## CITY OF DANA POINT PLANNING COMMISSION AGENDA REPORT

DATE: APRIL 26, 2021

TO: DANA POINT PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

BRENDA WISNESKI, DIRECTOR OF COMMUNITY DEVELOPMENT

**BELINDA DEINES, PRINCIPAL PLANNER** 

SUBJECT: DOHENY VILLAGE PLAN STUDY SESSION

**RECOMMENDATION**: That the Planning Commission review the proposed project,

receive public comments, and provide feedback on the

Doheny Village Plan.

**APPLICANT**: City of Dana Point

**LOCATION**: Doheny Village

**ENVIRONMENTAL**: Pursuant to the California Environmental Quality Act (CEQA),

the project is found to be Categorically Exempt per Section 15306 (Class 6 – Information Collection) in that the project involves basic data collection, research, and information gathering purposes leading to an action which a public

agency has not yet approved or adopted.

## **BACKGROUND**:

On November 25, 2019, the Planning Commission conducted a preliminary review and received an update on the proposed Doheny Village Zoning Code Update. The Planning Commission provided comments focused on the identification of potential issues and offered general feedback on how key issues or policies apply to the project. Commissioners asked for clarification on parking requirements, affordable housing incentives, residential density, setback requirements, and definitions of uses.

On December 3, 2019, the City Council directed City staff to initiate a Zoning Code Amendment, General Plan Amendment, and Local Coastal Plan Amendment for the Doheny Village Plan, and authorized renewal of the EIR contract. City staff hosted regular monthly meetings with the Doheny Village Working Group ("Working Group") comprised of select community representatives that have been actively involved in the draft Zoning Code Update process. Multiple in-person and virtual meetings were held, which have been open to the public, noticed on the City calendar, and promoted on social media sites. Supporting Document 1 is a timeline of meetings conducted to date.

As a result, local stakeholders and City staff have prepared draft documents for the Doheny Village Plan. The project consists of a Zoning Code Update, General Plan Amendment, Local Coastal Plan Amendment, and Capital Improvement Plan for the project area. On February 16, 2021, the City Council received a status update and directed staff to continue progress, consider funding allocation, and prioritize resources toward the project.

## **DISCUSSION**:

This Study Session provides an opportunity for the Planning Commission and the general public to review and comment on the Doheny Village Plan project progress. Specifically, changes to the draft Zoning Code Update are proposed in response to public feedback received throughout the past year. In 2020, most of the work has been focused on preparation of the Environmental Impact Report, as well as progress on short-term and long-term projects proposed in the Doheny Village Capital Improvement Plan.

## **Draft Zoning Code Update**

Following the Planning Commission's preliminary review, City staff has made edits to the draft Zoning Code based on the feedback from the Planning Commission, Doheny Village Working Group, and public comments. The updated draft code is attached as Supporting Document 2 and is also posted on the City's webpage for public review: www.danapoint.org/businesses/doheny-village.

The following key revisions to the draft Zoning Code include:

## Parking Requirements

- Unique parking standards proposed for Doheny Village are based on existing parking supply and current patterns of development and uses.
   Village residents and business owners researched and analyzed small and large lots to determine appropriate parking ratios to maintain and improve existing properties.
- Provisions for nonconforming parking are proposed as an incentive for existing properties to change uses and accommodate for minor additions.

## Housing Incentive Overlay

- This overlay is only applicable to three properties identified in Exhibit C of the draft Zoning Code, which includes the Capistrano Valley Shopping Center (Big 5/Smart and Final), Ganahl Lumber, and a vacant lot on Domingo Avenue owned by Capo Beach Church. The overlay is proposed for qualifying sites in relationship to the City's 2021-2029 Housing Element Update.
- The overlay requires that at least 50 percent of the total building gross

floor area, excluding parking, must be residential uses only if new residential uses are proposed. Furthermore, a minimum 20 dwelling units per acre is required and maximum of 35 dwelling units per acre is permitted. If these properties remain as commercial development and no residential uses are proposed, the overlay is not applicable.

## Residential Density

The underlying density is identified in Exhibit B of the draft Zoning Code. The definition of residential density has been revised such that affordable housing units would not be counted in the density calculations except as may be required per the State density bonus State law.

## Building Height and Setback Requirements

- After receiving public comments to ensure and maintain village scale development, revised provisions for building height greater than 35 feet were establish to allow expansion of existing structures and construction of new architectural elements and open ceiling height.
- Structures are limited to three stories in all zones and subject to a maximum building height of 35 feet within the first 50 feet from any exterior lot line to minimize perceived mass from street view.
- Furthermore, the Planning Commission must make additional findings and approve a Site Development Permit for any structure with a building height greater than 35 feet.

## Mixed-Use on Doheny Park Road

 In order to promote active retail/commercial storefronts in keeping with existing development, no residential uses may be permitted on the ground floor 130 feet from Doheny Park Road.

Overall, the draft Zoning Code Update is intended to integrate unique land uses and special development standards which are based upon existing conditions and provide incentives for potential future redevelopment. The proposed regulations prioritize the ability for property owners to repurpose and improve existing small lots in order to preserve and enhance the Village's built form and neighborhood character.

The Draft Zoning Code Update requires amendments to the City's General Plan and Local Coastal Plan, specifically regarding land use designations and residential density. City staff continues to work with the Working Group, community stakeholders to update and recommend policy documents for Planning Commission consideration, and ultimately City Council review and approval.

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## Environmental Impact Report

It is anticipated that the Draft EIR will be made available to the public and published on the City's website on April 26, 2021. The Planning Commission will hold a community workshop on May 10, 2021 to introduce the Draft EIR and provide an opportunity for the public to provide comments on the Draft EIR. The 45-day public comment period will end on June 10, 2021. Following the close of the public comment period, the consultant and City staff will prepare the response to comments and Final EIR.

## Capital Improvement Plan

As directed by the City Council in March 2018, the Working Group developed a Doheny Village Capital Improvement Plan ("CIP") that outlines beautification and connectivity projects in Doheny Village, which is attached as Supporting Document 3. On February 16, 2021, the City Council modified the CIP based on community priorities and availability of funding and resources.

In the past year, City staff has made progress on several programs identified in the CIP. Community members expressed that the top priority is improving connectivity from Doheny Village to the beach, specifically the proposed project at the intersection of Doheny Park Road at Pacific Coast Highway and enhancing the pedestrian and bicycle access leading into the Village along Doheny Park Road. In August 2020, the preliminary design received approval from Caltrans. The preliminary design concept is included in a Memorandum provided to the City Manager, provided herein as Supporting Document 4. The current preliminary design was adjusted slightly in the last month to coordinate with a planned OCTA/Metrolink double tracking project. City staff is preparing a Request for Proposals for design services, which will be brought to the City Council for budget consideration in the 2021 calendar year. It is anticipated that project construction will rely on coordination with potential grant funding opportunities.

