NUTS AND BOLTS OF DOHENY VILLAGE ZONING

DOHENY VILLAGE MERCHANTS’ ASSOCIATION

October 12, 2017
BUILDING BLOCKS

• DOHENY VILLAGE PLAN UPDATE BACKGROUND
• LAND USE TOOLS
• GOAL AND POLICIES
• WHAT IS ZONING?
• REGULATING USES AND DEVELOPMENT STANDARDS
• RESIDENTIAL AND COMMERCIAL ZONES OVERVIEW
• NONCONFORMING USES AND STRUCTURES
• FUTURE OF DOHENY VILLAGE
COUNTY OF ORANGE JURISDICTION (PRE-1989)

County of Orange Zoning Code

Capistrano Beach Specific Plan
DOHENY VILLAGE
20 YEARS AGO

• Doheny Village is the original downtown area of Capistrano Beach and is one of the oldest commercial areas in the City, with early subdivisions dating back to the 1920s.

• Doheny Village Specific Plan (1994) – draft not adopted
  • “Doheny Village is in a state of physical and economic decline”
  • Plan was intended for:
    • Catalyst for economic revitalization
    • Define the City’s expectations for quality design

“Aside from small, scattered projects, the area has not seen substantial new development since the construction of Capistrano Plaza Shopping Center in 1965 and has not kept pace with other areas of the City and surrounding communities.”
DOHENY VILLAGE PLAN UPDATE
WHY DO WE NEED LAND USE AND ZONING?

- Preserve and protect property values
- Ensure communities are functional and safe
- Allow land for best suited and potential uses
- Orderly development of structures
- Public health and safety

LAND USE
LAND USE TOOLS

- General Plan
- Zoning Ordinance
- Uses
  - Permitted "by right"
  - Discretionary
  - Nonconforming
- Development Standards
General Plan

• Policy 7.1: Promote Doheny Village as a major shopping and business center
• Policy 7.2: Improve the appearance of the area with landscape design and pedestrian amenities
• Policy 7.4: Promote the development of land uses that provide employment opportunities for the community including offices, marine-oriented industrial uses, and other commercial or light industrial business activities or community facilities
• Policy 7.5: Encourage development of medium density housing in areas adjacent to retail areas and also as part of mixed residential and retail or office uses
• Policy 7.6: Provide adequate and convenient parking areas. Encourage shared parking facilities, such as establishment of a parking district

Land Use Element (1993)

Development of Doheny Village

The Doheny Village represents an important gateway to the City from the Interstate 5 Freeway. The Village needs improvements to infrastructure and general upgrading of development within the area. Planned land uses are expected to include a mix of new commercial, office, multi-family residential, community facilities, and industrial/business development. Revitalization efforts could include pedestrian-oriented streetscape and landscaping improvements designed to unify and connect the Village's various areas. These improvements may also provide a means of establishing greater connection between the Village the beach and San Juan Creek.

Goal 7: Achieve the revitalization of the Doheny Village area as a primary business district in the City.
WHAT IS ZONING?

- Two parts:
  - Map – Zoning Map
  - Text – Dana Point Municipal Code Title 9

- Zoning Districts
- Regulations for Uses and Development Standards
EXISTING ZONING MAP

• Doheny Village zoning districts:
  • Residential
  • Commercial
  • Mixed Use
  • Community/Open Space
## Development Standards

