



# NOTICE OF PREPARATION

**Date:** March 13, 2020

**To:** Reviewing Agencies and Other Interested Parties

**Subject:** Notice of Preparation of a Draft Environmental Impact Report

**Project Title:** Doheny Village Zoning District Update Project

**Project Applicant:** City of Dana Point

**Scoping Meeting:** March 25, 2020 at 6:00 p.m.

The purpose of this Notice of Preparation (NOP) is to notify potential Responsible Agencies (Agencies) that the Lead Agency, the City of Dana Point, plans to prepare a program-level Environmental Impact Report (EIR) for the proposed Doheny Village Zoning District Update Project (project) and to solicit comments and suggestions regarding (1) the scope and content of the EIR and (2) the environmental issues and alternatives to be addressed in the EIR per the California Environmental Quality Act (CEQA) Guidelines Section 15082. This NOP also provides notice to interested parties, organizations, and individuals of the preparation of the EIR and requests comments on the scope and contents of the environmental document.

The City of Dana Point (City) requests your careful review and consideration of this notice and invites any and all input and comments from interested Agencies, parties, organizations, and individuals regarding the preparation of the EIR. Pursuant to CEQA Guidelines Section 21080.4, Agencies must submit any comments in response to this notice no later than 30 days beginning **March 13, 2020** and ending the close of business on **April 13, 2020**. This NOP is available for view at the City of Dana Point Community Development Department, located at 33282 Golden Lantern, Dana Point, California 92629, and can also be accessed online at:

<http://www.danapoint.org/index.aspx?page=281>

All comments or other responses to this notice should be submitted in writing to:

Ms. Belinda Ann Deines, Interim Principal Planner  
City of Dana Point  
Planning Division  
33282 Golden Lantern  
Dana Point, California 92629  
[bdeines@danapoint.org](mailto:bdeines@danapoint.org)  
949.248.3570

The City will conduct a public scoping meeting in conjunction with this NOP in order to present the project and the EIR process and to receive public comments and suggestions regarding the scope and content of the environmental document. The meeting will be held on March 25, 2020 at 6:00 p.m. at the Dana Point Community Center, 34052 Del Obispo Street, Dana Point, CA 92629.

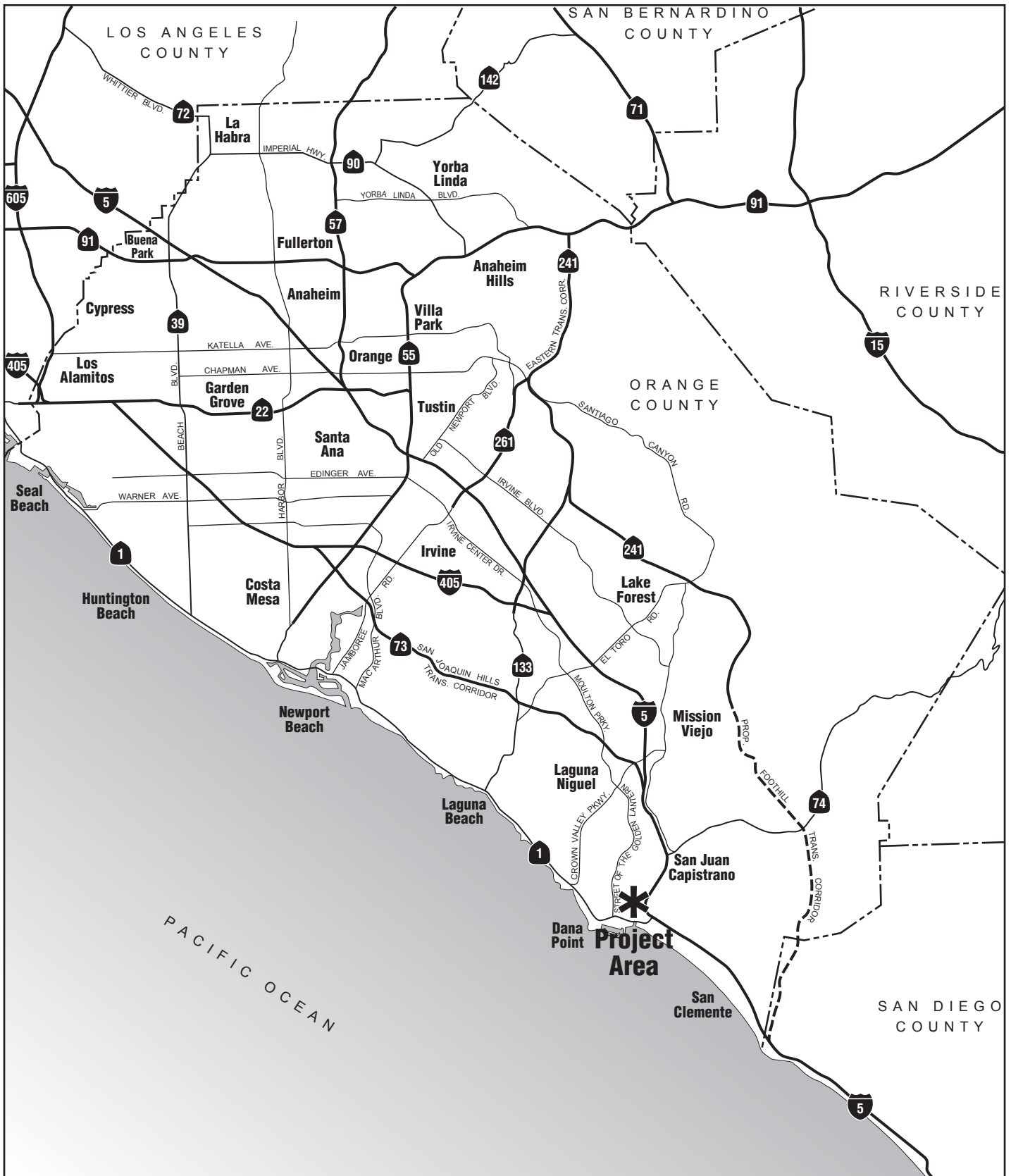
**Project Location.** The City is located in the southern portion of Orange County, midway between the cities of San Diego and Los Angeles; refer to Exhibit 1, *Regional Vicinity*. The community consists of coastal bluffs and rolling hills located along seven miles of the Pacific Ocean. Surrounding cities include Laguna Niguel and Laguna Beach to the north, San Juan Capistrano to the east, and San Clemente to the south.