Other smaller-scale, short-term projects continue to progress, including enhanced lighting, landscape installations, and a Public Art Program. The Village Beautification Committee ("VBC") was formed to implement these short-term aesthetic improvements. VBC has identified priority locations and potential projects to initiate by summer 2021.

## Community Outreach Strategy

The purpose of the Doheny Village Plan Community Outreach Strategy is to engage a diverse group of stakeholders, including residents, business and property owners, and community organizations, in the plan development process, and to generate ideas, support, and momentum for the implementation of the plan in the year 2021. A summary of meetings since 2017 to date is attached as Supporting Document 1.

In August 2020, stakeholders and City staff began to develop this comprehensive strategy to inform and involve the greater Dana Point community in Doheny Village Plan efforts to date. Unfortunately, the COVID-19 pandemic has limited the City's ability to conduct traditional forms of in-person outreach events. Alternative means to conduct outreach are proposed by partnering with volunteers and utilizing virtual resources.

Key elements of the Community Outreach Strategy include:

- Updates on the City's webpage: <a href="https://www.danapoint.org/businesses/doheny-village">www.danapoint.org/businesses/doheny-village</a>
  - Sign up for e-mail notifications to receive project updates
  - Links to resources available on a dedicated page
- Virtual Office Hours
  - Ask questions and provide feedback in an online meeting format hosted by City staff and Working Group members
- Social Media/Marketing Campaign
  - Coordinated visuals and information on various platforms, including Facebook, Instagram, print materials, articles, press releases, digital ads, and public notices
- YouTube Clips
  - Learn about the Doheny Village Plan on the City's YouTube page through pre-recorded presentations and short video clips
- Public Workshops and Hearings
  - o Planning Commission and City Council

These outreach efforts will occur simultaneously with the public release of the Draft EIR and required 45-day public comment period. A flyer with upcoming outreach meeting dates and information is attached as Supporting Document 5.

## Next Steps

The nexus between the Doheny Village Plan and the City's 2021-2029 Housing Element Update requires that the Zoning Code, General Plan, and Local Coastal Plan Amendments be approved by the City Council by October 2021.

The following dates and milestones are proposed to achieve that deadline:

Date	Milestone
April 26, 2021	Notice of Availability – Public Draft EIR posted Planning Commission – Study Session
April 28, May 6, May 12, 2021	Virtual Office Hours
June 10, 2021	Close of 45-day Public Comment Period

Date	Milestone
August 9, 2021 (tentative)	Planning Commission – Public Hearing
September 7, 2021 (tentative)	City Council – Public Hearing

## **NOTIFICATION/FOLLOW-UP:**

The Doheny Village Working Group, Doheny Village Merchants' Association, and interested parties were notified in advance of the Planning Commission Study Session. The City also placed an advertisement in the Dana Point Times, published a press release, and posted notices on the City's website and social media.

## **CONCLUSION:**

Completion of a Zoning Code, General Plan, and Local Coastal Plan Amendments for Doheny Village has been identified as a high priority and necessary to enable neighborhood enhancement and revitalization. Staff recommends that the Planning Commission review the proposed project and provide feedback for consideration.

Belinda Deines, Principal Planner

Brenda Wisneski, Director Community Development Department

## **ATTACHMENTS**:

## **Supporting Documents**

- 1. Community Outreach Strategy Meetings and Timeline
- 2. Draft Doheny Village Zoning Overlay District
- 3. Draft Doheny Village Capital Improvement Plan
- 4. Memo to CM on Doheny Village Connectivity Improvement Project
- 5. Doheny Village Plan Community Outreach Flyer

**SUPPORTING DOCUMENT 1:** Community Outreach Strategy – Meetings and Timeline



## **COMMUNITY OUTREACH STRATEGY: MEETINGS AND TIMELINE**

### **Doheny Village Merchants' Association**

Meeting Date	Topic	Accomplishments
October 12, 2017	Nuts and Bolts of Zoning	History of area, common themes
	1000	Start with existing businesses and residents
November 2, 2017	Defining Your Neighborhood	Marine-related industries, automotive/car
		culture, construction and landscape services
		Churches, schools, and mixed housing types
December 7, 2017	Develop Guiding Principles	Challenges with existing zoning code,
		nonconforming uses and structures
January 18, 2018	Vision for Doheny Park Road	Discussion on potential streetscape,
		beautification, traffic calming, and parking
February 22, 2018	Recommendation to City	Develop update report back to City Council
	Council	to highlight areas of consensus, adopt
		guiding principles, suspend EIR work, and
		direct staff to prepare zoning code cleanup,
		beautification plan, and long-range plan
		with stakeholder group
March 20, 2018	City Council Update	Recommendations adopted by City Council

## **Doheny Village Working Group**

Meeting Date	Topic	Accomplishments	
July 12, 2018	Working Group Kick-Off	Discuss objectives, timeline, and challenges	
	Meeting	Offer opportunities for site visits	
		Next steps for zoning code update and	
		beautification plan	
		Review City Council recommendation	
August 9, 2018	Land Uses: West of Doheny	Allow existing light industrial uses in	
	Park Road	addition to commercial uses; create	
		definitions for manufacturing, welding,	
		storage containers	
September 13, 2018	Land Uses: East of Doheny	Change from vertical mixed use to	
	Park Road	horizontal mixed use; commercial OR	
		residential on same lot	
October 18, 2018	Land Uses: Properties	Allow vertical commercial and residential	
	Fronting Doheny Park Road	mixed use along Doheny Park Road	
December 13, 2018	Review of Village Land Uses	Compile all tables and discuss potential land	
		use conflicts	



January 10, 2019	Development Standards: West of Doheny Park Road	Legalize nonconforming conditions, refer to chart	
March 7, 2019	Development Standards: East of Doheny Park Road	Modify based on existing development and Capistrano Beach Specific Plan, refer to chart	
April 18, 2019	Development Standards: Properties Fronting Doheny Park Road	Eliminate "big-box retail" standards; refer to chart	
May 23, 2019	Residential Uses and Parking	Evaluate setbacks and potential impacts for residential adjacent to industrial uses Allow modified parking standards to reflect existing conditions	
June 13, 2019	Residential Density	Analyze existing, nonconforming density and revise to reflect current and proposed housing types	
June 28, 2019	Working Group Recap	Review intent and purpose, zoning code update, beautification plan, next steps	
July 25, 2019	Beautification, Connectivity, and Streetscape	Identify public spaces in need of improvements, brainstorm ideas	
August 29, 2019	Review of Capital Improvement Projects	Prioritize project list with Public Works staff	
October 24, 2019	Review Draft Zoning Code and Beautification Plan	Drafted Capital Improvement Plan	
August 27, 2020	Status Updates on EIR, Public Outreach, Public Art Program (via Zoom)	Reviewed additional community outreach options for draft zoning code	
October 27, 2020	EIR, Victoria Boulevard Specific Plan (via Zoom)	Provide update on EIR status and next steps, discuss Specific Plan initiation request	
January 28, 2021	Review of CIP progress, Zoning Code Edits (via Zoom)	Minor modifications to building height, setbacks, housing incentive overlay	

