



*MONARCH
BEACH
RESORT*

*Final
Specific Plan*

Amended September 1997

*February 1992
City of Dana Point,
California*

MONARCH BEACH RESORT SPECIFIC PLAN

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FEBRUARY 25, 1992

**AMENDED
MARCH 1995
SEPTEMBER 1997**

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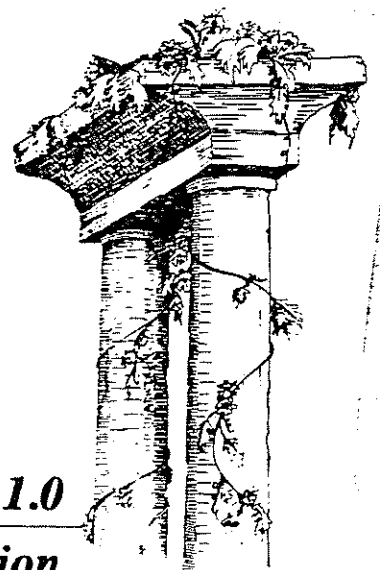
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Chapter 1.0
Introduction



1.0 INTRODUCTION

1.1 Executive Summary

The Monarch Beach Resort Specific Plan ("Specific Plan") contains the policies, programs, guidelines and development standards to guide development of this premiere coastal property. This Specific Plan has been prepared in compliance with the goals and policies established in the Dana Point General Plan. The development standards are intended to provide zoning for this project site.

Project Description

The Specific Plan area covers approximately 225 acres in coastal Southern California, within the City of Dana Point. The Specific Plan provides the framework for construction of a five-Star resort hotel and spa, up to 238 single-family detached and single-family attached residential units, expansion of the existing golf course, golf clubhouse, beach house, community park and an extensive public trail network (See Exhibit 1.1 following this page).

Project Benefits

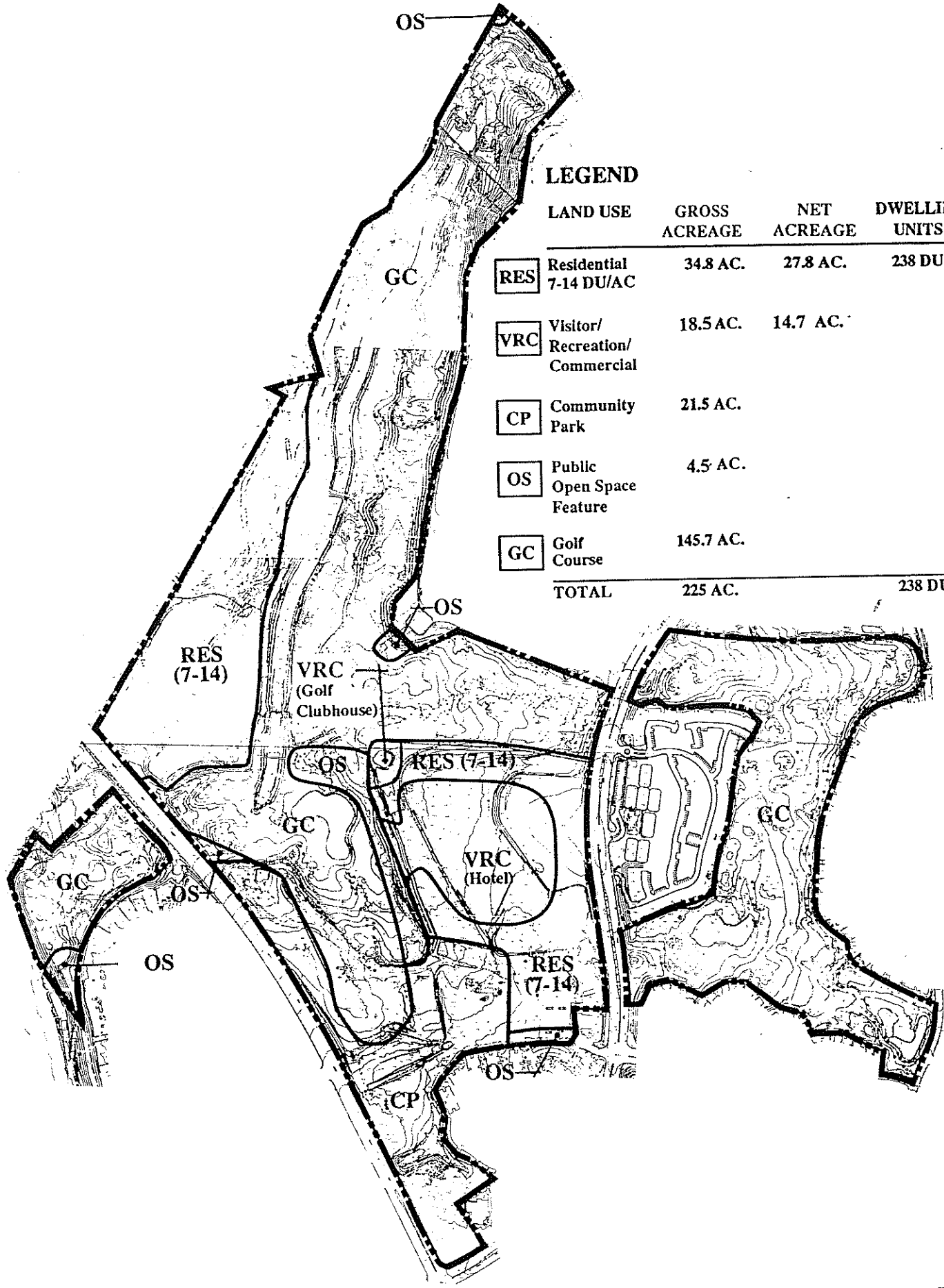
The benefits of this project, provided herein, include the following:

- Increased revenues to the City;
- First class resort to enhance the City's image as a destination resort;
- Variety of public recreation amenities;
- Balanced, integrated, and self-sustaining community; and
- The enhancement of indigenous wildlife habitat.

1.2 Purpose and Intent

The Dana Point General Plan establishes the basic framework for development of the Monarch Beach Resort Specific Plan area, through its goal, policies, plans, and programs. The purpose of the Specific Plan is three-fold: 1) to implement the General Plan policies through more detailed policies that provide the necessary direction; 2) to establish zoning standards applicable solely to this master-planned resort community; and 3) to serve as the Implementation Portion of the City of Dana Point certified local coastal program for the Specific Plan area by carrying out the Certified Land Use Plan policies contained under Goal 8 of the General Plan Land Use Element. The Specific Plan and its implementation procedures contain the programs, plans, guidelines and development standards necessary to comply with the City's General Plan and provide for the methodical development of the Specific Plan area.

The Specific Plan is to be adopted by the Dana Point City Council through two legislative actions. Chapters 1.0 and 2.0 provide the policies statement through plans, programs and guidelines for evaluating detailed development plans and will be adopted by resolution; Chapter 3.0 provides the zoning standards and regulations for the Specific Plan area and will be adopted by ordinance. Amendments to any portion of the Specific plan shall constitute an amendment to the Implementation Portion of the City of Dana Point Certified Local Coastal Program and shall not become effective until effectively certified by the Coastal Commission.



LEGEND

LAND USE	GROSS ACREAGE	NET ACREAGE	DWELLING UNITS
RES Residential 7-14 DU/AC	34.8 AC.	27.8 AC.	238 DU.
VRC Visitor/ Recreation/ Commercial	18.5 AC.	14.7 AC.	
CP Community Park	21.5 AC.		
OS Public Open Space Feature	4.5 AC.		
GC Golf Course	145.7 AC.		
TOTAL	225 AC.		238 DU.



LAND USE PLAN

**MONARCH BEACH RESORT
SPECIFIC PLAN**



EXHIBIT 1.1

1.3 Project Setting

1.3.1 Location

The Specific Plan area is located on the coast, in the northerly portion of the City of Dana Point known as Monarch Beach. The site covers approximately 225 acres, the majority of which lies within the Coastal Zone. The site is generally bounded on the north by Caminodel Avion; residential development and community facilities on the east; Pacific Coast Highway and the shoreline on the south; and residential and community commercial development on the west. In addition, Niguel Road bisects the Specific Plan area and a portion of its eastern boundary (see Exhibit 1.2 following this page.)

1.3.2 Setting

The Specific Plan area represents approximately 6% of the total acreage of the City of Dana Point. It is the single largest development project area remaining to be completed within the City. The property is owned by Monarch Bay Resort, Inc. ("developer"), a subsidiary of Nippon Shinpan, Co. Ltd.

The project site consists of gently undulating topography which was previously graded into large flat pads. Salt Creek, a USGS blue-line stream, runs through the site to the ocean, partially within a surface channel and partially within a culvert. The Salt Creek streambed was planted with non-native plant materials in connection with the original golf course construction. Along the western boundary of the property is a small parcel, consisting of approximately eight acres, part of which remains ungraded. About 3.4 acres of this parcel are partially covered with Coastal Sage Scrub, a native California plant community. The low-lying portions of the site, including the area surrounding Salt Creek and the parcels adjacent to the shoreline and on the north side of Niguel Road, have been developed as an 18-hole golf course -- the Links at Monarch Beach.

1.3.3 Surrounding Land Uses

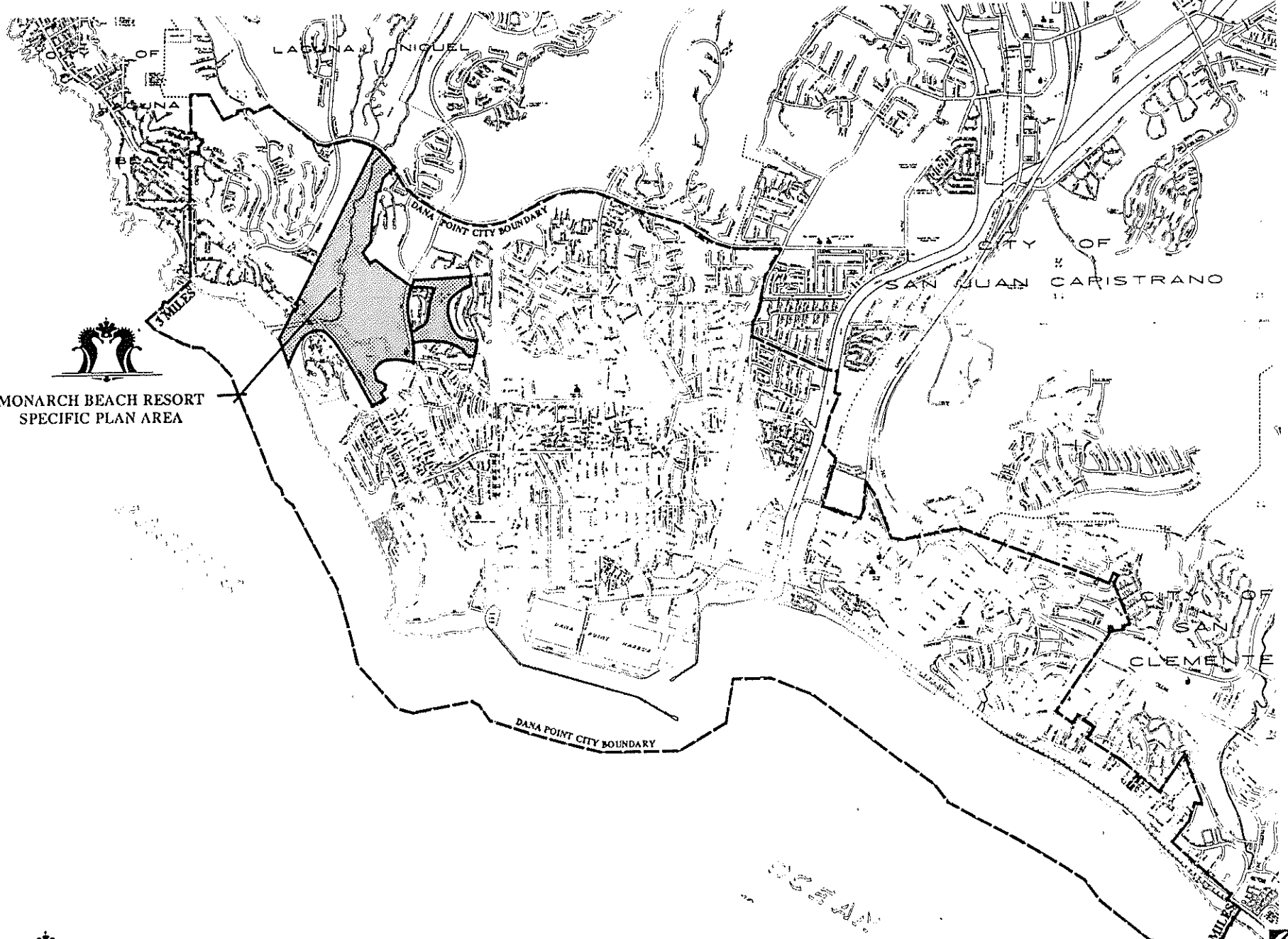
The majority of the surrounding residential land uses are adjacent to on-site areas designated for open space and recreation uses provided by the expanded golf course and Sea Terrace Community Park (see Exhibit 1.3, following this page). The Specific Plan is sensitive to and addresses the potential impacts of traffic, views and public access on the surrounding land uses.

1.4 Site History

The Specific Plan is the result of an ongoing joint planning effort between the City of Dana Point and the developer.

The General Plan land use intensities, together with the Specific Plan guidelines, considerably reduce the view impacts from neighboring communities in comparison to the previous approved projects for the Specific Plan area.

In July 1991, the City adopted its new General Plan which allows for the developer's proposed plan consisting of a 400-key, five-star hotel and spa, Golf Clubhouse, 238 residential units, expansion of the golf course and improvements to Sea Terrace Community Park, providing significant benefits to the City and surrounding community. The developer's plan shows a reduction in the height, massing, and ground coverage of the hotel, as well as traffic and density over what was previously approved by the County.



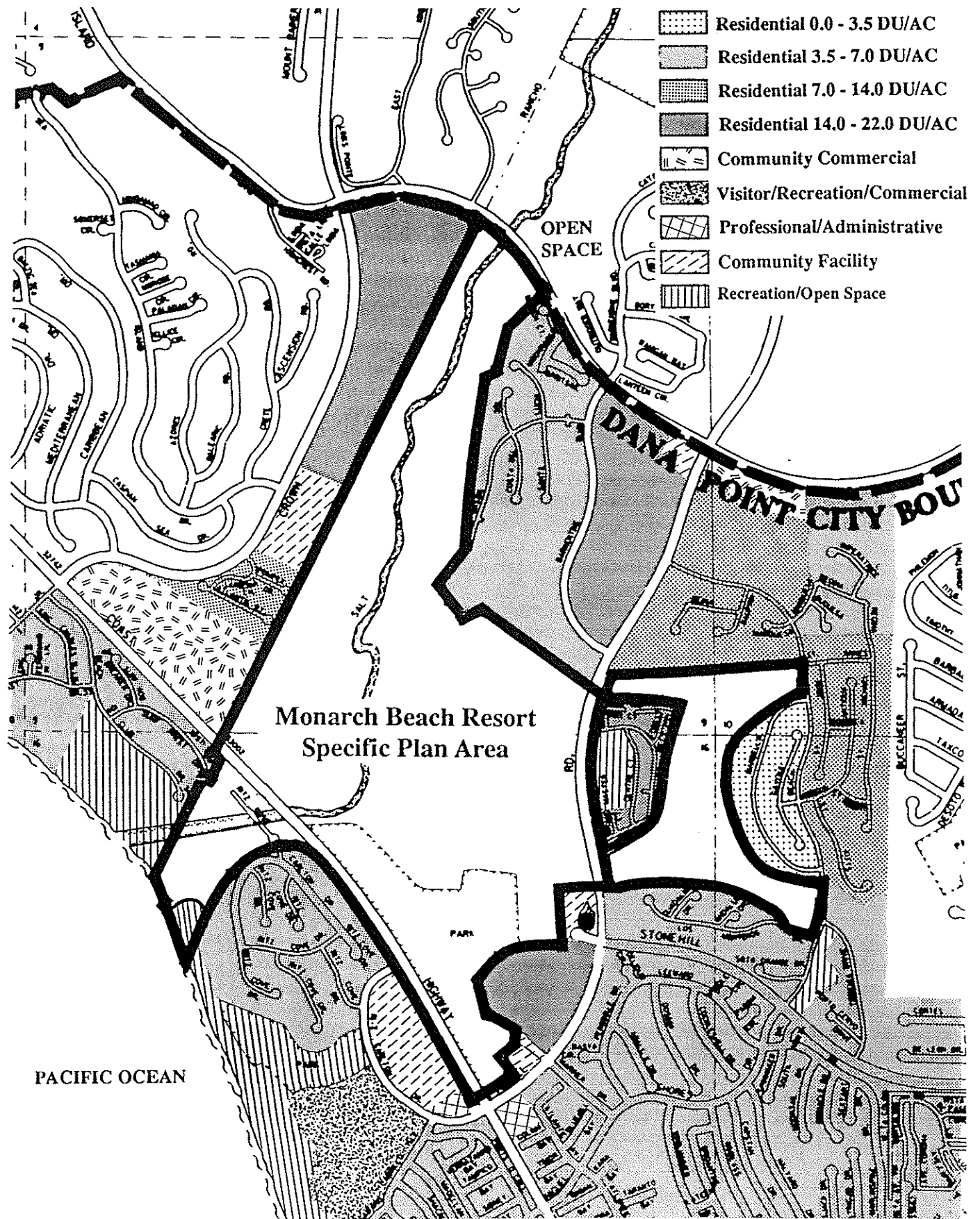

 MONARCH BEACH RESORT
 SPECIFIC PLAN AREA



LOCATION MAP

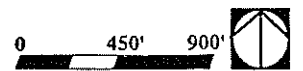
MONARCH BEACH RESORT





**VICINITY MAP
WITH SURROUNDING USES**

**MONARCH BEACH RESORT
SPECIFIC PLAN**



In June 1991, two agreements were finalized by the developer with respect to the land uses established for the project site within the Dana Point General Plan, and have been considered in the preparation of the Specific Plan. These include:

- An agreement between the Capistrano Bay Park and Recreation District, and Monarch Bay Resort, Inc. providing for improvements and maintenance to Sea Terrace Community Park.
- An agreement between the Laguna Niguel Community Services District and Monarch Bay Resort, Inc., regarding the construction of two ball fields within the City of Laguna Niguel.

1.5 Enabling Legislation

The Specific Plan is both a planning document and a regulatory document to implement the General Plan. The enabling legislation for the Specific Plan is Section 65507 of the California Government Code. The City of Dana Point authorized preparation of the Specific Plan on July 23, 1991 via Resolution No. 91-07-23-7. Chapter 9.33 of the draft City of Dana Point Municipal Code, also recognizes the role of specific plans for large scale planning, by allowing greater creativity and flexibility in design during implementation of the General Plan.

1.6 California Environmental Quality Act (CEQA)

The Specific Plan is being prepared in compliance with the California Environmental Quality Act (CEQA). As discussed in Section 1.4 Site History, several previous projects of greater intensity, for which EIR's were prepared for this site, were processed and certified by the County of Orange. In addition a Program EIR was recently prepared for the City's adopted General Plan. The General Plan EIR analyzed land use assumptions for the Monarch Beach Resort site that were more intense than those ultimately adopted in the General Plan for the Specific Plan area.




Extensive environmental analysis was completed previously; the proposed land use intensities for the Specific Plan are less than those in previously approved projects as well as the General Plan EIR. In addition, all environmental impacts, anticipated in conjunction with this Specific Plan, are mitigated through the Specific Plan and site plan design, therefore a Mitigated Negative Declaration (MND) has been prepared. The MND provides the necessary documentation to mitigate all impacts to levels of insignificance, as no findings of overriding consideration can be made in conjunction with an MND. All subsequent levels of site planning (e.g., site development plans, tentative tract maps, etc.) will be reviewed against the MND.

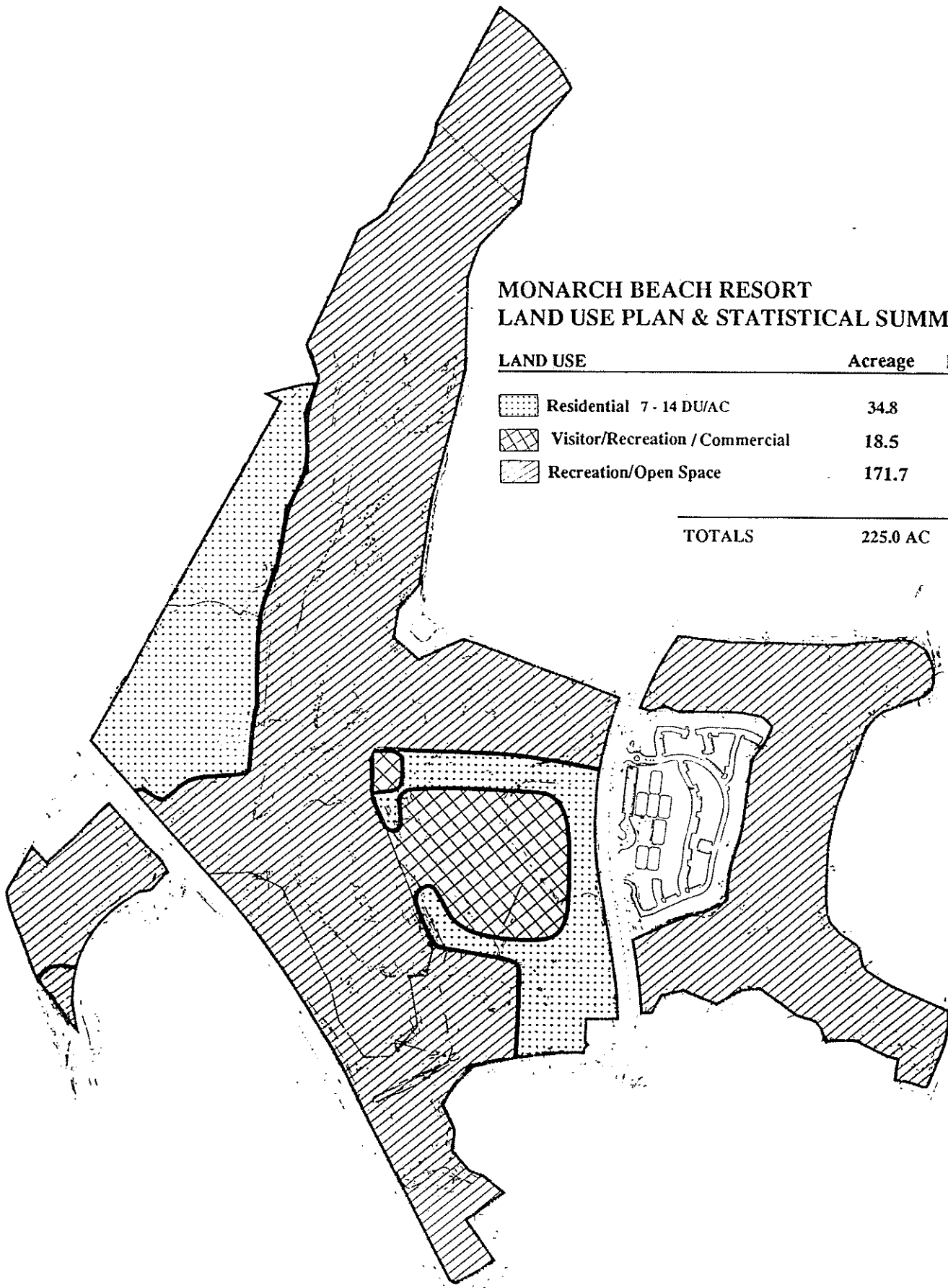
1.7 Consistency with the General Plan

The Monarch Beach Resort Specific Plan must be consistent with the Dana Point General Plan. Therefore, the Specific Plan provides the policy statement through plans, guidelines and programs to allow for the implementation of the Dana Point General Plan elements.

The City of Dana Point General Plan Land Use Plan designates the Monarch Beach Resort area as a Specific Plan area with uses that include Residential at 7-14 du/net ac (Res 7-14), Visitor Recreation Commercial (VRC) and Recreation/Open Space (R/OS). (See Exhibit 1.4 on the following page.)

**MONARCH BEACH RESORT
LAND USE PLAN & STATISTICAL SUMMARY**

LAND USE	Acreege	Dwelling U
 Residential 7 - 14 DU/AC	34.8	238
 Visitor/Recreation / Commercial	18.5	-
 Recreation/Open Space	171.7	-
TOTALS		225.0 AC 238 D



The Land Use Plan, Statistical Summary and guidelines allow for the following uses and intensity of use:

- 400-key Five-Star Resort Hotel and Spa (VRC);
- Up to a maximum of 238 Attached and Detached Dwelling Units (Res 7-14);
- Golf Clubhouse (VRC);
- Beach House (VRC);
- Expansion and Improvement of the Golf Course (VRC);
- Construction and Maintenance of Sea Terrace Community Park as a Passive Park (R/OS);
- Other Open Space Features (R/OS), including coastal sage scrub restoration/enhancement; and
- Comprehensive Trail System (R/OS).

A comparative analysis of the Specific Plan consistency with the General Plan policies is provided in Appendix B.

1.8 Review and Adoption Procedures

The Specific Plan provides policy direction and guidelines in Chapter 2.0 and development standards and regulations in Chapter 3.0.

Chapter 2.0 provides the policy direction through plans, guidelines and programs intended to guide development of the resort. Chapter 2.0 also provides the design theme, establishes the overall character of the project area, and delineates the land uses and design components necessary to form a cohesive, high quality resort community.

The Draft Specific Plan will be reviewed by the Dana Point Planning Commission in public hearings. The Commission will forward the Specific Plan together with its recommendations to the City Council. The City Council will consider the Planning Commissions recommendations and public comment and may approve the Specific Plan as presented or modified at its discretion. Should the City Council elect to approve the Specific Plan, conditions of approval may be attached as part of the decision. Chapters 1.0 and 2.0 are adopted by Resolution of the City Council. A final Specific Plan reflective of the Council's decision will be prepared and will be the basis for all future development decisions in the Specific Plan area.

The Planning Commission and the City Council will consider the Specific Plan in light of the associated environmental documentation. In order for the Council to determine that the MND is adequate it must make a finding that all identified impacts have been mitigated to levels of insignificance as defined by CEQA.

Chapter 3.0 provides zoning and development standards and establishes the permitted uses and associated development standards and regulations for the Specific Plan area. Terms used throughout the document are defined in Chapter 3.0 in the Definitions Section unless, their context herein, is indicated. The Specific Plan standards and regulations are equivalent to zoning and supersede the City's Zoning Ordinance, (except where otherwise noted in the Specific Plan) Chapter 3.0 is to be adopted by ordinance.

The Specific Plan will also serve as the Local Coastal Program Implementing Actions Program for the Monarch Beach Specific Plan area. The Coastal Commission has jurisdiction for issuing the Coastal Development Permit (CDP) in the Specific Plan area. The Specific Plan guides all subsequent levels (e.g. Site Development Plans and Tentative Tract Maps) of planning and they must be consistent with the Specific Plan.

A single or multiple Site Development Permits (SDP) will be required to implement the Specific Plan. The SDP will provide the details as to how the site will be developed. Since the Specific Plan area lies principally in the Coastal Zone and within the City's Coastal Resource Overlay area, Site Development Permits for the subject area must conform with both the SDP requirements of the Specific Plan and the site development requirements of the Coastal Resource Overlay area of the Zoning Code. Final discretionary action on the SDP and the Vesting Tentative Tract Map will be by the Planning Commission only, unless a decision of the Planning Commission is appealed to the City Council. The Council will then uphold, reverse or modify the Planning Commission's decision. Any individual or group may appeal the Planning Commission's decision to the Council.

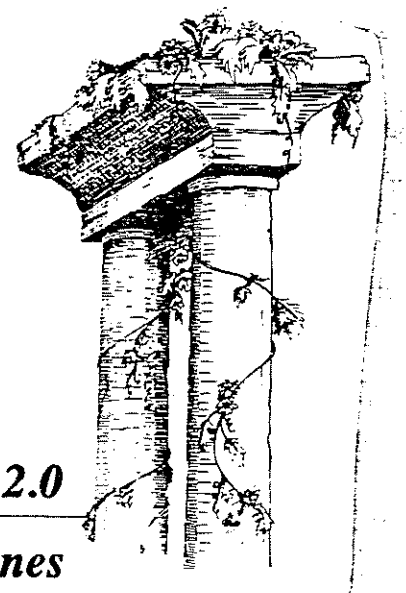
A SDP for the Monarch Beach area may be submitted for City review and consideration either concurrent or subsequent to approval of the Specific Plan. However, no action can be taken by the Planning Commission to approve or deny a SDP application for the Specific Plan area until the Specific Plan has been approved by the City Council and the companion environmental documentation has been certified as adequate by the City Council.

Upon effective certification of the Local Coastal Program for the Specific Plan area, Coastal Development Permit authority over new development will be delegated to the City of Dana Point. As specified in Section 9.69.030(c)(3)(D) of the Dana Point Zoning Code, the Coastal Commission shall retain permitting authority over development authorized by Coastal Development Permit P-79-5539. Such development includes development that requires an additional coastal development permit and development that requires the Executive Director of the Coastal Commission to approve final plans, as specified in Section 9.69.030(c)(3)(D) of the Dana Point Zoning Code. However, a CDP approved by the City may be appealed to the Coastal Commission in accordance with the procedures set forth in Section 9.69.090 of the Dana Point Zoning Code.

For development authorized by coastal development permit P-79-5539 which has not yet been built, an approval in concept by the City must be obtained before a Coastal Development Permit application may be submitted to the California Coastal Commission.

Upon approval in concept of the SDP by the Planning Commission, the applicant may thereupon apply to the California Coastal Commission for a CDP. The Coastal Commission may take action on a CDP application for the Specific Plan area for development authorized by permit P-79-5539 which has not yet been built.

The coastal development permit is the final discretionary permit action in the approval process. After approval (whether by the City or Coastal Commission) of the CDP, the applicant is permitted to move forward to procuring other permits (e.g., grading and building permits) from the City of Dana Point. These permits will be issued only after satisfaction of all conditions of approval of the CDP and upon review and acceptance by the Director of Community Development, the Director of Public Works, and others, of the adequacy and correctness of detailed and fully engineered construction documents. The construction documents must comply with the approved SDP, CDP, and the Specific Plan. Should the construction documents not be in conformity with the SDP, CDP, and the Specific Plan, amendments to the SDP, the Specific Plan and/or the CDP would be required. Chapter 3.0 of the Specific Plan details the above procedures. Upon completion of all of the above steps, actual construction of the Monarch Beach Resort can begin, in accord with the Specific Plan phasing program and other requirements.



Chapter 2.0

Plans, Policies, Programs & Guidelines

2.1.1 Residential

There are two residential categories, single-family detached and single-family attached. Both categories fall within the density range of 7-14 du/net acre established in the General Plan for the Specific Plan area. It is anticipated that a variety of product types will be developed. However, due to the extended time frame in which residential development will be phased, it is expected that product types will be developed with respect to market demand.

The total allowable number of 238 dwelling units for the Specific Plan area was established in the General Plan. Each residential land use area can be built up to the maximum established for the density category, but the total allowable dwelling units cannot be exceeded. Since the 238 residential unit capacity is an absolute limit on total residential build-out for the site, some of the residential land use areas cannot be built out to the maximum intensity allowed. General Plan policy 8.4 restricts the total residential units to be allowed on the site to a maximum of 238.

- **Single-Family Detached**

The Single-Family Detached (SFD) residential units plan for an approximate density of 9 dwelling units per net acre. The lot sizes will be approximately 4,000-5,000 square feet. The MBR/RSF-14 Development Standards provide the zoning regulations to control this residential category

- **Single-Family Attached**

The Single Family Attached (SFA) category plans for a maximum density of 14 dwelling units per net acre. The MBR/RSF-14 Development Standards provide the zoning regulations to control for this residential category.

2.1.2 Visitor Recreation Commercial

The Visitor Recreation Commercial (VRC) uses include a five-Star resort hotel and spa regulated in Chapter 3.0 by Hotel Commercial Development Standards, a golf clubhouse regulated by Golf Clubhouse Development Standards, and a beach house regulated by Beach Visitor Commercial Development Standards. The features of each of these VRC facilities will include the following:

- **Resort Hotel and Spa**

The five-Star hotel represents the focal point of the resort community. The 400-key maximum, five-star destination hotel and spa, the central element of the resort community will contain restaurants, conference facilities, retail boutiques, and spa facilities. The Tuscan architecture will provide a distinctive image and blends comfortably with the local architecture. The guestrooms, which offer spectacular vistas of the ocean, golf course or landscaped open space areas, are to be stepped down the hillside. The hotel will be integrated with courtyards along with expansive landscape gardens (see Exhibit 2.3, following this page). Pathways, a resort vehicle system and public trail will link the hotel with the community park, providing access throughout the Specific Plan area. A detailed listing of permitted and conditionally permitted hotel uses may be found in Chapter 3.0.

TABLE 2.1

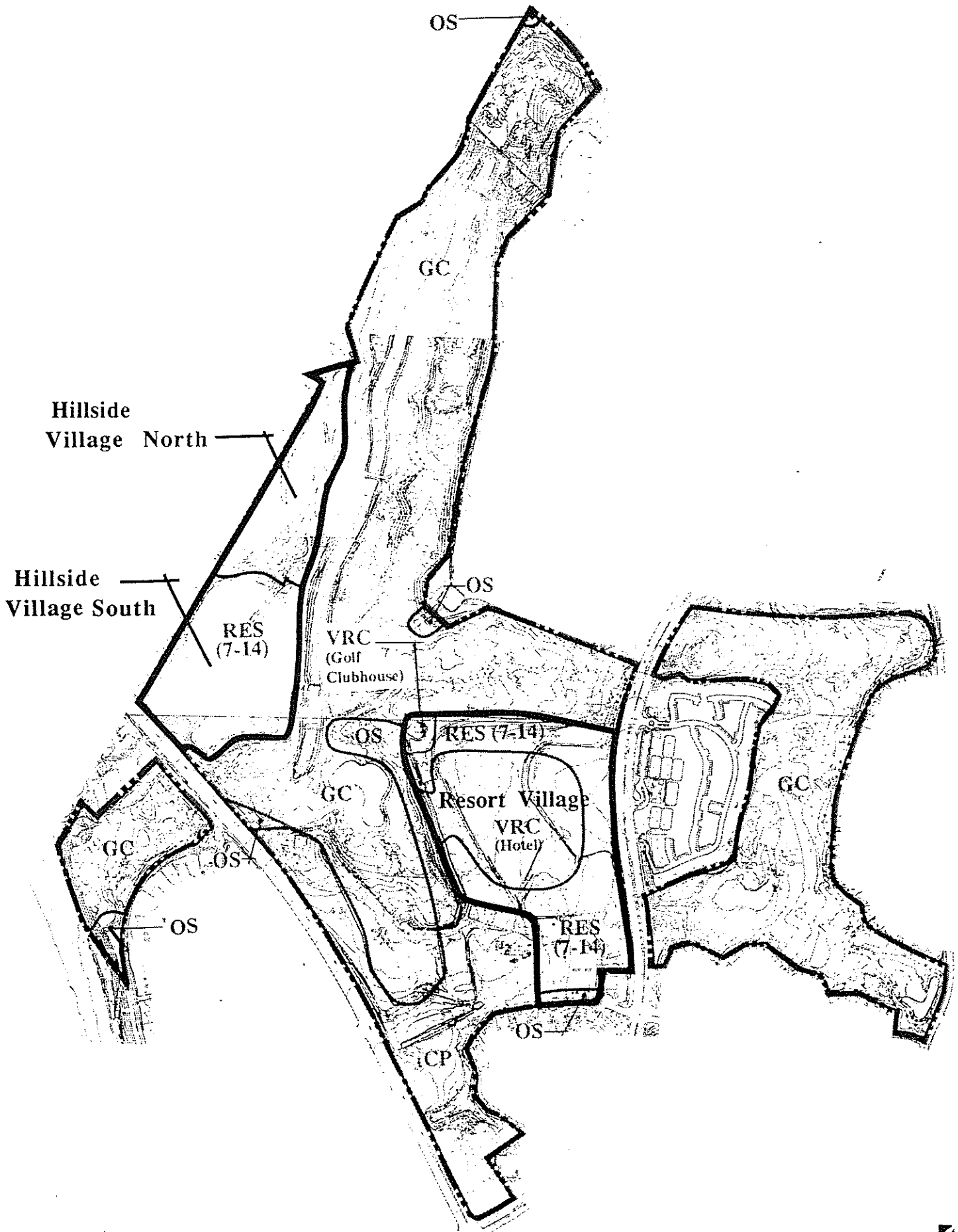
Monarch Beach Resort Specific Plan
Land Use Plan Statistical Summary

<u>Land Use Designations</u>	<u>Gross Acres¹</u>	<u>Net Acres</u>	<u>Maximum Dwelling Units</u>	<u>Square Feet</u>
Residential				
Resort Village	11.5	9.20	76*	
Hillside Village	23.3	18.64	189*	
Visitor Recreation Commercial				
Hotel	16.4	13.12		500,000**
Golf Clubhouse	2.6	2.08		12,000**
Open Space/ Recreation				
Golf Course	145.2			
Community Park	21.5			
Other Park/Open Space Features	<u>4.5</u>			
TOTAL	225.0 Gross Acres		238 DU*	517,000 SF**

* Overall number of 238 dwelling units for the entire site cannot be exceeded per General Plan Policy 8.4.

** The square footage for the Visitor Recreation Commercial (VRC) uses are estimates and may change during subsequent levels of planning (e.g., site development plans), however, the overall maximum FAR's established in the General Plan for each VRC use (1:1 for hotel uses and 1.75:1 for other URC uses) cannot be exceeded.

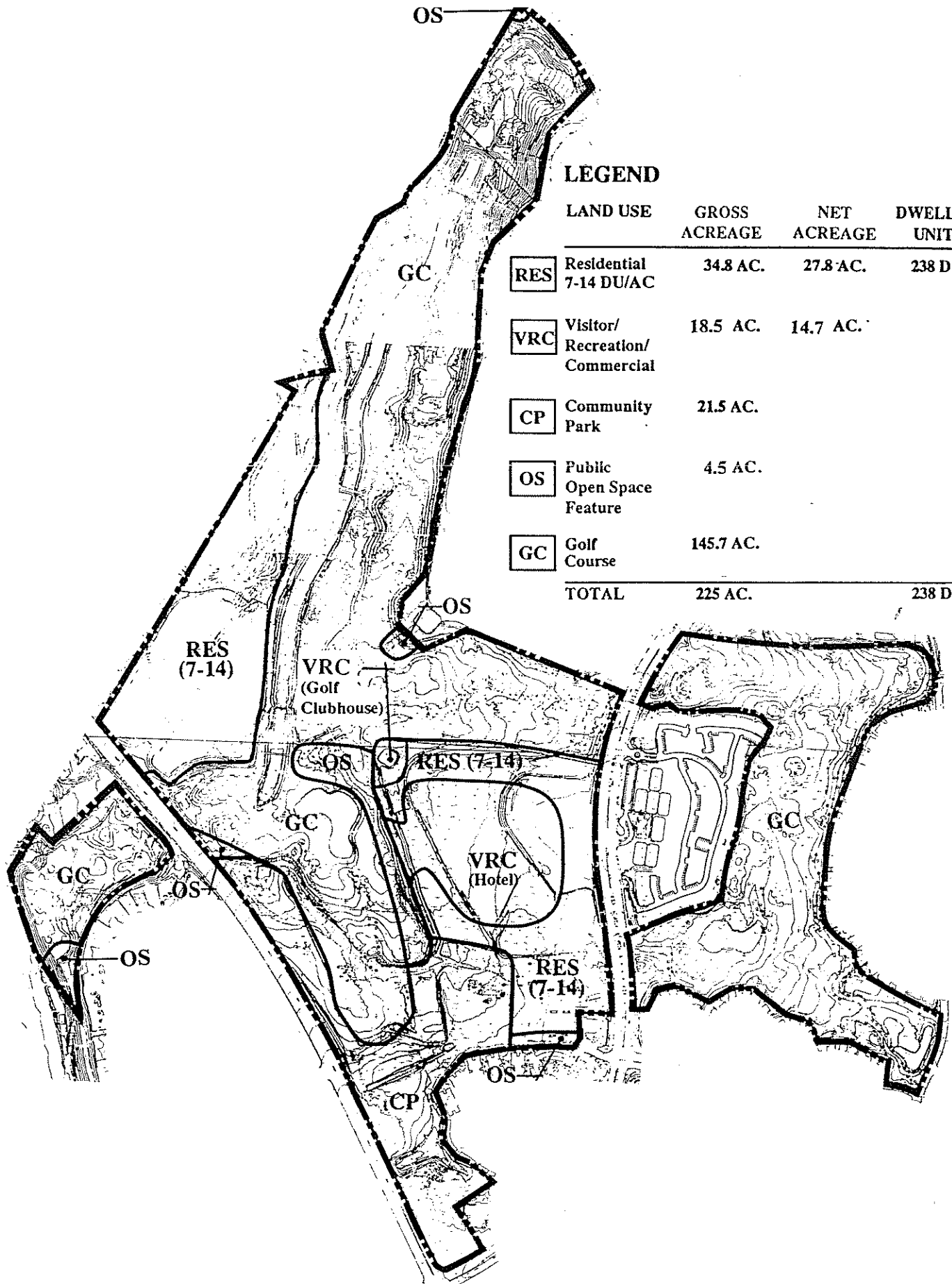
¹ The boundaries and acreage of the land use areas shown on the Land Use Plan are approximate and will be more precisely determined in the future when final maps are prepared.



VILLAGE CONCEPT PLAN

MONARCH BEACH RESORT
SPECIFIC PLAN





LEGEND

LAND USE	GROSS ACREAGE	NET ACREAGE	DWELLING UNITS
RES Residential 7-14 DU/AC	34.8 AC.	27.8 AC.	238 DU.
VRC Visitor/ Recreation/ Commercial	18.5 AC.	14.7 AC.	
CP Community Park	21.5 AC.		
OS Public Open Space Feature	4.5 AC.		
GC Golf Course	145.7 AC.		
TOTAL	225 AC.		238 DU.



LAND USE PLAN

**MONARCH BEACH RESORT
SPECIFIC PLAN**



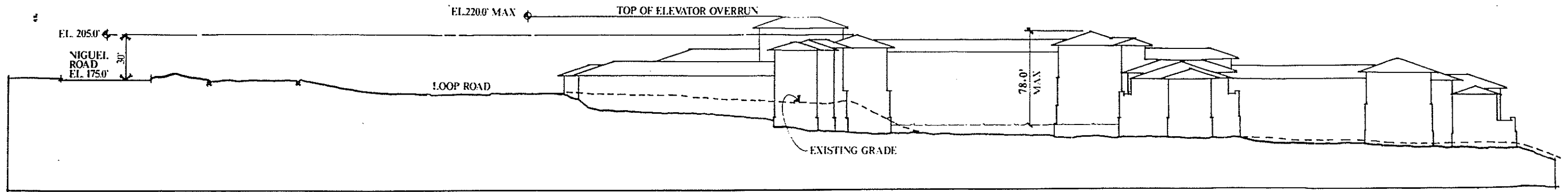
2.0 PLANS, POLICIES, PROGRAMS AND GUIDELINES

2.1 Land Use Plan

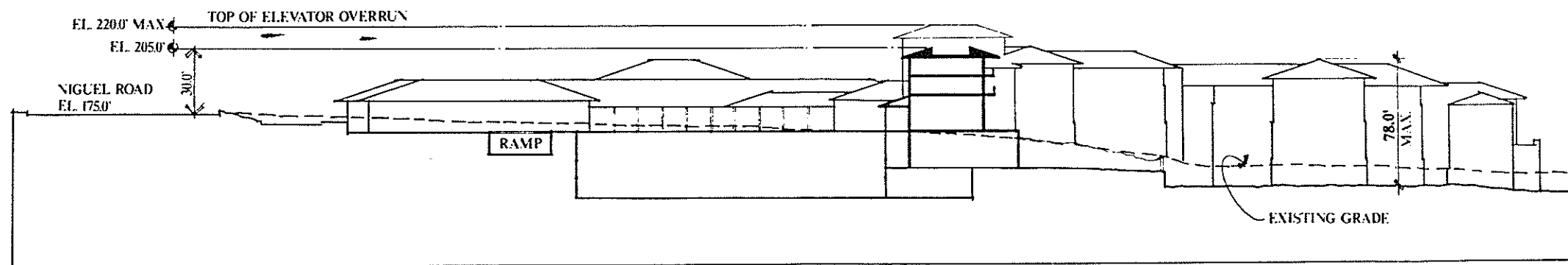
The Land Use Plan, illustrated in Exhibit 2.1 following this page, designates the Monarch Beach Resort Specific Plan ("Specific Plan") uses which include residential, visitor recreation, commercial and recreation/open space, linked by a system of roadways and trails, all of which directly reflect the adopted Dana Point General Plan Land Use Plan. On the Land Use Plan each of the parcels having a specific land use designation is referred to as a "land use area". Those land use areas establish where development will be situated and, other than open space and recreation uses, are combined to create "villages". There are two villages in the Specific Plan area, the Hotel Village on the east side of the project site off of Niguel Road, and the Clubhouse Village on the west side off of Pacific Coast Highway. Both include residential uses in addition to the visitor recreation uses for which they are named. The beach house stands alone overlooking the shoreline and is referred to as the Beach House Site. (See Exhibit 2.2.)

In subsequent levels of planning, the villages will be further broken down into enclaves. Each enclave will encompass a single use such as the hotel or a residential product. However, within any enclave there may be more than one residential product type.

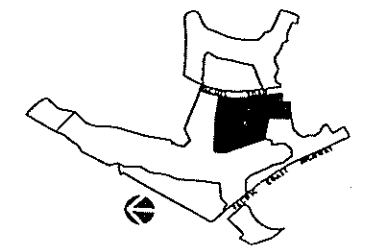
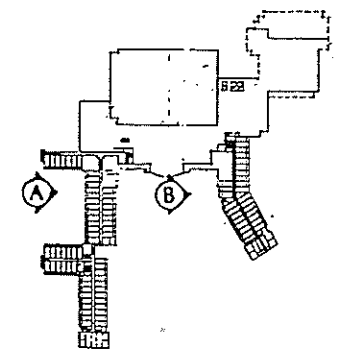
Net acreage has been used to compute residential density. This has been calculated, based on the calculation defined in the City of Dana Point General Plan by determining the gross acreage of the land use areas within the project boundary and subtracting 20% for streets rights-of-way and other public lands. Minor adjustments to land use area boundaries may be necessary due to grading, road alignments, siting of structures, etc. These adjustments will be finalized when the Final Maps are prepared. Table 2.1 summarizes land use statistics by type and intensity.



ELEVATION A / NORTH GUESTWING



ELEVATION B / SOUTH GUESTWING



HOTEL BUILDING ENVELOPE

MONARCH BEACH RESORT
SPECIFIC PLAN

- Golf Clubhouse

The golf clubhouse will include a variety of facilities to support the golf course and compliment the facilities in the hotel. Echoing the distinctive architecture of the resort community, the clubhouse will be oriented toward the golf course and park. This year round facility features a grill and bar as well as a fully equipped pro shop. (See Exhibit 2.4 following this page) See Chapter 3.0 for a detailed listing of permitted and conditionally permitted golf clubhouse uses.

- Beach House

The beach house concept may be pursued by evaluating new potential locations either in the Specific Plan area or outside of the Specific Plan area. Potential locations for, and design of, the beach house shall take into consideration the need to minimize landform alteration, minimize risks from geologic instability, minimize adverse visual impacts, and maximize public access and lower-cost visitor-serving facilities. The beach house will provide special opportunities for resort visitors and residents as well as the public by offering access to the shoreline, a low-cost limited food and beverage facility, restrooms and storage for beach equipment, such as umbrellas and chairs.

*Monarch
Dist. Park
7/1/91*

2.1.3 Recreation and Open Space

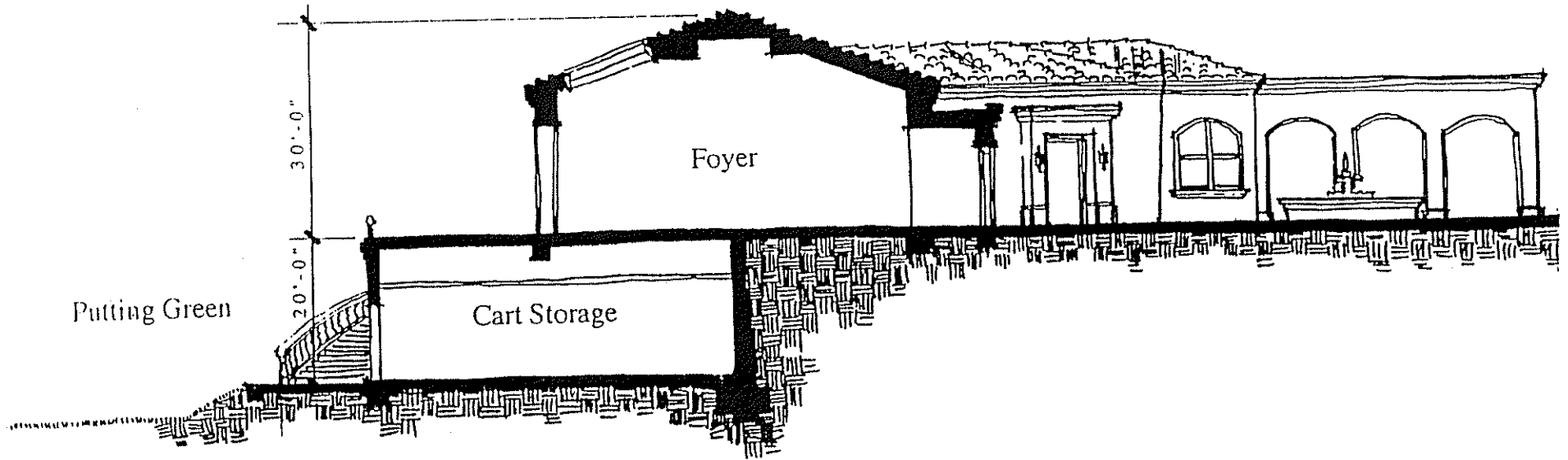
The Specific Plan provides for a variety of recreation and open space uses that are consistent with those included in the Conservation and Open Space Element of the General Plan. The open space and recreation features are an integral component of the Specific Plan as they provide scenic and recreational value, creating a backdrop for development, local and regional trail linkages, preservation of view corridors and coastal access. The uses will be for the residents of the Specific Plan area, the hotel guests and the general public. (See Exhibit 2.6 following this page.) The recreation and Open Space Features include the following:

- Golf Course

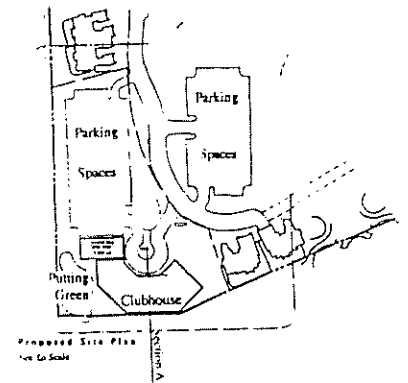
The Links at Monarch Beach, under the direction of its original designer, will be improved and expanded. The course will be lengthened to approximately 6,830 yards, and will become a par 72 course.

- Sea Terrace Community Park

Approximately 21.5 acres have been set aside for the development of Sea Terrace Community Park, in the General Plan Conservation and Open Space Plan. Sea Terrace Community Park is intended to provide high quality passive and cultural recreation opportunities for the local community. The park and connecting trails have been planned under the direction of the Capistrano Bay Park and Recreation District (CBPRD). Facilities planned for this park include: an amphitheater, a park pavilion, a vista point, and grass meadows all linked by a series of pedestrian and bicycle trails. The first phase of the park, approximately 3.2 acres of turfed area is currently being processed: it includes entrance signage, tunnel lighting, bus turn-out and shelter and trail connections along with planned improvements to PCH. The community park will be the large open space and recreation area envisioned by the CBPRD for the Monarch Beach area of the City, which currently has no such community recreational facility use. It will be improved and maintained by the developer at the direction of CBPRD, in accordance with the agreement signed by both entities in June, 1991.



SCHEMATIC SECTION A / GOLF CLUBHOUSE

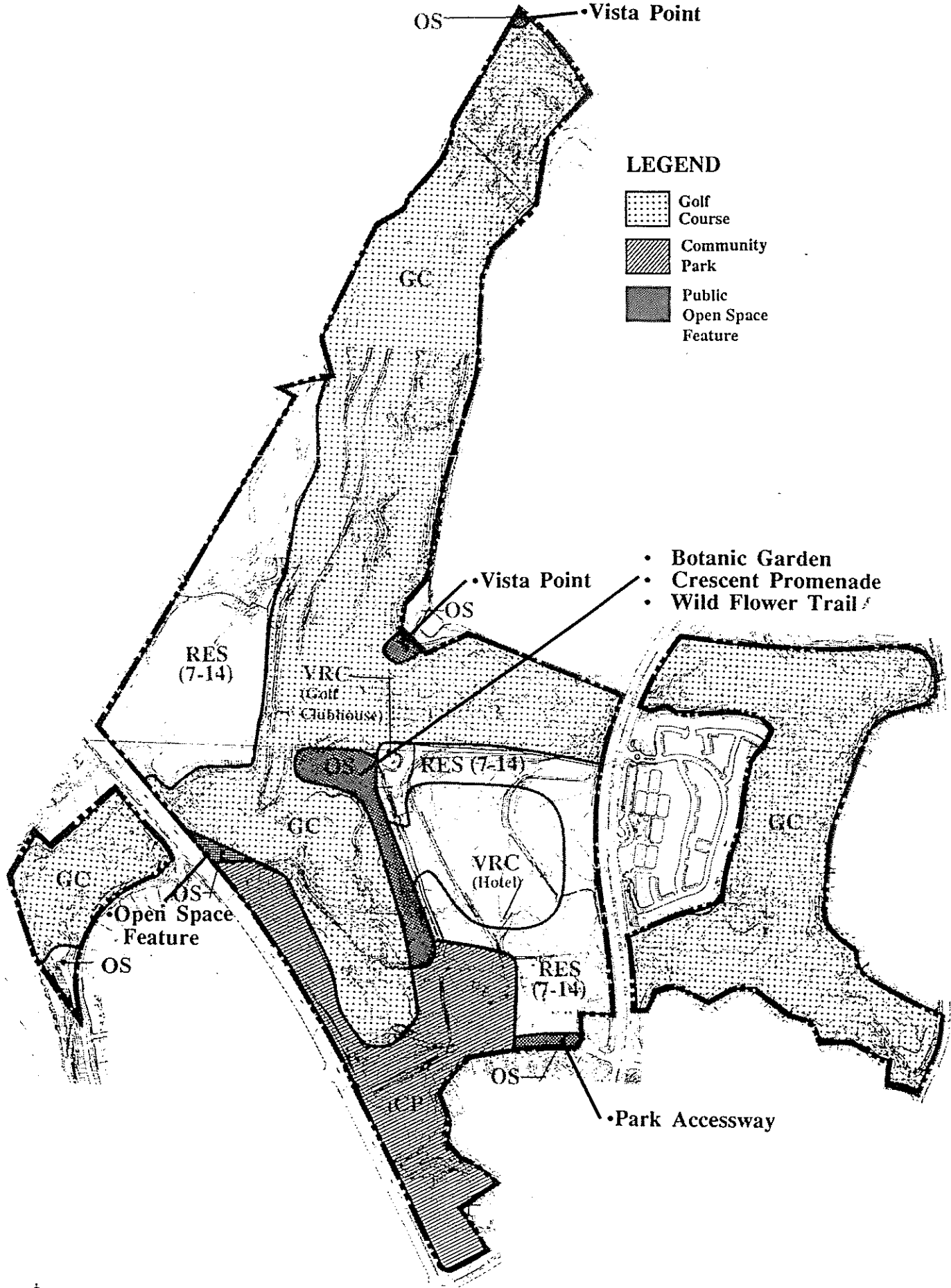


GOLF CLUBHOUSE BUILDING ENVELOPE




**MONARCH BEACH RESORT
SPECIFIC PLAN**

NOT TO SCALE

EXHIBIT 2.4

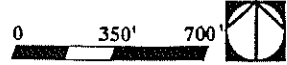


LEGEND

-  Golf Course
-  Community Park
-  Public Open Space Feature



SCHEMATIC PARK/OPEN SPACE PLAN



**MONARCH BEACH RESORT
SPECIFIC PLAN**

EXHIBIT 2.6

The developer will provide \$5.3 million in improvements to Sea Terrace Community Park. Of the total amount, \$4.06 million is the direct contribution by the developer. This is calculated by deducting \$1.24 million funds connected with the original dedication.

- Other Park and Open Space Features

A series of other park and open space features have been planned to link the resort grounds through a series of recreational experiences. These key open space and recreation features include:

- Botanical Gardens;
- Crescent Promenade;
- Vista Point Parks;
- Wild Flower Trail; and
- Park Accessway.

Trails, bikeways, and a for-fare resort vehicle system provide internal circulation, with coastal access and links to regional trails and public transportation.

- Trails

A network of pedestrian and bicycle trails link the community park to other park/open space features, as well as to the residential and visitor recreation commercial uses. The trails also link the resort with surrounding areas including the shoreline and inland areas. Trails are discussed further in Section 2.6 Public Access.

2.2 Circulation

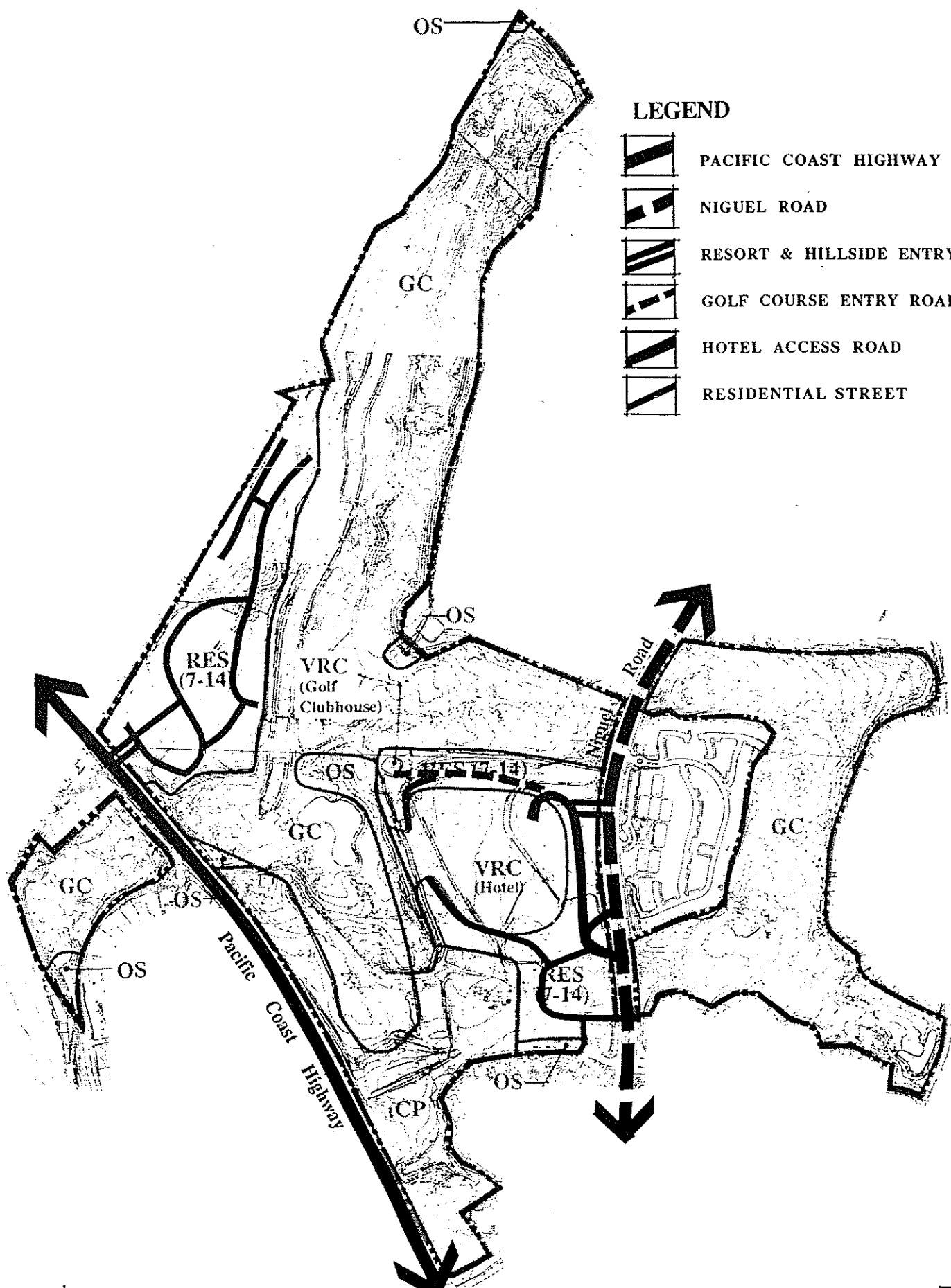
The Circulation Plan for the Monarch Beach Resort Specific Plan area illustrates vehicular, bicycle and resort vehicle systems (see Exhibit 2.7, following this page). This section describes the improvements to existing off-site roadways which provide access to the property, the improvements necessary to accommodate the project, and new on-site roadways.

2.2.1 Off-Site Roadways

The off-site roadways that provide access to the Specific Plan area: Pacific Coast Highway (PCH) and Niguel Road, which provide direct access; Crown Valley Parkway and Camino Del Avion, which provide access to the overall Monarch Beach area and indirect access to the project site.

- Pacific Coast Highway (PCH)

Improvements to PCH, contiguous with the Specific Plan area, include a signalized intersection where access to the Clubhouse Village intersects with the highway, together with the construction of an acceleration lane, a bus turnout and bus shelter near the corner of PCH and Niguel Road. The developer will be responsible for the costs of Pacific Coast Highway improvements as shown on Exhibit 2.8a from Niguel Road northerly to the northern boundary of the Specific Plan, subject to a nexus analysis.



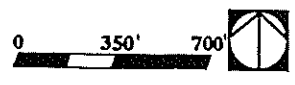
LEGEND

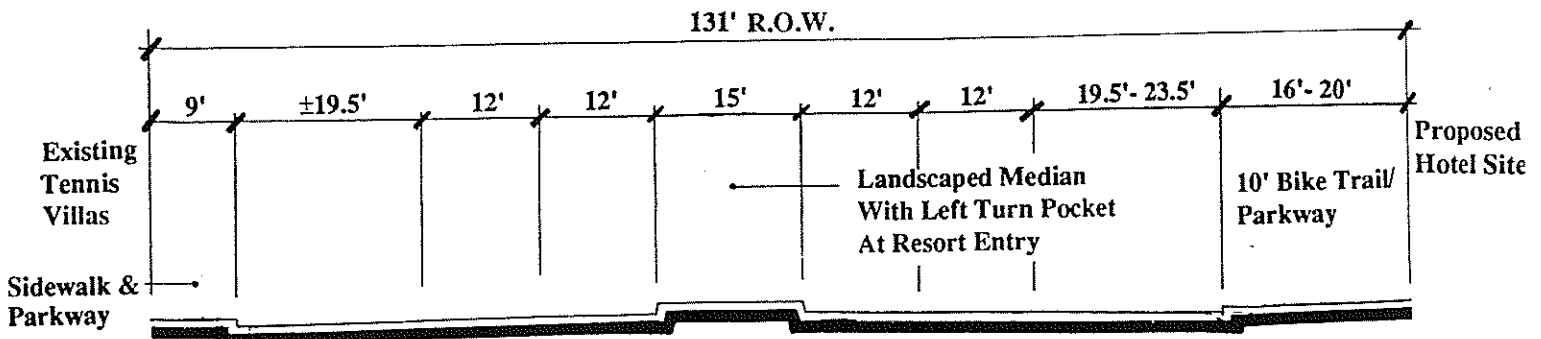
-  PACIFIC COAST HIGHWAY
-  NIGUEL ROAD
-  RESORT & HILLSIDE ENTRY ROAD
-  GOLF COURSE ENTRY ROAD
-  HOTEL ACCESS ROAD
-  RESIDENTIAL STREET



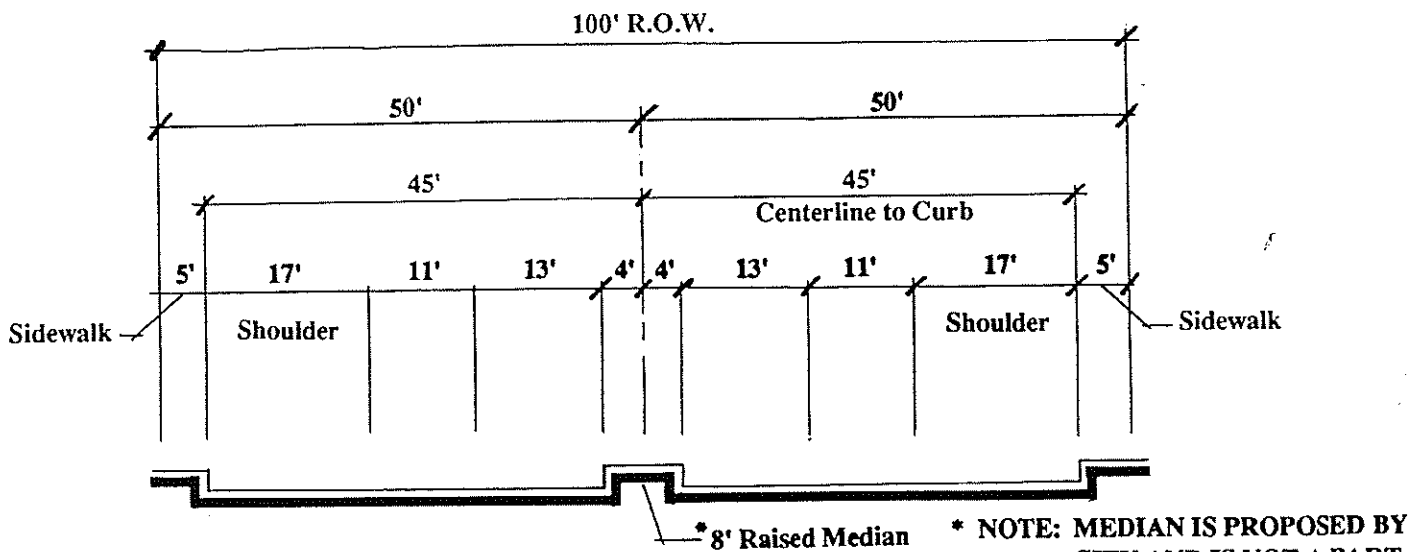
MASTER CIRCULATION PLAN

MONARCH BEACH RESORT
SPECIFIC PLAN

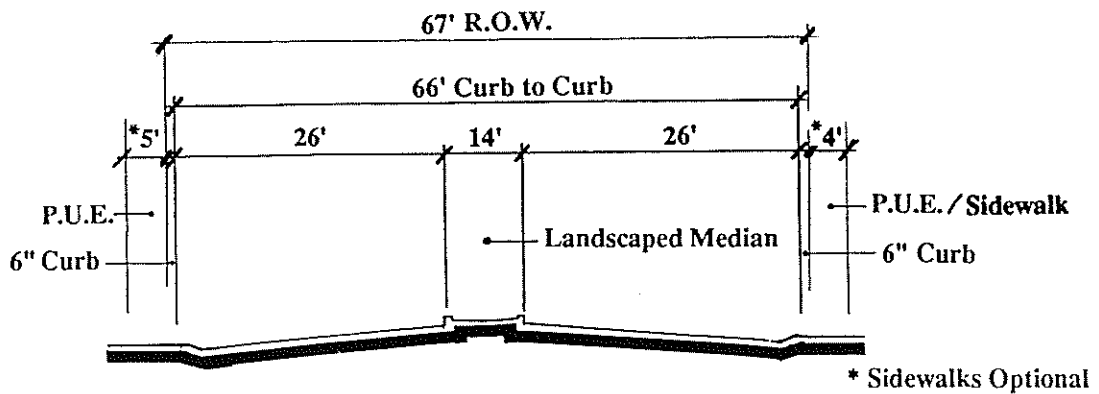




NIGUEL ROAD (TYPICAL)



PACIFIC COAST HIGHWAY (TYPICAL)



HOTEL ENTRY ROAD (TYPICAL)

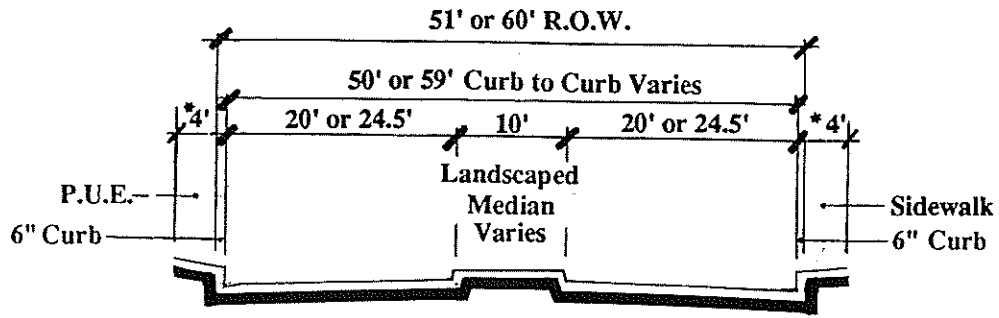


ROADWAY CROSS SECTIONS

**MONARCH BEACH RESORT
SPECIFIC PLAN**



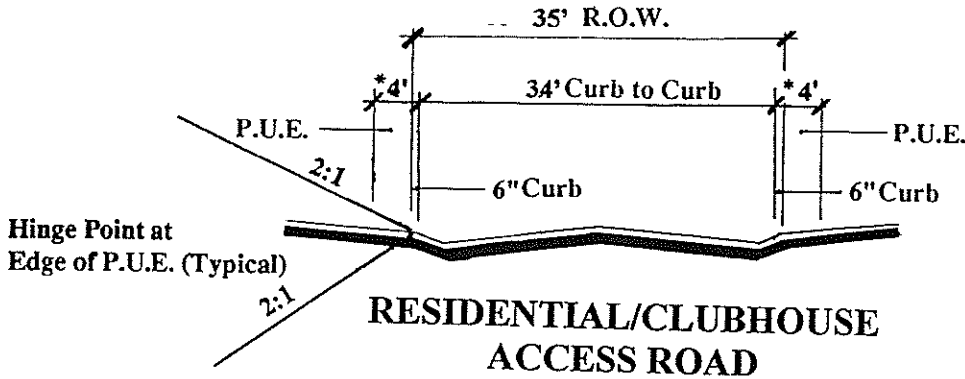
EXHIBIT 2.8a



RESIDENTIAL ENTRY ROAD

* Sidewalks on One Side;
Location to be Determined
at Site Development Permit
Stage

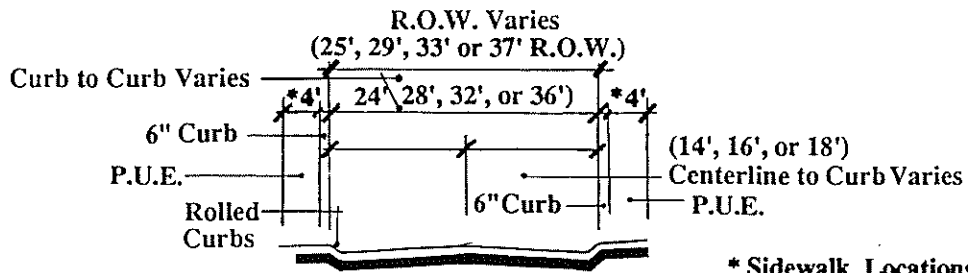
* Street Lights to be Located
Within P.U.E.



**RESIDENTIAL/CLUBHOUSE
ACCESS ROAD**

* Sidewalks on One Side;
Location to be Determined
at Site Development Permit
Stage

* Street Lights to be Located
Within P.U.E.



