
**CITY OF DANA POINT
TOWN CENTER SUBCOMMITTEE
AGENDA**

City Hall Offices
Council Chamber (#210)
33282 Golden Lantern
Dana Point, CA 92629

March 20, 2006 (Continuation of 3/2/06 Meeting)
2:00 p.m.

1. **PLEDGE OF ALLEGIANCE**
2. **SUBCOMMITTEE ROLL CALL**
3. **PUBLIC COMMENTS**
4. **PUBLIC OUTREACH UPDATE**
5. **ECONOMIC DEVELOPMENT POLICIES & IMPLEMENTATION**
(Item addressed at 3/2/06 Meeting)
6. **DEVELOPMENT STANDARDS (CONTINUED)** *Attachment A*
 - a. *Town Center Staking (Roof Top Projections/Roof Decks)*
 - b. *Building Setbacks*
7. **LAND USE (CONTINUED)** *Attachment B*
8. **FOLLOW-UP FROM MARCH 2ND SUBCOMMITTEE MEETING**
 - a. *March 2, 2006 Meeting Minutes* *Attachment C*
 - b. *Subcommittee Recommendations To Date* *Attachment D*
9. **FUTURE IMPLEMENTATION TOPICS**
10. **ROUNDTABLE DISCUSSION**
11. **NEXT MEETING/ADJOURNMENT**

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

AFFIDAVIT OF POSTING

I, Kyle Butterwick, Community Development Director of the City of Dana Point, do hereby certify that on or before, March 17, 2006, I caused the above notice to be posted in four (4) places in the City of Dana Point, to wit: City Hall, Capistrano Beach Post Office, Dana Point Post Office and the Dana Point Library.

Kyle Butterwick, Director
Community Development Department

Agendas are available on the City's website at www.danapoint.org
IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE
IN THIS MEETING, YOU SHOULD CONTACT THE OFFICE OF THE PLANNING COMMISSION AT (949) 248-3564.
NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO
ASSURE ACCESSIBILITY TO THIS MEETING.

Development Standards

The following development standards have been reviewed by the Subcommittee and reflect their comments. The standards will be detailed in the matrices will be included in the Town Center Plan and will be accompanied by graphics for further clarification.

Changes to the development standards are proposed to support the objectives of greater residential development, retail concentration and continuity, and economic feasibility. The following summarizes the proposed development standards for the Town Center.

Ground-Floor Retail: Require that buildings fronting Del Prado and Pacific Coast Highway, between Blue Lantern and Golden Lantern, meet the following design criteria:

- The structure shall extend across no less than 75% of the lot frontage.
- The floor-to-floor dimension between the finished floors of the retail space and floor above shall be at least 18 feet.
- The minimum depth of retail space from storefront to rear shall be at least 40 feet.
- The retail frontage shall be built to the front yard or street side yard setback line, except where the additional setback is occupied by an outdoor café.
- The interior finished floor elevation shall be level with the adjacent sidewalk at least every 50 linear feet along the Del Prado or Pacific Coast Highway frontage.

Maximum Lot Coverage: The existing maximum lot coverage ranges from 40% to 60%. Such standards are appropriate to less intense suburban environments, but preclude the more cohesive development pattern that is required for a successful Town Center, where it is important for buildings to form an uninterrupted fabric of activity. Coverages of close to 100% are necessary to achieve this pattern, and are possible particularly when parking is located in centralized off-site facilities, as proposed in the Town Center. As such, it is recommended that the current coverage requirements be removed as a mandatory requirement within the Town Center.

Maximum Density: The existing maximum residential density (10 units per net acre in the C/R district) is a single-family residential standard, inappropriate to a vibrant mixed-use district like the Town Center. It is also problematic to apply a maximum residential density in units per acre to mixed-use projects, as it does not take account of the proportions of residential and non-residential uses or for the size of the residential units.

Maximum floor-area ratio (FAR), which governs the amount of development permitted relative to the amount of land for a given parcel, is a more appropriate tool with which to regulate mixed-use development. Currently, in Dana Point Neighborhood and Community Commercial Districts, a 1.75 FAR is permitted. In the Town Center, where a mix of commercial and residential uses are desired, a FAR of 2.5 would be more appropriate and is recommended. To promote a diverse residential population and provide housing for families in the Town Center, no more than 20 percent of the units in a new development may be studios and at least 20 percent shall be two-bedroom or larger units.

Maximum Height: The existing maximum height in the Town Center is established both in terms of number of stories (3 story maximum) and as a dimensional limit which ranges from 31 feet (for flat and low-pitch roofs) to 35 feet (for steeply pitched roofs). These height limits would result in a three-story structures with as little as 11 feet (floor-to-floor) for ground-floor retail and restaurant space – far too low for successful shop space and for a strong retail presence on the street – and 10 feet floor-to-floor for residential. At a minimum, retail and restaurant space

should have a floor-to-floor dimension of 18 feet. Therefore, it is proposed that the Zoning Ordinance be amended to provide for one direct dimensional measure to allow structures to a height of 40 feet.

Setbacks and Steppbacks: The existing zoning for the Town Center provides for 10-foot front yard setbacks along both sides of Pacific Coast Highway and on the north side of Del Prado. A 5-foot front yard setback is required on lots on the south side of Del Prado and all of the north/south streets that traverse the Town Center.

Standards for setbacks and built-to lines shall be amended as follows:

- On PCH & Del Prado, buildings shall be built to at least 50 percent of the lot frontage to the front property line and the remainder shall be set back and built to a minimum 10-foot setback line.
- On San Juan Road, 50 percent of the building frontage shall be built to the front property line, and the balance shall be set back and built to a minimum 5-foot setback line.
- North-south streets shall continue to be subject to a minimum 5-foot setback with no build-to requirements.