## Village Beautification Committee

Date	Topic	Objectives	
October 23, 2019	Kick-Off Meeting	Set goals and brainstorm ideas	
November 21, 2019	Neighborhood Walkabout	Identify onsite locations for potential art and	
		landscape installations	
January 8, 2020	Arts and Culture Commission	Presentation of Doheny Village Public Art	
		Program	
September 15, 2020	City Council Meeting	Request for mural art project funding	
Summer 2021	Arts and Culture Commission	Directed by Council to facilitate Doheny	
		Village Public Art Program	



## **Environmental Impact Report**

Date	Topic	Objectives
March 13-May 28, 2020	Notice of Preparation	Receive public comments
May 20, 2020	Scoping Meeting	Overview of EIR process, video recorded on YouTube
April 26, 2021	Notice of Availability	Public Draft EIR posted for public review; begin 45-day period
June 10, 2021	Close of 45-day public comment period	Receive public comments

## **Community Outreach**

Date	Topic	Objectives
January 29, 2020	Dana Point Historical Society	Presentation on revised project and nexus to
	Installation Dinner	historic preservation
April-May 2021	Virtual Office Hours	Opportunity for general public to ask
		questions and provide feedback to City staff
April-September 2021	Social Media/Marketing	
	campaign: Facebook,	
	Instagram, CR&R Mailer, DP	
	Times ads and articles	
May 2021	YouTube Clips	

## Public Meetings/Hearings

Date	Topic	Objectives
November 25, 2019	Planning Commission	Obtain feedback from Planning Commission
~	Preliminary Review	and general public on draft zoning code
December 2, 2019	City Council Update	GPA and ZTA initiation, EIR contract
		approved
February 16, 2021	City Council Update	EIR status, CIP progress
April 26, 2021	Planning Commission	Discussion of recent changes to zoning code
<u>.</u>	Study Session	update
May 10, 2021	Planning Commission	Receive public comments on Draft EIR
560 15	Community Workshop	
August 2021 - TBD	Planning Commission	
	Recommendation	
September 2021 - TBD	City Council	

## **SUPPORTING DOCUMENT 2:** Draft Doheny Village Zoning Overlay District

DRAFT Doheny Village Zoning District - Updated 4/5/2021

#### **Chapter 9.14 Doheny Village Districts**

### 9.14.010 Intent and Purpose.

The intent and purpose of this Chapter is to establish the Doheny Village Districts to preserve and enhance the eclectic combination of commercial, light industrial, and residential mixed uses in the area. These districts are designed to achieve an integrated neighborhood-serving business and residential environment. Residential units in Doheny Village provide housing near sources of employment or commercial and professional services, intended to add to the City's supply of affordable housing, reduce commutes between home and work, and promote a strong, stable, and desirable pedestrian-oriented business environment. The physical boundaries of the overlay area are delineated on Exhibit A attached hereto.

- (a) Village Commercial/Industrial (V-C/I). The Village Commercial/Industrial (V-C/I) district promotes development of a mixture of commercial, office, and light industrial uses to serve the needs of the community, the City's coastal resources, and a stable and vital local economy. Uses include, but are not limited to, marine-related businesses, professional and business offices, automotive services, light manufacturing, and construction services. This district provides for the development of a commercial and industrial area that includes adequate circulation and landscaping, attractive buildings, and coordinated signage.
- (b) Village Commercial/Residential (V-C/R). The Village Commercial/Residential (V-C/R) district includes a mixture of commercial, office, and residential uses in the same building, same parcel, or within the district in keeping with the area's historical pattern of development. Compatible uses include, but are not limited to, live/work units, artisan manufacturing, and small-scale business activities which serve the needs of residents. This district provides a residential density of thirty (30) dwelling units per net acre, with the exception of parcels greater than ten (10) acres shall be limited to a maximum density of fifty (50) dwelling units per acre.
- (c) Village Main Street (V-MS). The Village Main Street (V-MS) district is intended to accommodate mixed-use buildings with neighborhood-serving retail, service, and other uses on the ground floor, and commercial or residential uses above nonresidential space. The provisions of this district encourages development that exhibits the physical design characteristics of pedestrian-oriented environment with storefront-style frontages along Doheny Park Road. This district provides a residential density of thirty (30) dwelling units per net acre, with the exception of properties located west of Doheny Park Road and south of Victoria Boulevard shall be limited to a maximum density of ten (10) dwelling units per acre.

## 9.14.020 Permitted Uses, Accessory Uses, Temporary Uses and Conditional Uses.

- (a) Several classes of uses are allowed in Doheny Village Districts. Each of these classes must promote the mixed use character of the districts. These classes of uses are:
  - (1) Permitted Use allowed by right if no discretionary review is required. Certain permitted uses, indicated by P\*, are also regulated by provisions contained in Section 9.14.050 or Chapter 9.07.
  - (2) Accessory Use allowed by right if accessory to a permitted or conditional use.

- (3) Temporary Use allowed on a temporary basis in accordance with the provisions of Chapter 9.39.
- (4) Conditional Use allowed subject to the approval of a Conditional Use Permit in accordance with the provisions of Chapter 9.65. Certain conditional uses, indicated by a C\*, are also regulated by provisions contained in Section 9.14.050 or Chapter 9.07.
- (5) Prohibited Use not allowed in the subject district.
- (b) Certain uses other than permitted uses may not be suitable or desirable in every location within Doheny Village Districts and, therefore require a Temporary Use Permit as described in Chapter 9.39, or discretionary review through the Conditional Use Permit process described in Chapter 9.65.
- (c) Definitions of Use. The following definitions shall apply to the provisions contained in this Chapter. Manufacturing uses, including artisan, marine, and metal fabrication, specifically located within the Doheny Village Districts shall be defined as follows:
  - (1) Artisan Manufacturing Uses. Artisan manufacturing shall mean the shared or individual use of hand-tools, mechanical tools and electronic tools for the manufacture of finished products or parts including design, processing, fabrication, assembly, treatment, and packaging of products, as well as the incidental storage, sales and distribution of such products. Typical artisan manufacturing uses include, but are not limited to: electronic goods, food and bakery products, beverages, printmaking, household appliances, leather products, jewelry and clothing/apparel, metal work, furniture, glass or ceramic production, and paper manufacturing.
  - (2) Marine Manufacturing Uses. Marine manufacturing shall include marine-oriented, light industrial uses including surfboard shaping and manufacturing, boat and watercraft assembly.
  - (3) Metal Fabrication Uses. Metal fabrication shall mean establishments which provide creation of metal structures by cutting, bending, and assembling processes. Uses include blacksmith shops, machine shops, sheet metal shops, tinsmiths, and welding shops.
- (d) The following Table lists the classification of allowable uses in the Doheny Village Districts as defined in Section 9.75.270 and Section 9.14.020(c). Any use not expressly allowed is prohibited.

