

**CITY OF DANA POINT
AGENDA REPORT**

Reviewed By:	
DH	<u>X</u>
CM	X
CA	___

DATE: OCTOBER 25, 2006

TO: CITY MANAGER/CITY COUNCIL

FROM: KYLE BUTTERWICK, DIRECTOR OF COMMUNITY DEVELOPMENT

**SUBJECT: GENERAL PLAN AMENDMENT (GPA06-02), ZONE CHANGE (ZC06-01),
 ZONE TEXT AMENDMENT (ZTA06-04) AND LOCAL COASTAL
 PROGRAM AMENDMENT (LCPA06-05) FOR ADOPTION OF THE TOWN
 CENTER PLAN**

RECOMMENDED ACTION:

That the City Council adopt:

1. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE TOWN CENTER PLAN. (ACTION DOCUMENT A);
2. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT GPA 06-02, WHICH AMENDS THE GENERAL PLAN LAND USE ELEMENT, URBAN DESIGN ELEMENT, CIRCULATION ELEMENT, AND ECONOMIC DEVELOPMENT ELEMENT, TABLES AND DIAGRAMS, AND SUBMISSION OF GPA 06-02 AS LOCAL COASTAL PROGRAM AMENDMENT LCPA06-05 FOR APPROVAL AND CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION. (ACTION DOCUMENT B);
3. A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING ZONE TEXT AMENDMENT ZTA06-04 AND ZONE CHANGE ZC06-01 TO ESTABLISH THE TOWN CENTER DISTRICT AND INCORPORATE THE TOWN CENTER PLAN AS APPENDIX E OF THE ZONING CODE, AND SUBMISSION AS PART OF LOCAL COASTAL PROGRAM AMENDMENT LCPA06-05 FOR APPROVAL AND CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION. (ACTION DOCUMENT C); AND
4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, REGARDING LOCAL COASTAL PROGRAM AMENDMENT LCPA06-05 AND REQUESTING CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION. (ACTION DOCUMENT D).

STRATEGIC PLAN IMPLEMENTATION:

Strategic Plan Initiative IV states:

Create a vibrant, pedestrian-oriented Town Center which meets the needs of our residents, visitors and businesses.

Tactical Element IV states:

Adopt a Plan for Town Center which:

- Conforms with the adopted Ten Guiding Principles
- Reduces vehicle speeds while moving traffic effectively
- Creates an identity which reflects small town, beach community
- Encourages and builds upon existing historical character
- Creates opportunities for culture, art and socializing
- Provides activities and attractions for visitors and residents
- Preserves public views and vistas
- Seeks alternate location for Post Office Distribution Center– pursue discussions with the City of San Juan Capistrano
- Create venues to encourage participation in the planning effort (i.e. Town Center Subcommittee)
- Explores alternate transportation options to and from Town Center

Coordinate with the Coastal Commission to ensure implementation of the Coastal Act.

The proposed action items are the next steps to address these Strategic Plan goals.

BACKGROUND:

The 1991 General Plan recognizes the Town Center as the City's primary business district which should provide a diversity of retail, office and residential land uses which generate positive pedestrian activity. To implement the vision established by the General Plan, the City initiated a planning process and engaged urban design consultants Roma Design Group to study the area and make specific recommendations. This process was augmented with an extensive public outreach effort which included numerous public forums and establishment of the Town Center Subcommittee. The Subcommittee's effort occurred over a one year period which included a series of public meetings focused on developing recommendations on the Town Center Plan. The Town Center Subcommittee recommendations provided the basis for the Town Center Plan which was released to the public on September 1, 2006 and was showcased at a Town Hall meeting on September 6, 2006 which was attended by approximately 200 citizens. A more complete history and summary of the Town Center planning process appears on page 8 of the Town Center Plan.

The Planning Commission conducted a public hearing on September 26th to review the draft Town Center Plan and consider recommending adoption by the City Council. Following receipt of public testimony from twelve individuals, the Planning Commission adopted the required resolutions recommending the approval of the proposed Plan.

DISCUSSION:

The Town Center Plan includes a series of policies, development standards and design guidelines which were created to guide the transformation of the Town Center into a pedestrian-oriented, mixed-use district which serves the community more effectively and creates a more meaningful place that adds to the identity of Dana Point. The Town Center Plan includes the following concepts:

General Recommendations

- Reconfigure PCH and Del Prado and establish gateways to the Town Center
- Establish an In-Lieu Parking Program
- Allow and Encourage Upper Level Housing
- Encourage Commercial, Civic and Cultural Activities that Distinguish Dana Point as a Stronger Destination for Residents and Visitors
- Encourage the Post Office to Relocate their Distribution Facility
- Establish a Town Center Downtown Business Association
- Amend Development Standards to Promote a More Pedestrian-Friendly Mixed-Use Environment

Circulation and Streetscape

- Two-way traffic on PCH and Del Prado
- Curbside parking on both streets
- Enhanced sidewalks and amenities
- Improved intersections for pedestrians
- Up and downcoast gateways
- Unique lighting and street design

Parking

- Curbside parking
- Commercial in-lieu district
- Parking behind buildings
- Alley access wherever possible
- Encourage below grade parking

Land Use

- Allow upper floor residential
- Require ground level commercial
- Encourage pedestrian friendly uses
- Encourage retail anchors
- Encourage clustering of uses
- Discourage formula businesses

Development Standards

- 2.5 FAR for mixed use
- Lot coverage removed
- Building height: 40 feet
- 18-foot minimum ground floor
- Massing control
- Build to lines and setbacks
- Courtyards and pedestrian passages

PLAN MODIFICATION:

The following policy is recommended to be included in the Town Center Plan to reference the mandate to comply with California Planning and Zoning Law Section 65590 (Mello Act) which applies to residential development located in the Coastal Zone to, where feasible, provide affordable housing units:

Policy 1.8: The Town Center shall be subject to the applicable requirements of California Government Code Section 65590 et seq. (the Mello Act).

