

DANA POINT TOWN CENTER PLAN

September 1, 2006

Initial Study/ Mitigated Negative Declaration

Lead Agency:
City of Dana Point

Prepared by:
RBF Consulting





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1.0 INTRODUCTION

The Dana Point Town Center Plan focuses on improvements which would result in a more vibrant community oriented Town Center. The Plan focuses on circulation improvements to Pacific Coast Highway and Del Prado, streetscape modifications and density modifications for residential and retail uses. Following preliminary review of the proposed Dana Point Town Center Plan, the City of Dana Point determined that it is subject to the guidelines and regulations of the California Environmental Quality Act (CEQA). This Initial Study addresses the direct, indirect, and cumulative environmental effects associated with the Dana Point Town Center Plan (project), as proposed.

1.1 STATUTORY AUTHORITY AND REQUIREMENTS

In accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Sections 15070-15075) and pursuant to Section 15063 of Title 14 of the California Code of Regulations (CCR), the City of Dana Point, acting in the capacity of Lead Agency, is required to undertake the preparation of an Initial Study to determine if the proposed project would have a significant environmental impact. If, as a result of the Initial Study, the Lead Agency finds that there is evidence that any aspect of the project may cause a significant environmental effect, the Lead Agency shall further find that an Environmental Impact Report (EIR) is warranted to analyze project-related and cumulative environmental impacts. Alternatively, if the Lead Agency finds that there is no evidence that the project, either as proposed or as modified to include the mitigation measures identified in the Initial Study, may cause a significant effect on the environment, the Lead Agency shall find that the proposed project would not have a significant effect on the environment and shall prepare a Negative Declaration or a Mitigated Negative Declaration for that project. Such determination can be made only if "there is no substantial evidence in light of the whole record before the Lead Agency" that such impacts may occur (Section 21080(c), Public Resources Code).

The environmental documentation, which is ultimately approved and/or certified by the City of Dana Point in accordance with CEQA, is intended as an informational document undertaken to provide an environmental basis for subsequent discretionary actions upon the project. The resulting documentation is not, however, a policy document and its approval and/or certification neither presupposes nor mandates any actions on the part of those agencies from whom permits and other discretionary approvals would be required.

The environmental documentation and supporting analysis is subject to a public review period. During this review, public agency comments on the document relative to environmental issues should be addressed to the City of Dana Point. Following review of any comments received, the City of Dana Point will consider these comments as a part of the project's environmental review and include them with the Initial Study documentation for consideration by the City of Dana Point.

1.2 PURPOSE

The purposes of the Initial Study are to: (1) identify environmental impacts; (2) provide the Lead Agency with information to use as the basis for deciding whether to prepare an EIR or Negative Declaration; (3) enable an applicant or Lead Agency to modify a project, mitigating adverse impacts before an EIR is required to be prepared; (4) facilitate environmental assessment early in the design of the project; (5) provide documentation of the factual basis for the finding in a Negative Declaration that a project would not have a significant environmental effect; (6) eliminate needless EIRs; (7) determine whether a previously prepared EIR could be used for the project; and (8) assist in the preparation of an EIR, if required, by focusing the EIR on the effects determined to be significant, identifying the effects



determined not to be significant, and explaining the reasons for determining that potentially significant effects would not be significant.

Section 15063 of the State CEQA Guidelines identifies specific disclosure requirements for inclusion in an Initial Study. Pursuant to those requirements, an Initial Study shall include: (1) a description of the project, including the location of the project; (2) an identification of the environmental setting; (3) an identification of environmental effects by use of a checklist, matrix or other method, provided that entries on a checklist or other form are briefly explained to indicate that there is some evidence to support the entries; (4) a discussion of ways to mitigate significant effects identified, if any; (5) an examination of whether the project is compatible with existing zoning, plans, and other applicable land use controls; and (6) the name of the person or persons who prepared or participated in the preparation of the Initial Study.

1.3 INCORPORATION BY REFERENCE

Pertinent documents relating to this Initial Study/Mitigated Negative Declaration have been cited and incorporated, in accordance with Sections 15148 and 15150 of the State CEQA Guidelines, to eliminate the need for inclusion of voluminous engineering and technical reports within the Initial Study. Of particular relevance are those previous EIRs that present information regarding descriptions of environmental settings, future development-related growth and cumulative impacts. This Initial Study/Mitigated Negative Declaration has incorporated by reference the following documents:

- City of Dana Point General Plan (1991). The General Plan provides comprehensive planning for the future of the City. The goals and policies contained in the General Plan are provided to guide the City's decision-makers. It integrates the mandatory and discretionary elements among the following elements chapters: Housing, Land Use, Urban Design, Public Safety, Conservation/Open Space, Public Facilities/Growth Management, Economic Development, Circulation, and Noise. The analysis of existing conditions and potential project impacts included in this Initial Study incorporates information from the General Plan.
- City of Dana Point General Plan Program Master Environmental Assessment (1991). The Master Environmental Assessment (MEA) serves as a resource document for the General Plan Environmental Impact Report. The MEA describes the existing conditions within the City. It is a comprehensive document that can be referenced in future environmental impact analyses.
- Final Environmental Impact Report for the General Plan, Local Coastal Program and Zoning Ordinance (1991). The General Plan is intended to serve as policy direction for planning and implementation, an EIR analyses and summarizes potential environmental impacts associated with implementation of the General Plan. The EIR also serves as a benchmark to assess environmental impact reports on future projects. The analysis of existing conditions and potential project impacts included in this Initial Study/Mitigated Negative Declaration incorporates information from the General Plan EIR.



- Town Center Subcommittee Recommendations (2006). The City of Dana Point has prepared the Town Center Subcommittee Recommendations. The City Council established the Town Center Subcommittee to provide a public forum to discuss a plan for future development of the Town Center. This document provides a comprehensive set of policies, design guidelines, development standards for the project area. The Subcommittee recommendations address the problems and opportunities affecting the Town Center.

These documents were utilized in this Initial Study and are available for review at the City of Dana Point.



2.0 PROJECT DESCRIPTION

2.1 PROJECT LOCATION

The City of Dana Point 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 area extends over approximately a one-mile area and includes Pacific Coast Highway and Del Prado, from Green Lantern to Copper Lantern, and includes an area north to La Plaza; refer to Exhibit 2 (Site Vicinity).

2.2 ENVIRONMENTAL SETTING

2.2.1 Existing Land Uses

The Town Center Plan area is currently zoned Coastal Couplet Commercial (C-CPC), Coastal Recreation Space (C-R), Coastal Minor Commercial (C-MC), and Coastal Residential Commercial (C-RC), per the Dana Point Specific Plan/Local Coastal Program. Existing uses generally consist of offices, vacant land, neighborhood commercial facilities, community facilities, parks and recreation, and residential uses. Single and multi-family residential units are present, as well as hotels, restaurants, surf shops, cafes, grocery stores, banks, and offices. Within the Town Center, residential uses are only allowed south of Del Prado when established in conjunction with allowed commercial uses. Most buildings in the project area are one to two stories high and there are multi-family units that extend up to three stories.

Currently, the sidewalks along Pacific Coast Highway and Del Obispo Street are fairly narrow with limited areas of landscaping. The two main roadways affecting the Town Center are Pacific Coast Highway and Del Prado, which are both one-way.

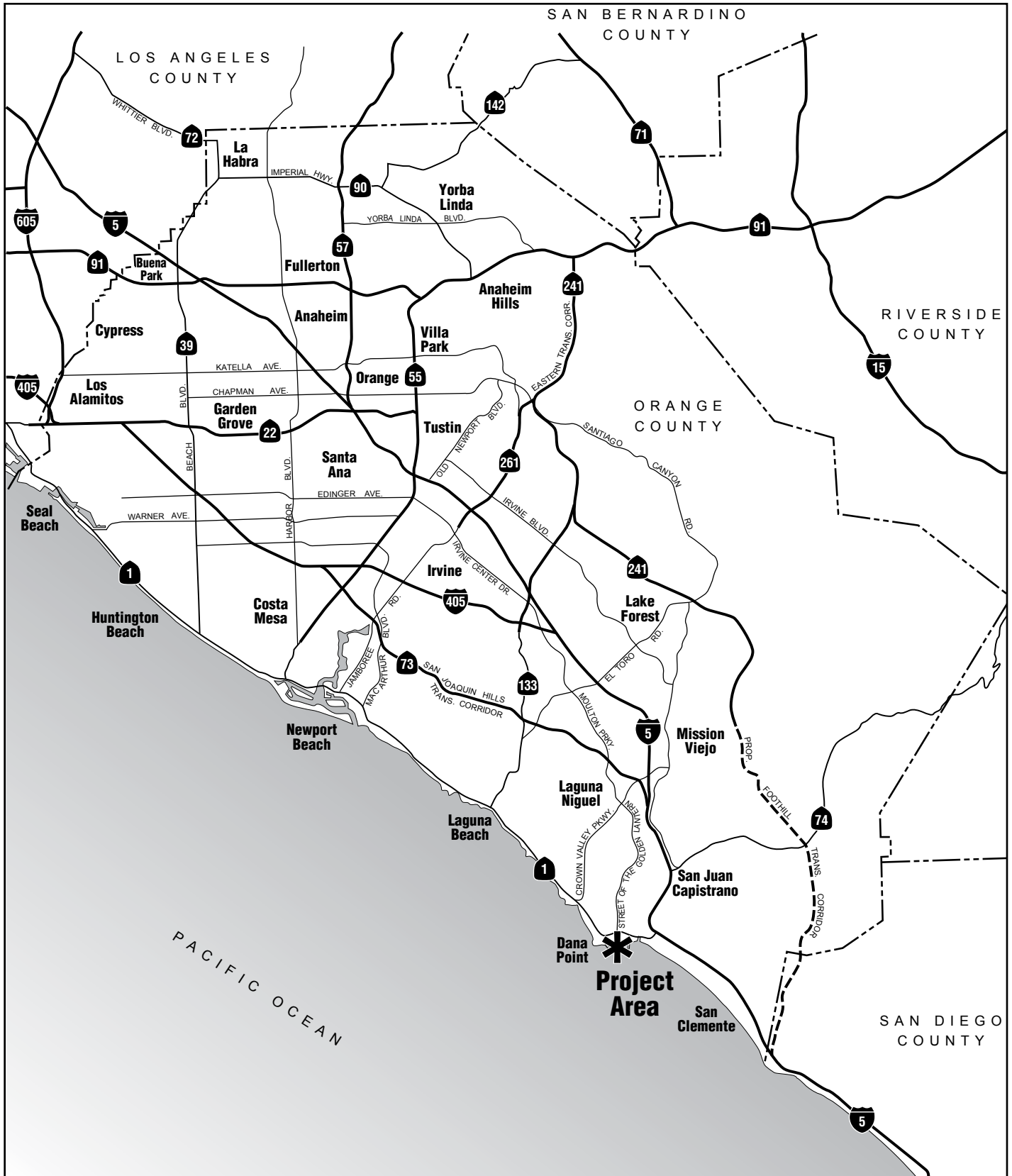
The project area is mostly developed, with the exception of a few vacant lots. One vacant lot is located along Amber Lantern, between Pacific Coast Highway and Del Prado. Four lots are on the block along Del Prado, between Old Golden Lantern and Violet Lantern. Two lots are along Pacific Coast Highway, between Malaga Drive and Colegio Drive, and one is located along Pacific Coast Highway, between Violet Lantern and Amber Lantern.

2.2.2 Surrounding Land Uses

The project area is bounded by the following uses:

Surrounding Uses to the North

Uses north of the project area consist of single- and multi-family homes, ranging from one to three stories in height.



Not to Scale



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Regional Vicinity



— Project Area

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DANA POINT TOWN CENTER
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Site Vicinity

Exhibit 2



Surrounding Uses to the East

To the east of the project area is the San Diego Freeway (Interstate 5 [I-5]), which provides access to the Town Center, via Pacific Coast Highway. Land uses along Pacific Coast Highway include commercial uses, including retail and restaurants and a hotel. Doheny State Beach also extends to the east of the project area and includes a large parking lot to accommodate visitors.

Surrounding Uses to the South

Land uses to the south of the project area generally consist of single- and multi-family residential uses. City and County parks are also located in the area south of the project area and include Heritage Park and Lantern Bay Park. Laguna Cliffs Marriott is adjacent to Lantern Bay Park. Further south is Dana Point Harbor and the Pacific Ocean.

Surrounding Uses to the West

To the west of the project area is Pacific Coast Highway, which extends along the coastline toward Laguna Beach. Immediately west of Green Lantern is the Dana Point Headlands (Headlands), which is currently under construction. The Headlands project is composed of residential dwelling units, a hotel, commercial uses, a conservation park, and coastal trails. Additional uses to the west include residential, recreation, and commercial.

2.3 PROJECT BACKGROUND AND HISTORY

The Dana Point Town Center project area is centrally located within the oldest part of the City. In 1888 Dana Heights was laid out in the vicinity of what is now the Town Center with resort residential buildings, a hotel site on Cove Road, and a gazebo/look-out at the bluff end of the Blue Lantern. The Town Center was further formulated by Pacific Coast Highway, which was originally a two-way facility, and now traverses the Town Center and forms a one-way couplet with Del Prado. With the development of the Dana Point Harbor, Golden Lantern became a major arterial in the City, connecting the Harbor to the rest of the City.

The City has chosen the Town Center as an area of opportunity to become a more vibrant and sociable place, and has had a vision of creating an improved Town Center since 1991 with adoption of the Dana Point General Plan. In May of 2004, the City retained the consulting firm ROMA Design Group to help the vision become a reality. The challenge was to create a Town Center that successfully addressed the issues of circulation, streetscape, design, and density in order to improve the image of this historic part of Dana Point and make it the focus of many community activities. ROMA Design Group held three public workshops with residents and business owners to gather input on how to improve the area and create a community vision. After the Dana Point City Council accepted the Draft Concept Plan in May 2005, staff initiated an extensive program of public involvement with the Town Center Subcommittee, which is comprised of two council members, one Planning Commissioner and 12 local residents and business owners. Based upon the feedback from the public workshops, the Town Center Subcommittee finalized and forwarded their recommendations to City staff in May 2006.



2.4 PROJECT OBJECTIVES

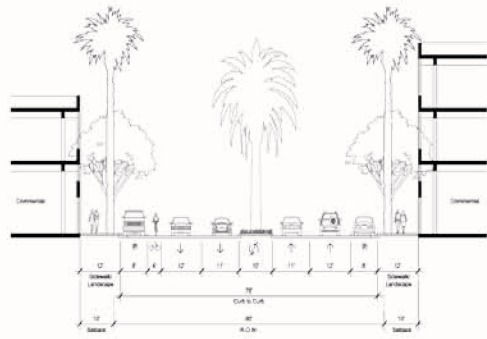
The following Guiding Principles were adopted by the City Council in May 2005 and provide the foundation for the Town Center planning process:

1. Keep the family-oriented, beach community character of Dana Point;
2. Slow down the speed of traffic through Town Center while maintaining efficient and safe vehicular, pedestrian and bicycle travel;
3. Create a distinct character and identity in the Town Center, while preserving public views and vistas;
4. Consider and mitigate the effects of traffic, noise & lights on residential areas;
5. Stress our surfing/coastal history – 7 miles of beautiful coastline linking Capistrano Beach, Dana Point, Monarch Beach – 5 miles of beaches;
6. Encourage culture, arts and socializing – day and night;
7. Provide activities, and attractions for visitors & residents alike;
8. Link Town Center downtown with the Harbor businesses and activities;
9. Minimize disruption to existing businesses during street and other city-sponsored improvements; and
10. Create the Town Center without resorting to the creation of redevelopment planning areas or eminent domain.

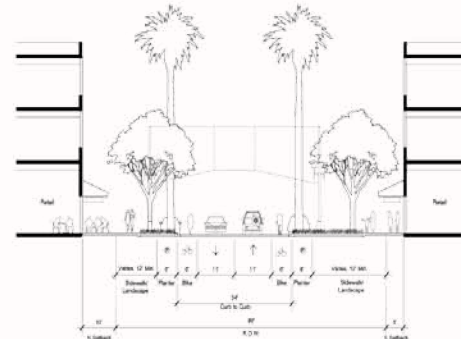
2.5 PROJECT CHARACTERISTICS

The City of Dana Point proposes to establish a more vibrant, community-oriented Town Center for residents and visitors; refer to Exhibit 3 (Conceptual Streetscape Plan). The City of Dana Point seeks to create an environment where people can live, work, and recreate all in the same general area. Several conditions limit the Town Center from realizing its full potential. A primary issue for the community in creating the Town Center is the speed of traffic along Pacific Coast Highway and Del Prado, as well as a lack of a strong pedestrian environment, mix of retail uses, housing, and landscape amenities. The efforts of the Dana Point Town Center Subcommittee has resulted in the following four key elements that are to be integrated into the Town Center Plan:

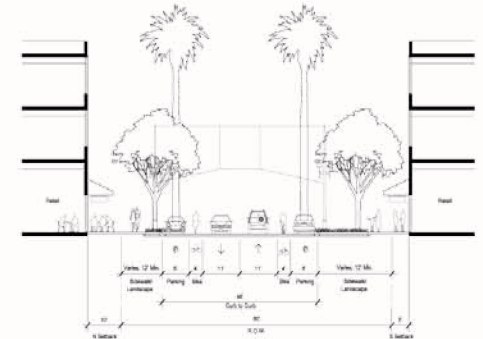
- Town Center Plan Policies – Many of the Dana Point Town Center Subcommittee recommendations are the basis of the formulation of the Town Center Plan Policies. The actions required to implement the policies are to be integrated into the Town Center Plan. Policies cover the areas of Land Use, Urban Design/Streetscape, Circulation, Parking, Economics, Signage, Historic Preservation, and Building Design. Existing Town Center policies contained in the General Plan are to be expanded upon as a result of the Town Center Plan.



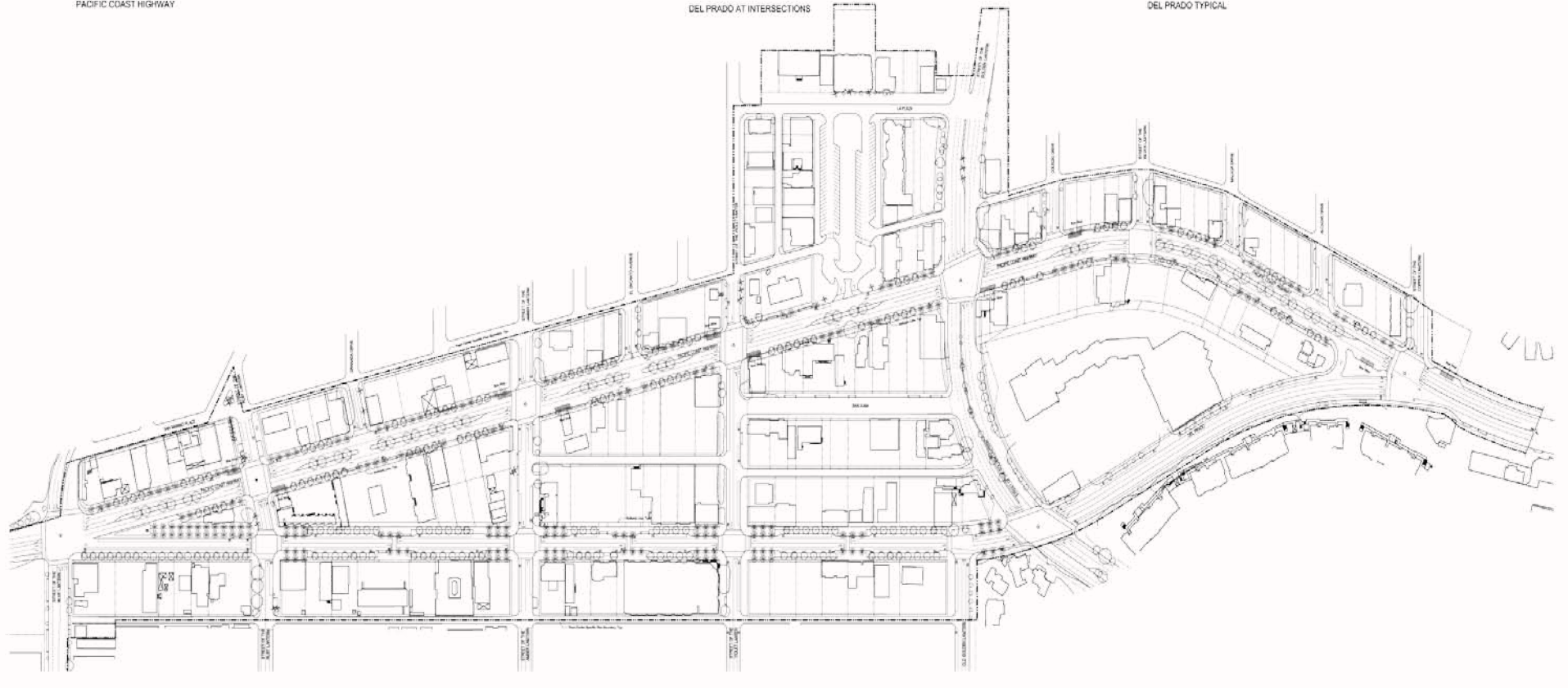
PACIFIC COAST HIGHWAY



DEL PRADO AT INTERSECTIONS



DEL PRADO TYPICAL



Source: ROMA Design Group, May 2006.

Not to Scale



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DANA POINT TOWN CENTER
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Conceptual Streetscape Plan

Exhibit 3



- Land Use Regulations – Land uses are defined by zoning districts. The Town Center Plan has established a mix of land uses, particularly at the street level, to create a pedestrian oriented environment. Adoption of the Town Center Plan would require a General Plan Amendment and Zone Change to modify the land use and zoning designations to allow for commercial/residential mixed use development. The Town Center Plan creates a mechanism for establishing which uses should be permitted by right, those that would be subject to a Conditional Use Permit, and those that are prohibited.
- Development Standards – Changes to the existing development standards are proposed to support the objectives of greater residential development, retail concentration and continuity, and economic feasibility. The development standards address ground floor retail, maximum lot coverage, maximum density, maximum height, setbacks/stepbacks, outdoor cafes, encroachment above the maximum height, minimum open space, parking requirements, roof decks, awnings, and covered entryways.
- Design Guidelines – The objective of the Dana Point Town Center is to create a pedestrian oriented District with a mix of residential and commercial uses. The Town Center Design Guidelines compliment the Development Standards. It should be noted that the Development Standards are mandatory while the Town Center Design Guidelines would be advisory. Major themes addressed by the Town Center Design Guidelines are includes architectural massing and character, retail frontage, building façade encroachments, sidewalk level encroachments, pedestrian passages and courtyards, landscaping and parking.

