

**CITY OF DANA POINT  
PLANNING COMMISSION  
AGENDA REPORT**

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**DATE:** DECEMBER 10, 2018

**TO:** DANA POINT PLANNING COMMISSION

**FROM:** COMMUNITY DEVELOPMENT DEPARTMENT  
MATT SCHNEIDER, DIRECTOR OF COMMUNITY DEVELOPMENT  
BELINDA DEINES, SENIOR PLANNER

**SUBJECT:** COASTAL DEVELOPMENT PERMIT CDP18-0012 AND SITE  
DEVELOPMENT PERMIT SDP18-0037 TO STOCKPILE  
APPROXIMATELY 22,300 CUBIC YARDS OF CLEAN ROCK/SOIL  
LOCATED WITHIN THE INDUSTRIAL/BUSINESS (I/B) DISTRICT AT  
33750 STONEHILL DRIVE

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**RECOMMENDATION:** That the Planning Commission adopt the attached resolution approving Coastal Development Permit CDP18-0012 and Site Development Permit SDP18-0037.

**APPLICANT:** South Coast Water District

**REPRESENTATIVE:** South Coast Water District

**REQUEST:** Approval of a Coastal Development Permit and a Site Development Permit to stockpile approximately 22,300 cubic yards of clean rock/soil located within the City's Floodplain Overlay District and Coastal Overlay District. The project area is not located within the Permit Jurisdiction of the California Coastal Commission.

**LOCATION:** 33750 Stonehill Drive (APN 668-412-21)

**NOTICE:** Notices of the Public Hearing were mailed to property owners within a 500-foot radius and occupants within a 100-foot radius on November 29, 2018, published within a newspaper of general circulation on November 29, 2018, and posted on December 6, 2018 at Dana Point City Hall, the Dana Point and Capistrano Beach Branch Post Offices, as well as the Dana Point Library.

**ENVIRONMENTAL:** Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorically Exempt per Section 15304(c) (Class 4 – Minor Alterations to Land) in that the project involves filling of earth into previously excavated land with material compatible with the natural features of the site.

**ISSUES:**

- Project consistency with the Dana Point General Plan, Dana Point Zoning Code (DPZC) and Local Coastal Program (LCP);
- Project compliance with the City's Floodplain Regulations;
- Project compatibility with and enhancement of the site and surrounding neighborhood; and
- Project satisfaction of all findings required pursuant to the DPZC and LCP for approval of a Coastal Development Permit (CDP) and Site Development Permit (SDP).

**BACKGROUND:**

The subject site, Lot B, is one of several parcels owned by the applicant comprising of approximately 30 acres adjacent to San Juan Creek. Lot B (APN 668-412-21) is approximately 281,873 square feet (6.47 acres) and consists of relatively flat dirt and gravel with some weedy vegetation and screened fencing. The subject site is located directly south of the existing paved access road cul-de-sac off Stonehill Drive. Lot B is bounded by RV/boat storage to the north, San Juan Creek to the west, railroad tracks and Costco to the east, and storage yard uses to the south (Supporting Document 2).

Currently, the subject site is occupied by short-term tenants that operate storage yard uses for construction and landscape maintenance equipment. The applicant proposes to relocate existing occupants and utilize approximately 67,500 square feet of lot area for storage of approximately 22,300 cubic yards of clean rock/soil material derived from South Coast Water District's Tunnel Stabilization and Sewer Pipeline Replacement Project in South Laguna Beach.

The property is located within the "Industrial/Business" (I/B) District, the City's Floodplain Overlay District (FP-2), and the Coastal Overlay District (the California Coastal Zone). The Floodplain Overlay designation identifies the property as being subject to potential inundation by wave action and requires consideration of potential flood losses.

Lot B is partially located within the Permit Jurisdiction of the California Coastal Commission, which is delineated in a diagonal boundary that runs from northwest to the southeast corners of the lot. However, the soil stockpile is proposed in an area of Lot B where development is not subject to Permit Jurisdiction of the California Coastal Commission, and is not within the Appeals Jurisdiction (Supporting Document 3).

## **DISCUSSION:**

The applicant seeks approval to stockpile 22,300 cubic yards of clean rock/soil material, install new security fencing, and construct best management practices (BMPs) for storm runoff and erosion control (Supporting Document 4). Construction activity will include truck delivery of clean rock/soil material, soil compaction, and maintenance of BMPs for storm runoff control, soil erosion control, soil track-out, and dust control.

Existing grade varies from elevation 26'-28' with a gradual slope downward to the south. The soil stockpile is proposed approximately 14' above existing grade at a maximum elevation of 40' (NAVD 88 datum). All existing fencing will be removed and new perimeter fencing will be installed to screen the proposed stockpile. The applicant proposes to install 8' high chain link fence with fabric screening and barbed wire, in compliance with OCTA/Metrolink standards for properties adjacent to railroad right-of-way. Storm runoff and erosion control BMPs consist of a proposed 10'x10' rip rap energy dissipater, 4' wide V-ditch, and 4'x4' rip rap pad.

Table 1 summarizes applicable I/B District development standards and the project's conformance with those requirements:

**Table 1: Compliance with I/B Development Standards**

<b>Development Standard</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Compliant with Standard</b>
Front Setback	20 feet minimum	N/A	Yes
Side Setbacks	10 feet minimum	N/A	Yes
Rear Setback	25 feet minimum	N/A	Yes
Landscape Coverage	20% minimum	N/A	Yes

The project as designed complies with all applicable I/B District development standards, including setbacks, landscape area, and height limits. No deviations are requested.

The subject property is located within the FP-2 district, which is applied to areas subject to 100 year flooding. The applicable FEMA Flood Insurance Rate Map (FIRM) identifies that the proposed project is located in Zone AO (depth 1'), which is defined as a Special Flood Hazard Area (SFHA) subject to flood depths of 1 foot on average for the 1% annual chance flood.

DPZC Section 9.31.040(b) states that landfills, excavations, and grading or the storage of materials and equipment that would result in any diversion or increase in erosion, flood levels, or hazards to people or property, are prohibited. The subject property is designated as a floodway, which is defined as a hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential. Pursuant to

DPZC Section 9.31.060(e)(1), encroachments, including fill, are prohibited unless certification by a registered professional engineer is provided demonstrating that the encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge. The applicant has provided supporting analysis and certification from a registered professional engineer that the proposed project will not result in any diversion or increase in erosion, flood levels, or hazards to people or property (Supporting Document 5).

#### Coastal Development Permit CDP18-0012

Pursuant to Section 9.69.040(b)(3) of the Dana Point Zoning Code, any significant alteration of land forms within 100 feet of streams and located in the City's Coastal Overlay District requires approval of a Coastal Development Permit (CDP).

Section 9.69.070 of the DPZC stipulates a minimum of seven (7) findings to approve a Coastal Development Permit, requiring that the project:

1. *Be in conformity with the certified Local Coastal Program as defined in Chapter 9.75 of this Zoning Code. (Coastal Act/30333, 30604(b); 14 CA Code of Regulations/13096).*
2. *If located between the nearest public roadway and the sea or shoreline of any body of water, be in conformity with the public access and public recreation policies of Chapter Three of the Coastal Act. (Coastal Act/30333, 30604(c); 14 CA Code of Regulations/13096).*
3. *Conform with Public Resources Code Section 21000 and following, and there are no feasible mitigation measures or feasible alternatives available which would substantially lessen any significant adverse impact that the activity may have on the environment. (Coastal Act/30333; 14 CA Code of Regulations/13096).*
4. *Be sited and designed to prevent adverse impacts to environmentally sensitive habitats and scenic resources located in adjacent parks and recreation areas, and will provide adequate buffer areas to protect such resources.*
5. *Minimize the alterations of natural landforms and not result in undue risks from geologic and erosional forces and/or flood and fire hazards.*
6. *Be visually compatible with the character of surrounding areas, and, where feasible, will restore and enhance visual quality in visually degraded areas.*
7. *Conform to the General Plan, Zoning Code, applicable Specific Plan, Local Coastal Program, or any other applicable adopted plans and programs.*



The recommended findings for approval of the CDP are outlined in the draft Resolution No. 18-12-10-XX, attached to this report as Action Document 1.