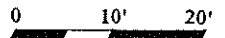
**RESIDENTIAL DRIVES
(PRIVATE)**

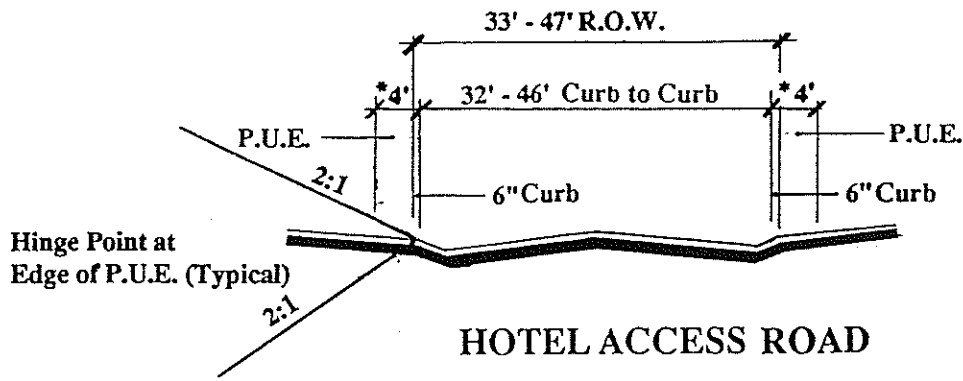
* Sidewalk Locations
to be Determined at Site
Development Permit Stage

* Street Lights to be Located
Within P.U.E.



ROADWAY CROSS SECTIONS



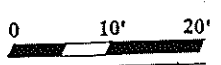


- * Sidewalks on One Side; Location to be Determined at Site Development Permit Stage
- * Street Lights to be Located Within P.U.E.



ROADWAY CROSS SECTIONS

MONARCH BEACH RESORT
SPECIFIC PLAN



- Niguel Road

The planned improvements to Niguel Road include lengthening the existing left turn lane and a signal at the intersection to the Hotel Village. Two additional curb cuts will provide limited access, right turn only, to and from Niguel Road. Niguel Road will be widened by four feet across the site frontage from north of the hotel/residential entrance to the service driveway. A taper will be provided at the north end of this widening to join the existing curb. At the south end, the existing curb will be joined on the south side of the service entrance. This widening, in combination with the existing wide shoulders and bus turn-off bay, will in essence provide a right turn lane for residents, visitors and service vehicles entering the hotel site from the primary and service entrances. The bus stop can still be incorporated within the proposed street section, without further widening.

In addition to the improvements to Niguel Road, the developer will contribute \$22,000.00 to the City for median landscape improvements in Niguel Road between Stonehill Drive and Pacific Coast Highway. The landscape improvements in Niguel Road between Stonehill Drive and Pacific Coast Highway will enhance the appearance of Niguel Road as a "Scenic highway" and primary entry road to the resort complex.

2.2.2 On-Site Roadways

The on-site roadway circulation system will be privately owned and maintained, however, all on-site roads, except those serving the residential enclaves, can be accessed by guests and residents and shall be open to the public. (See Exhibit 2.8b, preceding this page.)

- Hotel Entry Road

The hotel entry road will provide the primary entrance to the Resort Community at the Hotel Village. The entry will consist of a four lane divided roadway.

- Hotel Access Road

The hotel access road will parallel Niguel Road between the hotel entry road on the north end of the Hotel Village and provide the secondary access for the residential at the south end of the village. This road will also provide for bus circulation and parking for the hotel. There can be a minimum 90-foot radius near the Porte Cochere; near the southerly residential entrance, the radius can be a minimum of 65 feet. In these areas, an adequate line of sight will be provided by keeping the landscape areas on the inside of the radii clear of obstructions.

- Clubhouse Entry Road

The Clubhouse Entry road will provide access from Niguel Road to the Clubhouse. The road shall provide public pedestrian and public vehicular access. Temporary Clubhouse entry road(s) shall be built and shall be open to the general public until such time as a permanent Clubhouse Entry Road is constructed and open for use by the public.

- Residential Roadways

The residential roads will be gated to provide access solely for residents and their guests. The roadway width will vary from 28-36 feet, providing for two lanes of traffic. The minimum centerline radius for private residential roadways will be 100 feet; this standard does not apply to private driveways, which access individual units. The minimum design speed will be 20 miles per hour with a stopping sight

distance of 125 feet per the current Caltrans Highway Design Manual, 4th Edition, Table 201.1. The stopping sight distance on a horizontal curve is measured from the inside lane. Using Figure 201.6 in the Highway Design Manual, the minimum distance from the centerline of the inside lane to sight obstruction (m) is 35 feet. Enhanced pavings will be used at selected areas to provide for the ambience of European villages. A pedestrian circulation system consisting of sidewalks or other alternative means providing adequate on-site pedestrian circulation shall be provided and approved as a part of the Site Development Permit.

2.2.3 Bikeways

The Specific Plan bikeway system will provide non-vehicular linkages as shown in Exhibit 2.26, the Bikeway cross-sections are shown in Exhibit 2.9, following this page. Bikeways and their integration within the other resort trails are discussed in Section 2.6 Access Program.

2.2.5 Resort Vehicle System

A for-fare public resort vehicle system is planned to link the hotel, golf clubhouse, and park within the resort community as well as the Salt Creek beach and parking lot. The fare will be modest to encourage public use. The operational plans of the resort vehicle system must be approved by the public agency having jurisdiction over the public trails (including Salt Creek Trail and the Pacific Coast Highway underpasses) which are part of the resort vehicle system's route, the City of Dana Point, and the Executive Director of the Coastal Commission. The inclusion of an alternative off-street transportation system linking the various sites in Monarch Beach has been included to improve coastal access (see Exhibit 2.26).

The resort vehicle system will originate at the resort hotel and travel to the clubhouse, Salt Creek Beach (by the existing beach access point between the Ritz Carlton hotel and the Ritz Cove residential community). Sea Terrace Community Park, and return to and terminate at the hotel. The resort vehicle system shall pick up and drop off passengers at the destinations identified above. The vehicle is proposed to utilize the Salt Creek and Beach Trails and the Coast Highway underpasses. Pathways will be striped, as required by the County of Orange, to insure that pedestrian and bicycle traffic will be separated from the resort vehicle traffic. If a beach house is constructed, it may be served by the resort vehicle system.

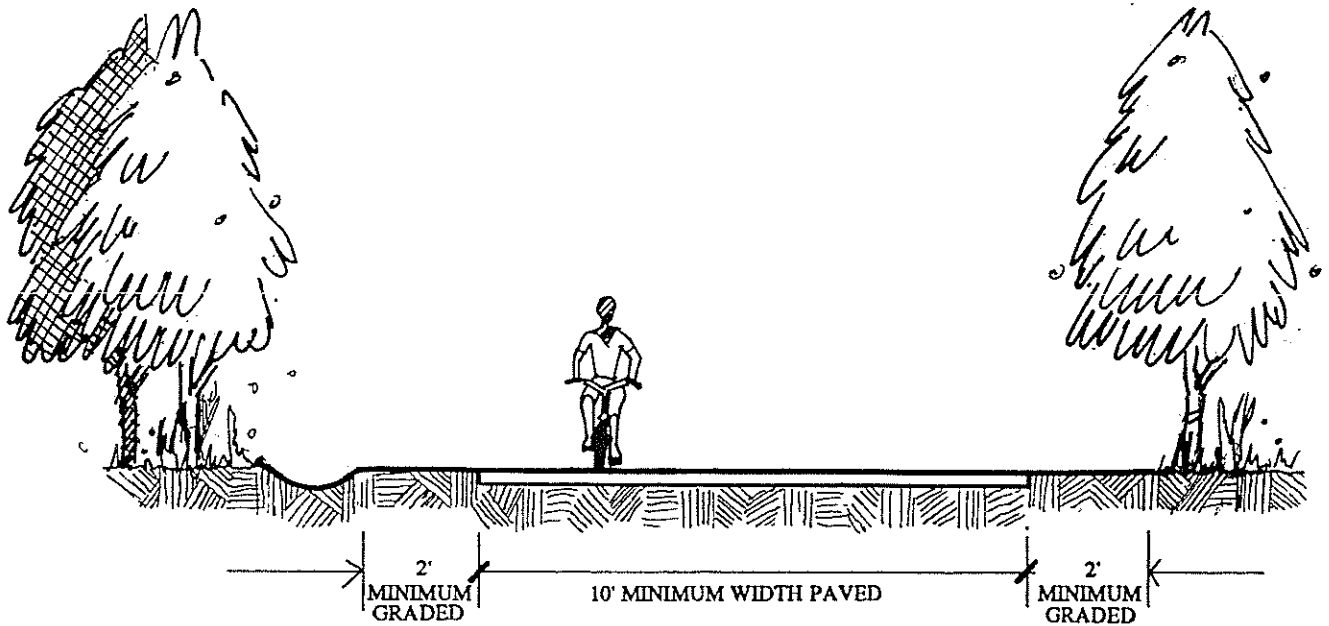
Priority may be given to hotel guests. All users of the resort vehicle system, including the general public, shall be allowed to carry with them beach gear. The resort vehicle system shall operate at sufficient intervals to meet demand by the general public. The resort vehicle system shall be operational concurrent with the commencement of operation of the Hotel.

2.2.6 Parking

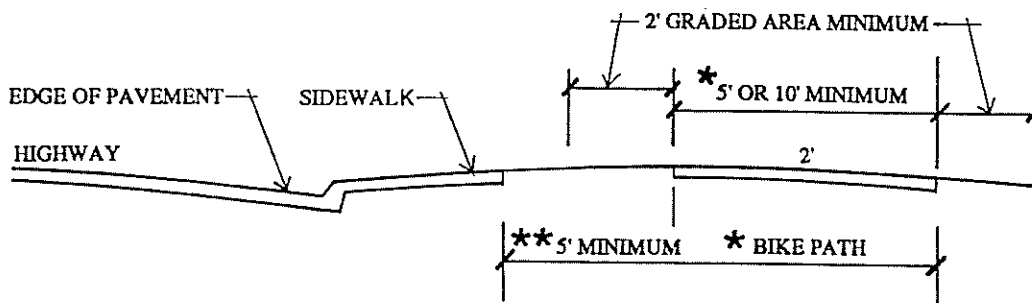
A parking program has been developed for the Specific Plan area that is tailored to the integrated resort uses that are planned. The parking demand is being forecasted by analyzing the operation of each functional element of the five-Star hotel and spa in conjunction with the golf course and clubhouse usage. Parking requirements for the Specific Plan are based on the concept of shared use of parking between the Resort Hotel and the Golf Clubhouse and Course. The analysis and subsequent program is based on the results of field studies for various resort hotel operations for similar developments. Peak parking demand has been assumed when determining the number of parking spaces.

Pursuant to the General Plan, shared parking will be provided to maximize the usage of parking areas between the Golf Course Clubhouse and the Hotel. There is adequate parking planned for all hotel guests and no hotel guests will be required to use shared parking. All parking spaces for the Hotel, Golf Course and Golf Clubhouse shall be available for use by the general public without obligation to use the Hotel, Golf Course and Golf Clubhouse

**CLASS I - TYPICAL CROSS SECTION OF TWO-WAY
BIKE PATH ON SEPARATE RIGHT OF WAY**



**CLASS I - TYPICAL CROSS SECTION OF
BIKE PATH ADJACENT TO HIGHWAY**



** 5' SHALL BE MEASURED FROM CURB FACE.
IF NO SIDEWALK REQUIRED

* ONE - WAY: 5' MINIMUM WIDTH

* TWO - WAY: 10' MINIMUM WIDTH



BIKE TRAIL SECTIONS

**MONARCH BEACH RESORT
SPECIFIC PLAN**

NOT TO SCALE

EXHIBIT 2.9

facilities. The hourly parking fee or total daily fee for general public use shall not be greater than that charged at the nearest State Beach Park parking facility. Validation stamps may be used for the parking facilities. Consistent with hotel operation requirements, the parking areas are anticipated to accommodate primarily valet parking though some limited self parking will be available. Tandem parking will be allowed in valet parking areas.

A residential parking program has been developed for the Specific Plan area. The parking program is being forecast on the type and quality of the project. Residential parking will be provided based on the parking standards established in Chapter 3.0. Residential parking will include double garages for each dwelling unit. In addition, on street parking, and parking in special bays shall be provided for guests. On-street parking shall be provided within the Specific Plan area for roads greater than 32 feet in width. Roads between 32 feet and 39 feet in width shall have parallel parking on one side. Roads 40 feet and over in width shall have parallel parking on both sides. Where on-street parking is located within 500 feet of a public trail access point, it shall be made available to the public. The final parking program will be defined during the Site Development Permit process and shall be consistent with this policy.

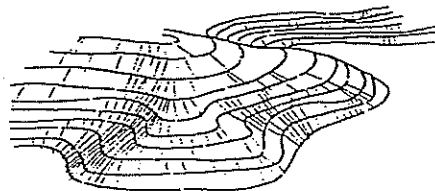
2.3 Community Design Guidelines

In order to create a cohesive and integrated resort community, the Specific Plan provides for a framework of both development standards and the Community Guidelines outlined in this section. These guidelines are intended to provide subjective guidance in the definition of the grading, architecture and landscape architecture of the Specific Plan area. Although the development standards in Chapter 3.0 will serve as the zoning regulations for the Specific Plan area, these guidelines will provide the thematic and subjective design character for the project.

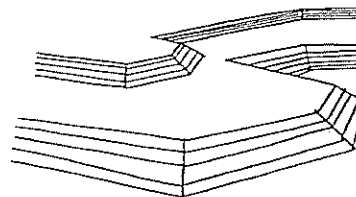
2.3.1 Grading Guidelines

The Specific Plan is located in an area with predominately terraced topography consisting of relatively large flat pads created by previous grading activity. Existing natural landforms should be preserved to the extent possible. Modifications to existing natural landforms should be designed to blend in with and be consistent with the existing setting.

Finished grading should soften the harshness of large graded pads through the use of contour grading and site-adaptive structures. Contour grading should be employed at all daylight cuts, tops and toes of manufactured slopes, intersections of manufactured slopes and the interface between manufactured slopes and natural topography. Contouring should accomplish a rounding of manufactured edges and vary in slope to result in the appearance complimenting natural conditions.



• Rounding of Manufactured Slopes and Varying Grades



• Unnatural Cuts and Terrace Pads



LEGEND

- Areas of Fill
- Areas of Cut



SCHEMATIC GRADING PLAN

**MONARCH BEACH RESORT
SPECIFIC PLAN**



EXHIBIT 2.10

Excavation and export from the site should be minimized. Rough excavation will result in excess dirt that will be exported to off-site locations. The balance of the materials will be used in the expansion and redesign of the golf course (see Exhibit 2.10, following this page). In addition to the above earthwork, a temporary borrow site, is planned to be located on the community park site, during construction. Material taken from the temporary borrow site will be replaced with other excavated material from other locations on the project site. The quantities needed for retaining walls, transition grading, corrective grading and similar conditions should be minimized and, where possible, the excess cut material should be reused within the development area.

In order to accommodate elevation changes across the site, the hotel site should be graded so as to gently slope downward from Niguel Road to the Golf Course.

Grading for the Clubhouse Village should respond to the environmental qualities of the site. The previously graded southern portion of the site should be regraded with contoured pads with a curvilinear road system reflective of the natural topography. The center area of the site should be graded as contoured slopes providing for construction of residential units directly upon the slopes. The northernmost end of the site should remain ungraded (except for any remedial alterations) and, to the extent possible, remain in a natural condition.

Grading for a beach house will be undertaken with due consideration of the geologic stability of the site and shall minimize the alteration of the bluff top and bluff face character, and ensure structural integrity.

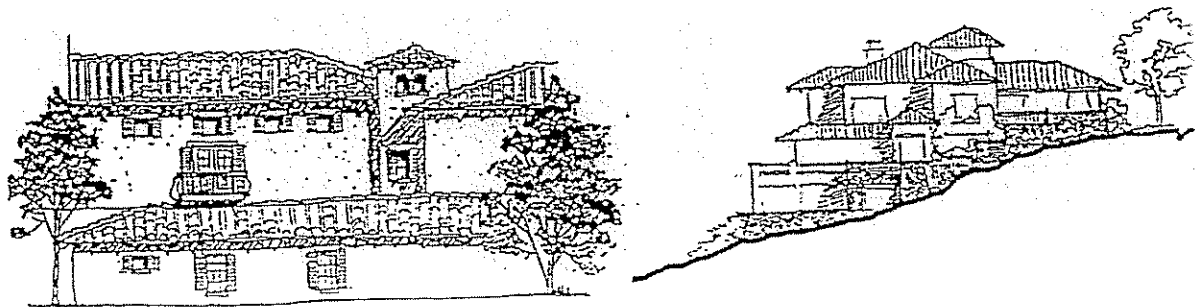
Erosion control measures and efficient construction management will be employed at all times to minimize erosion and unmitigated landform damage. The existing vegetation on previously graded pads provides adequate erosion control and is maintained to City standard.

Downdrains and other surface flood control devices will be integrated into the contouring of the slopes to the maximum extent possible. Alternative engineering standards should be considered in highly visible locations to minimize the prominence of such improvements.

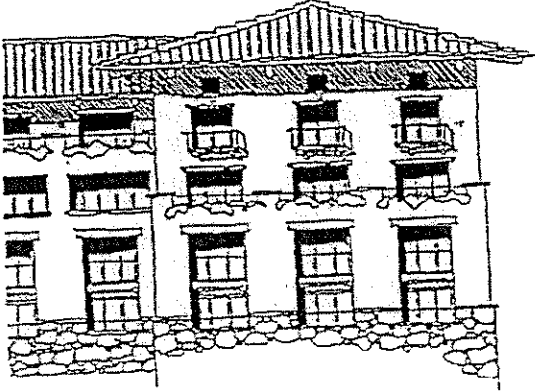
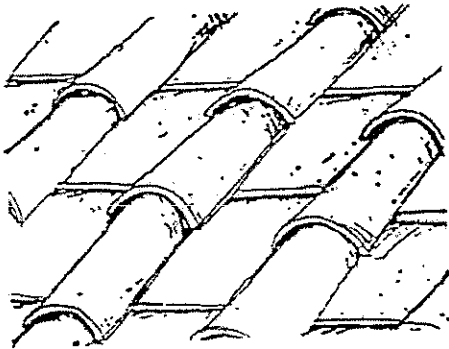
Any grading within or adjacent to the Salt Creek floodplain should minimize alteration of that corridor and its habitat. Any landform alteration within the corridor area resulting from grading or construction will be repaired and returned to a condition approximating the existing corridor condition to the maximum extent possible. Grading and construction vehicle use of Niguel Road and Mariner Drive will be minimized where feasible through the use of alternative routes.

2.3.2 Architecture Guidelines

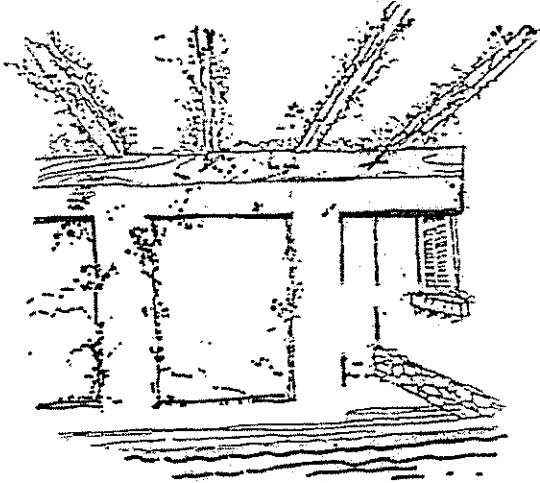
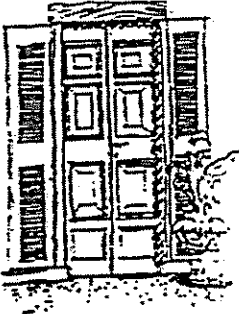
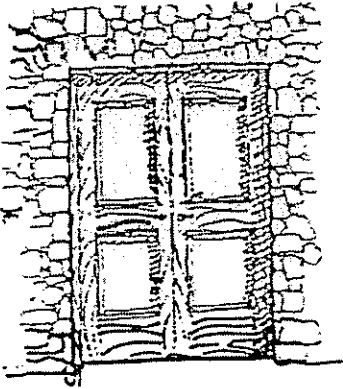
To give this project the special sense of place, the overall resort architectural theme will strive to capture the spirit and character of the Tuscan region of Italy.



The characteristic architecture should incorporate simplified building massing, low-pitched roof forms with a combination of gables, sheds and hips, and extensive use of terracing responding to the surrounding terrain. In order to create the Tuscan architectural theme, building masses are to be informally clustered, conforming to the topography of the site. Structures should be nestled into the naturally contoured topography supplemented by stone-faced retaining walls, clay-tile and other natural materials. Informality should be emphasized in the arrangement of architectural elements such as windows, balconies, roofs and planters.



Overly repetitive elements should be avoided and variety should be emphasized in the design of windows, balconies, chimneys, etc. The Tuscan architectural vocabulary would include the use of features and materials such as warmly hued plaster walls, stone walls, tile roofs, shutters and iron railings. The design should avoid the use of overly refined detailing or a "manufactured" look. Within the context of the Tuscan vernacular, fire resistant materials will be employed throughout the resort. Any satellite dishes and/or heating and air conditioning (HVAC) equipment required for the hotel, golf clubhouse, and beach house will be screened from public view using architectural elements in keeping with the Tuscan architectural vocabulary, and will be located at ground level wherever feasible. The type, location, and screening of such facilities shall be approved or conditioned through the Site Development Permit process.



2.3.3 Landscape Design Concept

The gardens of Tuscany are the inspiration for the Monarch Beach Resort Landscape Theme. The objective is to create opportunities for serenity and quiet, structured in an orderly manner to achieve continuity and casual elegance.

The architecture and garden elements will be combined to create the framework for the overall landscape design theme. Plant species will be analogous in form, texture, and color to species that are indigenous to the country hillsides in the Mediterranean region, and compatible with the coastal climate of Southern California. Primary theme trees include: Stone Pine, Olive, Poplar, and Cypress, accented with many varieties of flowering specimen trees. Special garden spaces and theme elements will re-create the character of a Mediterranean hillside garden. (See Exhibits 2.11 a-k; following this page.)

The landscape character for the hotel evokes ambiance of a great Tuscan country villa. As the focal point of the Resort, the hotel's extensive landscaped grounds and gardens will provide continuity and harmony between the focal gardens at the hotel clubhouse, golf course, residential enclaves, Sea Terrace Community Park, and the other public amenity features of the resort community. (See Exhibits 2.12, 2.13, 2.14, and 2.15, following this page.)

Vertical, narrow tree groupings immediately adjacent to the hotel will soften the architectural mass to evoke a residential quality and scale. Medium sized tree masses will provide a transition to the lower spreading tree masses of the residential enclaves. The hotel gardens will be lushly planted with accent tree specimens, flowering shrubs, and ground covers. A botanical garden theme, dense with lush plantings, will enhance the hotel pool and recreational garden spaces.

In conjunction with the plant materials, the landscape design concept will include other Tuscan garden elements such as fountains and cascading pools, rock walls, iron gates and railings, and benches. Lighting standards and signage will further enhance the Tuscan landscape theme.

In addition, the specific plan is committed to the inclusion of public art in the public spaces within the project area. Public art may take the form of sculptures, art works in the hotel and clubhouse, and/or visually exciting images in the park together with mosaic art in pathways and roads.

The Specific Plan area has been divided into a number of distinct landscape areas in order to address design issues and physical characteristics specific to each area. The zones are delineated in Exhibit 2.16 and discussed below.

Hotel Village

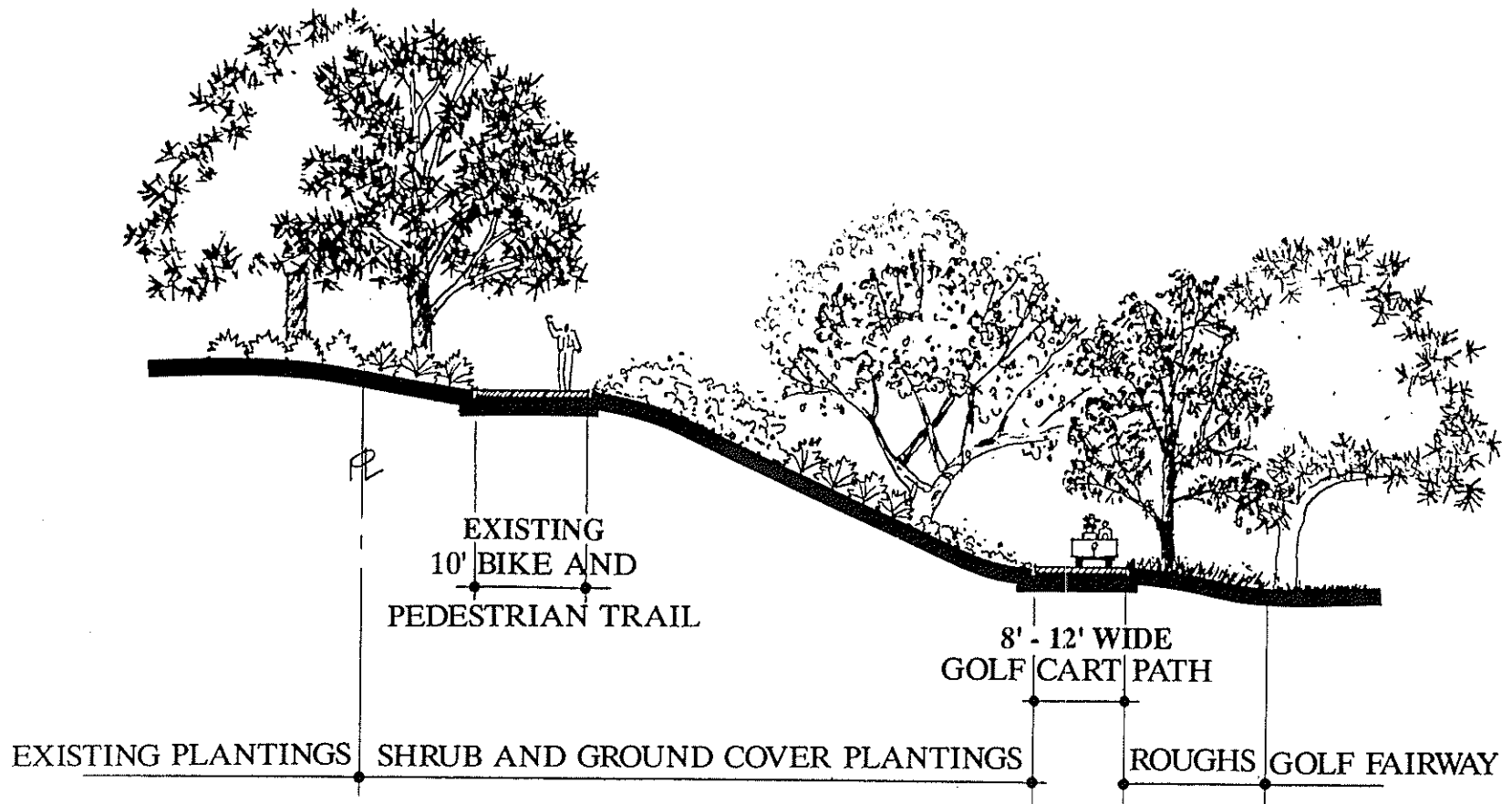
The overall landscape theme for the Hotel Village will reflect the character of the Hotel gardens, and provide a transition to the golf course. The interior areas of the residential enclaves will utilize groups of low spreading trees, with accent specimens, and include flowering shrubs and ground covers.

Niguel Road Landscape at Hotel Village

Adjacent to Niguel Road, at the primary Hotel Village entrance, are a series of landscape elements including a "bosque" or grove, of multi-trunked low-spreading Italian Stone Pines, great expanses of lawn with masses of flowering shrubs and ground covers are being incorporated in order to establish a transition to the Hotel.

Park Edge and Maintenance Area Plantings

The landscape plantings along the edge of the Sea Terrace Apartments will complement the existing plantings of

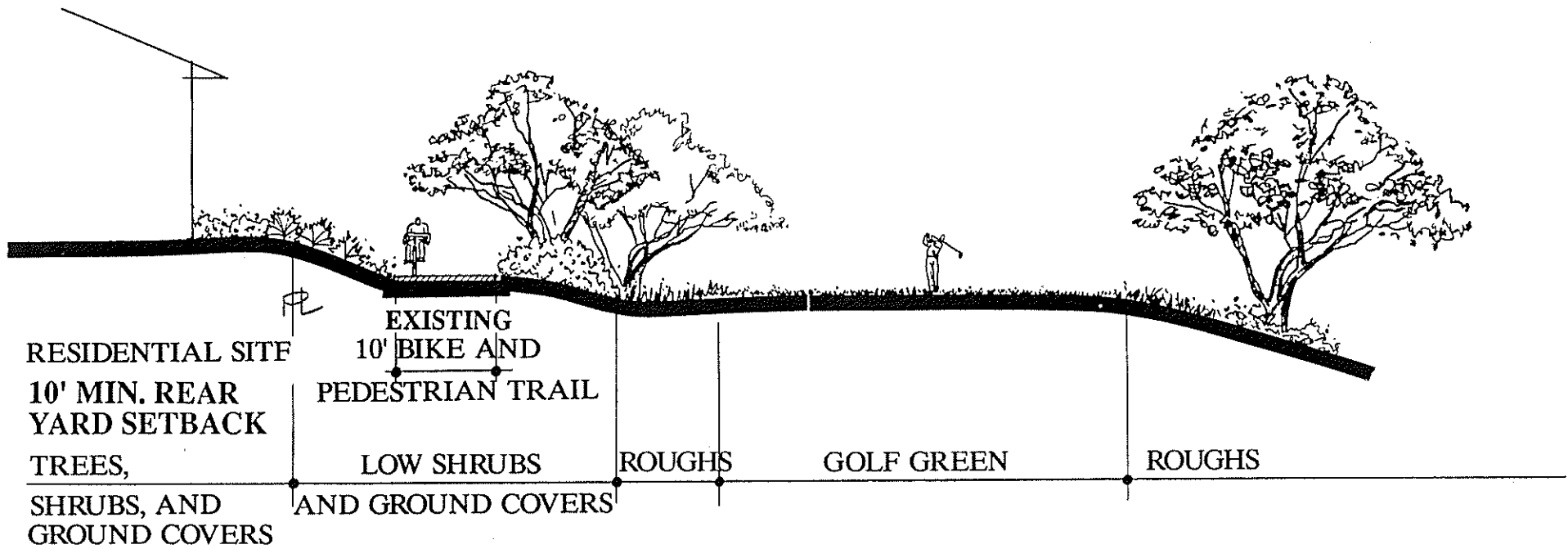


SECTION 1 - UPPER SALT CREEK BIKE/PEDESTRIAN TRAIL

(SEE EXHIBIT 2.16 FOR SECTION LOCATION)

NOTE: THESE LANDSCAPE PLANS ARE SCHEMATIC, EXCEPT FOR TRAILS THE DIMENSIONS VARY. THESE DIMENSIONS WILL BE MORE PRECISELY DETERMINED DURING SUBSEQUENT LEVELS OF PLANNING.





SECTION 2 - LOWER SALT CREEK BIKE/PEDESTRIAN TRAIL

(SEE EXHIBIT 2.16 FOR SECTION LOCATION)

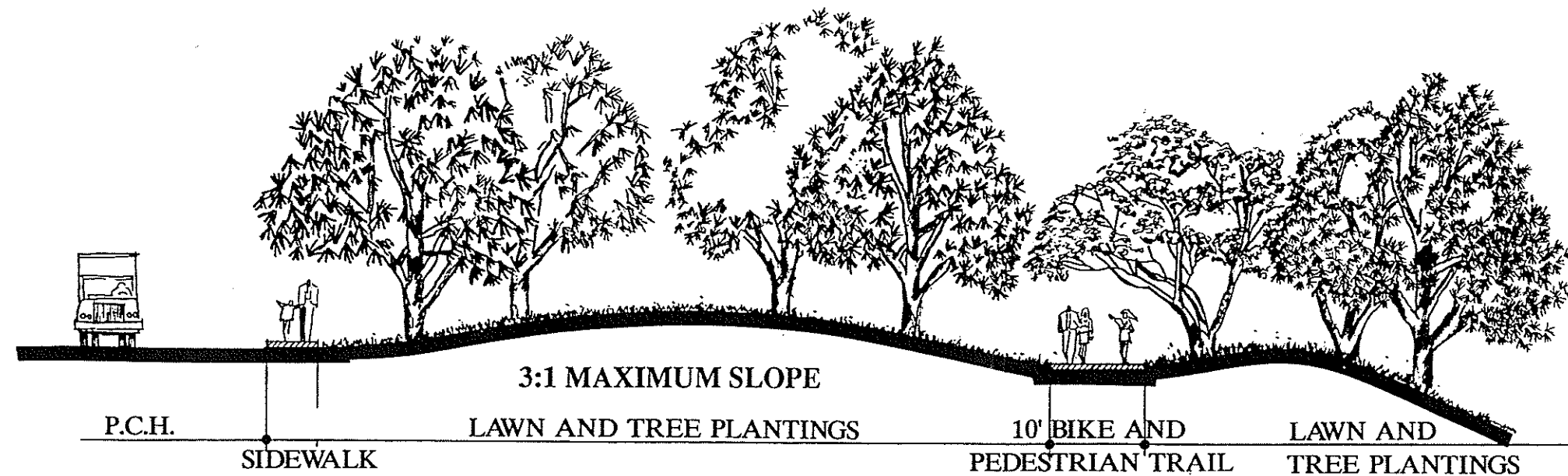
**MONARCH BEACH RESORT
SPECIFIC PLAN**

NOTE: THESE LANDSCAPE PLANS ARE SCHEMATIC, EXCEPT FOR TRAILS THE DIMENSIONS VARY. THESE DIMENSIONS WILL BE MORE PRECISELY DETERMINED DURING SUBSEQUENT LEVELS OF PLANNING.

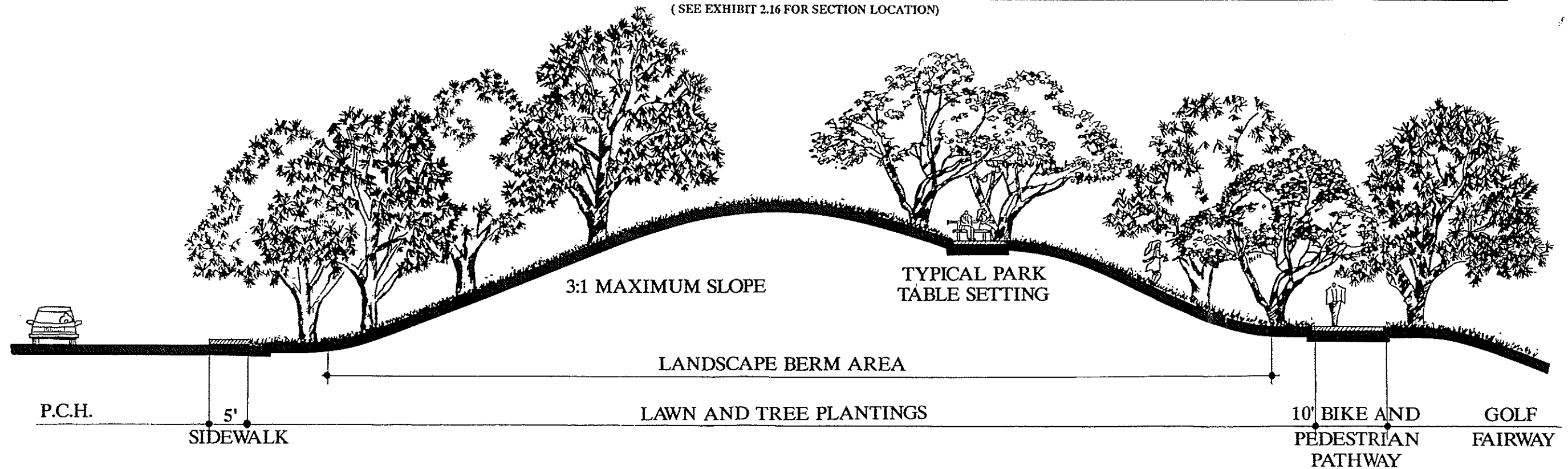


SCHEMATIC LANDSCAPE CROSS - SECTIONS

NOT TO SCALE



SECTION 3 - SEA TERRACE PARK/P.C.H. AT GOLF COURSE
 (SEE EXHIBIT 2.16 FOR SECTION LOCATION)



SECTION 4 - SEA TERRACE PARK/P.C.H.
 (SEE EXHIBIT 2.16 FOR SECTION LOCATION)

NOTE: THESE LANDSCAPE PLANS ARE SCHEMATIC, EXCEPT FOR TRAILS THE DIMENSIONS VARY. THESE DIMENSIONS WILL BE MORE PRECISELY DETERMINED DURING SUBSEQUENT LEVELS OF PLANNING.



SCHEMATIC LANDSCAPE CROSS - SECTIONS

MONARCH BEACH RESORT
 SPECIFIC PLAN

NOT TO SCALE

EXHIBIT 2.11c



SECTION 5 - SEA TERRACE PARK/P.C.H.

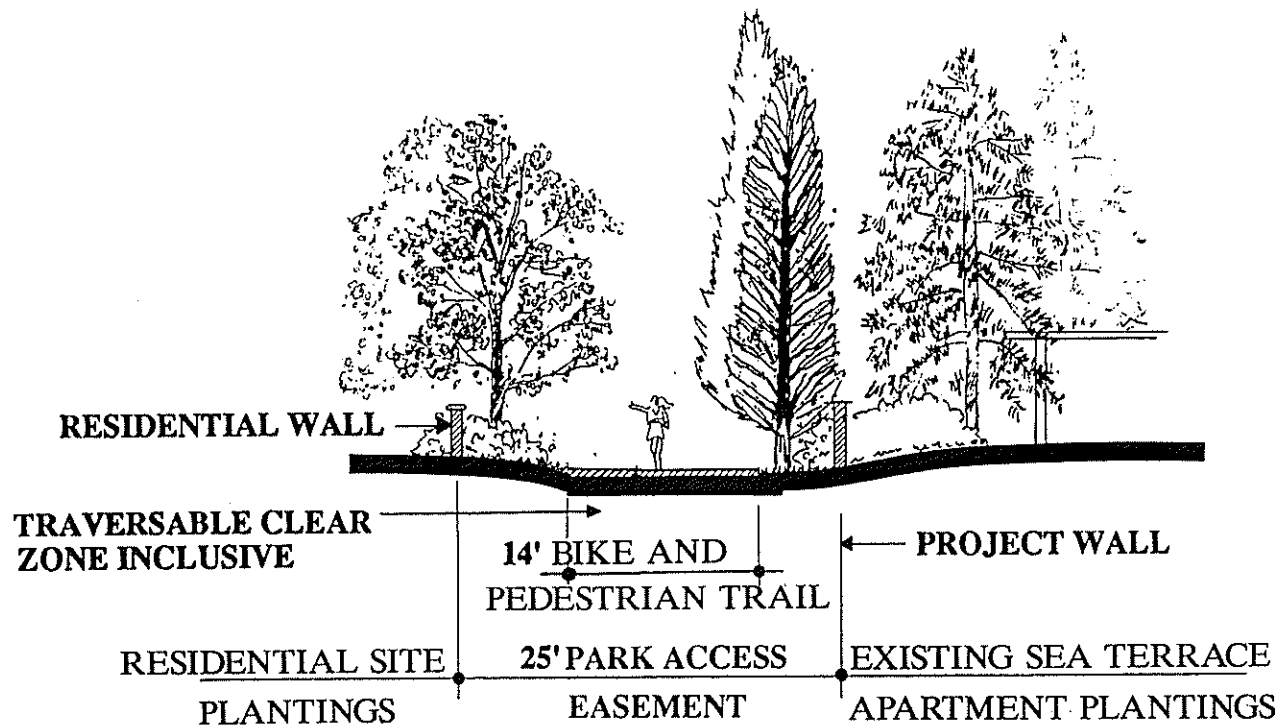
(SEE EXHIBIT 2.16 FOR SECTION LOCATION)

NOTE: THESE LANDSCAPE PLANS ARE SCHEMATIC, EXCEPT FOR TRAILS THE DIMENSIONS VARY. THESE DIMENSIONS WILL BE MORE PRECISELY DETERMINED DURING SUBSEQUENT LEVELS OF PLANNING.



SCHEMATIC LANDSCAPE CROSS - SECTION

NOT TO SCALE



SECTION 6 - PARK ACCESS EASEMENT

(SEE EXHIBIT 2.16 FOR SECTION LOCATION)

NOTE: THESE LANDSCAPE PLANS ARE SCHEMATIC, EXCEPT FOR TRAILS THE DIMENSIONS VARY. THESE DIMENSIONS WILL BE MORE PRECISELY DETERMINED DURING SUBSEQUENT LEVELS OF PLANNING.

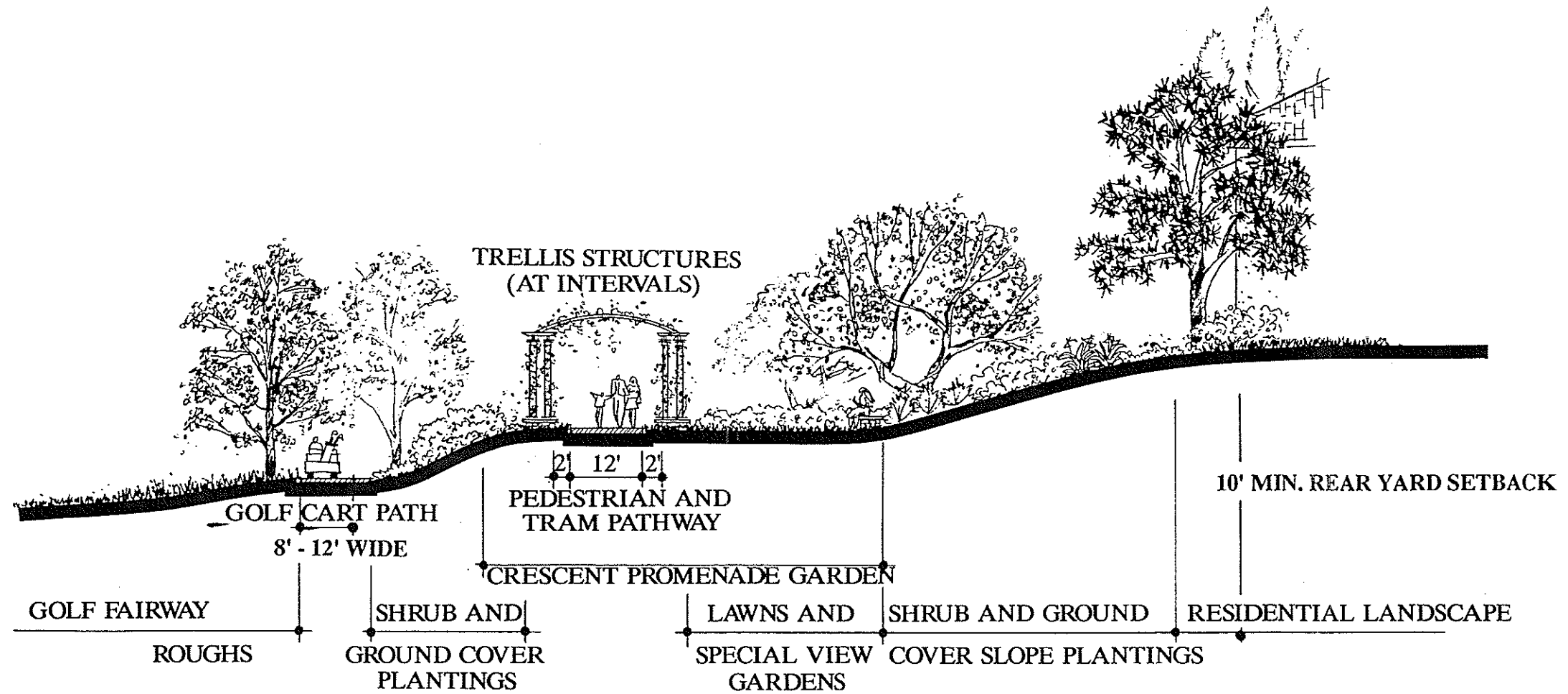


SCHEMATIC LANDSCAPE CROSS - SECTIONS

MONARCH BEACH RESORT
SPECIFIC PLAN

NOT TO SCALE

EXHIBIT 2.11e



SECTION 7 - RESIDENTIAL/CRESCENT PROMENADE

(SEE EXHIBIT 2.16 FOR SECTION LOCATION)

NOTE: THESE LANDSCAPE PLANS ARE SCHEMATIC, EXCEPT FOR TRAILS THE DIMENSIONS VARY. THESE DIMENSIONS WILL BE MORE PRECISELY DETERMINED DURING SUBSEQUENT LEVELS OF PLANNING.

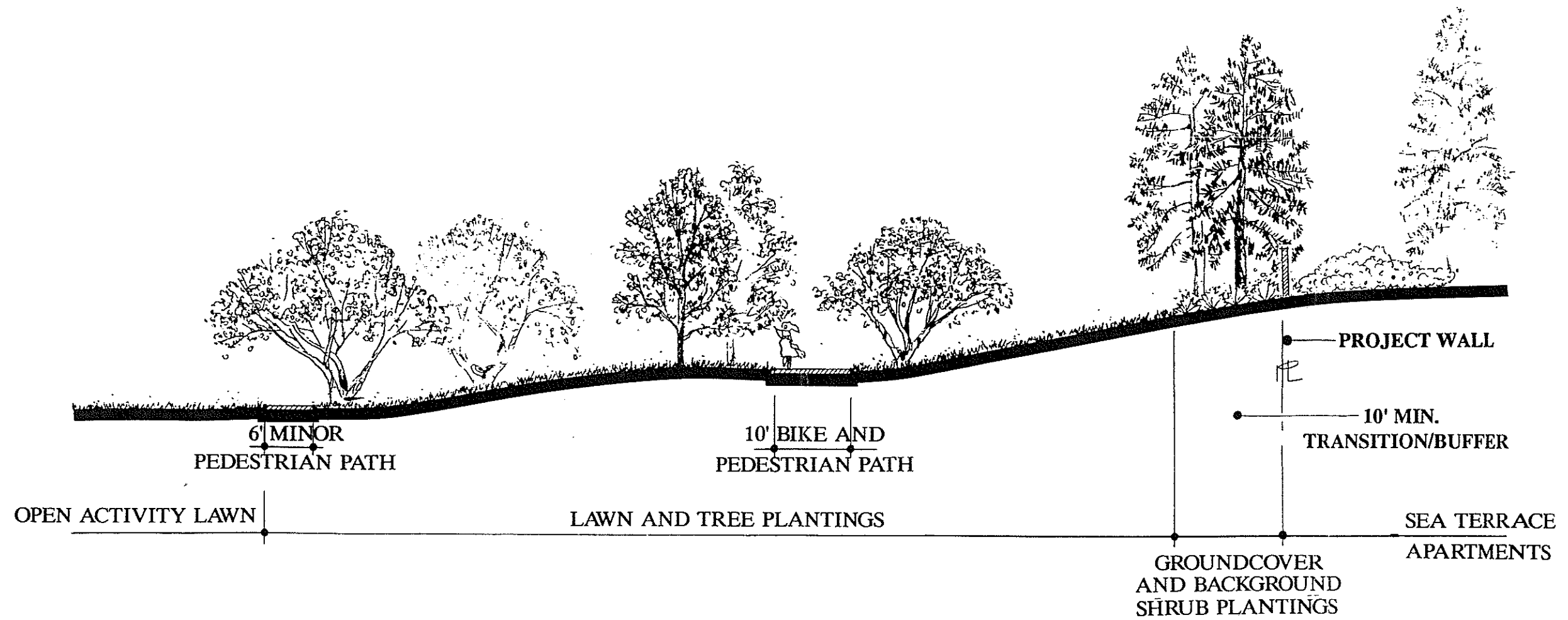


SCHEMATIC LANDSCAPE CROSS - SECTIONS

MONARCH BEACH RESORT
SPECIFIC PLAN

NOT TO SCALE

EXHIBIT 2.11f



SECTION 8 - PARK EDGE

(SEE EXHIBIT 2.16 FOR SECTION LOCATION)

NOTE: THESE LANDSCAPE PLANS ARE SCHEMATIC, EXCEPT FOR TRAILS THE DIMENSIONS VARY. THESE DIMENSIONS WILL BE MORE PRECISELY DETERMINED DURING SUBSEQUENT LEVELS OF PLANNING.

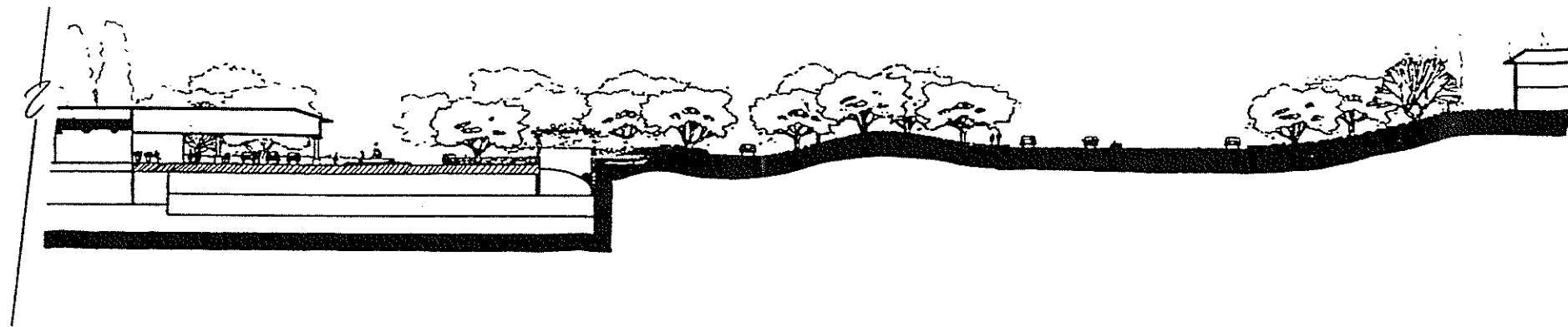


SCHEMATIC LANDSCAPE CROSS - SECTIONS

MONARCH BEACH RESORT
SPECIFIC PLAN

NOT TO SCALE

EXHIBIT 2.11g

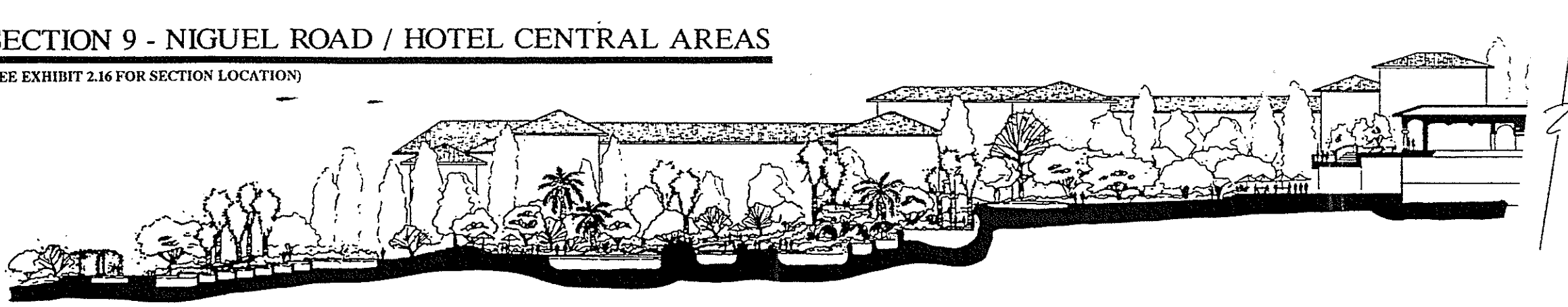


PORTE COCHERE ENTRANCE ZONE NIGUEL ROAD TENNIS VILLAS

LOW SPREADING TREE GROUPINGS
(TREE BOSQUE EFFECT) MEDIUM AND LOW SPREADING
TREE GROUPINGS LUSH ENRICHED
GROUND PLANE PLANTINGS

SECTION 9 - NIGUEL ROAD / HOTEL CENTRAL AREAS

(SEE EXHIBIT 2.16 FOR SECTION LOCATION)



CRESCENT PROMENADE POOL ACTIVITY AREA GREAT LAWN DINING TERRACES

LUSH ENRICHED PLANTING PALETTE AT POOL GARDENS, WITH
TALL NARROW TREE GROUPINGS AT HOTEL STRUCTURES OPEN LAWNS FRAMED WITH LUSH PLANTINGS AND
TREE GROUPINGS, RESIDENTIAL SCALE

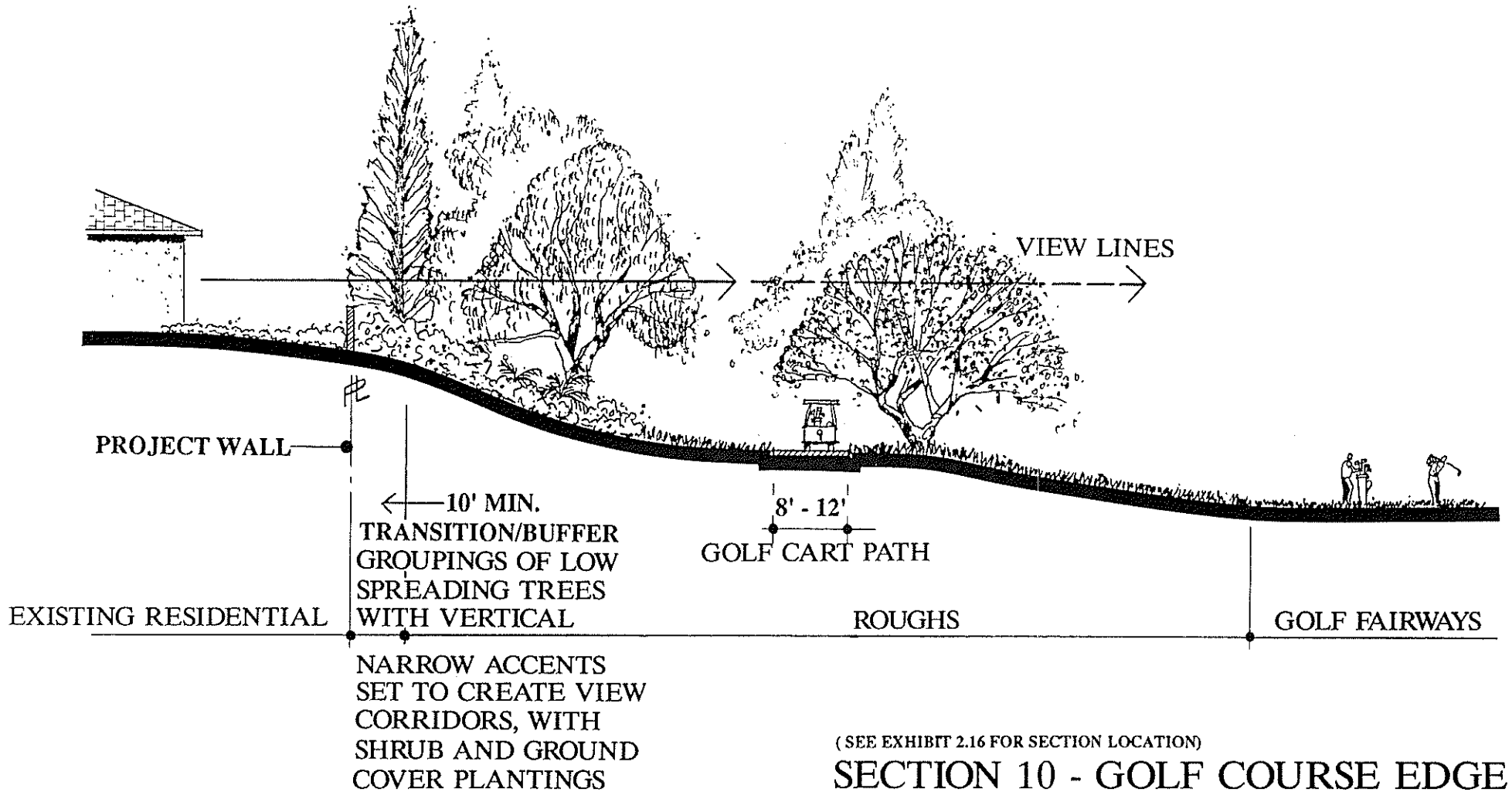
NOTE: THESE LANDSCAPE PLANS ARE SCHEMATIC, EXCEPT FOR TRAILS THE DIMENSIONS VARY. THESE DIMENSIONS WILL BE MORE PRECISELY DETERMINED DURING SUBSEQUENT LEVELS OF PLANNING.



SCHEMATIC HOTEL LANDSCAPE CROSS - SECTION

MONARCH BEACH RESORT
SPECIFIC PLAN

NOT TO SCALE



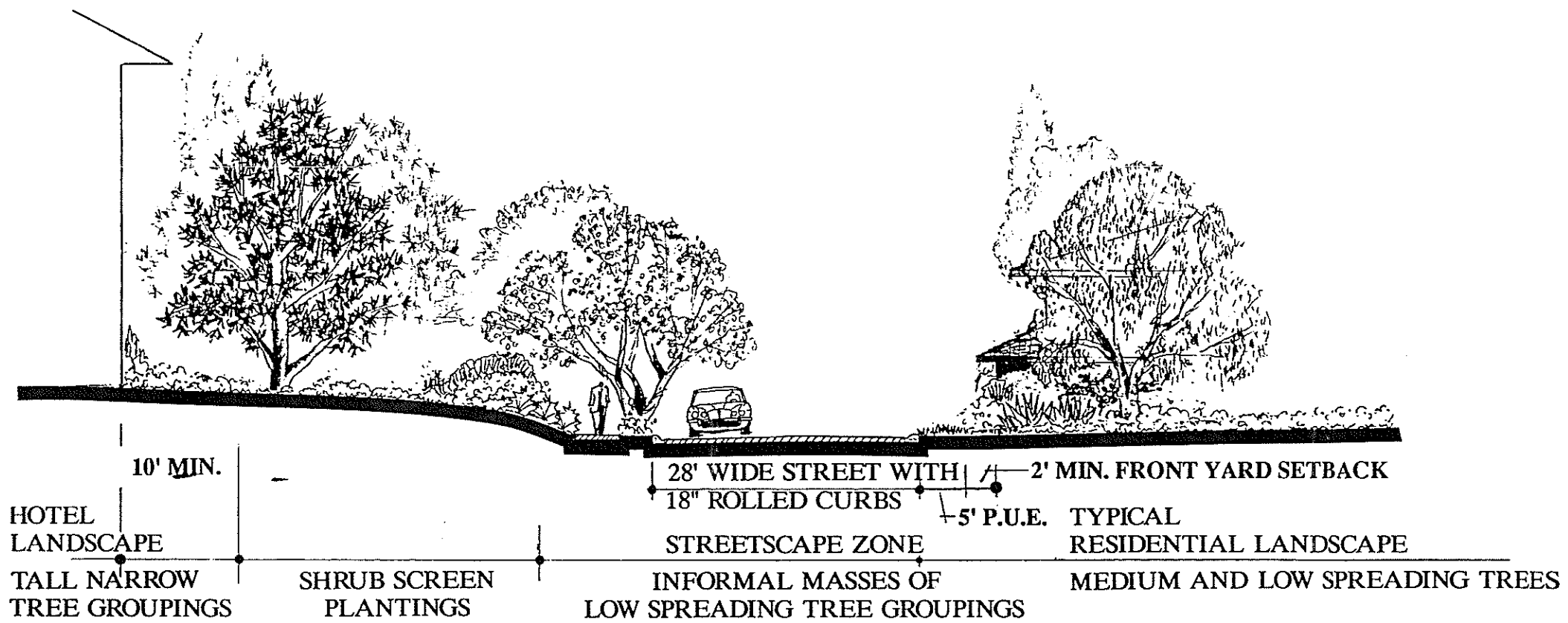
NOTE: THESE LANDSCAPE PLANS ARE SCHEMATIC, EXCEPT FOR TRAILS THE DIMENSIONS VARY. THESE DIMENSIONS WILL BE MORE PRECISELY DETERMINED DURING SUBSEQUENT LEVELS OF PLANNING.
NOT TO SCALE



SCHEMATIC LANDSCAPE CROSS - SECTIONS

MONARCH BEACH RESORT
SPECIFIC PLAN

EXHIBIT 2.11i



SECTION 11 - TYPICAL RESIDENTIAL STREET
 (SEE EXHIBIT 2.16 FOR SECTION LOCATION)

NOTE: THESE LANDSCAPE PLANS ARE SCHEMATIC, EXCEPT FOR TRAILS THE DIMENSIONS VARY. THESE DIMENSIONS WILL BE MORE PRECISELY DETERMINED DURING SUBSEQUENT LEVELS OF PLANNING.

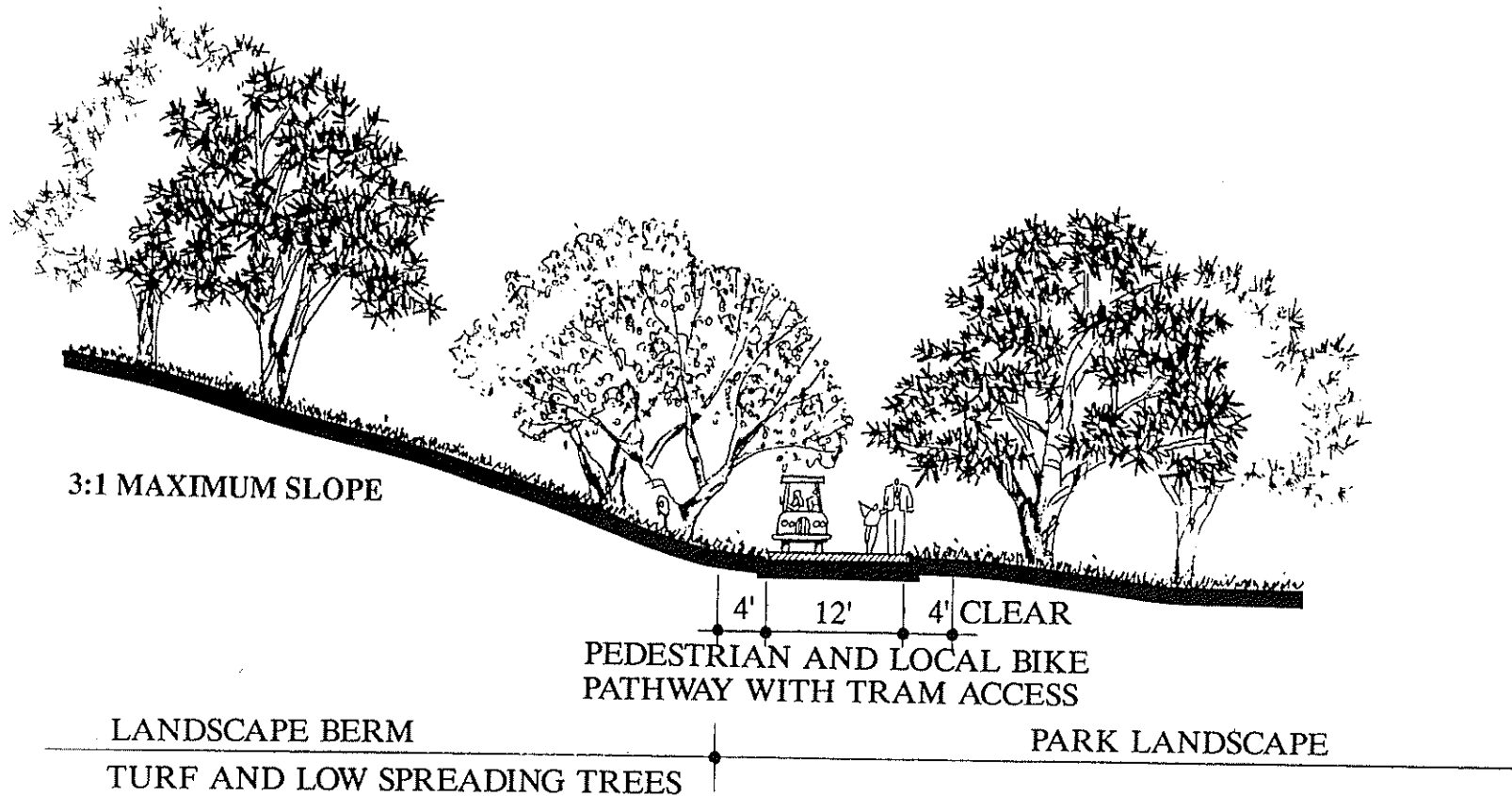


SCHEMATIC LANDSCAPE CROSS - SECTIONS

MONARCH BEACH RESORT
 SPECIFIC PLAN

NOT TO SCALE

EXHIBIT 2.11j



SECTION 12 - MULTI-USE PARK PATHWAY

(SEE EXHIBIT 2.16 FOR SECTION LOCATION)

NOTE: THESE LANDSCAPE PLANS ARE SCHEMATIC, EXCEPT FOR TRAILS THE DIMENSIONS VARY. THESE DIMENSIONS WILL BE MORE PRECISELY DETERMINED DURING SUBSEQUENT LEVELS OF PLANNING.