The project site is commonly referred to as Doheny Village and consists of approximately 80 acres bounded by the City of San Juan Capistrano and Interstate 5 (I-5) on the north, the I-5 off-ramp to Pacific Coast Highway (PCH) on the east, PCH on the south, and the Southern California Regional Rail Authority (SCRRA)/Orange County Transportation Authority (OCTA) railroad right-of-way on the west; refer to Exhibit 2, *Site Vicinity*. Regional access to the site is provided via I-5 and PCH. The primary local roadway providing access through the project site is Doheny Park Road.

**Environmental Setting.** The project site encompasses a mix of residential, commercial, retail, manufacturing, and institutional uses; refer to Exhibit 2. Based on the *Dana Point General Plan* (General Plan) Land Use Map, the project site is designated Community Commercial (CC), Commercial/Residential (C/R), Residential 22-30 DU/AC (RES-22-30), Community Facility (CF), and Recreation/Open Space (R/OS) and is situated within the Coastal Overlay Boundary; refer to Exhibit 3, *Existing General Plan Land Use Map*. Based on the City's Zoning Map, the project site is zoned Community Commercial/Vehicle (CC/V), Community Commercial/Pedestrian (CC/P), Commercial/Residential (C/R), Residential Multiple Family 30 DU/AC (RMF 30), Community Facilities (CF), Recreation (REC), and Open Space (OS), and is situated within the Floodplain Overlay (FP-2); refer to Exhibit 4, *Existing Zoning Map*.

Slightly more than half of the residential area is comprised of the Beachwood Mobile Home Park east of Doheny Park Road. Most of the remaining residential uses are primarily located to the east of Sepulveda Avenue, with a pocket of multi-family housing units located to the south of Domingo Avenue. This portion of the project area consists of a mix of land uses (residential, commercial, and institutional uses). On average, residential densities range from about 12 dwelling units per acre in the mobile home park to about 36 dwelling units per acre elsewhere in the project area.

Institutional uses within the project site are situated to the east of Doheny Park Road and south of Victoria Boulevard. These include private schools and two churches (San Felipe de Jesus Catholic Church and Capo Beach Church). To the east of Sepulveda Avenue is Capistrano Unified School District property, which is currently used for bus maintenance and storage.



