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

March 2, 2006
5:00 p.m.

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

1. PLEDGE OF ALLEGIANCE
2. SUBCOMMITTEE ROLL CALL
3. PUBLIC COMMENTS
4. PUBLIC OUTREACH UPDATE
5. ECONOMIC POLICIES & IMPLEMENTATION *Attachment A*
6. DEVELOPMENT STANDARDS (CONTINUED) *Attachment B*
 - a. Town Center Staking (Roof Top Projections/Roof Decks)
 - b. Building Setbacks
7. LAND USE *Attachment C*
8. FOLLOW-UP FROM JANUARY 24TH SUBCOMMITTEE MEETING *Attachment D*
 - a. January 24, 2006 Meeting Minutes
 - b. Subcommittee Recommendations To Date *Attachment E*
9. MEETING SCHEDULE
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, February 27, 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.

Economic Policies and Implementation

On February 16th and 17th, business focus meetings were conducted at the Community House. The intent of the meetings was to have a smaller group discussion to discuss in greater detail economic development strategies. Kathleen Rosenow, Interim Economic Development Manager, provided a presentation which is attached (hard copy only).

The discussion at the meetings demonstrated the need to strengthen the policies currently proposed for the Plan. The following lists the existing and proposed policies approved by the Subcommittee.

Economic Policies

The following policies were previously reviewed by the Subcommittee. The “Goal” and “Existing” policies are taken from the General Plan. The “New” policies are proposed to be added to the Town Center Plan.

GOAL: Promote an economically viable downtown through uses that serves both residents and visitors.

Existing General Plan Policies

Policy 5.1: Increase the Town Center's economic vitality and its contribution to the City's economic development goals.

New Policies

Policy 5.2: Encourage the formation of a Business Association.

Policy 5.3: Promote public and private cooperative efforts to provide ongoing aesthetic improvements in the Town Center.

Policy 5.4: A program shall be created to address the desire to retain existing businesses.

Recommendation

Based on previous discussions with the Subcommittee and feedback received at the January Business Focus Meetings, the following policies are recommended for inclusion.

New Policies

Add to Policy 5.2: The purpose of the 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, enhance retail sales and improve the tax base in Town Center.

Policy 5.6: Develop affiliations between civic 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 business activity centers such as the beaches, hotels and harbor.

Proposed Additions and Revisions to Development Standards

In previous meetings, the Subcommittee agreed on most of the development standards for the Town Center. At the 12/7/05 meeting the Subcommittee reviewed and made minor refinements to the standards which addressed the relationship of buildings to streets, sidewalks, alleys and adjacent residential neighborhoods. At the 1/24/06 meeting, standards related to parking (i.e., driveway locations) were approved.

The remaining development standards to be approved by the Subcommittee are related to setbacks and projections beyond the building height. A description of these standards is provided below and summarized in the following table.

Revised Development Standards

The revised standards on setbacks, stepbacks and the treatment of building frontages continue to provide for active pedestrian-oriented street life and a vital retail district and respond to concerns about architectural variety and compatibility with adjacent residential districts.

Setbacks and Stepbacks: 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 Pacific Coast Highway, buildings shall be built to at least 50 percent of a 10-foot setback line and the remainder shall be set back and built to a 20-foot setback line. The 10-foot area shall be subject to a public access easement for pedestrian circulation and landscaping when necessary to accommodate appropriate movement functions of the street.
- 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 5-foot setback line.
- On Del Prado, buildings shall be built to at least 50 percent of the lot frontage and the remainder shall be set back and built to a 10-foot setback line.
- North-south streets shall continue to be subject to a 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.

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 adjacent residential neighborhoods, north of Pacific Coast Highway and south of Del Prado, a stepback of 25 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.

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 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). Similarly on Pacific Coast Highway, the portion of the building built to the setback line shall be stepped back 10 feet from the setback line above the second story 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).

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.

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).

Outdoor Cafés: On Pacific Coast Highway, outdoor cafés may extend to but not beyond the property line subject to an encroachment permit that may be revoked when the setback area is required for circulation improvements. On Del Prado and San Juan Road, outdoor cafés may extend to the property line and 2 feet into the public right-of-way. On north-south streets, outdoor cafés may extend to but not beyond the property line.