- Lot Coverage
- Height
- Setbacks
- Landscape Area
- Floor Area Ratio

### Commercial Development Standards

<table>
<thead>
<tr>
<th>DEVELOPMENT STANDARDS (1)</th>
<th>NC</th>
<th>CC/P</th>
<th>CC/V</th>
<th>V/RC</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Minimum Lot Size (2)</td>
<td>5,000 sf</td>
<td>5,000 sf</td>
<td>15,000 sf</td>
<td>15,000 sf</td>
</tr>
<tr>
<td>(b) Minimum Lot Width (2)</td>
<td>40 ft</td>
<td>50 ft</td>
<td>100 ft</td>
<td>100 ft</td>
</tr>
<tr>
<td>(c) Minimum Lot Depth (2)</td>
<td>100 ft</td>
<td>80 ft</td>
<td>120 ft</td>
<td>150 ft</td>
</tr>
<tr>
<td>(d) Maximum Lot Coverage</td>
<td>35%</td>
<td>60%</td>
<td>45%</td>
<td>40%</td>
</tr>
<tr>
<td>(e) Maximum Height</td>
<td>31-35 ft (3)</td>
<td>31-35 ft (3)</td>
<td>31-35 ft (3)</td>
<td>31-35 ft (3)</td>
</tr>
<tr>
<td>(f) Standard Floor Area Ratio (5)</td>
<td>3 stories (4)</td>
<td>3 stories (4)</td>
<td>3 stories (4)</td>
<td>3 stories (4)</td>
</tr>
<tr>
<td>(g) Minimum Front Yard Setback (6)</td>
<td>From Ultimate Public Street R/W Line</td>
<td>20 ft</td>
<td>10 ft (7)</td>
<td>20 ft</td>
</tr>
<tr>
<td>(h) Minimum Side Yard Setback</td>
<td>Interior Side</td>
<td>10 ft</td>
<td>0 ft</td>
<td>0 ft</td>
</tr>
<tr>
<td></td>
<td>Street Side (6)</td>
<td>15 ft</td>
<td>5 ft</td>
<td>10 ft</td>
</tr>
<tr>
<td>(i) Minimum Rear Yard Setback</td>
<td>Standard (8)</td>
<td>15 ft</td>
<td>0 ft</td>
<td>15 ft</td>
</tr>
<tr>
<td>(j) Minimum Landscape Coverage (6)</td>
<td>Adjacent to Alley or Street (6)</td>
<td>10 ft</td>
<td>5 ft</td>
<td>10 ft</td>
</tr>
<tr>
<td>(k) Minimum Building Separation</td>
<td>10%</td>
<td>10%</td>
<td>15%</td>
<td>20%</td>
</tr>
</tbody>
</table>
Parking requirements affect building form and land use:

- On-site parking
- Actual use
REGULATION OF USES

PROPOSED USE

PERMITTED "BY RIGHT"

DISCREETIONARY

ALLOWED USE

ADDITIONAL PERMITS REQUIRED
COMMERCIAL ZONES

• DPMC Section 9.11.010 Intent and Purpose:
  • Community Commercial/Pedestrian District:
    • Medium intensity commercial in a pedestrian environment; minimize pedestrian and vehicular conflicts
    • Promote architecturally pleasing commercial structures with human scale, amenities such as plazas, courtyards, and attractive landscaping
  • Community Commercial/Vehicular District:
    • Emphasis on convenient automobile access, larger commercial uses such as department stores, grocery stores, and automotive related uses
MIXED USE ZONE

• DPMC Section 9.13.010 Intent and Purpose:
  • Commercial/Residential District:
    • Mixture of commercial and office uses, and residential units
    • Commercially-oriented environment
    • Alternative housing intended to add to City’s supply of affordable housing, reduce commutes, and promote pedestrian-oriented business
  • Residential development is only permitted in conjunction with commercial development as part of a mixed use project
NONCONFORMING USES + STRUCTURES

- Repairs and Remodeling
- Replacement
- Additions and Expansion of Uses
- Incentives

- Light Industrial Uses
- Metal Fabrication
- Storage Yard Uses
- Single-Family Residential
- Educational Uses
HOW DOES THE CITY ENFORCE ZONING?

- Building Permits
- Discretionary Review
- Certificates of Occupancy
- Code Enforcement

New Construction Remodeling Certificates of Occupancy

Building Permits

Site Development Permits Conditional Use Permits Coastal Development Permits

Discretionary Review

Complaint-driven #1 goal is voluntary compliance

Code Enforcement
• Next Outreach Meetings:
  • DPZC vs. FBC: Challenges and Benefits

• Applying the Form-Based Code: Study Session
PROPOSED ZONING PROCESS

- Notes illustrating the picture.
- Image should be outlined.
- Notes

- Form-Based Code
- General Plan Amendment
  - Policy document to guide future growth and development
- Local Coastal Plan Amendment
KEY TERMS

GENERAL PLAN

ZONING ORDINANCE

USES

DEVELOPMENT STANDARDS

PERMITTED “BY RIGHT”

DISCRETIONARY

NONCONFORMING
C/R, CF, RMF 30, CF and REC Zones:

- Single-Family and Multiple-Family Residences
- Mobile Home Park
- Multi-Tenant Commercial Offices
- Educational and Religious Uses
CC/V AND CC/P ZONES:
- Construction and Maintenance Services
- Building Materials Sales and Services
- Minor and Major Automotive Uses
- Retail and Restaurants
- Professional Offices
- Marine Uses
- Storage Yard Uses