

## 4.9 LAND USE AND PLANNING

This section of the Revised Draft Environmental Impact Report (EIR) analyzes the land use impacts associated with implementation of the modified Dana Point Harbor Hotels Project (Modified Project). As discussed in Chapter 2.0, Introduction, of this Revised Draft EIR, the originally proposed Dana Point Harbor Hotels Project (Original Project) was modified in response to a 2024 California Coastal Commission decision. This section analyzes the Modified Project as it relates to surrounding land uses and relevant policy and planning documents.

Information presented in this section is based on information provided in the City of Dana Point's (City) General Plan, the Dana Point Zoning Code (DPZC), and the Dana Point Harbor Revitalization Plan and District Regulations (DPHRP&DR), which were incorporated by reference as Chapter 9.25 of the DPZC. The DPZC comprises a part of the larger Local Coastal Program (LCP) regulating coastal development for a majority of the land area located in the City's Coastal Zone. In addition, this section also pulls information from an updated Coastal Hazards Memorandum, which was prepared for the Modified Project in February 2025 and is included as Appendix H to this Revised Draft EIR.

### 4.9.1 Scoping Process

#### 4.9.1.1 Original Project Scoping

The City received eight comment letters during the 32-day public review period of the Initial Study/Notice of Preparation (IS/NOP) prepared for the Original Project that ran from September 25, 2020, through October 26, 2020. For copies of the IS/NOP comment letters, refer to Appendix A of this Revised Draft EIR. Three comment letters included comments related to land use and planning.

The letter from the California Department of Transportation (Caltrans) District 12, received on October 26, 2020, suggested that the 2021 Draft EIR should discuss the City's Multimodal Mobility Strategies, such as transit and connectivity that encourages the design of Complete Streets. Section 4.9.3 below includes a discussion of plans and policies applicable to the Modified Project related to the provision of transit and multimodal facilities and connectivity including the Southern California Association of Governments (SCAG) 2024 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), the City of Dana Point General Plan, and the Dana Point Harbor Revitalization Plan and District Regulations (DPHRP&DR). Refer to Section 4.9.6 below for an analysis of the Modified Project's consistency with these plans and policies (Threshold 4.9.2). Since the Modified Project, as with the Original Project, is not a roadway improvement project, consistency with Caltrans Complete Streets regulations would not apply. In addition, refer to the analysis provided in Section 4.12, Transportation, of this Revised Draft EIR, for a discussion of the Modified Project's consistency with programs, plans, ordinances, or policies addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities (Threshold 4.12.1).

The letter from Southwest Regional Council of Carpenters, received on October 26, 2020, suggested that the 2021 Draft EIR should discuss any inconsistencies with applicable general plans, specific plans, and regional plans, particularly in references to the City's Regional Housing Needs Assessment (RHNA) targets. As described in the Initial Study prepared for the Original Project (Appendix B to this Revised Draft EIR), construction jobs associated with the Original Project (and therefore the Modified Project) would be temporary, and it is expected that local and regional construction

workers would be available to serve construction needs over the forecasted 32-month construction schedule. As the construction workforce would not be expected to relocate, no additional housing or unplanned population growth would occur. In addition, based on the City and County of Orange (County) unemployment rates, long-term employment opportunities are expected to be served by the local and regional labor force. Furthermore, while the comment letter correctly states that the Original Project included reapportioned and increased intensity of development within Planning Area (PA) 3, this development is related to visitor-serving uses, not residential development, and would not indirectly or directly induce population or growth within the City. Therefore, consistency with the City's RHNA targets would not apply to the Modified Project nor the Original Project.

The letter from the Orange County Fire Authority (OCFA), received on October 8, 2020, suggested that the Original Project would result in less than significant impacts if measures were included related to compliance with applicable safety codes and regulations. The analysis in this section includes the Modified Project's consistency with the City's General Plan policies, which include coordination of plans with OCFA for compliance with existing regulations. In addition, please refer to Section 4.11, Public Services, of this Revised Draft EIR, for a detailed discussion of coordination with OCFA.

#### 4.9.1.2 Modified Project Scoping

A Supplemental Notice of Preparation (NOP) for the Modified Project was circulated for public review from July 19, 2024, through August 19, 2024.

Copies of the Supplemental NOP and comment letters received during the review period are included within Appendix A of this Revised Draft EIR. One comment letter included comments related to land use and planning.

The letter from Mitchell M. Tsai, received on August 12, 2024, claims that the Modified Project exceeds the size and scope of the project contemplated in EIR No. 591, which was relied upon in the 2021 Draft EIR, and recommends that the Revised Draft EIR be expanded to consider the new effects of the larger project. The comment requests that the Revised Draft EIR establish consistency between the Modified Project and EIR No. 591.

#### 4.9.2 Existing Environmental Setting

The Modified Project would be located on the same site as the Original Project. The existing environmental setting as described below is derived from that discussed in the 2021 Draft EIR.