This policy has been added to the draft Resolution pertaining to the proposed Zone Text Amendment which includes inclusion of the Town Center Plan into the Zoning Code.

CONCLUSION:

The Town Center Plan requires amendments to the General Plan, Zoning Code and Local Coastal Plan and a Zone Change. It is recommended that the City Council approve the attached resolutions and ordinances approving the Mitigated Negative Declaration and the Town Center Plan.

ENVIRONMENTAL ANALYSIS:

A Mitigated Negative Declaration has been prepared in accordance with Section 15070 of the California Environmental Quality Act (CEQA) for the Town Center Plan and circulated for the thirty (30) day public review period which concluded October 2, 2006. The comment letters received and response to comments are included as an appendix to the Mitigated Negative Declaration.

NOTIFICATION/FOLLOW-UP:

Notice for the proposed action included a 1/8th page advertisement that was published in the Dana Point News on October 12, 2006. Over 1,800 notices were mailed to surrounding property owners and businesses, as well as affected agencies and interested parties. Notices were posted on October 20, 2006 at the Dana Point City Hall, the Dana Point Post office, the Capistrano Beach Post office, and the Dana Point Library.

FISCAL IMPACT:

There will be no fiscal impacts resulting from adoption of the Town Center Plan. The recommended actions discussed in the Plan will be presented to the Council and funded on a project-by-project basis.

ACTION DOCUMENT:

PAGE NO.

A. Mitigated Negative Declaration Resolution No. 06-10-25-XX	5
B. General Plan Amendment Resolution No. 06-10-25-XX	8
C. Zone Text Amendment and Zone Change Ordinance No. 06-XX	19
D. Submittal of LCPA to Coastal Commission Resolution No. 06-10-25-XX	26

SUPPORTING DOCUMENTS:

- E. Draft Mitigated Negative Declaration (hard copy provided)
- F. Town Center Plan (hard copy provided)
- G. Public Comment Letters (hard copy provided)

ACTION DOCUMENT A**RESOLUTION NO. 06-10-25-XX****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE TOWN CENTER PLAN.**

Applicant: City of Dana Point
FILE NO.: FF# 0610-70/
GPA06-02/ZC06-01/ZTA06-04/LCPA06-05/
Dana Point Town Center

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

WHEREAS, the City of Dana Point proposes to create the Town Center Plan which would allow for a mix of residential and retail uses, development standards, design guidelines and modified circulation patterns created to encourage a more pedestrian-oriented, meaningful environment; and

WHEREAS, said verified application constitutes a request as provided by Title 7 and Title 9 of the Dana Point Municipal Code; and

WHEREAS, the Planning Commission did, on the 26th day of September, 2006, 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, examining the attached initial study, analyzing the information submitted by staff, and considering any written comments received, said Commission considered all factors relating to the Mitigated Negative Declaration and recommended the City Council adopt the Mitigated Negative Declaration.

WHEREAS, the City Council did, on the 25th day of October, 2006, 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, examining the attached initial study, analyzing the information submitted by staff, and considering any written comments received, said City Council considered all factors relating to the Mitigated Negative Declaration.

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

- A) That the above recitations are true and correct.
- B) That based on the evidence presented at the public hearing, the City Council hereby adopts a Mitigated Negative Declaration for the Town Center Plan.

Findings:

- 1) That a Mitigated Negative Declaration was circulated for a thirty (30) day review period effective September 1, 2006 to the County of Orange County Clerk and State Clearinghouse, and a Notice of Intent to Adopt was published in the Dana Point News and mailed to property owners surrounding the Town Center.
- 2) That two comment letters were received during the comment period, which concluded October 2, 2006, and are attached as an appendix to the Mitigated Negative Declaration and were forwarded to the City Council for their consideration.
- 3) That the attached Initial Study (City of Dana Point Environmental Checklist Form) shows that the project will not have a significant impact on the environment.
- 4) That the proposed project before the City would not have a potential adverse affect that cannot otherwise be mitigated. Appropriate mitigation measures have been identified to adequately address potential impact to the environment.
- 5) That there was no evidence before the City that the proposed project would have any potential adverse affect on wildlife. As a result, the proposed project qualified for the De Minimis impact exemption from the Department of Fish and Game environmental review fees. The Director of Community Development is hereby authorized to declare the same on behalf of the City and Planning Commission.

PASSED, APPROVED, AND ADOPTED this 25th day of October, 2006.

LARA ANDERSON, MAYOR

ATTEST:

KATHY M. WARD,
ACTING CITY CLERK

STATE OF CALIFORNIA)

COUNTY OF ORANGE) ss
CITY OF DANA POINT)

I, KATHY M. WARD, Acting City Clerk of the City of Dana Point, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. 06-10-25-XX, adopted by the City Council of the City of Dana Point, California, at a regular meeting thereof held on the 25th day of October, 2006, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

KATHY M. WARD, ACTING CITY CLERK

RESOLUTION NO. 06-10-25-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT GPA 06-02, WHICH AMENDS THE GENERAL PLAN LAND USE ELEMENT, URBAN DESIGN ELEMENT, CIRCULATION ELEMENT, AND ECONOMIC DEVELOPMENT ELEMENT, TABLES AND DIAGRAMS, AND SUBMISSION OF GPA 06-02 AS LOCAL COASTAL PROGRAM AMENDMENT LCPA06-05 FOR APPROVAL AND CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION.