Front and street-side yards shall be treated like plazas. The intent is to create opportunities for sidewalk enhancements, outdoor dining, public art and landscaping that supports and does not inhibit active uses in ground-floor building space. The design of front-yard setback areas is subject to administrative review to insure compliance with this intent.

Currently, a stepback is required on the street side of the building above the second floor, or at approximately 20 feet. To allow for more diversity in building design along PCH, Del Prado and San Juan Road, the portion of the building built to the front property line shall be stepped back 10 feet from the property line above the second floor or 30 feet (whichever is lower). On north-south streets, 50 percent of the building frontage (regardless of its position on the site) shall be stepped back 10 feet from the lower building face above the second story or 30 feet (whichever is lower).

There is currently a 5-foot rear yard setback required adjacent to all alleys within the Town Center except for the alley south of Del Prado, where a 10-foot setback is required. It is recommended that the 5-foot setback be applied to all of the alleys within the Town Center area. To further protect residential neighborhoods adjacent to alleys, north of Pacific Coast Highway and south of Del Prado, a stepback of 15 feet from the alley property line is required above the first 20 feet of height. No stepbacks shall be required from alleys between Pacific Coast Highway and Del Prado.

There are no existing interior side yard requirements for the Town Center, but with the additional height considerations, it is recommended that a 5-foot interior side yard stepback above 20 feet be required 40 feet from the face of the building to the rear property line (i.e., the front 40 feet of the building need not be stepped back from an interior side property line).

The height above which a stepback is required shall be measured to the roof deck. To encourage terraces and "eyes on the street", parapets and guardrails around terraces may project up to 2 feet above the stepback height.

Outdoor Cafés: On PCH, Del Prado and San Juan Road, outdoor cafés may extend to the property line and into the right-of-way up to 8' from the curb. On north-south streets, outdoor cafés may extend to but not beyond the property line.

Encroachments Above Maximum Height: Existing zoning allows mechanical or electrical towers, chimneys, cupolas, weather vanes or other decorative architectural elements to extend above the maximum height by 3 feet as long as they do not occupy more than 5% of the roof area. Similarly, existing zoning allows stairwells and elevators to roof decks to extend up to 5 feet above the maximum height provided they do not occupy more than 10% of the roof area.

Parapets and guardrails are not currently listed as permitted encroachments even though building codes require those elements at roof decks. In fact, the roof deck regulations prohibit guardrails from exceeding the height limit. Additionally, stairwells and elevators providing access to roof decks need more than the 5-foot maximum for head height and mechanical clearances.

It is recommended that a Conditional Use Permit be required for all encroachments beyond the maximum building height, subject to regulations specified in the table below.

Minimum Open Space: No change is proposed to the existing Minimum Open Space requirement for residential development. However, the nature of the proposed building types is such that it may not be possible to achieve the minimums for private and common open space individually. For flexibility, it is recommended that up to 50% of dwelling units may satisfy their open space requirement by adding it to the required common open space.

- Private: 100 square feet per dwelling unit.
- Common: 100 square feet per dwelling unit.

Parking Requirements: In order to strengthen the concentration and continuity of retail within the Town Center, a number of modifications to the existing parking requirements are proposed. The current zoning establishes a minimum number of required parking stalls by use. No changes are proposed to these requirements. However, within the proposed parking district, which extends from Blue Lantern to Golden Lantern within the Town Center, the developer may pay a fee for off-site public parking in lieu of providing on-site parking for retail and restaurant uses.

On-grade parking shall be set back at least 40 feet from the property line on Pacific Coast Highway and Del Prado. If ground-level uses are not situated along the street frontage, the setback area shall be improved with landscaping and usable open space per the Design Guidelines.

On lots with alleys, access to parking shall be from the alley and street curb cuts shall not be permitted. On lots that do not have alley access, curb cuts shall be permitted. Corner lots are permitted to take access from the side street, where appropriate, however, the driveway must be a minimum of 50 feet from the curb return on an adjacent intersection.

Roof Decks: The placement of roof decks in the Town Center would provide additional open space opportunities for residential units and improve the aesthetics of buildings from higher elevations. It is recommended that roof decks be conditionally permitted. Guardrails or other elements associated with roof decks which exceed the maximum building height limit shall require a Conditional Use Permit and be setback 5' from the building edge.

Awning: Awnings are defined in the Dana Point Zoning Code as “a roof-like cover that is attached to, and projects from, the wall of a building for the purpose of shielding from the elements”.

Awnings are simple and effective in improving a building’s façade and directing attention to storefront display areas. They are typically located above windows or over outdoor seating areas to provide shade. It is appropriate to allow awnings to project into the setback area and, in some instances, into the public right-of-way. Development standards have been included which state that awnings shall be between 9- and 12-feet above the sidewalk and may be located up to 8-feet from the curb which is consistent with the location of outdoor seating. The degree of the encroachment into the right-of-way will be at the discretion of the Community Development Director and Public Works Director to eliminate conflicts with landscaping and other sidewalk improvements and subject to design guidelines for awnings.

The following minimum design guidelines related to awnings will be incorporated into the Town Center Plan Guidelines.

1. Covering should be of canvas or fabric. High gloss plastic materials are discouraged.
2. Backlit awnings are generally discouraged.
3. The valance, or front face, of an awning shall not exceed 16 inches in height.
4. The height of the awning shall not exceed the width of the awning.
5. Colors shall complement the storefront, signage and building colors.
6. Awnings used as signage shall also be subject to regulations governing signs.