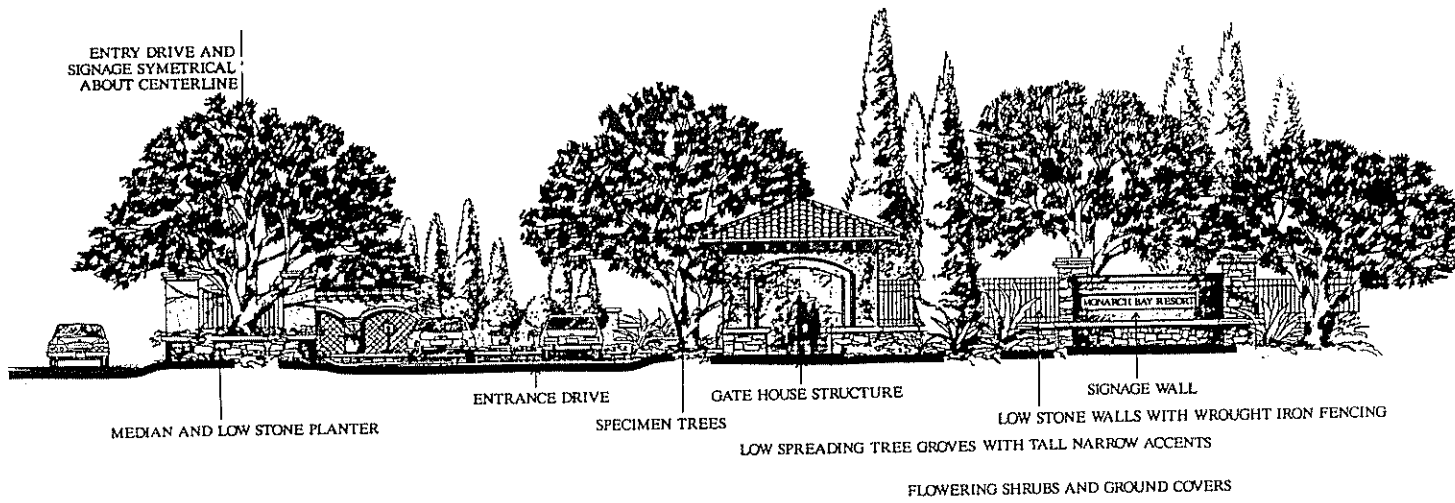


SCHEMATIC LANDSCAPE CROSS-SECTIONS

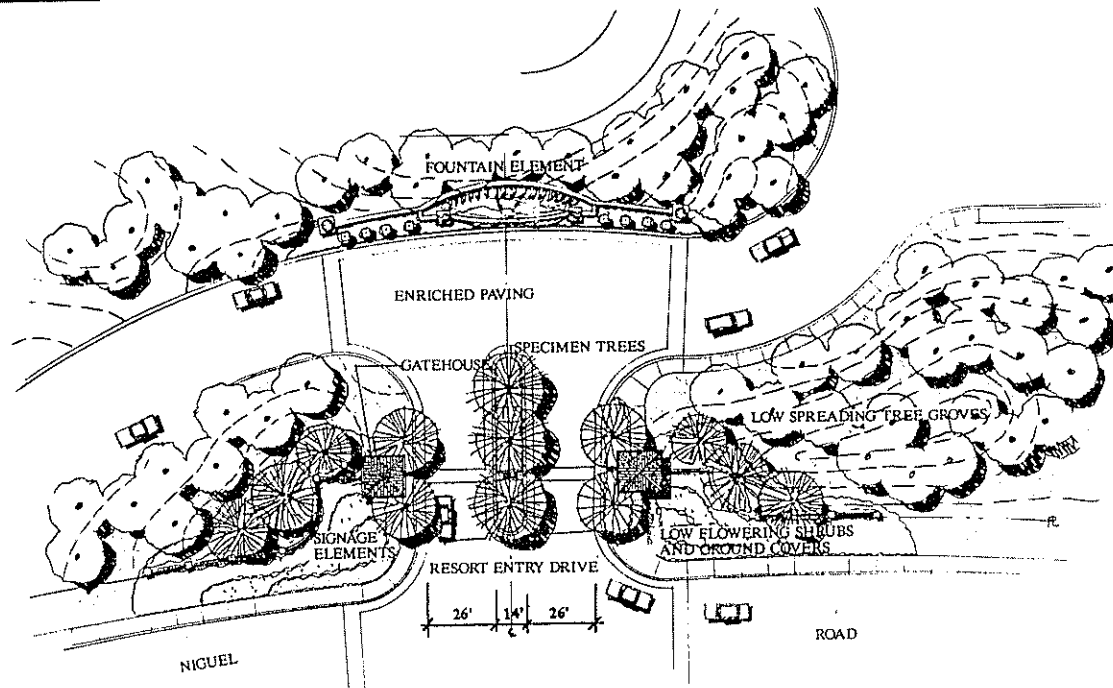
MONARCH BEACH RESORT
SPECIFIC PLAN

NOT TO SCALE

EXHIBIT 2.11k



ENTRANCE ELEVATION



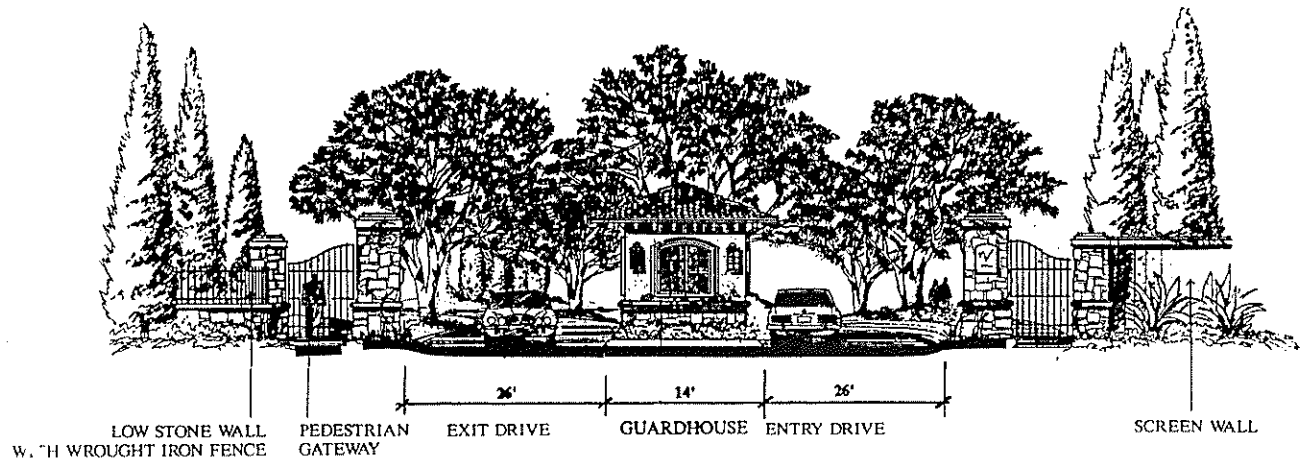
PLAN VIEW

**RESORT VILLAGE ENTRY SCHEMATIC
ELEVATION & PLAN**

**MONARCH BEACH RESORT
SPECIFIC PLAN**

NOT TO SCALE

EXHIBIT 2.12



LOW STONE WALL
W. TH WROUGHT IRON FENCE

PEDESTRIAN
GATEWAY

EXIT DRIVE

GUARDHOUSE

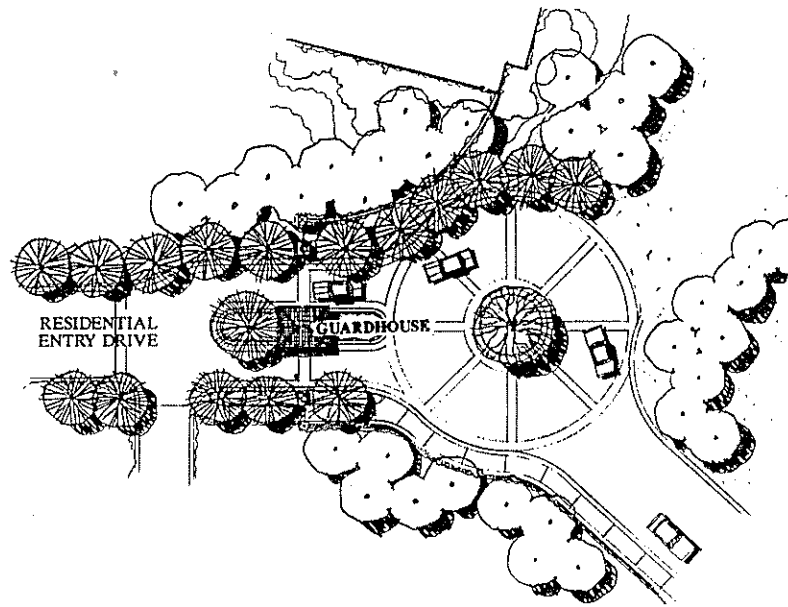
ENTRY DRIVE

SCREEN WALL

RESIDENTIAL PLANTINGS

HOTEL SCREEN PLANTINGS

ENTRANCE ELEVATION



RESIDENTIAL
ENTRY DRIVE

GUARDHOUSE

PLAN VIEW

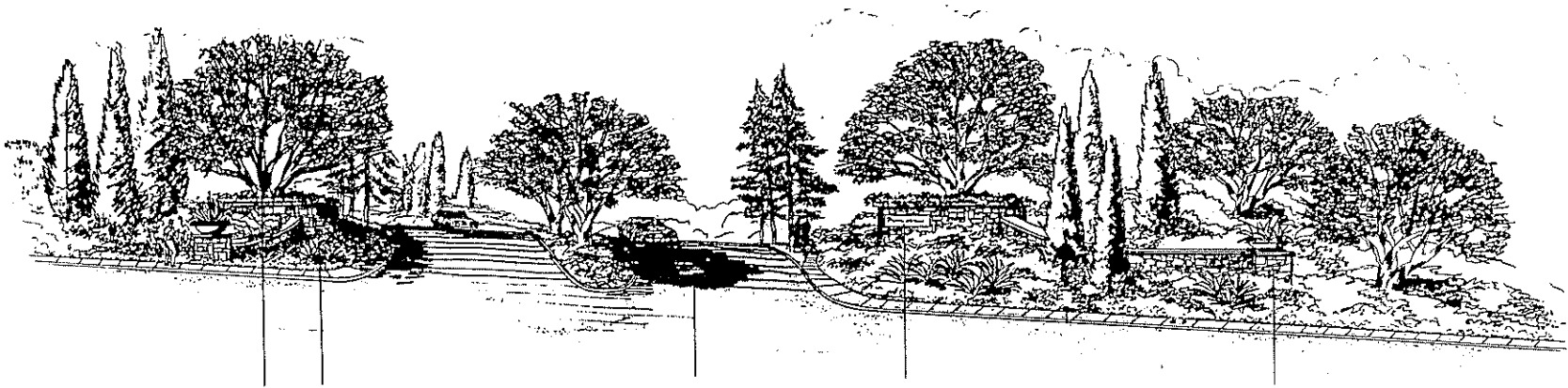


**SCHEMATIC HILLSIDE VILLAGE
RESIDENTIAL ENTRY ELEVATION & PLAN**

MONARCH BEACH RESORT
SPECIFIC PLAN

NOT TO SCALE

EXHIBIT 2.13



SPECIMEN TREES

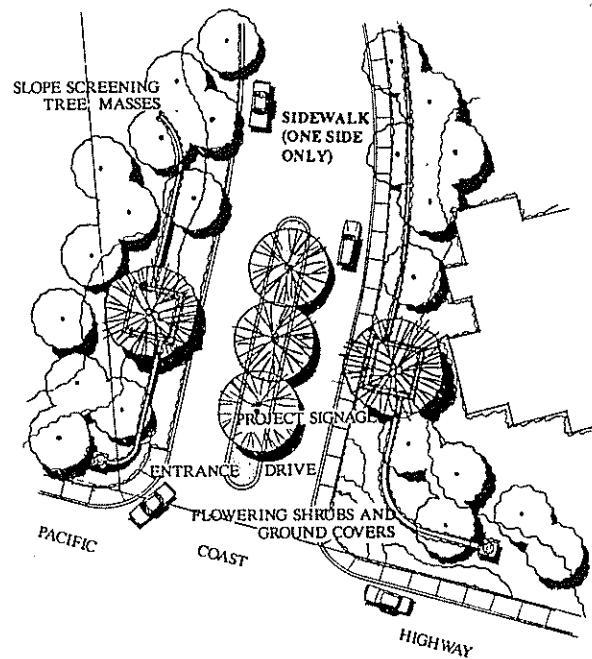
STONE PLANTER WALLS

HILLSIDE VILLAGE
ENTRANCE DRIVE

PROJECT SIGNAGE

RETAINING PLANTER WALLS

ENTRANCE ELEVATION



SLOPE SCREENING
TREE MASSES

SIDEWALK
(ONE SIDE
ONLY)

PROJECT SIGNAGE

ENTRANCE DRIVE

FLOWERING SHRUBS AND
GROUND COVERS

PACIFIC

COAST

HIGHWAY

PLAN VIEW

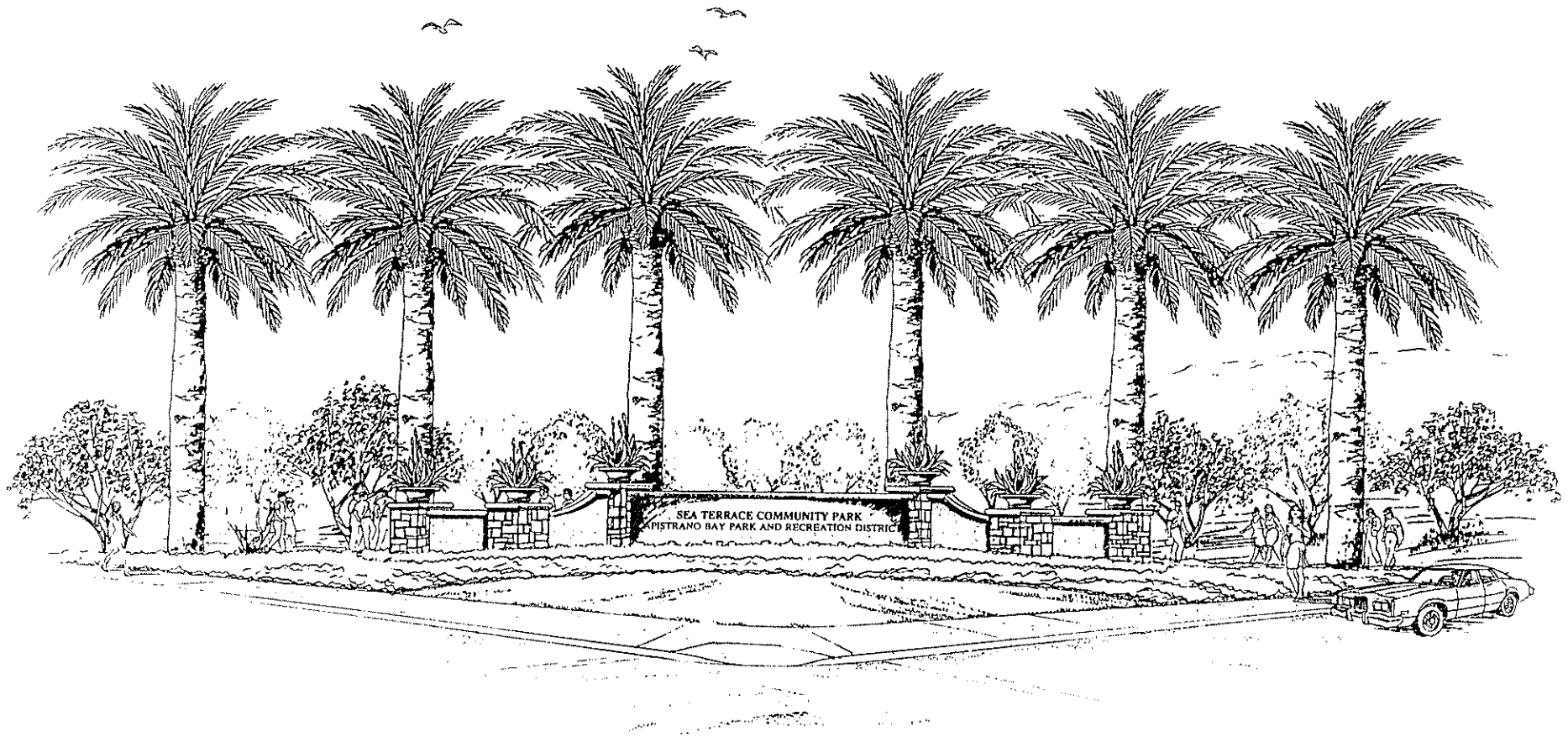


**HILLSIDE VILLAGE
SCHEMATIC ENTRY ELEVATION & PLAN**

**MONARCH BEACH RESORT
SPECIFIC PLAN**

NOT TO SCALE

EXHIBIT 2.14

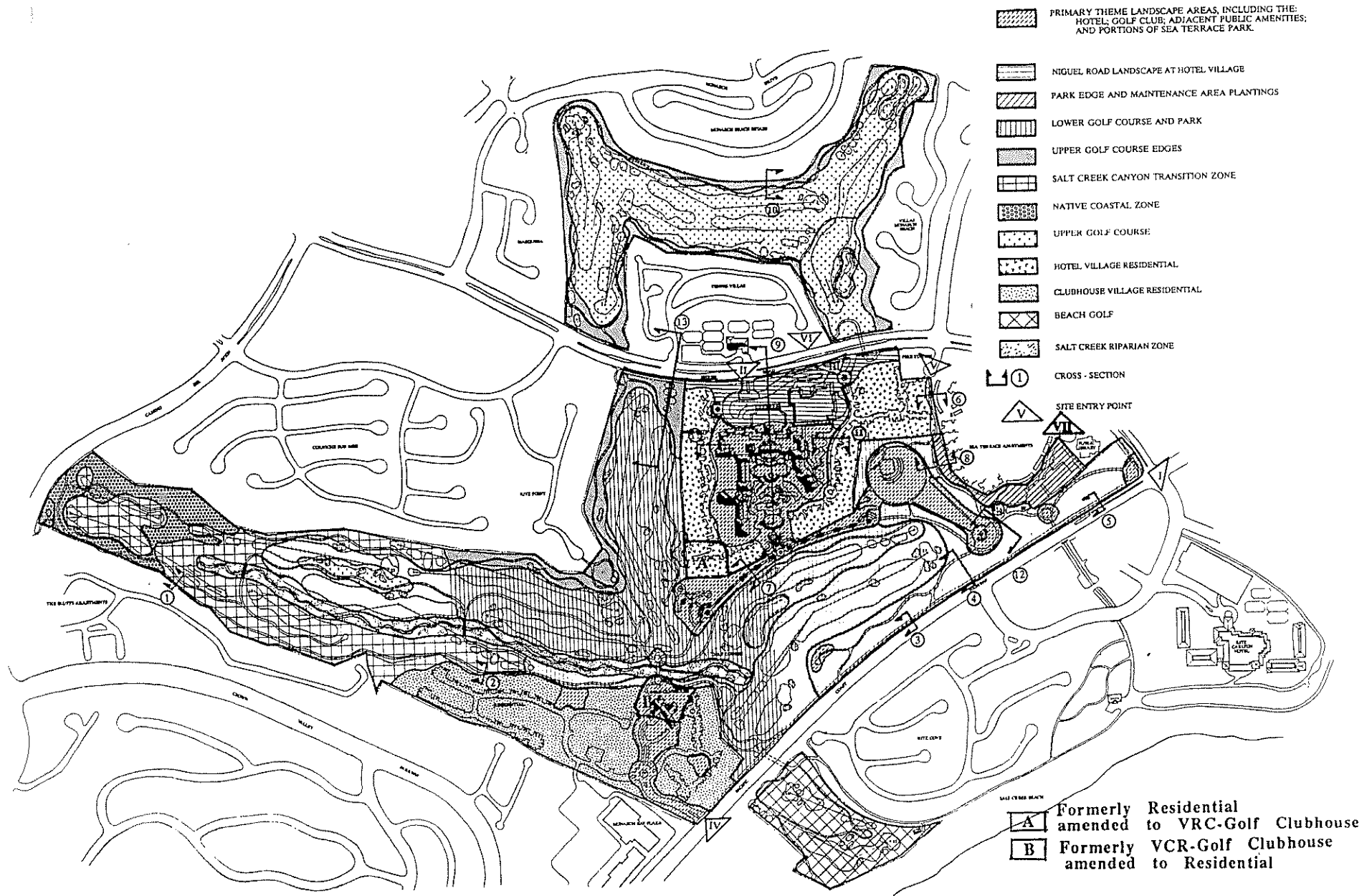


**SEA TERRACE COMMUNITY PARK
SCHEMATIC ENTRY ELEVATION**

**MONARCH BEACH RESORT
SPECIFIC PLAN**

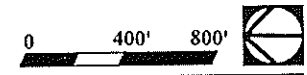
NOT TO SCALE

EXHIBIT 2.15



SCHEMATIC LANDSCAPE PLAN

MONARCH BEACH RESORT
SPECIFIC PLAN



the apartments. Privacy for the apartments will thus be maintained. The maintenance facility, off of Mariner Drive adjacent to Sea Terrace Community Park parking lot will be fully screened with dense evergreen vegetation.

Clubhouse Village

The Clubhouse Village "hillside" landscape will be comprised of low spreading and medium sized trees, designed to emulate the Mediterranean coastal estates. Dense groupings of low and medium sized trees will screen the existing shopping center edge, and create a backdrop for the architectural elements in the Clubhouse Village.

Salt Creek Canyon Transition Zone

The Salt Creek Canyon Transition Zone will bridge the more refined landscapes of the Lower Golf Course and Clubhouse Village with the Native Coastal Zone seaward of Camino del Avion. The plant palette includes a mixture of native materials compatible to those of the Lower Golf Course, and include special planting groups forming a transition between the Salt Creek Corridor and the Native Coastal Zone. See Section 2.5 Resource Enhancement Program for additional detail and program requirements.

Salt Creek Riparian Zone

The Salt Creek Riparian Zone, which includes the creekbed itself, will remain in its existing state. However, a transition edge along the streambanks will be planted with compatible plant species to augment the naturalized plants in the creek channel and to create a wildlife habitat to the extent feasible consistent with golf and landscape requirements.

Lower Golf Course and Park

Located in the lower elevations of the resort community, this portion of the golf course and portions of Sea Terrace Community Park, will be planted almost entirely with low spreading theme trees, augmented by flowering accent and specimen trees. Lawn will carpet the ground plane, with slopes and accent areas covered in flowering shrub masses and ground covers.

Upper Golf Course Edges

The edges of the upper elevations of the golf course consists of groupings of low and medium trees, with accent groupings of narrow, vertical theme trees. The concept is designed to frame views from the nearby existing residential area.

Upper Golf Course

The Upper Golf Course palette includes groupings of low spreading and medium trees, and accent specimens in focal areas.

Beach Golf Zone

Incorporating varieties of plant materials associated directly with a shoreline environment, the Beach Golf Zone will be comprised of primary theme trees with accents of flowering specimens.

Native Coastal Zone

The Native Coastal Zone, at the upper reaches of the Golf Course below Camino del Avion, provides a native landscape palette, including Coastal Sage Scrub species and Coast Live Oak, which provides habitat for wildlife. Along the perimeter of this landscape zone, small groupings of the primary landscape theme trees, such as pine and poplar, will provide transition from the Native Coastal Zone to the adjacent landscape zone. This program, re-establishing Coastal Sage Scrub, mitigates the loss of Coastal Sage Scrub on the slopes in the Clubhouse Village. (See Section 2.5 Resource Enhancement Program.)

Resource Enhancement Program Compatibility

The resort's Landscape Design Guidelines incorporate the specific elements of the Resource Enhancement Program in the Native Coastal Zone. These program elements include the re-establishment of Coastal Sage Scrub habitat seaward of Camino del Avion, the provision of theme trees which provide wildlife and landscape value, with a compatible adjacent transition zone. These elements provide for enhanced wildlife value through the creation of native Coastal Sage Scrub habitat adjacent to the public open space preserve the Salt Creek Regional Corridor, that is located north of Camino del Avion. The Native Coastal Zone is approximately located in the drier, upper reaches of the Salt Creek Corridor within the resort.

2.3.4 Suggested Plant Palette

A suggested plant palette with a list of trees that are appropriate to establish the landscape character is provided below. The specific use and character of each species is highlighted. The plant palette provides examples and guidance for the development of the preliminary landscape plan required for the Site Development Permit.

**TABLE 2.2
SUGGESTED PLANT PALETTE**

<u>Botanical Name</u>	<u>Common Name</u>	<u>Description</u>
PRIMARY ZONE - HOTEL SITE		
PRIMARY TREE PALETTE		
Pinus Pinea	Italian Stone Pine	Low Spreading Theme Tree
Olea europaea	Olive	Medium Sized Evergreen Theme Tree
Erythrina caffra	Coral Tree	Spreading Flowering Theme Accent
Jacaranda acutifolia	Jacaranda	Medium Flowering Accent
SECONDARY TREE PALETTE		
Populus n. Italica	Lombardy Poplar	Vertical Accent/Massing Theme Tree
Pinus halepensis	Aleppo Pine	Screening Tree
Magnolia gradiflora	Southern Magnolia	Tall Evergreen Character Trees
Cupressus sempervirens	Italian Cypress	Vertical Accent Theme Tree
Macadamia integrifolia	Macadamia	Low/Medium Character Tree
ACCENTS AND SPECIAL USE TREE PALETTE		
Citrus species	Citrus	Small Accents
Ficus rubiginosa	Rusty Leaf Fig	Low Spreading Character Specimens
Eriobotrya japonica	Loquat	Small Accent Tree
Prunus blireiana	Flowering Plum	Low Flowering/Foliage Accent

TABLE 2.2
SUGGESTED PLANT PALETTE
(Continued)

<u>Botanical Name</u>	<u>Common Name</u>	<u>Description</u>
Prunus caroliniana	Carolina Laurel Cherry	Screening Shrubs and Trees
Tabebuia chrysotricha	Golden Trumpet Tree	Small Flowering Accent
Quercus suber	Cork Oak	Vertical Character Specimens
Schinus terebinthifolius	Brazilian Pepper	Spreading Character Trees
Misc. Palm Varieties		Tall Vertical Specimen Accents
 HOTEL VILLAGE RESIDENTIAL		
PRIMARY TREE PALETTE		
Pinus pinea	Italian Stone Pine	Low Spreading Theme Tree
Olea europaea	Olive	Medium Sized Evergreen Theme Tree
Ficus rubiginosa	Rusty Leaf Fig	Low Spreading Character Specimens
Erythrina caffra	Coral Tree	Spreading Flowering Theme Accent
 SECONDARY TREE PALETTE		
Macadamia integrifolia	Macadamia	Low/Medium Character Tree
Magnolia grandiflora	Southern Magnolia	Tall Evergreen Character Trees
Schinus terebinthifolius	Brazilian Pepper	Spreading Character Trees
Pinus halepensis	Aleppo Pine	Screening Tree
 ACCENTS AND SPECIAL USE TREE PALETTE		
Lagerstroemia indica	Crape Myrtle	Small Flowering Accent
Jacaranda acutifolia	Jacaranda	Medium Flowering Accent
Misc. Palm Varieties		Tall Vertical Specimen Accents
Cupressus sempervirens	Italian Cypress	Vertical Accent Theme Tree
Cassia leptophylla	Cassia	Low Spreading Flowering Accent
Citrus species	Citrus	Small Accents
Populus n. Italica	Lombardy Poplar	Vertical Accent/Massing Theme Tree
 NIGUEL ROAD LANDSCAPE AT HOTEL VILLAGE		
PRIMARY TREE PALETTE		
Pinus pinea	Italian Stone Pine	Low Spreading Theme Tree
 SECONDARY TREE PALETTE		
Olea europaea	Olive	Medium Sized Evergreen Theme Tree
Citrus species	Citrus	Small Accents
 ACCENTS AND SPECIAL USE TREE PALETTE		
Jacaranda acutifolia	Jacaranda	Medium Flowering Accent
Erythrina caffra	Coral Tree	Spreading Flowering Theme Accent
Cupressus sempervirens	Italian Cypress	Vertical Accent Theme Tree

TABLE 2.2
SUGGESTED PLANT PALETTE
(Continued)

<u>Botanical Name</u>	<u>Common Name</u>	<u>Description</u>
PARK EDGE AND MAINTENANCE AREA		
PRIMARY TREE PALETTE		
<i>Pinus halepensis</i>	Aleppo Pine	Screening Tree
<i>Eucalyptus leucoxydon</i>	White Iron Bark	Tall Buffer Tree
SECONDARY TREE PALETTE		
<i>Olea europaea</i>	Olive	Medium Sized Evergreen Theme Tree
<i>Pinus pinea</i>	Italian Stone Pine	Low Spreading Theme Tree
<i>Cupressocyparis leyandi</i>	Leyandi Cypress	Screening Materials
<i>Eucalyptus rudis</i>	Swamp Gum	Tall, Narrow Buffer Trees
ACCENTS AND SPECIAL USE TREE PALETTE		
<i>Prunus blireiana</i>	Flowering Plum	Low Flowering/Foliage Accent
<i>Schinus terebinthifolius</i>	Brazilian Pepper	Spreading Character Trees
<i>Tristania conferta</i>	Brisbane Box	Tall Vertical Massing Trees
<i>Populus n. Italica</i>	Lombardy Poplar	Vertical Accent/Massing Theme Tree
CLUBHOUSE VILLAGE RESIDENTIAL		
PRIMARY TREE PALETTE		
<i>Pinus pinea</i>	Italian Stone Pine	Low Spreading Theme Tree
<i>Pinus halepensis</i>	Aleppo Pine	Screening Tree
<i>Populus n. Italica</i>	Lombardy Poplar	Vertical Accent/Massing Theme Tree
<i>Olea europaea</i>	Olive	Medium Sized Evergreen Theme Tree
SECONDARY TREE PALETTE		
<i>Cedrus deodara</i>	Deodar Cedar	Vertical Evergreen Accent
<i>Prunus blireiana</i>	Flowering Plum	Low Flowering/Foliage Accent
<i>Schinus terebinthifolius</i>	Brazilian Pepper	Spreading Character Trees
<i>Magnolia grandiflora</i>	Southern Magnolia	Tall Evergreen Character Trees
ACCENTS AND SPECIAL USE TREE PALETTE		
<i>Erythrina caffra</i>	Coral Tree	Spreading Flowering Theme Accent
<i>Eriobotrya japonica</i>	Loquat	Small Accent Tree
<i>Metrosideros excelsus</i>	New Zealand Christmas Tree	Medium Beach Zone Tree
<i>Meleleuca quinquenervia</i>	Paper Bark Tree	Beach Zone Buffer Trees
Misc. Palm Varieties		Tall Vertical Specimen Accents
SALT CREEK CANYON TRANSITION ZONE		
PRIMARY TREE PALETTE		
<i>Pinus pinea</i>	Italian Stone Pine	Low Spreading Theme Tree
<i>Olea europaea</i>	Olive	Medium Sized Evergreen Theme Tree

TABLE 2.2
SUGGESTED PLANT PALETTE
(Continued)

<u>Botanical Name</u>	<u>Common Name</u>	<u>Description</u>
Populus n. Italica	Lombardy Poplar	Vertical Accent/Massing Theme Tree
SECONDARY TREE PALETTE		
Pinus halepensis	Aleppo Pine	Screening Tree
Eucalyptus rudis	Swamp Gum	Tall, Narrow Buffer Trees
Eucalyptus leucoxylon	White Iron Bark	Tall Buffer Tree
Ficus rubiginosa	Rusty Leaf Fig	Low Spreading Character Specimens
ACCENTS AND SPECIAL USE TREE PALETTE		
Lagerstroemia indica	Crape Myrtle	Small Flowering Accent
Erythrina caffra	Coral Tree	Spreading Flowering Theme Accent
Schinus molle	California Pepper	Spreading Character Trees
SALT CREEK RIPARIAN ZONE		
PRIMARY TREE PALETTE		
Pinus pinea	Italian Stone Pine	Low Spreading Theme Tree
Populus n. Italica	Lombardy Poplar	Vertical Accent/Massing Theme Tree
SECONDARY TREE PALETTE		
Schinus molle	California Pepper	Spreading Character Trees
ACCENTS AND SPECIAL USE TREE PALETTE		
Salix species	Willows	Low Character Tree
LOWER GOLF COURSE AND PARK		
PRIMARY TREE PALETTE		
Pinus pinea	Italian Stone Pine	Low Spreading Theme Tree
Olea europaea	Olive	Medium Sized Evergreen Theme Tree
SECONDARY TREE PALETTE		
Pinus halepensis	Aleppo Pine	Screening Tree
Erythrina caffra	Coral Tree	Spreading Flowering Theme Accent
ACCENTS AND SPECIAL USE TREE PALETTE		
Cupressus sempervirens	Italian Cypress	Vertical Accent Theme Tree
Populus n. Italica	Lombardy Poplar	Vertical Accent/Massing Theme Tree
Schinus terebinthifolius	Brazilian Pepper	Spreading Character Trees
Prunus blireiana	Flowering Plum	Low Flowering/Foliage Accent

TABLE 2.2
SUGGESTED PLANT PALETTE
(Continued)

<u>Botanical Name</u>	<u>Common Name</u>	<u>Description</u>
UPPER GOLF COURSE EDGE		
PRIMARY TREE PALETTE		
Pinus pinea	Italian Stone Pine	Low Spreading Theme Tree
Pinus halepensis	Aleppo Pine	Screening Tree
Populus n. Italica	Lombardy Poplar	Vertical Accent/Massing Theme Tree
SECONDARY TREE PALETTE		
Schinus molle	California Pepper	Spreading Character Trees
Schinus terebinthifolius	Brazilian Pepper	Spreading Character Trees
Tristania conferta	Brisbane Box	Tall Vertical Massing Trees
Ficus rubiginosa	Rusty Leaf Fig	Low Spreading Character Specimens
ACCENTS AND SPECIAL USE TREE PALETTE		
Cupressus sempervirens	Italian Cypress	Vertical Accent Theme Tree
Cupressus macrocarpa	Monterrey Cypress	Medium Sized Character Specimens
Jacaranda acutifolia	Jacaranda	Medium Flowering Accent
UPPER GOLF COURSE		
PRIMARY TREE PALETTE		
Pinus pinea	Italian Stone Pine	Low Spreading Theme Tree
Erythrina caffra	Coral Tree	Spreading Flowering Theme Accent
Cupressus macrocarpa	Monterrey Cypress	Medium Sized Character Specimens
SECONDARY TREE PALETTE		
Cassia leptophylla	Cassia	Low Spreading Flowering Accent
Tristania conferta	Brisbane Box	Tall Vertical Massing Trees
Populus n. Italica	Lombardy Poplar	Vertical Accent/Massing Theme Tree
ACCENTS AND SPECIAL USE TREE PALETTE		
Schinus molle	California Pepper	Spreading Character Trees
Schinus terebinthifolius	Brazilian Pepper	Spreading Character Trees
Prunus blireiana	Flowering Plum	Low Flowering/Foliage Accent
BEACH GOLF		
PRIMARY TREE PALETTE		
Erythrina caffra	Coral Tree	Spreading Flowering Theme Accent
Melealeuca quinquenervia	Paper Bark Tree	Beach Zone Buffer Trees
SECONDARY TREE PALETTE		
Metrosideros excelsus	New Zealand Christmas Tree	Medium Beach Zone Tree
Eucalyptus rudis	Swamp Gum	Tall, Narrow Buffer Trees

TABLE 2.2
SUGGESTED PLANT PALETTE
(Continued)

<u>Botanical Name</u>	<u>Common Name</u>	<u>Description</u>
ACCENTS AND SPECIAL USE TREE PALETTE		
Pinus torreyana	Torrey Pine	Beach Character Specimen
Prunus blireiana	Flowering Plum	Low Flowering/Foliage Accent
Cupressus macrocarpa	Monterrey Cypress	Medium Sized Character Specimens

NATIVE COASTAL ZONE

PRIMARY TREE PALETTE

Quercus agrifolia	Coast Live Oak
Mesic Aspect Coastal Sage spp.	

2.3.5 View Design Guidelines Concept

The architectural and landscape guidelines reflect a sensitivity toward existing public off-site views and for maximizing on-site views. (See Exhibits 2.17, 2.18, 2.19 a & b and 2.20)

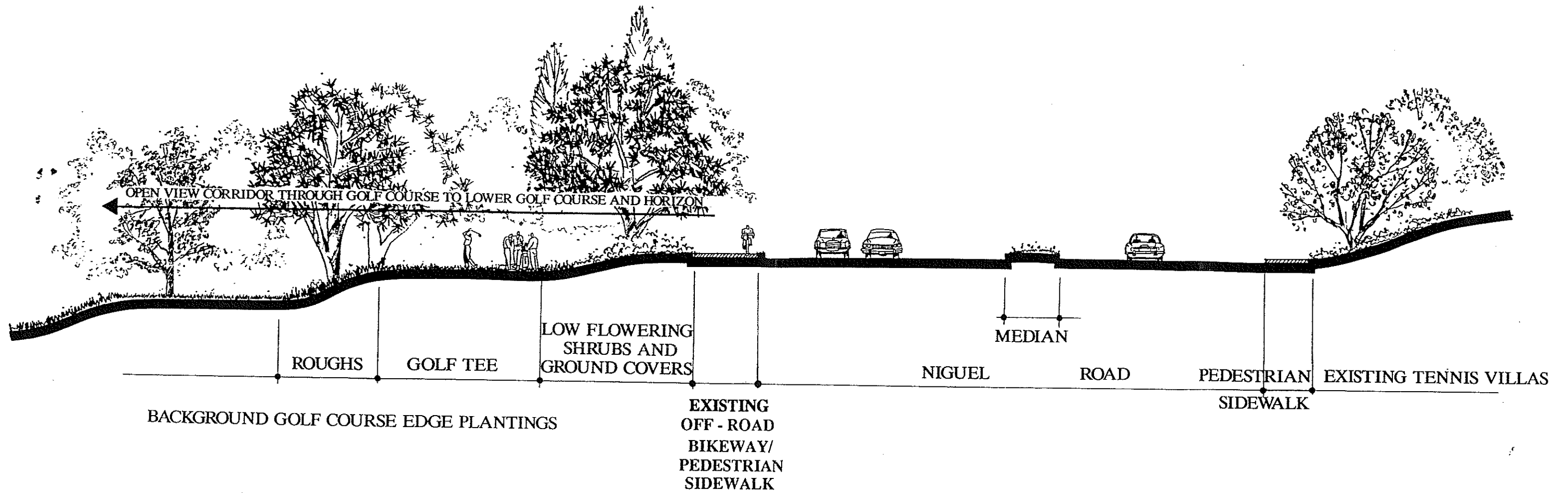
Niguel Road is situated at approximately 175 feet above sea level. The proposed height of the hotel adjacent to Niguel Road will not exceed the 205 feet elevation line. The planned hotel overruns, for elevators, will not exceed 219 feet.

There are public views from existing roadways, which will not be impacted significantly by the development of the Specific Plan area. These include views from Niguel Road, PCH and Camino del Avion, that look across the existing golf course to the horizon line of the ocean. (See exhibits 2.19 A & B). Some of these views will be enhanced by development, as the golf course is being expanded and improved, and the existing graded pads will be replaced by development softened with extensive landscaping.

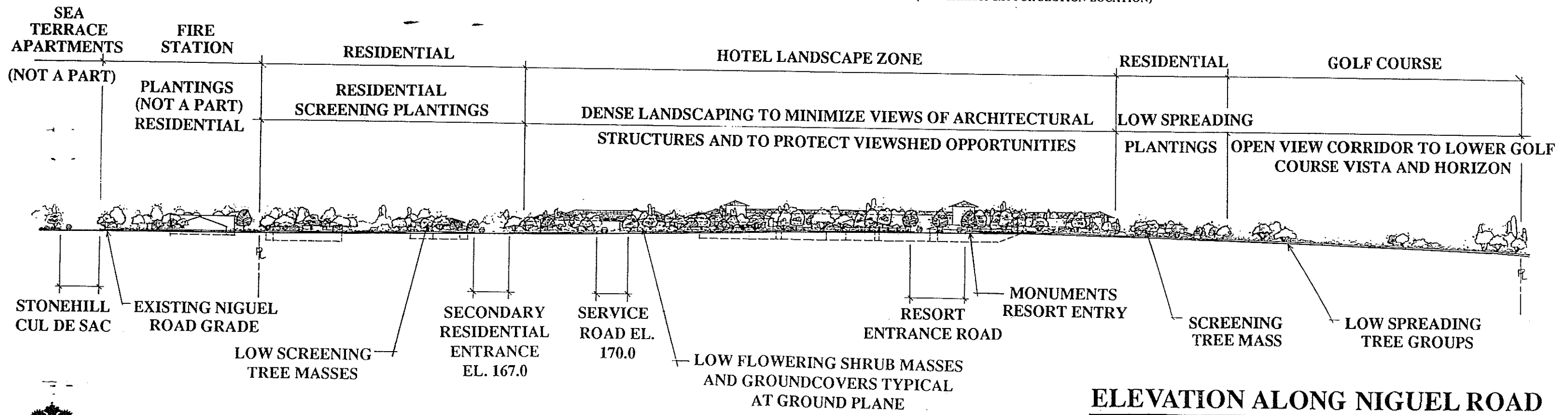
It should be noted that Niguel Road, which is designated by the City as a "scenic road", does not currently offer ocean views along the entire stretch of road adjacent to the project site, due to existing mature vegetation and off-site development. Nevertheless, location, massing and elevation of buildings within the Specific Plan area are designed to maintain public views from Niguel Road at controlled points (See exhibit 19). In addition, the future development of off-site residential property, located between the Pacific Ocean and PCH and adjacent to the golf course, will impact the existing view corridors from Niguel Road as well as PCH and Camino del Avion.

The Specific Plan also provides for public access to the resort grounds, community park, beach house, vista points in the park and other locations on the site, which will offer scenic views overlooking Salt Creek, the golf course, Salt Creek Beach and the Pacific Ocean.

The proposed development will have some impact on existing residential areas surrounding the site, however, most existing blue water views will be maintained. The one exception to this will be the condominiums across from the project site along Niguel Road, which will have a view of the hotel grounds and structures. Portions of their direct views of the ocean would be obstructed by the resort complex. The residential developer of these homes made buyers aware of the plans for development on the project site at the time of purchase.

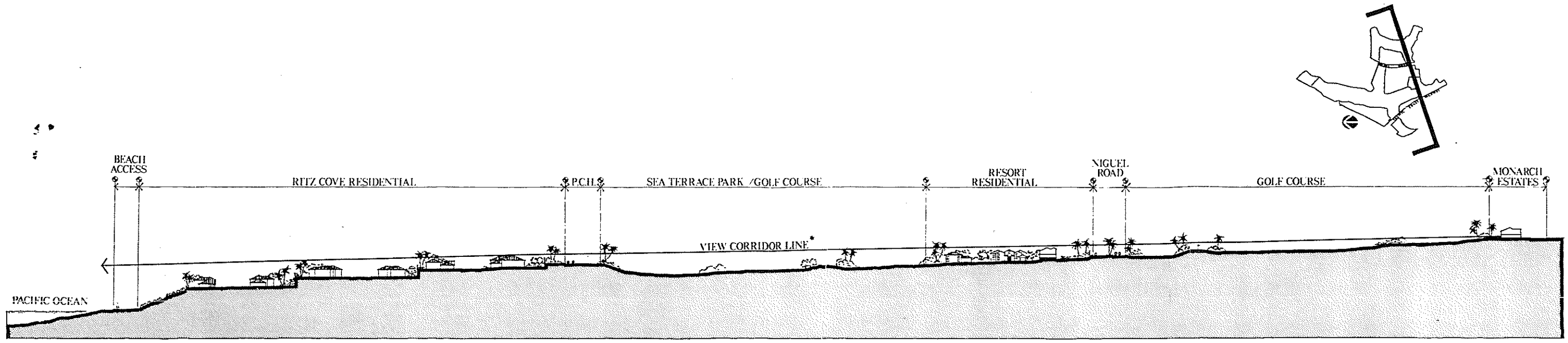


SECTION 13 - VIEW CORRIDOR AT NIGUEL ROAD
 (SEE EXHIBIT 2.16 FOR SECTION LOCATION)

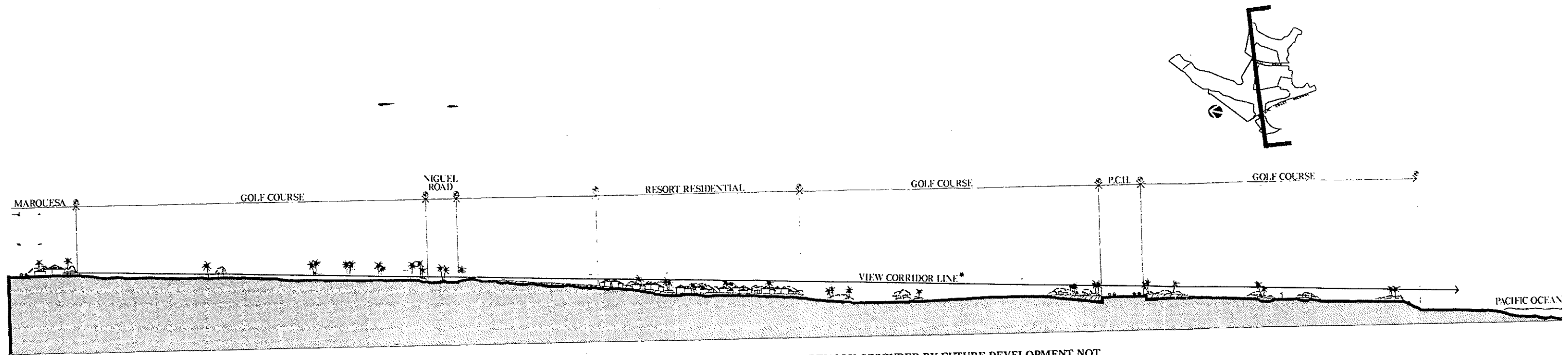


ELEVATION ALONG NIGUEL ROAD

VIEW CORRIDOR/LANDSCAPE CROSS - SECTION & ELEVATION



* PARTIALLY OBSCURED BY RITZ COVE DEVELOPMENT



* PARTIALLY OBSCURED BY FUTURE DEVELOPMENT NOT A PART OF THE SPECIFIC PLAN AREA

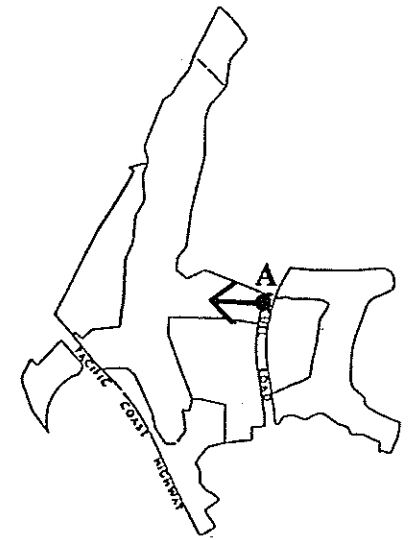
VIEW CORRIDOR CROSS - SECTIONS

MONARCH BEACH RESORT
SPECIFIC PLAN





A EXISTING VIEW FROM NIGUEL ROAD TO OCEAN



← **A** CONTROLLED VIEWPOINT



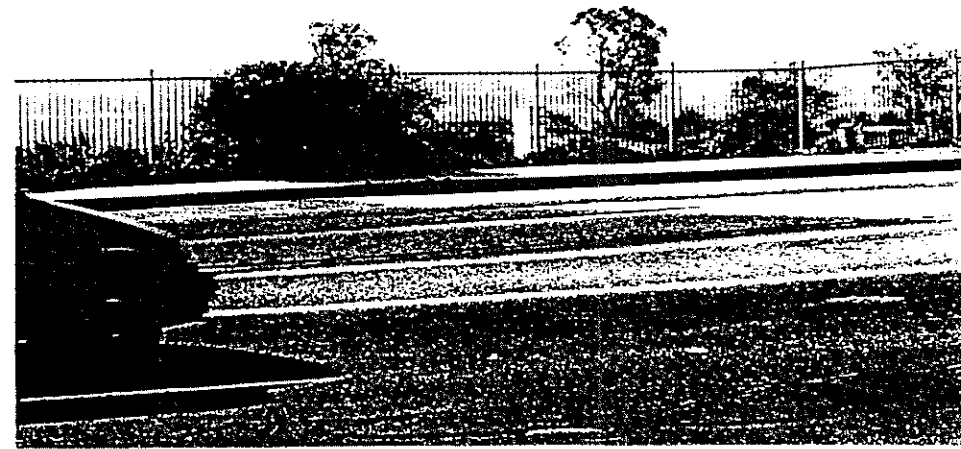
SPECIFIC PLAN BUILDOUT VIEW FROM NIGUEL ROAD TO OCEAN



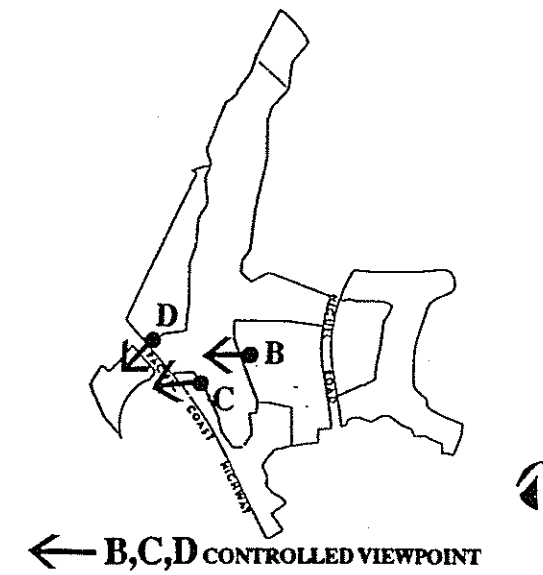
B EXISTING AND SPECIFIC PLAN BUILDOUT VIEWS FROM CRESCENT PROMENADE TO OCEAN



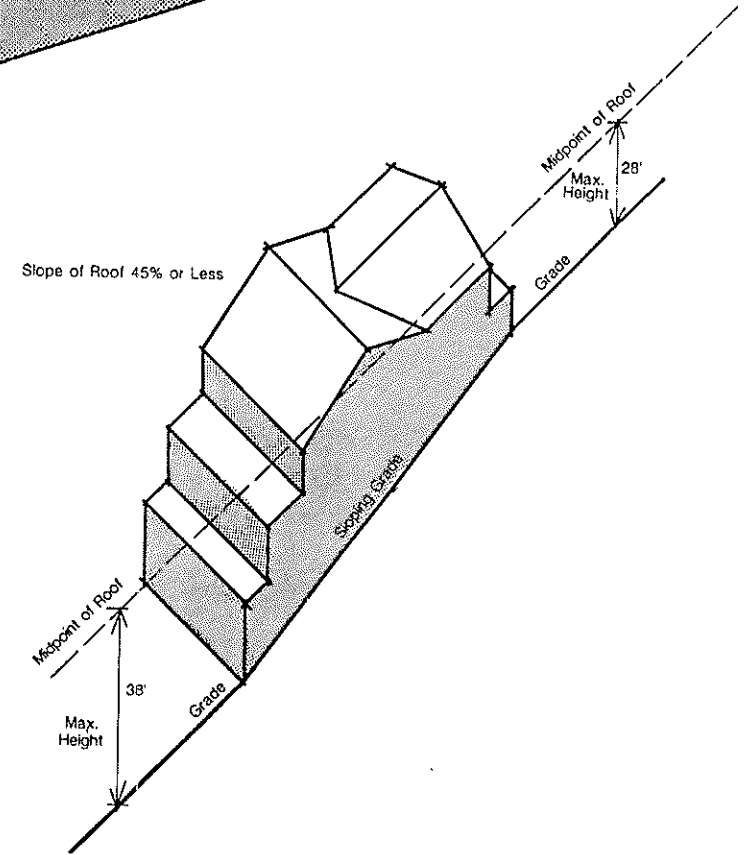
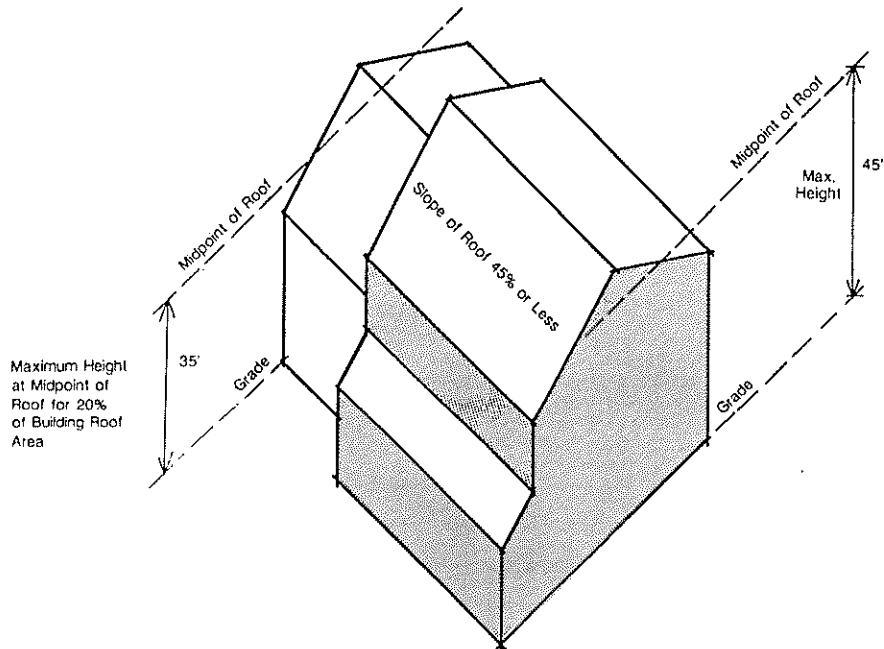
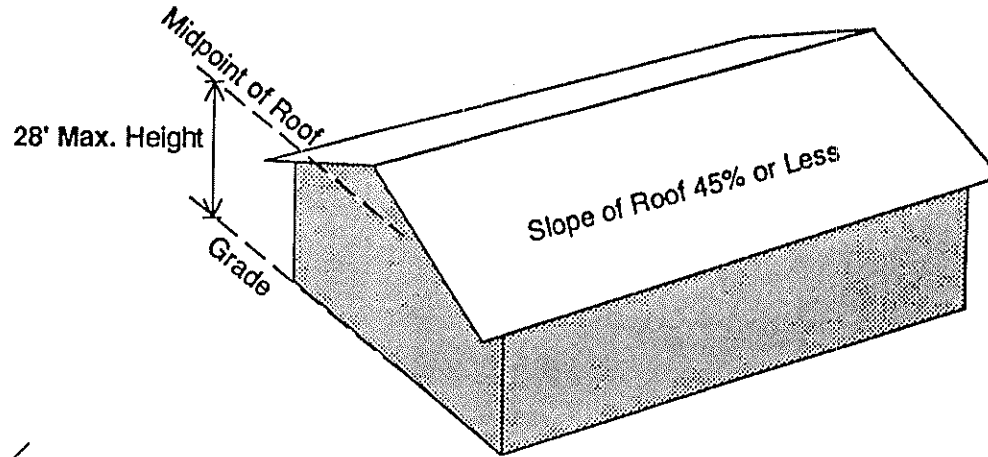
C EXISTING AND SPECIFIC PLAN BUILDOUT VIEWS FROM VISTA POINT IN SEA TERRACE COMMUNITY PARK TO OCEAN



D EXISTING AND SPECIFIC PLAN BUILDOUT VIEWS FROM PACIFIC COAST HIGHWAY TO OCEAN



SLOPED ROOF



HEIGHT DIAGRAM HILLSIDE HEIGHT DIAGRAMS

**MONARCH BEACH RESORT
SPECIFIC PLAN**

NOT TO SCALE

EXHIBIT 2.20

Although the existing visual character of the site will be altered, the Specific Plan is endeavors to retain public views, where possible, from Niguel Road, Camino del Avion and PCH, by considering building setbacks, grade changes, building heights, etc., and would enhance public access to scenic views at the edge of the site through the development of Sea Terrace Community Park and a variety of open space features.

2.4 Parks and Open Space

2.4.1 Sea Terrace Community Park

This section discusses public park facilities including improvements, construction and maintenance of the 21.5-acre public park. Permitted and conditionally permitted uses for the Community Park are delineated in Chapter 3.0 Development Standards. The agreement signed June 1991, between the Capistrano Bay Parks and Recreation District (CBPRD) and Monarch Bay Resort, Inc. ("the developer") provides policy guidance and implementation procedures. Sea Terrace Community Park is located along the inland side of Pacific Coast Highway. The park is consistent with the General Plan and designated Recreation/Open Space in the Land Use Element of the General Plan. It is designated Community Park in the Specific Plan.

The park is bounded by the golf course, resort hotel, residential area and Pacific Coast Highway. Vehicular access will be from Mariner Drive. A major feature of the park is that it has a direct interface with the resort gardens, clubhouse, hotel and regional trail system. The resort grounds are an extension of the park. Persons visiting the park will be unaware as they cross the line between public and private ownership.

Planned park facilities include: an amphitheater, a park pavilion, signage and lighting, trails and benches, a maintenance building and equipment yard, parking and access, picnic and lawn areas, a par course, a tot lot, a vista point and extensive landscaping. (See Exhibit 2.21, following this page.)

The developer will construct the park and also provide on-going maintenance of the community park as if it were an extension of the resort community.

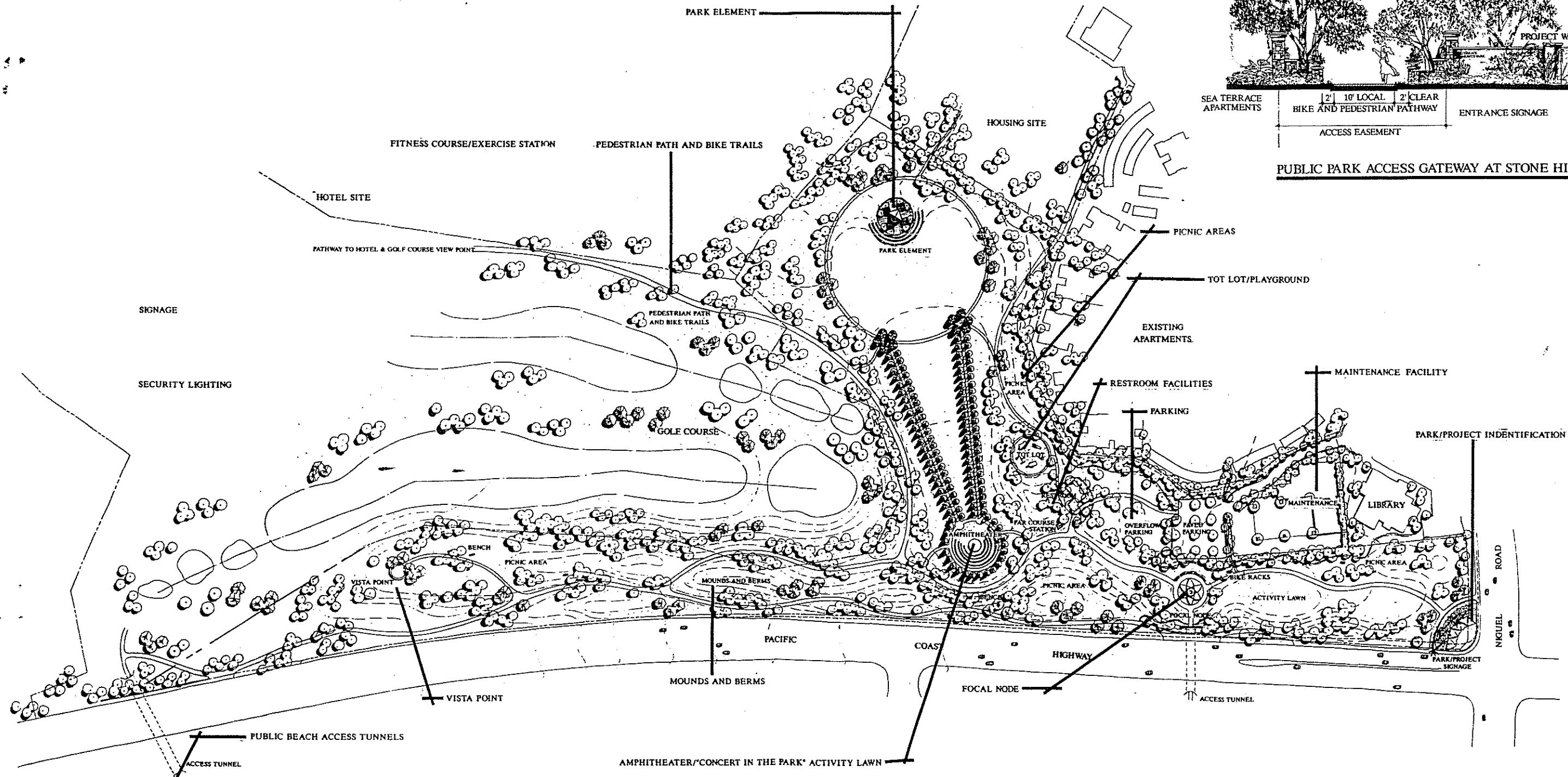
The park is designed as a Tuscan-style passive park with extensive landscaping and promenades linking with other areas of the resort.

The existing tunnel which runs under Pacific Coast Highway, known as the Niguel Shores underpass and connects the park with the Salt Creek Beach Park and beach parking, will be improved to City standards and will be open for public use. The CBPRD has agreed to improve and maintain the tunnel. The developer has agreed to light the underpass.

One at-grade parking lot will be provided with approximately 80 spaces available for the public using the park. About 40 spaces will be in a paved parking lot the other 40, which will service overflow parking, will be on turf block to minimize the visual impacts. Parking areas and the adjacent maintenance building will be screened with berms and landscaping.

2.4.2 Clubhouse and Golf Course

This section describes the development and operation of the golf clubhouse and the expansion and upgrading of the existing 18-hole golf course. The integration of the golf course with the other public open space amenities is also discussed.



SEA TERRACE APARTMENTS
 2' CLEAR 10' LOCAL 2' CLEAR
 BIKE AND PEDESTRIAN PATHWAY
 ACCESS EASEMENT
 ENTRANCE SIGNAGE
PUBLIC PARK ACCESS GATEWAY AT STONE HILL

The existing golf course will be redesigned and upgraded as follows (see Exhibit 2.22, following this page):

- Lengthen the course from 6,224 yards to approximately 6,800 yards.
- Rearrange the greens and tees in response to adjacent homeowner concerns, where possible.
- Provide large, centrally located lakes.
- Construct a trail route for the resort vehicle and golf carts over Salt Creek and the Salt Creek trail to the clubhouse site.

The golf course clubhouse site is designated Visitor/Recreation/ Commercial in the Specific Plan and is located west of Salt Creek. Resort vehicle service will be available from the clubhouse to the beach house and hotel. The clubhouse will serve the enhanced golf course, and parking will be available at the clubhouse.

Facilities located within the clubhouse will include: pro shop, offices, bar and restaurant, locker and shower rooms, and meeting rooms. The architecture and landscaping of the clubhouse will be consistent with the hotel and the remainder of the resort complex.

2.4.3 Other Park and Open Space Features

The developer has agreed to dedicate a minimum of four acres to CBPRD for public use. In addition, these sites will be improved by the developer and/or CBPRD and maintained by the developer; they include pedestrian trails, bike trails, and landscaping. The improvements shall be constructed on the dedicated parcels and open to the public in perpetuity. Parkland dedication and/or fees will be implemented at the subdivision map level. (See further discussion of this in Section 2.4.4 Parkland Requirements.

Developers shall complete the construction of the open space improvements on or before the opening of the resort hotel.

- Vista Points

Two additional vista points are designated in the Specific Plan and located as follows:

1. At the corner of the golf course where it wraps around the property presently owned by D.T. Smith, Inc. and known as Site 14; and
2. At the northeast corner of the Specific Plan area at Camino del Avion.

The vista points shall include observation decks, signage, lighting, furniture and landscaping. The vista points will be linked by the trail system. The developer will be responsible for construction and maintenance of the vista points.

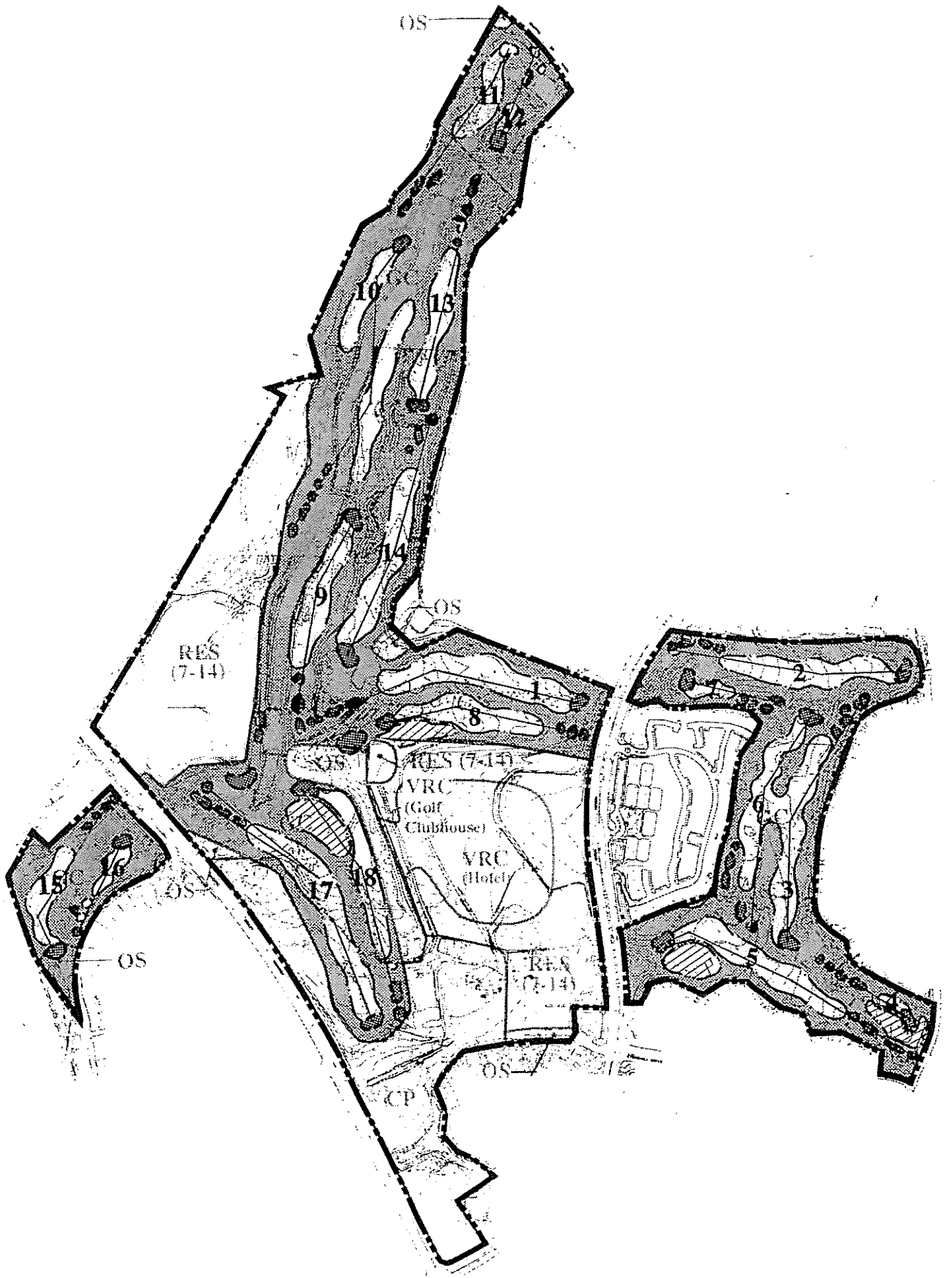
- Crescent Promenade

The Crescent Promenade is a pedestrian trail connecting Sea Terrace Park with the botanical garden, hotel gardens, and the remainder of the resort trail system. It will link with the bridge over Salt Creek to provide access to the golf clubhouse.

Construction and maintenance of the Promenade will be the responsibility of the developer.

- Botanical Garden

The botanical garden will be located between the golf clubhouse and the hotel, at the northerly end of the Crescent



GOLF COURSE ROUTING PLAN

MONARCH BEACH RESORT
SPECIFIC PLAN



Promenade. Will be lushly landscaped with botanical interpretive features to provide educational opportunities. The botanical garden will be constructed and maintained by the developer.

- Hotel Gardens

The hotel grounds will offer a series of garden settings to create the ambience of a grand country villa. The gardens including the Cascade Gardens, Olive Terrace and Orange Groves --will be constructed and maintained by the hotel operator. The gardens include the hotel entry, a series of gardens abutting the guest accommodations wings, and hotel courtyards.

- Residential Landscape

Common area gardens in the residential enclaves are an integral design component of the resort community. They will add to the overall visual continuity of the resort community by blending the private residential gardens with the public open space areas. The residential common area gardens will be constructed by the developer and maintained by the Homeowners' Association.

- Park Accessway

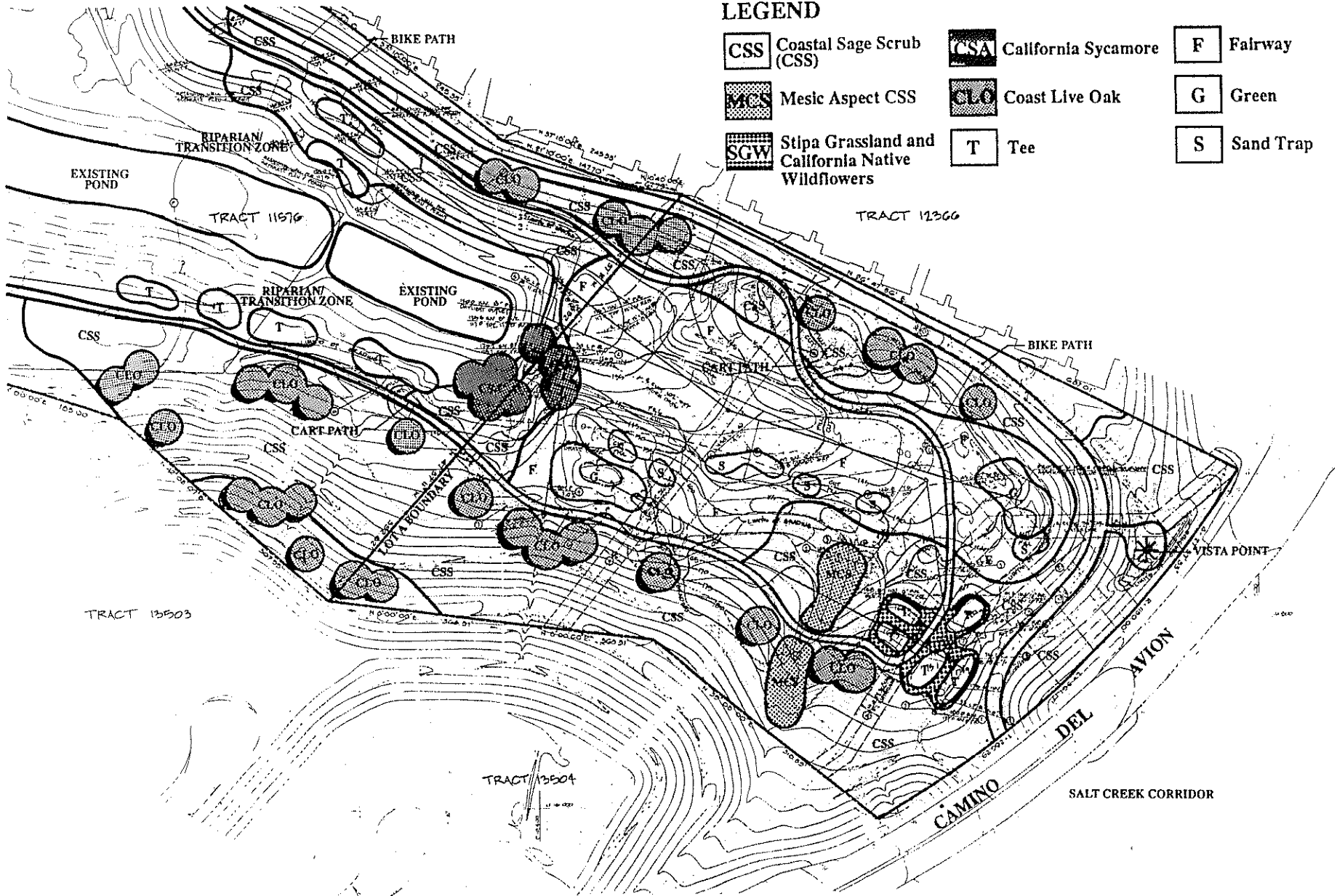
An accessway will provide a pedestrian walkway and bikeway as well as emergency access between Niguel Road at Stonehill Drive and Sea Terrace Community Park. Improvements to this area will include paving, landscaping, and lighting.

2.4.4 Public Parkland Requirements

The Specific Plan provides for improvements and maintenance of the 21.5 acre Sea Terrace Community Park.

In conformance with the minimum park requirements under the State Quimby Act, up to three (3) acres of dedicated parkland for each 1,000 population, an equivalent amount of in-lieu fees, an equivalent amount of park improvements, or an appropriate combination of the above, shall be provided by the developer as "park requirements." This section defines the type of parkland to be dedicated within the Specific Plan area, in addition to procedures for implementing the park requirement.

The local park requirement for the Specific Plan area is based on the anticipated number of units and the average household size (number of persons per unit). The following table shows the calculation for determining the park requirement.



LEGEND

- | | | |
|---|-------------------------|-------------|
| CSS Coastal Sage Scrub (CSS) | CSA California Sycamore | F Fairway |
| MCS Mesic Aspect CSS | CLO Coast Live Oak | G Green |
| SGW Stipa Grassland and California Native Wildflowers | T Tee | S Sand Trap |



RESOURCE ENHANCEMENT PLAN

MONARCH BEACH RESORT
SPECIFIC PLAN

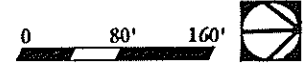


Table 2.3

Monarch Beach Resort Specific Plan Area

Persons Per Household Parkland Generation Rates*

<u>Residential Units</u>	<u>Average Household Size</u>	<u>Total New Residents</u>	<u>Required Parkland Acreage</u> (3 ac./1,000 pop.)
238 DU	2.5 persons	595	1.6 Acres

* Source: City of Dana Point

In 1983 a bond was posted which provided for \$1.24 million in improvements to Sea Terrace Community Park subsequently approved plans changed the character of the park plan as well as the term and conditions of the bond. In May and June 1991, two agreements were executed between the developer and CBPRD providing for an additional \$4.06 million in improvements to Sea Terrace Community Park, which, when added to the original bond allocation, total \$5.3 million in improvements. This includes the exchange of approximately 8 acres in Lot A, formerly a proposed public park area, to golf course use and approximately 5 acres of Sea Terrace Park to golf course for some of the improvements allocated to Sea Terrace Park by these agreements. The agreement also stipulates that the developer has agreed to provide on-going maintenance for the park.

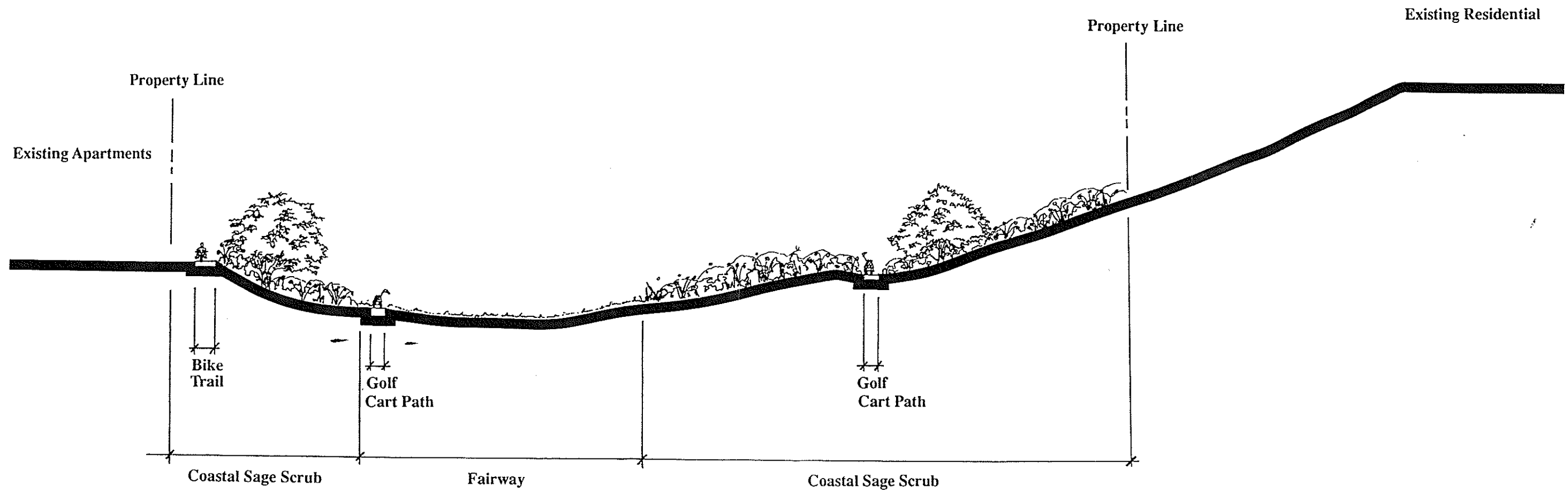
These agreements also acknowledge that the developer will offer to dedicate and construct additional open space improvements to comply with the City's Park Requirement. Consistent with these, the developer has agreed to offer for dedication at least 4 acres of parkland distributed throughout the site, and to make improvements of at least \$1.35 million to these areas. The agreements also provide additional safe guards to the Park District for the development of these improvements.

Based on the Parkland Generation Rates shown in Table 2.2, the park requirement of 3 acres per 1,000 population is more than satisfied with the parkland dedication of the open space features. The addition of substantial improvements in the form of extensively landscaped vista points, the botanical gardens and promenades, along with continuous maintenance of the areas, more than satisfy the park requirement determined by the City's park and generation rates.

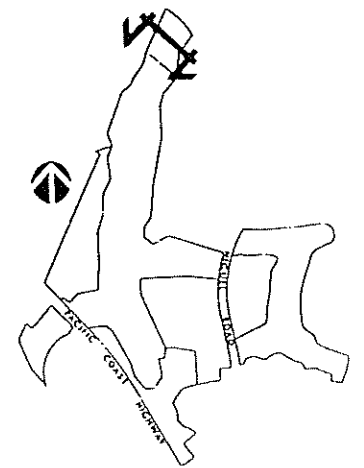
In the development of the Specific Plan, the City can require more parkland and improvements than is permissible under the Subdivision Map Act. Therefore, this Specific Plan provides for dedication and improvement of between four (4) and 4.7 acres of other park and open space features.