Applicant: City of Dana Point
File No.: FF# 0630-30/GPA06-02/ZC06-01/ZTA06-04/LCPA06-05

The City Council of the City of Dana Point does hereby resolve as follows:

WHEREAS, on July 9, 1991, the City of Dana Point adopted its General Plan; and

WHEREAS, the City of Dana Point has prepared a Mitigated Negative Declaration which has been reviewed and approved by the City Council; and

WHEREAS, the City may amend all or part of an adopted General Plan to promote the public interest up to four times during any calendar year pursuant to Government Code Section 65358; and

WHEREAS, the City of Dana Point adopted a Local Coastal Program, which was certified by the California Coastal Commission and may be amended in whole or in part; and

WHEREAS, the General Plan Amendment GPA06-02 is the second General Plan Amendment processed for 2006; and

WHEREAS, the proposed amendment would make changes to the Land Use Element, Urban Design Element, Circulation Element, and Economic Development Element, and Zoning Code; and

WHEREAS, the amendment is internally consistent with other elements of the General Plan; and

WHEREAS, the preparation and adoption of the Local Coastal Program Amendment is statutorily exempt from the California Environmental Quality Act pursuant to Section 21080.9 of the Public Resources Code; and

WHEREAS, the Planning Commission did on September 26, 2006 hold a duly noticed public hearing as prescribed by law to consider the said amendments and recommended the City Council approve the General Plan Amendment and Local Coastal Program Amendment; and

WHEREAS, the City Council did on October 25, 2006 hold a duly noticed public hearing as prescribed by law to consider the General Plan Amendment and Local Coastal Program Amendment; and

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, the City Council considered all factors relating to GPA06-02 and LCPA06-05; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Dana Point as follows:

- A. That the above recitations are true and correct;
- B. That the proposed action complies with all other applicable requirements of State law and local Ordinances;
- C. That the General Plan Amendment under GPA06-02 is in the public interest;
- D. That the Local Coastal Program Amendment (LCPA06-05) is consistent with, and will be implemented in full conformity with the Coastal Act;
- E. That the Planning Commission has reviewed and considered the Mitigated Negative Declaration;
- F. That the Mitigated Negative Declaration for the Town Center Plan is complete and adequate for the consideration of the General Plan Amendment;
- G. That the City Council adopts the following findings:
 1. That the public and affected agencies have had ample opportunity to participate in the LCPA process. Proper notice in accordance with the LCP Amendment procedures has been followed.
 2. That all policies, objectives, and standards of the LCPA conform to the requirements of the Coastal Act. The amendments to the General Plan are consistent with the Coastal Act policies that encourage coastal access and preservation of coastal and marine resources. That the Land Use Plan as amended is in conformance with and adequate to carry out the Chapter Three policies of the Coastal Act and that the Implementation Program Amendment is in conformance with and adequate to implement the Land Use Plan.
 3. That Coastal Act policies concerning specific coastal resources, hazard areas, coastal access concerns, and land use priorities have been applied to determine the kind, locations, and intensity of land and water uses. As a General Plan Amendment and Local Coastal Program Amendment, no specific development is proposed. Any proposed development will be reviewed for compliance with the City's Local Coastal Program and (in addition) for proposed development

located within the Commission's appeal area, the public access policies of the Coastal Act.

4. That the level and pattern of development proposed is reflected in the Land Use Plan, Zoning Code, and Zoning Map. The applicable sections are being amended accordingly to be consistent with state law.
 5. That a procedure has been established to ensure adequate notice of interested persons and agencies of impending development proposed after certification of the LCPA. Proper notice in accordance with the LCP Amendment procedures has been followed.
 6. That zoning measures are in place which are in conformance with and adequate to carry out the coastal policies of the Land Use Plan. The City's Zoning Code is being amended concurrently with the LCP amendment.
- H. That the City Council recommends the following in the Resolution:
1. The City certifies that with the adoption of these amendments, the City will carry out the Local Coastal Program in a manner fully in conformity with Division 20 of the Public Resources Code as amended, the California Coastal Act of 1976.
 2. The City certifies that the Land Use Plan, as amended, is in conformity with and adequate to carry out the Chapter Three policies of the Coastal Act.
 3. The City certifies the implementing actions as amended, are in conformity with and adequate to carry out the provisions of the certified Land Use Plan.
 4. The Resolution of the City Council specifies that Local Coastal Program Amendment LCPA06-05 be submitted to the Coastal Commission for certification.
- I. That the amendments to the City General Plan are shown in Exhibit "A" of this Resolution, attached hereto and incorporated herein by this reference.
- J. That the currently adopted 1996 Local Coastal Program (City of Dana Point General Plan) be amended as shown in Exhibit "A".
- K. The City Council approves that the Dana Point Town Center Plan replace in its entirety the Dana Point Specific Plan (including the Orange County Zoning Code) for the Town Center area.

- L. GPA06-02, ZC06-01, ZTA06-04, the Town Center Plan and other remaining applicable sections of the City's General Plan and Zoning Code shall constitute the LCP for the Town Center area.

The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 25th day of October, 2006.

LARA ANDERSON, MAYOR

ATTEST:

Kathy M. Ward
Acting City Clerk

STATE OF CALIFORNIA)
 COUNTY OF ORANGE) ss.
 CITY OF DANA POINT)

I, KATHY M. WARD, Acting City Clerk of the City of Dana Point, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. 06-10-25-XX, adopted by the City Council of the City of Dana Point, California, at a regular meeting thereof held on the 25th day of October, 2006, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

KATHY M. WARD
ACTING CITY CLERK

EXHIBIT A
GENERAL PLAN AMENDMENT
(Land Use, Urban Design, Circulation
and Economic Development Elements)

MODIFICATION TO LAND USE ELEMENT (PAGE 19)

DEVELOPMENT OF THE TOWN CENTER

The Town Center area is one of the primary business districts in the City, and is the focus of activity for visitors traveling along Pacific Coast Highway (PCH). Although the area is segmented by the PCH couplet street system and impacted by its vehicular traffic, the mixture of commercial retail and service, office, and residential uses coupled with a pedestrian character and scale can be enhanced through proper planning and the use of physical design techniques. The Town Center also has a strong, physical connection with the blufftop viewpoints overlooking the Harbor at the south ends of Amber Lantern, Violet Lantern, and Golden Lantern. Although the Town Center is very accessible to visitors and travelers on PCH, it has a strong connection with surrounding residential areas. ~~In fact, the La Plaza area is a center of neighborhood shops and services oriented toward local needs.~~

GOAL 6: Achieve development in the Town Center area that enhances the area as a primary business district in the City.