NOT TO SCALE

**Michael Baker**  
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**Regional Vicinity**

**Exhibit 1**





Source: Google Maps Pro, 2020  
Project Site

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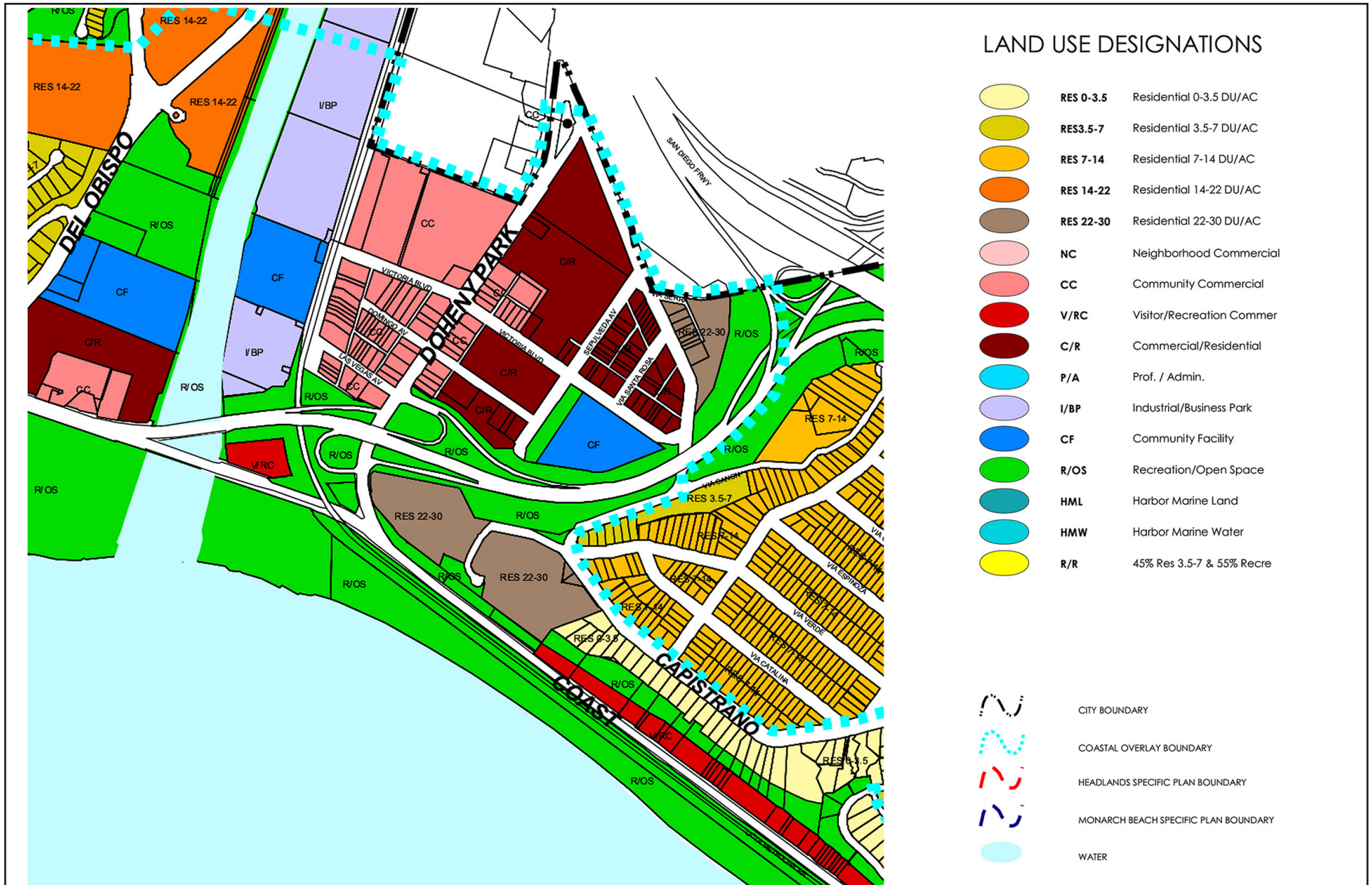
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**Site Vicinity**





Source: City of Dana Point, 1993.

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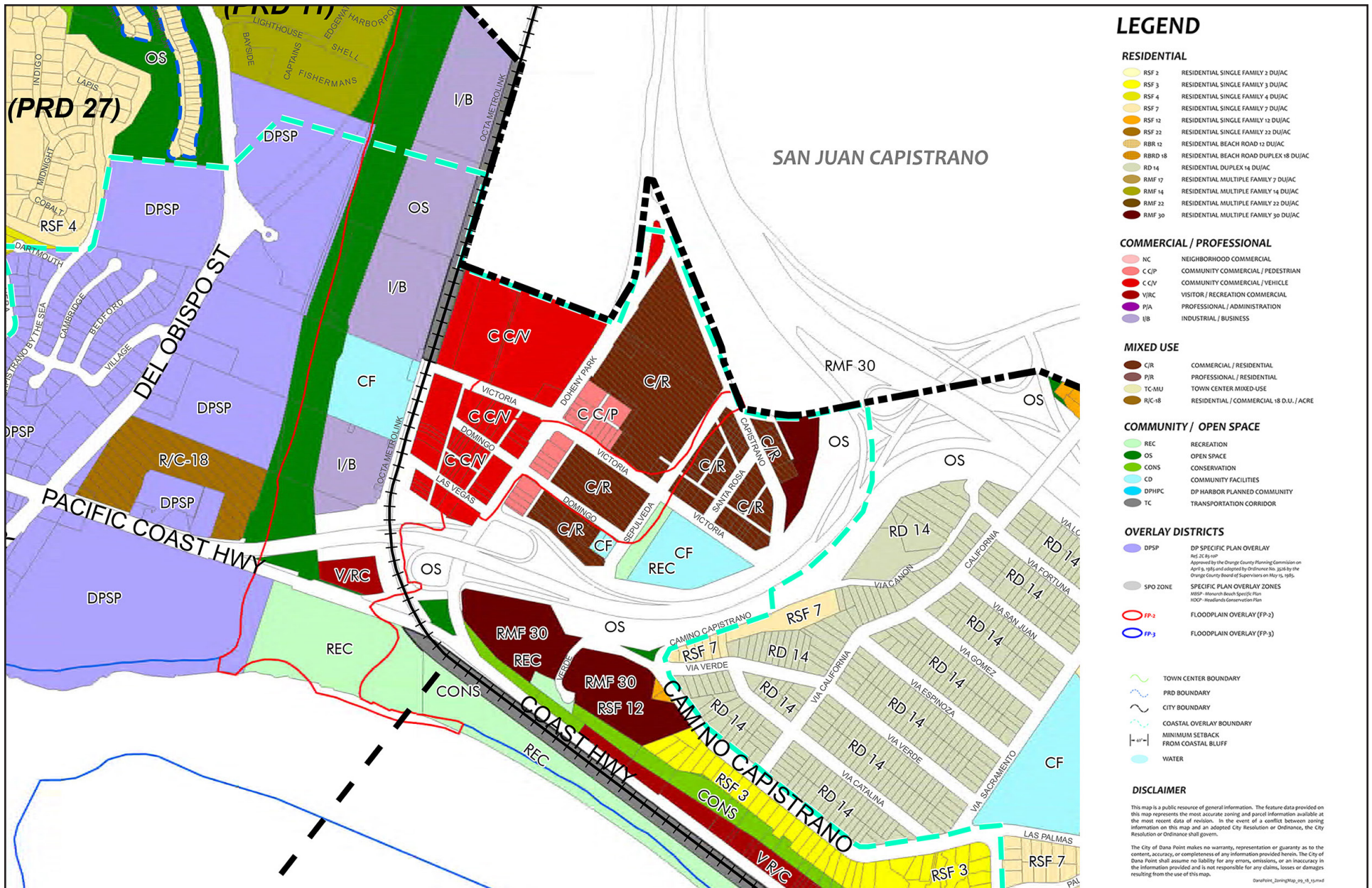