2.5 Resource Enhancement Program

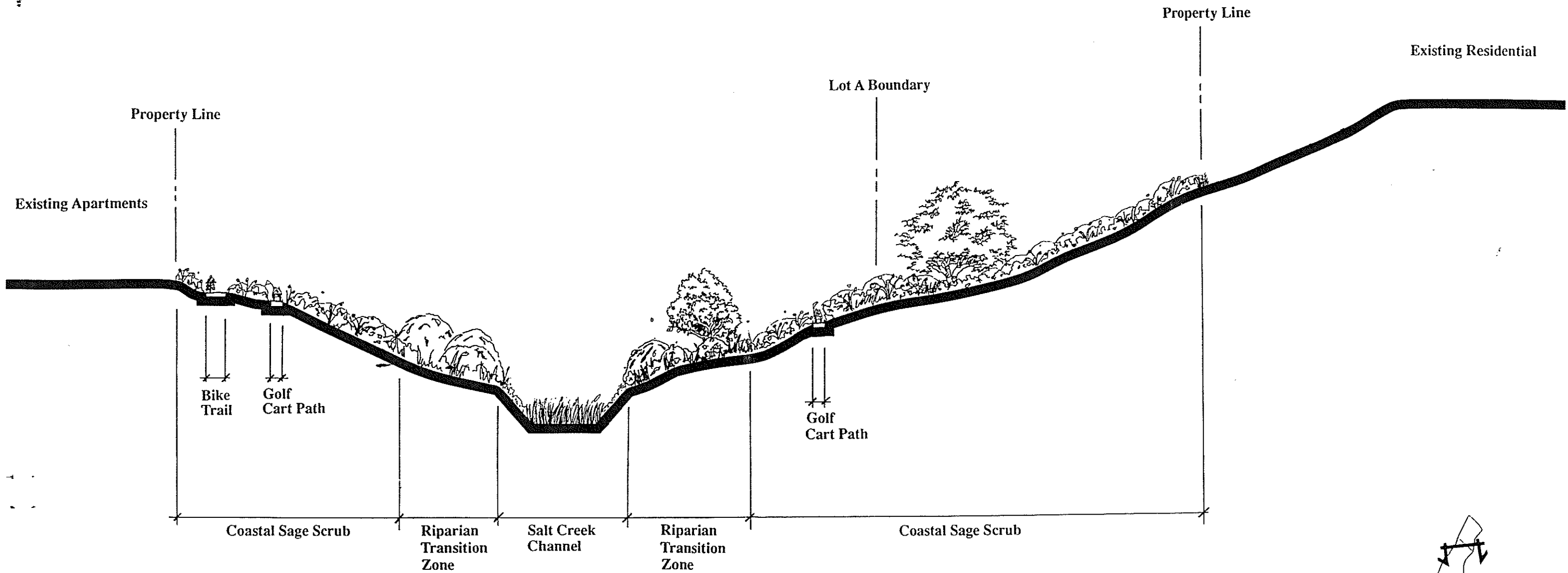
The Resource Enhancement Program (REP) provides a comprehensive, multi-stage, two-phased program (Exhibits 2.24 following this page) to re-establish 6.7 acres of Coastal Sage Scrub (CSS) habitat within the Monarch Beach Resort where it can be appropriately maintained and monitored. The re-establishment of CSS on Lot A is intended to fully mitigate in advance for the loss of CSS on the Clubhouse Village parcel. (See Exhibits 2.22 and 2.23, following page II-20)



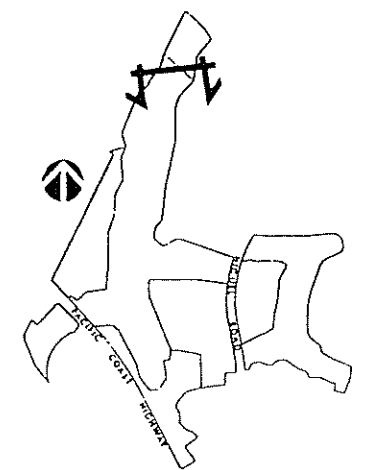
COASTAL SAGE SCRUB AT GOLF COURSE CROSS - SECTION



RESOURCE ENHANCEMENT PROGRAM CROSS - SECTION



COASTAL SAGE SCRUB AT SALT CREEK CROSS - SECTION



0 25' 50'



RESOURCE ENHANCEMENT PROGRAM CROSS - SECTION

MONARCH BEACH RESORT
SPECIFIC PLAN

In response to concerns from the community and resource organizations over the reduction of CSS habitat in southern California, the developer has committed to re-establishing and maintaining an improved CSS habitat area on-site in conjunction with the removal of topsoil and CSS shredded plant material from the Clubhouse Village slopes. Reuse of this topsoil and material using on-site genetic materials and soil types that are critical to the ultimate success of the reestablishment of CSS.

The selected site for the re-establishment of CSS habitat is known as Lot A. The Lot A area is contiguous with the upstream Salt Creek Regional Corridor open space by virtue of the Caminodel Avion underpass. As such, enhancement of this site provides the opportunity to establish a wildlife corridor linkage between and along the Salt Creek Corridor and the resort. It also provides for the long-term maintenance and monitoring of CSS habitat. The location is consistent with the resort landscape plan and has been designed in concert with the expansion of the golf course. The site will be the southern terminus of the Salt Creek Corridor's CSS habitat zone that extends several miles upstream to Niguel Road in the City of Laguna Niguel. Numerous consulting biologists, independent biologists, state and federal agencies, and local environmental organizations have provided input into the design of this program.

Phase One of the enhancement plan consists of the initial restoration of 3.4 acres of CSS on Lot A in advance of development, with Phase 2 establishment of 3.3 acres of CSS occurring once certain performance standards have been met. Ongoing maintenance and monitoring accompany each phase.

The REP addresses the necessary program elements of a successful CSS restoration effort. These include: siting, preparation, use of on-site soil and plant materials, transition zones, maintenance and monitoring and phased implementation, which will function as dispersal and shelter for any remaining wildlife.

The Resource Enhancement Program provides habitat opportunities including:

- Create habitat diversity within the corridor;
- Provide eradication of invasive plant species;
- Provide CSS and California Gnatcatcher habitat;
- Integrate native species into the landscape plant palette;
- Provide habitat for a variety of species;
- Provide linkage to the Salt Creek Corridor;
- Provide wildlife movement corridor, food sources, nesting sites, roosting and perching locations;
- Provide ongoing maintenance and monitoring; and
- Create a unique environment for the golfer, resort visitor and trail user.
- Accomplishes a plan that the developer and environmental groups support.

These opportunities can be achieved by meeting the principal goal of the Resource Enhancement Program.

Goal: To provide and enhance native habitat for indigenous wildlife, especially the California gnatcatcher, within the Lot A area of the Salt Creek Corridor, to be maintained in perpetuity by the resort operator as Coastal Sage Scrub habitat. The new CSS habitat replaces an existing CSS area planned for development in the Specific Plan.

2.5.1 Existing Natural Resource Conditions

The existing conditions of the natural resources of the site are important in determining appropriate actions related to preservation, enhancement potential and development opportunities. The following section describes the site conditions of the Lot A area and its immediately surrounding context.

- Site Conditions and Context

The REP will be implemented within the approximately 7-acre Lot A site plus additional acreage south of Lot A. The total CSS enhancement area exclusive of the golf course covers approximately 6.7 acres. Camino del Avion divides Lot A from upstream areas by a high bridge and embankment. Salt Creek has been diverted below ground through a culvert and daylights just seaward of Lot A.

The area selected for the restoration program has been disturbed. The site vegetation is dominated by ruderal (weedy) species, such as Russian Thistle (*Salsola australis*), Cardoon (*Cynara cardunculus*), and Mustard (*Brassica sp.*). Three areas of fill on the site are also vegetated with ruderal species. Patches of California Buckwheat (*Eriogonum fasciculatum*) exist along the roadway and trail embankment, apparently the result of a previous revegetation effort. However, it is sparsely distributed and mixed with non-indigenous species such as Desert Encelia (*Encelia californica*) and Sea Lavender (*Limonium perezii*). Irrigation and rain runoff from three culverts have allowed a small amount of vegetation to grow including a six-foot Willow (*Salix sp.*), ± 80 square feet of Cattails (*Typha sp.*) and two large Salt Bushes (*Atriplex sp.*).

- Impacts to Sensitive Resources

The Lot A area contains no sensitive plant or animal resources. No sensitive plant or vertebrate species were observed in Lot A during site surveys done in May and September 1991.

The Specific Plan in Phase I provides for the re-establishment of approximately 3.3 acres of existing Coastal Sage Scrub habitat located on the Clubhouse Village slopes. Much of this habitat is too dense for the California Gnatcatcher to utilize for nesting. The CSS habitat area remaining in this area is isolated and fragmented. Its size is generally considered below adequate quality to support a pair of breeding California Gnatcatchers. No birds were spotted during several site visits in September 1991. (A pair of gnatcatchers were spotted on the property in May, 1991.)

- Enhancement Program Elements

Elements of the REP were developed in consultation with several organizations including the South Coast Audubon Society, Gnatcatcher and Coastal Sage Scrub experts, U.S. Fish and Wildlife Service and California State Parks Department, and restoration experts. Project biologists and California Gnatcatcher habitat research also provided significant input to the program.

The REP elements feature the reuse of plant species (genotypes) and topsoil from the Clubhouse Village slopes. This technique will promote rapid CSS re-establishment. REP features include:

General Elements:

- Creating of Coastal Sage Scrub habitat, with small pockets of Coast Live Oak (refer to Exhibits 2.23, 2.24 a & b).
- Integration of the Habitat Enhancement Plan with expansion of the Links at Monarch Beach Golf Course and grading plan for Lot A.
- Implement the program through a phased approach utilizing on-site plant and soil materials (existing genotypes/gene pool) from the Clubhouse Village slopes to be relocated to the Lot A area to facilitate habitat establishment.

- Provide long-term maintenance and monitoring of the CSS habitat during establishment and after completion.
- Provide for potential wildlife movement between the lower and upper Salt Creek areas.
- Replicate California Gnatcatcher CSS habitat structure where possible.

2.5.2 Resource Enhancement Program

- Coastal Sage Scrub (CSS)

The REP goal is to establish the ecological structure and function of the CSS community which could potentially support the California Gnatcatcher, along with a variety of other animal species.

Habitat Value: The CSS plant community offers abundant food sources, as well as cover, for many indigenous wildlife. The linkage of new CSS habitat at Monarch Beach Resort with existing CSS habitat in Salt Creek Regional Corridor will help to counter the effects of widespread habitat fragmentation, such as on the Clubhouse Village slopes, and isolation which have been shown to have severe consequences upon CSS-dependent species. Many typical CSS bird species live primarily close to the ground and do not fly high or long distances. Such species should use the proposed continuous band of CSS as well as the adjacent riparian habitat as a movement corridor. Proposed maintenance and monitoring of this connection will ensure long-term viability and health of the habitat.

Description: CSS is a drought resistant-deciduous shrubland plant community adapted to California's Mediterranean-type climate at elevations ranging from sea level to 3,000 feet above sea level. CSS habitat is generally between 1.5 and 7 feet tall. Many of these shrubs have foliage which exude pleasant aromas. In addition to low shrub species, taller open canopies of undisturbed CSS allow for an abundant component of herbaceous species including grasses and succulents. Clusters of compatible tree species may sometimes be used to add variety to large expanses of CSS species, where appropriate, in accordance with the MBRSP landscape guidelines.

Features of the Coastal Sage Scrub Enhancement Program:

- A portion of Clubhouse Village parcel topsoil ('A' soil horizon approximately 6" in depth) will be utilized in the restoration program. The soil will be stockpiled for reuse within the restoration and enhancement areas. Use of the topsoil and plant material from the Clubhouse Village slopes is absolutely critical to program success. The use of Clubhouse Village parcel topsoil will occur in two phases. In Phase I, in which 3.3 acres of CSS will be created, existing stockpiled topsoil and vegetation on the north portion of the Clubhouse Village (formerly site 16) will be utilized. In Phase II, additional topsoil and selected vegetation from both the previously disturbed area and the existing vegetation area will be used to complete the CSS establishment effort.
- Indigenous (local plant types whose genetic composition may include adaptations to their specific local environment) will be used for revegetation.
- Where noted above, selected CSS plant materials on the Clubhouse Village slopes will be transplanted, where feasible.
- Site preparation and an ongoing maintenance program will focus on eradication of common weed species such as Artichoke Thistle, Mustard and Russian Thistle or Tumbleweed within habitat areas.

Utilization of Indigenous CSS Materials:

- Conserved topsoil from the Clubhouse Village slopes will provide a source of indigenous seed and micro-organisms (gene pool) needed for habitat function.
- Seed collection from existing CSS vegetation on the Clubhouse Village slopes. If needed, other nearby seed donor sites will be identified.
- Exceptions to indigenous CSS plant material include: 1) Phase I and II plantings for rapid habitat establishment and landscape diversity may include the following species from existing nursery stock: Coastal Sagebrush (Artemisia californica), Dana Point Buckwheat (Eriogonum fasciculatum 'Dana Point') and Foothill Needlegrass (Stipa lepida); 2) nurse crops; and 3) transition zones to the golf course. Phase I plantings may include a greater preponderance of nursery stock due to the relative small amount of vegetative and soil materials immediately available from the Clubhouse Village parcel.
- Site native mycorrhizae (plant root fungi) will be cultured for reintroduction via inoculated plugs of Stipa lepida. The fungus facilitates plant uptake of water and nutrients, while the plant provides carbohydrates through photosynthesis to the fungus.

Two CSS Vegetative Zones:

- Coastal Sage Scrub - This zone will be comprised of shrub and herbaceous species indigenous to the local CSS community. The structural composition will mimic California Gnatcatcher habitat where feasible. Common shrubs species will include, but not be limited to the following, which now occur on the Clubhouse Village slopes:

<u>Botanical Name</u>	<u>Common Name</u>
<u>Artemisia californica</u>	Coastal Sagebrush
<u>Baccharis pilularis</u>	Coyote Brush
<u>Diplacus aurantiacus</u>	Orange Bush Monkey-flower
<u>Encelia californica</u>	California Bush Sunflower
<u>Eriogonum fasciculatum</u>	California Buckwheat
<u>Galium nuttalli</u>	Nuttall's Bedstraw
<u>Isocoma veneta</u>	Coastal Goldenbush
<u>Lotus scoparius</u>	Deerweed
<u>Mirabilis californica</u>	California Wishbone-bush
<u>Salvia mellifera</u>	Black Sage

Species which can be expected to occur with less frequency are included in the Mesic Aspect (moist due to slope orientation) CSS list.

Herbaceous and succulent species which now occur on the Clubhouse Village slopes and can be expected in the restored CSS include the following:

<u>Botanical Name</u>	<u>Common Name</u>
<u>Dichelostemma pulchellum</u>	Blue Dicks
<u>Dudleya pulverulenta</u>	Chalk Dudleya
<u>Opuntia littoralis</u>	Coastal Prickly Pear
<u>Sisyrinchium bellum</u>	Blue-eyed Grass

<u>Solanum douglasii</u>	Douglas' Nightshade
<u>Solanum xanti</u>	Chaparral Nightshade
<u>Stipa pulchra</u>	Purple Needlegrass

Additional herbaceous species may occur in the Clubhouse Village slopes topsoil. If other indigenous CSS herbaceous species are known to occur in seed donor areas, these will be specified in the seed collection contract. Stipa lepida or Foothill Needlegrass, a CSS associate, will be added to the complement of site-native species.

CSS habitat is to be located on the outer slopes of the Lot A area. Larger contiguous areas will be planted as planned, principally on the eastern and northern slopes of the area. The larger areas are anticipated to be the most suitable for California Gnatcatcher due to their configuration and dimensions. Narrower CSS areas should function more as wildlife dispersion and foraging area.

CSS areas will also be interspersed with clusters of trees where appropriate, as defined in the landscape guidelines.

Mesic Aspect CSS Components - Due to sun angles, the slopes with north to northeast slope orientation are more protected from heat and desiccation (drying) than their south- and west-facing counterparts. This results in micro-environments which contain relatively more moisture than slopes with greater solar exposure. Intermittent drainage and seeps may also contribute to increased moisture-availability. Under such conditions, the species listed below will occur with greater frequency. Higher concentrations of seed of these species will be applied to areas with more northerly aspects to assist in species establishment. One area of mesic CSS habitat has been identified on a northwest facing drainage.

Species include:

<u>Botanical Name</u>	<u>Common Name</u>
<u>Isomeris arborea</u>	Bladderpod
<u>Malosma laurina</u>	Laurel Sumac
<u>Rhus integrifolia</u>	Lemonadeberry
<u>Rhamnus crocea</u>	Redberry
<u>Ribes speciosum</u>	Fuschia Flowering Gooseberry
<u>Sambucus mexicana</u>	Mexican Elderberry

- **Integration of CSS With the Golf Course Expansion and Trails**

The areas designated for CSS and establishment were determined in conjunction with several factors. These include grading plans for the Lot A area, the design of the golf course expansion, the location and gradient of cart paths and trails, and the vista point adjacent to the Camino Del Avion bridge. The goal is to maximize CSS habitat where feasible and to minimize turf area. The REP plan reflects all of these design considerations.

CSS habitat will be allowed to grow up to trail and cart path edges. Adjacent to Camino del Avion, the CSS vegetation will be maintained in a thinned state for fire safety purposes.

The irrigation of the golf course turf area will be controlled so as not to adversely impact the CSSxeric (drought tolerant) habitat which would not be regularly irrigated once established.

Fairway green and tree drainage/irrigation patterns and drainage systems will be designed to contain runoff within maintained golf course areas, so as not to impact adjacent CSS vegetation.

Around several of the golf tees, Stipa grassland with native wildflowers will be planted. The major components of this grassland are Needlegrasses. This association will be green during wetter months and will grow to about 2 feet in height. Flower spikes will appear in the spring. After flowering, the area can be mowed to encourage new growth in the fall. Autumn-blooming flowers would be added for seasonal color. CSS habitat will surround the Stipa grassland/wildflower area.

- Integration of CSS With the Resort Landscape Plan

The REP has considered the overall resort landscape theme in the location and selection of an important tree species, Coast Live Oak (*Quercus agrifolia*) having significant habitat value which has been conceptually located along perimeter edges and near Salt Creek.

Coast Live Oak, an evergreen tree, is useful for screening and habitat value including food, cover and nesting opportunities. CSS habitat will initially extend up to the trees trunks when they are young and retreat as tree canopies spread.

Transition zones between CSS habitat and the resort's ornamentally landscaped areas will also be provided. These zones will be planted with native or drought-tolerant plant materials as determined by the overall landscape plan. Care was taken not to create conditions that would over-irrigate these areas or allow runoff to impact CSS habitat.

- Wildlife Movement

Wildlife still remaining within the remnant CSS habitat on the Clubhouse Village slopes will be encouraged to move to both the remaining 0.8 acre of CSS habitat on the Clubhouse Village slopes and the Salt Creek riparian zone. Prior to grading, steps will be taken to allow wildlife to relocate to these other areas. This will be accomplished by an organized team walking abreast through the habitat area, creating disturbances to flush wildlife from the area to be impacted into new habitat areas.

- Transition to Salt Creek

CSS habitat would remain at the middle to upper slopes adjacent to Salt Creek allowing a transition zone to exist. A riparian zone currently exists within the creek bottom and lower slopes. The treatment of the creek area itself is dealt with under the landscape guidelines, Section 2.3.3. California Sycamore (*Platanus racemosa*) would be planted at the edge of CSS habitat and the Salt Creek channel. This would provide tree cover, roosting and nesting opportunities for various bird species found along the Salt Creek Corridor.

- Fuel Modification

Fuel modification zones are required by the Orange County Fire Department (OCFD) within zones where natural lands directly abut residential or other development. The REP area is bounded on the west by an apartment complex opposite the county bikeway and on the east (top of slope) by a single family residential development. Existing irrigated landscaping occurs on either side of the REP area.

CSS plant species are allowed under County fuel modification guidelines if properly spaced and maintained. A minimum buffer zone of 100 feet has been provided at the top of the eastern slope. Existing landscaping and the county bike trail form a buffer on the western side of the project. Specific

requirements will be coordinated with the OCFD prior to planting.

- Grading and Drainage

The Lot A REP area will be graded subsequent to approval of a Site Development Permit by the City and a Coastal Development Permit by the Coastal Commission. The area will be graded to accommodate expansion of the golf course and for habitat enhancement purposes.

During the grading of the Clubhouse Village slopes to the south, after the successful completion of Phase I of CSS plantings, existing plant material will be removed, shredded and utilized for Phase II plantings in Lot A. Appropriate topsoil will also be utilized from the Clubhouse Village slopes. The shredded material and topsoil will be incorporated into the upper soil layers of areas to receive CSS plantings. This effort will be done in coordination with soil testing and remedial actions necessary for the REP area.

- Maintenance and Monitoring

To maximize the success of this project, several actions will be taken, including a detailed maintenance and monitoring program to be developed in conjunction with Site Development/Coastal Development Permits or Tentative Tract Map Stage Approval. This effort is necessary to assure long-term habitat quality.

Ongoing monitoring will help direct appropriate maintenance decisions. Such monitoring includes: weeding, erosion control, non-native herbivore control, supplemental irrigation and fertilization.

Monitoring is specifically important during and immediately after installation. Initial monitoring of results should be conducted to determine the need for any changes in the program such as replacement or alternatives species plantings.

The monitoring program will be developed and carried out for up to the first five years, if necessary. The program will monitor erosion, excessive weed growth, development of bare areas and the suppression of slow-growing plants by faster-growing ones. Once the habitat has become well established, close monitoring would taper off as appropriate.

The following will be monitored:

- Water erosion problems;
- Weed invasion - such as Cardoon, Mustard, Russian Thistle;
- Target species establishment;
- Plant species mix, adequate coverage;
- Non-native plant and animal intrusion;
- Irrigation intrusion, water needs;
- Human-related problems, trespassing;
- Wildlife use, California Gnatcatcher use;
- Pest and disease control, plant health; and
- Others as appropriate.

The developer will contract for the monitoring program. Appropriate monitoring entities will be identified. Potential research opportunities will also be explored. The developer will monitor the CSS habitat to assure success and as part of its mitigation monitoring program under CEQA.

- Phasing and Implementation

Several actions are required for a successful CSS habitat restoration project. A phasing outline is presented below and depicted on Exhibit 2.25, following this page:

Stage One: Initial Steps/Approvals (prior to Phase I plantings)

- Lot A: City approval for Grading/Site Development Permit based in concept REP
- Coastal Development Permit approval
- Develop detailed plans and specifications, maintenance and monitoring

Stage Two: Site and Planting/Preparation (for both Phase I and Phase II areas, except as noted)

- Grading of Lot A and Weed Eradication
- Contract for nursery-grown seedlings
- Collection of mycorrhizal inoculum (soil fungi) from Clubhouse Village slopes for reintroduction to CSS enhancement area via Stipa grass plugs.
- Seed collection from the Clubhouse Village slopes
- Soil testing - develop specific remediation needs for Lot A area

Stage Three: Implementation

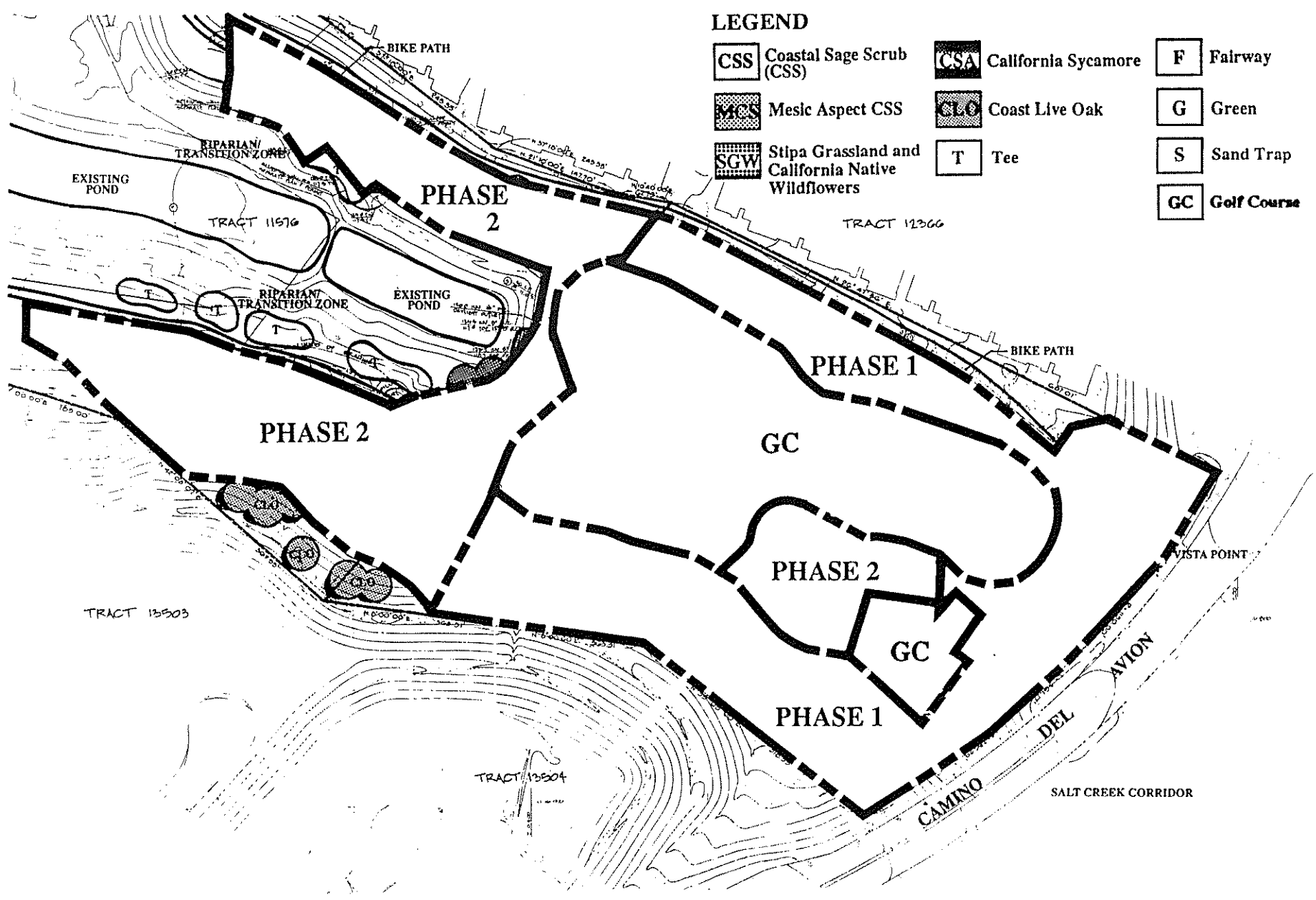
- Transfer previously stockpiled vegetation and soil from the Clubhouse Village disturbed area to Phase I area in Lot A (Phase I)
- Plant and hydroseed plant materials and amendments as called for in detailed implementation specifications
- Transplant the Clubhouse Village slopes plant material as needed to Lot A, Phase II area
- Plant nursery-grown seedlings/shrubs and trees in Lot A area
- Chip/shred the Clubhouse Village slopes plant material which cannot be transplanted in phased manner - relocate to Lot A, Phase II area
- Relocate the Clubhouse Village slopes topsoil to Lot A, Phase II area
- Incorporate the Clubhouse Village slopes topsoil/shredded plant material within Phase II area, soil preparation, mulching
- Apply seed and mulch (Phase I and II)
- Rodent and pest control measures taken (Phases I and II)

Maintenance and Monitoring (Post-Phase II)

- Irrigate, as necessary initially, withdraw water when established
- Monitor Phase I growth against performance standards established in Concept REP
- Monitor CSS habitat development and golf course activities - up to 5 year program;
- Maintain as necessary for long-term habitat quality

2.6 Access Program

An Access Program has been developed to delineate the variety of trails, public recreational facilities, hotel and golf clubhouse common areas, bikeways and resort vehicle system available to residents, resort visitors and the general public.



LEGEND

- | | | |
|--|--------------------------------|-----------------------|
| CSS Coastal Sage Scrub (CSS) | CSA California Sycamore | F Fairway |
| MACSS Mesic Aspect CSS | CLO Coast Live Oak | G Green |
| SGW Stipa Grassland and California Native Wildflowers | T Tee | S Sand Trap |
| | | GC Golf Course |



RESOURCE ENHANCEMENT PHASING PLAN

MONARCH BEACH RESORT
SPECIFIC PLAN



EXHIBIT 2.25

The Access Program includes an information component. The hotel will contain in a conspicuous location such as near the bell captain stand, concierge desk, or guest registration desk, a manned visitor information center, designed to orient the general public as well as hotel guests, as to the various uses available for public access and recreational use. Information shall also be made available through the use of brochures, maps and other guides showing the user all the locations, points of interest, and other public access and recreational opportunities within the resort and the surrounding area. The information center shall be fully functional concurrent with the commencement of operation of the Hotel.

The Access Program also includes a circulation system component. This system incorporates public, guest and private off-road circulation and integrates the bikeways, hiking trails, association accessways, paths, resort vehicle system, at least one public access bridge crossing over Salt Creek connecting the Salt Creek Trail with the Golf Clubhouse, and other components of non-vehicular circulation network. Each component is designed to function as a separate and dedicated route for one of the variety of off-road circulation uses.

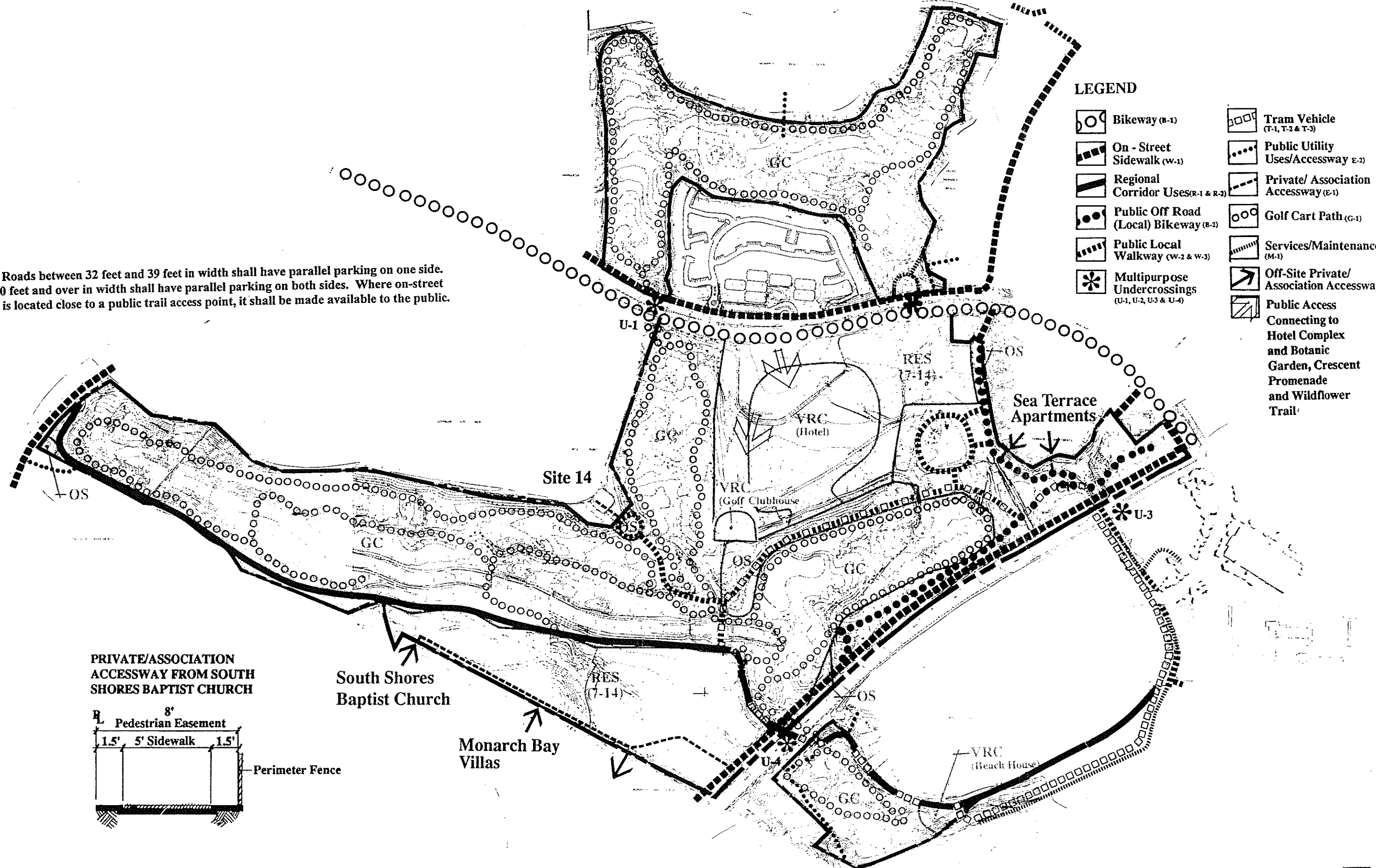
Exhibit 2.26, following this page, depicts the Access and Trails Plan. The plan shows each circulation component with type designations for each segment. For example, the Public Regional (Salt Creek Corridor) Trail is designated as either "R-1" or "R-2" depending upon the characteristics of each respective portion of the trail.

This off-road circulation concept was prepared based on the Dana Point General Plan and input from the City, the public, public utility agencies, the Capistrano Bay Park and Recreation District (the "CBPRD") and the Orange County Harbors, Beaches and Parks Department ("HBP"). While primarily focusing on the on-site circulation and access, it also addresses key linkages to regional facilities (e.g. Salt Creek Regional Corridor and Salt Creek Regional Beach Park) and other public use areas beyond the boundaries of the project and City.

The Trails and Access Plan depicts the following general types of circulation components within and adjacent to the project, each of which is explained in greater detail below (see Exhibit 2.26, as well as the landscape cross-sections in Exhibits 2.11 a-k, following page 11):

- Public - On-Street Bikeway (Type "B-1")
- Public - On-Street Sidewalk (Type "W-1")
- Public - Regional Corridor (Types "R-1" & "R-2")
- Public - Public Off-road (Local) Bikeway (Type "B-2")
- Public - Public Local Walkway (Types "W-2" & "W-3")
- Public - Resort Vehicle (Types "T-1", "T-2" & "T-3")
- Public - Multipurpose Undercrossings (Types "U-1", "U-2", "U-3" & "U-4")
- Private - Association Accessway (Type "E-1")
- Private - Utility Agency Easement (Type "E-2")
- Private - Golf Car Paths (Type "G-1")
- Private - Services/Maintenance Driveway (Type "M-1")

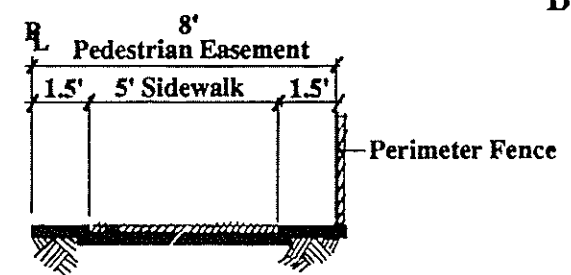
NOTE: Roads between 32 feet and 39 feet in width shall have parallel parking on one side. Roads 40 feet and over in width shall have parallel parking on both sides. Where on-street parking is located close to a public trail access point, it shall be made available to the public.



LEGEND

- Bikeway (B-1)
- Tram Vehicle (T-1, T-2 & T-3)
- On - Street Sidewalk (w-1)
- Public Utility Uses/Accessway (E-2)
- Regional Corridor Uses (R-1 & R-2)
- Private/ Association Accessway (E-1)
- Public Off Road (Local) Bikeway (B-2)
- Golf Cart Path (G-1)
- Public Local Walkway (w-2 & w-3)
- Services/Maintenance (M-1)
- Multipurpose Undercrossings (U-1, U-2, U-3 & U-4)
- Off-Site Private/ Association Accessway
- Public Access Connecting to Hotel Complex and Botanic Garden, Crescent Promenade and Wildflower Trail

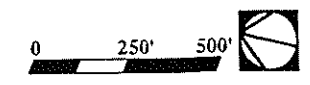
PRIVATE/ASSOCIATION ACCESSWAY FROM SOUTH SHORES BAPTIST CHURCH



South Shores Baptist Church
 Monarch Bay Villas

ACCESS/TRAILS PLAN

MONARCH BEACH RESORT
 SPECIFIC PLAN



2.6.1 Public (Within R.O.W.) Bikeways (Type "B-1") and Sidewalks (Type "W-1")

Public sidewalks and Class I or Class II bikeways have already been completed along both sides of Niguel Road, Camino Del Avion, Stonehill Drive. Sidewalk improvements along Pacific Coast Highway will be installed concurrent with completion of the Sea Terrace Community Park along the park's highway frontage. The bikeways and walkways form the primary links to the public recreation resources outside of the Specific Plan area.

2.6.2 Public Regional (Salt Creek Corridor) Trail (Types "R-1" & "R-2")

The Salt Creek Trail exists throughout the entire reach between Camino Del Avion and the Salt Creek Beach Park. The plan incorporates resort vehicle uses in portions of the trail (shown as Type "R-2") in the vicinity of the Hillside Village South through the Salt Creek underpass (Underpass "U-1"). Other aspects of the resort vehicle system are outlined below in the section entitled "Resort Vehicle System". Salt Creek Trail, which is located on the westerly side of Salt Creek, shall be connected to the Golf Clubhouse on the easterly side of Salt Creek via a Type "W-2" public off-road walkway, as shown on Exhibit 2.26.

2.6.3 Public Off-road Bikeways (Type "B-2")

The Specific Plan provides for a system of pedestrian/bicycle routes through the area connecting Niguel Road (via Stonehill Drive) with Sea Terrace Community Park, Pacific Coast Highway, the Salt Creek Regional Beach Park and the Salt Creek Corridor trail (via Pacific Coast Highway sidewalk). The bikeway's point of connection to the Niguel Road regional bikeway is located at the end of the Stonehill Drive cul-de-sac near the County fire station. This location was selected to allow for a stronger trailhead entry statement for the on-site bikeway system and to avoid issues, which would be prevalent in the vicinity of the tunnel. These issues include safety conflicts with golf uses, difficult grade transitions, easement encumbrances, and bisection of the residential community and other physical constraints.

Each bikeway will be owned by the underlying landowner, but will be open to the general public by means of easements acceptable to the City and CBPRD. In addition to aesthetics and access criteria, safety of use was a significant factor considered in the siting and connections of the bikeways.

Bicycle racks or other appropriate storage devices will be provided at appropriate designated locations including transitions between bicycle and non-bicycle uses. This will not only be a convenience for the guest and user, but will also encourage bicycle usage by the public and employees, thereby having the secondary benefit of lessening automobile dependence and associated traffic and pollution impacts.

2.6.4 Public Off-road Walkways (Type "W-2")

Due to physical constraints (e.g. gradient, barriers, etc.) and safety concerns, bicycle use on portions of the public accessways would not be appropriate. Consequently, a separate component of public pedestrians-only paths is provided in the plan. Bicycles, skateboards and other non-pedestrian uses will be prohibited. As with the bikeways, these walkways will be privately owned as a part of the property and open to the public by easement. At least one of these public walkways shall bridge Salt Creek and provide a safe, public connection between the Salt Creek Trail (Types "R-1" & "R-2") and the Golf Clubhouse.

These walkways will be comprised of stabilized decomposed granite material, which is similar to very coarse sand and includes tiny "bits" of granite stone. When used as a pathway or roadway material, it provides a stable surface with minimum maintenance. Stabilized decomposed granite is "stabilized" by adding an organic type of binding agent (or sometimes a soil-cement) to the decomposed granite material that essentially "glue" the particles together to become a more durable material. With proper compaction, it approaches the character of concrete in

density and compressive strength. Stabilized decomposed granite has been used successfully all over the world for public parks, as well as private estate driveways, motor courts, jogging paths, and normal pathways systems.

2.6.5 Future Off-site Walkway to Sea Canyon Park (Type "W-3")

A planned connecting link between Stonehill Drive and the Sea Canyon park near Dana Hills High School has been shown in the plan for reference only, but is not within the Specific Plan area. This linkage would extend from the public sidewalk along Stonehill Drive through the Monarch Beach gated entrance on Monarch Beach Drive (private street) and through the area known as Site 10C to the Sea Canyon park. All rights of way and future improvements of this component would be the responsibility of the City, and CBPRD.

2.6.6 Resort Vehicle System (Types "T-1", "T-2" & "T-3")

A resort vehicle system, which will be open to the public on a for-fare basis, will operate between the Salt Creek Beach Park and the Beach House above and adjacent to Salt Creek Beach. The system will provide controlled vehicular resort guest and public access to Open Space and Visitor Recreation Commercial uses in the Specific Plan area. The resort vehicle route will begin at a location in Salt Creek Beach Park (to be determined by Orange County Harbors, Beaches and Parks at a future date) and will enter and traverse Sea Terrace Community Park via the Pacific Coast Highway Underpass, known as the Niguel Shores Underpass ("U-2"). The resort vehicle will merge with the pedestrian bikeway and walkway midway through the Sea Terrace Park and continue along the western frontage of the Hotel and across Salt Creek by way of a bridge crossing to the Golf Clubhouse. At the Golf Clubhouse, the resort vehicle will merge with the Salt Creek regional corridor trail and continue south through the Salt Creek/Pacific Coast Highway Underpass ("U-1"). The resort vehicle route then continues along the Salt Creek Corridor trail alignment to the Beach House, its final destination.

The resort vehicle system will be operated during daylight hours and at a frequency to be determined in the future, which will vary with the season, day, time of day, demand, regulatory restrictions and other relevant factors.

Since the Orange County Harbors, Beaches and Parks (HBP) and CalTrans collectively have jurisdiction over much of rights-of-way to be shared by the resort vehicle, a variety of matters must be resolved prior to implementation of the resort vehicle system. Included among those issues are:

- (a) Avoidance of public perception of a resort vehicle utilizing public lands or rights-of-way primarily to serve the resort facilities.
- (b) Designing the system within existing physical limitations such as the lack of adjacent area for further trail widening near the tunnel and blufftop.
- (c) Addressing safety and control issues presented by joint use by pedestrians, bicycles and the resort vehicle in the context of the Salt Creek Corridor trail's existing 10' width and the limited ability for expansion of the trail.
- (d) Determining an acceptable user fare structure that promotes public accessibility.
- (e) Addressing the need for traffic control, signage and adequate safety measures in the operation of the resort vehicle system.
- (f) Utilization of a small and quiet vehicle that is non-obtrusive to pedestrians and bicyclists and the adjacent land uses.

Construction and operation of the resort vehicle system is contingent upon obtaining necessary approvals by the City, HBP, CalTrans and the California Coastal Commission. It will be necessary to obtain the requisite rights-of-way, permits and licenses prior to implementation of the resort vehicle system or construction of the Beach House. Given these requirements, the resort vehicle system may be modified by these public agencies to assure the most effective and safe public access system for the Specific Plan area. The City will cooperate and assist the developer in its attempts to obtain these necessary interjurisdictional approvals necessary to operate the resort vehicle system.

2.6.7 Underpasses at Pacific Coast Highway and Niguel Road (Types "U-1", "U-2", "U-3" & "U-4")

All four underpasses are structurally complete.

Underpass "U-1" has been fully completed with all planned improvements. It is currently open to the public as a part of the Salt Creek Corridor trail easements. This underpass is jointly used by golf carts, golf course maintenance vehicles, utility vehicles, pedestrians and other uses allowed within the Salt Creek Corridor.

Underpass "U-2," known as the Niguel Shores underpass, is complete except for interior improvements (paving, lighting, finishes, etc.). The developer will install the paving and lighting in the underpass concurrent with the completion of the Sea Terrace Community Park. All other improvements and long-term maintenance of the underpass improvements will be the responsibility of the CBPRD. This underpass will also be jointly used by pedestrians, bicycles and the resort vehicle.

Due to safety conflicts with golf uses and other issues outlined above (see "Public Off-road Bikeways"), public uses of the underpass at Niguel Road near Stonehill Drive (Underpass "U-3") will be limited to only pedestrians to cross Niguel Road between the two public sidewalks along either side of Niguel Road. To complete this pedestrian connection, the existing walkway connection from the sidewalk on the east side of Niguel Road will be opened to the public and will be augmented by a similar public connection from the underpass to the sidewalk on the west side of Niguel Road. No connection will be made from the underpass to the trail system (except for the purposes of serving golf carts and other golf uses). Bicycles will also be prohibited within the underpass section due to limited clearances and safety concerns.

The northern Niguel Road underpass near Corniche Drive (Underpass "U-4") will be used only for golf related uses. Similarly, the paved pathway leading from the public sidewalk on the western side of Niguel Road near this underpass will be limited to golf course uses only as it only connects to existing golf paths.

2.6.8 Private Association Easements (Type "E-1") & Utility Easements (Type "E-2")

Several third-party private ingress rights are integrated into the plan. These private association trails leading from the Monarch Bay Villas, the South Shores Baptist Church property, the Sea Terrace Apartments and the area known as Site 14 have been provided to allow residents of these neighboring locations direct access through the Specific Plan area property to the bikeway/walkway system.

A number of public utility easements are also included within the plan. Although not strictly a circulation route, they are referenced in the plan in order to clarify that these easements are for authorized use only by the public utility agencies which have beneficial rights in such easements.

2.6.9 Golf Pathways (Type "G-1")

As with other non-public accessways outlined elsewhere herein, this pathway system is shown for reference only. Except where they coincide with public bikeways and walkways, golf pathways will be open only for golf related uses. Their precise location may be determined as a part of the golf course redesign. With the exception of the

public golf course patron, these pathways will be closed to the general public, adjacent associations and other third parties.

2.6.10 Service Maintenance Access to Beach House (Type "M-1")

The Beach House shall be located at a site where service/maintenance access is safe and convenient and would not adversely impact public access. As outlined above in the case of the resort vehicle, it will be necessary to obtain all rights and approvals from the HBP, the City and CalTrans prior to issuance of permits to construct the Beach House. The City will cooperate and assist the developer in its attempts to obtain these interjurisdictional approvals for the resort vehicle system.

2.6.11 Public Access to Hotel and Golf Clubhouse Complexes

Public access from Niguel Road and Pacific Coast Highway to the public trails, the resort vehicle system and other public areas, will be available from the Hotel and Golf Clubhouse common areas. The Hotel and Golf Clubhouse have been planned and designed with freedom of flow between the interior and exterior areas, and linkage to the trail system.

A minimum of fifty percent (50%) of the time slots of the golf course shall be reserved for general fee-paying public use on a daily or hourly basis. If time slots or facilities set aside for non-members are not reserved 24 hours in advance, they may be reserved by members.

General public use (rental) of the banquet/conference center and exhibition hall facilities shall be allowed. The hotel shall not be used for private resort or time-share use. Public access shall be maintained to all common areas, including but not limited to the lobby/entrance areas, restaurants and dining facilities, pool areas, landscaped grounds and walkways.

No gates shall be placed to restrict access to public areas unless it can be demonstrated that the proposed gates serve a public health and safety purpose. Should gates be allowed, signs shall be provided in a conspicuous location, easily read by the public, at each approved gate indicating the hours that the gates are to be unlocked for public access and how to contact the access owner and operator. The placement of fences adjacent to public access areas, exact fence heights, exact location of gates restricting access to public areas, signage, and establishment of hours of operation of the public access areas shall require a coastal development permit. Incorporation into the Specific Plan of standards for the placement of fences and gates across public access areas and hours of operation of public access areas shall be subject to a local coastal program amendment and shall not be effective until effectively certified by the Coastal Commission.

2.6.12 Transit Systems

The Specific Plan area is served by Orange County Transit District ("OCTD"). To encourage public use of this transit system and to provide for future route expansion, bus turnouts have been incorporated into the project planning. A turnout on Pacific Coast Highway at the Sea Terrace Community Park will be constructed with the park improvements. A similar turnout has already been installed on Niguel Road at the approximate entrance to the hotel. No turnout is needed at the Clubhouse site, as there is a bus stop 200' north of the entrance.

These turnouts, together with implementation of OCTD's ultimate master route plan, should increase busridership by both the public and the resort's employees. The hotel operator will encourage bike commuting and ridesharing among employees and develop an OCTD program for its employees.

2.6.13 Coastal Access Fund

Through fees paid in connection with various permits issued by the Coastal Commission, a Coastal Access Fund was created for the specific purpose of improving public access to coastal resources. Coastal access fees were imposed on a number of residential developments within the south Orange County Coastal Zone. Although administered by the Coastal Commission as pursuant to permit conditions, the access fund is currently under the custodial management of the California Coastal Conservancy.

The Coastal Commission and Coastal Conservancy have made the policy decision to assign and transfer a significant portion of the Coastal Access Fund to cities within the County for local use. Since a major portion of that fund was generated in Dana Point by development within the Specific Plan area, the City has indicated support for application of those funds to a program related to the Specific Plan area. This is discussed further in section 2.14.1 Financing of Public Facilities.

2.6.14 Restricted Uses

Due to the land use constraints and safety issues, certain kinds of activities on the trails would not be appropriate. Except as outlined above, private use by homeowners' associations and unauthorized guests or other third parties will be prohibited on all components except for public trails. Use of the various trails and accessways by vehicles, motorized cycles, golf carts, skateboards and similar vehicles other than those specifically authorized by code, easement, agreement or license will be prohibited. Specifically, no vehicle operated by, or on behalf of, any homeowner or homeowners' association will be allowed on public bikeways and walkways, the resort vehicle routes, Salt Creek Corridor trail, any underpass link, or golf path. These policies, where appropriate, have been developed in conjunction with the CBPRD, the HBP, and City of Dana Point.

2.7 Housing

Pursuant to State law, the City of Dana Point has adopted a General Plan Housing Element which includes policies, programs and goals which address anticipated housing needs. The Housing Plan, which only has a 5-year time span (1989-1994), is prepared from a citywide and a coastal zone perspective. The City is in the process of implementing the housing policies in the General Plan in an effort to meet its goals. The Specific Plan for the project is consistent with the policies in the General Plan and does not preclude the City from implementing its 5-year plan.

A range of needs are considered by the Housing Element, including: residential rehabilitation; conservation of existing affordable housing; preservation of assisted housing at risk of conversion to market rate housing; special needs; overcrowding; cost burdens; and new housing production. The "need category" most pertinent to the Project is the demand and supply conditions regarding new housing production.

The Housing component of the Specific Plan provides an overview of the housing needs of the City for the five year period ending 1994 and determines what density categories of housing have been provided for in the General Plan Housing Element to meet these needs.

2.7.1 Share of Regional Housing Needs

The General Plan Housing Element includes a projected need of 1,000 new housing units during the five year time span of 1989 to 1994. Table 2.4 shows the five year regional housing growth by income category as reported in the adopted Housing Element. As indicated by Table 2.4, 41.4% of the "need," or 414 housing units, are projected in the very low and low income categories. Another 19.1% of the need, or 191 housing units, are for moderate income households.

**TABLE 2.4
FIVE-YEAR CITY HOUSING
GROWTH NEEDS**

<u>Income Category</u>	<u>1989-1994 Housing Unit Growth Need</u>
Very Low (0-50% County median)	233 units 23.3%
Low Income (50-80% County median)	181 units 18.1%
Moderate Income (80-120% County median)	191 units 19.1%
Upper Income (over 120% County median)	<u>395 units 39.5%</u>
	1,000 units

Projection based upon city of Dana Point building permits activity between June 1989 and October 1990. During this 17-month period, 337 net new units were added to the City's housing stock. This represents an annual growth rate of 240 units. The 1989-1994 projection assumes a growth rate of 200 units per year which is slightly less than the City's recent growth rate. The lower growth rate is used in the 5-year projection due to the limited amount of vacant land remaining in the City and an indication of decreased building activity.

Source: Southern California Association of Governments, Cotton/Beland/Associates, Inc.

As required by State law, the Housing Element identifies sites to accommodate the new construction needs quantified in Table 2.4. Sites to accommodate the City's "share of regional housing needs" are identified in the text incorporated in Exhibit C of the General Plan adoption resolution (No. 91-07-09-8 dated July 9, 1991). The site inventory encompasses land availability to accommodate the needs of all income groups. There is land available in the City to accommodate a net increase of 2,124 housing units. The existing, plan build-out and net increase in housing units is summarized in Table 2.5.

**TABLE 2.5
RESIDENTIAL DEVELOPMENT POTENTIAL
UNDER LAND USE PLAN**

Land Use Category	Existing 1/90 DU's	Plan Build-out	Net Increase DU's
Residential -- 0-3.5	162	158	(-4)
Residential -- 3.5-7	7,550	8,352	802
Residential -- 7-14	3,235	4,043	808
Residential -- 14-22	2,511	2,791	280
Residential -- 22-30	264	358	94
Commercial/Residential	290	434	144
	14,012	16,136	2,124

Source: Dana Point Land Use Element per Resolution No. 91-07-09-8.

To physically accommodate the need for 414 very low and low income housing units, the following residential land use categories were identified in the Housing Element:

<u>Category</u>	<u>Density Range</u>	<u>Average Density</u>	<u>New Units</u>
Residential	22-30	26 dus/ac	94
Commercial/ Residential		30 dus/ac	144
Residential	14-22	27.5 dus/ac	<u>199*</u> 437

* The General Plan assumes that 50% of the 14.5 vacant acres in the Residential 14-22 category would be developed in accordance with a 25% density bonus provision - 7.25 acres at 27.5 dus = 199 dus.

The provision of on-site affordable housing in the Specific Plan area is not appropriate based on the policies stated in the General Plan. First, no land use designations in the Specific Plan area have been allocated with the appropriate densities to provide for very low and low income housing. In addition, density bonuses have not been assigned to the Specific Plan area. The Specific Plan area is providing housing pursuant to the City's growth needs for upper income housing.

2.7.2 Additional Housing Programs

In addition to providing housing pursuant to the City's growth needs for upper income housing, the Monarch Beach Resort Specific Plan provides for an in-lieu fee program to satisfy the California coastal zone affordable housing requirements of the Government Code and a housing initiatives program designed to maximize employment of the local labor force and to make it easier for employees of the resort to afford housing.

2.7.3 In-Lieu Fee Program

California Planning and Zoning Law Section 65590 requires "New housing developments constructed within the coastal zone shall, where feasible, provide housing units for persons and families of low and moderate income, as defined in Section 50093 of the Health and Safety Code. Where it is not feasible to provide these housing units in a proposed new housing development the local government shall require the developer to provide such housing, if feasible to do so, at another location within the City or County either within coastal zone or within three miles thereof."

An in-lieu fee of \$540.00 per residential dwelling unit has been established to satisfy the Government Code's requirement of providing moderate income affordable housing within the Coastal Zone. The Housing Initiatives Program discussed in Section 2.7.4 satisfied the low and very low-income affordable housing requirements within the Coastal Zone. The in-lieu fee shall be paid for any proposed dwelling units that have not been approved by Coastal Development Permit P-79-5539 or which have not received a City approved affordable housing credit from the previously constructed affordable units in the Laguna Niguel Planned Community within the City of Dana Point. These funds will be used to address the City's needs for affordable housing. Fees will be collected prior to issuance of certificates of occupancy for each residential unit.

2.7.4 Housing Initiatives Program

The Housing Initiatives Program is designed to assist 145 employees (25% of the proposed 580 full time employees) whose households meet the low and very low income criteria as established by the U.S. Department of Housing and Urban Development (H.U.D.) and updated on an annual basis. Total cost of the program to the hotel operator shall not exceed \$210,000.00 a year adjusted annually in accordance with the percentage change in income levels as established by H.U.D. The administrative costs for the Housing Initiatives Program cannot be applied against the \$210,000.00 total cost of the program. The Housing Initiatives Program must be submitted to the Director of Community Development for review and approval prior to the issuance of a final certificate of occupancy on the hotel facilities. The program must provide for submittal of an annual report to the City. The report shall document the employees who were assisted, the exact type of assistance provided and the amount of money expended to provide the assistance.

The Housing Initiatives Program has been designed to accomplish three (3) goals:

- 1) maximize employment of the local labor force;
- 2) provide housing services management, training seminars, and information regarding rental and ownership responsibilities; and
- 3) housing cost reductions.

The Housing Initiatives Program is comprised of the following elements:

- **Rental Assistance Program**

This program is modeled after Section 8 and is readily quantified. The Rental Assistance Program will provide ongoing assistance to eligible hotel workers to bridge the gap between ability-to-pay and market rents. The program will be implemented using the eligibility criteria, income limits, maximum monthly rents and level of assistance established by the Section 8 programs administered by the Orange County Housing Authority.

- **Implementation of a Local Hiring Action Plan**

The City has a jobs to housing imbalance that would be improved by filling the project's employment from the City's existing underemployed workforce. To fulfill this objective, a local hiring action plan could be implemented.

- Advertisement of job opportunities in the local media including newspapers and cable television;
- Providing the City's Telephone Hiring Exchange with detailed information on each job opportunity and the qualifications of each workers classification;
- Cooperating with the Telephone Hiring Exchange to compile a list of interested and qualified workers from Dana Point and the immediate sub-region;
- Interview of qualified applicants to be conducted jointly by the developer and Telephone Hiring Exchange;
- Providing information on the number, type and qualifications for each job classification to industry and trade organization such as to the Hotel Employees and Restaurant Employees Union (HERE); and
- Establishing a cooperative plan with local high schools and colleges to recruit part- and full-time employees from the group of graduating seniors.

The hiring action plan would be developed as part of the operational policies and procedures of the project.

- **Implementation of Priority Hiring Plan**

Each person/household qualified to meet the job requirements would be interviewed. The selection criteria would, to the extent allowed by State law, be based on the following factors:

- Current resident of Dana Point;
- Current part-time/full-time employee of an establishment in Dana Point;
- Relative or other household member of a person already employed in Dana Point; and
- Workers interested in job-sharing with other hotels and service establishments in Dana Point.

- **Establishment of Housing Services and Management Program**

This program provide guidance and information to hired workers on their rights and responsibilities in the rental, ownership, maintenance and occupancy of housing. The project would be implemented cooperatively with local property management firms to prepare and implement a series of seminars on basic rights and responsibilities in the ownership and rental of housing, including rental agreements, management, fair housing and the adequate maintenance of home, yard and premises. Attendance at these seminars would be required by the operator for all hired employees as part of their training program.

- **Creation of an Entry Cost Assistance Program**

A major obstacle to housing affordability for low income earners is the initial entry cost (1st/last months + security payment) which exceed their ability to pay. This program would eliminate this obstacle by the developer's relieving employees of these costs for appropriate employees.

- **Shared Housing Program**

Single income households have difficulty in meeting housing costs. To address this issue workers would be interviewed by the operator in an attempt to match employees who could compatibly share housing. The "matched" low and moderate income workers could then have multiple incomes and an increased economic capacity to meet housing costs. This action could be implemented on a cooperative basis with the City's Telephone Hiring Exchange program.

- **Creation of an Employees Task Force**

Many people are unable to work sufficient hours in the week to generate enough money to afford housing. Therefore, through the creation of an Employees Task Force which would include all major employers in the City, the task force would concentrate on sharing employees between different businesses so as to create the opportunity for working additional hours together with keeping the labor force within Dana Point.

The Specific Plan does not affect the ability of the City to implement their 5-year goal to develop a housing plan.

- **Future Housing Programs**

Monarch Beach Resort may choose to modify the Affordable Housing Program by seeking authorization by the City Council to acquire existing housing or to build new housing to satisfy their affordable housing requirements. The number of units, location of housing, method of subsidy and mechanics for implementation shall be determined at the time and is subject to the review and approval of the City Council.

In the event the City adopts a City-wide policy for affordable housing for visitor-serving uses (Housing Element Program #21); or a City-wide policy for Coastal Zone requirements (Housing Element Program #20), MBR will be exempt from those policies. MBR may request that they be allowed to substitute the City-wide policies for the Specific Plan's Housing Initiatives Program and/or in-lieu fee Program, as appropriate. This may be accomplished by a majority vote of the City Council and does not require an amendment to the Monarch Beach Resort Specific Plan.

2.8 Regulation XV Compliance

This Specific Plan provides for the compliance of Regulation XV as required by the South Coast Air Quality Management District (SCAQMD). The developer recognizes the importance of the Regulation XV programs, particularly the Trip Reduction Plan.

The Operator will establish the staff position of Housing/Regulation XV Coordinator. The Housing/Regulation XV Co-ordinator's duties will include oversight, management and implementation of the Housing programs, and Regulation XV programs for the Monarch Beach Resort Specific Plan Area.

Once the project has been approved and the visitor-servicing use employer has been established, programs to comply with Regulation XV will be developed for the Monarch Beach Resort Specific Plan area, pursuant to the City and Air Quality Management Districts regulations and policies.

2.9 Signage

The purpose of the provisions of the Monarch Beach Resort Sign Program (the "Sign Program") is to provide a comprehensive, fully designed and controlled system of signage and other graphic communication devices within the Monarch Beach Resort development. A comprehensive sign program will be required in connection with the Coastal Development Permit and Site Development Permit approvals. The intent of the Sign Program is:

- To recognize that the primary purpose of signage within the project is to identify, locate, facilitate circulation/access to, and provide information about the various components of the Specific Plan area.
- To provide well designed, consistent and comprehensive signage which is pleasing in appearance and compatible with the character of the Specific Plan community.
- To eliminate and identify hazards to residents and guests in the Specific Plan area.
- To provide information necessary and helpful to residents and guests of Monarch Beach Resort and to inform the general public about the public amenities available in the hotel and golf clubhouse.
- To provide for short-term signage uses for sales and other marketing purposes consistent with other elements of the comprehensive sign program.
- To provide for short-term signage uses for construction-related activities in order to maintain the health, safety and welfare of the public, residents, guests and personnel.
- To provide a vehicle for reasonable regulation of signs and other graphic devices to preserve and enhance the character of the community.

2.9.1 Relationship to the City's Comprehensive Sign Ordinance

The City has amended the Dana Point Municipal Code by adopting the first Comprehensive Sign Program. While the City's Sign Ordinance will generally serve as the basis of the Sign Program, the unique attributes and character of the Monarch Beach Resort dictate a need for a project-specific integrated program tailored to the development.

The Sign Program will be developed as a part of the project's Site Development Permit package which shall be submitted as provided for in Chapter 3.0 of the Specific Plan. The Monarch Beach Resort Sign Program will reflect the special attention given to the signage and graphic communication needs and opportunities of the resort.

Consequently, this Sign Program will include provisions which are, in some cases, more specific than the City's Sign Ordinance.

All signs shall require a sign permit from the City and shall comply with the provisions of the City's sign regulations and the provisions of this Specific Plan.

2.9.2 Signage Types and Locations

Signs shall be placed which are visible from Pacific Coast Highway and Niguel Road. These signs shall clearly invite and encourage public use of public access and public recreation opportunities at the golf clubhouse and all its related facilities. The signs shall identify, provide information about, and direct the general public to all locations offering public access and recreation. Key locations include, but are not limited to, parking facilities

open to the general public, public beach access points, tunnel undercrossings, Sea Terrace Community Park, Salt Creek County Beach Park, resort vehicle system stops, proposed permanent and temporary Golf Clubhouse parking lots, common areas and meeting rooms of the Golf Clubhouse and Hotel recreation facilities of the Golf Clubhouse and Hotel and public walkways/bridges which allow a safe crossing of both the golf course and Salt Creek and which connect the golf clubhouse with the existing Salt Creek public trail on the west side of Salt Creek. Signs shall also be posted at all key locations, and said signs shall expressly state that the public access and recreation opportunities available at the key locations are open to the general public.

The types of signage categorized by a hierarchical set of criteria, are listed below. The following are the design parameters for the different types of signs. Exhibits 2.27 and 2.28 illustrate signage details and locations.

- Public Facility Identification Monuments:

Sign monuments for public facilities such as Sea Terrace Community Park have been designed. The primary monument, to be built during Phase I of the Park's construction will be located at the intersection of Pacific Coast Highway and Niguel Road. The design includes a 5' curved, plastered signage wall, anchored into large square stone planters featuring specimen trees. The sign lettering will identify Sea Terrace Community Park with raised copper lettering set into the wall. The copper lettering will be treated to attain a natural, verdi-gris finish. (See Exhibit 2.15, following page II-11.)

A second public facility signage element occurs at the Park access easement at Stonehill, and creates a "gateway" entrance with the identifying verdi-gris finished lettering set into a 6' perimeter plaster project wall. The letter dimensions shall be 14" in height and shall be limited to two horizontal rows set between 36" and 72" above adjacent finish grade.

- Community Identification Monuments:

Permanent Community Identification Monuments will be designed into the landscape elements of the Monarch Beach Community (see Exhibit 2.28, following this page). The primary Community Identification Monument will be located at the main Resort entrance at Niguel Road and will be tied into the pedestrian/vehicular gatehouse and perimeter wall characters. The signage in this location will identify the Resort (Monarch Beach Resort), the Resort Residential, and the Resort Hotel.

Another primary Community Identification Monument will be located at the entrance to the Hillside Village entry at Pacific Coast Highway. The sign element will be a recessed plaque set into a stone planter wall featuring large flowering specimen trees. The signage will identify the MBR Resort, and the Hillside Village Residential area.

The lettering on these signs shall be raised. The lettering shall not exceed 24" in total height, and shall be set between 24" and 60" from adjacent finish grade. These signs shall contain adequate site addresses in accordance with City standards.

- Facility Identification/Directional Monuments:

At the secondary key intersections of both the Resort and Hillside Village entrances, identification and directional signage, in keeping with the character of the large Community Identification Monuments will be provided. (See Exhibit 2.28)

At the Hotel Entrance "Plaza", signage will identify and direct residents and guests to the Hotel, the Hotel Ballroom drop-off area, the Hotel Service area, the Northern residential enclave, and the Southern residential enclave. These signage elements will be integrated into the landscape elements of low stone and/or plaster walls or plinths, or will tie into the planned Fountain and Entrance Wall elements. An additional public facility signage

LEGEND

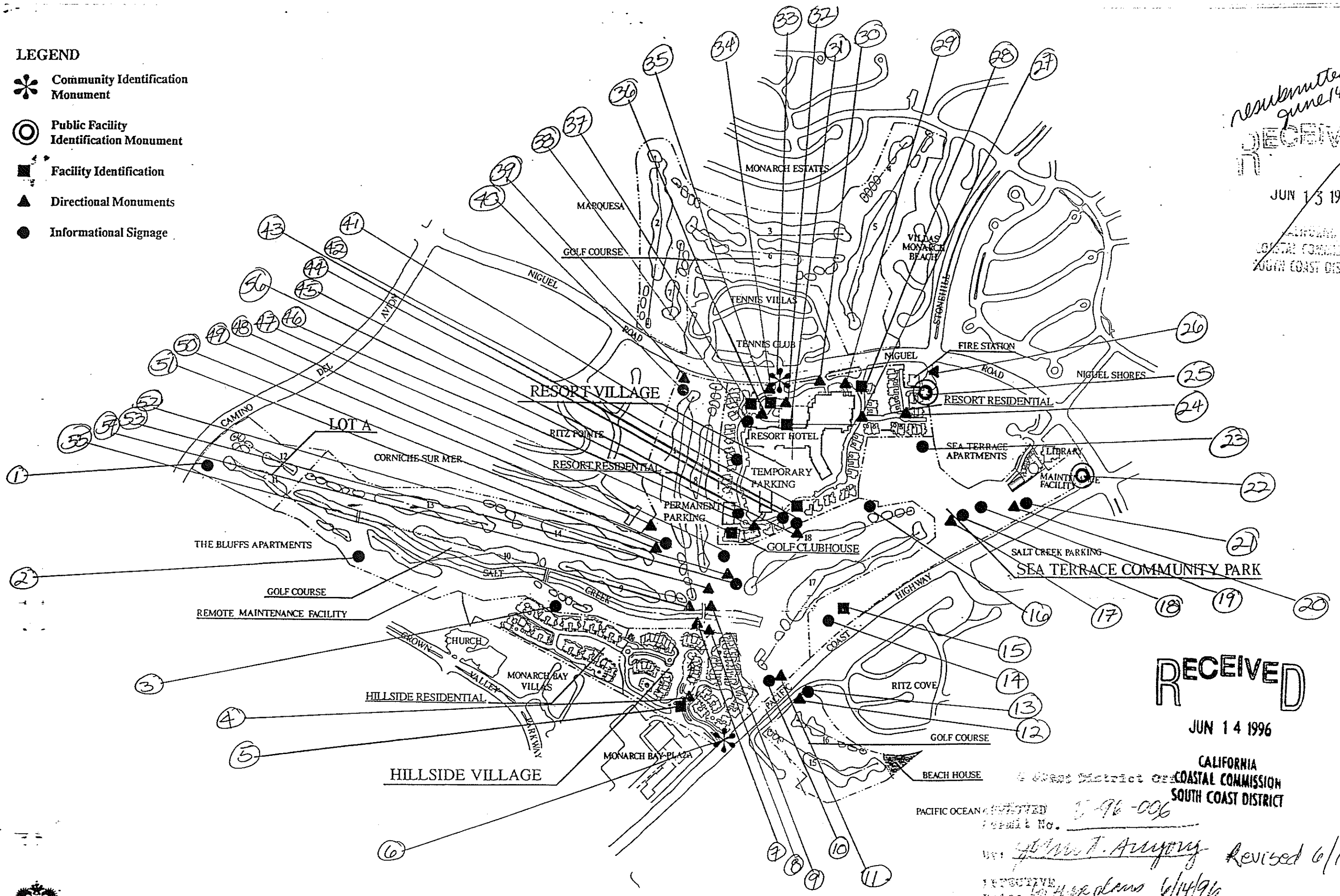
-  Community Identification Monument
-  Public Facility Identification Monument
-  Facility Identification
-  Directional Monuments
-  Informational Signage

resubmitted June 14, 1996

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JUN 13 1996

CALIFORNIA
COASTAL COMMISSION
SOUTH COAST DISTRICT



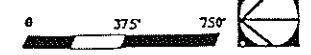
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CALIFORNIA
COASTAL COMMISSION
SOUTH COAST DISTRICT

PACIFIC OCEAN ARCHITECTS
Permit No. 5-96-006

By: *William T. Arroyo* Revised 6/12/96
 Project: *Monarch Beach*
 Date: *6/14/96*



SIGN LOCATION PLAN

SIGN LOCATION PLAN / SIGN COPY
FOR: EXHIBIT 2.27

6/13/96

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COASTAL COMMISSION
SOUTH COAST DISTRICT

1. Vista Point, public trail, beach access.
2. Beach access.
3. Beach access.
4. Hillside village north, hillside village south.
5. Monarch Beach Resort, hillside villages north and south.
6. Monarch Beach Resort, hillside residential area.
7. Beach, Sea Terrace Park, hotel, golf clubhouse.
8. Beach, Sea Terrace Park, hotel, public trail, beach access.
9. Golf clubhouse, Sea Terrace Park, hotel, public trail, beach access, Tram stop.
10. Monarch Beach Resort, public trail.
11. Vista Point, Sea Terrace Park, hotel, golf clubhouse, beach access.
12. Beach, Sea Terrace Park, hotel, golf clubhouse.
13. Monarch Beach Resort, public trail, beach access.
14. Monarch Beach Resort, Sea Terrace Community Park.
15. Monarch Beach Golf Links, golf facilities open to the public. Reservations at 1-800-93-LINKS, Entrance on Niguel Road.*
16. Monarch Beach resort, Sea Terrace Community Park, vista point, beach access.
17. Sea Terrace Community Park, amphitheater pavilion, beach access, hotel, golf clubhouse, pedestrian & bike trail.
18. Sea Terrace Community Park, amphitheater.
19. Sea Terrace Community Park, parking facility, amphitheater, pavilion, hotel, beach access.
20. Sea Terrace Community Park, amphitheater, pavilion, hotel, beach access, tot lot, bike & pedestrian trail.
21. Sea terrace Community Park.
22. Sea Terrace Community Park, Capistrano Bay Park & Recreation District.
23. Sea Terrace Community Park, pavilion.

5-96-006
approved
signage

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CALIFORNIA
COASTAL COMMISSION
SOUTH COAST DISTRICT

24. Sea Terrace Community Park, hotel.
25. Sea Terrace Community Park, beach access.
26. Sea Terrace Community Park, beach access, public trail.
27. Street addresses.
28. Monarch Beach Resort, resort village residential.
29. Monarch Beach Resort, hotel service, resort village residential, exit.
30. Monarch beach Resort, hotel service, resort village residential, exit, ballroom entry.
31. Monarch Beach Resort, hotel name.
32. Monarch Beach Resort hotel name, parking exit.
33. Monarch Beach Resort, hotel name and resort village residential, hotel and golf facilities open to the public.
34. Public parking, beach access, visitor information center (See attached Exhibit #34).
35. Hotel name.
36. Hotel, ballroom drop off, service, public parking and beach access.
37. Monarch Beach Resort, resort village residential.
38. Golf clubhouse, The Monarch Beach Golf Links.
39. Beach access, public trail.
40. Monarch Beach Resort, Monarch Beach Golf Links, public trail.
41. Monarch Beach Resort, golf clubhouse.
42. Monarch Beach Resort, hotel name.
43. Monarch Beach Resort.
44. Monarch Beach Resort, resort village residential.
45. Monarch Beach Resort, hotel, golf clubhouse, beach access, Sea Terrace Park, public trail, Tram stop.
46. Beach access, botanical garden.

