

# **NUTS AND BOLTS OF DOHENY VILLAGE ZONING**

DOHENY VILLAGE MERCHANTS' ASSOCIATION

October 12, 2017



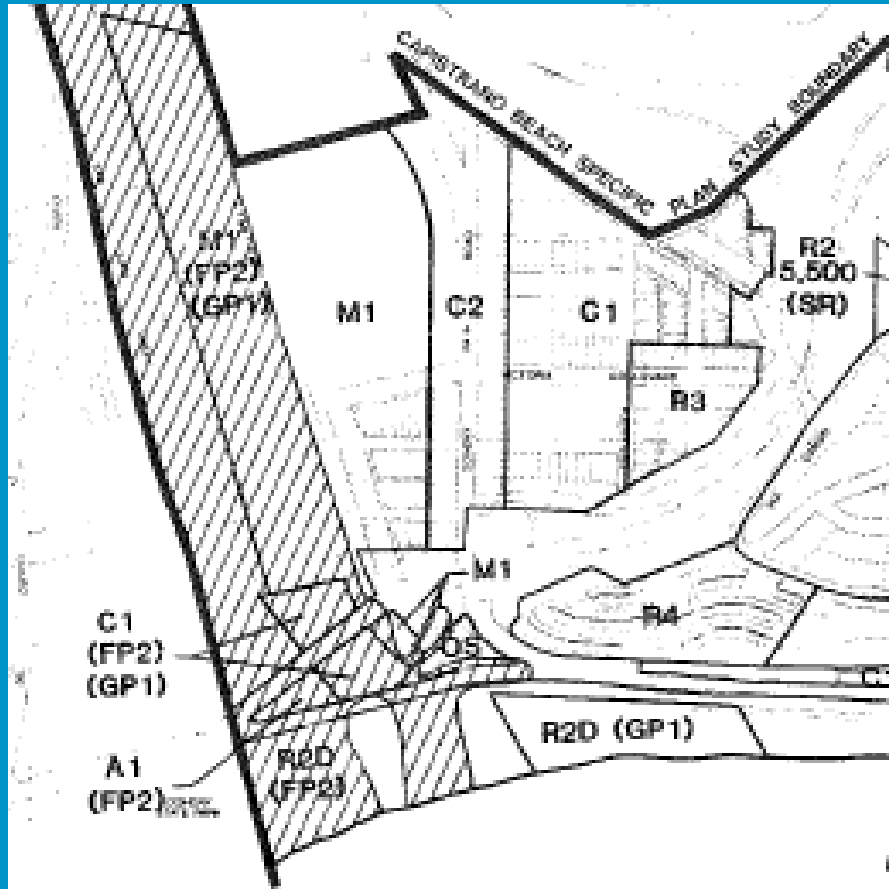
# **BUILDING BLOCKS**

- DOHENY VILLAGE PLAN UPDATE BACKGROUND
- LAND USE TOOLS
- GOAL AND POLICIES
- WHAT IS ZONING?
- REGULATING USES AND DEVELOPMENT STANDARDS
- RESIDENTIAL AND COMMERCIAL ZONES OVERVIEW
- NONCONFORMING USES AND STRUCTURES
- FUTURE OF DOHENY VILLAGE

