

LAND USE REGULATIONS

The Town Center Plan identifies the land use designation and zoning for the project area as “Town Center Mixed-Use District”. This is a unique designation in the city and only applies to the Town Center. Land uses are defined by zoning districts, and are listed as permitted, conditionally permitted and prohibited uses. The proper mix of land uses in this area, particularly at the street level, is a critical component for creating a vibrant, pedestrian-oriented environment. The following matrix indicates the uses which are permitted by right (i.e., no discretionary review); uses that are permitted subject to a Conditional Use Permit, and uses which are prohibited. Uses not listed are prohibited. The definitions are taken from the Dana Point Zoning Code.



Pattern and character of existing development.

Land Use Matrix

P = Permitted Use	P* = Permitted Use subject to special use standards	Town Center Mixed-Use District
C = Conditional Use	C* = Conditional Use subject to special use standards	
T = Temporary Use	T* = Temporary Use subject to special use standards	
X = Prohibited Use	A = Accessory Use	
	(1) = Permitted or Conditionally Permitted above the street level only	

Administrative Office Uses - real estate, insurance, banks, travel agent	
Above the ground floor	P
On the ground floor	C
Within the first 40 ft. depth of ground floor area fronting along Pacific Coast Highway and Del Prado between Street of the Blue Lantern and Street of the Golden Lantern	X
Adult Businesses - establishment which offer its patrons products, merchandise, services or entertainment relating to sexual activities	X
Adult Day Health Care - facility providing nonmedical care to persons 18 years of age or older	X
Alcoholic Beverage Outlets - establishments which serve alcohol	C
Animal Hospital - facility where animals are given medical treatment	X
Animal Shelter - facility providing boarding for stray animals	X
Automotive Sales and Rental Uses - establishments which offer motor vehicles for rent or sale	C
Bed and Breakfast Inn - large dwelling unit which provides lodging	P
Building Materials Sales and Service Uses - interior design shops, cabinet shops, carpet sales, nurseries, pool supply and equipment sales, glass and mirror sales, home improvement centers, paint and wallpaper stores, tile sales and drapery sales	C
Business Service Uses - office products and supply stores, parcel/postal services, computer sales and service, and courier/messenger services	
Above the ground floor	P
On the ground floor	C
Within the first 40 ft. depth of ground floor area fronting along Pacific Coast Highway and Del Prado between Street of the Blue Lantern and Street of the Golden Lantern	X
Caretaker's Residence - dwelling unit accessory to the principal use on a site and intended for occupancy by a caretaker, security guard, or worker	C
Within the first 40 ft. depth of ground floor area fronting along Pacific Coast Highway and Del Prado between Street of the Blue Lantern and Street of the Golden Lantern	X
Clinical Services - medical and health clinics, chiropractic/physical therapy clinics, counseling services and emergency care centers	C
Within the first 40 ft. depth of ground floor area fronting along Pacific Coast Highway and Del Prado between Street of the Blue Lantern and Street of the Golden Lantern	X
Commercial Antennas	C*
Commercial Entertainment Uses - video game rooms, movie theaters, arcades, batting cages, skating rinks, shooting galleries, miniature golf courses, and bowling alleys	C
Commercial Recreation Uses - bicycle rentals, billiard parlors, kayak rentals	P
Community Care Facility - facility which provides nonmedical residential care, day treatment, adult day care, or foster family agency services for children, adults, or children and adults	X
Congregate Care Facility - apartment housing which is arranged in a group setting that includes independent living accommodations and shared dining and recreational facilities	X

Congregate Living Health Facility - with a non-institutional, home-like environment which provides inpatient care	X
Construction and Maintenance Services - construction companies, carpentry services, electrical contractors, handyman services, janitorial services, home and business maintenance services, lumberyards, painting contractors, pest control services, tree surgeons, landscape maintenance services, and plumbing contractors	X
Convalescent Facility - state licensed facility which provides long-term nursing, dietary and other medical services	C
Within the first 40 ft. depth of ground floor area fronting along Pacific Coast Highway and Del Prado between Street of the Blue Lantern and Street of the Golden Lantern	X
Cultural Uses - public art galleries, museums, libraries, auditoriums, performance halls, amphitheaters and live arts theaters	P
Dance Halls/Clubs - a public hall which is primarily intended for dancing	C
Day Treatment Facility - facility which provides nonmedical care, counseling, educational or vocational support, or social rehabilitation services to persons under 18 years of age.	X
Drive-Through Uses - establishments which provide goods, services or food to persons who are occupants of a motor vehicle.	X
Drug Abuse Recovery or Treatment Facility - a facility which is operated exclusively to provide 24-hour residential nonmedical services in a group setting to adults.	X
Dwelling Unit, Multi Family	P(1)
Dwelling Unit, Single Family	X
Educational Uses - art schools, martial arts schools, dance schools, day care centers, gymnastics schools, technical schools, vocational schools and university/college extension programs or satellite facilities	C
Within the first 40 ft. depth of ground floor area fronting along Pacific Coast Highway and Del Prado between Street of the Blue Lantern and Street of the Golden Lantern	X
Emergency Shelter - facility that provides immediate and short-term housing and supplemental services	X
Family Day Care Home, Large - home which provides family day care to seven to twelve children	X
Family Day Care Home, Small - home which provides family day care to one to six children	C(1)
Food Service Uses, Specialty - candy stores, bakeries, delicatessens, donut shops, sandwich shops, ice cream/yogurt shops and coffeehouses	P
Fortune Telling	X
Fractional Ownership Facility	X
Group Dwelling/Group Home - retirement homes, boarding houses and lodging houses	X
Heath and Athletic Clubs - youth clubs, dance studios	C
Hospital, Acute Psychiatric - medical, nursing, rehabilitative, pharmacy, and dietary services	C
Within the first 40 ft. depth of ground floor area fronting along Pacific Coast Highway and Del Prado between Street of the Blue Lantern and Street of the Golden Lantern	X
Hospital, Chemical Dependency Recovery - facility which provides 24-hour inpatient care for persons who have a dependency on alcohol or other drugs	X
Hospital, General Acute Care - facility which provides 24-hour inpatient care	X
Hospital, Special - specialized health facility which provides inpatient or outpatient care in dentistry or maternity	X
Hotels located within the interior portion of the couplet:	
Portion of structure containing guest rooms, meeting rooms or suites offering transient lodging	P(1)
Accessory uses to hotel such as lobby, restaurant, retail store	P

Hotels located in the outer couplet along the alleys which are adjacent to surrounding residential zones - structure containing guest rooms or suites offering transient lodging	X
Home Occupation - commercial activity conducted solely by the occupants of a particular dwelling. Subject to Section 9.07.030 which states that only persons residing on the residence shall be involved in the business, no more than one room of the residence shall be used for business purposes. No portion of the business shall be conducted in the garage or outdoors. No retail sales conducted on the premises.	P
Institutional Uses - libraries, public or private schools, hospitals, municipally owned or operated buildings, structures or lands used for public purposes	C
Within the first 40 ft. depth of ground floor area fronting along Pacific Coast Highway and Del Prado between Street of the Blue Lantern and Street of the Golden Lantern	X
Intermediate Care Facility - health facility which provides inpatient care	X
Kennel - facility where four or more small animals are kept	X
Live Entertainment Uses - dance halls, dinner theaters, discotheques, nightclubs, playhouses, theaters and restaurants with dance floors	C
Liquor Store - establishment which sells alcohol containing beverages for off-site consumption	C
Major Automotive Uses - auto body repair shops, auto glass shops, automotive painting shops, customizing shops, engine rebuilding, speed shops and transmission shops	X
Marine Uses - boat sales and incidental rental, surfboard sales and repair, scuba equipment sales and service, marine supply sales, sail sales and incidental	P
Massage Establishments - offering massages, baths, or health treatments involving massages, or baths as regular functions.	C(1)
Above the ground floor	P
On the ground floor	C
Within the first 40 ft. depth of ground floor area fronting along Pacific Coast Highway and Del Prado between Street of the Blue Lantern and Street of the Golden Lantern	X
Medical Office Uses – offices of doctors, dentists, chiropractors and veterinarians.	
Above the ground floor	P
On the ground floor	C
Within the first 40 ft. depth of ground floor area fronting along Pacific Coast Highway and Del Prado between Street of the Blue Lantern and Street of the Golden Lantern	X
Membership Organizations - union halls, fraternities and sororities, boys and girls clubs, and lodge halls.	C
Minor Automotive Uses - brake shops, tire stores, muffler shops, alignment shops, car washes (full service or self-service), detail shops, radiator shops, upholstery shops, service stations, stereo installation shops, tune-up services and oil and lubrication services.	X
Minor Repair Service Uses - fix-it shops, jewelry and watch repair, household appliance repair, locksmith shops, stereo and television repair and upholstery shops.	C
Open Space	P
Park, Public	P
Pawn Shop - establishment which loans money on the security of personal property and makes such property available to the general public for purchase.	C
Personal Service Uses - establishments which provide services to an individual related to personal care and appearance, or the cleaning or repair of personal effects such as antique restoration, barber shops and beauty salons, cosmetologists (including incidental facial and scalp massage) mortuaries and funeral parlors, shoe repair, dry cleaning, laundromats, reducing salons, nail salons, and pet grooming.	C
Photographic, Reproduction and Graphic Service Uses - printing establishments, blueprint companies, lithographic services, motion picture studios, photographic studios, photographic laboratories, photocopy companies, radio/television studios and recording studios.	C