Based upon these four key elements, the recommendations from the Dana Point Town Center Subcommittee have resulted in the following specific project characteristics:

Traffic and Circulation

The configuration of Pacific Coast Highway and Del Prado has been a main concern for some time. Vehicles traveling along these roadways operate at a high rate of speed, thus drivers are deterred from appreciating the community and pedestrian opportunities are limited. The primary traffic and circulation improvement of the project would be to change both roadways into a two-way configuration. Upon completion of the reconfiguration, Pacific Coast Highway would return to two lanes in each direction and Del Prado would be one lane in each direction. Pacific Coast Highway would have a striped center median, which would be landscaped at project build-out. Both streets would provide continuity of access through the Town Center and would allow for improved pedestrian circulation, bicycle access, and landscape qualities. Pacific Coast Highway would remain a historic arterial roadway. A northbound striped bike lane on Pacific Coast Highway and striped bike lanes in both directions on Del Prado would accommodate bicyclists who wish to travel along the coast.

Initially, some on-street parking on Pacific Coast Highway would be eliminated to accommodate travel lanes. To off-set the loss of parking, cut-outs would be created where off-street parking is not available. In addition, adoption of the Town Center Plan would commit the City to immediately taking steps for a purchase option or long-term lease to acquire properties for additional public parking at one or more central locations within the Town Center. A Parking Management Program/Plan is to be developed to evaluate public parking prior to beginning roadway construction to establish a baseline parking conditions.

In order to achieve on-street parking along Pacific Coast Highway, the front yard setback is to be established as a public access easement for sidewalks and landscaping as a condition of new development. Along Del Prado, parallel parking would be provided. To alleviate the on-site parking



requirements for retail uses and to offer an incentive for new development, an in-lieu fee program would be established for participating merchants to pay for off-site parking spaces. The fees generated by the in-lieu fee program would fund the construction of a centrally located public parking facility. Any new housing would be required to provide on-site parking. Traffic signalization and signage would be required to accommodate new lane configurations.

The specific design of the streets (landscape, lighting, street furniture improvements) as well as phasing and implementation plans are to be prepared following approval of the direction by City Council. Roadway improvements are to be implemented through a phased approach. The construction phasing process is a complex issue which is to be developed based on many factors, such as budget, length of construction, access and circulation issues, as well as input from the business community to insure that impacts are minimized. The construction process is to be implemented over a several year period, allowing for conditions to stabilize prior to the commencement of each phase.

Pedestrian Walkways

The reconfiguration of Pacific Coast Highway and Del Prado would allow wider sidewalks to be placed along each roadway. This improvement would include landscaped parkways and street furniture in order to provide an aesthetically pleasing, enjoyable environment for pedestrians exploring the Town Center and its amenities.

The landscaping along Pacific Coast Highway would emphasize linear continuity and create a visual landmark. Historic lantern street lighting, street furniture, and signage would also be installed to reflect the desired scale and character of the Town Center area. Mid-block bulb-outs would also be installed along Del Prado to break up the scale of the roadways.

Design Enhancements

Gateway monuments and entries are a key element to the Town Center Plan. One gateway would be placed at the Copper Lantern and the other at Blue Lantern. The gateway at Copper Lantern would provide a functional intersection with left turn lanes for vehicles and bicycles. Gateway improvements at Blue Lantern would enhance the visual landmark qualities and create opportunities for a public gathering place.

In order to enhance the "Main Street" environment of the Town Center, shops and restaurants would be designed to have active building frontages with large windows. The buildings would be scaled to achieve the goal of providing a pedestrian friendly environment. Another major design enhancement to the area would be the potential relocation of the existing post office. The City intends to initiate discussions with policy makers at the local, state and federal levels for the potential relocation of the distribution component of the facility to another site.

Development Standards

A number of provisions of the existing development standards would be updated and amended in order to achieve the goals and objectives set forth by the Dana Point Town Center Subcommittee. In summary they are as follows:

- Housing would be an allowable upper-level use throughout the Town Center; currently it is only permitted south of Del Prado;



- The maximum density for commercial and residential developments would be increased to a floor area ratio of 2.5 to allow for multi-family mixed-use development. Required lot coverage limitation would be eliminated and building massing would be governed by required building setbacks which require upper levels to be stepped back from the level below.
- Retail would be a required use for at least 75 percent of a property's frontage, and have a minimum depth of forty feet along Pacific Coast Highway and Del Prado;
- A minimum ground floor-to-floor height of 18-feet would be established throughout the Town Center to promote high quality retail, and to allow for future conversion of office, personal and financial service space to retail; and
- While the zoning ordinance's basic height limit of three floors would be maintained, the existing height limit of 31 to 35 feet would be increased to 40-feet to allow for higher ground floors and for quality upper level office or residential uses.

Based upon the amendments and updates to the zoning ordinance, it is anticipated that by Year 2020, residential uses would increase by 237 units, office uses would increase by 81,224 square feet, and retail/restaurants uses would increase by 192,165 square feet; refer to Table 1 (Existing Land Uses and Projected Development).

**Table 1
Existing Land Uses and Projected Development**

Land Uses	Existing Year 2005	Year 2010	Year 2015	Year 2020
Retail/Restaurant	338,130 s.f.	391,501 s.f.	467,995 s.f.	530,295 s.f.
Office	204,902 s.f.	212,402 s.f.	286,126 s.f.	286,126 s.f.
Residential	76	138	249	313
s.f. = square feet				

Historic Preservation

Maintaining the character of the community is a primary objective of the Town Center Plan. One method for accomplishing this is to preserve the existing nine historic structures, which are located in the Town Center. Adoption of the Town Center Plan would require that these structures be placed on the City's Historic Register and incentives would be created to encourage structures, which have been modified to reestablish the original historic character. The preservation historic sidewalk stamps and curbs are also recommended.

2.6 PROJECT PHASING

The project has been developed to provide as much flexibility as allowed by State law. The development and/or redevelopment of Town Center would be a multi-year effort. The preferred land use development concept and associated improvements necessary are envisioned to occur over a 15-year period. However, future development and/or redevelopment in the project area would be dependent on and responsive to prevailing market conditions.



2.7 AGREEMENTS, PERMITS, AND APPROVALS REQUIRED

Please refer to Table 2 (Permits, Approvals, and Agencies Involved) for a listing of required project approvals.

**Table 2
Permits, Approvals, and Agencies Involved**

Permit/Approval	Agency
Final Certification of the Initial Study/Mitigated Negative Declaration Dana Point Town Center Plan Approval Local Coastal Plan Amendment Zone Change/Zone Text Amendment General Plan Amendment Coastal Development Permits (to be considered with development applications)	City of Dana Point: Planning Commission City Council
Local Coastal Plan Amendment	California Coastal Commission (CCC)
Utility Relocations and Construction	South Coast Water District (SCWD)
Encroachment Permits	City of Dana Point



3.0 INITIAL STUDY CHECKLIST

3.1 BACKGROUND

1.	Project Title: Dana Point Town Center
2.	Lead Agency Name and Address: City of Dana Point Planning Department 33282 Street of Golden Lantern Dana Point, CA 92629
3.	Contact Persons and Phone Number: Brenda Chase, Senior Planner 949.248.3568 phone 949.248.7372 fax
4.	Project Location: The City of Dana Point is located in the southern portion of Orange County, midway between the cities of San Diego and Los Angeles. The project site extends over approximately a one-mile area and encompasses Pacific Coast Highway and Del Prado, from Green Lantern to Copper Lantern, and includes the area north to La Plaza.
5.	Project Sponsor's Name and Address: The City of Dana Point 33282 Street of Golden Lantern Dana Point, CA 92629
6.	General Plan Designation: Coastal Couplet Commercial (C-CPC), Coastal Recreational Space (C-R), Coastal Minor Commercial (C-MC), and Coastal Residential Commercial (C-RC).
7.	Zoning: Refer to item 6, above.
8.	Description of the Project: (Describe the whole action involved, including but not limited to, later phases of the project, and any secondary support or off-site features necessary for its implementation.). Refer to Section 2.5, <i>Project Characteristics</i> .
9.	Surrounding Land Uses and Setting: <i>North:</i> North of the project area, land uses consist of single- and multi-family homes, ranging from one to three stories in height. <i>East:</i> To the east of the project area is the San Diego Freeway (Interstate 5 [I-5]), which provides access to the Town Center via Pacific Coast Highway. Uses along Pacific Coast Highway include commercial uses, including retail and restaurants and a hotel. Doheny State Beach also extends to the east of the project area and includes a large parking lot to accommodate visitors. <i>South:</i> Land uses to the south of the project area generally consist of single- and multi-family residential uses. City and County parks are also located in the area south of the project area and include Heritage Park and Lantern Bay Park. Laguna Cliffs Marriott is adjacent to Lantern Bay Park. Further south is Dana Point Harbor and the Pacific Ocean. <i>West:</i> To the west of the project area is Pacific Coast Highway, which extends along the coastline toward Laguna Beach. Immediately west of Green Lantern is the Dana Point Headlands which is currently under construction. The Headlands project is composed of residential dwelling units, a hotel, commercial uses, a conservation park, and coastal trails. Additional uses to the west include residential, recreation, and commercial.
10.	Other public agencies whose approval is required (e.g., permits, financing approval or participation agreement). California Coastal Commission: Local Coastal Plan Amendment. South Coast Water District: Utility Relocations and Construction



3.2 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Less Than Significant Impact With Mitigation Incorporated," as indicated by the checklist on the following pages.

X	Aesthetics		Land Use and Planning
	Agriculture Resources		Mineral Resources
X	Air Quality	X	Noise
	Biological Resources		Population and Housing
X	Cultural Resources	X	Public Services
X	Geology and Soils		Recreation
	Hazards & Hazardous Materials	X	Transportation/Traffic
X	Hydrology & Water Quality	X	Utilities & Service Systems
	Mandatory Findings of Significance		

3.3 EVALUATION OF ENVIRONMENTAL IMPACTS

This section analyzes the potential environmental impacts associated with the proposed project. The issue areas evaluated in this Initial Study include:

- Aesthetics
- Agriculture Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Mandatory Findings of Significance
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities and Service Systems

The environmental analysis in this section is patterned after the Initial Study Checklist recommended by the CEQA Guidelines and used by the City of Dana Point in its environmental review process. For the preliminary environmental assessment undertaken as part of this Initial Study's preparation, a determination that there is a potential for significant effects indicates the need to more fully analyze the development's impacts and to identify mitigation.

For the evaluation of potential impacts, the questions in the Initial Study Checklist are stated and an answer is provided according to the analysis undertaken as part of the Initial Study. The analysis considers the long-term, direct, indirect, and cumulative impacts of the development. To each question, there are four possible responses:

- **No Impact.** The development will not have any measurable environmental impact on the environment.



- **Less Than Significant Impact.** The development will have the potential for impacting the environment, although this impact will be below established thresholds that are considered to be significant.
- **Less Than Significant Impact With Mitigation Incorporated.** The development will have the potential to generate impacts which may be considered as a significant effect on the environment, although mitigation measures or changes to the development's physical or operational characteristics can reduce these impacts to levels that are less than significant.
- **Potentially Significant Impact.** The development will have impacts which are considered significant, and additional analysis is required to identify mitigation measures that could reduce these impacts to less than significant levels.

Where potential impacts are anticipated to be significant, mitigation measures will be required, so that impacts may be avoided or reduced to insignificant levels. The reference numbers adjacent to the impact statements correspond to the reference numbers provided in Section 4.18, *References*.



4.0 ENVIRONMENTAL ANALYSIS

The following is a discussion of potential project impacts as identified in the Initial Study/Negative Declaration. Explanations are provided for each item.

4.1 AESTHETICS

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?			✓	
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			✓	
c. Substantially degrade the existing visual character or quality of the site and its surroundings?				✓
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?		✓		

a) *Have a substantial adverse effect on a scenic vista?*

Less Than Significant Impact. The City of Dana Point is principally marked by the Headlands and coastal bluffs. The Headlands is one of the most prominent features of the southern California coastline between Point Loma (in San Diego County) and the Palos Verdes Peninsula (in Los Angeles County). The City's southwestern orientation provides views of the Capistrano Bight, a subtle bend in the coastline that defines a shallow bay between Dana Point and San Mateo Point to the south. Santa Catalina Island is another prominent feature visible on the open ocean to the west.

The City of Dana Point has adopted a set of Design Guidelines, which contain specific design standards for public (and private) projects that are subject to discretionary design review. The proposed discretionary actions involved with the Town Center Plan would allow for the maximum building height limit within the project area to be increased from 35 feet to 40 feet. Additionally, the Town Center project contains goals and policies to create a number of streetscape design options for Pacific Coast Highway and Del Prado.

The goals, policies, and design guidelines contained within the Town Center project would ensure that the design of the new buildings are sensitive to the natural setting, surrounding environment, viewsheds, and community design goals. Although implementation of the Town Center Plan would introduce new streetscape improvements and buildings, the features are generally consistent with the City's Design Guidelines and other requirements prescribed in the General Plan and related long-range plans and programs. As the allowable height limit would increase by five feet, the potential affect would not significantly modify the existing views within the public viewshed (i.e., Pacific Coast Highway and Del Prado).

Compliance with the City's Design Guidelines prescribed for development, which are subject to discretionary design review, would ensure that the development of the Town Center would not substantially degrade the character of the area, degrade existing public views, or significantly alter the



character within the viewshed. Introduction of potential new development would not significantly change views from the within the public viewshed. Finally, development within the project area would be consistent with the scenic and visual quality objectives adopted by the City and reflected in the Dana Point General Plan. To thoroughly evaluate impacts of all new development and additions which result in additional height, staking shall be required as part of the public review process. Therefore, potential visual impacts remain less than significant.

Mitigation Measures: No mitigation measures are required.

b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

Less Than Significant Impact. Pacific Coast Highway, which traverses the Town Center area, is a designated State Scenic Highway. Future development projects have the potential to result in impacts to scenic resources (i.e., Pacific Ocean and historic buildings) along Pacific Coast Highway. However, each proposed project would be reviewed and evaluated by the City to determine potential impacts and the necessary subsequent actions. Future development would be subject to review for compliance with the procedures and regulatory provisions established by State and Federal regulatory agencies, the City's Municipal Code, and the Town Center project. Compliance with the procedures and provisions established by regulatory agencies, the Municipal Code, and Town Center project would ensure that future development would not substantially damage scenic resources along Pacific Coast Highway.

A primary feature of the Town Center Plan involves modifications to Pacific Coast Highway from a one-way to a two-way circulation system. However, the roadway alignment would remain as it is currently configured. Development within the Town Center area would be required to comply with the Design Guidelines adopted by the City to ensure that the visual environment is not damaged and that the community design goals are achieved. As a result, no significant impacts are anticipated.

Mitigation Measures: No mitigation measures are required.

c) *Substantially degrade the existing visual character or quality of the site and its surroundings?*

No Impact. The project area is currently urbanized and primarily consists of commercial, residential, recreation, and public uses. Blue Lantern Lookout Park is located within the project area and provides a panoramic view of Dana Point Harbor, Cove Road, and the Orange County coastline south of Dana Point. Currently, the Town Center is comprised of structures ranging from one to three stories and up to 40 feet in height. The current height standard allows for buildings of 35-feet and three stories. A view analysis was performed for the Plan from three view points above and north of the Town Center by Focus 360. The three vantage points were taken from public places (two from streets adjacent to vacant lots and the third from a public park) on the streets of Blue Lantern, Valencia, and the Community Garden at the corner of Golden Lantern and Selva. The sites were selected since they are indicative of similar topographic conditions to areas of the City and have the highest potential to be visually impacted by development within the Town Center. At each building site location, four examples of building heights are shown and were analyzed based on the following: 35 feet (the current height standard), 40 feet, 50 feet and 60 feet. Heights at 35-feet and 40-feet represent a three-story building with 50-feet representing a four-story building and 60-feet a five-story building. Per the view analysis performed by Focus 360, there would not be substantial view blockage to the Pacific Ocean as many buildings in the Town Center are already 40-feet in height. Additional analysis was conducted which included the staking of buildings to represent 40-feet. No potential view impacts evaluated from several public and private locations. Therefore, no significant impacts are anticipated to occur as a result of the proposed project.



For additional discussion of development standards for the proposed project, as related to visual characteristics (e.g., setbacks, building heights, and landscaping requirements), please refer to Section 4.9, *Land Use and Planning*.

Mitigation Measures: No mitigation measures are required.

- d) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

Less Than Significant Impact. The proposed project would introduce new sources of light and glare. However, the project area is currently developed with commercial, residential, recreation, and public uses. Although the increase in lighting is anticipated to be similar to the lighting conditions that currently exist, it would be necessary for new development in the Town Center to comply with the City's standard requirements for outdoor lighting. Adherence to Mitigation Measure AES-1, which requires directed and shielded lighting, would ensure that lighting impacts would not adversely affect the surrounding residential development.

Mitigation Measures:

AES-1 The project shall be designed to reduce significant light and glare emanating from the site. This shall be accomplished by shielding or recessing light fixtures so that the light source is directed downward and away from adjoining properties. The plans shall be prepared and signed by a licensed electrical engineer and include lighting fixture product types and technical specifications, including photometric information, to determine the extent of light spillage or glare that can be anticipated.



4.2 AGRICULTURE RESOURCES

<i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				✓
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				✓

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

- a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

No Impact. There is no prime farmland, unique farmland, or farmland of statewide significance within or adjacent to the proposed project area and no agricultural activities take place within the Town Center. No agricultural use zone currently exists within the City, nor are any agricultural zones proposed. Therefore, no impacts associated with the conversion of farmland would result from the implementation of the project.

Mitigation Measures: No mitigation measures are required.

- b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

No Impact. The project area is currently zoned as Coastal Couplet Commercial (C-CPC), Coastal Recreation Space (C-R), Coastal Minor Commercial (C-MC), and Coastal Residential Commercial (C-RC), per the *Dana Point Specific Plan/Local Coastal Program*. The recreation and commercial land use designations do not allow for agriculture uses. No portion of the project area is proposed to include agricultural zoning designations or uses, nor do any such uses exist within the City under the current General Plan and zoning. There are no Williamson Act contracts in effect for the project area or surrounding vicinity. No conflicts with existing zoning for agricultural use or Williamson Act contracts would result. No impact is anticipated.

Mitigation Measures: No mitigation measures are required.



- c) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?*

No Impact. The proposed project would not impact farmlands listed as "Prime" and "Unique", based on farmland data provided by the California Department of Conservation, Division of Land Resources Protection (August 2001). There are no agricultural land use designations located within the City and therefore no farmland would be converted to non-agricultural uses under the proposed discretionary actions. No impacts would occur as a result of the proposed discretionary actions.

Mitigation Measures: No mitigation measures are required.



4.3 AIR QUALITY

<i>Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?			✓	
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		✓		
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?		✓		
d. Expose sensitive receptors to substantial pollutant concentrations?		✓		
e. Create objectionable odors affecting a substantial number of people?		✓		

The project area is located within the City of Dana Point, which is part of the South Coast Air Basin (Basin) and is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD's current guidelines and emission thresholds established in the *CEQA Air Quality Handbook* (updated November 1993) were adhered to in the assessment of air quality impacts for the proposed project.

The air quality assessment estimated emissions of air pollutants associated with short-term construction and long-term operations; refer to Appendix A, *Air Quality Modeling Data*. The URBEMIS2002 model was used to estimate project-related mobile and stationary sources emissions. Default values representative of the proposed project were used when project-specific data were not available.

Both the State of California and the Federal government have established health based Ambient Air Quality Standards (AAQS) for six criteria air pollutants. These pollutants include ozone (O₃), carbon monoxide (CO), nitrogen oxides (NO_x), sulfur oxides (SO_x), particulate matter with an aerodynamic diameter of less than 10 microns (PM₁₀) and lead (Pb). Currently, O₃, PM_{2.5}, and PM₁₀ are designated by the California Air Resources Board (CARB) as non-attainment in the South Coast Air Basin. O₃ (smog) is formed by a photochemical reaction between oxides of nitrogen (NO_x) and reactive organic compounds (ROC). Thus, impacts from O₃ are assessed by evaluating impacts from NO_x and ROC.

The net increase in pollutant emissions determines the significance and impact on regional air quality as a result of a development project. The results also allow the local government to determine whether the proposed project will deter the region from achieving the goal of reducing pollutants in accordance with the South Coast Air Quality Management Plan (AQMP) in order to comply with Federal and State Ambient Air Quality Standards (AAQS).



Construction Emission Thresholds

The following CEQA significance thresholds for construction emissions have been established for the Basin:

- 75 pounds per day or 2.5 tons per quarter of ROCs;
- 100 pounds per day or 2.5 tons per quarter of NO_x;
- 550 pounds per day or 24.75 tons per quarter of CO;
- 150 pounds per day or 6.75 tons per quarter of PM₁₀; and
- 150 pounds per day or 6.75 tons per quarter of SO_x.

Projects in the Basin with construction-related emissions that exceed any of the emission thresholds are considered to be significant under the SCAQMD guidelines.

Operational Emission Thresholds

Projects with operation-related emissions that exceed any of the emission thresholds listed below are considered significant under the SCAQMD guidelines:

- 55 pounds per day of ROC;
- 55 pounds per day of NO_x;
- 550 pounds per day of CO;
- 150 pounds per day of PM₁₀; and
- 150 pounds per day of SO_x.

Localized Emissions Standards

Carbon monoxide is a primary pollutant and, unlike ozone, is directly emitted from a variety of sources. For this reason, CO concentrations are usually indicative of the local air quality generated by a roadway network and are used as an indicator of its impacts upon the local air quality. Comparisons of levels with State and Federal CO standards indicate the severity of the existing concentrations for receptors in the project area.

An impact is potentially significant if a project produces emissions levels that exceed the State or Federal AAQS. Because CO is produced in greatest quantities from vehicle combustion and does not readily disperse into the atmosphere; adherence to AAQS is typically demonstrated through an analysis of localized CO concentrations. Areas of vehicle congestion have the potential to create "pockets" of CO called "hot spots." These pockets have the potential to exceed the State 1-hour standard of 20.0 ppm and/or the 8-hour standard of 9.0 ppm. Note that Federal levels are based on 1- and 8-hour standards of 35.0 and 9.0 ppm, respectively.

To identify CO hotspots, the SCAQMD criterion recommends performing a CO hotspot analysis when a project increases the volume-to-capacity (V/C) ratio (also called the intersection capacity utilization) by 0.02 (2 percent) for any intersection with an existing level of service (LOS) D or worse. A CO hotspot analysis is also required if an existing intersection has a LOS C and worsens to an LOS D with implementation of a proposed project. Because traffic congestion is highest at intersections where vehicles queue and are subject to reduced speeds, these hot spots are typically produced at intersection locations. A higher LOS would result in greater risk for a CO hotspot. Typically, LOS at an intersection producing a hot spot is at LOS D or worse during the peak hour.



Localized Thresholds of Significance

Localized significance thresholds (LSTs) represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard, and are developed based on the ambient concentrations of that pollutant for each source receptor area. LSTs apply to projects that are less than five acres in size. Public agencies can use LST methodology and mass rate look-up tables by source receptor area (SRA) to determine whether or not a project may generate significant adverse localized air quality impacts. Given that the project area is greater than five acres, emissions were not estimated utilizing the LST lookup table.

a) *Conflict with or obstruct implementation of the applicable air quality plan?*

Less Than Significant Impact. A potentially significant impact to air quality would occur if the project would conflict with or obstruct the implementation of the applicable air quality plan. Although the project would represent an incremental negative impact to air quality in the Basin, of primary concern is that project-related impacts have been properly anticipated in the regional air quality planning process and reduced whenever feasible. Therefore, it is necessary to assess the proposed project's consistency with the AQMP.