Site Development Permit SDP18-0037

Pursuant to Chapter 9.31 of the DPZC, development proposed within the City's Floodplain Overlay District requires approval of a Site Development Permit (SDP). DPZC Section 9.71.050 stipulates a minimum of four findings for approval of a SDP, requiring:

1. *Compliance of the site design with development standards of this Code.*
2. *Suitability of the site for the proposed use and development.*
3. *Compliance with all elements of the General Plan and all applicable provisions of the Urban Design Guidelines.*
4. *Site and structural design which are appropriate for the site and function of the proposed use, without requiring a particular style or type of architecture.*

The recommended findings for approval of the SDP are outlined in the draft Resolution No. 18-12-10-XX, attached to this report as Action Document 1.

**CORRESPONDENCE:** To date, no correspondence has been received regarding this project.

**CONCLUSION:** Staff finds that the proposed project is consistent with the policies and provisions of the City of Dana Point General Plan, Dana Point Zoning Code, and Local Coastal Program. As the project has been found to comply with all standards of development, staff recommends the Planning Commission adopt the attached draft Resolution, approving Coastal Development Permit 18-0012 and Site Development Permit 18-0037 subject to the findings and conditions of approval contained therein.

  
Belinda Deines, Senior Planner

  
Matt Schneider, Director  
Community Development Department

**ATTACHMENTS:**

**Action Documents**

1. Draft Planning Commission Resolution No. 18-12-10-XX

**Supporting Documents**

2. Vicinity Map
3. Post-LCP Certification Permit and Appeal Jurisdiction Map
4. Project Plans and Renderings
5. Certification Letter

**Action Document 1 Draft Planning Commission Resolution No. 18-12-10-XX**

**RESOLUTION NO. 18-12-10-XX**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING COASTAL DEVELOPMENT PERMIT CDP18-0012 AND SITE DEVELOPMENT PERMIT SDP18-0037 TO STOCKPILE APPROXIMATELY 22,300 CUBIC YARDS OF CLEAN ROCK/SOIL LOCATED WITHIN THE INDUSTRIAL/BUSINESS DISTRICT, FLOODPLAIN OVERLAY DISTRICT, AND COASTAL OVERLAY DISTRICT LOCATED AT 33750 STONEHILL DRIVE**

The Planning Commission for the City of Dana Point does hereby resolve as follows:

WHEREAS, South Coast Water District (the "Applicant") has filed an application as owners of real property commonly referred to as 33750 Stonehill Drive, Lot B (APN 668-412-21) (the "Property"); and

WHEREAS, the Applicant filed a verified application for a Coastal Development Permit and Site Development Permit to stockpile approximately 22,300 cubic yards of clean rock/soil at the Property; and

WHEREAS, said verified application constitute a request as provided by Title 9 of the Dana Point Municipal Code; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the project is Categorically Exempt per Section 15304(c) (Class 4 – Minor Alterations to Land) in that the project involves filling of earth into previously excavated land with material compatible with the natural features of the site; and

WHEREAS, the Planning Commission did, on the 10<sup>th</sup> day of December, 2018, 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 Coastal Development Permit CDP18-0012 and Site Development Permit SDP18-0037.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the City of Dana Point as follows:

- A. That the above recitations are true and correct and incorporated herein by this reference.
- B. Based on the evidence presented at the public hearing, the Planning Commission adopts the following findings and approves CDP18-0012 and SDP18-0037 subject to the following conditions of approval:

PLANNING COMMISSION RESOLUTION NO. 18-12-10-XX  
CDP18-0012 AND SDP 18-0037  
PAGE 2

Findings:

Coastal Development Permit CDP18-0012

1. That the project is in conformity with the certified Local Coastal Program as defined in Chapter 9.75 of this Zoning Code. (Coastal Act/30333, 30604(b); 14 Cal. Code of Regulations/13096) **in that the proposed stockpile is in conformance with the floodplain standards of the Dana Point General Plan and Zoning Code (the latter acting as the Local Coastal Program Implementation Plan for the property). The project will further General Plan Public Safety Element Goal No. 2, which states that development should “reduce the risk to the community’s inhabitants from flood hazards” by applying appropriate land use regulations for new development in areas subject to flooding.**
2. If located between the nearest public roadway and the sea or shoreline of any body of water, that the project is in conformity with the public access and public recreation policies of Chapter Three of the Coastal Act. (Coastal Act/30333, 30604(c); 14 Cal. Code of Regulations/13096) **in that the project is not located between the nearest public roadway and the sea or shoreline, and the property is a lot zoned for industrial/business use, located within an area that does not contain public access ways or areas of recreation. Moreover, adequate public access to public tidelands or areas of recreation exist nearby at City, County and State beaches and accordingly, the project conforms to the public access and recreation policies of Chapter Three of the California Coastal Act.**
3. That the project conforms to Public Resources Code Section 21000 (the California Environmental Quality Act - CEQA) and following, that there are no feasible mitigation measures or feasible alternatives available which would substantially lessen any potentially significant adverse impact that the activity may have on the environment. (Coastal Act/30333; 14 Cal. Code of Regulations/13096) **in that the project qualifies as Categorically Exempt from review under CEQA pursuant to Section 15304(c) (Class 4 – Minor Alterations to Land) in that the project involves filling of earth into previously excavated land with material compatible with the natural features of the site.**
4. That the proposed development will not encroach upon any existing physical access-way legally utilized by the public or any proposed public accessway identified in an adopted Local Coastal Program Land Use Plan, nor will it obstruct any existing public views to and along the coast from any public road or from a recreational area **in that no public access-ways exist on the subject property and so none would be adversely affected with implementation of the proposed project. Accordingly, the proposed stockpile would not result in adverse impacts to any existing public views of or along the coast and as viewed from a public road or**

PLANNING COMMISSION RESOLUTION NO. 18-12-10-XX  
CDP18-0012 AND SDP 18-0037  
PAGE 3

**recreation area.**

5. That the project has been sited and designed to prevent adverse impacts to environmentally sensitive habitats and scenic resources located in adjacent parks and recreation areas, and will provide adequate buffer areas to protect such resources **in that the subject property is a developed parcel containing no environmentally sensitive habitat area (ESHA) and accordingly, the proposed project would not result in adverse impacts.**
6. That the project minimizes the alteration of natural landforms and will not result in undue risks from geologic and erosional forces and/or flood and fire hazards **such that a certification has been provided by a registered professional engineer that the proposed stockpile will not result in any increase in flood levels during the occurrence of the base flood discharge. The certification and compliance letter provides justification in a flood impact assessment report that the proposed project will not result in any diversion or increase in erosion, flood levels, or hazards to people or property. As such, the proposed project will not result in risks from geologic and erosional forces and flood hazards.**
7. That the project is visually compatible with the character of surrounding areas, and, where feasible, will restore and enhance visual quality in visually degraded areas **in that the subject application proposes relocation of existing storage yard uses and stockpiling of clean rock/soil in an established area of light industrial uses. The stockpile will be similar in elevation to the existing boat/RV storage area immediately adjacent to the north. The project includes installation of new fence screening that conforms to the development standards of the Dana Point Zoning Code, which will result in improvements to the property in a manner that is complementary to surrounding development.**
8. That the project conforms with the General Plan, Zoning Code, applicable Specific Plan, Local Coastal Program, or any other applicable adopted plans and programs **in that the subject project has been reviewed by Planning and Building/Safety Division staff as well as the Public Works/Engineering Department and the project has been found to conform with applicable requirements of the Dana Point Zoning Code (which serves as the implementing document for the General Plan and Local Coastal Program Implementation Plan for the subject property). There are no adopted specific plans that apply to the subject property.**

Site Development Permit SDP18-0037

1. Compliance of the site design with development standards of this Code.

PLANNING COMMISSION RESOLUTION NO. 18-12-10-XX  
CDP18-0012 AND SDP 18-0037  
PAGE 4

The proposed stockpile, fencing, and drainage improvements have been designed in compliance with all standards for nonresidential development within the Floodplain Overlay (FP-2) District. The project does not involve any structures or construction activity that would cause increase in flood elevations or flood hazards.