#### SECTION 9.14.020(d)

#### DOHENY VILLAGE DISTRICTS

LAND USES	V-C/I	V-C/R	V-MS
Accessory Dwelling Unit	Х	P(1)	P(1)
Administrative Office Uses	P	P	P
Adult Day Care Facility	X	С	С
Alcohol Beverage Manufacturing Uses	P*	C*	C*
Alcoholic Beverage Outlet	C*	P*/C*	P*/C*
Animal Hospital	P	X	P
Automotive Sales and Rental Uses	C*	C*	C*
Artisan Manufacturing Uses	P	C*	C*
Building Materials Sales and Service Uses	P	Р	P
Business Service Uses	P	P	Р

LAND USES	V-C/I	V-C/R	V-MS
Caretaker's Residence	P*	P*	P*
Civic Uses	С	С	С
Clinical Services	Р	С	С
Commercial Antenna	С	С	С
Commercial Entertainment Uses	Р	С	Р
Commercial Recreation Uses	Р	Р	Р
Community Care Facility	Х	С	С
Congregate Care Facility	Х	С	С
Congregate Living Health Facility	Х	С	С
Convalescent Facility	Х	C	С
Construction and Maintenance Service Uses	P	P	Р
Cultural Uses	P	P	Р
Dance Halls/Clubs	X	X	С
Day Care Centers	X	P	P.
Day Treatment Facility	X	С	С
Drinking Establishments	P*/C*	P*/C*	P*/C*
Drive-Through Uses	C(2)	C(2)	C(2)
Duplex	X	P	C(3)
Dwelling Unit, Multiple Family	Х	P	C(3)
Dwelling Unit, Single Family	X(4)	Р	C(3)
Educational Uses	P	P	P
Emergency Shelter	Х	Х	С
Family Day Care Home, Large	X	С	С
Family Day Care Home, Small	X	С	С
Food Service Uses, Specialty	P	P	Р
Fortune Telling	Х	Х	C*
Furniture Store	P	Р	Р
Group Dwelling/Group Home	Х	С	Х
Hospital, Acute Psychiatric	Х	С	С
Hospital, Chemical Dependency Recovery	Х	С	С
Hospital, General Acute Care	Х	С	С
Hospital, Special	X	С	С
Hotel	Х	Р	P
Institutional Uses	Х	Р	P
Intermediate Care Facility	Х	С	X
Kennel	P	Х	P
Light Industrial Uses	P	Х	X
Live Entertainment Uses	C*	C*	C*
Major Automotive Uses	P	X	С
Marine Uses	P	X	Р
Marine Manufacturing Uses	P*	X	Х
Massage Establishments	Х	X	P*
Medical Office Uses	P	P	Р
Medium Industrial Uses	P	X	Х
Membership Organizations	P	P	Р

LAND USES	V-C/I	V-C/R	V-MS
Metal Fabrication Uses	P*	X	Х
Minor Automotive Uses	P.	С	Α
Minor Repair Service Uses	P	P	P
Mixed Use Center	Х	P	P
Mobilehome Park	Х	P(5)	X
Motel	Х	X	P
Open Space	Р	P	Р
Personal Service Uses	P.	P	P.
Photographic, Reproduction and Graphic Service Uses	P.	Р	Р
Professional Office Use	P	P	P
Public Utility Uses	P	С	С
Recreational Uses	P	С	P
Religious Uses	C*	C*	C*
Recycling Facilities	C*	X	X
Research and Development Uses	С	P	P
Residential Care Facility for the Elderly	С	С	С
Restaurant	P	P	P
Restaurant, Drive-Through	С	X	С
Restaurant, Take-Out	P	P	P
Restaurant, Walkup	P	P	P
Retail Sales Uses	P	P	P
Sanitary Sewer Facility	С	X	X
Senior Citizen Housing	X	С	С
Single Room Occupancy	X	С	X
Skilled Nursing Facility	С	С	С
Small Family Home	X	С	X
Social Day Care Facility	X	С	Х
Storage Yard Uses	P*	X	Х
Tattoo Parlors	C*	C*	C*
Temporary Uses	T*	T*	T*
Transportation Uses	P	С	С
Video Arcades or Game Rooms	Х	С	С
Warehouse and Storage Uses	P*	Х	X

#### LEGEND:

 $P = \text{Permitted Use} \\ \text{P*} = \text{Permitted Use subject to special use standards} \\ \text{(see Section 9.14.050 or Chapter 9.07)} \\ C = \text{Conditional Use} \\ \text{C*} = \text{Conditional Use subject to special use standards} \\ \text{(see Section 9.14.050 or Chapter 9.07)} \\ T = \text{Temporary Use} \\ \text{T*} = \text{Temporary Use subject to special use standards}$ 

(see Section 9.14.050 or Chapter 9.39)

X = Prohibited Use A = Accessory Use

### Footnotes for Section 9.14.020(d):

- (1) Accessory Dwelling Units shall be developed in accordance with State law.
- (2) Drive-through uses shall be permitted with a Conditional Use Permit which shall be reviewed and approved by the Planning Commission. Precludes restaurant/food uses and liquor establishments. Permits such uses, but not limited to, dry cleaners, banks, and pharmacies. (See Section 9.07.240)
- (3) Residential uses shall not be permitted on the ground floor of all buildings within the first 130 feet measured from the property line fronting Doheny Park Road.
- (4) Only those residential uses in existence as of November 23, 1993 shall be permitted.
- (5) Only those mobilehome parks in existence as of November 23, 1993 shall be permitted.

### 9.14.030 Development Standards.

The following Table provides the minimum acceptable standards for development within the Doheny Beach Village Districts necessary to assure quality development and attractive local neighborhood. The development standards are supplemented, and where applicable, superseded by special development standards described in Chapter 9.05 and Chapter 9.07.

## SECTION 9.14.030

#### **DOHENY VILLAGE DEVELOPMENT STANDARDS**

Development Standards (1)	V-C/I	V-C/R	V-MS
(a) Minimum Lot Size (2)	2,500 sf	2,500 sf	4,800 sf
(b) Minimum Lot Width (2)	25 ft	25 ft	40 ft
(c) Minimum Lot Depth (2)	130 ft	100 ft	120 ft
(d) Maximum Lot Coverage	80%	80%	80%
(e) Maximum Height	35-40 ft (3)	35-50 ft north of	35-40 ft (3)
	3 stories	Victoria; 35-40 ft	3 stories
		south of Victoria (3)	
		3 stories	
(f) Maximum Residential Density		30 du/ac;	10 du/ac south
		50 du/ac for lots	of Victoria;
		greater than 10 ac	30 du/ac
(g) Minimum Front Yard Setback			
From Ultimate Public Street R/W Line	0 <del>-3</del> ft	5 ft	0 <del>-3</del> ft
Residential Uses Adjacent to V-C/I District			50 ft from alley;
			100 ft from
			Victoria Blvd
(h) Minimum Side Yard Setback			
Interior Side	0 ft	0 <del>-3</del> ft	0 ft
Street Side	0 <del>-3</del> ft	0-3 ft	0-3 ft
(i) Minimum Rear Yard Setback			
Standard Lot	0 ft	0 ft	5 ft
Adjacent to Alley or Street	0 ft	0 ft <del>(if door on</del>	0 ft <del>(if door on</del>
		ground floor 5')	ground floor 5')