Professional Office Use - accountants, architects, designers, engineers, interior decorators, landscape architects, photographers and planners.	
Above the ground floor	P
On the ground floor	C
Within the first 40 ft. depth of ground floor area fronting along Pacific Coast Highway and Del Prado between Street of the Blue Lantern and Street of the Golden Lantern	X
Public Utility Use	X
Recreational Uses - athletic clubs, health clubs, dance studios, game courts, golf courses, golf driving ranges, gymnasiums, swimming pools, private or public recreational facilities and parks	C
Recycling Facilities	X
Religious Uses	C*
Research and Development Uses - research, design or testing laboratories for aeronautics, automobiles, computer products development, controls, engineering services, materials testing, medical/dental, and electronics	X
Residential Care Facility for the Elderly - housing for persons 60 years of age or over where varying levels of care are provided.	C
Within the first 40 ft. depth of ground floor area fronting along Pacific Coast Highway and Del Prado between Street of the Blue Lantern and Street of the Golden Lantern	X
Residential Facility - family home established for 24-hour nonmedical care of persons	X
Restaurant - dining rooms, cafes, cafeterias, coffee shops, and pizza parlors	P
Restaurant, Drive-Through - restaurant which include one (1) or more drive-through lanes	X
Restaurant, Fast Food - restaurant whose principal business is the sale of a pre-prepared food in a ready-to-consume state for consumption either on or off the premises	C
Restaurant, Take-Out - restaurant where food and/or beverages are sold directly to the customer in a ready-to-consume state for consumption off-site	P
Restaurant, Walkup - restaurant where the serving and consumption of foods and/or beverages is made available to patrons outside the confines of a building	P
Retail Sales Uses - antique sales, appliance sales and repair, art supplies, bicycle sales and service, bookstores, camera sales and service, clock sales, clothing sales, coin and stamp sales, computer and electronic stores, convenience stores, department stores, drugstores, fishing supply stores, florist shops, furniture sales, gift shops, grocery and food stores, hardware stores, hobby shops, interior design stores, jewelry stores, machine and tools sales, music stores, newsstands, optical products sales, pet shops and pet supply stores, photo finishing and photo supply stores, plan nurseries (garden center), shoe stores, sporting goods stores, stationary stores, surfboard sales and repair, television/stereo sales, toy stores and video sales/rental stores	P
Senior Citizen Housing - licensed housing for persons 62 years of age or older, or unlicensed housing for persons 55 years of age or older, including such housing facilities as retirement villas, apartments, condominiums	C
Within the first 40 ft. depth of ground floor area fronting along Pacific Coast Highway and Del Prado between Street of the Blue Lantern and Street of the Golden Lantern	X
Single Room Occupancy - cluster of guest units within a residential hotel for weekly or longer tenancy providing sleeping or living facilities for one person per unit	C
Within the first 40 ft. depth of ground floor area fronting along Pacific Coast Highway and Del Prado between Street of the Blue Lantern and Street of the Golden Lantern	X
Skilled Nursing Facility - residential facility which provides social rehabilitation services for no longer than 18 months in a group setting to adults	X
Tattoo Parlors - premises used for the business of marking or coloring the skin with tattoos	P*
Temporary Uses	T
Timeshares	X
Transportation Uses - bus stations, ferry service facilities, train stations and park and ride facilities	X

DEVELOPMENT STANDARDS

The Town Center Plan includes development standards that reinforce pedestrian friendliness and human scale. To support greater residential development, retail concentration and continuity, and economic feasibility, the Plan addresses density of development, building height, roof decks, and design of ground-floor commercial space, setbacks, open space and parking. The following describes the background and intent of the development standards for the Town Center. The standards themselves appear in the table below the footnotes at the end of this chapter. (See Chapter 9.75 of the Dana Point Zoning Code for definitions and illustrations of terms.)



View of Town Center in upcoast direction.

Minimum Lot Size, Maximum Lot Coverage and Density

The minimum requirements for the size and dimensions of building lots remain unchanged while the lot coverage standards have been removed. A more densely developed environment which offers a cohesive development pattern and uninterrupted fabric of activity is necessary for a successful Town Center. Coverage of close to 100% is necessary to achieve this pattern and is possible particularly when parking is located in centralized off-site facilities, as available through an in-lieu parking program. Instead of limitations on lot coverage, other standards are included to limit the size and density of development.

It is problematic to apply a maximum residential density in units per acre to mixed-use projects, as it does not take into account the proportions of residential and nonresidential uses or the size of the residential units. Maximum floor-area ratio (FAR), which governs the amount of development permitted relative to the amount of land for a given parcel, is a more appropriate tool with which to regulate mixed-use development. In the Town Center, where a mix of commercial and residential uses is desired, a maximum allowable FAR is stipulated. To promote a diverse residential population and provide housing for families in the Town Center, the unit mix for residential development is also regulated with maximum limits being placed on the number of studio units with minimum requirements for numbers of two-bedroom or larger units. The following table outlines regulations for lot size, coverage and density of development in Town Center.

MINIMUM LOT SIZE	
Minimum Lot Size (1)	5,000 Square Feet
Minimum Lot Width (1)	50 Feet
Minimum Lot Depth (1)	80 Feet
MAXIMUM LOT COVERAGE	
Maximum Lot Coverage	No maximum
MINIMUM LOT SIZE	
Maximum Residential Density	See Unit Mix Below which limits the minimum size of units.
Unit Mix	No more than 20% of units to be studios. At least 20% of units to be 2-bedroom or larger.
Standard Floor Area Ratio (FAR)	
- Non-Residential	2.5
- Mixed Use	2.5

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

Maximum Building Height

Building height impacts the overall quality of the buildings in the Town Center and the ground floor retail and upper floor residential uses, in particular. Height impacts not only the general identity and character of the Town Center, but also “blue water” views from upland residential residents. The Town Center Plan limits the height of buildings to 40 feet and three stories which would allow for an 18-foot ground floor height (measured floor to floor) that would improve store frontages and benefit retailers as depicted to the right and below. The 40 foot height limit is a maximum to be strictly applied, and



40-Foot Building Height

includes guard rails, decorative features, stairwells, elevators, and equipment serving ADA requirements, except for the required mechanical equipment as set forth in the section titled Permitted Encroachments into Maximum Building Height and Roof Decks. To inform the public, story pole staking is required for 20 days. The story pole staking shall, at a minimum delineate the 40 foot height limit for all sides of the building and a vertical drop to the ground at each corner of the proposed structure plus any proposed elements needing a variance. Story pole staking is not required for mechanical elements or chimneys.

MAXIMUM BUILDING HEIGHT	
Maximum Height	40 feet 3 stories (1)-(2)
Building Height Measurement	Measure building height from the level of the sidewalk at the midpoint of the property line. The elevation of the 40 foot limit is to be determined by averaging the elevation of highest area of the ground in the plot and the lowest area and then adding 40 feet. Count 2 stories of above-grade structured parking as a single story when fronted by single story of usable groundfloor space, such as a shop front.

- (1) Count two levels of above-grade parking as a single story when fronted by a single story of retail space not exceeding 20 feet in height (measured from floor to floor)*
(2) ~~Additional height permitted for encroachments with a Conditional Use Permit~~



Example of a 40' building with a ground floor café, upper story setbacks, balconies and architectural details that improve the pedestrian realm.

