



ATTENTION ALL INTERESTED PARTIES

On December 15, 2010, OC Dana Point Harbor sent notice of the Draft Implementation Plan document being made available for public review.

The Coastal Commission Staff Report was distributed on December 30, 2010, with a revised Draft Implementation Plan document attached as Exhibit 5.

We have prepared the attached matrix summary listing the changes to assist in your review of the document.

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071

January 5, 2011,



California Coastal Commission Staff (Revised) Suggested Modifications Local Coastal Program (LCP) Amendment Request No. 1-10 Dana Point Harbor Implementation Plan

Local Coastal Program (LCP) Amendment Request No. 1-10 is an Implementation Plan (IP) Amendment, which would replace in its entirety, the implementation sections in the Dana Point Specific Plan Local Coastal Program pertaining to the Dana Point Harbor Revitalization Plan. In October 2009, the Commission approved LCP Amendment Request 1-08, which amended the Dana Point Specific Plan Local Coastal Program Land Use Plan to incorporate the proposed Dana Point Harbor Revitalization Plan. Local Coastal Program (LCP) Amendment Request No. 1-10 is the accompanying implementing action to carry out this approved land use plan.

LCP Amendment Request No. 1-10 is anticipated to be heard at the **January 12, 2011 Coastal Commission Hearing in Long Beach**. In preparation to the public hearing on the Implementation Plan (IP) Amendment, on December 15, 2010 Commission staff completed DRAFT Suggested Modifications for this amendment and provided them for early public review as a courtesy to allow additional time for review prior to distribution of the final staff recommendation for the January 2011 hearing. Additionally, a notice was provided by electronic mail on December 16, 2010 from OC Dana Point Harbor to all parties expressing an interest in the Dana Point Harbor Revitalization Plan, in addition to being posted at sites at the Harbor subject to use by boaters and interested parties with instructions on how to obtain copies of the documentation for review.

Copies of the complete (Revised) Suggested Modifications (Exhibit 5 in the Coastal Commission staff report dated December 29, 2010) are now available for download from the Coastal Commission's web site along with the staff report for Item W8b by selecting the agenda item under current meeting, 2011 January Draft Agenda or by using the following link: <http://documents.coastal.ca.gov/reports/2011/1/W8b-1-2011.pdf>. To further facilitate review of the documentation, the following table provides a summary of only those revisions included in the document subsequent to the release of the PUBLIC REVIEW DRAFT DANA POINT HARBOR IMPLEMENTATION PLAN on December 15, 2010.

If you wish to submit written materials to the Commission staff, please provide any materials, marked with Agenda Item W8b no later than Friday, January 7, 2011, (three working days before the hearing) so that staff may distribute your materials to the Commission. Additionally, we ask that you summarize the reasons for your position in no more than two or three pages, if possible. You may attach as many exhibits as you feel necessary to demonstrate your points of view. If you cannot get your comments to Commission staff by Friday, January 7th, you are requested to bring twenty (20) copies of your correspondence to the hearing on January 12, 2011.

PLEASE NOTE, THERE IS NO FUNCTION THAT WILL ALLOW YOU TO PLACE COMMENTS ON THE COASTAL COMMISSION'S WEB SITE. INSTEAD, PLEASE MAIL WRITTEN COMMENTS ON THE DRAFT SUGGESTED MODIFICATIONS TO THE CALIFORNIA COASTAL COMMISSION WITH A COPY TO THE CITY OF DANA POINT AT THE FOLLOWING ADDRESSES:

California Coastal Commission
South Coast Area Office
Attn: Fernie Sy, Coastal Program Analyst II
200 Oceangate, Suite 1000
Long Beach, CA 90802

City of Dana Point
Community Development Department
Attn: John Tilton,
City Architect/Planning Manager
33282 Golden Lantern
Dana Point, CA 92629-1805

For additional information, please contact Fernie Sy in the Long Beach office at (562) 590-5071 or John Tilton, City Architect/Planning Manager of the City of Dana Point at (949) 248-3500.