(j) Minimum Landscape Coverage (4)	5%	5%	5%
(k) Minimum Building Separation	6 ft	6 ft	6 ft
(I) Open Space			
- Residential uses only		100 sf/du	100 sf/du

#### Footnotes for Section 9.14.030:

- (1) See Chapter 9.75 for definitions and illustrations of development standards.
- (2) Development standard applies to proposed subdivisions of land. The standards may be waived by the Planning Commission when necessary to accommodate the parcel configuration for an integrated commercial development subject to approval of a Conditional Use Permit pursuant to Chapter 9.65.
- (3) Structures greater than 35 feet shall be subject to Planning Commission approval of a Site Development Permit and special development standards pursuant to Section 9.14.040(c).
- (4) A decrease in landscape coverage may be permitted with a minor Site Development Permit including an approved landscape plan.

#### 9.14.040 Special Development Standards.

- (a) Residential Density. The maximum residential density in the Doheny Village Districts shall be specified in Exhibit B attached hereto. New construction located within the Coastal Overlay District shall provide a minimum percentage of affordable units in compliance with the Mello Act. Affordable housing units shall not be counted in the density calculations of a project except when an applicant seeks a density bonus for a housing development in compliance with provisions under State law (California Government Code Section 65915).
- (b) Housing Incentive Overlay. Parcels located within the Housing Incentive Overlay shall be designated as adequate sites for residential development as defined by the Housing Element of the City's General Plan. The Housing Incentive Overlay shall be specified in Exhibit C attached hereto. All land uses and development standards of the underlying zoning districts shall be applicable, with the exception of the following standards if residential development is proposed on parcels within the Overlay:
  - (1) At least fifty (50) percent of the total building gross floor area, excluding parking facilities, constructed on such parcels shall be residential uses.
  - (2) A minimum density of twenty (20) dwelling units per acre shall be required.
  - (3) A maximum density of thirty (35) dwelling units per acre shall be permitted.
- (c) Building Height Greater than 35 Feet. The intent and purpose of establishing criteria for building height greater than 35 feet is to allow expansion of existing structures and construction of new architectural elements and open ceiling height. Maximum height greater than 35 feet is subject to approval of a Site Development Permit (pursuant to Chapter 9.71) provided that:
  - (1) The structures shall be limited to a maximum of 35 feet within the first 50 feet from any exterior lot line.
  - (2) The Planning Commission makes the following additional findings:

- (A) That the proposed additional building height results in a project which is of superior design quality and functionality as compared to the project which could have been built under the required building height; and
- (B) That any portions of the building which exceed 35 feet shall be limited to architectural elements that provide visual interest and does not create conditions which may be incompatible, objectionable or detrimental to the surrounding land uses.
- (d) Accessory Uses and Structures. Accessory buildings or structures are subject to the same height and setback requirements described for primary buildings and structures in Section 9.14.030 except as modified by Section 9.05.080, Maximum Projections into Required Yard Areas.
- (d) Exemption from Site Development Permit. For new development projects located within the districts of this Chapter and not located within the Floodplain Overlay District, exemptions for Site Development Permits shall be limited to the following requests:
  - (1) Development with less than ten thousand (10,000) gross square feet of new residential building floor area.
  - (2) Four (4) of less residential units.
  - (3) Temporary uses and structures as described in Chapter 9.39.
  - (4) Any multifamily projects where a minimum of twenty percent (20%) of total units are restricted to be affordable to lower income households or at least forty percent (40%) of total units are restricted to be affordable to moderate income households (for a period of time equal to provisions under State Density Bonus Law (California Government Code Section 65915)).
- (e) Access and Parking. All development projects shall be subject to the provisions of Chapter 9.35, with the exception of the following:
  - (1) Preferred Driveway Access. On properties abutting an alley, driveway access shall be taken from the alley unless otherwise approved subject to a minor Site Development Permit.
  - (2) Minimum Number of Required Parking Stalls. The minimum amount of parking provided for each use in a project shall be in accordance with the following ratios:

Industrial Uses	1 stall/500 SF-GFA or subject to 9.35.080(e) Industrial Uses,		
	whichever is least restrictive		
Commercial Uses			
- Commercial/Retail	1 stall/500 SF-GFA		
- Restaurant	1 stall/250 SF-GFA		
- Assembly	1 stall/100 SF-GFA		
Residential Uses	Stalls per unit (may be covered in a garage or carport, or		
	uncovered):		
- Single-family, duplex, triplex	Studio, 1 bed: 1 stall		
	2-5 bed: 2 stalls		
	6+ bed: 3 stalls		
- Multiple-family	DPMC 9.35.080(e)(8)		

#### (3) Nonconforming Parking.

A. Change of Use. A nonconforming use may be changed to a new use allowed in that zoning district without providing additional parking, provided no intensification or enlargement (e.g., increase in floor area or lot area) occurs and the new use requires a parking rate of no more than one space per two hundred and fifty (250) square feet of gross building area.

B. Addition to Structure or Intensification of Use. A nonconforming structure or use may be enlarged by up to ten (10) percent of its existing gross floor area, or a nonconforming use may be changed to a new use that requires additional parking under the following conditions:

- 1. Required parking for the additional floor area is provided; or
- 2. If the new use requires more parking than the nonconforming use, then the new use shall only be required to provide additional parking equal to the difference between the two; or
- 3. A reduction in the number of required parking spaces is approved in compliance with the provisions of this Zoning Code.
- (f) Design Compatibility for Mixed-Use Projects. All new multi-tenant mixed use developments shall be subject to the special development standards pursuant to Section 9.13.040(c).
- (g) "Art-in-Public-Places" Program. All new development projects located within the districts of this Chapter are subject to the provisions of the "Art-in-Public-Places" Program as described in Section 9.05.240.

#### 9.14.050 Special Use Standards.

Certain uses, although permitted in specific districts, require additional development standards beyond those specified for the applicable zone contained within this Chapter. Additional standards are required to ensure that such uses are operated in a manner that do not adversely impact surrounding uses. The purpose of this Section is to provide additional development standards and conditions for certain uses to ensure their compatibility with surrounding uses.