Permitted Encroachments into Maximum Building Height and Roof Decks

Encroachments beyond the maximum height limit are strictly prohibited except under the following conditions. ~~shall be reviewed as part of the Site Development and Conditional Use Permit process.~~ Limited encroachments for such items such as mechanical equipment and chimneys require a Site Development Permit and shall not exceed the 40-foot height limit by more than 42 inches. Roof decks require a Conditional Use Permit and are only allowed within the inner portion of the Town Center couplet as depicted below. Roof Decks in the couplet shall not exceed the 40-foot height limit, including guardrails, stairwell, elevator shafts, and any ADA required equipment. In addition to the required findings as set forth in the Municipal Code, any CUP for roof top decks in the Town Center shall require the following two findings:

1. The approval will not result in an undue impact on the quiet use, enjoyment or privacy of surrounding properties.
2. The approval will not result in undue adverse impacts on ocean views from surrounding properties.



Area of Town Center Allowing Roof Decks

PERMITTED ENCROACHMENTS INTO BUILDING HEIGHT LIMIT	
All roof decks above the upper floor shall be subject to a Conditional Use Permit. Encroachments beyond the maximum building height limit <u>are strictly limited to required mechanical equipment and chimneys, and</u> shall be reviewed as part of the Site Development Permit process. All new development and additions which result in additional building height shall be staked with story poles as part of the review process, and abide by the following regulations. <u>All structures shall be staked at one time for a minimum of 20 days immediately prior to application for approval to the Planning Commission or the City Council. Staking shall be conducted as set forth in "Maximum Building Height."</u> All encroachments beyond the maximum building height shall be included in the staking.	
Mechanical Equipment Screening & Chimneys	Up to 42" above maximum height if setback 5 feet from face of building and not exceeding 5 percent of horizontal roof area.
Elevators Not Providing Access to Roof Decks	Up to 42" above maximum height if setback minimum of 5 feet from face of building and not exceeding 5 percent of horizontal roof area.
ROOF DECKS - Conditionally permitted only within the interior portion of the couplet (within PCH and Del Prado) (within PCH and Del Prado) shall not exceed the 40 foot height limit including guardrails, stairwells, elevator shafts and any ADA requirements	
Guardrail	42" guardrail required in accordance with Uniform Building Code must be; conditionally permitted to exceed maximum building height if setback 5 feet from roof edge. Roof decks require a Conditional Use Permit.
Stairwell and Elevators Providing Access to Roof Decks	Conditionally permitted if Must be setback minimum of 5 feet from face of building

Design of Ground Floor Building Frontage

Retail at the street level is a critical component for creating a vibrant, pedestrian-oriented environment. To encourage this, buildings shall be developed in a manner which is conducive to retail-type uses. Buildings fronting on ~~Del Prado and Pacific Coast Highway~~ all streets in the Town Center between Blue Lantern and Golden Lantern (including Pacific Coast Highway, Del Prado Avenue, Ruby Lantern, Amber Lantern, Street of the Violet Lantern, San Juan Avenue, Blue Lantern, and Golden Lantern) shall comply with the design standards described below:

DESIGN OF A GROUND FLOOR BUILDING FRONTAGE Pacific Coast Highway and Del Prado ALL STREETS BETWEEN BLUE LANTERN AND GOLDEN LANTERN
The floor-to-floor dimension between the finished floor of the ground floor of the structure and the floor above shall be at least 18 feet.
The depth of ground floor commercial space from storefront to rear shall be at least 40 feet.
The interior finished floor elevation shall be level with the adjacent sidewalk at least every 50 linear feet. Pedestrian access to the building shall be flush with the sidewalk.

Building Setback, Build-to Lines and Allowed Projections

The following development standards are designed to allow development to contribute positively to the creation of a vibrant, pedestrian-oriented district with a mix of uses while, at the same time, respect surrounding uses including existing historically significant buildings and existing residential uses within and outside of the Town Center. Front and side-street yards shall be treated like plazas. The intent is to create

opportunities for sidewalk enhancements, outdoor dining, public art and landscaping that supports and does not inhibit active uses in ground floor building space. These standards are uniquely tailored to the different areas and streets within the Town Center to allow for diversity in building design while responding to unique conditions of the area/street. The standards for setbacks and built-to lines are as follows:

BUILDING SETBACKS AND MINIMUM BUILD-TO LINES	
Minimum Front Yard Setbacks	PCH: Minimum 10 foot building setback with required dedication of 10-foot public access easement for pedestrian circulation and landscaping. For lots greater than 80 feet in width, the maximum length of an uninterrupted building façade shall be 80 feet; to break the facade plane provide minimum additional setback of 10 feet for at least 20 feet of frontage. (5) DEL PRADO, LA PLAZA and NORTH/SOUTH STREETS: 0 feet setback. For lots greater than 80 feet in width, the maximum length of an interrupted building facade shall be 80 feet; to break the facade plane, provide minimum additional setback of 10 feet for at least 20 feet of frontage. SAN JUAN RD: Buildings shall be setback a minimum of 5 feet. (Note build-to requirements)
Minimum Street-Front Build-To Lines	PCH: Building shall be built up to the front setback line or within 10 feet behind it for a minimum of 75% of the lot width. (1) DEL PRADO: Building shall be built up to the front property line or within ten feet behind it for a minimum of 75% of the lot width. ALL OTHER STREETS: No build-to lines.
Minimum Side Yard Setback	ALL STREETS: 0 feet LANTERN STREETS: 0 feet ALL OTHER STREETS: No setback or build-to requirement at 1st floor.
Minimum Rear Yard Setback - Standard - Adjacent to Alley or Street - Adjacent to Residential Zoning District	0 feet (2) 5 feet 20 feet



Building setbacks encourage interesting building design and create opportunities for sidewalk enhancement.

ADDITIONAL SETBACKS AT UPPER LEVEL (3)

Adjacent to a Street	PCH: Portions of building above 2nd floor or 30 feet (whichever is lower) shall be set back 20 feet. DEL PRADO, LA PLAZA, and NORTH/SOUTH STREETS: Portions of building above 2nd floor or 30 feet (whichever is lower) shall be set back 10 feet. SAN JUAN RD: Portions of building above 2nd floor or 30 feet (whichever is lower) shall be set back 15 feet.
Adjacent to an Alley or Rear Property Line	Blocks north of PCH and south of DEL PRADO above first 20 feet: Minimum 15 feet setback from alley. ALL OTHER BLOCKS: None required.
Adjacent to a Residential District	Above the 2nd story: Additional 10-foot setback when immediately adjacent to a residential district.
Interior Side Property Line	Above 20 feet in height: Starting 40 feet back from the front building face, minimum 5 feet from interior side property line.

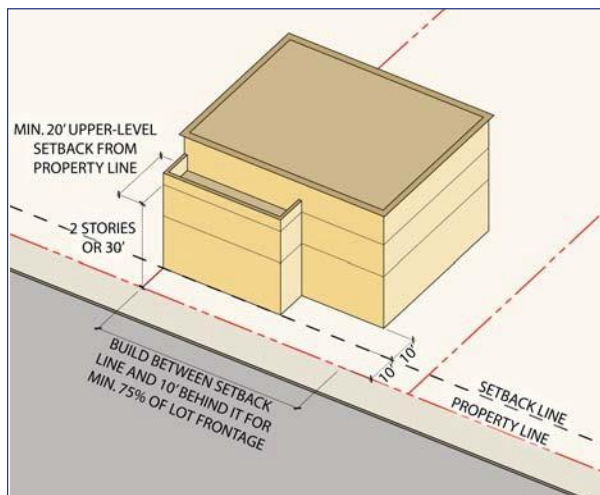
ALLOWABLE PROJECTIONS INTO REQUIRED SETBACKS

All items projecting into the public right of way shall require an encroachment permit from the Community Development and Public Works Departments. Projections not specifically identified below shall be subject to Dana Point Zoning Section 9.05.080.