The project site is located on approximately 13 acres in the City of Dana Point, which is located in the southwest portion of Orange County, California. The City encompasses approximately 29.5 square miles of land (approximately 18,880 acres) within Orange County. The City is bounded by the City of San Juan Capistrano on the northeast, the Cities of Laguna Niguel and Laguna Beach on the northwest, the City of San Clemente on the east, and the Pacific Ocean on the south and west. Roughly 2,158 acres of the City lie within the Local Coastal Zone (Coastal Overlay District), including the project site.

Regional access to the project site is provided by Pacific Coast Highway (PCH, also known as State Route 1 or SR-1) and Interstate 5 (I-5). PCH runs in a northwest to southeast direction through the City and is located approximately 0.30 mile north of the project site. I-5 runs through the eastern portion of the City and is located approximately 1.3 miles northeast of the project site.

The project site is generally bounded on the north by Dana Point Harbor Drive, to the west by Island Way, to the east by Casitas Place and restaurant, retail, and marina uses, and to the south by Dana Point Harbor waters and boat docks. In the existing condition, the project site is currently developed with the Dana Point Marina Inn on the central portion of the project site and two boater services buildings with surface parking reserved for boaters on the southern portion of the project site. Access is currently provided to the project site from Dana Point Harbor Drive to the northeast and from Casitas Place to the east.

The majority of the project site consists of three legal lots (consisting of Assessor's Parcel Numbers [APNs] 682-022-01, 682-022-08, and a portion of 682-022-16). The Modified Project affects the same parcels as the Original Project, in addition to additional boater and employee parking in a portion of APN 682-172-07. The project site is primarily located within DPHRP&DR PA 3, but also extends into portions of PAs 2 (boater and employee parking), and 4, and may extend into PA 5 to accommodate the aforementioned additional boater parking.

Surrounding land uses include Heritage Park located to the north, restaurant and retail uses to the east, and marina uses located south, east, and west of the project site. Additionally, a plaza containing commercial uses is located northeast of the project site, and single-family residential uses are located north of the project site on the other side of Heritage Park, above the coastal bluff.

### 4.9.3 Regulatory Setting

As the Modified Project would be located on the same site as the Original Project and would result in the development of the same types of uses on the project site, the following regulatory setting is derived from that discussed in the 2021 Draft EIR.

#### 4.9.3.1 Federal Regulations

There are no federal land use policies or regulations that are applicable to the Modified Project with respect to land use regulation.

#### 4.9.3.2 State Regulations

**California Coastal Act/Local Coastal Program/Coastal Development Permit.** The California Coastal Act of 1976 (Coastal Act) was created to: (1) protect, maintain, and, where feasible, enhance and restore the overall quality of the Coastal Zone environment and its natural and artificial resources; (2) assure orderly, balanced utilization and conservation of Coastal Zone resources taking into account social and economic needs; (3) maximize public access to and along the coast and maximize public recreational opportunities in the Coastal Zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners; (4) assure priority for coastal-dependent and coastal-related development over other development on the coast; and (5) encourage state and local initiatives and cooperation in preparing procedures to implement

coordinated planning and development for mutually beneficial uses, including educational uses, in the Coastal Zone. The Coastal Act requires all cities located within the Coastal Zone to adopt a Local Coastal Program (LCP). The LCP is used by cities to regulate local land uses and development in a manner that is consistent with the goals of the Coastal Act. Specifically, LCPs identify the location, type, densities, and other land use policies for future development within the Coastal Zone of a jurisdiction.

The project site is located entirely within the City's Coastal Zone (refer to Figure 4.9.1, Coastal Zone) and is under the land use planning and regulatory jurisdiction of both the City and the California Coastal Commission (Coastal Commission). The Dana Point Harbor Revitalization Plan and District Regulations (DPHRP&DR) (LCP Amendment 1-10) was certified by the Coastal Commission on October 6, 2011. After the Coastal Commission has certified an LCP, the primary responsibility for issuing Coastal Development Permits (CDPs) is transferred from the Coastal Commission to the local government for most non-shore/non-water projects in the Coastal Zone. However, the Coastal Commission retains permanent coastal permit authority over development proposed on tidelands, submerged lands, and public trust lands.<sup>1</sup> Projects proposed within the Coastal Zone are required to obtain a CDP prior to commencement of construction. Related to the Modified Project, development is proposed in landside PAs 2, 3, and 4 (and potentially PA 5 to accommodate additional boater parking), and the City maintains CDP permit issuance jurisdiction. Since the project site is located in the Coastal Commission's appeal jurisdiction, City action on the CDP can be appealed by or to the Coastal Commission (see Figure 4.9.1, Coastal Zone).