- (a) Manufacturing Uses. Manufacturing uses, including artisan manufacturing, marine manufacturing, and metal fabrication, shall be permitted, provided that:
  - (1) Uses shall be restricted from operation between the hours of 10:00 p.m. and 7:00 a.m.
  - (2) All uses shall include a workshop and/or office space enclosed in a structure.
  - (3) Any outdoor storage of materials shall be adequately screened with solid fencing or walls. Materials shall not be piled or staked higher than the solid screening, and shall not be visible from ground-level view from any public right-of-way or any residential use.
- (b) Caretaker's residence. Caretaker's residence uses shall be permitted as an accessory use, provided that:

- (1) Letter of Intent. The application shall include a statement with an explanation of the need for a caretaker's unit and the responsibilities of the caretaker/resident.
- (2) Status of Caretaker. The resident of the dwelling shall be the owner or lessor, or an employee of the owner or lessor of the site.
- (3) Type of Use Requiring a Caretaker. The principal use of the site must require a caretaker for security purposes, or care of people, plants, animals, equipment, or other conditions on the site, or for needed housing for the owner or operator of a business.
- (4) Allowable Location of Unit. In all Doheny Village Zoning Districts, such dwelling unit shall be located on the second floor, or to the rear of a principal building. A caretaker's residence is to be located on the same lot of record or contiguous ownership as the use requiring a caretaker.
- (5) Parking Requirement. None, provided sufficient parking stalls are available to accommodate employee parking onsite.
- (c) Storage Yard Uses. Storage yard uses shall be permitted, provided that:
  - (1) Storage areas must conform to the minimum setback regulations of the Zoning District.
  - (2) Any outdoor storage of materials shall be adequately screened with solid fencing or walls.
  - (3) Storage of junk, inoperable vehicles, and scrap materials shall be prohibited.
- (d) Temporary Uses. Temporary uses and structures may be permitted with a Temporary Site Development Permit subject to approval of the Director of Community Development as described in Chapter 9.71, Site Development Permits.

Potential Specific Plan for property located at 26126 Victoria Boulevard. Concurrent preparation and processing of a Specific Plan District has been requested by the property owner and shall be subject to a separate approval process pursuant to Chapter 9.33. As such, the property shall be identified as a holding zone for the Capistrano Unified School District (CUSD) Specific Plan Area. If the Specific Plan does not receive approval, the property shall remain split-zoned as Community Facilities District and Recreation District, with no changes to allowable uses and development standards as specified in Chapter 9.19 and Chapter 9.21.

EXHIBIT A DOHENY VILLAGE ZONING DISTRICTS Potential Capistrano USD Specific Plan Area CA 7 Zoning Districts Village Commercial/Industrial District (V-C/I)
 Village Main Street District (V-MS) Village Commercial/Residential District (V-C/R) Community Facilities District (CF) Recreation District (REC)

10

#### **General Plan Amendment**

Adoption of the Doheny Village update will require amendments to the General Plan Land Use Element for existing land use designations, development intensity, and density standards. It is recognized that there is a need for a comprehensive General Plan update, which will include goals, policies, and design guidelines to address the unique issues associated with the Doheny Village area. The proposed intensity and density is contained within Exhibit B below.

EXHIBIT B

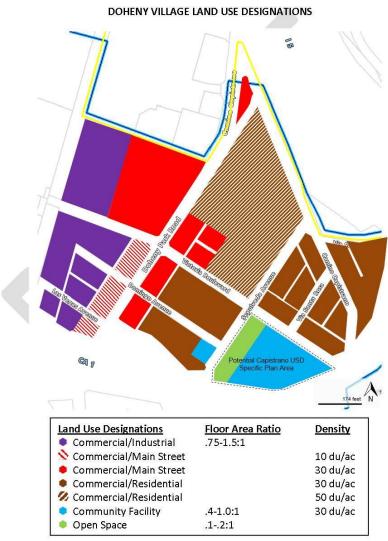
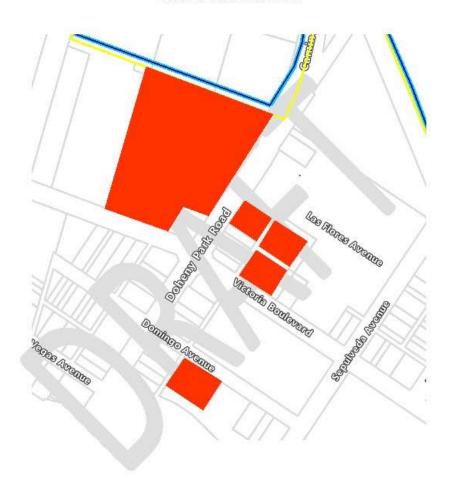


EXHIBIT C
HOUSING INCENTIVE OVERLAY



## **SUPPORTING DOCUMENT 3:** Draft Doheny Village Capital Improvement Plan

	Project	Priority	Notes/Constraints	Project Status
	SHO	RT-TERM PRO	JECTS (1-3 YEARS)	
A	Doheny Park Road at Coast Highway Connectivity preliminary design (signal modifications, multi-use path and sidewalks, landscape buffers, site lighting, median improvements, additional parking on Coast Hwy); Design Project	Very High	Scope has been defined; Next step is an RFP for design services and to move forward with Caltrans permitting (approx. 2 years)	Caltrans approved preliminary design 8/2020; Request for Proposal for Design Services is being generated; May consider authorizing design in 2021 calendar year; Funding is an issue due to the pandemic. Construction will need to be coordinated with grant funding opportunities (see Mid-term project 'H').
A1	Doheny Park Road at PCH private property improvements, screening	High	Evaluate options	No actions planned at this time; Include items in design for Connectivity Improvements
В	Add public art and/or "color" to existing walls and structures	High	Refer to VBC	Work with property owners and establish RFP process for Doheny Village Public Art Program
B1	NW corner of Las Vegas Blvd. and Doheny Park Road (US Post Office building)		16' x 80' stucco building wall facing Las Vegas Blvd.	
B2	NE corner of Las Vegas Blvd. and Doheny Park Road (Liquor store)		16' x 60' stucco building wall facing I-5 off-ramp	
В3	South block of Victoria Blvd. between Doheny Park Road and Sepulveda Blvd. (Capo Beach Church)		Mural along existing fence	
В4	Victoria Blvd. at Doheny Saloon (Capistrano Valley Shopping Center)		Concrete building wall	
B5	Doheny Park Road at City boundary (Capistrano Valley Shopping Center)		Stucco wall on the back side of AutoZone	

В6	Caltrans maintenance yard off Las Vegas Blvd.		Building wall visible from I-5 off-ramp and PCH	
В7	Beachwood Village fronting Doheny Park Road		Stucco block wall with existing landscape	
B8	NE corner of Domingo Ave. at Doheny Park Road (El Patio Café)		Existing mural	
В9	PCH railroad underpass walls west of Doheny Park Road		Concrete retaining walls under railroad bridge	Walls will be demolished with an upcoming Metrolink Project; Consider when new walls are constructed.
B10	Other locations			
С	Install small-scale landscape within underutilized right-of-way areas	High	Refer to VBC	VBC to resume monthly meetings and discussion; prioritize project locations; Review List with Public Works and General Services
C1	NE corner of Doheny Park Road at Las Vegas Blvd.		Located within Caltrans ROW adjacent to freeway offramp	Initial Work at this Location Started in early February 2021
C2	Doheny Park Road existing tree wells		Add pedestrian scale landscape plant materials, similar to Town Center	General Service is evaluating the planting type (drought tolerant palette) and getting quotes to accomplish this work.
С3	End of Las Vegas Blvd. along railroad tracks and parking lot		Install drought-resistant plants, i.e. large cactus or agaves	First phase installed; Standing by for now. Need to discuss area around cul-de-sac
C4	Capistrano Valley Shopping Center (Big 5/Smart and Final) frontage along Doheny Park Road		Replace existing mulch planters with living plants; located within private property	