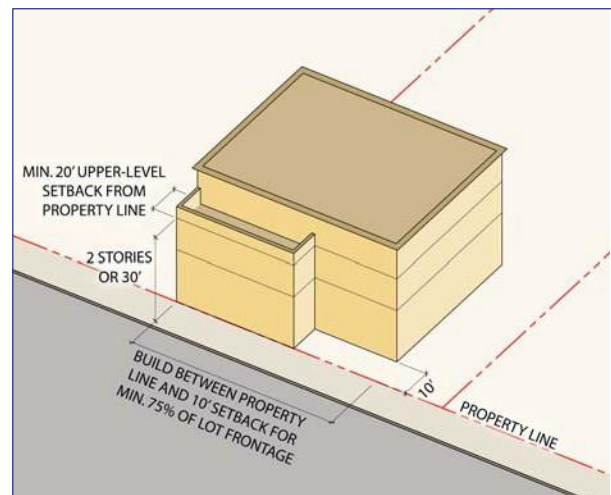
Balconies and Bay Windows	Maximum 2'-6" into required setback areas adjacent to alleys. May project 2'-6" beyond property line above a height of 20 feet if permitted by Building Code.
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Awnings/Canopies/Marquees	Rigid elements shall be at least 8 feet above the sidewalk (7 feet for soft valances). May be placed up to 12 feet from the curb, subject to approval of the Community Development Director and Public Works Director when designed in conjunction with outdoor cafes. When not associated with outdoor seating areas, but over windows or doors, awnings/canopies/marquees may project 4 feet beyond the property line.	
Outdoor Dining Areas (e.g. Sidewalk Cafes)	PCH, DEL PRADO, SAN JUAN RD, LA PLAZA: Front and Exterior Side Yards: minimum of 12 feet from curb ALL OTHER YARDS (Interior Side and Rear): To property line.	
Architectural Projections (i.e. cornices, eaves, roof overhangs, etc.)	Front: 2'6" Rear: 2'6" Side: 2'6" Minimum from Property Line: 0 feet	
Maximum Percentage of Building Elevation Length	Front: 60% Side: 40% Rear: 80%	Applies to balconies, bay windows, awnings, and exterior stairways and landings.
SITE VISIBILITY AREA		
Zoning Code Section 9.05.090	None required in Town Center	

- (1) Exceptions to minimum 'build-to' line requirements may be granted in cases of lots with smaller frontages in order to accommodate minimum driveway widths.
- (2) Twenty (20) feet adjacent to residential zoning district.
- (3) The height above which an additional setback at an upper level is required shall be measured to the floor of the deck and not the guardrail. To encourage terraces and "eyes on the street," parapets and guardrails around terraces may project up to 2 feet above the additional setback height requirement.



Setback and Built-to Lines: Pacific Coast Highway



Setback and Built-to Lines: Del Prado



This rendering depicts how a building adhering to the setback requirements could look.

Residential Open Space Requirements

The nature of the proposed building types is such that it may not be possible to achieve the minimums for residential private and common open space individually. For flexibility, up to 50% of dwelling units may satisfy their open space requirement by adding it to the required common open space. The table below stipulates minimums for open space, landscape and storage for residential uses.

OPEN SPACE REQUIREMENTS	
Minimum Open Space (Res Only) - Private - Common	100 sf/du 100 sf/du 50% of units may combine common and public space requirements
Minimum Landscape Coverage	None
Minimum Lockable Storage	250 cu ft/unit

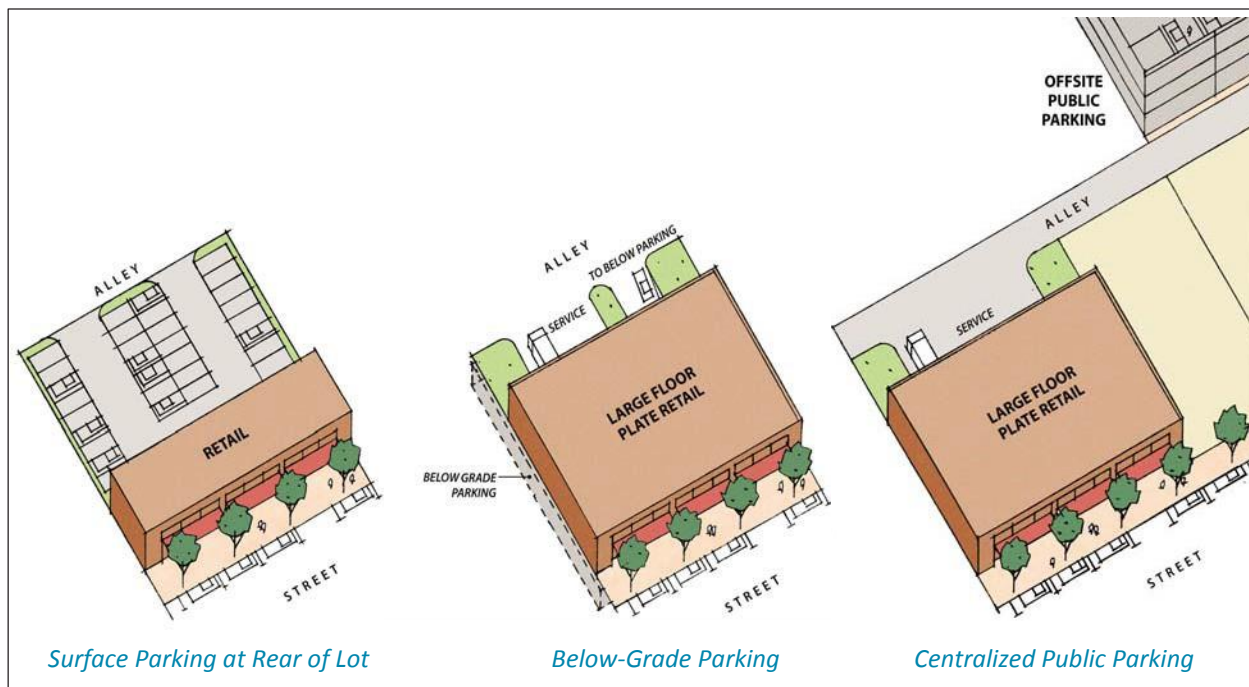
Parking Requirements

In order to strengthen the concentration and continuity of retail within the Town Center, a number of modifications to the existing parking requirements are included. The minimum number of parking stalls by use, as detailed in the Dana Point Zoning Code, applies within the Town Center. However, within the proposed parking district, which extends from Blue Lantern to Golden Lantern within the Town Center (as shown on the Parking Strategy diagram on page 18), the developer may pay a fee for off-site public parking in lieu of providing on-site parking for retail and restaurant uses. The fee for in-lieu parking shall be the estimated costs to the City of providing replacement parking spaces, with a minimum of \$40,000 per space, the cost estimated in Dana Point's Nelson-Nygaard parking study in 2013, and increasing according to the rate of inflation annually thereafter. Several diagrams of pedestrian-oriented parking solutions follow below.

On-grade parking shall be set back from the property line on Pacific Coast Highway and Del Prado as stipulated. If ground level uses are not situated along the street frontage, the setback area shall be improved with landscaping and usable open space per the Design Guidelines. The graphics on the following page describe parking solutions that enhance the pedestrian realm.

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

PARKING	
Driveway Location	Lots with alley access: No driveways from streets. Corner lots permitted to take access from side street, where appropriate. Corner lots with no alley access: No driveways on Pacific Coast Highway or Del Prado; set driveway back from curb return on Pacific Coast Highway or Del Prado 50 feet minimum.
On-Grade Parking Lot - Minimum Setback	PCH and Del Prado 40 feet from property line. If no ground level uses in setback area, landscape per design guidelines. All Other Streets: No minimum
In Lieu Fee for Off-Site Parking	Between Blue Lantern and Golden Lantern, allow retail and restaurant uses to pay fee in lieu of building on-site parking.
Parking Requirements	Shall be in accordance with Dana Point Zoning Code, Section 9
Parking Structures	Development Standards detailed in Dana Point Zoning Code shall apply, but may be modified upon approval of the Director of Community Development and City Traffic Engineer.



Pedestrian-oriented retail with alternative approaches to parking.

Demolition of Existing Lower Cost Overnight Accommodations

- A. If demolition of the existing lower cost overnight accommodations in the Town Center planning area is proposed, a fee shall be required in-lieu of providing replacement lower cost motel units. If all the demolished units are replaced by lower cost motel units, the in-lieu fee shall be waived. This in-lieu fee shall be required as a condition of approval of a coastal development permit for demolition, in order to provide funding to support the establishment of lower cost overnight visitor accommodations within the coastal area of Orange County, and within 12 miles of the City of Dana Point's coastal zone.