2. Suitability of the site for the proposed use and development.

Proposed development involves a stockpile of 22,300 cubic yards of clean rock/dirt, perimeter fencing for screening, and storm runoff and erosion control improvements designed to meet current floodplain standards. The stockpile will be located in the Industrial/Business District, and adjacent to similar uses in the immediate vicinity. The subject site is suitable to accommodate the stockpile provided that it will not result in increased flood velocities, flood hazards, or flood levels.

3. Compliance with all elements of the General Plan and all applicable provisions of the Urban Design Guidelines.

General Plan Public Safety Element Policy Policy 2.1 suggests reduction of risk from flood hazards by providing appropriate land use regulations for areas subject to flooding and the proposed improvements will comply with the applicable provisions of the City's Floodplain Overlay District (Chapter 9.31).

4. Site and structural design which are appropriate for the site and function of the proposed use, without requiring a particular style or type of architecture.

Proposed project improvements complement and match existing storage yard uses and screened fencing, which is compatible with industrial development in the immediate area and within the floodplain.

Conditions:

General:

1. Approval of this application permits stockpiling of approximately 22,300 cubic yards of clean rock/soil located at 33750 Stonehill Drive in accordance with the plans on file with the Community Development Department. Subsequent submittals for this project shall be in substantial compliance with the plans presented to the Planning Commission, and in compliance with the applicable provisions of the Dana Point General Plan, Local Coastal Program Implementation Plan, and Zoning Code.

PLANNING COMMISSION RESOLUTION NO. 18-12-10-XX  
CDP18-0012 AND SDP 18-0037  
PAGE 5

2. This resolution shall be copied in its entirety, placed directly onto a separate plan sheet behind the cover sheet of any plans submitted to the City of Dana Point Building/Safety Division for plan check.
3. Approval of this application is valid for a period of 24 months (two years) from the noted date of determination. If the development approved by this action is not established, or a building permit for the project is not issued within such period of time, the approval shall expire and shall thereafter be null and void.
4. The application is approved as a plan for the location and design of the uses, structures, features, and materials shown on the approved plans. Any demolition beyond that described in the approved plans or any relocation, alteration, or addition to any use, structure, feature, or material, not specifically approved by this application, will nullify this approving action. If any changes are proposed regarding the location of, or alteration to the appearance or use of any structure, an amendment to this permit shall be submitted for approval by the Director of Community Development. If the Director determines that the proposed change complies with the provisions, spirit and intent of this approval action, and that the action would have been the same for the amendment as for the approved site plan, he/she may approve the amendment without requiring a new public hearing.
5. Failure to abide by and faithfully comply with any and all conditions attached to the granting of this permit shall constitute grounds for revocation of said permit.
6. The Applicant or any successor-in-interest shall defend, indemnify, and hold harmless the City of Dana Point ("CITY"), its agents, officers, or employees from any claim, action, or proceeding against the CITY, its agents, officers, or employees to attack, set aside, void, or annul an approval or any other action of the CITY, its advisory agencies, appeal boards, or legislative body concerning the project. Applicant's duty to defend, indemnify, and hold harmless the City shall include paying the CITY's attorney fees, costs and expenses incurred concerning the claim, action, or proceeding.

The Applicant or any successor-in-interest shall further protect, defend, indemnify and hold harmless the City, its officers, employees, and agents from any and all claims, actions, or proceedings against the City, its officers, employees, or agents arising out of or resulting from the negligence of the Applicant or the Applicant's agents, employees, or contractors. Applicant's duty to defend, indemnify, and hold harmless the City shall include paying the CITY's attorney fees, costs and expenses incurred concerning the claim, action, or proceeding. The Applicant shall also reimburse the City for City Attorney fees and costs associated with the review of the proposed project and any other related documentation.

The Applicant, and their successors-in-interest, shall be fully responsible for



PLANNING COMMISSION RESOLUTION NO. 18-12-10-XX  
CDP18-0012 AND SDP 18-0037  
PAGE 6

knowing and complying with all conditions of approval, including making known the conditions to City staff for future governmental permits or actions on the project site.

7. The project shall meet all water quality requirements including Low Impact Development (LID) implementation.
8. The Applicant, or Applicant's agent(s), shall be responsible for coordination with OCTA/Metrolink, water district, sewer district, SDG&E, AT&T California and Cox Communication Services for the provision of water, sewer, electric, cable television and telephone and services. The Applicant, or Applicant's agent(s), shall be responsible for coordinating any potential conflicts or existing easements.
9. The applicant shall exercise special care during the construction phase of this project to prevent any off-site siltation. The applicant shall provide erosion and sediment control measures at all times. The applicant shall maintain the erosion and sediment control devices until the final approval of all permits.
10. The entire site is located within the 100 year floodplain as shown on FEMA Flood Insurance Rate Maps and is in Zone AO. Any development on the site is subject to the provisions of Chapter 9.31 of the City's Zoning Code for property located in the FP-2 Floodplain Overlay District.

**Prior to Issuance of a Grading Permit:**

11. All documents prepared by a professional shall be wet-stamped and signed.
12. The proposed improvements must be built in compliance with all applicable flood hazard reduction provisions and shall be incorporated into and referenced on the project plans. The Project's registered professional engineer or architect shall review, sign, and wet-stamp the final building plans and provide a completed "Floodplain Certification" form to the City.
13. The applicant shall submit an application for an address assignment for the area of work. The address assignment shall be reviewed and approved by the City of Dana Point and noticing to all agencies of a new address will be required. The address shall be posted at the area of work at all times.
14. The applicant shall submit an application for a grading permit. The application shall include a grading plan, in compliance with City standards, for review and approval by the Director of Public Works. The applicant shall include all plans and documents in their submittal as required by the current Public Works Department's plan check policies, City of Dana Point Municipal Code and the City of Dana Point Grading Manual and City's Municipal Separate Storm Sewer Systems (MS4s) Permit requirements.



PLANNING COMMISSION RESOLUTION NO. 18-12-10-XX  
CDP18-0012 AND SDP 18-0037  
PAGE 7

**Prior to Final Approval of All Permits:**

15. A Final Geotechnical Report shall be prepared by the project geotechnical consultant in accordance with the City of Dana Point Grading Manual.
16. A written approval by the Geotechnical Engineer of Record approving the grading as being in conformance with the approved grading plan from a geotechnical standpoint.
17. A written approval by the Civil Engineer of Record approving the grading as being in conformance with the approved grading plan and which specifically approves construction for all engineered drainage devices and retaining walls.
18. An As-Built Grading Plan shall be prepared by the Civil Engineer of Record.
19. Public Works final approval will be required for all permits.
20. All landscaping improvements and/or structural best management practices (BMPs) shall be constructed and installed in conformance with approved plans and specifications.
21. The Applicant, or Applicant's agent(s), shall cause the scheduling of a Planning Division final onsite inspection with the Community Development Department that shall include a review of compliance with any outstanding project conditions of approval.

PLANNING COMMISSION RESOLUTION NO. 18-12-10-XX  
CDP18-0012 AND SDP 18-0037  
PAGE 8

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Planning Commission of the City of Dana Point, California, held on this 10<sup>th</sup> day of December, 2018 by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Danni Murphy, Chairperson  
Planning Commission

ATTEST:

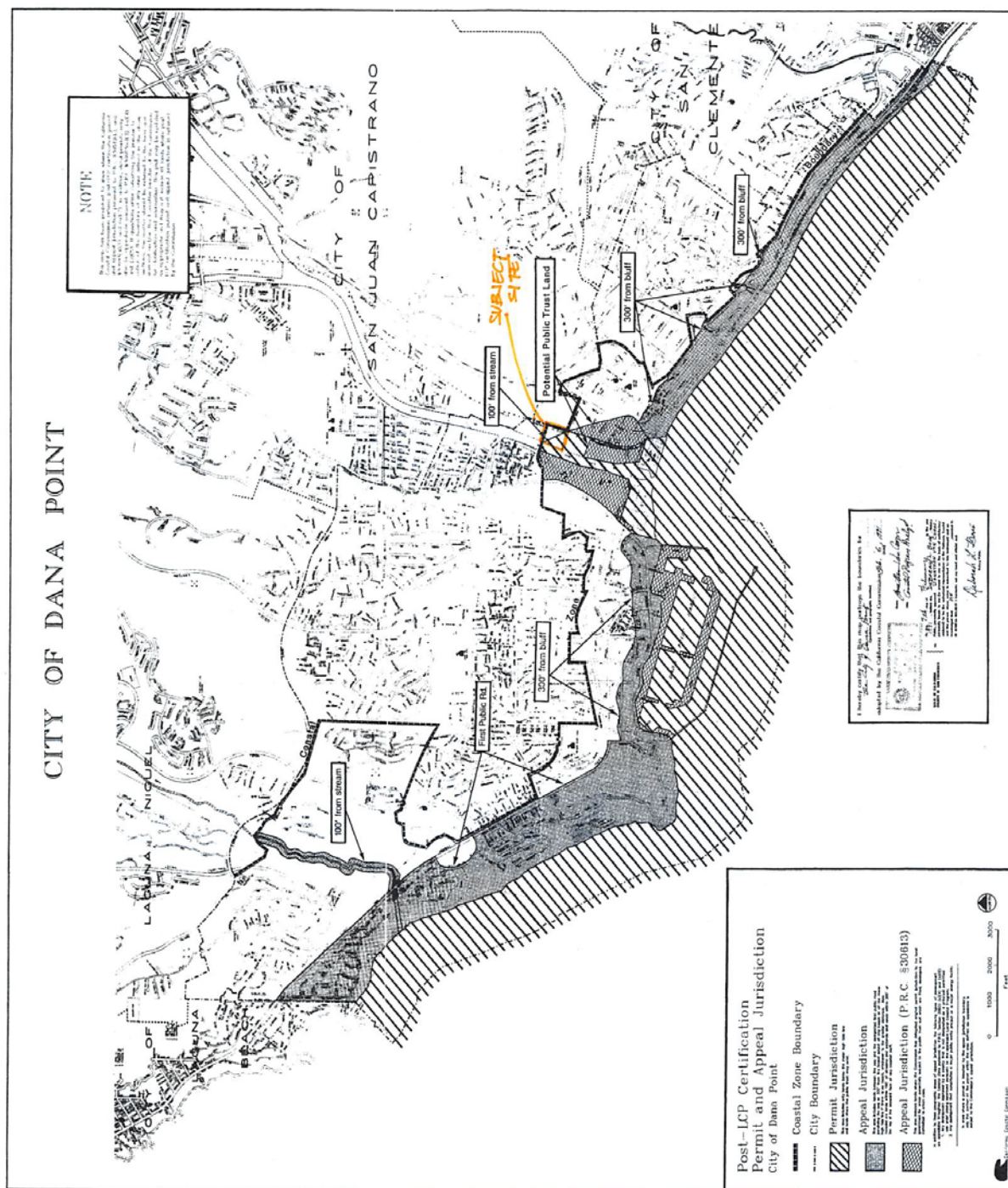
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Matt Schneider, Director  
Community Development Department

## Supporting Document 2 Vicinity Map

VICINITY MAP: 33750 STONEHILL DRIVE (APN: 668-412-21) "LOT B"







**Supporting Document 4** Project Plans and Renderings

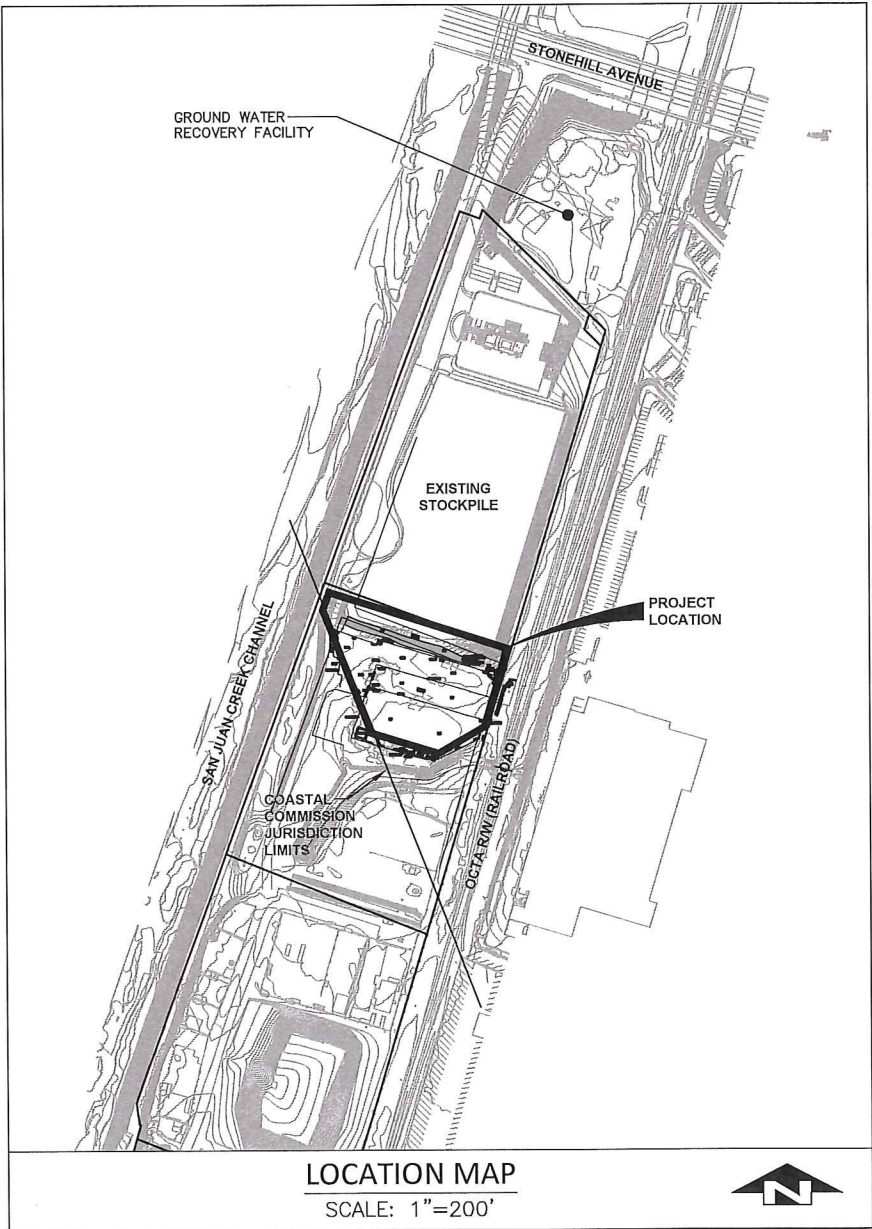
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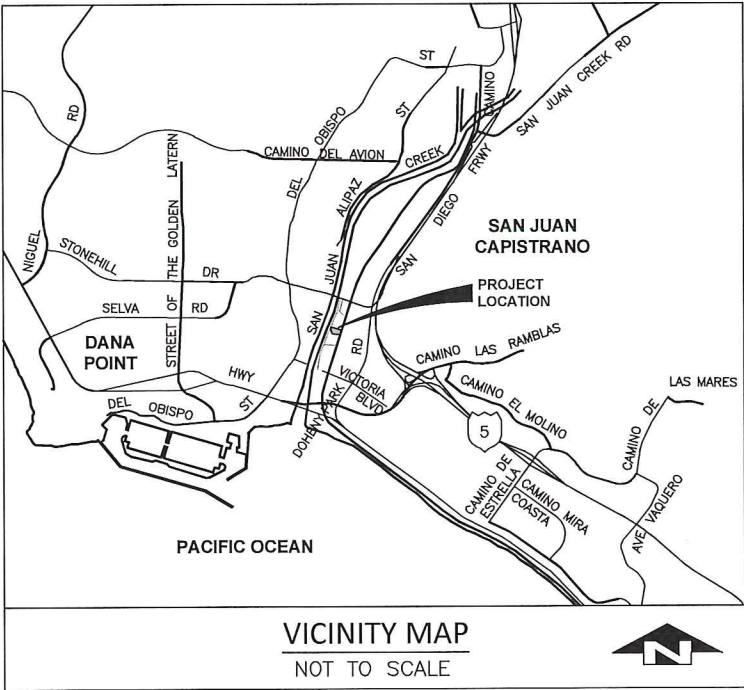
# SITE PLAN FOR STOCKPILE

SAN JUAN CREEK PROPERTY - LOT "B"  
OWNER: SOUTH COAST WATER DISTRICT

PREPARED FOR:  
CITY OF DANA POINT, CALIFORNIA  
PLANNING DEPARTMENT



- SHEET INDEX**
- P-1 COVER SHEET & LOCATION MAPS
  - P-2 SITE PLAN - STOCKPILE
  - P-3 SECTIONS AND RENDERINGS
  - P-4 FLOOD ORDINANCE CERTIFICATION



**GENERAL NOTES:**

**SCOPE OF WORK:**  
STOCKPILE OF APPROXIMATELY 22,300 C.Y. OF CLEAN SOIL/ROCK DERIVED FROM SCWD TUNNEL STABILIZATION AND SEWER REPLACEMENT PROJECT IN SOUTH LAGUNA BEACH AND BMP'S.

