineering information and adaptive planning measures.

Development Policies I-8.6.3-2 and I-8.6.5-1 state that:

Siting and design of new shoreline development anywhere in Dana Point Harbor and the siting and design of new or replacement shoreline protective devices shall take into account anticipated future changes in sea level.

and;

Siting and design of new shoreline development anywhere in Dana Point Harbor and the siting and design of new or replacement shoreline protective devices shall take into account anticipated future changes in sea level, based on the best available scientific information and projections or range of projections of future sea level.

The Preliminary Shoreline Management Plan (Supporting Document K) establishes milestones for any required analysis related to the siting and design of any required new or replacement protective devices in the Harbor. Construction of the existing seawall

and revetment structures was completed in the early 1970's and is subject to degradation of the concrete and rebar within the structure due to the continual exposure to seawater and the elements. The date defined in the Preliminary Shoreline Management Plan for the initiation of studies to determine appropriate corrective measures or replacement of the seawall is 10 years in advance of the estimated design life of the seawall (year 2060) and will be based on the most reliable information available for determining current and projected sea levels affecting the Harbor and facilities.

Development Policies I-8.6.3-4 and I-8.6.3-6 state that:

Require all Coastal Development Permit applications for new development on a beach or other waterfront area or on a coastal bluff property with the potential to be subject to wave action to assess the potential for flooding or damage from sea level rise, waves, storm surge or seiches, through a wave uprush and impact reports prepared by a licensed civil engineer with expertise in coastal processes. The conditions that shall be considered in a wave up-rush study are: a seasonally eroded beach combined with long-term (75 years) erosion, high tide conditions, combined with long-term (75 year) projections for sea level rise; storm waves from a 100-year event or a storm that compares to the 1982/83 El Nino event;

and;

OC Dana Point Harbor shall prepare an assessment of the potential wave run-up from a seiche or tsunami near the Harbor during a major seismic event including but not limited to an event on the Newport-Inglewood Fault and/or San Jacinto Mountains Faults prior to submittal of the first coastal development permit for development of the Commercial Core.

The subject Commercial Core Project CDP application includes a Preliminary Shoreline Management Plan and Wave Uprush Analysis (Supporting Documents K and L) that when combined, evaluate the potential threats associated with shoreline hazards to satisfy these policy requirements, including wave effects from potential earthquakes in the vicinity of the Harbor.

Development Policy I-8.6.5-3 states that:

OC Dana Point Harbor shall study the potential impacts of sea level rise and flooding of San Juan Creek on the existing or proposed structures along the seawall.

The Preliminary Shoreline Management Plan (Supporting Documents K) includes a summary on the status of current studies being conducted on the assessment of required improvements to San Juan Creek. The San Juan Creek Flood Risk Management Feasibility Study being prepared by OC Public Works in association with USACE to assess current trends of channel degradation, decline of floodplain moisture, expansion of invasive species and damage to nearby infrastructure. Implementation of

any recommended improvements affecting the Harbor breakwater will then be discussed as part of future updates to the Shoreline Management Plan.

The General Regulations and Special Provisions included as part of the City's Harbor LCP Part II District Regulations, Chapter II-3 (Special Provision 11), provides the following requirement for evaluating shoreline conditions:

A Shoreline Management Plan for Dana Point Harbor shall be submitted to the City of Dana Point for review prior to or concurrent with the first Coastal Development Permit for development of the Commercial Core area and shall be periodically updated (every 5 years) to include an assessment of seasonal and long-term shoreline changes and the potential for flooding or damage from sea-level rise, waves, storm surge or seiches and provide recommendations for protection of existing and proposed development, public improvements, coastal access, public opportunities for coastal recreation and coastal resources. The Shoreline Management Plan shall also evaluate evacuation routes (including Marine Commercial Planning Area 4 in the event of incapacitation of the Island Bridge) and the feasibility of hazard avoidance, retrofitting existing or proposing new protection devices and restoration of the sand supply in appropriate areas of the Harbor as required.

The subject Commercial Core Project CDP application includes a Preliminary Shoreline Management Plan and Wave Uprush Analysis (Support Documents K and L) that when combined, evaluate the potential threats associated with shoreline hazards. The Preliminary Shoreline Management Plan implements the required monitoring components in the absence of established regulatory standards for the design and protection of Harbor structures and coastal resources subject to damage resulting from sea level rise and episodic storm events that may have impacts to the operations of the Harbor and impact public safety. The analysis provided is based on the best available scientific information as established by the California Coastal Commission Draft Sea Level Rise Policy Guidance document and will be updated on a periodic basis to reflect advances in predictive modeling, required engineering information and adaptive planning measures. The Preliminary Shoreline Management Plan also provides summaries of the current programs in place to protect public safety should an emergency occur.

PRELIMINARY SHORELINE MANAGEMENT PLAN / WAVE UPRUSH ANALYSIS:

The timeframes identified for any project are an important consideration in evaluating the influences associated with sea level rise and determining potential impacts. Generally, there is a higher correlation between the various climate models for the amount of sea level rise predicted to occur between now and the year 2050. After this mid-century threshold, projections of sea level rise become more uncertain due to various modeling ambiguities; such as assumptions related to future global greenhouse gas emissions, land ice melting rates, tidal influences and long-range global metrological predictions.

Potential flooding impacts in the Harbor were evaluated as part of FEIR No. 591 using qualitative assessments of the project design-related effects in the context of the existing conditions in the Harbor and current reports and publications including the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), Orange County Local Drainage Manual and specific hydrological studies prepared for the Project. All proposed on-site storm drain systems have been designed for a 10-year frequency, high confidence storm event. The Conceptual Grading Plan for the Commercial Core Project has been specifically designed to avoid the direct release of storm runoff over the seawall and to redirect flows away from the seawall to pre-treatment BMP's incorporated as part of the Preliminary Water Quality Management Plan improvements (Exhibit 9, Tab D).

Flood map exhibits for the project have been prepared to illustrate landside flood inundation limits (footprint and elevation) that would result in the event wave overtopping (or splash-over) at the Harbor's seawall and/or boat launch ramp occur during a major storm event (Supporting Document K). The methodology for determining theoretical flood inundation limits is based on the information and calculations presented in the *Dana Point Harbor Wave Uprush Analysis*, prepared by Everest International Consultants, dated August 27, 2014 (revised). The analysis included the existing conditions in the Harbor; year 2015 with a 100-year storm event and a 1 to 2 foot tsunami; year 2060 with a 100-year storm event and projected low, moderate and high sea level rise; and year 2090 with a 100-year storm event and predicted low, moderate and high sea level rise. (Note: Year 2060 was selected because it occurs ten years in advance of the anticipated 100-year usable life of the existing seawall, thereby allowing for the preparation of the required studies to determine any design standards/recommendations for seawall replacement and year 2090 represents the economic life of the new Commercial Core structures as established by the City's Harbor LCP Part I, Development Policy I-8.6.1-11 of 75 years.) Since the Commercial Core Project is not proposing any modifications to the existing seawalls, the prepared wave uprush and inundation analysis were conducted based on existing seawall conditions and high tide ocean levels, combined with long-term (75 years) projections for sea-level rise and the intensity of a 100-year storm event. A 100-year storm event is defined as having a one percent chance of occurring in any given year, or on the average will occur once in every 100 years.

The results of the analysis indicate that under the adverse conditions described, some level of wave uprush can be anticipated in the Harbor without implementing any of the proposed Commercial Core Project improvements. This finding is consistent with anecdotal information provided from recent events where a small amount of splash in areas adjacent to the seawall on Dana Wharf was observed. In the 2015 condition, overtopping of the seawalls and boat ramp can be expected to occur during high tide (MHHW) and a 100-year storm event. When a 1 to 2 foot tsunami event is combined with water levels during a 100-year storm event, an increase in overtopping is anticipated (i.e., at MHHW, including the effect of a 1 foot tsunami will

increase overtopping rates from 0.008 ft³/sec/foot to 0.036 ft³/sec/foot or by a factor of 4.5). For Year 2060, with the projected sea level rise, there is expected to be an increase in wave overtopping as compared to Year 2015 (i.e., at MHHW, for a moderate projection of sea-level rise of 1.34 feet, wave overtopping will increase from 0.008 ft³/sec/foot to 0.058 ft³/sec/foot or by a factor of 7.3) and for the Year 2090, with the projections of sea level rise of 4.67 feet (higher bound), the area is expected to experience some level of inundation (i.e., water elevation higher than the crest elevation of the seawall) during periods of high tide (MHHW) in the Dana Wharf parking lot, the boater parking area adjacent to new Commercial Core Buildings 10 and 12, the boat launch ramp and surface dry boat storage area immediately adjacent to the shipyard. **As indicated on the *Wave Uprush Inundation Maps*, (Supporting Document K), for all years studied there are no instances where projected flooding events contribute to an increase in the incidence of wave overtopping sufficient to cause the flooding of any new or existing structures in the areas studied.**

As anticipated in both the certified Harbor LCP and FEIR No. 591, numerous Project Design Features and regulatory provisions have been incorporated into the design of the Commercial Core Project to minimize the current and projected effects of flooding. As stated in the Harbor LCP Part I, Development Policy I-8.6.7-5, "*Creation of the Festival Plaza and Pedestrian Promenade along the waterfront's edge provides for an extended structural setback from the bulkhead area.*" Building setbacks for new structures located adjacent to the seawall in Day Use Commercial Planning Area 2 generally ranges from between 60 to 240 feet as follows:

Commercial Core Building Number	Setback from Seawall (in feet)
6	80
7	70
8	105
10	60
11	240

Also as stated in the Harbor LCP Part I, Development Policy I-8.6.7-13, "*Conformance with the latest Uniform Building Code, California Building Code or International Building Code and County Ordinances can be expected to satisfactorily mitigate the effect of seismic ground shaking. Conformance with applicable codes and ordinances shall occur in conjunction with the issuance of Building Permits in order to ensure that over excavation of soft, broken rock and clayey soils within sheared zones will be required where development is planned.*" Further, LCP Development Policy I-8.7-14 states that: "*Engineering design for all structures shall be based on the probability that new structures will be subjected to strong ground motion during the lifetime of the development. Construction plans shall be subject to the County review and shall include applicable standards, which address seismic design parameters.*" LCP Development Policy I-8.6.7-15 states: "*Mitigation of earthquake ground shaking shall be incorporated into the design and construction in accordance with Uniform Building Code*

requirements and site-specific design.”

The Commercial Core Project includes 28,511 square feet of existing buildings that will remain and 85,202 square feet of new restaurant, retail, office and other uses. The following table describes the relationship between the existing/proposed finish floor elevations relative to the top of the existing seawall.

**Existing & Proposed Commercial Core Project Finished Floor Elevations
Dana Point Harbor Visitor-Serving Commercial Project (Planning Area 2)**

Percent of Existing Buildings to Remain	Percent of Proposed Buildings	Finished Floor Elevation (From the top of the seawall)	Percent of Total Project Buildings
67	4	1 to 2 feet above	20
29	0	2 to 3 feet above	7
0	47	3 to 4 feet above	35
4	49	More than 8 feet above	38

As indicated by the table, the Finish Floor Elevations (FFE) of the Commercial Core buildings in Planning Area 2 (existing and proposed new buildings) are/were designed to be elevated at least one foot above the top of the existing seawall elevation, thereby avoiding potential issues related to flooding due to seawall overtopping during a major storm and assuming potential sea level rise. The Commercial Core Project replaces approximately 47% of the existing buildings located in Mariners Village, Mariners Alley with structures in excess of 3 feet above the existing elevation of the seawall and approximately 49% of the new buildings are designed in excess of 8 feet above the existing elevation of the seawall.

PRELIMINARY SHORELINE MANAGEMENT PLAN / WAVE UPRUSH

CONCLUSION: None of the existing or proposed buildings will be subject to potential flooding from episodic storm events or estimated sea level rise based on the results of the technical analyses provided.

4. HARBOR SIGN PROGRAM: The Dana Point Harbor Revitalization Plan and District Regulations include a number of policies and requirements for the preparation of a comprehensive sign program prior to the occupancy of any new development in the Commercial Core area of the Harbor.

Coastal Dependent/Related Development Policy I-4.2.1-3 states that:

As part of a comprehensive Dana Point Harbor Sign Program, provide information to assist boat owners/operators and the public in locating public launching facilities.

Coastal Dependent/Related Development Policy I-4.1-7 states that:

As part of a comprehensive Dana Point Harbor Sign Program, provide information to direct the public to parking areas, restrooms and other support facilities in and adjacent to Dana Point Harbor.

Public Access and Recreation Policy I-6.1.1-9 states that:

Public access, which shall be conspicuously posted and public recreational opportunities, shall be provided to the maximum extent feasible for all the people to access the coastal zone area and shoreline, consistent with public safety needs and the need to protect public rights and natural resource areas from overuse. (Coastal Act Section 30210)

Development Policy I-8.5.3-1 states that:

Design and site signs to minimize visual impacts to coastal resources.

Development Policy I-8.5.3-2 states that:

Implement programs to remove illegal signs and amortize legal non-conforming signs.

Development Policy I-8.5.3-3 states that:

Prohibit new billboards and roof top signs and regulate the bulk and height of other freestanding signs that affect public coastal views.

Development Policy I-8.5.3-4 states that:

Encourage the reasonable regulation of signs to preserve the character of the community. (Coastal Act Section 30251)

Development Policy I-8.5.3-5 states that:

Signs shall be designed and located to minimize impacts to visual resources. Signs approved as part of any commercial development shall be incorporated into the design of the project and shall be subject to height and width limitations that ensure that signs are visually compatible with surrounding areas and protect scenic views. Roof signs or flashing signs shall not be permitted.

Development Policy I-8.5.3-6 states that:

A comprehensive Dana Point Harbor Sign Program shall include provisions for providing clear and conspicuous notice to assist the public in locating and recognizing trail access points, recreational areas and other visitor recreational amenities. In areas containing sensitive habitat or safety hazards, signs shall be posted with a description of the sensitive habitat or safety hazard and limitation on entry to those areas.

Development Policy I-8.5.3-7 states that:

All signage shall be of a consistent architectural style. Commercial signage shall be externally illuminated and lighting sources shall be hidden by vegetation or

installed flush with the grade. Signage shall be designed to complement the architecture of the buildings.

Development Policy I-8.5.3-10 states that:

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.

Visitor Serving Commercial Development Policy I-5.3-11

Remove existing signs and prohibit new signs that adversely impact public access.

The General Regulations and Special Provisions included as part of the City's Harbor LCP Part II, District Regulations, Chapter II-3 (Special Provision 38), provides the following requirement for preparation of a comprehensive sign program:

Prior to occupancy of any new development in the Commercial Core area of the Harbor, a comprehensive Dana Point Harbor Sign Program shall be approved by the City of Dana Point in accordance with the requirements of Chapter II-15, Sign Standards and Regulations.

HARBOR SIGN PROGRAM ANALYSIS: The comprehensive Harbor Sign Program is comprised of the following three parts and addresses all of the policies listed above relative to signage:

- The certified Dana Point Harbor District Regulations, Chapter II-15, Sign Standards and Regulations that establishes standards for the regulation of signs throughout the Harbor, including all existing signs;
- Coastal Development Permit CDP12-0014, approved by the City of Dana Point on June 11, 2012 for the replacement of directional signs located along the parkways and medians along Dana Point Harbor Drive, Island Way and Dana Drive; and
- The Commercial Core Project Master Sign Program (see Exhibit 8, Tab Five) that provides design requirements and standards for all directional, wayfinding and tenant identification signs located throughout the Commercial Core area of the Harbor.

The Dana Point Harbor Revitalization Plan and District Regulations Part II, adopted by the City and subsequently certified by the Coastal Commission includes Chapter II-15, *Sign Standards and Regulations* that governs the usage of signs (existing and proposed) within all areas of the Harbor, as well as establishing provisions for the processing of project-level sign programs in conjunction with a Coastal Development Permit. In accordance with the provisions of this Chapter of the Harbor District

Regulations, existing signs located in areas outside the Commercial Core satisfy many of the policy requirements for providing clear and conspicuous notice to assist the public in locating and recognizing trail access points, recreational areas and other visitor recreational amenities. In areas containing sensitive habitat or safety hazards, signs are also currently posted that include descriptions of the sensitive habitat or safety hazards, with the intent of limiting public access to those areas. In addition, signage is currently provided in the Harbor to inform the public of the availability of and provide direction to public parking areas, coastal access and on-site recreational amenities.

The requirement to provide wayfinding information to Harbor visitors was addressed as part of a comprehensive program being implemented by OC Dana Point Harbor to upgrade the median signs throughout the main roadway corridors. On June 11, 2012 the City of Dana Point Planning Commission approved Coastal Development Permit CDP12-0014 (Resolution No. 12-06-11-11) to allow for the replacement of the directional signs located along the parkways and medians, along Dana Point Harbor Drive, Island Way and Dana Drive. A total of 12 existing signs were approved for replacement, in addition to the installation of 3 new signs. The existing median, parkway and entry signage was constructed in the early 1970's and all or most require significant repairs or reconstruction/replacement. The project plans are currently under final review by the City and County Building Department; with construction expected to commence prior to the end of this year.

The Dana Point Harbor Revitalization Commercial Core Project includes a comprehensive Master Sign Program for Planning Areas 1 and 2 that is divided into two parts (Exhibit 8, Tab Five). Part 1 includes locations, specifications and construction details for all operational and directional/wayfinding signs to be located throughout the Commercial Core. For review purposes, the Master Sign Program also references a series of freestanding monument signs, primary and secondary directional signs that were previously approved by the City of Dana Point as part of a separate Sign CDP (CDP12-0014).

Part 2 of the Commercial Sign Program focuses on tenant signage and includes upper and ground level tenant identification signs, tenant awning identification signs, tenant entry signs, directory and tenant window signage. The primary objective of the sign design and regulatory standards is to ensure consistent quality, size, variety and placement to promote and maintain a high quality atmosphere throughout the Commercial Core. Column-mounted blade signs perpendicular to the pedestrian flow are easily identifiable and may also be included on printed awnings by individual tenants. The signage is proportional in size to the proposed awnings and limited by reasonable vertical head heights along the pedestrian rights-of-way. Wayfinding signage reflects standard materials and color palettes depicted in the Sign Program as submitted.

HARBOR SIGN PROGRAM CONCLUSIONS: The combination of these three sign components, when taken together is considered to be appropriate for the administration

of signs throughout the Harbor and thereby satisfies the Harbor LCP requirement for preparation of a comprehensive Dana Point Harbor Sign Program.

5. PARKING MANAGEMENT PLAN: The General Regulations and Special Provisions included as part of the City's Harbor LCP Part II District Regulations, Chapter II-3 (Special Provision 28), provides the following requirement for preparation of a Transportation Management Plan:

As part of the first application for a Coastal Development Permit for Revitalization Plan improvements in the Commercial Core, a Parking Management Program shall be prepared in accordance with the requirements contained in Chapter II-14, Off-Street Parking Requirements and include the following components:

- (a) Allocation of parking spaces based on a current assessment of peak/non-peak demand among different land uses within the areas that parking is provided. The required quantity and locations of parking spaces for marina boat slips, the boat launch ramp and dry boat storage shall be provided and maintained for those uses;*
- (b) Management and operational strategies for parking areas during construction activities to ensure public access and minimize construction congestion and conflicts;*
- (c) Implementation of off-site parking programs and shuttle service during major special events and/or other high usage periods for Harbor facilities when necessary;*
- (d) Provide traffic congestion and parking reduction strategies and incentive program for employees of Harbor businesses; and*
- (e) Include operational plans providing detailed information on the modification of any Harbor parking areas to address specific user demand and/or management and responsibilities for controlling, monitoring and adjusting operational procedures for maximizing parking area usage.*

PARKING MANAGEMENT PLAN ANALYSIS: Although included in the Dana Point Harbor Revitalization Commercial Core Project application (Exhibit 9, Tab K) and considered by the City Council at the hearing on June 17, 2014, the transmittal of the complete CDP13-0018 application forwarded to the California Coastal Commission for concurrence review omitted a copy of this report. This oversight has been corrected by providing a copy of the complete Parking Management Plan for Dana Point Harbor, dated December 2013 and revised March 2014 under separate cover.

PARKING MANAGEMENT PLAN CONCLUSION: Coastal Commission staff has subsequently confirmed receipt of the document and not provided any further comments.

NOTIFICATION: Notice for the October 7, 2014, Public Hearing to consider amendments to Coastal Development Permit CDP13-0018 was sent to property owners

within a 500 foot radius of the Harbor Boundary, occupants within a 100 foot radius of the Commercial Core Project and an by electronic mail to a list of approximately 1,000 interested parties, including affected agencies, harbor merchants, boat slip tenants and other interested individuals. In addition, notices for the October 7, 2014, were posted at Dana Point City Hall, the Dana Point Post Office, Capistrano Beach Post Office, and the administrative offices of OC Dana Point Harbor, located at 24650 Dana Point Harbor Drive, Dana Point. Copies of the Staff Report were mailed to the Applicant and California Coastal Commission prior to the Public Hearing. At the October 7, 2014, meeting the City Council continued the Public Hearing to the November 18, 2014 City Council meeting. On Friday, November 7, 2014, an electronic mail to the same list of approximately 1,000 interested parties, affected agencies, harbor merchants, boat slip tenants and other interested individuals.

SUMMARY: As described above, the various components of the Dana Point Harbor Commercial Core Revitalization Project CDP have been amended to address issues raised as part of the appeal of the Local Government Decision (A-5-DPT-14-0036) by the California Coastal Commission, including:

- Preparation of a *Dana Point Harbor Boat Launch Ramp Parking – Summer, Weekends and Holiday Utilization Report* has been prepared to demonstrate the proposed design of the boat launch ramp parking area as previously approved by the City satisfies current and future demand for parking vehicles with trailers.
- Additional analysis and conditions of approval have been added to ensure the timely construction of the Dry Stack Boat Storage Building to provide boat storage opportunities in Planning Area 1.
- An alternative dry boat storage plan has been prepared utilizing a metal outdoor rack system to ensure the capacity to provide dry storage for a minimum of 493 boats in the event that presently unforeseen reasons preclude the construction of the Dry Stack Boat Storage Building.
- Additional analysis to address potential future shoreline hazards (including inundation) associated with projected sea level rise, tsunamis and storm surges has been incorporated into an updated Shoreline Management Plan and Wave Uprush Analysis; and a condition of approval added to ensure future assessments of seasonal and long-term shoreline changes and any new regulations and/or management practices to reduce the risks of flooding and inundation are periodically prepared.

ENVIRONMENTAL: Pursuant to the provisions of the California Environmental Quality Act (CEQA), Environmental Impact Report No. 591 was prepared for the project and certified by the Orange County Board of Supervisors on January 31, 2006.

ISSUES:

1. Do the amendments to the Project satisfy all the findings required pursuant to the Dana Point Harbor Revitalization Plan & District Regulations (Harbor LCP) and the City's Zoning Code for approving a Coastal Development Permit?

2. Does the project as modified address the issues raised by the appellants?

FISCAL IMPACT: None as a result of this action.

STRATEGIC PLAN IMPLEMENTATION: In compliance with the Strategic Plan to evaluate land use issues to ensure goals, policies and programs of the General Plan reflect the community vision and mission, the proposed action supports existing Zoning Code regulations and is in conformance with the policies and implementing provisions of the Dana Point Harbor Revitalization Plan and District Regulations (Harbor LCP).

ALTERNATIVE ACTIONS:

1. The City Council may deny or modify all or a portion of the proposed suggested modifications to the previous approval Resolution and direct staff to prepare an amended Resolution for the Consent Calendar of the next regularly scheduled meeting.
2. The City Council may choose not to amend its approval of CDP13-0018 in which the appeal of the Local Government Decision to the California Coastal Commission would move forward.

ACTION DOCUMENTS:

PAGE NO.

[A. City Council Resolution No. 14-11-18-XX for approval of CDP13-0018\(I\) 37](#)

SUPPORTING DOCUMENTS:

[B. Appeal from Coastal Permit Decision of Local Government 166](#)

[Filed on June 27, 2014 by Bruce Heyman](#)

[C. Appeal from Coastal Permit Decision of Local Government \(A-5-DPT-14-0036\) .. 184](#)

[Filed on July 8, 2014 by Coastal Commissioners Shallenberger & Garcia](#)

[D. City of Dana Point City Council Agenda Report, June 17, 2014 192](#)

[Hard copies provided to City Council. Also at](#)

<http://www.danapoint.org/index.aspx?recordid=5678&page=180>

[E. Correspondence received at May 12, 2014, Planning Commission Public Hearing 193](#)

[F. Correspondence received at June 17, 2014, City Council Appeal Public Hearing..... 242](#)

[G. City Council Resolution No. 14-06-17-06 263](#)

[H. City Council Minutes - June 17, 2014 281](#)

[I. City Council Minutes - October 7, 2014 298](#)

[J. Correspondence received for November 18, 2014, Amendment Public Hearing .. 307](#)

[K. Preliminary Shoreline Management Plan, dated September, 2014 321](#)

[L. Dana Point Harbor Revitalization Commercial Core Project 394](#)

[Coastal Engineering Support Services – Wave Uprush Analysis,](#)

[updated August, 2014 \(Everest International Consultants, Inc.\)](#)

EXHIBITS:**PAGE NO.**

1. <u>Commercial Core Project Illustrative Development Exhibit</u>	<u>409</u>
2. <u>Dana Point Harbor Boat Launch Ramp Parking – Summer, Weekend & Holiday Utilization Report.....</u>	<u>410</u>
3. <u>Commercial Core Project Implementation Phasing Schedule</u>	<u>497</u>
4. <u>Surface Boat Storage Alternative Exhibit</u>	<u>513</u>
5. <u>Building Heights within 0.5 Miles of Dana Point Harbor Exhibit.....</u>	<u>514</u>
6. <u>South Coast Water District letter regarding provision of dry boat storage (dated August 22, 2014).....</u>	<u>515</u>

As separate attachments (all Commercial Core Project CDP submittal documents, plans and technical studies/reports are available for public review on the OC Dana Point Harbor website at <http://ocdph.com/revitalization/landside/cdp>):

7. Permit Application Binder (presented to the Planning Commission on May 12, 2014)
8. Project Plans and Exhibits Binder (presented to the Planning Commission on May 12, 2014)
9. Technical Studies/Reports and Information Binder (presented to the Planning Commission on May 12, 2014)

ACTION DOCUMENT A:**RESOLUTION NO. 14-11-18-XX**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING COASTAL DEVELOPMENT PERMIT CDP13-0018(I), AMENDING COASTAL DEVELOPMENT PERMIT CDP13-0018 FOR DEVELOPMENT OTHERWISE REFERRED TO AS THE DANA POINT HARBOR COMMERCIAL CORE PROJECT, A PARKING MANAGEMENT PROGRAM, A MASTER SIGN PROGRAM AND APPROVALS IN CONCEPT.

Applicant/Property Owner:
OC Dana Point Harbor/County of Orange

The City Council of the City of Dana Point does hereby resolve as follows:

WHEREAS, on December 20, 2013, the applicant filed a verified application for a Coastal Development Permit for the phased demolition of existing commercial and boater support facilities, the renovation and/or construction of new retail/restaurant/office space (including outdoor dining), two level parking deck and podium structure, infrastructure and street improvements, parking area reconfigurations, a Parking Management Plan, Master Sign Program and approvals-in-concept for a Dry Boat Storage Building and other Marine Services Commercial improvements; and

WHEREAS, said verified application constitutes a request as provided by Title 9 of the Dana Point Municipal Code and Chapter 16 of the Dana Point Harbor Revitalization Plan and District Regulations; and

WHEREAS, the Dana Point Harbor Revitalization Plan & District Regulations is part of a comprehensive planning program that has included extensive analysis of the Harbor area, including Final Environmental Impact Report No. 591 that has been certified by the Orange County Board of Supervisors and covers all Dana Point Harbor Revitalization Plan improvements in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, due to the incorporation of additional policies, regulations and development standards by the California Coastal Commission and the City of Dana Point as part of the Local Coastal Program Amendment ("LCPA") review and certification process, the previously certified Final EIR No. 591 prepared for the Revitalization Plan required review to determine whether the previous conclusions remain valid; and

WHEREAS, pursuant to the requirements of CEQA Guidelines Section 15164 and 15152, OC Dana Point Harbor prepared an Addendum to Final EIR No. 591 to provide a record of the changes resulting from the certification of the City's LCPA and determined

that the Addendum and the certified Final EIR No. 591 serve as the environmental review of the Dana Point Harbor Revitalization Plan as modified; and

WHEREAS, a Project Requirement and Monitoring Program has been prepared to meet the requirements of CEQA Section 21081.6 as mitigation measure monitoring program. The Project Requirement and Monitoring Program is designed to ensure compliance with the mitigation measures imposed upon the Dana Point Harbor Revitalization Plan to avoid or substantially lessen the significant effects identified in Final Program EIR No. 591; and

WHEREAS, the Project Condition/Requirement and Mitigation Monitoring Program is attached hereto as Exhibit A and is incorporated herein by reference; and

WHEREAS, the Planning Commission did, on the 12th day of May, 2014 hold a duly noticed public hearing as prescribed by law to consider said request; and

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, said Commission considered all factors and approved Coastal Development Permit CDP13-0018; and

WHEREAS, on May 27, 2014, the appellant filed an appeal of the Planning Commission decision; and

WHEREAS, the City Council did, on the 17th day of June, 2014, hold a duly noticed public hearing as prescribed by law to consider the appeal; and

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, of all persons desiring to be heard, said Council considered all factors relating to the appeal of Coastal Development Permit CDP13-0018 and upheld the Planning Commission's approval; and

WHEREAS, on June 19, 2014 the City filed a Coastal Development Permit Application Notice of Final Action pursuant to Municipal Code Section 9.69.090 with the California Coastal Commission; and

WHEREAS, on June 27, 2014 an Appeal From Coastal Permit Decision of Local Government was filed by Bruce Heyman with the California Coastal Commission; and

WHEREAS, on July 7th and 8th an Appeal From Coastal Permit Decision of Local Government (A-5-DPT-14-0036) was filed by California Coastal Commissioners Mary K. Shallenberger and Dr. Robert Garcia pursuant to Section 30625 of the Coastal Act; and

WHEREAS, the City has conducted consultations with Coastal Commission staff and OC Dana Point Harbor and is recommending the incorporation of amendments into Coastal Development Permit CDP13-0018 for the Dana Point Harbor Commercial Core Project to address issues raised by the appellant and Coastal Commissioners

Shallenberger and Garcia in their respective appeals of the City's approvals; and

WHEREAS, the City Council, after giving notice as prescribed by law, held a duly notice public hearing on October 7, 2014 and, continued the hearing to November 18, 2014; and

WHEREAS, the City Council, held a public hearing on November 18, 2014, regarding the amendments to Coastal Development Permit CDP13-0018 for the Dana Point Harbor Commercial Core Project and found that the proposed amendments are in accordance with the Dana Point Harbor Revitalization Plan and District Regulations and the previously certified Final EIR No. 591 prepared for the Revitalization Plan; and

WHEREAS, at said public hearing, upon hearing and considering the analysis provided in the City Council Agenda Report, including all referenced documents and exhibits, testimony and arguments, if any, of all persons desiring to be heard, the City Council considered all factors relating to the amendments of Coastal Development Permit CDP13-0018(I).

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Dana Point as follows:

- A) The above recitations are true and correct.
- B) OC Dana Point Harbor will be required to obtain a separate Coastal Development Permit approval from the California Coastal Commission for all proposed Marina Services Commercial improvements receiving City approval-in-concept.

Findings:

- C) Based on the evidence presented at the public hearing, the City Council adopts the following findings and approves the amendments to Coastal Development Permit CDP13-0018(I), subject to conditions.
 1. That the proposed development is in conformity with the Dana Point Harbor Revitalization Plan & District Regulations as certified by the California Coastal Commission **in that the proposed project has been designed in conformance with the Land Use Policies and Development Standards and Requirements of the Marine Services Commercial and Day Use Commercial Planning Areas of the Dana Point Harbor Revitalization Plan & District Regulations.**
 2. That the proposed development, if located between the nearest public roadway and the sea or shoreline of any body of water is in conformity with the public access and public recreation policies of Chapter 3 of the

California Coastal Act (Coastal Act Section 30333 and 30604(c); 14 Cal. Code of Regulations Section 13096) **in that by an Act of the California State Legislature (Chapter 321 of the Statutes of 1961 becoming effective on September 15, 1961) ownership of certain tidelands and submerged land of the State of California (inclusive of Dana Point Harbor) was granted to the County of Orange who has continuously operated Dana Point Harbor as a public facility since it first opened in 1971 and retains all rights pursuant to the Tidelands Grant.**

3. That the proposed development conforms with Public Resources Code Section 21000 et seq. and that there are no feasible mitigation measures or feasible alternatives available that would substantially lessen any significant adverse impact(s) that the activity may have on the environment **in that the Orange County Board of Supervisors, through Resolution No. 06-013 certified on January 31, 2006 FEIR No. 591 in its composite form as complete and adequate in that it addresses all environmental effects of the Dana Point Harbor Revitalization Plan and fully complies with the requirements of CEQA and the County's environmental analysis procedures and pursuant to the requirements of CEQA Guidelines Section 15164 and 15152, prepared an Addendum to FEIR No. 591 to provide a record of the changes resulting from the certification of the City's LCPA by the California Coastal Commission.**
4. That the proposed development, if it includes structures in excess of thirty-five (35) feet in height is in conformity with the provisions of the Dana Point Harbor Land Use Plan and District Regulations to preserve significant coastal public views through scenic corridors and from scenic viewpoints **in that as demonstrated in the Story Pole Staking Plan and View Analysis using the same views as first analyzed as part of FEIR No. 591 and updated to include the current project design elements, the anticipated development will have similar impacts on views and will result in significant and unavoidable long-term off-site aesthetic impacts due to the development of the dry stack boat storage building which will partially obstruct views from surrounding roadways, parks and the State Beach as indicated in FEIR No. 591; but will provide enhanced coastal view opportunities through scenic corridors not presently available through the creation of the Festival Plaza, Pedestrian Promenade and by providing new view overlooks as part of the project design. The architectural design is consistent with the character of the community in architectural form, bulk and height in that the development's architectural elements and proposed building heights and/or exceptions conform to requirements of the City's Harbor LCP Part II District Regulations, Chapters II-4 and II-5.**

5. That the proposed development conforms with the Dana Point Harbor Land Use Plan to maintain sufficient parking for coastal dependent and coastal related land uses **in that a Parking Management Plan, incorporating the findings and recommendations of the Dana Point Harbor Baseline for Slips, Dry Boat Storage, Launch Ramp & Parking Analysis (October 2013), a Transportation Demand Management Plan (October 2013), and Construction Management Parking Plan (December 2013), has been prepared that provides 4,500 parking spaces and facilitates the best possible use of the parking while prioritizing and avoiding adverse impacts on priority uses, including designated boater parking, boat launch ramp parking and dry boat storage opportunities, and includes provisions for the use of off-site locations during peak Harbor usage periods has been prepared and will be updated on a routine basis.**
6. That the proposed development will maintain adequate space for a minimum of 493 boats to be stored on dry land and a minimum of 334 vehicle with trailer parking spaces for public launch ramp purposes in Planning Area 1 or provides for the storage of boats at off-site locations during construction of Commercial Core Project improvements **in that the project includes the development of a dry stack boat storage building capable of storing up to 400 boats and maintains surface boat storage spaces for a minimum of 93 boats that cannot be stored in the dry stack boat storage building; provides a minimum of 334 spaces located adjacent to the public boat launch ramp on a continual basis; and provides for adequate off-site storage facilities for all boats displaced during construction in accordance with the Construction Management Parking Plan.**
7. That the proposed development will be sited and designed to prevent adverse impacts to environmentally sensitive habitats and scenic resources located in adjacent parks and recreation areas, and will provide adequate buffer areas to protect such resources **in that the subject site is presently completely built-out with similar existing land uses and the site contains very little vegetation or coastal resources that could be considered to be significantly impacted by the proposed upgrades to Harbor infrastructure and facilities, and the project application includes Tree Trimming and Maintenance Procedures for Harbor Bird Habitat that have been developed to ensure the long-term protection of wading bird heronries, breeding, roosting and nesting habitat of birds protected by the Fish and Game Code and the Migratory Bird Treaty Act.**
8. That the proposed development will minimize the alterations of natural landforms and will not result in undue risks from geologic and erosional forces and/or flood and fire hazards **in that the proposed project is**

located on manmade landforms previously developed and a geotechnical investigation with recommendations and conclusions addressing site preparation, foundation design, lateral spreading for proposed buildings and retaining walls addressing geologic forces; a Preliminary Shoreline Management Plan and Wave Uprush Analysis prepared for the project provides current and future assessments of seasonal and long-term shoreline changes consistent with the best available science currently available standard and the information included in the Coastal Commission Draft Sea Level Rise Policy Guidance document that will be updated as new regulations and technologies are identified and/or regulatory standards are adopted by local, state and federal agencies relating to risks from flooding, inundation; that adequate County and City preparedness plans are in place and regularly updated to protect public safety and the project has received conditional approval from the Orange County Fire Authority that will minimize fire hazards.