According to the SCAQMD's *CEQA Air Quality Handbook* (updated November 1993), the purpose of the consistency finding is to determine if a project is inconsistent with the assumptions and objectives of the regional air quality plans, and thus if it would interfere with the region's ability to comply with Federal and State AAQS. If the project is inconsistent, local governments need to consider project modifications or inclusion of mitigation to eliminate the inconsistency. It is important to note that even if a project is found consistent, it could still have a significant impact on air quality under CEQA. Growth assumptions within the AQMP are based the growth assumptions and land use designations included within local general plans. Therefore, consistency with the AQMP is analyzed in regards to the project's consistency with the local general plan.

The proposed General Plan Amendment and Zoning Change, as a part of the adoption of the Town Center Plan, would modify the land use and zoning designations to allow for commercial/residential mixed-use development. As stated in Section 4.15, *Transportation/Traffic*, no significant impacts are forecast to occur with the addition of project-generated trips. The project does not violate ambient air quality standards and is consistent with the AQMP, since the net change in land use intensity allowed under the new zoning designations are not expected to notably increase air pollutant emissions. Furthermore, potential development projects anticipated as a result of the proposed land use and zone changes will be processed under a separate environmental review/determination when such projects are submitted to the City's Planning Division for development review. No significant impacts are anticipated as a result of the proposed land use and zone change.

Mitigation Measures: No mitigation measures are required.

b) *Violate any air quality standard or contribute substantially to an existing or projected air quality violation?*

Less Than Significant Impact With Mitigation Incorporated. The project area is currently developed with commercial, residential, recreational, and public uses, and future development under the revised land use and zoning designations would be similar in nature. No significant impacts are anticipated to occur as a result of the proposed project.



Short-Term (Construction) Emissions

The proposed project is required to comply with regional rules that assist in reducing short-term air pollutant emissions. SCAQMD Rule 403 requires that fugitive dust be controlled with best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. In addition, SCAQMD Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Applicable dust suppression techniques from Rule 403 are summarized below. Implementation of these dust suppression techniques would reduce the fugitive dust generation (and thus the PM₁₀ component). Compliance with these rules would ensure that impacts to nearby sensitive receptors are less than significant.

The following are the applicable Rule 403 Measures:

- Apply nontoxic chemical soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 10 days or more);
- Water active sites at least twice daily (locations where grading is to occur will be thoroughly watered prior to earthmoving);
- All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard in accordance with the requirements of California Vehicle Code (CVC) Section 23114 (freeboard means vertical space between the top of the load and top of the trailer);
- Pave construction access roads at least 100 feet onto the site from main road; and
- Traffic speeds on all unpaved roads shall be reduced to 15 mph or less.

Table 4.3-1, *Short-Term Air Emissions*, estimates anticipated short-term construction emissions that would result during the construction phase of the proposed project. Anticipated emissions were quantified utilizing emission factors in the URBEMIS2002 computer model developed by the California Air Resources Board (CARB); refer to Appendix A, *Air Quality Modeling Data*. Note that emissions estimates are based on eight hours of continual operation, which is considered a worst-case analysis of actual equipment in use on any given day. Thus, the quantified estimates provided below are conservative estimates of criteria pollutants.

Table 4.3-1 indicates that the total daily anticipated project construction emissions (with mitigation) would not exceed SCAQMD construction thresholds for ROCs, NO_x, CO, SO_x, and PM₁₀. In addition, the SCAQMD requires implementation of mitigation measures for construction activities to further reduce NO_x and PM₁₀ emissions. Although development is anticipated to occur over a 15 year timeframe, the construction analysis is based on the most development that could occur in one year. Emissions are given in pounds per day over a 12 month schedule based on the characteristics of similar projects.¹ Thus, the actual emissions that would occur throughout the implementation of the project would be less.

¹ Construction assumptions are based on typical industry practices, as well as the following references: Paulson, B.C., S.A. Douglas, A. Kalk, A. Touran and G.A. Victor, *Simulation and Analysis of Construction Operations - ASCE Journal of Technical Topics in Civil Engineering*, August 1983 or Carr, R.I., *Simulation of Construction Project Duration - ASCE Journal of the Construction Division*, June 1979.



Based upon the conclusions provided in Table 4.3-1, project construction would not result in significant short-term air quality impacts. To further minimize construction-related emissions, all construction vehicles and construction equipment would be required to be equipped with the state-mandated emission control devices pursuant to state emission regulations and standard construction practices. Short-term construction PM₁₀ emissions would be further reduced with the implementation of required dust-suppression measures outlined within SCAQMD Rule 403. With implementation of the recommended mitigation measures, short-term air quality impacts would be reduced to a less than significant level.

**Table 4.3-1
Short-Term Air Emissions**

Emission Source	Pollutant (lbs/day) ¹				
	ROC	NO _x	CO	SO _x	PM ₁₀
Unmitigated Construction Emissions	12.43	81.32	103.27	0.00	18.23
Mitigated Construction Emissions	12.43	81.32	103.27	0.00	6.98
<i>SCAQMD Threshold</i>	<i>75</i>	<i>100</i>	<i>550</i>	<i>150</i>	<i>150</i>
Is Threshold Exceeded?	No	No	No	No	No
ROC = reactive organic compound CO = carbon monoxide PM ₁₀ = fine particulate matter (up to 10 microns in diameter) NO _x = nitrogen oxides SO _x = sulfur oxides lbs/day = pounds per day					
¹ Based on URBEMIS2002 modeling results, worst-case seasonal emissions for area and mobile emissions, and trip rate data provided in the project Appendix C, <i>Traffic Study</i> .					
Source: Emissions calculated using the URBEMIS2002 Computer Model, as recommended by the South Coast Air Quality Management District (SCAQMD).					

Long-Term (Operational) Emissions

The future development within the Town Center would be required to comply with Title 24 of the California Code of Regulations established by the California Energy Commission regarding energy conservation standards.

Mobile Sources. Mobile source emissions would be generated from the 8,516 vehicle trips generated by retail/restaurant uses, 344 vehicle trips generated by office uses, 1,500 vehicle trips generated by institutional uses, and 1,388 vehicle trips generated by the residential uses.

Area Source Emissions. Area source emissions would be generated by the demand for electrical energy and natural gas consumption. The use of natural gas by the proposed project would be from consumer products used by the office, institutional, retail restaurant, and residential uses.

Total Operational Emissions. As evidenced in Table 4.3-2, *Long-Term (Operational) Air Emissions*, the unmitigated operational emissions would result in a total of 35.63 lbs/day of ROCs, 26.20 lbs/day of NO_x, and 259.53 lbs/day of CO, 0.56 lbs/day of SO_x, and 97.55 lbs/day of PM₁₀. These emissions do not exceed SCAQMD thresholds and; therefore, long-term air quality impacts would be less than significant.



**Table 4.3-2
Long-Term (Operational) Air Emissions**

Project	Pollutant (lbs/day) ¹				
	ROC	NO _x	CO	SO _x	PM ₁₀
Area Source Emissions ²	12.38	3.87	5.61	0.00	0.02
Mobile Source Emissions	23.25	22.34	253.92	0.56	97.53
Total Unmitigated Emissions	35.63	26.20	259.53	0.56	97.55
<i>SCAQMD Threshold</i>	<i>55</i>	<i>55</i>	<i>550</i>	<i>150</i>	<i>150</i>
Is Threshold Exceeded?	No	No	No	No	No
ROC = reactive organic compound CO = carbon monoxide PM ₁₀ = fine particulate matter (up to 10 microns in diameter) NO _x = nitrogen oxides SO _x = sulfur oxides lbs/day = pounds per day					
1. Based on URBEMIS2002 modeling results, worst-case seasonal emissions for area and mobile emissions, and trip rate data provided in the project Appendix C, <i>Traffic Study</i> . 2. Area source emissions volumes exclude the use of fireplaces and wood-burning stoves.					
Source: Emissions calculated using the URBEMIS2002 Computer Model, as recommended by the South Coast Air Quality Management District (SCAQMD).					

As stated previously, the SCAQMD recommends performing a CO hotspot analysis when a project increases the V/C ratio (also called intersection capacity utilization) by 0.02 (2 percent) for any intersection with an existing LOS D or worse. According to the data presented in the project Traffic Impact Analysis (refer to Appendix C), no intersection within the study area meets the SCAQMD criteria necessary to perform a CO hotspot analysis. As a result, a CO hotspot analysis would not be necessary based on the SCAQMD criteria. No significant impacts are anticipated in this regard.

Mitigation Measures:

- AQ-1 The project shall comply with SCAQMD Rule 402, which prohibits the discharge from a facility of air pollutants that cause injury, detriment, nuisance, or annoyance to the public or that damage business or property.

- AQ-2 During clearing, grading, earth-moving, or excavation operations, excessive fugitive dust emissions shall be controlled by regular watering or other dust-preventive measures using the following procedures, as specified in the SCAQMD Rule 403:
 - On-site vehicle speed shall be limited to 15 miles per hour.
 - All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after work is done for the day.
 - Streets adjacent to the project reach shall be swept as needed to remove silt that may have accumulated from construction activities so as to prevent excessive amounts of dust.
 - All material transported on-site or off-site shall be either sufficiently watered or securely covered to prevent release of excessive amounts of dust.
 - The area disturbed by clearing, grading, earth-moving, or excavation operations shall be minimized so as to prevent excessive amounts of dust.



- All clearing, grading, earth moving, or excavation activities shall cease during periods of winds so as to prevent excessive amounts of dust as set forth below:
 - Rough grading (mass grading) – when winds are greater than 25 miles per hour averaged over one hour; and
 - Precise grading – when winds are greater than 35 miles per hour averaged over one hour.
- These control techniques shall be indicated in project grading plans. Compliance with the measure shall be subject to periodic site inspections by the City.
- Visible dust beyond the property line emanating from the project shall be prevented to the maximum extent feasible.

AQ-3 Ozone precursor emissions from construction equipment vehicles shall be controlled by maintaining equipment engines in good condition and proper tune per manufacturer's specifications, to the satisfaction of the City Engineer. Compliance with this measure shall be subject to periodic inspections of construction equipment vehicles by the City.

AQ-4 The project shall comply with SCAQMD Rule 1113, which limits the ROC content of architectural coatings used in the SCAB or allows the averaging of such coatings, as specified, so actual emissions do not exceed the allowable emissions if all the averaged coatings comply with the specified limits.

AQ-5 All vehicles shall be prohibited from engine idling in excess of ten minutes, both on-site and off-site.

AQ-6 All trucks that are to haul excavated or graded material on-site shall comply with State Vehicle Code Section 23114, with special attention to sections 23114(b)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.

AQ-7 Developers shall comply with SCAQMD Rule 1403, *Asbestos Emissions From Demolition/Renovation Activities*, which specifies work practice requirements to limit asbestos emissions from building demolition and renovation activities, including the removal and associated disturbance of asbestos-containing materials (ACM). The requirements for demolition and renovation activities include asbestos surveying, notification, ACM removal procedures and time schedules, ACM handling and clean-up procedures, and storage, disposal, and landfilling requirements for asbestos-containing waste materials (ACWM). All operators are required to maintain records, including waste shipment records, and are required to use appropriate warning labels, signs, and markings.

c) *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?*

Less Than Significant Impact With Mitigation Incorporated. The project area is currently developed with commercial, residential, recreational, and public uses, and future development is anticipated to be similar in nature. Cumulative projects include current development as well as general growth within the project area. As with most development, the greatest source of emissions is from mobile sources, which travel well out of the local area. Therefore, from an air quality standpoint, the



cumulative analysis would extend beyond any local projects and when wind patterns are considered, would cover an even larger area. Accordingly, the cumulative analysis for a project's air quality analysis must be regional in nature.

The SCAQMD measures cumulative impacts based on the increase of emissions beyond their anticipated projections, which they receive from the City's General Plan. The population growth attributed to the proposed project is consistent with the projected population growth in the City's General Plan. Additionally, implementation of mitigation measures as required by the regional, State, and Federal levels through rules and regulations, and at the local level through project-specific construction and operational measures, would reduce cumulative impacts to a less than significant level. Therefore, the project's air quality impact would not be cumulatively considerable. Also, refer to Response 4.3(a).

Mitigation Measures: Refer to Mitigation Measures AQ-1 through AQ-7. No additional mitigation measures are required.

d) Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact With Mitigation Incorporated. Sensitive receptors are defined as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples of these sensitive receptors are residences, schools, hospitals, and daycare centers. The CARB has identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, athletes, and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis.

Future proposed development within the project area could result in the demolition of existing structures that could potentially release asbestos and/or lead into the environment. Pursuant to Mitigation Measure AQ-7, Developers proposing plans within the project area would be required to comply with SCAQMD Rule 1403 (Asbestos Emissions from Demolition/Renovation Activities), and any demolition work involving asbestos-containing material must be identified and potential emissions of asbestos determined. Any building to be demolished that could include asbestos-containing material would be subject to provisions set forth in this Rule. Testing and removal of lead-based paints is subject to regulation under Assembly Bill 2588. All existing structures shall be tested in accordance with applicable rules and regulations and remediated accordingly prior to demolition. Existing sensitive receptor uses are located within the project area.

As identified in Table 4.3-1, project construction emissions would not exceed SCAQMD thresholds. Thus, surrounding sensitive receptors would not be exposed to substantial pollutant concentrations from construction activities associated with the proposed project. In addition, project construction-related emissions would be further reduced with implementation of the specified mitigation (refer to Mitigation Measures AQ1 through AQ7), which is recommended to ensure that impacts are maintained below a level of significance. As shown in Table 4.3-2, long-term (operational) emissions would not exceed SCAQMD thresholds, and thereby would not expose sensitive receptors to substantial pollutant concentrations. Although these land uses may be temporarily exposed to pollutants created during construction and demolition activities, impacts would be less than significant.

Mitigation Measures: Refer to Mitigation Measures AQ-1 through AQ-5. No additional mitigation measures are required.



e) *Create objectionable odors affecting a substantial number of people?*

Less Than Significant Impact With Mitigation Incorporated. Construction activities may generate detectable odors from heavy-duty equipment exhaust. Any detectable odors or heavy-duty equipment exhaust would be primarily associated with the initial construction and would be considered a short-term impact. In addition, implementation of mitigation to reduce emissions from construction equipment and architectural coatings (refer to Mitigation Measures AQ-3 through AQ-5) would further reduce construction equipment exhaust and potential odors to a less than significant level.

Commercial uses within the project area may have the potential for creating odors. These emissions would be comparable to those anticipated with any type of commercial activity (e.g., food service activities). Some businesses, such as restaurants with exhaust vents, are considered "stationary point sources" and may be subject to further regulatory requirement above and beyond any requisite CEQA mitigation. While the emissions from these activities are common and not identified as being particularly hazardous, they may be subject to permitting requirements that call for the use of "best available control technology" in order to eliminate or reduce the levels of emissions. Any potential nuisance related to odor that may occur with these activities would be mitigated under the SCAQMD's permitting requirements. Therefore, impacts in this regard are considered less than significant.

Mitigation Measures: Refer to Mitigation Measures AQ-3 through AQ-5. No additional mitigation measures are required.



4.4 BIOLOGICAL RESOURCES

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				✓
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				✓
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				✓
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				✓
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				✓
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓

- a) *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

No Impact. The Town Center is located within an urbanized area in the City of Dana Point. No portion of the project area supports sensitive species and/or biological habitat.¹ No candidate, sensitive, or special status species of flora or fauna are known to exist within the proposed limits of the site, which has been altered, and is devoid of natural features. Further, site development associated with the implementation of the project is not directly affected by any regional plans, policies of other resource agencies. Project implementation would not result in any significant impacts to sensitive biological resources and no mitigation measures are required.

Mitigation Measures: No mitigation measures are required.

¹ Cotton/Beland/Associates, Inc., City of Dana Point General Plan Program Master Environmental Assessment, 1990.



- b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

No Impact. As noted in Response 4.4(a), there are no known environmentally sensitive natural communities within the project area. There are no riparian habitats or sensitive natural communities present on-site. The current on-site conditions are essentially built out with urban development, with eight vacant lots scattered throughout the project area. Thus, the proposed project would not affect any riparian habitat or other sensitive natural community. No impacts are anticipated in this regard.

Mitigation Measures: No mitigation measures are required.

- c) *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

No Impact. The current on-site conditions are essentially built-out and urbanized. Therefore, no portion of the project area contains federally protected wetlands as defined by Section 404 of the Clean Water Act.² Specifically, no marshes, vernal pools or other wetlands defined by either the U.S. Army Corps of Engineers or the California Department of Fish and Game are located within the limits of the project area, which has been extensively altered and is devoid of natural habitat and does not support sensitive species. Thus, no impacts would occur in this regard.

Mitigation Measures: No mitigation measures are required.

- d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

No Impact. The project area does not serve as a wildlife corridor for any fish, birds or other wildlife species.³ Therefore, no significant impacts would occur as a result of the proposed project.

Mitigation Measures: No mitigation measures are required.

- e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

No Impact. As noted in Response 4.4(a), the project would not conflict with any local policies or ordinances protecting biological resources. The City's *General Plan Conservation/Open Space Element* does not contain a tree preservation policy or ordinance. On-site vegetation primarily consists of ornamental tree and landscaping species. No significant impacts would occur as a result of the proposed discretionary actions.

Mitigation Measures: No mitigation measures are required.

² Orange County Environmental Management Agency, *City of Dana Point, Local Coastal Program*, Prepared for the City of Dana Point, December 10, 1986.

³ City of Dana Point, *City of Dana Point General Plan*, 1991.



- f) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

No Impact. As previously stated, the project area is built-out, with the exception of eight vacant sites. Further, the area does not support any coastal sage scrub or other sensitive habitat and species that are protected by an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other local, regional, or state habitat conservation plan. Therefore, development pursuant to the Town Center Plan would not conflict with local, regional or state resource preservation and conservation policies. No significant impacts would occur as a result of project implementation and no mitigation measures are required.

Mitigation Measures: No mitigation measures are required.



4.5 CULTURAL RESOURCES

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5?				✓
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?		✓		
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		✓		
d. Disturb any human remains, including those interred outside of formal cemeteries?		✓		

a) *Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5?*

No Impact. According to the City's *General Plan Conservation/Open Space Element*, historic preservation should "encourage the preservation of significant historical or cultural significant buildings, sites or features within the community". Historic preservation is also addressed in Section 9.07.250(g)(1)(C) (*Historic Resources*) of the City's *Municipal Code*. The purpose and intent of Section 9.07.250(g)(1)(C) is to establish a "voluntary program that aides property owners that wish to preserve historic properties within the community by providing fiscal benefits or zoning and code incentives to preserve their properties."¹ Through implementation of the *Municipal Code*, the City has the legislative authority to preserve historic resources.

The City of Dana Point is required to maintain a cultural resource inventory of the community in accordance with the City's *General Plan, Local Coastal Program, and Zoning Ordinance*.² The *1997 City of Dana Point Historic Architectural Resources Inventory* (Inventory) identifies resources in the City, which may be considered historical. The Inventory was developed based on the National Register of Historic Places Guidelines for determining historical resources. Historical resources do not require national ranking to be considered at the local level.

There are nine historic structures within the Town Center that have been identified in the Inventory. Adoption of the Town Center Plan would require these structures to be placed on the Dana Point Historic Register and be subject to Section 9.07.250(g)(1)(C) if removed. As recommended by the Town Center Subcommittee, the project would create incentives to encourage property owners to reestablish the original historic character of modified structures.³ Additionally, sidewalks and curbs that have a historical stamp from the original development of the City would be maintained to the extent feasible. No significant impacts to historical resources are anticipated to occur as a result of the proposed project.

¹ The City of Dana Point, *Municipal Codes*, Accessed July 13, 2006, <http://ordlink.com/codes/danapnt/index.htm>.

² Cotton/Beland/Associates, Inc., *Final Environmental Impact Report for the City of Dana Point General Plan, Local Coastal Program and Zoning Ordinance*. (SCH #91021054), Prepared for the City of Dana Point, June 12, 1991.

³ City of Dana Point, *Town Center Subcommittee Recommendations*, May 25, 2006.



Mitigation Measures: No mitigation measures are required.

- b) *Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?*

Less Than Significant Impact With Mitigation Incorporated. The current on-site conditions are essentially built-out and urbanized, with eight vacant lots distributed throughout the project area. Any surficial archaeological resources, which may have existed at one time, have likely been previously disturbed or destroyed. However, grading associated with the project could uncover previously unknown archaeological resources. In the unlikely event that such resources are discovered, implementation of the recommended mitigation measure would be required to reduce impacts to archaeological resources to less than significant.

Mitigation Measures:

CUL-1 If evidence of surficial archaeological resources is found during construction, excavation and other construction activity in that area shall cease and the contractor shall contact the Community Development Department. With direction from the City, an Orange County Certified Archaeologist shall prepare and complete a standard Archaeological Resource Mitigation Program.

- c) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

Less Than Significant Impact With Mitigation Incorporated. The project area has been previously disturbed and is essentially built-out and urbanized, with eight vacant lots distributed throughout the planning area. Any surficial paleontological resources, which may have existed at one time, have likely been previously disturbed or destroyed. However, the Town Center area could yield fossil remains, which are valuable for paleo-biological, paleo-environmental, and paleo-climatological studies. Grading could lead to the loss of valuable fossil resources and limit scientific knowledge regarding the geologic past of the site and surrounding area. Of note is the fact that earthwork associated with the project could unearth fossil resources, which may not have been discovered otherwise. The potential loss or destruction of a fossil resource and the associated loss of scientific knowledge is considered a potentially significant impact under CEQA, and mitigation measures are recommended to reduce impacts to a less than significant level. Implementation of the proposed mitigation measure would be required to reduce the impact to less than significant in this regard.

Mitigation Measures:

CUL-2 If evidence of subsurface paleontologic resources is found during construction, excavation and other construction activity in that area shall cease and the Developer shall contact the Community Development Department. With direction from the City, an Orange County Certified Paleontologist shall prepare and complete a standard Paleontologic Resource Mitigation Program.

- d) *Disturb any human remains, including those interred outside of formal cemeteries?*

Less Than Significant Impact With Mitigation Incorporated. The Town Center is located within a developed area and includes structures and infrastructure improvements. Within the project area, any traditional burial resources, which included archaeological sites, burial sites, ceremonial areas, gathering areas, or any other natural area important to a culture for religious or heritage reasons, would



likely be associated with the Native American group known as the Juaneño. No known traditional burial sites exist within the project area, nor have any resources been identified in the vicinity. Human remains in a previously unknown burial site could potentially be encountered during construction activities associated with the proposed project. Any alterations to human remains associated with project implementation would be considered a significant adverse impact. However, implementation of the mitigation, which details the appropriate actions necessary in the event human remains are encountered, would be required to reduce impacts in this regard to a less than significant level.

Mitigation Measures:

CUL-3 Should any human remains be encountered during any earthwork operations or disturbance activities, all activity shall cease immediately and the City selected archaeologist and Native American monitor shall be immediately contacted, who shall then immediately notify the Director of Community Development. The Director of Community Development shall contact the Coroner pursuant to Sections 5097.98 and 5097.99 of the Public Resources Code relative to Native American remains. Should the Coroner determine the human remains to be Native American, the Native American Heritage Commission shall be contacted pursuant to Public Resources Code Section 5097.98.