Policy 6.1: Provide a diversity of retail, office and residential land uses that establish the Town Center as a major center of social and economic activity in the community. (Town Center Plan Policy 1.1)

Policy 6.2: Encourage retail businesses and mixtures of land uses that help to generate positive pedestrian activity in the area. (Town Center Plan Policy 1.2)

Policy 6.3: Establish patterns of land use and circulation that promote the desired pedestrian character of the area. (Town Center Plan Policy 1.3)

~~**Policy 6.4:** Through effective design guidelines encourage building designs, intensity and setbacks to be compatible with the desired scale and character of the area. (Coastal Act/30251) (Moved to Urban Design See Policy 3.5)~~

~~**Policy 6.5:** Develop land use and parking regulations to assure that adequate and reasonable standards are provided. (Moved to Circulation Element See Policy 12.2)~~

~~**Policy 6.6:** Provide opportunities for shared parking facilities in the Town Center, such as through the establishment of an offstreet parking district. (Moved to Circulation Element See Policy 12.1)~~

Policy 6.4: Encourage mixed-use development in the Town Center. (Town Center Plan Policy 1.4)

Policy 6.5: Support street level uses that are pedestrian-oriented and contribute to the vibrancy of the street. (Town Center Plan Policy 1.5)

Policy 6.6: Promote professional business/office uses on the upper floors. (Town Center Plan Policy 1.6)

Policy 6.7: Periodically review entertainment uses in the Town Center to ensure that cumulative impacts are not detrimental to the city. (Town Center Plan Policy 1.7)

Policy 6.8: New construction located in the Town Center shall be subject to the requirements of California Planning and Zoning Law Section 35590 (Mello Act). Compliance with the mandate shall be evaluated on a case-by-case basis. (Town Center Policy 1.8)

Modify Figure LU-4, Land Use Policy Diagram: Modify figure to reflect Plan boundary as shown on page 4 of the Town Center Plan and to designate the area as "Town Center District".

Modify Figure LU-7, Town Center, and related text: Modify Town Center boundary to reflect boundary shown on page 4 of the Town Center Plan and designate the area as "Town Center District". The introductory text shall be modified as follows:

The Dana Point Town Center is a primary business district within the City which serves both visitors and residents. Revitalization and economic development of the Town Center are intended to create a compact pedestrian-oriented, "small town" atmosphere within Dana Point's central business district. ~~The Urban Design Element of the General Plan~~ The Town Center Plan establishes the allowable land uses for the Town Center area and describes design concepts useful in creating this desired atmosphere. The Land Use Policy Diagram for the Town Center is depicted in Figure LU-7 below ~~and includes Community Commercial, Visitor/Recreation Commercial, Commercial/Residential, and Neighborhood Commercial designations.~~

Update Table LU-7, Town Center – Land Use Composition: Revise the Table and corresponding pie chart to reflect the proposed Town Center land uses which include retail and residential uses.

MODIFICATION TO URBAN DESIGN ELEMENT (PAGE 5)

THE DANA POINT TOWN CENTER

At the present time, the Town Center does not have an environment or image that draws residents or visitors, nor does the Town Center work well as a "shopping district" where businesses benefit each other from an overall collective strength. Instead, the Town Center functions and feels like a roadside or "strip commercial" environment with many small separate commercial buildings and shopping centers that are poorly linked. The Pacific Coast Highway - Del Prado couplet, accompanied by high traffic speeds, has contributed to this problem. The small parcel sizes, lack of consistent site design patterns, diversity of building types and setbacks, and barren quality of the streetscapes are intensify the problems. There are some examples, however, that provide potential ideas for the future.

~~The Plaza works well as a focus and pleasant pedestrian space – more environments like this can be created in the Town Center. San Juan Avenue presents a significant opportunity to create this additional pedestrian focus.~~ The future of the traffic system will be fundamental to developing site planning and building design guidelines that integrate the area. A major investment in public amenities (street trees, wider sidewalks, parking and side street improvements) will be necessary to transform the area's image and create stronger linkages between the blocks.

The Town Center Plan proposes changing the scale and character of the couplet that now operates as PCH to dramatically impact the Town Center. By returning PCH and Del Prado to two-way traffic, as they had been in the past, the streets would be better suited to serve pedestrians, bicyclists and bus riders, while still providing access for automobiles. In addition, differentiating the streets creates the opportunity for a regional arterial on PCH and a main street environment on Del Prado.

Urban Design/Streetscape

GOAL 3A: Improve the Town Center as one of the City's primary shopping districts with a small town "village" atmosphere.

~~**Policy 3.1:** Increase the Town Center's economic vitality and its contribution to the City's economic development goals. (Moved to Economic Development Element)~~

~~**Policy 3.2:** Reduce the disruptive and negative impact of traffic movements and high traffic speeds in the Town Center. (Moved to Circulation See Policy 11.1)~~

Policy 3.1: Improve pedestrian opportunities and create an attractive pedestrian environment within the Town Center. (Coastal Act/30250) (Town Center Policy 2.1)

~~**Policy 3.4:** Encourage mixed-use development in selected areas of the Town Center. (Moved to Land Use See Policy 6.4)~~

~~**Policy 3.5:** Develop a parking concept that emphasizes shared parking facilities. (Moved to Circulation See Policy 12.3)~~

Policy 3.2: Create safety buffers of street trees, planters and street furniture between pedestrian walks and the street along both Pacific Coast Highway and Del Prado. Provide widened sidewalks with a special Town Center streetscape design. (Town Center Policy 2.2)

Policy 3.3: Develop pedestrian courtyards and other outdoor spaces with planting and street furniture. (Town Center Plan Policy 2.3)

Policy 3.4: Encourage pedestrian-oriented building frontages with shops opening to the public sidewalk, and encourage a ~~minimum~~ maximum amount of retail uses on the first floor. (Town Center Policy 2.4)

Policy 3.5: Through effective design guidelines, encourage building designs, intensity and setbacks to be compatible with the desired scale and character of the area. (Coastal Act/30251) (Town Center Plan Policy 2.5)