9. That the proposed development will maintain compliance with the provisions of the National Pollution Discharge Elimination System and the requirements of the City of Dana Point Local Implementation Plan and Storm Water/Surface Runoff Water Quality Ordinance and Municipal Separate Storm Sewer System Permit **in that water quality Best Management Practices have been incorporated into the project design, including low flow diversions, infiltration trenches, bioretention without underdrains, drywells, permeable pavement and underground infiltration galleries in accordance with the approved Conceptual Water Quality Management Plan that also establishes responsibilities and timeframes for the construction and long-term maintenance of all new storm water and pollution control management systems in the Harbor.**
10. That the proposed development will be visually compatible with the character of surrounding areas, and, where feasible, will restore and enhance visual quality in visually degraded areas **in that proposed project consists of the revitalization of an existing, fully developed harbor and the proposed improvements involve the replacement and enhancement of existing land uses in the Harbor, and includes new structures with contemporary building materials, variations in roof heights, new landscape improvements, and implementation of a comprehensive signage program that will enhance visual quality in the Harbor and facilitate public access.**
11. That the proposed development will conform with the General Plan, Zoning Code, applicable Specific Plan, Local Coastal Program, or other applicable adopted plans and programs **in that this application is being reviewed for compliance with the Coastal Act provisions and other**

applicable state laws concerning specific coastal resources, compatibility with adjacent development, hazard areas, coastal access concerns and that land use priorities have been applied to determine the locations and intensity of land and water uses as part of the proposed development which is consistent with all applicable provisions of the Dana Point Harbor Revitalization Plan & District Regulations that is the applicable Local Coastal Program addressing land use and the implementation of projects in the OC Dana Point Harbor.

Conditions:

A. GENERAL CITY OF DANA POINT DISCRETIONARY APPROVAL REQUIREMENTS:

1. The Project Condition/Requirement and Mitigation Monitoring Program, attached hereto as Exhibit A for the Project, shall constitute conditions of approval by reference. Where there is a conflict between these conditions and the MMP, the more restrictive shall apply as determined by the OC Dana Point Harbor Director.
2. Approval of this application permits the phased demolition of existing commercial and boater support facilities, the renovation and/or construction of new retail/restaurant/office space (including outdoor dining), two level parking deck and podium structure, infrastructure and street improvements, parking area reconfigurations, a Parking Management Plan, Master Sign Program and approvals-in-concept for the construction of a Dry Boat Storage Building and upsizing of two storm drain outfalls for approval of a Coastal Development Permit by the California Coastal Commission. Subsequent submittals for this project shall be in substantial compliance with the plans presented to the City Council and in compliance with the applicable provisions of the Dana Point Harbor Revitalization Plan & District Regulations, the City of Dana Point General Plan, City Zoning Code and other application provisions of the City's Local Coastal Program.
3. This discretionary permit(s) will become void two (2) years following the effective date of the approval if the privileges authorized are not implemented or utilized or, if construction work is involved, such work is not commenced with such two (2) year time period or; the Director of Community Development or the Planning Commission, as applicable grants an extension of time. Such time extensions shall be requested in writing by the applicant or authorized agent prior to the expiration of the initial two-year approval period, or any subsequently approved time extensions.

4. The application is approved for the location and design of the uses, structures, features, and materials, shown on the approved plans. Any relocation, alteration or addition to any use, structure, feature or material, not specifically approved by this application, will nullify this approving action. If any changes are proposed regarding the location or alteration to the appearance or use of any structure, an amendment to this permit shall be submitted for approval by the Director of Community Development. If the Director of Community Development determines that the proposed change complies with the provisions and the spirit and intent of this approval action, and that the action would have been the same for the amendment as for the approved plans, he may approve the amendment without requiring a new public hearing.
5. Failure to abide by and faithfully comply with any and all conditions attached to the granting of this permit shall constitute grounds for revocation of said permit.
6. The County, any tenants or any successor-in-interest shall defend, indemnify and hold harmless the City of Dana Point ("CITY"), its agents, officers, or employees from any claim, action, or proceeding against the CITY, its agents, officers, or employees to attack, set aside, void or annul an approval or any other action of the CITY, its advisory agencies, appeal boards, or legislative body concerning the project. Applicant's duty to defend, indemnify, and hold harmless the City shall include paying the CITY's attorney's fees, costs and expenses incurred concerning the claim, action, or proceeding.

The County, any tenants or any successor-in-interest shall further protect, defend, indemnify and hold harmless the City, its officers, employees, and agents from any and all claims, actions, or proceedings against the City, its officers, employees, or agents arising out of or resulting from the negligence of the applicant or the applicant's agents, employees, or contractors. Applicant's duty to defend, indemnify, and hold harmless the City shall include paying the CITY's attorney's fees, costs and expenses incurred concerning the claim, action, or proceeding.

7. The County and/or their designee shall be fully responsible for knowing and complying with all conditions of approval, including making known the conditions to the City staff for future governmental permits or actions on the project site.
8. The applicant shall be responsible for coordination with SDG&E, AT&T California and Cox Communication Services for the provision of electric, telephone and cable television services.

9. The use of the City's public right of way for construction purposes shall not be allowed, except as permitted by the City Engineer. An encroachment permit is required for all use of the public right-of-way.
10. Prior to issuance of any permit for work affecting neighboring properties, the applicant must secure written approval for the use of neighboring property for any proposed construction and improvements from all affected properties.
11. During the construction phase, all construction materials, wastes, grading or demolition debris, and stockpiles of soil, aggregates, soil amendments, etc. shall be properly covered, stored, managed, secured and disposed to prevent transport into the streets, gutters, storm drains, creeks and/or coastal waters by wind, rain, tracking, tidal erosion or dispersion.
12. The applicant shall prepare and provide to the City a copy of all needed reports and implement all required actions to meet current NPDES permit water quality regulations including, but not limited to, a Water Quality Management Plan, a Storm Water Pollution Prevention Program, and all other required water quality related reports/actions.
13. Should dewatering be necessary, the applicant shall apply and secure a separate discharge permit from the Regional Water Quality Control Board and from any other regulatory agency with jurisdiction, and submit a copy of the permit (s) to the City.
14. The hours of operation of construction equipment that produces significant noise or levels noticeably above general construction noise shall be limited to the allowable hours indicated in the Dana Point Municipal Code.
15. The applicant shall submit street improvement plans for all components of work that will impact City streets, fund and construct said improvements in compliance with City standards, for review and approval by the City Engineer. The applicant shall include all plans and documents in their submittal as required by the current City Public Works Department's plan check policies, City of Dana Point Municipal Code and the City of Dana Point Grading Manual and City's Municipal Separate Storm Sewer Systems (MS4s) Permit requirements. This includes, but is not limited to, the following:
 - a. Required asphalt renovation on all City roadways including pavement repairs and overlay limits.
 - b. Required sidewalk and curb and gutter repairs.

- c. Required median renovation work, including replacement of existing irrigation, trees and plant material.
 - d. Required City monument signage.
 - e. Other customary related street improvements.
16. For City streets, the applicant shall provide design documents, fund and construct traffic signal modifications and improvements, including but not limited to, traffic signal interconnect, conduit, wire, pull boxes, controller and enclosure, traffic signal poles, audible pedestrian push buttons, and all other required equipment as directed and approved by the City Engineer.
 17. Street Improvement Plans provided by the Applicant for purposes of processing the Coastal Development Permit are conceptual in nature, and may change based on input provided during the City review and approval process.
 18. All street improvement and traffic signal work at the intersection of Puerto Place and Dana Point Harbor Drive shall be completed prior to construction of any on site buildings. Alterations to this Condition necessary for Project Phasing may be approved by the City Engineer.
 19. The applicant shall provide design documents for all construction traffic control for the construction of all proposed City street improvements, and to support construction of improvements on County property. The traffic control plans shall be prepared by a licensed California Traffic or Civil Engineer and submitted for review and approval by the City Engineer.
 20. The applicant shall relocate all impacted public and private utilities to allow for the construction of the proposed improvements along Dana Point Harbor Drive. Further, the applicant shall provide easements, if needed, on the applicant's property to allow for the necessary relocations as approved by the City Engineer, relating to City streets.
 21. The applicant shall construct all sidewalk improvements to match the widths of adjoining or remaining public sidewalks.
 22. The applicant shall provide a permit from South Coast Water District for water and sewer services, and construct all necessary public and private infrastructure to support said services.
 23. Applicant shall prepare a comprehensive utility plan for all existing and proposed utilities on surrounding City streets that are impacted. Further, all above grade structures shall be fully screened from public view with landscaping or other improvements to the satisfaction of the City Engineer.

24. The applicant's licensed engineering consultants shall submit a final certification for all City street signing and striping and traffic signal improvements for review and approval by the City Engineer by separate submittal. The final improvement certification by the Civil Engineer (per the City's standard Civil Engineer's Final Certification Template for Final Approval) shall approve the improvements as being substantially completed in conformance with the approved improvement plans.
25. The applicant shall submit a final stamped certification from the Traffic Engineer for all signal and traffic improvements for review and approval by the City Engineer by separate submittal. The final improvement certification by the Traffic Engineer (per the City's standard Civil Engineer's Final Certification Template for Final Approval) shall approve the improvements on City streets as being substantially completed in conformance with the approved improvement plans.
26. An encroachment permit is required for all work on City property per the City's Municipal Code, City Standards and other local and state requirements. All work in the right-of-way shall be completed in conformance with the Encroachment Permit conditions and approved plans to the satisfaction of the City Engineer.
27. All landscaping and irrigation installed on City property shall be installed per an approved landscape and irrigation plan. A State licensed landscape architect shall certify that all plants, irrigation and other improvements have been installed in accordance with the specifications of the final plan and shall submit said certification in writing to the Director of Community Development and the Director of Public Works. The applicant shall contact the Community Development Department once all landscaping has been installed in accordance with the approved plans.
28. Any damage to improvements (landscape, irrigation, hardscape, sidewalks, etc.) on City property shall be restored to the satisfaction of the City Engineer.
29. All permanent BMP's on the project shall be installed and approved by either the project Landscape Architect or the Civil Engineer of Record. The applicant shall submit to the City and County of Orange, a final certification stating that all improvements associated with water quality meet the approved project WQMP by separate submittal. The final improvement certification by the record civil engineer shall approve the improvements as being substantially completed in conformance with the approved WQMP.

30. A grading permit shall be obtained prior to any work including demolition activities.
31. The County and/or their designee shall exercise special care during the construction phase of this project to prevent any off-site siltation and shall provide erosion control measures of a type, size and location as approved in consultation with the City of Dana Point Director of Public Works. The erosion control measures shall be shown and specified on the grading plan and shall be constructed to the satisfaction of the Director, OC Public Works prior to the start of any other grading operations. Prior to the removal of any erosion control devices so constructed, the area served shall be protected by additional drainage facilities, slope erosion control measures and other methods as may be required by the Director, OC Public Works. The applicant shall maintain the erosion control devices until the Director, OC Public Works approves of the removal of said facilities.
32. The project shall meet all water quality requirements including Low Impact Development (LID) implementation.

B. COUNTY STANDARD CONDITIONS OF PROJECT APPROVAL:

33. Prior to issuance of certificates of use and occupancy, OC Dana Point Harbor and/or their designee shall provide plans or identify measures to comply with standard County procedures for implementing the Uniform Fire Code in the use of any combustible and flammable liquids, above-ground or underground storage of such materials, welding and potential spark production, and building occupancy rating in a manner meeting the approval of the Fire Chief. Further, a copy of the approved "UFC Implementation Plan" shall be furnished to the Manager, Building Inspection Services, prior to the issuance of any certificates of use and occupancy.
34. Prior to the issuance of any grading permits or the issuance of a building permit, whichever occurs first, OC Dana Point Harbor and/or their designee shall provide evidence of adequate fire flow. The "Orange County Fire Authority Water Availability for Fire Protection" form shall be signed by the applicable water district and submitted to the Fire Chief for approval. If sufficient water to meet fire flow requirements is not available an automatic fire extinguishing system may be required in each structure affected.
 - A. Prior to the issuance of a building permit, OC Dana Point Harbor and/or their designee shall submit plans for the required automatic fire sprinkler system in any structure to the Fire Chief for review and approval. Please contact the Orange County Fire Authority at (714)

744-0499 to request a copy of the "Orange County Fire Authority Notes for New NFPA 13 Commercial Sprinkler Systems."

- B. Prior to the issuance of a certificate of use and occupancy, this system shall be operational in a manner meeting the approval of the Fire Chief.

35. FIRE LANE MARKING

- A. Prior to the issuance of any grading or building permits, OC Dana Point Harbor and/or their designee shall submit plans and obtain approval from the Fire Chief for fire lanes on required fire access roads. The plans shall indicate the locations of red curbs and signage and include a detail of the proposed signage including the height, stroke and colors of the lettering and its contrasting background. Please contact the Orange County Fire Authority at (714) 744- 0499 or visit the Orange County Fire Authority website to obtain a copy of the "Guidelines for Emergency Access Roadways and Fire Lane Requirements".

- B. Prior to the issuance of any certificate of use and occupancy, the fire lanes shall be installed in accordance with the approved fire lane plan. Tenant Leases or other approved documents shall contain a fire lane map, provisions prohibiting parking in the fire lanes, and an enforcement method.

- 36. Prior to the issuance of any grading permits, OC Dana Point Harbor and/or their designee shall obtain the approval from the Fire Chief for the construction of any gate across required fire department access roads. Please contact the Orange County Fire Authority at (714) 744-0499 or visit the Orange County Fire Authority website to obtain a copy of the "Guidelines for Design and Installation of Emergency Access Gates and Barriers."

37. FIRE ALARM SYSTEM

- A. Prior to the issuance of a building permit, plans for the fire alarm system shall be submitted to the Fire Chief for review and approval. Please contact the Orange County Fire Authority at (714) 744-0499 or visit the Orange County Fire Authority website to obtain a copy of the "Guideline for New and Existing Fire Alarm Systems."

- B. This system shall be operational prior to the issuance of a certificate of use and occupancy.

- 38. Prior to the issuance of a building permit or installation of an aboveground tank, plans shall be submitted to the Fire Chief for review

and approval. Please contact the Orange County Fire Authority at (714) 744-0499 for additional information.

39. HAZARDOUS MATERIALS

A. Prior to the issuance of a grading or building permit, OC Dana Point Harbor and/or their designee shall submit to the Fire Chief a list of all hazardous, flammable and combustible liquids, solids or gases to be stored, used or handled on site. These materials shall be classified according to the Uniform Fire Code and a document submitted to the Fire Chief with a summary sheet listing the totals for storage and use for each hazard class. Please contact the Orange County Fire Authority at (714) 744-0499 or visit the Orange County Fire Authority website to obtain a copy of the "Guideline for Completing Chemical Classification Packets."

B. Prior to the issuance of a building permit, OC Dana Point Harbor and/or their designee shall complete and submit to the Fire Chief a copy of a "Hazardous Materials Disclosure Chemical Inventory and Business Emergency Plan" packet. Please contact the Orange County Fire Authority Hazardous Materials Services Section at (714) 744-0463 to obtain a copy of the packet.

40. Prior to the issuance of any building permits, OC Dana Point Harbor and/or their designee shall submit a detailed letter of intended use for each building on site to the Fire Chief for review and approval.

41. OC Dana Point Harbor and/or their designee shall store, manifest, transport and dispose of all on-site generated waste that meets hazardous materials criteria in accordance with the California Code of Regulations Title 22 and in a manner to meet the satisfaction of the Manager, HCA/Hazardous Materials Program. OC Dana Point Harbor and/or their designee shall keep storage, transportation and disposal records on site and open for inspection by any government agency upon request. OC Dana Point Harbor and/or their designee shall store used oil filters in a closed rainproof container that is capable of containing all used oil and shall manage the container as specified in Title 22, Chapter 30, Division 4, Section 66828 of the California Code of Regulations.

42. Prior to the issuance of street improvement permits for County owned property, OC Dana Point Harbor and/or their designee shall design and construct the following improvements in accordance with plans and specifications meeting the approval of the Manager, Subdivision and Grading:

A. Streets, bus stops, on-road bicycle trails, street names, signs, striping and stenciling.

- B. The water distribution system and appurtenances that shall also conform to the applicable laws and adopted regulations enforced by the County Fire Chief.
- C. Underground utilities (including gas, cable, electrical and telephone), streetlights, and mailboxes.
43. Prior to the issuance of any grading permits, OC Dana Point Harbor and/or their designee shall provide adequate sight distance per Standard Plan 1117 at all street intersections, in a manner meeting the approval of the Manager, Subdivision and Grading. OC Dana Point Harbor and/or their designee shall make all necessary revisions to the plan to meet the sight distance requirement such as removing slopes or other encroachments from the limited use area in a manner meeting the approval of the Manager, Subdivision and Grading Services.
44. As part of street and intersection improvements for County owned property, OC Dana Point Harbor/contractor shall install all underground traffic signal conduits (e.g., signals, phones, power, loop detectors, etc.) and other appurtenances (e.g., pull boxes, etc.) needed for future traffic signal construction and/or for future interconnection with adjacent intersections, all in accordance with plans and specifications meeting the approval of the Manager, Subdivision and Grading.
45. Prior to the issuance of any grading or building permit (whichever comes first), OC Dana Point Harbor and/or their designee shall include in the WQMP the following additional Priority Project information in a manner meeting the approval of the Manager, Inspection Services Division:
- Include post-construction Structural Treatment Control BMP(s) as defined in the DAMP;
 - Include a conceptual Operation and Maintenance (O&M) Plan that (1) describes the long-term operation and maintenance requirements for the post-construction Treatment Control BMP(s); (2) identifies the entity that will be responsible for long-term operation and maintenance of the referenced Treatment Control BMP(s); and (3) describes the proposed mechanism for funding the long-term operation and maintenance of the referenced Treatment Control BMP(s).
46. Prior to the issuance of any grading or building permits, OC Dana Point Harbor and/or their designee shall demonstrate compliance under California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number or other proof of filing in a manner meeting

the satisfaction of the Manager, Building Permit Services. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the project site and be available for review on request.

C. SPECIAL CONDITIONS OF PROJECT APPROVAL:

47. Prior to issuance of grading permits, OC Dana Point Harbor and/or their designee shall provide plans or identify measures to comply with standard County procedures to implement all applicable regulations of the South Coast Air Quality Management District. These measures may include using low emission construction equipment, maintaining equipment in tune per manufacturer's specifications; using catalytic converters on gasoline-powered equipment and using reformulated, low-emission diesel fuels and using finishing products in a manner meeting the approval of the Manager, Building Permit Services to demonstrate compliance with local and state air quality management regulations for grading and construction activities.
48. Prior to the issuance of certificates of use and occupancy, OC Dana Point Harbor and/or their designee and/or tenant(s) shall pay fees for the Major Thoroughfare and Bridge Fee Program listed below, in a manner meeting the approval of the Manager, OC Public Works/Subdivision and Grading.
 - a. Coastal Area Road Improvements and Traffic Signals
 - b. San Joaquin Hills Transportation Corridor
49. All landscaping and irrigation, on County property, shall be installed per the approved final landscape and irrigation plan. A State licensed landscape architect shall certify that all plant and irrigation materials have been installed in accordance with the specifications of the final plan and shall submit said certification in writing to the City of Dana Point Director of Community Development for verification. The landscape plan shall conform to the latest Landscape Efficiency Ordinance adopted by the County of Orange.
50. Prior to the issuance of a precise grading permit, a written approval by the Geotechnical Engineer approving the grading as being substantially in conformance with the approved conceptual grading plan shall be submitted to the City of Dana Point Director of Community Development in consultation with the Orange County Director of Public Works for verification.
51. In conformance with Harbor LCP Policy 6.2.6-12, to avoid conflicts and promote efficient traffic circulation in the Mariners Village and Dana Wharf areas, all deliveries by vehicles longer than 30-feet in length will

be conducted between the daily hours of 6 and 11 AM only (including weekends). Only delivery trucks that are accommodated by the standard size parking spaces shall be permitted on Dana Wharf after 11 AM.

52. Prior to release of the roof sheathing inspection, the applicant shall certify by a survey or other appropriate method that the heights of the proposed structures are in compliance with plans approved by the City of Dana Point and the structure heights included as part of this permit.
53. Within five (5) years from the date CDP13-0018(I) is established, OC Dana Point Harbor shall prepare for the City's review an update to the Parking Management Plan for Dana Point Harbor as required by the City's Harbor LCP Part II District Regulations, Section II-14.6 and will subsequently update the Plan on a routine basis to reflect weekday, weekend and seasonal variations in the use of the Harbor parking facilities and minimize overcrowding of high demand parking areas to the greatest extent feasible.
54. **Within five (5) years from the date CDP13-0018(I) is established, OC Dana Point Harbor shall prepare for the City's review an update to the Preliminary Shoreline Management Plan and any required technical studies for Dana Point Harbor as required by the City's Harbor LCP Part II District Regulations, Chapter II-3, Special Provision 11 to provide updated assessments of seasonal and long term shoreline changes consistent with the best available science currently available and the information included in the Coastal Commission Draft Sea Level Rise Policy Guidance document and will be updated as new regulations and technologies are identified and/or regulatory standards are adopted by state and federal agencies relating to risks from flooding and inundation. The updated Shoreline Management Plan shall also include provisions for compliance with all applicable adopted regulatory standards and to the extent new information is available, additional assessments of the following:**
 - **An assessment of any factors that may influence the safety of the existing seawalls;**
 - **Any new jurisdictional standards/modeling requirements for the assessment of sea level rise and/or recommended design standards for the fortification or replacement of shoreline protective devices;**
 - **New geotechnical, hydrology or flood information available that is relevant to the assessment of coastal hazards;**
 - **New public safety procedures.**

55. Within six (6) months of the issuance of building permits for the construction of the Commercial Core podium structures, including Buildings 7, 8 and 9, a Coastal Development Permit shall be submitted to the California Coastal Commission for the Dry Boat Storage Building and other related infrastructure improvements in Planning Area 1 in accordance with the requirements and procedures as set forth in Government Code Sections 13056 through 13188.

56. Prior to the issuance of building permits for the Commercial Core Buildings 10 and 11, OC Dana Point Harbor shall provide evidence to the City of Dana Point Community Development Director and Executive Director of the California Coastal Commission that construction plans for the Dry Stack Boat Storage Building have been submitted to the Orange County Building Department for plan check review.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Dana Point, California, held on this 18th day of November 2014.

LISA A. BARTLETT, MAYOR

ATTEST:

Kathy Ward, Acting City Clerk

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF DANA POINT)

I, Kathy Ward, Acting City Clerk of the City of Dana Point, California, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. 14-11-18-XX adopted by the City Council of the City of Dana Point, California, at a regular meeting thereof held on the 18th day of November, 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Kathy Ward
City Clerk

EXHIBIT A

Dana Point Harbor Revitalization Plan								Page 1
PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING PROGRAM								
Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes	
Land Use and Relevant Planning								
1	PDF 4.1-1	Construction phasing for new development shall be 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.	OC DPH	In the event of temporary closures during construction	LUP I-8.1.1-34	Yes	A Construction Management Plan prepared as part of this CDP application, satisfying this requirement (see Tech Studies/ Reports, Tab M). Construction Signage will be noted on all construction plans along with alternative routes of travel if required.	
2	SCA 4.1-1	If the County proposes changes regarding the location or alteration of any use or structure, the County shall submit a revised plan to the Director of the County's Planning Division.	OC DPH	Grading and Building Permits		Yes (on-going)	The approving City Resolution includes a condition of approval requiring revisions to the project to be submitted and approved by the City Director of Community Development (Condition #3)	
3	SCA 4.1-2	Provision for continuous maintenance of a Landscape Maintenance Program shall be assured.	OC DPH	During operation		Yes (on-going)	All landscaping in the Harbor will continue to be maintained in accordance with adopted Board of Supervisors policies.	
4	SCA 4.1-3	Prior to the issuance of any Precise Grading Permit, a Site Plan delineating the capacity, number and location of all proposed solid waste and recyclable collection areas shall be approved.	Manager, OC Public Works/Current Planning OC DPH	Coastal Development and Grading Permits		Yes	All proposed trash enclosures (existing and proposed) are shown on the CDP Develop. and Civil Eng. Plans (see Plans and Exhibits, Tabs One and Two).	
5	MM 4.1-1a	Land uses and new development in Dana Point Harbor shall be consistent with the Dana Point Harbor Land Use Plan and all applicable policies and regulations contained in the Dana Point Harbor Revitalization Plan and District Regulations.	OC DPH City of Dana Point California Coastal Commission	Coastal Development Permits	LUP I-2.3.1-1	Yes	The approving City Resolution includes the appropriate finding(s) of compliance with the certified Harbor LUP.	

Dana Point Harbor Revitalization Plan

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
6	MM 4.1-3a	Access to the Marina Services Commercial 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.	OC DPH	Coastal Development Permits	LUP I-4.4.1-6	Yes	A Construction Management Plan prepared as part of this CDP application, satisfies this requirement (see Tech Studies/ Reports, Tab M). Construction staging, access and parking are also fully described.
7	MM 4.1-3b MM 4.2-8	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.	OC DPH	Coastal Development and Sign Permits	LUP I-8.5.3-10	Yes	A comprehensive Master Sign Program prepared as part of this CDP application satisfies this requirement and shows directional signs (see Plans and Exhibits, Tab Five).
8	LUP Policy I-3.2.1-1	Administer the use of the tidelands and submerged lands in a manner consistent with the tidelands trust and all applicable laws.	OC DPH City of Dana Point California Coastal Commission	Coastal Development Permits		Yes	The proposed project has been specifically designed to be in compliance with the provisions of Harbor LCP, Chapter I-3 and the requirements of the Tidelands Trust. The project does not involve the transfer of any County responsibilities under the Tidelands Grant.
9	LUP Policy I-3.2.1-2	Promote the use of the Harbor for navigation, fishing, public access, water-oriented recreation and the provision of coastal-dependent uses adjacent to the water in leasing or re-leasing of publicly owned land. Commercial uses, incidental to the above uses are also allowed.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The approving City Resolution includes a finding of compliance with the certified Harbor LUP.
10	LUP Policy I-3.2.1-3	Evaluate and ensure the consistency of the proposed use with the public trust restrictions and the public interest at the time any tideland lease is re-negotiated or renewed.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed project is a revitalization of existing areas of the Harbor with consistent land uses. All new or updated lease agreements will remain on a rental basis that also includes a profit sharing component. No yacht clubs are affected by the improvements currently proposed.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
11	LUP Policy I-3.2.1-4	New boating/yacht clubs or associations that require membership and/or fees for enrollment/initiation and/or other recurrent fees (e.g., member dues, assessments, etc.) or any other facilities that operate similarly on public tidelands are prohibited. Any expansion of existing legally established boating/yacht clubs, associations and/or such clubs that renew or renegotiate their lease on public tidelands shall be required to: (1) remove any existing impediments to public access to and along the bulkhead/ waterfront that exist due to the presence of the club; (2) where the club has facilities for banquets, receptions, meetings, luncheons, conferences, seminars and other similar events, make significant portions of the facilities available at all reasonable times to the public (member and non-member) groups and market the availability of such facilities to the public; (3) within their existing capacity, provide activities at the facilities accessible to the general public throughout the year such as, but not limited to, sailing and navigation classes; sailing and boat racing events and boating safety classes; (4) offer sailing, navigation and boating safety classes and boat use and equipment for free and low-cost to economically disadvantaged families (to the extent the club has access to such equipment); (5) prohibit membership requirements that discriminate against anyone on the basis of race, color, religion, sex, national origin, sexual orientation or disability.	OC DPH City of Dana Point	Coastal Development Permits		N/A	No boating/yacht clubs or associations are affected by the proposed Commercial Core Project improvements in PA 2 or portions of PA's 1 and 3.
12	LUP Policy I-3.2.1-5	The County shall offer a program to include, but not be limited to sailing, navigation and boating safety classes and boat and equipment use for free to youths (up to age 18) of economically disadvantaged families with any proposal to expand or improve County operated facilities (e.g., OC Sailing & Events Center) that offer water oriented recreational opportunities to the public.	OC DPH City of Dana Point	Coastal Development Permits		N/A	No boating/yacht clubs or associations are affected by the proposed Commercial Core Project improvements in PA 2 or portions of PA's 1 and 3.
13	LUP Policy I-4.1.1-1	Coastal-dependent development, as defined in Chapter 9.75 of the City of Dana Point Zoning Code shall have priority over other developments on or near the shoreline. Except as provided for in Conservation and Open Space Element Policy 3.6, coastal-dependent developments shall not be sited in a wetland. Coastal-related developments should be accommodated within the closest feasible proximity to the coastal-dependent uses they support. (Coastal Act Section 30255)	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed project includes the reconfiguration of existing surface boat storage areas, public launch ramp parking and approval-in-concept for the construction of a Dry Boat Storage Facility, including the replacement of some associated docks. The approving City Resolution includes the appropriate finding(s) of compliance with the certified Harbor LUP.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
14	LUP Policy I-4.1.1-2	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)	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed project includes the reconfiguration of existing surface boat storage areas, public launch ramp parking and approvals-in-concept for the construction of a Dry Boat Storage Facility, including the replacement of docks. The approving City Resolution includes the appropriate finding(s) of compliance with the certified Harbor LUP for water-oriented recreational uses.
15	LUP Policies I-4.1.1-3 I-6.1.1-1	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)	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed in conformance with the Harbor LUP and District Regulations.
16	LUP Policy I-4.1.1-4	Protect irreplaceable beaches and coastal bluffs from development and natural erosion processes to provide for the replenishment of beach sands when feasible and to strive for increased public access to the Harbor beaches and the coastline.	OC DPH City of Dana Point	Coastal Development Permits		N/A	No beaches or coastal bluff areas are affected by the proposed Commercial Core Project improvements in PA 2 or portions of PA's 1 and 3.
17	LUP Policy I-4.1.1-5	Maintain and enhance boating use through the provision of various amenities to the waterside areas, including, but not limited to improved boater drop-off areas, designated boater parking, upgraded boater service buildings and restrooms and dinghy docks planned to be relocated adjacent to Planning Area 2.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed project includes enhancements to boater facilities including dry boat storage, designated boater parking with drop-off areas (see Plans & Exhibits, Tab One, Sheet A-02).
18	LUP Policy I-4.1.1-7	Increased recreational boating use of Dana Point Harbor shall be encouraged by maintaining and enhancing dry storage areas, maintaining and increasing public launching facilities, maintaining and enhancing berthing space within the Harbor and limiting non-water-dependent land uses that may congest access corridors and preclude boating support facilities. (Coastal Act Section 30224)	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
19	LUP Policy I-4.2.1-1	Protect and where feasible, expand and enhance vessel-launching facilities in Dana Point Harbor. Provide low-cost use of such facilities.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The construction of the proposed Commercial Core Project protects the Boat Launch Ramp and enhances vehicle with trailer parking opportunities.
20	LUP Policy I-4.2.1-2	Protect and where feasible expand and enhance low-cost public boating facilities, such as providing a dedicated hand launch area at Baby Beach during peak usage periods; make publicly accessible areas of the docks available for hand launching; and providing adequate locations for vendors renting kayaks, paddleboards or other similar small vessels. Storage for hand launch vessels shall be provided as close to hand launch areas as feasible.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project maintains access to small water craft rental business(es), both during and after construction of improvements in PA 1.
21	LUP Policy I-4.2.2-1	Provide a variety of berthing opportunities reflecting State and regional demand for slip size throughout Dana Point Harbor.	OC DPH California Coastal Commission	Coastal Development Permits		N/A	Applies to waterside areas only.
22	LUP Policy I-4.2.2-2	Protect and where feasible enhance and expand berthing, dry boat storage facilities and hand launch vessel storage opportunities.	OC DPH City of Dana Point California Coastal Commission	Coastal Development Permits		Yes	The proposed Commercial Core Project enhances boater facilities with the construction of the Dry Boat Storage Building and complete reconfiguration of the surface boat storage and boat launch ramp parking areas.
23	LUP Policy I-4.2.2-3	Maintain existing quantity of anchorage space and where feasible provide new anchorages in areas of the Harbor that minimize interference with navigation channels and where shore access and support facilities are available. Changes in anchorage space to provide new berthing or mooring space may be allowed, subject to a CDP and other applicable regulatory review.	OC DPH California Coastal Commission	Coastal Development Permits	IP II-11-11.5j	N/A	Applies to waterside areas only.
24	LUP Policy I-4.2.2-4	Continue to enforce requirements that moored and docked vessels are seaworthy and navigable, thereby preserving the safe and positive image of Dana Point Harbor and promoting public use of the water.	OC DPH California Coastal Commission	Coastal Development Permits		N/A	Applies to waterside areas only.
25	LUP Policies I- 4.2.2-5 I-4.3.1-3	Protect and where feasible expand and enhance facilities and services for visiting vessels, including public mooring and docking facilities, dinghy docks, guest slips, club guest slips, pump-out stations and other facilities. A minimum of 42 guest slips shall be maintained in the Harbor.	OC DPH California Coastal Commission	Coastal Development Permits		N/A	Applies to waterside areas only.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
26	LUP Policy I-4.2.2-6	Protect and enhance berthing opportunities in Dana Point Harbor. The goal for any dock replacement should be no net loss of slips harbor-wide. Removal of any existing boat slips prior to construction and full operation of the dry boat storage facility shall only occur pursuant to an approved CDP for revitalization of the marinas that addresses impacts associated with any temporary or permanent loss of slips. However, if conformance with current engineering and Americans with Disabilities Act (ADA) design requirements and/or the provision of larger slips to meet demands requires a reduction in the quantity of slips in existing berthing areas, those slips should be replaced if feasible in new berthing areas elsewhere in the Harbor (e.g., within a portion of the 'safe harbor' area near the east breakwater). Priority shall be given to provision of slips that accommodate boats less than 25 feet in length. The average slip length shall not exceed 32 feet. If new berthing areas are not available or are limited in size, the net loss of slips harbor-wide shall be minimized and shall not exceed 155 slips.	OC DPH California Coastal Commission	Coastal Development Permits	IP II-12-12.5o	N/A	Applies to waterside areas only.
27	LUP Policy I-4.2.2-7	Design and site new development to avoid impacts to existing coastal-dependent and coastal-related developments. When reviewing new development proposals, give full consideration to the impact on coastal-dependent and coastal-related land uses including not only the proposed development on the subject property, but also the potential to limit existing coastal-dependent and coastal-related land uses on adjacent properties.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement.
28	LUP Policy I-4.2.2-8	Maintain the Marine Commercial (MC) and Marine Services Commercial (MSC) designation in area on or near the water to encourage a continuation of coastal-dependent and coastal-related uses.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement.
29	LUP Policy I-4.2.2-9	Encourage and maintain marine-related businesses and industries unless the demand for such facilities no longer exists. A shipyard shall be maintained in Planning Area 1 and shall be no less than 1.6 acres in size excluding any water area. The expansion, modification or renewal of the shipyard lease shall be required to demonstrate that the proposed size of the lease area is adequate to maintain a full-service shipyard facility that includes boat haul-out and repair services. Boater-owner self-repair areas are encouraged. As part of any redesign and/or significant new development within the Marine Services Commercial Planning Area (PA 1) an area shall be [provided for boat owners to maintain their own vessels in compliance with all applicable regulations pertaining to self-maintenance activities. The boat-owner self-repair area shall be located in proximity to the shipyard or dry boat storage facilities where access and support facilities are available.	OC DPH City of Dana Point	Coastal Development Permits	IP II-4-4.5p IP II-4-4.5w	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. As shown on the Site Plan Segment 2 (see Plans and Exhibits, Tab One, Sheet A-05), a Boat Maintenance Area is proposed on the southern side of the Dry Boat Storage Building (New M1).