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.
- Retail space shall occupy at least 75% of the frontage of the structure.
- The floor-to-floor dimension between the finished floors of the retail space and floor above shall be at least 18 feet.
- The minimum interior depth of retail space from storefront to rear shall be at least 40 feet.
- Retail frontage shall be built to the required property line or setback line as called for in the ordinance.
- The interior finished floor elevation shall be flush with the adjacent sidewalk at least every 50 linear feet along the Del Prado or Pacific Coast Highway frontage.

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 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.

Summary Table

The following tables were taken from the Dana Point Zoning Code and modified to provide a comparison of the revised development standards. The shaded sections have been reviewed and conceptually approved by the Subcommittee at its 12/7/05 and 1/24/06 meetings. The underlined text indicates the sections which were modified by staff since the 1/24/06 meeting. The standards which the Subcommittee has come to consensus are shaded.

DISTRICT-SPECIFIC DEVELOPMENT STANDARDS

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%	Remove coverage.
Maximum Residential Density	10 du/acre	N/A	Remove density. (Limits on minimum size of units. See Unit Mix below)
Maximum Height	31-35 ft (3) 3 stories (4)	31-35 ft (3) 3 stories (4)	40-feet 3 stories (9)
Standard Floor Area Ratio (5) - 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 (6)	5 ft	10 ft (7)	PCH: Retain existing setback. Require offer of dedication of 10-foot public access easement if necessary for street functionality. San Juan: Portion of building not built to property line, 5 ft. Del Prado: Portion of building not built to property line, 10 ft. (Note build-to requirements.)
Minimum Street-Front Build-To Line	None.	None.	Pacific Coast Highway: Build 100% of building frontage to setback line. San Juan: Build 50% of building frontage to property line; balance to setback line. Del Prado: Build to 50% width of front property line. All Other Streets: No build-to lines.
Minimum Side Yard Setback - Interior Side			

DEVELOPMENT STANDARDS	EXISTING		REVISED STANDARDS (Town Center)
	Commercial/Res. (south of Del Prado)	CC/P (north of Del Prado and PCH)	
- Street Side (6)	0 ft 5 ft	0 ft 5 -ft 0 ft	No change. <u>No setback or build to requirement at first floor.</u>
Minimum Rear Yard Setback			
- Standard (8)	15 ft	0 ft	0 ft
- Adjacent to Alley or Street (6)	10 ft	5 ft	5 ft
- Adjacent to Residential		20 ft	No change.
AMENITIES			
Minimum Open Space (Res Only)			No change in area requirements. 50% of units may combine common and public space reqmts.
- Private	100sf/du	N/A	
- Common	100 sf/du	N/A	
Min. Landscape Coverage (6)	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		
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	Only retractable awnings permitted in front and street-side yards and public ROW. Pacific Coast Highway and North-South Streets: To property line. Del Prado and San Juan Road: 7 ft into required yard or into public right-of-way but no closer than 8 ft to nearest curb. All Other Yards: No change.
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.	Pacific Coast Highway -- Front and Street-Side Yards: To property line with revocable encroachment permit. Del Prado and San Juan Road-- Front and Street-Side Yards: 2 ft into public right-of-way. All Other Yards: To property line.
All Other Items	Various Restrictions	No change
Maximum Percentage of Building Elevation Length	Front: 60% Side: 40%	No change.

	EXISTING	REVISED STANDARDS (Town Center)
	Rear: 80%	
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.	Pacific Coast Highway: For 50% of building built to setback line, step back 10 ft from setback line above 2nd story or 30 ft (whichever is lower). 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 25 <u>15</u> feet additional setback from alley. All Other Blocks: None required.
Adjacent to a Residential District	Above 2nd Story: 20 feet from property line.	Additional 10' setback.
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.
FRONTAGE -- PACIFIC COAST HIGHWAY AND DEL PRADO BETWEEN BLUE LANTERN AND GOLDEN LANTERN		
	None.	Structure to occupy no less than 75% of street frontage. Retail to occupy no less than 75% of structure frontage. Minimum 18 feet floor-to-floor dimension at street level. Minimum interior depth of retail 40-feet from front. Retail to be built within 2 feet of front property line or side-street setback line. Interior floor elevation to be flush with sidewalk.
UNIT MIX		No more than 20% of units to be studios At least 20% of units to be 2-bedroom or larger.
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.