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DOHENY VILLAGE ZONING DISTRICT UPDATE PROJECT  
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**Existing General Plan Land Use Map**

**Exhibit 3**





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**Existing Zoning Map**

**Exhibit 4**

The Capistrano Plaza Shopping Center, constructed in 1965, is located in the northern portion of the project site on the west side of Doheny Park Road. Currently, the shopping center includes three primary tenants, Smart & Final, Dollar Tree, and Big 5 Sporting Goods, as well as a restaurant (Las Golondrinas), bar (Doheny Saloon), and gas station. The majority of the buildings are set back from the street and separated from Doheny Park Road by a large surface parking lot.

The east side of Doheny Park Road, across from the Capistrano Plaza Shopping Center, is a series of older retail establishments that extend southward along Doheny Park Road. In this block, the uses vary from relatively small-scale stores to fairly large retail outlets, including Mission Glass, Surf Cycle Laundromat, Nikki's Café, Ganahl Lumber, Beach Cities Glass, and Feed Barn. South of Victoria Boulevard is a Sherwin-Williams Paint Store, as well as restaurants, post office, car wash, U-Haul store, and small structures with a mixture of retail and professional services.

Industrial/manufacturing uses, including a number of surfboard manufacturing, automotive repair, metal fabrication, and construction-related businesses, are mostly located to the south of Victoria Boulevard and west of Doheny Park Road.

Approximately seven acres of land adjacent to the SCRRA/OCTA railroad right-of-way is used for storage. These mostly include self-storage units, as well as a large boat storage area that is secured and fenced.

Surrounding land uses include industrial/business park, commercial, community facility, and recreation/open space uses, which are further described as follows:

- North: Commercial uses, including but not limited to Costco Wholesale, Staples, and PetSmart, are located to the north of the project site. Uses to the north are located within the City of San Juan Capistrano.
- East: Industrial uses, including a self-storage facility, and I-5 are located to the east of the project site. Uses to the east are located within the City of San Juan Capistrano.
- South: PCH bounds the project site to the south. Further south of PCH, land uses include residential, recreational (Doheny State Beach), and hotel (Doubletree Hotel) uses.
- West: The SCRRA/OCTA railroad right-of-way bounds the project site to the west. Further west, land uses include light industrial/manufacturing and storage uses as well as the San Juan Creek.

**Background and History.** The City retained the services of ROMA Design Group in 2011 for the development of a new land use plan (draft plan) for the project area (formerly called the "Doheny Village Plan"). The purpose of the planning effort was to establish a clear direction for future revitalization of the area, both as an attractive, unique, and vibrant neighborhood within the Capistrano Beach neighborhood, and create a vital link to the City's other neighborhoods, facilities, businesses, and amenities. The draft plan was completed in 2013; however, due to a variety of reasons, it was not processed for approval.

On July 21, 2015, the City retained Opticos Design, Inc. (Opticos) to further refine the vision plan and develop implementation language to be incorporated into the City's Zoning Code. Opticos refined the plan and developed new zoning designations for Doheny Village utilizing form-based code.

In March 2016, the draft code was informally distributed as part of a NOP for the Doheny Village Plan EIR. A scoping meeting was also held on March 16, 2016 at the Dana Point Community Center. The City received a number of written and verbal comments regarding issues related to parking, nonconforming uses, and development standards. Comprised of long-term business owners, property owners, and City residents, Doheny Village Merchants' Association (DVMA) was formed in late 2016 to address concerns with the proposed plan.

From October 2017 to February 2018, City staff re-initiated a public engagement process to inform, consult, and involve DVMA with a series of monthly meetings that featured interactive presentations and group discussions structured by a citizen partnership model. Meetings focused on challenges and opportunities related to land uses and development standards in the project area, as well as identifying areas of consensus to move forward with the project.