47. Monarch Beach Resort, Monarch Beach Golf Links Clubhouse. (In addition, a small sign adjacent to this sign, or in the clubhouse entry area or a small plaque by the front door, shall be added which states that "the golf clubhouse facilities are open to the public".)
48. Monarch Beach Resort.
49. Monarch Beach Resort, golf clubhouse, hotel, beach access, Sea Terrace Community Park, public trail.
50. Monarch Beach Resort.
51. Monarch Beach Resort, golf clubhouse, hotel, beach access, Sea Terrace Community Park.
52. Monarch Beach Resort, golf clubhouse, hotel, Sea Terrace Park, beach access.
53. Monarch Beach resort, botanical garden, Tram stop.
54. Beach access, vista point.
55. Monarch Beach Golf Links, public trail.
56. Public parking, public access (See attached Exhibit #56).

* Please note that #15 is an existing temporary sign that will remain in place until a permanent location is found.

*5-4-96
approved signage*

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JUN 14 1996

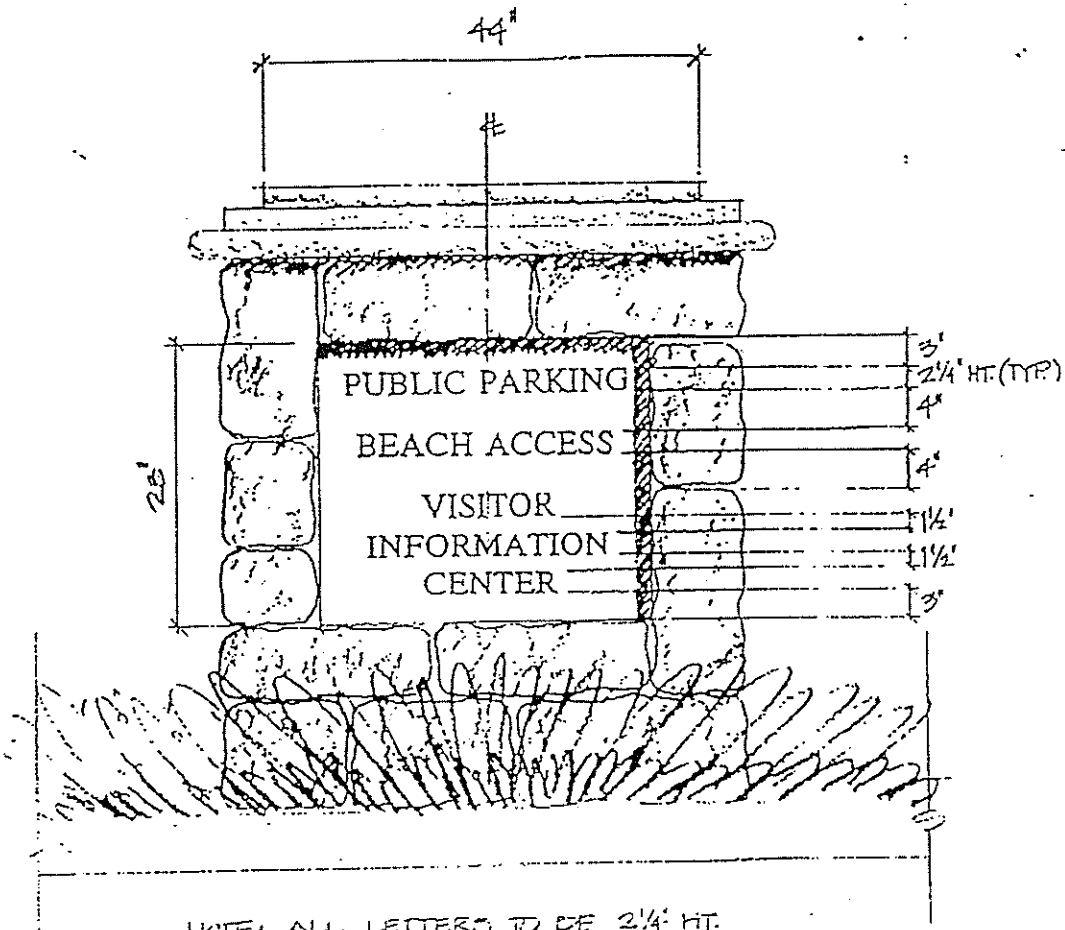
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SOUTH COAST DISTRICT

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JUN 14 1996

CALIFORNIA
COASTAL COMMISSIO
SOUTH COAST DISTRI



NOTE: ALL LETTERS TO BE 2 1/4" HT.
TIMES ROMAN STYLE WITH A
VERDI-GRIS FINISH.

THE BACKGROUND OF THE LETTERS
SHALL BE A RECESSED PANEL
OF LIGHT CREME COLOR TO
CONTRAST THE VERDI-GRIS
COLOR OF THE LETTERS

596-006 approval signage

Project Title MONARCH RESORT	Project Number	Drawn By MJK
Drawing Title NIGUEL ROAD ENTRY SIGN		Scale 1"=1'-0"
Sasaki Associates, Inc. 2016 Avenue of the Stars, Los Angeles, CA 90025 213/820-4682 Fax 213/820-4669		Date 6-1-94
		Drawing Number

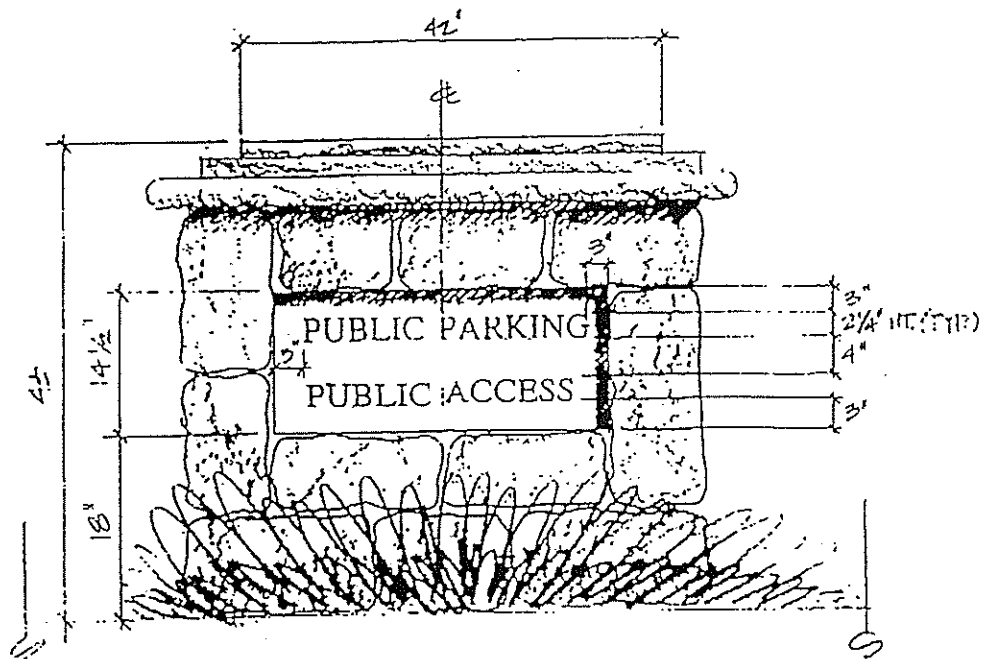
Revised 6/12/96

56

RECEIVED

JUN 14 199

CALIFORNIA
COASTAL COMMISS
SOUTH COAST DIST



NOTE: ALL LETTERS TO BE 2 1/4" HT.
TIMES ROMAN STYLE WITH
A VERDI-GRIS FINISH.

THE BACKGROUND OF THE
LETTERS SHALL BE A
RECESSED PANEL OF
LIGHT CREME COLOR TO
CONTRAST THE VERDI-GRIS
COLOR OF THE LETTERS.

5 96-006 approved sign

Project Title <u>MONARCH RESORT</u>	Project Number	Drawn By <u>MAK</u>
Drawing Title <u>INFORMATIONAL SIGN SAMPLE</u>		Scale <u>1" = 1'-0"</u>
		Date <u>5-1-94</u>
		Drawing Number
Sasaki Associates, Inc. 2016 Armadillo Avenue, Los Angeles, CA 90025 213/820-4882 Fax 213/820-4669		Revised <u>6/12/96</u>

PCH SIGN

18 FT HIGH
8 FT WIDE

RECEIVED

JUN 14 1996

CALIFORNIA
COASTAL COMMISSION
SOUTH COAST DISTRICT

HEAD NORTH:

(Logo)

Monarch Beach
Golf Links

Designed By:
Robert Trent Jones II

Reservations:
1-800-93-LINKS

Back to Niguel Rd.
Left on Stonehill.

BACKING SIGN:

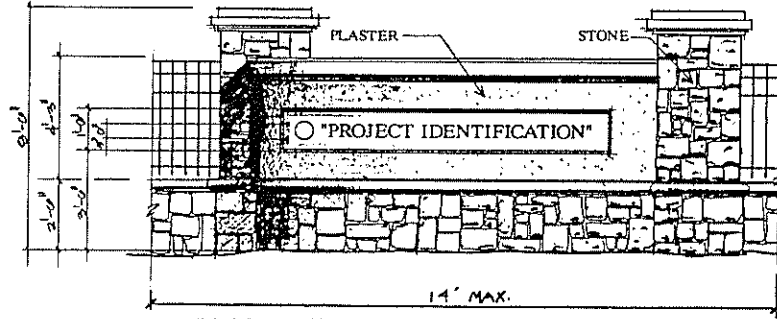
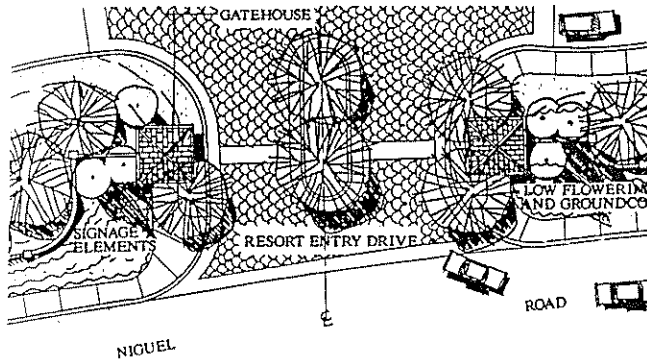
(Logo)

Monarch Beach
Golf Links

Designed by: Robert Trent Jones II

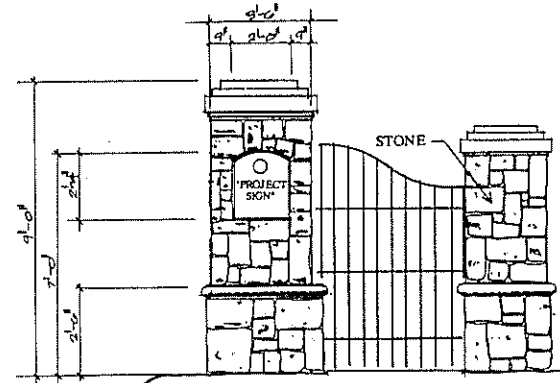
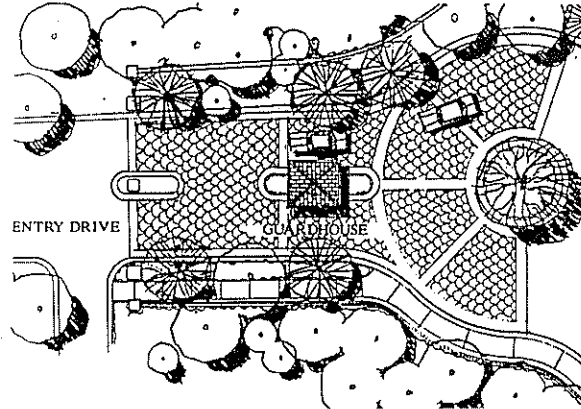
Reservations:
1-800-93-LINKS

←
Left 1/2 mile
at Niguel Road.
Left at Stonehill.



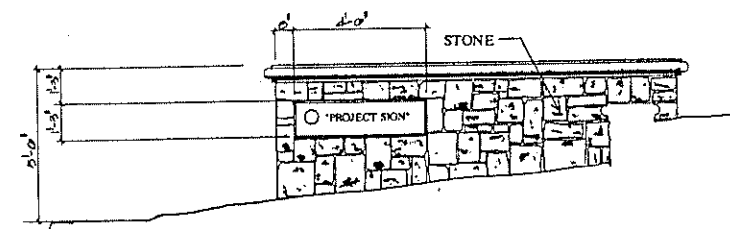
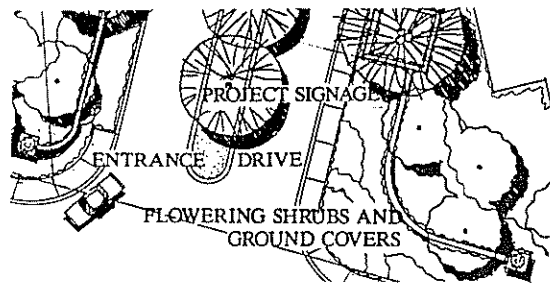
Community Identification Monument

* ADDRESS WILL BE INCLUDED IF APPROPRIATE



Facility Identification/ Directional Monument

* ADDRESS WILL BE INCLUDED IF APPROPRIATE



Facility Identification/ Directional Monument

* ADDRESS WILL BE INCLUDED IF APPROPRIATE



SIGNAGE ELEVATIONS

MONARCH BEACH RESORT
SPECIFIC PLAN

NOT TO SCALE

EXHIBIT 2.28

element is located at the corner of Stonehill and Niguel Road to identify the entrance to the project trail system and Sea Terrace Park.

Within the Community Signage Monument for the Golf Course and Hillside Village, additional signage will identify and direct the residents, and the public, to the resort, Salt Creek and public trails, park, and open space areas, and the northern and southern portions of the Hillside Village residential areas. At the entrance to the road leading to the Golf Clubhouse there will be additional signage which will identify and direct residents, the general public and guests to the Golf Clubhouse, the hotel and the northern residential enclave of the Resort Village. Should the entrance road be relocated or additional entrance roads constructed, the additional signage shall be placed at the relocated or additional road(s). The signage shall inform the general public that the Golf Clubhouse facilities are open to the general public. The signage monuments shall be integrated into the project perimeter/security walls, or into the guardhouse structure set within the entrance roadway median.

The lettering for these signage elements is intended to be, either raised individual letters with vertical letter dimensions of no more than 12", or recessed plaques no larger than 48" in any dimension. Signage shall be positioned within 24" and 72" of finish grade.

- Key Directional Monuments:

At key internal street intersections, small signage monuments or plinths will direct residents and guests to their destinations. These signs will include groups of address identifications, or specific function or activity elements. The signage for these monuments will consist of verdi-gris finished raised lettering or plaques set into the construction elements. The lettering shall be no more than 10" high, and shall be positioned between 36" and 60" above finish grade.

- Informational Signage:

Throughout the Monarch Beach Resort Community, especially in Sea Terrace Park and in the public amenities, special signage will provide directions and information of general public interest. Maps will be used as a part of the informational signage to identify trail routes and public facilities. The signage elements will utilize either the monument character of the larger sign elements, or will utilize less ornate materials and detailing as warranted by intended use. Along with stone or plaster and/or rusticated wood members of sufficient dimension will be used for anchoring lettering or plaques. Overall signage or monument size shall not exceed 60" in height, and shall be of sufficient horizontal dimension to position the lettering or graphic presentations in proper proportion and spacing.

- Off-Road Circulation Signage:

Signage for each component of the off-road circulation sign system will provide information specific to each aspect of the circulation system as detailed in the access section of this chapter. Signs will include directions, location maps, trail types, prohibited uses, allowed uses, restrictions, hazard or caution warnings, user responsibilities, Golf Course routing, etc. As each element will differ in requirements of clarity and purpose, aesthetic scale and details will be influenced by each component's environmental setting. Each element will be designed to be compatible with the General Resort architectural elements and character. Public trailheads and accessways noted will be marked with signage meeting customary size and text standards, as well as graphic symbols for ease of understanding and compliance to applicable local codes.

- **Project Roadway Signs and Devices:**

Customary street signage and other graphic devices within the Monarch Beach Resort roadway system will be detailed to support the resort character. Dimensions and specific text or orientation requirements will adhere to the codes, ordinances, and policies of the Specific Plan or other City codes.

- **Public Roadway Signage:**

Any additional public roadway signage that may be required outside of the specific boundaries of the Monarch Beach Resort Community, but within public roadway rights-of-way, shall comply with the standards, codes, ordinances, and policies of the governing public agency.

- **Future Facility Signage:**

Future facility signs will be planned at appropriate locations within and surrounding the Specific Plan area. These signs will provide information such as project component identity, expected completion dates, contact and telephone number information for future key components of the resort such as the Resort Hotel, the Golf Clubhouse, the Sea Terrace Park and Beach House, residential developments, and the availability of public amenities in the future facilities. This signage character, although temporary in nature, will implicitly reflect the quality materials and fine detailing of the permanent signage monuments. No future facility sign shall exceed 96" in vertical dimension, nor 144" horizontally.

All signage shall be reviewed and approved as part of the final permitting process by the City of Dana Point for consistency with the Signage Implementation Plan, the special conditions of all valid coastal development permits approved for the Monarch Beach Resort, and the Monarch Beach Specific Plan. Prior to the City of Dana Point's assumption of Coastal Development Permitting authority over the Monarch Beach Resort area, all signage shall be reviewed and approved by the Executive Director of the Coastal Commission.

- **Construction Signs:**

Construction signs shall be posted at various appropriate locations within and surrounding a respective construction site. The signage will provide customary construction-related information such as project identity, owner, developer, architect, landscape architect, engineer, permit information, general information, contact information and telephone numbers, and similar information. Construction signage will be temporary, and provisions will be adopted to ensure timely removal upon completion of the respective construction.

The Construction signage will comply with the theme and character of the Resort development. Sign size and quality shall be appropriate for the location and specific purpose.

- **Other Signage:**

In keeping with the project theme and character, numerous secondary signage types will be utilized for sales, leasing, special events, permanent or temporary vehicular control, safety, and identification is consistent with the intent of this Signage Program.

2.10 Water Conservation

Increasing demands for urban water uses call for conservation and encouragement of reclaimed water use as important elements in the overall management of water resources. This is especially true during times of drought and water shortages such as those which the region has experienced during recent years.

Whether or not drought conditions continue or reoccur, sensible water utilization and conservation will be an integral part of the planning, design and efficient operation of the resort. The developer shall submit a water conservation plan to the South Coast Water District (SCWD) and receive approval of such plan prior to the issuance of building permits.

The water conservation measures summarized below will be provided by the developer.

2.10.1 Routine and Ongoing Interior and Exterior Water Monitoring and Audit.

Monitoring of water usage by the hotel, clubhouse, and other components of the resort will be a regular part of the operational policy of resort operator. The hotel operator's attention to efficiency and cost savings customarily dictates such monitoring as a part of routine business operations. The operator will develop a program for ongoing review of water usage practices and will establish policies for periodic water usage audits to identify adjustments and other ways by which water can be conserved and more effectively used within the resort.

This program will be made an integral part of the operations policy of the resort. It will be developed by the hotel facility operator and will be available to the SCWD and the City, upon request.

The irrigation systems for the golf course and other landscaped areas will employ flow-monitoring devices to facilitate continuous monitoring of irrigation usage. This capability will minimize the likelihood of undetected leaks or abnormal irrigation practices.

2.10.2 Compliance with Water District Requirements

The SCWD has adopted, and from time to time has amended, certain water-related ordinances relating to water efficiency and conservation. The developer will be obligated to comply with such ordinances and other policies of the SCWD. The SCWD will review the plans and specifications for compliance and may impose conditions on its approval as necessary to ensure such compliance. SCWD approval is required prior to City permit issuance or authorization to proceed with construction of the water and reclaimed water distribution system.

2.10.3 Water Conservation Fee

The SCWD has established a Water Conservation Fee for development within the District. The purpose of this fee is to provide a fund by which water conservation programs of the district can be carried out. Such programs include public information and education, water conservation incentives, retrofitting of high-volume water fixtures and conservation-related research and planning.

The developer will pay the Water Conservation Fee to the Water District pursuant to the SCWD's then-current policy and rate schedule.

2.10.4 Water-Saving Devices and Fixture Specifications

The operator will employ water-efficient devices and fixtures throughout the development. Although for health, safety and other reasons, certain uses may necessitate the use of standard devices, the Specific Plan residential communities will be constructed to low-flow and water-saving plumbing specifications in accordance with City building codes.

Specifications will include, among other items, the following:

As a part of the building permit process, project plans and specifications will be subject to review by the City for compliance with all applicable codes and ordinances. To the extent that water-saving devices are mandated by code or other policy of the City, the plan check and building permit process will enable the City to ensure that such devices are provided.

Prior to the application for building permits for each incremental segment of the project, plans and specifications will be provided to the SCWD for its review for compliance with any non-permit requirements of the district and to provide the district with an opportunity for water-saving suggestions.

2.10.5 Leak Detection

The water-usage monitoring program outlined above will help early detection of water leakage. In addition to the ongoing monitoring program, the operator will solicit the SCWD's cooperation in conducting inspections and water usage audits no less often than every three years to identify any leakage or need for repair of the water distribution system. All indicated repair will be undertaken by the developer as soon after detection as practical.

2.10.6 Reclaimed Water for Certain Uses

South Coast Water District (SCWD) has been one of the leaders in reclamation and the use of reclaimed water for landscaped areas since 1984. The SCWD currently provides approximately 1.2 million gallons per day of reclaimed water (based on demand) from its Advanced Waster Water Treatment Plant in Aliso Canyon. Up to 3.0 million gallons per day can be supplied to meet future demands from this plant.

Since the initial development of Monarch Beach, the SCWD has required installation of on-site distribution systems for all development containing large landscaped areas. This system is master-planned and includes distribution of reclaimed water to the Specific Plan area and most all other areas within the coastal area of the SCWD within the City and for the entire region. Pursuant to existing binding agreements for each property, the developer will complete the on-site distribution system and the SCWD will provide reclaimed water under defined terms and rates.

The Links at Monarch Beach has been irrigated with reclaimed water since completion of the distribution system in 1984. Other major areas will be added as each development segment is completed. Under current policy of the SCWD, those areas will include all slopes maintained by an association and common areas (except those which are otherwise prohibited by the County Health Officer such as private yards, etc.) and Sea Terrace Community Park.

A number of other opportunities to use reclaimed water effectively are available, including the washing of hard surface areas and driveways, landscape irrigation and construction water which could further reduce dependence on potable water. The SCWD has advised that it allows such secondary applications. The developer will work with, and support the efforts of, the SCWD to apply the uses of reclaimed water for other operations.

2.10.7 Use of Drought-Tolerant Plant Materials

The Concept Landscape Plan for the Specific Plan has incorporated drought-tolerant plants in a number of locations throughout the development. Within portions of the golf course, the plant palette includes drought-tolerant species such as those found in Coastal Sage Scrub and Coast Live Oak, ground covers, Bermuda and Fescue, turf grasses which are considered to be the most drought-tolerant covers for golf course use, will be used throughout the course.

2.10.8 Extension of Reclaimed Water Distribution Line

As outlined above, the master water plan of the SCWD calls for reclaimed water to serve the common areas within the Specific Plan area. Due to elevation and pressure constraints, use of gravity-fed reclaimed water is currently precluded at the upper reaches of the golf course. Consequently, reclaimed water is currently pumped to these locations from an existing pump station at a lower elevation in the golf course. Also, no reclaimed water service main lines are yet available directly to the adjacent Monarch Bluffs Apartment site and Lot A above the golf course below the Camino Del Avion bridge.

This situation results in several undesirable conditions. First, reliance upon pumping as a method of delivery is subject to interruption from equipment or power failure. There are also a number of costs and maintenance needs associated with the pumping facilities. Second, the lack of reclaimed water service to Lot A and the adjacent Monarch Bluffs necessitates the use of domestic potable water for all exterior irrigation. Under drought conditions, it is highly possible that this type of potable irrigation would be restricted or even prohibited by the governing water agencies.

The existing reclaimed water service main from the line in Santa Lucia Street in the adjacent development, will be extended to a point in Lot A immediately north of the golf course. Upon completion, this connection will allow use of gravity service of reclaimed water, and the pump station could then be deactivated. Lot A and the adjacent Monarch Bluffs will also be served by the extended reclaimed water system and use of potable water for irrigation of these areas will be discontinued.

Other reclaimed water connections which will be completed as a part of the Specific Plan implementation will further improved service by elimination of pumping facilities or increases in pressure at the point of discharge.

2.10.9 Use of Recirculating Water in Landscape Features

A number of water features are currently planned for the Specific Plan area. All such features will have recirculating systems and will not utilize potable water except for evaporation replacement and, as may be necessary, for refilling after repairs.

Except for pools and ponds within the hotel complex itself, all water features (including ponds in the golf course) will utilize reclaimed water, subject to the approval of the health authorities. The golf course ponds currently use reclaimed water.

2.10.10 Guest/Customer Information

As an integral part of its guest program, the operator will provide information on the need to conserve water. Patrons of the food and hotel components will be made aware of the area's water shortages (when applicable) and of the continuing need for conservation. To implement this program, the operator will utilize methods currently in use in other resort areas which have adopted similar water-efficient policies.

The information program will be developed by the hotel operator as a part of the operational policy and public relations implementation. The assistance of the South Coast County Water District will be encouraged, and the program will be made available to the SCWD and City for comment prior to implementation.

2.10.11 Employee Education

The resort's comprehensive employee policies and procedures will include information and policies for the various components of the resort's water conservation programs. As with other such policies, each employee will be expected to understand and keep informed of the resort's water conservation policy and to implement it to the extent possible within the employee's job duties.

2.10.12 Residential Restrictions

Covenants, Conditions and Restrictions, commonly known as "CC&Rs", will be developed and imposed on the residential components of the development. The CC&Rs will be comprehensive in nature, and will be enforced by the respective homeowner's associations as use encumbrances on each residential unit and the common areas within each development.

Among the relevant water conservation matters, which will be addressed by the CC&Rs, are the following:

- The uses and operation of reclaimed irrigation water.
- Prohibition against certain wastes including installation or use of automatic (self-generating) water softeners, single-pass cooling systems and non-recycling water fountains and landscaped water features.
- Landscape design controls which encourage the use of drought-tolerant plant materials in private landscaping.
- Restrictions against excessive watering.

2.10.13 Designation of Water Conservation Coordinator.

The operator will establish the staff position of Water Conservation Coordinator together with other employment duties. The Water Conservation Coordinator's duties will include oversight, management and evaluation of the resort's water conservation programs. The Water Conservation Coordinator will also act as the primary liaison between the resort operations and the SCWD, the City and the public.

2.11 Infrastructure

This section delineates the infrastructure that will be needed to serve the Specific Plan area. The schematic systems for drainage and flood control, domestic water, reclaimed water, and sewer are described and illustrated. In addition, dry utility services are discussed, these include: gas, electric, telephone and television cable service.

2.11.1 Drainage and Flood Control

The drainage and flood control service will be coordinated with the City Engineer and the Orange County Environmental Management Agency Flood Control District (FCD). Salt Creek, the primary existing drainageway through the site, has been channelized and partially enclosed in culverts as it winds its way under Camino del Avion, through the project site and out to the ocean. The Salt Creek channel enters the site in a culvert. Approximately 750 feet west of Camino del Avion, it becomes a trapezoidal earthen channel with sufficient capacity to convey run-off from a 100-year storm. The channel runs west through the golf course until approximately 450 feet east of PCH where the channel enters a culvert once again, and crosses under Pacific Coast Highway to an outlet at the Pacific Ocean.

In addition to the Salt Creek Channel, there are several FCD master plan storm drains which traverse the site and empty into the Salt Creek Channel. They were designed to convey run-off from a 25-year storm and outlet into the channel.

The land uses, for which the current facilities were planned, included residential, commercial and a school. The estimated peak flow rates for the currently proposed hotel, residential, golf clubhouse, beach house, and park and opens space uses should be similar to the design peak flow rates used to calculate the size of the facilities. Proposed drainage facilities shall be designed to the current FCD and City standards for flood control.

There are several existing desilting basins on site, which are temporary and provide interim erosion control, resulting from prior grading activity and will be removed when the site is improved. Once the development is complete, desilting basins will no longer be necessary.

According to the Federal Emergency Management Agency's (FEMA) September 15, 1989 Flood Insurance Rate Map, the areas planned for development of permanent structures, eg., the Hotel Village, Clubhouse Village and Beach House site, are in Zone X. Zone X is defined as areas determined to be outside the 500-year flood plain. Pad elevations for permanent, habitable structures will be above the 100-year flood level.

Exhibit 2.29, the Schematic Drainage and Flood Control Plan depicts the backbone storm drain system and appurtenant structures, such as surface gutters, side inlet catch basins, and area drain catch basins, to accommodate the project. This storm drain system is designed to convey run-off from a 25-year return period storm event.

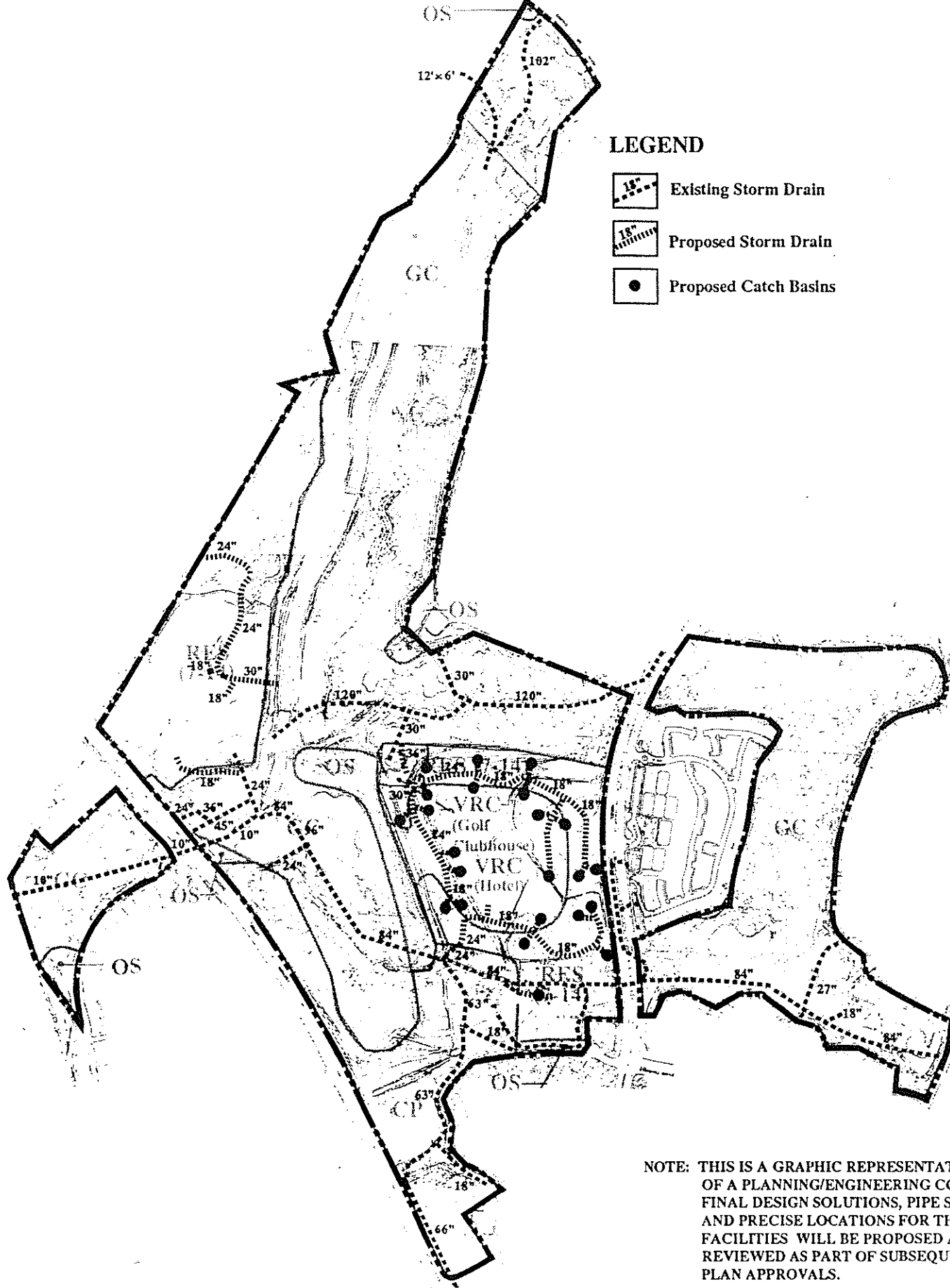
One of the existing facilities in the Hotel Village area, known as K01P02, is an 84-inch cast-in-place pipe, which may need to be horizontally or vertically relocated to accommodate a road across it. There is also a 63-inch cast-in-place pipe through the community park site, which may need to be relocated and/or strengthened. Any necessary relocation or strengthening of this facility, in addition to all new storm drain facilities, will be the responsibility of the developer.

2.11.2 Water (Domestic)




Domestic water service will be coordinated with South Coast County Water District (SCWD). Existing facilities include two 12-inch water lines off Niguel Road with a 2-inch meter, and several stubs that are available as connections to provide future service to the hotel and the golf clubhouse as well as the residential enclaves in the Resort Village. There is also an 18-inch water line in Pacific Coast Highway and a stub in the Fairway Condominiums to the west, that are available as connections to provide future service to the residential enclaves in the Hillside Village, in addition to the beach house site.

The domestic water demands for this project are based on projections for the proposed hotel uses and historical water use factors for the residential areas. It is assumed that reclaimed water will be used for irrigating the majority of park and recreation areas, though some potable water will be used for certain areas due to County regulations. However, most of the site including the golf course, park, and some of the hotel and clubhouse gardens will be irrigated with reclaimed water. See section 2.9 Water Conservation and 2.11.3 Reclaimed Water for more detail.

Fire flow is anticipated to be the major criterion for sizing the on-site water system. SCWD standard indicates the fire demand for commercial areas, which covers the Hotel, Clubhouse and Beach House, is a total of 3,500 gallons per minute from any three adjacent fire hydrants with a residual pressure at the main of 25 pounds per square inch. In addition, the hotel, and clubhouse will require water service at several levels ranging from 115 feet to 192 feet. Pad elevations for the residential service will range from 105 feet to 170 feet in the Resort Village and 95 feet to 215 feet in the Hillside Village.



LEGEND

-  Existing Storm Drain
-  Proposed Storm Drain
-  Proposed Catch Basins

NOTE: THIS IS A GRAPHIC REPRESENTATION OF A PLANNING/ENGINEERING CONCEPT. FINAL DESIGN SOLUTIONS, PIPE SIZES AND PRECISE LOCATIONS FOR THESE FACILITIES WILL BE PROPOSED AND REVIEWED AS PART OF SUBSEQUENT PLAN APPROVALS.



SCHEMATIC DRAINAGE AND FLOOD CONTROL PLAN



**MONARCH BEACH RESORT
SPECIFIC PLAN**

EXHIBIT 2.29

The proposed domestic water distribution facilities include a 10-inch service line off of the existing low pressure (290 HGL) stub in Niguel Road and tying into an 8-inch loop system to serve the Resort Village with a secondary connection to a 6-inch water line in Stonehill Drive. The hotel is proposed to be served by a 10-inch line off of the existing high pressure (415 HGL) main in Niguel Road. A pressure reducing station may be required to offset pressure in excess of 120 pounds per square inch for the lower floor elevations of the hotel. Service to the Hillside Village will be by connection to an 8-inch service line off of a stub from PCH and another from Atlantis Way, which tie into an 8-inch watermain loop system. The Beach house site will be served by an 8-inch line off of the existing 8-inch main in Ritz Cove Drive. Most of the golf course will be irrigated with reclaimed water. There are two new facilities planned that will require potable water. The first is a combination snackbar/comfort station near the 18th green which will be provided with domestic water service through a waterline extended from the Resort Village loop system. The second is a comfort station at the upper golf holes above Niguel Road near the 5th green which will be provided with a domestic water service through a new connection to the domestic waterline in Niguel Road. The proposed maintenance facility for Sea Terrace Community Park will be served by an existing 6-inch stub in Mariner Drive. The public restrooms in the park will be served by a connection to the existing 16-inch water line in PCH. Exhibit 2.30, following this page, Schematic Domestic Water Plan delineates the layout and sizing of the facilities.

The domestic water facilities construction will be the responsibility of the developer while SCWD will be responsible for the maintenance of public lines up to the meters. Maintenance of metered service connections will be the responsibility of the customer being served.

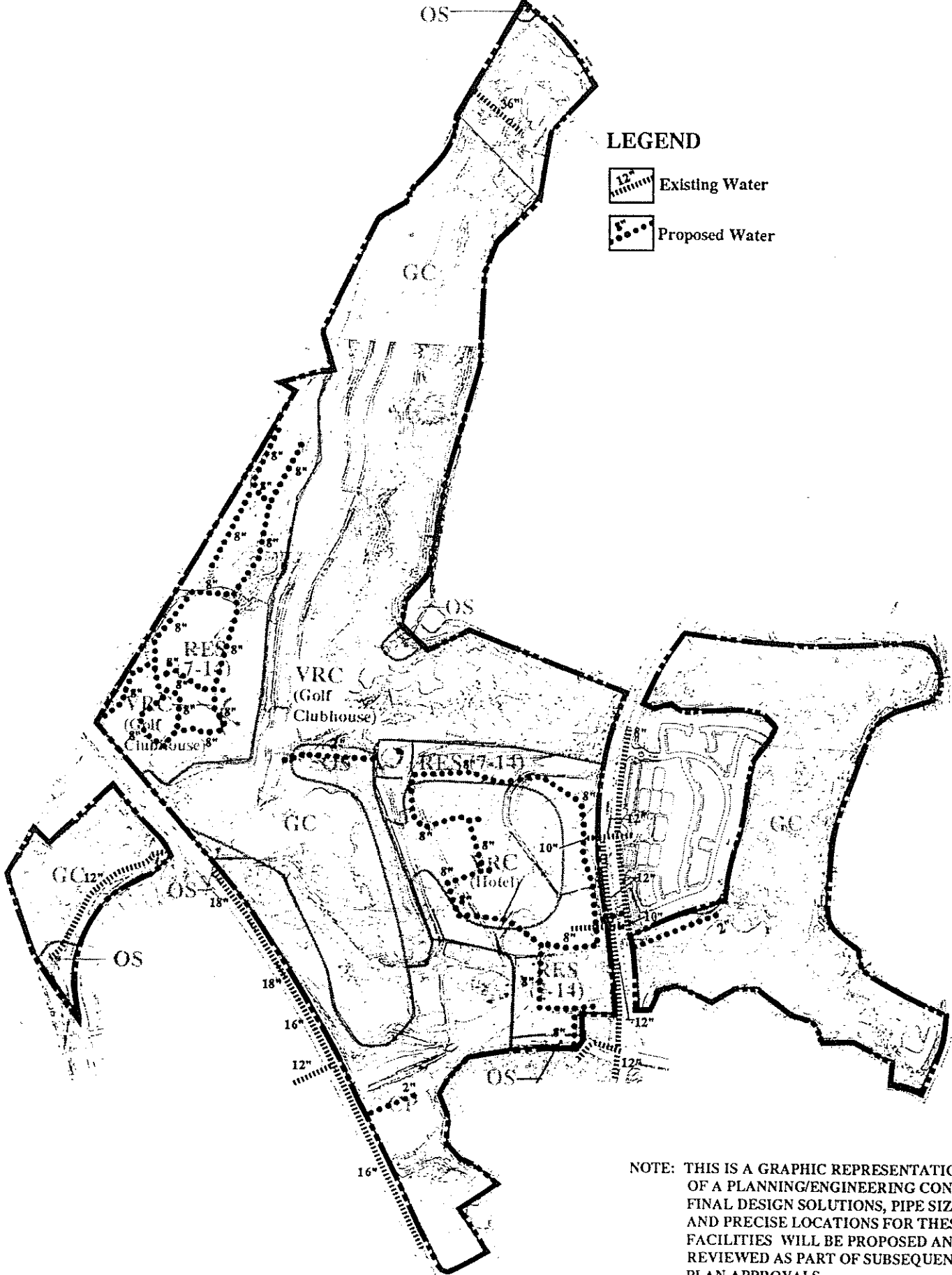
2.11.3 Reclaimed Water

Reclaimed water service will be coordinated with SCWD, which currently provides reclaimed water service to the existing golf course. The golf course receives reclaimed water through a connection to the lower zone 16-inch waterline in Pacific Coast Highway and an additional connection to the upper zone 8-inch water line in Monarch Beach Drive. These two connections will continue to be utilized to provide a reclaimed water supply to the golf course irrigation system.



A new connection to the SCWD's upper zone system is proposed through an extension of an 8-inch waterline from the in-tract system which currently services the adjoining Site 14 residential development. This new connection will be utilized to irrigate the proposed golf course expansion area south of Niguel Road within the Salt Creek Corridor Area.

Modifications to the private reclaimed water system which currently serves the golf course may be required in order to accommodate the proposed realignment of fairways, lakes, greens, and tree areas as shown under the new golf course routing plan. In addition, the existing 16-inch reclaimed water line crossing Sea Terrace Community Park may need relocation because of proposed grading in the park. (See Exhibit 2.31 following this page.)

The proposed greenbelt areas and landscaped slopes within the Clubhouse Village that are acceptable for reclaimed water use will be served reclaimed water through a connection with the South Coast Water District's 16" reclaimed waterline in Pacific Coast Highway. This system is the District's "lower zone" system and operates under a hydraulic gradient of 290 ft. Higher elevation landscaped areas within Site 3/16 may require separate pump station(s) in order to provide service at adequate working pressures. However, the majority of landscaped areas will be irrigated directly from the SCWD's lower zone system as shown on the accompanying exhibit. Landscaped areas which are not suitable for reclaimed water use will be irrigated by the proposed domestic water system.



LEGEND

-  Existing Water
-  Proposed Water

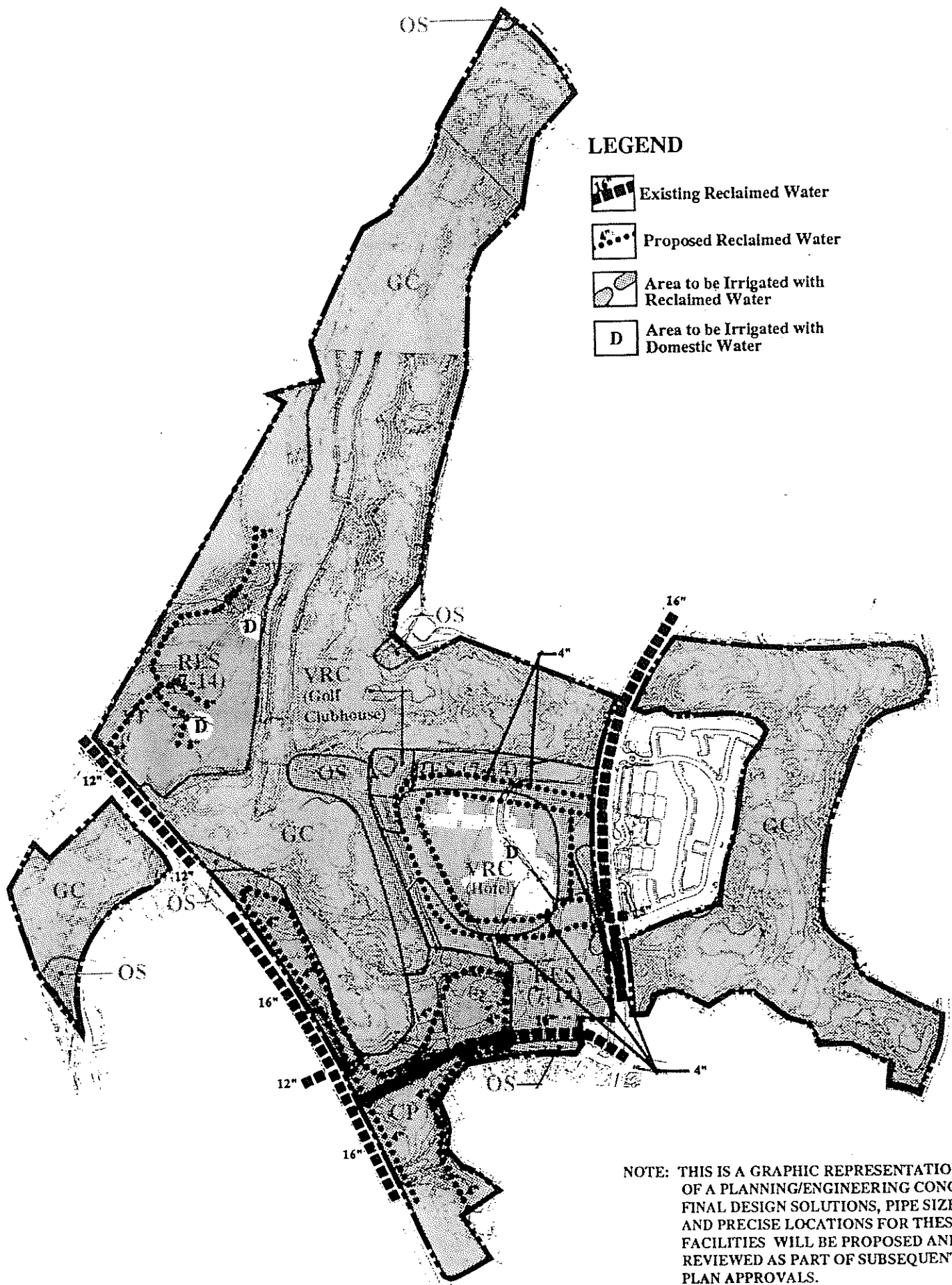
NOTE: THIS IS A GRAPHIC REPRESENTATION OF A PLANNING/ENGINEERING CONCEPT. FINAL DESIGN SOLUTIONS, PIPE SIZES, AND PRECISE LOCATIONS FOR THESE FACILITIES WILL BE PROPOSED AND REVIEWED AS PART OF SUBSEQUENT PLAN APPROVALS.



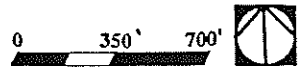
SCHEMATIC DOMESTIC WATER SYSTEM PLAN

**MONARCH BEACH RESORT
SPECIFIC PLAN**



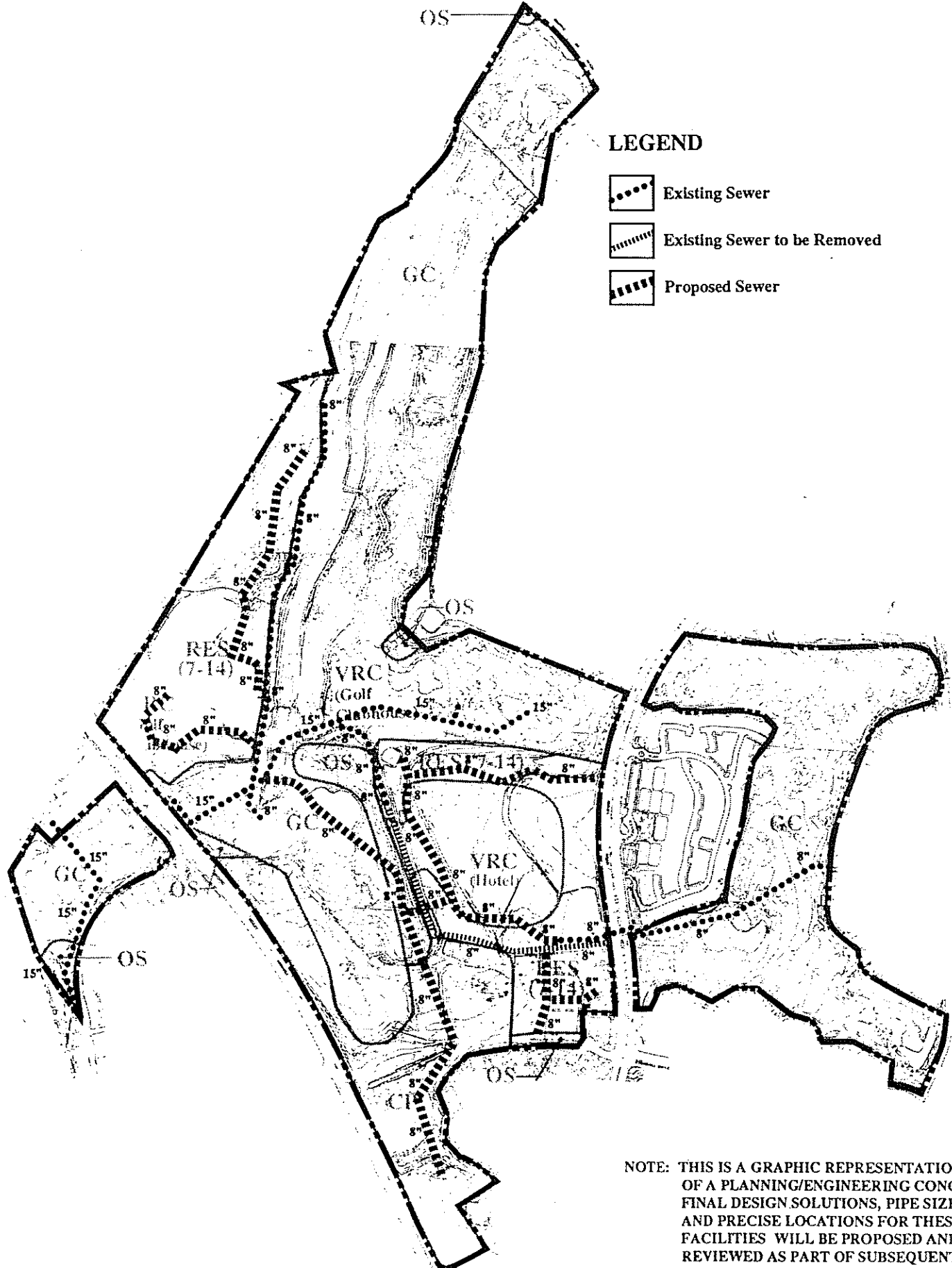


**SCHEMATIC
RECLAIMED WATER SYSTEM PLAN**






**MONARCH BEACH RESORT
SPECIFIC PLAN**

EXHIBIT 2.31



LEGEND

-  Existing Sewer
-  Existing Sewer to be Removed
-  Proposed Sewer

NOTE: THIS IS A GRAPHIC REPRESENTATION OF A PLANNING/ENGINEERING CONCEPT. FINAL DESIGN SOLUTIONS, PIPE SIZES, AND PRECISE LOCATIONS FOR THESE FACILITIES WILL BE PROPOSED AND REVIEWED AS PART OF SUBSEQUENT PLAN APPROVALS.



**SCHEMATIC
SEWER SYSTEM PLAN**

MONARCH BEACH RESORT
SPECIFIC PLAN



The park site will be irrigated by connections to the 16-inch reclaimed water line that crosses the site. Proposed common area in the Hotel Village and a portion of the hotel landscaped areas, that are acceptable according to County regulations, will be served through a connection to the existing 8-inch reclaimed water line in Niguel Road.

2.11.4 Sewer

Sewer service will be provided by South Coast County Water District (SCWD), which currently serves the golf maintenance facility. This facility is served by an 8-inch sewer line. In addition there is a 15-inch sewer line, which crosses the golf course, that is available. Sewage generation is generally based on the water demands for the project except for the water used for the hotel air conditioning cooling tower and irrigation water, as neither of these generate sewage.

The proposed on-site sewer collection system for the project includes new facilities as well as the relocation and/or extension of existing facilities. Proposed sewer facilities for the Hotel Village includes one new 8-inch sewer line and the relocation of the existing 8-inch line. Another 8-inch line will be extended into Sea Terrace Community Park to serve the proposed public restroom and maintenance facility. The Clubhouse Village will be served by an 8-inch line in a gravity feed system. On-site sewage will be collected in a sewer main and discharged into an existing Salt Creek interception sewer that parallels the eastern boundary of the Clubhouse Village. The Beach House site will be served by an existing gravity system adjacent to the building site; the effluent will be pumped to the existing SCWD sewer main. (See Exhibit 2.32, following this page.)

Construction of new sewer facilities and relocation or extension of existing facilities will be the responsibility of the developer. SCWD will be responsible for the maintenance of these sewer mainline facilities.

2.11.5 Other Utilities

- **Gas**

Southern California Gas Company will provide natural gas service to the Specific Plan area. Gas service to the Hotel Village will be provided from the 6-inch gas main located at Niguel Road via a 3-inch gas line within the site. Gas service to the Clubhouse Village will be provided from the 12-inch gas main at Pacific Coast Highway via a 3-inch gas line throughout the site. Gas service to the Beach House will be provided from the 12-inch gas main at Pacific Coast Highway via a 3/4-inch gas line. Existing natural gas pressure is assumed to be 5 PSI minimum.

- **Electricity**

San Diego Gas and Electric will provide electrical service to the Specific Plan area. Electrical service to the Hotel Village will be provided from the primary 3 phase 12 KV system at Niguel Road and to the Clubhouse Village and Beach House sites from the point in connection at Pacific Coast Highway. Electrical service to the Beach House will be provided from the point of connection at the Ritz Cove residential area. Underground PVC electrical conduit will provide service throughout the site. Underground electrical pull boxes and transformers will be located throughout the residential areas.

- **Telephone**

Pacific Telephone will provide telephone service to the Specific Plan area. Underground PVC telephone conduits originating at Pacific Coast Highway and Niguel Road will be distributed to pullboxes throughout the site. Service to the Beach House site will originate from the point of connection at the Ritz Cove residential area.

- **Cable**

Dimension Cable Services will provide cable service to the Specific Plan area. Underground PVC cable television conduits originating at Pacific Coast Highway and Niguel Road will be distributed to pullboxes throughout the site. Service to the Beach House will originate from the point of connection at the Ritz Cove residential area.

2.12 Noise Mitigation

In an effort to protect existing and future residents of Dana Point from the negative effects of noise, the Noise Element of the City's General Plan has established numerous goals and policies which have been designated to identify which types of land uses are "noise sensitive," and to establish compatibility criteria for these land uses.

According to the Noise Element, all of the land uses proposed in the Specific Plan are considered to be noise sensitive. Additionally, the Specific Plan area is located along a portion of Pacific Coast Highway and Niguel Road, both of which are designated as "major arterials" and both of which are capable of generating noise levels exceeding 65 decibel level (Db). The Noise Element of the General Plan classifies areas within the 60Db noise contour as "Noise Study Zones" which means that noise levels should be evaluated on a project specific basis and that mitigation measures may be required in order to meet City standards. Areas within the 65Db area are classified as "Noise Mitigation Zones" which means that any new, noise sensitive developments will require the inclusion of mitigation measures in order to comply with City noise standards. Noise mitigation may require special construction techniques or other design criteria to be incorporated into the future development. These measures are provided for in the Specific Plan area as follows:

Prior to issuance of the Site Development/Coastal Development Permit, a site specific noise study will be performed to identify any areas that currently exceed City noise standards or may be expected to exceed them at buildout of the General Plan. Architectural design elements will be included to ensure that both exterior and interior noise standards are at or below the established limits. These design elements may include such things as setbacks, landscaped berms, noise walls, double glazed windows and heavier types of insulation in walls facing noise sources.

2.13 Community Programs and Facilities

2.13.1 Fire and Emergency Medical Service

Fire protection and emergency medical service for the Specific Plan area will be provided by the Orange County Fire Department Station 30 on Stonehill Drive and Niguel Road, adjacent to the project site. Two other stations, Station 29 on Victoria Boulevard and Station 49 on Golden Lantern in Laguna Niguel will provide additional fire protection and emergency medical service for the Specific Plan area. Any hazardous material storage and transportation will be done in accordance with local and state regulations.

2.13.2 Police Service

Police services for the Specific Plan area will be provided by the Orange County Sheriff under contract to the City of Dana Point Police Department. It is anticipated that additional police service demands will be generated by the residential and non-residential land uses. The additional law enforcement service needs generated by the resort are anticipated to be provided by the City's existing police service and facilities. The project design as depicted in the Site Development Permits shall accommodate public safety features and police accessibility.

2.13.3 School Facilities

The Capistrano Unified School District (CUSD) is responsible for providing and administering educational services for Dana Point.

The project site is located within the service boundaries of the following schools:

- Moulton Elementary School - This school serves students from Kindergarten through grade 5. Bus service is provided for students who live over 3/4 of a mile from the school.
- Niguel Hills Middle School - This school serves students from grades 6 through 8. Bus service is provided for students who live over 1 mile from the school.
- Dana Hills High School - This school serves students from grades 9 through 12. Bus service is provided for students who live more than 2 miles from the school.

The additional school service needs generated by the residential development would be served by the existing school facilities. MBR will comply with all applicable state and local requirements regarding the payment of fees to the Capistrano Unified School District in effect at the time when payment is required by the School District.

2.14 Financing of Public Facilities

The purpose of the Specific Plan's financing strategy is to retain flexibility in the use of the most appropriate financing techniques. These must be agreed upon by the City and developer at time of Site Development Permit approval. These techniques may range from conventional market-rate financing to public tax-free financing instruments.

Community facilities which could be financed, include park improvements, circulation improvements, utilities, and other community-wide improvements. While some of these facilities may be financed through conventional methods, possible alternative financing techniques considered appropriate for this project include the following:

- **Assessment District Financing**

The developer may petition the City to initiate 1913/1915 Assessment District or 1972 Landscape and Lighting District proceedings as authorized by law and in accordance with the provisions of the Specific Plan. The City would have to agree, upon receipt of a petition containing the signatures of owners required by law, to proceed with the assessment district and to subsequently issue improvement bonds to finance the acquisition and or construction of the designated public improvements.

- **Community Facilities District Financing**

In addition to the formation of an assessment district, the developer may petition the City to initiate proceedings pursuant to the Mello-Roos Community Facilities District Act of 1982 for the purpose of financing the certain community improvements as outlined above.

- **Coastal Access Funding**

The developer and the City will jointly apply for, and cooperate in the consummation of, a program to utilize those funds for the operational expenses of the resort vehicle system. These funds would be obtained by the City and a Dana Point Coastal Access Fund (the "Access Fund") would be created for transit related uses. This initial funding could serve as the base to which other similar access fees could be added for application elsewhere within the City at the discretion of the City.

Hardware and system costs would not be funded by the Access Fund. Costs for the resort vehicles and other system infrastructure would be provided by the developer. Utilizing the Access Fund for operational costs will thereby be a direct support for public use of the resort vehicle system.

2.15 Phasing

2.15.1 The Phasing Plan

The General Plan Land Use Element includes Policy 8.12, which provides for development of the public open space uses and public roads first, then the hotel complex, and then the residential uses. This policy states that concurrent development may be permissible only if the primary open space and visitor-serving objectives of this policy is being achieved.

Development of a project as complex and multifaceted as the Monarch Beach Resort may feasibly occur in a true incremental manner. Financing, construction logistics, interdependence of one portion of the project upon others, physical constraints and other similar issues may necessitate concurrent operations and construction. A phasing implementation scheme has been created which would allow most work to proceed concurrently, but which would complete first, the primary objective of the development of the public open space and roads; secondly, the resort complex; and lastly, the residential dwellings.

To insure implementation of the General Plan phasing policy, the following provisions will apply:

1. Prior to approval of any Site Development Permits and Coastal Development Permits for residential units, the hotel facilities, golf clubhouse, golf course, and Sea Terrace Park must have obtained Site Development Permit approval and Coastal Development Permit approval.
2. Prior to the approval of any Tentative map and Coastal Development Permits for residential units, any required Tentative maps for the hotel facilities, golf clubhouse, golf course and Sea Terrace Park must have obtained all necessary approvals, including Coastal Development Permit approval.
3. Prior to the recordation of any final subdivision maps for residential units, all required final subdivision maps for the hotel facilities, golf clubhouse, golf course and Sea Terrace Park must have been recorded.

In the event that any unforeseen factors delay the processing of the Site Development Permit application or subdivision map applications for the hotel facilities, golf clubhouse, golf course, or Sea Terrace Park, the City may permit deviations from the three provisions outlined above, provided there are adequate safeguards to insure implementation of the General Plan Phasing Policy.

In addition the developer shall prepare and obtain approval of a Phasing Plan (PP) from the Planning Commission prior to the recordation of any Final Map. A primary objective of the PP is that the development of the public open space and roads occur first, and that the hotel construction precede residential construction and that residential units not be completed or occupied prior to completion of the hotel. The PP shall contain and/or address the following:

1. In accordance with the "Release and agreement regarding additional development of Sea Terrace Community Park" dated 20 June, 1991 between Monarch Bay Resort, Inc. and the Capistrano Bay Parks and Recreation District, the developer shall complete construction of Sea Terrace Park and the other park and open space features on or before the opening of a resort hotel on Developer Property and prior to the construction of any residential units.
2. Prior to the issuance of Coastal Development Permits and building permits for any residential units, Coastal Development Permits and building permits for the hotel must be issued.
3. Prior to conducting framing inspections for any residential units, the hotel must have obtained roof inspection approval. The PP will address in detail what constitutes roof inspection and framing inspection approvals.
4. The PP may make provision for the construction of model homes and temporary sales facilities for sales purposes. Coastal Development Permits and building permits for model homes may not be issued until Coastal Development Permits and building permits for the hotel are issued. Model homes may not be sold, or occupied for purposes other than sales activities, until after the Certificate of Occupancy for the hotel is obtained.
5. Prior to closing escrow on or occupying or issuance of any final inspection for any residential units, the hotel must have obtained a Certificate of Occupancy.
6. If unforeseen circumstances delay compliance with minor aspects of the PP, a provision to insure compliance with these requirements can be facilitated through cash payments or other forms of security acceptable to the City. Prior to or concurrent with acceptance of such cash payments or other forms of security, the City shall develop a program specifically stating how the cash payments or other forms of security will be used to ensure compliance with the PP requirements.
7. The PP will be clearly referenced in each final Map. The PP will be referenced in the title. The PP shall be a condition of approval of all Coastal Development Permits for development proposed in this Specific Plan. Any subsequent developers and/or owners shall submit a letter to the City certifying that they have read the PP and acknowledge and accept all its provisions.

2.16 Fiscal Impact

The development of the Monarch Beach Resort Specific Plan area is projected to provide a positive fiscal impact to the City of Dana Point. The highest land use for revenue generation for the City is visitor serving commercial

and associated facilities.

The development of the Specific Plan area as documented in the report prepared by Stanley R. Hoffman Associates, dated May 8, 1991, will generate substantial fiscal surplus even where revenue generation for the visitor serving commercial area are low; as the fiscal impact are positively skewed.

The Fiscal Impact Analysis conducted by Stanley R. Hoffman Associates projects that the project as described in the Specific Plan will generate at buildout approximately \$2.5 million of annual revenue to the City of which approximately \$2.2 million will be a recurring annual surplus over recurring annual costs.

The Specific Plan provides for the development of an integrated resort. With each component reliant on the opportunity to create a unique environment which should attract visitors and hotel guests together with long term residents to the City and provide the local economy with business opportunities. The hotel of the size anticipated for the Specific Plan would generate approximately \$25 million of revenue per annum.

This development of the Specific Plan area will result in a stimulus to jobs and economic growth as well as increased spending on goods and services in the City. In addition, the revenue provided to the City by the project will also create job opportunities through subsequent City expenditures.

The Specific Plan and development standards provides for a high quality 5-star development which should result in the project being a focal point for the area which is known throughout the world, which should further focus the City as a destination resort community.

The Specific Plan is a development, which meets the economic goals and objectives of the General Plan and provides an important benefit and contribution to the local economy. The City needs to consider incentives prior to building approvals to ensure that the goals of the City are achieved. A development of this type for the Monarch Beach Specific Plan area requires the cooperation from the City to enable the development to proceed quickly.

The developer will be responsible for its fair share of programs established by the City at the time of the Monarch Beach Resort Specific Plan approval. Determination of the fair share assessment shall be based upon a review of several factors. The assessment shall be made in consideration of: 1) the procedure for calculating the fee amount for already approved visitor- serving uses; 2) public infrastructure improvements agreed to by the developer; 3) public improvement and impact fees; 4) the project's significant positive revenue contribution to the City; 5) the contribution to local business; 6) the City's expedited Specific Plan, Site Development Permit and Tentative Tract approval processes; 7) Modification to the City's development standards; and 8) The City's General Plan.

The City has adopted development impact fees (City Council Resolutions 91-12-10-5, 91-12-10-6, and 91-12-10-6) for General Government Facilities, Fire Protection Facilities and Transportation Facilities. These development impact fees apply to all development within the City of Dana Point including all development within the boundaries of this Specific Plan.

Section 6 in each of the development impact fee resolutions is worded as follows:

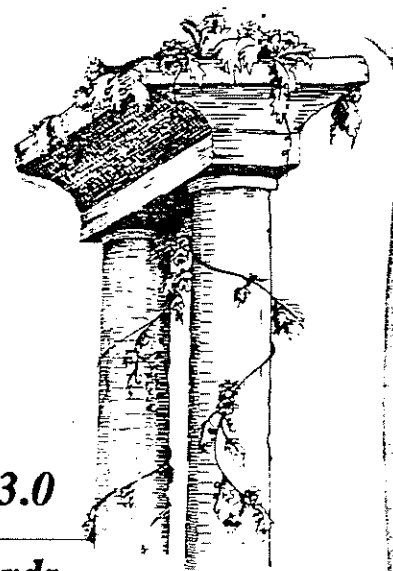
Section 6. For each fiscal year and prior to July 1 of the fiscal year, commencing with the 1991-93 fiscal year, the Director of Community Development shall review the use of the Fee, the continued need for the facilities, the reasonable relationship between the need for facilities and the impact of the various types of development on which the Fee is imposed, and the estimated reasonable cost of the facilities identified in the Report. The Director of Community Development shall report his findings to the City Council at a noticed public hearing and

recommend any adjustment to the Fee or other action that he determines may be needed.

The development of the Specific Plan area ensures that a synergistic business environment is created through the development of visitor-serving commercial uses which will continue to create a critical mass with the existing visitor serving commercial uses in the City, such as the Dana Point Resort and Ritz-Carlton Hotel. The development of the Specific Plan area will enable the City of Dana Point and the major resort operations to develop a joint marketing strategy for the area. The contribution of a portion of the transient occupancy tax from the Specific Plan area could be allocated for the marketing of Dana Point as a destination resort. This will benefit not only the visitor serving commercial business in Dana Point, but the fiscal revenues of the City. It will enhance the long term viability of the City to create an expanding and consistent income source given other visitor serving commercial areas planned for the Coast.

Chapter 3.0

Zoning & Development Standards



3.0 ZONING AND DEVELOPMENT STANDARDS

This chapter provides the zoning and development standards for the Monarch Beach Resort Specific Plan area (see Exhibit 3.1 for Specific Plan area). The standards provide the definitions, procedures and detailed requirements for plan implementation. Collectively, they become the zoning ordinance for the Specific Plan area. The Specific Plan also incorporates certain sections of the Dana Point Municipal Code by reference. Where the Specific Plan Zoning and Development Standards are silent or unclear regarding a given site development requirement, the provisions of Section 3.1.2.2 shall be followed.

3.1 General Purpose and Application

3.1.1 General Purpose & Scope

The Monarch Beach Resort Specific Plan Zoning Development Standards are adopted for the purpose of promoting the health, safety and general welfare of the Monarch Beach Resort and overall Dana Point community and achieve the following objectives:

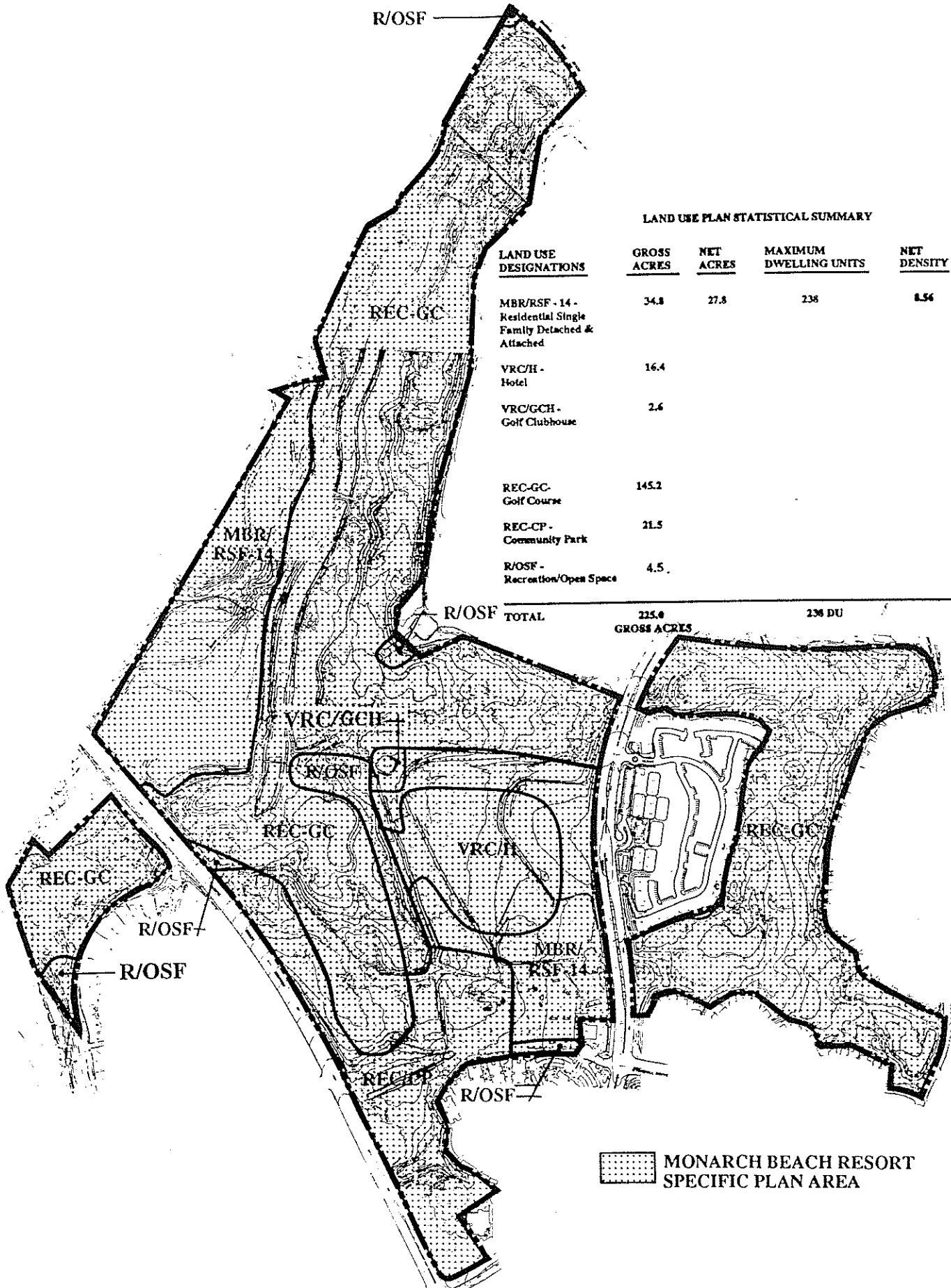
- 3.1.1.1 Implement the intent and purpose of the Dana Point General Plan as described in Chapter 1.0 and Appendix A of this Specific Plan.
- 3.1.1.2 Implement the coastal protection policies contained in the City of Dana Point Certified Land use Plan in order to preserve, protect and enhance the Coastal Zone resources of particular value to the Dana Point Community, County of Orange, and State of California. The certified Land Use Plan consists of the Land Use, Urban Design and Conservation/Open Space Elements of the City of Dana Point General Plan.
- 3.1.1.3 Provide maximum opportunities for innovative, high quality resort community design and site planning, consistent with orderly development and protection of sensitive and natural resources, with a logical and timely sequence of community and government review and input.
- 3.1.1.4 Provide the opportunity for early implementation of the resort community.
- 3.1.1.5 Provide procedures and requirements for processing a Site Development Permit to implement the Specific Plan prior and subsequent to certification of the Dana Point Local Coastal Program.

3.1.2 Application

The interpretation and application of the Monarch Beach Resort Specific Plan Zoning and Development Standards, shall be accomplished in accordance with the following provisions:

- 3.1.2.1 The land use regulations delineated herein shall be applied only in the Monarch Beach Resort Specific Plan area.
- 3.1.2.2 If an issue, conditions or situation arises or occurs that is not sufficiently covered or provided for in these regulations so as to be clearly understandable, those other regulations of the Dana Point Municipal Code that are applicable for the most similar issue, condition or situation shall be used. To the extent provided in the Dana Point Municipal Code, the Director of Community Development shall resolve the issues, conditions or situation in a manner that is consistent with the Local Coastal Program. This provision shall not be used to permit uses not specifically authorized by this Specific Plan.