The Original Project was determined to be inconsistent with the DPHRP&DR. In 2021, the City submitted an LCP Amendment request to the Coastal Commission to bring the DPHRP&DR into consistency with the Original Project. The Coastal Commission had not acted on the LCP Amendment request within the 15-month period required by the Coastal Act. The City withdrew the LCP Amendment request in December 2022, and resubmitted the LCP Amendment request immediately thereafter. On June 14, 2024, the Coastal Commission denied the LCP Amendment request (No. LCP-5-DPT-21-0079-2) and adopted "Suggested Modifications", which, if adopted by the City, would result in certification of LCP-5-DPT-21-0079-2. On July 16, 2024, the City adopted the Coastal Commission Suggested Modifications, which are included as Appendix K to this Revised Draft EIR. On February 5, 2025, the Coastal Commission accepted the City's action, completing the legal process to amend the DPHRP&DR to ensure consistency between the Modified Project and the DPHRP&DR.

#### 4.9.3.3 Regional Regulations

**Regional Comprehensive Plan.** In 2008, the Southern California Association of Governments (SCAG) adopted the Regional Comprehensive Plan (RCP) for the purpose of providing a comprehensive strategic plan for defining and solving housing, traffic, water, air quality, and other regional challenges. The 2008 RCP has two primary objectives in implementing this strategic plan:

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<sup>1</sup> It should be noted that per Public Resources Code Section 30613, areas that are potentially subject to the public trust, but are filled, developed and committed to urban use, are not subject to land use restrictions typically associated with land subject to a public trust.



LSA

- Project Site
- Dana Point Harbor Revitalization Boundary
- Coastal Commission Permit Jurisdiction
- City of Dana Point Permit Jurisdiction
- Appeal Jurisdiction
- Appeal Jurisdiction (P.R.C. §30613)



FIGURE 4.9.1

Dana Point Harbor Hotels  
Coastal Zone

SOURCE: Esri Imagery, California Coastal Commission (2024), City of Dana Point (2011)

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(1) integrating transportation, land use, and air quality planning approaches, and (2) outlining key roles for public and private sector stakeholders to implement reasonable policies regarding transportation, land use, and air quality approaches. While the 2008 RCP outlines several policies to guide local decision-makers within the SCAG region with respect to policy and planning decisions, these policies are considered recommendations and are not mandated by law.

With respect to land use policy, the 2008 RCP includes a Land Use and Housing chapter that aims to link land use and transportation planning decisions to the projected population and economic growth in the SCAG region. Specifically, the Land Use and Housing chapter of the 2008 RCP promotes sustainable planning for land use and housing in the SCAG region by maximizing the efficiency of the existing circulation network, providing a greater variety in housing types, promoting a diverse and growing economy, and protecting the existing natural environment. The 2008 RCP is included in the analysis below to determine if the Modified Project is consistent with the goals of this plan related to regional growth and environmental protection.

**Regional Transportation Plan/Sustainable Communities Strategy.** SCAG is a regional council consisting of the following six counties: Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura. In total, the SCAG region encompasses 191 cities and over 38,000 square miles within Southern California. SCAG is the Metropolitan Planning Organization (MPO) serving the region under federal law, and serves as the Joint Powers Authority, the Regional Transportation Planning Agency, and the Council of Governments under State law. As the Regional Transportation Planning Agency, SCAG prepares long-range transportation plans for the Southern California region, including the 2024 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and the 2008 RCP.

The Original Project was analyzed for consistency with the 2020–2045 RTP/SCS (Connect SoCal 2020–2045). However, on April 4, 2024, SCAG adopted the 2024 RTP/SCS (Connect SoCal 2024). The 2024 RTP/SCS provides an update to the long-range planning document that provides a common foundation for regional and local planning, policymaking, and infrastructure goals in the SCAG region. The horizon year for the Connect SoCal 2024 is 2050. Similar to Connect SoCal 2020–2045, the core vision for Connect SoCal 2024 is to increase mobility options and achieve a more sustainable growth pattern. The goals of the 2024 RTP/SCS are designed to achieve this vision, and fall into four core categories, including mobility, communities, environment, and economy, as described below:

- **Mobility:** Build and maintain an integrated multimodal transportation network.
- **Communities:** Develop, connect, and sustain communities that are livable and thriving.
- **Environment:** Create a healthy region for the people of today and tomorrow.
- **Economy:** Support a sustainable, efficient, and productive regional economic environment that provides opportunities for all residents.

The 2024 RTP/SCS outlines the challenges facing the region, shared goals and policies, and the transportation investments and land use strategies and policies to meet greenhouse gas (GHG) reduction targets and deliver significant benefits to the region with respect to mobility, safety,

health outcomes, travel-time reliability, air quality, economic productivity, environmental justice, and transportation.

#### 4.9.3.4 Local Regulations

**General Plan.** The certified Land Use Plan (LUP) policies, land use designations, and maps, diagrams, figures, tables and other graphics for the areas of the City of Dana Point are contained in the Land Use, Urban Design, Circulation, and Conservation/Open Space Elements of the City's General Plan.