Policy 3.6: Incorporate art features, including public art as an element of development and enhancements. (Town Center Plan Policy 2.6)

Policy 3.7: Encourage the use of small spaces for landscaping and mini-parks with art features. (Town Center Plan Policy 2.7)

Policy 3.8: Provide centrally located public restrooms. (Town Center Plan Policy 2.8)

Policy 3.9: Develop a plan designing and locating enclosed trash containers in the Town Center. (Town Center Plan Policy 2.9)

Policy 3.10: Address the impact of delivery trucks on the circulation system for new development and for new businesses. Encourage deliveries to utilize the alleyways when feasible. (Town Center Plan Policy 2.10)

Policy 3.11: Establish a recommended plant list for trees, shrubs, herbaceous materials and ground cover within the Design Guidelines for Town Center. Priority shall be given to drought tolerant plants. (Town Center Plan Policy 2.11)

Policy 3.12: Encourage the design of lighting that enhances the streetscape and facilitates nighttime use of the Town Center by pedestrians. (Town Center Plan Policy 2.12)

Policy 3.13: Increase the number of flowers in the Town Center by adding containers in the city right of way and on streetlights, and encourage businesses to plant flowers where possible, provided a maintenance program is established. (Town Center Plan Policy 2.13)

Policy 3.14: Utilize historical lantern design for lighting in public improvements and private development and 2-foot grid sidewalk pattern to reflect historic character. (Town Center Plan Policy 2.14)

Policy 3.15: Establish criteria and methods of measure for Levels of Quality (LOQ) for the pedestrian environment (similar to Level of Service for vehicular environment). Require minimum

pedestrian LOQ for all new street improvement projects, and establish objectives for future improvements to pedestrian LOQ. (Town Center Plan Policy 2.15)

Signage

Recognizing that signage impacts the character of a place, the Town Center Plan calls for a public signage program with a unified design and pedestrian-oriented signs.

GOAL 3B: Require signs to contribute to the atmosphere and to serve as symbols of quality for commercial establishments.

Policy 3.15: Create a public signage and banner program, which creates a unified design reflecting the character of the Town Center for street signage, and direction signs to public parking locations and community serving uses (i.e., public buildings, parks, harbor, scenic attractions, coastal access points, bike and pedestrian paths, cultural/historic structures). (Town Center Policy 6.1)

Policy 3.16: Encourage signage oriented to the pedestrian, such as projecting signs. (Town Center Policy 6.2)

Historic Preservation

Enhancing the charm and romance of Dana Point and, at the same time, reinforcing its coastal history are important to the community. The Town Center Plan sets out guidelines to preserve historic structures and elements and to encourage preservation.

GOAL 3C: Maintain and revitalize the character of designated historic structures in the Town Center.

Policy 3.17: Seek to protect and revitalize historic elements in the Town Center, such as the original lanterns and historic concrete stamps. (Town Center Policy 7.1)

Policy 3.18: Encourage remodeling and renovating of historic structures and placement of the structures on the National Register of Historic Places. (Town Center Policy 7.2)

Policy 3.19: Ensure that the Dana Point Historic Resources Inventory reflects the structures which have historic significance, as determined by the City Historic Resources Ordinance. (Town Center Policy 7.3)

Policy 3.20: Provide incentives for re-use of historically significant buildings. (Town Center Policy 7.4)

Policy 3.21: Develop incentives to promote improvements to historic structures and building façades and create programs to provide relocation assistance. (Town Center Policy 7.5)

Building Design

Improving the overall quality of buildings and the identity and livability of the Town Center are important issues of longstanding concern to the community. The Town Center Plan establishes the appropriate building height, setbacks and setbacks and discourages franchise architecture to create more pleasing and appropriately scaled structures. Special provisions are included to alleviate potential conflicts between neighbors.

GOAL3D: Create a Town Center which reflects the unique natural, historic, and cultural qualities of the community.

Policy 3.22: New development shall comply with the Town Center Design Guidelines. (Town Center Policy 8.1)

Policy 3.23: Pursuant to the City of Dana Point, Local Implementation Plan, all private and public works construction projects are required, at a minimum, to implement and be protected by an effective combination of erosion and sediment controls and water and materials Best Management Practices. (Town Center Policy 8.2)

Landscape

Recognizing the importance of Dana Point's distinctive landscape identity, the design and implementation of landscape and streetscape improvements should be an integral part of the Del Prado and PCH improvements.

GOAL3E: Require landscape improvements and incorporated amenities that improve the pedestrian environment and create a strong sense of place for the Town Center.

Policy 3.24: Benches, kiosks or art features should be incorporated into the landscaping as amenities to pedestrians. (Town Center Policy 9.1)

Policy 3.25: Nighttime illumination of landscaping, paths, trees or art features shall be designed to contribute to the safety and beauty of the downtown, but should not overflow onto residential areas. (Town Center Policy 9.2)

Policy 3.26: Landscaping must be selected and maintained at a scale that is consistent with the building site and overall pedestrian scale of the downtown. (Town Center Policy 9.3)

Policy 3.27: Landscaping shall be designed so it does not interfere with pedestrian circulation. (Town Center Policy 9.4)

Policy 3.28: Best Management Practices (BMPs) for landscaping, in addition to those required by the City's Local Implementation Plan, shall be considered. (Town Center Policy 9.5)

Policy 3.29: Landscaping shall not interfere with visibility of businesses and signage. (Town Center Policy 9.6)

Policy 3.30: Temporary planters and pots placed by business owners in the public right of way shall be limited to items identified in an encroachment permit issued to the business owner by the Public Works Department. (Town Center Policy 9.7)

Policy 3.31: Street trees shall be limited to the maximum allowed building height (40 feet). (Town Center Policy 9.8)

Policy 3.32: Street landscaping elements (i.e., trees/ shrubs) shall be selected which are appropriate for sidewalk environments to limit the potential of root systems which may buckle sidewalks. (Town Center Policy 9.9)

INSERT TO CIRCULATION ELEMENT (PAGE 12)

DANA POINT TOWN CENTER

Circulation and parking are key in upgrading the Town Center. The Town Center Plan envisions the enhancement of existing streets, the provision of centralized public parking, and an update to roadway operations to improve circulation and change the existing character of the streets.