4.6 GEOLOGY AND SOILS

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.		✓		
2) Strong seismic ground shaking?		✓		
3) Seismic-related ground failure, including liquefaction?				✓
4) Landslides?			✓	
b. Result in substantial soil erosion or the loss of topsoil?		✓		
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?		✓		
d. Be located on expansive soil, as defined in Table 18-1-B of the California Building Code (2001), creating substantial risks to life or property?		✓		
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				✓

a) *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:*

1) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*

Less Than Significant Impact With Mitigation Incorporated. The project area is located in tectonically active southern California. The closest significant active fault is the Newport-Inglewood Zone Fault, located approximately 2.2 miles southwest of Dana Point. Other major active faults that could affect the City include the Whitter-Elsinore Fault, the San Andres Fault, the Palos Verdes Fault, the San Clemente Fault and the Rose Canyon Fault; refer to Table 4.6-1, *Fault Locations*. Note that no known active faults traverse the City.¹

¹ Cotton/Beland/Associates, Inc., *City of Dana Point General Plan Program Master Environmental Assessment*, 1990.



Table 4.6-1
Fault Locations

Fault Name	Approximate Distance (km)	Maximum Magnitude
Newport-Inglewood (offshore)	3.5	6.9
Newport-Inglewood (L.A. Basin)	24.0	6.9
Palos Verdes	28.7	7.1
Coronado Bank	30.3	7.4
Chino-Central Ave. (Elsinore)	35.6	6.7
Elsinore-Glen Ivy	36.4	6.8
Elsinore-Temecula	38.8	6.8
Compton Thrust	39.6	6.8
Whittier	42.5	6.8
Elysian Park Thrust	45.2	6.7
Rose Canyon	47.2	6.9
San Jose	64.3	6.5
Elsinore-Julian	66.2	7.1
Sierra Madre	71.9	7.0
Cucamonga	72.1	7.0
San Jacinto-San Jacinto Valley	73.8	6.9
San Jacinto-San Bernardino	74.0	6.7
San Jacinto-Anza	79.7	7.2

Fault rupture impacts occur when a structure sits on top of an active fault that displaces in two separate directions during an earthquake. Cities and counties affected by “special study zones” as defined by the Alquist-Priolo Special Studies Zone Act must conduct geologic investigations to demonstrate proposed development sites would not be threatened by surface displacement from future faulting. According to the City's *General Plan Public Safety Element*, the project area is not located within an Alquist-Priolo Zone.² Additionally, any new structures associated with the project would be required to construct to meet all current seismic safety and building standards. Following compliance with the applicable City and State standards, and implementation of Mitigation Measure GEO-1, a less than significant impact would occur.

Mitigation Measures:

GEO-1 Engineering design for all structures shall be based on the probability that the project area may be subjected to strong ground motion during the lifetime of development. Construction plans shall be subject to Chapter 8.02 (California Building Code) of the *City of Dana Point Municipal Code* and shall include applicable standards, which address seismic design parameters.

2) ***Strong seismic ground shaking?***

Less Than Significant Impact With Mitigation Incorporated. Similar to the rest of Southern California, the project area would be subject to ground shaking and potential damage during a seismic event. The impacts associated with ground shaking would not be substantially greater than at other locations in Southern California. Any new structures associated with the project would be constructed to meet all current building and seismic safety standards. Compliance with the Uniform Building Code requirement and the implementation of the recommended mitigation measure would reduce impacts to future development from seismic groundshaking to less than significant levels.

² City of Dana Point, *City of Dana Point General Plan*, 1991.



Mitigation Measures: Refer to Mitigation Measure GEO-1.

3) ***Seismic-related ground failure, including liquefaction?***

No Impact. Liquefaction generally occurs as a “quicksand” type of ground failure caused by strong ground shaking. The primary factors influencing liquefaction potential are groundwater, soil types, relative density of the sandy soils, confining pressure, and the intensity and duration of ground shaking.

When a soil beneath a structure liquefies, the structure loses its integrity as the ground becomes unstable. Surface soils on slopes move downward and ground oscillation occur on areas of flat topography. Loss of bearing strength under structures is potentially most damaging because it leads directly to losses in the strength of the structure’s foundation and endangers people and property.

The City’s *General Plan Public Safety Element* identified the following areas as “having the potentially for liquefaction: the floodplain deposits along San Juan Creek, Doheny Village commercial area, beach sands along Beach Road in the Doheny State Beach area, portions of the Palisades Drive, Coast Highway commercial areas, and the Dana Point Harbor area.” These areas are composed of artificial fill and undifferentiated alluvium surficial units. The proposed project area consists of surficial Tertiary marine terrace deposits, and Capistrano and San Onofre Formation geologic bedrock.³ Therefore, no liquefaction impacts are anticipated to occur as a result of the proposed project.

Mitigation Measures: No mitigation measures are required.

4) ***Landslides?***

Less Than Significant Impact. No habitable structures are proposed in an area with the potential of having landslides, such as the coastal bluff area. No significant slopes exist in the project area and none are proposed that would be subject to potential failure. No significant impacts are anticipated as a result of potential landslides.

Mitigation Measures: No mitigation measures are required.

b) ***Result in substantial soil erosion or the loss of topsoil?***

Less Than Significant Impact With Mitigation Incorporated. The Town Center is almost entirely built-out and urbanized and includes eight vacant lots containing exposed topsoil. The existing topsoil has been previously disturbed and/or graded. Landscaping and streetscape improvements within the Town Center could result in exposure of on-site soils during construction. Adverse surface drainage could promote accelerated soil erosion, which could undermine building structures. This impact would be considered significant if not mitigated. Mitigation measures involving removal and recompaction of these soils, and providing adequate surface drainage away from these soils, would reduce this impact to a less than significant level.

Mitigation Measures:

GEO-2 All surfaces to receive compacted fill shall be cleared of existing vegetation, debris, and other unsuitable materials, which shall be removed from the site. Soils that are disturbed during site clearing shall be removed and replaced as controlled compacted fill under the direction of the Soils Engineer.

³ Cotton/Beland/Associates, Inc., *City of Dana Point General Plan Program Master Environmental Assessment*, 1990.



GEO-3 Precise grading plans shall include an Erosion, Siltation, and Dust Control Plan. The Plan's provisions may include sand bagging, soil compaction, revegetation, temporary irrigation, scheduling and time limits on grading activities, and construction equipment restrictions on-site. This plan shall also demonstrate compliance with South Coast Air Quality Management District Rule 403, which regulates fugitive dust control.

- c) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in an on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

Less Than Significant Impact With Mitigation Incorporated. Subsidence is the process of lowering the elevation of an area of the earth's surface and can be caused by tectonic forces deep within the earth or by consolidation and densification of sediments sometimes due to withdrawal of fluids such as groundwater. The site is not located in an area of significant subsidence activity and would not include fluid withdrawal or removal. In addition, as indicated in Responses 4.6a(3) and 4.6a(4), the soil under most of the project area does not have a significant potential for liquefaction or landslides. As noted in Response 4.6a(1), Mitigation Measure GEO-1 would reduce the fault rupture impacts to less than significant. Implementation of the recommended mitigation measures would reduce impacts associated with lateral spreading and subsidence to less than significant.

Mitigation Measures: Refer to Mitigation Measure GEO-1.

- d) *Be located on expansive soil, as defined in Table 18-1-B of the California Building Code (2001), creating substantial risks to life or property?*

Less Than Significant Impact With Mitigation Incorporated. Expansive soils shrink and swell as a result of moisture changes. This can cause heaving and cracking of slabs-on-grade, pavements and structures on shallow foundations. The soil within project area includes Myford, Marina, Cienaba, and San Andreas. Myroid and Marina soils are moderately permeable. Cienaba soils "consist of somewhat excessively drained soils".⁴ San Andreas soils are well drained with moderately rapid permeability. There is a low shrink-swell potential for Marina soils, because they drain well and are moderately permeable. Cienaba and San Andreas soils have a serve shrink-swell potential on slopes. Since Cienaba soils on-site are not on a slope, they would not pose a significant shrink-well potential in the Town Center area. Although San Andreas soils on-site are on a slope, landscaping improvements in the project area would not create significant impacts associated with expansive soils. On-site streetscape improvements would occur primarily on Myford soils, which have a serve shrink-swell potential. Therefore, implementation of Mitigation Measure GEO-4 would reduce the impacts in this regard to less than significant.

Mitigation Measures:

GEO-4 Expansive soils and all existing uncertified fill materials shall be removed and replaced with compacted fill during site grading in order to prevent seismic settlement, soil expansion, and differential compaction. All grading procedures, including soil excavation and compaction, the placement of backfill, and temporary excavation shall comply with Section 8.01 (*Grading and Excavation Controls*) of the City's *Municipal Code*.

⁴ Ibid.



- e) *Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*

No Impact. The proposed project does not involve the use of septic tanks. Development within the Town Center would be required to connect to the existing City sewer system for wastewater disposal. No impacts are anticipated in this regard.

Mitigation Measures: No mitigation measures are required.



4.7 HAZARDS AND HAZARDOUS MATERIALS

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✓	
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			✓	
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?		✓		
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				✓
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				✓
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				✓
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			✓	

- a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

Less Than Significant Impact. Office, commercial, residential, and other uses proposed within the Town Center may involve the use, storage, transport and/or generation of hazardous materials. It is City policy to regulate, to the extent empowered, the delivery, use, and storage of hazardous materials within the City. The disposal of all hazardous and/or toxic wastes is required to be in compliance with existing Federal, State, and County regulations. Future development would be evaluated on a project-by-project basis and required to adhere to City provisions outlined in the *General Plan*. Thus, the proposed project is not anticipated to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

Mitigation Measures: No mitigation measures are required.



b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

Less Than Significant Impact. Based upon the historical and existing land uses, the potential exists that adverse conditions involving hazardous materials were created and could be released within the Project area. Future development projects could create a significant hazard to the public involving hazardous materials. However, each project would be reviewed and evaluated by City staff to determine whether a Phase I Environmental Site Assessment (ESA) is appropriate/necessary. Qualified personnel would conduct, on a parcel-by-parcel basis, a formal ESA following the most recent Standards of the American Society for Testing and Materials. Compliance with the procedures and provisions established by regulatory agencies would ensure that a significant hazard to the public or the environment involving hazardous materials is not created.

The allowable uses and permit requirements are outlined in the Town Center Plan. Consultation with the Orange County Fire Authority would be required for the storage and use of any hazardous materials utilized at a specific facility. During construction, the project would involve standard construction practices, conforming to the appropriate City requirements. Therefore, the proposed project is not anticipated to create a significant hazard to the public or the environment through the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Mitigation Measures: No mitigation measures are required.

c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

Less Than Significant Impact With Mitigation Incorporated. There are three schools that serve the project area, of which one is located within one-quarter mile. Due to the age of the structures within the Town Center area, asbestos-containing materials (ACMs) and/or lead-based paint (LBP) may be present in any buildings or structures that may be demolished. In addition, fluorescent light fixtures in the structures may contain polychlorinated biphenyls (PCBs) and trace amounts of mercury, which also pose a potential health hazard. Without the implementation of proper remediation, conversion or demolition of buildings within the Town Center area could result in the release of airborne contaminants if all of the materials that may exist in the building are not removed and properly disposed. Appropriate measures are prescribed to ensure that the potential health hazard that may exist is mitigated.

Mitigation Measures: Refer to Mitigation Measure AQ-7.

d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

No Impact. The project area is not listed on the Department of Toxic Substance.¹ As a result, the proposed project would not create a significant hazard to the public or the environment. Thus, no impact would result in this regard.

Mitigation Measures: No mitigation measures are required.

¹ Department of Toxic Substance, current as of July 10, 2006, located at <http://www.envirostor.dtsc.ca.gov/public/>.



- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?*

No Impact. The subject property is not located within the limits of the John Wayne Airport Land Use Plan or other public airport. Neither John Wayne Airport nor any other public airport is located within two miles of the project area. As a result, project implementation would not result in potential adverse impacts, including safety hazards, to people residing or working in the project area. Therefore, no significant impacts will occur as a result of project implementation and no mitigation measures are necessary.

Mitigation Measures: No mitigation measures are required.

- f) *For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?*

No Impact. Refer to Response 4.7 (e).

Mitigation Measures: No mitigation measures are required.

- g) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

No Impact. The proposed project does not involve the alteration of an adopted emergency response plan or evacuation plan. As such, no significant impacts to emergency response plans or emergency evacuation plans would occur as a result of the proposed project.

Mitigation Measures: No mitigation measures are required.

- h) *Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

Less Than Significant Impact. The Town Center is located within an urbanized area of the City of Dana Point. Although natural habitat and/or native vegetation is not on-site, ornamental landscaping exists throughout the project area. However, there are no major urban or wildland fire hazards that pose a significant threat to the development. As a result, the site is not subject to the potential for wildland fires. No significant impacts as a result of wildland fires would occur if the project is implemented and no mitigation measures are necessary.

Mitigation Measures: No mitigation measures are required.



4.8 HYDROLOGY AND WATER QUALITY

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements?		✓		
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				✓
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?		✓		
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?		✓		
e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?		✓		
f. Otherwise substantially degrade water quality?		✓		
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				✓
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				✓
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				✓
j. Inundation by seiche, tsunami, or mudflow?			✓	
k. Result in an increase in pollutant discharges to receiving waters? Consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)		✓		
l. Result in significant alteration of receiving water quality during or following construction?		✓		
m. Could the proposed project result in increased erosion downstream?		✓		
n. Result in increased impervious surfaces and associated increased runoff?		✓		
o. Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes?		✓		



<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
p. Tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired?		✓		
q. Tributary to other environmentally sensitive areas? If so, can it exacerbate already existing sensitive conditions?		✓		
r. Have a potentially significant environmental impact on surface water quality to either marine, fresh, or wetland waters?		✓		
s. Have a potentially significant adverse impact on groundwater quality?		✓		
t. Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?		✓		
u. Impact aquatic, wetland, or riparian habitat?		✓		

a) *Violate any water quality standards or waste discharge requirements?*

Less Than Significant Impact With Mitigation Incorporated. According to the California Regional Water Quality Control Board's Water Quality Control Plan for the San Diego Basin (Region 9), the Town Center area is within the San Juan Creek Watershed.¹ Specific existing beneficial uses pertaining to groundwater, identified for the San Juan Creek Watershed, include Municipal and Domestic Supply (MUN); Agricultural Supply (AGR); and Industrial Service Supply (IND).² As designated by the San Diego Region Basin Plan, Inland Surface Water beneficial for the San Juan Creek Watershed includes Contact Water Recreation (REC-1); Non-Contact Water Recreation (REC-2); Warm Freshwater Habitat (WARM); Cold Freshwater Habitat (COLD); Wildlife Habitat (WILD); Rare, Threatened, or Endangered Species (RARE); AGR; and IND.³

The Town Center is essentially built-out and urbanized, with the exception of eight vacant lots. Future development, which includes impervious surfaces due to streetscape improvements, could change and/or potentially contribute to degradation of surface and groundwater quality. Specifically, implementation of the Town Center Plan could result in increased amounts and concentrations of such pollutants as petroleum hydrocarbons washing into the runoff from the paved areas (e.g., parking lots), pesticides, herbicides, and fertilizers utilized for landscape, erosion during grading and construction, and trash generated by continuous use of the future developments projects. Implementation of the recommended mitigation measures would reduce the effect in the Town Center to a less than significant level.

¹ The California Regional Water Quality Control Board, *Water Quality Control Plan for the San Diego Basin (9)*, 2003, Accessed July 17, 2006. <http://www.swrcb.ca.gov/rwqcb9/programs/basinplan.html>.

² Project Clean Water, Accessed July 17, 2006, http://www.projectcleanwater.org/html/ws_san_juan_beneficial_uses.html.

³ Ibid



Mitigation Measures:

HYD-1 Prior to the issuance of any grading or building permits for projects that will result in soil disturbance of one acre or more of land, the City shall demonstrate that coverage has been obtained under California's General Permit for Stormwater Discharges Associated with Control Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number. The Developer shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the project site and shall be available for review on request.

HYD-2 Prior to the issuance of any grading or building permits, Developer shall submit for review and approval a Water Quality Management Plan that:

- Addresses Site Design BMPs such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas.
- Incorporates the applicable Routine Source Control BMPs as defined in the Local Implementation Plan (LIP).
- Incorporates Treatment Control BMPs as defined in the LIP.
- Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs.
- Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs.
- Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.

HYD-3 Prior to grading or building permit closeout and/or issuance of a certificate of use or a certificate of occupancy, the Developer shall:

- Demonstrate that all structural BMPs described in the project's WQMP have been constructed and installed in conformance with approved plans and specifications.
- Demonstrate that the Developer is prepared to implement all non-structural BMPs described in the project's WQMP.
- Demonstrate that an adequate number of copies of the project's approved WQMP are available on-site.
- Submit for review and approval by the City and Operations and Maintenance (O&M) Plan for all structural BMPs.

HYD-4 Prior to the issuance of a grading or building permit, the Developer shall require the following to be included as general or special notes on the plan sheets for new development or significant redevelopment projects:



- Sediment from areas disturbed by construction shall be retained on-site using structural drainage controls to the Maximum Extent Practicable (MEP).
- Stockpiles of soil shall be properly contained to minimize sediment transport from the site to streets, drainage facilities or adjacent properties via runoff, vehicle tracking, or wind.
- Construction-related materials, wastes, spills or residues shall be retained on-site to minimize transport from the site to streets, drainage facilities, or adjoining property by wind or runoff.
- Runoff from equipment and vehicle washing shall be contained at construction sites unless treated to remove sediment and other pollutants.
- All construction contractor and sub-contractor personnel are to be made aware of the required BMPs and good housekeeping measures for the project site and any associated construction staging areas.
- At the end of each day of construction activity, all construction debris and waste materials shall be collected and properly disposed in trash or recycle bins.
- Construction sites shall be maintained in such a condition that an anticipated storm does not carry wastes or pollutants off the site. Discharges of material other than storm water are allowed only when necessary for performance and completion of construction practices and where they do no cause or contribute to a violation of any water quality standard; cause or threaten to cause pollution, contamination or nuisance; or contain a hazardous substance in a quantity reportable under Federal Regulations CFR Parts 117 and 302
- Potential pollutants include but are not limited to: solid or liquid chemical spills; wastes from paints, stains, sealants, glues, lime, pesticides, wood preservatives and solvents, asbestos fibers, paint flakes or stucco fragments; fuels, oils, lubricants, and hydraulic, radiator or battery fluids; concrete, detergent or floatable wastes; wastes from any engine/equipment steam cleaning or chemical degreasing; and superchlorinated potable water line flushings.
- During construction, disposal of such materials should occur in a specified and controlled temporary area on-site physically separated from potential storm water runoff, with ultimate disposal in accordance with local, state and federal requirements.
- Dewatering of contaminated groundwater, or discharging contaminated soils via surface erosion is prohibited. Dewatering of non-contaminated groundwater requires a NPDES permit from the respective State Regional Water Quality Control Board.

HYD-5 Pursuant to the City of Dana Point LIP, 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 waste and materials management BMPs. The minimum requirements include:

- Sediments from areas disturbed by construction shall be retained on-site using an effective combination of erosion and sediment controls to the maximum extent



practicable, and stockpiles of soil shall be properly contained to minimize sediment transport from the site to streets, drainage facilities or adjacent properties via runoff, vehicle tracking, or wind.

- Construction-related materials, wastes, spills or residues shall be retained on site to minimize transport from the site to streets, drainage facilities, or adjoining property by wind or runoff.
- In addition, designated construction specific BMPs are required. The City's LIP lists a series of BMPs that address control of erosion, sediment, wind erosion, tracking, non-storm water and waste management and materials pollution. A Storm Water Pollution Prevention Plan (SWPPP) will be developed to meet the requirements of the LIP, which will detail the appropriate BMPs.

b) *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?*

No Impact. The proposed plan does not involve additions or withdrawals of ground water. The Dana Point Town Center project would not significantly increase the amount of impervious surfaces in the project area that would reduce the potential for groundwater recharge. Although the planning area is located within the San Juan Creek Watershed, the watershed is exempted from the Municipal and Domestic Supply (MUN), which includes uses of water for community, military, or individual water supply systems (including but not limited to, drinking water supply). Only ground water that meet the criteria mandated by the *Sources of Drinking Water Policy* are designated MUN. Also, the planning area is not located within a groundwater basin that is currently utilized for domestic water supplies. Development of the Town Center would not affect existing groundwater supplies. No significant impacts would occur as a result of the proposed plan.

Mitigation Measures: No mitigation measures are required.

c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?*

Less Than Significant Impact With Mitigation Incorporated. The proposed plan would not substantially alter the drainage pattern of the area, or alter the course of a stream or river. As indicated in Response 4.8 (a), site grading and alteration could result in potential erosion and siltation, which could affect downstream watercourses. Grading of a site would expose soils to the effects of water and wind actions that could transport soils and affect drainage in the area. Therefore, it is necessary to implement specific erosion control measures to minimize such soil transport and potential siltation. These measures are to be prescribed in the Storm Water Pollution Prevention Plan (SWPPP) that would be prepared for the project by the City of Dana Point. Implementation of the mitigation measures would reduce the potential for erosion and siltation to a less than significant impact.

Mitigation Measures: Refer to Mitigation Measures HYD-1 through HYD-5.



- d) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*

Less Than Significant Impact With Mitigation Incorporated. Grading, site development, along with the proposed streetscape improvements, may alter the drainage features that exist on a subject property. Existing storm drain facilities exist that currently convey surface water and storm runoff into regional facilities (e.g., San Juan Creek, etc.) prior to their ultimate discharge into the Pacific Ocean. In addition to the on-site storm water collection and conveyance facilities, on-site detention and/or retention features may be integrated into the site design to ensure that no additional runoff exits the property and is discharged into existing facilities on adjacent properties. The additional surface water would be detained and/or retained temporarily on-site and discharged during non-peak conditions or retained to ensure that no downstream impacts occur. Implementation of the storm drain facilities and any necessary storm water detention and/or retention features would reduce potential impacts to a less than significant level.

Mitigation Measures: Refer to Mitigation Measures HYD-1 through HYD-5.

- e) *Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?*

Less Than Significant Impact With Mitigation Incorporated. Refer to Responses 4.8(a), 4.8(c) and 4.8(d). As the Town Center is built out with urban uses and impervious surfaces, land use changes and zoning changes actions would not result in increased runoff volumes or pollutant concentrations. Landscape and streetscape improvements would not significantly increase runoff in the planning area. No significant impacts would occur as a result of the proposed plan.

Mitigation Measures: Refer to Mitigation Measures HYD-1 through HYD-5.

- f) *Otherwise substantially degrade water quality?*

Less Than Significant Impact With Mitigation Incorporated. Refer to Response 4.8(a).

Mitigation Measures: Refer to Mitigation Measures HYD-1 through HYD-5.

- g) *Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?*

No Impact. The Town Center Plan would not alter the course of a stream or river. Future developments within the planning area would occur on previously developed or disturbed sites, resulting in nearly identical drainage patterns and runoff rates, for which the current local stormwater infrastructure is generally adequate.