On March 20, 2018, the City Council received an updated report on the Doheny Village Plan and adopted its revised "guiding principles." The City Council directed staff to continue meeting with the DVMA as a working group and prepare a draft zoning code update; prepare a zone text amendment to streamline existing, nonconforming property regulations and provide more flexibility for Doheny Village property owners to invest in updating and improving their properties; prepare a beautification plan; and suspend work on the Doheny Village Plan EIR.

The Doheny Village Working Group (Working Group) consists of select community representatives that have been actively involved in the draft zoning code update process and convened in July 2018 on a monthly basis with City staff. The Working Group developed an action plan and timeline to achieve long-term goals for the zoning code update, zone text amendment, and beautification plan.

On October 2, 2018, the City Council adopted a zoning code update to allow greater flexibility to expand, improve, and maintain existing, nonconforming structures and uses in Doheny Village. The majority of structures were built under County of Orange jurisdiction and are more than 45 years in age. As an incentive to encourage property owners to improve their existing properties in the short-term, the zoning code update removes the requirement for a Conditional Use Permit and allows up to 75 percent demolition of existing structures. These amendments to the *City of Dana Point Local Coastal Plan* have been submitted to the California Coastal Commission for review and approval. Once adopted, these provisions are set to expire on December 31, 2025.

From August 2018 to December 2018, the Working Group developed land use tables and zoning maps. Community members identified three core areas within Doheny Village:

- Mixed Commercial/Residential Main Street: Properties fronting Doheny Park Road;
- Mixed Light Industrial/Commercial: West of Doheny Park Road, behind the alley; and
- Mixed Commercial/Residential: East of Doheny Park Road, behind the alley.

Based on the historical pattern of development, the draft zoning map includes new zoning districts in Doheny Village. Some of the key land use changes include light industrial uses on the west side, residential development on upper floors along Doheny Park Road, and horizontal mixed-use on the east side. These land use changes would likely spur both small- and large-scale redevelopment in Doheny Village.



**Project Description.** The purpose and intent of the proposed Doheny Village Zoning District Update (from herein referenced as “Update”) is to preserve and enhance the eclectic combination of commercial, light industrial, and residential mixed uses in Doheny Village. The Update provides the following three new zoning districts specific to the project area as illustrated on Exhibit 5, *Doheny Village Zoning District Update*. Note, the southeastern parcels zoned CF and REC would maintain their existing zoning districts.

- *Village Commercial/Industrial.* 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.
- *Village Commercial/Residential.* 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.
- *Village Main Street.* 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 non-residential space. The provisions of this district encourage 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.

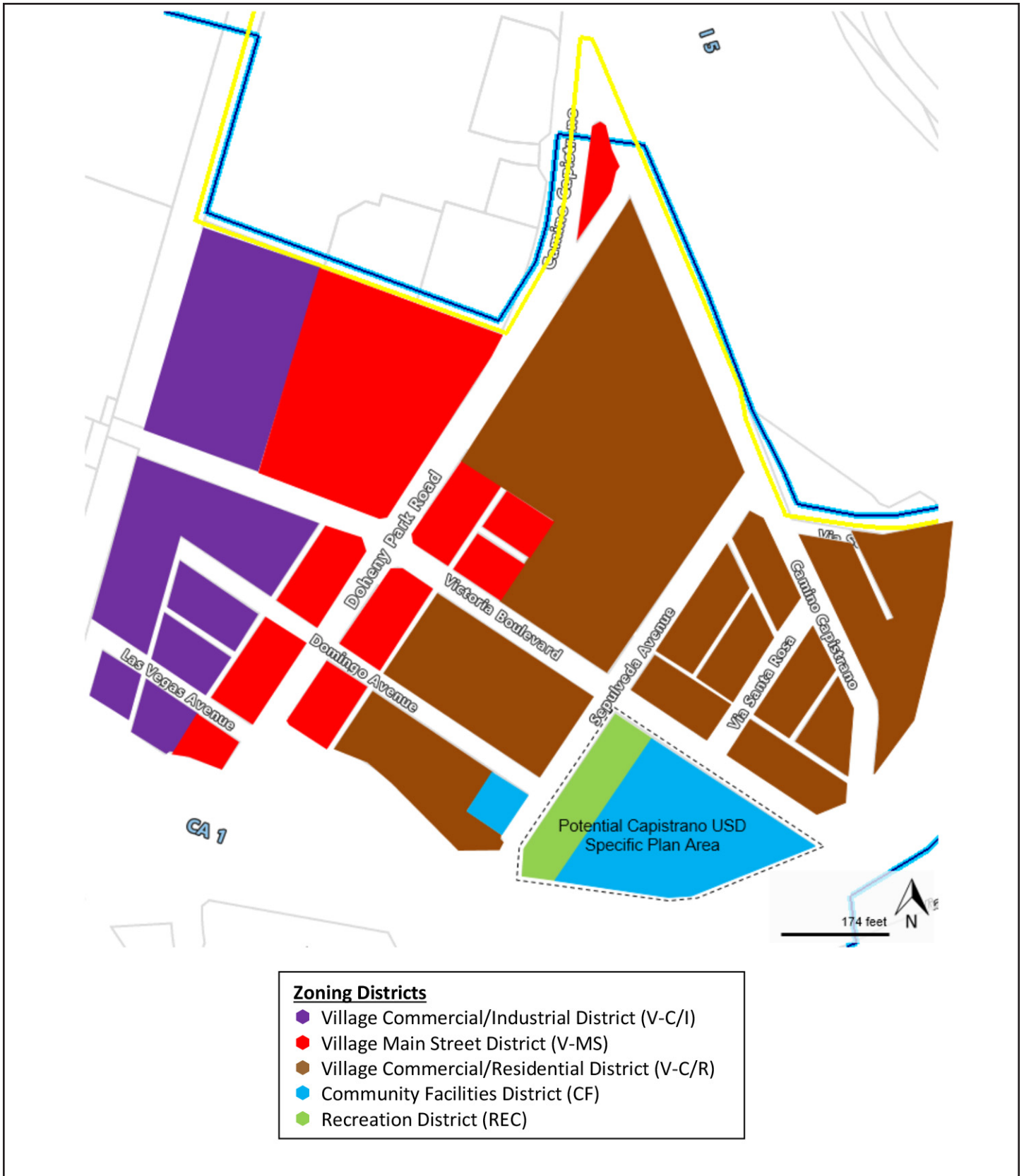
As part of the proposed Update, allowed uses, development standards (e.g., lot size, setback, density, open space, landscaping requirements), special development standards (e.g., maximum density, accessory uses and structures, parking requirements, sign programs, and art-in-public-places program), and special use standards are also proposed, and would be comprehensively integrated into the *Dana Point Municipal Code* (Municipal Code) as Chapter 9.14, *Doheny Village Districts*.