The in-lieu fee for the demolition of the existing motel shall be an amount sufficient to fund provision of lower cost overnight accommodations comparable in number to those that are lost. The required in-lieu fees shall be deposited into an interest-building account, to be established and managed by the California Department of Parks and Recreation (CDPR). The entire fee and accrued interest shall be used for renovation of existing structures not currently functioning as overnight accommodations to overnight beach cottages available to the public at the Historic District of Crystal Cove State Park (Cottages 14, 17 and 21). The renovated cottages shall provide at least the same number of beds as units that are demolished and will provide a lower cost beach front overnight experience. All development funded by this account will require review and approval of the Executive Director of the Coastal Commission. Any portion of the fee that remains after five years shall be donated to one or more of the State Park units or non-profit entities providing lower cost visitor amenities or

other organization acceptable to the Executive Director within 12 miles of the City of Dana Point's coastal zone.

- B. As a condition of approval of a coastal development permit for demolition of the existing lower cost overnight accommodation in the Town Center planning area, the property owner (applicant) shall pay the required in-lieu fee as specified above. Prior to the issuance of the Coastal Development Permit, but only after the City of Dana Point has indicated in writing, that the City has entered into an agreement with the California Department of Parks and Recreation (CDPR) (the "Agreement"), the applicants shall provide to CDPR, through a financial instrument subject to the review and approval of the City of Dana Point, a fee in an amount adequate to carry out the specific project identified in subsection A, payable to the CDPR. This fee shall be used for the purpose described in subsection A in accordance with the terms and conditions of the Agreement, which, at minimum, shall include the following provisions: 1) CDPR shall submit a detailed final plan for the use of the funds to the City of Dana Point for review and approval within 24 months of the date on which the funds are transferred to CDPR; 2) the final plan shall provide for the submittal of renovation and conversion plan within 36 months of approval of the final plan by the City of Dana Point; 3) CDPR must obtain all necessary regulatory permits and approvals, including, but not limited to a Coastal Development Permit, for the renovation and conversion effect prior to commencement of the project; and 4) a deadline not to exceed 5 years from the date of transfer of the funds to CDPR by which the funds shall be used by the CDPR to complete the project identified in the final plan, along with provisions to address any failure to complete the project.

DESIGN GUIDELINES

The Town Center Plan includes design guidelines that reinforce pedestrian friendliness and human scale and the importance of using high quality materials and details to enhance Dana Point's unique sense of place. Furthermore, design guidelines for private property focus on humanizing the pedestrian environment within the Town Center, with consideration for courtyards, passages, and other provisions that help to link and extend the quality of public space into quasi-public and private areas. Standardized and/or formulaic buildings that diminish a sense of place and local identity are strongly discouraged.

The Town Center Design Guidelines complement the Zoning Ordinance provisions. While the latter are mandatory, the guidelines are advisory. They are intended to prompt developers and their architects to address specific issues of local concern and to guide City staff and commissions in their evaluation of proposed development projects subject to Discretionary Design Review.

Summary of Design Principles

- Create a “main street” environment along Del Prado with a continuous frontage of appropriately designed shops and restaurants.
- Provide active building frontages with large, transparent window openings. Avoid blank walls.
- The primary entrance to every ground floor space and upper story use should be from the sidewalk. Entry courts are also encouraged if they are open, visible and public in character and contain active uses such as storefronts and outdoor cafes.
- “Dead” gaps along both Del Prado and Pacific Coast Highway should be avoided by discouraging new curb cuts and driveways and by requiring parking lots to be set back from the sidewalk.
- The ground level of buildings should be built on or near the front property line to maintain the continuity of the street edge and to create a more interesting pedestrian experience for strolling and window-shopping.
- Setback areas should be used to enhance the sidewalk and pedestrian environment with active uses such as outdoor cafes. Where landscaping is provided, it should convey the character of a beach community by using plants, paving and street furniture that are associated with the seashore and with Dana Point's history.

- Parking lots should be set back from Del Prado and Pacific Coast Highway. Preferably, buildings will separate parking from the sidewalk. Where this is not possible, parking should be screened with low decorative fences and landscaping, and the intervening setback area should be improved with active uses such as outdoor cafes or landscaping treatments that provide space for seating and other positive uses.
- Architectural design should encourage an open and informal style with a comfortable pedestrian scale that supports the character of a beach community.



Many existing buildings reflect two styles, an interpretation of Cape Cod architecture and Spanish Colonial Revival.

Architectural Character and Massing

As depicted on the previous page, many existing buildings in the Town Center draw on two styles:

- From the Town Center's founding, there are buildings in the Spanish Colonial Revival style that was popular throughout California in the first half of the 20th century. It is characterized by irregular "picturesque" massing, solid stucco walls and pitched tile roofs. Detailing is provided in door and window surrounds, balconies, railings and wrought iron. Walls are usually white; woodwork is often dark brown; tile is used for opening surrounds, wainscoting and stair risers; and roofs are red "mission" tile.
- More recently, a loose interpretation of Cape Cod architecture has emerged in the Town Center, with irregular massing, steeply pitched shingle roofs (or mansards), dormers and bay windows. Walls are often wood siding painted gray. White is used as outlining and accents around doors and windows, on stairs railings and on corner boards.

These guidelines discourage application of any particular design theme or style, but rather promote an architecture that engages the public realm, conveys the informal and open character of this beachfront community, reinforces the pedestrian environment with a human scale, and utilizes high quality materials and detailing that promote durability and sustainability. More specifically:

- Buildings that rely upon standardized or formulaic designs and that diminish a sense of place and local identity should be discouraged.
- Building massing should be asymmetrical and irregular with offsets in plan, section and roof profile as exemplified in a building type on the following page.
- The ground floor should provide setbacks as appropriate for courtyards, building entrances and outdoor café areas. Setbacks should not yield dead space that does not activate or enhance the pedestrian environment.
- Upper stories should be stepped back, and balconies, bay windows, eaves and other architectural elements should project out or be recessed into the primary wall. Instead of a single step back yielding a "wedding cake" form, portions of the upper story may be flush with the wall below to create an interesting and complex massing.
- Roof forms should be complex. Flat roofs should have stepped parapets, cornices and similar treatments. Pitched roofs should employ combinations of multiple hips and gables.

An open and airy character should be encouraged with large, operable windows and glazed doors, balconies, terraces, loggias and roof decks enlivened with overhangs, awnings, canopies, trellises and planting.

Materials should be authentic and not visibly artificial. Windows should be high quality with substantial frames, mullions and mentions. False mentions (glass dividers) are discouraged. Dark or reflective glass at the storefront should be avoided.

Retail Frontage

Retail frontage should be designed to enhance the pedestrian experience and to better serve the functional needs of businesses. Ground floor retail and commercial uses should be considered the primary land use, particularly on Del Prado, and their design should not be compromised by upper story uses.

Del Prado: Retail frontage required along Del Prado between Blue Lantern and Golden Lantern shall have a minimum floor-to-floor dimension and a minimum depth pursuant to the Zoning Code. The retail frontage shall be built near the property line, the interior floor elevation should be flush with the sidewalk for the majority of frontage, and primary entrances should face the sidewalk.



Well designed retail frontage enhances the sidewalk environment.

All Other Streets: All other ground floor frontage in the Town Center should have a minimum floor-to-floor dimension pursuant to the Zoning Code. Retail and similar active frontage should be built near the property or mandatory setback line, the interior floor elevation should be flush with the sidewalk for the majority of frontage, and primary entrances should face the sidewalk.

Transparency: Ground floor spaces containing retail, restaurant and other active commercial uses should be visually open to the sidewalk. Large, blank walls should not exceed 25% of frontage and should be mitigated with trellises and climbing plants to extend the landscape character of the street. Storefront windowsills should be no more than table height (about 30" above the sidewalk), and window heads should be at least seven feet above the sidewalk. Glazing should not be tinted or reflective. Transom windows above the awning level or storefront windows that extend to the full height of the ground level space are encouraged to provide variation along the street.

Building Façade Encroachments into Setback Areas and Public Right of Way

Building façade encroachments are encouraged to provide variety and visual interest to buildings. Safety and growing area for trees require limitations on the extent of projections.

Architectural Projections: Bay and oriel window, balconies, sun-control devices, unroofed porches, cornices, belt courses and appendages such as water tables, sills, capitals, bases and architectural projections may project into a setback area or over the public right of way provided that they meet the minimum requirements of the Building Code (typically no projections for the first 8 feet above sidewalk). Balconies and bay and oriel windows shall be limited in width (measured along the direction of the street) per the development standards.