Covered Entryways: Awning type devices which extend from a business entry to the curb can generate attention to a business and contribute to the character of the street. These items shall be no wider than 10-feet and not impede pedestrian circulation along the sidewalk. These items may extend to 2-feet from the curb, subject to approval from the Director of Public Works and Community Development.

DEVELOPMENT STANDARDS	EXISTING		REVISED STANDARDS (Town Center)
	Commercial/Res. (south of Del Prado)	CC/P (north of Del Prado and PCH)	
Minimum Lot Size (2)	5,000 sf	5,000 sf	No change.
Minimum Lot Width (2)	50 ft	50 ft	No change.
Minimum Lot Depth (2)	100 ft	80 ft	No change.
DENSITY			
Maximum Lot Coverage	40%	60%	No maximum.
Maximum Residential Density	10 du/acre	N/A	Remove density. (Limits on minimum size of units. See Unit Mix below)
Unit Mix	None.		No more than 20% of units to be studios. At least 20% of units to be 2-bedroom or larger.
Maximum Height	31-35 ft 3 stories	31-35 ft 3 stories	40-feet 3 stories (3)(4)
Building Height Measurement	For non-residential structures, vertical distance above existing grade, finished grade, finished pad elevation (excluding subterranean parking structure finished pad elevation), ceiling of uppermost level of subterranean parking structure, or eighteen (18) inches above the flood protection level, whichever is lower, to the top of the roof.		Measure building height from the level of the sidewalk at the midpoint of the front property line. Count 2 stories of above-grade structured parking as a single story when fronted by single story of usable ground floor space, such as a shopfront.
Standard Floor Area Ratio - Non-residential - Mixed Use	.5 (up to 1.5) 0.7	0.6 (up to 1.75) N/A	2.5 2.5
SETBACKS			
Minimum Front Yard Setback	5 ft	10 ft	PCH & Del Prado: Portion of building not built to property line, 10 ft. (Note build-to and building frontage requirements.) San Juan: Portion of building not built to property line, 5 ft.
Minimum Street-Front Build-To Line	None.	None.	PCH & Del Prado: Build to 50% width of front property line. San Juan: Build 50% of building frontage to property line; balance to setback line.
Minimum Side Yard Setback - Interior Side - Street Side	0 ft 5 ft	0 ft 5 ft	No change. No setback or build to requirement at first floor.
Minimum Rear Yard Setback - Standard - Adjacent to Alley or Street - Adjacent to Residential	15 ft 10 ft	0 ft 5 ft 20 ft	0 ft (5) 5 ft No change.

DEVELOPMENT STANDARDS	EXISTING		REVISED STANDARDS (Town Center)
	Commercial/Res. (south of Del Prado)	CC/P (north of Del Prado and PCH)	
ADDITIONAL SETBACKS AT UPPER LEVELS (STEPBACKS)			
Adjacent to a Street	Above 2nd Story: 20 feet from the street or alley property line, but no less than 10 feet from the first and second stories.		PCH, Del Prado and San Juan: For portion of building built to property line, 10 ft from property line above 2nd floor or 30 ft (whichever is lower). North-South Streets: 50% of building frontage, 10 ft from building face. All Other Streets: No requirement.
Adjacent to an Alley or Rear Property Line	Above 2nd Story: 20 feet from the street or alley property line, but no less than 10 feet from the first and second stories.		Blocks North of Pacific Coast Highway and South of Del Prado: Above First 20 Feet Height: Minimum 15 feet setback from alley. All Other Blocks: None required.
Adjacent to a Residential District	Above 2nd Story: 20 feet from property line.		Above the 2 nd story: Additional 10' setback when immediately adjacent to a residential district.
Interior Side Property Line	Above 2nd Story: 5 feet from property line.		Above First 20 Feet Height: Starting 40 feet back from the front building face, minimum 5 feet from interior side property line.
BUILDING FRONTAGE -- PACIFIC COAST HIGHWAY AND DEL PRADO BETWEEN BLUE LANTERN AND GOLDEN LANTERN			
	None.		Structure to occupy no less than 75% of street frontage. Minimum 18 feet floor-to-floor dimension at street level for no less than 75% of street frontage. Minimum interior depth of retail 40-feet from front. Interior finished floor to be flush with sidewalk at least every 50 linear feet.
AMENITIES			
Minimum Open Space (Res Only) - Private - Common	100sf/du 100 sf/du	N/A N/A	No change in area requirements. 50% of units may combine common and public space reqmts.
Min. Landscape Coverage	10%	15%	Remove Landscape Coverage.
Minimum Building Separation	10 ft	10 ft	No change.
Minimum Lockable Storage	250 cu.ft./unit	N/A	No change.

GENERAL DEVELOPMENT STANDARDS

In addition to standards that apply to particular zoning districts, it is recommended that the General Development Standards also be modified to support revitalization of the Town Center.