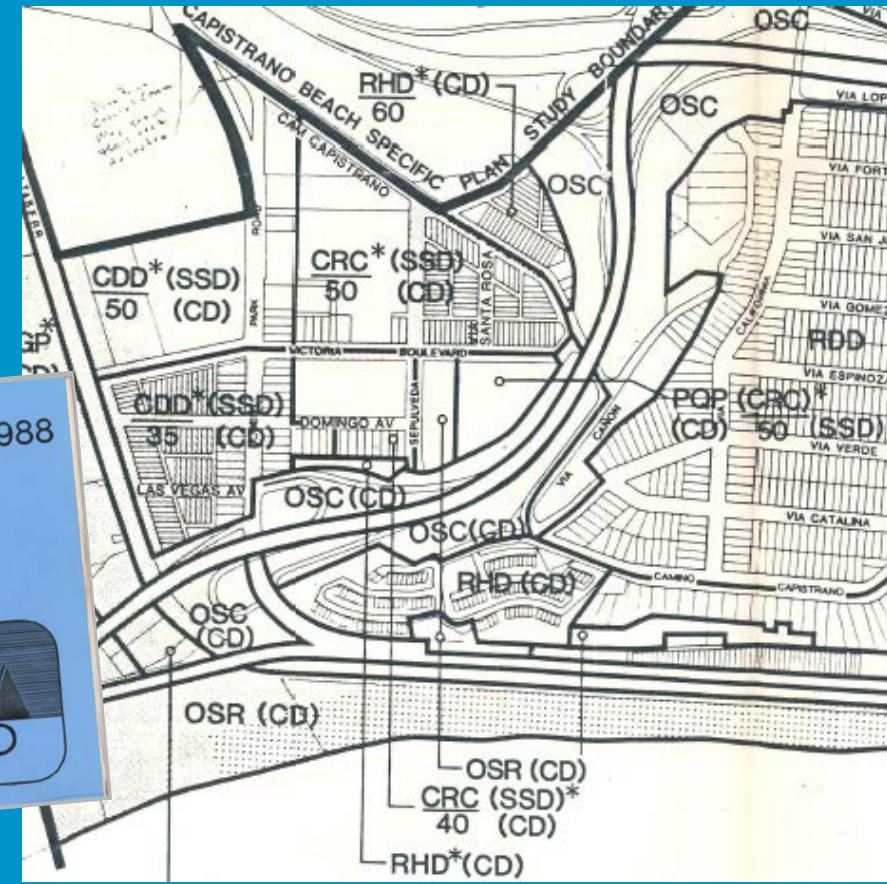


# COUNTY OF ORANGE JURISDICTION (PRE-1989)

County of Orange Zoning Code



Capistrano Beach Specific Plan



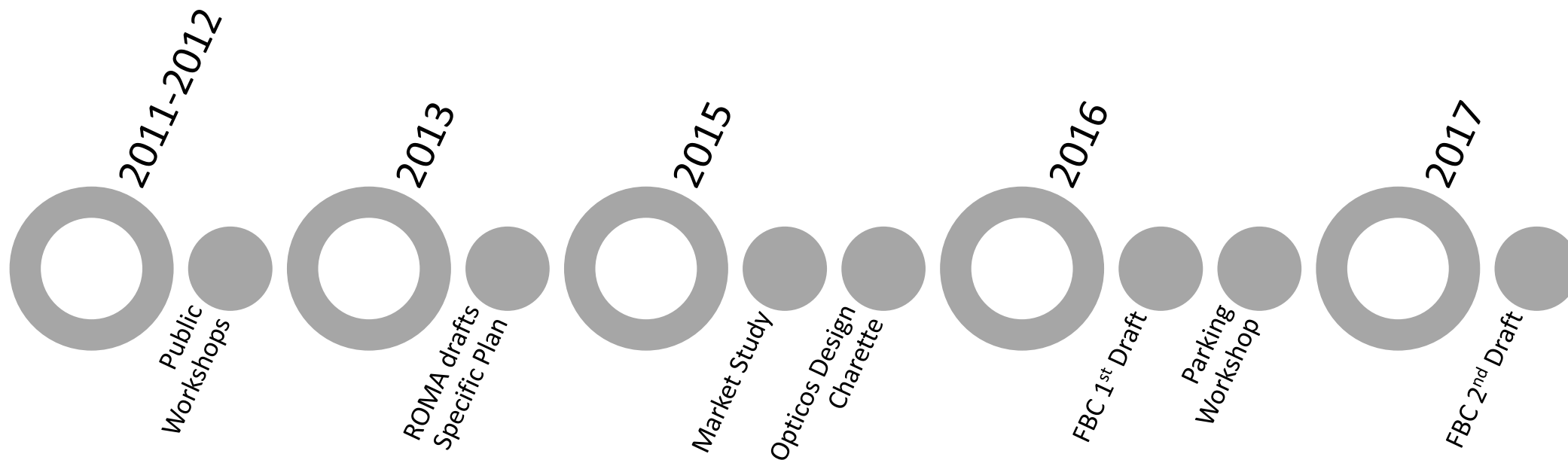
# DOHENY VILLAGE 20 YEARS AGO

- Doheny Village is the original downtown area of Capistrano Beach and is one of the oldest commercial areas in the City, with early subdivisions dating back to the 1920s.