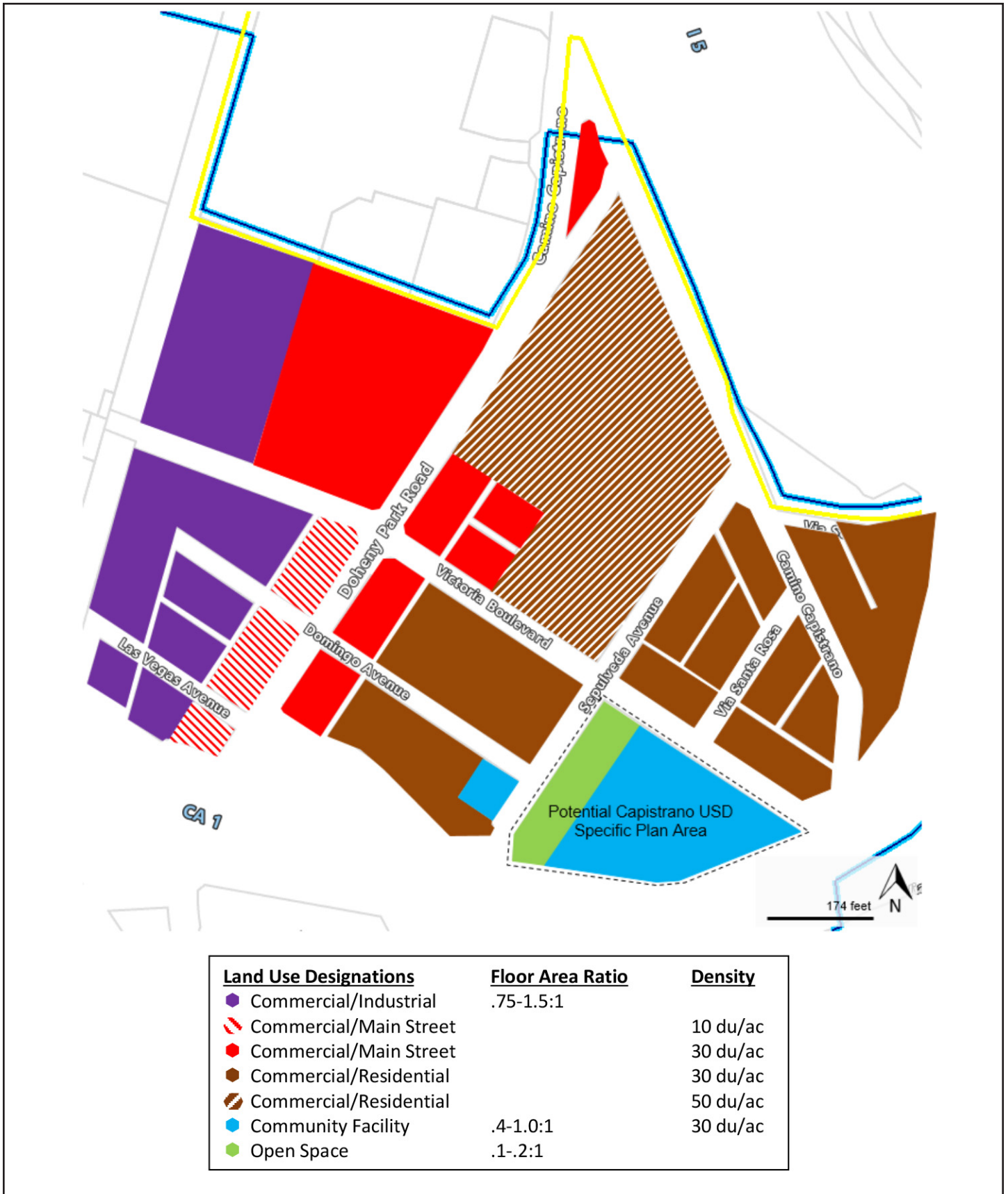
In addition to a Zoning Code Amendment, implementation of the proposed project would require a General Plan Amendment to reflect the new zoning district classifications via appropriate land use designations, development intensity, and density standards. It is recognized that there is a need for a comprehensive General Plan update, which would include goals, policies, and design guidelines to address the unique issues associated with the Doheny Village area, which would occur as part of a separate process. The proposed land use designations, intensities, and densities are detailed in Exhibit 6, *Doheny Village Land Use Designations*.