	EXISTING	REVISED STANDARDS (Town Center)
MAXIMUM PROJECTIONS INTO REQUIRED YARD AREAS –		
All items projecting into the public right-of-way shall require an encroachment permit from the Public Works Department.		
Balconies and Bay Windows	Maximum 2'-6" into required yards but at least 5'-0" from property lines	Maximum 2'-6" into required yards and step back areas adjacent to alleys. May project 2'-6" beyond property line above a height of 20 feet if permitted by Building Code.
Awnings	Front Yard: 4 ft (no supports) Rear Yard 3 ft Side Yard: 2'-6" Min. From Property Lines: 2 ft	Shall be between 9 and 12 feet above the sidewalk. May be placed up to 8ft from the curb, subject to approval of the Community Development Director and Public Works Director.
Outdoor Dining Areas (e.g., Sidewalk Cafés)	On Private Property: No specific zoning standards. In Public Right-of-Way: As permitted by Municipal Code Sections 14.01.350 and 14.01.360.	PCH, Del Prado and San Juan Street-- Front and Street-Side Yards: minimum 8 ft from curb. All Other Yards (interior side and rear): To property line.
Architectural Projections (i.e., cornices, eaves, roof overhangs, etc.)	Front: 2'-6" Rear: 2'-6" Side: 2'-6" Min from Property Line: 2 ft	Front: 2'-6" Rear: 2'-6" Side: 2'-6" Min from Property Line: 0 ft
Maximum Percentage of Building Elevation Length	Front: 60% Side: 40% Rear: 80%	No change. Would apply to balconies, bay windows, awnings, and exterior stairways and landings.
PERMITTED ENCROACHMENTS INTO REQUIRED HEIGHT LIMIT		
All encroachments beyond the maximum height limit shall be subject to a Conditional Use Permit and abide by the following regulations:		
Parapets and Guardrails	Not permitted above maximum height.	Conditionally permit up to 42" above maximum height if set back 5 ft from face of building.
Stairwells and Elevators Providing Access to Roof Decks	No greater than 10% of horizontal roof area; up to 5 feet above maximum building height.	Conditionally permitted if setback 5 ft from face of building.
Elevators Not Providing Access to Roof Decks	No provision.	Conditionally permitted up to 42" above maximum height if setback 5' from face of building.
ROOF DECKS		
Guardrail	36" guardrail required; not to exceed maximum building height.	42" guardrail required; conditionally permitted to exceed maximum building height if set back 5 ft from roof edge.
Maximum Size	Residential Districts: Maximum 25% of roof area of 300 square feet, whichever is less. Non-Residential Districts: No restriction.	Roof decks shall require a Conditional Use Permit.

	EXISTING	REVISED STANDARDS (Town Center)
PARKING		
Driveway Location	No provision.	Lots with Alley Access: No driveways from streets. Corner lots permitted to take access from side street, where appropriate. Corner Lots With No Alley Access: No driveways on Pacific Coast Highway or Del Prado; set driveway back from curb return on Pacific Coast Highway or Del Prado 50 feet minimum.
In-Lieu Fee for Off-Site Parking	No provision.	Between Blue Lantern and Golden Lantern, allow retail and restaurant uses to pay fee in-lieu of building on-site parking.

Footnotes:

(1) See Chapter 9.75 for definitions and illustrations of development standards.

(2) Development standard applies to proposed subdivisions of land through a SDP. The standards may be modified by the Planning Commission when necessary to accommodate the parcel configuration for an integrated commercial development subject to the approval of a Conditional Use Permit pursuant to Chapter 9.65.

(3) Count two levels of above-grade parking as a single story when fronted by a single story of retail space not exceeding 20 feet in height.

(4) Additional height permitted for encroachments with a Conditional Use Permit.

(5) Twenty (20) feet adjacent to residential use.

Proposed Land Use Regulations

Land uses are defined by zoning districts and are listed as permitted, conditionally permitted and prohibited uses. The proper mix of land uses in this area, particularly at the street level, is a critical component for creating a vibrant, pedestrian-oriented environment. The attached matrix indicates the uses which should be permitted by right (i.e., no discretionary review); uses that would be permitted subject to a Conditional Use Permit; and uses which would be prohibited. Uses not listed are prohibited. The definitions are taken from the Dana Point Zoning Code.

The strike-out and underlined text reflect the Subcommittee comments provided at the March 2, 2006 meeting.

LAND USES	Proposed Town Center Uses
Administrative Office Uses – real estate, insurance, banks, travel agent	P
Adult Businesses – establishment which offer its patrons products, merchandise, services or entertainment relating to sexual activities.	X
Adult Day Health Care - facility which provides nonmedical care to persons 18 years of age or older	X
Alcoholic Beverage Outlets – establishments which serve or sell alcohol - Restaurant which serve alcohol - Establishments which sell alcohol for off-site consumption	P C
Animal Hospital - facility where animals are given medical treatment	X
Animal Shelter - facility providing boarding for stray animals	X
Automotive Sales and Rental Uses - establishments which offer motor vehicles for rent or sale.	C
Bed and Breakfast Inn - large dwelling unit which provides lodging.	C
Building Materials Sales and Service Uses – lumber yards , interior design shops, cabinet shops, carpet sales, garden supply stores, nurseries, pool supply and equipment sales, glass and mirror sales, home improvement centers, paint and wallpaper stores, tile sales and drapery sales.	C
Business Service Uses - office products and supply stores, parcel/postal services, computer sales and service, and courier/messenger services.	P
Caretaker's Residence - dwelling unit accessory to the principal use on a site and intended for occupancy by a caretaker, security guard, or worker.	C
Clinical Services - medical and health clinics, chiropractic/physical therapy clinics, counseling services and emergency care centers.	C
Commercial Antennas	C*
Commercial Entertainment Uses - video game rooms, movie theaters, arcades, batting cages, skating rinks, shooting galleries, miniature golf courses, and bowling alleys.	C
Commercial Recreation Uses - bicycle rentals, billiard parlors, boat rentals, dance studios, golf courses, health and athletic clubs and youth clubs.	C
Community Care Facility – facility which provides nonmedical residential care, day treatment, adult day care, or foster family agency services for children, adults, or children and adults.	X
Congregate Care Facility - apartment housing which is arranged in a group setting that includes independent living accommodations and shared dining and recreational facilities.	X