**GRADING QUANTITIES:**  
FILL: 22,300 CUBIC YARDS  
CUT: 0 CUBIC YARDS

**ADDRESS:**  
33750 STONEHILL DRIVE, DANA POINT, CA

**ZONING:**  
1/B

**ASSESSOR PARCEL NUMBER:**  
668-412-21

**LEGAL DESCRIPTION:**  
A TR PRIOR HOMESTEAD BLK PORTION OF TRACT 574 IN SEC 14T 8RB.

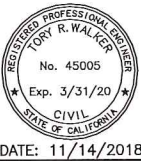
**FLOOD PLAIN INFORMATION:**  
FLOODPLAIN OVERLAY DISTRICT - FP-2  
FEMA FLOOD ZONE AO  
FIRM: 06059C0506J

**CONSTRUCTION STAGING:**  
SEE GRADING PLANS, APPROVED UNDER SEPARATE PERMIT.

**RECEIVED**

**NOV 29 2018**

**CITY OF DANA POINT  
COMMUNITY DEVELOPMENT  
DEPARTMENT**



PREPARED BY:  
**TORY R. WALKER ENGINEERING**  
RELIABLE SOLUTIONS IN WATER RESOURCES  
122 CIVIC CENTER DR, STE 206, VISTA, CA 92084 • 760-414-9212

APPROVED BY THE CITY OF DANA POINT  
PLANNING DEPARTMENT  
THIS PLAN HAS BEEN REVIEWED FOR ZONING ONLY AND MEETS  
THE REQUIREMENT OF THE DANA POINT MUNICIPAL CODE:

CITY PLANNING DEPARTMENT DATE

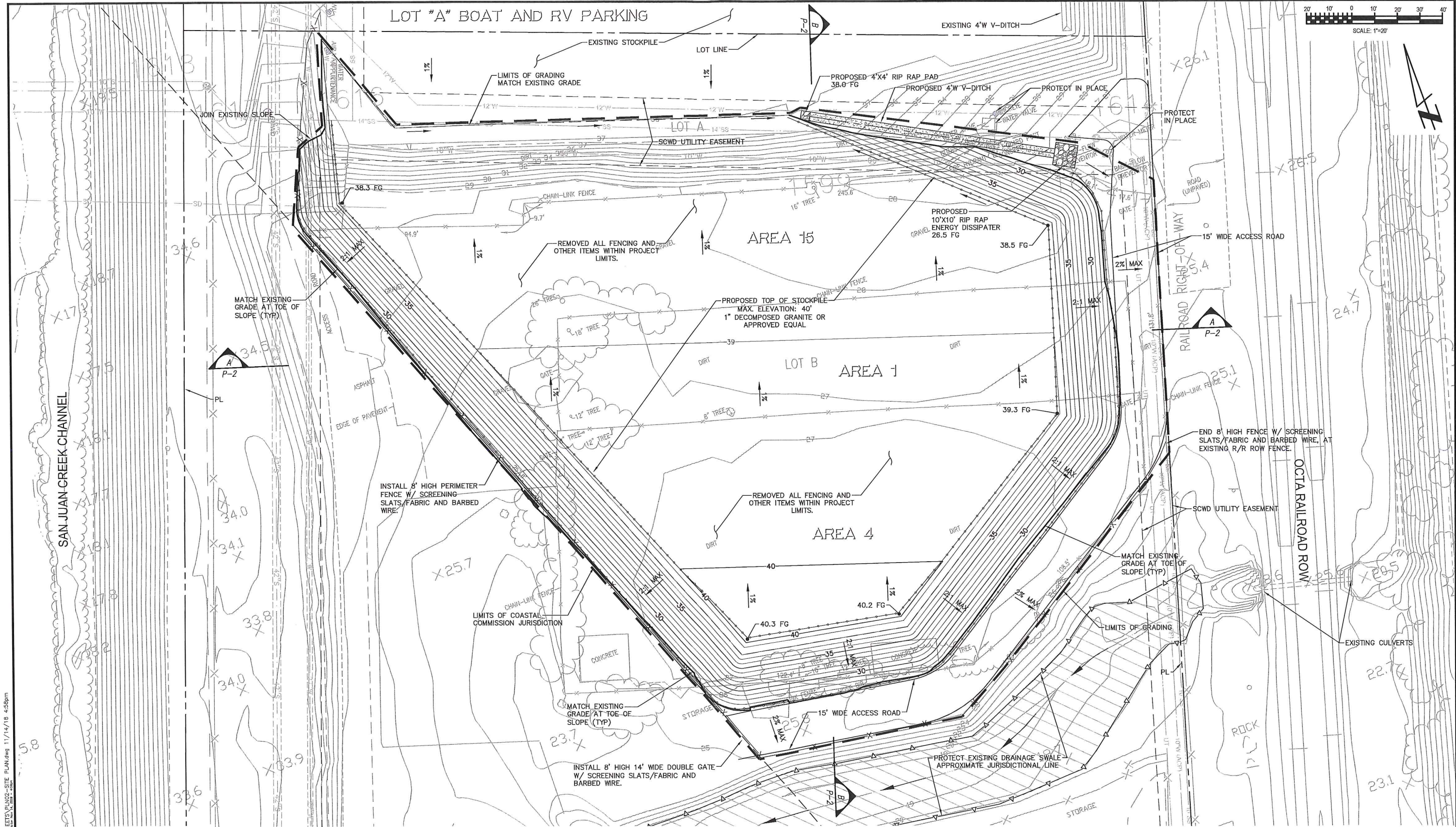


**CITY OF DANA POINT**  
**TITLE SHEET, VICINITY MAPS AND  
FLOOD CERTIFICATION**  
S.C.W.D - SAN JUAN CREEK PROPERTY  
STOCKPILE - LOT "B"  
DANA POINT, CALIFORNIA

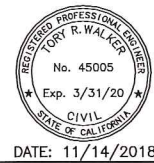
**P-1**  
CONTRACT NO.  
XX-XX  
1 OF 4 SHEETS

DATE: 11/14/2018





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PREPARED BY:  
**TORY R. WALKER ENGINEERING**  
RELIABLE SOLUTIONS IN WATER RESOURCES  
122 CIVIC CENTER DR, STE 206, VISTA, CA 92084 • 760-414-9212

APPROVED BY THE CITY OF DANA POINT  
PLANNING DEPARTMENT  
THIS PLAN HAS BEEN REVIEWED FOR ZONING ONLY AND MEETS  
THE REQUIREMENT OF THE DANA POINT MUNICIPAL CODE:  
CITY PLANNING DEPARTMENT DATE