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
30	LUP Policies I-4.2.2-10 I-5.1.1-9	<p>Ensure that the redevelopment of Dana Point Harbor maintains and enhances the following coastal-dependent and coastal related uses:</p> <ul style="list-style-type: none"> • Redesign and expand the existing 5.7 acre boat launch facility to maximize the number of vehicle with trailer parking spaces meeting minimum Department of Boating and Waterway guidelines (10 x 40 feet). Some larger and smaller vehicle with trailer parking spaces shall also be provided in adequate amount to meet demand as determined through the coastal development permit process; • Maintain space for at least 493 boats to be stored on dry land in Planning Area 1; 400 of these spaces may be provided in a dry stack storage facility. Maintain a minimum of 93 surface boat storage spaces, that can accommodate vessels that can not be stored in a dry stack storage building, within the Harbor at all times; additional spaces shall be provided where feasible; • Removal of any existing slips prior to construction and full operation of the boat storage facility shall only occur pursuant to an approved CDP for marina redevelopment that addresses impacts associated with any loss of slips; and • Maintain designated boater parking at a minimum ratio of 0.60 parking spaces per boat slip or side tie. Parking for 2,409 boat slips shall be provided at the minimum ratio unless a net loss of slips is authorized by a CDP. 	OC DPH City of Dana Point	Coastal Development Permits	IP II-14-14.2j	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. A tabulation of vehicle, boat with trailer and surface boat storage is provided on the Proposed Development Plan (see Plans and Exhibits, Tab One, Sheet A-02). Removal of any slips in the Harbor will be subject to approval(s) by the California Coastal Commission pursuant to Harbor LCP Chapter II-16.
31	LUP Policy I-4.3.1-2	Ensure the distribution of support facilities and services in Dana Point Harbor considers the amount of public use.	OC DPH City of Dana Point	Coastal Development Permits		Yes (on-going)	The proposed Commercial Core Project has been designed to satisfy these requirements.
32	LUP Policy I-4.3.1-4	Protect and where feasible expand and enhance existing harbor support uses serving the needs of existing waterfront uses, recreational boaters, the boating community and visiting vessels.	OC DPH City of Dana Point	Coastal Development Permits		Yes (on-going)	The proposed Commercial Core Project has been designed to satisfy these requirements.
33	LUP Policy I-4.3.1-5	Maintain the ability to distribute, remove and relocate support facilities and services in Dana Point Harbor in response to changes in land uses and recreational interests while continuing to provide comparable facilities and levels of service.	OC DPH City of Dana Point	Coastal Development Permits		Yes (on-going)	The proposed Commercial Core Project has been designed to satisfy these requirements.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
34	LUP Policy I-4.3.1-6	Coordinate with the California State Department of Parks and Recreation to expand and enhance support facilities and access opportunities between Dana Point Harbor and Doheny State Beach.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Plan maintains existing access to the State Beach and provides an accessible path between the park and Harbor business (see Plans & Exhibits, Tab One, Sheet A-02).
35	LUP Policy I-4.4.1-1	Facilities serving the commercial fishing and recreational boating industries shall be protected and where feasible, upgraded. Existing commercial fishing and recreational boating 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)	OC DPH City of Dana Point	Coastal Development Permits		N/A	Applies to waterside areas only.
36	LUP Policy I-4.4.1-2	Renovation of the southern portion of the Marine Services Commercial 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 boat storage area.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. The Interim Plan provides a temporary location for the jet ski rental building adjacent to the Marina Operator Temporary Trailer (see Sheets A-02 & A-03).
37	LUP Policy I-4.4.1-3	To provide enhancements to boater facilities and services in the Marine Services Commercial area (Planning Area 1) one (1) dry stack boat storage facility building may be constructed with a capacity to store up to 400 boats generally ranging in size from 20 to 40 feet. The existing functionality and mode of use of surface boat storage by boaters should be provided within any dry stack boat storage facility to the maximum extent possible. Other services may include ancillary marine-related administrative, professional and business offices, marine retail store, a boater lounge area, a hoist, boat maintenance area, and potentially other boat maintenance and support facilities. The existing public launch ramp and associated vehicle and trailer parking facilities shall be enhanced and maintained. There shall be no net loss of the existing 334 vehicle with trailer parking spaces. The existing vehicle with trailer parking spaces shall be reconfigured such that spaces are maximized and meet the minimum California Department of Boating and Waterways guidelines of 10 x 40 feet to the greatest extent feasible while taking into consideration the demand for larger and smaller spaces. An adequate amount of larger and smaller vehicle with trailer parking spaces shall	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Sheets A-02 through A-06 show the locations of the 336 vehicle with trailer spaces proposed in the Boat Launch Ramp area. Details for the Dry Boat Storage Building are provided on Sheets A-21 through A-24.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
		also be provided for the type of tow vehicles and vessels that use the launch ramp facility, as determined through the Coastal Development Permit process.					
38	LUP Policy I-4.4.1-5	Renovation of the Marine Commercial area (Planning Area 4) may include the potential expansion of the two existing yacht clubs, restaurant upgrades and modifications to the Harbor Patrol offices to provide additional meeting rooms and staff office space. Additional new private (membership) yacht clubs are prohibited. Public access parking shall not be reduced as a result of new development.	OC DPH City of Dana Point	Coastal Development Permits		N/A	The Commercial Core Project does not include improvements to the Marine Commercial PA 4.
39	LUP Policies I-4.5.1-1 I-6.1.1-11 I-8.1.1-3	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 Section 30212.5)	OC DPH City of Dana Point	Coastal Development Permits		Yes (on-going)	A Parking Management Plan and Transportation Demand Management Plan are provided with this CDP application, satisfying this requirement (see Tech Studies/ Reports, Tabs K and L). The conclusions of these reports will be used in evaluating strategies to ensure for the future availability of parking throughout the Harbor.
40	LUP Policy I-5.1.1-1	Future visitor serving facilities shall be located in those areas designated as Visitor Serving Commercial and Day Use Commercial by the Dana Point Harbor Land Use Plan.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Proposed land uses are consistent with the certified LUP.
41	LUP Policy I-5.1.1-2	Continue to provide commercial uses including eating and drinking establishments, recreation and entertainment establishments as a means of providing public access to the waterfront.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Day Use Commercial uses include restaurants and shops promoting public coastal access.
42	LUP Policy I-5.1.1-3	The Commercial Core area shall include a public 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.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab One, Sheet A-02)

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
43	LUP Policy I-5.1.1-4	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.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab One, Sheet A-02)
44	LUP Policy I-5.1.1-5	As a part of planned new development, visitor serving commercial and restaurant uses may be integrated into a two-level podium structure with visitor serving commercial and restaurant uses and parking on each level.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab One, Sheet A-02)
45	LUP Policy I-5.1.1-6	The two-level parking deck in the Commercial Core area shall be designed to provide direct access from the Street of the Golden Lantern and adjacent Harbor surface parking areas.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Sheets A-02, A-04 and A-20)
46	LUP Policy I-5.1.1-7	Cluster and phase new commercial development in the Harbor to minimize significant adverse individual or cumulative impacts on public recreational areas and the ability to provide adequate land area and support facilities for higher priority public access, public recreational and coastal dependent uses.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab One, Sheet A-02)
47	LUP Policy I-5.1.1-8	Phase new commercial development such that sufficient parking for higher priority uses (e.g., slips, boat launch, surface boat storage) is provided prior to construction of the new commercial development.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Parking by land use is further described in the Parking Management Plan (see Technical Reports, Tab K).
48	LUP Policies I-5.2.1-1 I-5.2.1-4	Harbor visitor serving and overnight accommodations (Planning Area 3) will be enhanced by potential replacement and/or remodeling of the hotel complex to include conference and recreational facilities in addition to providing up to 220 new guest rooms and amenities.	OC DPH City of Dana Point	Coastal Development Permits		N/A	The Commercial Core Project does not include improvements to the Visitor Serving Overnight Accommodations in PA 3.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
49	LUP Policy I-5.2.1-2	If demolition of the existing lower cost overnight accommodations (presently called the Marina Inn) in the Harbor is proposed, all demolished units shall be replaced in the area designated as visitor serving commercial by the Dana Point Harbor Land Use Plan with units that are of equal or lower cost than the existing lower cost units to be demolished. Conversion of any existing units to high cost, replacement of any existing units with anything other than lower cost and construction of any new/additional units that are anything other than lower cost units shall require a Local Coastal Program Amendment to address Coastal Act issues associated with such proposals.	OC DPH City of Dana Point	Coastal Development Permits		N/A	The Commercial Core Project does not include improvements to the Visitor Serving Overnight Accommodations in PA 3.
50	LUP Policy I-5.2.1-3	The conversion of any existing overnight accommodations located on public tidelands to timeshares or condominium/hotel units or any other type of Limited Use Overnight Visitor Accommodations shall be prohibited. The construction of new timeshares or condominium-hotel units or any other type of Limited Use Overnight Visitor Accommodation on public tidelands shall be prohibited. Limited Use Overnight Visitor Accommodations are any hotel, motel or other similar facility that provides overnight visitor accommodations wherein some or all of the units, rooms, lots or parcels or other segment of the facility may be sold to a subsequent purchaser who receives the right in perpetuity for life or a term of years to the recurrent, exclusive use or occupancy of a lot, parcel, unit, room(s) or segment of the facility, annually or on some other seasonal or periodic basis for a period of time that has been or will be allotted from the use or occupancy periods into which the facility has been divided and shall include, but not be limited to timeshare, condominium/hotel, fractional ownership hotel or uses of a similar nature.	OC DPH City of Dana Point	Coastal Development Permits		N/A	The Commercial Core Project does not include improvements to the Visitor Serving Overnight Accommodations in PA 3.
51	LUP Policy I-5.2.1-5	The design of any renovated or new hotel in addition to traditional guest accommodations may encourage longer visitor stays, particularly for families with children by providing up to twenty percent (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.	OC DPH City of Dana Point	Coastal Development Permits		N/A	The Commercial Core Project does not include improvements to the Visitor Serving Overnight Accommodations in PA 3.
52	LUP Policy I-5.2.1-6	Some hotel rooms may provide accommodations for larger groups by offering connections to adjoining rooms, allowing multiple bedroom suites.	OC DPH City of Dana Point	Coastal Development Permits		N/A	The Commercial Core Project does not include improvements to the Visitor Serving Overnight Accommodations in PA 3.
53	LUP Policy I-5.2.1-7	The design of hotel rooms shall incorporate wherever possible the use of private decks or balconies to allow guests to take advantage of the Harbor views and enjoy the oceanfront climate.	OC DPH City of Dana Point	Coastal Development Permits		N/A	The Commercial Core Project does not include improvements to the Visitor Serving Overnight Accommodations in PA 3.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
54	LUP Policy I-5.2.1-8	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 public views and break up building massing as viewed from the surrounding public vantage points shall be encouraged as part of the design.	OC DPH City of Dana Point	Coastal Development Permits		N/A	The Commercial Core Project does not include improvements to the Visitor Serving Overnight Accommodations in PA 3.
55	LUP Policy I-5.2.1-9	The hotel building design shall emphasize providing adequate parking for guests and maintaining convenient access to parking areas for boaters.	OC DPH City of Dana Point	Coastal Development Permits		N/A	The Commercial Core Project does not include improvements to the Visitor Serving Overnight Accommodations in PA 3.
56	LUP Policy I-5.2.1-10	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.	OC DPH City of Dana Point	Coastal Development Permits		N/A	The Commercial Core Project does not include improvements to the Visitor Serving Overnight Accommodations in PA 3.
57	LUP Policy I-5.2.1-11	Future facilities providing overnight accommodations will be located in the area designated as Visitor Serving Commercial (Planning Area 3) by the Dana Point Harbor Land Use Plan.	OC DPH City of Dana Point	Coastal Development Permits		N/A	The Commercial Core Project does not include improvements to the Visitor Serving Overnight Accommodations in PA 3.
58	LUP Policy I-6.1.1-3	Preserve, maintain and enhance existing public accessways and existing areas open to the public. Create new public access opportunities where feasible. (Coastal Act Sections 30210, 30212)	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab One, Sheet A-02)
59	LUP Policy I-6.1.1-4	Existing, new or improved public access shall be well posted. A comprehensive signage plan shall be implemented in conjunction with new development to inform the public of the availability of and provide direction to coastal accessways, on-site recreational amenities and public parking areas. The County shall coordinate an access signing system to facilitate regional access from Interstate 5 and Pacific Coast Highway.	OC DPH City of Dana Point	Coastal Development Permits		Yes	A Master Sign Program has been prepared for the Commercial Core Project that includes wayfinding signs (see Plans & Exhibits, Tab Five). The Master Sign Program is limited to Dana Point Harbor Dr. and the Commercial Core areas.
60	LUP Policy I-6.1.1-5	Public access will continue to be provided to the marine life refuge.	OC DPH City of Dana Point	Coastal Development Permits		N/A	The Commercial Core Project does not include improvements to the Educational/Institutional Uses in PA 6.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
61	LUP Policy I-6.1.1-6	Existing access trails will be managed for controlled access if use is excessive and contributing to the deterioration of highly sensitive habitat areas. Management mechanisms shall be maintained and where necessary modified in conjunction with the State Department of Fish and Game.	OC DPH City of Dana Point	Coastal Development Permits		N/A	The Commercial Core Project does not include improvements to the Educational/Institutional Uses in PA 6 or Conservation Uses in PA 7.
62	LUP Policy I-6.1.1-7	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)	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab One, Sheet A-02)
63	LUP Policy I-6.1.1-8	Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development except where it is inconsistent with public safety, military security needs or the protection of fragile coastal resources or where adequate access exists nearby. (Coastal Act Section 30212)	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab One, Sheet A-02)
64	LUP Policy I-6.1.1-9	Public access, which shall be conspicuously posted and public recreational opportunities, shall be provided to the maximum extent feasible for all the people to access the coastal zone area and shoreline consistent with public safety needs and the need to protect public rights and natural resource areas from overuse. (Coastal Act Section 30210)	OC DPH City of Dana Point	Coastal Development Permits		Yes	A Master Sign Program has been prepared for the Commercial Core Project that includes wayfinding signs (see Plans & Exhibits, Tab Five).
65	LUP Policy I-6.1.1-10	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.) and 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.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Sheet A-02). A View Analysis evaluating public views has been prepared as part of this CDP application satisfying this requirement. (see Plans & Exhibits, Tab Seven)
66	PDF 4.5-5	Enhanced lighting for streets, parking lots and pedestrian walkways will be implemented with new development.	OC DPH City of Dana Point	Coastal Development Permits	LUP Policy I-6.1.1-12	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Lighting fixture locations are included with this CDP. (see Plans & Exhibits, Tab One, Sheets A-02, A-04, A-05 and A-06)

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
67	LUP Policy I-6.2.4-3	Maintain existing pedestrian facilities and require new development to provide pedestrian walkways between facilities.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab One, Sheet A-02)
68	LUP Policy I-6.2.4-5	Develop stronger pedestrian, bicycle and visual linkages between public spaces and along the shoreline and bluffs. (Coastal Act Sections 30210, 30212)	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab One, Sheet A-02)
69	LUP Policy I-6.2.4-6	Support and coordinate the development and maintenance of bikeways in conjunction with the County of Orange Master Plan of Countywide Bikeways to assure that local bicycle routes will be compatible with routes of neighboring jurisdictions.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project does not propose to modify the existing alignments of bicycle lanes along Dana Point Harbor Drive or Street of the Golden Lantern.
70	LUP Policy I-6.2.4-7	Require the provision of showers, changing rooms and an accessible and secure area for bicycle storage at all new and existing developments and public places whenever feasible. (Coastal Act Section 30213)	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements with the construction of new public restrooms and boater service facilities. (see Plans & Exhibits, Tab One, Sheet A-02)
71	LUP Policy I-6.2.4-9	Provide public access consistent with the exhibit entitled Dana Point Harbor Coastal Access (LUP, Chapter 6, Exhibit 6-1).	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab One, Sheet A-02)

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
72	LUP Policy I-6.2.4-10	Maximize public access to and along the waterfront and bulkhead. As a goal, maintain and where necessary establish continuous, uninterrupted public access along the waterfront and bulkhead, except along those segments of the bulkhead in the Marine Service Commercial area where provision of such access would interfere with boat launch and repair operations (in which case connecting detours shall be provided around those areas). Remove existing obstructions to public access along the waterfront and bulkhead and establish new public accessways through those areas.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. The plans provide for accessible paths of travel throughout the Harbor facilities. (see Plans & Exhibits, Tab One, Sheet A-02)
73	LUP Policy I-6.2.4-11	Pedestrian walkways and trails shall provide connection points to off-site, existing or proposed walkways/trails, including integration with the California Coastal Trail. The design of new pedestrian walkways and trails shall be in accordance with County of Orange design standards and shall be coordinated with the appropriate City, County and state agencies to enhance connections with existing and proposed open space and/or regional/local bicycle and hiking trails to the extent feasible.	OC DPH City of Dana Point	Coastal Development Permits	IP II-3-SP37	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab One, Sheet A-02)
74	LUP Policy I-6.2.4-12	Provide public access onto harbor jetties, including provisions for public fishing, wherever feasible and to the extent such access can be safely provided.	OC DPH City of Dana Point	Coastal Development Permits		N/A	The proposed Commercial Core Project does not include areas containing access to fishing areas.
75	LUP Policy I-6.3.3-1	Temporary events shall minimize impacts to public access, recreation and coastal resources. A Coastal Development Permit shall be required for temporary events that meet all of the following criteria: (1) held between Memorial Day and Labor Day; (2) occupy any portion of a public sandy beach; and (3) involve a charge for general public admission where no fee is currently charged for use of the same area. A Coastal Development Permit shall also be required for temporary events that do not meet all of these criteria but have the potential to result in significant adverse impacts to public access and/or coastal resources. (Coastal Act/30212)	OC DPH City of Dana Point	Coastal Development and Special Event Permits		Yes	All temporary events are subject to approval of a Temporary Event Permit in accordance with the requirements of the Harbor District Regulations for special events.
76	LUP Policy I-6.3.3-2	Special Event Permits and Coastal Development Permits (as required above) for temporary events shall be required to provide details on event characteristics, including duration (from set up/assembly to break-down/dismantling and clean-up times), event hours, per day estimated attendance, parking management and shuttle arrangements, traffic control, noise control, waste removal, insurance, equipment to be used, food service, entertainment, sponsorships and advertising/marketing plans.	OC DPH City of Dana Point	Coastal Development and Special Event Permits		Yes	All temporary events are subject to approval of a Temporary Event Permit in accordance with the requirements of the Harbor District Regulations.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
77	LUP Policy I-6.3.4-1	Ensure accessibility of pedestrian facilities to the elderly and disabled.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. ADA accessibility will be confirmed with review of construction plans.
78	LUP Policy I-6.3.4-2	Ensure that planned public facilities include provisions for adequate access for persons with disabilities and that to the extent feasible, existing facilities are appropriately retrofitted to include such access as required by the Americans with Disabilities Act (ADA) in a manner consistent with the protection of coastal resources.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. ADA accessibility will be confirmed with review of construction plans.
79	LUP Policy I-6.3.4-3	Design guardrails on piers, trails and public viewing areas to take into consideration the views at the eye level of persons in wheelchairs.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. ADA accessibility will be confirmed with review of construction plans.
80	LUP Policy I-6.3.4-4	Provide appropriately located handicap parking spaces in designated boater parking areas to allow access to gangways and boat docks designed to accommodate wheelchairs.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab One, Sheet A-02)
81	LUP Policy I-6.4.1-1	Continue to consider the need for multi-purpose meeting rooms and space for community events.	OC DPH City of Dana Point	Coastal Development and Special Event Permits		N/A	The Commercial Core Project does not include improvements to the Recreation Uses in PA 5.
82	LUP Policy I-6.4.1-2	Encourage public support of Ocean Institute and OC Sailing and Events Center activities and programs.	OC DPH City of Dana Point	Coastal Development and Special Event Permits		N/A	The Commercial Core Project does not include improvements to the Recreation Uses in PA 5 or the Educational/Institutional Uses in PA 6.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
83	LUP Policy I-7.1.2-1	Manage public access to the shore of the marine life refuge to avoid detrimental impacts to the resources of the refuge. (Coastal Act Section 30230)	OC DPH City of Dana Point	Coastal Development Permits		N/A	The Commercial Core Project does not include improvements to the Educational/Institutional Uses in PA 6.
84	LUP Policies I-7.2.1-3 I-8.6.1-7	Shoreline or ocean protective devices such as revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls and other such construction that alters shoreline processes shall only be permitted when required to serve coastal-dependent uses or to protect existing structures or adverse impacts on local shoreline sand supply and minimize adverse impacts on public use Baby Beach. (Coastal Act Sections 30210-12, 30235)	OC DPH City of Dana Point	Coastal Development Permits		N/A	Applies to waterside areas only.
85	LUP Policy I-7.2.1-12	Construction phasing for the reconstruction and reconfiguration of the marina docks shall minimize the loss or disruption of the existing docks to the extent feasible and may involve the use of temporary floating, staging and/or imported prefabricated docks to minimize construction time.	OC DPH City of Dana Point	Coastal Development Permits		N/A	Applies to waterside areas only.
86	LUP Policy I-7.2.1-13	Renovations to the Marina channels shall emphasize improved access to the water and circulation of boat traffic in the Harbor.	OC DPH City of Dana Point	Coastal Development Permits		N/A	Applies to waterside areas only.
87	LUP Policy I-7.2.1-14	To improve boat/vessel circulation in the Harbor, the Revitalization Plan includes modernization of the docks in the Marine Services Commercial area and the sport fishing boat docks.	OC DPH City of Dana Point	Coastal Development Permits		N/A	Applies to waterside areas only.
88	LUP Policy I-7.5.2-7	Any required beach area closures for sand replenishment shall be minimized to the maximum extent practicable (generally within two-hundred (200) feet of the pipeline and deposition area) and shall be re-opened for public use as soon as feasible upon completion of sand placement.	OC DPH City of Dana Point	Coastal Development and Grading Permits		N/A	Applies to waterside areas only.
89	LUP Policy I-8.1.1-1	Work closely with the County of Orange to plan for the future development within the Harbor 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)	OC DPH City of Dana Point	Coastal Development Permits		Yes (on-going)	Future development will be evaluated in conformance with this requirement by OC Dana Point Harbor.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
90	LUP Policy I-8.1.1-2	New development shall minimize energy consumption and vehicle miles traveled. (Coastal Act Section 30253)	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. A Transportation Demand Management Plan has been prepared for this CDP to address strategies to minimize energy consumption. (see Technical Reports, Tab L)
91	LUP Policy I-8.1.1-4	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)	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project is consistent with the findings adopted by the Orange County Board of Supervisors for certification of FEIR No. 591 that evaluate impacts to public facilities.
92	LUP Policy I-8.1.1-5	The development of unified or clustered commercial centers shall be encouraged. (Coastal Act Sections 30250, 30252)	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab One, Sheet A-02)
93	LUP Policy I-8.1.1-6	Consider the impacts on surrounding land uses and infrastructure when reviewing proposals for new development in the Harbor. (Coastal Act Section 30250)	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project is consistent with the findings adopted by the Orange County Board of Supervisors for certification of FEIR No. 591 that evaluate impacts to public facilities.
94	LUP Policy I-8.1.1-7	Encourage site and building design that takes advantage of the City's excellent climate to maximize indoor-outdoor spatial relationships. (Coastal Act Section 30250)	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements.
95	LUP Policy I-8.1.1-8	Encourage buildings and exterior spaces that are carefully-scaled to human size and pedestrian activity.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
96	LUP Policy I-8.1.1-9	Encourage outdoor pedestrian spaces, sidewalks and usable open space in all new development.	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab One, Sheets A-02 through A-19)
97	LUP Policy I-8.1.1-10	Encourage aesthetic roof treatment as an important architectural design feature.	OC DPH City of Dana Point	Coastal Development and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab One, Sheets A-11 through A-19).
98	LUP Policy I-8.1.1-11	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)	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab One, Sheets A-02 through A-09).
99	LUP Policy I-8.1.1-12	Encourage innovative site and building designs and orientation techniques that minimize energy use by taking advantage of sun/shade patterns, prevailing winds, landscaping and building materials.	OC DPH City of Dana Point	Coastal Development and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab One, Sheet A-02)
100	MM 4.10-9	Maintain local legislation to establish, update and implement energy performance building code requirements established under State Title 24 Energy Regulations and to minimize energy consumption. (Coastal Act Sections 30250, 30253)	OC DPH City of Dana Point	Coastal Development and Building Permits	LUP I-8.1.1-13	Yes	Compliance with State Energy Regulations will be confirmed by OC Public Works as part of construction plan reviews and issuance of Building Permits.
101	LUP Policy I-8.1.1-14	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.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed in conformance with Harbor LUP Policies and District Regulations to comply with Coastal Act requirements.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
102	LUP Policy I-8.1.1-23	Landscape and irrigation plan shall be prepared by a State licensed landscape architect and shall include all proposed and existing plant materials (location, type, size and quantity) and irrigation systems (including method, installation details, recommended watering schedule and water conservation measures incorporated into the design, if appropriate), a grading plan, an approved site plan and a copy of the entitlement conditions of approval.	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits	IP II-16-16.4-18	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab Three).
103	LUP Policy I-8.1.1-33	Interior and exterior water conservation measures will be incorporated into all Harbor projects as development occurs to the extent possible. 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.	OC DPH City of Dana Point	Coastal Development Permits and Building Permits		Yes	Compliance with Water Conservation Measures will be confirmed by OC Public Works as part of construction plan reviews and issuance of Building Permits.
104	LUP Policy I-8.2.1-2	<p>New development shall be sited and designed on the most suitable portion of the Harbor while ensuring protection and preservation of natural and sensitive site resources by providing for the following:</p> <ul style="list-style-type: none"> • 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. 	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements, however PA 1 and PA 2 do not include any areas of existing sensitive site resources. (see Plans & Exhibits, Tab One, Sheet A-02)

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
105	LUP Policy I-8.3.1-1	After certification of the LCP, require a Coastal Development Permit for all development within the Coastal Zone subject to exceptions provided for under the Coastal Act.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The Commercial Core Project has been prepared in compliance with this LUP Policy, Chapter II-16, Discretionary Permits and Procedures of the Harbor District Regulations and City Zoning Code Chapter 9.69.
106	LUP Policy I-8.3.1-2	Applications for Coastal Development Permits for Dana Point Harbor Planning Areas 1 through 7 (landside areas) shall be in accordance with the Dana Point Harbor District Regulations and the City of Dana Point Zoning Code, Chapter 9.69, Coastal Development Permit application.	OC DPH City of Dana Point	Coastal Development Permits		Yes	This CDP application satisfies these requirements.
107	LUP Policy I-8.3.1-3	Applications for Coastal Development Permits for Dana Point Harbor 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 California Coastal Commission.	OC DPH City of Dana Point	Coastal Development Permits		Yes	For any improvements proposed in waterside areas of the Harbor, a CDP will be prepared and processed in accordance with the requirements of the Coastal Act.
108	LUP Policy I-8.3.1-4	Prior to approval of any Coastal Development Permit by the City of Dana Point for landside areas, the City shall make a finding that the development conforms to the policies and requirements contained in the Dana Point Harbor Revitalization Plan and District Regulations.	OC DPH City of Dana Point	Coastal Development Permits			The approving City Resolution includes the appropriate finding(s) of compliance with the certified Harbor LCP.
109	LUP Policy I-8.5.2-5	No development will be permitted on the bluff face, except for drainpipes as follows. Drainpipes will be allowed only where no other less environmentally damaging drain system is feasible and the drainpipes are designed and placed to minimize impacts to the bluff face, toe and beach and visual treatment of the drain system is incorporated (e.g., color to match adjacent soil/vegetation, screening with native vegetation, etc.). Drainage devices extending over the bluff face will not be permitted if the property can be drained away from the bluff face.	OC DPH City of Dana Point	Coastal Development Permits		N/A	The Commercial Core Project does not include improvements to areas containing bluffs.
110	LUP Policy I-8.5.2-6	Development adjacent to coastal bluffs shall minimize hazards to owners, occupants, property and the general public; be environmentally sensitive to the natural coastal bluffs; and protect the bluffs as a scenic visual resource.	OC DPH City of Dana Point	Coastal Development Permits		N/A	The Commercial Core Project does not include improvements to areas containing bluffs.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
111	LUP Policy I-8.5.2-7	For purposes of this section, bluff edge shall be defined as the upper termination of a bluff, cliff or seacliff. In cases where the top edge of the cliff is rounded away from the face of the cliff as a result of erosional processes related to the presence of the steep cliff face, the bluff line or edge shall be defined as that point nearest the cliff beyond which the downward gradient of the surface increases more or less continuously until it reaches the general gradient of the cliff. In a case where there is a step-like feature at the top of the cliff face, the landward edge of the topmost riser shall be taken to be the cliff edge.	OC DPH City of Dana Point	Coastal Development Permits		N/A	The Commercial Core Project does not include improvements to areas containing bluffs.
112	LUP Policy I-8.6.1-10	Limit the use of protective devices to the minimum required to protect existing development and prohibit their use to enlarge or expand areas for new development. Such devices shall be located as far landward as possible. "Existing development" for purposes of this policy shall consist only of a principle structure, e.g., a commercial building existing at the time of certification of Local Coastal Program Amendment No. 1-08 and shall not include accessory or ancillary structures such as decks, patios, stairs, landscaping, etc.	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		N/A	The Commercial Core Project does not include modifications to shoreline protective devices.
113	LUP Policy I-8.6.1-11	Site and design new structures to avoid the need for new shoreline and bluff protective devices during the economic life of the structure (75 years).	OC DPH City of Dana Point	Coastal Development Permits		N/A	The Commercial Core Project does not include modifications to shoreline protective devices.
114	LUP Policy I-8.6.1-17	Consider the constraints of natural and man-made hazards in determining the location, type and intensities of new development. (Coastal Act Sections 30240, 30253)	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	The proposed Commercial Core Project includes the remodeling and/or replacement of existing facilities in PA 1 and PA 2. FEIR No. 591 was prepared to evaluate hazards and determined no new constraints resulting from natural or man-made hazards.
115	LUP Policy I-9.1-1	Consider the environmental impacts of development decisions. (Coastal Act Sections 30240, 30241, 30242, 30243 & 30244)	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project is consistent with the findings adopted by the Orange County Board of Supervisors for certification of FEIR No. 591 that evaluate impacts related to development.

Dana Point Harbor Revitalization Plan

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
116	LUP Policy I-9.1-2	Review all new development proposals subject to California Environmental Quality Act (CEQA) and Coastal Development Permit requirements in accordance with the principles, objectives and criteria contained in CEQA, the State CEQA Guidelines, those contained in the Dana Point Harbor Revitalization Plan and District Regulations and any environmental review guidelines adopted by the County of Orange and/or City of Dana Point.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project is consistent with the findings adopted by the Orange County Board of Supervisors for certification of FEIR No. 591, County CEQA Guidelines and the Harbor LUP and District Regulations.
117	LUP Policy I-9.1-3	Integrate CEQA procedures into the review procedures for all new development in the Coastal Zone.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The policies of the Harbor LUP, Chapter I-9 satisfy this requirement.
118	LUP Policy I-9.1-4	Require a qualified County and/or City staff member, advisory committee designated by the County and/or City or a consultant approved by and under the supervision of the County and/or City to review all environmental documentation submitted as part of an application for new development and provide recommendations to the appropriate decision-making official or body.	OC DPH City of Dana Point	Coastal Development Permits		Yes	In conformance with Harbor District Regulations, Chapter II-16, any public agency with jurisdiction to approve discretionary permits must be in compliance with the requirements of CEQA.