Accessible and convenient public parking is essential to the health and vitality of the Town Center. The Town Center Plan outlines actions that would expedite parking improvements to support merchants and residents and encourage development on vacant and underutilized parcels. It is expected that the City would establish a centralized public parking facility(ies) funded by fees from

new building construction in the Town Center. Centralized parking would help to satisfy parking needs while providing for a more cohesive Town Center.

GOAL 11A: Slow down the speed of traffic through Town Center while maintaining efficient and safe vehicular, pedestrian and bicycle travel.

Policy 11.1: Reduce the disruptive and negative impact of traffic movements and high traffic speeds in the Town Center. (Town Center Policy 3.1)

Policy 11.2: Establish patterns of land use and circulation that promote the desired pedestrian character of the area. (Town Center Policy 3.2)

Policy 11.3: Improve pedestrian circulation in the Town Center, including pedestrian linkages with the bluff top lookouts, Heritage Park, and Dana Point Harbor. (Town Center Policy 3.3)

Policy 11.4: Encourage the use of alleys as pedestrian pathways through alleyway beautification and through upgrades to the rear facades of buildings with alley frontage, when appropriate. (Town Center Policy 3.4)

Policy 11.5: Create a convenient shuttle service to link the Town Center with the Harbor and hotels. (Town Center Policy 3.5)

Policy 11.6: Where alley access is available, locate parking areas in the rear of the property. (Town Center Policy 3.6)

Policy 11.7: Investigate other options for linking businesses and events in the Town Center and the Harbor, such as gondolas and escalators. (Town Center Policy 3.7)

GOAL 11B: Create and implement a parking program that ensures adequate and convenient parking is made available with the creation of centrally located public parking facilities.

Policy 11.1: Provide opportunities for shared parking facilities in the Town Center, such as through the establishment of an off-street parking district and in-lieu parking program. (Town Center Policy 4.1)

Policy 11.2: Develop land use and parking regulations to assure that adequate and reasonable standards are provided. (Town Center Policy 4.2)

Policy 11.3: Develop a parking concept that emphasizes shared parking facilities. (Town Center Policy 4.3)

Policy 11.4: Create a parking development and management program which assesses parking demand and requirements based on the Dana Point Zoning Code. (Town Center Policy 4.4)

Policy 11.5: Create an in-lieu parking program which includes appropriate fees which consider the costs of land acquisition and construction costs associated with providing a parking space in the Town Center. (Town Center Policy 4.5)

Policy 11.6: Create additional public parking which would include one and preferably two facilities prior to beginning roadway construction. (Town Center Policy 4.6)

Policy 11.7: Parking areas shall be located in the rear of properties, where alley access is available. (Town Center Policy 4.7)

Policy 11.8: Prevent excessive Town Center parking in adjacent residential areas. (Town Center Policy 4.8)

Modify Figure C-2, Master Plan Circulation System: Eliminate arrows depicting one-way travel on PCH and Del Prado. Update classification of Del Prado.

INSERT TO ECONOMIC DEVELOPMENT ELEMENT (PAGE 10)

PROMOTE DEVELOPMENT OF TOWN CENTER

The Town Center area is the historic commercial center for Dana Point which serves both residents and visitors. The area has a mixture of older and new stores, motels, offices and other commercial buildings. Many of the uses operating in the area are economically inefficient due to small parcel sizes, limited parking and high land costs. Any effort to revitalize the area will require that larger sites are made available, shopper access and conveniences are provided, and the combination of new uses attract interest from residents and visitors alike. These needs for the Town Center area can be addressed in part with revitalization assistance. In combination with landowners, business owners, developers and the community, the Town Center area can be revitalized.

GOAL 7A: Promote the revitalization of the Town Center area.

Policy 7.1: Encourage the development of visitor related retail uses.

Policy 7.2: Encourage the development of local serving commercial uses, especially in the Lantern area.

Policy 7.3: Encourage development to create a quality environment designed to promote interior courtyards and pedestrian ways.

Policy 7.4: Establish both visual and pedestrian linkages between the Town Center and other areas throughout the City. (Coastal Act/30251)

GOAL 7B: Promote an economically viable downtown through uses that serves both residents and visitors.

Policy 7.5: Increase the Town Center's economic vitality and its contribution to the City's economic development goals. (Town Center Policy 5.1)

Policy 7.6: Encourage the formation of a Downtown Business Association. The purpose of the Downtown Business Association is to provide a coordinated forum for various private interests to work together to enhance economic development in the Town Center. (Town Center Policy 5.2)

Policy 7.7: Promote public and private cooperative efforts to provide ongoing aesthetic improvements in the Town Center. (Town Center Policy 5.3)

Policy 7.8: Create a program to help retain existing businesses. (Town Center Policy 5.4)

Policy 7.9: Prepare an Economic Development Strategy to strengthen the business climate, foster retail activity and improve the tax base in Town Center. (Town Center Policy 5.5)

Policy 7.10: Develop affiliations between civic and business associations and groups to promote a coordinated marketing effort that enhances business activity throughout the city. In particular, develop linkages between Town Center and other activity centers such as the beaches, hotels and harbor. (Town Center Policy 5.6)

Policy 7.11: Give priority or incentives to businesses that reflect unique merchandise and architecture and promote the local character and identity of Dana Point. (Town Center Policy 5.7)

ACTION DOCUMENT C**ORDINANCE NO. 06-xx**

A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING ZONE TEXT AMENDMENT ZTA06-04 AND ZONE CHANGE ZC06-01 TO ESTABLISH THE TOWN CENTER DISTRICT AND INCORPORATE THE TOWN CENTER PLAN AS APPENDIX E OF THE ZONING CODE, AND SUBMISSION AS PART OF LOCAL COASTAL PROGRAM AMENDMENT LCPA06-05 FOR APPROVAL AND CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION.