Flood hazards due to heavy precipitation can result in inundation of developed areas due to overflow of nearby stream courses or from inadequate local storm drain facilities, if not sized to accommodate large storm events. However, the City of Dana Point participates in the national flood insurance program administered through the Federal Management Agency (FEMA).⁴ No FEMA-designated flood zones

⁴ City of Dana Point, *City of Dana Point General Plan*, 1991.



are located within the planning area.⁵ No significant flooding impacts would occur as a result of the proposed plan. No impacts from 100-year flood hazards would occur as a result of the proposed plan.

Mitigation Measures: No mitigation measures are required.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

No Impact. As previously stated in Response 4.8(g), the Town Center is not located within a 100-year flood hazard area. Therefore, implementation of the Town Center Plan would not result in any impacts in this regard.

Mitigation Measures: No mitigation measures are required.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

No Impact. According to the Dana Point General Plan EIR, "no dams are located in Dana Point which pose potential hazards to people or property in the event of dam failure".⁶ Thus, there are no impacts in this regard.

Mitigation Measures: No mitigation measures are required.

j) Inundation by seiche, tsunami, or mudflow?

Less Than Significant Impact. A seiche involves the oscillation of a body of water in an enclosed basin, such as a reservoir, storage tank, or lake. According to the City's General Plan, no enclosed bodies of water are located in the immediate vicinity of the site. A tsunami, commonly referred to as a tidal wave, is a sea wave generated by submarine earthquakes, major landslides, or volcanic action. Great magnitude waves have not historically been recorded in Orange County because the coastline is somewhat protected from the north by the coastal configuration (Palos Verdes Peninsula and Point Conception) and the offshore islands (Santa Catalina and San Clemente Islands). Locally, the Headlands also protects most of the Dana Point coastline from tsunamis that might originate from the north. Although Dana Point is a coastal community, the Town Center is situated above mean sea level and is located approximately one-half mile from the coastline. These conditions, combined with the fact that the potential for a tsunami is considered rare, minimize the potential for damage and/or inundation from that phenomenon. Implementation of the Town Center Plan would not expose people or structures to seiches, tsunamis or mudflows. Therefore, no significant impacts would occur as a result of project implementation.

Mitigation Measures: No mitigation measures are required.

k) Result in an increase in pollutant discharge to receiving waters? Consider water quality parameters such as temperature, dissolved oxygen turbidity and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash).

⁵ Cotton/Beland/Associates, Inc., Final Environmental Impact Report for the City of Dana Point General Plan, Local Coastal Program and Zoning Ordinance, Prepared for the City of Dana Point, June 12, 1991.

⁶ Ibid.



Less Than Significant Impact With Mitigation Incorporated. Pollutant discharges to receiving waters have the potential to be increased, without the proper mitigation, both during and after construction. The types of pollutants that have the potential to be transported downstream include silt during construction activities, fecal coliform from domestic animals introduced to the site, the use of pesticides and herbicides to maintain the proposed landscaping and abate and control weeds and undesirable vegetation, petroleum hydrocarbons washed from the parking lots and other sources typical of urban development. Without the incorporation of appropriate features to improve the quality of surface runoff that may contain such pollutants, the potential impacts may be significant.

The Best Management Practices (BMPs) that will be implemented during construction will be described in the Storm Water Pollution Prevention Plan (SWPPP). Some BMPs that address these pollutants include, but are not limited to the use of erosion control mats and fabrics in channels; sediment and erosion control; non-storm water management; and material management. The implementation of the SWPPP and the indicated BMPs during construction will reduce the potential impacts to a less than significant level.

The City would complete a Water Quality Management Plan (WQMP) which would consider site design, source control, and treatment control post-construction BMPs. The BMPs identified in the WQMP would help to minimize or eliminate the potential pollutant loads in the surface runoff emanating from the site during the operation of the proposed project. BMPs that address the pollutants specified above include, but are not limited to the use of erosion control mats and fabrics in channels; the proper disposal of litter, debris, organic matter and other materials; the use of pesticides, herbicides, fertilizers, and other chemical products in accordance with manufacturer recommendations; employing dry methods of cleaning parking lots; keeping trash storage and disposal areas clean and free of debris; biofilters; detention basins; infiltration basins; filtration systems etc. Implementation of these BMPs would reduce the potential impacts to a less than significant level.

Mitigation Measures: Refer to Mitigation Measures HYD-1 through HYD-5.

l) Result in significant alteration of receiving water quality?

Less Than Significant Impact With Mitigation Incorporated. The City has been required to make commitments to meet the requirements of the Third Term NPDES Permits that were issued by the Regional Water Quality Control Boards to the County of Orange, the County Flood Control District and the incorporated cities of Orange County. The requirements include compliance with receiving water limits based on applicable water quality objectives during construction and post-construction activities to ensure that discharges would not cause or contribute to violations of water quality objectives and the creation of conditions of pollution.

Construction has the potential to generate pollutants that could be conveyed off-site as a result of water-transporting soil during the site preparation and grading activities. Other materials utilized during the building and construction process could also enter off-site locations. As described in Response 4.8 (k), a SWPPP would be developed by the City that addresses the appropriate needed to be implemented in order to mitigate the alteration of receiving water quality during construction. Implementation of erosion and sediment control, non-stormwater management, and material management BMPs will reduce the potential impacts to a less than significant level.

In addition, operational impacts may also occur (e.g., landscape maintenance that results in the use of pesticides and herbicides, use of parking lots, etc.). The City of Dana Point requires the implementation of several post-construction BMPs that would be prescribed in the WQMP/SUSMP to address pollutant transport in the storm water system. These BMPs may include such structural



features as the incorporation of filtration, infiltration, separation, retention and/or detention basins, etc. All site design, source control, and treatment control BMPs would be considered, and the appropriate BMPs to address mitigation of receiving water quality would be selected for incorporation into the WQMP/SUSMP. The implementation of these mitigation measures would ensure that potential impacts would be reduced to a less than significant level.

Mitigation Measures: Refer to Mitigation Measures HYD-1 through HYD-5.

m) Could the proposed project result in increased erosion downstream?

Less Than Significant Impact With Mitigation Incorporated. The potential increase in impervious surfaces would result in an increase in the rate and volume of runoff leaving the subject property. If not properly addressed, the increase in the volume and rate of flow of that runoff could contribute to erosion downstream. However, the City would ensure that downstream erosion is minimized or avoided through the implementation of on-site features, including retention and/or detention basins and other features, if necessary, that would achieve the intended goals and objectives prescribed in the City's Local Implementation Plan. Implementation of these measures and features would reduce the potential impacts to a less than significant level.

Mitigation Measures: Refer to Mitigation Measures HYD-1 through HYD-5.

n) Result in increased impervious surfaces and associated increased runoff?

Less Than Significant Impact With Mitigation Incorporated. Refer to Responses 4.8 (d) and (e).

Mitigation Measures: Refer to Mitigation Measures HYD-1 through HYD-5.

o) Create a significant adverse environmental impact to drainage patterns due to changes in runoff rates or volumes?

Less Than Significant Impact With Mitigation Incorporated. Refer to Responses 4.8 (c) and (d).

Mitigation Measures: Refer to Mitigation Measures HYD-1 through HYD-5.

p) Tributary to other environmentally sensitive areas? If so, can it result in an increase in any pollutant for which the water body is already impaired?

Less Than Significant Impact With Mitigation Incorporated. Under Section 303(d) of the 1972 Clean Water Act, states, territories and authorized tribes are required to develop lists of water quality limited segments. These waters on the list do not meet water quality standards, even after point sources of pollution have installed the minimum required levels of pollution control technology. The Town Center area is located within the San Juan Creek watershed, and drains toward points along the Pacific Ocean shoreline that have been designated as 303(d) listed water bodies. The areas of concern are the Pacific Ocean shoreline at San Juan Creek and Baby Beach at Dana Point Harbor. These areas have been listed on the Environmental Protection Agency's 1998 303(d) list for bacterial indicators as the pollutant or stressor of concern. Therefore, in order to address the potential impact of the project on the indicated areas, the City of Dana Point focuses on post-construction BMPs that would mitigate fecal coliform, total coliform, and Enterococcus. The specific measures that the City would take to mitigate bacterial indicators would be prescribed in the WQMP/SUSMP. Additionally, the proposed project is not located within any of the areas in the City of Dana Point that have been identified as Environmentally Sensitive Areas (ESAs). Further, it is not within proximity of any other



identified ESA and, therefore, would not contribute to or exacerbate any existing sensitive conditions. Therefore, the implementation of the specific post-construction BMPs would reduce the potential impacts to a less than significant level.

Mitigation Measures: Refer to Mitigation Measures HYD-1 through HYD-5.

- q) *Tributary to other environmentally sensitive areas? If so, can it exacerbate already existing sensitive conditions?*

Less Than Significant Impact With Mitigation Incorporated. Refer to Response 4.8(p).

Mitigation Measures: Refer to Mitigation Measures HYD-1 through HYD-5.

- r) *Have a potentially significant environmental impact on surface water quality to either marine, fresh, or wetland waters?*

Less Than Significant Impact With Mitigation Incorporated. A variety of beneficial uses has been identified for the Pacific Ocean, including: IND (Industrial Service Supply), NAV (Navigation), REC-1 (Contact Water Recreation), REC-2 (Non-Contact Water Recreation), COMM (Commercial and Sport Fishing), BIOL (Preservation of Biological Habitats of Special Significance) (Pacific Ocean only), WILD (Wildlife Habitat), RARE (Rare, Threatened, or Endangered Species), MAR (Marine Habitat), AQUA (Aquaculture) (Pacific Ocean only), MIGR (Migration of Aquatic Organisms), SPWN (Spawning, Reproduction, and/or Early Development), and SHELL (Shellfish Harvesting).

Although the proposed project would generate additional surface flows that may be degraded by contaminants, including fecal coliform, petroleum hydrocarbons, detergents, fertilizers and pesticides, and other pollutants, appropriate BMPs that are intended to ensure that degradation of marine, fresh, and/or wetland waters downstream are not adversely impacted would be implemented. Implementation of these BMPs, which would be incorporated in to requisite WQMP, SWPPP and related plans prescribed as mitigation measures, would reduce potential impacts to downstream surface water less than significant.

Mitigation Measures: Refer to Mitigation Measures HYD-1 through HYD-5.

- s) *Have a potentially significant adverse impact on groundwater quality?*

Less Than Significant Impact With Mitigation Incorporated. Groundwater is defined as subsurface water that occurs beneath the water table in soils and geologic formations that are fully saturated. As indicated previously, the subject property is not located within an aquifer from which domestic water supplies are extracted. Nonetheless, agricultural supply (AGR) is identified as a beneficial use of groundwater in the Dana Point Hydrologic Sub Area (HSA). As previously noted, the HSA is exempted from Municipal Water Supplies [MUN] as a beneficial use. Development would result in additional pollutants that will be added to the surface runoff, which could ultimately be absorbed and added to the groundwater below the site or in the areas adjacent to the project area. However, appropriate mitigation measures, including the incorporation of BMPs and other features, would minimize or eliminate the potential impacts to groundwater quality. Therefore, the potential impacts would be reduced to a less than significant level.

Mitigation Measures: Refer to Mitigation Measures HYD-1 through HYD-5.



- t) *Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?*

Less Than Significant Impact With Mitigation Incorporated. Refer to Responses 4.8(s).

Mitigation Measures: Refer to Mitigation Measures HYD-1 through HYD-5.

- u) *Impact aquatic, wetland, or riparian?*

Less Than Significant Impact With Mitigation Incorporated. The plan area is located in an area of the City and coast that supports aquatic, wetland, and riparian habitat. Site development could result in surface water discharges into off-site features and facilities that support such habitats. However, as indicated previously, the potential impacts of elevated pollutant/contaminant levels would be minimized or eliminated through the incorporation of BMPs and other mitigation measures that have been prescribed. Therefore, potential impacts to aquatic, wetland, or riparian habitats would be reduced to a less than significant level.

Mitigation Measures: Refer to Mitigation Measures HYD-1 through HYD-5.



4.9 LAND USE AND PLANNING

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Physically divide an established community?				✓
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			✓	
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				✓

a) *Physically divide an established community?*

No Impact. Existing uses within the Town Center generally consist of offices, vacant land, neighborhood commercial facilities, community facilities, parks and recreation, and residential uses. Implementation of the project would provide unity to the area by encouraging mixed-use development, and providing commercial services to the residents in the area. Elements have been incorporated into the Plan to ensure new development in the Town Center does not impact related to circulation and parking, noise and privacy to the existing residential development which surrounds the project to the north and south. These elements are listed below and have been incorporated into the Plan, and in some cases are mitigation measures of this environmental document.

- Implement a traffic circulation plan which would maintain an acceptable level of service at all intersections, (refer to Section 4.15 *Transportation/Traffic* of this document).
- Consider modifying the intersection of Blue Lantern and PCH, as well as other intersections, to narrow the entrance to the side streets and making them less desirable alternative routes, (refer to Mitigation Measures TRA-1 through TRA-4 of this document and *Implementation* Chapter of the Town Center Plan).
- Post stop signs at intersections of alleyways and streets, (refer to *Implementation* Chapter of the Town Center Plan).
- Encourage access from side streets for development located on corner lots, (refer to *Implementation* Chapter of the Town Center Plan).
- Require new development to improve adjacent alleyways, as appropriate, (refer to *Implementation* Chapter of the Town Center Plan).
- Develop a parking management program to evaluate parking supply and demand throughout the Town Center, (refer to *Implementation* Chapter of the Town Center Plan).
- Require new development to comply with current parking regulations defined in the Dana Point Zoning Code, (refer to *Implementation* Chapter of the Town Center Plan).



- Encourage participation in the in-lieu parking program. The City shall develop a parking analysis to ensure adequate parking is provided at the time of development, (refer to *Implementation* Chapter of the Town Center Plan).
- Establish public parking facilities, (refer to Section 4.15 *Transportation/Traffic* in this document and *Implementation* Chapter of the Town Center Plan).
- Activities in the Town Center shall comply with the City Noise Ordinance standards, (refer to Mitigation Measure NOI-5 of this document).
- Limit deliveries to hours consistent with the day time noise standards which are between 7am and 10pm, (refer to Mitigation Measure NOI-6 of this document).
- Increase Code Enforcement and police presence during periods of increased activity to enforce the City's Noise Ordinance.
- Require a Conditional Use Permit for outdoor commercial activities (i.e., cafes) which abut residential uses located outside the Town Center, (refer to Mitigation Measure NOI-8 of this document).
- Post signs to discourage delivery trucks from idling engines in alleyways, (refer to Mitigation Measure NOI-9 of this document).
- Require new development to enclose trash bins and provide improvements to beautify alleys and buffer activities, such as landscaping and walls, (refer to Mitigation Measures NOI-10 of this document and *Design Guidelines* of the Town Center Plan).
- Review business lighting in alleyways to ensure light is not reflected onto adjacent residences, (refer to Mitigation Measure AES-1 of this document).
- Require the upper levels of buildings to be stepped back from the lower levels.
- Prohibit hotels from being located in the outer couplet along the alleys which are adjacent to surrounding residential zones, (addressed in Land Use Matrix).

Project implementation would not divide an established community. Therefore no impact would occur as a result of the proposed project.

Mitigation Measures: No mitigation measures are required.

- b) *Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?*



Less Than Significant Impact.

Proposed Land Use/Zoning

The Town Center area is currently zoned Coastal Couplet Commercial (C-CPC), Coastal Recreation Space (C-R), Coastal Minor Commercial (C-MC), and Coastal Residential Commercial (C-RC), per the Dana Point Specific Plan/Local Coastal Program. Adoption of the Town Center Plan would require a General Plan Amendment and Zone Change to modify land use and zoning designations to allow for commercial/residential mixed-use development. The project would incorporate existing policies within the *General Plan* and formulate new policies in order to create a mechanism for establishing which uses should be permitted in the project area. To facilitate implementation of the proposed project, the *General Plan* would be amended concurrently with adoption of the Town Center Plan, as follows:

- The Land Use Element would be amended to designate the project area as “Town Center Plan;” and
- The Circulation Element would be amended to reflect the circulation improvements proposed by the project as necessary.

Additionally, changes to the development standards are proposed to support the objectives of greater residential development, retail concentration and continuity, and economic feasibility, while design guidelines would help implement the objectives of the proposed project. Individual development projects within the Town Center would be subject to review for consistency with the *General Plan*, Town Center Plan, Town Center Design Guidelines, the Town Center Development Standards, and other applicable development regulations on a project-by-project basis.

The Town Center Plan serves as a planning link between the *General Plan* and individual, project-level development within the project area. The Town Center provides area-specific land use Development Standards and Design Guidelines. Upon adoption by the City, the Town Center Plan would provide the framework for development in the project area.

The Town Center Subcommittee has identified concerns about economic development, and has identified the need to improve vitality and the market demand of the Town Center area by establishing comprehensive strategy to attract and expand economic activity and commerce. The purpose of the Town Center Plan is to identify key opportunities to enhance the project area’s overall economic base.

The Town Center Plan contains flexible concepts, Development Regulations, and Design Guidelines for the Town Center that are intended to implement the goals, objectives, and polices of the City’s *General Plan*. Project implementation would not conflict with the *General Plan*, Development Code, or other applicable land use plans and a less than significant impact would occur in this regard.

Mitigation Measures: No mitigation measures are required.

c) *Conflict with any applicable habitat conservation plan or natural community conservation plan?*

No Impact. There is no habitat conservation plan or natural community conservation plan in the project area or vicinity. As such, the proposed land use and zoning changes could not conflict with any such plans. No impacts would occur as a result of the proposed zone changes, nor would any impacts occur as a result of future development within the project area.

Mitigation Measures: No mitigation measures are required.



4.10 MINERAL RESOURCES

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				✓

a) ***Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?***

No Impact. The California Division of Mines and Geology (CDMG) is the State agency responsible for overseeing the management of mineral resources in California. The CDMG considers a site to contain significant mineral resources if it can be mined commercially; there must be enough of the resource to be on site. Neither the City's General Plan nor the CDMG has identified the site or environs as a potential mineral of State-wide or regional significance. No mineral resources are known to exist and, therefore, no significant impacts will occur as a result of project implementation.

Mitigation Measures: No mitigation measures are required.

b) ***Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?***

No Impact. As indicated in Response 4.10 (a), above, there are no known mineral resources within the project area. As such, no impacts relative to the loss of availability of a mineral resource site would occur as a result of the proposed project, nor would any impacts occur as a result of future development within the Town Center area.

Mitigation Measures: No mitigation measures are required.



4.11 NOISE

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		✓		
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			✓	
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		✓		
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				✓

a) *Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Less Than Significant Impact With Mitigation Incorporated. Project construction and operation would result in both short-term and long-term impacts. Short-term impacts would occur during grading and construction operation and could expose adjacent land uses to noise levels between 70 and 90 decibels at 50 feet from the noise source. Excessive noise levels resulting from construction activities generally would occur in the daytime hours only. According to Chapter 11.10 of the City of Dana Point Municipal Code, construction activities may not take place between the hours of 8:00 p.m. and 7:00 a.m. on weekdays, including Saturday, or at any time on Sunday or a Federal holiday.

Long-term noise impacts would be associated with vehicular traffic to/from the site (including residents and visitors), outdoor activities, deliveries, and stationary mechanical equipment on-site. All future development projects within project area would be subject to the requirements of the City of Dana Point noise regulations. Adherence to Code requirements and Mitigation Measures NOI-1 through NOI-10 would reduce noise impacts to a less than significant level.

Mitigation Measures:

NOI-1 During all project site excavation and grading, the City of Dana Point shall ensure that the Developer equips all construction equipment, fixed or mobile, with properly operating and maintained mufflers with manufacturers' standards.



- NOI-2 The City of Dana Point shall ensure that the Developer places all stationary construction equipment in a manner so that emitted noise is directed away from sensitive receptors nearest the project site.
- NOI-3 The City of Dana Point shall ensure that the Developer locates equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
- NOI-4 The City of Dana Point shall ensure that the Developer limits the on-site construction activities to the hours of 7:00 a.m. and 8:00 p.m. on weekdays and Saturdays. No construction activity shall occur on Sundays and federal holidays.
- NOI -5 Activities in the Town Center shall comply with the City Noise Ordinance standards.
- NOI-6 Deliveries shall be limited to hours consistent with the day time noise standards which are between 7am and 10pm.
- NOI-7 Code Enforcement and police presence shall be increased during periods of increased activity, to enforce the City's Noise Ordinance.
- NOI-8 A Conditional Use Permit shall be required for outdoor commercial activities (i.e., cafes) which abut residential uses located outside the Town Center.
- NOI-9 Signs shall be posted to discourage delivery trucks from idling engines in alleyways.
- NOI-10 New developments shall enclose trash bins and provide improvements to beautify alleys and buffer activities, such as landscaping and walls.

b) *Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?*

Less Than Significant Impact. Excessive groundborne vibration is typically caused by activities such as blasting used in mining operations, or the use of pile drivers during construction, which are not expected to occur. If these activities did occur, they would be subject to obtaining a variance or conditional use permit. No significant impacts are anticipated as a result of the project.

Mitigation Measures: No mitigation measures are required.

c) *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?*

Less Than Significant Impact.

Long-Term On-Site Stationary Noise Impacts

Mechanical equipment noise associated with on-site buildings would conform to the City of Dana Point Noise Ordinance. In the project vicinity, this range of noise would be below the traffic noise associated with the two main streets in the Town Center project, Pacific Coast Highway and Del Prado.



Long-Term Traffic Noise Impacts

The City of Dana Point Noise Element provides measures to reduce noise impacts from transportation noise sources. These include construction of noise barriers, inclusion of noise mitigation measures in new development designs, enforcement of noise levels, and monitoring vehicle noise levels.

The FHWA highway traffic noise prediction model (FHWA-RD-77-108) was used to evaluate traffic related noise conditions along Pacific Coast Highway, Del Prado, and other street segments in the project vicinity. Implementation of project would result in a net increase of 8,516 vehicle trips generated by retail/restaurant uses, 344 vehicle trips generated by office uses, 1,500 vehicle trips generated by institutional uses, and 1,388 vehicle trips generated by the residential uses. However, this increase in traffic would be distributed throughout the Town Center area and is not expected to substantially increase ambient noise levels. Of primary concern is the traffic noise increase associated with the redistribution of traffic associated with the conversion of Pacific Coast Highway and Del Prado into two-way streets. This redistribution has been modeled and is illustrated in Table 4.11-1, *Traffic Noise Levels*. The traffic noise models can be found within Appendix B, *Noise Models*. The conversion of Pacific Coast Highway and Del Prado would alter the geometry of the streets, but is not expected to result in any substantial permanent increase in ambient noise levels. Therefore, impacts are anticipated to be less than significant.

Mitigation Measures: No mitigation measures are required.

- d) *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?*

Less Than Significant Impact With Mitigation Incorporated. Refer to Responses 4.11(a) and (b).

Mitigation Measures: Refer to Mitigation Measures NOI-1 through NOI-10.