	EXISTING	REVISED STANDARDS (Town Center)
PERMITTED ENCROACHMENTS INTO REQUIRED HEIGHT LIMIT		
All encroachments beyond the required height limit shall be subject to a Conditional Use Permit and abide by the following regulations:		
Parapets and Guardrails	Not permitted above maximum height.	Permit up to 42" above maximum height if set back 5 ft from roof edge.
Stairwells and Elevators Providing Access to Roof Decks	No greater than 10% of horizontal roof area; up to 5 feet above maximum building height.	Stairwells: One per roof; maximum 200 square feet of roof area; up to 8 feet above maximum building height. Elevators: One per roof; maximum 100 square feet of roof area; up to 8 <u>10</u> feet above maximum building height.
Elevators Not Providing Access to Roof Decks	No provision.	Permit up to 42" above maximum height.
PARKING		
Driveway Location	No provision.	Lots with Alley Access: No driveways from streets. Corner lots permitted to take access from side street, <u>where appropriate</u> . 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.
ROOF DECKS		
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.
Guardrail	36" guardrail required; not to exceed maximum building height.	42" guardrail required; allowed to exceed maximum building height if set back 5 ft from roof edge.

Existing Footnotes Referenced in the First Table Above: Those footnotes that would not apply based on the revised standards have been shown as strike-outs. New footnotes are underlined.

(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) Subject to the measurement and design criteria in Section 9.05.110(b).~~

~~(4) A maximum of 3 stories may only be permitted in accordance with Section 9.05.200.~~

~~(5) A maximum FAR of 1.75 for CC/P and FAR of 1.5 for C/R may be permitted in accordance with Section 9.05.210.~~

~~(6) All setback areas adjacent to public streets must be landscaped. All residential units shall be provided with twenty (20) square feet of private landscaped area which shall not be calculated in the minimum landscape coverage.~~

~~(7) A zero setback may be allowed if the structure is designed to occupy no more than sixty (60) percent of the front 10 feet of the parcel and with an increase in minimum landscape coverage to fifteen (15) percent.~~

(8) Twenty (20) feet adjacent to residential use or district.

(9) 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.

Land Use Regulations

The Subcommittee originally discussed land use issues at its July 19, 2005 meeting and provided the following comments:

- *Address specific types of restaurants (i.e., drive thru, etc.),*
- *Require a Conditional Use Permit for personal service uses (massage).*
- *Identify open space as a permitted use.*

Conclusion of the issue was delayed until the recommended circulation pattern was finalized. With the two-way circulation pattern it was envisioned that the land uses on PCH and Del Prado would differ. However, with maintaining the one-way pattern, it was determined that the two streets would be equal and the same land use provisions would apply to both streets.

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 matrix identifies the existing land use categories south of Del Prado, which is currently zoned commercial/residential (CR) and the remaining portion of the couplet, which is zone Community Commercial/Pedestrian (CC/P). Also shown are the proposed land uses for the Town Center Plan.

Recommendation Summary

The following summarizes the recommendations forwarded by the Subcommittee related to Land Use in the Town Center.