*Not use specifically
prohibited*



LAND USE PLAN STATISTICAL SUMMARY

LAND USE DESIGNATIONS	GROSS ACRES	NET ACRES	MAXIMUM DWELLING UNITS	NET DENSITY	SQUARE FEET
MBR/RSF - 14 - Residential Single Family Detached & Attached	34.8	27.8	238	8.56	
VRC/H - Hotel	16.4				500,000
VRC/GCH - Golf Clubhouse	2.6				48,000
REC-GC - Golf Course	145.2				
REC-CP - Community Park	21.5				
R/OSF - Recreation/Open Space	4.5				
TOTAL	225.0		238 DU		545,000 SF

MONARCH BEACH RESORT SPECIFIC PLAN AREA



SPECIFIC PLAN LAND USE/
ZONING DESIGNATIONS MAP

MONARCH BEACH RESORT
SPECIFIC PLAN



- 3.1.2.3 If any provision (or portions of any provision) of this code or its application to any person or circumstances are held to be invalid, the remainder of the Code and the application of that provision to other persons or circumstances shall not be affected.
- 3.1.2.4 To the extent applicable, these development standards modify or supersede those found in the City of Dana Point Municipal Code unless otherwise referenced in this section. Any reference to the Municipal Code made in this chapter shall mean the Dana Point Municipal Code.
- 3.1.2.5 The coastal policies and implementing actions as specified in the certified Land use Plan and Zoning Code shall take precedence over the provisions of this specific Plan within the Coastal Zone.

3.2 Definitions

This section provides definitions that pertain to all chapters of the Monarch Beach Resort Specific Plan ("Specific Plan"). General terms used in this Specific Plan but not defined in this section are defined in the Municipal Code, Title 9 (Zoning).

Definitions for terms contained in this Specific Plan which are not listed below, are found in Chapter 9.75 "Definitions and Illustrations of Terms" in the Zoning Code. Definitions in Chapter 9.75 take precedence over definitions in the Specific Plan.

Acceleration Lane - Lane parallel to roadway through travel lanes to allow for traffic entering from a side street to reach travel lane speed prior to entering through travel lanes.

Acreage, Gross - The total land area within a defined lot or parcel of land before the exclusion of public rights-of-way, public parks and public school sites.

Acreage, Net - The total area of a site or lot minus any and all required dedications for public streets and rights-of-way, public parks, school sites, and other facilities.

Ancillary Use - A secondary or supplemental use in connection with a permitted use.

Appealable Area - All area within the Specific Plan Area that lies within the California Coastal Zone as defined by the Coastal Commission and the Dana Point General Plan Coastal Element.

Architectural Projections - Architectural features such as chimneys, balconies, overhangs, or other structural elements that extend into the setback area beyond the principal wall or structure of a building.

Architectural Theme Elements - Structural elements such as theme towers and other structures other than principal buildings.

Aspect - Orientation and gradient of slopes relative to solar exposure.

Beach House - That component of the Specific Plan, generally consisting of beach service facilities including dining and rental retail, on a designated site above the beach.

Berm - A mound of earth, usually two to six feet in height.

Bicycle Path (Class I facility) - A paved route not on a street or roadway and expressly reserved for bicycles traversing an otherwise unpaved area. Bicycle paths may parallel roads but typically are separated from them by landscaping.

Bicycle Lane (Class II facility) - A corridor expressly reserved for bicycles, existing on a street or roadway in addition to any lanes for use by motorized vehicles.

Bicycle Path (Class III facility) - A facility shared with motorists and identified only by signs, a bicycle route has no pavement markings or land stripes.

Bikeway - A term that encompasses bicycle lanes, bicycle paths, and bicycle routes.

Building Coverage - The percentage of the net lot area which is covered by all the buildings on a lot as seen from a plan view.

Building Height - The vertical distance, measured at the exterior wall, by which a building extends above finished grade, finished pad elevation or flood protection level, whichever is lower, to the highest point of a parapet on a flat or non-sloping roof or a mansard roof, and to the mid-point of a pitched or sloping roof.

Building Pad - The level area of a lot designed for the construction of buildings and structures.

Bus Turnout - A paved indentation in the curb of a roadway designed to allow buses to pull off to the side and stop while picking up and dropping off passengers.

Certificate of Occupancy - A document issued to allow a building to be occupied or used and certifying that the building or structure has been constructed, or will be used, in compliance with all the applicable municipal codes and ordinances.

Certified Local Coastal Program - A local coastal program which has been effectively certified by the California Coastal Commission pursuant to Section 30512 and 30513 of the Coastal Act as amended. (See definition of "Local Coastal Program" in Section 9.75.120 of the Zoning code). (Coastal).

City - Universal term encompassing City Council, Planning Commission and City staff.

City Council - City Council of Dana Point

Club - A group of people organized for a common purpose to pursue common goals, interests or activities and usually characterized by certain membership qualifications, payment of dues, regular meetings, a constitution and by-laws.

Clubhouse Village - The Specific Plan sub-area containing the golf course clubhouse and surrounding residential areas, generally adjacent to Pacific Coast Highway and Monarch Bay Plaza.

Coastal Commission - The California Coastal Commission or its successor agency as created pursuant to Division 20 of the Public Resources Code as amended. Whenever the term California Coastal Zone Conservation Commission appears in any law, it means the California Coastal Commission. (Coastal).

Coastal Conservancy - The agency established by the Coastal Act of 1976, along with the Coastal Commission. The agency's role is to facilitate increased coastal access and recreation opportunities.

Coastal Development Permit - Any license, certificate, approval, or other entitlement for use granted or denied by any public agency which is subject to the provisions of Division 20 of the Public Resources Code as amended. (Coastal Act/30110).

Coastal Sage Scrub - A local plant community indigenous to Southern California that typically grows on coastal slopes.

Coastal Resource Overlay - The district overlay on base zoning within the Coastal Zone of Dana Point as stipulated in the Zoning Code.

Coastal Zone – That land and water area of the City of Dana Point, specified on the maps identified and set forth in Section 17 of that chapter of the Statutes of the 1975-76 Regular Session enacting the California Coastal Act of 1976, extending seaward to the state's outer limit of jurisdiction, including all offshore islands, and extending inland generally 1,000 yards from the mean high tide line of the sea. (Coastal Act/30103(a)).

Common Area - Land in a development held by an association in common or single ownership which is not reserved for the exclusive use or benefit of an individual tenant or owner.

Concept Grading Plan - The Specific Plan grading plan that shows the general locations and quantities of cut and fill.

Contour Grading or Contouring - Grading utilizing variable slope gradients that mimic natural terrain features.

County - County of Orange.

Court - Any open space, unobstructed from ground to sky, other than a yard, that is on the same lot with and bounded on two or more sides by the walls of a building.

Curb Cut - New access point off an arterial roadway.

Daylight Cut - The edge between excavated cut areas and existing terrain.

Decibel (db) - A unit used to express the intensity of a sound wave.

Design Guidelines - Specific Plan policy, narrative guidance, and graphic provided in Chapter 2 for grading, architecture and landscape elements of the Specific Plan.

Design Speed - The engineering geometry required for a road or street to accommodate a specified speed limit.

Detached Building – Any building or structure that does not have a wall or roof in common with any other building or structure.

Downdrain - A concrete swale or a pipe placed on the side of a man-made slope to convey drainage from slope terrace drains.

Dwelling, Multi-Family - A building or portion thereof used and/or designed as a residence with three or more separate dwelling units. For Monarch Beach Resort, multi-family dwelling units are restricted to individual ownership units.

Dwelling, Single Family Attached - A dwelling unit occupied or intended for occupancy by only one household that is structurally connected with at least one other such dwelling unit (example: townhouse).

Dwelling, Single Family Detached - A detached building containing no more than one kitchen which, regardless of form of ownership, is designed and/or used to house not more than one household including all domestic employees of such household.

Elevation - A scale drawing of the front, rear, or side of a building or structure.

Elevator Overrun - The structural element extending above a major roofline required to accommodate elevator systems.

Enclave, Residential - The residential neighborhoods of Monarch Beach Resort.

Endangered Species - Plant or animal threatened with extinction pursuant to a determination by state and/or federal governments.

Endangered Species Act (State) - The California Endangered Species Act administered by the State Department of Fish and Game that generally prohibits the taking of listed endangered species.

Endangered Species Act of 1973 - The federal Endangered Species Act administered by the U.S. Fish and Wildlife Service that generally prohibits the taking of listed endangered species.

Enhanced Paving - Street or landscape paving using special materials such as stamped concrete, stone or brick typically used to define entries or special use areas.

Floor Area Ratio, Standard (F.A.R.) - The total gross floor area, including habitable subterranean floors, but not parking structures, of all buildings on a lot divided by the lot area.

Fuel Modification - Modification by thinning and/or removal of natural land vegetation such as Coastal Sage Scrub so that fire hazards to adjacent structures are reduced.

Golf Course - For the purposes of the Specific Plan, the Links at Monarch Beach, as expanded and modified.

Golf Clubhouse - The clubhouse facility located within the Clubhouse Village parcel of the Specific Plan.

Grade - The average of the finished ground level (finished grade) at the center of all exterior walls of a building or, where such walls are parallel to and within five feet of a sidewalk, the average of the finished ground level at the sidewalk, or to the top of curb, where there is no sidewalk.

Grade, Adjacent - Finish grade at the base of a building wall.

Grade, Natural - The elevation of the ground surface in its natural state, before man-made alternations.

Grade, Pre-existing - The elevation of the ground which exists prior to the start of any site preparation, grading, or construction related to the project being proposed. Pre-existing grade will not be the same if the site has been previously graded for a project.

Grading, Contour - A grading concept designed to result in earthforms and contours which resemble natural terrain characteristics, with generally curving, non-linear slope banks having variations in the slope ratios of the horizontal and vertical curves.

Grading, Corrective - Grading associated with remediating geologic hazards such as landslides.

Grading, Finish - Grading to establish final elevations and contours of land.

Grading, Transition - Grading techniques utilized in areas where there is a major change of contour such as flat area to slope so that technically appropriate and/or aesthetically pleasing conditions are created.

Ground Plane Plantings - Landscape materials such as turf and low ground covers.

Guest Parking - Parking spaces provided with a residential unit for intermittent use by visitors and parking for hotel and clubhouse uses.

Guidelines - The design guidelines, descriptions and policies in Chapter 2 of the Specific Plan that guide development of Monarch Beach Resort.

Habitat - The place or specific type of environment in which an animal or plant naturally or normally lives and reproduces.

Hotel - A building or group of buildings containing six or more guest rooms offering transient lodging accommodations to the general public and incidental services that are customarily provided by a hotel such as food service, recreational facilities, retail services provided for the convenience of hotel guests and banquet, reception and meeting rooms. The incidental services that may be provided by a hotel shall be limited to the services permitted under an approved plan.

Hotel Village - The Specific Plan parcel containing the 400-key hotel site and surrounding residential adjacent to Niguel Road.

Housing, Very Low Cost -

- A. Housing renting for a monthly rental of not more than 30 percent of monthly household income of a very low income household (defined to be a household earning not more than 50 percent of the county median income); or
- B. Housing selling for a total purchase price not exceeding two and one-half times the annual household income of a very low income household, adjusted for family size.

Housing, Low Cost -

- A. Housing renting for a monthly rent of not more than 30 percent of the total monthly household income of low income households (defined to be a household earning less than 80 percent of the county median income); or
- B. Housing selling for a total purchase price not exceeding two and one-half times the annual household income of a low income household.

Housing, Moderate Cost -

- A. Housing renting for a monthly rental of not more than 30 percent of monthly household income of a moderate income household (defined to be a household earning not more than 120 percent of the county median income); or
- B. Housing selling for a total purchase price not exceeding two and one-half times the annual household income of a moderate income household.

Integrated - The cohesive design and operational program envisioned for all planned uses in the Specific Plan.

Jobs Housing Balance - The ration of employment opportunities to corresponding housing stock availability within the City of Dana Point or region.

Land Use Plan - A plan showing the existing and proposed location, extent and intensity of development for varying types of residential, commercial, industrial, agricultural, recreational, educational and other public and private purposes or combinations of purposes.

Local Coastal Program (LCP) – A local government’s (a) land use plans, (b) zoning ordinances, (c) zoning district maps, and (d) within sensitive coastal resources areas, other implementing actions, which, when taken together, meet the requirements of, and implement the provisions and policies of the California Coastal Act of

1976 (as amended) at the local level. The Local Coastal Program for the City of Dana Point is comprised of the Land Use Element, Urban Design Element, and Conservation/Open Space Element of the General Plan, the Zoning Code, the Dana Point Specific Plan/Local Coastal Program, and the Capistrano Beach Specific Plan/Local Coastal Program. (Coastal Act/30108.6).

Lot A - A lettered lot near Camino del Avion in Salt Creek planned for golf course expansion and Coastal Sage Scrub re-vegetation.

Lot Area or Size, Net - The area within the lot lines of a lot exclusive of any dedications for public rights-of-way, public parks and public school sites. To generally calculate net area, 80 percent of the gross area may be assumed to constitute net area; however, a precise determination of net lot area is based on an exclusion of the actual area used for public rights-of-way, public parks and schools.

Lot Depth - The average linear measurement between the front and rear lot lines when measured at 90 degree angles from the front lot line.

Lot Width - The average linear distance between side lot lines when measured parallel to the front lot line.

Manufactured Slope - A man-made slope engineered and constructed to specific standards.

Maximum Lot (Building) Coverage - The maximum area of the lot that may be covered by buildings and roofed structures. This may be expressed in square footage or as a percentage of the minimum lot area.

Mesic - Relatively moist natural landscape conditions.

Mid Point of Roof - The mid point of a sloping or pitched roof means the average of the vertical distance between the top plate of the exterior wall and the highest point or ridge of the roof associated with that wall.

Minimum Lot Area - The amount of land that must be contained in a lot for a dwelling unit to be built on that lot.

Mycorrhizae - A symbiotic association of the mycelium of a fungus with the roots of a seed plant.

Negative Declaration, Mitigated - Documentation and findings pursuant to the California Environmental Quality Act that a project has no adverse environmental impacts, as defined by CEQA, upon implementation of all mitigation measures specified in the certified environmental documentation. All identified adverse impacts before mitigation must be reduced to levels of insignificance as defined by CEQA.

Off-Street Parking Space - A permanent parking space for a motor vehicle that conforms to Specific Plan or other applicable city standards and not located on a private or public street right-of-way.

On-Street Parking Space - A permanent parking space for a motor vehicle that conforms to Specific Plan or other applicable City standards that is entirely located within a private or public street right-of-way.

Open Space, Common - Land within or related to a development, not individually owned or dedicated for public use, which is designed and intended for the common use or enjoyment of the owners of the development and which may include such complementary structures facilities and improvements such as gazebos, recreational facilities, pools, spas, and game courts.

Open Space, Private - An open space, fenced or otherwise, designed to promote privacy, and which is reserved for the exclusive use of the occupants of a specific dwelling unit.

Open Space, Public - Open space owned and maintained by a public agency for the use and enjoyment of the general public.

Operator - Operator of the Monarch Beach Resort Hotel and/or other visitor recreational commercial and privately owned recreation facilities.

Overexcavation - Grading typically associated with remediation of unsuitable geologic and soil conditions in preparation for development.

Overhang, Roof – That portion of a roof which extends beyond the vertical facade of a lower wall.

Pad, Contoured - A building site with elevations, and contours that is similar to natural conditions, particularly on hillsides.

Parapet - The extension of the main walls of a building above the roof level.

Park Pavilion - The planned theme structure in Sea Terrace Community Park.

Park Service Area - The area of a community which a park is intended to serve.

Parking Area, Private – An area, other than a street, designed for the parking of vehicles and available for general public use, whether free or for a fee.

Parking Area, Public - An area, other than a private parking area or street, used for the parking of vehicles and available for general public use, either free or for a fee.

Parking, Self - Parking area to be provided at the hotel for visitors and guests that will not require valet service for storage and retrieval of vehicles.

Parking Space - A permanent area for the parking of one vehicle which meets the minimum dimensions and access requirements as established by the City.

Parking, Valet - Parking area to be provided at the MBR hotel and golf course clubhouse that will exclusively utilize attendant services to store and retrieve vehicles.

Parks, Public - An open space intended for public recreational use which is operated by the City or some other government agency.

Permitted Use – A use listed by the provisions of any particular district as a permitted use within that district and permitted therein as a matter of right when conducted in accord with the regulations established by the Zoning Code.

Phase - Any independent and contiguous part or portion of a project which is developed as a unit in the same time period.

Phasing Plan - The Specific Plan Phasing Plan.

Planning Commission - The Dana Point Planning Commission.

Plot Plan - A diagram of a lot, as seen from above, showing the outline of all structures on the lot and indicating the distance of the structures from the borders of the lot. Information to be provided in connection with a Site Development Permit application.

Porte Cochere - A roofed structure open on at least two sides, through which a motor vehicle may be driven and which is attached to a principal building by a continuous roof leading to the principal entrance.

Principal Use – A use that constitutes the primary function of a household, building, structure, establishment, or property.

Product Type - Residential floor plans and elevations depicting a particular type of home.

Project - The entire parcel of real property, including all structures thereon, all or part of which undergoes or is proposed to undergo construction, demolition, or a change in ownership status.

Public Utility Easement - An easement in which underground or above-ground utilities are located.

Quimby Act - The state law which sets forth basic requirements for park acreage or in lieu fees for local parks.

Recreation/Open Space - The General Plan designation for the golf course and community park and other open space uses of the Specific Plan.

Residential - General Plan and Specific Plan land use designations for residential areas in the property.

Resort Vehicle System - A vehicle designed to transport guests of the resort and the general public through the resort and adjacent areas as described in the Public Access section of Chapter 2.0 of the Specific Plan.

Resource Enhancement Program - The Specific Plan program delineating the measures to be undertaken to create new Coastal Sage Scrub Habitat in the Specific Plan area.

Resource Enhancement Plan - The detailed plans and specifications to implement the Resource Enhancement Program.

Retaining Wall - A wall constructed to retain earth and made of concrete, brick, wood, or rock.

Riding and Hiking Trails - A trail or way designed for or used by equestrians, pedestrians, and cyclists using non-motorized bicycles.

Right-of-Way - A corridor, either public or private, on which a right of passage has been recorded.

Riparian Habitat - An environment associated with freshwater watercourses, including perennial and intermittent streams, lakes, and other bodies of fresh water, and characterized by plants and animals which are dependent upon the availability of water in the resource.

Roof, Gable - A roof containing two sloped roof planes, typically located on larger sides of a rectangular structure.

Roof, Hip - A roof containing sloped planes corresponding to each side of a structure.

Roof, Shed - A roof containing a single sloped plane.

Salt Creek - The major drainage channel in the Specific Plan area.

Salt Creek Regional Corridor - The open space owned by the County of Orange upstream of Caminodel Avion in the City of Laguna Niguel.

Setback Line - A line within a lot, parallel to and measured from a corresponding lot line, forming the boundary of a required yard and governing the placement of buildings/structures and uses on a lot.

Significant - Having or likely to have influence or affect, as defined in the California Environmental Quality Act.

Site - Any lot or parcel of land or combination of contiguous lots or parcels of land used or intended for a particular use or group of uses.

Site 2/3 - The Hotel Village parcel.

Site 3 - Clubhouse Village South parcel.

Site 16 - The northerly 8.8 acres of the Clubhouse Village parcel, also known as Clubhouse Village North.

Site Adaptive Structures/Residential Units - Residences designed to accommodate the terrain of an area, especially hillside conditions.

Site Development Plan - A precise plan of development that may be subject to public hearing before the Planning Commission.

Site Development Permit - An approval which is required prior to the development of certain structures or uses in a particular district or zone. This permit is required for most non-restricted uses and is typically utilized to ensure compliance with the district development regulations and to identify necessary improvements, requirements, and dedications.

Site Plan - A diagram of a property proposed for development as seen from above. The diagram shall be drawn to scale and properly dimensioned. The diagram shall illustrate the existing and proposed uses and structures on the property in accordance with the applicable regulations and shall include lot lines, streets, grades, building sites, landscaping, parking areas, structures, and uses on adjacent parcels, reserved open space and other specific development proposals.

Slope, Contoured - Man-made slopes containing variable gradients.

Specific Plan - A detailed plan for the development of a specific area. It implements the local General Plan by creating a bridge between General Plan policies and individual development proposals. A Specific Plan directs all facets of future development; from the distribution of land uses to the location and sizing of supporting infrastructure, from methods of financing public improvements to standards of development.

Stabilized Decomposed Granite - Granite material similar in texture to very coarse sand, used with a stabilizing and binding agent such as soil cement for low-maintenance paths or roadways.

Standards, Development - Requirements in Chapter 3 of the Specific Plan that govern building and development including lot area, height limits, landscaping, and floor area ratios, etc.

Story, Full - That portion of the building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling above it. Basements and underground parking lots shall be counted as a story if the vertical distance from the average adjoining grade of the basement or underground story is over five feet.

Street, Private - A right-of-way, easement or lot, designated for vehicular access, that is not dedicated to the public and held in private ownership, which provides internal access to or through a property.

Street, Public - A right-of-way designed for vehicular access that is dedicated to the public.

Temporary Use - A use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

Toe of Slope - The base of a man-made slope.

Townhouse - A single-family attached dwelling organized in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more common and fire resistant walls.

Tract Map, Tentative - A map which is made for the purpose of showing the design and improvement of a proposed subdivision and the existing conditions in and around it and which need not be based upon an accurate or detailed final survey of the property.

Ultimate Right-of-Way - The defined future right-of-way shown on an adopted precise plan of highway alignment, or the street rights-of-way shown within the boundary of a recorded tract map, a recorded parcel map or a recorded Site Plan. The latest adopted or recorded document in the above case shall take precedence. If none of these exist, the ultimate right-of-way shall be considered the right-of-way required by the roadway classification as shown on the Circulation System Master Plan of the General Plan. In all other instances, the ultimate right-of-way shall be considered to be the existing right-of-way.

Use, Permitted - A use listed by the provisions of any particular district as a permitted use within that district and permitted therein as a matter of right when conducted in accord with the regulations established by the zoning and development standards.

Use, Principal - A use which fulfills a primary function of a household, establishment, institution, or other entity.

Variance - A discretionary entitlement which permits the departure from the strict application of the development standards contained in the Zoning Code and pursuant to the findings required by the California Government Code. This term does not refer to "Administrative Modification of Standards" pursuant to Section 9.61 of the Zoning Code.

Vehicular Accessway - A private, non-exclusive vehicular easement affording access to abutting properties.

Vernacular, Tuscan - Architecture derived from the traditional forms, particularly the Renaissance period, uses and setting of the Tuscan region of Italy, surrounding the City of Florence.

Vertical Access - Physical public access from the first public roadway to the shoreline.

View Corridor - Long views through a site from a public vantage point.

Views, Off-Site - Views from areas outside of the Specific Plan boundaries.

Views, On-Site - Views between internal components of a project.

Village - The hotel and residential areas of Site 2/13 and the clubhouse and residential areas of Site 3/16.

Visitor Recreation Commercial - The General Plan and Specific Plan land use designations for the resort hotel, golf club house and beach house.

Vista Point - Specially designed public view areas within the Monarch Beach Resort Specific Plan.

Xeric - Relatively dry natural landscape conditions; drought-tolerant.

Xeriscape - Landscaping characterized by the use of vegetation which is drought resistant or low water use in character.

Zero Lot Line - The location of a building on a lot in such a manner that one or more of a building's sides rest directly on a side lot line.

Zoning District – A specifically delineated area or district within a municipality in which regulations and requirements uniformly govern the use, placement, spacing and size of land and buildings.

Zoning Ordinance - Any reference to the Zoning Ordinance or Zoning Code in this Specific Plan shall mean Title 9 of the Dana Point Municipal Code.

Zoning Plan - The map which is a part of the Zoning Regulations of the Specific Plan and delineates the boundaries of Specific Plan zoning districts.

3.3 General Provisions

Except as otherwise provided by the Dana Point Zoning Code or the Coastal Act, any person, partnership, corporation or state or local government agency proposing to undertake any development within the Specific Plan area shall obtain a Coastal Development Permit in compliance with the provisions of the City's Certified Local Coastal Program. Coastal Development Permits shall be required and processed in accordance with the provisions of Chapters 9.27 "Coastal Overlay District", 9.61 "Administration of Zoning" and 9.69 "Coastal Development Permit" of the Dana Point Zoning Code. Approvals for development within the Specific Plan area authorized by Coastal Development Permit P-79-5539 shall be obtained from the Coastal Commission in accordance with the provisions of Section 9.69.030(c)(3)(D) of the Dana Point Zoning Code.

- 3.3.1 All construction within the Monarch Beach Resort shall comply with the provisions of the Dana Point Municipal Code. Building permits shall be issued only after the Director of Community Development or designee has determined that said building permit applications are consistent with the applicable guidelines, policies, zoning and development standards of the Monarch Beach Resort Specific Plan; applicable approved Site Development/Coastal Development Permit and applicable sections of the Municipal Code.
- 3.3.2 Any conditions, requirements, or standards, indicated graphically or in writing, granted by authority of these regulations shall have the same force and effect as these regulations. Any use or development not in substantial conformance with such conditions, requirements, or standards shall be in violation of the Monarch Beach Resort Specific Plan Development Standards.
- 3.3.3 Any amendment to these Development Standards shall also amend Chapter 2.0 of the Specific Plan, as necessary. Any amendment to Chapter 2.0 of the Specific Plan shall also amend the Development Standards, as necessary. All such amendments shall be considered for approval by the Planning Commission and adopted by the City Council, and if the amendment affects any portion of the Specific Plan area within the coastal zone, the amendment shall be submitted by resolution of the City Council to the California Coastal Commission for certification. Any amendment to the Specific Plan which also constitutes an amendment to the Certified Local Coastal Program shall not be effective unless and until effectively certified by the Coastal Commission. The Specific Plan shall be amended by procedures described in Section 9.33.070 of the Dana Point Zoning Code. An amendment to the Specific Plan which requires a Local Coastal Program amendment shall be processed according to the procedures set forth in Section 9.61.080(e) of the Dana Point Zoning Code.
- 3.3.4 Violation of any provisions of the Specific Plan shall be enforced through penalty provisions. The primary penalty for non-compliance with the Plan, Policies, Programs and Guidelines, and Standards, will be for the City to withhold applicable permits. In some cases, fines may be levied by the City against the developer, hotel operator, or golf clubhouse operator. Fines shall be consistent with City codes, and, where appropriate, shall represent the cost to the City to implement the measure, correct any deficiencies in implementation, or otherwise ensure compliance with the measure in question. If compliance is not demonstrated within a reasonable period of time, further penalties may also be assessed by the City to ensure the safety of the public. These penalties, where appropriate, may include the

possible issuance of stop-work orders or the suspension of construction permits. The developer, hotel operator, or golf clubhouse operator shall be responsible for all costs of compliance monitoring which are not inherent in the City's project approval/project development process. Violation of the provisions of the Specific Plan shall also be treated as a misdemeanor and shall be enforced pursuant to applicable provisions of the Dana Point Municipal Code.

3.3.5 Application for variances to the development standards of these regulations shall be considered and processed in accordance with the Dana Point Zoning Code.

3.3.6 Conformance of a residential Site Development Permit application with the Specific Plan shall be determined as follows:

- A. The number of units within the Specific Plan area shall not exceed 238 dwelling units.
- B. The net density shall not exceed 14 du/acre, and/or as provided in the development standards herein for any residential designated area within the Specific Plan.
- C. The minimum lot area provided in these regulations is a net figure which represents an absolute minimum.
- D. The Site Development Permit application is in compliance with the requirements of the Dana Point Municipal Code and other policies and procedures of the City.

3.3.7 The Specific Plan shall be the basis for consistency/conformity determinations only insofar as it establishes different requirements from the Dana Point Municipal Code.

3.3.8 Appeals of any decision taken by an approving authority on a discretionary permit shall be in compliance with the Dana Point Municipal Code.

3.3.9 In the implementation of the Specific Plan, Land Owner shall submit a detailed Phasing Plan for the project in accordance with the objectives stated in Chapter 2, Section 2.15.1.

The Phasing Plan shall be subject to review, modification, and approval by the City Planning Commission prior to recordation of any Final Maps.

Land Owner shall be required to adhere to strict compliance with all development standards, regulations of Chapter 3, and the City approved Phasing Plan set forth in this Specific Plan.

3.3.10 Public art shall be addressed by the Site Development Permits by providing the procedures for including it as part of this project. The details of public art shall be provided and shall receive final approval from the Planning Commission as minor amendments to the Site Development Permit(s). Public Art may take the form of sculptures, artwork, and/or visually exciting images within the project area that are accessible to the public. The role of the Cultural Commission in advising on, and/or reviewing the public art will be detailed in the procedures that will be outlined in the Site Development Permit(s).

3.3.11 All operational assumptions contained in the Parking Demand Study: Monarch Bay Resort by Linscott, Law and Greenspan, dated November 1, 1991 shall be complied with and implemented by the resort hotel and golf clubhouse operator.

3.3.12 The hotel provided for in this Specific Plan shall be designed as a Five-Star resort. Any proposal to develop, construct or operate a resort hotel of lesser quality will require an amendment to the General Plan and Specific Plan.

3.3.13 Within 14 days of the City Council approval of the Monarch Beach Resort Specific Plan, any outstanding City costs incurred for the preparation and processing of the Specific Plan, must be paid by the project applicant - Monarch Bay Resort, Inc. Until such payment occurs, the Monarch Beach Resort Specific Plan shall not take effect.

3.4 Site Development Permit Requirements and Procedures

3.4.1 Authority and Scope

This section includes the procedures and regulations necessary to implement the provisions of the General Plan, Specific Plan, Coastal Zoning Code Resource Overlay, Site Development Permit requirements and other applicable provisions of the Municipal Code. These development requirements are adopted pursuant to the Public Resources Code and constitute minimum standards applicable to the analysis and approval of all development projects within the Coastal Zone as required by the California Coastal Act. However, deviation to greater than minimum standards or less than maximum standards shall be deemed to be consistent with such standards.

3.4.2 Purpose and Intent

The purpose of this chapter is to implement this Specific Plan, the site development procedures of the Zoning Code and the California Coastal Act of 1976 (Division 20 of the Public Resources Code) in accordance with the General Plan/Local Coastal Program of the City of Dana Point.

3.4.3 Area of Applicability

The provisions of this Section are applicable to all land within the boundaries of the Specific Plan (Exhibit 3.1).

3.4.4 Permitted Uses

Uses permitted subject to the approval of a Site Development Permit are enumerated in Sections 3.5 et seq. of Chapter 3.

3.4.5 General Requirements

3.4.5.1 Site Development Permit(s):

A Site Development Permit is a permit issued by the City of Dana Point which authorizes establishment, operation and maintenance of a specific use, structure or activity of any development, as defined in the Municipal Code. A separate Coastal Development Permit is required to be issued by the Coastal Commission prior to certification of the City's Local Coastal Program by the Coastal Commission. Any Site Development Permits issued either prior or subsequent to the certification of the Local Coastal Program must be consistent with the Specific Plan and the Coastal Resource Overlay District Regulations (Chapter 9.27) of the Zoning Code. Except as otherwise provided by the Dana Point Zoning Code or the Coastal Act, any person, partnership, corporation or state or local government agency proposing to undertake any development in the Specific Plan area shall obtain a Site Development Permit in compliance with the provisions of this Chapter.

3.4.5.2 Combined Applications:

An application for a Site Development Permit(s) may be combined with any other discretionary permit application; however, any such combined application shall be processed in compliance with the applicable

provisions of the Dana Point Zoning Code pertaining to Site Development Permits, the Specific Plan, the provisions of this Chapter and regulations of the California Coastal Commission. Applications for temporary uses shall be processed in accord with the Temporary Use Permit procedures of the Zoning Code. The approving authority for any combined application shall be as specified by this District. When it is not feasible to combine a Site Development Permit application with one or more other discretionary permit applications, they may be processed in a concurrent manner so that the effective dates of the different actions shall occur in the required sequence as provided for in these regulations and/or the Dana Point Municipal Code.

3.4.6 Exemptions, Exclusions and Exceptions

Exemptions, exclusions and exceptions to Site Development Permit requirements shall be provided for as specified in the Dana Point Zoning Code.

3.4.7 Administrative Modification of Residential Development Standards

A. Intent and Purpose:

Residential development standards may be administratively modified. The administrative modifications are to be used only when the proposed deviations from development standards are truly minor and no potential impact will occur to the health, safety or general welfare of adjacent persons or properties.

B. Authority of Director of Community Development:

In the public interest and when agreed to by the applicant, the Director of Community Development, may consider and render decisions without public hearing on requests involving slight modifications to residential development standards for the following purposes:

- Reduction of required lot area, minimum floor area requirements, reduction of size of yards, courts, open areas, or landscaped areas by less than five percent of the area required by the residential development standards.
- Increases in the height of both retaining and non-retaining side or rear yard fences, walls, or hedges by not more than ten percent of the maximum permitted height. No Modification of Standards may be granted for any fence or wall that is located in the required front yard.
- Encroachment of structures into less than ten percent of the required front yard, rear yard and side yard setbacks.
- Other Modifications of Standards not specified in this Section when the Director of Community Development determines that such modifications are consistent with and meet the intent of this Section.

The Director of Community Development may refer any request for an administrative modification of residential standards to the Planning Commission for consideration and decision.

3.5 Development Regulations

3.5.1 This section delineates the site planning, architectural, landscape, and other development standards for the hotel, residential, golf clubhouse, beach house, golf course, community park, and other open space uses on the property.

3.5.2 The Planning Commission shall approve or deny any Site Development Permit on the basis of the standards contained herein, the plans, programs and guidelines in Chapter 2.0 and the General Plan.

3.5.3 Minimum Building Setbacks From Specific Plan and External Roadway Boundaries

- Right-of-way Line at Niguel Road:
 - Residential 25 feet
 - Hotel 30 feet
- Right-of-way Line at Pacific Coast Highway: 30 feet
- Right-of-way at Specific Plan boundary: 15 feet

3.5.4 Structural uses that may occur subject to Site Development Permit Review within the above-established setbacks include:

- Freestanding walls and fences
- Retaining Walls
- Signs
- Gatehouses, gate structures and gate controls
- Traffic control devices
- Trellises and similar overhead landscape features
- Other similar uses

3.5.5 Administrative Amendments to a Site Development Permit

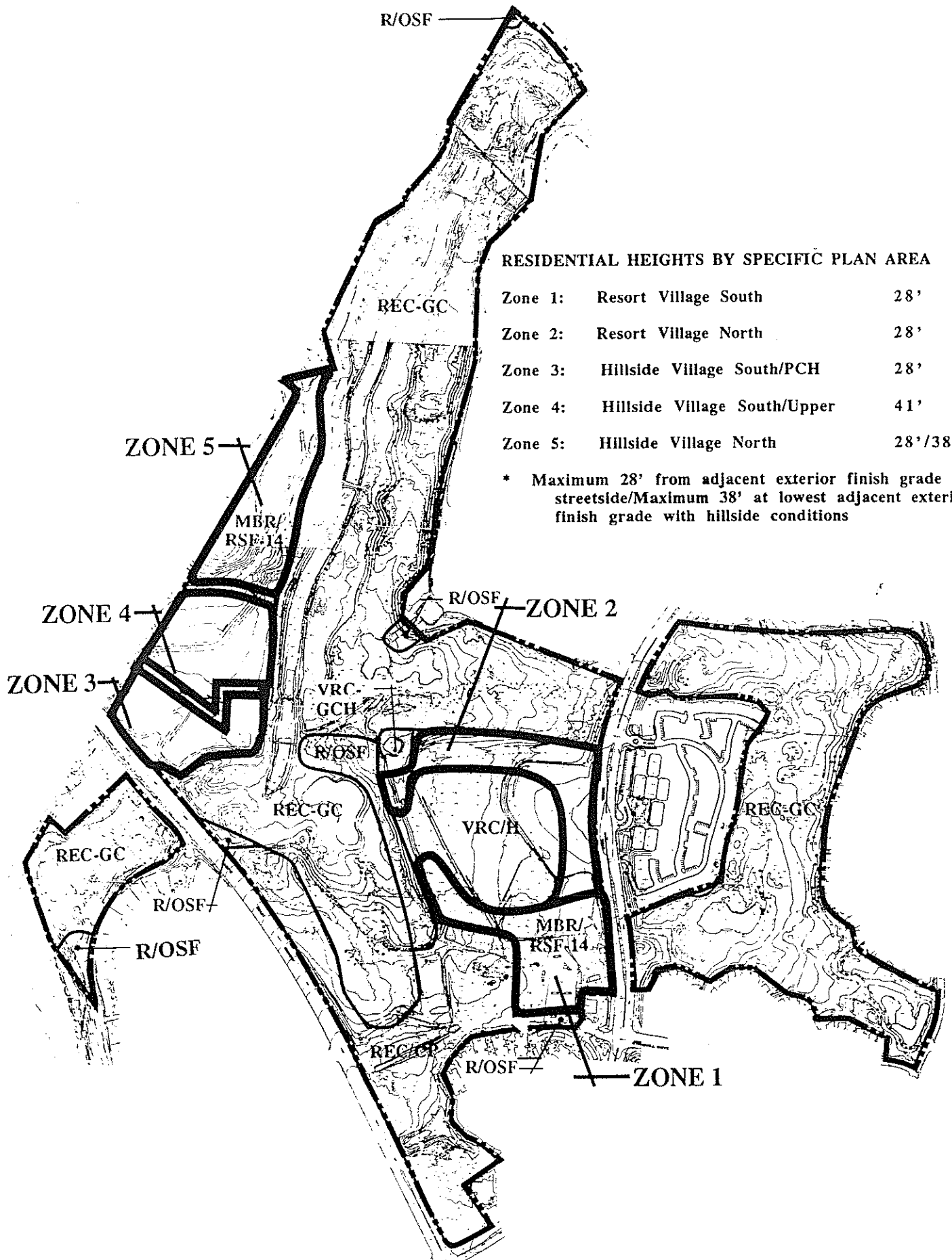
Subsequent to the issuance of an initial site development permit, the following uses shall be subject to administrative review and approval by the Director of Community Development or his designee as minor amendments to a Site Development Permit. Some of the uses subject to this minor amendment provision may require a separate Coastal Development Permit.

- Residential room additions with a cumulative area not exceeding 10 percent of the dwelling unit area indicated on the original building permit
- Patio covers
- Alterations to public area landscape including the removal or installation of different species or configurations of trees and other landscaping for maintenance purposes.
- Revisions to the sign program approved in the Site Development Permit
- Removal, relocation, and/or new construction of free-standing walls and fences not exceeding 8 feet in total height.

3.6 Residential Development Standards (MBR/RSF-14)

Residential Zoning Standards

This section provides the minimum development standards for the Specific Plan residential component. Standards for each dwelling unit type are provided in Table 3.1 on the following page. Height standards are set forth in Exhibit 3.2, Residential Height Zones.



RESIDENTIAL HEIGHTS BY SPECIFIC PLAN AREA

Zone 1:	Resort Village South	28'
Zone 2:	Resort Village North	28'
Zone 3:	Hillside Village South/PCH	28'
Zone 4:	Hillside Village South/Upper	41'
Zone 5:	Hillside Village North	28'/38'

* Maximum 28' from adjacent exterior finish grade at streetside/Maximum 38' at lowest adjacent exterior finish grade with hillside conditions



RESIDENTIAL ZONES

**MONARCH BEACH RESORT
SPECIFIC PLAN**



3.6.1 Principal Permitted Uses (Residential)

- Single Family detached and attached residential units
- Multiple Family residential units
- Private recreation facilities
- Architectural theme features
- Pools and spas
- Guard gate houses
- Parking and parking structures for the principal permitted uses

**TABLE 3.1
RESIDENTIAL DEVELOPMENT STANDARDS
MONARCH BEACH RESORT SPECIFIC PLAN**

DEVELOPMENT STANDARD ITEM	MBR RSF-14 ZONES 1, 2, 3 AND 5		MBR RSF-14 ZONE 4
	Single Family Detached	Single Family Attached	Single Family Attached
Minimum Lot Size	4,000	2,500	2,500
Minimum Lot Width	40'	28'	28'
Minimum Lot Depth	80'	70'	70'
Maximum Lot Coverage	60%	90%	40%
Minimum Site/Landscape Coverage ⁽¹⁾	40%/Net Acre	50%/Net Acre	60%/Net Acre
Maximum Density (DU/Net Acre) ⁽²⁾	7	14	14
Maximum Number of Dwelling Units Per Building ⁽⁹⁾	1	6	17 ⁽⁸⁾
Maximum Height ⁽³⁾	(See Exhibit 3.2)	(See Exhibit 3.2)	(See Exhibit 3.2)
Maximum Stories	2	3	3
Minimum Front Yard Setback ⁽⁴⁾	2'	2'	2'
Minimum Side Yard Setback	5' ⁽⁵⁾	0' ⁽⁶⁾	0' ⁽⁷⁾
Minimum Building to Building Separation	10'	10'	20'
Minimum Rear Yard Setback	10'	10'	15'
Minimum Open Space - Private	200 SF/DU	100 SF/DU	100 SF/DU

(1) Landscape coverage is defined as total residential village or permit area less private and public streets.

(2) Total dwelling units not to exceed 238.

(3) Heights by zones (also refer to Exhibit 3.2 and Section 3.6.6):

- 28' measured from adjacent exterior finished grade at exterior wall to mid-point of roof in Zones 1, 2, and 3.
- 41' measured from adjacent exterior finished grade at exterior wall to mid-point of roof in Zone 4.
- 28'/38' measured from adjacent finished grade for Zone 5 (see Zone 5 footnote on Exhibit 3.2).

(4) Additional setback provisions:

- No more than 3 garages in the same building shall have the same setback from the street.
- Driveways between 9' and 18' in length are prohibited. Driveway length is defined as the shortest driveway length from the garage door to the front property line or curb line, whichever is further from the garage door.

TABLE 3.1
RESIDENTIAL DEVELOPMENT STANDARDS
MONARCH BEACH RESORT SPECIFIC PLAN

(Continued)

- All garage doors require automatic openers. Garage doors with driveway lengths less than 5' shall require automatic roll-up doors.
- (5) Zero yard setback is allowed on one side of lot only and a 10' minimum separation between buildings on the same or adjacent lots is required.
- (6) 10' setback between end units of adjacent attached residential buildings.
- (7) 20' setback between end units of adjacent attached residential buildings.
- (8) There will be a maximum of four buildings; two buildings not-to-exceed 17 units per building and two buildings not-to-exceed 12 units per building.
- (9) Zones 1, 2, and 3: 4 units per building; Zone 4: 17 units per building; Zone 5: 6 units per building.

- Private trails and accessways
- Retaining walls and other landscape structural features
- Signs

3.6.2 Permitted Temporary Uses

- Temporary landscaping
- Construction trailers and related structures
- Model homes and sales offices
- Signs

3.6.3 Total Number of Dwelling Units

The total number of dwelling units within the Specific Plan area shall not exceed 238.

3.6.4 Density

The maximum density for any residential product type shall not exceed 14 dwelling units/net acre as defined in the Dana Point general plan and/or the Zoning Code.

3.6.5 Building and Structural Height Limitations

Residential buildings shall have heights in conformity with the standards set forth in Table 3.1 and the height zones established herein. Ten percent (10%) of the roof area may exceed the maximum height by eight feet (8') in order to permit towers, chimneys, mechanical penthouses and other such architectural elements consistent with the Specific Plan design guidelines and development standards.

3.6.6 Where residential buildings are sited on or adjacent to sloping grade conditions, the heights of exposed foundations or retaining walls within fifteen feet (15') from the exterior face of the building shall be included in the building height calculation and may allow the maximum allowed building height to be exceeded by a maximum of eight feet (8'). Such retaining walls or exposed foundations shall be treated with exterior materials to blend in with the architectural character of the building. Retaining walls located more than fifteen feet (15') from the face of the building shall not be considered part of the building in determining the building height.

3.6.7 Architectural Projections Into Yard Setbacks

Architectural projections are allowed subject to the requirements set forth in Table 3.2.

3.7 Hotel Commercial Development Standards (VRC-H)

This section delineates the principal permitted uses and temporary uses for and site for the hotel. Site development standards are found on Table 3.3.

3.7.1 Principal Permitted Uses (Hotel)

- Guest Accommodations and Corridors
- Public Areas
- Retail commercial including, but not necessarily limited to:
 - Sundries
 - Gift shop
 - Flower Shop

TABLE 3.2
MAXIMUM PROJECTIONS INTO MINIMUM REQUIRED YARD SETBACKS
MONARCH BEACH RESORT SPECIFIC PLAN

ITEM	FRONT	REAR	SIDE	Minimum Distance From Curbline	Maximum Projection Above Height Limit
Antennas	Not permitted	Not permitted	Not permitted	Not permitted	Not permitted
Awnings	Not permitted	3'-0"	2'-6"	2'-0"	Not permitted
Stairways & Stairway Landings	Not permitted	2'-6"	2'-6"	2'-0"	Not permitted
Basement Below Grade	Not permitted	Not permitted	Not permitted	N/A	N/A
Bay Windows	0'	2'-6"	2'-6"	2'-0"	N/A
Chimneys (Maximum 7' Width)	0'	3'-0"	3'-0"	3'-0"	8'-0" (3' x 5' max. width above height limit line)
Architectural Projections: Cornices, Eaves & Roof Overhangs	Not permitted	3'-0"	3'-0"	0'	Not permitted
Patio Covers Including Columns	Not permitted	(1)	3'-0"	0'	Not permitted
Terrace	0'	100% of setback	100% of setback	0'	Not permitted
Porte Cochere	Permitted by Site Development Permit only				Not permitted
Balcony	Not permitted	5'-0"	Not permitted	3'-0"	Not permitted
Swimming Pools & Spas	Not permitted	8'-0"	2'-0" ⁽²⁾	3'-0" ⁽³⁾	N/A
Pool Equipment	Not permitted	(4)	2'-6"	3'-0" ⁽⁵⁾	N/A

(1) Requirements:

- SFD: Minimum 3'-0" from property line
- SFA: Minimum 5'-0" from property line
- Maximum 40% rear yard coverage SFD and SFA

(2) Not applicable for internal SFA units; applicable to SFA end and SFD units only.

(3) SFD only.

(4) Subject to noise ordinance.

(5) Not permitted within front setback.

**TABLE 3.3
VISITOR RECREATION COMMERCIAL DISTRICTS
(VRC/H, VRC/GCH, VRC/BH)
MONARCH BEACH RESORT SPECIFIC PLAN**

DEVELOPMENT STANDARDS	VISITOR-RECREATION COMMERCIAL DISTRICTS		
	Hotel	Clubhouse	Beach House
A) Minimum Lot Size ⁽¹⁾	--	--	--
B) Minimum Lot Width ⁽¹⁾	--	--	--
C) Minimum Lot Depth ⁽¹⁾	--	--	--
D) Maximum Lot Coverage ⁽¹⁾	--	--	--
E) Maximum Height			
- Above Niguel Road Curb Elevation	30' ⁽²⁾	N/A	N/A
- Above Adjacent Exterior Finished Grade	78'	46' ⁽³⁾	44'
F) Floor Area Ratio	1.0:1	.75:1	N/A
G) Minimum Front Setback	30' ⁽⁴⁾	5' ⁽⁵⁾	0' ⁽⁵⁾
H) Minimum Side Setback ⁽⁵⁾	5'	5'	0'
I) Rear Setback ⁽⁵⁾	5'	10'	0'

(1) Subject to Site Development Permit approval.

(2) 30' above Niguel road curb elevation, equates to mean sea level elevation (MSL) of 205'.

(3) Exclusive of architectural features which can reach, but cannot exceed, 19' above the top of the roof.

(4) Niguel Road.

(5) From property line.

- Beauty Salon
- Guest Amenities and Recreation uses including, but not necessarily limited to:
 - Business Center
 - Spa/fitness Center
 - Pool and other swimming facilities
- Food and Beverage areas including, but not necessarily limited to:
 - Grill
 - Private Dining
 - Restaurant
 - Lobby Lounge
 - Pool Restaurant
 - Snack Bar
- Function Areas (Meetings and Events)
 - Ballroom
 - Junior Ballroom
 - Board Rooms
 - Meeting Rooms
 - Multi-Purpose Room
 - Theater
 - Exterior function area
- Function support
- Executive offices
- General offices
- Accounting offices
- Food preparation and service areas
- Housekeeping/laundry
- Maintenance
- Employee facilities
- Child care facilities
- Mechanical electrical
- Receiving and purchasing
- Parking and circulation
- Guard gate house
- Public trails and accessways
- Resort Vehicle System
- Retaining walls and other landscape structural features
- Signs
- Satellite Dishes
- Heating and Air Conditioning Equipment

3.7.2 Temporary Permitted Uses

- Temporary landscaping
- Construction trailers and ancillary uses
- Pre-occupancy sales offices
- Signs

3.7.3 Development Standards (See Table 3.3)

3.8 Golf Clubhouse Development Standards (VRC-GCH)

3.8.1 Principal Permitted Uses

- Restaurant
- Lounge
- Outdoor Dining
- Lobby
- Pro Shop/Retail Commercial
- Executive Offices
- Meeting and Pre-Meeting Rooms
- Golf Academy
- Men's and Women's Locker Rooms
- Health Spa/Fitness
- Pool
- Kitchen
- Storage and Repair
- Employee Facilities
- Housekeeping and Maintenance
- Receiving and Purchasing
- Meeting Rooms and Other Storage
- Golf Cart Garage
- Parking Garage
- Golf Course Maintenance
- Public Trails and Accessways
- Resort Vehicle System
- Retaining walls and other landscape structural features
- Signs

3.8.2 Temporary Permitted Uses

- Temporary landscaping
- Construction trailers and ancillary uses
- Pre-occupancy sales offices
- Tournaments
- Signs

3.8.3 Development Standards (See Table 3.3)

3.9 Beach Visitor Commercial Development Standards (VRC-BH)

The beach house concept may be pursued by evaluating new potential locations either in the Specific Plan area or outside of the Specific Plan area. Selection of new potential locations and development of a beach house shall ensure that the beach house is in conformance with Chapter 2.0 of the Specific Plan and all other provisions of the certified Local Coastal Program.

3.9.1 Principal Permitted Uses

- Indoor and Outdoor Restaurant
- Retail Commercial
- Ancillary Support Uses
- Trails

- Resort Vehicle System
- Exterior Storage
- Maintenance Facility
- Retaining walls and other landscape structural features
- Signs

3.9.2 Temporary Permitted Uses

- Construction Trailers and ancillary uses
- Signs

3.9.3 Development Standards (See Table 3.3)

3.10 Golf Course Development Standards (REC-GC)

3.10.1 Principal Permitted Uses

- Golf
 - Snack Bar
 - Rest Rooms
 - Maintenance Building
 - Resort Vehicle System
 - Public Bicycle and Pedestrian Trails
 - Wildlife Habitat Enhancement
 - Bridges
 - Trellises
 - Signs
 - Retaining walls and other landscape structural features
- Public Facilities*

3.10.2 Temporary Permitted Uses

- Construction Trailers and ancillary uses

3.10.3 Development Standards (See Table 3.4)

3.11 Community Park Development Standards (REC-CP)

3.11.1 Permitted Uses

- Public Recreation
 - Community Events
 - Park Structures
 - Maintenance Building
 - Standard and Overflow Parking
 - Trails
 - Resort Vehicle System
 - Retaining walls and other landscape structural features
 - Signs
- (consistent w/ zoning code)*

3.11.2 Temporary Permitted Uses

- Construction Trailers and ancillary uses

3.11.3 Development Standards (See Table 3.4)

3.12 Recreation/Open Space Facilities (REC-OSF)

3.12.1 Principal Permitted Uses

- Vista Points
- Botanic Gardens
- Public Bicycle and Pedestrian Trails
- Resort Vehicle System
- Trellises
- Signs
- Retaining Walls and Other Landscape Features

3.12.2 Temporary Permitted Uses

- Construction Trailers and Ancillary Uses

3.12.3 Development Standards

- (See Table 3.4)

3.13 Signs

3.13.1 Principal Permitted Uses (Signs)

- Freestanding and Wall Signs
- Community Identification Monument
- Public and Private Facility Monument Signs
- Residential Entry Signs
- Temporary and Permanent Facility Directional Signs/ Monuments
- Street Signs
- Temporary Future Facility and Sales Signs
- Directional signs intended to reassure motorists of their direction of travel after they leave the public street system

3.13.2 Development Standards

Detailed signage designs shall be developed and submitted with the Site Development Permit Application for the Monarch Beach Resort. The signage standards and designs shall be in conformity to an approved Sign Program as provided for in Chapter 2 of this Specific Plan.

3.13.3 The sign program shall be approved by the Planning Commission as part of the Site Development Permit and shall be included in the approval of any Coastal Development Permit. The approved signage program shall be consistent with the signage requirements contained in Section 2.9 of the Specific Plan.

**TABLE 3.4
RECREATION/OPEN SPACE
DEVELOPMENT STANDARDS
MONARCH BEACH RESORT SPECIFIC PLAN**

DEVELOPMENT STANDARDS	RECREATION/OPEN SPACE DISTRICTS		
	REC/CP	REC/GC	REC/OSF
A) Minimum Lot Size	(1)	(1)	(1)
B) Maximum Lot Coverage	(1)	(1)	(1)
C) Maximum Building/Structure Height	30'	16'	16'
D) Standard Floor Area Ratio	(1)	(1)	(1)
E) Minimum Setbacks - From adjoining property lines	-- 0'	-- 0'	-- 0'
F) Minimum Open Space and Landscaping	(1)	(1)	(1)

(1) Subject to Site Development Permit review.

3.13.4 Administration and Enforcement

The City's Sign Ordinance requires that a sign program be approved and related permits be issued prior to the erecting, constructing or altering of each sign or group of signs in a given location. The Sign Program shall include sufficient information and shall satisfy all standards and requirements necessary for approval under the City's Sign Ordinance.

3.14 Street and Parking Standards

3.14.1 Parking shall be provided as required by City of Dana Point regulations except as specifically provided for in this section. The minimum number of parking spaces shall conform to the requirements set forth in Table 3.5. The criteria for the establishment of the parking standards contained in Table 3.5 are those found in the "Parking Demand Study: Monarch Beach Resort" by Linscott, Law and Greenspan dated November 1, 1991. All criteria and assumptions contained in this study shall be implemented through the Site Development Permit and shall be complied with by the resort hotel and golf clubhouse operator. Any substantive changes to the assumptions contained in this study at the Site Development Permit, will necessitate a new parking demand study and a possible amendment to the Specific Plan and Local Coastal Program Amendment. The Site Development Permit will be conditioned to insure compliance with the assumptions in the parking demand study.

In addition, to verify the assumptions in the parking demand study, a Parking Monitoring Program to gather parking and vehicle occupancy data for the Hotel and Golf Clubhouse shall be implemented. The purpose of this monitoring program will be to evaluate the adequacy of the parking provided to satisfy the parking demand of both the Hotel and Golf Clubhouse. Data for the monitoring program shall be collected for two years, will commence when both the Hotel and Golf Clubhouse are operational, and the results shall be reported annually to the City of Dana Point and the Coastal Commission. Should the parking monitoring program confirm that the parking supply is less than parking demand, additional parking shall be provided to make up the parking deficiency. This shall necessitate a Local Coastal Program Amendment to the Monarch Beach Resort Specific Plan.

3.14.2 Parking Stall Sizes

Parking stall sizes shall be 8'-8" x 18' for valet parking spaces and 9'-0" x 18' for self parking spaces. All aisles shall be a minimum of 24 feet in width. Parking stalls adjacent to garage walls or other obstructions more than 2' in length shall be 11' wide. No garage walls or other obstructions adjacent to parking spaces of less than 11'-0" shall be located within one foot clear distance of the drive aisle.

3.14.3 Tandem, Shared, and Valet Parking

Tandem, shared and valet parking shall be permitted subject to a parking operations plan submitted with and approved as a part of the Site Development Permit. The parking operations plan must be consistent with the guidelines and development standards of this Specific Plan and Operator requirements, criteria, and assumptions of the "Parking Demand Study: Monarch Beach Resort." Self-parking for hotel guests must be provided with the number and location of self parking spaces specified in the Site Development Permit.

3.14.4 Shared Parking

Shared parking between the golf clubhouse and the hotel shall be allowed subject to the criteria and assumptions contained in the "Parking Demand Study: Monarch Beach Resort" and as approved in the Site Development Permit. If the assumptions of the parking demand study are found to be incorrect based on the results of the Parking Monitoring Program, the shared parking plan shall be reevaluated.

**TABLE 3.5
PARKING STANDARDS
MONARCH BEACH RESORT SPECIFIC PLAN**

USE	PARKING FACTOR
Resort Hotel ⁽¹⁾	
Guest Rooms Food and Beverage Meeting and Banquet	0.75 Spaces per Guest Room 1.0 Spaces per 5 Seats 1.0 Spaces per 80 Square Feet
Golf Clubhouse and course ⁽¹⁾	
Clubhouse Golf Course	1.0 Spaces per 714 Square Feet 2.4 Spaces per Tee
Residential ⁽²⁾	2.0 Garage Spaces/DU 0.5 Guest Spaces/DU

(1) Parking standards based on criteria set forth in "Parking Demand Study: Monarch Beach Resort" by Linscott, Law and Greenspan, dated November 1, 1991.

3.14.5 On-Street Parking

On-street parking on internal roads shall conform to the following standards:

Roads 28'-31' in width:

- No on-street parking permitted except for parking in perpendicular or parallel bays located entirely outside the roadway width

Roads 32'-39' in width:

- Parallel parking one side

Roads 40' or greater:

- Parallel parking both sides

3.14.6 Off-street Loading Areas

- Subject to Site Development Permit Approval.

3.14.7 Sidewalks

On private roads, sidewalks may be deleted if an alternative pedestrian circulation system is provided and approved subject to a Site Development Permit. Where sidewalks are deleted, the Planning Commission shall make a finding that a safe and adequate alternative pedestrian circulation system has been provided.

3.15 Landscape Standards

3.15.1 The minimum area of landscape coverage for individual residential lots and residential projects is listed on Table 3.1. Additional coverage requirements are as follows:

- A. All open space areas which are not devoted to buildings, driveways, patios, game courts, other similar hard surfaces, or swimming pools shall be landscaped.
- B. All landscaped areas shall be maintained in a neat and thriving condition.

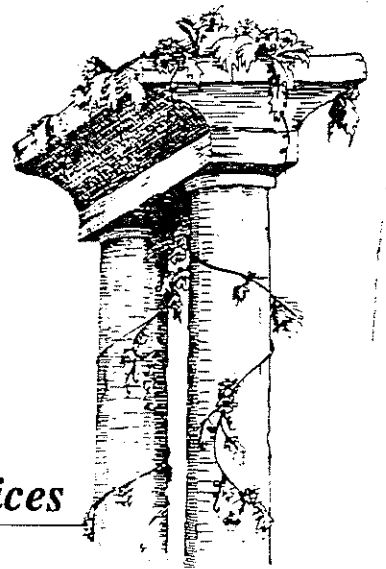
3.15.2 Fences, Walls and Hedges

- A. The maximum height of all fences, walls and hedges (except pilasters) for all locations except the required front yard is six feet (6') from top of wall to finish grade, measured on the side facing adjacent property, and eight feet six inches (8'-6") measured on the side facing the subject property as depicted in the Zoning Code. Pilasters may extend up to one foot above the maximum height.
- B. The heights of any portion of wall or fence which retains earth or water in all locations except the required front yard shall be as follows:
 - 1) Retaining walls that are 30 inches or less in height from top of retaining wall to finished grade on either side are permitted.
 - 2) Retaining walls that are greater than 30 inches from top of retaining wall to finished grade on either side are permitted subject to approval of a Site

Development Permit. Approval of retaining walls higher than 30 inches in height shall be considered when the wall does not create conditions or situations that may be objectionable, detrimental or incompatible with other permitted uses in the vicinity.

- C. Height within the required front yard.
 - 1) Fences, whether solid, open or transparent (except pilasters), shall not exceed six feet (6') in height. Pilasters may exceed this height by one foot (1').
 - 2) At street corners, fences as defined in A and C(1) above shall conform to the criteria set forth on Figure 9.05-3, "Site Visibility Area" in the Zoning Code.
- D. Fences or walls shall provide a gate or other suitable opening no less than 30 inches width to provide access to primary or accessory structures.

Appendices



250

EIN, WILLIAM FROST & ASSOCIATES
14725 Alton Parkway
Irvine, California 92713

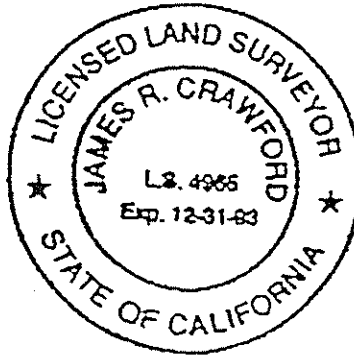
from *[Signature]*

October 22, 1991
JN 27904-2.18

LEGAL DESCRIPTION

SITE 3
MONARCH BEACH

That certain land situated in the City of Dana Point, County of Orange, State of California, being that portion of Lot 4 of Tract No. 11890 as shown on a map thereof filed in Book 514, Pages 20 and 21 of Miscellaneous Maps in the Office of the County Recorder of said Orange County included within Parcel 1 of Lot Line Adjustment No. LL 86-26 recorded July 8, 1986 as Instrument No. 86-291638 of Official Records in said Office of the Orange County Recorder.



[Handwritten Signature]
James R. Crawford, L.S. 4965

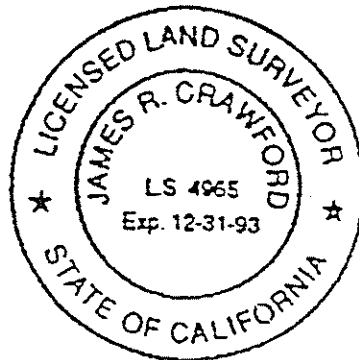
ROBERT BEIN, WILLIAM FROST & ASSOCIATES
14725 Alton Parkway
Irvine, California 92713

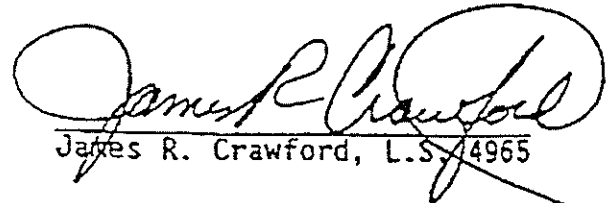
July 11, 1991
JN 27904.L8

LEGAL DESCRIPTION

SITE 16
MONARCH BEACH

That certain land situated in the City of Dana Point, County of Orange, State of California, being that portion of Lots 1 and 2 of Tract No. 11890 as shown on a map thereof filed in Book 514, Pages 20 and 21 together with that portion of Lot 1 of Tract No. 11900 as shown on a map thereof filed in Book 535, Pages 45 through 48, both of Miscellaneous Maps in the Office of the County Recorder of said Orange County included within Parcel 1 of Lot Line Adjustment No. LL 88-122 recorded November 17, 1988 as Instrument No. 88-591262 of Official Records in said Office of the Orange County Recorder.




James R. Crawford, L.S. 4965

December 3, 1991

LEGAL DESCRIPTION

BEACH HOUSE SITE
MONARCH BEACH RESORT .

PORTION OF LOT 56 OF TRACT 13103 AS SHOWN ON A MAP THEREOF FILED IN BOOK 586, PAGES 42 THROUGH 50 OF MISCELLANEOUS MAPS IN SAID OFFICE OF THE ORANGE COUNTY RECORDER.

December 3, 1991

LEGAL DESCRIPTION

GOLF COURSE
MONARCH BEACH RESORT

IN THE CITY OF DANA POINT, COUNTY OF ORANGE, STATE OF CALIFORNIA:
TRACT 11371; TRACT 11576; LOT A, TRACT 10712; LOT 56, TRACT 13103;
PORTION, TRACT 11901 (INST. NO. 89-518864, LL 89-01).

December 3, 1991

LEGAL DESCRIPTION

SITE 2/13
MONARCH BEACH RESORT

LOT 2 OF TRACT NO. 11889, PER MISCELLANEOUS MAPS 514/25, 26, & 27,
AND PARCELS 1 AND 2 OF LOT LINE ADJUSTMENT NO. LL86-01 RECORDED
11/5/86 AS INSTRUMENT NO. 86-531073.

December 3, 1991

LEGAL DESCRIPTION

SEA TERRACE COMMUNITY PARK SITE
MONARCH : EACH RESORT

LOT 1 OF TRACT NO. 11901, PER MISCELLANEOUS MAPS 514/22, 23, & 24,
EXCEPTING THEREFROM THE PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY TERMINUS OF THAT CERTAIN COURSE SHOWN AS "NORTH 41°24'49" WEST 565.84 FEET" FOR A PORTION OF THE NORTHERLY LINE OF SAID LOT 1; THENCE ALONG SAID NORTHERLY LINE, THE FOLLOWING COURSES: SOUTH 41°23'40" EAST 565.85 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 125.00 FEET, SOUTHEASTERLY 101.40 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 46°28'37" AND SOUTH 87°32'27" EAST 161.53 FEET; THENCE SOUTH 9°50'19" EAST 268.00 FEET; THENCE SOUTH 36°09'59" WEST 201.00 FEET; THENCE SOUTH 86°16'37" WEST 141.00 FEET; THENCE NORTH 38°36'34" WEST 234.00 FEET; THENCE NORTH 15°11'37" WEST 201.50 FEET; THENCE NORTH 28°03'09" WEST 559.69 FEET; THENCE NORTH 52°28'17" WEST 125.50 FEET TO SAID NORTHERLY LINE; THENCE ALONG SAID NORTHERLY LINE, THE FOLLOWING COURSES: NORTH 86°56'38" EAST 50.00 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 125.00 FEET AND SOUTHEASTERLY 112.70 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 51°39'32" TO THE POINT OF BEGINNING.

SPECIFIC PLAN CONSISTENCY WITH
GENERAL PLAN POLICIES

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Land Use Element

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|-----|--|--|
| 1.1 | Develop standards for building intensity, including standards for ground coverage, setbacks open space/landscaping, maximum dwellings per acre, floor area ratios, size and height restrictions. | The Specific Plan provides development standards for building intensity, including standards for setbacks, open space/landscaping, maximum dwellings per acre floor area ratios, size and height restrictions. Site development/coastal development plan/permit requirements are also set forth to this end. |
| 1.2 | Establish maximum intensities of development for each of the various land use categories. | Maximum intensities of development for each of the Specific Plan land use categories have been established as part of the Development Standards. |
| 1.3 | Assure that land use <u>intensities</u> are consistent with <u>capacities</u> of existing and planned public service facilities. (Coastal Act/30250,30254) | The Specific Plan provides the mechanisms for financing improvements to public service facilities that will be directly impacted by the development of this project. |
| 1.4 | Assure that adequate recreational areas and open space are provided as a part of a new residential development. | The Park and Open Space Concept Plan provides more than adequate recreational and open space areas as well as improvements and maintenance for these areas as part of the new residential development. Sea Terrace Park, additional public open space such as the crescent promenade, vista points and comprehensive trail and coastal access system are examples. |
| 1.5 | Work closely with Orange County to plan for the future development within the Harbor Area and to assure that additional development is compatible with existing uses and enhances the scenic and recreational and visitor opportunities for the area. (Coastal Act/30220-224, 30233, 30234, 30250, 30252, 30). | This policy is not applicable as the Harbor area is not within or adjacent to the Specific Plan area. |
| 1.6 | Encourage the development of unified or clustered commercial centers and neighborhood commercial centers rather than continued development of strip commercial. (Coastal Act/30250) | The Specific Plan delineates a resort hotel and spa with conference facilities, restaurants and retail shops which are clustered in one area, a golf clubhouse with meeting facilities and restaurants is clustered in another area, and a beach house dining facility is planned along the shoreline. No strip commercial is planned. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Land Use Element (Cont.)

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| 1.7 | Require comprehensive analysis and mitigation for any proposed General Plan Amendment to ensure that the amendment will result in a desirable mixture of land uses meeting the social and fiscal needs of the City and its residents. | This policy is not applicable since no General Plan Amendment is anticipated for this project. The land uses delineated in this Specific Plan are consistent with those established in the General Plan for this area. |
| 2.1 | Consider the impacts on surrounding land uses and infrastructure when reviewing proposals for new development. (Coastal Act/30260-264) | The impacts on surrounding land uses and infrastructure have been considered and mitigation measures have been provided where necessary as part of the environmental documentation for this project. |
| 2.2 | Prohibit on-shore support facilities for oil drilling. (Coastal Act/30260-264) | This policy is not applicable as no oil drilling support facilities are planned as part of this project. |
| 2.3 | Visitor serving commercial areas shall not intrude into existing residential communities. (Coastal Act/30250) | The proposed visitor serving commercial areas are intended to be surrounded by residential uses within the Specific Plan area and do not intrude into existing residential communities. |
| 2.4 | Develop regulatory mechanisms to mitigate land use conflicts. | The zoning and development standards in this Specific Plan and the mitigation measures in the environmental documentation provide mechanisms to avoid land use conflicts. |
| 3.1 | Require new development to contribute its share of the cost of providing necessary public services and facilities through equitable development fees and exactions. (Coastal Act/30250) | The Specific Plan provides programs to ensure that this development contributes its fair share of fees to cover the cost of providing necessary improvements to public services and facilities. The construction and maintenance programs for Sea Terrace Park, the trail system, infrastructure and housing are examples. |
| 3.2 | Coordinate Dana Point's land use and growth policies with the county and other communities in the region to strengthen and promote inter- jurisdictional communication and cooperation. | The Specific Plan reflects the land use and growth policies established by Dana Point in conjunction with those of the County and other communities in the region to strengthen and promote interjurisdictional communication and cooperation. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Land Use Element (Cont.)

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| 3.3 | Priority should be given to those projects that provide for coastal recreational opportunities. (Coastal Act/30210-212, 30220-224) | This Specific Plan provides for a variety of coastal recreational opportunities including a golf course, resort vehicle system parks and open space features and bicycle and pedestrian trails that promote coastal access and recreation. |
| 3.4 | Examine the short term and long term fiscal effects of development and re-development decisions. | The short term and long term fiscal impacts of this project have been analyzed in the Fiscal Analysis dated May 8, 1991, prepared by Stanley R. Hoffman Associates. The Specific Plan reflects the findings of this analysis through design and phasing. |
| 3.5 | Public facilities must be distributed throughout the coastal area to eliminate overcrowding and overuse in one single area. (Coastal Act/30212.5, 30254) | The variety of public facilities planned for the project are distributed appropriately throughout the Specific Plan area and will eliminate overcrowding and overuse of any one area. The Specific Plan provides for land uses and facilities of considerably lower intensities than previously approved plans for the area. |
| 3.6 | Encourage patterns of development necessary to minimize air pollution and vehicle miles traveled. (Coastal Act/30250) | The Specific Plan provides for a series of pedestrian and bike trails as well as a resort vehicle system to help minimize air pollution and vehicle miles travelled. The majority of the property will be developed as non-polluting open space. |
| 3.7 | Encourage safe and convenient bicycle and pedestrian access throughout the community. (Coastal Act/30210-212.5, 30250, 30252) | A variety of off-road bicycle and pedestrian trails are intended to provide safe and convenient access throughout the Specific Plan area. |
| 3.8 | Allow increases in intensity up to the maximum floor area ratio identified in the Land Use Element only where development projects demonstrate exceptional design quality, important public amenities or public benefits, or other factors that promote important goals and policies of the General Plan. | The guidelines, policies programs and development standards in this Specific Plan will ensure the implementation of exceptional design quality, and important public amenities and benefits. Floor area ratios for the Specific Plan uses are well below these prescribed in the General Plan. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Land Use Element (Cont.)