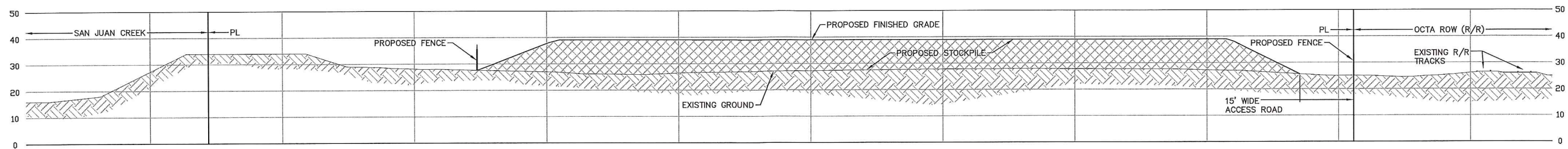


CITY OF DANA POINT		P-2
PROPOSED SITE PLAN		
S.C.W.D - SAN JUAN CREEK PROPERTY STOCKPILE - LOT "B" DANA POINT, CALIFORNIA		
		CONTRACT NO. XX-XX
		2 OF 4 SHEETS

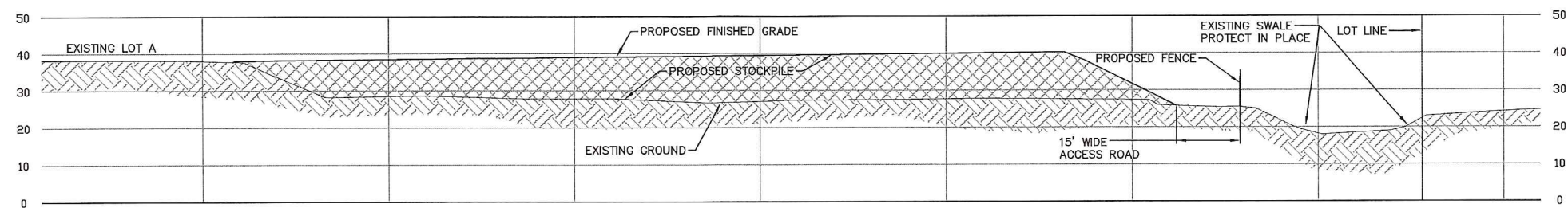
DATE: 11/14/2018

ORIGINAL SCALE:





SECTION A-A  
SCALE: 1"=20'



SECTION B-B  
SCALE: 1"=20'

VIEW FROM ACROSS SAN JUAN CREEK CHANNEL

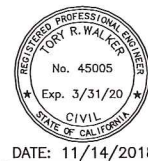


EXISTING CONDITIONS  
N.T.S.

VIEW FROM ACROSS SAN JUAN CREEK CHANNEL



RENDER 1  
N.T.S.



DATE: 11/14/2018



PREPARED BY:

**TORY R. WALKER ENGINEERING**  
RELIABLE SOLUTIONS IN WATER RESOURCES  
122 CIVIC CENTER DR, STE 206, VISTA, CA 92084 • 760-414-9212

APPROVED BY THE CITY OF DANA POINT  
PLANNING DEPARTMENT  
THIS PLAN HAS BEEN REVIEWED FOR ZONING ONLY AND MEETS  
THE REQUIREMENT OF THE DANA POINT MUNICIPAL CODE:

CITY PLANNING DEPARTMENT

DATE



CITY OF DANA POINT

SECTIONS AND RENDERINGS

S.C.W.D - SAN JUAN CREEK PROPERTY  
STOCKPILE - LOT "B"  
DANA POINT, CALIFORNIA

P-3

CONTRACT NO.

XX-XX

3 OF 4 SHEETS

DATE: 11/14/2018





**TORY R. WALKER ENGINEERING**  
RELIABLE SOLUTIONS IN WATER RESOURCES

November 12, 2018

City of Dana Point  
Matt Sinacori  
Director of Public Works/City Engineer  
33282 Golden Lantern  
Dana Point, CA 92629

Re: Floodplain Overlay Zone Compliance and Flood Impact Assessment Letter for South Coast Water District Stockpile at 30-Acres, Lots 1, 4, 15, APN 668-412-21, (Lot B)

Dear Mr. Sinacori:

We are writing to describe the potential flood impacts for this project, as required by the City of Dana Point Flood Plain Overlay District and associated ordinances 9.31.010 through 9.31.070. This letter provides a summary of compliance for Section 9.31. A separate letter is also provided for compliance/certification described in Section 9.31.060 (e) (1).

The proposed stockpile at this site is a continuation of the current South Coast Water District (SCWD) tunnel project Phase 1 (lot 6) in their 30-acre property located south of the SCWD Groundwater Recovery Facility, just east of the San Juan Creek Channel, and west of the railroad corridor. In addition to potential impacts from San Juan Creek, we have also considered two other drainage conveyances: 1) the earthen channel at the southeast edge of the proposed stockpile, and 2) the concrete channel (OCFCD Facility L01502, also known as the Capistrano Beach Storm Channel) located approximately 300 feet south. Refer to the exhibit in the attached hydraulic calculation package for illustration. Elevations noted throughout this letter are based on the NAVD 88 datum.

Per the FEMA Flood Insurance Rate Map (FIRM) 06059C056J, the proposed project is located in Zone AO (Depth 1 ft.), which is defined as a Special Flood Hazard Area (SFHA) subject to flood depths of 1 foot on average for the 1% annual chance flood. This zone is defined as a Floodplain Overlay District 2 (FP-2) per Section 9.31.010 of the Dana Point Zoning Code, and subject to requirements set forth within Chapter 9.31.

**Potential Flood Impacts from San Juan Creek, Earthen Channel, and Concrete Channel**

While the FIRM indicates inundation at the site, an updated hydraulic study prepared by Pacific Advanced Civil Engineering, Inc. (PACE) in April 2010 entitled "Baseline Floodplain Hydraulics for San Juan Creek" indicates that no overtopping of the adjacent San Juan Creek Levee occurs adjacent to or near the site. The study indicates that the maximum water surface elevation is 34.1 feet for the creek adjacent to the site, and the adjacent levee at that point is at elevation 35.0 feet. Moving south along the property, all San Juan Creek flows are contained by the levee.

For the adjacent earthen channel, it should be noted that two 36-inch culverts carry flow under the railroad; continuing west, flows are conveyed in the earthen channel with approximately 3:1 sideslopes and a 15 foot to 20-foot bottom width. Based on the culvert diameters, available upstream ponding depth, and approximate tributary area along the railroad right of way, the channel likely carries at most 300 cfs. At that flow, the maximum depth in the channel would be at most 3 feet, with a maximum water surface elevation of

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South Coast Water District  
Stockpile Flood Impact Assessment and Compliance Letter

conservatively inundates 300 feet north to the stockpile, and approximately 250 feet south to the fill area on an adjacent SCWD parcel (see exhibit). At the 100-year flow, at a low velocity of 5 fps in the concrete channel (this is conservative, as the WSPG calculations indicate 9.7 fps), the channel itself conveys approximately 1,400 cfs, with approximately 1,120 cfs in the overbank/inundation flow. At that depth and width of overbank (550 ft. x 7 ft. depth) the average velocity is approximately 0.3 fps for the inundation/overbank flow.

The stockpile location itself results in no diversion of flows. The adjacent earthen channel flows are unaffected, and the inundation elevation for the concrete channel (30.1 feet) is not affected, as it results from downstream control; a backwater effect. There is no increase in erosion potential, due to the low velocities noted above, and no increase in flooding potential for the stockpile, or the adjacent properties to the south. In addition, no flows are diverted nor flood elevations increased with respect to the adjacent railroad right-of-way and the commercial properties to the east.

In summary for FP Overlay Section 9.31.040, the proposed stockpile does not result in any increase to the following: erosion potential, flood hazards for property or people, diversions, or flood levels. These floodplain-related statements pertain to all three drainage facilities/conveyances near and adjacent to the site: 1) San Juan Creek 2) the earthen drainage channel/swale, and 3) the concrete channel (OCFCD facility L01502)

**9.31.050 Administration**

This section indicates a Site Development Permit and processing of that application is required. Compliance with this section is met through processing a Site Development Plan through the Planning Department. In addition, a grading permit application will be processed through the Engineering Department. In summary, for items 1 through 7 of this section, plans will be developed and certified by a civil engineer, no structures are proposed, no floodproofing is required, and no watercourses are being altered or relocated. In addition, with this letter I certify that all the information within the Planning Application; plan sheets, and appurtenant documents, is correct.