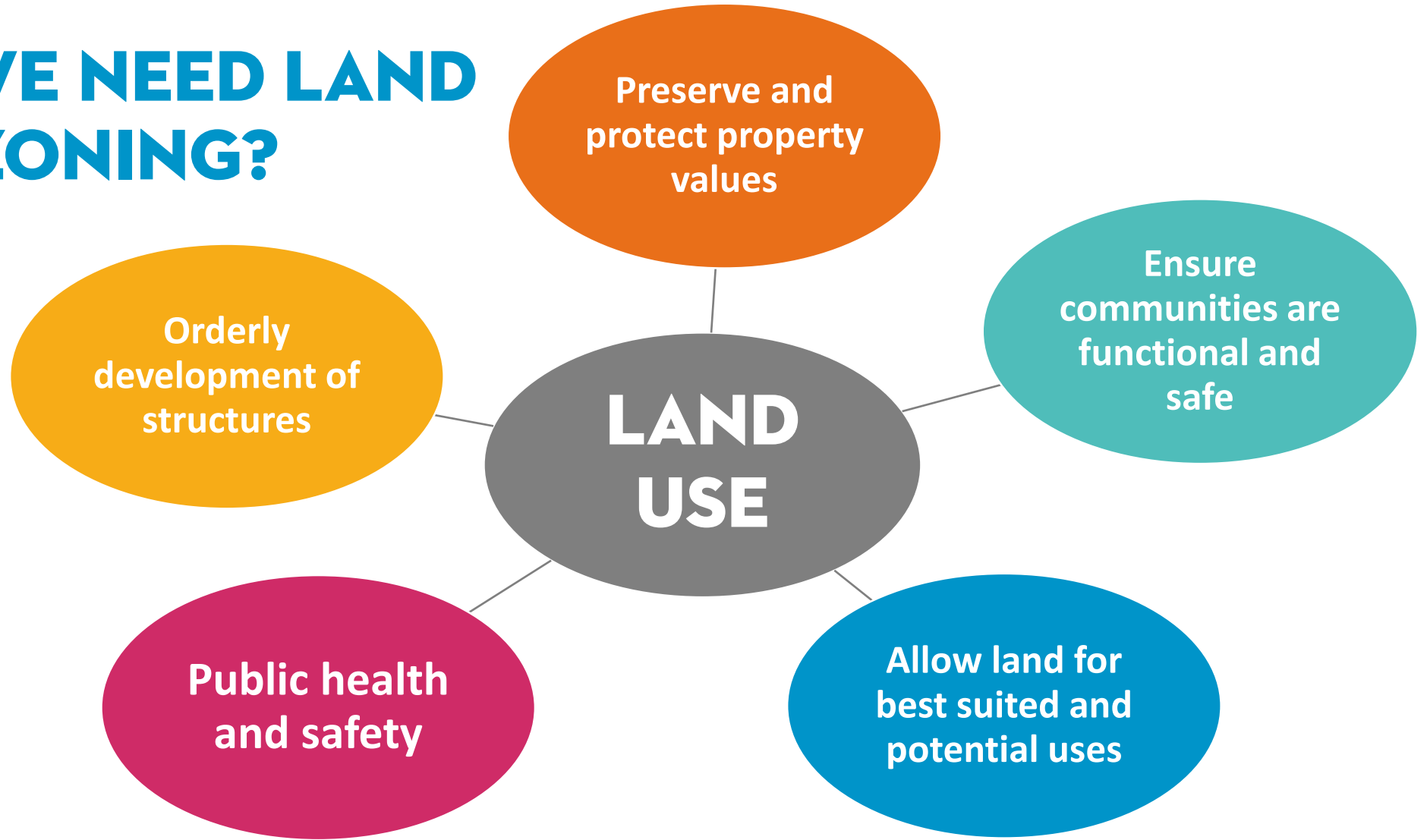
- Doheny Village Specific Plan (1994) – draft not adopted
  - “Doheny Village is in a state of physical and economic decline”
  - Plan was intended for:
    - Catalyst for economic revitalization
    - Define the City’s expectations for quality design

*“Aside from small, scattered projects, the area has not seen substantial new development since the construction of Capistrano Plaza Shopping Center in 1965 and has not kept pace with other areas of the City and surrounding communities.”*

# DOHENY VILLAGE PLAN UPDATE



# WHY DO WE NEED LAND USE AND ZONING?





# LAND USE TOOLS

**GENERAL PLAN**

**ZONING  
ORDINANCE**

**USES**

**DEVELOPMENT  
STANDARDS**

**PERMITTED  
"BY RIGHT"**

**DISCRETIONARY**

**NONCONFORMING**

# GENERAL PLAN

## LAND USE ELEMENT (1993)

### DEVELOPMENT OF DOHENY VILLAGE

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The Doheny Village represents an important gateway to the City from the Interstate 5 Freeway. The Village needs improvements to infrastructure and general upgrading of development within the area. Planned land uses are expected to include a mix of new commercial, office, multi-family residential, community facilities, and industrial/business development. Revitalization efforts could include pedestrian-oriented streetscape and landscaping improvements designed to unify and connect the Village's various areas. These improvements may also provide a means of establishing greater connection between the Village the beach and San Juan Creek.