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071

January 5, 2011,



**California Coastal Commission Staff (Revised) Suggested Modifications
Local Coastal Program (LCP) Amendment Request No. 1-10
Dana Point Harbor Implementation Plan**

Local Coastal Program (LCP) Amendment Request No. 1-10 is an Implementation Plan (IP) Amendment, which would replace in its entirety, the implementation sections in the Dana Point Specific Plan Local Coastal Program pertaining to the Dana Point Harbor Revitalization Plan. In October 2009, the Commission approved LCP Amendment Request 1-08, which amended the Dana Point Specific Plan Local Coastal Program Land Use Plan to incorporate the proposed Dana Point Harbor Revitalization Plan. Local Coastal Program (LCP) Amendment Request No. 1-10 is the accompanying implementing action to carry out this approved land use plan.

LCP Amendment Request No. 1-10 is anticipated to be heard at the **January 12, 2011 Coastal Commission Hearing in Long Beach**. In preparation to the public hearing on the Implementation Plan (IP) Amendment, on December 15, 2010 Commission staff completed DRAFT Suggested Modifications for this amendment and provided them for early public review as a courtesy to allow additional time for review prior to distribution of the final staff recommendation for the January 2011 hearing. Additionally, a notice was provided by electronic mail on December 16, 2010 from OC Dana Point Harbor to all parties expressing an interest in the Dana Point Harbor Revitalization Plan, in addition to being posted at sites at the Harbor subject to use by boaters and interested parties with instructions on how to obtain copies of the documentation for review.

Copies of the complete (Revised) Suggested Modifications (Exhibit 5 in the Coastal Commission staff report dated December 29, 2010) are now available for download from the Coastal Commission's web site along with the staff report for Item W8b by selecting the agenda item under current meeting, 2011 January Draft Agenda or by using the following link: <http://documents.coastal.ca.gov/reports/2011/1/W8b-1-2011.pdf>. To further facilitate review of the documentation, the following table provides a summary of only those revisions included in the document subsequent to the release of the PUBLIC REVIEW DRAFT DANA POINT HARBOR IMPLEMENTATION PLAN on December 15, 2010.

If you wish to submit written materials to the Commission staff, please provide any materials, marked with Agenda Item W8b no later than Friday, January 7, 2011, (three working days before the hearing) so that staff may distribute your materials to the Commission. Additionally, we ask that you summarize the reasons for your position in no more than two or three pages, if possible. You may attach as many exhibits as you feel necessary to demonstrate your points of view. If you cannot get your comments to Commission staff by Friday, January 7th, you are requested to bring twenty (20) copies of your correspondence to the hearing on January 12, 2011.

PLEASE NOTE, THERE IS NO FUNCTION THAT WILL ALLOW YOU TO PLACE COMMENTS ON THE COASTAL COMMISSION'S WEB SITE. INSTEAD, PLEASE MAIL WRITTEN COMMENTS ON THE DRAFT SUGGESTED MODIFICATIONS TO THE CALIFORNIA COASTAL COMMISSION WITH A COPY TO THE CITY OF DANA POINT AT THE FOLLOWING ADDRESSES:

California Coastal Commission
South Coast Area Office
Attn: Fernie Sy, Coastal Program Analyst II
200 Oceangate, Suite 1000
Long Beach, CA 90802

City of Dana Point
Community Development Department
Attn: John Tilton,
City Architect/Planning Manager
33282 Golden Lantern
Dana Point, CA 92629-1805

For additional information, please contact Fernie Sy in the Long Beach office at (562) 590-5071 or John Tilton, City Architect/Planning Manager of the City of Dana Point at (949) 248-3500.

The information provided in this summary indicates revisions to the December 15, 2010 Draft Suggested Modifications for the Dana Point Harbor Implementation Plan (bold, underlined and bold, underlined and strikethrough) that have subsequently been incorporated into the final staff recommendation for the January 12, 2011 Coastal Commission hearing.