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

No Impact. As discussed in Response 4.7(e), neither John Wayne Airport nor any other public airport is located within two miles of the project area. Therefore, project implementation would not expose people residing or working in the project area to excessive noise levels from aircraft.

Mitigation Measures: No mitigation measures are required.

- f) *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?*

No Impact. Refer to Response 4.11(e).

Mitigation Measures: No mitigation measures are required.



Table 4.11-1
Traffic Noise Levels

Roadway Segment	ADT	dBA @ 100 Feet from Roadway Centerline	One-Way			ADT	dBA @ 100 Feet from Roadway Centerline	Two-Way			Difference in dBA @ 100 Feet from Roadway
			Distance From Roadway Centerline to: (Feet)					Distance From Roadway Centerline to: (Feet)			
			60 CNEL Noise Contour	65 CNEL Noise Contour	70 CNEL Noise Contour			60 CNEL Noise Contour	65 CNEL Noise Contour	70 CNEL Noise Contour	
Pacific Coast Highway											
West of Blue Lantern	28,410	66.4	489	155	49	28,400	66.2	490	155	49	-0.2
Blue Lantern to Golden Lantern	16,198	63.9	279	88	28	24,800	65.6	428	135	43	1.7
Golden Lantern to Copper Lantern	17,798	64.3	307	97	31	26,100	65.8	450	142	45	1.3
Copper Lantern to Del Obispo	34,412	67.2	594	188	59	34,400	67.0	593	187	59	-0.2
East of Del Obispo	42,321	68.1	731	231	73	42,300	67.9	729	231	73	-0.2
Del Prado											
Blue Lantern to Golden Lantern	17,001	64.1	293	93	29	8,300	61.3	143	45	14	-2.8
Blue Lantern											
North of PCH	1,518	50.9	13	4	1	1,500	50.8	13	4	1	-0.1
Golden Lantern											
North of PCH	14,965	62.0	185	58	18	15,000	62.0	185	59	19	0.0
South of Del Prado	8,737	59.7	108	34	11	8,700	59.7	107	34	11	0.0
Copper Lantern											
North of PCH	834	48.3	7	2	1	800	48.1	7	2	1	-0.2
Del Obispo											
North of PCH	13,706	61.8	169	54	17	13,700	61.8	169	54	17	0.0
South of PCH	12,661	61.4	156	49	16	12,700	61.4	157	50	16	0.0
Source of Traffic Data: Kimley-Horn and Associates, Inc., City of Dana Point, Town Center Specific Plan, Administrative Draft Traffic Impact Analysis, July 2006.											



4.12 POPULATION AND HOUSING

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			✓	
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				✓
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓

- a) *Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

Less Than Significant Impact. The population estimate for the City of Dana Point, as of January 2006, was an estimated 36,669 persons.¹ The development of new residents or businesses could induce population growth directly. The project proposes to increase residential units by 237 units by Year 2020, thereby inducing direct population growth in the City. Based on an estimate of 2.157 persons per household,² the increase of 237 dwelling could potentially increase the City's population by approximately 511 persons, representing an increase of approximately 1.4 percent over the City's 2006 population estimate. The employment generated by the project may result in direct growth in the City's population, because the potential exists that future employees (and their families) may relocate to the City.

It should be noted that all of the existing infrastructure exists in the area and is available to accommodate the proposed development. Adequate capacity exists in all of the infrastructure systems that serve the site (e.g., sewer, water, storm drainage, roadways, etc.) and no new or unplanned facilities are required to provide an adequate level of service. Any future growth that would occur in the City or project environs would be the result of social and economic conditions that are conducive to development, unrelated to the proposed project, which would be anticipated to be consistent with the adopted long-range plans. Therefore, no significant growth-inducing impacts are anticipated as a result of project implementation. Thus, the proposed project would not result in direct or indirect population growth, resulting in a less than significant impact.

Mitigation Measures: No mitigation measures are required.

- b) *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*

¹ State of California, Department of Finance, *E-5 City/County Population and Housing Estimates for Cities, Counties, and the State, 2001-2006, with 200 Benchmark*, Sacramento, California, May 2006.

² *Ibid.*



No Impact. The Town Center area is currently developed with commercial, residential, recreation, and public uses. Implementation of the project would allow for a slight increase in housing. The intent of the Town Center Plan is to develop vacant lots or underutilized commercial properties. As such, no existing housing would be displaced. No impact is anticipated in this regard.

Mitigation Measures: No mitigation measures are required.

c) *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

No Impact. Refer to Response 4.12 (a) and (b).

Mitigation Measures: No mitigation measures are required.



4.13 PUBLIC SERVICES

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
1) Fire protection?		✓		
2) Police protection?			✓	
3) Schools?		✓		
4) Parks?			✓	
5) Other public facilities?			✓	

a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

1) *Fire protection?*

Less Than Significant Impact With Mitigation Incorporated. Fire protection facilities and service to the project area is provided by the Orange County Fire Authority (OCFA) under contract to the City of Dana Point. Two OCFA fire stations serve the City and are located less than four miles from the planning area. The two closest stations are Fire Station (FS) 29 (26111 Victoria Boulevard) and FS 30 station (23831 Stonehill Drive), within the City of Dana Point. Two fire stations are located in neighboring jurisdictions including, FS 07 (in the City of San Juan Capistrano) and FS 49 (in the City of Laguna Niguel). Project implementation would result in the intensification of development. The proposed project would not significantly change the manner in which fire protection service is provided in the City. Nonetheless, development and improvements must be reviewed by the Fire Prevention Division of the OCFA to ensure that they meet both OCFA and Uniform Fire Code requirements. Where determined necessary by OCFA as a result of that review, the City shall incorporate appropriate measures to ensure that adequate fire protection can be provided by that agency.

Mitigation Measures:

PS-1 Prior to issuance of any grading or building permits, the proposed on-site fire hydrant system plan shall be submitted to the Fire Chief and indicate whether it is public or private. If the system is private, it shall be reviewed and approved by the Fire Chief and appropriate provisions for the repair and maintenance of the system shall be made in a manner meeting the approval of the Fire Chief. All fire hydrants shall have a blue reflective pavement marker indicating the hydrant location on the street as approved by the Fire Chief, and must be maintained in good condition by the property owner.



- PS -2 Prior to issuance of any grading or building permits, plans for any required automatic fire sprinkler system in any structure shall be submitted to the Fire Chief for review and approval. This system shall be operational in a manner meeting the approval of the Fire Chief prior to the issuance of a certificate of use and occupancy. Plans for the fire alarm system shall be submitted to the Fire Chief for review and approval. This system shall be operational prior to the issuance of a certificate of occupancy. Architectural plans shall also be submitted for the review and approval of the Fire Chief if required per the "Orange County Fire Authority Plan Submittal Criteria Form" prior to issuance of building permits.
- PS -3 Prior to the issuance of any grading or building permits, approval shall be obtained from the Fire Chief for all fire protection access roads to within 150 feet of all portions of the exterior of every structure on site. Approval of the Fire Chief and City staff plans for all public or private access roads, streets and courts shall also be obtained prior to the issuance of any building permits. The plans shall include plan and sectional views and indicate the grade and width of the access road measured flow-line to flow-line. Plans shall be submitted and approval obtained, from the Fire Chief for fire lanes on required fire access roads less than 36 feet in width. The plans shall indicate the locations of red curbs and signage and include a detail of the proposed signage including the height, stroke and colors of the lettering and its contrasting background.

2) *Police protection?*

Less Than Significant Impact. Police service for the Town Center is provided by the Orange County Sheriff's Department (OCSD), which oversees the unincorporated areas of Orange County (the County) and various contracting cities. The OCSD provides law enforcement services to the City through the County's Aliso Viejo Sheriff's Station (at 11 Journey, Aliso Viejo). OCSD also has an office located in the Dana Point City Hall. The branch of the OCSD that serves Dana Point is referred to as the Dana Point Police Services, and responds to calls for routine police services, investigating criminal matters, apprehending criminal offenders, handling noncriminal matters, enforcing parking and traffic regulations, and investigating traffic accidents. No significant impacts would occur as a result of the proposed plan.

Mitigation Measures: No mitigation measures are required.

3) *Schools?*

Less Than Significant Impact With Mitigation Incorporated. The provision of educational services in the City of Dana Point is the responsibility of the Capistrano Unified School District. Because the District's facilities are overcrowded, residential, commercial and industrial developments are assessed statutory school fees to offset the direct and indirect impacts (i.e., the addition of student-age children). Payment of the State-mandated statutory school fees is the manner by which potential impacts to the District's educational facilities would be mitigated. Therefore, implementation of the recommended mitigation measure would be required to reduce impacts associated in this regard, to less than significant.

Mitigation Measures:

- PS-4 As development projects are processed for the Town Center Plan, the Developers shall pay a development fee pursuant to Government Code Section 65995 to the CUSD prior to the development of the proposed project. Payment of these fees is required by the California



State Legislature, under the provisions of Government Code Section 65995.5, to be sufficient and necessary mitigation of impacts.

4) *Parks?*

Less Than Significant Impact. The *City of Dana Point General Plan* identifies a specific acreage-to-population standard for District or local parks. This standard is based on the National Recreation and Park Association factor and prescribes four acres of parkland per 1,000 residents. As of January 1, 2006, the City's estimated population was 36,669 persons.¹ Therefore, a goal of four acres of parkland for every 1,000 persons would necessitate a minimum of 146 park acres throughout the City. According to the Table 20-1 of the *General Plan*, the City of Dana Point has 358.52 acres of existing parks, playgrounds, and recreational areas thereby providing approximately 9.8 acres per 1,000 residents, well above the minimum four acres per 1,000 residents.

The Town Center Plan would not involve development or displacement of a park. However, it would allow mixed-use development that would involve the development of 237 residential units. Based on an estimate of 2.157 persons per household,² the increase of 237 dwelling could potentially increase the City's population by approximately 511 persons, representing an increase of approximately 1.4 percent over the City's 2006 population estimate (refer to Section 4.12, *Population and Housing*). This population increase would not have a significant impact on the available parkland facilities. As a result, impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

5) *Other public facilities?*

Less Than Significant Impact. The project would not significantly affect other governmental agencies or facilities. Therefore, no significant impacts are anticipated in this regard.

Mitigation Measures: No mitigation measures are required.

¹ California Department of Finance, *E-5 City/County Population and Housing Estimates, 2006, revised 2001-2005, with 2000 Benchmark*, May 2006.

² *Ibid.*



4.14 RECREATION

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			✓	
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				✓

- a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

Less Than Significant Impact. As discussed in Section 4.12, *Population and Housing*, implementation of the project would introduce additional residential units in the area. This growth would be directly attributable to subsequent mixed-use residential development projects within the project area over the 15-year planning horizon from 2005-2020. As stated in Section 2.5, *Project Characteristics*, 237 additional residential units would be added to the Town Center, generating approximately 511 persons. The City of Dana Point currently provides approximately 9.8 acres of parkland per 1,000 residents thereby exceeding the National Recreation and Park Association factor, which recommends four acres of parkland per 1,000 residents. Therefore, less than significant impacts are anticipated in this regard.

Also refer to Response 4.13(a)(4).

Mitigation Measures: No mitigation measures are required.

- b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

No Impact. Implementation of the project would allow for new mixed-use development within the project area, but would not modify, or otherwise address, recreational uses. The project would not include or require the construction or expansion of recreational facilities. As such, no impact is anticipated in this regard. Also refer to Response 4.14(a).

Mitigation Measures: No mitigation measures are required.



4.15 TRANSPORTATION/TRAFFIC

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?		✓		
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?		✓		
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				✓
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			✓	
e. Result in inadequate emergency access?			✓	
f. Result in inadequate parking capacity?			✓	
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			✓	

Kimley-Horn and Associates (KHA) prepared a Traffic Impact Analysis dated August 2006, for the Town Center project. The traffic impact analysis is provided in Appendix C, *Traffic Study*. The analysis considers the forecast traffic impacts associated with the proposed project.

The Traffic Impact Analysis evaluated the following ten intersections:

- Pacific Coast Highway / Blue Lantern;
- Pacific Coast Highway / Amber Lantern;
- Pacific Coast Highway / Violet Lantern;
- Pacific Coast Highway / Golden Lantern;
- Pacific Coast Highway / Copper Lantern;
- Pacific Coast Highway / Crystal Lantern;
- Pacific Coast Highway / Del Obispo;
- Del Prado / Amber Lantern;
- Del Prado / Violet Lantern;
- Del Prado / Golden Lantern;
- Pacific Coast Highway / Ruby Lantern (not analyzed for existing conditions); and
- Del Prado / Ruby Lantern (not analyzed for existing conditions).

The intersections listed above were analyzed for the following scenarios:

- **Existing Conditions** represents traffic volume and capacity conditions. These measurements are based off of data collected in 2004. The levels of service for existing roadways and intersections aid in the comparison of present traffic conditions to what the forecasted conditions with the implementation of the project. Existing transit, pedestrian, and bicycle systems are addressed, as well as existing street classifications.



- **Near Term + Project** represents forecasted conditions for future impacts based on projected growth rate plus project related impacts. It evaluates the traffic impacts of buildout of the proposed project under Near-Term traffic and roadway conditions. This scenario includes existing traffic volumes and planned and approved project traffic, which represent “growth” along the Pacific Coast Highway / Del Prado corridor through 2010.
- **Cumulative + Project** represents forecasted conditions taking into account projected growth rates as well as cumulative project related impacts. Future traffic volumes are comprised of near-term traffic projections and an estimate of growth in through traffic.

Analysis Methodology

Level of service (LOS) is a measure of the quality of the overall operating characteristics of a street or highway. Factors involved in determining the level of service include speed, safety, travel time, traffic conflicts and interruptions, freedom to maneuver, driving convenience and comfort, and operating costs. Level of service is dependent upon traffic volume and composition of traffic. In most cases, the LOS analysis is undertaken using intersection turning movement volumes during each of the AM and PM peak hours. LOS is a measure of congestion that ranges from LOS A (free-flow condition) to LOS F (jammed condition).

The City of Dana Point has established traffic performance standards, expressed as an acceptable LOS for the City's street and highway system. These standards form the basis for the City's circulation and land use policies and are summarized in Table 4.15-1, *Circulation System Performance Criteria*.

Table 4.15-1
Circulation System Performance Criteria

I. Average Daily Traffic (ADT) Link Volumes	
Level of Service C -	Primary arterials, secondary arterials, and local streets.
Level of Service D -	Major arterials and State Highways.
II. Peak Hour Signalized Intersection Volumes	
Level of Service C -	Primary arterials, secondary arterials, and local streets.
Level of Service D -	Major arterials and State Highways.
Level of Service E -	Congestion Management Plan (CMP) evaluations (CMP designated roadways only).
Source: Dana Point General Plan, Circulation Element. June 27, 1995.	

The LOS calculations are based on the Intersection Capacity Utilization (ICU) methodology as adopted by the City of Dana Point in its General Plan for intersection LOS calculations. This method assumes a saturation flow rate of 1,700 vehicles per hour.¹ Table 4.15-2, *Peak Hour Intersection Level of Service*, summarizes the relationship between the level of service rating and ICU for intersections.

¹ The saturation flow rate is the maximum volume of traffic that can pass through a single lane and represents the capacity of an intersection on a per lane basis. The ICU method compares traffic demand to an intersection's capacity on a per lane basis and reports this as a ratio of demand to capacity.



Table 4.15-2
Peak Hour Intersection Level of Service

Level of Service	Maximum ICU
A	0.60
B	0.70
C	0.80
D	0.90
E	1.00
F	> 1.00
Source: Dana Point General Plan, Circulation Element, June 27, 1995.	

The City of Dana Point does not have level of service standards for unsignalized intersections. Most jurisdictions allow peak hour level of service for minor streets to operate at LOS D or worse as long as the intersection does not warrant the installation of a traffic signal.

- a) *Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?*

Less Than Significant Impact With Mitigation Incorporated.

The existing roadway system within the Town Center area is comprised of streets classified as:

- Primary Arterial: A four-lane divided roadway, typical right-of-way width of 24 feet, and a curb-to-curb pavement width of 56 feet.
- Secondary Arterial: A four-lane undivided roadway, with a typical right-of-way width of 80 feet, and a curb-to-curb pavement width of 64 feet.
- Collector: A two-lane undivided roadway that distributes traffic, typical right-of-way width of 64 feet, and a curb-to-curb pavement width of 40 feet.
- Local: Roadway that provides access to individual parcels, with a typical right-of-way width of 60 feet and a pavement width of 36 feet.

Table 4.15-3, *Existing Level of Service*, summarizes the existing intersection capacity analysis for the ten signalized intersections within the study area along the Pacific Coast Highway/Del Prado couplet during the peak hours of operation and under the existing one-way couplet configuration.

Proposed Project

The Town Center Plan is a combination of land use regulatory and zoning changes to allow mixed-use and transportation capital improvements. The project's land use component is comprised of a mix of existing and proposed residential, office, retail, and restaurant land uses and the possible addition of a new civic uses. The project's transportation capital improvements include the conversion of the Pacific Coast Highway/Del Prado couplet to two-way streets. The analysis takes into consideration both the projected growth in land use as part of the Town Center Plan, which includes estimates of the trip generation of future development and estimates of the growth in through traffic, and the conversion of the transportation system to two-way.



**Table 4.15-3
Existing Level of Service**

ID	Street	Traffic Control	AM Peak (ICU/LOS)	PM Peak (ICU/LOS)
1	PCH / Blue Lantern	Signal	0.480 / A	0.559 / A
2	PCH / Amber Lantern	Signal	0.408 / A	0.387 / A
3	PCH / Violet Lantern	Signal	0.426 / A	0.446 / A
4	PCH / Golden Lantern	Signal	0.553 / A	0.590 / A
5	PCH / Copper Lantern	Signal	0.579 / A	0.592 / A
6	PCH / Crystal Lantern	Signal	0.596 / A	0.643 / A
7	PCH / Del Obispo	Signal	0.738 / C	0.830 / D
8	Del Prado / Amber Lantern	Signal	0.400 / A	0.475 / A
9	Del Prado / Violet Lantern	Signal	0.357 / A	0.420 / A
10	Del Prado / Golden Lantern	Signal	0.461 / A	0.622 / B

ICU – Intersection Capacity Utilization; LOS – Level of Service
Note: Deficient intersection shown in bold.

As previously stated, Del Prado and Pacific Coast Highway, between Blue Lantern and Copper Lantern, are currently comprised of a pair of one-way primary arterials. The Town Center Plan proposes to convert Del Prado and Pacific Coast Highway, between Blue Lantern and Copper Lantern, from a one-way couplet to two, two-way streets, Pacific Coast Highway four lanes and Del Prado two lanes. As a result of the Pacific Coast Highway and Del Prado conversion to two-way streets, the following measures would be implemented:

- Pacific Coast Highway – a four-lane, two-way primary arterial throughout the entire corridor with center turn lanes at primary intersections and central medians;
- Del Prado – a two-lane, two-way collector street between Copper Lantern and Ruby Lantern;
- Remove the traffic signals at the intersections of Del Prado/Amber Lantern and Del Prado/Violet Lantern. They would no longer meet warrants for traffic signals; replace with north/south two-way stop sign;
- Install a traffic signal at the intersection of Pacific Coast Highway/Ruby Lantern. Although the location of this proposed traffic signal is in close proximity to the existing signal at Pacific Coast Highway/Blue Lantern (about 600 feet), synchronization of the signals will allow Pacific Coast Highway to operate without vehicle queues backing up and interfering with the operation of the signals;
- Install left turn lanes at all the currently signalized intersections along eastbound Pacific Coast Highway and westbound Del Prado;
- Provide for dual left turn lanes on the southbound approach of Golden Lantern at Pacific Coast Highway. The existing median should be wide enough to incorporate one left turn lane. With re-striping, the easternmost southbound through lane can be converted to a second left turn lane. This configuration retains two southbound through lanes, which will adequately serve the resulting through volumes. The shift in southbound through lanes caused by converting one through lane to a left turn lane will create a misalignment in the through lanes across the intersection. This misalignment can be compensated by eliminating the parking lane in the southbound direction of Golden Lantern between Pacific Coast Highway and San Juan



Avenue and realigning the southbound through lanes on the south leg of the intersection to align with the through lanes on the north leg of the intersection. This proposed configuration can also accommodate the City's plans to implement Class II bike lanes on Golden Lantern; the southbound bike lane will need to be placed against the curb;

- Install a left turn lane on the northeastbound and eastbound approaches of Golden Lantern at Del Prado; and
- Synchronize the signals in the study area. Synchronizing the signals and implementing optimal signal timing would minimize the delay to any group of vehicles or pedestrians.

The following intersections would also be improved:

- Pacific Coast Highway / Del Prado / Blue Lantern - At the upcoast (west end) of Del Prado, in order to facilitate the operation of the five-leg Pacific Coast Highway/Del Prado/Blue Lantern intersection with two-directional traffic, Del Prado is proposed as one-way in the downcoast direction (eastbound) between Blue Lantern and Ruby Lantern. This configuration simplifies the operation of the intersection and prevents the potential for wrong-way travel. Upcoast (westbound) destined traffic on Del Prado would be required to return to Pacific Coast Highway via Ruby Lantern, Amber Lantern, or Violet Lantern to continue westbound through the study area.
- Del Prado / Ruby Lantern – As described above, Del Prado will be converted to a two-way street for its entire length except the segment between Blue Lantern and Ruby Lantern, which will remain one-way in the downcoast (eastbound) direction. This is to avoid the creation of a complex five-leg intersection of Pacific Coast Highway, Del Prado, and Blue Lantern. Vehicles traveling in the upcoast (westbound) direction on Del Prado would be required to turn onto Ruby Lantern and left again onto Pacific Coast Highway to continue upcoast. This restriction was evaluated and determined to operate acceptably, but requires special design features to prevent wrong-way travel on Del Prado between Ruby Lantern and Blue Lantern. Examples of preventative design elements include pavement markings, signs, channelized islands, curb extensions, barriers, or a combination of elements.
- Pacific Coast Highway / Del Prado / Copper Lantern - The segment of Del Prado that intersects with Pacific Coast Highway at the downcoast (east) end of Del Prado is proposed to be re-aligned to form a conventional four-leg intersection with Pacific Coast Highway and Copper Lantern. By shifting the Del Prado alignment, the intersection alignment is nearly 90 degrees, which is the preferred intersection alignment for intersecting two-way streets. The design of the Del Prado approach expedites right turns moving downcoast, improving the operation of the intersection. Traffic from these right turns will merge with downcoast Pacific Coast Highway traffic. The Street of the Copper Lantern remains controlled by the traffic signal. The Town Center Plan proposes bus stops in both directions of Pacific Coast Highway in the vicinity of this intersection. While this configuration results in an acceptable level of service, the City is considering an option to provide a more free-flowing right turn and a longer merge lane.

Upcoast traffic on Pacific Coast Highway turning left onto Del Prado can be accommodated with a single turn left lane about 400 feet in length. The City is considering an option that would provide dual left turn lanes from upcoast Pacific Coast Highway to Del Prado, which would shorten the length of the left turn bays and accommodate the left turns in less time. Both options will be evaluated and addressed during the design of the intersection. The



evaluation will consider the trade-offs associated with any widening of Pacific Coast Highway, such as the acquisition of right-of-way from either the north or south sides of Pacific Coast Highway, relocation of the proposed bus stops, and potential relocation of existing utilities.