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| 3.9 | Designate the right-of-way for Alipaz Street for Recreation/Open Space use if Alipaz Street is removed the Master Plan of Arterial Highways in the future. | This policy is not applicable as Alipaz Street is not within or adjacent to this Specific Plan area. |
| 3.10 | Consider designating vacated street rights-of-way for Recreation/Open Space use. | This policy is not applicable as there are no vacated rights-of-way within the Specific Plan area. |
| 3.11 | Provide congestion management and mitigation for increased demand for affordable housing due to the creation of significant additional employment opportunities. | This policy is not applicable as the Land Use Designations in the General Plan do not provide for affordable housing land uses within the Specific Plan area. |
| 4.1 | Exclude areas designated as Recreation/Open Space and areas containing wetlands, beaches, and bluffs from the calculation of net acreage available for determining development intensity or density potential. | All recreation/open space areas have been excluded from the calculation of net acreage available for determining development intensity or density potential. However, there are no wetlands or beaches in the Specific Plan area to be excluded from the net acreage calculation. |
| 4.2 | Consider the constraints of natural and man-made hazards in determining the location, type and intensities of new development. (Coastal Act/30240, 30253) | This Specific Plan has considered the constraints of natural and man-made hazards in determining the location, type and intensities of new development. Soils constraints on site have been considered in planning the intensity and design of residential and visitor recreation commercial development. |
| 4.3 | Provide and protect public access and recreational opportunities to the coastal area. (Coastal Act/30210-212.5, 30213, 30220-224) | The golf course, beach house, community park, public open space features, resort vehicle system and trail designations established in this Specific Plan provide and protect public access and recreational opportunities to the coastal area. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Land Use Element (Cont.)

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| 4.4 | Preserve, maintain and enhance marine resource areas and coastal water. (Coastal Act/30230-232, 30235-236) | The Specific Plan provides safeguards for development which will allow for the preservation and maintenance of marine resource areas and coastal water near the project site. Enhancements to the redesigned golf course and maintenance programs will assure that marine resources and coastal waters will be protected. There are no marine resource and coastal waters within the Specific Plan area. |
| 4.5 | Consider the environmental impacts of development decisions. (Coastal Act/30240, 30241, 30242, 30243, 30244) | A Mitigated Negative Declaration has been prepared which analyzes the environmental impacts of the development decisions established in this Specific Plan. |
| 4.6 | Ensure land uses within designated and proposed scenic corridors are compatible with scenic enhancement and preservation. (Coastal Act/30251) | A Visual Analysis has been prepared as part of this Specific Plan which demonstrates that land uses within designated and proposed scenic corridors are compatible with scenic enhancement and preservation. Height limits have been established in the zoning and development standards reflective of that analysis. |
| 4.7 | Coordinate with appropriate Park, Recreation and Harbor Agencies to enhance Open Space trails and bike paths. (Coastal Act/30210-212.5) | The Specific Plan trails system and the Sea Terrace Park Site Plan reflects coordination with appropriate Park, Recreation and Harbor Agencies to enhance Open Space trails and bike paths. |
| 4.8 | Encourage the reasonable regulation of signs to preserve the character of the community. (Coastal Act/30251) | The Specific Plan provides for a comprehensive sign program subject to discretionary review. |
| 4.9 | Encourage the preservation of significant natural areas as cohesive open space. | This Specific Plan contains a Resource Enhancement program which provides for the creation and enhancement of a significant area as native wildlife habitat. |
| 5.1 | Preserve the opportunity of public views from the Headlands site to the coastal areas and the harbor areas. (Coastal Act/30251) | This policy is not applicable as the Headlands site is not within or adjacent to this Specific Plan area. |

GENERAL PLAN POLICIES

**SPECIFIC PLAN CONFORMANCE
WITH GENERAL PLAN**

Land Use Element (Cont.)

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| 5.2 | Require geotechnical studies to ensure geological stability in the areas where development is to be permitted and require adequate setbacks from the blufftop areas in accordance with those engineering studies and adopted City regulations. (Coastal Act/30250, 30253) | This policy is not applicable as the Headlands site is not within or adjacent to this Specific Plan area. |
| 5.3 | Preserve natural open space in the Headlands area, especially along the coastal bluffs, and provide open areas integrated throughout the development. (Coastal Act/30210-212.5, 30250, 30253) | This policy is not applicable as the Headlands site is not within or adjacent to this Specific Plan area. |
| 5.4 | Assure that the height and scale of the development in the Headlands are compatible with the development in the community and that the visual impact of the development from coastal areas below the project be minimized. (Coastal Act/30251) | This policy is not applicable as the Headlands site is not within or adjacent to this Specific Plan area. |
| 5.5 | Promote the development of a mixture of land uses which may include residential, visitor-serving commercial, recreational open space, and community facilities. (Coastal Act/30213, 30250) | This policy is not applicable as the Headlands site is not within or adjacent to this Specific Plan area. |
| 5.6 | Require that the scenic walkway be extended throughout the Headlands and connect to the existing or proposed walkways. (Coastal Act/30210-212) | This policy is not applicable as the Headlands site is not within or adjacent to this Specific Plan area. |
| 5.7 | Provide vehicular access that does not adversely impact adjoining neighborhoods or create congestion on the Pacific Coast Highway. | This policy is not applicable as the Headlands site is not within or adjacent to this Specific Plan area. |
| 5.8 | Provide patterns of land use and circulation in the Headlands that enhance public and private pedestrian access and circulation within the area. (Coastal Act/30250) | This policy is not applicable as the Headlands site is not within or adjacent to this Specific Plan area. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Land Use Element (Cont.)

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| 5.9 | Provide extensive public trails within the Headlands area. The system shall include access to the beach and to the visitor-serving and public places within the Headlands. | This policy is not applicable as the Headlands site is not within or adjacent to this Specific Plan area. |
| 5.10 | Encourage visitor-serving resort facilities and land uses of a world-class stature. | This policy is not applicable as the Headlands site is not within or adjacent to this Specific Plan area. |
| 5.11 | Assure the Specific Plan for the Headlands provides buffers to achieve a compatible and enhanced relationship to existing surrounding land uses. | This policy is not applicable as the Town Center area is not within or adjacent to this Specific Plan area. |
| 6.1 | Provide a diversity of retail office and residential land uses that establish the Town Center as a major center of social and economic activity in the community. | This policy is not applicable as the Town Center area is not within or adjacent to this Specific Plan area. |
| 6.2 | Encourage retail businesses and mixtures of land uses that help to generate pedestrian activity in the area. | This policy is not applicable as the Town Center area is not within or adjacent to this Specific Plan area. |
| 6.3 | Establish patterns of land uses and circulation that promote the desired pedestrian character of the area. | This policy is not applicable as the Town Center area is not within or adjacent to this Specific Plan area. |
| 6.4 | Through effective design guidelines encourage building designs, intensity and setbacks to be compatible with the desired scale and character of the area. (Coastal Act/30251) | This policy is not applicable as the Town Center area is not within or adjacent to this Specific Plan area. |
| 6.5 | Develop land use and parking regulations to assure that adequate and reasonable standards are provided. | This policy is not applicable as the Town Center area is not within or adjacent to this Specific Plan area. |
| 6.6 | Provide opportunities for shared parking facilities in the Town Center, such as through the establishment of an off-street parking district. | This policy is not applicable as the Doheny Village area is not within or adjacent to this Specific Plan area. |

GENERAL PLAN POLICIES

**SPECIFIC PLAN CONFORMANCE
WITH GENERAL PLAN**

Land Use Element (Cont.)

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| 7.1 | Promote the Doheny Village area as a major shopping and business center in the community. | This policy is not applicable as the Doheny Village area is not within or adjacent to this Specific Plan area. |
| 7.2 | Through revitalization activities improve the appearance of the area through landscape design and pedestrian amenities. | This policy is not applicable as the Doheny Village area is not within or adjacent to this Specific Plan area. |
| 7.3 | Develop design guidelines that assure that development will be consistent in terms of scale and character. (Coastal Act/30251) | This policy is not applicable as the Doheny Village area is not within or adjacent to this Specific Plan area. |
| 7.4 | Promote the development of land uses in the Doheny Village area that provide employment opportunities for the community including offices, marine-oriented industrial uses, and other commercial or light industrial business activities or community facilities. | This policy is not applicable as the Doheny Village area is not within or adjacent to this Specific Plan area. |
| 7.5 | Encourage the development of a diversity of housing opportunities in the area including medium density housing in the areas adjacent to the retail areas and also as a part of mixed residential and retail or office uses. | This policy is not applicable as the Doheny Village area is not within or adjacent to this Specific Plan area. |
| 7.6 | Provide for adequate and convenient parking areas. Encourage the provision of shared parking facilities, such as through the establishment of a parking district. | This policy is not applicable as the Doheny Village area is not within or adjacent to this Specific Plan area. |
| 7.7 | Prepare a Specific Plan for revitalization of the Doheny Village Area. The Specific Plan should involve extensive public input. | This policy is not applicable as the Doheny Village area is not within or adjacent to this Specific Plan area. |
| 8.1 | Preserve the opportunity of public view corridors from Monarch Beach area to the coast. (Coastal Act/30251) | As part of the Specific Plan, the opportunity of public view corridors from Monarch Beach area to the coast have been maintained along Niguel Road, the golf course and Sea Terrace Park. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Land Use Element (Cont.)

- 8.2 ✓ Assure that adequate recreational areas and open space are provided and maintained by the developer as part of a new development.
- 8.3 ✓ Assure that the height and scale of new community development is compatible with the existing areas.
- 8.4 ✓ Promote the development of a mixture of residential, visitor-serving, and open space land uses; with an ultimate residential density cap of 238 dwellings, which shall not be exceeded.
- 8.5 ✓ Require that the pedestrian and bike trail systems be extended throughout Monarch Beach and connected with the existing and planned citywide trail system.
- 8.6 H Provide extensive public trail and transit loop systems within the Monarch Beach area. The systems shall include access to the beach and to the visitor-serving and public places within Monarch Beach.
- 8.7 Encourage public access and visitor-serving land uses with a strong public component which allows the public to enjoy such visitor-serving commercial facilities.
- 8.8 X Allow a beach house as a public commercial facility near the beach. This beach house shall only be accessed by the beach, public trail, and transit loop systems.

The Specific Plan assures that adequate recreational areas and open space are provided and maintained by the developer as part of the new development through the golf course expansion, Sea Terrace Park, and the trails system.

The Development Standards in the Specific Plan provide height and scale requirement for new community development that is compatible with the existing areas.

The Land Use in this Specific Plan and Statistical Summary provide for the development of a 400 key hotel, golf course, clubhouse, beach house, and park uses; An ultimate residential unit cap of 238 dwellings, which shall not be exceeded is part of the Specific Plan Zoning, and Development Standards.

The Specific Plan delineates a network of pedestrian and bike trail network that extends throughout this project area and is connected with the existing and planned citywide trail system.

The Specific Plan delineates extensive public trails within the Monarch Beach area. The systems shall include access to the beach and to the visitor-serving and public places within Monarch Beach. Joint consideration by the City and the resort developer of a coastal access enhancement program is a policy of the Specific Plan.

The Specific Plan provides public access and visitor-serving land uses through the trails and resort vehicle system, the 400 key hotel, golf clubhouse, and golf course facilities.

The Specific Plan delineates a beach house as a visitor recreation commercial facility. The Specific Plan shows the access to the beach house from the beach, public trails and the resort vehicle system.

[Handwritten notes and signatures]

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Land Use Element (Cont.)

8.9 Avoid expansion of the golf course or any other land use that occurs at the expense of public park area.

*Env. sensitive area
No public area*

The Land Use Plan shows the golf course and other land use limited to the areas designated in the General Plan for such uses. No development is planned at the expense of public park area.

8.10 Encourage the immediate development of visitor serving resort facilities and land uses of a world class stature to be achieved within five years from the date of adoption of the General Plan. The resort facility shall include a 400 or so key five star resort hotel. If public open space and Visitor/ Recreational/Commercial land uses are not physically developed and established within five years, it is the policy of the City of Dana Point to revisit other land uses within this area and to assure the provision of open space and Visitor/ Recreation/ Commercial activities.

The Phasing Plan and policies in this Specific Plan provide for the immediate development of visitor serving resort facilities of a world class stature to be achieved within five years from the date of adoption of the General Plan. The resort shall include a 400 key five star resort hotel and associated uses and phased residential development.

8.11 Provide for the temporary landscaping of existing graded pads with perennial wild flowers and other vegetation to assure aesthetic enhancement of the area, reduce soil erosion, and reinforce the ultimate open space and landscaped resort character of the area.

The Specific Plan provides for the landscaping of existing graded pads to assure aesthetic enhancement of the area where feasible. A corner of vegetative matter exists on the property which is believed to fulfill this policy requirement. The developer intends to begin construction of the project at the earliest practicable date. The landscape program described in the Specific Plan provides for comprehensive plantings of all areas in a quality manner.

8.12 Within the Specific Plan, establish a development phasing plan to achieve first, the primary objective of the development of the public open space and roads; secondly, the resort complex; and lastly, the residential dwellings. Concurrent development will be permitted if the primary objective is being satisfied.

The Specific Plan contains a Phasing Plan which provides for the development of Sea Terrace Park as the first phase of development. The resort complex and residential dwellings will be build concurrently or subsequent to the completion of the Park. Concurrent development is assumed in the Specific Plan and satisfies the primary objective.

GENERAL PLAN POLICIES

Land Use Element (Cont.)

- 9.1 Develop regulations to protect and encourage local serving retail and office use adjacent to residential areas.
- 9.2 Encourage a full range of resident-serving land uses throughout the City to meet resident needs.
- 9.3 Encourage resident-serving uses within walking distance of residents, where possible.

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

The Specific Plan encourages the use of the retail and restaurant facilities in the resort by the community, through the integration of residential uses within the resort community and the public access program.

The VRC and Recreation Open Space land uses in the Specific Plan are intended for the use of City residents as well as visitors to the City. Sea Terrace Community Park is intended to be primarily for the use of City residents.

The pedestrian trails shown in the Specific Plan are intended to provide access to a variety of uses for residents within walking distance of the site. The integrated resort community concept of cohesive hotel, recreation, and residential uses promotes this policy.

Urban Design Element

- 1.1 Develop citywide linkages through landscaping and lighting along major street corridors. (Coastal Act/30251)
- 1.2 Improve the visual character of major street corridors.
- 1.3 Make focused improvements at major City entrance points such as landscaped open space and signage.
- 1.4 Preserve public views from streets and public places. (Coastal Act/30251)

The Specific Plan provides for project landscaping and lighting which, when linked to that of surrounding areas, fulfills this policy requirement.

The Landscape Concept Plan and policies are intended to help improve the visual character of Niguel Road, Pacific Coast Highway, and Camino Del Avion.

The Landscape Concept Plan and policies provide for focused improvements at the entrances of the Specific Plan area at PCH and Niguel Road.

Public views from streets adjacent to the site are being protected along PCH and Niguel Road, and Camino del Avion. In addition, vista points, promenades, etc. are planned to provide additional public viewing areas on-site.

GENERAL PLAN POLICIES

Urban Design Element (Cont.)

- 1.5 Develop the Bluff Top Walk from Monarch Beach to Doheny State Park.
- 1.6 Develop a citywide public signage system with identity and directional graphics to mark public places, recreational opportunities and principal attractions.
- 1.7 Initiate a program for public art.
- 2.1 Consider the distinct architectural and landscape character of each community.
- 2.2 Adopt development standards and design guidelines for commercial areas that reflect the individual character of each community.
- 2.3 Improve public places and recreational facilities as focus points for each community. (Coastal Act/30213)
- 2.4 Establish a program to preserve buildings and sites of historical and architectural significance.
- 2.5 Encourage neighborhood street landscaping programs to improve the quality of public spaces in residential areas.

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

- This policy is not applicable as the Bluff Top Walk is not within or adjacent to this Specific Plan area.
- The Specific Plan reflects the intent of this policy by providing for the development of a detailed sign program.
- This Specific Plan provides for the inclusion of public art within the Specific Plan area.
- The Community Design and Landscape Guidelines provide for a unique, high quality architectural and landscape character of the Monarch Beach Resort that is compatible with and enhances the surrounding community.
- The Community Design Guidelines and Development Standards for resort facilities will create a world-class quality character that is appropriate to the setting of the Monarch Beach community.
- Land will be dedicated, improved and maintained for park and public open space features to further define the character of the Monarch Beach area and to provide facilities for local community use.
- This policy is not applicable as there are no historically or architecturally significant buildings or sites within the Specific Plan area.
- The Landscape Guidelines Concept Plan delineates neighborhood street landscaping programs to ensure the high quality of open space areas within the residential areas. The landscape guidelines provide for integrated design of all areas of the resort.

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Urban Design Element (Cont.)

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| 3.1 | Increase the Town Center's economic vitality and its contribution to the City's economic development goals. | This policy is not applicable as the Town Center is not within or adjacent to this Specific Plan area. |
| 3.2 | Reduce the disruptive and negative impact of traffic movements and high traffic speeds in the Town Center. | This policy is not applicable as the Town Center is not within or adjacent to this Specific Plan area. |
| 3.3 | Improve pedestrian opportunities and create an attractive pedestrian environment within the Town Center. (Coastal Act/30250) | This policy is not applicable as the Town Center is not within or adjacent to this Specific Plan area. |
| 3.4 | Encourage mixed-use development in selected areas of the Town Center. | This policy is not applicable as the Town Center is not within or adjacent to this Specific Plan area. |
| 3.5 | Develop a parking concept that emphasizes shared parking facilities. | This policy is not applicable as the Town Center is not within or adjacent to this Specific Plan area. |
| 3.6 | Create safety buffers of street trees, planters and street furniture between pedestrian walks and the street along both the Pacific Coast Highway and Del Prado. Provide widened sidewalks with a special Town Center streetscape design. | This policy is not applicable as the Town Center is not within or adjacent to this Specific Plan area. |
| 3.7 | Develop pedestrian courtyards and other outdoor spaces with planting and street furniture. | This policy is not applicable as the Town Center is not within or adjacent to this Specific Plan area. |
| 3.8 | Encourage pedestrian-oriented building frontages with shops opening to the public sidewalk. | This policy is not applicable as the Town Center is not within or adjacent to this Specific Plan area. |
| 4.1 | Create a new Civic Center as a focus point of the City. | This policy is not applicable within the Specific Plan area. |
| 4.2 | Realize the opportunity for public open space throughout the City. | A significant proportion of the Specific Plan area is set aside for public open space and recreational use. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Urban Design Element (Cont.)

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| 4.3 | Develop stronger pedestrian, bicycle and visual linkages between public spaces. (Coastal Act/30210, 30212) | The Trails Plan and Park Concept Plan provide a comprehensive pedestrian, bicycle and visual linkages between public spaces within the Specific Plan and surrounding areas. |
| 4.4 | Encourage development of community cultural and recreational facilities. (Coastal Act/30213) | The Park and Open Space Concept Plan provides for the development of community, cultural and recreational facilities. |
| 4.5 | Protect existing public views to the ocean from the Coast Highway and selected public sites along the Blufftop trail and Capistrano Beach bluffs through open space designations and innovative design techniques. (Coastal Act/30251) | The Specific Plan provides for the protection of existing public views to the ocean from Coast Highway. The Blufftop trail and Capistrano Beach bluff are not within or adjacent to this Specific Plan area. |
| 5.1 | Adopt comprehensive Design Guidelines for the review of all new non-residential and multi-family development in the City. | The Urban Design Guidelines provide policies and exhibits by which to review all new non-residential and multi-family development in the City. |
| 5.2 | Encourage site and building design that takes advantage of the City's excellent climate to maximize indoor-outdoor spatial relationships. (Coastal Act/30250). | The Urban Design Guidelines provide for the development of site and building design that takes advantage of the City's excellent climate to maximize indoor-outdoor spatial relationships. The utilization of Tuscan architectural themes is an appropriate response to this policy. |
| 5.3 | Encourage buildings and exterior spaces that are carefully scaled in all new development. | The Urban Design Guidelines and Development Standards provide for the development of buildings and exterior spaces that are carefully scaled. With respect to heights and massing, the hotel development standards provide view protection for adjacent residents and residential development is massed to respond to hillside conditions and to promote the project Tuscan theme. |
| 5.4 | Provide outdoor pedestrian spaces, sidewalks, and usable open space in all new development. | The Specific Plan provides for a myriad of outdoor pedestrian spaces, sidewalks and useable open space to be included in the new resort community, including the hotel gardens, the Crescent Promenade, and expanded golf course. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Urban Design Element (Cont.)

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| 5.5 | Promote extensive landscaping in all new projects while emphasizing the use of drought-tolerant plant materials. | The Specific Plan delineates extensive landscaping for the project area and provides for the use of drought tolerant plant materials where feasible. Reclaimed water will be used for irrigation of landscaped areas, where possible throughout the Specific Plan area, including the golf course. |
| 5.6 | Encourage aesthetic roof treatment as an important architectural design feature. | The Specific Plan includes guidelines which provide for the use of aesthetic roof treatment as an important architectural design feature of the resort community. |
| 6.1 | Improve The Pacific Coast Highway and Doheny Park Road as major entrance boulevards to the City. | This policy is not applicable as Doheny Village is not within or adjacent to this Specific Plan area. |
| 6.2 | Unify new commercial development through design concepts for consistent building setbacks, landscaping architecture and signage. | This policy is not applicable as Doheny Village is not within or adjacent to this Specific Plan area. |
| 6.3 | Increase Doheny Village's economic vitality and its contribution to the City's economic development goals. | This policy is not applicable as Doheny Village is not within or adjacent to this Specific Plan area. |
| 6.4 | Reduce the disruptive and negative impact of traffic movements and high traffic speeds in the Doheney Village area. | This policy is not applicable as Doheny Village is not within or adjacent to this Specific Plan area. |
| 6.5 | Improve pedestrian opportunities and create an attractive pedestrian environment within Doheny Village. (Coastal Act/30250) | This policy is not applicable as Doheny Village is not within or adjacent to this Specific Plan area. |
| 6.6 | Encourage mixed-used development in selected areas of Doheny Village. | This policy is not applicable as Doheny Village is not within or adjacent to this Specific Plan area. |
| 6.7 | Develop a parking concept that emphasizes shared parking facilities. | This policy is not applicable as Doheny Village is not within or adjacent to this Specific Plan area. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Urban Design Element (Cont.)

- 7.1 Develop design concepts to address marine and light industrial activities. (Coastal Act/30260)
- 7.2 Develop urban design guidelines for open space areas to insure the protection and display of natural resources.
- 7.3 Encourage design concepts to incorporate the City's coastal influence into site and building design.

This policy is not applicable as no marine or light industrial activities are planned for this Specific Plan area.

The Specific Plan reflects the Resource Enhancement program by stipulating design guidelines for enhancement of coastal sage scrub habitat in conjunction with the golf course, regional trails system and vista point at Camino del Avion.

The guidelines in this Specific Plan provide for the incorporation of the City's coastal influence into site and building design. The Tuscan architectural theme is an appropriate response to the coastal character of the City.

Housing Element

- 1.1 Provide a variety of housing opportunities for all income levels of the City.
- 1.2 Support innovative public, private and non-profit efforts in the development and financing of affordable housing, particularly for lower income households, the elderly, large families, the physically impaired, and single parent households.

The residential element of the plan will result in the production of 238 residential units. It is projected that these dwellings will contribute to meeting a portion of the "above moderate income" housing needs as projected by the Southern California Association of Governments for the following two periods: 1989-1994 and 1994-1999.

Innovative initiatives is an integral aspect of the comprehensive planning for Monarch Beach Resort. The Specific Plan endorses the creation of a Housing Trust Fund and other programs.

GENERAL PLAN POLICIES

**SPECIFIC PLAN CONFORMANCE
WITH GENERAL PLAN**

Housing Element (Cont.)

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| 1.3 | Encourage incentives to assist in the development of affordable housing such as:
1) reducing permit processing time and waiving or reducing applicable permit fees;
2) on-site density bonuses when appropriate;
3) tax-exempt financing; 4) city participation in on- or off-site public improvements; 5) flexibility in zoning or development standards. | This is a policy to be implemented by the City. The Specific Plan is not inconsistent with this policy. |
| 1.4 | Support the participation of federal, state or local programs aimed at providing housing opportunities for low and moderate income households including shared equity lending programs. | This is a policy to be implemented by the City. The Specific Plan is not inconsistent with this policy. |
| 1.5 | Monitor and protect the supply of affordable housing by enforcing existing deed restrictions, subsidizing units that convert to market-rate, restricting the sale of future affordable units, restricting condominium conversions, and supporting programs for the rehabilitation of affordable housing. | This policy is not applicable as there are no existing deed restrictions, subsidized units, affordable units planned, etc. |
| 1.6 | Encourage the development of child care facilities coincident with new housing development, and consider the use of incentives. | The anticipated demographics of the Resort residential do not warrant the development of child care facilities. |
| 1.7 | Balance the need for public services and community resources and employment opportunities for future increase in population. (Coastal Act/30250) | New employment opportunities and public services will be available to the residents of Dana Point. The project will help alleviate the jobs-to-housing unbalance. |

GENERAL PLAN POLICIES

**SPECIFIC PLAN CONFORMANCE
WITH GENERAL PLAN**

Housing Element (Cont.)

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| 1.8 | Encourage the development of residential units which are accessible to handicapped persons or are adaptable for conversion to residential use by handicapped persons. | This policy will be applicable to future more detailed levels of planning. |
| 1.9 | Require that housing constructed expressly for low and moderate income households not be concentrated in any single portion of the City. | This is not applicable to the Specific Plan as it is directed to City staff. |
| 1.10 | Facilitate the purchase by existing tenants or rental units converted to condominium ownership where conversions are considered appropriate. | This policy is not applicable as the site is currently undeveloped and there are no existing tenants or rental units to be converted to condominium ownership. |
| 1.11 | Conserve affordable housing opportunities in the City through implementation of State requirement for replacement of low and moderate income housing. | This is not applicable to the Specific Plan as it is directed to City staff. |
| 1.12 | Encourage inclusion of affordable units where feasible in new residential construction. | The feasibility of inclusion of affordable housing in the Resort was evaluated and has been determined to be infeasible. |
| 1.13 | Provide rental subsidies and rehabilitation assistance for room additions to alleviate overcrowding. | This policy is not applicable as there are no existing residential units on-site for which to provide rental subsidies and rehabilitation assistance for room additions to alleviate overcrowding. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Housing Element Policies (Cont.)

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| 1.14 | Consider requirements for providing affordable housing for employees of hotel and resort developments. (Coastal Act/30213) | The Specific Plan provides initiatives to address employee housing needs. |
| 1.15 | Provide for mixed commercial/residential land uses to create additional housing opportunities. | There are no mixed use zones in the Specific Plan area. |
| 1.16 | Consider flexibility in development standards to allow for single room occupancy facilities for low income individuals. (Coastal Act/30213) | There are no single room occupancy facilities proposed in the Specific Plan. |
| 1.17 | Evaluate housing cost increases resulting from any new City requirements. | This is an initiative directed primarily to City staff. |
| 2.1 | Support a code enforcement program to help maintain the physical condition and appearance of neighborhood areas. | This is not within the scope of the Specific Plan. This will be addressed at subsequent levels of planning. |
| 2.2 | Provide neighborhood conservation and residential rehabilitation programs which offer financial and technical assistance to owners of lower income housing property to enable correction of housing deficiencies. | This policy is not applicable as there are no existing neighborhoods to conserve or rehabilitate. |
| 2.3 | Provide adequate standards for remodeling and expanding existing dwellings to ensure compliance with minimum State and Uniform Building Codes. | This policy is not applicable as there are no existing dwellings on-site to remodel or expand. |
| 2.4 | Minimize the displacement impacts occurring as a result of residential demolition. | This Specific Plan has no displacement impact as a result of residential demolition, as there are no existing residential units on site. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Housing Element Policies (Cont.)

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| 2.5 | Encourage the retention of existing single-family neighborhoods and mobile home parks which are economically and physically sound. | This policy is not applicable as there are no single-family neighborhoods or mobile home parks existing on-site. |
| 3.1 | Encourage support services for the elderly through the provision of housing services related to in-home care, meal programs, and counseling. | This is a City-wide policy. |
| 3.2 | Work with area social service providers in addressing the needs of the homeless population. Incorporate provisions in the City's zoning ordinance to permit the development of transitional and emergency housing in specified locations. | This is a City-wide policy. |
| 3.3 | Continue to operate the Telephone Hiring Exchange to assist community members in finding employment. | The Specific Plan supports the continued operation of the Telephone Hiring Exchange to assist community members in finding employment. The Specific Plan serves to achieve these policies by including a "hiring action plan" to be implemented in cooperation with the City's Telephone Hiring Exchange. |
| 3.4 | Provide active support and participation with the Orange County Fair Housing Board to provide fair housing opportunities. | This is a City-wide policy. |
| 3.5 | Prohibit discrimination in the sale or rental of housing with regard to race, ethnic background, religion, handicap, income, age, sex, and household composition. | This is a City-wide policy. |
| 3.6 | Support the South County Senior Services Homesharing Program to match elderly and low and moderate income individuals who want to share housing cost in a joint living arrangement. | This is a City-wide policy. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Housing Element Policies (Cont.)

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| 4.1 | Ensure that infill development is compatible in design with existing neighborhood character. | The Specific Plan provides policies and programs to fulfill this requirement. |
| 4.2 | Encourage protection of residential neighborhoods from excessive noise, as a result of traffic, and incompatible land uses. (Coastal Act/30250) | The Specific Plan provides for the protection of residential neighborhoods from excessive noise through controlled access and noise mitigation design. |
| 4.3 | Coordinate new residential development with the provision of infrastructure and public services. (Coastal Act/30250) | The Specific Plan provides for the coordination of all new development on-site with the provision of infrastructure and public services. |
| 4.4 | Encourage the use of energy conservation devices and passive design concepts which make use of the natural climate to increase energy efficiency and reduce housing costs. | This is a City-wide issue which the Specific Plan does not discourage. |
| 4.5 | Locate higher density residential development close to public transportation. | This policy is not applicable as the land use in the Specific Plan are not high density residential. |
| 4.6 | Encourage provision of recreation facilities within multiple family developments. | The Specific Plan provides for recreation facilities for the residential development. |
| 4.7 | Promote use of San Diego Gas and Electric's energy surveys and Winter Assistance Program by City residents and businesses. | This policy is of City-wide application. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Circulation Element

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| 1.1 | Develop and maintain a road system that is based upon and is in balance with the Land Use Element of the General Plan. (Coastal Act/30250) | The Circulation Plan in the Specific Plan is consistent with the Land Use Element of the General Plan. |
| 1.2 | Develop circulation system standards for roadway and intersection classifications, right-of-way width, pavement width, design speed, capacity, maximum grades and associated features such as medians and bicycle lanes. (Coastal Act/30252) | The Specific Plan provides circulation system standards for roadway and intersection classifications, right-of-way width, pavement width, design speed, capacity, maximum grades and associated features such as medians and bicycle lanes for the Monarch Beach Resort site. |
| 1.3 | Coordinate roadway improvements with applicable regional, state and federal transportation plans and proposals. | Roadway improvements for Pacific Coast Highway and Niguel Road will be coordinated with City, County and Caltrans plans and proposals. |
| 1.4 | Develop thresholds and performance standards for acceptable levels of service. (See "Performance Criteria" in next chapter.) | The Traffic Study, prepared in conjunction with the Specific Plan, addresses the thresholds and performance standards for acceptable levels of service that have been developed in conjunction with this Specific Plan. |
| 1.5 | Develop a program to identify, monitor and make recommendations for improvements to roadways and intersections that are approaching, or have approached, unacceptable levels of service or experiencing higher than expected accident rates. | A traffic study was prepared in conjunction with the Specific Plan which makes recommendations for appropriate road improvements. |
| 1.6 | Develop a transportation network that is capable of meeting the needs of projected increases in the population and in non-residential development. (Coastal Act/30252) | The Specific Plan includes a transportation network of external and internal roads that is capable of meeting the needs of the projected increase in population from this project based upon the requirements identified in the traffic study. |
| 1.7 | Provide for the safe and expeditious transport of hazardous materials. | This is a City-wide policy. |
| 1.8 | Work with the appropriate entities to improve rail and other public transit systems to serve the resident and visitor population of the area. (Coastal Act/30213) | The Specific Plan addresses the improvement to a bus turnout on PCH to serve the resident and visitor population of the area. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Circulation Element (Cont.)

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| 1.9 | Limit driveway access on arterial streets to maintain a desired quality of flow. | The Specific Plan provides limited driveway access on Niguel Road and Pacific Coast Highway to maintain the desired quality of flow along those arterial streets. |
| 1.10 | Design local and collector streets to discourage their use as through traffic routes. | The private residential streets will be gated discouraging their use as through traffic routing. |
| 1.11 | Require that proposals for major new developments include a future traffic impact analysis which identifies measures to mitigate any identified project impacts. (Coastal Act/30250) | The Mitigated Negative Declaration for the Specific Plan includes a future traffic impact analysis which identifies measures to mitigate any identified project impacts. |
| 1.12 | Encourage new development which facilitate transit services, provides for non-automobile circulation and minimizes vehicle miles traveled. (Coastal Act/30252) | The Specific Plan provides pedestrian and bicycle trails and a resort vehicle system to provide for non-automobile circulation, minimizes vehicle miles traveled, and coastal access. |
| 1.13 | Minimize pedestrian and vehicular conflicts. (Coastal Act/30252) | The Specific Plan provides for a variety of off-street pedestrian and bicycle trails to minimize conflicts with vehicular traffic. |
| 1.14 | Establish landscaping buffers and building setback requirements along all roads where appropriate. (Coastal Act/30252) | The Specific Plan establishes landscaping buffers and building setback requirements along all roads. |
| 1.15 | Develop a circulation system which highlights environmental amenities and scenic areas. (Coastal Act/30251) | A network of trails and a resort vehicle system provide for public access to the environmental amenities and scenic areas of the Specific Plan. |
| 1.16 | Provide public access and circulation to the shoreline through private dedications, easements, or other methods including public transportation. (Coastal Act/30211, 30212, 30212.5, 30221) | The Specific Plan provides public access and circulation to the shoreline via public trails, a resort vehicle system and the Beach House VRC. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Circulation Element (Cont.)

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| 1.17 | Promote the completion of the Stonehill Drive extension at the earliest date possible. | This policy is not applicable as the portion of Stonehill Drive to be extended is not within or adjacent to this Specific Plan area. |
| 2.1 | Support the completion of the Orange County Master Plan of Arterial Highways. | This is a City-wide policy. |
| 2.2 | Support the addition of capacity improvements to Interstate 5 such as high occupancy vehicle lanes, general purpose lanes, auxiliary lanes, and corresponding noise barriers to mitigate the noise impacts of these improvements. | This policy is not applicable as Interstate 5 is not within, adjacent to this Specific Plan area. |
| 2.3 | Maintain a proactive and assertive role with appropriate agencies dealing with regional transportation issues affecting the City. | This policy is of citywide application. |
| 2.4 | Work with adjacent cities to ensure that the traffic impacts of development projects in these cities do not adversely impact the City of Dana Point. (Coastal Act/30253) | This policy is not applicable as it references the need for surrounding cities minimize their traffic impacts on Dana Point. |
| 2.5 | Work toward a multi-modal transportation network which provides viable transportation alternatives such as Amtrack, LOSSAN, shuttle access to airport facilities, and congestion management techniques. | This policy is of citywide application. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Circulation Element (Cont.)

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| 3.1 | Implement traffic signal coordination on arterial streets to the maximum extent practical, and integrate signal coordination efforts with those of adjacent jurisdictions. | This is a City-wide policy. |
| 3.2 | Implement intersection capacity improvements where feasible. | The Specific Plan provides for the implementation of intersection capacity improvements. |
| 3.3 | Encourage the implementation of employer Transportation Demand Management (TDM) requirements included in the Southern California Air Quality Management District's Regulation 15 of the Air Quality Management Plan. Participate in regional efforts to implement (TDM) requirements. | This policy is not applicable in the Specific Plan. |
| 3.4 | Require that proposals for major new non-residential developments (in excess of 50,000 square feet) include submission of a TDM plan to the City, including monitoring and enforcement provisions. (Coastal Act/30213) | The Specific Plan Environmental Documentation provides for the submission of a TDM plan to the City, including monitoring and enforcement provisions. |
| 3.5 | Encourage the development of additional regional public transportation services and support facilities including park-and-ride lots near the I-5 freeway. | The Specific Plan provides for the improvements to the bus where turnout on PCH at Niguel Road. |
| 3.6 | Promote ridesharing through publicity and provision of information to the public. | This Specific Plan encourages ridesharing for the Hotel employees. |
| 4.1 | Support the efforts of the appropriate agencies to provide additional local and express bus service to the Dana Point community, and to provide additional park-and-ride lots near I-5 freeway. | This is a City-wide policy and the Specific Plan does not discourage this. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Circulation Element (Cont.)

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| 4.2 | Require new development to fund transit facilities, such as bus shelters and turn-outs, where deemed necessary. | The Specific Plan provides for improvements to a bus shelter and bus turnouts. |
| 4.3 | Ensure accessibility of public transportation for elderly and disabled persons. | The Specific Plan provides for accessibility of public transportation for elderly and disabled persons through the design of the public trails that link with the bus stop. |
| 4.4 | Encourage employers to reduce vehicular trips by offering employee incentives. | This is a City-wide policy and the TDM requirements, to be developed by the employer, will address trip reduction. |
| 4.5 | Promote new development that is designed in a manner which (1) facilitates provision or expansion of transit service, (2) provides on-site commercial and recreational facilities to discourage mid-day travel, and (3) provides non-automobile circulation within the development. (Coastal Act/30213, 30252) | The Specific Plan creates a development that (1) encourages the use of transit services, (2) provides recreational facilities and visitor serving facilities which discourage mid-day travel, and (3) provides non-automobile circulation within the development. |
| 4.6 | Encourage developers to work with agencies with the objective of maximizing the potential providing transit service for transit use by residents and/or visitors. | The developer has worked with agencies with the objective of maximizing the potential of providing transit service for transit use by residents and/or visitors, as provided in the public access and trails programs. |
| 4.7 | Encourage the provision of safe, attractive and clearly identifiable transit stops and related high quality and pedestrian facilities throughout the community. (Coastal Act/30252) | The Specific Plan provides for safe, attractive and clearly identifiable transit stops and related high quality and pedestrian facilities throughout the resort community. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Circulation Element (Cont.)

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| 4 .8 | Require noise impact studies prior to approval of new public transportation routes through residential communities. | This policy is not applicable as no new public transportation routes through residential communities are planned in the Specific Plan. |
| 5.1 | Promote the safety of pedestrians and bicyclists by adhering to uniform standards and practices. | The Specific Plan promotes safety of pedestrians and bicyclists by adhering to uniform standards and practices. |
| 5.2 | Maintain existing pedestrian facilities and encourage new development to provide pedestrian walkways between developments, schools and public facilities. | The Specific Plan provides for a variety of pedestrian trails that link with City trails, and public facilities. |
| 5.3 | Ensure accessibility of pedestrian facilities to the elderly and disabled. | This Specific Plan provides for the accessibility of pedestrian facilities to the elderly and disabled through adherence to standard barrier-free design criteria. |
| 5.4 | Support and coordinate the development and maintenance of bikeways in conjunction with the County of Orange Master Plan of County-wide Bikeways to assure that local bicycle routes will be compatible with routes of neighboring jurisdictions. | This Specific Plan reflects the support and coordination of the bikeway in conjunction with the County of Orange Master Plan of County-wide Bikeways to assure that local bicycle routes will be compatible with routes of neighboring jurisdictions. |
| 5.5 | Encourage the provision of showers, changing rooms and an accessible and secure area for bicycle storage at all new and existing developments and public places. (Coastal Act/30213) | The Specific Plan provides for restrooms and bike storage in Sea Terrace Community Park. |
| 5.6 | Develop programs that encourage the safe utilization of easements and/or rights-of-way along flood control channels, public utility rights-of-way, railroad rights-of-way, and street rights-of-way wherever possible for the use of bicycles and/or hiking trails. | Where possible, the Specific Plan utilizes easements surrounding the golf course area, where appropriate, for pedestrian trails. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Circulation Element (Cont.)

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| 5.7 | Explore possible link-up of trails within the city to regional trail systems. | The Specific Plan provides for the link-ups of trails within the city to regional trail systems by design and through the policy encouraging utilization of Coastal Access funds. |
| 5.8 | Improve the safety of pedestrians crossing Pacific Coast Highway. (Coastal Act/30252) | This Specific Plan provides for the public use of two tunnels under Pacific Coast Highway by pedestrians and bicyclists to maximize safety of crossing Pacific Coast Highway. |
| 5.9 | Support and coordinate the development and maintenance of bikeways and trails in conjunction with the master plans of the appropriate agencies. | This Specific Plan reflects the support and coordination of the level of maintenance of bikeways and trails in conjunction with the County HBP and Capistrano Beach Park and Recreation District Master Plan. |
| 5.10 | Encourage safe biking by supporting the clinics sponsored by the County Sheriff's Department. | This policy is of City-wide application. |
| 5.11 | Consider the provision of unique non-motorized circulation methods for special events. | The Specific Plan provides the resort vehicle system to meet these needs. |
| 5.12 | Provide for a non-vehicular circulation system that encourages mass-transit, bicycle transportation and pedestrian circulation. (Coastal Act/30252, 30253) | The Specific Plan provides for pedestrian trails, bikeways, resort vehicle system and bus shelters which encourage the use of mass-transit, bicycle transportation and pedestrian circulation. |
| 6.1 | Consolidate parking, where appropriate, to eliminate the number of ingress and egress points onto arterials. | The Specific Plan provides for the consolidation of parking at the Hotel and Golf Clubhouse. |
| 6.2 | Maintain public access to the coast by providing better transit and parking opportunities. (Coastal Act/30252) | The maintenance of public access to the coast is reflected in this Specific Plan through the provision of numerous trails and the resort vehicle system. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Circulation Element (Cont.)

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| 6.3 | Provide sufficient off-street parking. (Coastal Act/30250) | The Specific Plan provides for sufficient off-street parking as delineated in the parking standards. |
| 6.4 | Encourage the use of shared parking facilities, by means of parking districts or other mechanisms. | The Specific Plan provides for the use of shared parking facilities at the golf course clubhouse. |
| 7.1 | Provide primary truck routes on selected arterial streets to minimize the impacts of truck traffic on residential areas. | The Specific Plan reflects the provision of primary truck routes on PCH & Niguel Road to minimize the impacts of truck traffic on residential areas. |
| 7.2 | Provide appropriately designed and maintained roadways for the primary truck routes. (Coastal Act/30254) | This policy is primarily applicable to City staff. However, improvements to PCH in the Specific Plan area will be consistent with this policy. |
| 7.3 | Develop berms, landscape screening or barriers along truck routes to minimize noise impacts on sensitive land uses. | The use of landscape and architectural barriers is provided for in this Specific Plan along PCH & Niguel Road to minimize noise impacts on sensitive land uses. |
| 7.4 | Provide loading areas and accessways that are designed and located so as to avoid conflicts with efficient traffic circulation. | This Specific Plan provides for loading areas on-site at the hotel and clubhouse and accessways that are designed and located so as to avoid conflicts with efficient traffic circulation. |
| 7.5 | Consider safety regulations addressing trucks hauling materials within the city. | This policy is of citywide application. |
| 8.1 | Evaluate the adequacy of and maintain sufficient capacity within the Harbor for the existing and future patrons of the Harbor. | This policy is not applicable as the Harbor is not within or adjacent to this Specific Plan area. |

GENERAL PLAN POLICIES

**SPECIFIC PLAN CONFORMANCE
WITH GENERAL PLAN**

Circulation Element (Cont.)

- 9.1 Coordinate with Amtrak and Los Angeles-San Diego (LOSSAN) Corridor Commuter Rail to expedite commuter rail service to the City.
- 9.2 Work with the appropriate entities to evaluate development of a commuter rail station for Dana Point, with shuttle connections to employment centers and residential areas.
- 10.1 Work with the Orange County Transit District (OCTD) and other appropriate agencies to provide express transportation to regional airports.

This policy is not applicable as rail service is a regional issue and is not provided to the Specific Plan area.

This is a City-wide policy.

This is a City-wide policy.

Noise Element

- 1.1 Require construction of barriers to mitigate sound emissions where necessary or feasible.
- 1.2 Ensure the inclusion of noise mitigation measures in the design of new roadway projects in Dana Point.
- 1.3 Reduce transportation noise through proper design and coordination of transportation facilities and circulation.

This Specific Plan requires the use of noise insulation materials and techniques, and site planning to mitigate sound emissions where necessary and feasible, particularly along Pacific Coast Highway and Niguel Road.

The Specific Plan provides for the inclusion of noise mitigation measures in the design of new roadway projects in the project area.

This policy is not applicable as it is directed specifically to City staff.

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Noise Element (Cont.)

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| 1.4 | Ensure the effective enforcement of City, State and Federal noise levels by all appropriate City staff. | This policy is not applicable as it is directed specifically to City Staff. |
| 1.5 | Monitor noise from buses and other vehicular types in residential areas, and, when necessary, consider alternative circulation routes for those types of vehicles. | Residential roads will be gated and private. Vehicle traffic will be controlled. |
| 1.6 | Coordinate noise complaints on aircraft overflights with the appropriate governmental agency. | This policy is of City-wide application. |
| 2.1 | Establish acceptable limits of noise for various land uses throughout the community, in accordance with Table N-2. | This is the responsibility of the City. The Specific Plan provides guidelines to accomplish this in accord with state law. |
| 2.2 | Ensure acceptable noise levels near schools, hospitals, convalescent homes, and other noise sensitive areas, in accordance with Table N-1. | This policy is not applicable as no schools, hospitals, convalescent homes or other noise sensitive areas addressed in Table N-1 in the General Plan are planned for this Specific Plan. |
| 2.3 | Establish standards for all types of noise not already governed by local ordinances or preempted by state or federal law. | The Specific Plan provides guidelines to accomplish this in accord with state law. |
| 2.4 | Require noise reduction techniques in site and architectural design and construction where noise reduction is necessary. | The Specific Plan provides guidelines to accomplish this in accord with state law. |
| 2.5 | Discourage locating noise sensitive land uses in noisy environments. | Residential development will be appropriately set back and buffered from arterial roadways. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Noise Element (Cont.)

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| 3.1 | Adopt a City Noise Ordinance to control excessive noise from lawn blowers, trimmers, machinery or other disturbances. This ordinance should be consistent with the Orange County Noise Ordinance to promote mutually enforceable standards which result in a quality noise environment. | This policy is not applicable as it is to implemented by City staff. |
| 3.2 | Evaluate and develop measures to reduce noise generated by construction activities. | This policy is not applicable as it is to be implemented by City staff. |
| 3.3 | Establish and maintain coordination among the appropriate agencies involved in noise abatement. | This policy is not applicable as it is to be implemented by City staff. |

Public Safety Element

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| 1.1 | Require review of soil and geologic conditions by a State-Licensed Engineering Geologist under contract to the City, to determine stability prior to the approval of development where appropriate. (Coastal Act/30250, 30253) | The Specific Plan provides for the review of soil and geological conditions by state-licensed engineering geologist under contract to the City. |
| 1.2 | Monitor and document known and potential geologic hazards in the city. | The Specific Plan area does not have any known or potential geologic hazards. Structures will be designed and soils engineering will be completed to mitigate any problems posed by expansive soils on-site. The Preliminary Geotechnical Report will document all findings and requirements. |
| 1.3 | Adopt standards and requirements for grading and construction to mitigate the potential for bluff failure and seismic hazards. | The Specific Plan adopts standards and requirements for grading and construction. |
| 1.4 | Provide for structural setbacks from the bluff top edges based upon recommendations by a State-Licensed Engineering Geologist. | The beach house will be designed to assure geological stability and protection. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Public Safety Element (Cont.)

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| 1.5 | Adopt blufftop setback requirements based upon the severity of the conditions. The minimum 25-foot blufftop structural setbacks mandated by the Coastal Act may be inadequate. | The beach house will be designed to assure geological stability and protection. |
| 1.6 | Prevent future development or redevelopment of bluff top properties that may pose a hazard to owners, occupants, property, and the general public. | The beach house will be designed to assure geological stability and protection. |
| 1.7 | Preserve Dana Point's bluffs as a natural resource and avoid risk to life and property through responsible and sensitive Bluff top development. | The beach house will be designed to assure geological stability and protection. |
| 1.8 | Encourage development which utilizes the desirable existing features of land such as natural vegetation, geologic features, and other features which preserve the site's significant identity. | The Landscape Plan and the Resource Management Program provides for the establishment of significant new areas of native plant communities. |
| 1.9 | New bluff top development should be designed and located so as to ensure geological stability and to eliminate erosion, or destruction of the site or surround area. | The beach house will be designed to assure geological stability and protection. |
| 1.10 | Bluff repair and erosion control measures such as retaining walls and other similar devices should be limited to those necessary to repair damage to the bluff face and should avoid causing significant alteration to the natural character of the bluffs. | This policy is not directly applicable to the Specific Plan. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Public Safety Element (Cont.)

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| 1.11 | Design of coastal protection devices that account for the factors exceeding the limits of previously recorded storms, elevated storm surges and spring tide conditions. | This policy is not directly applicable to the Specific Plan. |
| 1.12 | Specifically review and limit development on lands with seismic, slide, liquefaction, fire or topographic constraints. | The Preliminary Geotechnical Report required for site/coastal development permits on-site will identify any constraints to development and propose mitigations. |
| 1.13 | Encourage a periodic sand nourishment program to replenish, widen and stabilize the beach where necessary. | This policy is not applicable as there are no beaches within the Specific Plan area. |
| 1.14 | Consider the establishment of Geologic Hazard Abatement Districts to encourage local cooperation in preventing coastal hazards and to access State, local, and federal subsidies where appropriate. | This policy is not applicable as there is no need for the establishment of geologic hazard abatement districts in the Specific Plan area. |
| 1.15 | Construct sea walls only as a last resort protective device for coastal areas. | No sea walls are planned as part of the Specific Plan |
| 1.16 | Investigate means to improve the quality of Dana Point Harbor dredge sediment so that it can be used in sand replenishment programs. | This policy is not applicable as the Dana Point Harbor is not within or adjacent to this Specific Plan area. |
| 1.17 | Support and encourage the effects of Orange County Flood Control District to modify the San Juan Creek Channel in order to increase sediment yield to the Capistrano and Doheny Beach areas. | This policy is not applicable as the San Juan Creek Channel is not within or adjacent to this Specific Plan area. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Public Safety Element (Cont.)

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| 1.18 | If dredge sediment from Dana Point Harbor cannot be made usable in the immediate future, support and assist Capistrano Bay property owners in the formulation of a Geologic Hazard Abatement District to address the financing of alternative methods for sand replenishment of the beach areas. | This policy is not applicable as the Dana Point Harbor and Capistrano Bay are not within or adjacent to this Specific Plan area. |
| 1.19 | Assure that public safety is provided for in all new seaward construction or additions to existing single family structures within the Capistrano Bay District private community. | This policy is not applicable as Capistrano Bay is not within or adjacent to this Specific Plan area. |
| 1.20 | Inventory existing structures and identify those which are seismically unsound. Require correction of seismically unsound buildings or as a last resort required removal dangerous buildings. | This policy is not applicable as there are no existing permanent structures within the Specific Plan area. |
| 1.21 | Adopt and maintain accepted State standards for seismic performance of new building. | Final site plans and construction documents will reflect the State standards for seismic performance of new building. |
| 1.22 | Promote earthquake preparedness within the community by participation in periodic earthquake awareness programs. | This policy is of citywide application. |
| 1.23 | Include and periodically review and update emergency procedures for earthquake in the City's Emergency Operations Plan. | This policy is of citywide application. |

GENERAL PLAN POLICIES

**SPECIFIC PLAN CONFORMANCE
WITH GENERAL PLAN**

Public Safety Element (Cont.)

1.24	Coordinate with County of Orange, Atchison, Topeka, and Santa Fe Railroad and Caltrans to identify and correct any structural deficiencies of bridges and overpasses.	This policy is of citywide application.
2.1	Identify flood hazard areas and provide appropriate land use regulations for areas subject to flooding.	Flood hazard areas have been identified and only recreation and open space land uses are planned for these areas.
2.2	Regulate the construction of non-recreational uses on coastal stretches with high predicted storm wave run-up to minimize risk of property damage.	This policy is not applicable to the Specific Plan.
2.3	Coordinate with the appropriate agencies to prepare and maintain a master drainage plan.	The Specific Plan provides a master plan of drainage. Detailed drainage improvements will be specified in the site/coastal development permit plans.
2.4	Coordinate with the appropriate agencies to assure that existing bridges are constructed according to the standards to avoid damage by flooding.	This policy is not applicable to the Specific Plan area.
2.5	Continue to participate in the national flood insurance program.	This policy is not applicable to the Specific Plan area.
2.6	Cooperate with the Orange County Flood Control District to plan for and make needed improvements or modifications to San Juan Creek Channel to enable it to carry runoff from a 100 year storm.	This policy is not applicable as the San Juan Creek Channel is not within or adjacent to this Specific Plan area.

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Public Safety Element (Cont.)

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| 2.7 | Cooperate with the Orange County Flood Control District to plan for and correct the potential for overflow from the underground Capistrano Beach Storm Drain to relieve the potential for flooding in the Doheny Village area. Until this is accomplished, encourage affected residents and businesses to purchase federal flood insurance. | This policy is not applicable as neither the Capistrano Beach storm drain nor the Doheny Village area are within or adjacent to this Specific Plan area. |
| 2.8 | Require detention basins where applicable to reduce the risk from flood hazards. | The Specific Plan area does not require detention basins. |
| 3.1 | Cooperate with the County to implement applicable portions of the County's proposed Hazardous Waste Management Plan. | This policy is of City-wide application. |
| 3.2 | Cooperate with railroad operations to ensure that hazardous materials transported by rail do not pose a threat to life or property. | This policy is not applicable as there are no railroad operations anticipated as a result of the development of this project. |
| 3.3 | Establish regulations requiring land uses involved in the production, storage, transportation, handling, or disposal of hazardous materials be located a safe distance from other land uses that may be adversely affected by such activities. | This policy is of citywide application. |

GENERAL PLAN POLICIES

**SPECIFIC PLAN CONFORMANCE
WITH GENERAL PLAN**

Public Safety Element (Cont.)

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| 3.4 | Establish transportation routes for the conveyance of hazardous materials. | This policy is of City-wide application. |
| 3.5 | Encourage and support the proper disposal of hazardous household waste and waste oil. | This policy is of City-wide application. |
| 3.6 | Ensure that dry cleaners, film processors, auto service establishments and other service businesses generating hazardous waste materials are complying with approved disposal procedures. | This policy is of City-wide application. |
| 3.7 | Encourage the replacement of hazardous material with non-hazardous materials. | This policy is of City-wide application. |
| 3.8 | Minimize the amount and toxicity of hazardous waste and materials generated in Dana Point by encouraging recycling, source reduction technologies and educational assistance to local residents, commercial and industrial handlers. | This policy is of City-wide application. |
| 3.9 | Sponsor regular household hazardous waste disposal programs to enable residents to bring back yard pesticides, cleaning fluids, paint cans and other common household toxics to a centralized collection center for proper disposal. | This policy is of City-wide application. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Public Safety Element (Cont.)

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| 3.10 | Support efforts to enforce State "right to know" laws, which outline the public's right to information about local toxics producers. | This policy is of City-wide application. |
| 3.11 | Establish development standards for storage of industrial chemicals and other potentially hazardous substances. | This policy is of City-wide application. |
| 3.12 | Coordinate with the County of Orange in the implementation of the National Pollution Discharge Elimination System Permits (NPDES) regulations. | This policy is of City-wide application. |
| 4.1 | Work closely with the County of Orange to establish an education program regarding fire hazards. | This policy is not applicable to the Specific Plan area as it is directed to City staff. |
| 4.2 | Establish requirements for fire-resistant roofing materials. | Fire-resistant roofing materials will be used throughout the Specific Plan area. |
| 4.3 | Establish a program to provide notice to all residents located in areas that may have higher risks of fire hazards. | This policy is of City-wide application. |
| 4.4 | Establish and maintain mutual aid agreements with surrounding cities for fire protection. | This policy is not applicable to the Specific Plan area as it is a city policy. |
| 4.5 | Encourage building code requirements that assure adequate fire protection. | The Specific Plan development standards provide for the employment of prevailing building code requirements that assure adequate fire protection. |

GENERAL PLAN POLICIES

**SPECIFIC PLAN CONFORMANCE
WITH GENERAL PLAN**

Public Safety Element (Cont.)

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| 5.1 | Develop a Disaster Preparedness Plan that identifies all available resources and funds for use in the event of a disaster. | This policy is directed primarily to City staff. |
| 5.2 | Establish implementing actions or procedures under the Plan for rescue efforts, medical efforts, emergency shelters, and provision of supplies. | This policy is directed primarily to City staff. |
| 5.3 | Coordinate with Orange County and the Federal Emergency Management Agency in reducing community risks in the event of a disaster. | This policy is directed primarily to City staff. |
| 5.4 | Establish procedures and necessary actions in the event of an offshore oil spill. | This policy is directed primarily to City staff. |
| 5.5 | Actively participate with appropriate entities which are involved in emergency planning and response activities for the San Onofre Nuclear Generating Station. | This policy is directed primarily to City staff. |
| 5.6 | Include procedures for dealing with earthquake, offshore oil spills, major rail and roadway accidents, flooding and hazardous materials and nuclear emergencies in the disaster preparedness plan. | This policy is directed primarily to City staff. |
| 5.7 | Sponsor and support public education programs for emergency preparedness and disaster response. Distribute information about emergency planning to community groups, schools, churches, and business associations. Hold emergency drills in various parts of Dana Point to test the effectiveness of emergency preparedness plans. | This policy is of City-wide application. |

GENERAL PLAN POLICIES

**SPECIFIC PLAN CONFORMANCE
WITH GENERAL PLAN**

Public Safety Element (Cont.)

- 5.8 Evaluate the feasibility of establishing a storm warning or disaster preparedness office, partially a volunteer service, including a public hotline which can be contacted for information on proximity and severity of storms, including warnings for storm surge, strong wind setup and high tide levels.

- 5.9 Encourage occupants of beachfront residential communities (Capistrano Beach and Niguel Shores) to keep sandbags on hand in case of elevated flood water and tide conditions.

- 5.10 Prepare and distribute community awareness pamphlets illustrating storm evacuation routes, shoreline retreat potentials from individual storms, breaker heights and historical data on potential wave run-up for all impacted coastal areas.

- 6.1 Continue to actively participate in the Interjurisdictional Planning Committee (IPC) in developing and maintaining emergency preparedness with respect to San Onofre Nuclear Generating Station.

This policy is of City-wide application.

This policy is of City-wide application.

This policy is a City-wide application.

This policy is a City-wide application.

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Conservation/Open Space

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| 1.1 | Retain and enhance local drainage courses, channels, and creeks in their natural condition, where feasible and desirable. (Coastal Act/30235, 30236) | This Specific Plan provides for the retention and partial enhancement of Salt Creek banks. |
| 1.2 | Protect groundwater resources from depletion and sources of pollution. | The Specific Plan provides for the protection of the water resources contained within the Salt Creek Channel through proper management of the adjacent golf course and erosion control measures. |
| 1.3 | Conserve imported water by providing water conservation techniques, and using reclaimed water, water conserving appliances, and drought-resistant landscaping when feasible. | The Specific Plan Water Conservation Plan encourages the conservation of imported water by providing for the use of reclaimed water for all landscaped areas including the golf course. Drought tolerant landscaping is provided within the upper Salt Creek area. |
| 1.4 | Protect water quality by seeking strict quality standards and enforcement with regard to water imported into the County, and the preservation of the quality of water in the groundwater basin, streams, estuaries, and the ocean. (Coastal Act/30231) | The Specific Plan protects water quality by providing standards to protect the Salt Creek Channel watercourse related to urban and golf course runoff and soil erosion during grading and construction. |
| 2.1 | Place restrictions on the development of floodplain areas, beaches, sea cliffs, ecologically sensitive areas and potentially hazardous areas. (Coastal Act/30235, 30236, 30240, 30253) | The Specific Plan provides for enhancement of Coastal Sage Scrub habitat in a more appropriate location where it can be maintained in perpetuity. Beach areas and sea cliffs will be preserved. No restricted development will be located within the floodplain along Salt Creek. |
| 2.2 | Site planning and architectural design shall respond to the natural landform whenever possible to minimize grading and visual impact. (Coastal Act/30250) | The Specific Plan provides for clustered development. The guidelines, policies, programs and development standards will ensure implementation of sensitive development. The Specific Plan has considered natural landforms to minimize grading and visual impact to surrounding neighborhoods. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Conservation/Open Space (Cont.)

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| 2.3 | Control erosion during and following construction through proper grading techniques, vegetation replanting, and the installation of proper drainage, and erosion control improvements. (Coastal Act/30243) | The Specific Plan provides temporary landscaping of graded pads and slopes in accordance with approved City grading codes. |
| 2.4 | Require the practice of proper soil management techniques to reduce erosion, sedimentation, and other soil-related problems. (Coastal Act/30243) | The Specific Plan provides temporary landscaping of graded pads and slopes in accordance with approved City grading codes. |
| 2.5 | Monitor beach erosion by periodically evaluating any natural changes or man-caused activities which would reduce the replenishment of sand to the beaches. | Not applicable to the Specific Plan area. |
| 2.6 | Consider public acquisition of significant land resources for open space when funds or opportunities are available. | The Specific Plan provides significant public open space areas consistent with the General Plan. |
| 2.7 | Require geotechnical studies for developments that are proposed for steep slopes (4:1 or steeper) and where geological instability may be suspected. (Coastal Act/30253) | Preliminary geotechnical report to accompany the SDP/CDP application will fulfill this requirement. |
| 2.8 | Discourage development in areas which have physical constraints associated with steep topography and unstable slopes; and where such areas are designated as Recreation/Open Space or include bluffs, beaches, or wetlands, exclude such areas from the calculation of net acreage available for determining development intensity or density potential. | The Specific Plan has excluded development from steep topography, recreation/open space areas, highly unstable slopes, bluffs, beaches and wetlands. |

GENERAL PLAN POLICIES

**SPECIFIC PLAN CONFORMANCE
WITH GENERAL PLAN**

Conservation/Open Space (Cont.)

- 2.9 Consider preserving significant natural features where feasible as part of new development. (Coastal Act/30240/30250/30251)

- 3.1 Conserve important plant communities and wildlife habitats, such as marine refuge areas, riparian areas, wildlife movement corridors, wetlands, and significant tree stands through the practice of creative site planning, revegetation, and open space easement/ dedications. (Coastal Act/30240)

- 3.2 Require development proposals in areas expected to contain important plant and animal communities to include biological assessments.

- 3.3 Encourage retention of natural vegetation and require revegetation of graded areas.

- 3.4 Restrict urban use of open space lands that have conservation or open space easements. Document those easements to ensure the staff is aware of existence.

- 3.5 Prohibit detrimental public access to the shore of the marine life refuge at the base of the Dana Point Headlands.

The Specific Plan has preserved significant natural features such as Salt Creek. The Resource Enhancement Program provides for the re-establishment of Coastal Sage Scrub habitat.

The Specific Plan includes a Resource Enhancement Program aimed at re-establishing Coastal Sage Scrub habitat adjacent to the Salt Creek Regional Corridor. The program will create new habitat to be used by wildlife linking the on-site Salt Creek Channel area with public open space to the north across Camino del Avion. An extensive revegetation effort is proposed utilizing on-site topsoil and plant material with a long-term maintenance and monitoring program. Existing riparian habitat within the Salt Creek Channel will be preserved and enhanced.

Biological assessments have been prepared as part of the Resource Enhancement Program and Specific Plan process.

The Specific Plan retains natural vegetation within the Salt Creek Channel. Graded pads and slopes will be revegetated in connection with development of those areas. The Resource Enhancement Program provides for the re-establishment of a fragmented Coastal Sage Scrub community.

The Specific Plan restricts urban encroachment of open space lands. Conservation or Open Space Elements have been documented.

This is not applicable, as the Dana Point Headlands are not within or adjacent to the Specific Plan area.

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Conservation/Open Space (Cont.)

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| 4.1 | Encourage innovative site and building designs, and orientation techniques which minimize energy use by taking advantage of sun/shade patterns, prevailing winds, landscaping, and building materials. | The Community Design Guidelines and Development Standards reflect innovative site and building designs which minimize energy use, to the extent possible. Several outdoor use areas are provided utilizing micro-climates created by structures, landscaping techniques and the use of building materials such as arbors. |
| 4.2 | Maintain local legislation to establish, update and implement energy performance building code requirements established under State Title 24 Energy Regulations. (Coastal Act/30250) | This policy is a City function. |
| 5.1 | Design safe and efficient vehicular access to streets to insure efficient vehicular ingress and egress. (Coastal Act/30252) | The Specific Plan provides for safe and efficient vehicular access to streets per the results of a Traffic Study prepared in conjunction with the Specific Plan. |
| 5.2 | Locate multiple family developments close to commercial areas to encourage pedestrian rather than vehicular travel. | The Specific Plan provides multiple family housing in clustered areas. Development within the Club House Village is adjacent to existing commercial development, thereby promoting pedestrian and bicycle circulation to these areas. Public trails are provided throughout the development and a resort vehicle system is proposed. |
| 5.3 | Encourage neighborhood parks close to concentrations of residents to encourage pedestrian travel to public recreation facilities. | The Specific Plan provides several public park and open space areas directly accessible by local residents via an extensive trail system and resort vehicle system service. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Conservation/Open Space (Cont.)

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| 5.4 | Provide commercial areas that are conducive to pedestrian and bicycle circulation. | The Specific Plan provides for visitor-serving recreation commercial uses that are directly accessible by an extensive trail system and resort vehicle system service. |
| 5.5 | Actively participate in regional discussions regarding new regional airport facilities and analyze and evaluate potential impacts on the City. | This policy is a City function. |
| 5.6 | Encourage bicycle/trail systems to reduce air pollution. | The Specific Plan provides for an extensive public trail system and resort vehicle service which will help reduce air pollution. |
| 5.7 | Consider the development of shuttle systems, train or transit facilities, to help reduce vehicular trips and air pollution. | The Specific Plan will provide for a resort vehicle system service to help reduce vehicular trips and air pollution. |
| 6.1 | Mitigate the impacts of development on sensitive lands such as steep slopes, wetlands, cultural resources, and sensitive habitats through the development review process. (Coastal Act/30240) | The Specific Plan provides for a Resource Enhancement Program which consolidates an area of Coastal Sage Scrub habitat. Steep slopes, wetlands and cultural resources are not impacted within the Specific Plan area. |
| 6.2 | Protect and preserve the public views of the Dana Point Harbor. (Coastal Visual Resources/30251) | This policy is not applicable as the Dana Point Harbor cannot be viewed from the Specific Plan area. |
| 6.3 | Maintain an inventory of existing natural resources in the City through periodic updates of the City's Master Environmental Assessment. | This policy is a City function. |
| 6.4 | Preserve and protect the scenic and visual quality of the coastal areas as a resource of public importance. (Coastal Act/30251) | A visual analysis has been prepared as part of this Specific Plan. The Specific Plan is designed to preserve and protect, where possible, the scenic and visual quality of the coastal area. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Conservation/Open Space (Cont.)

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| 6.5 | Encourage retention of permanent open space through dedication as a part of the development site plan subdivision/review process. | The Specific Plan provides the opportunity for the dedication of all park amenities and open space areas beyond those already dedicated. |
| 6.6 | Concentrate higher intensity uses in areas containing less sensitive landforms and preserve the most sensitive landform and natural resources as open space. | The Specific Plan has considered the constraints of landforms and natural areas. The hotel area and residential development has been sited primarily on previously graded pads. Much of the site has been preserved as recreation open space including the Salt Creek Corridor. |
| 6.7 | Evaluate non-developable or constrained areas for possible use as open space or recreational use. (Coastal Act/30240) | The Specific Plan has considered constrained areas. Much of the Specific Plan area is designated as open space and recreation use. The Salt Creek Area is permanent open space. |
| 6.8 | Preserve public access to the coastal areas through easements dedications thereby providing marine-oriented recreational uses so that transportation corridors may augment the City's open space system. (Coastal Act/30210, 30211, 30212) | The Specific Plan provides the opportunity for easement dedications to the shoreline thereby providing marine-oriented recreational uses. The golf course, beach house, community park, public open space features and trail designations established in this Specific Plan provide and protect public access and recreational opportunities to the coastal area. |
| 7.1 | Encourage the provision of a range of recreational facilities and programs to meet the needs of city residents. | The Specific Plan provides for the dedication of land and development of Sea Terrace Community Park. A range of public recreational facilities will be provided within the park. In addition, several vista points, a promenade and extensive trails are provided within the Specific Plan area. |
| 7.2 | Utilize utility easements as open space linkages where feasible. | The use of utility easements to provide open space linkages was unnecessary within the Specific Plan area. |

GENERAL PLAN POLICIES

**SPECIFIC PLAN CONFORMANCE
WITH GENERAL PLAN**

Conservation/Open Space (Cont.)

7.3 Preserve public and private open space lands for active and passive recreational opportunities. (Coastal Act/30213)	The Specific Plan provides for extensive recreational opportunities, including active and passive activities at Sea Terrace Community Park, several vista points and a trail system.
7.4 Encourage priority acquisition and development of parkland in neighbor-hoods deficient in park facilities.	The Specific Plan provides opportunities for the development of Sea Terrace Community Park, vista points, a promenade and an extensive trail system.
7.5 Coordinate park and open space planning with the appropriate state and county agencies.	The Specific Plan park, open space and trails planning has been coordinated with the appropriate agencies.
7.6 Encourage the development of parks and acquisition of open space areas to serve the needs of visitors as well as local residents.	The Specific Plan provides both visitor and local resident recreational facilities.
8.1 Require reasonable mitigation measures where development may affect historical, archaeological or paleontological resources. (Coastal Act/30244, 30250)	The Specific Plan does not impact historical, archaeological or paleontological resources.
8.2 Retain and protect significant areas of historical, archaeological, or paleontological value for education and scientific purposes. (Coastal Act/30244, 30250)	The Specific Plan does not impact historical, archaeological or paleontological resources.
8.3 Development adjacent to a place, structure or object found to be of historic significance should be designed so that the uses permitted and the architectural design will protect the visual setting of the historical site. (Coastal Act/30250)	The Specific Plan does not propose development adjacent to historic resources.

GENERAL PLAN POLICIES

**SPECIFIC PLAN CONFORMANCE
WITH GENERAL PLAN**

Conservation/Open Space (Cont.)

8.4 Develop and maintain a cultural resource inventory.

This policy is a City function.

Public Facilities/Growth Management Element

1.1 Work closely with local-serving water and sewer districts in determining future area needs and expanding sewer service to the Headlands area, when necessary. (Coastal Act/30250, 30255, 30254)

This policy does not apply to the Specific Plan.

1.2 Encourage the use of drought resistant landscaping to reduce overall water use.

The Specific Plan encourages the use of drought resistant landscaping to reduce overall water use through the landscape guidelines and Resource Enhancement Program.

1.3 Support public education programs for water conservation.

This policy is of City-wide application.

1.4 Support the appropriate regional agencies in developing and utilizing reclaimed water facilities.

The Specific Plan supports the appropriate regional agencies in developing and utilizing reclaimed water facilities through the expansion of the use of reclaimed water for the resort.

1.5 Consider requiring new development to pay for the cost of extending reclaimed water lines in the City.

The Specific Plan provides for extending the reclaimed water lines for the Specific Plan area.

1.6 Support the efforts of water and sewer agencies to encourage recycling of wastes and proper disposal of household wastes and waste oil.

This policy is of citywide application.

GENERAL PLAN POLICIES

**SPECIFIC PLAN CONFORMANCE
WITH GENERAL PLAN**

Public Facilities/Growth Management
(Cont.)

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| 1.7 | Evaluate the varying levels of service provided by the water and sewer districts serving the City and support increased coordination among these districts in order to provide consistent service levels. | This policy is a City function. |
| 1.8 | Encourage and support water and sewer districts in the effective management of their revenue resources to ensure equitable service throughout the City. | This policy is a City function. |
| 2.1 | Identify local storm drainage deficiencies and develop a capital improvements program for the correction and replacement of aging or inadequate drainage system components. (Coastal Act/30235, 30236, 30253) | This policy is a City function. |
| 2.2 | Work with the Orange County Flood Control District in ensuring the adequacy of regional storm drainage facilities. (Coastal Act/30235, 30236, 30253) | This policy is a City function. |
| 3.1 | Continue to work with the cities of San Clemente and San Juan Capistrano in the development of an SRR Element which will include a recycling plan. | This policy is a City function. |
| 3.2 | Identify and evaluate alternatives to reduce solid waste in accordance with AB 939. | This policy is of City-wide application. |
| 3.3 | Support litter clean up efforts on public and private properties. | This policy is of City-wide application. |

GENERAL PLAN POLICIES

**SPECIFIC PLAN CONFORMANCE
WITH GENERAL PLAN**

Public Facilities/Growth Management
(Cont.)