LAND USES	Proposed Town Center Uses
Congregate Living Health Facility - with a noninstitutional, home-like environment which provides inpatient care	X
Construction and Maintenance Services - construction companies, carpentry services, electrical contractors, handyman services, janitorial services, home and business maintenance services, <u>lumber yards</u> , painting contractors, pest control services, tree surgeons, landscape maintenance services, and plumbing contractors.	X
Convalescent Facility - State licensed facility which provides long term nursing, dietary, and other medical services	C
Cultural Uses - public art galleries, museums, libraries, auditoriums, performance halls, amphitheaters and live arts theaters.	P
Dance Halls/Clubs - a public hall which is primarily intended for dancing	C
Day Care Centers - facility which provides non-medical care to children under 18 years of age	X
Day Treatment Facility - facility which provides nonmedical care, counseling, educational or vocational support, or social rehabilitation services to persons under 18 years of age.	X
Drinking Establishments - restaurants that serve alcoholic beverages, bars, pubs, taverns, nightclubs and cocktail lounges.	P*/C*
Drive - Through Uses - establishments which provide goods, services or food to persons who are occupants of a motor vehicle.	X
Drug Abuse Recovery or Treatment Facility – a facility which is operated exclusively to provide 24-hour residential nonmedical services in a group setting to adults.	X
Dwelling Unit, Multi Family	P(6)
Dwelling Unit, Single Family	X
Educational Uses - art schools, martial arts schools, dance schools, day care centers, gymnastics schools, technical schools, vocational schools and university/college extension programs or satellite facilities.	C
Emergency Shelter - facility that provides immediate and short term housing and supplemental services.	X
Family Day Care Home, Large - home which provides family day care to seven to twelve children.	X
Family Day Care Home, Small - home which provides family day care to one to six children.	X
Food Service Uses, Specialty - candy stores, bakeries, delicatessens, donut shops, sandwich shops, ice cream/yogurt shops and coffee houses.	P
Fortune Telling	X
Furniture Store – large appliances, floor coverings, wall coverings, window coverings, bedding and linens, kitchen and bath fixtures and lamps and lighting fixtures.	C
Fractional Ownership Facility	X
Group Dwelling/Group Home - retirement homes, boarding houses and lodging houses.	X
Hospital, Acute Psychiatric - medical, nursing, rehabilitative, pharmacy, and dietary services.	C
Hospital, Chemical Dependency Recovery - facility which provides 24- hour inpatient care for persons who have a dependency on alcohol or other drugs.	X
Hospital, General Acute Care - facility which provides 24-hour inpatient care.	X

LAND USES	Proposed Town Center Uses
Hospital, Special - specialized health facility which provides inpatient or outpatient care in dentistry or maternity.	X
Hotel - structure containing six (6) or more guest rooms or suites offering transient lodging	C(6)
<u>Home Occupation – Commercial activity conducted solely by the occupants of a particular dwelling. Subject to Section 9.07.030 which states that only persons residing on the residence shall be involved in the business, no more than one room of the residence shall be used for business purposes. No portion of the business shall be conducted in garage of outdoors. No retail sales conducted on the premises.</u>	P
Institutional Uses - libraries, public or private schools, hospitals, municipally owned or operated buildings, structures or lands used for public purposes.	C
Intermediate Care Facility - health facility which provides inpatient care	X
Kennel – Facility where four or more small animals are kept.	X
Live Entertainment Uses - dance halls, dinner theaters, discotheques, nightclubs, playhouses, theaters and restaurants with dance floors.	C
<u>Liquor Store – establishment which sells alcohol containing beverages for off-site consumption.</u>	C
Major Automotive Uses - auto body repair shops, auto glass shops, automotive painting shops, customizing shops, engine rebuilding, speed shops and transmission shops.	X
Marine Uses - boat rental, boat storage, fishing supply stores , surfboard sales and repair, scuba equipment sales and service, marine supply sales, sail making and repair and jet ski repair.	C
Massage Establishments – offering massages, baths, or health treatments involving massages, or baths as regular functions.	C(6)
Medical Office Uses - offices of doctors, dentists, chiropractors and veterinarians.	P
Membership Organizations - union halls, fraternities and sororities, boys and girls clubs, and lodge halls.	C
Minor Automotive Uses - brake shops, tire stores, muffler shops, alignment shops, car washes (full service or self service), detail shops, radiator shops, upholstery shops, service stations, stereo installation shops, tune-up services and oil and lubrication services.	X
Minor Repair Service Uses - fix-it shops, jewelry and watch repair, household appliance repair, locksmith shops, stereo and television repair and upholstery shops.	C
Mixed Use Center - combination of certain types of retail, office, <u>and residential and light industrial uses.</u>	P
Motel - hotel with at least twenty-five (25) percent of all rooms having direct access to the parking areas.	X
Open Space	P
Park, Public	P
<u>Pawn Shop – establishment which loans money on the security of personal property and makes such property available to the general public for purchase.</u>	C
Personal Service Uses - establishments which provide services to an individual related to personal care and appearance, or the cleaning or repair of personal effects such as antique restoration, barber shops and beauty salons, cosmetologists (including incidental facial and scalp massage) mortuaries and funeral parlors, shoe repair, dry cleaning, laundromats, reducing salons, nail salons, tailors, and pet grooming.	C