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

Existing and Proposed Land Uses

LAND USES	PCH & North of Del Prado (CC/P)	South of Del Prado (C/R)	Proposed Town Center Uses
Administrative Office Uses – real estate, insurance, banks, travel agent	P	P	P
Adult Businesses – establishment which offer its patrons products, merchandise, services or entertainment relating to sexual activities.	X	X	X
Adult Day Health Care - facility which provides nonmedical care to persons 18 years of age or older	C	C	X
Alcoholic Beverage Outlets – establishments which serve or sell alcohol - Restaurant which serve alcohol - Establishments which sell alcohol for off-site consumption	P C	P C	P C
Animal Hospital - facility where animals are given medical treatment	P	X	X
Animal Shelter - facility providing boarding for stray animals	C	X	X
Automotive Sales and Rental Uses - establishments which offer motor vehicles for rent or sale.	C*	C (1)	C
Bed and Breakfast Inn - large dwelling unit which provides lodging.	P	X	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.	P	X	X
Business Service Uses - office products and supply stores, parcel/postal services, computer sales and service, and courier/messenger services.	P	P	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	C	C
Clinical Services - medical and health clinics, chiropractic/physical therapy clinics, counseling services and emergency care centers.	P	P	C
Commercial Antennas	C*	C*	C*
Commercial Entertainment Uses - video game rooms, movie theaters, arcades, batting cages, skating rinks, shooting galleries, miniature golf courses, and bowling alleys.	P	X	C
Commercial Recreation Uses - bicycle rentals, billiard parlors, boat rentals, dance studios, golf courses, health and athletic clubs and youth clubs.	P	X	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	C	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	C	X
Congregate Living Health Facility - with a noninstitutional, home-like environment which provides inpatient care	X	C	X
Construction and Maintenance Services - construction companies, carpentry services, electrical contractors, handyman services, janitorial services, home and business maintenance services, painting contractors, pest control services, tree surgeons, landscape	P	X	X

LAND USES	PCH & North of Del Prado (CC/P)	South of Del Prado (C/R)	Proposed Town Center Uses
maintenance services, and plumbing contractors.			
Convalescent Facility - State licensed facility which provides long term nursing, dietary, and other medical services	X	C	C
Cultural Uses - public art galleries, museums, libraries, auditoriums, performance halls, amphitheaters and live arts theaters.	P	P	P
Dance Halls/Clubs - a public hall which is primarily intended for dancing	C	X	C
Day Care Centers - facility which provides non-medical care to children under 18 years of age	P	P	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	C	X
Drinking Establishments - restaurants that serve alcoholic beverages, bars, pubs, taverns, nightclubs and cocktail lounges.	P*/C*	P*/C*	P*/C*
Drive - Through Uses - establishments which provide goods, services or food to persons who are occupants of a motor vehicle.	C	C(2)	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.	C	C	X
Dwelling Unit, Multi Family	X	A (3)	P(6)
Dwelling Unit, Single Family	X	P (4)	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.	P	X	C
Emergency Shelter - facility that provides immediate and short term housing and supplemental services.	C	X	X
Family Day Care Home, Large - home which provides family day care to seven to twelve children.	C	C	X
Family Day Care Home, Small - home which provides family day care to one to six children.	C	C	X
Food Service Uses, Specialty - candy stores, bakeries, delicatessens, donut shops, sandwich shops, ice cream/yogurt shops and coffee houses.	P	P	P
Fortune Telling	C	X	X
Furniture Store - large appliances, floor coverings, wall coverings, window coverings, bedding and linens, kitchen and bath fixtures and lamps and lighting fixtures.	P	X	C
Fractional Ownership Facility	X	X	X
Group Dwelling/Group Home - retirement homes, boarding houses and lodging houses.	X	C	X
Hospital, Acute Psychiatric - medical, nursing, rehabilitative, pharmacy, and dietary services.	C	C	C
Hospital, Chemical Dependency Recovery - facility which provides 24-hour inpatient care for persons who have a dependency on alcohol or other drugs.	C	C	X
Hospital, General Acute Care - facility which provides 24-hour inpatient	C	C	X