As shown in Figure 3.3, General Plan Land Uses, in Chapter 3.0, Project Description, the project site is designated on the City's General Plan Land Use Map for Visitor/Recreation Commercial (V/RC) and Harbor Marine Land (HML) uses. The V/RC land use designation provides for primarily visitor-serving uses, such as restaurant, resort hotels and motel uses, commercial, recreation specialty and convenience retail goods and services. The HML designation provides for land-based harbor uses such as marinas, marine-oriented commercial and industrial services, marine-oriented governmental facilities and services, visitor-serving commercial uses, open space uses, and community facilities.

Dana Point Harbor Drive is also considered to be a potential "scenic corridor" according to the Circulation Element of the City's General Plan.

**City of Dana Point Zoning Code.** Although the project site is located within the City's boundaries, the County of Orange owns, operates, and has primary authority for development/construction permits, and land use operation and activities within the Dana Point Harbor. Until 2011, the regulatory document controlling land use provisions and development standards was a County document called the *Dana Point Harbor Planned Community District Development Plan*. In 2011, the Dana Point Harbor Revitalization Plan and District Regulations (DPHRP&DR) was incorporated into the City's Zoning Code, which is a part of the City's Local Coastal Program and provides the primary authority for development, maintenance, and operation of land uses and activities within the Harbor. The Zoning Code serves as the implementing actions program of the City's Local Coastal Program (LCP), and the City has authority to approve Coastal Development Permits for all landside development within the Harbor.

#### Local Coastal Program (LCP).

**Zoning Regulations/Local Coastal Program/Dana Point Harbor Revitalization Plan and District Regulations.** The entire Dana Point Harbor is located in the Dana Point Harbor Revitalization Plan and District Regulations (DPHRP-ZC) Zoning District as established by Section 9.03.010 of the DPZC. The Dana Point Harbor Revitalization Plan and District Regulations (DPHRP&DR) was certified in October 2011, as a Local Coastal Program Amendment (LCPA) replacing in its entirety the Dana Point Harbor Planned Community District Development Plan (DPHCDDP) contained in the County's 1986 Dana Point Specific Plan/Local Coastal Program (LCP), and replacing any reference to the DPHCDDP in the DPZC. Through the LCPA, the DPHRP&DR was incorporated by reference as Chapter 9.25 of the DPZC, and included as Appendix C of the DPZC. The DPHRP&DR were further amended by LCP-5-DPT-21-0079-2. As used herein, DRHRP&DR includes this 2024 Amendment. Therefore, the Modified Project's consistency with the LCP is described throughout this chapter as consistency with the DPHRP&DR. The DPZC comprises a part of the larger LCP for



a majority of the area located in the City's Coastal Zone. The DPHRP&DR is divided into two parts: (1) the Land Use Plan (Dana Point Harbor Revitalization Plan—DPHRP) comprising the general planning and policy document, and (2) the Implementation Plan (Dana Point Harbor District Regulations [DPHDR]) containing land use regulations and site development standards for all PAs in Dana Point Harbor.

The DPHRP&DR refers to both Land Use Designations (DPHRP) and Land Use Districts (DPHDR), and these coincide with one of the 12 PAs identified in the DPHRP&DR that establish land use and development regulations within the Dana Point Harbor (see Figure 3.4, Planning Area Map). Although the terms used to describe these components of a typical general plan (land use designations) and zoning code (zoning districts) differ from the Land Use Plan and the Implementation Plan, the names of these land use designations/districts are the same in both the DPHRP and the DPHDR. Figure 3.5, Dana Point Harbor Revitalization Plan, illustrates the PAs and corresponding land use designations/districts in the DPHRP&DR. According to Figure 3.5 and Figure 3.6, Planning Area 3 Boundary, the majority of the project site is located within PA 3, which has a corresponding land use designation/district of Visitor Serving Commercial (VSC). The VSC is intended to provide for a variety of visitor serving commercial overnight accommodations, ancillary uses, and facilities in addition to commercial, recreational uses, and facilities supportive of the general community and the regional recreational needs of residents and visitors. The proposed loading zones, landscape improvements, and viewing platform to the east of Island Way are located within PA 4 of the DPHRP&DR, which has a land use designation/district of Marine Commercial (MC), which is intended to provide for a variety of coastal-dependent and coastal-related marine services, public facilities, passive park, and private and public club uses supportive of the general boating public and to serve the regional recreational needs of residents and visitors. The proposed improvements south of the terminus of Casitas Place, including the eastern portion of Dana House Hotel's podium structure, the adjacent Festival Plaza, and a small portion of the Pedestrian Promenade along the East Cove Marina bulkhead, are located within PA 2 of the DPHRP&DR, which has a land use designation/district of Day Use Commercial (DUC). The Modified Project also includes the designation of 45 additional boater parking spaces within either PA 2 or PA 5. PA 5 has a land use designation/district of Recreation (R). Parking is allowed within the Recreation district.