LAND USES	Proposed Town Center Uses
Photographic, Reproduction and Graphic Service Uses - printing establishments, blueprint companies, lithographic services, motion picture studios, photographic studios, photographic laboratories, photocopy companies, radio/television studios and recording studios.	C
Professional Office Use - accountants, architects, accountants, designers, engineers, interior decorators, landscape architects, photographers and planners.	P
Public Utility Use	X
Recreational Uses - athletic clubs, health clubs, dance studios, game courts, golf courses, golf driving ranges, gymnasiums, swimming pools, private or public recreational facilities and parks.	C
Recycling Facilities - center for the collection of recyclable materials.	X
Religious Uses - churches, synagogues and temples.	C*
Research and Development Uses - research, design or testing laboratories for aeronautics, automobiles, computer products development, controls, engineering services, materials testing, medical/dental, and electronics.	X
Residential Care Facility for the Elderly - housing for persons 60 years of age or over where varying levels of care are provided.	C
Residential Facility - family home established for 24-hour nonmedical care of persons	X
Restaurant - dining rooms, cafes, cafeterias, coffee shops, and pizza parlors.	P
Restaurant, Drive-Through -restaurant which includes one (1) or more drive-through lanes	X
Restaurant, Fast Food - restaurant whose principal business is the sale of a pre-prepared food in a ready-to-consume state for consumption either on or off the premises.	C
Restaurant, Take-Out - restaurant where foods and/or beverages are sold directly to the customer in a ready to consume state for consumption off-site.	P
Restaurant, Walkup - restaurant where the serving and consumption of foods and/or beverages is made available to patrons outside the confines of a building.	P
Retail Sales Uses - antique sales, appliance sales and repair, art supplies, automotive parts stores, bicycle sales and service, book stores, camera sales and service, clock sales, clothing sales, coin and stamp sales, computer and electronics stores, convenience stores , department stores, drug stores, feed and grain stores, fishing supply stores, florist shops, furniture sales, gift shops, grocery and food stores, gun shops , hardware stores, hobby shops, jewelry stores, liquor stores , machine and tools sales, medical/dental equipment sales , music stores, newsstands, optical products sales, pawnshops, pet shops and pet supply stores, photo finishing and photo supply stores, shoe stores, sporting goods stores, stationery stores, <u>surfboard sales and repair</u> , television/stereo sales, toy stores and video sales/rental stores.	P
Senior Citizen Housing - licensed housing for persons 62 years of age or older, or unlicensed housing for persons 55 years of age or older, including such housing facilities as retirement villas, apartments, condominium.	C
Single Room Occupancy - cluster of guest units within a residential hotel for weekly or longer tenancy providing sleeping or living facilities for one person per unit.	C
Skilled Nursing Facility - health facility which provides skilled nursing care	X
Social Rehabilitation Facility - residential facility which provides social rehabilitation services for no longer than 18 months in a group setting to adults	X
Tattoo Parlors - premises used for the business of marking or coloring the skin with tattoos	X

LAND USES	Proposed Town Center Uses
Temporary Uses	T
Timeshares	X
Transportation Uses - bus stations, ferry service facilities, train stations and park and ride facilities.	X
Video Arcades or Game Rooms - establishments which provide six (6) or more video games, virtual reality devices or computers for the use and enjoyment of the general public.	C

- (1) Accessory repair or service of motor vehicles is prohibited, but the incidental installation of parts or accessories, excluding mechanical components, is permitted.
- (2) Permitted with a Conditional Use Permit which shall be reviewed and approved by the Planning Commission and precludes restaurant/food uses, and liquor establishments, and permits such uses, but not limited to, dry cleaners, banks and pharmacies. (See Section 9.07.240)
- (3) Permitted only as an accessory use to commercial or professional uses in a mixed use project.
- (4) A single family detached unit may only be permitted to replace an existing nonconforming single family residence. The replacement residence shall be developed in accordance with the development standards of the RSF 7 district. Single family attached units may be constructed as an accessory use in a mixed use project.
- (5) All minor automotive uses existing prior to (final action date), or applications for such uses which were deemed complete prior to that date, shall be considered legal conforming uses and shall be exempt from the provisions of Chapter 9.63.
- (6) Permitted or Conditionally Permitted above the street level only.

LEGEND:

P = Permitted Use P* = Permitted Use subject to special use standards (see Chapter 9.07)
 C = Conditional Use C* = Conditional Use subject to special use standards (see Chapter 9.07)
 T = Temporary Use T* = Temporary Use subject to special use standards (see Chapter 9.39)
 X = Prohibited Use A = Accessory Use

**CITY OF DANA POINT
TOWN CENTER SUBCOMMITTEE
MARCH 2, 2006 MEETING MINUTES**

The Subcommittee convened the meeting at approximately 5:04pm.

1. PLEDGE OF ALLEGIANCE

2. SUBCOMMITTEE ROLL CALL

Yvonne English was absent.

3. PUBLIC COMMENTS

The following members of the public spoke.

1. Jim Kelly – Asked that the Subcommittee reconsider 2-way circulation and include diagonal parking.
2. Leslie Cary – Stated that a recent newspaper article incorrectly stated that there was no opposition to residential uses above commercial in the Town Center.
3. Steve Cary – Indicated that the remaining issues need more residential input.
4. Ross Teasley – Requested that more visual tools be provided to assist in input from the community and that pedestrian standards are needed to create walkability. He presented information from a recent planning conference he attended.
5. Joann Christman – Concerned with increased density and traffic.

4. PUBLIC OUTREACH UPDATED

Kathy Barnum provided an overview of the media coverage and reminded that surveys are due by March 15, 2006. The Shopping Guide and Newsletter have been drafted. A Town Center phone line and email address have been created (towncenterinfo@danapoint.org) and 949/248-3527.