A Local Coastal Program Amendment would also be required to reflect the new land use and zoning district classifications.

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DOHENY VILLAGE ZONING DISTRICT UPDATE PROJECT  
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## Doheny Village Land Use Designations

Exhibit 6



**Environmental Analysis.** Due to the decision to prepare an EIR, an Initial Study was not prepared. This option is permitted under CEQA Guidelines Section 15063(a), which states that if the Lead Agency determines an EIR will be required for a project, the Lead Agency may skip further initial review and begin work on the EIR. The Draft EIR will focus on the following environmental issues:

- Aesthetics;
- Agriculture and Forest Resources;
- Air Quality;
- Biological Resources;
- Cultural Resources;
- Energy;
- Geology and Soils;
- Greenhouse Gas Emissions;
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Land Use and Planning;
- Mineral Resources;
- Noise;
- Population and Housing;
- Public Services;
- Recreation;
- Transportation;
- Tribal Cultural Resources;
- Utilities and Service Systems; and
- Wildfire.

The Draft EIR will particularly focus on the following topical areas:

*Aesthetics.* The proposed project could result in visual impacts due to potential view blockage/effects from increased building heights along I-5 connecting to PCH as well as the change in character/quality of Doheny Village. Other impacts that could result include introduced lighting from both interior and exterior lighting sources as well as vehicle headlights.

*Agriculture and Forest Resources.* The project area is not designated for agricultural production or forest resources. Due to the developed nature of the project site and surrounding area, impacts in this regard are not anticipated. Thus, the Draft EIR will confirm that there is no effect on agricultural and forest resources.

*Air Quality.* The project may result in air quality impacts due to temporary construction-related emissions, as well as long-term air emissions from project operations associated with daily vehicular traffic, in addition to energy consumption. Short-term construction air quality impacts that may occur include dust generation, construction vehicle emissions, and possible odors. Future development within the project area may result in long-term air quality impacts within the South Coast Air Basin. These issues will be addressed in the Draft EIR, including project consistency with regional air quality planning programs.

*Biological Resources.* Given the developed nature of the project area and disturbed nature of the project site, no sensitive biological species or habitat is expected to occur on-site. The Draft EIR will confirm that there is no effect on biological resources as well as botanical and aquatic species.

*Cultural Resources.* Culturally significant resources are known to exist within Doheny Village. The potential exists for future construction activities within the project site to encounter both historic and archaeological resources. The Draft EIR will evaluate the potential impacts on cultural resources.

*Energy.* Development in accordance with the project could result in increased energy consumption associated with short-term construction activities, long-term operations, buildings, and transportation. The Draft EIR will evaluate whether the project would result in wasteful, inefficient, or unnecessary consumption

of energy. A consistency analysis with State or local plans for renewable energy or energy efficiency will also be conducted.

*Geology and Soils.* The City and surrounding area are situated within a seismically active region, capable of producing surface rupture, ground motion, liquefaction, or soil settlement of sufficient magnitude to damage buildings or structures during an earthquake. The Draft EIR will evaluate seismicity of the local area, presence of existing fault lines and effect on development, the potential for erosion of site soils, soil stability, and expansive characteristics of project area soils.

*Greenhouse Gas Emissions.* Future development within the project site could increase greenhouse gas emissions both during construction and operations of site-specific developments. The Draft EIR will analyze short-term construction activities and long-term operations, buildings, and transportation as these activities pertain to greenhouse gas emissions.

*Hazards and Hazardous Materials.* Existing on-site uses have reported past releases to the environment. The Draft EIR will consider the potential for accidental releases that could occur during development of these properties. Further, future uses within the project site could involve the use/storage/transport of hazardous materials during operations. The Draft EIR will address the potential that a significant hazard to the public may be created or the potential for reasonably foreseeable upset or accident conditions involving the release of hazardous materials during project operations. The Draft EIR will identify whether or not future development within the project site would emit hazardous materials and/or interfere with any emergency response plans. Potential impacts to nearby residents and schools, if applicable, will also be evaluated.