Marquees: A marquee is a permanent, projecting structure that shelters entries and is sometimes faced with signage, as at theaters and cinemas. It is typically made of metal and glass and is attached to and fully supported by the building. Marquees should not be supported by posts. Marquees should be subject to the same limited projections into a required setback area or over the public right of way as awnings. They may be no wider (measured along the direction of the street) than the building entrances they cover and should have a minimum clearance of eight feet.

Awnings: Awnings overhanging the sidewalk are also encouraged to further enhance the life and variety of the street. Awnings shall be subject to the following minimum design guidelines:

1. Covering should be of canvas or fabric. High gloss materials are not permitted.
2. Backlit awnings are not permitted.
3. The valance, or front face, of an awning shall not exceed 16 inches in height.
4. The height of the awning shall not exceed the width of the awning.
5. Colors shall complement the storefront, signage and building colors.
6. Awnings used as signage shall also be subject to regulations governing signs.
7. Awning shape shall relate to the associated door or window opening.
8. Awnings shall not extend the length of the building façade. The building façade should clearly wrap around and visually contain the awning.
9. Awnings should be broken into segments that reflect the door and window openings beneath them. Exceptions may be required when used for outdoor seating.

10. Awnings shall be maintained in good repair and display a clean and attractive condition while installed on the building.

11. Awnings should be fully retractable, and no lighting or heating fixtures, widescreens or signs should be attached.

Canopies: Canopies are similar to awnings except that they are permanent and are supported by posts. Canopies should be limited in width and should provide clearance above sidewalk level per the development standards. No supporting posts should be placed in the public right of way.

Permanent Sidewalk-Level Encroachments into the Public Right of Way



A pedestrian friendly sidewalk consists of landscaping, space to promenade and a café zone.

It is not the intent of these guidelines to create a hard edge between the public and private realms. Rather, building facades and storefronts that are varied and that promote activity and interest are encouraged. By revocable easement, the City may permit retail and restaurant activities to encroach into the public right of way, subject to the following guidelines:

Types of Uses: Uses should be confined to those that add activity and color to the street such as outdoor cafes or the selling of flowers, produce and newspaper /magazines.

Outdoor Cafes: Café areas should be limited in their projections into a sidewalk. The elevation of the café area should be the same as the public sidewalk. No permanent structures will be allowed within the public right of way. If a separation between the café and the sidewalk is desired, this should be achieved through low planters containing colorful flowers or a low hedge not permanently affixed to the sidewalk; the maximum height of such planters (including planting) should be no more than four feet. Planters should consist of high quality, durable materials of a weight and mass that will discourage theft, vandalism or easy movement. A fully retractable canvas awning may extend over the full depth of the café; no columns or supporting poles will be permitted within the public right of way. Awnings should comply with the design and height guidelines prescribed above. The use of removable umbrellas within sidewalk encroachment areas is also encouraged, provided that seven feet of clearance is provided above the sidewalk. Removable widescreens that are of a transparent material and that are an integral part of the planter will be permitted to extend the seasonal use of the café area. Such screens should not exceed a height of six feet and should not be separated from the awning to provide for air movement.

Retailing Uses: Retailing uses within encroachment areas should be limited to the sale of newspapers, magazines, flowers and produce, and other products deemed by the City to be appropriate to the pedestrian life and character of the street. Such encroachments should not exceed three feet in depth and should not exceed further than a line 12 feet from the nearest curb. Merchandise should be displayed against the storefront and be oriented toward the street on tables or stands that do not exceed 4 feet in height. No separation (e.g., planters or low walls) between the merchandise and the street will be permitted.



Retailers, such as florists, enhance pedestrian life and the character of the street.

Design Materials: The design of materials and colors for chairs, tables, display standards, lighting, and other fixtures (including umbrellas and awnings) should be generally consistent with both the architectural style and colors used on the building façade and the quality of fixtures used in the public streetscape improvements.

Lighting: Lighting should be incorporated into the façade of the building and should complement the style of the building. Lights on buildings should not be glaring to pedestrians and should illuminate only the encroachment area and activities within.



Historic Lantern

Pedestrian Passages, Courtyards and Open Space

Pedestrian passages, courtyards, and open space can add a more intimate human scale to the urban fabric and improve pedestrian circulation throughout the Town Center as portrayed below.



Pedestrian passageways and courtyards can create important linkages and extend opens space amenities.

Pedestrian Passages: North-south pedestrian passages can break up very long blocks and provide shorter and more direct access between parking and destinations. Opportunities include:

- Post Office site with its parking lot: Provide a pedestrian passage that connects Del Prado with Pacific Coast Highway and serves any public parking developed on that block.
- Through-block lots on the block bounded by Del Prado, Pacific Coast Highway, Ruby Lantern, and Amber Lantern.
- Through-block lots on the block bounded by San Juan Road, Pacific Coast Highway, Violet Lantern and Golden Lantern.

Individual buildings with parking behind should provide passages, as primary retail entries are required to face the street.

Pedestrian passages should be clearly public in character, without gates or signage discouraging public usage. A view through the block eliminates uncertainty about the route, but more subtle and intriguing clues, like water features or lighting, can draw otherwise wary pedestrians. Passages should be mostly open to the sky, and the stories above should step back where necessary to allow natural light to penetrate. To the extent feasibly, passages should be lined with shop windows and entries (although primary entries should always face the sidewalk), open stairs, fountains, landscaping, display windows and artwork.

Courtyards: Courtyards can provide an interesting and attractive intermediate space between the public sidewalk and building interior. They are more intimate in scale and provide a quiet and calm oasis from the bustle of the street. They can temper the climate by providing cooling shade and fountains in the summer and by sheltering from winter winds and rain. Courtyards offer opportunities for additional shops, restaurants and outdoor cafes, but care should be taken so that courtyards do not detract from the vitality of the street sidewalk. Businesses with frontage on both the street and courtyard should have their primary entrance on the street. Professional offices such as real estate, medical and dental, legal, accounting, insurance and brokerage are appropriate tenants in such spaces.

Courtyards should be visible from the street or linked to the street by clear pedestrian access such as an open passage, arched entry or covered walkway. A courtyard that connects to the back of a lot or through the block should have the same public character recommended for pedestrian passages, as shown on the proceeding page.

Open Space: A network of smaller passageways and paseos, courtyard and pocket parks are anticipated that would connect Del Prado and PCH to the larger parks and beaches that form the open space system. More specifically, linkages to important public spaces such as the bluffs, Headlands, Harbor, Heritage Park, and La Plaza Park and other parks and open space areas are encouraged.

Landscaping

Street Furniture: Benches, kiosks or art features should be incorporated into the streetscape as amenities for pedestrians.

Illumination: Nighttime illumination of landscaping, paths, trees or art features should be designed to contribute to the safety and beauty of the downtown, but should not flow onto residential areas.

Scale: Landscaping should be selected and maintained at a scale that is consistent with the building site and overall pedestrian scale of the downtown. Street trees and landscape within the Town Center should be selected from an approved list of recommended trees and plant materials appropriate to the Town Center. Street landscaping should be selected which is appropriate for sidewalk environments to limit the potential of root systems which may buckle sidewalks, and/or appropriate planning details should be incorporated (e.g. structural soils) that allow adequate space for tree roots to grow within compacted pavement areas.



Benches and other street furniture provides amenities for pedestrians.



Street trees contribute more than any other element to the scale and character of the urban environment.

Environmental Quality: Best Management Practices (BMPs) for landscaping should be considered in the design of landscape areas, in addition to those required by the City's Local Implementation Plan.

Visibility and Encroachment: Landscaping should not interfere with visibility of businesses and signage. Temporary planters and pots placed by business owners in the public right of way should be limited to items identified in an encroachment permit issued to the

business owner by the Public Works Department. Street trees and landscaping should be in scale with sidewalk areas, enhance pedestrian circulation and not create barriers to movement.

Landscaping in Setback Areas

These guidelines emphasize the importance of activating the pedestrian environment and avoiding gratuitous and unused (or abused) open space. Setback areas, courtyards, passageways and gaps between buildings should be seen as extensions of the sidewalk realm, serving to extend, enhance and activate the pedestrian experience. Particularly to be avoided are seating areas removed from the pedestrian flow. Numerous studies have shown that people want to be where people are and will usually choose a busy corner or congested sidewalk over a secluded plaza to linger, converse or people-watch. In general, setback areas should only be provided where there is a clear benefit to the public realm, by providing additional sidewalk width, space for outdoor cafes and merchandise displays, entries to business and buildings, and connections to courtyards and pedestrian passages. Landscape planting materials should be carefully selected to extend and complement materials used for public streetscape improvements, with an emphasis on plants native to the Southern California coast and other regions with similar Mediterranean climates.