To analyze future conditions, the existing one-way volumes were redistributed to be consistent with the two-way roadway conversion. The current one-way, through-traffic volumes were redistributed for two-way traffic operation worst case simulation of Pacific Coast Highway assuming approximately 75 percent of the traffic will utilize Pacific Coast Highway and 25 percent utilizes Del Prado.² Once the through-volumes were redistributed, turning movement volumes were reviewed and redistributed based upon the same methodology used to calculate the new through-volumes. Since the westbound movement on Del Prado is not continuous through the corridor, the westbound through volumes on Del Prado were assigned to Pacific Coast Highway by gaining access from Ruby Lantern, Amber Lantern, and Violet Lantern. The volumes were reassigned assuming approximately the same percentage of vehicles would use each street. The level of service was recalculated for the two-way operation based upon the existing two-way volumes and geometry. The level of service for both the one-way and two-way volumes is summarized in Table 4.15-4, *One-Way and Two-Way Intersection Level of Service Analysis*.

Table 4.15-4
One-Way and Two-Way Intersection Level of Service Analysis

	Street	One-Way Volumes			Two-Way Volumes		
		Traffic Control	AM Peak (ICU / LOS)	PM Peak (ICU / LOS)	Traffic Control	AM Peak (ICU / LOS)	PM Peak (ICU / LOS)
1	PCH / Blue Lantern	Signal	0.480 / A	0.559 / A	Signal	0.492 / A	0.551 / A
2	PCH / Amber Lantern	Signal	0.408 / A	0.387 / A	Signal	0.568 / A	0.558 / A
3	PCH / Violet Lantern	Signal	0.426 / A	0.446 / A	Signal	0.562 / A	0.576 / A
4	PCH / Golden Lantern	Signal	0.553 / A	0.590 / A	Signal	0.607 / B	0.701 / C
5	PCH / Copper Lantern	Signal	0.579 / A	0.592 / A	Signal ⁽²⁾	13.8 / B	20.0 / B
6	PCH / Crystal Lantern	Signal	0.596 / A	0.643 / B	Signal	0.596 / A	0.643 / B
7	PCH / Del Obispo	Signal	0.738 / C	0.830 / D	Signal	0.738 / C	0.830 / D
8	Del Prado / Amber Lantern	Signal	0.400 / A	0.475 / A	TWSC ⁽¹⁾	0.437 / A	0.418 / A
9	Del Prado / Violet Lantern	Signal	0.357 / A	0.420 / A	TWSC ⁽¹⁾	0.404 / A	0.465 / A
10	Del Prado / Golden Lantern	Signal	0.461 / A	0.622 / B	Signal	0.368 / A	0.418 / A

ICU – Intersection Capacity Utilization; TWSC – Two-Way Stop Controlled
 Note: Deficient intersections shown in bold.
 1. With two-way conversion, intersection traffic control changes to unsignalized with north-south approaches stop-controlled.
 2. LOS based on HCM methodology for signalized intersections, which is measured in terms of average delay.

All of the intersections operate at LOS C or better with the conversion to two-way operation, with the exception of Pacific Coast Highway/Del Obispo, which operates at an unacceptable LOS in the PM peak period. The intersection of Pacific Coast Highway/Del Obispo is not part of the one-way to two-way conversion; therefore, the operation of the intersection would not change and the level of service would be the same regardless of whether the Town Center is converted to two-way or not; therefore, the impact of the two-way conversion on the intersection of Pacific Coast Highway/Del Obispo would be less than significant.

² The distribution of traffic between Pacific Coast Highway and Del Prado is an assumption designed to evaluate a worst-case scenario on Pacific Coast Highway to determine if the capacity of a two-way Pacific Coast Highway can accommodate this volume of traffic. The actual distribution between Pacific Coast Highway and Del Prado will be between 50 percent and 75 percent on Pacific Coast Highway and between 25 percent and 50 percent on Del Prado.



It is important to note that the City is implementing a project to improve the LOS at Pacific Coast Highway and Del Obispo Street. The project involves the installation of an additional lane in each direction on Pacific Coast Highway, and rerouting of pedestrians at this intersection to efficiently move more traffic. The project is expected to start construction in the Fall of 2007.

Compared to the one-way operation, the levels of service (as measured by ICU) for the intersections along the converted two-way streets have declined slightly, slowing traffic because of the increase in the number of turning movements at the converted two-way intersections. Two-way traffic creates additional signal phases, which increases time delay and slightly decreases the intersection capacity. In addition, the number of vehicles turning left from westbound Pacific Coast Highway decreases the level of service slightly. As stated previously, a signal timing plan along the Pacific Coast Highway corridor is recommended to serve the two-way traffic, which is likely to improve the level of service. Overall, the result of this change will be slower traffic through the Town Center but balance to avoid significant congestion. With the implementation of this measure, a less than significant impact would result from the two-way conversion of Pacific Coast Highway and Del Prado.

Trip Generation

The Institute of Transportation Engineer's (ITE) Trip Generation, 7th Edition, is the source of daily and peak-hour trip generation rates used to estimate the number of daily and peak hour trips that can be attributed to the proposed development. The project proposes alternate land uses that replace existing land uses, which can increase or decrease the number of trips generated by each parcel. A few parcels within the Town Center resulted in a decrease in trips, but the overall project shows a net increase of trips for each type of land use. The overall net trip generation is summarized in Table 4.15-5, *Net Increase in Trip Generation*.

A "trip" begins and ends with a parking space. The trip generation rates generally assume there is parking on the site of the land use in the form of on-site parking lots and/or on-street parking adjacent to the land use. The rates do not take into consideration that a parking structure consolidates the parking into one location, which, when centrally located and serves multiple land uses, acts as a traffic generator by diverting trips from the actual land use to the parking facility. The targeted planning level demand for the buildout of this parking facility, or facilities, is assumed to be approximately 490 spaces. Although this number of spaces may never be required, this assumption was used to review a worst-case traffic general scenario or analysis. Most of the new retail and restaurant trips will utilize this public parking facility. Conversely, the residential and office land uses are assumed to have independent, on-site parking facilities and would not use the parking garage. The demand for public parking would be accommodated in the net new on-street parking created by the redesign of Pacific Coast Highway and Del Prado as well as in public parking facilities. The peak hour traffic volumes associated with the parking garage are illustrated in Table 4.15-6, *Peak Hour Volumes for Parking Garages*.

It should be noted that the trips associated with a parking garage, or garages, are not "new" trips because a parking garage is not a trip "generator" but serves the land uses that generate trips. Therefore, trips generated by the existing and proposed commercial retail and office land uses in the vicinity of the parking garage need to be rerouted to the parking garage. The trip generators closest to the parking garage were rerouted first and continued to further sites until the correct trip reductions were made.



Table 4.15-5
Net Increase in Trip Generation

Land Use	Net Intensity	Daily Trip Generation	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Retail/Restaurant ¹	192,165 SF	8,516	121	77	198	229	292	521
Office ²	31,224 SF	344	44	5	49	8	39	47
Residential ³	237 DU	1,388	19	85	104	83	41	124
Institutional ⁴	50,000 SF	1,500	122	13	135	54	126	180
TOTAL		11,748	306	180	486	374	498	872

SF=Square Feet; DU=Dwelling Units

(1) – Trip generation rates were taken from ITE (7th edition) Trip Generation Manual, Specialty Retail (Code 814) and Shopping Center (Code 820)

Daily	T = 44.32 x (1000's of SF)	(50 percent-in / 50 percent-out)	(ITE 814)
AM Peak	T = 1.03 x (1000's of SF)	(61 percent-in / 39 percent-out)	(ITE 820)
PM Peak	T = 2.71 x (1000's of SF)	(44 percent-in / 56 percent-out)	(ITE 814)

(2) – Trip generation rates were taken from ITE (7th edition) Trip Generation Manual, General Office Building (Code 710)

Daily	T = 11.01 x (1000's of SF)	(50 percent-in / 50 percent-out)
AM Peak	T = 1.55 x (1000's of SF)	(88 percent-in / 12 percent-out)
PM Peak	T = 1.49 x (1000's of SF)	(17 percent-in / 83 percent-out)

(3) - Trip generation rates were taken from ITE (7th edition) Trip Generation Manual, Residential Condominium/Townhouse (Code 230)

Daily	T = 5.86 x (1000's of DU's)	(50 percent-in / 50 percent-out)
AM Peak	T = 1.55 x (1000's of SF)	(17 percent-in / 83 percent-out)
PM Peak	T = 1.49 x (1000's of SF)	(67 percent-in / 33 percent-out)

(4) – Trip generation rates for Institutional (City Hall) land use were taken from SANDAG Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region, Government Office

Daily	T = 30 x (1000's of DU's)	(50 percent-in / 50 percent-out)
AM Peak	T = 2.70 x (1000's of SF)	(90 percent-in / 10 percent-out)
PM Peak	T = 3.60 x (1000's of SF)	(30 percent-in / 70 percent-out)

Table 4.15-6
Assumed Peak Hour Volumes for Parking Garages

Peak Hour Movement	Percentage of Total Stalls (490)	Peak Hour Volumes
AM Peak Hour		
In	23 percent	57
Out	12 percent	30
PM Peak Hour		
In	40 percent	100
Out	52 percent	130

Parking garage trip generation (occupancy) taken from ITE (5th edition) Traffic Engineering Handbook [Table 14-1].

Near Term + Project Conditions

The Near-Term Scenario includes existing traffic volumes and planned and approved project traffic, which represent "growth" along the Pacific Coast Highway/ Del Prado corridor through the year 2010. Currently, there are two projects that impact near term traffic in the Pacific Coast Highway/Del Prado



corridor: The Headlands Development and Conservation Plan and the Dana Point Harbor Revitalization.

The near-term analysis also includes planned and funded capital improvements to the transportation system not related to the Town Center Plan. Improvements on Pacific Coast Highway between Crystal Lantern and the San Juan Creek Bridge are to be completed by Spring 2008 as part of the City's Capital Improvement Program. The improvements include the addition of one through lane in each direction on Pacific Coast Highway at the intersection of Pacific Coast Highway/Del Obispo, as discussed previously. As illustrated in table 4.15-7, *Near-Term + Project Two-Way Level of Service Analysis*, no intersections within the study area would be adversely affected with the Town Center's trip generation with the two-way conversion.

Table 4.15-7
Near-Term + Project Two-Way Level of Service Analysis

ID	Street	Traffic Control	Near-Term + Project Two-Way Volumes	
			AM Peak (ICU / LOS)	PM Peak (ICU / LOS)
1	PCH / Blue Lantern	Signal	0.517 / A	0.624 / B
2	PCH / Amber Lantern	Signal	0.597 / A	0.636 / B
3	PCH / Violet Lantern	Signal	0.593 / A	0.674 / B
4	PCH / Golden Lantern	Signal	0.652 / A	0.783 / C
5	PCH / Copper Lantern	Signal (2)	16.4 / B	19.7 / B
6	PCH / Crystal Lantern	Signal	0.649 / B	0.732 / C
7	PCH / Del Obispo	Signal	0.648 / B	0.778 / C
8	Del Prado / Amber Lantern	TWSC (1)	0.556 / A	0.630 / B
9	Del Prado / Violet Lantern	TWSC (1)	0.502 / A	0.674 / B
10	Del Prado / Golden Lantern	Signal	0.443 / A	0.566 / A
11	PCH / Ruby Lantern	Signal	0.533 / A	0.568 / A
12	Del Prado / Ruby Lantern	TWSC	0.278 / A	0.387 / A

ICU – Intersection Capacity Utilization; TWSC - Two-Way Stop Controlled

1. With two-way conversion, intersection traffic control changes to unsignalized with north-south approaches stop-controlled.
2. LOS based on HCM methodology for signalized intersections, which is measured in terms of average delay.

Cumulative + Project

Future traffic volumes are comprised of near-term traffic projections (including the project) and an estimate of growth in through traffic. Traffic estimates are based on the State of California Department of Transportation (Caltrans) database of yearly highway Average Daily Traffic (ADT) on Pacific Coast Highway at Del Obispo. In addition to Caltrans data, historic traffic counts from the City were reviewed to determine growth rates.

Although implementation of the project would increase the vitality of the Dana Point Town Center, traffic volumes are likely to increase as a result. With the conversion of Pacific Coast Highway and Del Prado from one-way arterials to two-way streets, generation of trips would increase. Many of the intersections would drop to LOS B, still an acceptable LOS. The Pacific Coast Highway and Del Prado intersection would move up to LOS C, with the completion of the City's planned project in that area outside the Town Center. As illustrated in Table 4.15-8, *Cumulative + Project Intersection Two-Way Level of Service Analysis*, the redesign of Pacific Coast Highway and Del Prado would have minimal impacts,



and improve the circulation system with the implementation of design features and mitigation measures suggested. Thus, with the incorporation of Mitigation Measures TRA-1 through TRA-4 that provide operational design enhancements, impacts would be considered less than significant.

**Table 4.15-8
Cumulative + Project Intersection Two-Way Level of Service Analysis**

ID	Street	Traffic Control	Cumulative + Project Two-Way Volumes	
			AM Peak (ICU / LOS)	PM Peak (ICU / LOS)
1	PCH / Blue Lantern	Signal	0.526 / A	0.633 / B
2	PCH / Amber Lantern	Signal	0.605 / B	0.645 / B
3	PCH / Violet Lantern	Signal	0.602 / B	0.684 / B
4	PCH / Golden Lantern	Signal	0.663 / B	0.798 / C
5	PCH / Copper Lantern	Signal ⁽²⁾	17.5 / B	14.4 / B
6	PCH / Crystal Lantern	Signal	0.660 / B	0.745 / C
7	PCH / Del Obispo	Signal	0.658 / B	0.792 / C
8	Del Prado / Amber Lantern	TWSC ⁽¹⁾	0.565 / A	0.640 / B
9	Del Prado / Violet Lantern	TWSC ⁽¹⁾	0.517 / A	0.699 / B
10	Del Prado / Golden Lantern	Signal	0.449 / A	0.574 / A
11	PCH / Ruby Lantern	Signal	0.542 / A	0.577 / A
12	Del Prado / Ruby Lantern	TWSC	0.281 / A	0.392 / A

ICU – Intersection Capacity Utilization; TWSC - Two-Way Stop Controlled

1. With two-way conversion, intersection traffic control changes to unsignalized with north-south approaches stop-controlled.
2. LOS based on HCM methodology for signalized intersections, which is measured in terms of average delay.

Mitigation Measures:

TRA-1 In order to discourage cut-through traffic on local streets, the City shall conduct a study to determine an optimal signal-timing plan along the Pacific Coast Highway and Del Prado corridors. The plan shall be implemented by the City of Dana Point at completion of the one-way to two-way conversion.

TRA-2 The entrance to northbound Blue Lantern from Pacific Coast Highway shall be narrowed to discourage traffic entry.

TRA-3 Bulb outs, physical constrictions built at the curbside of the roadway, shall be constructed at locations to be determined in order to shorten pedestrian crossing distances.

TRA-4 Install dual left turn lane on southbound Golden Lantern at Pacific Coast Highway.

b) *Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?*

Less Than Significant Impact With Mitigation Incorporated In accordance with the Orange County Congestion Management Program (CMP), intersections and freeway segments within the defined highway network are not allowed to deteriorate to a condition worse than LOS E, or the base year LOS if worse than E. There are two study intersections in the Dana Point Town Center area that are included in the Orange County CMP: Pacific Coast Highway/Golden Lantern and Del Prado/Golden



Lantern. With the one-way to two-way conversion and subsequent improvements to the intersections, both intersections would operate at LOS C or better under future conditions. Since the intersections are expected to operate at levels above the CMP standard, LOS E, no mitigation measures would be required and the impact would be less-than-significant.

Mitigation Measures: Refer to Mitigation Measures TRA-1 through TRA-4.

- c) *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*

No Impact. Due the scale and nature of the proposed Project, a change in air traffic patterns would not occur. No impact would occur in this regard.

Mitigation Measures: No mitigation measures are required.

- d) *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

Less Than Significant Impact. The proposed Town Center Plan would be compatible with surrounding commercial, residential, and recreational uses that are located along Pacific Coast Highway and Del Prado, as the goal of the Plan is to integrate and enhance the variety of uses within, and surrounding the Town Center. The Town Center Plan is a combination of land use regulatory and zoning changes to allow mixed-use and transportation capital improvements. The project's land use component is comprised of a mix of existing and proposed residential, office, retail, and restaurant land uses and the possible addition of a new civic uses. The project's transportation capital improvements include the conversion of the Pacific Coast Highway/Del Prado couplet to two-way streets. In addition to the design features discussed in Response 4.15 (a), the following circulation and pedestrian oriented features are proposed:

- A pattern of pedestrian-scaled blocks;
- Slower traffic speeds;
- Street designs that encourage walking by providing pedestrian-oriented design elements such as wider sidewalks with space for seating, street trees, and on-street parking that provides a buffer between pedestrians and moving traffic;
- Marked crosswalks on all intersection approaches except where traffic conflicts would preclude a crosswalk;
- Mid-block crosswalks on Del Prado between Ruby Lantern and Amber Lantern, Amber Lantern and Violet Lantern, Violet Lantern and Old Golden Lantern which may include speed platforms to slow traffic approaching the crossings;
- A system of alleys that reduces future curb-cuts on streets thus reducing the number of pedestrian/auto conflict points.

These improvements would reduce current traffic speeds, and thus increase the safety of the roadway for motorists and pedestrians. Therefore, no significant impacts would occur as a result of the project.

Mitigation Measures: No mitigation measures are required.



e) *Result in inadequate emergency access?*

Less Than Significant Impact. The proposed project would not have a significant effect on emergency access, since the project would simply allow for greater flexibility for development within the project area. Upon completion of the conversion of Pacific Coast Highway and Del Prado to two-way streets with the implementation of the design features mentioned in Impact Statement 4.15(d), emergency vehicles would have more direct and adequate access to areas within and surrounding the Town Center area. As such, no significant impact is anticipated in this regard.

Mitigation Measures: No mitigation measures are required.

f) *Result in inadequate parking capacity?*

Less Than Significant Impact.

Implementation of the project would increase the demand for parking. Individual developments including, residential uses, would be required to either provide on-site parking that meets zoning code requirements or pay an in-lieu fee towards the implementation of a public parking facility if the development is located within the proposed parking district (to be determined in a City-prepared public parking management plan). Ultimately, the Town Center plan envisions the construction of a centralized parking structure, or structures, that provides parking for the general public. This parking structure may either be a publicly-owned and operated facility, a privately-owned and operated facility available to the public, or a joint public-private facility constructed as part of a mixed-use development. In addition, the Town Center Plan proposes to increase the overall on-street parking supply on Del Prado through the conversion to a two-way street.

The conversion of Pacific Coast Highway from a one-way street to a two-way street would result in the loss of approximately 21 marked on-street parking spaces. These spaces would be lost due to the no parking zones adjacent to intersections. According to a survey conducted by the City, the private parking supply is significantly underutilized with only 40 percent utilized during the peak mid-day period of a typical weekday. Of the 61 marked on-street parking spaces on Pacific Coast Highway within the Town Center area, approximately 37 of these spaces (60 percent) are highly utilized-meaning that they have vehicles parked in them for five or more hours during the day. Based on the survey, the City concluded that there is currently ample private parking serving individual businesses, and that the on-street parking is moderately utilized, with some segments highly utilized.

The loss of 21 parking spaces along Pacific Coast Highway is considered a less than significant impact as the conversion of Pacific Coast Highway and Del Prado to two-way streets would result in a net increase in on-street parking spaces within the Town Center area. Additionally, prior to the conversion, the City would acquire and construct a public parking lot, resulting in a net gain of public parking spaces accessible to businesses on Pacific Coast Highway. Specifically, The Town Center Plan incorporates the following provisions to address parking within the Town Center:

- Create additional public parking which would include one and preferably two facilities prior to Phase I and ensure adequate parking signage is provided. (Phase I is defined as any construction of public improvements that would result in the removal of any on-street parking).
- Reestablish on-street cut-out parking on Pacific Coast Highway in moderate to heavily utilized areas in which it is physically possible to create 3 or more spaces and at the request of the property owner(s) who may be required to dedicate property for right-of-way purposes.



- Meet with the business community to review parking issues.
- Establish appropriate parking time limits for public parking in the Town Center as an action of the Implementation Plan.

Therefore, parking related impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Less Than Significant Impact. A network of pedestrian facilities would serve the residential and commercial areas of the Dana Point Town Center. The project would utilize and improve the existing pedestrian system by widening the sidewalks of all streets and providing connections to sidewalks on existing streets.

There are existing Class II bike lanes along the upcoast length of the Pacific Coast Highway and the downcoast length of Del Prado from Blue Lantern to Golden Lantern. The project proposes to provide Class II bike lanes in both directions of Del Prado, and a 14' curb lane along the upcoast (westbound) direction of Pacific Coast Highway. The Town Center Plan would provide bicycle connectivity along Pacific Coast Highway and Del Prado consistent with existing conditions. The proposed bicycle facilities enhance the connectivity of the City's bicycle system and do not conflict with the goals of the City of Dana Point General Plan.

With the conversion of the Pacific Coast Highway/Del Prado couplet, downcoast (eastbound) bus routes would shift onto Pacific Coast Highway. Bus turnouts would be implemented, where possible, to keep buses out of the travel way. The downcoast (eastbound) bus stops on Del Prado would be re-located slightly north to Pacific Coast Highway. Although this configuration would increase the walking distance for passengers approaching the Del Prado bus stops from the south, the proposed locations place opposing stops near each other. This would reduce confusion in determining where to wait for busses for return trips and makes route transfers more convenient.

As such, impacts are not anticipated to be less than significant.

Mitigation Measures: No mitigation measures are required.



4.16 UTILITIES AND SERVICE SYSTEMS

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			✓	
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			✓	
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			✓	
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			✓	
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			✓	
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?		✓		
g. Comply with federal, state, and local statutes and regulations related to solid waste?		✓		

a) ***Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?***

Less Than Significant Impact. The City of Dana Point, including the Town Center project area, is located within the service area of the South Coast Water District (SCWD). Although implementation of the proposed project would result in an increase in the generation of raw sewage, the existing facilities and sewage treatment plant capacity owned by SCWD are adequate to accommodate the increase in raw sewage that would be generated by the proposed public facilities and amenities. Therefore, no significant impacts to the District's ability to provide adequate sewage collection and treatment are anticipated and no mitigation measures are required.

Mitigation Measures: No mitigation measures are required.

b) ***Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?***

Less Than Significant Impact. The project is not expected to significantly create or contribute wastewater to the local collection and treatment facilities. The proposed project would allow greater flexibility in future development within the project area and would not substantially increase intensity of use and associated wastewater flows. Additionally, the site is currently served by an existing system of sewer mains maintained and operated by SCWD. Domestic water can be provided from the existing



water supply and distribution system, which meets both the existing and proposed fire demands. If required, individual fire connections would be made to the domestic water lateral. As such, no new water or wastewater treatment facilities or the expansion of existing facilities are anticipated as a result of the proposed project.