*Hydrology and Water Quality.* As part of the Draft EIR, existing on-site flooding conditions will be considered as well as the potential that project implementation could place future development and housing within a flood hazard zone or impede or redirect flood flows. Future development would generate pollutants typical of urban development, which may adversely impact receiving waters. The Draft EIR will analyze short-term temporary construction-related effects on hydrology and water quality; long-term project-related water quality; permanent changes to stormwater drainage and/or flooding; project-related impacts to groundwater quantity and quality; and off-site hydrology and water quality impacts.

*Land Use and Planning.* The proposed project will be evaluated in regard to consistency with the General Plan, Municipal Code, and *Dana Point Local Coastal Program*. The project would require approval of a General Plan Amendment, Zoning Code Amendment, and Local Coastal Program Amendment by the City Council and California Coastal Commission. Potential impacts associated with consistency with these plans/codes as a result of the proposed amendments will be considered. Additionally, the proposed project will be evaluated in regard to consistency with the Southern California Association of Governments (SCAG) Regional Transportation Plan/Sustainable Communities Strategy.

*Mineral Resources.* According to the *Dana Point General Plan* Conservation Element, no known mineral resources are known to occur in the City. The Draft EIR will confirm that there is no effect on the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.

*Noise.* Future development within the project site may result in short-term construction noise and long-term changes in noise levels in the area due to traffic volume changes along area roadways. Future project-related on-site stationary activities and off-site mobile noise (from motor vehicles) may adversely affect noise levels to adjacent sensitive receptors within the area. The Draft EIR will describe these potential construction



and operational noise impacts and will compare these impacts to applicable noise thresholds. The Draft EIR will evaluate these potential noise-related issues as well as address the noise/land use compatibility of the proposed project with existing and future expected noise levels.

*Population and Housing.* The Draft EIR will present existing population, housing, and employment figures for the project site and the projected changes in these variables as a result of project implementation. The population analysis will compare the amount and type of growth anticipated under the proposed project with estimates from the *Dana Point General Plan*, U.S. Census Bureau, California Department of Finance, and other adopted planning documents.

*Public Services.* Potentially affected agencies such as fire and law enforcement protection, schools, parks, and public libraries will be contacted to confirm relevant existing conditions, project impacts, and recommended mitigation measures. The discussion will focus on the potential alteration of existing facilities, extension, or expansion of new facilities, and the increased demand on services based on the proposed land uses. The Draft EIR will evaluate the ability of the project to receive adequate service based on applicable City standards and, where adequate services are not available, will identify the effects of inadequate service.

*Recreation.* The Draft EIR will analyze the potential for increased use of or substantial degradation of existing local and regional parks. The Draft EIR will also evaluate potential impacts on construction or expansion of recreational facilities based on the proposed land uses.

*Transportation.* Potential impacts associated with construction-related traffic, project-related operational traffic on local and regional transportation facilities, internal circulation, parking, and emergency access of the project may occur. Future development associated with the project could propose various on-site and off-site circulation improvements, which may affect access, and/or traffic volumes. The Draft EIR will summarize the results of a Traffic Impact Analysis addressing these issues and will analyze effects on alternative modes of transportation.

*Tribal Cultural Resources.* Project development has the potential to uncover previously undiscovered tribal cultural resources in the Doheny Village. In accordance with Assembly Bill 52, the City will notify and consult with any tribes requesting consultation regarding the proposed project. The Draft EIR will summarize the results of the AB 52 consultation process and determine potential project impacts on tribal cultural resources.

*Utilities and Service Systems.* Potentially affected agencies such as water service, wastewater treatment, and solid waste providers will be contacted to confirm relevant existing conditions, project impacts, and recommended mitigation measures. The discussion will focus on the potential development requiring the construction of new facilities, expansion of existing facilities, and the increased demand on services based on the proposed land uses. The Draft EIR will evaluate the ability of the project to receive adequate service based on applicable City standards and, where adequate services are not available, will identify the effects of inadequate service, and recommended mitigation measures.

*Wildfire.* The project site is not located within a very high fire hazard severity zone as designated by the California Department of Forestry and Fire. The Draft EIR will confirm project development would not exacerbate wildfire conditions in the region.

*Cumulative Impacts.* Consistent with Section 15130 of the CEQA Guidelines, the Draft EIR will discuss cumulative impacts of the proposed project, addressing each topic covered in the environmental analysis.

Effects Not Found to be Significant. This section will discuss those environmental issues found not to have an impact as a result of the proposed project.

Significant and Unavoidable Environmental Effects. This section will describe any significant and unavoidable impacts on the environment that cannot be avoided or reduced to a less than significant level with the application of mitigation measures.

Growth Inducing Effects. As a required discussion according to CEQA Section 15126.2(d), the Draft EIR will include a discussion of growth inducing effects. The anticipated growth conditions in the project area and parameters for consideration of any secondary impacts from growth will be discussed. The section will evaluate the potential for the proposed project to generate additional growth in the area using standard growth analysis criteria, such as the project's potential to foster economic or population growth or its potential to remove obstacles to population growth through extension of infrastructure.

Project Alternatives. Under CEQA, environmental documentation must include an analysis of a reasonable range of alternatives to the project, including the "No Project" alternative. Each alternative will be contrasted with the proposed project in terms of the extent to which project's objectives are met and a reduction in adverse impacts is achieved. The environmentally superior alternative will be identified.