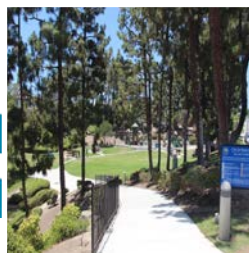
**GOAL 7: Achieve the revitalization of the Doheny Village area as a primary business district in the City.**

- Policy 7.1: Promote Doheny Village as a major shopping and business center
- Policy 7.2: Improve the appearance of the area with landscape design and pedestrian amenities
- Policy 7.4: Promote the development of land uses that provide employment opportunities for the community including offices, marine-oriented industrial uses, and other commercial or light industrial business activities or community facilities
- Policy 7.5: Encourage development of medium density housing in areas adjacent to retail areas and also as part of mixed residential and retail or office uses
- Policy 7.6: Provide adequate and convenient parking areas. Encourage shared parking facilities, such as establishment of a parking district



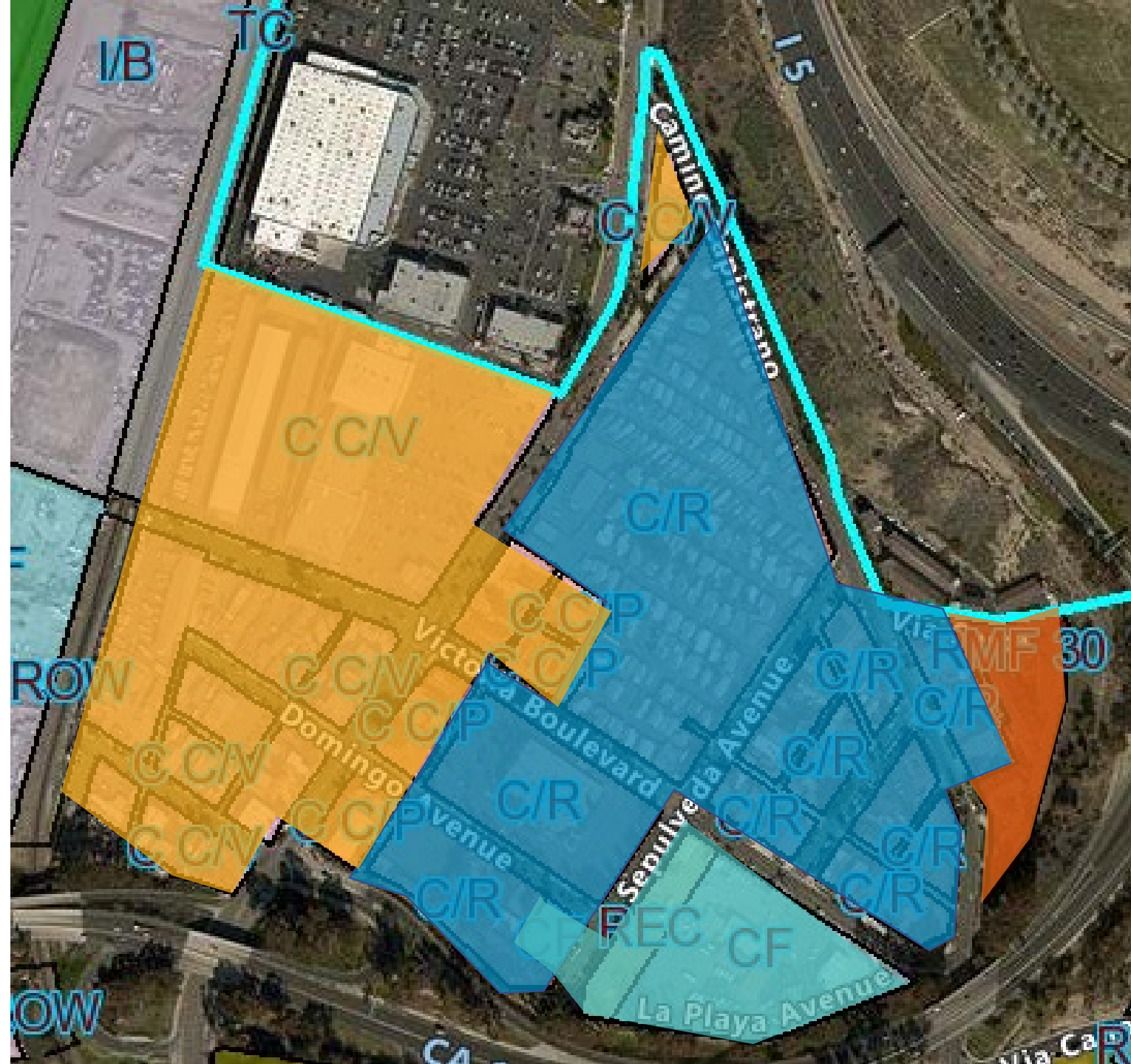
# WHAT IS ZONING?