C5	Koala Carpet at Frontage Road		Possible location for gateway entry element with enhanced landscape	Still evaluating options here; Could be a costly Project; More cost effective, higher impact locations, should be considered first.
C6	Other locations			
D	Incorporate exterior lighting enhancements	High	Upgrades first before conducting study	Baseline lighting study is complete; Working on Camino Capistrano to improve lighting in that area adjacent to the Mobile Home Park; Request for Additional Street Lights has been made to SDG&E
D1	Camino Capistrano along walking path across from Beachwood Mobile Home Park		Install bollard/street scale lighting (i.e. Golden Lantern at Del Prado)	City's Electrical Engineering Consultant completed the design of the power supply pedestal and is coordinating with SDG&EWork Order is Written and Equipment is ordered; Installation should occur in the next 4 months; Once power supply is installed, initial phase of lighting installation will occur
D2	Existing street trees along Doheny Park Road		Consider pilot program for street tree up lights on existing palms	Significant costs are a detriment to this specific project.
D3	Caltrans maintenance lot at the end of Las Vegas Blvd.			Area has been cleaned up and lighting has been added
D4	Other locations as needed			
E	Encourage placemaking projects with stakeholders and community partners	High	Outreach to business owners and property owners	Establish grant program to make funding available for placemaking projects

	MID-TERM PROJEC	TS (3-5 YEARS)		
G3	Wayfinding signage			
G2	Historical markers with descriptions			
G1	Doheny Park Road gateway monument signs		Existing "Capistrano Beach" freestanding sign in center median is not visible due to overgrown landscaping	
G	Develop neighborhood identification and wayfinding signage	Medium		
F2	Doheny Park Road		Upgrade street furniture (i.e. trash receptacles, dog waste bags, etc)	
F1	NW corner of Domingo Ave. and Doheny Park Road (Pepi's)		Install bicycle parking racks	Limited space at this time due to outdoor seating; Evaluate feasibility at some time to do this work.
F	Improve pedestrian and bicycle experience	High		
E3	Consider alternative temporary projects such as street parklets, sidewalk dining, community gardens, and pop-up plaza or park			Funding is not available at this time for these Projects
E2	Doheny Park Road/Frontage Road pocket park	Medium	Make it safe, put landscape and public art	Conceptual drawings; initial contact with Steve at Koala Carpet, property owner; Funding is not available at this time for this Project.
E1	NE corner at the end of Las Vegas Blvd.		Pocket park with shade structure and bench (Jerry Lansky, Doheny Building Supply)	Limited space to do anything due to Metrolink access driveway

H	Doheny Park Road at Coast Highway Connectivity Project Construction (pending grant funds)  Doheny Park Road Improvements (bulbouts, parkway improvements, new landscape median, tree well relocations	Very High	Need to get funding, possible grants (actual construction takes 9-12 months to build)  Behind Doheny Park Road connectivity and lighting; show progress on smaller	Request for Proposals to move forward with the design should occur in calendar year 2021 pending City Council Approval; Construction will need to be coordinated with grant funding opportunities.  No Update; Funding Issues; Identify small projects if possible
	for symmetry, new parkway trees)		projects/short-term enhancements	possible
J	Right-of-way Acquisitions, perpetual easements for public right-of-way and roadway purposes	Medium	Placeholder for needing to do construction on private property, mostly along Doheny Park Road Lengthy process	No Update; Funding Issues
K	Victoria Boulevard public parking/parkway improvements	Medium	Need parking, keep some trees because spaced apart	Review in relationship to VBSP proposal; No action at this time.
L	Mid-block crossing (if deemed feasible) on Doheny Park Road from Beachwood to AutoZone	Need more information	Need to study signalized crosswalk	Initial evaluation was completed and crosswalk at this location would be difficult due to proximity of other traffic signals; May be considered at a later date if Mobile Home Park changes hands and a development comes forward.
	MID/LONG-TERM PROJ			
0	Coast Hwy sidewalk extension along north side of Coast Hwy from Doheny Park Road	High	City property, need to underground and build wall;	Request for Proposals to move forward with the design

	to Riviera Beach & Shores Resort (storm drain improvements, retaining wall, landscaping, lighting, new curb and gutter) (pending grant funds)		Being included with Connectivity Improvements	should occur in calendar year 2021 pending City Council Approval; Construction will need to be coordinated with grant funding opportunities.
М	Wayfinding Signage Master Plan – Citywide, to include Village	Low		
N	Sepulveda Blvd public parking/parkway improvements	Low	Add angled parking for potential park (south of Victoria); developer to construct	Review in relationship to VBSP proposal; No action at this time.
	LONG-TERM PROJEC	TS (10+ YEARS	5)	
P	East San Juan Creek bike path connection (pedestrian and bicycle underpass connection below railroad and SCWD property to San Juan Creek); includes trail/walkway connection to Victoria Blvd or Las Vegas Blvd	Very High	OC Flood Control property; could be part of SCWD desalination plant project as public access	Review in relationship to CDP for SCWD desalinization plant and Metrolink improvements
Q	Victoria pedestrian bridge over San Juan Creek Channel	Medium	Create timeline, cost estimate?	Not Likely Feasible; Other alternatives to connect east side trail along San Juan Creek to Doheny State Beach would be more effectively achieved. Coordinate with planned Metrolink Project.

**SUPPORTING DOCUMENT 4:** Memo to CM on Doheny Village Connectivity Improvement Project

#### CITY OF DANA POINT

#### **MEMORANDUM**

DATE: FEBRUARY 9, 2021

TO: MIKE KILLEBREW, CITY MANAGER

KELLY REENDERS, ASSISTANT CITY MANAGER

FROM: MATTHEW SINACORI, DIRECTOR OF PUBLIC WORKS/CITY

**ENGINEER** 

WERNER ABRAJANO, SENIOR CIVIL ENGINEER/CIP DIVISION

FOR: MAYOR AND CITY COUNCIL

COPY: BRENDA WISNESKI, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: CONNECTIVITY STUDY IMPROVEMENTS PROJECT - STATUS

UPDATE

At your request, we are providing a quick update on the Doheny Village Connectivity Improvements Project (Project) - one of the City Council's high priority projects.

As you know, City staff has been working on developing the conceptual design for the Project for the last several years. The Project limits include Doheny Park Road from Las Vegas to Coast Highway, the Coast Highway Connector from the Doubletree Hotel to Doheny Park Road, and Coast Highway south of the Doheny Park Road intersection. Key discussions continue to occur with Caltrans and the Doheny Village Working Group (DVWG). Just last week, the DVWG again ranked the Project as a highest priority and indicated overall support.