Aesthetics, Visual and Glare

119	PDF 4.2-1	All new buildings in the Harbor shall be consistent with the character of the community in architectural form, bulk and height of the community, including other structures located within one-half mile of the Dana Point Harbor LCP boundary. New development within the Harbor shall provide a scale and setting for retail merchants and restaurants that encourages pedestrian opportunities through the use of widened sidewalks, outdoor plazas, promenades, courtyards and landscape design. 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.	OC DPH	Coastal Development and Building Permits	LUP I-8.5.1-4 IP II-3-GR3	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab One, Sheets A-02 through A-30)
120	PDF 4.2-2	All signage shall be of a consistent architectural style. Commercial signage shall be externally illuminated and lighting sources shall be 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.	OC DPH	Coastal Development and Building Permits	LUP I-8.5.3-7	Yes	A Master Sign Program has been prepared for the Commercial Core Project that includes sign regulations and design standards. (see Plans & Exhibits, Tab Five)

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
121	PDF 4.2-3	Existing aboveground utilities will be removed and placed underground wherever and whenever possible.	OC DPH	Coastal Development, Grading and Building Permits	LUP I-8.7.1-13	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab Two)
122	PDF 4.2-4	All fences and walls within the Harbor will be designated 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.	OC DPH City of Dana Point	Coastal Development and Building Permits	LUP I-8.1.1-16	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab One, Sheets A-02 through A-30)
123	PDF 4.2-5	Architectural and building articulation will have a form that complements the Harbor area and natural setting, when viewed from within the Harbor or the surrounding area (both from land and sea). High, uninterrupted wall planes are to be avoided.	OC DPH	Coastal Development and Building Permits	LUP I-8.1.1-17	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab One, Sheets A-02 through A-30)
124	PDF 4.2-6	All accessory buildings and structures will be consistent with the main structure in materials, color palette, roof pitch and form.	OC DPH	Coastal Development and Building Permits	LUP I-8.1.1-18	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements.
125	PDF 4.2-7	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 right-of-ways and uses adjacent to the development area.	OC DPH	Coastal Development and Building Permits	LUP I-8.1.1-19	Yes	Mechanical equip. for Commercial Core buildings will be located on roofs and screened from view as shown on Plans & Exhibits, Tab One, Sheets A-10, A-16 & A-18. Mechanical equip. for existing buildings on Dana Wharf will continue to be concealed in service/mechanical rooms – no changes are proposed as part of renovations.
126	PDF 4.2-8	All new solid waste (refuse/trash collection areas) will be screened from public view.	OC DPH	Coastal Development and Building Permits	LUP I-8.1.1-20	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab One, Sheets A-02 through A-06)

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
127	PDF 4.2-9	The design and layout of the future developments shall be consistent with the approved Dana Point Harbor Revitalization Plan and preserve views of the bluff area.	OC DPH	Coastal Development and Building Permits	LUP I-8.2.1-7 LUP I-8.5.2-2	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements.
128	PDF 4.2-10	The Dana Point Harbor Revitalization Plan provides for the protection of the natural bluffs (PA 7) by restricting the siting of any structures adjacent to the bluffs with the exception of drainage control structures and recreational structures (e.g., picnic areas) to be allowed in this area.	OC DPH	Coastal Development Permits	LUP I-8.5.2-8	N/A	The Commercial Core Project does not include improvements to bluff areas.
129	PDF 4.2-11	Textured paving will be used to identify lookouts, pathway crossings and edge treatments. All landscape areas will be planted consistent with the Revitalization Landscape Plan to preserve and enhance distant ocean Views.	OC DPH	Coastal Development Permits	LUP I-8.4.1-4	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab Three)
130	PDF 4.2-12	In areas that abut PA 7, a landscape buffer will be maintained. All plant material will be native, non-invasive and drought tolerant species to provide a transition between natural and ornamental areas.	OC DPH	Coastal Development Permits	LUP I-8.4.1-5	N/A	The Commercial Core Project does not include improvements to bluff areas.
131	PDF 4.2-13	The planting of trees within the Dana Point Harbor Revitalization Plan will provide a visually soft and natural backdrop while framing and protecting significant public view opportunities.	OC DPH	Coastal Development Permits	LUP I-8.4.1-6	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab Three)
132	PDF 4.2-14	Vertical landscape elements and setbacks between buildings are incorporated into the project design to and break up building massing.	OC DPH	Coastal Development and Building Permits	LUP I-8.4.1-7	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab Three)
133	PDF 4.2-15	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 directed downward.	OC DPH	Coastal Development and Building Permits	LUP I-8.4.1-8	Yes	The proposed Commercial Core Project Lighting Study has been designed to satisfy these requirements. (see Technical Studies, Tab I)
134	PDF 4.2-16	Architectural 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.	OC DPH	Coastal Development and Building Permits	LUP I-8.1.1-21	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab One, Sheets A-02 through A-06)

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
135	PDF 4.2-17	The Project will utilize minimally reflective glass and other materials used on the exteriors of the buildings and structures will be selected with attention to minimizing reflective glare.	OC DPH	Coastal Development and Building Permits	LUP I-8.1.1-22	Yes	Incorporated into the architectural specifications for the construction of new buildings throughout the Commercial Core.
136	PDF 4.2-18	Roof-mounted solar panels, metal panels and skylights should incorporate non-reflective materials and be designed to point away from roadways.	OC DPH	Coastal Development and Building Permits	LUP I-8.1.1-26	Yes	Incorporated into the architectural specifications for the construction of new buildings throughout the Commercial Core.
137	PDF 4.2-19	All exterior lighting will be designed and located to avoid intrusive effects on the adjacent uses atop the bluffs and Doheny State Beach. New light fixtures will be designed to direct light on-site and away from other areas.	OC DPH	Coastal Development and Building Permits	LUP I-8.4.1-9	Yes	The proposed Commercial Core Project Lighting Study has been designed to satisfy these requirements. (see Technical Studies, Tab I)
138	PDF 4.2-20	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 its visual appearance.	OC DPH	Coastal Development and Building Permits	LUP I-8.1.1-27	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab One, Sheets A-02, A-20 & A-20A)
139	SCA 4.2-1	<p>Contractors shall install landscaping, equipment for irrigation and improvements in all areas of the Harbor in accordance with the following:</p> <p>a) <u>Detailed Plan</u>: Prior to the issuance of any Coastal Development Permit(s), a detailed Landscape Plan showing the detailed irrigation and landscaping design shall be submitted to the City of Dana Point as part of a CDP application for approval. Plans shall show the detailed irrigation and landscaping design, the County Standard Plans for landscape areas, adopted plant palette guides, applicable scenic and specific plan requirements, water conservation measures contained in Board Resolution 90-487 (Water Conservation Measures), and Board Resolution 90-1341 (Water Conservation implementation Plan).</p> <p>b) <u>Installation Certification</u>: Prior to the issuance of Certificates of Use and Occupancy, said improvements shall be installed and shall be certified by a licensed landscape architect or licensed landscape contractor as having been installed in accordance with the approved detailed plans. Said certification, including an irrigation management report for each landscape irrigation system and any other required implementation report determined applicable, shall be submitted to the County of Orange/Building and Grading</p>	<p>Manager, OC Public Works/Building and Grading Inspection Services Division</p> <p>OC DPH</p>	Grading and Building Permits, Certificates of Use and Occupancy	LUP I-8.1.1-28	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Compliance with drainage, conservation and landscaping requirements will be confirmed by OC Public Works as part of construction plan reviews, issuance of Building Permits and Use and Occupancy Permits.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
		Inspection Services Division.					
140	MM 4.2-1	<p>Prior to issuance of Grading Permits, a Construction Staging Plan shall be prepared. The contractor's construction equipment and supply staging areas shall be established away from existing marina operations, to the extent feasible. The Plan shall specify the following:</p> <ul style="list-style-type: none"> a) During construction and grading, the Contractor shall keep the site clear of all trash, weeds and debris. b) The grading contractor shall not create large stockpiles of debris or soils, but shall seek to place smaller piles adjacent to each other to minimize visual impacts. c) Staging areas shall be located where impacts upon public access, water quality, and sensitive biological resources are avoided. 	OC DPH	Grading Permits	LUP I-8.1.1-29	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Compliance with preparation and review of Construction Staging Plan requirements will be confirmed by OC Public Works as part of construction plan reviews and issuance of Grading Permits.
141	MM 4.2-2	Prior to issuance of a Grading Permit for new development screened construction fencing around construction area boundaries to temporarily screen views of the construction site.	OC DPH	Grading Permits	LUP I-8.1.1-30	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Compliance with this requirement will be confirmed by OC Public Works as part of construction plan reviews and issuance of Grading Permits.
142	MM 4.2-3	All new landscaped areas in the Harbor shall be planted in accordance with the planting palette as approved in a Coastal Development Permit.	OC DPH	Coastal Development, Grading and Building Permits	LUP I-8.1.1-31	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Compliance with landscaping requirements will be confirmed by OC Public Works as part of construction plan reviews and issuance of Building Permits.
143	MM 4.2-4	Prior to the issuance of a Building Permit, an Exterior Lighting Plan (including outdoor recreation areas) for all proposed improvements shall be prepared. The lighting plan shall indicate the location, type and wattage of all light fixtures and include catalog sheets for each fixture. The Lighting Plan shall demonstrate that all exterior lighting has been designed and located so that all direct rays are confined to the property. The Lighting Plan shall be subject to review and approval by the OC DPH.	OC DPH	Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Technical Studies, Tab I) for Lighting Study.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
144	LUP Policy I-8.4.1-1	Protect and enhance public views to and along the coast through open space designations and innovative design techniques. (Coastal Act Section 30251)	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. A Visual Analysis has been prepared to evaluate public views. (see Plans & Exhibits, Tab Seven)
145	LUP Policy I-8.4.1-2	Ensure land uses within designated and proposed scenic corridors are compatible with scenic enhancement and preservation. (Coastal Act Section 30251)	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements.
146	LUP Policy I-8.4.1-3	Site and architectural design shall respond to the natural landform whenever possible to minimize grading and visual impact. (Coastal Act Section 30250)	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements.
147	LUP Policy I-8.5.1-1	New building architecture shall encourage irregular massing of structures.	OC DPH City of Dana Point	Coastal Development and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab One, Sheets A-02 through A-19)
148	LUP Policy I-8.5.1-2	Building massing should be asymmetrical and irregular with offsets in plan, section and roof profile.	OC DPH City of Dana Point	Coastal Development and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab One, Sheets A-02 through A-19)
149	LUP Policy I-8.5.1-3	All new development in the Harbor shall not exceed a maximum building height of thirty-five (35) feet; exceptions to the 35 foot height limit include the following: <ul style="list-style-type: none"> • Dry Stack Boat Storage building in the Marine Services Commercial area (Planning Area 1) shall have a maximum building height of sixty-five (65) feet • Commercial Core area (Planning Area 2) buildings fronting on the Festival Plaza or structures fronting the East Marina Boat Basin (Planning Area 10) shall be a maximum of sixty (60) feet high; • Visitor-Serving Commercial (Planning Area 3) building(s) shall have a maximum height of fifty (50) feet; 	OC DPH City of Dana Point	Coastal Development and Building Permits	IP II-3-GR6	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Proposed Commercial Core Building Heights: Building 6 – 56'-0" Building 7 – 50'-5" Building 8 – 54'-7" Building 9 – 58'-4" Building 10 – 35'-0"+3'-4" (chimney) Building 11 – 31'-0"

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
		<ul style="list-style-type: none"> Elevators, appropriately screened mechanical units and chimneys that do not exceed the ten percent (10%) of the total roof area for all new and existing/remodeled structures, should conform to the applicable height limit, but may exceed that height limit by no more than five (5) additional feet. <p>These heights are only allowed to the extent that significant coastal public views through scenic corridors and from scenic viewpoints are protected and enhanced. Any exceptions to the 35 foot height limitation shall be required to demonstrate that: (1) significant coastal public views through scenic corridors and from scenic viewpoints are protected and enhanced; (2) adequate facilities have been provided to enhance boating use, including but not limited to designated boater parking; (3) public/boater access to dry boat storage/public launching facilities are maintained and enhanced; (4) design features have been incorporated into the buildings to promote a village atmosphere and maintain the existing community character of the area; and (5) elevated public viewing areas of the waterfront are provided. The height of the buildings, excluding the dry stack storage building should be consistent with the community character.</p> <p>The limitations on height for the Marine Services Commercial area (Planning Area 1) shall not apply to shipyard cranes and/or other equipment necessary to provide for boat maintenance and repair.</p>					<p>Building 12 – 26'-8" Dry Boat Storage Building 60'-0" (see Plans & Exhibits, Tab One, Sheets A-02 through A-19 and A-21 through A-24)</p>
150	LUP Policy I-8.5.2-1	Preserve significant natural features as part of new development. Permitted development shall be sited and designed to minimize the alteration of natural landforms. Improvements adjacent to beaches shall protect existing natural features and be carefully integrated with landforms. (Coastal Act Section 30240, 30250, 30251, 30253)	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab Two)
151	LUP Policy I-8.5.2-3	Preserve Dana Point's bluffs as a natural and scenic resource and avoid risk to life and property through responsible and sensitive bluff top development, including, but not limited to, the provision of drainage which directs runoff away from the bluff edge and towards the street, where feasible and the prohibition of permanent irrigation systems and the use of water intensive landscaping within the setback area to prevent bluff erosion. (Coastal Act Sections 30251, 30253)	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		N/A	The Commercial Core Project does not include improvements to areas containing bluffs.
152	LUP Policy I-8.5.2-4	Bluff repair and erosion control measures such as retaining walls and other similar devices shall be limited to those necessary to protect coastal-dependent uses or existing structures in danger from erosion to minimize risks to life and property and shall avoid causing significant alteration to the natural character of the bluffs. For the purposes of this policy, "existing" shall mean structures existing at the time of certification of Local Coastal Program Amendment No. 1-08 (Coastal Act Sections 30251, 30253)	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		N/A	The Commercial Core Project does not include improvements to areas containing bluffs.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
153	LUP Policy I-8.5.3-1	Design and site signs to minimize visual impacts to coastal resources.	OC DPH City of Dana Point	Coastal Development Permits		Yes	A Master Sign Program has been prepared for the Commercial Core Project that includes sign regulations and design standards. (see Plans & Exhibits, Tab Five)
154	LUP Policy I-8.5.3-2	Implement programs to remove illegal signs and amortize legal nonconforming signs.	OC DPH City of Dana Point	Coastal Development and Building Permits		Yes	A Master Sign Program has been prepared for the Commercial Core Project that includes sign regulations for the removal of illegal signs in accordance with this requirement. (see Plans & Exhibits, Tab Five)
155	LUP Policy I-8.5.3-3	Prohibit new billboards and roof top signs and regulate the bulk and height of other freestanding signs that affect public coastal views.	OC DPH City of Dana Point	Coastal Development and Building Permits		Yes	A Master Sign Program has been prepared for the Commercial Core Project that includes sign regulations prohibiting roof signs. (see Plans & Exhibits, Tab Five)
156	LUP Policy I-8.5.3-4	Encourage the reasonable regulation of signs to preserve the character of the community. (Coastal Act Section 30251)	OC DPH City of Dana Point	Coastal Development Permits		Yes	A Master Sign Program has been prepared for the Commercial Core Project that includes sign regulations and design standards. (see Plans & Exhibits, Tab Five)
157	LUP Policy I-8.5.3-5	Signs shall be designed and located to minimize impacts to visual resources. Signs approved as part of any commercial development shall be incorporated into the design of the project and shall be subject to height and width limitations that ensure that signs are visually compatible with surrounding areas and protect scenic views. Roof signs or flashing signs shall not be permitted.	OC DPH City of Dana Point	Coastal Development and Building Permits		Yes	A Master Sign Program has been prepared for the Commercial Core Project that includes sign regulations and design standards. (see Plans & Exhibits, Tab Five)
Geology, Soils and Seismicity							
158	PDF 4.3-1	Creation of the Festival Plaza and Pedestrian Promenade along the waterfront's edge also provides for extended structural setbacks from the bulkhead area.	OC DPH	Coastal Development and Building Permits	LUP I-8.6.7-5	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab One, Sheet A-02)

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
159	PDF 4.3-2	All new structures and the Commercial Core area parking deck will be supported with piles to provide adequate resistance to long-term settlement if recommended.	OC DPH	Coastal Development and Building Permits	LUP I-8.6.7-6	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Tab Two)
160	PDF 4.3-3	Foundation setback requirements will be implemented for proposed project improvements, as specified in the geotechnical report. Setback distances will reflect geologic and structural engineering evaluations of the site and recommendations included in the geotechnical report, subject to the review and approval of the County of Orange and the City of Dana Point.	OC DPH	Building Permits	LUP I-8.6.7-7	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. A number Geotechnical Reports have been prepared to evaluate and recommend setbacks. (see Reports & Studies, Tabs A & B)
161	SCA 4.3-1	Prior to the issuance of a Grading Permit, submit a Geotechnical Report shall be submitted to the County of Orange for approval and shall include the information and be in the form as required by the County Grading Code and Manual.	OC DPH	Grading Permits	LUP I-8.6.7-8	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Grading Plans and Geotechnical Reports shall be reviewed by OC Public Works for compliance with County Grading Code requirements.
162	MM 4.3-1	The Project shall conduct site-specific subsurface investigations, to be verified by the Manager, OC Public Works/Subdivision and Grading, to quantify the potential for lateral spreading (because the variable fill soils appear to be predominantly clayey and may not be as susceptible to lateral spreading as the mapping of the Project area may indicate). If the potential for lateral spreading to occur is identified, SCA's shall be included to reduce impacts to a less than significant level.	Manager, OC Public Works/Subdivision and Grading OC DPH	Grading Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Grading Plans and Geotechnical Reports shall be reviewed by OC Public Works for compliance with County Grading Code requirements.
163	MM 4.3-2	Further sampling and testing during the design phase is recommended to confirm the preliminary geotechnical findings. If results from further testing indicate the possibility for soil erosion, expansive/collapsible soils or subsidence. Mitigation Measures shall be included to reduce impacts to a less than significant level.	Manager, OC Public Works/Subdivision and Grading OC DPH	Grading Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Grading Plans and Geotechnical Reports shall be reviewed by OC Public Works for compliance with County Grading Code requirements.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
164	MM 4.3-3	The OC DPH shall submit Erosion Control Plans for project grading and site preparation for review and approval by the Manager, OC Public Works/Subdivision and Grading. OC Dana Point Harbor shall exercise special care during the construction phase of the Project to prevent off-site siltation. OC Dana Point Harbor shall provide erosion control measures as approved by the Manager, OC Public Works/Subdivision and Grading. The erosion control measures shall be shown and specified on the Grading Plan and shall be construction to the satisfaction of the Manager, OC Public Works/Subdivision and Grading prior to the start of any other grading operations. Prior to the removal of any erosion protected by additional drainage facilities, slope erosion control measures and other methods as may be required by OC Public Works. OC Dana Point Harbor shall maintain the erosion control devices shall remain in place until OC Public Works approves of the removal of said facilities.	Manager, OC Public Works/Subdivision and Grading OC DPH	Grading Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Erosion Control Plans shall be reviewed by OC Public Works for compliance with County Grading Code requirements.
165	MM 4.3-4	Site safety requirements shall address specifications of the Occupational Safety and Health Administration (OSHA). Applicable specifications prepared by OSHA related to earth resources consist of Section 29 CFR Part 1926, which are focused on worker safety in excavations.	OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Grading Plans shall be reviewed by OC Public Works for compliance with County Grading Code and OSHA requirements.
166	MM 4.3-5	Paved lot structural sections shall be constructed with a minimum of 3-inches of asphaltic concrete over a minimum of 6-inches of aggregate base in accordance with the recommendations of a soils engineer and as approved by the Manager, OC Public Works/Subdivision and Grading.	Manager, OC Public Works/Subdivision and Grading Manager, OC Public Works/Building Permits OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Improvement Plans shall be reviewed by OC Public Works for compliance with County Grading Code and County construction standards.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
167	MM 4.3-6	If cranes and pile-driving equipment are required, adequate setbacks shall be observed from bulkhead areas to prevent failures due to increased lateral and surcharge loads.	OC DPH	Coastal Development, Grading and Building Permits	LUP I-8.6.7-9	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. All setbacks will be reviewed by OC Public Works for compliance with County Grading Code and Geotechnical Report recommendations (see Reports & Studies, Tab B)
168	MM 4.3-7	The project shall assess the likely extent of the potential for soil liquefaction at individual sites to be verified by the Manager, OC Public Works/Subdivision and Grading. If the potential for liquefaction to occur is identified, Project Design Features (PDFs) shall be included that reduce impacts to a less than significant level.	Manager, OC Public Works/Subdivision and Grading OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Grading Plans and Geotechnical Reports shall be reviewed by OC Public Works for compliance with County Grading Code requirements.
169	MM 4.3-8	Additional ground-motion assessment of the project area shall be conducted prior to Grading Permit approval. Possible alternative models of a system of faults consisting of the Newport-Inglewood, SCOZD and Rose Canyon Fault Zones, the San Joaquin Hills Blind Thrust and the Oceanside Blind Thrust shall be reflected within the analysis.	Manager, OC Public Works/Subdivision and Grading OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Grading Plans and Geotechnical Reports shall be reviewed by OC Public Works for compliance with County Grading Code requirements.
170	MM 4.3-9	Conformance with the latest Uniform Building Code, California Building Code or International Building Code and County Ordinances can be expected to satisfactorily mitigate the effect of seismic groundshaking. Conformance with applicable codes and ordinances shall occur in conjunction with the issuance of Building Permits in order to insure that over excavation of soft, broken rock and clayey soils within sheared zones will be required where development is planned.	Manager, OC Public Works/Subdivision and Grading Manager, OC Public Works/Building Permits OC DPH	Grading and Building Permits	LUP I-8.6.7-13	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Building Plans shall be reviewed by OC Public Works for compliance with applicable County construction code requirements.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
171	MM 4.3-10	All grading and improvements on the subject property shall be made in accordance with the Orange County Grading Ordinance and to the satisfaction of the Manager, OC Public Works/Subdivision and Grading. Grading plans shall be in substantial conformance with the approved Dana Point Harbor Revitalization Plan.	Manager, OC Public Works/Subdivision and Grading OC DPH	Grading Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Grading Plans and Geotechnical Reports shall be reviewed by OC Public Works for compliance with County Grading Ordinance requirements.
172	MM 4.3-11	Prior to issuance of a Grading Permit, the OC DPH shall provide a plan showing the placement of applicable underground storage tanks for the approval of the Manager, OC Public Works/Building Permits in consultation with the Manager, OC Public Works/Environmental Planning.	Manager, OC Public Works/Building Permits Manager, OC Public Works/Env. Planning OC DPH	Grading Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Construction plans shall be reviewed by OC Public Works prior to the issuance of permits for the construction of any underground storage tanks.
173	MM 4.3-12	The potential damaging effects of regional earthquake activity shall be considered in the design of each structure. The preliminary seismic evaluation shall be based on basic data including the Uniform Building Code Seismic Parameters. Structural design criteria shall be determined in consideration of building types, occupancy category, seismic importance factors and possibly other factors.	Manager, OC Public Works/Subdivision and Grading Manager, OC Public Works/Building Permits OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Grading Plans and Geotechnical Reports shall be reviewed by OC Public Works for compliance with County Grading Code requirements.
174	MM 4.3-1 3	The descriptions of proposed Project activities and governing measures described in this section refer to the requirements of the currently adopted Uniform Building Code (UBC) (ICBO, 1997, as updated by subsequent adoptions) and especially those sections of the UBC dealing with seismic design and construction requirements, site grading, site drainage, soils properties and soils removal and recompaction. Adherence to the requirements of the UBC is assumed in this analysis to render less than significant any potential environmental impacts related to geology and soils that will otherwise expose people or structures to potential substantial adverse effects, including risk of loss, injury or death.	Manager, OC Public Works/Subdivision and Grading Manager, OC Public Works/Building Permits OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Grading and Building Plans shall be reviewed by OC Public Works for compliance with applicable County construction code requirements.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
175	MM 4.3-14	Engineering design for all structures shall be based on the probability that new structures will be subjected to strong ground motion during the lifetime of development. Construction plans shall be subject to County review and shall include applicable standards, which address seismic design parameters.	Manager, OC Public Works/Building Permits OC DPH	Grading and Building Permits	LUP I-8.6.7-14	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Grading and Building Plans shall be reviewed by OC Public Works for compliance with applicable County construction code requirements.
176	MM 4.3-15	Mitigation of earthquake ground shaking shall be incorporated into design and construction in accordance with Uniform Building Code requirements and site-specific design.	Manager, OC Public Works/Building Permits OC DPH	Grading and Building Permits	LUP I-8.6.7-15	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Grading and Building Plans shall be reviewed by OC Public Works for compliance with applicable County construction code requirements.
177	MM 4.3-16	Construction work performed within public roadways or public properties adjacent to the project site will require compliance with specifications presented in the latest edition of Standard Specifications for Public Works Construction (the Greenbook).	Manager, OC Public Works/Building Permits OC DPH	Grading Permits	LUP I-8.6.7-10	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Grading and Building Plans shall be reviewed by OC Public Works for compliance with applicable Greenbook requirements.
178	MM 4.3-19 ¹	Further investigation and detailed characterization of the existing fill conditions is required to identify the extent of potential liquefaction shall include: <ul style="list-style-type: none"> ▪ Recommended new building setback distances from the quay wall ranging from 2 to 3 times the height of the bulkhead wall for localized liquefaction and lateral spreading failure to several times the height of the revetment slope and bulkhead system for global seismic instability, to be considered during the master planning and conceptual design phase of the project; ▪ Supporting proposed structures on deep foundations extending into bedrock; ▪ Stiffened floor slab designs; ▪ Total or partial removal of the potentially liquefiable soils and 	Manager, OC Public Works/Subdivision and Grading Manager, OC Public Works/Building Permits OC DPH	Grading and Building Permits	LUP I-8.6.7-11	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Grading and Building Plans shall be reviewed by OC Public Works for compliance with applicable County Grading Code when establishing appropriate setback recommendations.

¹ Sequence numbering note: MM 4.3-17 refers to MM's 4.3-1 through MM 4.3-6 and MM 4.3-18 refers to MM's 4.3-7 through 4.3-16.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
		replacement with compacted fill; and <ul style="list-style-type: none"> ▪ Soil remediation and site improvement. 					
179	MM 4.3-20	Further evaluation of lateral spreading potential is required. If it is found that the lateral spreading potential is high, then Mitigation Measures shall include: <ul style="list-style-type: none"> ▪ New building setback distances from the quay wall ranging from 2 to 3 times the height of the bulkhead wall; ▪ Repair or replacement of existing seawall for site containment; ▪ Total/partial removal of the potentially liquefiable soils and replacement with compacted fill; and/or ▪ Soil remediation and site improvement. 	Manager, OC Public Works/Subdivision and Grading Manager, OC Public Works/Building Permits OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Grading and Building Plans shall be reviewed by OC Public Works for compliance with applicable County Grading Code when establishing appropriate setback recommendations.
180	LUP Policy I-8.2.1-5	Require new development to 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.	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Grading and Building Plans shall be reviewed by OC Public Works for compliance with applicable County Grading Codes.
181	LUP Policy I-8.2.1-6	Require new development to be setback from slopes sufficiently to assure a minimum factor of safety against sliding of 1.5 (static) or 1.1 (pseudostatic, k=0.15) for the economic life of the development that shall normally be assumed to be a minimum of 75 years.	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		N/A	The Commercial Core Project does not include improvements to areas containing bluffs.
182	LUP Policy I-8.6.7-1	Geotechnical studies are required for developments that are proposed on or adjacent to coastal or inland bluff tops and where geological instability is suspected. (Coastal Act Section 30253)	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		N/A	The Commercial Core Project does not include improvements to areas containing bluffs.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
183	LUP Policy I-8.6.7-2	Applications for Grading and Building Permits will be reviewed for adjacency to threats from and impacts on geologic hazards arising from seismic events, tsunami run-up, landslides, beach and bluff erosion or other geologic hazards such as expansive soils and subsidence areas. In areas of known geologic hazards a geologic report shall be required. Require such reports be signed by a licensed Certified Engineering Geologist or Geotechnical Engineer and subject to review and approval by the City. Mitigation measures will be required where necessary.	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Technical Studies, Tab O) for Wave Runup Analysis. Grading Plans and Geotechnical Reports shall be reviewed by OC Public Works for compliance with County Grading Code requirements.
184	LUP Policy I-8.6.7-3	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)	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Grading Plans and Geotechnical Reports shall be reviewed by OC Public Works for compliance with County Grading Code requirements.
185	MM 4.10-3	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.	OC DPH City of Dana Point	Coastal Development Permits	LUP Policy I-8.6.7-4	N/A	The Commercial Core Project does not include improvements to the Marine Commercial PA 4.
186	LUP Policy I-8.6.7-7	Foundation setback requirements will be implemented for proposed Harbor improvements as specified in the geotechnical report. Setback distances will reflect geologic and structural engineering evaluations of the site and recommendations included in the geotechnical report, subject to the review and approval of the County of Orange and the City of Dana Point.	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Grading Plans and Geotechnical Reports shall be reviewed by OC Public Works for compliance with County Grading Code requirements.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
187	LUP Policy I-9.1-9	Require applications for new development, where applicable to include a geologic/soils/geotechnical study that identifies any geologic hazards affecting the proposed project site, any necessary mitigation measures and contains statements that the project site is suitable for the proposed development and that the development will be safe from geologic hazard for its economic life in a manner consistent with the County of Orange Grading and Excavation Code. For Coastal Development Permits including coastal bluff areas (for public works projects, including maintenance of pedestrian walkways, drainage improvements, flood control improvements and other infrastructure and/or utilities permitted in Planning Area 8), such reports shall include a slope stability analyses and estimates of the long-term bluff stability affecting the development proposal. Reports are to be signed by an appropriately licensed professional and subject to review and approval by a qualified County and/or City staff member(s) and/or contracted employee(s).	OC DPH City of Dana Point	Coastal Development and Grading Permits	LUP I-8.6.7-12	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Grading Plans and Geotechnical Reports shall be reviewed by OC Public Works for compliance with County Grading Code requirements.
Drainage and Water Quality							
188	PDF 4.4-1	New building design will include storm water collection systems (e.g., roof-to drainage directed into storm sewer system)	OC DPH	Coastal Development, Grading and Building Permits	LUP I-8.6.1-13	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Drainage Plans shall be reviewed by OC Public Works for compliance with County Code requirements.
189	PDF 4.4-2	Parking areas will be designed to direct surface run-off away from the Harbor.	OC DPH	Coastal Development, Grading and Building Permits	LUP I-8.6.1-14	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plan & Exhibits, Tab Two)
190	SCA 4.4-1	As required for obtaining a Grading Permit, the following drainage studies shall be prepared: a) A drainage study of the project, including diversions, off-site areas that drain onto and/or through the project and justification of any diversions; and b) When applicable, a drainage study evidencing that proposed drainage patterns will not overload existing storm drains; and c) Detailed drainage studies indicating how the project grading, in conjunction with the drainage conveyance systems including applicable swales, channels, street flows, catch basins, storm drains and flood water retarding will allow building pads to be safe from inundation from rainfall runoff which may be	OC DPH	Grading Permits	LUP I-8.6.1-15	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Drainage Plans shall be reviewed by OC Public Works for compliance with County Code requirements.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
		expected from all storms up to and including the theoretical 100-year flood.					
191	SCA 4.4-2	Prior to the issuance of any Grading Permits, OC Dana Point Harbor shall: a) Design provisions for surface drainage; and b) Design all necessary storm drain facilities extending to a satisfactory point of disposal	OC DPH	Grading Permits	LUP I-8.6.1-16	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Drainage Plans shall be reviewed by OC Public Works for compliance with County Code requirements.
192	SCA 4.4-3	Prior to the issuance of any Building Permits, OC Dana Point Harbor shall participate in the applicable Master Plan of Drainage in a manner meeting the approval of the Manager, OC Public Works/Subdivision and Grading, including construction of the necessary facilities.	Manager, OC Public Works/Subdivision and Grading OC DPH	Grading Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Drainage, Erosion Control and SWPPP Plans shall be reviewed by OC Public Works for compliance with County Code requirements.
193	SCA 4.4-4	OC Dana Point Harbor shall obtain coverage under the NPDES Statewide Stormwater Permit for General Construction Activities from the State Water Resources Control Board. Evidence of receipt of permit approval must be presented prior to the issuance of a Grading Permit.	OC DPH	Grading Permits	LUP I-7.6.1-2	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Drainage, Erosion Control and SWPPP Plans shall be reviewed by OC Public Works for compliance with County Code requirements.
194	SCA 4.4-5	As required for obtaining any Grading or Building Permits, OC Dana Point Harbor shall demonstrate compliance under California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number or other proof of filing. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A copy of the current SWPP shall be kept at the project site and be available for County review on request.	OC DPH	Grading and Building Permits	LUP I-7.6.1-3	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Drainage, Erosion Control and SWPPP Plans shall be reviewed by OC Public Works for compliance with County Code requirements.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
195	SCA 4.4-6	Prior to the issuance of any Grading Permits, OC Dana Point Harbor shall submit a Runoff Management Plan (RMP) to the Manager, OC Public Works/Subdivision and Grading for review and approval.	Manager, OC Public Works/Subdivision and Grading OC DPH	Grading Permits		Yes	A Preliminary-WQMP, Hydrology Plan have been prepared as part of the proposed Commercial Core Project. (see Technical Studies, Tabs C and D)
196	SCA 4.4-7	Prior to the issuance of any Grading or Building Permits, OC Dana Point Harbor shall submit an Erosion and Sediment Control Plan (ESCP) in a manner meeting approval of the Manager, OC Public Works/Building Permit Services to demonstrate compliance with local and state water quality regulations for grading and construction activities. The ESCP shall identify how all construction materials, wastes, grading or demolition debris and stockpiles of soil, aggregates, soil amendments, etc., shall be properly covered, stored and secured to prevent transport into local drainages or coastal waters by wind, rain, tracking, tidal erosion or dispersion. The ESCP shall also describe how the County will ensure that all BMP's will be maintained during construction of any future public right-of-ways. A copy of the current ESCP shall be kept at the project site and be available for County review on request.	Manager, OC Public Works/Subdivision and Grading OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. Drainage, Erosion Control and SWPPP Plans shall be reviewed by OC Public Works for compliance with County Code requirements.
197	SCA 4.4-8	<p>As required for obtaining any Grading or Building Permit (whichever comes first) OC Dana Point Harbor shall prepare a Water Quality Management Plan (WQMP) and/or a project-specific amendment specifically identifying Best Management Practices (BMPs) that will be used on-site to minimize the volume, velocity and pollutant load of runoff, including measures to prevent, eliminate and/or otherwise effectively address dry weather nuisance flow. The WQMP shall follow the model WQMP prepared by the County of Orange Flood Control District July 1 2003 or the most recent version available. This WQMP or amendment thereto shall also demonstrate conformance with the policies and provisions governing Water Quality and Hydrology identified in Chapter 2 of the Dana Point Harbor Revitalization Plan, Resource Protection section, including applicable provisions from the Project Design Features and Requirements section. The WQMP may include one or more of the following:</p> <ul style="list-style-type: none"> ▪ Discuss regional water quality and/or watershed programs (if available for the Project); ▪ Address Site Design BMPs (as applicable) such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas and conserving natural areas; ▪ Include the applicable Source Control BMPs and where necessary, Treatment Control BMPs as defined in the DAMP; and 	OC DPH	Coastal Development and Building Permits	LUP I-7.6.1-5	Yes	A Preliminary-WQMP, Hydrology Plan have been prepared as part of the proposed Commercial Core Project. (see Technical Studies, Tabs C and D and Plans & Exhibits, Tab Two)