5. ECONOMIC POLICIES & IMPLEMENTATION

An overview of the current approach for economic development within the Town Center was provided by Kyle Butterwick and Kathleen Rosenow. Kathleen reviewed recommended policies which will be incorporated into the policies in the Town Center Plan. Motion made by Lara Anderson and unanimously approved to include the following policies:

Add to Policy 5.2: The purpose of the Downtown Business Association is to provide a coordinated forum for various private interests to work together to enhance economic development in Town Center.

Policy 5.5: Prepare an Economic Development Strategy to strengthen the business climate, foster retail activity and improve the tax base in Town Center.

Policy 5.6: Develop affiliations between civic and business associations and groups to promote a coordinated marketing effort that enhances business activity throughout the city. In particular, develop linkages between Town Center and other activity centers such as the beaches, hotels and harbor.

6. DEVELOPMENT STANDARDS (CONTINUED)

John Tilton provided an overview of the standards remaining to be reviewed by the Subcommittee and photos taken of the staking in the Town Center.

The Subcommittee finalized the development standards which included removing the standards which were different on PCH to ensure that both streets have the same

standards. The Subcommittee requested that staff revise the standards per their approved actions and provide a final draft for their review at the March 20th meeting.

7. LAND USE

Kyle Butterwick provided an overview of the proposed land use provisions. Some modifications were made to the definitions. The Subcommittee requested staff to incorporate the recommended changes and return with the finalized document.

8. FOLLOW-UP FROM JANUARY 24TH SUBCOMMITTEE MEETING

The January 24th, 2006 meeting minutes were approved (Motion made by Mardian). Modifications were made to the Recommendations to reflect the actions related to public parking.

9. ROUNDTABLE DISCUSSION

Jim Howard discussed his progress in forming a Downtown Business Association (DBA). A meeting on March 6th would be held with a consultant who would assist with this effort. Jim Howard, along with his wife, were using the kiosk at the Dana Marina Plaza during the Whale Festival as an information center.

Karen Schnell provided an update on her progress in reviewing the City's Art in Public Places program. She has organized 13 residents to assist in the effort. They are meeting on March 9th at 6pm.

Tom Volkman asked if affordable housing would be a requirement within the Town Center.

10. NEXT MEETING/ADJOURNMENT

Meeting continued to the next meeting at 10:05p.m.

Next meetings – March 20, 2006 at 2pm

TOWN CENTER SUBCOMMITTEE RECOMMENDATIONS **(as of 3/2/06)**

APPROVED RECOMMENDATIONS – the following recommendations were approved by the Subcommittee.

PCH/DEL PRADO STREET IMPROVEMENTS AND PHASING PLAN **(8/9/05 and 11/10/05 Meetings)**

1. Maintain one-way circulation pattern with the following improvements:
 - a. Reduce to two lanes on PCH and Del Prado
 - b. Include pedestrian amenities and traffic calming measures, such as intersection bulb-outs and textured paving, narrowed roadway, and signal priorities for pedestrians.
 - c. Include roadway beautification measures at a pedestrian scale, such as landscaping, seating and lighting (preference for lantern design).
 - d. Establish specific entry features at the north and south end of the couplet.
 - e. Consider modifying the intersection of Blue Lantern and PCH, as well as other intersections, to narrow the entrance to the side streets and making it appear as a less desirable alternative route.
 - f. Establish specific entry features at the north and south end of the couplet.
 - g. Establish appropriate parking time limits for public parking in the Town Center as an action of the Implementation Plan.

PUBLIC PARKING (1/24/06 Meeting)

1. The City shall immediately take steps for a purchase option or long-term lease to acquire properties for additional public parking in Town Center. Additional public parking shall be established when a need is demonstrated in the Parking Management Plan.
2. The City shall develop a Parking Management Program/Plan to evaluate public parking prior to roadway construction to establish a baseline parking condition (using a supply/demand analysis).
3. Participation in the in-lieu parking program will be encouraged. The City shall work with developers to develop a parking analysis to ensure adequate parking is provided at the time of development.

IN-LIEU PARKING PROGRAM (8/9/05 Meeting)

1. Continue with the recommended concept, as detailed in the May 2005 Plan which includes the establishment of an in-lieu parking program, as well as the following components:
 - a. Require that residential and guest parking be provided on-site.
 - b. Conduct study to determine appropriate in-lieu fee.
 - c. Implement parking program in areas between Golden Lantern and Blue Lantern.

HISTORIC PRESERVATION (8/23/05 Meeting)

1. Require that the nine structures and gazebo located in the Town Center which were identified in the 1997 survey be placed on the Dana Point Historic Register and be subject to Section 9.07.250(g)(1)(C) for removal. Similar to the two structures which were required to be designated, removal of these structures in the Town Center would require review by the Planning Commission.
2. With the assistance of the Historic Society, identify other structures in the Town Center which satisfy the eligibility criteria and include these structures on the Register. These structures would also be subject to Section 9.07.250(g)(1)(C) for removal.
3. Update the Dana Point Historic Resources Inventory every five years.
4. Preserve portions of concrete sidewalks and curbs which have historical stamp from original development of the City, where feasible.

5. Notify property owners of the benefits of registering their structures on the National Register of Historic Places.
6. Create incentives for structures which have been modified to reestablish historical characteristics.

DESIGN GUIDELINES (8/23/05 Meeting)

1. Supplement and/or replace the existing design guidelines for private property in the Town Center with new design guidelines, focusing on humanizing the pedestrian environment within the Town Center, with consideration for courtyards, passages, and other provisions that help to link and extend the quality of public space into quasi-public and private areas. Guidelines are to address:
 - a. roof top gardens,
 - b. clarify encroachment for outdoor seating,
 - c. ensure guidelines are flexible,
 - d. architecture should be regionally significant, and
 - e. evening character and lighting.
 - f. encourage lantern design for private lighting.