- Two parts:
  - **Map** – Zoning Map
  - **Text** – Dana Point Municipal Code Title 9
- Zoning Districts
- Regulations for Uses and Development Standards



# EXISTING ZONING MAP

- Doheny Village zoning districts:
  - Residential
  - Commercial
  - Mixed Use
  - Community/Open Space



# DEVELOPMENT STANDARDS

- Lot Coverage
- Height
- Setbacks
- Landscape Area
- Floor Area Ratio

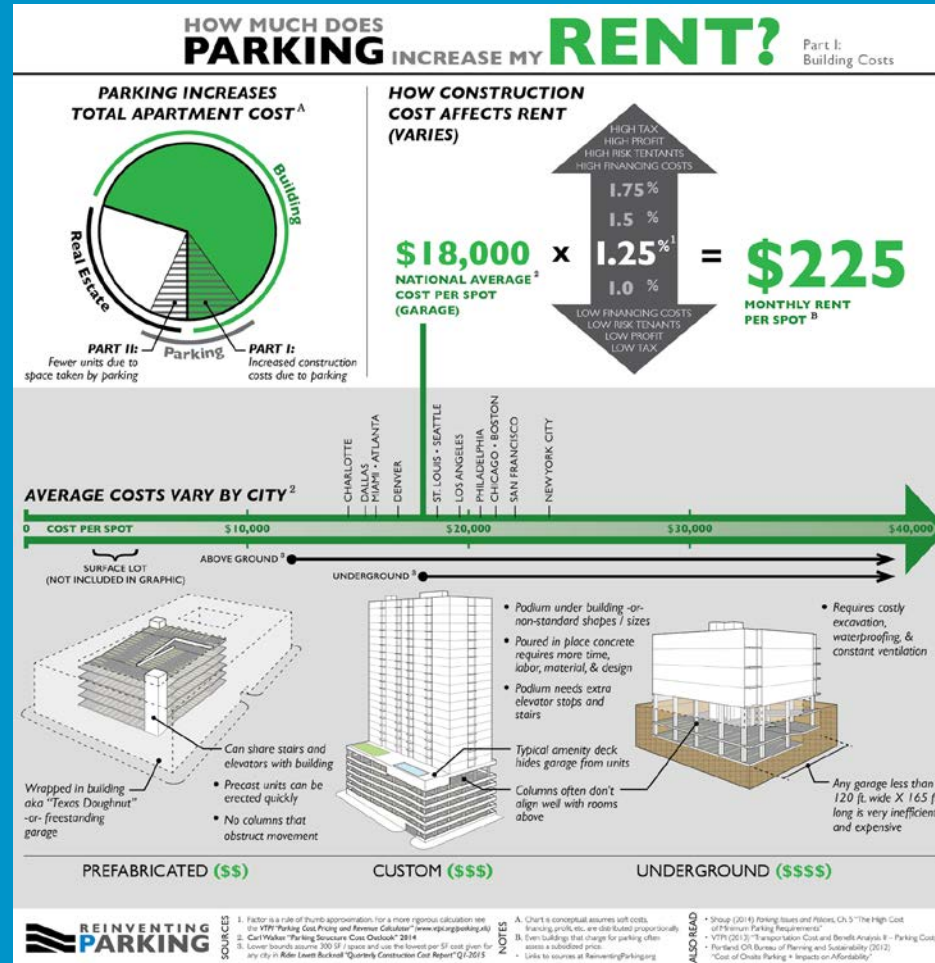
## SECTION 9.11.030 COMMERCIAL DEVELOPMENT STANDARDS

DEVELOPMENT STANDARDS (1)	COMMERCIAL ZONING DISTRICTS			
	NC	CC/P	CC/V	V/RC
(a) Minimum Lot Size (2)	5,000 sf	5,000 sf	15,000 sf	15,000 sf
(b) Minimum Lot Width (2)	40 ft	50 ft	100 ft	100 ft
(c) Minimum Lot Depth (2)	100 ft	80 ft	120 ft	150 ft
(d) Maximum Lot Coverage	35%	60%	45%	40%
(e) Maximum Height	31-35 ft(3) 3 stories(4)	31-35 ft(3) 3 stories(4)	31-35 ft(3) 3 stories (4)	31-35 ft(3) 3 stories(4)
(f) Standard Floor Area Ratio (5)	.35:1	.6:1	.5:1	.5:1
(g) Minimum Front Yard Setback (6)				
From Ultimate Public Street R/W Line	20 ft	10 ft (7)	20 ft	5 ft
(h) Minimum Side Yard Setback				
Interior Side	10 ft	0 ft	0 ft	5 ft
Street Side (6)	15 ft	5 ft	10 ft	5 ft
(i) Minimum Rear Yard Setback				
Standard (8)	15 ft	0 ft	15 ft	15 ft
Adjacent to Alley or Street (6)	10 ft	5 ft	10 ft	10 ft
(j) Minimum Landscape Coverage (6)	10%	10%	15%	20%
(k) Minimum Building Separation	10 ft	10 ft	10 ft	10 ft