Applicant: City of Dana Point
File No.: FF# 0630-30/ GPA06-02/ZC06-01/ZTA06-04/LCPA06-05

The City Council of the City of Dana Point does hereby ordain as follows:

WHEREAS, in January, 1994, the City of Dana Point adopted its Zoning Code and Zoning Map; and

WHEREAS, the City seeks to amend the Zoning Code and Zoning Map, affecting properties in the Town Center; and

WHEREAS, the proposal is for a Zone Text Amendment, Zone Change and Local Coastal Program Amendment to amend the Dana Point Zoning Code by adding Chapter 9.26, Town Center District, and to amend the Dana Point Zoning Map to designate the Town Center project area as the Town Center District; and

WHEREAS, the Zone Text Amendment and Zone Change will be consistent with and will provide for the orderly, systematic and specific implementation of the General Plan, as amended, pursuant to the recommendations of the Planning Commission; and

WHEREAS, the Town Center District zoning designation will be harmonious with the zoning of the surrounding properties; and

WHEREAS, the Planning Commission held a duly noticed public hearing as prescribed by law on September 26, 2006, to consider the amendments and recommended the City Council approve the said Zone Text Amendment, Zone Change and LCPA; and

WHEREAS, the City Council held a duly noticed public hearing as prescribed by law on October 25, 2006, to consider approval of the said Zone Text Amendment, Zone Change and LCPA; and

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, the City Council considered all factors relating to ZTA06-04, ZC06-01 and LCPA06-05; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Dana Point as follows:

- A. That the above recitations are true and correct;
- B. That the Dana Point Town Center Plan is attached hereto as Exhibit "A" and incorporated herein by reference;
- C. That the proposed action complies with all other applicable requirements of State law and local Ordinances;
- D. That the Zone Text Amendment (ZTA06-04), and Zone Change (ZC06-01) are in the public interest;
- E. The City Council has reviewed and adopted the Mitigated Negative Declaration;
- F. The preparation and adoption of the Local Coastal Program Amendment is statutorily exempt from the California Environmental Quality Act, pursuant to Section 21080.9 of the Public Resources Code;
- G. The proposed amendment to the Zoning Code and Zoning Map will be consistent with the amended General Plan;
- H. The City Council adopts Zone Text Amendment ZTA06-04 and Zone Change ZC06-01 for the reasons outlined herein and in the Dana Point Town Center Plan, including but not limited to: adding residential uses and increasing pedestrian-oriented retail and commercial offices to create a more dynamic, interesting and attractive place for both residents and visitors; creating a continuity of activities along the streets to make the Town Center more accessible and walkable for those arriving from outside the immediate vicinity; and supporting the historic legacy of the Town Center and provide direction on detailed elements to enrich the Town Center and reinforce its pedestrian orientation and interest;
- I. That the City Council adopts the following findings:
 1. That the public and affected agencies have had ample opportunity to participate in the LCPA process. Proper notice in accordance with the LCP Amendment procedures has been followed.
 2. That all policies, objectives, and standards of the LCPA conform to the requirements of the Coastal Act, including that the Land Use Plan as amended is in conformance with and adequate to carry out the Chapter Three policies of the Coastal Act. The amendments to the Zoning Code and Zoning Map are consistent with the Coastal Act policies that encourage coastal access and preservation of coastal and marine resources.

3. That Coastal Act policies concerning specific coastal resources, hazard areas, coastal access concerns, and land use priorities have been applied to determine the kind, locations, and intensity of land and water uses. As a Zone Text Amendment and Zone Change, no specific development is proposed. Any development will be reviewed for compliance with the Coastal Act provisions and other applicable state law.
 4. That the level and pattern of development proposed is reflected in the Zoning Code and Zoning Map. The applicable sections are being amended accordingly to be consistent with state law.
 5. That a procedure has been established to ensure adequate notice of interested persons and agencies of impending development proposed after certification of the LCPA. Proper notice in accordance with the LCP Amendment procedures has been followed.
 6. That zoning measures are in place which are in conformance with and adequate to carry out the coastal policies of the Land Use Plan. The City's Zoning Code and Zoning Map are being amended concurrently with the LCP amendment.
- J. That the City Council includes the following findings submitting the LCPA to the Coastal Commission:
5. The City certifies that with the adoption of these amendments, the City will carry out the Local Coastal Program in a manner fully in conformity with Division 20 of the Public Resources Code as amended, the California Coastal Act of 1976.
 6. The City include the Town Center Plan in its submittal to the Coastal Commission and state that the amendment to the Local Coastal Plan is to both the land use plan and implementing actions.
 7. The City certifies that the Land Use Plan, as amended, is in conformity with and adequate to carry out the Chapter Three policies of the Coastal Act.
 8. The City certifies the implementing actions as amended, are in conformity with and adequate to carry out the provisions of the certified Land Use Plan.
 9. The Ordinance of the City Council include the Zone Text Amendment, Zone Change and Local Coastal Program Amendment numbers ZTA06-04, ZC06-01 and LCPA06-05 when submitted to the Coastal Commission.
 10. The City certifies that the amendments will be submitted to the Coastal Commission for review and approval as an Amendment to the Local Coastal Program.

- K. That the City Council adopts the amendments to the City Zoning Code and Zoning Map as follows:
1. Appendix E, Dana Point Town Center Plan, shall be established in the Zoning Code and the Dana Point Town Center Plan shall be added to the Zoning Code as Appendix E.
 2. Chapter 9.26 of the City's Zoning Code is hereby established and is to read as follows:

**Chapter 9.26
TOWN CENTER DISTRICT**

Section:

9.26.010 Town Center District & Regulations

9.25.010 Town Center District & Regulations.

The land use and development regulations for this area are contained in the Dana Point Town Center Plan included as Appendix E of the Dana Point Zoning Code.

1. The Zoning Map shall be amended to define the project boundary and designate the area as "Town Center District".
2. A reference to the Town Center District and Dana Point Town Center Plan shall be included in the City's Zoning and Municipal Code including where applicable, including but not limited to, Appendix A of the Zoning Code.