The DPHDR is the Implementation Plan for the DPHRP&DR, constitutes the zoning for the project site, and governs the permitted uses and development standards associated with the project site. The Dana Point Harbor Revitalization Plan Statistical Table is included in Chapter 17 (Revitalization Plan and Statistical Table Regulations and Procedures) of the DPHDR. Chapter 17 provides regulations and procedures for the City to revise the Dana Point Harbor Revitalization Plan Statistical Table, which contains a statistical breakdown for each of the PAs shown on the DPHRP in terms of acreage and maximum amount of allowable development intensity. Additionally, due to its proximity to the Pacific Ocean, the project site falls within the boundaries of the City's Coastal Overlay District. The Coastal Overlay District preserves and protects the coastal resources within Dana Point, and implements the California Coastal Act (Division 20 of the Public Resources Code) and the General Plan coastal policies, which constitute the Land Use Plan portion of the certified Local Coastal Program for the City of Dana Point. The Coastal Overlay District is an overlay district, which shall be combined with any other zoning district that

lies within the Coastal Zone of the City of Dana Point. A Coastal Development Permit, subject to the standards of the specific zoning designation in which the project is located is required for all “development,” as defined in Section 9.75.040 of the City’s Municipal Code.

The DPHRP&DR also contains design guidelines specific to the Harbor, which supersede the Dana Point Design Guidelines that provide guidance for development in other parts of the City. General Provision No. 2 of Chapter 3 of the DPHDR states that the Dana Point Harbor Revitalization Plan and District Regulations shall govern all existing and proposed development within Dana Point Harbor.

The DPHRP&DR provides a specific design theme of “California Coastal,” which is a hybrid-style based on the historic characteristics of coastal villages merged with the California traditions of open space and outdoor living. The model for a California Coastal Village is a coastal area that has an appearance of being constructed over time, with buildings being added as needed, while at the same time allowing the various buildings to differentiate themselves based on users and individual type of businesses. Generally, buildings will share a color palette, exterior finishes, and will share many materials, which can be deployed in numerous ways such as clapboard, shingle, stone trim, and stucco.

By unifying some architectural elements such as roof pitches and railings, these buildings will present a varied yet unified village appearance. The scale of Dana Point Harbor allows the creation of a unique setting that includes the clustering of buildings together to provide a comfortable pedestrian setting for retail merchants and restaurants. The new village will also be moved closer to the existing Dana Wharf to create a stronger pedestrian link with the remaining buildings and adjacent parking areas. A small number of careful architectural enhancements will bring the California Coastal style to the existing buildings on Dana Wharf to be remodeled.

**County of Orange Municipal Code.** The County of Orange continues to own, operate, and have the primary authority for development, maintenance, and operation of land uses and activities within the Harbor. As noted previously, the County is the trustee of the Harbor for the people of the State of California, pursuant to the State Tidelands Grant. As landowner, all Harbor operations are managed by the Orange County Dana Point Harbor Department. The marinas, hotel, and other private operations are managed under various operations, management, and/or lease agreements controlled by the County of Orange. The County also provides emergency response and police services through the Orange County Fire Authority, the Orange County Sheriff’s Department, and the Harbor Patrol. As noted in the DPZC discussion above, construction-related permits are issued by the County and, excluding the land use policies and development regulations contained in the DPHRP&DR, the Modified Project is subject to the regulations of the County Municipal Code per the DPHRP&DR.

#### 4.9.4 Methodology

The impact analysis of this Land Use and Planning section considers the physical effects of the Modified Project related to land use compatibility and considers whether the Modified Project would result in any potential inconsistencies with planning documents adopted by the City and other agencies with applicable plans or policies (e.g., City of Dana Point General Plan Land Use

Element and the DPZC). Regulations and policies from the City's General Plan and DPHRP&DR are also discussed in applicable topical sections of this Revised Draft EIR, where policies related to physical effects associated with specific environmental topics are addressed.

The consistency analysis presented in this section was prepared in compliance with *State CEQA Guidelines* Section 15125(d). Neither the California Environmental Quality Act (CEQA) nor the *State CEQA Guidelines* set forth standards for determining when a project is inconsistent with an applicable plan, but the final determination that a project is consistent or inconsistent with an applicable plan should be made by the lead agency when it acts on a project. Using the methodology described below, the analysis in this Revised Draft EIR presents the findings of policy review and is intended to provide a guide to the decision-makers for policy interpretation.

A project's inconsistency with a policy is only considered significant if such an inconsistency would cause significant physical environmental impacts (per *State CEQA Guidelines* Section 15382). This Revised Draft EIR section determines whether any project inconsistencies with public land use policies and documents would be significant and whether mitigation is feasible. Under this approach, a policy conflict is not in and of itself considered to be a significant environmental impact. An inconsistency between a proposed project and an applicable plan is a legal determination that may or may not indicate the likelihood of environmental impact. In some cases, an inconsistency may be evidence that an underlying physical impact is significant and adverse. For example, if a proposed project affected agricultural land, one standard for determining whether the impacts were significant would be to determine whether the project violated a plan or policy protecting agricultural land; the environmental impact, however, would be the physical conversion of agricultural land to non-agricultural uses. Conversely, plan consistency may also indicate that a potential environmental impact is less than significant.