LAND USES	PCH & North of Del Prado (CC/P)	South of Del Prado (C/R)	Proposed Town Center Uses
care.			
Hospital, Special - specialized health facility which provides inpatient or outpatient care in dentistry or maternity.	C	C	X
Hotel - structure containing six (6) or more guest rooms or suites offering transient lodging	P	X	C(6)
Institutional Uses - libraries, public or private schools, hospitals, municipally owned or operated buildings, structures or lands used for public purposes.	C	X	C
Intermediate Care Facility - health facility which provides inpatient care	X	C	X
Kennel – Facility where four or more small animals are kept.	P	X	X
Live Entertainment Uses - dance halls, dinner theaters, discotheques, nightclubs, playhouses, theaters and restaurants with dance floors.	C	C	C
Major Automotive Uses - auto body repair shops, auto glass shops, automotive painting shops, customizing shops, engine rebuilding, speed shops and transmission shops.	C	X	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.	P	X	C
Massage Establishments – offering massages, baths, or health treatments involving massages, or baths as regular functions.	P	X	C(6)
Medical Office Uses - offices of doctors, dentists, chiropractors and veterinarians.	P	P	P
Membership Organizations - union halls, fraternities and sororities, boys and girls clubs, and lodge halls.	P	P	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(5)	X	X
Minor Repair Service Uses - fix-it shops, jewelry and watch repair, household appliance repair, locksmith shops, stereo and television repair and upholstery shops.	P	P	C
Mixed Use Center - combination of certain types of retail, office, residential and light industrial uses	X	P	P
Motel - hotel with at least twenty-five (25) percent of all rooms having direct access to the parking areas.	X	X	X
Open Space	P	P	P
Park, Public	P	P	P
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.	P	P	C
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.	P	P	C

LAND USES	PCH & North of Del Prado (CC/P)	South of Del Prado (C/R)	Proposed Town Center Uses
Professional Office Use - accountants, architects, accountants, designers, engineers, interior decorators, landscape architects, photographers and planners.	P	P	P
Public Utility Use	X	C	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.	P	C	C
Recycling Facilities - center for the collection of recyclable materials.	P*	X	X
Religious Uses - churches, synagogues and temples.	C*	C*	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.	P	P	X
Residential Care Facility for the Elderly - housing for persons 60 years of age or over where varying levels of care are provided.	C	C	C
Residential Facility - family home established for 24-hour nonmedical care of persons	C	C	X
Restaurant - dining rooms, cafes, cafeterias, coffee shops, and pizza parlors.	P	P	P
Restaurant, Drive-Through -restaurant which includes one (1) or more drive-through lanes	C	X	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	X	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	P	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	P	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, television/stereo sales, toy stores and video sales/rental stores.	P	P	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.	X	C	C
Single Room Occupancy - cluster of guest units within a residential hotel for weekly or longer tenancy providing sleeping or living facilities	C	C	C

LAND USES	PCH & North of Del Prado (CC/P)	South of Del Prado (C/R)	Proposed Town Center Uses
for one person per unit.			
Skilled Nursing Facility - health facility which provides skilled nursing care	C	C	X
Social Rehabilitation Facility - residential facility which provides social rehabilitation services for no longer than 18 months in a group setting to adults	C	C	X
Tattoo Parlors - premises used for the business of marking or coloring the skin with tattoos	C	X	X
Temporary Uses	T	T	T
Timeshares	X	X	X
Transportation Uses - bus stations, ferry service facilities, train stations and park and ride facilities.	X	X	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	X	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
JANUARY 24, 2006 MEETING MINUTES**

The Subcommittee convened the meeting at approximately 1:08pm.

1. PLEDGE OF ALLEGIANCE

2. SUBCOMMITTEE ROLL CALL

Ronna Kincaid was absent.

3. PUBLIC COMMENTS

The following members of the public spoke.

1. Barbara Johannes – Addressed historic interests for the Town Center including maintaining historic curbs and requiring lanterns to be a part of new development and street improvements.
2. Norma Lacoco – Questioned the criteria used for developing the parking management program. Need to balance interests of residents and businesses.
3. Norm Jackes – Suggested story poles were needed to understand the potential for view blockage from new development and roof top decks.
4. Nancy Jenkins – Appreciated overview provided at Residential Focus Meeting. Suggested limiting mixed use development to interior of couplet to address potential conflicts with existing residential uses.
5. Richard Carr – Opposed to proposed height in that it would block his view and concerned about increased 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. TIMING OF CONSTRUCTING PUBLIC PARKING

Kyle Butterwick and Brad Fowler provided an overview of the parking analysis previously presented to the Subcommittee. Public comments were provided by:

1. Steve Cary – Questioned the size of the parcel needed for a parking facility.
2. Ross Teasley – Requested clarification on the number of additional and lost parking spaces created by the one-way and two-way options.
3. Bob Theel – Suggested that the parking analysis should be the responsibility of the City, not the developer. Need additional parking up front to allow to in-lieu.
4. Jim Kelly – It would be a disincentive for development if a parking facility is not established.