Exhibit 5 Page Ref.	IP Chapter No.	Revisions	Comments
4	1	<p>By dividing the Harbor into increments, <u>The Dana Point Harbor District Regulations are specifically designed to be consistent with and adequate to carry out the policies of the certified Local Coastal Program Land Use Plan for Dana Point Harbor as effectively certified on October 13, 2010. The District Regulations component and related provisions establish the Planning Area boundaries, procedures, definitions and descriptions, including District Zoning Map/Statistical Summary, Dana Point Harbor Revitalization Plan and Statistical Table as well as development standards and requirements for each land use designation of the Dana Point Harbor Planned Community.</u></p>	<p>The inserted text identifies the date of Coastal Commission adoption of the Dana Point Harbor Land Use Plan Amendment.</p>
11	3	<p>Special Provision Number 1 Planning Area Land Uses - All land uses, sizes and general locations shall be in conformance with these Dana Point Harbor District Regulations, and <u>the Land Use Plan (Dana Point Harbor Revitalization Plan) as effectively certified on October 13, 2010</u> and Statistical Table contained herein. No Planning Area shall exceed the maximum allowable square footage or land uses indicated within an individual Planning Area and land use district.</p>	<p>The inserted text identifies the date of Coastal Commission adoption of the Dana Point Harbor Land Use Plan Amendment.</p>
12	3	<p>Special Provision Number 3 Construction Phasing - Construction phasing for implementation of all Dana Point Harbor Revitalization Plan improvements shall minimize the disruption of vehicular and pedestrian access routes and parking availability to the maximum extent feasible. In the event of temporary closures, alternate routes and clear directional signage shall be provided. Any new commercial development shall be phased to provide required parking for higher priority uses (e.g., designated boater parking, launch ramp and boat storage) prior to the construction of new commercial development as specified in Section II-14.2(i). Any parking loss temporarily during construction shall be replaced prior to its removal and shall be located in reasonable proximity to the uses its serves to the maximum extent feasible. Additionally, no construction shall be permitted to block the main navigational channels in the Harbor and should minimize the disruption or loss of</p>	<p>This suggested modification has been changed to delete the reference to commercial developments relation to priority use parking since this is addressed in Chapter 14. The new language requires that temporary parking be provided in reasonable proximity to the uses served.</p>

Exhibit 5 Page Ref.	IP Chapter No.	Revisions	Comments
		<u>existing docks by providing temporary facilities to the greatest extent feasible.</u>	
32	4	4.5 Marine Services Commercial Development Standards and Requirements l) Fences, Walls: All fences and walls will be designed to have a minimum impact on coastal and scenic views from public areas. Maximum height <u>shall be eight (8) feet.</u> provided that site distances for vehicular safety purposes are not obstructed shall be eight (8) feet.	
39	5	5.5 Day Use Commercial Development Standards and Requirements 5.5c – 4 <u>The additional height above the thirty-five (35) forty (40) foot height limit shall be for architectural features only that do not increase the gross floor area for the purpose of determining parking requirements.</u>	The suggested modification has been changed to allow for usable square footage to be provided up to forty feet when structures are consistent with the stated building height exception criteria in Planning Area 2
80	11	11.5 Education Basin Development Standards and Requirements <u>p) Pump-out facilities shall be incorporated into any new marina to serve individual boat slips to the maximum extent feasible.</u>	Additional requirement incorporated as a standard for any redesign of the Education Basin Planning Area 8
86	12	12.5 West and East Marinas Development Standards and Requirements <u>s) Pump-out facilities shall be incorporated into any new marina to serve individual boat slips to the maximum extent feasible.</u>	Additional requirement incorporated as a standard for any redesign of the West and East Marinas Planning Areas 9 and 10
91	13	13.5 Marine Services and Harbor Entrance Development Standards and Requirements <u>p) Pump-out facilities shall be incorporated into any new marina to serve individual boat slips to the maximum extent feasible.</u>	Additional requirement incorporated as a standard for any redesign of the Marine Services and Harbor Entrance Planning Areas 11 and 12
93	14	14.2 Off-Street Parking General Provisions <u>c) 1. The facility may be used only during the non-peak Harbor season (October through May) but excluding Memorial Day weekend.</u>	The suggested modification has been changed to exclude Memorial Day weekend from limited use of the public boat launch ramp parking area for shared parking