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
		<ul style="list-style-type: none"> Demonstrate how surface runoff and subsurface drainage shall be managed and directed to the nearest acceptable drainage facility (as applicable), via sump pumps if necessary. 					
198	SCA 4.4-9	<p>As required for obtaining any Grading or Building Permit (whichever comes first) OC Dana Point Harbor shall include in the WQMP the following additional Priority Project information:</p> <ul style="list-style-type: none"> Include post-construction Structural Treatment Control BMP(s) as defined in the DAMP; Include a conceptual Operation and Maintenance (O&M) Plan that: (1) describes the long-term operation and maintenance requirements for the post-construction Treatment Control BMP(s); (2) identifies the entity that will be responsible for long-term operation and maintenance of the referenced Treatment Control BMP(s); and (3) describes the proposed mechanism for funding the long-term operation and maintenance of the referenced Treatment Control BMP(s). 	OC DPH	Coastal Development, Grading and Building Permits	LUP I-7.6.1-6	Yes	A Preliminary-WQMP, Hydrology Plan have been prepared as part of the proposed Commercial Core Project. (see Technical Studies, Tabs C and D and Plans & Exhibits, Tab Two)
199	SCA 4.4-10	<p>As required for obtaining Certificates of Use and Occupancy, OC Dana Point Harbor shall confirm compliance with the WQMP, including:</p> <ul style="list-style-type: none"> Demonstrate that all structural Best Management Practices (BMPs) described in the Project's WQMP have been implemented, constructed and installed in conformance with approved plans and specifications; Demonstrate that the County of Orange Dana Point Harbor Department has complied with all non-structural BMPs described in the Project's WQMP; Submit for review and approval an Operations and Maintenance (O&M) Plan for all structural BMPs for attachment to the WQMP; and Demonstrate that copies of the Project's approved WQMP (with attached O&M Plan) are available for each of the incoming occupants. 	OC DPH	Certificates of Use and Occupancy	LUP I-7.6.1-7	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. OC Public Works will be responsible for confirming compliance with all NPDES Permit requirements.
200	SCA 4.4-11	<p>Prior to the approval of a Grading Permit, OC Dana Point Harbor shall submit an Elevation Certificate to the Manager, OC Public Works/Current Planning Services identifying the base flood elevation and certifying that the planned elevation of the lowest floor, including basements is at least one (1) foot above the Base Flood Elevation (BFE). To eliminate FEMA requirements for flood insurance, the lowest elevation of any part of the structure, not only the lowest floor must be above the BFE.</p>	Manager, OC Public Works/Current Planning Services OC DPH	Grading Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. OC Public Works will be responsible for confirming compliance with this requirement.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
201	SCA 4.4-12	Prior to the issuance of Certificates of Use and Occupancy for any building, OC Dana Point Harbor shall complete Section "E" of the Elevation Certificate, identifying the Base Flood Elevation (BFE) and certifying the as-built lowest floor, including basements, as constructed, is at least one (1) foot above the BFE, in a manner meeting the approval of the Manager, OC Public Works/Building Inspection. To eliminate FEMA requirements for flood insurance, the lowest elevation of any part of the structure, not only the lowest floor must be above the BFE.	Manager, OC Public Works/Building Inspection OC DPH	Certificates of Use and Occupancy		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. OC Public Works will be responsible for confirming compliance with this requirement.
202	SCA 4.4-13	Prior to the issuance of any Grading Permits, OC Dana Point Harbor shall delineate on the Grading Plan the floodplain that affects the property, in a manner meeting the approval of the Manager, OC Public Works/Subdivision and Grading.	Manager, OC Public Works/Subdivision and Grading OC DPH	Grading Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. OC Public Works will be responsible for confirming compliance with this requirement.
203	MM 4.4-1	OC Dana Point Harbor shall prepare an assessment of the potential impacts of inundation from a tsunami taking into account future sea-level rise on the existing and proposed building structures along the seawall.	OC DPH	Grading and Building Permits	LUP I-8.6.2-9	Yes	The proposed Commercial Core Project is consistent with the findings adopted by the Orange County Board of Supervisors for certification of FEIR No. 591 that evaluate impacts of GCC. A Preliminary-Shoreline Management Plan and Wave Runup Analysis have been prepared as part of the proposed Commercial Core Project that evaluate potential effects of sea level rise and changes associated with climate change on the harbor based on current regulations to satisfy this requirement. (see Technical Studies, Tabs N and O)

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
204	MM 4.4-2	OC Dana Point Harbor shall prepare an assessment of the potential of wave run-up from a seiche or tsunami near the Harbor during a major seismic event including but not limited to an event on the Newport-Inglewood Fault and/or San Jacinto Mountains Faults prior to submittal of the first Coastal Development Permit for development of the Commercial Core.	OC DPH	Grading and Building Permits	LUP I-8.6.3-6	Yes	The proposed Commercial Core Project is consistent with the findings adopted by the Orange County Board of Supervisors for certification of FEIR No. 591 that evaluate impacts of seismic events. A Wave Runup Analysis has been prepared as part of the proposed Commercial Core Project that evaluate potential effects of seismically induced wave events on the harbor based on current regulations to satisfy this requirement. (see Technical Studies, Tab O)
205	MM 4.4-3	During the design phase, the project shall study the potential impacts of flooding of San Juan Creek on the existing or proposed structures along the seawall and submit the study to the Manager, OC Public Works/Subdivision and Grading for verification.	Manager, OC Public Works/Subdivision and Grading OC DPH	Grading and Building Permits	LUP Policy I-8.6.5-3	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. OC Public Works will be responsible for confirming compliance with this requirement.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
206	MM 4.4-5 ²	Should any structures be developed by the County of Orange on the South Coast Water District Lot as part of the project, the County of Orange shall, during the design phase assess the potential impacts of inundation from a sieche, tsunami and flooding on the SCWD Lot.	OC DPH	Coastal Development, Grading and Building Permits		Yes	Improvements associated with the provision of off-site boat storage on property owned by SCWD will be the responsibility of the Water District or their designated operator. OC Dana Point Harbor has been provided a Letter of Intent acknowledging that the Water District intends to provide the necessary facilities to accommodate the storage of boats on the property during the construction of Commercial Core improvements. The City of Dana Point Director of Public Works will be responsible for confirming compliance with this requirement.
207	LUP Policy I-4.4.1-4	To aid and enhance water quality improvements a materials and recycling disposal station will be installed to facilitate boater drop-off of materials such as oil absorbing bilge pads.	OC DPH City of Dana Point	Coastal Development Permits		N/A	The Commercial Core Project does not include improvements to areas containing disposal stations.
208	LUP Policy I-7.2.1-11	The non-motorized craft launching area and picnic and park area within Baby Beach shall remain, but the configuration may be modified to accommodate mitigation for water quality-related improvements.	OC DPH City of Dana Point	Coastal Development Permits		N/A	The Commercial Core Project does not include improvements to the Recreation Uses in PA 5.
209	MM 4.7-6	OC Dana Point Harbor shall require that standard BMP's be utilized in order to ensure impacts to water quality or the marine environment are minimized and include: <ul style="list-style-type: none"> ▪ Erosion to be controlled by landscaping (leave existing vegetation in place where possible), paving and drainage structures; ▪ Perimeter barriers, such as berms or sand bags around all construction sites to catch run-off; ▪ Tracking controls, such as rumble strips and gravel strips will be used to minimize dirt being tracked into and out of the project site; ▪ Harbor basin inlets shall be protected by placing sediment barriers, 	OC DPH City of Dana Point	Coastal Development Permits	LUP I-7.2.1-16	Yes	A Preliminary-WQMP and SWPPP Plans have been prepared as part of the proposed Commercial Core Project. OC Public Works will be responsible for confirming compliance with these requirements. (see Technical Studies, Tab D and Plans & Exhibits, Tab Two)

² Sequence numbering note: MM 4.4-4 refers to MM's 4.4-1 through 4.4-3

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
		<p>such as a wire mesh and gravel filter to intercept debris and soil runoff; and</p> <ul style="list-style-type: none"> ▪ Appropriate housekeeping activities to minimize the potential for pollutants from material storage or construction activities. 					
210	LUP Policy I-7.3.1-2	Promote pollution prevention and elimination methods that minimize the introduction of pollutants into coastal waters and the generation of polluted runoff and nuisance flows.	OC DPH City of Dana Point	Coastal Development Permits		Yes	A Preliminary-WQMP and SWPPP Plans have been prepared as part of the proposed Commercial Core Project. OC Public Works will be responsible for confirming compliance with these requirements. (see Technical Studies, Tab D and Plans & Exhibits, Tab Two)
211	LUP Policy I-7.3.1-3	Development shall not result in the degradation of the water quality of coastal surface waters including the ocean, coastal streams or wetlands and of groundwater basins. To the maximum extent feasible, ensure that pollution from urban runoff not be discharged or deposited such that it adversely impacts groundwater, the ocean, coastal streams or wetlands.	OC DPH City of Dana Point	Coastal Development Permits		Yes	A Preliminary-WQMP has been prepared as part of the proposed Commercial Core Project. OC Public Works will be responsible for confirming compliance with these requirements. (see Technical Studies, Tab D and Plans & Exhibits, Tab Two)
212	LUP Policy I-7.3.1-4	Development shall be designed to minimize to the maximum extent feasible, the introduction of pollutants that may result in significant impacts to surface waters, groundwater or coastal waters. In order to meet these requirements, applicants shall prepare a post-development phase drainage and pollutant runoff control plan that incorporates a Best Management Practice (BMP) or the combination of BMP's best suited to reduce pollutant loading to the maximum extent feasible. BMP's may include site design, source control and treatment control BMP's.	OC DPH City of Dana Point	Coastal Development Permits		Yes	A Preliminary-WQMP has been prepared as part of the proposed Commercial Core Project. OC Public Works will be responsible for confirming compliance with these requirements. (see Technical Studies, Tab D and Plans & Exhibits, Tab Two)
213	LUP Policy I-7.3.1-5	Promote infiltration of runoff, including storm water and nuisance flow runoff to protect the natural hydrologic cycle. Incorporate site drainage and landscape designs that minimize increases in peak runoff by promoting infiltration, filtration and attenuation over landscaped areas or through permeable surfaces. Where possible, include infiltration BMP's (e.g., permeable pavements, dry wells, etc.) and apply techniques consistently over drainage areas. Where infiltration of runoff would exacerbate geologic hazards, include equivalent BMP's that do not require infiltration.	OC DPH City of Dana Point	Coastal Development Permits		Yes	A Preliminary-WQMP has been prepared as part of the proposed Commercial Core Project. OC Public Works will be responsible for confirming compliance with these requirements. (see Technical Studies, Tab D and Plans & Exhibits, Tab Two)

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
214	LUP Policy I-7.3.1-6	New development shall minimize where feasible the development footprint and directly connected impervious surfaces as well as the creation of and increases in impervious surfaces.	OC DPH City of Dana Point	Coastal Development Permits		Yes	A Preliminary-WQMP has been prepared as part of the proposed Commercial Core Project and utilizes a treatment train approach, including several methods of providing increased pervious surfaces for the pre-treatment of storm water runoff prior to discharge. OC Public Works will be responsible for confirming compliance with these requirements. (see Technical Studies, Tab D and Plans & Exhibits, Tab Two)
215	LUP Policy I-7.3.1-7	New development shall protect the absorption, purification and retention functions of natural systems that exist on the site. Where feasible, drainage plans shall be designed to complement and utilize existing drainage patterns and systems, conveying drainage from the developed areas of the site in a non-erosive manner. Disturbed or degraded natural drainage systems should be restored, where feasible.	OC DPH City of Dana Point	Coastal Development Permits		Yes	A Preliminary-WQMP has been prepared as part of the proposed Commercial Core Project that includes pre-treatment of storm water runoff as part of the design. OC Public Works will be responsible for confirming compliance with these requirements. (see Technical Studies, Tab D and Plans & Exhibits, Tab Two)
216	LUP Policy I-7.3.1-8	<p>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:</p> <ul style="list-style-type: none"> • 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 	OC DPH City of Dana Point	Coastal Development Permits		N/A	The Commercial Core Project includes the replacement of existing Marine Services Commercial land uses and does not impact any areas of natural vegetation, riparian habitat or wetlands.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
		<p>trees, native vegetation and root structures;</p> <ul style="list-style-type: none"> • 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. 					
217	LUP Policy I-7.3.1-9	Management practices that enhance infiltration and help maintain the natural hydrologic cycle will be preferred except where site conditions make the use of enhanced infiltration unsafe. In these instances other management practices that provide similar water quality protection shall be used.	OC DPH City of Dana Point	Coastal Development Permits		Yes	A Preliminary-WQMP has been prepared as part of the proposed Commercial Core Project. OC Public Works will be responsible for confirming compliance with these requirements. (see Technical Studies, Tab D and Plans & Exhibits, Tab Two)
218	LUP Policy I-7.3.1-10	Commercial development shall incorporate BMP's designed to minimize or avoid the runoff of pollutants from structures, landscaping, parking and loading areas.	OC DPH City of Dana Point	Coastal Development Permits		Yes	A Preliminary-WQMP has been prepared as part of the proposed Commercial Core Project. OC Public Works will be responsible for confirming compliance with these requirements. (see Technical Studies, Tab D and Plans & Exhibits, Tab Two)
219	LUP Policy I-7.3.1-11	Gasoline and marine repair facilities shall incorporate BMP's designed to minimize runoff of oil and grease, solvents, car battery acid, coolant, gasoline and other pollutants to storm water system.	OC DPH City of Dana Point	Coastal Development Permits		Yes	A Preliminary-WQMP has been prepared as part of the proposed Commercial Core Project that includes pre-treatment of storm water runoff as part of the design. OC Public Works will be responsible for confirming compliance with these requirements. (see Technical Studies, Tab D and Plans & Exhibits, Tab Two)

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
220	LUP Policy I-7.3.1-12	Storm drain stenciling and signage shall be provided for new storm drain construction in order to discourage dumping into drains.	OC DPH City of Dana Point		Coastal Development Permits	Yes	A Preliminary-WQMP has been prepared as part of the proposed Commercial Core Project. OC Public Works will be responsible for confirming compliance with these requirements. (see Technical Studies, Tab D and Plans & Exhibits, Tab Two)
221	LUP Policy I-7.3.1-13	Permits for new development shall be conditioned to require on-going maintenance where maintenance is necessary for effective operation of required BMP's.	OC DPH City of Dana Point		Coastal Development Permits	Yes	A Preliminary-WQMP has been prepared as part of the proposed Commercial Core Project. OC Public Works will be responsible for confirming compliance with these requirements. (see Technical Studies, Tab D and Plans & Exhibits, Tab Two)
222	LUP Policy I-7.3.1-14	New development shall include construction phase erosion control and polluted runoff control plans. For example, such plans may include controls on timing of grading, BMP's for storage and disposal of construction materials or design specifications of sedimentation basins.	OC DPH City of Dana Point		Coastal Development Permits	Yes	A Preliminary-WQMP has been prepared as part of the proposed Commercial Core Project. OC Public Works will be responsible for confirming compliance with these requirements. (see Technical Studies, Tab D and Plans & Exhibits, Tab Two)
223	LUP Policy I-7.3.1-15	New development that requires a grading/erosion control plan shall include landscaping and revegetation of graded or disturbed areas.	OC DPH City of Dana Point		Coastal Development Permits	Yes	A Preliminary-WQMP and SWPPP Plans have been prepared as part of the proposed Commercial Core Project. OC Public Works will be responsible for confirming compliance with these requirements. (see Technical Studies, Tab D and Plans & Exhibits, Tab Two)

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
224	LUP Policy I-7.3.1-16	The use of efficient irrigation practices and native or non-invasive and drought-tolerant plants to minimize the need for fertilizer, pesticides, herbicides and excessive irrigation practices shall be required for all areas. The use of rodenticides containing any anticoagulant compounds (including, but not limited to, Warfarin, Brodifacoum, Bromadiolone or Diphacinone) is prohibited.	OC DPH City of Dana Point	Coastal Development Permits		Yes	Landscape Plans have been prepared as part of the proposed Commercial Core Project. OC Public Works will be responsible for confirming compliance with landscape irrigation requirements. OC DPH will continue to oversee the on-going maintenance of harbor landscape areas to ensure appropriate irrigation practices, including use of fertilizers and rodenticides do not impact marine habitat. (see Plans & Exhibits, Tab Three)
225	LUP Policy I-7.3.1-17	All structural BMPs shall be inspected on an annual basis and cleaned and/or repaired as necessary, ensuring proper function in accordance with the Model Maintenance Procedures of the County's Local Implementation Plan (LIP).	OC DPH City of Dana Point	Coastal Development Permits		Yes	OC DPH will continue to oversee the on-going maintenance of harbor water quality BMP's to ensure appropriate to ensure proper function in accordance with the adopted LIP.
226	LUP Policy I-7.3.1-18	The use of water conservation irrigation systems and practices, such as weather based or sensor controlled shall be required throughout the Harbor.	OC DPH City of Dana Point	Coastal Development Permits			Landscape Plans have been prepared as part of the proposed Commercial Core Project. OC Public Works will be responsible confirming compliance with landscape irrigation requirements. OC DPH will continue to oversee the on-going maintenance of harbor landscape areas. (see Plans & Exhibits, Tab Three)
227	LUP Policy I-7.3.2-1	Boat maintenance and operation practices to be encouraged by OC Dana Point Harbor include: a) Continue to provide restrooms with showers and laundry facilities in close proximity to the marinas thereby reducing the need for boaters to utilize on-board facilities; b) Limit the number of live-aboard permits in the Harbor to not exceed more than ten percent (10%) of the total vessels on any one dock and no more than three percent (3%) of the total allowed in the Harbor overall;	OC DPH City of Dana Point	Coastal Development Permits	IP II-3-SP30 IP II-11-11.5p	N/A	Applies to waterside areas only.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
		<ul style="list-style-type: none"> c) Require live-aboard permittees to have their vessel thoroughly inspected by the U.S. Coast Guard Auxiliary on a periodic basis to ensure the vessel has proper safety equipment aboard, waste holding tanks are in good operating condition with locking overboard diversion valves secured in the closed (inboard) position; d) Continue enforcement prohibiting all waste disposal discharges in the Harbor; e) Continue to provide pump-out stations to serve individual boat slips to the maximum extent feasible and an adequate number of conveniently located dump stations to serve small boats, shall be incorporated into any new marina. The location and amount of all disposal facilities shall be determined based on site-specific data related to vessel size and record of use, among other things; f) Ensure an adequate supply of primary clean-up and containment materials including oil absorbent pads and oil absorbent booms are conveniently located and easily accessible in the event of a spill; g) Continue to prohibit the rebuilding of vessels, hull painting and other major repairs while a boat is moored in the Harbor; h) Continue enforcement of regulations restricting maintenance practices that involves sanding, painting and use of chemicals on a boat moored in the Harbor; i) Continue to prohibit the dumping of fish waste into Harbor waters; j) Continue to prohibit the cleaning of fish on Harbor docks; k) Continue to require passing vessel entry inspections (USCGA Vessel Safety Inspection) for all new slip tenants to ensure all vessels appear to be sound and functional and are in compliance with Dana Point Harbor environmental and safety regulations (passing said inspection does not necessarily deem the vessel adequate for open ocean transit. Such determination remains the sole responsibility of the vessel operator); and l) Continue to require the use of only biodegradable soaps, cleaners and teak cleaners approved for ocean waters. 					
228	LUP Policy I-7.3.2-2	Encourage the use of less polluting, cleaner running engines in all motorized watercraft (e.g., jet skis, motor boats, etc.).	OC DPH City of Dana Point	Coastal Development Permits		N/A	Applies to waterside areas only.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
229	LUP Policy I-7.3.2-3	<p>The preferred material for pilings used for construction of piers, docks or slips is concrete or steel coated with a non-toxic material. Pilings treated with Ammoniacal Copper Arsenate (ACA), Ammoniacal Zinc Arsenate (ACZA) or Chromated Copper Arsenate (CCA) wrapped or coated prior to installation with a water tight plastic sleeve or similar sealant can also be used, but are not preferred over concrete piles or steel piles coated with a non-toxic material. Timber piles preserved with creosote (or similar petroleum-derived products) are not allowed. To prevent the introduction of toxins and debris into the marine environment, the use of plastic wrapped pilings (e.g., PVC Pilewrap) and reinforced plastic for pilings (e.g., high density polyethylene (HDPE) pile armor) shall conform to the following requirements:</p> <ul style="list-style-type: none"> a) The material used shall be durable and a minimum of one-tenth of an inch thick; b) All joints shall be sealed to prevent leakage; c) Measures shall be taken to prevent ACA, CCA and/or ACZA from dripping over the top of plastic wrapping into Harbor waters. These measures may include wrapping pilings to the top or installing collars to prevent dripping; d) The plastic sleeves shall extend a minimum of eighteen (18) inches below the mud line; e) Plastics used to protect concrete or timber piers and docks or for flotation shall be subject to regular inspection to prevent sloughing of plastics into the waterway. A comprehensive inspection and maintenance plan shall be a requirement of any approval for projects involving plastic or similar material wrapped piles; f) The marina operator shall be made responsible for removal and disposal of failed docks or materials; and g) If federal or state regulatory agencies, through new or better scientific information, determine that less environmentally damaging materials or methods are available for new piles or piling replacement, the least environmentally damaging materials and/or methods should be required for such projects, as feasible. 	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. OC Public Works will be responsible for confirming compliance with this requirement.
230	LUP Policy I-7.5.2-5	All routine maintenance dredging operations shall be conducted in accordance with Regional Water Quality Control Board (RWQCB) requirements to ensure that dredging does not result in increases in water turbidity or that dissolved oxygen in the receiving waters is being depressed below established standards.	OC DPH City of Dana Point	Coastal Development Permits		N/A	Applies to waterside areas only.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
231	LUP Policy I-7.5.2-6	<p>Dredging activities shall comply with the following construction-related practices:</p> <ul style="list-style-type: none"> a) No construction materials, debris, waste, oil or liquid chemicals shall be placed or stored where it may be subject to wave erosion and dispersion, storm water or where it may contribute to or come in contact with nuisance flows; b) Temporary impacts due to turbidity and sediment color differences during sediment placement activities will occur. However, if turbid conditions exceed allowable jurisdictional thresholds during the dredging or beach replenishment operations, a BMP such as a silt curtain shall be utilized to minimize and control turbidity to the maximum extent practicable; c) The discharge of any hazardous materials into the Harbor or any receiving waters shall be prohibited; and d) Floating booms used to contain debris discharged into coastal waters. Any debris discharged will be removed as soon as possible, but no later than the end of each working day. 	OC DPH City of Dana Point	Coastal Development Permits		N/A	Applies to waterside areas only.
232	LUP Policy I-7.6.1-1	Coordinate with the appropriate Regional Water Quality Control Board, the County of Orange and other agencies and organizations in the implementation of the National Pollution Discharge Elimination System Permits (NPDES) regulations to minimize adverse impacts on the quality of coastal waters. (Coastal Act Section 30231)	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. OC Public Works will be responsible for confirming compliance with these requirements.
233	LUP Policy I-7.6.1-4	As required for obtaining any Grading or Building Permit, OC Dana Point Harbor shall prepare an Erosion and Sediment Control Plan (ESCP) to demonstrate compliance with local and state water quality regulations for grading and construction activities. The ESCP shall identify how all construction materials, wastes, grading or demolition debris and stockpiles of soil, aggregates, soil amendment, etc. shall be properly covered, stored and secured to prevent transport into local drainages or coastal waters by wind, rain, tracking, tidal erosion or dispersion. The ESCP shall also describe how the applicant will ensure that all Best Management Practices (BMP's) will be maintained during construction of any future public right-of-ways. A copy of the current ESCP shall be kept at the project site and be available for review on request.	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. OC Public Works will be responsible for confirming compliance with these requirements.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
234	LUP Policy I-8.6.1-2	Retain, protect and enhance local drainage courses, channels and creeks in their natural condition, where feasible and desirable, in order to maximize their natural hydrologic functioning so as to minimize adverse impacts from storm water run-off. (Coastal Act Section 30231)	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	A Drainage Plan has been prepared as part of the proposed Commercial Core Project. OC Public Works will be responsible for confirming compliance with this requirement. (see Plans & Exhibits, Tab Two)
235	LUP Policy I-8.6.1-3	Control erosion during and following construction through proper grading techniques, vegetation replanting and the installation of proper drainage and erosion control improvements. (Coastal Act Section 30243)	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	SWPPP Plans have been prepared as part of the proposed Commercial Core Project. OC Public Works will be responsible for confirming compliance with these requirements. (see Plans & Exhibits, Tab Two)
236	LUP Policy I-8.6.1-4	Require the practice of proper soil management techniques to reduce erosion, sedimentation and other soil-related problems. (Coastal Act Section 30243)	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	SWPPP Plans have been prepared as part of the proposed Commercial Core Project. OC Public Works will be responsible for confirming compliance with this requirement. (see Plans & Exhibits, Tab Two)
237	LUP Policy I-8.6.1-5	Lessen beach erosion by minimizing any human-caused activities that would reduce the replenishment of sand to the beaches. (Coastal Act Section 30235)	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	SWPPP Plans have been prepared as part of the proposed Commercial Core Project. OC Public Works will be responsible for confirming compliance with this requirement. (see Plans & Exhibits, Tab Two)
238	LUP Policy I-8.6.1-6	Whenever feasible, the material removed from erosion control and flood control facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of the Local Coastal Program and where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a Coastal Development Permit for such purposes are the characteristics of the material (grain size and color), potential contamination), method of placement, time of year of placement and sensitivity of the placement area. (Coastal Act Sections 30233, 30607.7)	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		N/A	Applies to waterside areas and dredging operations.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
239	LUP Policy I-8.6.1-8	Maintain existing jetties and modify as necessary to eliminate or mitigate adverse effects on shoreline processes.	OC DPH City of Dana Point	Coastal Development and Grading Permits		N/A	Applies to waterside areas only.
240	LUP Policy I-8.6.1-9	Design and site protective devices to minimize impacts to coastal resources, minimize alteration of natural shoreline processes, provide for coastal access, minimize visual impacts, adapt to sea level rise and eliminate or mitigate adverse impacts on local shoreline sand supply.	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		N/A	Applies to waterside areas only.
241	LUP Policy I-8.6.2-1	Periodically review tsunami preparation and response policies/practices to reflect current development conditions and available tools and information for preparedness and response.	OC DPH City of Dana Point	Coastal Development Permits		Yes (on-going)	OC Dana Point Harbor routinely coordinates with the City of Dana Point regarding emergency preparedness and practices associated with implementation of Emergency Response Plans.
242	LUP Policy I-8.6.2-2	Periodically review inundation maps and design standards, update identification of susceptible areas, evacuation routes and building codes as new information on tsunami and design standards becomes available.	OC DPH City of Dana Point	Coastal Development Permits		Yes (on-going)	OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement.
243	LUP Policy I-8.6.2-3	Participate in any regional effort to develop and implement workable response plans that the County and City emergency services personnel can incorporate into evacuation plans in the case of tsunami warnings.	OC DPH City of Dana Point	Coastal Development Permits		Yes (on-going)	OC Dana Point Harbor routinely coordinates with the City of Dana Point regarding emergency preparedness and practices associated with implementation of Emergency Response Plans.
244	LUP Policy I-8.6.2-4	Review local and distant tsunami inundation maps for Dana Point and adjacent coastal communities to identify susceptible areas and plan evacuation routes.	OC DPH City of Dana Point	Coastal Development Permits		Yes	A Preliminary-Shoreline Management Plan has been prepared as part of the proposed Commercial Core Project that includes information on tsunami planning and currently adopted evacuation routes. (see Technical Studies, Tab N)

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
245	LUP Policy I-8.6.2-5	Include tsunami evacuation route information as part of any overall evacuation route sign program implemented in the City. Evacuation routes out of the Harbor should be clearly posted. An evacuation route traffic monitoring system that provides real-time information on the traffic flow at critical roadways should be considered.	OC DPH City of Dana Point	Coastal Development Permits		Yes (on-going)	OC Dana Point Harbor routinely coordinates with the City of Dana Point regarding emergency preparedness and practices associated with implementation of emergency evacuation plans and signage.
246	LUP Policy I-8.6.2-6	Continue projects that maintain beach width. Wide beaches provide critical protection against tsunami run-up for structures along the oceanfront.	OC DPH City of Dana Point	Coastal Development Permits		N/A	The Commercial Core Project does not include improvements to the Recreation Uses in PA 5.
247	LUP Policy I-8.6.2-7	Develop and implement a tsunami educational program for residents, visitors, and people who work in the susceptible areas.	OC DPH City of Dana Point	Coastal Development Permits		Yes (on-going)	OC Dana Point Harbor routinely coordinates with the City of Dana Point regarding emergency preparedness and practices associated with implementation of Emergency Response Plans.
248	LUP Policy I-8.6.2-8	Require overnight visitor-serving facilities in susceptible areas to provide tsunami information and evacuation plans.	OC DPH City of Dana Point	Coastal Development Permits		N/A	The Commercial Core Project does not include improvements to the Visitor Serving Commercial Uses in PA 3.
249	LUP Policy I-8.6.2-10	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. Take projected sea-level rise into account when evaluating storm wave run-up. (Coastal Act Section 30253)	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project is consistent with the findings adopted by the Orange County Board of Supervisors for certification of FEIR No. 591. A Wave Runup Analysis has been prepared as part of the proposed Commercial Core Project that evaluates potential effects of wave runup on harbor facilities based on current regulations to satisfy this requirement. (see Technical Studies, Tab O)

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
250	LUP Policy I-8.6.3-1	Prepare and periodically update (every 5 years) a Shoreline Management Plan for Dana Point Harbor to assess seasonal and long-term shoreline changes and the potential for flooding or damage from erosion, sea-level rise, waves, storm surge or seiches and provide recommendations for protection of existing and proposed development, public improvements, coastal access, public opportunities for coastal recreation and coastal resources. The Shoreline Management Plan shall also evaluate evacuation routes (including Marine Commercial Planning Area 4 in the event of incapacitation of the Island Bridge) and the feasibility of hazard avoidance, planned retreat, retrofitting existing or proposing new protection devices and restoration of the sand supply and beach nourishment in appropriate areas of the Harbor, as required.	OC DPH City of Dana Point	Coastal Development Permits, ongoing reporting	IP II-3-SP11	Yes	The proposed Commercial Core Project is consistent with the findings adopted by the Orange County Board of Supervisors for certification of FEIR No. 591 that evaluate impacts of GCC. A Preliminary-Shoreline Management Plan and Wave Runup Analysis have been prepared as part of the proposed Commercial Core Project that evaluate potential effects of sea level rise, changes associated with climate change on the harbor and potential evacuation of PA 4 to satisfy this requirement. (see Technical Studies, Tabs N and O)
251	LUP Policies I-8.6.3-2 I-8.6.5-1	Siting and design of new shoreline development anywhere in Dana Point Harbor and the siting and design of new or replacement shoreline protective devices shall take into account anticipated future changes in sea level.	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. OC Public Works will be responsible for confirming compliance with this requirement.
252	LUP Policy I-8.6.3-3	New or modified shoreline or ocean protective devices such as revetments, breakwaters, groins, Harbor channels, seawalls, cliff retaining walls and other such construction that alters shoreline processes shall be designed to minimize impacts to coastal resources, minimize alteration of natural shoreline processes, provide for coastal access and minimize visual impacts.	OC DPH City of Dana Point	Coastal Development Permits		N/A	Applies to waterside areas only.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
253	LUP Policy I-8.6.3-4	Require all Coastal Development Permit applications for new development on a beach or other waterfront area or on a coastal bluff property with the potential to be subject to wave action to assess the potential for flooding or damage from sea level rise, waves, storm surge or seiches, through a wave uprush and impact reports prepared by a licensed civil engineer with expertise in coastal processes. The conditions that shall be considered in a wave uprush study are: a seasonally eroded beach combined with long-term (75 years) erosion; high tide conditions, combined with long-term (75 year) projections for sea level rise; storm waves from a 100 year event or a storm that compares to the 1982/83 El Niño event.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project is consistent with the findings adopted by the Orange County Board of Supervisors for certification of FEIR No. 591. A Wave Runup Analysis has been prepared as part of the proposed Commercial Core Project that evaluates potential effects of wave runup on harbor facilities based on current regulations to satisfy this requirement. (see Technical Studies, Tab O)
254	LUP Policy I-8.6.3-5	Encourage the use of non-structural methods, such as dune restoration and beach nourishment as alternatives to static shoreline protective structures.	OC DPH City of Dana Point	Coastal Development Permits		N/A	The Commercial Core Project does not include improvements to the Recreation Uses in PA 5.
255	LUP Policy I-8.6.5-2	Due to the uncertainties about future sea level rise, a range of likely and extreme rises in sea level shall be used in the planning phase to assess project sensitivity to future water levels, identify possible consequences to the development and the surrounding area if the anticipated sea level is exceeded and determine the minimum acceptable amount of future sea level rise that can be used for design purposes.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project is consistent with the findings adopted by the Orange County Board of Supervisors for certification of FEIR No. 591 that evaluate impacts of GCC. A Preliminary-Shoreline Management Plan and Wave Runup Analysis have been prepared as part of the proposed Commercial Core Project that evaluate potential effects of sea level rise and changes associated with climate change on the harbor based on current regulations. OC Public Works will be responsible for confirming compliance with this requirement. (see Technical Studies, Tabs N and O)