**9.31.060 Provisions for Flood Hazard Reduction**

This section relates to structures and construction. The stockpile project proposes no structures, and no construction activity is anticipated that would cause increase in flood elevations or flood hazards. In addition, there are no utilities proposed. While the project is mapped in an SFHA, the proposed stockpile will not result in increased flood levels, increased flood velocities, or increased flood hazards, as demonstrated throughout this letter. In summary, compliance with all sections of Chapter 9.31 of the Floodplain Overlay District requirements is provided; additionally, refer to the attached certification letter for compliance with section 9.31.060 (e) (1).

Best Regards,

*Tory R. Walker*  
Tory R. Walker, PE, CFM, LEED GA  
Principal



South Coast Water District  
Stockpile Flood Impact Assessment and Compliance Letter

approximately 24 feet adjacent to the stockpile site. These flows will be fully contained within the banks of the earthen channel, are below the stockpile toe elevation, and will have no impact on the stockpile.

For the concrete channel, (OCFCD Facility L01502) we have prepared a hydraulic analysis using the XP Water Surface Pressure Gradient Package (WSPG), Version 3.0. The WSPG program was selected since it is approved by FEMA for hydraulic analyses of storm drains. The computational procedure in WSPG is based on solving for the total energy at each section and calculating the energy losses due to friction between the sections in a reach. The program has the capability to model open channels and storm drains with a variety of cross-section shapes.

The input file for the WSPG model was prepared by entering the storm drain sizes, lengths, types (pipe, box, open channel), and junction types and elevations from the as-built Capistrano Beach Storm Channel plan and profile (Sheets 14 – 16 of plan number L01-101-3, October 1982). These plans are on the NGVD29 datum; therefore, elevation data was converted to NAVD88 for use in the WSPG model (at the project location, NAVD88 is approximately 2.3-feet higher than NGVD29). The downstream water surface elevation used at the model's outlet was estimated based on data from stations 15+02 and 18+55 from the April 2010 PACE study Baseline Floodplain Hydraulics for San Juan Creek. The PACE study elevations are in NGVD29 and were converted to NAVD88 for use in the WSPG model. The 100-year flow rates used in the WSPG model were taken from the Floodway Compliance Technical Memorandum, prepared September 2016 by TetraTech. WSPG input and output results are included in the appendix. See section 9.31.040 below for additional descriptions and summary of these two drainage conveyances, with respect to the proposed stockpile.

**Summary of FP-2 (Floodplain Overlay) Compliance**

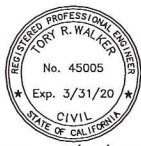
**9.31.030 Permitted, Accessory, Temporary, and Conditional Uses**

The temporary stockpile of material is a conditional use that is permitted as long as there is compliance with the other provisions in FP-Overlay chapter of the code.

**9.31.040 Permitted Uses and Structures**

Part (b) of this section notes that no increase in erosion, flood levels, or hazards to people or property are permissible. The stockpile will be protected from erosion through the erosion control measures implemented through the grading permit and plans. Minor inundation with low velocities, as previously described, is anticipated with no expected hazards. There is no increase in base flood elevations, as there are no BFEs noted in FEMA Zone AO, and the adjacent San Juan Creek flows are fully contained within the channel. Additionally, flows from the two drainage conveyances, (earthen channel and concrete channel) will create no additional flood hazard, as described in more detail in the following paragraphs.

During the highest storm events, the earthen channel flows approximately at a maximum depth of 3 feet, with no overbank flows affecting the proposed stockpile. There is no inundation above approximately elevation 24 feet, with high flows contained. At all storm events, flows from this channel will not impact the proposed stockpile, nor will the stockpile impact the flows, velocities, or depths in the channel. There are no increased flood hazards, no diversions of flows, or increased erosion potential. The concrete channel located approximately 300 feet south of the proposed stockpile is the larger of the two channels. The anticipated water surface is documented in earlier sections of this letter. During large storm events, the flows from the concrete channel will inundate a large area, as can be seen on the attached illustrative Flood Impact and Compliance Exhibit. However, this inundation area has low velocities associated with it, due to the majority of flow being contained in the concrete channel itself. The 100-year flow for the channel, from Orange County Flood Control data, is 2,520 cfs (cubic feet per second). At normal depth flows, the channel can convey the storm flows at 10.8 feet deep at 13.7 fps. The 100-year inundation elevation (30.1 feet from the WSPG calculations) is 7 to 8 feet over the top of concrete channel. At an average depth of 7 feet, the overbank



DATE: 11/14/2018

PREPARED BY:



**TORY R. WALKER ENGINEERING**  
RELIABLE SOLUTIONS IN WATER RESOURCES

122 CIVIC CENTER DR, STE 206, VISTA, CA 92084 • 760-414-9212

APPROVED BY THE CITY OF DANA POINT  
PLANNING DEPARTMENT  
THIS PLAN HAS BEEN REVIEWED FOR ZONING ONLY AND MEETS  
THE REQUIREMENT OF THE DANA POINT MUNICIPAL CODE.



CITY PLANNING DEPARTMENT

DATE

CITY OF DANA POINT

FLOOD ORDINANCE CERTIFICATION

S.C.W.D - SAN JUAN CREEK PROPERTY  
STOCKPILE - LOT "B"  
DANA POINT, CALIFORNIA

P-4

CONTRACT NO.

XX-XX

4 OF 4 SHEETS

DATE: 11/14/2018

ORIGINAL SCALE: 1"=100'





RECEIVED

NOV 29 2018

CITY OF DANA POINT  
COMMUNITY DEVELOPMENT  
DEPARTMENT

D:\p\SCWD\TUNNEL\_SPOIL\_SITED\DWG\EXHIBITS\ISOMETRICS.dwg Date: Nov 27, 2018 - 8:55am



**TORY R. WALKER ENGINEERING**  
RELIABLE SOLUTIONS IN WATER RESOURCES  
122 CIVIC CENTER DR, STE 206, VISTA, CA 92084 • 760-414-9212