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| 3.4 | Work closely with the County of Orange in developing strategies and programs to manage solid and hazardous wastes. | This policy is of City-wide application. |
| 3.5 | Support recycling by requiring areas for recycling bins. | This policy is of City-wide application. |
| 4.1 | Periodically evaluate services and service criteria to ensure the City has adequate police, fire, and emergency medical services. (Coastal Act/30254) | This policy is a City function. |
| 4.2 | Review the space needs for the local sheriff community service unit and provide adequate space. | This policy is a City function. |
| 4.3 | Increase community participation in the neighborhood watch groups and other public safety service programs. | This policy is of City-wide application. |
| 4.4 | Assure adequate sites for primary care (internists, family practitioners, and obstetricians-gynecologists) facilities in the community. | This policy is a City function. |
| 4.5 | Coordinate with the Orange County Sheriff's and Fire Departments for the continued provision of adequate law enforcement and fire protection. | This policy is a City function. |
| 4.6 | Coordinate sheriff facility and traffic facility planning where necessary to maintain adequate levels of law enforcement service. | This policy is a City function. |
| 5.1 | Cooperate with the Orange County Public Library to periodically assess library service needs for the community. | This policy is a City function. |

GENERAL PLAN POLICIES

**SPECIFIC PLAN CONFORMANCE
WITH GENERAL PLAN**

**Public Facilities/Growth Management
(Cont.)**

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| 5.2 | Assess the City's needs for a governmental/civic center and identify suitable sites. | This policy is not applicable as it is a City initiative. |
| 5.3 | Develop a capital improvements plan to include service standards and a mitigation fee program for new development. | This policy is not applicable as it is a City initiative. |
| 5.4 | Consider the need for multipurpose meeting rooms and space for community events. | This policy is not applicable as it is a City initiative. |
| 5.5 | Consider the need for a local historical museum (Coastal Act/30213) | This policy is not applicable as it is a City initiative. |
| 5.6 | Assess the cultural facilities needs for the City, including the need to expand existing facilities. | This policy is not applicable as it is a City initiative. |
| 5.7 | Encourage well-planned neighborhood and community park facilities that are within convenient access to all residential areas. | The Specific Plan provides for comprehensively planned high quality residential neighborhoods and community park facilities that are within convenient access to all residential areas. |
| 5.8 | Coordinate the approval of new development with the capacity of the Capistrano Unified School District. | The Specific Plan provides for coordinating the approval of its development with the capacity of the Capistrano Unified School District. |
| 5.9 | Ensure to the extent feasible that adequate sites are available for public facilities, churches, schools, museum(s), government offices, a civic/cultural center or other facilities that may serve the public interest. | This policy is not applicable to the Specific Plan as it is a City policy. The Specific Plan encourages and supports this policy. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Public Facilities/Growth Management (Cont.)

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| 5.10 | Develop a program for public art. | The Specific Plan requires that public art shall be provided and shall be approved as part of the site development permit process. |
| 5.11 | Consider creating various funding mechanisms, such as developer impact fees, to contribute toward the cost of new civic facilities. | This policy is not applicable as it is a City initiative. |
| 5.12 | Coordinate the provision of community facilities with the development of new parks and recreational facilities. | The Specific Plan provides for the development of new community facilities in conjunction with the completion of Sea Terrace Park. |
| 6.1 | Where feasible, provide underground utility lines in all neighborhoods and continue to underground utility lines in future developments. | The Specific Plan provides underground utility lines in all neighborhoods. |
| 6.2 | Promote the enhancement of governmental process information through cable television access. | This policy is not applicable as it is a City initiative. |
| 6.3 | Encourage the use of solar energy to supplement conventional heating systems. | This policy is of City-wide application. |
| 7.1 | Adopt Orange County level of service standards for law enforcement, fire, library, and storm drains, and Capistrano Bay Parks and Recreation District standards for parks and open space (see Table PF-1). | This policy is not applicable as it is a City initiative. |

GENERAL PLAN POLICIES

**SPECIFIC PLAN CONFORMANCE
WITH GENERAL PLAN**

Public Facilities/Growth Management
(Cont.)

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| 7.2 | Within three years of the issuance of the first building permit for a development project or within five years of the first grading permit for said development project, whichever occurs first, the necessary improvements to transportation facilities to which the project contributes measurable traffic must be constructed and completed to attain Level of Service (LOS) "C" at the intersections on primary arterials, secondary arterials and local streets, and LOS "D" at intersections on major arterials and State highways under the sole control of the City/ County. | This is a City-wide policy. To the extent that necessary roadway improvements within the Specific Plan area are a part of such mitigation. |
| 7.3 | Develop a program to monitor new development to ensure compliance with adopted level of service standards. | This policy is not applicable as it is a City initiative. |
| 7.4 | Require that all development projects participate in comprehensive public facility financing plans on a pro-rata basis as a condition of development approval, except where an increased level of participation exceeding these requirements is established through negotiated legal mechanisms. | The Specific Plan provides for fair-share contribution to public facility financing plans through improvements to be made in conjunction with development. |
| 7.5 | Require all new development to pay its share of the costs of mitigating its traffic impacts, including regional impacts. Work with other jurisdictions to determine minimally acceptable impact fee levels. | The Specific Plan provides for its provision of the traffic impacts. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Public Facilities/Growth Management (Cont.)

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| 7.6 | Require that all development be phased in accordance with a Comprehensive Phasing Program (CPP). The CPP shall include development phasing plans which establish phasing allocation commensurate with roadway and public facility capacities and an overall buildout development plan which can be supported by the implementation of the planned infrastructure. | The Specific Plan provides for a comprehensive phasing program consistent with the general area specific of the policies. |
| 7.7 | Develop a Capital Improvement Program to meet and maintain adopted level of service standards for traffic and public services. | This policy is not applicable as it is a City initiative. |
| 7.8 | Promote traffic reduction strategies through TDM measures. | The Specific Plan promotes traffic reduction strategies through TDM measures. |
| 7.9 | Require development of large properties to include a master plan and an environmental analysis of the proposed development.
(Coastal Act/30250) | The Specific Plan is the master plan for the proposed development. A Mitigated Negative Declaration has been prepared pursuant to CEQA. |
| 7.10 | Ensure that growth management policies are consistent with the policies of the General Plan. | This policy is not applicable as it is a City initiative. |
| 7.11 | Require development of large properties to prepare a comprehensive development plan and environmental analysis to evaluate the impacts of the proposed project. | The Specific Plan is the master plan for the proposed development. A Mitigated Negative Declaration has been prepared pursuant to CEQA. |

GENERAL PLAN POLICIES

**SPECIFIC PLAN CONFORMANCE
WITH GENERAL PLAN**

**Public Facilities/Growth Management
(Cont.)**

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| 8.1 | Work with the City-County Coordination Committee to formulate a coordinated strategy for dealing with regional plan requirements, such as requirements of the AQMP (including jobs/housing balance), AB 471, Measure M, and to discuss multijurisdictional impacts and appropriate mitigation measures. | This policy is not applicable as it is a City initiative. |
| 8.2 | Work with adjacent jurisdictions to develop agreements for mutual review and conditioning of new development projects. | This policy is not applicable as it is a City initiative. |
| 8.3 | Consider working with the County of Orange and other public service and facility providers to develop mechanisms to require new development to pay for a pro-rata share of the cost of expanding services and facilities. | This policy is not applicable as it is a City initiative. |
| 8.4 | Explore cooperative efforts with the County of Orange in the Development Monitoring Program, including monitoring of facility implementation service delivery, growth levels, and regional and State growth management legislation. | This policy is not applicable as it is a City initiative. |
| 8.5 | Participate as required under existing agreements in the Coastal Area Road Improvements (CARITS) Fee Program. | This fee program applies City-wide. The Specific Plan area will contribute its fair share. |
| 8.6 | Cooperate with the County of Orange in preparing a Congestion Management Plan pursuant to the requirements of AB 471 in order to receive the City's share of State gas tax revenues. | This policy is not applicable as it is a City initiative. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Public Facilities/Growth Management (Cont.)

- 8.7 Assess and reconcile differences between the AB 471 and Measure M requirements for compliance purposes.

This policy is not applicable as it is a City initiative.

Economic Developments

- 1.1 Implement the goals and policies of the Housing Element of the General Plan.
- 1.2 Develop and implement short- and long-range programs to stimulate jobs and economic growth.
- 1.3 Develop long-term projections of growth in industrial and service-related employment.
- 1.4 Encourage the development of housing opportunities in targeted areas of the City.
- 2.1 Develop the physical design guidelines necessary to attract the desired types of business in specific locations.
- 2.2 Coordinate local programs with regional programs for economic development.
- 2.3 Consider the use of incentives to assist businesses which provide important benefits and contributions to the local economy.

The Specific Plan implements the goals and policies of the housing element of the General Plan for the Monarch Beach Resort.

The Specific Plan develops and creates short and long term jobs and economic growth.

This policy is not applicable as it is a City initiative.

The Specific Plan provides for the development of significant new housing opportunities.

The Specific Plan provides for the development of an integrated resort community that will provide significant new revenue to the City.

This policy is not applicable as it is a City initiative.

This policy is not applicable as it is a City initiative.

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Economic Developments (Cont.)

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| 2.4 | Pursue methods to promote economic development opportunities beneficial to the City of Dana Point. | The Specific Plan land uses provide an opportunity to promote economic development and benefits the City of Dana Point. |
| 2.5 | Establish redevelopment project areas as needed by the City. | This policy is not applicable as this Specific Plan area is not within any redevelopment area. |
| 2.6 | Promote a synergistic business environment by encouraging new businesses to locate where they can beneficially support adjacent businesses and discouraging new businesses that would be detrimental to the business environment. | The Specific Plan promotes a synergistic business environment in the City of Dana Point through the attraction of additional visitors and the creation of a high quality resort and major employment opportunities. |
| 2.7 | Assure that local amenities and open spaces area maintained and expanded in order to assist and attract new businesses and promote economic vitality. | The Specific Plan provides that project amenities and open space are maintained and expanded through the construction of a world-class resort. |
| 3.1 | Ensure that the City has substantial fiscal surplus to assure sufficient financial resources during slow economic periods when revenue generation may be low. | The Specific Plan provides for substantial fiscal surplus from the development in the Specific Plan area. |
| 3.2 | Analyze new fiscal impacts of non-residential land use types proposed for development. | An analysis of the fiscal impacts of non-residential land use types in the Specific Plan has been submitted to the City by the developer. |
| 3.3 | Identify the types of industrial, office and commercial uses that are desired by the community and assess the market demand for those types of uses. | This policy is not applicable as there are no industrial, office and commercial land uses within the Specific Plan area. |

GENERAL PLAN POLICIES

SPECIFIC PLAN CONFORMANCE WITH GENERAL PLAN

Economic Developments (Cont.)

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| 3.4 | Continue with existing plans for redevelopment within areas of the community where revitalization is warranted. | The Specific Plan area does not contain any redevelopment areas. |
| 3.5 | Promote conference and visitor activities to ensure the long term viability of this major revenue generator. (Coastal Act/30213) | The Specific Plan provides for conference and visitor activities through the resort hotel and recreational facilities. |
| 4.1 | Promote development of retail uses which serve local needs and diversify the selection of conveniently located goods and services. | The General Plan does not provide for retail uses within the Specific Plan area, which is adjacent to a major retail center. |
| 4.2 | Promote visitor serving retail uses to serve the growing demand for harbor, beach and coastal facilities, especially day use visitors. (Coastal Act) | The Specific Plan provides visitor serving retail uses to serve growing demand, through the hotel beach house, and golf course facilities. |
| 4.3 | Promote the overlap between visitor and resident serving retail uses by encouraging retail goods and services which serve both market segments. | The General Plan does not provide for general retail uses within the Specific Plan area, which is adjacent to a major commercial center. |
| 5.1 | Encourage the early development of resort properties at the Headlands site. (Coastal Act/30213, 30250) | The policy is not applicable, as the Headlands is not within or adjacent to the Specific Plan area. |
| 5.2 | Encourage the early development of resort properties at the Monarch Beach site. (Coastal Act/30213, 30234) | The Specific Plan expressly encourages the early development of resort properties at the Monarch Beach site. |
| 5.3 | Encourage a balanced mix of visitor serving uses to complement the marine environment and commercial activities. | This policy is not applicable, as the Specific Plan area has no development sites that are contiguous with or impact the marine environment and commercial activities. |
| 5.4 | Discourage the development of timeshares. | The Specific Plan does not provide for timeshares. |
| 6.1 | Encourage a balance in the development of commercial uses. | This policy is not applicable, as the General Plan does not provide for commercial uses within the Specific Plan area. |

GENERAL PLAN POLICIES

**SPECIFIC PLAN CONFORMANCE
WITH GENERAL PLAN**

Economic Developments (Cont.)

6.2	Encourage and assist in the preparation of sites suitable for commercial development.	This policy is not applicable, as the Specific Plan area has no General Plan designations that allow for commercial development.
6.3	Promote the development of a transportation center with adjacent commercial and small office uses.	This policy is not applicable, as the Specific Plan area has no sites suitable for commercial and small office uses.
7.1	Encourage the development of visitor related retail uses.	This Specific Plan provides for the development of visitor uses in the hotel facility retail.
7.2	Encourage the development of local serving commercial uses, especially in the Lantern area.	This policy is not applicable, as the Specific Plan area has no suitable sites for commercial uses other than visitor recreation.
7.3	Encourage development to create a quality environment designed to promote interior courtyards and pedestrian ways.	The Specific Plan encourages the creation of a quality environment designed to promote interior courtyards and pedestrian ways throughout the hotel facilities and other areas of the resort.
7.4	Establish both visual and pedestrian linkages between the Town Center and other areas throughout the City. (Coastal Act/30251)	The Specific Plan provides for pedestrian and bicycle linkages to other areas throughout the City.
8.1	Initiate the preparation of a marketing program to maintain needed information, promote the City to potential new business, promote the City's visitor attractions and monitor economic development conditions. (Coastal Act/30213)	This policy is not applicable as it is a City initiative.
8.2	Actively involve the City in assisting Community Development.	This policy is not applicable as it is a City initiative.
8.3	Encourage local businesses to work closely with the City.	This policy is not applicable as it is a City initiative.
9.1	Give priority to the coastal dependent uses on or near the shoreline over other developments. (Coastal Act/30255)	The Coastal Commission has established through previous project approvals that the mix of uses delineated in the Specific Plan is consistent with the Coastal Act.

RESOLUTIONS

APPENDIX C

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF DANA POINT, CALIFORNIA, ADOPTING BY
RESOLUTION CHAPTERS 1 AND 2 OF THE MONARCH
BEACH RESORT SPECIFIC PLAN

APPLICANT: MONARCH BAY RESORT, INC.
CASE NO.: FF# 0630-50/SP91-01/MONARCH BEACH RESORT
SPECIFIC PLAN.

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

WHEREAS, on July 23, 1991, the Dana Point City Council adopted a Resolution authorizing the preparation of the Monarch Beach Resort Specific Plan, and

WHEREAS, public meetings and hearings before the Planning Commission on September 3, 1991; September 17, 1991; October 9, 1991; December 17, 1991; January 7, 1992; and February 4, 1992, and City Council on February 3, 1992 and February 25, 1992, to consider the Plan were duly called, noticed, and held; and

WHEREAS, pursuant to the California Environmental Quality Act a Mitigated Negative Declaration was prepared for the project which provides mitigation for potential impacts to land uses, earth resources and seismicity, plant life and animal life, water and hydrology, transportation and circulation, noise, air quality, aesthetics, light and glare, public services, utilities, population, employment, housing, and cultural resources. The Mitigated Negative Declaration was circulated on December 6, 1991, to the County Clerk and State Clearinghouse for a thirty day review period, and on January 8, 1992, that review period ended. Six (6) written comments and two (2) oral comments were received from the review. The Planning Commission, having review and recommendation authority over this project, has reviewed and considered the information contained in the Mitigated Negative Declaration as well as the comments received and responses to those comments, prior to its recommendation of approval of the Specific Plan as documented by Planning Commission Resolution No. 92-02-04-04; and

WHEREAS, changes or alterations have been incorporated into the project, or will be incorporated into the Specific Plan, or will be required at the appropriate project level, which mitigate all potential significant environmental impacts to a level of insignificance; and

WHEREAS, the City Council having review and approval authority over this project, has reviewed and considered the information contained in the Mitigated Negative Declaration as well as the comments received and responses to those comments, prior to its approval of the Specific Plan as documented by City Council Resolution No. 92-02-25-2; and

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

I, KATHERINE M. HOLLYWOOD, City Clerk of the City of Dana Point, California, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. 92-02-25-3 adopted by the City Council of the City of Dana Point, California, at a regular meeting thereof held on the 25th day of February, 1992, by the following vote:

AYES: Council Members Bamattre, Curreri, Krause, and
 Mayor Eggers
NOES: Mayor Pro Tem Lloreda
ABSENT: None

Katherine M. Hollywood
Katherine M. Hollywood, City Clerk

Items Incorporated by Reference:

- A. Monarch Beach Resort Specific Plan.
- B. Errata Document.

Resoluti\CC920225.MBR

ORDINANCE NO. 92-02

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF DANA POINT, CALIFORNIA, ADOPTING
CHAPTER 3 OF THE MONARCH BEACH RESORT
SPECIFIC PLAN

APPLICANT: MONARCH BAY RESORT, INC.
CASE NO.: FF# 0630-50/SP91-01/MONARCH BEACH RESORT
SPECIFIC PLAN.

WHEREAS, the Planning Commission did on the 7th day of January, 1992; the 21st day of January, 1992; and the 4th day of February, 1992, hold a duly noticed public hearing as prescribed by law to consider the Monarch Beach Resort Specific Plan; and

WHEREAS, the Planning Commission after consideration adopted Resolution No. 92-02-04-05 recommending City Council adoption of the Monarch Beach Resort Specific Plan; and

WHEREAS, the City Council did on the 25th day of February, 1992, hold a duly noticed public hearing as prescribed by law to consider said recommendation; and

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, said City Council considered all factors relating to the Monarch Beach Resort Specific Plan; and

WHEREAS, the proposed Monarch Beach Resort Specific Plan implements the Dana Point General Plan by providing plans, programs, guidelines, and development standards to implement all applicable goals and policies of each Element of the General Plan relating to the Monarch Beach Resort Specific Plan area; and

WHEREAS, the proposed use or action complies with all other applicable requirements of State law and local ordinances;

WHEREAS, a Mitigated Negative Declaration was proposed for this project as set forth in the California Environmental Quality Act [CEQA]. The Mitigated Negative Declaration was considered and adopted by City Council Resolution No. 92-02-25-2; and

WHEREAS, adoption of the Monarch Beach Resort Specific Plan will provide plans, programs, guidelines, and development standards to ensure that development will

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

AFFIDAVIT OF POSTING
AND PUBLISHING

KATHERINE M. HOLLYWOOD, being first duly sworn, deposes, and says:

That she is the duly appointed and qualified City Clerk of the City of Dana Point;

That in compliance with State Laws of the State of California, ORDINANCE NO. 92- 02, being:

AN ORDINANCE OF THE CITY OF DANA POINT,
CALIFORNIA, ADOPTING CHAPTER 3 OF THE
MONARCH BEACH RESORT SPECIFIC PLAN

was published in the Dana Point News newspaper on the 19th day of March , 1992, and in further compliance with City Resolution No. 91-10-8-1, on the 13th day of March, 1992, was caused to be posted in three (3) public places in the City of Dana Point, to wit:

Dana Point City Hall
Capistrano Beach Post Office
Dana Point Post Office

Katherine M. Hollywood
KATHERINE M. HOLLYWOOD, CITY CLERK
DANA POINT, CALIFORNIA

RESOLUTION NO. 95-05-23-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT GPA95-02(a), SPECIFIC PLAN AMENDMENT SP91-01(I)(CHAPTERS 1 AND 2) AND LOCAL COASTAL PROGRAM AMENDMENT LCPA95-07 TO RELOCATE 2.6 ACRES OF VISITOR/RECREATIONAL COMMERCIAL GENERAL PLAN LAND USE WITHIN THE MONARCH BEACH RESORT SPECIFIC PLAN AREA AND TO PROVIDE ADDITIONAL CLARIFICATION WITHIN THE LAND USE ELEMENT OF THE GENERAL PLAN ON THE MAXIMUM ROOM/KEY INTENSITY OF THE HOTEL WITHIN THE MONARCH BEACH RESORT SPECIFIC PLAN AND TO SUBMIT GPA95-02(a), SP91-01(I) AND LCPA95-07 TO THE CALIFORNIA COASTAL COMMISSION FOR APPROVAL AND CERTIFICATION

**APPLICANT: MONARCH BAY RESORT, INC.
FILE NO: FF# 0630-30/GPA95-02(a)/SP91-01(I)/LCPA95-07
MONARCH BEACH RESORT SPECIFIC PLAN**

The Planning Commission for the City of Dana Point does hereby resolve as follows:

WHEREAS, on February 14, 1995, the Dana Point City Council initiated a General Plan Amendment, a Specific Plan Amendment and a Local Coastal Program Amendment to study proposed amendments to the Monarch Beach Resort Specific Plan; and

WHEREAS, the applicant has filed a verified application for certain property, to wit: the approved Monarch Beach Specific Plan area; and

WHEREAS, the applicant has made an application to amend the Land Use Policy Diagram and related text of the Land Use Element of the General Plan, as indicated in Exhibit "A", attached, to amend the Land Use plan portion of the City's Local Coastal Program, to relocate 2.6 acres of Visitor/Recreation Commercial land use designation and clarify the maximum room/key intensity of the hotel in the Monarch Beach Resort Specific Plan area; and

WHEREAS, the proposed amendments to the Land Use Policy Diagram and related text of the Land Use Element are consistent with all other components of the Land Use Element Text and Land Use Policy Diagram and with all other elements of the General Plan; and

WHEREAS, the applicant has made an application (SP91-01(I)/LCPA95-07) to amend the Monarch Beach Resort Specific Plan and the Local Coastal Program, which would amend the Implementation portion of the City's Local Coastal Program, relocating and adjusting the size and function of the golf clubhouse Visitor/Recreation Land Use and providing additional clarification on the maximum room/key intensity of the resort hotel; and


WHEREAS, the proposed amendment to the Monarch Beach Resort Specific Plan is consistent with all other components of the Zoning Code, General Plan, and Local Coastal Program; and

- 4) That the proposed action is in compliance with the California Environmental Quality Act (CEQA). A Mitigated Negative Declaration (SCH# 91121010) was approved for the Monarch Beach Resort Specific Plan which provides mitigation for potential impacts to land use, earth resources and seismology, plant and animal life, water and hydrology, transportation and circulation, noise, air quality, aesthetics, light and glare, public services, utilities, population, employment, housing and cultural resources. The Negative Declaration (SCH# 91121010) was circulated for a thirty day review period on December 6, 1981, by the County Clerk and the State Clearinghouse, and was published in the Dana Point News on January 20, 1994. The review period ended on January 8, 1992.
- 5) That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

BE IT FURTHER RESOLVED, that the General Plan and Local Coastal Program, as amended, shall be carried out in a manner fully consistent with the Coastal Act.

BE IT FURTHER RESOLVED, that pursuant to the California Code of Regulations, Section 13551(b)(1), this resolution shall take effect automatically upon Coastal Commission approval without suggested modifications; except that, pursuant to Section 13551(b)(2) of the California Code of Regulations, this resolution shall take effect only upon formal adoption by the City Council of the City of Dana Point after approval by the California Coastal Commission with suggested modifications.

PASSED, APPROVED, AND ADOPTED this 23rd day of May, 1995.


KAREN LLOREDA, MAYOR PRO TEM

ATTEST:


SHARON WAITS, CITY CLERK

EXHIBIT "A"
CITY COUNCIL RESOLUTION 95-05-23-00
GPA95-02(a)/LCPA95-07

Revisions to the Dana Point General Plan

Land Use Element:

1. Page 19, Policy 8.10 - Rewrite this policy to read as follows:

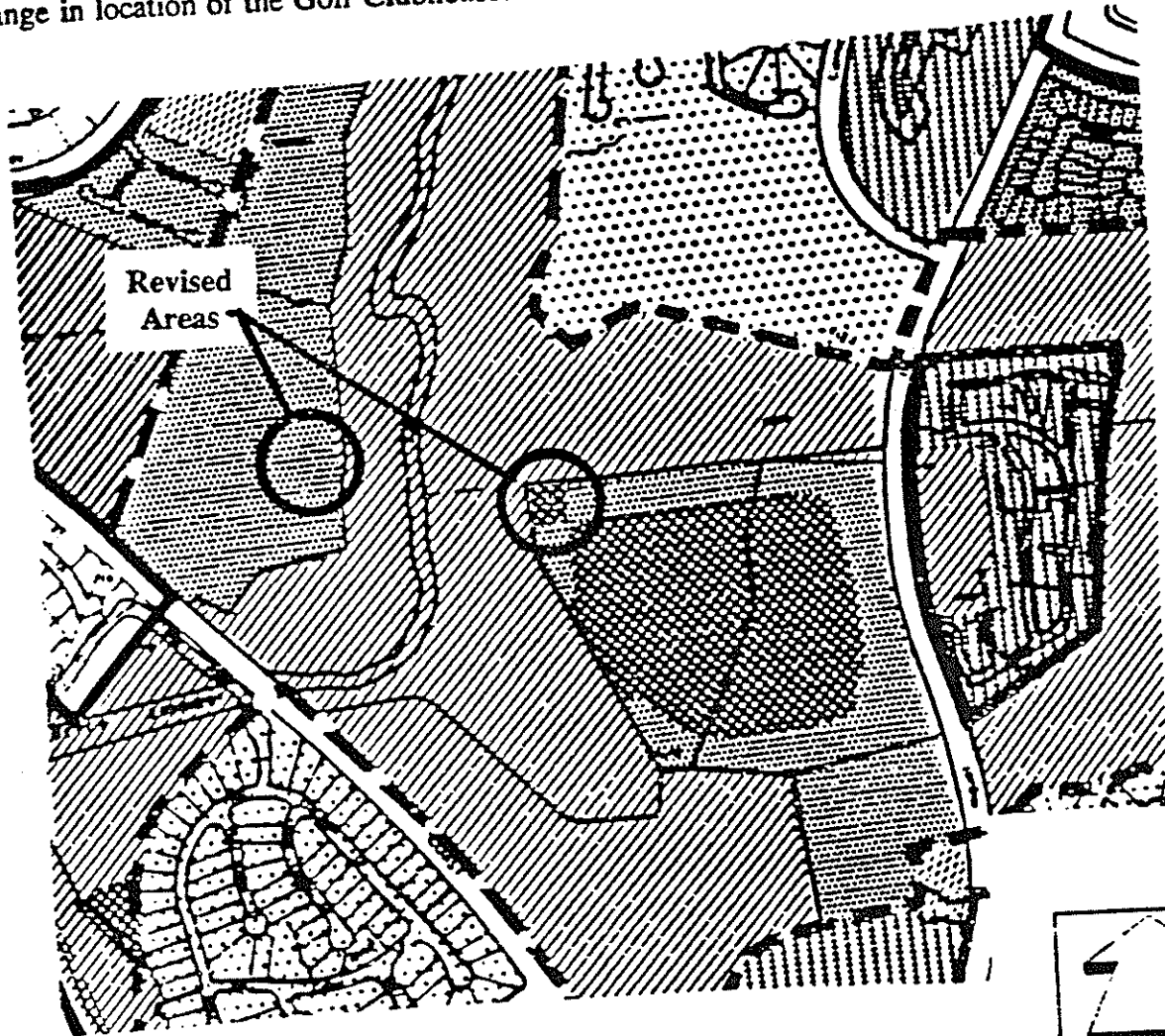
"Encourage the immediate development of visitor serving resort facilities and land uses of a world class stature to be achieved within five years from the date of adoption of the General Plan. The resort facility shall include a 400 ~~or so~~ key maximum five-star resort hotel. If public open space and Visitor/Recreation Commercial land uses are not physically developed and established within five years it is the policy of the City of Dana Point to revisit other land uses within this area and to assure the provision of open space and Visitor/Recreation Commercial activities."

(Note: Underlining = new text = deleted text)

2. Figure LU-4, Land Use Policy Diagram - This exhibit needs to be revised to show the change in location of the golf clubhouse (see Page 2, Exhibit "A" for illustration).
3. Figure LU-9, Monarch Beach - This exhibit needs to be revised to show the change in location of the golf clubhouse (see Page 3, Exhibit "A" for illustration).

GPA95-02(a) LCPA95-07

Description: Revision to Land Use Element "Figure LU-9, Monarch Beach", to illustrate the change in location of the Golf Clubhouse.

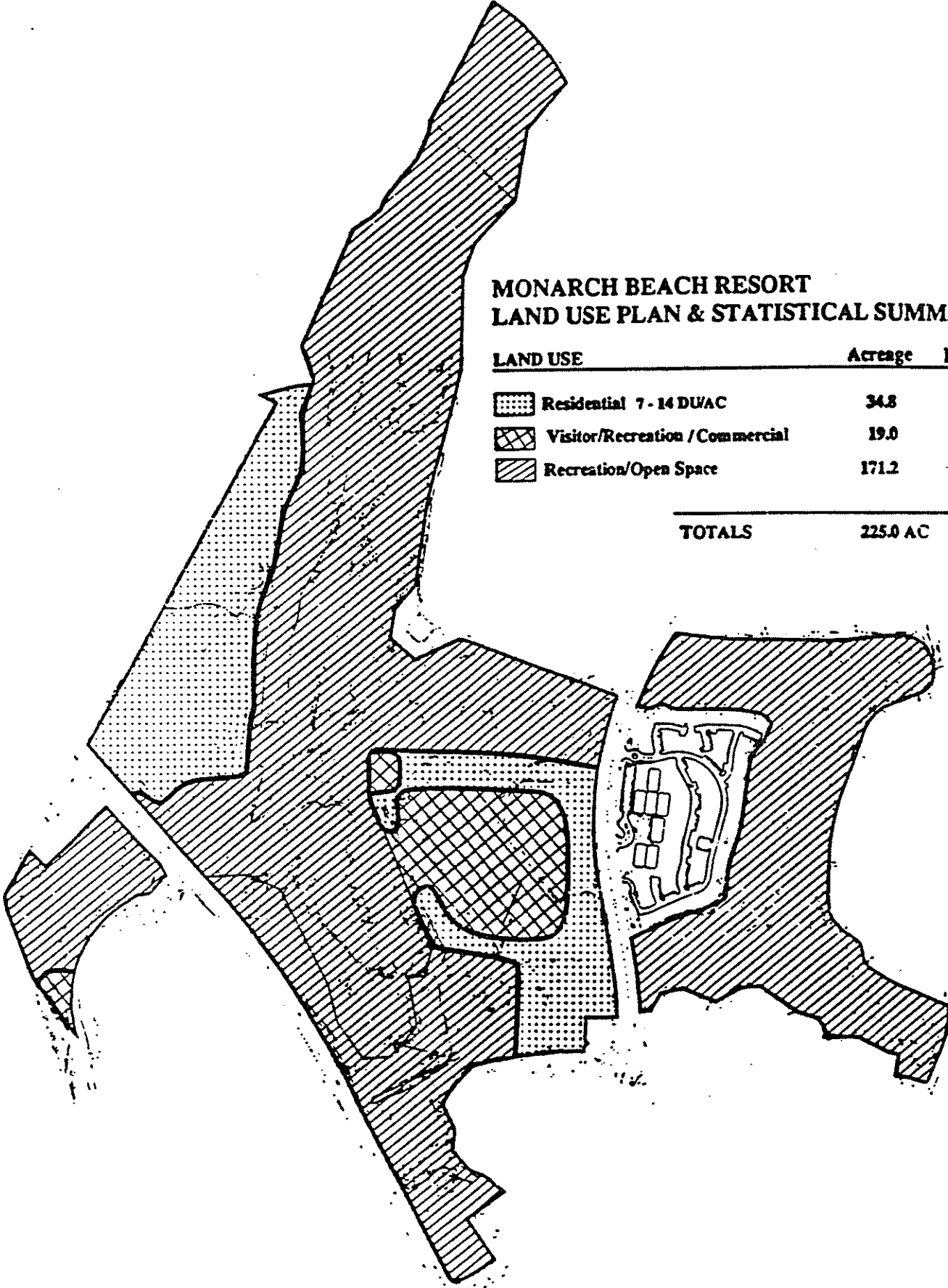


NORTH




Planning Commission Action:
Resolution # _____

City Council Action:
Resolution # _____ (GPA/LCPA)
Ordinance # _____ (SP/LCPA)

California Coastal Commission Action:



**MONARCH BEACH RESORT
LAND USE PLAN & STATISTICAL SUMMARY**

LAND USE	Acreage	Dwelling Uni
 Residential 7 - 14 DU/AC	34.8	238
 Visitor/Recreation / Commercial	19.0	-
 Recreation/Open Space	171.2	-
TOTALS		225.0 AC 238 DU



CITY GENERAL PLAN/LAND USE PLAN

**MONARCH BEACH RESORT
SPECIFIC PLAN**

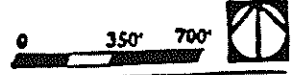


EXHIBIT 1.4

2.1.1 Residential

There are two residential categories, single-family detached and single-family attached. Both categories fall within the density range of 7-14 du/net acre established in the General Plan for the Specific Plan area. It is anticipated that a variety of product types will be developed. However, due to the extended time frame in which residential development will be phased, it is expected that product types will be developed with respect to market demand.

The total allowable number of 238 dwelling units for the Specific Plan area was established in the General Plan. Each residential land use area can be built up to the maximum established for the density category, but the total allowable dwelling units cannot be exceeded. Since the 238 residential unit capacity is an absolute limit on total residential build-out for the site, some of the residential land use areas cannot be built out to the maximum intensity allowed. General Plan policy 8.4 restricts the total residential units to be allowed on the site to a maximum of 238.

- **Single-Family Detached**

The Single-Family Detached (SFD) residential units plan for an approximate density of 9 dwelling units per net acre. The lot sizes will be approximately 4,000-5,000 square feet. The MBR/RSF-14 Development Standards provide the zoning regulations to control this residential category

- **Single-Family Attached**

The Single Family Attached (SFA) category plans for a maximum density of 14 dwelling units per net acre. The MBR/RSF-14 Development Standards provide the zoning regulations to control for this residential category.

2.1.2 Visitor Recreation Commercial

The Visitor Recreation Commercial (VRC) uses include a Five-Star resort hotel and spa regulated in Chapter 3.0 by Hotel Commercial Development Standards, a golf clubhouse regulated by Golf Clubhouse Development Standards, and a beach house regulated by Beach Visitor Commercial Development Standards. The features of each of these VRC facilities will include the following:

- **Resort Hotel and Spa**

The five-Star hotel represents the focal point of the resort community. A 400-key maximum, five-star destination hotel and spa, the central element of the resort community will contain restaurants, conference facilities, retail boutiques, and spa facilities. The Tuscan architecture will provide a distinctive image and blends comfortably with the local architecture. The guest rooms, which offer spectacular vistas of the ocean, golf course or landscaped open space areas, are to be stepped down the hillside. The hotel will be integrated with courtyards along with expansive landscape gardens (see Exhibit 2.3, following this page). Pathways, a resort vehicle system and public trail will link the hotel with the community park, providing access throughout the Specific Plan area. A detailed listing of permitted and conditionally permitted hotel uses may be found in Chapter 3.0. maxi

TABLE 2.1

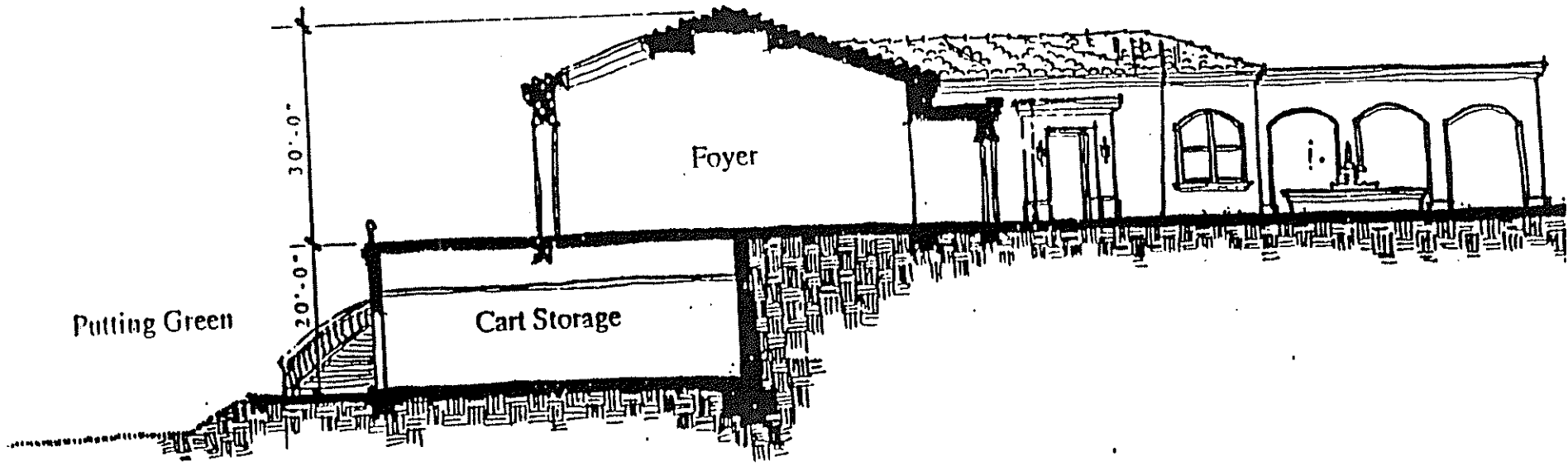
Monarch Bay Resort Specific Plan
Land Use Plan Statistical Summary

Land Use Designations	Gross Acres ¹	Net Acres	Maximum Dwelling Units	Square Feet
Residential				
Hotel <i>Resort</i> Village	14.1 <u>11.5</u>	11.28 <u>9.20</u>	90 <u>76</u> *	
Clubhouse <i>Hillside</i> Village	20.7 <u>23.3</u>	16.56 <u>18.61</u>	175 <u>189</u> *	
Visitor Recreation Commercial				
Hotel	16.4	13.12		500,000**
Golf Clubhouse	2.6	2.08		40,000** <u>12,000</u> **
Beach House	.5	.5		5,000**
Open Space/ Recreation				
Golf Course	145.2			
Community Park	21.5			
Other Park/Open Space Features	<u>4.0</u>			
TOTAL	225.0 Gross Acres		238 DU*	<u>545,000 SF**</u> <u>517,000 SF**</u>

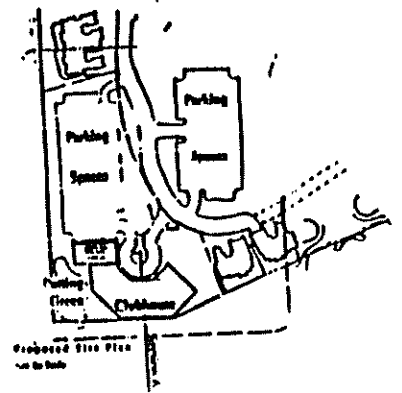
* Overall number of 238 dwelling units for the entire site cannot be exceeded per General Plan Policy 8.4.

** The square footage for the Visitor Recreation Commercial (VRC) uses are estimates and may change during subsequent levels of planning (e.g., site development plans), however, the overall maximum FAR's established in the General Plan for each VRC use (1:1 for hotel uses and 1.75:1 for other VRC uses) cannot be exceeded.

¹ The boundaries and acreage of the land use areas shown on the Land Use Plan are approximate and will be more precisely determined in the future when final maps are prepared.



SCHEMATIC SECTION A / GOLF CLUBHOUSE

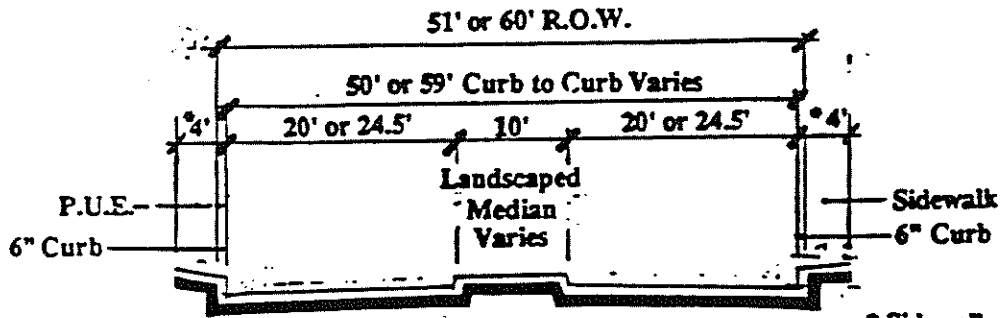


GOLF CLUBHOUSE BUILDING ENVELOPE

MONARCH BEACH RESORT

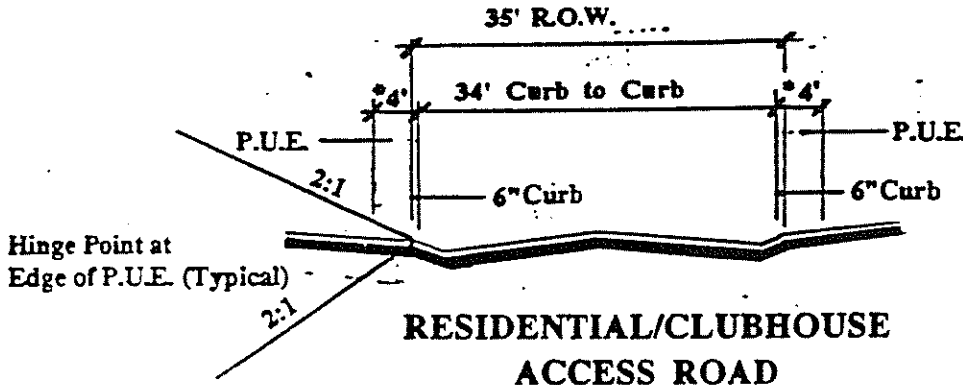
NOT TO SCALE

EXHIBIT 2.4



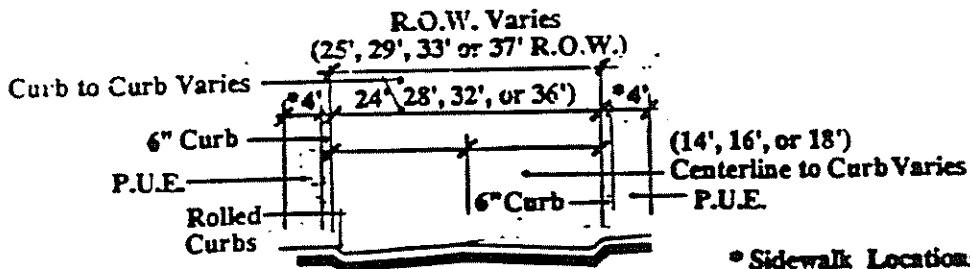
RESIDENTIAL ENTRY ROAD

- Sidewalks on One Side; Location to be Determined at Site Development Permit Stage
- Street Lights to be Located Within P.U.E.



RESIDENTIAL/CLUBHOUSE ACCESS ROAD

- Sidewalks on One Side; Location to be Determined at Site Development Permit Stage
- Street Lights to be Located Within P.U.E.



RESIDENTIAL DRIVES (PRIVATE)

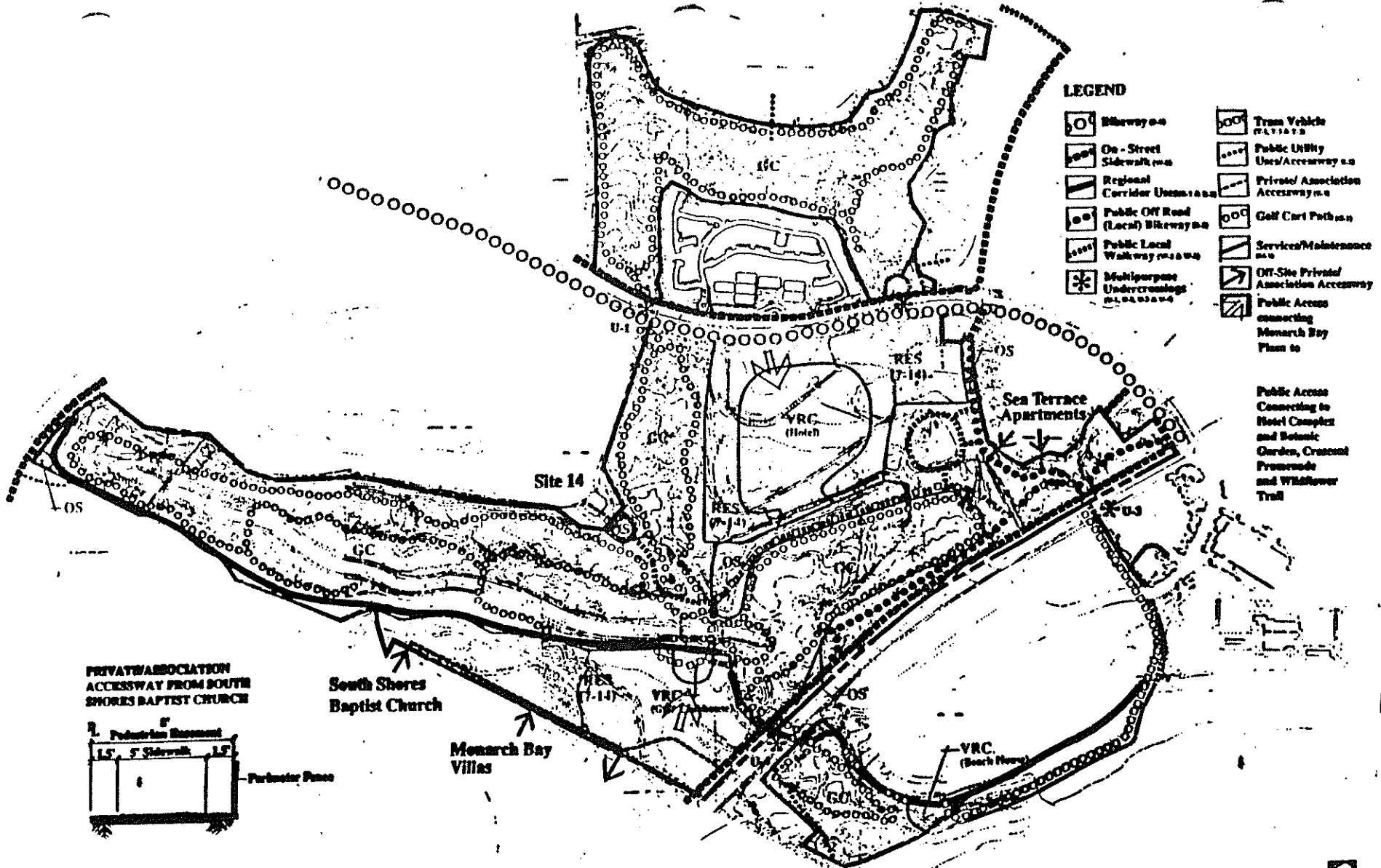
- Sidewalk Locations to be Determined at Site Development Permit Stage
- Street Lights to be Located Within P.U.E.



ROADWAY CROSS SECTIONS

MONARCH BEACH RESORT
SPECIFIC PLAN

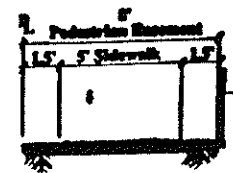




- LEGEND**
- Bikeway
 - On-Street Sidewalk
 - Regional Corridor Use
 - Public Off Road (Local) Bikeway
 - Public Local Walkway
 - Multipurpose Undercrossing
 - Tram Vehicle
 - Public Utility Use/Accessway
 - Private/Association Accessway
 - Golf Cart Path
 - Service/Maintenance
 - Off-Site Private/Association Accessway
 - Public Access connecting Monarch Bay Plan to

Public Access Connecting to Hotel Complex and Botanic Garden, Crescent Promenade and Wildflower Trail

PRIVATE/ASSOCIATION ACCESSWAY FROM SOUTH SHORES BAPTIST CHURCH



South Shores Baptist Church

Monarch Bay Villas

VRC (Beach House)

ACCESS/TRAILS PLAN
MONARCH BEACH RESORT
SPECIFIC PLAN

The Sign Program will be developed as a part of the project's Site Development Permit package which shall be submitted as provided for in Chapter 3.0 of the Specific Plan. The Monarch Beach Resort Sign Program will reflect the special attention given to the signage and graphic communication needs and opportunities of the resort. Consequently, this Sign Program will include provisions which are, in some cases, more specific than the City's Sign Ordinance.

All signs shall require a sign permit from the City and shall comply with the provisions of the City's sign regulations and the provisions of this Specific Plan.

2.9.2 Signage Types and Locations

The types of signage categorized by a hierarchical set of criteria, as listed below. The following are the guidelines for the different types of signs. Exhibits 2.27 and 2.28 illustrate signage details and locations.

- **Public Facility Identification Monuments:**

Sign monuments for public facilities such as Sea Terrace Community Park have been designed. The primary monument, to be built during Phase I of the Park's construction will be located at the intersection of Pacific Coast Highway and Niguel Road. The design includes a 5' curved, plastered signage wall, anchored into large square stone planters featuring specimen trees. The sign lettering will identify Sea Terrace Community Park with raised copper lettering set into the wall. The copper lettering will be treated to attain a natural, verdi-gris finish. (See Exhibit 2.15, following page II-11.)

A second public facility signage element occurs at the Park access easement at Stonehill, and creates a "gateway" entrance with the identifying verdi-gris finished lettering set into a 6' perimeter plaster project wall. The letter dimensions shall be 14" in height and shall be limited to two horizontal rows set between 36" and 72" above adjacent finish grade.

- **Community Identification Monuments:**

Permanent Community Identification Monuments will be designed into the landscape elements of the Monarch Beach Community (see Exhibit 2.28, following this page). The primary Community Identification Monument will be located at the main Resort entrance at Niguel Road and will be tied into the pedestrian/vehicular gatehouse and perimeter wall characters. The signage in this location will identify the Resort (Monarch Beach Resort), the Resort Residential, and the Resort Hotel.

Another primary Community Identification Monument will be located at the entrance to the Golf Clubhouse and the Clubhouse Hillside Residential Village entry at Pacific Coast Highway. The sign element will be a recessed plaque set into a stone planter wall featuring large flowering specimen trees. The signage will identify the Golf Course and Clubhouse MBR Resort, and the Clubhouse Hillside Village Residential area.

The lettering on these signs shall be raised. The lettering shall not exceed 24" in total height, and shall be set between 24" and 60" from adjacent finish grade. These signs shall contain adequate site addresses in accordance with City standards.

2.11.2 Water (Domestic)

Domestic water service will be coordinated with South Coast County Water District (SCWD). Existing facilities include two 12-inch water lines off Niguel Road with a 2-inch meter, and several stubs that are available as connections to provide future service to the hotel and the golf clubhouse as well as the residential enclaves in the Hotel Resort Village. There is also an 18-inch water line in Pacific Coast Highway and a stub in the Fairway Condominiums to the west, that are available as connections to provide future service to the golf clubhouse as well as the residential enclaves in the Clubhouse Hillside Village, in addition to the beach house site.

The domestic water demands for this project are based on projections for the proposed hotel uses and historical water use factors for the residential areas. It is assumed that reclaimed water will be used for irrigating the majority of park and recreation areas, though some potable water will be used for certain areas due to County regulations. However, most of the site including the golf course, park, and some of the hotel and clubhouse gardens will be irrigated with reclaimed water. See Section 2.9 Water Conservation and 2.11.3 Reclaimed Water for more detail.

Fire flow is anticipated to be the major criterion for sizing the on-site water system. SCWD standard indicates the fire demand for commercial areas, which covers the Hotel, Clubhouse and Beach House, is a total of 3,500 gallons per minute from any three adjacent fire hydrants with a residual pressure at the main of 25 pounds per square inch. In addition, the hotel, and clubhouse will require water service at several levels ranging from 115 feet to 192 feet. Pad elevations for the residential service will range from 105 feet to 170 feet in the Hotel Resort Village and 95 feet to 215 feet in the Clubhouse Hillside Village.

The proposed domestic water distribution facilities include a 10-inch service line off of the existing low pressure (290 HGL) stub in Niguel Road and tying into an 8-inch loop system to serve the Hotel Resort Village with a secondary connection to a 6-inch water line in Stonehill Drive. The hotel is proposed to be served by a 10-inch line off of the existing high pressure (415 HGL) main in Niguel Road. A pressure reducing station may be required to off-set pressure in excess of 120 pounds per square inch for the lower floor elevations of the hotel. Service to the Clubhouse Hillside Village will be by connection to an 8-inch service line off of a stub from PCH and another from Atlantis Way, which tie into an 8-inch watermain loop system. The Beach house site will be served by an 8-inch line off of the existing 8-inch main in Ritz Cove Drive. Most of the golf course will be irrigated with reclaimed water. There are two new facilities planned that will require potable water. The first is a combination snackbar/comfort station near the 18th green which will be provided with domestic water service through a waterline extended from the Hotel Resort Village loop system. The second is a comfort station at the upper golf holes above Niguel Road near the 5th green which will be provided with a domestic water service through a new connection to the domestic waterline in Niguel Road. The proposed maintenance facility for Sea Terrace Community Park will be served by an existing 6-inch stub in Mariner Drive. The public restrooms in the park will be served by a connection to the existing 16-inch water line in PCH. Exhibit 2.30, following this page, Schematic Domestic Water Plan delineates the layout and sizing of the facilities.

The domestic water facilities construction will be the responsibility of the developer while SCWD will be responsible for the maintenance of public lines up to the meters. Maintenance of metered service connections will be the responsibility of the customer being served.

ORDINANCE NO. 97-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING ZONE TEXT AMENDMENT ZTA97-02, ZONE CHANGE ZC97-02 AND LOCAL COASTAL PROGRAM AMENDMENT LCPA97-02 TO AMEND THE TEXT AND MAPS OF THE DANA POINT ZONING CODE IN ACCORDANCE WITH THE ACTION OF THE CALIFORNIA COASTAL COMMISSION CERTIFYING THE CITY'S LOCAL COASTAL PROGRAM FOR THE SOUTH LAGUNA AND LAGUNA NIGUEL SEGMENTS OF THE DANA POINT COASTAL ZONE

Applicant: City of Dana Point

File Number: FF# 0630-30/ZTA97-02/ZC97-02/LCPA97-02

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

WHEREAS, the applicant has made an application to amend the text and maps of the City of Dana Point Zoning Code in accordance with the action of the California Coastal Commission (CCC) to certify the South Laguna and Laguna Niguel segments of the City's Coastal Zone as detailed in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, said verified application constitutes a request as provided by Title 9 of the Dana Point Municipal Code; and

WHEREAS, the Planning Commission did, on the 16th day of July, 1997, hold a duly noticed public hearing as prescribed by law to consider said request; and

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, said Commission considered all factors relating to Zone Text Amendment ZTA97-02, Zone Change ZC97-02 and Local Coastal Program Amendment LCPA97-02.

WHEREAS, the City Council did, on the 26th day of August, 1997, hold a duly noticed public hearing as prescribed by law to consider said request; and

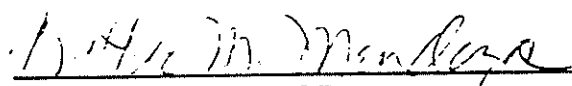
WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, said Council considered all factors relating to Zone Text Amendment ZTA97-02, Zone Change ZC97-02 and Local Coastal Program Amendment LCPA97-02.

PASSED, APPROVED, AND ADOPTED this 9th day of September, 1997.



WILLIAM OSSENMACHER, MAYOR

ATTEST:



KATHIE M. MENDOZA
CITY CLERK

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

AFFIDAVIT OF POSTING
AND PUBLISHING

KATHIE M. MENDOZA, being first duly sworn, deposes, and says:


That she is the duly appointed and qualified City Clerk of the City of Dana Point;

That in compliance with State Laws of the State of California, ORDINANCE NO. 97-05, being:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING ZONE TEXT AMENDMENT ZTA97-02, ZONE CHANGE ZC97-02 AND LOCAL COASTAL PROGRAM AMENDMENT LCPA97-02 TO AMEND THE TEXT AND MAPS OF THE DANA POINT ZONING CODE IN ACCORDANCE WITH THE ACTION OF THE CALIFORNIA COASTAL COMMISSION CERTIFYING THE CITY'S LOCAL COASTAL PROGRAM FOR THE SOUTH LAGUNA AND LAGUNA NIGUEL SEGMENTS OF THE DANA POINT COASTAL ZONE

was published in summary in the Dana Point News newspaper on the 11th day of September, 1997, and the 18th day of September, 1997, and, in further compliance with City Resolution No. 91-10-08-1, on the 12th day of September, 1997, and the 19th day of September, 1997, was caused to be posted in four (4) public places in the City of Dana Point, to wit:

Dana Point City Hall
Capistrano Beach Post Office
Dana Point Post Office
Dana Niguel Library


KATHIE M. MENDOZA
CITY CLERK
Dana Point, California

Monarch Beach Resort Specific Plan

A) Title

{All references to the Specific Plan shall be corrected as follows:}

Monarch Bay Beach Resort Specific Plan

Introduction - Chapter 1.0

1.2 Purpose and Intent

The Dana Point General Plan establishes the basic framework for development of the Monarch Beach Resort Specific Plan area, through its goal, policies, plans, and programs. The purpose of the Specific Plan is ~~two~~three-fold: 1) to implement the General Plan policies through more detailed policies that provide the necessary direction; ~~and~~ 2) to establish zoning standards applicable solely to this master-planned resort community; and 3) to serve as the Implementation Portion of the City of Dana Point certified local coastal program for the Specific Plan area by carrying out the Certified Land Use Plan policies contained under Goal 8 of the General Plan Land Use Element.

The Specific Plan is to be adopted by the Dana Point City Council through two legislative actions. Chapters 1.0 and 2.0 provide the policies statement through plans, programs and guidelines for evaluating detailed development plans and will be adopted by resolutions; Chapter 3.0 provides the zoning standards and regulations for the Specific Plan area and will be adopted by ordinance. Amendments to any portion of the Specific Plan shall constitute an amendment to the Implementation Portion of the City of Dana Point Certified Local Coastal Program and shall not become effective until effectively certified by the Coastal Commission.

1.7 Consistency with the General Plan

The Land Use Plan, Statistical Summary and guidelines allow for the following uses and intensity of use:

Other Open Space Features (R/OS), including coastal sage scrub restoration/enhancement; and

1.8 Review and Adoption Procedures

~~At the time of the preparation of this Specific Plan, the City of Dana Point does not have CDP issuance authority for most of the Monarch Beach Specific Plan area because its Local Coastal Program has not been certified by the California Coastal Commission. The Coastal Commission therefore presently retains ultimate discretionary permit authority through its Coastal Development Permit process.~~

Plans, Policies, Programs, and Guidelines - Chapter 2.0

2.1.2 Visitor Recreation Commercial

Beach House

The beach house concept may be pursued by evaluating new potential locations either in the Specific Plan area or outside of the Specific Plan area. Potential locations for, and design of, the beach house shall take into consideration the need to minimize landform alteration, minimize risks from geologic instability, minimize adverse visual impacts, and maximize public access and lower-cost visitor-serving facilities. The beach house will provide special opportunities for resort visitors and residents as well as the public by offering access to the shoreline, a low-cost limited food and beverage facility, restrooms and storage for beach, such as umbrellas and chairs. (See Exhibit 2.5, following this page.) See Chapter 3.0 for a listing of permitted and conditionally permitted beach house uses.

2.2.2 On-Site Roadways

The on-site roadway circulation system will be privately owned and maintained, however, all on-site roads, except those serving the residential enclaves, can be accessed by guests and residents and shall be open to the public.

Clubhouse Entry Road

The Clubhouse Entry Road will provide access from PCH Niguel Road to the Clubhouse, Village and will be comprised of two lanes into the village and two lanes out onto PCH, as well as The road shall provide public pedestrian and public vehicular access. Temporary Clubhouse entry road(s) shall be built and shall be open to the general public until such time as a permanent Clubhouse Entry Road is constructed and open for use by the public.

2.2.5 Resort Vehicle System

A for-fare public resort vehicle system is planned to link the hotel, golf clubhouse, ~~beach house,~~ and park within the resort community as well as the Salt Creek beach and parking lot. The fare will be modest to encourage public use. The operational plans of the resort vehicle system must be approved by the public agency having jurisdiction over the public trails (including Salt Creek Trail and the Pacific Coast Highway underpasses) which are part of the resort vehicle system's route, the City of Dana Point, and the Executive Director of the Coastal Commission.

It is anticipated that tThe resort vehicle system will originate at the resort hotel and travel to the clubhouse, beach house, and Salt Creek Beach (by the existing beach access point between the Ritz Carlton hotel and the Ritz Cove residential community), Sea Terrace Community Park, and return to and terminate at the hotel. The resort vehicle system shall pick up and drop off

Incorporating varieties of plant materials associated directly with a shoreline environment, the Beach Golf Zone ~~and Beach House~~ will be comprised of primary theme tree with accents of flowering specimens.

2.6 Access Program

An Access Program has been developed to delineate the variety of trails, public recreational facilities, hotel and golf clubhouse common areas, bikeways and resort vehicle system available to residents, resort visitors and the general public.

The Access Program includes an information component. The hotel will contain, in a conspicuous location such as near the bell captain stand, concierge desk, or guest registration desk, a manned visitor information center, designed to orient the general public as well as hotel guests, as to the various uses available for public access and recreational use. Information shall also be made available through the use of brochures, maps and other guides showing the user all the locations, points of interest, and other public access and recreational opportunities within the resort and the surrounding area. The information center shall be fully functional concurrent with the commencement of operation of the Hotel.

The Access Program also includes a circulation system component. This system incorporates public, guest and private off-road circulation and integrates the bikeways, hiking trails, association accessway, paths, resort vehicle system, at least one public access bridge crossing over Salt Creek connecting the Salt Creek Trail with the Golf Clubhouse, and other components of non-vehicular circulation network. Each component is designed to function as a separate and dedicated route for one of the variety of off-road circulation uses.

2.6.2 Public Regional (Salt Creek Corridor) Trail (Types "R-1" & "R-2")

The Salt Creek Trail exists throughout the entire reach between Camino Del Avion and the Salt Creek Beach Park. The plan incorporates resort vehicle uses in portions of the trail (shown as Type "R-2") in the vicinity of Hillside Village South the Golf Club (Site-3) through the Salt Creek underpass (Underpass "U-1") and to the Beach House. Other aspects of the resort vehicle system are outlined below in the section entitled "Resort Vehicle System." Salt Creek Trail, which is located on the westerly side of Salt Creek, shall be connected to the Golf Clubhouse on the easterly side of Salt Creek via a Type "W-2" public off-road walkway, as shown on Exhibit 2.26.

2.6.4 Public Off-Road Walkways (Type "W-2")

Due to physical constraints (e.g. gradient, barriers, etc.) and safety concerns, bicycle use on portions of the public accessways would not be appropriate. Consequently, a separate component of public pedestrians-only paths is provided in the plan. Bicycles, skateboards and other non-pedestrian uses will be prohibited. As with the bikeways, these walkways will be privately

initiatives program designed to maximize employment of the local labor force and to make it easier for employees of the resort to afford housing.

2.7.3 In-Lieu Fee Program

An in-lieu fee of \$540.00 per residential dwelling unit has been established to satisfy the Government Code's requirement of providing moderate income affordable housing within the Coastal Zone. The Housing Initiatives Program discussed in Section 2.7.4 satisfied the low and very low income affordable housing requirements within the Coastal Zone. The in-lieu fee shall be paid for any proposed dwelling units that have not been approved by Coastal Development Permit P-79-5539 or which have not received a City approved affordable housing credit from the previously constructed affordable units in the Laguna Niguel Planned Community within the City of Dana Point. These funds will be used to address the City's needs for affordable housing. Fees will be collected prior to issuance of certificates of occupancy for each residential unit.

2.9 Signage

The purpose of the provisions of the Monarch Beach Resort Sign Program (the "Sign Program") is to provide a comprehensive, fully-designed and controlled system of signage and other graphic communication devices within the Monarch Beach Resort development. A comprehensive sign program will be required in connection with the Coastal Development Permit and Site Development Permit approvals. The intent of the Sign Program is:

To provide information necessary and helpful to residents and guests of Monarch Beach Resort and to inform the general public about the public amenities available in the hotel and golf clubhouse.

2.9.2 Signage Types and Locations

Signs shall be placed which are visible from Pacific Coast Highway and Niguel Road. These signs shall clearly invite and encourage public use of public access and public recreation opportunities at the golf clubhouse and all its related facilities. The signs shall identify, provide information about, and direct the general public to all locations offering public access and recreation. Key locations include, but are not limited to, parking facilities open to the general public, public beach access points, tunnel undercrossings, Sea Terrace Community Park, Salt Creek County Beach Park, resort vehicle system stops, proposed permanent and temporary Golf Clubhouse parking lots, common areas and meeting rooms of the Golf Clubhouse and Hotel, recreation facilities of the Golf Clubhouse and Hotel, and public walkways/bridges which allow a safe crossing of both the golf course and Salt Creek and which connect the golf clubhouse with the existing Salt Creek public trail on the west side of Salt Creek. Signs shall also be posted at all key locations, and said signs shall expressly state that the public access and recreation opportunities available at the key locations are open to the general public.

hotel complex, and then the residential uses. This policy states that concurrent development is may be permissible only if the primary open space and visitor-serving objectives of this policy is being achieved.

A phasing implementation scheme has been created which would allow most work to proceed concurrently, but which would complete first, the primary object of the development of the public open space and roads; secondly, the resort complex; and lastly, the residential dwellings.

To insure implementation of the General Plan phasing policy, the following provisions will apply:

1. Prior to approval of any Site Development Permits and Coastal Development Permits for residential units, the hotel facilities, golf clubhouse, golf course, and Sea Terrace Park must have obtained Site Development Permit approval and Coastal Development Permit approval.
2. Prior to approval of any Tentative map and coastal development permits for residential units, any required Tentative maps for the hotel facilities, golf clubhouse, golf course and Sea Terrace Park must have obtained all necessary approvals, including coastal development permit approval.
3. Prior to recordation of any final subdivision maps for residential units, ~~recordation of all~~ required final subdivision maps for the hotel facilities, golf clubhouse, golf course and Sea Terrace Park must have been ~~accomplished~~ recorded.

In the event that any unforeseen factors delay the processing of the Site Development Permit application or subdivision map applications for the hotel facilities, golf clubhouse, golf course, or Sea Terrace Park, the City may permit deviations from the three provisions outlined above, provided there are adequate safeguards to insure implementation of the General Plan Phasing Policy.

In addition the developer shall prepare and obtain approval of a Phasing Plan (PP) from the Planning Commission prior to the recordation of any Final Map. A primary objective of the PP is that the development of the public open space and roads occur first, and that the hotel construction precede residential construction and that residential units not be completed or occupied prior to completion of the hotel. The PP shall contain and/or address the following:

1. In accordance with the "Release and agreement regarding additional development of Sea Terrace Community Park" dated 20 June, 1991 between Monarch Bay Resort, Inc. and the Capistrano Bay Parks and Recreation District, the developer shall complete the construction of Sea Terrace Park and the other park described in Section 2.4.1 and open space features on or before the ~~earlier of the opening of a resort hotel on Developer Property~~ and prior to the construction of any residential units, or June 1, 1996.

modifications made to definitions in Chapter 9.75 shall also be made to the duplicated Specific Plan definitions}

3.3.0 Except as otherwise provided by the Dana Point Zoning Code or the Coastal Act, any person, partnership, corporation or state or local government agency proposing to undertake any development within the Specific Plan area shall obtain a coastal development permit in compliance with the provisions of the City's Certified Local Coastal Program. Coastal Development Permits shall be required and processed in accordance with the provisions of Chapters 9.27 "Coastal Overlay District", 9.61 "Administration of Zoning" and 9.69 "Coastal Development Permit" of the Dana Point Zoning Code. Approvals for development within the Specific Plan area authorized by Coastal Development Permit P-79-5539 shall be obtained from the Coastal Commission in accordance with the provisions of Section 9.69.030(c)(3)(D) of the Dana Point Zoning Code.

3.3.3 Any amendment to these Development Standards shall also amend Chapter 2.0 of the Specific Plan Land Use Plan, as necessary. Any amendment to the Land Use Plan Chapter 2.0 of the Specific Plan shall also amend the Development Standards, as necessary. All such amendments shall be considered for approval by the Planning Commission and adopted by the City Council, and-by, if the amendment affects any portion of the Specific Plan area within the coastal zone, the amendment shall be submitted by resolution of the City Council to the California Coastal Commission for certification, to the extent California Coastal Commission has not assigned, released or otherwise transfer its jurisdiction to City or other agency. Any amendment to the Specific Plan which also constitutes an amendment to the Certified Local Coastal Program shall not be effective unless and until effectively certified by the Coastal Commission. The Specific Plan may shall be amended by procedures described in Section 9.33.070 of the Dana Point Zoning Code. An amendment to the Specific Plan which requires a local coastal program amendment shall be processed according to the procedures set forth in Section 9.61.080(e) of the Dana Point Zoning Code.

3.4.5.1 Site Development Permit(s):

A Site Development Permit is a permit issued by the City of Dana Point which authorized establishment, operation and-maintenance of a specific use, structure or activity of any development, as defined in the Municipal Code. A separate Coastal Development Permit is required to be issued by the Coastal Commission prior to certification of the City's Local Coastal Program by the Coastal Commission. Any Site Development permits issued either prior or subsequent to the certification of the Local Coastal Program must be consistent with the Specific Plan and the Coastal Resource Overlay District Regulations (Chapter 9.27) of the Zoning Code. Except as otherwise provided by the Dana Point Zone Code or the Coastal Act, any person, partnership, corporation or state or local government agency proposing to undertake any development in the Specific Plan area shall obtain a Site Development Permit in compliance with the provisions of this Chapter. ~~After certification of the City's Local Coastal Program (LCP),~~

3.14.4 Shared Parking

Shared parking between the golf clubhouse and the hotel shall be allowed subject to the criteria and assumptions contained in the "Parking Demand Study: Monarch Beach Resort" and as approved in the Site Development Permit. If the assumptions of the parking demand study are found to be incorrect based on the results of the Parking Monitoring Program, the shared parking plan shall be reevaluated.

Graphic Modifications:

Modifications are shown as follows:

- 1.) Added text is shown in underline
- 2.) Deleted text is shown in ~~strikeout~~

Section 9.01.080(a) Table

All proposed references to the Dana Point Specific Plan/Local Coastal Program and the Capistrano Beach Specific Plan/Local Coastal Program shall be deleted from the "Relationship to Existing Plan Regulations" Table in Section 9.01.080(a). Instead, a note shall be added to the bottom of the Table indicating that both the Dana Point Specific Plan/Local Coastal Program and the Capistrano Beach Specific Plan/Local Coastal Program remain in effect for the purpose of issuing coastal development permits.

Monarch Beach Resort Specific Plan Exhibit Changes

Beach House - Delete all references and information in the Specific Plan's tables, figures, charts, and other graphics pertaining to the Beach House.

Exhibit 1.1 - Land Use Plan: Exhibit 1.1 shall be modified to change the Visitor/Recreation/Commercial land use designation for the Beach House site to Recreation/Open Space. The acreage figures contained in the exhibit shall be adjusted to reflect this change in land use designation.

Exhibit 1.4 - City General Plan/Land Use Plan: Exhibit 1.4 shall be modified to change the Visitor/Recreation/Commercial land use designation for the Beach House site to Recreation/Open Space. The acreage figures contained in the exhibit shall be adjusted to reflect this change in land use designation.

Exhibit 2.1 - Land Use Plan: Exhibit 2.1 shall be modified to change the Visitor/Recreation/Commercial land use designation for the Beach House site to Recreation/Open Space. The acreage figures contained in the exhibit shall be adjusted to reflect this change in land use designation.

2. The parcel of land at 33542 Ritz Carlton Drive shall be redesignated from the "Professional/Administrative (P/A)" district to the "Visitor/Recreation Commercial (V/RC)" district.

Table Of Contents Changes:

The Table of Contents of the Zoning Code shall be amended to add any entirely new sections added to the Zoning Code as a result of Coastal Commission action on this LCP amendment.