Following discussion of the timing for establishing parking facilities, the following modifications, shown as strike-out and underline, were made to the original recommendation and then approved to ensure an adequate supply of public parking in Town Center:

1. The City shall ~~actively pursue the creation of~~ immediately take steps for a purchase option or long-term lease to acquire properties for additional public parking opportunities in Town Center. Additional public parking shall be established when a need is demonstrated in the Parking Management Plan. (Motion by Howard, seconded by Sels, passed unanimously)
2. The City shall ~~conduct~~ develop a Parking Management Program/Plan to evaluate public parking to prior to roadway construction to establish a

baseline parking condition (using a supply/demand analysis). (Motion by L. Anderson, seconded by Weinberg, passed unanimously)

- ~~3. Require participants Participation in of the in-lieu parking program will be encouraged depending on the availability of adequate public parking ~~conduct a parking analysis. The City shall work with developers to develop a parking analysis to ensure to ensure adequate parking is provided at the time of development. Participation in the in-lieu parking program is dependant on the availability of adequate public parking.~~ (Motion by Rayfield, passes unanimously)~~

6. FEEDBACK FROM RESIDENTIAL FOCUS MEETING

Brenda Chase provided an overview of the comments and questions received at the January 17, 2006 Residential Focus Meeting. The following public comments were provided:

1. Steve Cary – Asked how questions will be addressed.
2. Ross Teasley – Asked if existing curb cuts will be eliminated in the short term.

The questions collected at the meeting will be added to the Frequently Asked Questions. One comment questioned the desirability of one-way alleys, which was also expressed by the City's Public Works Director. No action required.

7. DEVELOPMENT STANDARDS (CONTINUED FROM 12/7/05)

John Tilton provided an overview of the standards remaining to be reviewed by the Subcommittee. Public comments included:

1. Bob Theel – Requested clarification regarding setbacks.
2. Herb Hueg – Concerned with impacts of building height and projections.
3. Steve Cary – Front step backs not needed, not supportive of roof decks, and suggests roof decks could be located to the front of the building.

Yvonne English, Bob Mardian and Georgia Theodor left the meeting early. The Subcommittee finalized development standards with the exception of allowable projections beyond the building height and setback and stepback requirements. Discussion of these issues will be continued to the next meeting following staking of buildings.

8. LAND USE

Continued.

9. FOLLOW-UP FROM JANUARY 9TH SUBCOMMITTEE MEETING

The January 9th, 2006 meeting minutes were approved (Motion, L. Anderson, seconded Walsh). Modifications were made to the Recommendations to reflect the actions related to public parking and eliminating the recommendation to make alleys one-way.

10. ROUNDTABLE DISCUSSION

Karen Schnell provided an update on her progress with the AIPP Task Force. Nine people were interested in participating and their first meeting is scheduled for 2/16/06 at 6pm.

11. NEXT MEETING/ADJOURNMENT

Meeting adjourned 5:55p.m.
Next meetings – March 2, 2006 at 5pm

TOWN CENTER SUBCOMMITTEE RECOMMENDATIONS
(as of 1/24/06)

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 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.

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 at 10/24/05 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.

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

LAND USE (7/19/05 and 8/9/05 Meetings)

1. Generate a land use matrix which would identify uses which would be permitted, conditionally permitted and prohibited in these districts.

BUILDING HEIGHT (9/15/05, 9/27/05, 10/24/05 and 12/7/05 Meetings)

1. Consider items such as architectural elements, roof decks and other appurtenances to exceed the maximum building height.

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