Mitigation Measures: No mitigation measures are required.

- c) *Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

Less Than Significant Impact With Mitigation Incorporated. As discussed in Section 4.8, *Hydrology and Water Quality*, the proposed project would allow for flexibility of development within the project area, and subsequent projects allowed under the revised land use designations and zoning would allow mix-use development projects on existing commercial and vacant properties. Since the project area is essentially built-out and urbanized, the development associated with the Town Center Plan is not expected to substantially increase the amount of impervious surfaces. Given the limited change in overall impervious surfaces, the change in runoff volumes resulting from future projects is not anticipated to require the construction or expansion of stormwater drainage facilities. In addition, the proposed project would be subject to requirements of the NPDES, and project storm drain improvements would be subject to City review and approval, which would reduce impacts on the stormwater drainage systems. Therefore, impacts are considered less than significant.

Mitigation Measures: No mitigation measures are required.

- d) *Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?*

Less Than Significant Impact. Project implementation would not adversely affect existing water supplies. The project would not create demands for water that exceed the parameters upon which the water supply and distribution is based. SCWD owns and maintains facilities in the vicinity of the subject property that serve the existing development in the vicinity of the proposed project. Although the project would increase the demand for potable water, domestic water can be provided from the existing water supply and distribution system, which meets both the existing and proposed fire demands. Project implementation would not require the construction of new water or wastewater treatment facilities. Although new laterals will be required, existing supplies are adequate to ensure the provision of adequate fire flows and domestic water service to the site. No significant impacts are anticipated as a result of project implementation.

Mitigation Measures: No mitigation measures are required.

- e) *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

Less Than Significant Impact. Refer to Responses 5.16(a) and (b).

Mitigation Measures: No mitigation measures are required.

- f) *Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?*



Less Than Significant Impact With Mitigation Incorporated. Nonhazardous solid and liquid wastes within Dana Point are currently deposited in the Prima Deshecha Landfill, located in an unincorporated area of the County, adjacent to the City of San Juan Capistrano. It is one of three landfills operated by the County Integrated Waste Management Department. The existing 1,530-acre site is currently permitted to accept 4,000 tons of solid waste per month, and currently receives approximately 3,200 tons per month.¹ In addition to accepting municipal solid waste, the Landfill accepts sludge, tires, and properly treated auto-shredding waste, but does not accept hazardous waste. The City of Dana Point contracts with CR&R to handle all solid waste and recycling within the City limits. The City looks for development projects to divert as much refuse as possible during construction phases for collecting and loading recyclable materials. Due to the size of the proposed project, the project would not significantly increase the amount of solid waste generated by the City. However, the mitigation measure listed below has been included to ensure that impacts remain at a less than significant level.

Mitigation Measures:

UTIL-1 The construction contractor shall reduce construction-generated waste that is disposed of at landfills according to State law by at least 50 percent. The Developer shall prepare a construction waste management plan explaining the practices that would be used to achieve this level of reduction.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

Less Than Significant Impact With Mitigation Incorporated. The Town Center Plan would not directly affect federal, state, and local statutes and regulations related to solid waste. Also refer to Response 4.16(f).

Mitigation Measures: Refer to Mitigation Measure UTIL-1.

¹ CR&R, Maria Lazaruck, letter dated December 8, 2003.



4.17 MANDATORY FINDINGS OF SIGNIFICANCE

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				✓
b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			✓	
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			✓	

- a) *Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

No Impact. The project site does not contain any threatened or endangered species, sensitive habitats. The potential does exist for cultural or historical resources; refer to Section 4.5 (Cultural Resources). With the implementation of the required mitigation measures (CUL-1 through CUL-3), the proposed project would not degrade the environment in this regard.

- b) *Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

Less Than Significant Impact. Impacts would be less than significant with implementation of recommended mitigation measures. However, the proposed project, combined with other approved and pending development projects within the City, could result in cumulative effects.

The proposed project would result in less than significant cumulative impacts on agriculture resources, biological resources, land use and planning, mineral resources, population and housing, and recreation. The proposed project would require mitigation measures to reduce cumulative impacts to a less than significant level with regard to aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, public services, and utilities and service systems. As the following analysis indicates, the cumulative effects of the proposed project combined with the effects of other City projects would be less than significant.



- Aesthetics – The proposed project would require mitigation measures for light and glare effects. Construction of projects in the Town Center would not result in a significant cumulative impact on the aesthetic value of the surrounding community because all projects undergo site-specific review regarding density, design, and light and glare effects, ensuring that cumulative aesthetic impacts are mitigated to a less than significant level.
- Air Quality – While the proposed project would not result in significant air quality impacts, mitigation measures for short-term construction activities are included to reduce construction-related emissions. All new development would be required to implement measures to mitigate construction emissions, as required by the South Coast Air Quality Management District (SCAQMD), thereby reducing cumulative air emissions to less than significant.
- Cultural Resources – The proposed project may impact buried archaeological resources that may be discovered during project staging or grading activities. All new development would be required to monitor grading activities to reduce impacts on cultural and archeological resources to a less than significant level.
- Geology and Soils – Measures would be required of the proposed project to mitigate seismic impacts, including ground shaking, seismically induced settlement, and adverse soil conditions. All new development would be required to comply with building standards contained in the Uniform Building Code and the SCAQMD requirements for soil erosion, which would ensure that all geologic and soil impacts would be less than significant.
- Hydrology and Water Quality – The proposed project would be required to prepare a Storm Water Pollution Prevention Program (SWPPP) to reduce sediments and pollutants that could impact water quality. In addition, all new development would be required to comply with the NPDES Construction Activities General Permit, requiring preparation of an SWPPP and implementation of Best Management Practices, which would ensure that cumulative hydrology and water quality impacts would be less than significant.
- Noise – All projects are required to comply with the City's *Municipal Code* regarding the days and times that construction activities are permitted and the permitted noise levels for stationary sources. In addition, through the environmental review process required of all projects, the increase in mobile noise sources would be analyzed to ensure that mobile noise impacts would be less than significant. Therefore, cumulative noise impacts would be less than significant.
- Public Services – All projects would be required to pay fees as required by state law, to offset any cumulative effects of an increase in population that would impact public schools.
- Utilities and Service Systems – The proposed project and all new development would be required to comply with State law that mandates that generated waste be reduced by at least 50 percent. Therefore, there would not be a cumulative impact regarding solid waste. The proposed project and cumulative projects would be required to comply with all State and local laws in regards to water quality, ensuring that there would be no cumulative impacts. For other utility and service systems, there would be no significant cumulative impact.



- c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

Less Than Significant Impact. Section 4.0, *Environmental Analysis*, reviewed the proposed project's potential impacts related to air pollution, noise, public health and safety, traffic and other issues. As explained in these sections, the proposed project would not cause substantial adverse effects on human beings. Furthermore, subsequent development that could occur as a result of the proposed General Plan Amendment and zoning changes could create direct and indirect adverse effects on humans. The majority of these impacts are anticipated to occur as a result of the construction of potential future development projects and such impacts are considered short-time effects. The impacts that could result from the construction and operation of any new development within the project area would be subject to a separate environmental review/determination once development applications are submitted to the Community Development Department, at which time appropriate and feasible mitigation measures will be added to any such development as necessary to avoid any adverse direct or indirect impacts to human beings.



4.18 REFERENCES

The following references were utilized during preparation of this Initial Study/Mitigated Negative Declaration. These documents are available for review at the City of Dana Point, Planning Department, 33282 Golden Lantern, Dana Point, CA 92629.

- City of Dana Point, *City of Dana Point General Plan*, 1991.
- City of Dana Point, *Local Implementation Plan for Urban Runoff*, November 2003.
- City of Dana Point, *Master Plan of Drainage*, February 1998.
- City of Dana Point, *Town Center Subcommittee Recommendations*, May 25, 2006.
- Cotton/Beland/Associates, Inc., *City of Dana Point General Plan Program Master Environmental Assessment*, 1990.
- Cotton/Beland/Associates, Inc., *Final Environmental Impact Report for the City of Dana Point General Plan, Local Coastal Program and Zoning Ordinance*, (SCH #91021054), Prepared for the City of Dana Point, June 12, 1991.
- Kimley-Horn and Associates, Inc., *City of Dana Point, Town Center Specific Plan, Administrative Draft Traffic Impact Analysis*, Prepared for the City of Dana Point, July 2006.
- Orange County Environmental Management Agency, *City of Dana Point, Local Coastal Program*, Prepared for the City of Dana Point, December 10, 1986.



4.19 REPORT PREPARATION PERSONNEL

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5.0 INVENTORY OF MITIGATION MEASURES

AESTHETICS

AES-1 The project shall be designed to reduce significant light and glare emanating from the site. This shall be accomplished by shielding or recessing light fixtures so that the light source is directed downward and away from adjoining properties. The plans shall be prepared and signed by a licensed electrical engineer and include lighting fixture product types and technical specifications, including photometric information, to determine the extent of light spillage or glare that can be anticipated.

AIR QUALITY

AQ-1 The project shall comply with SCAQMD Rule 402, which prohibits the discharge from a facility of air pollutants that cause injury, detriment, nuisance, or annoyance to the public or that damage business or property.

AQ-2 During clearing, grading, earth-moving, or excavation operations, excessive fugitive dust emissions shall be controlled by regular watering or other dust-preventive measures using the following procedures, as specified in the SCAQMD Rule 403:

- On-site vehicle speed shall be limited to 15 miles per hour.
- All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after work is done for the day.
- Streets adjacent to the project reach shall be swept as needed to remove silt that may have accumulated from construction activities so as to prevent excessive amounts of dust.
- All material transported on-site or off-site shall be either sufficiently watered or securely covered to prevent release of excessive amounts of dust.
- The area disturbed by clearing, grading, earth-moving, or excavation operations shall be minimized so as to prevent excessive amounts of dust.
- All clearing, grading, earth moving, or excavation activities shall cease during periods of winds so as to prevent excessive amounts of dust as set forth below:
 - Rough grading (mass grading) – when winds are greater than 25 miles per hour averaged over one hour; and
 - Precise grading – when winds are greater than 35 miles per hour averaged over one hour.
- These control techniques shall be indicated in project grading plans. Compliance with the measure shall be subject to periodic site inspections by the City.



- Visible dust beyond the property line emanating from the project shall be prevented to the maximum extent feasible.
- AQ-3 Ozone precursor emissions from construction equipment vehicles shall be controlled by maintaining equipment engines in good condition and proper tune per manufacturer's specifications, to the satisfaction of the City Engineer. Compliance with this measure shall be subject to periodic inspections of construction equipment vehicles by the City.
- AQ-4 The project shall comply with SCAQMD Rule 1113, which limits the ROC content of architectural coatings used in the SCAB or allows the averaging of such coatings, as specified, so actual emissions do not exceed the allowable emissions if all the averaged coatings comply with the specified limits.
- AQ-5 All vehicles shall be prohibited from engine idling in excess of ten minutes, both on-site and off-site.
- AQ-6 All trucks that are to haul excavated or graded material on-site shall comply with State Vehicle Code Section 23114, with special attention to sections 23114(b)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
- AQ-7 Developers shall comply with SCAQMD Rule 1403, *Asbestos Emissions From Demolition/Renovation Activities*, which specifies work practice requirements to limit asbestos emissions from building demolition and renovation activities, including the removal and associated disturbance of asbestos-containing materials (ACM). The requirements for demolition and renovation activities include asbestos surveying, notification, ACM removal procedures and time schedules, ACM handling and clean-up procedures, and storage, disposal, and landfilling requirements for asbestos-containing waste materials (ACWM). All operators are required to maintain records, including waste shipment records, and are required to use appropriate warning labels, signs, and markings.

CULTURAL RESOURCES

- CUL-1 If evidence of surficial archaeological resources is found during construction, excavation and other construction activity in that area shall cease and the contractor shall contact the Community Development Department. With direction from the City, an Orange County Certified Archaeologist shall prepare and complete a standard Archaeological Resource Mitigation Program.
- CUL-2 If evidence of subsurface paleontologic resources is found during construction, excavation and other construction activity in that area shall cease and the Developer shall contact the Community Development Department. With direction from the City, an Orange County Certified Paleontologist shall prepare and complete a standard Paleontologic Resource Mitigation Program.
- CUL-3 Should any human remains be encountered during any earthwork operations or disturbance activities, all activity shall cease immediately and the City selected archaeologist and Native American monitor shall be immediately contacted, who shall then immediately notify the Director of Community Development. The Director of Community Development shall contact the Coroner pursuant to Sections 5097.98 and 5097.99 of the Public Resources Code relative to Native American remains. Should the Coroner determine the human remains to



be Native American, the Native American Heritage Commission shall be contacted pursuant to Public Resources Code Section 5097.98.

GEOLOGY AND SOILS

- GEO-1 Engineering design for all structures shall be based on the probability that the project area may be subjected to strong ground motion during the lifetime of development. Construction plans shall be subject to Chapter 8.02 (California Building Code) of the *City of Dana Point Municipal Code* and shall include applicable standards, which address seismic design parameters.
- GEO-2 All surfaces to receive compacted fill shall be cleared of existing vegetation, debris, and other unsuitable materials, which shall be removed from the site. Soils that are disturbed during site clearing shall be removed and replaced as controlled compacted fill under the direction of the Soils Engineer.
- GEO-3 Precise grading plans shall include an Erosion, Siltation, and Dust Control Plan. The Plan's provisions may include sand bagging, soil compaction, revegetation, temporary irrigation, scheduling and time limits on grading activities, and construction equipment restrictions on-site. This plan shall also demonstrate compliance with South Coast Air Quality Management District Rule 403, which regulates fugitive dust control.
- GEO-4 Expansive soils and all existing uncertified fill materials shall be removed and replaced with compacted fill during site grading in order to prevent seismic settlement, soil expansion, and differential compaction. All grading procedures, including soil excavation and compaction, the placement of backfill, and temporary excavation shall comply with Section 8.01 (*Grading and Excavation Controls*) of the *City's Municipal Code*.

HYDROLOGY AND WATER QUALITY

- HYD-1 Prior to the issuance of any grading or building permits for projects that will result in soil disturbance of one acre or more of land, the City shall demonstrate that coverage has been obtained under California's General Permit for Stormwater Discharges Associated with Control Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number. The Developer shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the project site and shall be available for review on request.
- HYD-2 Prior to the issuance of any grading or building permits, Developer shall submit for review and approval a Water Quality Management Plan that:
- Addresses Site Design BMPs such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas.
 - Incorporates the applicable Routine Source Control BMPs as defined in the Local Implementation Plan (LIP).
 - Incorporates Treatment Control BMPs as defined in the LIP.



- Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs.
- Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs.
- Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.

HYD-3 Prior to grading or building permit closeout and/or issuance of a certificate of use or a certificate of occupancy, the Developer shall:

- Demonstrate that all structural BMPs described in the project's WQMP have been constructed and installed in conformance with approved plans and specifications.
- Demonstrate that the Developer is prepared to implement all non-structural BMPs described in the project's WQMP.
- Demonstrate that an adequate number of copies of the project's approved WQMP are available on-site.
- Submit for review and approval by the City and Operations and Maintenance (O&M) Plan for all structural BMPs.

HYD-4 Prior to the issuance of a grading or building permit, the Developer shall require the following to be included as general or special notes on the plan sheets for new development or significant redevelopment projects:

- Sediment from areas disturbed by construction shall be retained on-site using structural drainage controls to the Maximum Extent Practicable (MEP).
- Stockpiles of soil shall be properly contained to minimize sediment transport from the site to streets, drainage facilities or adjacent properties via runoff, vehicle tracking, or wind.
- Construction-related materials, wastes, spills or residues shall be retained on-site to minimize transport from the site to streets, drainage facilities, or adjoining property by wind or runoff.
- Runoff from equipment and vehicle washing shall be contained at construction sites unless treated to remove sediment and other pollutants.
- All construction contractor and sub-contractor personnel are to be made aware of the required BMPs and good housekeeping measures for the project site and any associated construction staging areas.
- At the end of each day of construction activity, all construction debris and waste materials shall be collected and properly disposed in trash or recycle bins.



- Construction sites shall be maintained in such a condition that an anticipated storm does not carry wastes or pollutants off the site. Discharges of material other than storm water are allowed only when necessary for performance and completion of construction practices and where they do not cause or contribute to a violation of any water quality standard; cause or threaten to cause pollution, contamination or nuisance; or contain a hazardous substance in a quantity reportable under Federal Regulations CFR Parts 117 and 302
- Potential pollutants include but are not limited to: solid or liquid chemical spills; wastes from paints, stains, sealants, glues, lime, pesticides, wood preservatives and solvents, asbestos fibers, paint flakes or stucco fragments; fuels, oils, lubricants, and hydraulic, radiator or battery fluids; concrete, detergent or floatable wastes; wastes from any engine/equipment steam cleaning or chemical degreasing; and superchlorinated potable water line flushings.
- During construction, disposal of such materials should occur in a specified and controlled temporary area on-site physically separated from potential storm water runoff, with ultimate disposal in accordance with local, state and federal requirements.
- Dewatering of contaminated groundwater, or discharging contaminated soils via surface erosion is prohibited. Dewatering of non-contaminated groundwater requires a NPDES permit from the respective State Regional Water Quality Control Board.
- The mechanism(s) by which long-term operation and maintenance of all structural BMPs will be provided.

HYD-5 Pursuant to the City of Dana Point LIP, 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 waste and materials management BMPs. The minimum requirements include:

- Sediments from areas disturbed by construction shall be retained on-site using an effective combination of erosion and sediment controls to the maximum extent practicable, and stockpiles of soil shall be properly contained to minimize sediment transport from the site to streets, drainage facilities or adjacent properties via runoff, vehicle tracking, or wind.
- Construction-related materials, wastes, spills or residues shall be retained on site to minimize transport from the site to streets, drainage facilities, or adjoining property by wind or runoff.
- In addition, designated construction specific BMPs are required. The City's LIP lists a series of BMPs that address control of erosion, sediment, wind erosion, tracking, non-storm water and waste management and materials pollution. A Storm Water Pollution Prevention Plan (SWPPP) will be developed to meet the requirements of the LIP, which will detail the appropriate BMPs.



NOISE

- NOI-1 During all project site excavation and grading, the City of Dana Point shall ensure that the Developer equips all construction equipment, fixed or mobile, with properly operating and maintained mufflers with manufacturers' standards.
- NOI-2 The City of Dana Point shall ensure that the Developer places all stationary construction equipment in a manner so that emitted noise is directed away from sensitive receptors nearest the project site.
- NOI-3 The City of Dana Point shall ensure that the Developer locates equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
- NOI-4 The City of Dana Point shall ensure that the Developer limits the on-site construction activities to the hours of 7:00 a.m. and 8:00 p.m. on weekdays and Saturdays. No construction activity shall occur on Sundays and federal holidays.
- NOI -5 Activities in the Town Center shall comply with the City Noise Ordinance standards.
- NOI-6 Deliveries shall be limited to hours consistent with the day time noise standards which are between 7am and 10pm.
- NOI-7 Code Enforcement and police presence shall be increased during periods of increased activity, to enforce the City's Noise Ordinance.
- NOI-8 A Conditional Use Permit shall be required for outdoor commercial activities (i.e., cafes) which abut residential uses located outside the Town Center.
- NOI-9 Signs shall be posted to discourage delivery trucks from idling engines in alleyways.
- NOI-10 New developments shall enclose trash bins and provide improvements to beautify alleys and buffer activities, such as landscaping and walls.

PUBLIC SERVICES

- PS-1 Prior to issuance of any grading or building permits, the proposed on-site fire hydrant system plan shall be submitted to the Fire Chief and indicate whether it is public or private. If the system is private, it shall be reviewed and approved by the Fire Chief and appropriate provisions for the repair and maintenance of the system shall be made in a manner meeting the approval of the Fire Chief. All fire hydrants shall have a blue reflective pavement marker indicating the hydrant location on the street as approved by the Fire Chief, and must be maintained in good condition by the property owner.
- PS -2 Prior to issuance of any grading or building permits, plans for any required automatic fire sprinkler system in any structure shall be submitted to the Fire Chief for review and approval. This system shall be operational in a manner meeting the approval of the Fire Chief prior to the issuance of a certificate of use and occupancy. Plans for the fire alarm system shall be submitted to the Fire Chief for review and approval. This system shall be operational prior to the issuance of a certificate of occupancy. Architectural plans shall also be submitted for the



review and approval of the Fire Chief if required per the "Orange County Fire Authority Plan Submittal Criteria Form" prior to issuance of building permits.

- PS -3 Prior to the issuance of any grading or building permits, approval shall be obtained from the Fire Chief for all fire protection access roads to within 150 feet of all portions of the exterior of every structure on site. Approval of the Fire Chief and City staff plans for all public or private access roads, streets and courts shall also be obtained prior to the issuance of any building permits. The plans shall include plan and sectional views and indicate the grade and width of the access road measured flow-line to flow-line. Plans shall be submitted and approval obtained, from the Fire Chief for fire lanes on required fire access roads less than 36 feet in width. The plans shall indicate the locations of red curbs and signage and include a detail of the proposed signage including the height, stroke and colors of the lettering and its contrasting background.
- PS -4 As development projects are processed for the Town Center Plan, the Applicants shall pay a development fee pursuant to *Government Code* Section 65995 to the CUSD prior to the development of the project. Payment of these fees is required by the California State Legislature, under the provisions of *Government Code* Section 65995.5, to be sufficient and necessary mitigation of impacts.

TRANSPORTATION/TRAFFIC

- TRA-1 In order to discourage cut-through traffic on local streets, the City shall conduct a study to determine an optimal signal-timing plan along the Pacific Coast Highway and Del Prado corridors. The plan shall be implemented by the City of Dana Point at completion of the one-way to two-way conversion.
- TRA-2 The entrance to north bounds Blue Lantern from PCH shall be narrowed to discourage traffic entry.
- TRA-3 Bulb outs, physical constrictions built at the curbside of the roadway, shall be constructed at locations to be determined in order to shorten pedestrian crossing distances.
- TRA-4 Install dual left turn lane on southbound Golden Lantern at PCH.

UTILITIES AND SERVICE SYSTEMS

- UTIL-1 The construction contractor shall reduce construction-generated waste that is disposed of at landfills according to State law by at least 50 percent. The Developer shall prepare a construction waste management plan explaining the practices that would be used to achieve this level of reduction.



6.0 CONSULTANT RECOMMENDATION

Based on the information and environmental analysis contained in the Initial Study/Environmental Checklist, we recommend that the City of Dana Point prepare a mitigated negative declaration for the Dana Point Town Center proposal. We find that the proposed project could have a significant effect on a number of environmental issues, but that mitigation measures have been identified that reduce such impacts to a less than significant level. We recommend that the second category be selected for the City's determination (See Section 7.0, *Lead Agency Determination*).

September 1, 2006
Date

Eddie Torres
Project Manager, Environmental Services



7.0 LEAD AGENCY DETERMINATION

On the basis of this initial evaluation:

I find that the proposed use COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposal could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in Section 4.0 have been added. A NEGATIVE DECLARATION will be prepared.

I find that the proposal MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposal MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

Signature

City of Dana Point
Agency

Brenda Chase/Senior Planner
Printed Name/Title

September 1, 2006
Date