Parking

The Zoning Ordinance encourages parking lots to be located at the back of buildings and specifically requires parking lots to be set back at least 40 feet from the property line on Pacific Coast Highway and Del Prado. If ground level uses are not situated along the street frontage in front of a parking lot, the setback area should be improved with landscaping and usable open space per these design guidelines. On other street frontages, parking lots should be subject to the same setbacks as buildings. Parking lots should be screened from all street frontages by solid walls at least three feet in height, and the street side of the walls should be planted with trees and shrubs to create a softer and friendlier edge. The balance of a setback area should be improved as discussed above.

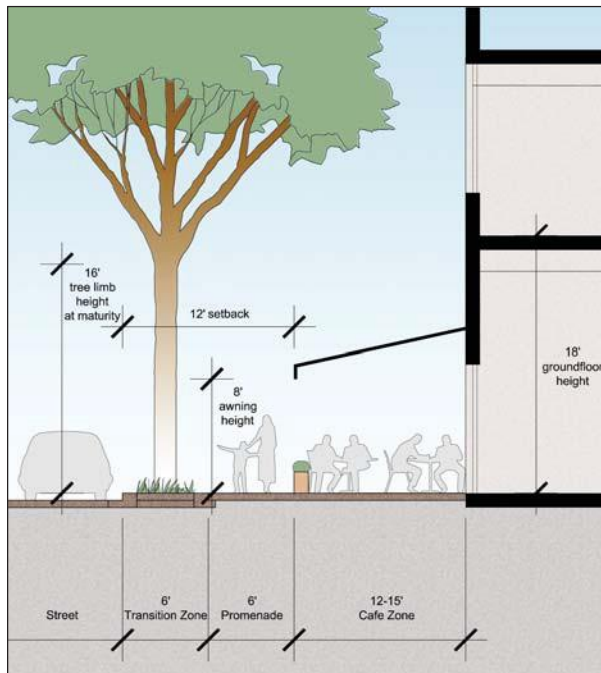
In the interior of a ground level parking lot, there should be at least one tree for each four parking spaces. Trees should be planted in tree pits at least five feet square which are distributed evenly throughout the parking lot to create a shade canopy over parking spaces and drive aisles. Trees should be protected from vehicle overhangs by curbs (at least three feet from the tree trunk) or bollards.



On-site parking connects to retail by a pedestrian-friendly alley in Laguna Beach.

Service Areas

Trash receptacles and maintenance storage areas should be enclosed, located within buildings and obscured from public view. On all properties with alley access, they should be located adjacent to the alley. On properties without alley access that front on PCH and San Juan, they should be located on the San Juan side of the property. On properties which front on both PCH and Del Prado, they should be located on the PCH side of the property or, only if not feasible on the PCH side, on the Del Prado side.



Sidewalks are comprised of a series of overlapping zones.

located. Within the center zone of the sidewalk, pedestrian movement is concentrated; therefore, this zone would be maintained relatively free and clear for that purpose. The zone adjacent to buildings is the place where pedestrians tarry, window shop and, if space permits, where cafes can spill out into outdoor spaces. In Dana Point, the sidewalks are envisioned as being constructed of architectural concrete, with scoring on a two-foot grid pattern, incorporating some of the details Sydney Woodruff initiated in his early development of Dana Point. Distinctive lighting, street furniture, signage, and artistic and interpretive elements that evoke a strong sense of place are recommended for inclusion as part of the streetscape improvements.

Elements of Streetscape Design

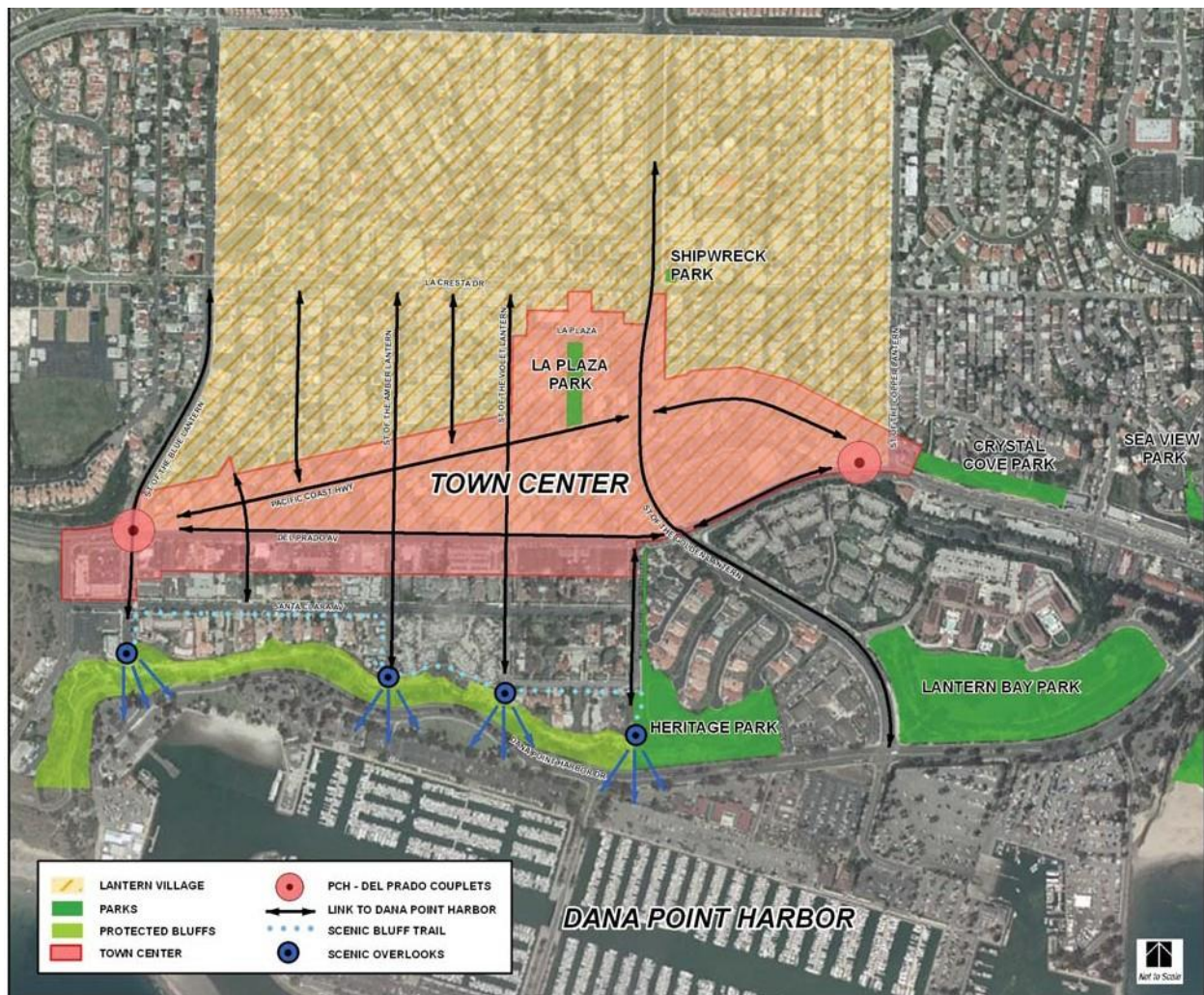
Sidewalks: Sidewalks provide for pedestrian accessibility and comfort, as well as landscaping, lighting and street furniture. In active commercial areas, they can also play an important role in providing additional space for outdoor cafes and retail activities. In Dana Point, sidewalks on both streets will generally be a minimum of 12 feet, expanding in width as setbacks allow and where bulb-outs occur. Sidewalks are comprised of a series of overlapping zones, each with specific demands and requirements as illustrated on page 53. The curbside zone is the transitional area adjacent to the street that is often active with people getting in and out of cars. This is where street trees, streetlights, trash receptacles, benches and other street furnishings are typically



In addition to connections within the Town Center, visual and physical links need to be strengthened from the Town Center to the harbor.