# PARKING

- Parking requirements affect building form and land use

- On-site parking
- Actual use



**SECTION 9.35.080(e)**  
**MINIMUM NUMBER OF REQUIRED PARKING STALLS BY USE**  
(continued)

Use	Community Uses	Required Number of Stalls
(14) Church, chapel, religious facility, cemetery, mortuary, public assembly		1 stall/3 fixed seats (or 72" of bench seating), or 1 stall/25 SF-GFA where there are no fixed seats
(14)(a) Emergency Shelters		1 stall/10 beds/persons
(15) College or University		1 stall/employee, plus 1 stall/2 students based on maximum student capacity
(16) Convalescent Hospital, Rest Homes or Sanitariums		1 stall/3 beds, plus if employee residence facilities are provided onsite, additional parking in accordance with applicable residential requirements
(17) Day Care and Nursery Schools		1 stall/2 employees, plus 1 stall/5 children, based on facility capacity
(18) Elementary Schools and Junior High Schools		1.5 stalls/classroom, plus 1 stall/5 fixed seats in auditorium, gymnasium or similar public assembly facility (35 SF = 5 fixed seats)
(19) High Schools		1.5 stalls/classroom, plus 1 stall/3 students based on maximum student capacity
(20) Hospitals and Medical Centers (providing acute care, clinical, surgical, teaching, research and office services)		2 stalls/patient bed or 1 stall/300 SF-GFA, whichever is greater
(21) Libraries		1 stall/200 SF-GFA
(22) Museums, Art Galleries		1 stall/250 SF-GFA
(23) Public Utility Facilities		1 stall/2 employees in the largest shift, plus 1 stall for each vehicle used in connection with the use
(24) Theaters:		<ul style="list-style-type: none"> <li>Movie — Multiple Screen: 1 stall/4 seats, plus 10 stalls for employees</li> <li>Movie — Single Screen: 1 stall/4 seats, plus 6 stalls for employees</li> <li>Live Performance: 1 stall/4 fixed seats</li> </ul>

**USE**

**# OF STALLS**



# REGULATION OF USES

Dana Point Municipal Code

Up Previous Next Main Search Print No Frames

Title 9 ZONING  
Chapter 9.11 COMMERCIAL DISTRICTS

**9.11.020 Permitted Uses, Accessory Uses, Temporary Uses, and Conditional Uses.**

(a) Several classes of uses are allowed in the Commercial Districts. Each of these classes must promote the commercial character of the individual districts. These classes of uses are:

- (1) Permitted Use — allowed by right if no discretionary review is required. Certain permitted uses, indicated by a P\*, are also regulated by provisions contained in Chapter 9.07.
- (2) Accessory Use — allowed by right if accessory to a permitted or conditional commercial development.
- (3) Temporary Use — allowed on a temporary basis in accordance with the provisions of Chapter 9.39.
- (4) Conditional Use — allowed subject to the approval of a Conditional Use Permit in accordance with the provisions of Chapter 9.65. Certain conditional uses, indicated by a C\*, are also regulated by provisions contained in Chapter 9.07.
- (5) Prohibited Use — not allowed in the subject commercial district.

(b) The following Table lists the classification of allowable uses in Commercial Districts. Any use not expressly allowed is prohibited.

**SECTION 9.11.020(b)  
COMMERCIAL DISTRICTS**

LAND USES	NC	CC/P	CC/V	P/RC
Administrative Office Uses	P	P	P	
Adult Businesses	X	X	P*	X
Adult Day Health Care	X	C	C	X
Alcoholic Beverage Outlets	P*/C*	P*/C*	P*/C*	/C*
Animal Hospital	X	P	P	
Animal Shelter	X	C	C	
Automotive Sales and Rental Uses	X	C*	C*	
Bed and Breakfast Inn	X	P	X	

PROPOSED USE

PERMITTED  
"BY RIGHT"

DISCRETIONARY

ALLOWED USE

ADDITIONAL  
PERMITS  
REQUIRED

# COMMERCIAL ZONES



- DPMC Section 9.11.010 Intent and Purpose:
  - Community Commercial/Pedestrian District:
    - Medium intensity commercial in a pedestrian environment; minimize pedestrian and vehicular conflicts
    - Promote architecturally pleasing commercial structures with human scale, amenities such as plazas, courtyards, and attractive landscaping
  - Community Commercial/Vehicular District:
    - Emphasis on convenient automobile access, larger commercial uses such as department stores, grocery stores, and automotive related uses

# MIXED USE ZONE



- DPMC Section 9.13.010 Intent and Purpose:
  - Commercial/Residential District:
    - Mixture of commercial and office uses, and residential units
    - Commercially-oriented environment
    - Alternative housing intended to add to City's supply of affordable housing, reduce commutes, and promote pedestrian-oriented business
    - **Residential development is only permitted in conjunction with commercial development** as part of a mixed use project