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
256	LUP Policy I-8.6.6-1	Pursuant to the City of Dana Point Local Implementation Plan, all private and public works construction projects are required at a minimum to implement and be protected by an effective combination of erosion and sediment controls and water and materials Best Management Practices.	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. OC Public Works will be responsible for confirming compliance with this requirement.
257	LUP Policy I-8.6.6-2	Protect irreplaceable beaches and coastal bluffs from development and natural erosional processes to provide for the replenishment of beach sands when feasible and to strive to increase public access to the Harbor, beaches and the coastline.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. OC Public Works will be responsible for confirming compliance with this requirement.
258	LUP Policy I-8.6.6-3	Encourage retention of natural vegetation and require re-vegetation of graded areas.	OC DPH City of Dana Point	Coastal Development and Grading Permits		N/A	The Commercial Core Project proposes the revitalization of existing areas of the harbor that are currently fully developed and do not contain areas of natural vegetation.
Traffic and Parking							
259	PDF 4.5-1	The construction phasing plan for the Commercial Core includes early construction of the parking deck and ramp, augmenting parking for Harbor visitors and boaters.	OC DPH	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. OC Public Works will be responsible for confirming compliance with this requirement.
260	PDF 4.5-2	A seasonal water taxi service may be incorporated throughout the Harbor to reduce average daily trips (ADTs) during peak Harbor usage periods.	OC DPH	Coastal Development Permits	LUP I-6.2.3-11	Yes (on-going)	A Parking Management Plan and Transportation Demand Management Plan are provided with this CDP. (see Tech Studies/ Reports, Tabs K and L). The reports indicate that demand for a seasonal water taxi currently does not currently exist to support the on-going operation of such a services at this time.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
261	PDF 4.5-3	Dana Point Harbor Drive at the west end of the Harbor in front of OC Sailing and Event Center may be realigned in the future providing improved road circulation.	OC DPH	Coastal Development Permits for street improvements		N/A	The Commercial Core Project does not include improvements to Recreation PA 5.
262	PDF 4.5-4	Dedicated boater drop-off areas and parking are provided in the Commercial Core.	OC DPH	Coastal Development Permits	LUP I-6.2.5-11	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. OC Public Works will be responsible for confirming compliance with this requirement. (see Plans & Exhibits, Sheet A-02)
264	PDF 4.5-6	Existing surface parking may be re-striped to improve efficiencies in parking stall configuration.	OC DPH	Coastal Development and Building Permits	LUP I-6.2.5-12	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. OC Public Works will be responsible for confirming compliance with this requirement. (see Plans & Exhibits, Sheet A-02)
265	PDF 4.5-7	The Dana Point Harbor Revitalization Signage Plan includes recommendations on signage throughout the Harbor to reduce pedestrian/vehicle conflicts (i.e., no crossing signs)	OC DPH	Master Sign Program, Coastal Development Permits	LUP I-8.5.3-8	Yes	A comprehensive Master Sign Program prepared as part of this CDP application satisfies this requirement and shows directional signs (see Plans and Exhibits, Tab Five).
266	SCA 4.5-1	Prior to the approval of any Coastal Development Permit or Grading Permit for Revitalization Plan Improvements, OC Dana Point Harbor shall prepare a construction-phase Parking Management Plan (PMP) that ensures public access will be retained to the extent it can be safely provided and to reduce construction congestion/conflicts.	OC DPH	Coastal Development and Grading Permits	LUP I-6.2.5-13	Yes	A Parking Management Plan and Transportation Demand Management Plan are provided with this CDP application, satisfying this requirement (see Tech Studies/ Reports, Tabs K and L). The conclusions of these reports will be used in evaluating strategies to ensure for the future availability of parking throughout the Harbor.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
267	SCA 4.5-2 MM 4.5-1	OC Dana Point Harbor shall prepare and process Encroachment Permits for any project work (e.g., street widening, emergency access improvements, storm drain construction, street connections, etc.) occurring in any City of Dana Point rights-of-way located within the Harbor boundary.	OC DPH City of Dana Point	Coastal Development and Grading Permits (for infrastructure construction)	LUP I-8.7.1-14 IP II-3-SP36	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. OC Public Works will be responsible for confirming compliance with this requirement. (see Plans & Exhibits, Street Improvement Plans, Tab Two)
268	SCA 4.5-3	Prior to the issuance of any Grading Permits, the County shall provide adequate sight distance per Standard Plan 1117 at all street intersections in a manner meeting the approval of the Manager, OC Public Works/Subdivision and Grading. The County shall make all necessary revisions to the plan to meet the sight distance requirement such as removing slopes or other encroachments from the limited use area in a manner meeting the approval of the Manager, OC Public Works/Subdivision and Grading.	Manager, OC Public Works/Subdivision and Grading OC DPH	Coastal Development and Grading Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. OC Public Works will be responsible for confirming compliance with this requirement. (see Plans & Exhibits, Tab Two)
269	SCA 4.5-4	The County shall install all underground traffic signal conduits (e.g., signals, phones, power, loop detectors, etc.) and other appurtenances (e.g., pull boxes, etc.) needed for future traffic signal construction and for future interconnection with adjacent intersections, all in accordance with plans and specifications meeting the approval of the Manager, OC Public Works/Subdivision and Grading.	Manager, OC Public Works/Subdivision and Grading OC DPH	Grading Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. OC Public Works will be responsible for confirming compliance with this requirement. (see Plans & Exhibits, Tab Two)
270	MM 4.5-2	OC Dana Point Harbor shall provide a construction sign program to direct Harbor visitors and boaters to available parking.	OC DPH	Coastal Development, Grading and Building Permits	LUP I-8.5.3-9	Yes	The proposed Commercial Core Project will submit a construction sign program with all Grading and Building Plan submittals. OC Public Works will be responsible for confirming compliance with this requirement. (see Plans & Exhibits, Tab Two)

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
271	MM 4.5-3	The OC Dana Point Harbor shall prepare a Construction Management Plan that includes the locations for shuttle drop-off areas, the relocations of public transit facilities and provisions for valet service (in the event construction activities do not allow for convenient parking adjacent to existing businesses). The Construction Management Plan shall also establish access locations for construction equipment, separate from those used by the general public.	OC DPH	Grading and Building Permits		Yes	A Parking Management and Construction Management Parking Plans are provided with this CDP application, satisfying this requirement (see Tech Studies/ Reports, Tab K and M). The locations of temporary drop-offs during construction operations will also be included as part of Grading and Building Plan submittals as determined by the contractor. OC Public Works will be responsible confirming compliance with this requirement.
272	MM 4.5-4	Del Obispo Street/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 – OC Dana Point Harbor shall enter into an agreement to conduct a study to and potentially fund (on a fair share basis) the re-striping of the eastbound Pacific Coast Highway approach from one left-turn lane, two through lanes and one de-facto right-turn lane to consist of one left-turn lane, two through lanes and one shared through/right-turn lane; to widen the westbound Pacific Coast Highway approach from two left-turn lanes, one through lane and one shared through/right-turn lane to consist of two left-turn lanes, two through lanes and one shared through/right-turn lane.	OC DPH	First Building Permit (associated with the Revitalization Plan) in Planning Areas 3 through 12		N/A	Outside the permit boundary of the Commercial Core Project CDP.
273	MM 4.5-5	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 – OC Dana Point Harbor 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.	OC DPH	First Building Permit (associated with the Revitalization Plan) in Planning Areas 3 through 12		N/A	Outside the permit boundary of the Commercial Core Project CDP.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
274	MM 4.5-6	Puerto Place/Dana Point Harbor Drive – Six months following completion of the Commercial Core improvements (Planning Areas 1 and 2), the County of Orange – OC Dana Point Harbor 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, OC Public Works/Subdivision and Grading in consultation with the City of Dana Point Public Works Director.	OC DPH City of Dana Point Public Works Director.	Six months following the completion of the Commercial Core improvements		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. OC Public Works will be responsible for confirming compliance with this requirement. (see Plans & Exhibits, Tab Two)
275	MM 4.5-7	OC Dana Point Harbor shall prepare a Traffic Management Plan (TMP) to include a provision for use of off-site locations for parking for peak Harbor use periods as necessary.	Manager, OC Public Works/Road Division OC DPH	Grading and Building Permits	LUP I-6.2.5-14	Yes	Parking Management and Transportation Demand Management Plans are provided with this CDP application, satisfying this requirement (see Tech Studies/ Reports, Tabs K and L). The locations of temporary off-site parking facilities for use during peak events are identified. OC Dana Point Harbor will continue to be responsible for parking management operations.
276	MM 4.5-10 ³	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 [Planning Areas 1 and 2]), OC Dana Point Harbor 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, OC Dana Point Harbor will be responsible for implementing the improvements in a manner meeting the approval of the Manager, OC Public Works/Road Division in consultation with the City of Dana Point Public Works Director.	Manager, OC Public Works/Road Division OC DPH City of Dana Point Public Works Director	12 months following the completion of the Commercial Core improvements		Yes (pending)	The proposed Commercial Core Project has been designed to satisfy this requirement.

³ Sequence numbering note: MM 4.5-8 refers to MM's 4.5-1 through MM 4.5-3; MM 4.5-9 refers to MM 4.5-6.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
277	MM 4.5-12 ⁴	Upon final design of the Commercial Core improvements, OC Dana Point Harbor 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.	OC DPH	Last Certificate of Use and Occupancy for Commercial Core area improvements (Planning Areas 1 and 2)		Yes (pending)	The proposed Commercial Core Project has been designed to satisfy this requirement.
278	LUP Policy I-6.2.1-1	Promote Harbor improvements that are designed in a manner that: (1) facilitates provision or extension of transit service; (2) provides on-site commercial and recreational facilities to discourage mid-day travel; and (3) provides non-automobile circulation to and within the Harbor. (Coastal Act Section 30213 & 30252)	OC DPH City of Dana Point	Coastal Development Permits		Yes	Parking Management and Transportation Demand Management Plans are provided with this CDP application, satisfying this requirement (see Tech Studies/ Reports, Tabs K and L). OC Dana Point Harbor will be responsible confirming compliance with this requirement and coordination with OCTA as needed.
279	LUP Policy I-6.2.1-2	The City of Dana Point and OC Dana Point Harbor shall cooperate to the maximum extent feasible to provide a convenient shuttle service to link Dana Point Harbor with the Town Center and reduce energy consumption and vehicle miles traveled wherever feasible. (Coastal Act 30252, 30253)	OC DPH City of Dana Point	Coastal Development Permits		Yes	Parking Management and Transportation Demand Management Plans are provided with this CDP application, identifying this coordination requirement (see Tech Studies/ Reports, Tabs K and L). OC Dana Point Harbor will be responsible for on-going coordination with the City of Dana Point.

⁴ Sequence numbering note: MM 4.5-11 refers to MM 4.5-7

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
280	LUP Policy I-6.2.1-4	Prior to Coastal Development Permit approval for development within the Commercial Core, plans shall be prepared indicating the use of Transportation Demand Management Plan (TMP) measures such as preferential parking for vanpooling/carpooling, employee subsidy for transit passes or vanpooling/carpooling, flextime work schedules, etc. A TMP shall be required for implementation as part of the Coastal Development Permit process.	OC DPH City of Dana Point	Coastal Development Permits		Yes	Parking Management and Transportation Demand Management Plans are provided with this CDP application, satisfying this requirement (see Tech Studies/Reports, Tabs K and L).
281	LUP Policy I-6.2.1-5	Bike racks shall be incorporated into the design of the Harbor wherever feasible.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. OC Public Works will be responsible for confirming compliance with this requirement. (see Plans & Exhibits, Sheet A-02 through A-06)
282	LUP Policy I-6.2.3-1	Transit service and pedestrian/bicycle trails shall be maintained and enhanced wherever possible in order to reduce the demand for parking.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. OC Public Works will be responsible confirming compliance with this requirement. (see Plans & Exhibits, Sheet A-02 through A-06)
283	LUP Policy I-6.2.3-2	Require the implementation of employer Transportation Demand Management (TDM) requirements included in the Southern California Air Quality Management District's Regulation XV of the Air Quality Management Plan. Participate in regional efforts to implement (TDM) requirements.	OC DPH City of Dana Point	Coastal Development Permits		Yes	A Transportation Demand Management Plan is provided with this CDP application that includes strategies for responding to SCAQMD program requirements. (see Tech Studies/Reports, Tab L).
284	LUP Policy I-6.2.3-3	Promote ridesharing and public transportation through publicity and provision of information to the public.	OC DPH City of Dana Point	Coastal Development Permits		Yes	A Transportation Demand Management Plan is provided with this CDP application that includes strategies for promoting public transportation and ridesharing program satisfying this requirement. (see Tech Studies/Reports, Tab L).

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
285	LUP Policy I-6.2.3-4	Ensure accessibility of public transportation for elderly and disabled persons.	OC DPH City of Dana Point	Coastal Development Permits		Yes	A Transportation Demand Management Plan is provided with this CDP application that includes strategies for providing access to public transportation. (see Tech Studies/Reports, Tab L).
286	LUP Policy I-6.2.3-5	Require employers to reduce vehicular trips by offering employee incentives.	OC DPH City of Dana Point	Coastal Development Permits		Yes	A Transportation Demand Management Plan is provided with this CDP application that includes strategies for employee ridesharing programs, including preferential employee parking opportunities for ridesharing programs (see Tech Studies/Reports, Tab L).
287	LUP Policy I-6.2.3-6	Provide for a non-vehicular circulation system that encourages mass-transit, bicycle transportation, pedestrian circulation. (Coastal Act Section 30252, 30253)	OC DPH City of Dana Point	Coastal Development Permits		Yes	A Transportation Demand Management Plan is provided with this CDP application that includes strategies for alternative transportation programs. The Commercial Core Project has been design to be consistent with the requirements to provide pedestrian and bicycle facilities throughout (see Tech Studies/Reports, Tab L and Plans & Exhibits, Sheets A-02 through A-06).

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
288	LUP Policy I-6.2.3-7	Encourage the provision of safe, attractive and clearly identifiable transit stops and related high quality pedestrian facilities throughout the Harbor. (Coastal Act Section 30252)	OC DPH City of Dana Point	Coastal Development Permits		Yes	A Transportation Demand Management Plan is provided with this CDP application that includes access to existing OCTA bus stops. The Commercial Core Project has been design to be consistent with the requirements to provide pedestrian and bicycle facilities throughout (see Tech Studies/Reports, Tab L and Plans & Exhibits, Sheets A-02 through A-06).
289	LUP Policy I-6.2.3-8	Work with the Orange County Transit Authority (OCTA) and other appropriate agencies to provide express transportation to regional airports.	OC DPH City of Dana Point	Coastal Development Permits		Yes	A Transportation Demand Management Plan is provided with this CDP application that includes continued coordination by OC Dana Point Harbor with OCTA and the City of Dana Point regarding existing and future public transportation programs. (see Tech Studies/ Reports, Tab L).
290	LUP Policies I-6.2.3-9 I-6.2.3-10	Coastal Development Permits for Day Use Commercial and Visitor Serving Commercial development (Planning Areas 2 and 3) shall incorporate measures to reduce energy consumption and vehicle trips in order to decrease exhaust emissions generated by Harbor users and visitors over time. These measures shall include coordination mass-transit services located throughout the Harbor; the planning and constructing of new pedestrian walkways, bikeways and bus stops that encourage alternative forms of transportation; and providing shuttle and/or seasonal water taxi services during peak Harbor usage periods. Where feasible, Coastal Development Permits shall incorporate the following types of specific measures: a) Educational and Information – Provide computer information on available transportation alternatives, route schedules and maps; provide public transit use and ridesharing incentives for employees and advertise the availability of these employee incentives through promotional material placed in one or more convenient locations in the Marine Services Commercial, Day Use Commercial and Visitor Serving Commercial Planning Areas and/or distributed along with employee paychecks. Additionally,	OC DPH City of Dana Point	Coastal Development Permits	IP II-3-SP13	Yes	A Transportation Demand Management Plan is provided with this CDP application that includes continued coordination by OC Dana Point Harbor with OCTA and the City of Dana Point regarding existing and future public transportation programs. The Commercial Core Project has been design to be consistent with the requirements to provide pedestrian and bicycle facilities throughout (see Tech Studies/Reports, Tab L and Plans & Exhibits, Sheets A-02 through A-06).

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
		<p>information shall be made available on a periodic basis to boaters and Harbor user groups to promote ride sharing and public transportation usage.</p> <p>b) Bicycle Transportation – Encourage bicycle commuting and recreational activities through the provision of amenities that address unique aspects of bicycle usage, including maintaining existing bicycle paths and providing access to showers and changing rooms where feasible and the provision of safe and secure bicycle racks throughout the Harbor.</p> <p>c) Shuttle & Seasonal Water Taxi Services – Reduce traffic congestion and parking demand within the Harbor and enhance connectivity between other areas of high public use such as Dana Point’s Town Center area, Doheny State Beach, local hotels and other beach amenities by cooperating with other local agencies to provide shuttle services (i.e., the Tri-City Trolley, Harbor parking and special events shuttle service and a seasonal water taxi) when anticipated rider-ship suggests demand for such services are appropriate. Where shuttle service implementation and/or expansion is determined to be necessary to offset the impacts of new development to participate in the provision of such service. The implementation of a shuttle service from on-site and/or off-site Harbor parking areas shall be offered to the public free of charge for any temporary event requiring a Coastal Development Permit that identifies shuttle service as a requirement.</p>					
291	LUP Policy I-6.2.4-8	Consider the provision of unique non-motorized circulation methods for special events.	OC DPH City of Dana Point	Coastal Development Permits		Yes	A Transportation Demand Management Plan is provided with this CDP application that includes continued use of shuttles and other methods of transportation during special events. (see Tech Studies/ Reports, Tab L).
292	LUP Policy I-6.2.5-1	All parking facilities shall be designed to include safe and secure parking for bicycles.	OC DPH City of Dana Point	Coastal Development Permits			The Commercial Core Project has been design to be consistent with this requirement by providing bicycle facilities throughout (see Plans & Exhibits, Sheets A-02 through A-06 and Tab Three).

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
293	LUP Policy I-6.2.5-2	Provide opportunities for and encourage the shared use of parking facilities to improve public access to the coast where feasible and where such shared use does not substantially and adversely impact the primary use for which the parking was intended. (Coastal Act Sections 30212.5 & 30252)	OC DPH City of Dana Point	Coastal Development Permits		Yes	A Parking Management Plan is provided with this CDP application, identifying strategies for the provision of managed joint use parking (see Tech Studies/Reports, Tab K). OC Dana Point Harbor will remain responsible for the on-going management of the Harbor parking operations.
294	LUP Policy I-6.2.5-3	Adequate parking will be provided in close proximity to the use the parking is intended to support.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement.
295	LUP Policy I-6.2.5-4	Maintain public access to the coast by providing better transit and parking opportunities. (Coastal Act Section 30252)	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement.
296	LUP Policy I-6.2.5-5	Provide sufficient off-street parking. (Coastal Act Section 30250)	OC DPH City of Dana Point	Coastal Development Permits		Yes	A Parking Management Plan is provided with this CDP application, identifying strategies for the provision of managed joint use parking (see Tech Studies/Reports, Tab K). OC Dana Point Harbor will remain responsible for the on-going management of the Harbor parking operations.
297	LUP Policy I-6.2.5-6	Designated boater parking areas shall be located as close as possible to the land/dock connection point of the docks they serve. Typically, the boater parking spaces should be within 300-feet of the land/dock connection point of the docks they serve, but where adherence to this standard is infeasible, the parking spaces shall be within a maximum of 600-feet of the land/dock connection point of the docks they serve. Mitigation measures should be provided to assist boaters with transport of passengers, equipment and provisions from parked vehicles to the land/dock connection point of the docks they serve in cases where the distance between parking spaces and the docks exceeds 300-feet and/or where there are other factors present which make such transport difficult.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
298	LUP Policy I-6.2.5-7	As part of any application for a Coastal Development Permit for Revitalization Plan improvements in the Commercial Core, a Parking Management Program shall be developed which assesses current and anticipated future parking demands throughout the Harbor, taking into account weekday, weekend and seasonal variations in the use of Harbor facilities and develops a plan which makes the best possible use of the parking while prioritizing and avoiding adverse impacts on designated boater parking and boat launch ramp parking (i.e., vehicle with boat trailer) opportunities. The parking needs of the general public visiting the Harbor for boat and non-boat related recreational purposes shall also be considered, especially with regard to any underutilized parking that may exist in Planning Area 4. Required designated boater parking shall not be used in joint-use or shared parking plans. The public boat launch ramp facility may be included as part of a joint-use or shared parking when the criteria as established in IP Chapter 14, Off-Street Parking Standards and Regulations is satisfied.	OC DPH City of Dana Point	Coastal Development Permits	IP II-14-14.2c	Yes	A Parking Management Plan is provided with this CDP application, identifying strategies for the provision of managed joint use parking and satisfying these requirements (see Tech Studies/ Reports, Tab K). OC Dana Point Harbor will remain responsible for the on-going management of the Harbor parking operations.
299	LUP Policy I-6.2.1-3	Parking shall be maintained throughout the Dana Point Harbor Revitalization Plan area to support public lower-cost recreational uses (e.g., Baby Beach, picnicking and park uses in Planning Areas 1, 4 and 5). The implementation of restrictions on public parking along Dana Point Harbor Drive and Street of the Golden Lantern that would impede or restrict public access to the Harbor, trails or recreation areas (including, but not limited to the posting of "no parking" signs, red curbing and placement of physical barriers) shall be prohibited except where such restrictions are needed to protect public safety and where no other feasible alternative exists to provide public safety. Changes to existing time limits or hours of operation and substantial changes to parking fees shall require approval of a Coastal Development Permit. A substantial change is a twenty-five percent (25%) or greater change in fees in one (1) year period or a fifty percent (50%) change in a three (3) year period.	OC DPH City of Dana Point	Coastal Development Permits	IP II-3-SP26	Yes	The proposed Commercial Core Project has been designed to be in compliance with these requirements. A Parking Management Plan is provided with this CDP application, identifying strategies for the provision of managed joint use parking and satisfying these requirements. All additional parking restrictions enacted will be in compliance with these requirements to continue to provide coastal access opportunities. (see Tech Studies/Reports, Tab K).
300	LUP Policy I-6.2.5-8	The parking ratios will be contained in the off-street parking standards section of the Implementation Plan once certified by the California Coastal Commission. Any changes to these standards shall require a Local Coastal Program Amendment.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
301	PDF 4.12-1	Separate pedestrian sidewalks will be provided as part of the ramp design to minimize pedestrians using parking aisles to access the Commercial Core area businesses.	OC DPH City of Dana Point	Coastal Development Permits	LUP I-6.2.5-9	Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. (see Plans & Exhibits, Sheets A-02 through A-05)
302	LUP Policy I-6.2.5-10	Prioritize construction of proposed parking facilities in new development to augment parking for Harbor visitors and boaters.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement.
303	LUP Policy I-6.2.5-15	Existing parking in Planning Area 4 that supports access to recreational amenities (e.g. walkways, picnic areas, green space) shall not be reduced. Those parking spaces shall not be used to support other uses in Planning Area 4 (e.g., expanded yacht clubs, restaurant, harbor patrol, etc.). Consideration shall be given to opening up existing underutilized parking areas that are closed to public use for use by the visiting public.	OC DPH City of Dana Point	Coastal Development Permits		N/A	The Commercial Core Project does not include improvements to Marine Commercial PA 4.
304	LUP Policy I-6.2.6-1	Design safe and efficient vehicular access to streets to ensure efficient vehicular ingress and egress. (Coastal Act Section 30252)	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement.
305	LUP Policy I-6.2.6-2	Improve the visual character of major street corridors.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement.
306	LUP Policy I-6.2.6-3	Preserve public views from streets and public places. (Coastal Act Section 30251)	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. A Visual Analysis has been prepared to evaluate public views. (see Plans & Exhibits, Tab Seven)
307	LUP Policy I-6.2.6-4	Develop circulation system standards for roadway and intersection classifications, right-of-way width, pavement width, design speed, capacity, maximum grades and associated features such as medians and bicycle lanes. (Coastal Act Section 30252)	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
308	LUP Policy I-6.2.6-5	Develop a program to identify, monitor and make recommendations for improvement to Harbor roadways and intersections that are approaching or have approached unacceptable levels of service or are experiencing higher than expected accident rates.	OC DPH City of Dana Point	Coastal Development Permits		Yes	OC Dana Point Harbor, OC Public Works, OC Road Programs and the City of Dana Point are responsible for the operational management of all roadways throughout the Harbor and coordinate improvements based on regular performance evaluations.
309	LUP Policy I-6.2.6-6	Provide for the safe transport of hazardous materials. Any activity conducted in Dana Point Harbor that involves the handling of hazardous materials shall be required to comply with all applicable local, state and federal laws and regulations regarding the handling, storage or transportation of these materials. Additionally, during major construction operations, a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented that specifies hazardous spill prevention, remediation and management practices.	OC DPH City of Dana Point	Coastal Development Permits	IP II-3-SP32	Yes	SWPPP Plans have been prepared as part of the proposed Commercial Core Project. OC Public Works will be responsible for confirming compliance with this requirement. (see Plans & Exhibits, Tab Two)
310	LUP Policy I-6.2.6-7	Policies related to Harbor roadway circulation: a) All roadways shall be designed to minimize landform alterations; b) Existing Cove Road will be retained as a means of access to Dana Point Harbor and Doheny State Beach; c) Convenient pedestrian access shall be provided to transit stops; and d) Turnouts, benches and shelters shall be provided, as appropriate, at bus stops in order to maximize the safety, comfort and convenience of transit passengers.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. (see Plans & Exhibits, Sheet A-02)
311	LUP Policy I-6.2.6-8	Require that proposals for major new developments to include a future traffic impact analysis which identifies measures to mitigate any identified project impacts. (Coastal Act Section 30250)	OC DPH City of Dana Point	Coastal Development Permits		Yes	All new development will be reviewed in compliance with the Dana Point Harbor Revitalization Plan & District Regulations, Chapter II-16, Discretionary Permits and Procedures.
312	LUP Policy I-6.2.6-9	Minimize pedestrian and vehicular conflicts. (Coastal Act Section 30252)	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. (see Plans & Exhibits, Sheet A-02)

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
313	LUP Policy I-6.2.6-10	Establish landscaping buffers and building setback requirements along all roads where appropriate. (Coastal Act Section 30252)	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. (see Plans & Exhibits, Sheet A-02, Tab Two and Tab Three)
314	LUP Policy I-6.2.6-11	Provide appropriately designed and maintained roadways for the primary truck routes. (Coastal Act Section 30254)	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. (see Plans & Exhibits, Tabs One and Two)
315	LUP Policy I-6.2.6-12	Provide loading areas and accessways that are designed and located so as to avoid conflicts with efficient traffic circulation.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. (see Plans & Exhibits, Tabs One and Two)
316	LUP Policy I-6.2.6-13	The maintenance and enhancement of public non-vehicular access to the shoreline will be of primary importance when evaluating future improvements in the coastal zone, both public and private.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. (see Plans & Exhibits, Tab One, Sheet A-02)
317	LUP Policy I-6.2.6-14	Circulation enhancements, including the provision of additional visitor parking, potential replacement of the existing vehicle turn-around at the east end of Dana Drive and adjacent to OC Sailing and Events Center will resolve large vehicle and emergency access constraints.	OC DPH City of Dana Point	Coastal Development Permits		N/A	The Commercial Core Project does not include improvements to Recreation PA 5.
318	LUP Policy I-6.3.3-3	A Special Event Permit shall be required for all events that necessitate the temporary closure of a public roadway and shall be reviewed and approved by the Orange County Sheriff's Department prior to permit issuance.	OC DPH City of Dana Point	Coastal Development and Special Event Permits		Yes (on-going)	All special events will be managed in accordance with the requirements of the Dana Point Harbor District Regulations, Chapter II-3 by the Director, OC Dana Point Harbor.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
319	LUP Policy I-6.3.3-4	Shuttle service from off-site parking areas and available to the public free of charge shall be required to serve any temporary event requiring a Coastal Development Permit.	OC DPH City of Dana Point	Coastal Development and Special Event Permits		Yes	A Transportation Demand Management Plan is provided with this CDP application that includes continued use of shuttles and other methods of transportation during special events. (see Tech Studies/ Reports, Tab L).
320	LUP Policy I-8.2.1-1	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 within 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; 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 on-site recreational facilities to serve the new development. (Coastal Act Section 30252)	OC DPH City of Dana Point	Coastal Development Permits		Yes	Parking Management and Transportation Demand Management Plans are provided with this CDP application, satisfying these requirements. (see Tech Studies/Reports, Tabs K and L).
322	LUP Policy I-8.5.3-11	Remove existing signs and prohibit new signs that adversely impact public access.	OC DPH City of Dana Point	Coastal Development and Building Permits		Yes	A Master Sign Program has been prepared for the Commercial Core Project that satisfies this requirement. (see Plans & Exhibits, Tab Five).
Air Quality							
323	PDF 4.6-1	To reduce long-term operation emissions from area sources (by implementing energy conservation measures and by reducing motor vehicle emissions) the follow measures shall be implemented: <ul style="list-style-type: none"> ▪ Install energy-efficient street lighting on the site; and ▪ Landscape with native or drought-resistant species to reduce water consumption and provide passive solar benefits, where feasible. 	OC DPH	Coastal Development Permits	LUP I-8.9.1-8	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
324	PDF 4.6-3	Reduction of vehicle trips is achieved by implementing the Traffic Management Plan, including: <ul style="list-style-type: none"> ▪ Shuttle service to off-site (remote) parking areas; ▪ Regional visitor attractions and for hotel; ▪ Shuttle service to regional visitor attractions and for hotel guests; ▪ Seasonal water taxi service; ▪ Visitor boat slips and dingy docks located near restaurants and retail areas; and ▪ Phased construction of the Revitalization Plan improvements to minimize the size of areas subject to disruption from construction activities. 	OC DPH	Coastal Development Permits and Traffic Management Plan approval	LUP I-8.9.1-10	Yes	Parking Management and Transportation Demand Management Plans are provided with this CDP application, satisfying these requirements. (see Tech Studies/Reports, Tabs K and L).
325	MM 4.6-1	Prior to approval of the project plans and specifications, the Director, OC Dana Point Harbor or his designee, in consultation with the Manager, OC Public Works/Environmental Planning shall confirm that the plans and specifications stipulate that, in compliance with SCAQMD Rule 403, excessive fugitive dust emissions shall be controlled by regular watering or other dust preventive measures as specified in the South Coast Air Quality Management Districts Rules and Regulations. In addition, SCAQMD Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures will reduce short-term fugitive dust impacts on nearby sensitive receptors: <ul style="list-style-type: none"> ▪ All active portions of the construction site shall be watered to prevent excessive amounts of dust; ▪ On-site vehicles speed shall be limited to 15 miles per hour (mph); ▪ All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust; watering, with complete coverage, shall occur at least twice daily, preferably in the late morning and after work is done for the day; ▪ If dust is visibly generated that travels beyond the site boundaries, clearing, grading, earth moving or excavation activities that are generating dust shall cease during periods of high winds (i.e., greater than 25 mph averaged over one hour) or during Stage 1 or Stage 2 episodes; and ▪ All material transported off site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust. 	Manager, OC Public Works/Env. Planning OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. OC Public Works will be responsible for confirming compliance with these requirements prior to the issuance of construction permits for Commercial Core Project implementation.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
326	MM 4.6-2	Prior to approval of the project plans and specifications, the Director, OC Dana Point Harbor or his designee, in consultation with the Manager, OC Public Works/Environmental Planning shall confirm that the plans and specifications stipulate that in compliance with SCAQMD Rule 403, ozone precursor emissions from construction equipment vehicles shall be controlled by maintaining equipment engines in good condition and in proper tune per manufacturer's specifications, using catalytic converters on gasoline powered equipment and using reformulated, low-emission diesel fuels. The County inspector will be responsible for ensuring that contractors comply with this measure during construction.	Manager, OC Public Works/Env. Planning OC DPH	Grading and Building Permits	IP II-3-SP12	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. OC Public Works will be responsible for confirming compliance with these requirements prior to the issuance of construction permits for Commercial Core Project implementation.
327	MM 4.6-3	Prior to issuance of Grading Permits, the County Grading and Building Permits shall include in the construction contract standard specifications a written list of instructions to be carried out by the construction manager specifying measures to minimize Manager, OC Public Works/Environmental Planning emissions by heavy equipment for approval by the Manager, OC Public Works/Subdivision and Grading, in consultation with the Manager, OC Public Works/Environmental Planning. Measures shall include provisions for proper maintenance of equipment engines, measures to avoid equipment idling more than two minutes and avoidance of unnecessary delay of traffic on off-site access roads by heavy equipment blocking traffic.	Manager, OC Public Works/Env. Planning Manager, OC Public Works/Subdivision and Grading OC DPH	Grading Permits		Yes	OC Public Works will be responsible for confirming compliance with these requirements prior to the issuance of construction permits for Commercial Core Project implementation.
328	MM 4.6-4	In compliance with SCAQMD Rule 1113, ROG emissions from architectural coating will be reduced by using pre-coated/natural colored building materials, water-based or low-ROG coating and using coating transfer or spray equipment with high transfer or spray equipment with high transfer efficiency.	OC DPH	Building Permits		Yes	OC Public Works will be responsible for confirming compliance with these requirements prior to the issuance of construction permits for Commercial Core Project implementation.
329	MM 4.6-5	Prior to the issuance of Grading Permits, the contractor shall include the following measures on construction plans to the satisfaction of the Director, OC Dana Point Harbor or his designee in consultation with the Manager, OC Public Works/Environmental Planning: <ul style="list-style-type: none"> ▪ The General Contractor shall organize construction activities so as not to interfere significantly with peak hour traffic and minimize obstruction of through traffic lanes adjacent to the site; if necessary, a flag person shall be retained to maintain safety adjacent to existing roadways; ▪ The General Contractor shall provide ridesharing and transit incentives for the construction crew, such as free bus passes and preferred carpool parking; ▪ The General Contractor shall utilize electric- or diesel-powered stationary equipment in lieu of gasoline powered engines where 	Manager, OC Public Works/Env. Planning OC DPH	Grading Permits		Yes	OC Public Works will be responsible for confirming compliance with these requirements prior to the issuance of construction permits for Commercial Core Project implementation.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
		feasible; and <ul style="list-style-type: none"> The General Contractor shall state in construction Grading Plans that work crews will shut off equipment when not in use. 					
330	MM 4.6-6	In order to reduce operational energy usage and reduce energy production air emissions, the project is required to comply with Title 24 of the California Code of Regulations established by the California Energy Commission regarding energy conservations standards.	OC DPH	Building Permits	LUP I-8.9.1-11	Yes	OC Public Works will be responsible for confirming compliance with this requirement.
331	MM 4.6-7	Prior to project plan approval, plans shall be submitted to the satisfaction of the Director, OC Dana Point Harbor, or his designee, in consultation with the Manager, OC Public Works/Environmental Planning, indicating the use of Traffic Management Plan (TMP) such as preferential parking for vanpooling/carpooling, subsidy for transit pass or vanpooling/carpooling, flextime work schedule, and bike racks shall be incorporated into the design of the Harbor. A TMP plan shall be prepared and reviewed for implementation prior to issuance of Building Permits.	Manager, OC Public Works/Env. Planning OC DPH	Coastal Development and Building Permits		Yes	Parking Management and Transportation Demand Management Plans are provided with this CDP application, satisfying this requirement. (see Tech Studies/Reports, Tabs K and L).
332	MM 4.6-9 ⁵	Should asbestos be determined to be present within the existing structures removal shall be done by a licensed removal contractor in compliance with SCAQMD Rule 1403, Asbestos Emissions From Demolition/Renovation Activities during the demolition process and all applicable state and federal requirements.	OC DPH	Grading and Building Permits	LUP I-8.9.1-5 IP II-3-SP16	Yes	OC Public Works will be responsible for confirming compliance with this requirement.
333	LUP Policy I-8.1.1-15	All new development within the Harbor shall be designed in conformance with all County of Orange and City of Dana Point Greenhouse Gas Emissions and Green Building Requirements applicable to new development that are in place at the time an application for Building Permit(s) are submitted.	OC DPH City of Dana Point	Coastal Development and Building Permits		Yes	OC Public Works will be responsible for confirming compliance with this requirement.
334	LUP Policy I-8.9.1-1	Encourage patterns of development necessary to minimize air pollution and vehicle miles traveled. (Coastal Act Section 30250)	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement.
335	LUP Policy I-8.9.1-2	Provide commercial areas that are conducive to pedestrian and bicycle circulation.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. (see Plans & Exhibits, Sheet A-02)