Street Trees and Landscaping: In urban environments, street trees significantly contribute to the perceived quality, comfort, appearance and sustainability of public places. In California, livability is often measured by the presence of street trees that arch over the street, provide scale, and heighten the sense of space. In Dana Point, parkway street trees are particularly important in creating dappled shade that ameliorates the effect of heat gain and glare, making the street a more pleasant environment for activity. The temperate climate offers a range of possible choices for street trees; however, trees would need to be selected or retained and planted in consideration of the challenges of an urban environment for them to flourish. In addition, trees need to be tall enough so that their limb structure and canopy does not limit visibility to store fronts and broad enough to provide needed shade as illustrated on the previous page. Care must be taken to ensure that there is adequate root space for the trees beyond the tree well itself and sufficient irrigation not only to establish the trees, but to maintain their future growth and development. Finally, when trees are planted, a commitment needs to be made to maintain them properly so that they can attain the desired height, canopy and appearance. Best horticultural practices are recommended for both the existing trees and the new ones to avoid conflicts with pavement and for sustainability over the long term.

To create a pedestrian-oriented Town Center, significant landscape and streetscape enhancements on both PCH and Del Prado are required with street tree planting on both sides of the streets. In addition to street trees, the planting of ground cover and shrubs within tree wells, as well as flower baskets and plantings adjacent to individual shops and restaurants, would add color and vitality to the street environment. Merchants are encouraged to undertake landscape improvements in setback areas, courtyards and other semipublic areas to further enhance the environment and contribute to the verdant quality of the Town Center.



Linkages to important public spaces are encouraged.

IMPLEMENTATION

The Town Center Plan sets forth an assortment of land use controls in the form of policies, design guidelines and zoning regulations. Implementation of these elements will require a variety of actions involving private and publicly owned property.

While the Plan affects private property primarily through regulation of land uses and physical improvements, the Plan also includes policies to address the need for business retention, marketing and signage efforts.

Streetscape Improvements

Through its policies and Design Guidelines, the Town Center Plan identifies the need for a variety of physical improvements to public facilities. The following elements shall be incorporated into the streetscape improvement:

1. Encourage access from side streets for development located on corner lots.
2. Require new development to improve adjacent alleyways, as appropriate.
3. Select street furniture, lighting, landscaping, etc.

The specific design characteristics of the other streetscape improvements will be prepared following approval of the Town Center Plan by the City Council.

Parking Program

The following actions are designed to expedite parking improvements to support merchants and residents and to encourage development on vacant and underutilized parcels. After analyzing the demand for parking, it is expected that the City Council would acquire land in the Town Center for a centralized public parking facility funded by fees from new building construction. The approach would help to satisfy parking needs while providing for a more cohesive Town Center.

1. The City shall develop a Parking Management Program/Plan to evaluate public parking prior to roadway construction to establish a baseline parking condition (using a supply/demand analysis).
2. The City shall immediately take steps for a purchase option or long-term lease to acquire properties for additional public parking in Town Center. Additional public parking shall be established when a need is demonstrated in the Parking Management Plan.
3. Create additional public parking which would include one, and preferably two, facilities prior to Phase I and ensure adequate parking signage is provided.

(Phase I is defined as any construction of public improvements that would result in the removal of any on-street parking.)

4. Establish appropriate parking time limits for public parking in the Town Center.
5. Meet with the business community to review parking issues.
6. Require new development to comply with current parking regulations defined in the Dana Point Zoning Code.

In Lieu Parking Program

Parking in-lieu fee programs are typically established when it is considered to be in the best interest of a city to develop public parking facilities, rather than have each property owner provide sufficient parking for each use. An in-lieu parking program may be developed to allow commercial businesses to reduce any portion of the parking spaces otherwise required to be provided on-site. The fee would be used to offset a portion of the cost required to construct public parking facilities in the Town Center area. Studies would be conducted to establish the cost of constructing the parking area and relative in-lieu parking fees. In-lieu parking fees may be charged as a one-time cost or on an annual basis. The following elements shall be considered in the development of the In-Lieu Parking Program.

1. Conduct a study to determine appropriate in-lieu fee(s).
2. Implement in-lieu parking program in areas between Golden Lantern and Blue Lantern.
3. Participation in the in-lieu parking program will be encouraged. The City shall work with developers to develop a parking analysis to ensure adequate parking is provided at the time of development.
4. Require that residential and guest parking be provided on-site.

Historic Preservation

To maintain and enhance the character of Dana Point, historic structures in the Town Center shall be preserved.

1. Update the City's Historical Resources Ordinance to require that the nine structures and gazebo located in the Town Center which were identified in the 1997 survey be placed on the Dana Point Historic Register and be subject to Section 9.07.250(g)(1)(C) for removal. Similar to the two structures which were required to be designated, removal of these structures in the Town Center would require review by the Planning Commission.

2. With the assistance of the Historical Society, identify other structures in the Town Center which satisfy the eligibility criteria and include these structures on the Register. These structures would also be subject to Section 9.07.250(g)(1)(C) for removal.
3. Update the Dana Point Historic Resources Inventory every five years.
4. Preserve portions of concrete sidewalks and curbs which have historical stamps from original development of the city, where feasible. Ensure that new sidewalks match the historic two-foot grid pattern.
5. Notify property owners of the benefits of registering their structures on the National Register of Historic Places.
6. Create incentives for structures which have been modified to reestablish historical characteristics.
7. Historic structures shall comply with the Secretary of the Interior's standards for rehabilitation with guidelines for rehabilitating historic buildings. These standards shall serve as guidelines for proposed exterior alterations, treatments, additions, and repairs made to historic properties.

Sign Code and Guidelines

As signage reflects the character of a place, the existing sign regulations shall be evaluated to ensure a unified design and that pedestrian-oriented signs be encouraged.

1. The Sign Code & Guidelines shall be evaluated and updated to ensure regulations encourage signage which is consistent with the goals of the Town Center Plan. Specific consideration shall be made for:
 - a. Special consideration for businesses at corner locations,
 - b. Clarify the distinction between window signage and window displays,
 - c. Offer additional staff support for processing sign elements,
 - d. Assess appropriate outdoor displays as related to streetscape design,
 - e. Encourage residents and businesses to participate in the update of the Sign Code, and

- f. Ensure Sign Code and/or Sign Guidelines lead to the elimination of undesirable signs.
2. Develop an interim Sign Program to address signage needs for existing businesses during the construction of any public improvements and temporary signage at the old and new locations needed for businesses relocating.

Art in Public Places

Recognizing the need to tailor the City's existing Art in Public Places (AIPP) program for public arts to the Town Center area, the Plan advances the idea of a new seven-member Public Arts Advisory Committee that would be appointed by the City Council and have a City staff member assigned as a liaison to address public art within the Town Center. The Plan anticipates an increase in the contribution requirement to public art and would affect a larger number of projects. To more effectively demarcate the Town Center, public art features would be incorporated in the new developments and streetscape design as much as possible, and artwork and landscaping would be utilized to create gateways at the Blue Lantern and Copper Lantern entry points. The existing AIPP program shall be updated to reflect the following:

1. Increase the minimum value requirement for the public art component of a development project from one-half (0.50) percent of the total construction costs of the subject project to one (1.00) percent. Subsection (C)(5).
2. Decrease the current threshold of projects with the total construction costs of less than one million dollars (\$1,000,000.00) to seven hundred and fifty thousand dollars (\$750,000). Subsection (d)(3).
3. Form a Public Arts Advisory Committee (PAAC) of seven members to be responsible for: a) Review and update policies, guidelines and procedures of AIPP Program, b) Provide technical and aesthetic recommendations for all public art projects for City Council, c) Serve as the selection panel for all public art projects, d) Serve as an advocate for the arts and as a partner in the community's artistic and cultural development.

Implementation Topics

TOPIC	TIMEFRAME	RESPONSIBILITY
Parking Program	6 Months	Community Development Department
Streetscape Design & Improvement Plan	18 Months	Public Works / Community Development Department
Historic Preservation	6 Months	Community Development Department
Sign Code & Guidelines	12 Months	Community Development Department
Update Art in Public Places Program	6 Months	Community Development Department

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Mayor Pro Tem Russ Chilton
Wayne Rayfield
James Lacy
Diane Harkey

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Vice Chairman Steven Weinberg
Commissioner Norman Denton
Commissioner April O'Connor
Commissioner Liz Fitzgerald

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