- L. That the City Council modifies the Town Center Plan as follows:

Policy 1.8: The Town Center shall be subject to the applicable requirements of California Government Code Section 65590 et seq. (the Mello Act).

- M. That the City Council adopts Zone Text Amendment ZTA06-04 and Zone Change ZC06-01, which would amend the Dana Point Local Coastal Program pursuant to LCPA06-05. The City Council approves the amendment for the reasons outlined herein and in the Dana Point Town Center Plan, including but not limited to: adding residential uses and increasing pedestrian-oriented retail and commercial offices to create a more dynamic, interesting and attractive place for both residents and visitors; creating a continuity of activities along the streets to make the Town Center more accessible and walkable for those arriving from outside the immediate vicinity; and supporting the historic legacy of the Town Center and provide direction on detailed elements to enrich the Town Center and reinforce its pedestrian orientation and interest. The amendment of the City's General Plan, Zoning Code and Zoning Map and replacement of the Dana Point Specific Plan with the Dana Point Town Center Plan in the Town Center area

create the consistent regulatory framework to jointly modify the City's Local Coastal Plan for the Town Center area to help facilitate the above goals.

- N. The City Council approves that the Dana Point Town Center Plan replace in its entirety the Dana Point Specific Plan for the Town Center area.
- O. GPA06-02, ZC06-01, ZTA06-04, the Town Center Plan and other remaining applicable sections of the City's General Plan and Zoning Code shall constitute the LCP for the Town Center area.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, is for any reasons held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

PASSED, APPROVED, AND ADOPTED this ____ of _____, 2006.

LARA ANDERSON, MAYOR

ATTEST:

KATHY M. WARD,
ACTING CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF DANA POINT)

I, KATHY M. WARD, Acting City Clerk of the City of Dana Point, California, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 06-xx, introduced at a regular meeting of the City Council held on the 25th day of October, 2006, and passed and adopted at a regular meeting held the ____ day of _____, 2006, by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

KATHY M. WARD, ACTING CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF DANA POINT)

AFFIDAVIT OF POSTING
AND PUBLISHING

KATHY M. WARD, being first duly sworn, deposes, and says:

That she is the duly appointed and qualified Acting City Clerk of the City of Dana Point;

That in compliance with State Laws of the State of California, ORDINANCE NO. 06-XX being:

A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING ZONE TEXT AMENDMENT ZTA06-04 AND ZONE CHANGE ZC06-01 TO ESTABLISH THE TOWN CENTER DISTRICT AND INCORPORATE THE TOWN CENTER PLAN AS APPENDIX E OF THE ZONING CODE, AND SUBMISSION AS PART OF LOCAL COASTAL PROGRAM AMENDMENT LCPA06-05 FOR APPROVAL AND CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION

was published in summary in the Dana Point News on the _____ day of _____, 2006, and the _____ day of _____, 2006, and, in further compliance with City Resolution No. 91-10-08-1, on the _____ day of _____, 2006, and the _____ day of _____, 2006, was caused to be posted in four (4) public places in the City of Dana Point, to wit:

- Dana Point City Hall
- Capistrano Beach Post Office
- Dana Point Post Office.
- Dana Point Library

KATHY M. WARD
ACTING CITY CLERK
Dana Point, California

ACTION DOCUMENT D**RESOLUTION NO. 06-10-25-xx****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, REGARDING LOCAL COASTAL PROGRAM AMENDMENT LCPA06-05 AND REQUESTING CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION**

WHEREAS, after notice duly given pursuant to Government Code Section 65090 and Public Resources Code Sections 30503 and 30510, the Dana Point Planning Commission on September 26, 2006, held a public hearing to consider the adoption of Dana Point Local Coastal Program Amendment LCPA06-05 and recommended its approval to the City Council; and

WHEREAS, the City Council, after giving notice as prescribed by law, held a public hearing on October 25, 2006, regarding the proposed Dana Point Local Coastal Program Amendment LCPA06-05, and the City Council finds that the proposed amendment is consistent with the Dana Point General Plan, the Local Coastal Program and the California Coastal Act; and

WHEREAS, the City Council of the City of Dana Point certifies that it intends to implement the Local Coastal Program in a manner fully consistent and in conformance with the California Coastal Act; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Dana Point as follows:

Section 1. That the above recitals are true and correct and incorporated herein.

Section 2. That the Dana Point City Council approved Dana Point Local Coastal Program Amendment LCPA06-05 pursuant to Resolution 06-10-25-xx and Ordinance No. 06-xx. LCPA06-05 pertains to adoption of the Town Center Plan which includes the required land use and implementation measures as outlined in General Plan Amendment GPA06-02, Zone Text Amendment ZTA06-04, Zone Change ZC06-01 and LCPA06-05. A copy of Resolution 06-10-25-xx and Ordinance 06-xx approving LCPA06-05 with the specific content of the proposed amendment is attached hereto as Exhibit A and is incorporated herein by this reference as though fully set forth herein.

Section 3. That the California Coastal Commission is hereby requested to consider, approve and certify Dana Point Local Coastal Program Amendment LCPA06-05 which replaces the Dana Point Specific Plan Local Coastal Program for the Town Center area.

Section 4. That pursuant to Section 13551(b) of the Coastal Commission Regulations, Dana Point Local Coastal Program Amendment LCPA06-05 will automatically take effect immediately upon California Coastal Commission approval, as provided in Public Resources Code Section 30512, 30513 and 30519.

Section 5. The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 25th day of October, 2006.

LARA ANDERSON, MAYOR

ATTEST:

Kathy M. Ward
Acting City Clerk

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF DANA POINT)

I, Kathy M. Ward, Acting City Clerk of the City of Dana Point, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. 06-10-25-XX, adopted by the City Council of the City of Dana Point, California, at a regular meeting thereof held on the 25th day of October, 2006, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

KATHY M. WARD
ACTING CITY CLERK