⁵ Sequence number note: MM 4.6-8 refers to MM 4.6-6 through 4.6-7.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
336	LUP Policy I-8.9.1-3	Encourage bicycle/trail systems to reduce air pollution.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. (see Plans & Exhibits, Sheet A-02)
337	LUP Policy I-8.9.1-4	Assure the development of shuttle systems, train or transit facilities to help reduce vehicular trips and air pollution.	OC DPH City of Dana Point	Coastal Development Permits		Yes	A Transportation Demand Management Plan is provided with this CDP application that includes continued use of shuttles. (see Tech Studies/ Reports, Tab L).
338	LUP Policy I-8.9.1-7	All finishing products used on-site shall meet applicable SCAQMD regulations for solvent content, as required by SCAQMD Rules 1102 and 1171.	OC DPH City of Dana Point	Coastal Development and Building Permits		Yes	OC Public Works will be responsible for confirming compliance with this requirement.
340	PDF 4.6-2	The design of the dry-stack boat storage building includes covered areas for boat maintenance, where dust collection systems may be used to reduce the amount of particulates released into the atmosphere.	OC DPH City of Dana Point	Coastal Development and Building Permits	LUP I-8.9.1-9	Yes	The proposed Commercial Core Project has been designed to satisfy these requirements. As shown on the Site Plan Segment 2 (see Plans and Exhibits, Tab One, Sheet A-05), a Boat Maintenance Area is proposed on the southern side of the Dry Boat Storage Building (New M1).
Biological Resources							
342	PDF 4.7-1	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.	OC DPH	Coastal Development Permits		Yes	An Arborist Report has been prepared for the Commercial Core Project that includes tree removal and mitigation requirements. A Tree Replacement Mitigation Plan has also been prepared to satisfy this requirement. (see Tech Reports/Studies, Tab E and Plans & Exhibits, Tab Three)

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
343	SCA 4.7-1	OC Dana Point Harbor shall prepare a final landscape and irrigation plan for review by the Director, OC Dana Point Harbor. The plan shall be prepared by a State licensed landscape architect and shall include all proposed and existing plant materials (location, type, size and quantity), an irrigation plan, a grading plan, an approved site plan and a copy of the entitlement conditions of approval.	OC DPH	Grading Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. (see Plans & Exhibits, Tab Three)
344	MM 4.7-1	If project construction activities within Planning Areas 3 and 5 are anticipated during the breeding season of the California gnatcatcher (March 1 to August 15), surveys of the area within 500 feet of the site by a qualified biologist shall be required prior to start of Project construction activities. If nesting gnatcatchers are identified, project construction activities must cease for the remainder of the breeding season unless a qualified acoustician can demonstrate that, with or without noise attenuation measures project activity noise levels would not exceed 60 decibels (dB) (hourly average) within gnatcatcher-occupied portions of the surveyed area. The qualified biologist shall monitor active nest sites. If the biologist notes that the nest fails, or the young fledge from the nest, then the noise restriction near the nest is no longer required.	OC DPH	Grading and Building Permits		N/A	The Commercial Core Project does not include improvements to Recreation PA 5 or Conservation PA 7.
345	MM 4.7-2	If an active nest of any bird species listed pursuant to the federal or California Endangered Species Act, California bird species of special concern, or a wading bird (herons or egrets) as well as owls or raptors is found, construction activities within 300 feet (500 feet from any identified raptor nest) shall not exceed noise levels of 65 dB peak until the nest(s) is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. Surveys for the above bird species during their breeding season shall be conducted by a qualified biologist prior to commencement of construction.	OC DPH	Grading and Building Permits (for work being completed during the breeding season – February 1 through August 15)	LUP I-7.1.2-4	Yes	Tree trimming and maintenance will be conducted only during non-nesting periods of the year and in accordance with a qualified biologist or ornithologist survey finding, including determining the presence of any nests prior to conducting any maintenance and/or removal operations (see Arborist Report and a Nest Survey Report for Dana Point Harbor Areas 1 -16, Technical Studies/Reports and Information, Tabs E and F, respectively.
346	MM 4.7-3	In accordance with the acknowledgement that the City of Dana Point, County of Orange and OC Dana Point Harbor have an obligation to protect the public health and safety, while ensuring the long-term protection of wading bird heronries; breeding, roosting and nesting habitat of birds protected by the Fish and Game Code, the Migratory Bird Treaty Act; and in acknowledgement that the City of Dana Point, County of Orange and owls, raptors and all bird species of special concern, the following Tree Trimming Procedures for Harbor Bird Habitat have been	OC DPH City of Dana Point Executive Director, California Coastal Commission	Coastal Development Permits	IP II-3-SP21	Yes	Tree trimming and maintenance will be conducted only during non-nesting periods of the year and in accordance with a qualified biologist or ornithologist survey finding, including determining the presence of any nests prior

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
		<p>developed. These provisions govern the trimming or removal of any tree that is part of a heronry that has been used in the last five (5) years or of any tree that has been used for roosting, breeding and nesting within the past five (5) years as determined by a qualified biologist. Further, these provisions shall be undertaken in compliance with all applicable codes or regulations of the California Department of Fish and Game, the U.S. Fish and Wildlife Service and the U.S. Migratory Bird Treaty Act. Tree trimming or removal activities can be accomplished through a Harbor-wide Program Coastal Development Permit that incorporates the following parameters:</p> <ul style="list-style-type: none"> a) Tree maintenance operations (including regularly conducted trimming or removal) shall be prohibited during the breeding and nesting season of the bird species referenced above (January through September) unless the Director, OC Dana Point Harbor in consultation with a qualified arborist determines that a tree causes danger to public health and safety. A health and safety danger shall be considered to exist if a qualified arborist determines that a tree or branch is dead, diseased, dying or injured and said tree or branch is in imminent danger of collapse or breaking away. The City/County shall be proactive in identifying and addressing diseased, dying or injured trees as soon as possible in order to avoid habitat disturbances during the nesting season. Trees or branches with a nest that has been active anytime within the last five (5) years shall not be removed or disturbed unless a health and safety danger exists. b) In the event that a tree providing habitat for the above species is identified as causing a danger to public health and safety by OC Dana Point Harbor and is removed, mitigation at a 2:1 ratio shall be required. Any trees recently removed on or before January 12, 2011 that provided habitat for the above species shall be mitigated at a 2:1 ratio (two trees replaced for every one tree removed) within the Harbor. Eucalyptus trees shall not be used as replacement trees. Replacement trees shall consist of native or non-native, non-invasive tree species. A tree replacement planting plan for each tree replacement shall be developed to specify replacement tree location, tree type, tree size, planting specifications and a five (5) year monitoring program with specific performance standards. An annual monitoring report for tree replacement shall be submitted for the review of the Director, OC Dana Point Harbor and the City of Dana Point and shall be on file as a public record. <p>Tree Maintenance During the Non-Breeding and Non-Nesting Season (October through December)</p> <ul style="list-style-type: none"> a) Prior to conducting regular tree maintenance activities, a qualified 					<p>to conducting any maintenance and/or removal operations (see Arborist Report and a Nest Survey Report for Dana Point Harbor Areas 1 -16, Technical Studies/Reports and Information, Tabs E and F, respectively.</p>

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
		<p>biologist or ornithologist shall conduct a survey of the trees to be trimmed or removed to detect nests of bird species identified by these provisions to identify specific trees with nests and submit the survey report(s) to the Director, OC Dana Point Harbor. OC Dana Point Harbor shall maintain a database of survey reports that includes a record of nesting trees that is made available as public information and shall be used as a basis for future tree trimming and removal decisions. Tree trimming and/or removal, if necessary may proceed if a nest is present but no courtship or nesting behavior or evidence of that behavior is observed.</p> <p>b) Any trimming of trees containing a nest(s) of species contained in these provisions shall be supervised by a qualified biologist or ornithologist and a qualified arborist to ensure that adequate nest support and foliage coverage is maintained in the tree, to the maximum extent feasible, in order to preserve the nesting habitat. Trimming of any protected nesting trees shall occur in such a way that the support structure of existing nests will not be trimmed and existing nests will be preserved, unless the City of Dana Point or OC Dana Point Harbor, in consultation with a qualified arborist, determines that such trimming is necessary to protect the health and safety of the public. The amount of trimming at any one time shall be limited to preserve the suitability of the nesting tree for breeding and/or nesting habitat.</p> <p>c) In the event that any birds continue to occupy trees during the non-nesting season, trimming shall not take place until a qualified biologist or ornithologist has assessed the site, determined that courtship behavior has ceased and given approval to proceed with maintenance operations.</p> <p>Tree Maintenance During Breeding and Nesting Season (January through September) – If tree trimming or removal activities cannot feasibly avoid the breeding season because a health and safety danger exists, the following guidelines must be followed:</p> <p>a) A qualified biologist or ornithologist shall conduct surveys and submit a report at least one week prior to the trimming or removal of a tree (only if it is posing a health or safety danger) to detect any breeding or nesting behavior in or within 300 feet of the work area. A tree trimming and/or removal plan shall be prepared by an arborist in consultation with the qualified biologist or ornithologist. The survey report and tree trimming and/or removal plan shall be submitted for the review and approval of the City of Dana Point, the Department of Fish and Game, the U.S. Fish and Wildlife Service. The County of Orange shall maintain the plans on file as public information and to be used for future tree trimming and</p>					

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
		<p>removal decisions. The plan shall incorporate the following:</p> <ol style="list-style-type: none"> 1. A description of how work will occur. 2. Work must be performed using non-mechanized hand tools to the maximum extent feasible. 3. Limits of tree trimming and/or removal shall be established in the field with flagging and stakes or construction fencing. 4. Steps shall be taken to ensure that tree trimming will be the minimum necessary to address the health and safety danger while avoiding or minimizing impacts to breeding and nesting birds and their habitat. <p>b) Prior to commencement of tree trimming and/or removal the City of Dana Point or the County of Orange shall notify in writing the Executive Director of the Coastal Commission, the Department of Fish and Game, and the U.S. Fish and Wildlife Service of the intent to commence tree trimming or removal.</p> <p>All tree trimming and tree removal shall be conducted in strict compliance with these provisions. All trimmings must be removed from the site at the end of the business day and disposed of at an appropriate location. Any proposed change or deviation from these requirements must be submitted to the Executive Director of the Coastal Commission to determine whether an amendment to the Local Coastal Program is required or the proposed changes(s) should be submitted to the City of Dana Point as an amendment to the Coastal Development Permit.</p>					
347	IP II-3-SR22	<p>Construction During the Breeding and Nesting Season (January through September) Survey(s) for the bird species protected by Tree Trimming Procedures for Harbor Habitat shall be conducted during their breeding season by a qualified biologist prior to the commencement of construction. If an active nest of any bird species listed pursuant to federal or state endangered species acts, California bird species of special concern or a wading bird (herons or egrets) as well as owls or raptors is identified, construction activities within three-hundred (300) feet from any identified raptor nest shall not exceed noise levels of sixty-five (65) dB peak until the nest(s) is/are vacated and juveniles have fledged and there is no longer evidence of a second attempt at nesting.</p>	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor will be responsible for confirming compliance with this requirement.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
348	MM 4.7-4	<p>In order to minimize indirect impacts on biological resources that may be related to noise and construction activity, OC Dana Point Harbor shall implement the following Best Management Practices (BMPs) prior to or during construction activities.</p> <ul style="list-style-type: none"> ▪ Limit construction and all project activities to a well-defined area; and ▪ Construction limits shall be fenced or flagged adjacent to preserved trees and/or sensitive habitats to avoid direct impacts. 	OC DPH	Grading and Building Permits		Yes	OC Public Works will be responsible for confirming compliance with this requirement.
351	MM 4.7-5	<p>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.</p>	OC DPH	Coastal Development Permits		N/A	Applies to waterside areas only.
350	LUP Policy I-7.1.1-1	<p>The Dana Point Harbor Revitalization Plan has a wide range of biological resources which may include Environmentally Sensitive Habitat Areas (ESHAs) including important plant communities, wildlife habitats, marine refuge areas and significant tree stands, all of which shall be appropriately preserved and protected depending upon their designation. Development in areas adjacent to Environmentally Sensitive Habitat Areas shall be sited and designed to prevent impacts which would significantly degrade those areas through such methods as, the practice of creative site planning and vegetative buffers and shall be compatible with the continuance of those habitat areas. A definitive determination of the existence of Environmentally Sensitive Habitat Areas on a specific site shall be made through the Coastal Development Permit process. (Coastal Act Sections 30230, 30240)</p>	OC DPH City of Dana Point	Coastal Development and Grading Permits		Yes	The proposed Commercial Core Project is consistent with the findings adopted by the Orange County Board of Supervisors for certification of FEIR No. 591. The project includes the renovation of existing Harbor facilities in Marine Services Commercial PA 1 and Day Use Commercial PA 2, both fully developed areas of the Harbor. No impacts to ESHAs are associated with the project.
351	LUP Policy I-7.1.1-2	<p>Environmentally Sensitive Habitat Areas (ESHAs) shall be protected against any significant disruption of habitat values and only uses dependent on those resources shall be allowed within those areas. (Coastal Act Section 30240) Development in any areas determined to be ESHAs, including those containing important plant communities, wildlife habitats, delineated wetlands, marine refuge areas or significant tree stands shall be limited to uses dependent on those resources and shall be designated to avoid any significant disruption of habitat values. Development adjacent to designated ESHAs shall be sited and designed to prevent impacts which would significantly degrade those areas through such methods as creative site planning, usage of vegetative buffers, incorporation of appropriate setbacks and techniques for controlling public access as determined through the CDP process. A definitive determination of the existence of ESHA areas on a specific site</p>	OC DPH City of Dana Point	Coastal Development Permits	IP II-3-SP23	Yes	The proposed Commercial Core Project is consistent with the findings adopted by the Orange County Board of Supervisors for certification of FEIR No. 591. The project includes the renovation of existing Harbor facilities in Marine Services Commercial PA 1 and Day Use Commercial PA 2, both fully developed areas of the Harbor. No impacts to ESHAs are associated with the

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
		shall be made through the CDP process.					project.
352	IP II-3-SP24	Prior to the potential disturbance to shallow water marine substrate, OC Dana Point Harbor shall insure that a pre-construction eelgrass (<i>Zostera marina</i>) survey is completed in conformance with the most currently approved Southern California Eelgrass Mitigation Policy as adopted by the National Marine Fisheries Service, in consultation with the California Department of Fish and Game. The survey will be conducted during the active growth period (typically March through October) if possible and make recommendations to avoid areas of eelgrass if determined to be present and/or provide recommendations for appropriate mitigation.	OC DPH City of Dana Point	Coastal Development Permits	LUP I-7.3.3-1	Yes	The results of an Eelgrass Survey conducted as part of the Marina Improvement Project has been incorporated into the findings adopted by the Orange County Board of Supervisors for certification of Subsequent EIR No. 613. The California Coastal Commission shall incorporate any required mitigation into the design plans for the future construction of the Dry Boat Storage Building.
353	LUP Policy I-7.1.1-3	Endangered species shall be protected within their existing habitat from harassment and molestation by among other measures, controlling access by regulations and enforcement measures. Wherever feasible, the habitat of endangered species shall be enhanced consistent with the resource protection policies of the LCP and the Coastal Act.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor will be responsible for confirming compliance with this requirement.
354	LUP Policy I-7.1.2-1	Manage public access to the shore of the marine life refuge to avoid detrimental impacts to the resources of the refuge. (Coastal Act Section 30230)	OC DPH City of Dana Point	Coastal Development Permits		N/A	The Commercial Core Project does not include improvements to Educational/Institutional PA 6.
355	LUP Policy I-7.1.2-2	While evaluations of the trees located throughout Dana Point Harbor do not rise to the level of ESHA, they do provide important habitat which should be protected. The purpose of these tree trimming policies is to ensure the long-term protection of bird breeding, nesting and roosting habitat for bird species listed pursuant to the Federal or California Endangered Species Acts, California bird species of special concern and wading birds (herons or egrets) as well as owls and raptors which have an especially valuable role in the overall coastal ecosystem. Ensure the protection of bird nesting habitat protected by the Migratory Bird Treaty Act and the long-term protection of breeding, roosting and nesting habitat of bird species listed pursuant to the federal or California Endangered Species Acts, California bird species of special concern and wading birds (herons or egrets) as well as owls or raptors. The trimming and/or removal of any trees that have been used for breeding and nesting by the above identified species within the past five (5) years, as determined by a qualified biologist or ornithologist shall be undertaken in compliance with all applicable codes and regulations of the California	OC DPH City of Dana Point	Coastal Development and Grading Permits		Yes	Tree trimming and maintenance will be conducted only during non-nesting periods of the year and in accordance with a qualified biologist or ornithologist survey finding, including determining the presence of any nests prior to conducting any maintenance and/or removal operations (see Arborist Report and a Nest Survey Report for Dana Point Harbor Areas 1 -16, Technical Studies/Reports and Information, Tabs E and F, respectively.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
		Department of Fish and Game, the U.S. Fish and Wildlife Service and the U.S. Migratory Bird Treaty Act and shall be conducted under the parameters described in the Dana Point Harbor Tree Maintenance Procedures as approved by the Coastal Commission as a part of the Implementation Plan.					
356	LUP Policy I-7.1.2-3	<p>OC Dana Point Harbor shall prepare Tree Maintenance Procedures for the trimming and/or removal of trees consistent with Policy 7.1.2-2 above. The procedures shall include, but not be limited to, the following provisions:</p> <ul style="list-style-type: none"> • Tree trimming, or tree removal when necessary, shall be conducted only during the non-breeding and non-nesting season (October through December) of the identified bird species unless the County of Orange in consultation with a qualified arborist and with review and comment from the Audubon Society determines that a tree causes danger to public health and safety. A health and safety danger shall be considered to exist if a qualified arborist determines that a tree or branch is dead, diseased, dying or injured and said tree or branch is in imminent danger of collapse or breaking away. The County shall be proactive in identifying and addressing diseased, dying or injured trees as soon as possible in order to avoid habitat disturbances during the nesting season. • Trees or branches with a nest of a state or federal listed species, a California bird species of special concern or a wading bird (heron or egret) as well as owls or raptors that has been active anytime within the last five years shall not be removed or disturbed unless a health and safety danger exists. • The removal of any tree shall require mitigation at a 1:1 ratio. A tree replacement planting plan for each tree replacement shall be developed to specify replacement tree location, tree type, tree size (no less than 36 inch box size), planting specifications, and a five (5) year monitoring program with specific performance standards. 	OC DPH City of Dana Point	Coastal Development and Grading Permits		Yes	Tree trimming and maintenance will be conducted only during non-nesting periods of the year and in accordance with a qualified biologist or ornithologist survey finding, including determining the presence of any nests prior to conducting any maintenance and/or removal operations (see Arborist Report and a Nest Survey Report for Dana Point Harbor Areas 1 -16, Technical Studies/Reports and Information, Tabs E and F, respectively).
357	LUP Policy I-7.1.2-3	<p>OC Dana Point Harbor shall prepare Tree Maintenance Procedures for the trimming and/or removal of trees consistent with Policy 7.1.2-2 above. The procedures shall include, but not be limited to, the following provisions:</p> <ul style="list-style-type: none"> • Tree trimming, or tree removal when necessary, shall be conducted only during the non-breeding and non-nesting season (October through December) of the identified bird species unless the County of Orange in consultation with a qualified arborist and with review and comment from the Audubon Society determines that a tree causes danger to public health and safety. A health and safety danger shall be considered to exist if a qualified arborist determines that a tree or branch is dead, diseased, dying or injured and said tree or branch is 	OC DPH City of Dana Point	Coastal Development Permits		Yes	Tree trimming and maintenance will be conducted only during non-nesting periods of the year and in accordance with a qualified biologist or ornithologist survey finding, including determining the presence of any nests prior to conducting any maintenance and/or removal operations (see Arborist Report and a Nest Survey

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
		<p>in imminent danger of collapse or breaking away. The County shall be proactive in identifying and addressing diseased, dying or injured trees as soon as possible in order to avoid habitat disturbances during the nesting season.</p> <ul style="list-style-type: none"> Trees or branches with a nest of a state or federal listed species, a California bird species of special concern or a wading bird (heron or egret) as well as owls or raptors that has been active anytime within the last five years shall not be removed or disturbed unless a health and safety danger exists. The removal of any tree shall require mitigation at a 1:1 ratio. A tree replacement planting plan for each tree replacement shall be developed to specify replacement tree location, tree type, tree size (no less than 36 inch box size), planting specifications, and a five (5) year monitoring program with specific performance standards. 					<p>Report for Dana Point Harbor Areas 1 -16, Technical Studies/Reports and Information, Tabs E and F, respectively.</p>
358	LUP Policy I-7.1.2-4	<p>If an active nest of any bird species listed pursuant to the federal or California Endangered Species Act, California bird species of special concern, or a wading bird (herons or egrets) as well as owls or raptors is found, construction activities within 300 feet (500 feet from any identified raptor nest) shall not exceed noise levels of 65 dB peak until the nest(s) is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. Surveys for the above bird species during their breeding season shall be conducted by a qualified biologist prior to commencement of construction.</p>	<p>OC DPH City of Dana Point</p>	<p>Coastal Development Permits</p>		<p>Yes</p>	<p>Tree trimming and maintenance will be conducted only during non-nesting periods of the year and in accordance with a qualified biologist or ornithologist survey finding, including determining the presence of any nests prior to conducting any maintenance and/or removal operations (see Arborist Report and a Nest Survey Report for Dana Point Harbor Areas 1 -16, Technical Studies/Reports and Information, Tabs E and F, respectively.</p>
359	LUP Policy I-7.2.1-1	<p>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)</p>	<p>OC DPH City of Dana Point</p>	<p>Coastal Development Permits</p>		<p>N/A</p>	<p>Applies to waterside areas only.</p>
360	LUP Policy I-7.2.1-2	<p>Coastal water areas suited for water-oriented recreation activities shall be protected for such uses. (Coastal Act Section 30220)</p>	<p>OC DPH City of Dana Point</p>	<p>Coastal Development Permits</p>		<p>N/A</p>	<p>Applies to waterside areas only.</p>

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
361	LUP Policy I-7.2.1-4	Preserve, maintain, enhance and where feasible restore marine resource areas and coastal waters. Special protection shall be given to areas and species of special biological or economic significance. Restore general water quality and biological productivity as necessary to maintain optimum populations of marine organisms and for the protection of human health. (Coastal Act Section 30230)	OC DPH City of Dana Point	Coastal Development Permits		N/A	Applies to waterside areas only.
362	LUP Policy I-7.2.1-5	Maintain and where feasible, restore the biological productivity and the quality of coastal waters, creeks and groundwater, appropriate to maintain optimum populations of marine organisms and to protect human health. Measures including, but not limited to minimizing the adverse effects of waste water discharges, controlling runoff, preventing the depletion of ground water supplies, preventing substantial interference with surface water flow, maintaining vegetation buffer areas protecting riparian habitats, minimizing alteration of natural streams and street sweeping, shall be implemented to accomplish the objectives of this policy. (Coastal Act Section 30231)	OC DPH City of Dana Point	Coastal Development Permits		N/A	Applies to waterside areas only.
363	LUP Policy I-7.2.1-6	The biological productivity and quality of coastal waters, streams, wetlands, estuaries and lakes and the restoration of optimum populations of marine organisms shall be ensured by, among other means, minimizing adverse effects of waste water discharges. Any specific plans and/or planned development district policies and specific development proposals, site plans and subdivision maps shall control runoff, prevent depletion of ground water supplies and substantial interference with surface water flow, encourage waste water reclamation, maintain natural vegetation buffer areas that protect riparian habitats and minimize alteration of natural streams. (Coastal Act Section 30231)	OC DPH City of Dana Point	Coastal Development Permits		N/A	Applies to waterside areas only.
364	LUP Policy I-7.2.1-7	Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable long shore current systems. (Coastal Act Section 30233)	OC DPH City of Dana Point	Coastal Development Permits		N/A	Applies to waterside areas only.
365	LUP Policy I-7.2.1-8	The diking, filling or dredging of open coastal waters, wetlands, estuaries and lakes shall only be permitted in accordance with Section 30233 of the Coastal Act. (Coastal Act Section 30233)	OC DPH City of Dana Point	Coastal Development Permits		N/A	Applies to waterside areas only.
366	LUP Policy I-7.2.1-9	Uses 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)	OC DPH City of Dana Point	Coastal Development Permits		N/A	Applies to waterside areas only.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
367	LUP Policy I-7.2.1-10	Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.	OC DPH City of Dana Point	Coastal Development Permits		N/A	Applies to waterside areas only.
368	LUP Policy I-7.2.1-15 I-8.6.1-12	Future waterside improvements to the east and west of the breakwaters (Planning Areas 8, 11 & 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.	OC DPH City of Dana Point	Coastal Development Permits		N/A	Applies to waterside areas only.
369	LUP Policy I-7.2.1-17	Reduce underwater noise impacts to marine mammals and fish from construction to the maximum extent feasible.	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor will be responsible for confirming compliance with this requirement.
370	LUP Policy I-7.3.3-2	Avoid impacts to eelgrass (<i>Zostera marina</i>) to the greatest extent possible. Mitigate losses of eelgrass at a 1.2 to 1 mitigation ratio and in accordance with the <i>Southern California Eelgrass Mitigation Policy</i> .	OC DPH City of Dana Point	Coastal Development Permits		Yes	The results of an Eelgrass Survey conducted as part of the Marina Improvement Project has been incorporated into the findings adopted by the Orange County Board of Supervisors for certification of Subsequent EIR No. 613. The California Coastal Commission shall incorporate any required mitigation into the design plans for the future construction of the Dry Boat Storage Building.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
371	LUP Policy I-7.4.1-1	Recognize and protect wetlands for their recreational, water quality and habitat value.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project is consistent with the findings adopted by the Orange County Board of Supervisors for certification of FEIR No. 591. The project includes the renovation of existing Harbor facilities in Marine Services Commercial PA 1 and Day Use Commercial PA 2, both fully developed areas of the Harbor. No impacts to ESHAs are associated with the project.
372	LUP Policy I-7.4.1-2	Protect, maintain and where feasible, restore the biological productivity and the quality of coastal waters, streams, wetlands, estuaries and lakes.	OC DPH City of Dana Point	Coastal Development Permits		N/A	Applies to waterside areas only.
373	LUP Policy I-7.4.2-1	A "wetland" is defined as: a land which may be covered periodically or permanently with shallow water and includes saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats and fens.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project is consistent with the findings adopted by the Orange County Board of Supervisors for certification of FEIR No. 591. The project includes the renovation of existing Harbor facilities in Marine Services Commercial PA 1 and Day Use Commercial PA 2, both fully developed areas of the Harbor. No impacts to wetlands are associated with the project.
374	LUP Policy I-7.4.2-2	Require a survey and analysis with the delineation of all wetland areas when an initial site survey indicates the presence or potential for wetland species or indicators. Wetland delineations will be conducted in accordance with the definitions of wetland boundaries contained in Section 13577(b) of Title 14 of the California Code of Regulations. Any required wetlands survey shall also include recommendations for appropriate mitigation measures to protect the wetland, including the establishment of vegetated wetland buffer areas to protect areas if delineated. Wetland buffer areas are typically one hundred (100) feet in width but may be reduced on a case-by-case basis in consultation with	OC DPH City of Dana Point	Coastal Development Permits	IP II-3-SP33	Yes	The proposed Commercial Core Project is consistent with the findings adopted by the Orange County Board of Supervisors for certification of FEIR No. 591. The project includes the renovation of existing Harbor facilities in Marine Services Commercial PA 1 and Day Use

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
		the California Department of Fish and Game if a smaller buffer is proposed to protect the wetland from significant adverse impacts.					Commercial PA 2, both fully developed areas of the Harbor. No impacts to wetlands are associated with the project.
375	LUP Policy I-7.4.2-3	Require buffer areas around wetlands of a sufficient size to ensure the biological integrity and preservation of the wetland that they are designated to protect.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project is consistent with the findings adopted by the Orange County Board of Supervisors for certification of FEIR No. 591. The project includes the renovation of existing Harbor facilities in Marine Services Commercial PA 1 and Day Use Commercial PA 2, both fully developed areas of the Harbor. No impacts to wetlands are associated with the project.
376	LUP Policy I-7.5.1-1	The diking, filling or dredging of open coastal waters, wetlands, estuaries and lakes shall only be permitted in accordance with Section 30233 of the Coastal Act and applicable provisions of the Dana Point Harbor Revitalization Plan and District Regulations, where there is no feasible less environmentally damaging alternative and where feasible mitigation measures have been provided to minimize adverse environmental effects pursuant to the policies found within Section 30233 of the Coastal Act.	OC DPH City of Dana Point	Coastal Development Permits	IP II-3-SP34	N/A	None of the listed actions are included as part of the Commercial Core Project.
377	LUP Policy I-7.5.1-2	Require dredging and dredged material disposal to be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation.	OC DPH City of Dana Point	Coastal Development Permits		N/A	Applies to waterside areas only.
378	LUP Policy I-7.5.1-3	Require at least the following mitigation measures for dredging projects in Dana Point Harbor: a) Dredging and spoils disposal must be planned and carried out to limit turbidity and to avoid significant disruption to marine and wildlife habitats and water circulation. b) Maintenance dredging shall be encouraged where the dredging enhances commercial or recreational use of the Harbor. When dredged material is of an appropriate grain size and grain percentage, this material may be used to restore or replace natural sandy sloping beaches in order to retain the current profiles of Dana Point Harbor. Maintenance dredging activity shall have the	OC DPH City of Dana Point	Coastal Development Permits		N/A	Applies to waterside areas only.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
		<p>approval of the U.S. Army Corps of Engineers and shall meet applicable U.S. Environmental Protection Agency standards.</p> <p>c) Dredged material not suitable for beach nourishment or other permitted beneficial reuse shall be disposed of offshore at a designated U.S. Environmental Protection Agency disposal site or at an appropriate upland location.</p> <p>d) Temporary dewatering of dredged spoils may be authorized within the Harbor's drainage if adequate erosion controls are provided and the spoils are removed. A bond or a contractual arrangement shall be a precondition to dredging of the material and final disposal of the dewatered material on the approved dump site shall be accomplished within the time period specified in the permit.</p> <p>e) Dredged spoils shall not be used to fill riparian areas, wetlands or natural canyons.</p> <p>f) Other mitigation measures may include opening areas to tidal action, removing dikes, improving tidal flushing, restoring eelgrass vegetation or other restoration measures.</p> <p>g) Dredge spoils suitable for beach nourishment should be transported for such purposes to appropriate beaches or into suitable long shore current systems provided that the placement is permitted by a Section 404 Permit and by a Coastal Development Permit pursuant to Coastal Act Section 30607.7.</p>					
379	LUP Policy I-7.5.2-1	Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable long shore current systems.	OC DPH City of Dana Point	Coastal Development Permits		N/A	Applies to waterside areas only.
380	LUP Policy I-7.5.2-2	Monitor dredging projects within the region to identify opportunities to reduce disposal costs and utilize dredge spoils for beach nourishment.	OC DPH City of Dana Point	Coastal Development Permits		N/A	Applies to waterside areas only.
381	LUP Policy I-7.5.2-3	Dredged materials suitable for beneficial reuse shall be transported for such purposes to appropriate areas and placed in a manner that minimizes adverse effects on the environment. Provide onsite monitoring and supervision during the implementation of any permitted beach nourishment activities.	OC DPH City of Dana Point	Coastal Development Permits		N/A	Applies to waterside areas only.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
382	LUP Policy I-7.5.2-4	All routine maintenance dredging operations involving the dredging of one-hundred thousand (100,000) cubic yards or more of material within a twelve (12) month period; the placement of dredged spoils within an ESHA, on any sandy area, within fifty (50) feet of the edge of a coastal bluff or ESHA or within twenty (20) feet of coastal waters or streams; or the removal, sale or disposal of dredge spoils that would be suitable for beach nourishment in an area the California Coastal Commission has declared by resolution to have a critically short sand supply that must be maintained for protection of structures, coastal access or public recreational use shall require a Coastal Development Permit approved by the California Coastal Commission prior to the commencement of dredging operations.	OC DPH City of Dana Point	Coastal Development Permits		N/A	Applies to waterside areas only.
383	LUP Policy I-9.1-5	Require the County and/or City staff member(s) and/or contracted employee(s) responsible for reviewing site specific surveys and analyses to have technical expertise in biological resources, as appropriate for the resource issues of concern (e.g., marine/coastal, arboreal habitat, water quality, etc.) and be knowledgeable in the operational practices of the County and City of Dana Point.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor will be responsible for confirming compliance with this requirement.
384	LUP Policy I-9.1-6	Where development is proposed within or adjacent to a sensitive resource or ESHA (if delineated), require the County and/or City staff member(s) and/or contracted employee(s) to consider the individual and cumulative impacts of the development, define the least environmentally damaging alternative and recommend modifications or mitigation measures to avoid or minimize the anticipated impacts.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project is consistent with the findings adopted by the Orange County Board of Supervisors for certification of FEIR No. 591. The project includes the renovation of existing Harbor facilities in Marine Services Commercial PA 1 and Day Use Commercial PA 2, both fully developed areas of the Harbor. No impacts to ESHAs are associated with the project.
385	LUP Policy I-9.1-7	Where development is proposed within or adjacent to a sensitive resource or ESHA (if delineated), require the County and/or City staff member(s) and/or contracted employee(s) to include the following in any recommendations of approval: an identification of the preferred project alternative, required modifications or mitigation measures necessary to ensure conformance with the Dana Point Harbor Revitalization Plan and District Regulations. The decision making body (Director, OC Dana Point Harbor, City of Dana Point Community Development Director, Planning Commission or City Council) shall make findings relative to the	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project is consistent with the findings adopted by the Orange County Board of Supervisors for certification of FEIR No. 591. The project includes the renovation of existing Harbor facilities in Marine Services Commercial