# NONCONFORMING USES + STRUCTURES

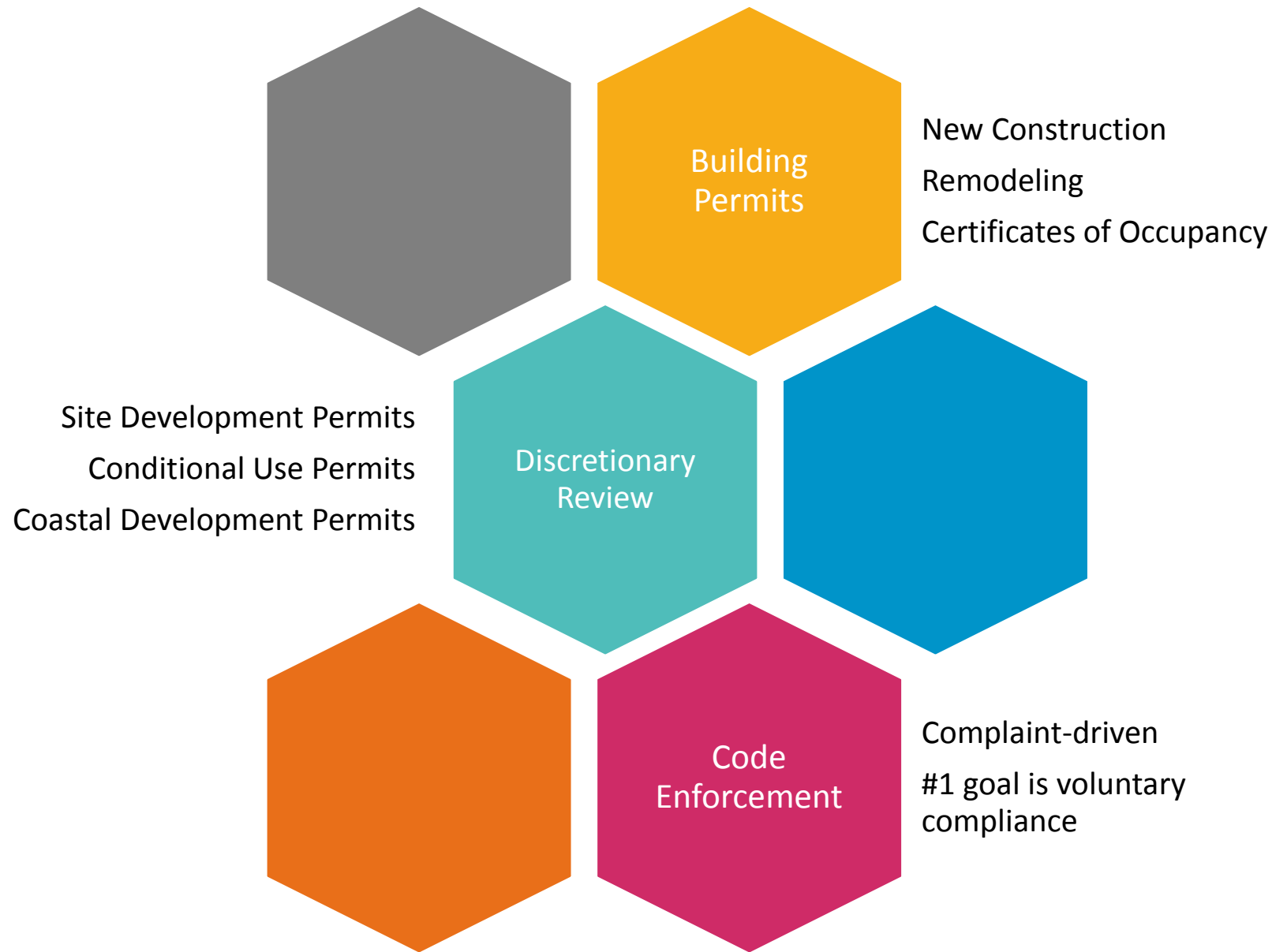
- Repairs and Remodeling
- Replacement
- Additions and Expansion of Uses
- Incentives