SCWD 30 ACRES - LOT B  
TUNNEL PHASES 2, 3 & 4 SPOILS  
ESTIMATED SPOIL QUANTITY: 27,000 CUBIC YARDS

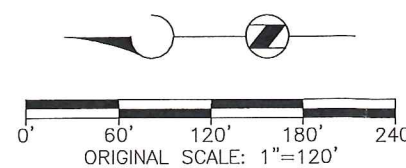
VIEW FROM SOUTH EAST OF PROJECT

11/27/2018



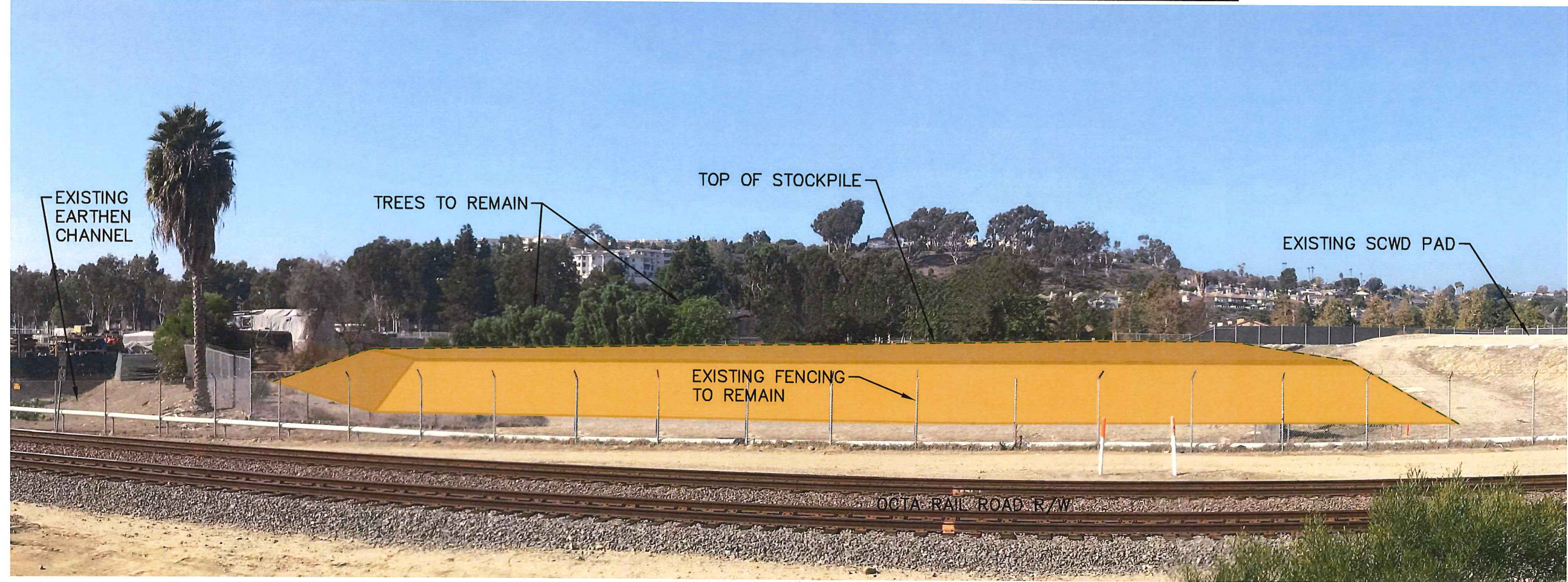
APPROVED BY: SCWD

# SOUTH COAST WATER DISTRICT





VIEW FROM COSTCO ACROSS OCTA RAILROAD R/W



RENDER 2  
N.T.S.

D:\PROJECTS\TUNNEL SPOIL SITE\DWG\SHEETS\PLAN4-SECT-RENDER.dwg Date: Dec 04, 2018 - 10:33am





## Supporting Document 5 Certification Letter



**TORY R. WALKER ENGINEERING**  
RELIABLE SOLUTIONS IN WATER RESOURCES

November 12, 2018

City of Dana Point  
Matt Sinacori  
Director of Public Works/City Engineer  
33282 Golden Lantern  
Dana Point, CA 92629

**Re: Floodplain Overlay Zone Compliance and Flood Impact Assessment Letter for South Coast Water District Stockpile at 30-Acres, Lots 1, 4, 15, APN 668-412-21, (Lot B)**

Dear Mr. Sinacori:

We are writing to describe the potential flood impacts for this project, as required by the City of Dana Point Flood Plain Overlay District and associated ordinances 9.31.010 through 9.31.070. This letter provides a summary of compliance for Section 9.31. A separate letter is also provided for compliance/certification described in Section 9.31.060 (e) (1).

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Per the FEMA Flood Insurance Rate Map (FIRM) 06059C0506J, the proposed project is located in Zone AO (Depth 1 ft.), which is defined as a Special Flood Hazard Area (SFHA) subject to flood depths of 1 foot on average for the 1% annual chance flood. This zone is defined as a Floodplain Overlay District 2 (FP-2) per Section 9.31.010 of the Dana Point Zoning Code, and subject to requirements set forth within Chapter 9.31.

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For the adjacent earthen channel, it should be noted that two 36-inch culverts carry flow under the railroad; continuing west, flows are conveyed in the earthen channel with approximately 3:1 sideslopes and a 15 foot to 20 foot bottom width. Based on the culvert diameters, available upstream ponding depth,



South Coast Water District  
Stockpile Flood Impact Assessment and Compliance Letter

and approximate tributary area along the railroad right of way, the channel likely carries at most 300 cfs. At that flow, the maximum depth in the channel would be at most 3 feet, with a maximum water surface elevation of approximately 24 feet adjacent to the stockpile site. These flows will be fully contained within the banks of the earthen channel, are below the stockpile toe elevation, and will have no impact on the stockpile.

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#### Summary of FP-2 (Floodplain Overlay) Compliance

##### 9.31.030 Permitted, Accessory, Temporary, and Conditional Uses

The temporary stockpile of material is a conditional use that is permitted as long as there is compliance with the other provisions in FP-Overlay chapter of the code.

##### 9.31.040 Permitted Uses and Structures

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South Coast Water District  
Stockpile Flood Impact Assessment and Compliance Letter

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The stockpile location itself results in no diversion of flows. The adjacent earthen channel flows are unaffected, and the inundation elevation for the concrete channel (30.1 feet) is not affected, as it results from downstream control; a backwater effect. There is no increase in erosion potential, due to the low velocities noted above, and no increase in flooding potential for the stockpile, or the adjacent properties to the south. In addition, no flows are diverted nor flood elevations increased with respect to the adjacent railroad right-of-way and the commercial properties to the east.

In summary for FP Overlay Section 9.31.040, the proposed stockpile does not result in any increase to the following: erosion potential, flood hazards for property or people, diversions, or flood levels. These floodplain-related statements pertain to all three drainage facilities/conveyances near and adjacent to the site: 1) San Juan Creek 2) the earthen drainage channel/swale, and 3) the concrete channel (OCFCD facility L01S02)

9.31.050 Administration

This section indicates a Site Development Permit and processing of that application is required. Compliance with this section is met through processing a Site Development Plan through the Planning Department. In addition, a grading permit application will be processed through the Engineering Department. In summary, for items 1 through 7 of this section, plans will be developed and certified by a civil engineer, no structures are proposed, no floodproofing is required, and no watercourses are being altered or relocated. In addition, with this letter I certify that all the information within the Planning Application; plan sheets, and appurtenant documents, is correct.

9.31.060 Provisions for Flood Hazard Reduction

This section relates to structures and construction. The stockpile project proposes no structures, and no construction activity is anticipated that would cause increase in flood elevations or flood hazards. In addition, there are no utilities proposed. While the project is mapped in an SFHA, the proposed stockpile will not result in increased flood levels, increased flood velocities, or increased flood hazards, as demonstrated throughout this letter. In summary, compliance with all sections of Chapter 9.31 of the Floodplain Overlay District requirements is provided; additionally, refer to the attached certification letter for compliance with section 9.31.060 (e) (1).





South Coast Water District  
Stockpile Flood Impact Assessment and Compliance Letter

Best Regards,

Tory R. Walker, PE, CFM, LEED GA  
Principal



Attachments:

- Site Exhibit
- WSPG Calculations, input and output
- Sheets 14-16 of Plans L01-101-3
- 2010 Pace Study, without appendices
- Floodway Certification Letter for Section 9.31.060 (e)
- Normal Depth and Overbank Calculation





**TORY R. WALKER ENGINEERING**  
RELIABLE SOLUTIONS IN WATER RESOURCES

November 12, 2018

City of Dana Point  
Matt Sinacori  
Director of Public Works/City Engineer  
33282 Golden Lantern  
Dana Point, CA 92629

**Re: South Coast Water District Stockpile at 30-Acres, Lots 1, 4, 15 APN 668-412-21 (Lot B), certification letter for Section 9.31.060 (e) (1)**

Dear Mr. Sinacori:

The proposed stockpile project is located in Zone AO – Depth 1 ft., as noted on the FEMA FIRM (Flood Insurance Rate Map) 06059C056J. The AO zone is defined as a special flood hazard area subject to flood depths of 1 foot on average for the 1% annual chance flood. The Dana Point Zoning Code defines this as being in a Floodplain Overlay District, more specifically Floodplain Overlay (FP) district 2 (FP-2), per Section 9.31.010, and subject to the requirements within Chapter 9.31. We have provided an overall flood impact assessment and floodplain Overlay Zone compliance letter by separate document, to address pertinent sections of Chapter 9.31. Refer to that document for a complete description of the three drainage facilities/conveyances affecting this property. With this letter we are providing certification required with Section 9.31.060 (e) (1). (Encroachments in floodway).

Compliance with the code is summarized below, with certification provided with my signature and seal:

As the project is within an Area of Special Flood Hazard, per Section 9.31.020(b), the City considers this project to be located in a floodway (City of Dana Point code and definition of floodway), and thus subject to certification noted in Section 9.31.060 (e). The project proposes fill that encroaches into the City-designated floodway. This use is not prohibited, as we have demonstrated that there is no increase in flood levels, flood hazards, velocities, or erosion potential, and there are no flow diversions to adjacent properties, due to the placement of the stockpile. Compliance with this section is met.

Best Regards,

Tory R. Walker, PE, CFM, LEED GA  
Principal