#### 4.9.5 Thresholds of Significance

The thresholds for land use and planning impacts used in this analysis are consistent with Appendix G of the *State CEQA Guidelines*. The Modified Project may be deemed to have a significant impact with respect to land use and planning if it would:

**Threshold 4.9.1:** Physically divide an established community; or,

**Threshold 4.9.2:** Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

The Initial Study prepared for the Original Project in September 2020, included as Appendix B to this Revised Draft EIR, substantiated that there would be less than significant impacts associated with Threshold 4.9.1. The project site was and is located within a largely developed portion of the City of Dana Point and would occur on a currently developed site with an existing hotel, parking, and associated infrastructure. In addition, under the Modified Project, vehicular access to the project site would continue to be provided from Dana Point Harbor Drive on the northwest boundary of the project site and from Casitas Place on the eastern boundary of the project site. Implementation of the Original Project was found to not change the land use designations/districts of any PA in the

DPHRP&DR, or introduce new land uses that would divide the existing developments in any of the PAs within the Modified Project's site boundaries. Therefore, the Original Project was found to not result in the physical division of an established community and was not discussed further in the 2021 Draft EIR. Although the Modified Project includes the use of proposed and approved off-street parking facilities within PA 2 and potentially PA 5 of the DPHRP&DR, the use of these parking facilities does not change their land use designations/districts, and the Modified Project would otherwise be located on the same site as the Original Project, and would result in the same land uses within the project site. As such, the conclusions of the Initial Study prepared for the Original Project remain the same for the Modified Project, and this threshold will not be addressed in the following analysis.

#### 4.9.6 Project Impacts

**Threshold 4.9.2: Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?**

**Less Than Significant Impact.** Several regionally and locally adopted land use plans, policies, and regulations would be applicable to development under the Modified Project, including the California Coastal Act (CCA), the SCAG 2008 Regional Comprehensive Plan, Connect SoCal 2024 (the SCAG 2024 RTP/SCS), the City of Dana Point General Plan, the City of Dana Point Zoning Code (DPZC), and the DPHRP&DR.

***Southern California Association of Governments Regional Comprehensive Plan.*** The RCP addresses issues such as housing, traffic, air quality, and water resources as a guide for local agencies to use in preparing plans that deal with regional issues. The RCP outlines a vision of how the Southern California region can balance growth with conservation in order to achieve a higher quality of life. In order to achieve this balance, the RCP aims to establish the following land use goals: (1) focus growth in existing centers and along major transportation corridors, (2) encourage mixed-use development, (3) provide new housing opportunities, (4) encourage development near existing and planned transportation stations to reduce traffic congestion and associated air pollutants, (5) preserve existing single-family neighborhoods, and (6) protect open space and environmentally sensitive habitat areas from development. The Modified Project does not include new housing or mixed-use development. Therefore, Goals 2 and 3 are not applicable to the Modified Project and are not discussed further in the following RCP consistency analysis below.

The project site is located immediately south of Dana Point Harbor Drive, which is a Primary Arterial consisting of four lanes, and PCH, which is a Primary Arterial consisting of four lanes northwest of the site and a Major Arterial consisting of six lanes northeast of the site. The Modified Project would include the demolition of the existing Dana Point Marina Inn, two boater service buildings, and parking areas within the project site, and would develop two hotels, one of which would include space for boater services, ancillary uses, and designated boater and hotel parking. Therefore, the redevelopment of the site with expanded hotel uses would not change the nature of the uses on the project site. Uses proposed as part of the Modified Project would be easily accessed from Dana Point Harbor Drive and other major

transportation corridors near the site including PCH and I-5. In addition, the project site is located immediately south of the existing Class 2 bike lanes on Dana Point Harbor Drive.<sup>2</sup> The proposed hotels would also be located approximately 0.15 mile southwest of the nearest bus stop (the Orange County Transportation Authority [OCTA] Route 90 bus stop located on the northbound side of Golden Lantern just north of the Golden Lantern/Dana Point Harbor Drive intersection). In addition, the City of Dana Point provides a trolley service during the summer months through Labor Day and on weekends through September for local city transport, and the proposed hotels are located approximately 0.13 mile west of the nearest trolley stop (on the southeast corner of Golden Lantern and Dana Point Harbor Drive). Employees of the Dana Point Harbor Hotels may utilize available alternative transportation to access the site. As the project site is located within walking distance to existing and proposed restaurants, recreation, and shopping opportunities, it is anticipated that vehicle use by patrons of the hotels will be reduced. In addition, patrons of the hotels may utilize alternative transportation modes including the existing bus stops and Dana Point Trolley to access these commercial and recreational land uses. Overall, the Modified Project would be consistent with RCP Goal 1, to focus growth along major transportation corridors, and Goal 4, to encourage new development near existing transportation stations.