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
		project's conformance to the recommendations of the County and/or City staff member(s) and/or contracted employee(s).					PA 1 and Day Use Commercial PA 2, both fully developed areas of the Harbor. No impacts to ESHAs are associated with the project.
386	LUP Policy I-9.1-8	Coordinate with the California Department of Fish and Game, U.S. Fish and Wildlife Service, National Marine Fisheries Service and other identified resource management agencies as applicable, in the review of development applications in order to ensure that impacts to sensitive resources or an ESHA (if delineated), including rare, threatened or endangered species are avoided or minimized such that the sensitive resource is not significantly degraded, habitat values are not significantly disrupted and the biological productivity and quality of coastal waters is preserved.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor will be responsible for confirming compliance with this requirement.
Public Health and Safety							
387	PDF 4.8-1	If asbestos-containing materials (ACM's) are located, abatement of asbestos shall be completed prior to any demolition activities that will disturb ACM's or create an airborne asbestos hazard.	OC DPH	Coastal Development and Grading Permits (for demolition of site structures)		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Public Works will be responsible for confirming compliance with this requirement.
388	SCA 4.8-1	Prior to the issuance of any Grading Permits, OC Dana Point Harbor shall provide evidence to the Manager, OC Public Works/Subdivision and Grading, that the Vector Control District has surveyed the site to determine if vector control measures are necessary. If the District determines measures are warranted, the Director, OC Dana Point Harbor shall conduct such measures in a manner meeting the approval of the Manager, OC Public Works/Subdivision and Grading.	Manager, OC Public Works/Subdivision and Grading OC DPH	Grading Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Public Works will be responsible for confirming compliance with this requirement.
389	SCA 4.8-2	Prior to issuance of Certificates of Use and Occupancy, OC Dana Point Harbor shall provide plans or identify measures to comply with standard County procedures for implementing the Uniform Fire Code in the use of any combustible and flammable liquids, aboveground or underground storage of such materials, welding and potential spark production and building occupancy rating in a manner meeting the approval of the Fire Chief. Further, a copy of the approved "UFC Implementation Plan" shall be furnished to the Manager, OC Public Works/Building Inspection, prior to the issuance of any Certificates of Use and Occupancy.	Fire Chief, OCFA Manager, OC Public Works/Inspection Services OC DPH	Certificates of Use and Occupancy		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Public Works will be responsible for confirming compliance with this requirement.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
390	MM 4.8-1	Prior to authorization of Demolition Permits, a qualified hazardous materials consultant with Phase II and Phase III assessment experience shall review groundwater documents regarding former subsurface releases on the project site at 24501 Dana Drive and 24705 Dana Drive.	OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Public Works will be responsible for confirming compliance with this requirement.
391	MM 4.8-2	The interior of individual on-site structures within the project area shall be visually inspected prior to demolition or renovation, with particular attention to all industrial uses. If hazardous materials are encountered at any on-site structure, the materials shall be tested and properly disposed of in accordance with State and Federal regulatory requirements. Any stained soils or surfaces underneath the removed materials shall be sampled and tested for contaminants. Based on the results of the analytical testing, the appropriate level of remediation shall be undertaken.	Manager, OC Public Works/Building Permits OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Public Works will be responsible for confirming compliance with this requirement.
392	MM 4.8-3	Hydraulic fluids associated with any hydraulic lifts on-site shall be tested to determine the presence or absence of PCBs. Additional samples shall be collected around the pistons to determine whether a subsurface release of hydraulic fluids has occurred. If found, appropriate remedial measures should be implemented to the satisfaction of the County.	Manager, OC Public Works/Environmental Planning OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Public Works will be responsible for confirming compliance with this requirement.
393	MM 4.8-4	Any transformers to be relocated during site construction/demolition should be conducted under the purview of the local utility purveyor to identify property handling procedures regarding potential PCBs.	Manager, OC Public Works/Environmental Planning OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Public Works will be responsible for confirming compliance with this requirement.
394	MM 4.8-5	Any underground storage tanks to be removed/relocated during site construction/demolition should be conducted under the purview of the local regulatory agency to identify property handling procedures. Also, due to the urbanized nature of the project site, the presence of septic tanks is considered unlikely. However, Building Department Records should be reviewed to indicate any documented septic tanks and/or chemical storage tanks. If present, the tanks should be removed and properly disposed of at an approved landfill facility. Once the tank is removed, a visual inspection of the areas beneath and around the removed tank should be performed. Any stained soils observed underneath the septic tank should be sampled. Results of the sampling (if necessary) will indicate the level of remediation efforts that may be	Manager, OC Public Works/Env. Planning Manager, OC Public Works/Building Permits OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Public Works will be responsible for confirming compliance with this requirement.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
		required.					
395	MM 4.8-6	Prior to demolition activities, Building Department Records shall be reviewed to verify the presence of septic tanks and/or chemical storage tanks onsite. If present, the tanks shall be removed and properly disposed of at an approved landfill facility. Once removed, exposed soils shall be visually observed to confirm the presence/absence of staining. In the event stained soils are observed, soils shall be tested to identify appropriate remedial activities.	Manager, OC Public Works/Building Permits OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Public Works will be responsible for confirming compliance with this requirement.
396	MM 4.8-7	Prior to the issuance of Building Permits for any tank or pipeline, the uses of said tank or pipeline shall be identified and the applicant shall submit a Chemical Management Plan in addition to a WQMP with all appropriate measures for chemical management (including, but not limited to, storage, emergency response, employee training, spill contingencies and disposal) in a manner meeting the satisfaction of the Manager, OC Public Works/Building Permits, in consultation with the Orange County Fire Authority, the Orange County Health Care Agency and wastewater agencies, as appropriate, to ensure implementation of each agency's respective requirements. A copy of the approved "Chemical Management Plans" shall be furnished to the Manager, OC Public Works/Inspection Services, prior to the issuance of any Certificates of Use and Occupancy.	Manager, OC Public Works/Building Permits OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Public Works will be responsible for confirming compliance with this requirement.
397	MM 4.8-8	All stained concrete/asphalt should be removed and disposed of to an appropriate permitted facility. Once removed, exposed soils should be visually observed to confirm the presence/absence of staining (an indication of contamination migration into the subsurface). If observed, stained soils should be tested to identify appropriate remedial activities (if necessary).	OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Public Works will be responsible for confirming compliance with this requirement.
398	MM 4.8-9	If unknown wastes or suspect materials are discovered during construction that the contractor believes may be or contain hazardous waste or materials, the contractor shall: <ul style="list-style-type: none"> ▪ Immediately stop work in the vicinity of the suspected contaminant, and remove workers and the public from the area; ▪ Notify the Project Engineer of the implementing agency; ▪ Secure the area as directed by the Project Engineer; and ▪ Notify the implementing agency's hazardous waste/materials coordinator. 	OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Public Works will be responsible for confirming compliance with this requirement.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
399	MM 4.8-10	OC Dana Point Harbor or its designee shall store, manifest, transport and dispose of all on-site generated waste that meets County shall keep storage, transportation and disposal hazardous waste criteria in accordance with California Code of Regulations Title 22 and in a manner to the satisfaction of the Manager, HCA/Hazardous Materials Program. The County shall keep storage, transportation and disposal records on site and open for inspection to any government agency upon request.	OC DPH	Ongoing Operations		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement.
400	MM 4.8-11	During the design phase of the BMPs, the following methods shall be investigated to reduce odors and vectors: installing bypass litterbags with a fine mesh system and weights sewn on to prevent any gaps, drilling weep holes and a flap gate in the pipe upstream or other currently proven technology.	OC DPH	Coastal Development, Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement.
401	MM 4.8-12	The National Emissions Standards for Hazardous Air Pollutants (NESHAP) mandates that building owners conduct an asbestos survey to determine the presence of asbestos containing materials (ACMs) prior to the commencement of any remedial work, including demolition. Prior to demolition work, it is recommended that areas be sampled as part of an asbestos survey. Any demolition of the existing buildings must comply with State law, which requires a contractor, where there is asbestos related work involving 100 square feet or more of ACMs, to be certified and that certain procedures regarding the removal of asbestos to be followed.	OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement.
402	MM 4.8-13	Prior to demolition activities an asbestos survey shall be required to determine the presence or absence of asbestos. The results of the survey shall be submitted to the Director, OC Dana Point Harbor.	OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
403	MM 4.8-14	Asbestos removal shall be performed by a State-certified asbestos containment contractor in accordance with SCAQMD Rule 1403 and monitored by the County of Orange RDMD. Rule 1403 regulations require the following measures: <ul style="list-style-type: none"> ▪ A survey of the facility shall be conducted prior to issuance of a permit by SCAQMD; ▪ SCAQMD shall be notified prior to construction activity; ▪ ACMs shall be removed in accordance with prescribed procedures; ▪ ACMs shall be placed in leak-tight containers or wrapping; and ▪ ACMs shall be properly disposed of. 	OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement.
404	MM 4.8-15	If during demolition of the structures, paint is separated from the building material (e.g., chemically or physically), the paint waste should be evaluated independently from the building material to determine its proper management. According to the Department of Toxic Substances Control, if paint is not removed from the building material during demolition (and is not chipping or peeling), the material could be disposed of as construction debris (a non-hazardous waste). It is recommended that the landfill Grading and Building Permits operator be contacted in advance to determine any specific requirements they may have regarding the disposal of lead-based paint materials.	OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement.
405	MM 4.8-16	Lead-based paint removal shall be performed in accordance with California Code of Regulation Title 8, Section 1532.1, that provides for worker exposure limits, exposure monitoring and mandates good working practices. Removal of lead-based paints from boats moored in the water through sanding or other means shall be prohibited.	OC DPH	Grading and Building Permits	LUP I-8.9.1-6 IP II-3-SP15	Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement.
406	MM 4.8-17	Contractors performing lead-based paint removal shall provide evidence of certified training for lead-related construction work.	OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
407	MM 4.8-18	All finishing products used on site shall meet applicable SCAQMD regulations for solvent content. As required by SCAQMD Rules 1102 and 1171.	OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement.
408	MM 4.8-19	All uses of solvents shall be conducted in adherence to California OSHA regulations for exposure of workers during construction activities as required by CCR Title 8.	OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement.
409	LUP Policy I-8.2.1-3	Review all applications for new development to determine potential threats from sea level rise, coastal and other hazards.	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	The proposed Commercial Core Project is consistent with the findings adopted by the Orange County Board of Supervisors for certification of FEIR No. 591 that evaluate impacts of GCC. A Preliminary-Shoreline Management Plan and Wave Runup Analysis have been prepared as part of the proposed Commercial Core Project that evaluate potential effects of sea level rise and changes associated with climate change on the harbor based on current regulations. OC Public Works will be responsible confirming compliance with this requirement. (see Technical Studies, Tabs N and O)

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
410	LUP Policy I-8.2.1-4	Design and site new development to avoid hazardous areas and minimize risks to life and property from sea level rise, coastal and other hazards.	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement.
411	LUP Policy I-8.6.1-1	Identify flood hazard areas (taking into account riverine and coastal flooding sources and sea level rise) and provide appropriate land use regulations, such as but not limited to the requirement that new habitable development shall have the lowest floor, including basement, elevated to or above the base flood elevation, for areas subject to flooding in order to minimize risks to life and property. (Coastal Act Sections 30235, 30253)	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement.
412	LUP Policy I-8.6.8-1	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)	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor, OCFA and OC Public Works will be responsible for confirming compliance with this requirement.
413	LUP Policy I-8.6.8-2	Dana Point Harbor is not located within the very high fire hazard severity zone per the 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.	OC DPH City of Dana Point	Coastal Development and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor, OCFA and OC Public Works will be responsible for confirming compliance with this requirement.
414	LUP Policy I-8.6.8-3	OC Dana Point Harbor shall confirm the following items are included as part of development design: <ul style="list-style-type: none"> 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 enunciator, 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 	OC DPH City of Dana Point	Coastal Development and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor, OCFA and OC Public Works will be responsible for confirming compliance with this requirement.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
		sprinkler systems shall be installed. <ul style="list-style-type: none"> • 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. 					
415	LUP Policy I-8.7.1-1	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)	OC DPH City of Dana Point	Coastal Development and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement.
416	LUP Policy I-8.7.1-2	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)	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. No special districts are anticipated to be required for implementation of the Commercial Core Project.
417	LUP Policy I-8.7.1-3	Work closely with local-serving water and sewer districts in determining future area needs. (Coastal Act Sections 30250, 30255, 30254)	OC DPH City of Dana Point	Coastal Development and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor will be responsible for confirming compliance with this requirement.
418	LUP Policy I-8.7.1-4	Require the use of native and non-native, non-invasive drought tolerant landscaping to reduce overall water use.	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. (see Plans & Exhibits, Tab Three)
419	LUP Policy I-8.7.1-5	Support public education programs for water conservation.	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor will be responsible for confirming compliance with this requirement.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
420	LUP Policy I-8.7.1-6	Support the appropriate regional agencies in developing and utilizing reclaimed water facilities.	OC DPH City of Dana Point	Coastal Development and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor will be responsible for coordination with SCWD in compliance with this requirement.
421	LUP Policy I-8.7.1-7	Support the efforts of water and sewer agencies to encourage recycling of wastes and proper disposal of household wastes and waste oil.	OC DPH City of Dana Point	Coastal Development and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement.
422	LUP Policy I-8.7.1-8	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.	OC DPH City of Dana Point	Coastal Development and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement.
423	LUP Policy I-8.7.1-9	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)	OC DPH City of Dana Point	Coastal Development and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement.
424	LUP Policy I-8.7.1-10	Work with the Orange County Flood Control District in ensuring the adequacy of regional storm drainage facilities. (Coastal Act Sections 30235, 30236, 30253)	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement.
425	LUP Policy I-8.7.1-11	OC Dana Point Harbor shall periodically evaluate services and service criteria to ensure the City has adequate police, fire and emergency medical services. (Coastal Act Section 30254)	OC DPH City of Dana Point	Coastal Development Permits	IP II-3-SP35	Yes	The proposed Commercial Core Project has been designed to satisfy this requirement.
426	LUP Policy I-8.7.1-12	Coordinate with the Orange County Sheriff's Department and Orange County Fire Authority for the continued provision of adequate law enforcement and fire protection.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement.
427	LUP Policy I-8.7.1-15	The County shall install all underground traffic signal conduits (e.g., signals, phones, power, loop detectors, etc.) needed for future traffic signal construction and for future interconnection with adjacent intersections.	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Public Works will be responsible for confirming compliance with this requirement.

Dana Point Harbor Revitalization Plan

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
428	LUP Policy I-8.7.1-16	New utilities will be located underground to the extent feasible as part of new development projects. Utility undergrounding activities will be coordinated with the utility providers to ensure that service to adjoining utility customers is not interrupted.	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Public Works will be responsible for confirming compliance with this requirement.
Noise							
429	SCA 4.9-1	Prior to approval of the project plans and specifications the Director, OC Dana Point Harbor or his designee, shall confirm that the plans and specifications stipulate that construction activities shall be limited to 7:00 a.m. to 8:00 p.m. on weekdays, including Saturdays and no construction on Sundays and holidays. The County inspector will be responsible for ensuring that contractors comply with these measures during construction.	OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement.
430	SCA 4.9-2	Prior to the issuance of any Building or Grading Permits, OC Dana Point Harbor shall prepare or obtain an acoustical analysis report and appropriate plans which demonstrate that the noise levels generated by this project during its operation shall be controlled in compliance with the Orange County Codified Ordinance, Division 6 (Noise Control). The report shall be prepared under the supervision of a County-certified Acoustical Consultant and shall describe the noise generation potential of the project during its operation and the noise Mitigation Measures, i.e., needed, which shall be included in the plans and specifications of the project to assure compliance with Orange County Codified Ordinance, Division 6 (Noise Control).	OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement.
431	SCA 4.9-3	Prior to approval of the project plans and specifications the Director, OC Dana Point Harbor, or his designee shall confirm that the plans and specifications stipulate that stockpiling and vehicle staging areas shall be located as far as practical from noise-sensitive sensitive receptors during construction activities.	OC DPH	Coastal Development, Building and Grading Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
432	SCA 4.9-4	<p>OC Dana Point Harbor shall confirm that Grading and Drainage Plans are reviewed with a geotechnical report and that the plans include the following notes:</p> <ul style="list-style-type: none"> a) All construction vehicles and equipment, fixed or mobile operated within 1,000 feet of a dwelling, shall be equipped with properly operating and maintained mufflers. b) All operations shall comply with the County's Noise Ordinance. c) Stockpiling and/or vehicle staging areas shall be located as far as practicable from dwellings. 	OC DPH	Grading Permits	LUP I-8.1.1-32	Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement.
433	MM 4.9-1	Residences within 1,000 feet of a construction area shall be notified of the construction schedule in writing, prior to construction. The contractor shall designate a noise disturbance coordinator who would be responsible for responding to complaints regarding construction noise. The coordinator shall determine the cause of the complaint and ensure that reasonable measures are implemented to correct the problem. A contact number for the noise disturbance coordinator shall be conspicuously placed on construction site fences and written into the construction notification schedule sent to nearby residences.	OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement.
434	MM 4.9-2	For projects within 1,000 feet of sensitive receptors, impact equipment (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrical powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatically powered tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used.	OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement.
435	MM 4.9-3 ⁶	For projects within 1,000 feet of sensitive receptors, sonic or vibratory pile drivers shall be used instead of impact pile drivers (sonic pile drivers are only effective in some soils) whenever possible. If sonic or vibratory pile drivers are not feasible, acoustical enclosures shall be provided as necessary to ensure that pile-driving noise does not exceed speech interference criterion at the closest sensitive receptor. Engine and pneumatic exhaust controls on pile drivers shall be required as necessary to ensure that exhaust noise from pile driver engines is minimized to the extent feasible. Where feasible, pile holes shall be predrilled to reduce potential noise and vibration impacts.	OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement.

⁶ Sequence numbering note: MM 4.9-4 refers to MM's 4.9-1 through MM 4.9-3.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
436	LUP Policy I-8.1.1-24	Prior to the issuance of any Grading or Building Permits, OC Dana Point Harbor shall prepare or obtain an acoustical analysis report and appropriate plans which demonstrate that the noise levels generated by Harbor land uses during their operation shall be controlled in compliance with the Orange County Codified Ordinance, Division 6 (Noise Control). The report shall be prepared under the supervision of a County-certified acoustical consultant and shall describe the noise generation potential of the use during its operation and the noise mitigation measures, if needed which shall be included in the plans and specifications for the project to assure compliance with the Orange County Codified Ordinance, Division 6 (Noise Control). Noise impacting underwater marine life shall be minimized to the greatest extent feasible during construction activities and be conducted in accordance with all applicable requirements of the Marine Mammal Protection Act (16 U.S.C. 1361 et seq.) and any state or local regulations protecting marine life in effect at the time of construction.	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits	II-3.1-GR4	Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement.
437	LUP Policy I-8.1.1-25	Prior to approval of project plans, OC Dana Point Harbor shall confirm that the plans and specifications stipulate that stockpiling and vehicle staging areas shall be located as far as practical from noise-sensitive receptors during construction activities.	OC DPH City of Dana Point	Coastal Development, Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement.
Public Services and Utilities							
438	PDF 4.10-1	The project is not located within the very high fire hazard severity zone per the 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.	OC DPH	Coastal Development and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor, OCFA and OC Public Works will be responsible for confirming compliance with this requirement.
439	PDF 4.10-2	New utilities will be located underground to the extent feasible as part of the project development. Utility undergrounding activities will be coordinated with the utility providers to ensure that service to adjoining utility customers is not interrupted.	OC DPH	Coastal Development and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
440	PDF 4.10-3	Interior and exterior water conservation measures will be incorporated into all projects as development occurs. Measures will include (but not be limited to) low-flush toilets, low-flow faucets, planting of native or non-invasive and drought tolerant plant species as identified by California Department of Water Resources that are also non-problematic/non-invasive plant species as defined by the California Native Plant Society, the California Invasive Plant Council or as may be identified from time to time by the State of California and the installation of efficient irrigation systems to minimize runoff and evaporation.	OC DPH	Coastal Development, Grading and Building Permits	IP II-3-SP4	Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement.
441	SCA 4.10-1	Prior to the issuance of a Building Permit, OC Dana Point Harbor shall submit evidence of the on-site fire hydrant system to the Fire Chief and indicate whether it is public or private. If the system is private, it shall be reviewed and approved by the Fire Chief prior to building permit issuance, and provisions shall be made for the repair and maintenance of the system in a manner meeting the approval of the Fire Chief.	Fire Chief, Orange County Fire Authority OC DPH	Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor, OCFA and OC Public Works will be responsible for confirming compliance with this requirement.
442	SCA 4.10-6	Prior to the issuance of any Certificate of Use and Occupancy, the fire lanes shall be installed in accordance with the approved fire lane plan.	Fire Chief, Orange County Fire Authority OC DPH	Certificates of Use and Occupancy		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor, OCFA and OC Public Works will be responsible for confirming compliance with this requirement.
443	SCA 4.10-7	Prior to the issuance of any Grading Permits or the issuance of a Building Permit, whichever occurs first, OC Dana Point Harbor shall obtain approval of the Fire Chief for all fire protections access roads to within 150 feet of all portions of the exterior of every structure on site.	Fire Chief, Orange County Fire Authority OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement. A Fire Master Plan has been approved for the Commercial Core Project. (see Plans & Exhibits, Tab One)

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
444	SCA 4.10-8	Prior to the issuance of a Grading Permit or Building Permit, OC Dana Point Harbor shall submit and obtain approval of the Fire Chief and the Manager, OC Public Works/Subdivision and Grading of plans for all public or private access roads, streets and courts. The plans shall include plan and sectional views and indicate the grade and width of the access road measured from flow-line to flow-line. When a dead end street exceeds 150 feet or when otherwise required, a clearly marked fire apparatus access turn-around must be provided and approved by the Fire Chief.	Fire Chief, Orange County Fire Authority Manager, OC Public Works /Subdivision and Grading OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement. A Fire Master Plan has been approved for the Commercial Core Project. (see Plans & Exhibits, Tab One)
445	SCA 4.10-9	A note shall be placed on the fire protection access easement plan indicating that all street/road signs shall be designed and maintained to be either internally or externally illuminated in a manner meeting the approval of the Fire Chief.	Fire Chief, Orange County Fire Authority OC DPH	Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement
446	SCA 4.10-10	Prior to the issuance of any Grading Permits, OC Dana Point Harbor shall obtain approval from the Fire Chief for the construction of any gate across required fire department access roads.	Fire Chief, Orange County Fire Authority OC DPH	Grading Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement. A Fire Master Plan has been approved for the Commercial Core Project. (see Plans & Exhibits, Tab One)
447	SCA 4.10-11	Prior to the issuance of a Building Permit for combustible construction, OC Dana Point Harbor shall submit a letter on company letterhead stating that water for firefighting purposes and all-weather fire protection access roads will be in place and operational before any combustible material is placed on site. Building Permits will not be issued without Orange County Fire Authority approval, obtained as a result of an on-site inspection.	Fire Chief, Orange County Fire Authority OC DPH	Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

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448	SCA 4.10-12	Prior to the issuance of a Grading or Building Permit, OC Dana Point Harbor shall submit to the Fire Chief a list of all hazardous, flammable and combustible liquids, solids or gases to be stored, used or handled on site. These materials shall be submitted to the Fire Chief with a summary sheet listing the total amounts for storage and use for each hazard class.	Fire Chief, Orange County Fire Authority OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor, OCFA and OC Public Works will be responsible for confirming compliance with this requirement.
449	SCA 4.10-13	Prior to the issuance of a Building Permit, OC Dana Point Harbor shall submit architectural plans for the review and approval of the Fire Chief if required per the "Orange County Fire Authority Plan Submittal Criteria Form.	Fire Chief, Orange County Fire Authority OC DPH	Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement.
450	SCA 4.10-14	Prior to the issuance of a Building Permit, plans for the fire alarm system shall be submitted to the Fire Chief for review and approval. This system shall be operational prior to the issuance of a Certificate of Use and Occupancy. Additionally, a detailed letter of intended use for each building on site shall be submitted to the Fire Chief for review and approval.	Fire Chief, Orange County Fire Authority OC DPH	Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor, OCFA and OC Public Works will be responsible for confirming compliance with this requirement.
451	MM 4.10-1	Traffic signals in or adjacent to the Harbor shall be installed with an optical pre-emption device. If such a unit is installed with a system incompatible with OCFA vehicle emitters, a compatible emitter shall be provided to OCFA.	Fire Chief, Orange County Fire Authority Manager, OC Public Works/Road Division OC DPH	Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor, OCFA and OC Public Works will be responsible for confirming compliance with this requirement.
452	MM 4.10-2	In Planning Area 1, the proposed dry stack boat storage buildings shall be equipped with sprinklers and in-rack sprinklers.	Fire Chief, Orange County Fire Authority OC DPH	Coastal Development and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement. A Fire Master Plan has been approved for the Commercial Core Project. (see Plans & Exhibits, Tab One)

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
453	MM 4.10-4	<p>The following items shall be considered for inclusion into the project design:</p> <ul style="list-style-type: none"> ▪ 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 Project site and buildings 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. 	<p>Fire Chief, Orange County Fire Authority OC DPH</p>	<p>Coastal Development, Grading and Building Permits</p>		<p>Yes</p>	<p>The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement. A Fire Master Plan has been approved for the Commercial Core Project. (see Plans & Exhibits, Tab One)</p>
454	MM 4.10-5	<p>All fire hydrants shall have a "Blue Reflective Pavement Marker" indicating the location on the street or drive, per OCFA standards. Fire hydrant spacing shall be 300 feet between hydrants.</p>	<p>Fire Chief, Orange County Fire Authority OC DPH</p>	<p>Building Permits</p>		<p>Yes</p>	<p>The proposed Commercial Core Project has been designed to satisfy this requirement.</p>
455	MM 4.10-6	<p>Prior to the issuance of a building permit. OC Dana Point Harbor shall submit a fire hydrant location plan to the Fire Chief for review and approval.</p>	<p>Fire Chief, Orange County Fire Authority OC DPH</p>	<p>Building Permits</p>		<p>Yes</p>	<p>The proposed Commercial Core Project has been designed to satisfy this requirement.</p>
456	MM 4.10-7	<p>Construction shall not block the main navigational channels of Planning Areas 8 through 12.</p>	<p>OC DPH</p>	<p>Coastal Development Permits</p>	<p>LUP I-4.1.1-6</p>	<p>N/A</p>	<p>Applies to waterside areas only.</p>
457	MM 4.10-8	<p>The emergency alley behind the Harbor Patrol office shall not be blocked during construction activities.</p>	<p>Orange County Sheriff, Harbor Patrol OC DPH</p>	<p>Grading and Building Permits</p>		<p>N/A</p>	<p>The Commercial Core Project does not include improvements to Marine Commercial PA 4.</p>

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

Ref. No.	Document Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA Policy	Consistent? Yes/No	Notes
458	MM 4.10-10	Electrical, natural gas and cable television services and equipment locations shall be coordinated with the applicable utility providers.	OC DPH	Coastal Development, Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement.
Cultural Resources							
459	SCA 4.1.1-1	In accordance with the Orange County Grading and Excavation Code, prior to the issuance of any Grading Permit, OC Dana Point Harbor shall provide written evidence to the Manager, OC Public Works/Subdivision and Grading, that a County-certified archaeologist has been retained to observe grading activities and prepare a mitigation plan if determined necessary. The archaeologist shall be present at the pre-grading conference, shall establish procedures for archaeological resource surveillance and establish, in cooperation with OC Dana Point Harbor, procedures for temporarily halting or redirecting work to permit the sampling, identification of evaluation of artifacts as appropriate. The archaeological observer shall determine appropriate actions, in cooperation with OC Dana Point Harbor and the State Office of Historic Preservation. Any Coastal Development Permit approved in areas of Dana Point Harbor that are identified as having a reasonable probability of containing archaeological resources shall include standards for archaeological and Native American grading monitoring and the preparation and implementation of a mitigation plan, in consultation with the NAHC in a manner meeting the approval of the Manager, OC Parks/Coastal and Historic Facilities.	Manager, OC Public Works/Subdivision and Grading Manager, OC Parks /Coastal and Historic Facilities OC DPH	Grading Permits	LUP I-8.8.1-2 IP II-3-SP17	Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement.
460	IP II-3-SP18	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 prepare a salvage and catalogue fossils report and/or mitigation plan, if determined 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 OC Dana Point Harbor and the State Office of Historic Preservation. Any Coastal Development permit approved in areas of Dana Point Harbor that are identified as having a reasonable probability of containing archaeological resources shall include standards for archaeological and Native American grading monitoring and the preparation and implementation of a mitigation plan, in consultation with the NAHC in a manner meeting the	Manager, OC Public Works/Subdivision and Grading Manager, OC Parks/Coastal and Historic Facilities OC DPH	Grading Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

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		approval of the Manager, OC Parks/Coastal and Historic Facilities. At the completion of grading operations, OC Dana Point Harbor shall obtain approval of a paleontologist's follow-up report from the Manager, OC 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, Manager, OC Parks/Coastal and Historical Facilities.					
461	MM 4.11-1	If human remains are encountered, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made a determination of the origin and disposition pursuant to Public Resources Code Sections 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner shall notify the Native American Heritage Commission (NAHC) which will determine and notify a Most Likely Descendent (MLD). With the permission of the owner of the land or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 24 hours of notification by the NAHC. The MLD may recommend preservation in place, scientific removal and non-destructive analysis of human remains and items associated with Native American burials..	Orange County Sheriff, Corners Office OC DPH	Grading Permits	LUP I-8.8.1-3	Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement.
462	LUP Policy I-8.8.1-1	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)	OC DPH City of Dana Point	Coastal Development and Grading Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement.
Recreation							
463	PDF 4.12-2	Pedestrian linkages will be created between Harbor amenities, such as the Pedestrian Promenade and linear park.	OC DPH	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement.
464	PDF 4.12-3	Various amenities will be provided to the waterside areas, including improved boater drop-off areas, dedicated boater parking, upgraded boater service buildings and restrooms and convenient seasonal water taxi drop-off and pick-up areas throughout the Harbor.	OC DPH	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. (see Plans & Exhibits, Tab One)

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

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465	MM 4.12-1	Parking stalls for the physically disabled to serve the visitor recreation facilities shall be provided to comply with the Uniform Building Code (latest adopted edition), the State of California Health and Safety Code, and State Building Code, including blue surface logo, blue paint stripes, signage, number, and locations so as to provide adequate safety and optimal proximity to building entrances.	OC DPH	Grading and Building Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. OC Dana Point Harbor and OC Public Works will be responsible for confirming compliance with this requirement. (see Plans & Exhibits, Tab One)
466	LUP Policy I-6.2.4-2	Promote the safety of pedestrians and bicyclists by adhering to national standards and uniform practices.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement.
467	LUP Policy I-6.2.4-4	Encourage safe and convenient bicycle and pedestrian access throughout the community. (Coastal Act Sections 30210-212.5, 30250, 30252)	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement.
468	LUP Policy I-6.3.1-1	Encourage the provision of a range of recreational facilities and programs to meet the needs of Harbor visitors.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. (see Plans & Exhibits, Tab One)
469	LUP Policy I-6.3.1-2	Lower-cost visitor and recreational facilities shall be protected, encouraged and where feasible, provided. Harbor facilities providing public recreational opportunities are preferred. (Coastal Act Section 30213)	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. (see Plans & Exhibits, Tab One)
470	LUP Policy I-6.3.1-3	Pedestrian linkages shall be created between Harbor amenities, such as the Pedestrian Promenade and linear park.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. (see Plans & Exhibits, Tab One)
471	LUP Policy I-6.3.1-4	Development in areas adjacent to parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas through, among other methods, creative site planning and minimizing visual impacts and shall be compatible with the continuance of those parks and recreation areas. (Coastal Act Section 30240)	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. (see Plans & Exhibits, Tab One)
472	LUP Policy I-6.3.1-5	Coastal water areas suited for water-oriented recreation activities shall be protected for such uses. (Coastal Act Section 30220)	OC DPH City of Dana Point	Coastal Development Permits		N/A	Applies to waterside areas only.

PROJECT CONDITION / REQUIREMENT AND MITIGATION MONITORING SUMMARY (continued)

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473	LUP Policy I-6.3.1-6	Maintain, enhance and where feasible, expand places to hand launch small non-motorized watercraft and provide necessary parking; as well as opportunities to rent and store such watercraft. Storage for hand launch vessels shall be provided as close to hand launch areas as feasible.	OC DPH City of Dana Point	Coastal Development Permits		Yes	The proposed Commercial Core Project has been designed to satisfy this requirement. (see Plans & Exhibits, Tab One)
474	LUP Policies I-8.5.3-6 I-4.2.1-3 I-4.3.1-7	A comprehensive Dana Point Harbor Sign Program shall include provisions for providing clear and conspicuous notice to assist the public in locating and recognizing trail access points, recreation areas and other visitor recreational amenities. In areas containing sensitive habitat or safety hazards, signs shall be posted with a description of the sensitive habitat or safety hazard and limitation on entry to those areas.	OC DPH City of Dana Point	Coastal Development Permits		Yes	A comprehensive Master Sign Program prepared as part of this CDP application satisfies this requirement and shows directional signs (see Plans and Exhibits, Tab Five).