Exhibit 5 Page Ref.	IP Chapter No.	Revisions	Comments
101	14	<p>14.4 Joint-Use or Shared Parking</p> <p>5. Subsequent individual new uses which result in a parking demand more than is provided by the existing parking shall be required to <u>provide additional parking adequate to meet the demand and/or provide alternative means to meet the parking demand through a Coastal Development Permit and</u> prepare a revision to the Detailed Parking Plan for approval by the County of Orange — Dana Point Harbor Department Director, OC Dana Point Harbor.</p>	<p>Additional suggested modification to specify new Harbor uses must provide parking to meet the demand of the development through the CDP process as well as through revisions to the Detailed Parking Plan.</p>
102	14	<p>14.5 Exceptions and/or Modifications to Off-Street Parking Requirements</p> <p>1. Exceptions to or modifications of the off-street parking regulations <u>may shall</u> be permitted subject to the approval of a Coastal Development Permit.</p>	<p>Suggested modification reflects discretionary approval process</p>
122	17	<p>17.2 Dana Point Harbor Revitalization Plan</p> <p>. . . Such adjustments shall not have the effect of exceeding the total permitted development intensity combined for all individual Planning Areas or for the Dana Point Harbor in total.</p> <p><u>Minor adjustments up to five percent (5%) in the Planning Area acreages shown on the Dana Point Harbor Statistical Table for final street alignments, parking area reconfiguration, landscaping, geotechnical or other engineering-related reasons may be approved as part of a Coastal Development Permit. Any adjustments to Planning Area boundaries that results in acreage changes greater than five percent (5%) for any Planning Area shall require approval of a Local Coastal Program Amendment by the California Coastal Commission.</u></p>	<p>Suggested modification allows for minor adjustments for specific purposes (up to 5%) to Planning Area boundaries with approval of a CDP</p>
122	17	<p>17.3 Dana Point Harbor Statistical Table</p> <p>The Dana Point Harbor Statistical Table contains a statistical breakdown for each of the Planning Areas shown on the Dana Point Harbor Revitalization Plan in terms of acreage and maximum amount of allowable development intensity. All Planning Areas allowing land uses shall not exceed the maximum amount of square footage indicated for the Planning Area in the Dana Point Harbor Revitalization Plan Statistical Table. The estimated existing square footage on the Statistical Table shall be revised only in accordance with the requirements contained in this Chapter. No</p>	<p>Additional suggested modification to update reference to the changes made to the Statistical Table to include the existing square footage of buildings located throughout the Harbor</p>

Exhibit 5 Page Ref.	IP Chapter No.	Revisions	Comments
		<p>amendment to these Dana Point Harbor District Regulations and/or the Dana Point Harbor Revitalization</p> <p>Plan shall be required for the purpose of changing the Planning Area acreage and/or estimated amount of square footage of individual land uses provided: <u>below.</u></p> <p><u>Any changes to the land use, land use intensity or Planning Area boundaries as approved by the Dana Point Harbor Revitalization Plan (Land Use Plan) shall require approval by the California Coastal Commission through the Local Coastal Program Amendment process.</u></p>	
124	Exhibit 17.1	Dana Point Harbor Revitalization Plan	Exhibit has been changed to eliminate the building footprint for the freestanding marine retail store in Marine Services Commercial Planning Area 1, consistent with the policies in the certified LUP
126	17	17.4 Procedures for Revisions to the Dana Point Harbor Revitalization Plan and Statistical Table d) Any proposed revision to increase the estimated amount of square footage allocated to any land use in one or more Planning Area(s) shall be offset by a corresponding decrease in another Planning Area(s), so that the maximum amount of square footage for all identified land uses is not exceeded. The location and extent of both increases and decreases in the Harbor area must be included in the Coastal Development Permit application.	Additional suggested modification to delete provision for changes to estimated square footage on the statistical table
127	17	17.4 Procedures for Revisions to the Dana Point Harbor Revitalization Plan and Statistical Table e) Any proposed revision to reallocate the allowable square footage and/or acreage assigned from one Planning Area to another Planning Area by more than ten percent (10%) five percent (5%) shall require a public hearing pursuant to Chapter II-16, <i>Discretionary Permits and Procedures</i> . Revisions of ten percent (10%) five percent (5%) or less may be deemed a minor administrative refinement and may be approved by the City of Dana Point Director of Community Development. but such changes shall not be effective until approved by the California Coastal	Additional suggested modification to allow for minor adjustments (up to 5%) to Planning Area boundaries

Exhibit 5 Page Ref.	IP Chapter No.	Revisions	Comments
		<p>Commission through a Local Coastal Program Amendment. Any reallocation in Planning Area boundaries in excess of five percent (5%) shall not be effective until approved by the California Coastal Commission through a Local Coastal Program Amendment.</p>	
127	17	<p>17.4 Procedures for Revisions to the Dana Point Harbor Revitalization Plan and Statistical Table</p> <p>f) Unless determined otherwise, the Dana Point Harbor Revitalization Plan and District Regulations document shall serve as the location and record for any future revisions to the Dana Point Harbor Revitalization Plan and Statistical Table, as they may be approved from time to time.</p>	<p>Additional suggested modification to delete provision for Statistical Table revisions</p>