Development of the Modified Project would be consistent with existing visitor-serving commercial, recreational, and marina uses surrounding the project site, and would not result in a conflicting land use with any existing single-family neighborhoods in the City. The closest residential neighborhood is located nearly 300 ft north of the project site, and it is also separated topographically from the project site due to its location on the coastal bluff north of Dana Point Harbor Drive. The Modified Project would replace the existing hotel and would continue to serve visitors. Refer to Section 4.1, Aesthetics, for a detailed discussion of the Modified Project's consistency with the visual character of the surrounding area. Refer to Sections 4.2, Air Quality, and 4.10, Noise, for a detailed discussion of the Modified Project's potential to result in nuisance impacts related to operational emissions and noise. As noted throughout this Revised Draft EIR, the Modified Project would not interfere or conflict with the existing land use patterns and visual character of established residential neighborhoods near the site, and would not result in any significant and unavoidable nuisance impacts as all potentially significant impacts related to air quality and noise can be mitigated to a less than significant level. Therefore, the Modified Project would be consistent with the RCP Goal 5 of preserving existing single-family neighborhoods.

The project site does not include protected open space or environmentally sensitive habitat, as it is currently developed with the existing Dana Point Marina Inn and associated parking and infrastructure. However, as described in Section 4.8, Hydrology and Water Quality, Dana Point Harbor is considered an Environmentally Sensitive Area (ESA) and is a receiving water body for the project site. Compliance with Standard Conditions 4.8-1 through 4.8-4 would ensure that impacts related to violation of any water quality standards or waste discharge requirements, and degradation of surface water or groundwater quality during or after construction and operation of the Modified Project would be less than significant. Therefore, the Modified Project

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<sup>2</sup> Orange County Transportation Authority (OCTA). 2009. *2009 Commuter Bikeways Strategic Plan*. Website: <https://octa.net/pdf/bikeways09.pdf> (accessed September 12, 2024).

would be consistent with RCP Goal 6 of protecting open space and environmentally sensitive habitat areas.

For the reasons identified above, the Modified Project would be consistent with applicable goals and policies in SCAG's 2008 RCP.

**SCAG 2024 RTP/SCS (Connect SoCal 2024).** Connect SoCal 2024 provides a comprehensive outline for transportation investments throughout the SCAG region. As described above in Section 4.9.3.3, Regional Regulations, the 2024 RTP/SCS, known as Connect SoCal 2024, was most recently adopted in 2024 and is updated every four years to address regional transportation needs. The following Connect SoCal 2024 goals, as listed below in Table 4.9.A, would be applicable to the Modified Project. The 2020–2045 RTP/SCS goals discussed in the 2021 Draft EIR in relation to the Original Project are no longer applicable and have been superseded by the goals and policies presented in Table 4.9.A. Please refer to Section 4.9, Land Use and Planning, of the 2021 Draft EIR for a detailed description of the Original Project's consistency with the 2020–2045 RTP/SCS.

For the reasons stated above, the Modified Project would be consistent with applicable goals outlined in Connect SoCal 2024.

**City of Dana Point General Plan.** The City's General Plan (1991) contains goals, policies, and programs that are intended to guide future land use and development decisions. According to Section 65302(a) of the California Government Code, General Plans are required to contain at least seven elements: Land Use, Transportation, Housing, Conservation, Noise, Open Space, and Safety. The City's General Plan contains these required elements, as well as three optional elements: Public Facilities/Growth Management, Economic Development, and Urban Design.

Land Use Element. At the heart of the City of Dana Point General Plan is the Land Use Element (LUE), adopted in 1991. The LUE establishes land uses and develops a long-term land use vision for these land uses throughout the City. Table 4.9.C (provided later in this section) includes a list of applicable goals and policies from the City's General Plan and the Modified Project's consistency with each goal and policy. The LUE serves as a guide to the allocation of land use in the City and has major impacts on key issues and subject areas examined in the other elements of the General Plan. The Land Use Map, which illustrates land uses within the City, is a primary feature of the Land Use Element. Land use designations indicate the type and nature of development that is allowed in a given location. As shown on Figure 3.3, the project site is designated Visitor/Recreation Commercial (V/RC) and Harbor Marine Land (HML). The V/RC land use designation provides for primarily visitor-serving uses, such as restaurants, resort hotels and motel uses, commercial, recreation specialty, and convenience retail goods and services. The HML designation provides for land-based harbor uses such as marinas, marine-oriented commercial and industrial services, marine-oriented governmental facilities and services, visitor-serving commercial uses, open space uses, and community facilities. The Modified Project would be consistent with these existing land use designations.