The Caltrans approved preliminary design was provided to the City Council in July 2020, although it has been slightly modified due to a planned OCTA/Metrolink double tracking project. The current draft of the preliminary design is provided herein as Attachment A. Generally, the Project includes the following improvements:

- 1. Reconfiguration of Doheny Park Road
  - Additional Southbound Lane will be provided from the Freeway On Ramps to Coast Highway
  - b. Bike Lanes will be extended from Doheny Park Road/Las Vegas to the Coast Highway/Doheny Park Road intersection
  - c. Asphalt Medians will be removed

- d. Sidewalk along the West Side of Doheny Park Road will be widened and enhanced with beautification elements, i.e. landscaping, street furniture, lighting, etc.
- e. Other street improvements to address asphalt repairs, storm drain, etc are also planned.

#### 2. Pacific Coast Highway Connector

- a. Sidewalk is being widened and enhanced with a landscaped buffer (landscaping between vehicle lanes and sidewalk), bollard lighting, and other improvements.
- b. Lane configuration will be altered; See #3 below.

### 3. Coast Highway/Dohehy Park Road Intersection

- a. Interesection Modflication Occurs and a New Traffic Signal will be installed
- b. Current free right lane to SB Coast Highway from the PCH Connector will be eliminated
- Pedestrian Crosswalk will be added to connect to new north side sidewalk connection on Coast Highway; See #4 below
- d. Bulb Outs/Landscaping are Added
- e. Pedestrian/Bicycle Amenities are Added
- f. Enhanced Lighting is Added
- g. Storm Drain Improvements are Included

## 4. Coast Highway

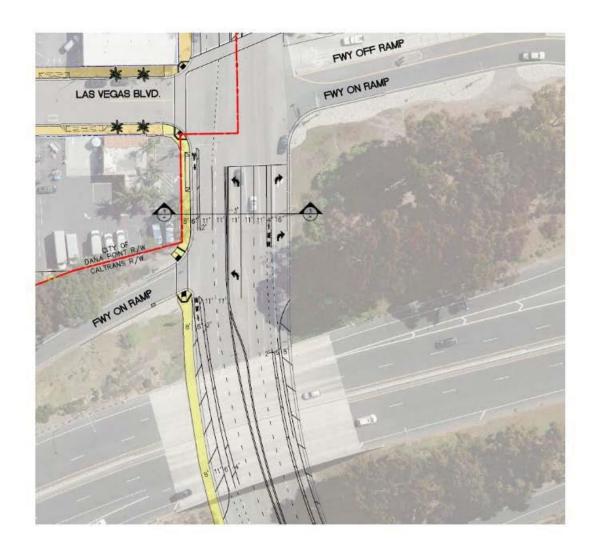
- a. Additional Southbound Lane is added (2 lanes total) to align with the County Master Plan of Arterial Highways.
- b. Sidewalk Extension is provided from terminus of existing north side sidewalk (at Riviera Hotel) to Coast Highway/Doheny Park Road.
- c. Widened Sidewalk on South Side of Coast Highway is Provided
- d. Other street improvements including storm drain, asphalt repairs, street lighting, etc. are alson included.

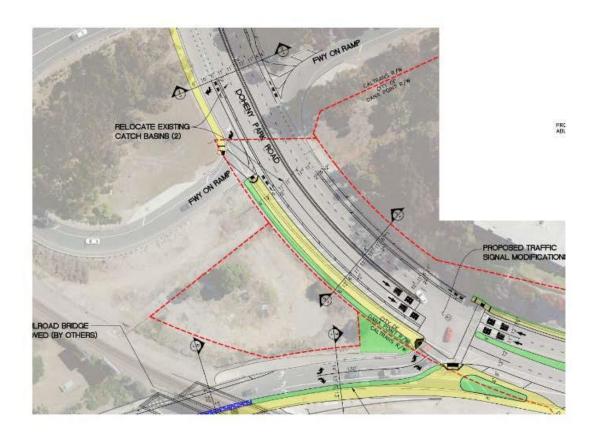
As mentioned in the July 2020 update to the City Council, the City initiated the encroachment permit process and submitted its final concept to Caltrans. City staff is still waiting for Caltrans to respond to our submittal.

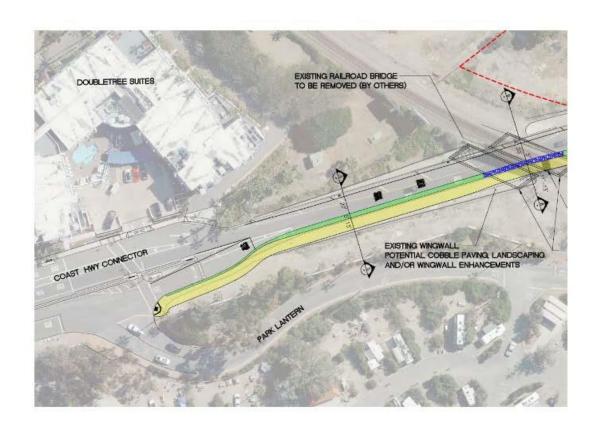
The next step is to issue a Request for Proposal (RFP) for design services for this Project so we can be closer to shelf-ready to seek outside grant funding. City staff has prioritized that work effort to be completed in the  $2^{nd}$  or  $3^{rd}$  quarter of 2021, with the plan to bring a contract for design services to the City Council in 2021.

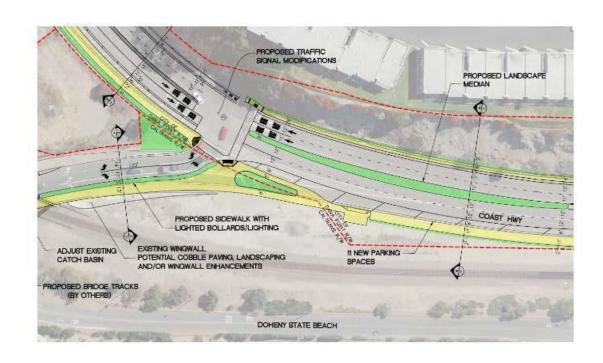
We hope this update has been helpful. If you should have any questions, please let me know. Thanks.

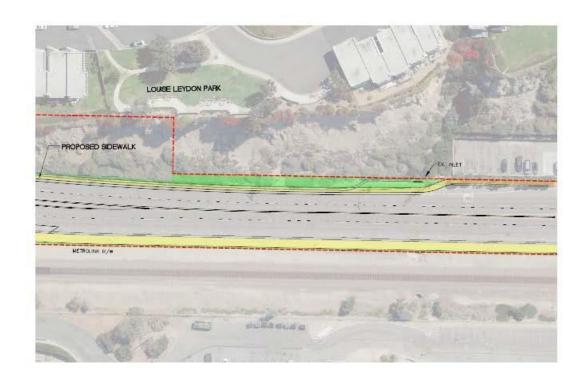
## Attachment A











**SUPPORTING DOCUMENT 5:** Doheny Village Plan Community Outreach Flyer