MARKETING COUNCIL TASK FORCE (9/15/05 Meeting) *ACTED ON BY COUNCIL 9/28/005*

1. Retain economic development director and develop a formal Economic Development Program for the City of Dana Point that would involve the formulation of a formal economic development strategy to market the City as well as to assist with business development in Dana Point;
2. While staff is developing an Economic Development Program for the City, staff should be exploring opportunities to partner with the Harbor Association to market Dana Point as an upscale visitor destination that can be implemented immediately; and
3. In addition, direct staff to pursue, as a part of the Economic Development Program, a more regional approach with the Tri-City area Cities towards marketing South County as a visitor destination.

BUILDING HEIGHT (9/15/05, 9/27/05 and 10/24/05 Meetings)

1. Increase the overall Town Center building height standard for 3 stories to 40-feet (additional 5-feet).

DEVELOPMENT STANDARDS (9/15/05, 10/24/05 and 12/7/06 Meetings)

1. Replace the existing development standards for the Town Center with new standards which would encourage design that would support the objectives of greater residential development, retail concentration and continuity, and economic feasibility (see matrices reviewed finalized at 3/22/06 meeting).

ART IN PUBLIC PLACES (7/19/05 and 1/9/06 Meetings)

1. Formulate a group to be led by Karen Schnell to evaluate the current AIPP program and suggest revisions which would be implemented citywide. Suggested modifications may include:
 - a. Consider an increase to the required value of art which is currently one-half percent to one percent of the total development construction costs.
 - b. Lower threshold for which projects would be subject to the AIPP program from \$1 million to \$100,000.
 - c. Identify a body which would review proposed public art pieces.
 - d. Consider development of an endowment.
 - e. Review the potential for providing a preference to local artists.

SIGN CODE & GUIDELINES (10/11/05 and 1/9/06 Meetings)

1. Evaluate and update, as needed, the Sign Code & Guidelines to ensure regulations encourage signage which is consistent with the goals of the Town Center Plan. Specific consideration shall be made for:
 - a. Special consideration for businesses at corner locations,
 - b. Clarify allowance of window signage and window displays,
 - c. Offer additional staff support for processing sign entitlements,
 - d. Assess appropriate outdoor displays as related to streetscape design,
 - e. Encourage residents & businesses to participate in the update of the Code, and
 - f. Ensure Sign Code and/or Sign Guidelines adequately eliminate undesirable signs.
2. Develop an interim Sign Program to address signage needs for existing businesses during the construction phase of roadway improvements and temporary signage needed for businesses relocating at the old and new location.

STREETSCAPE (10/11/05 Meeting)

Streetscape improvements such as lighting, seating, trash receptacles, restrooms, landscaping have been addressed through Town Center Plan policies. Detailed selection of lighting, seating, etc., will occur during streetscape design and will not be addressed in the development of the Plan.

BUSINESS RETENTION (10/11/05 Meeting)

The issue of business retention has been included as a policy of the Plan and through the Economic Development Plan.

ACTIONS TO LIMIT IMPACTS ON SURROUNDING RESIDENTIAL AREAS (1/9/06 Meeting)

1. Implement a circulation plan which would maintain an acceptable level of service.
2. Consider modifying the intersection of Blue Lantern and PCH, as well as other intersections, to narrow the entrance to the side streets and making it appear as a less desirable alternative route.
3. Stop signs shall be placed at intersections of alleyways and streets.
4. Encourage access from side streets for development located on corner lots.
5. Require new development to improve adjacent alleyways, as appropriate.
6. Develop a parking management program to evaluate parking supply and demand throughout the Town Center.
7. Require new development to comply with current parking regulations defined in the Dana Point Zoning Code.
8. Participation in the in-lieu parking program will be encouraged depending on the availability of adequate public parking. The City shall work with developers to develop a parking analysis to ensure to ensure adequate parking is provided at the time of development.
9. Establish public parking facilities.
10. Activities in the Town Center shall comply with the City Noise Ordinance standards.
11. Limit deliveries to hours consistent with the day time noise standards which are between 7am and 10pm.
12. Increased Code Enforcement and police presence during periods of increased activity, to enforce the City's Noise Ordinance.

13. Require a Conditional Use Permit for outdoor commercial activities (i.e., cafes) which abut residential uses outside the Town Center.
14. Post signs to discourage delivery trucks from idling in alleyways.
15. New development to enclose trash bins and provide improvements to beautify alleys and buffer activities, such as landscaping and walls.
16. Review business lighting in alleyway to ensure not reflected onto adjacent residences.
17. Upper levels to be stepped back from the lower levels.

LAND USE (7/19/05, 8/9/05 and 3/2/06 Meetings)

1. Generate a land use matrix which would identify uses which would be permitted, conditionally permitted and prohibited in the Town Center.

ISSUES TO BE FINALIZED – the following issues have been discussed, but the Subcommittee has not approved final recommendations.

TOWN CENTER POLICIES (10/11/05 Meeting) – Continue to review and update draft policies. Ensure the following issues are addressed as policies:

1. Utilize historical lantern design for lighting in public improvements and private development.
2. Develop incentives to promote improvements to historic structures and building façades and create programs to provide relocation assistance.

ISSUES TO BE ADDRESSED

“Streetscape Improvements” and “business retention programs” have been moved to Approved Recommendations because these issues have been addressed through policies and will be addressed more specifically during the implementation phase of the project. Incentives for historic structures and building façade improvements have been moved to Issues to be Finalized and will be addressed at the policy level and as an implementation measure.

1. Town Center and Street Names