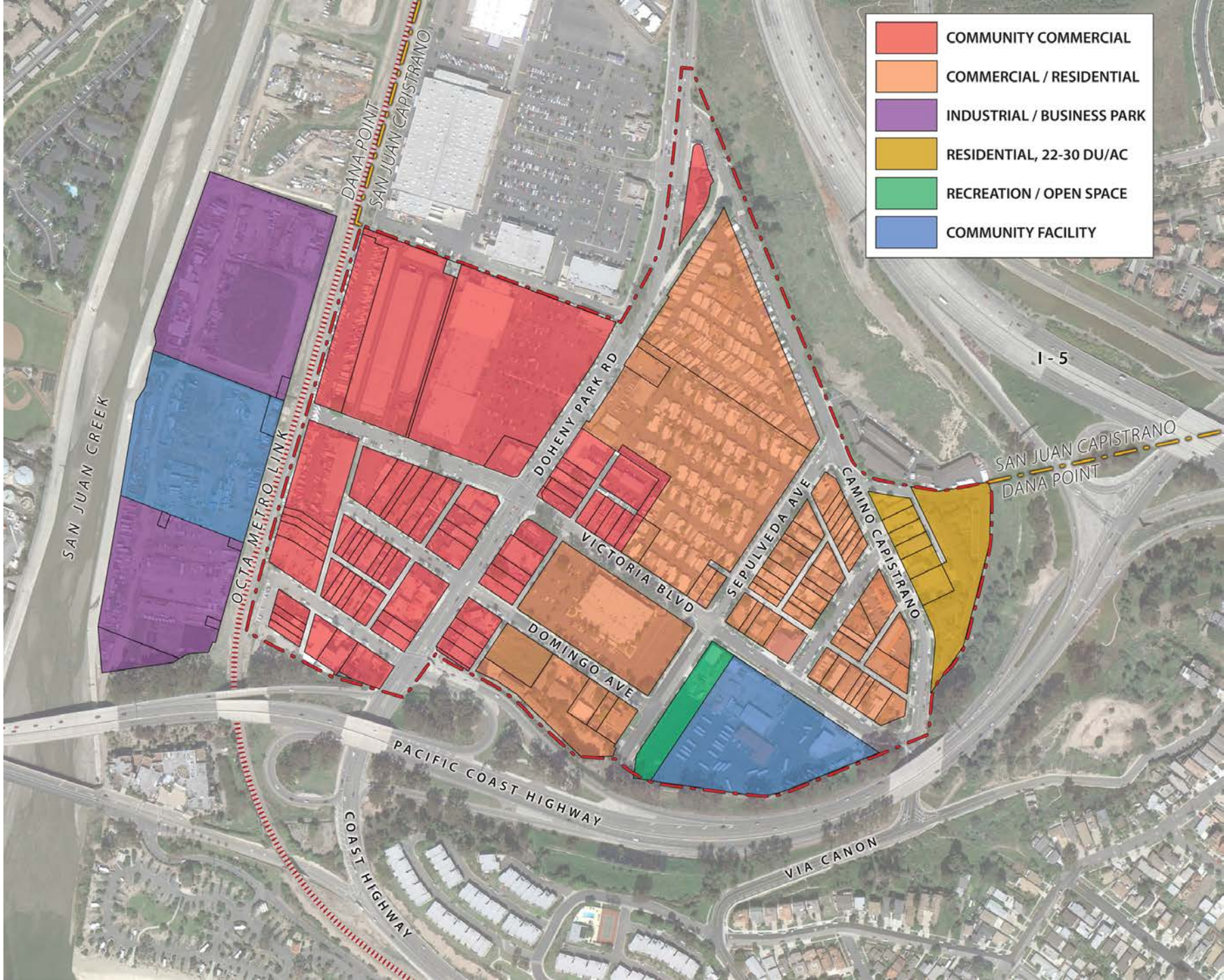
- Light Industrial Uses
- Metal Fabrication
- Storage Yard Uses
- Single-Family Residential
- Educational Uses



# HOW DOES THE CITY ENFORCE ZONING?

- Building Permits
- Discretionary Review
- Certificates of Occupancy
- Code Enforcement









# DOHENY VILLAGE IN THE FUTURE

- Next Outreach Meetings:
  - DPZC vs. FBC: Challenges and Benefits
  - Applying the Form-Based Code: Study Session

# PROPOSED ZONING PROCESS

- Notes illustrating the picture.
- Image should be outlined.
- Notes

- Form-Based Code
- General Plan Amendment
  - Policy document to guide future growth and development
- Local Coastal Plan Amendment



# KEY TERMS

**GENERAL PLAN**

**ZONING  
ORDINANCE**

**USES**

**DEVELOPMENT  
STANDARDS**

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# C/R , CF, RMF 30, CF AND REC ZONES:

- Single-Family and Multiple-Family Residences
- Mobile Home Park
- Multi-Tenant Commercial Offices
- Educational and Religious Uses





## CC/V AND CC/P ZONES:

- Construction and Maintenance Services
- Building Materials Sales and Services
- Minor and Major Automotive Uses
- Retail and Restaurants
- Professional Offices
- Marine Uses
- Storage Yard Uses