**Table 4.9.A: Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) Policy Consistency Analysis**

Policies	Consistency Analysis
<p><b>Mobility Policy 03:</b> Pursue the development of Complete Streets that comprise a safe, multimodal network with flexible use of public rights-of-way for people of all ages and abilities using a variety of modes (e.g., people walking, biking, rolling, driving, taking transit).</p>	<p><b>Consistent.</b> The project site is located within walking distance to commercial and recreational uses and is adjacent to existing alternative transportation infrastructure, including an Orange County Transportation Authority (OCTA) bus stop and Dana Point Trolley service stops. In addition, as part of the Modified Project design, a complimentary shuttle service to other destinations within the Harbor (i.e., Baby Beach, the Ocean Institute, and Doheny State Beach) using electric golf carts would be provided for hotel guests. These electric golf carts may also be used for boater services. Pedestrian access, golf cart shuttle service, and proximity to transit would result in reduced vehicle trips by hotel patrons. Further, the Modified Project would include driveway, sidewalk, and curb improvements on Island Way, Casitas Place, and Dana Point Harbor Drive, which would enhance the pedestrian experience and accommodate pedestrians of various abilities. As such, the Modified Project, would provide flexible modes of transportation for guests of all ages and abilities, and would therefore be consistent with Mobility Policy 03 of Connect SoCal 2024.</p>
<p><b>Mobility Policy 07:</b> Encourage and support the implementation of projects, both physical and digital, that facilitate multimodal connectivity, prioritize transit and shared mobility, and result in improved mobility, accessibility and safety.</p>	<p><b>Consistent.</b> As discussed above, the project site is served by an existing OCTA bus stop and a Dana Point Trolley service stop. Further, operations of the Modified Project would include the use of electric golf carts to reduce the vehicle trips of hotel guests. As such, the Modified Project would promote shared mobility and other multimodal features, and would be consistent with Mobility Policy 07 of Connect SoCal 2024.</p>
<p><b>Mobility Policy 14:</b> Encourage the development of transportation projects that provide convenient, cost-effective and safe alternatives to single-occupancy vehicle travel (e.g., trips made by foot, on bikes, via transit, etc.).</p>	<p><b>Consistent.</b> As discussed above, the Modified Project would be located on a site adequately served by several alternative transportation options, including the OCTA bus system and the Dana Point Trolley. Pursuant to Dana Point Harbor Revitalization Plan (DPHRP) Policy 5.2.1-12, hotel employees utilizing public transportation to and from the project site would receive fully subsidized transit passes, therefore increasing the accessibility of these transportation options. In addition, commercial and recreational uses within Dana Point Harbor are accessible from the project site via walking or biking. Further, the Modified Project would offer electric golf carts to transport hotel guests within the Harbor. In addition, also pursuant to DPHRP Policy 5.2.1-12, hotel guests would have access to a free on-demand regional shuttle service providing connections to a regional public trolley or public transportation service. As such, hotel guests would have access to alternative transportation options within the harbor itself as well as within the overall region. Therefore, the Modified Project would provide alternatives to single-occupancy vehicle travel, and would therefore be consistent with Mobility Policy 14 of Connect SoCal 2024.</p>
<p><b>Air Quality Policy 51:</b> Reduce hazardous air pollutants and greenhouse gas emissions and improve air quality throughout the region through planning and implementation efforts.</p>	<p><b>Consistent.</b> As discussed above, pedestrian access, golf cart shuttle service, and proximity to transit would be available to hotel patrons. This availability of alternative modes of transportation would reduce the single-occupancy vehicle travel associated with the Modified Project. Further, pursuant to Policy 5.2.1-13 of the DPHRP, the Modified Project would include electric vehicle (EV) parking stalls and charging stations, as well as parking for bicycles, electric bicycles, and</p>

**Table 4.9.A: Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) Policy Consistency Analysis**

Policies	Consistency Analysis
	<p>electric scooters, which would further encourage alternative modes of transportation. As such, development of the Modified Project would reduce greenhouse gas emissions and improve air quality in the vicinity of the project site. Further, the Modified Project would incorporate the following features that would function to reduce hazardous air pollutants and greenhouse gas emissions: compliance with the 2022 California Green Building Standards Code (CALGreen Code) and Title 24 requirements; electric vehicle (EV) charging stations and EV capable parking spaces; passive solar design; efficient low-emissivity (Low-E) glazing; specification of finish material pollutant control meeting volatile organic compound (VOC) and formaldehyde limits (i.e., adhesives, sealants, caulks, paints and coatings, aerosol paints and coatings); efficient variable refrigerant flow (VRF) heating and air-conditioning system design; bicycle parking and employee transportation alternatives; low power consumption for lighting design and dimming systems; commissioning and testing of heating, ventilation, and air conditioning (HVAC) and lighting systems; and insulation and sealing of the exterior envelope. As such, the Modified Project would be consistent with Air Quality Policy 51 of Connect SoCal 2024.</p>
<p><b>Climate Resilience Policy 65:</b> Support local and regional climate and hazard planning and implementation efforts for transportation, land use, and other factors.</p>	<p><b>Consistent.</b> One of the key concerns associated with climate change is the effect that sea level rise may have on coastal communities like Dana Point, which depends on coastal and ocean-related tourism. The range of sea level rise scenarios that are possible is particularly relevant to the project due to its location in Dana Point Harbor. Anchor QEA, LLC, prepared a memorandum addressing the potential coastal hazards that could affect the Modified Project (Coastal Hazards Memorandum, February 2025). The Coastal Hazards Memorandum is included in Appendix H to this Revised Draft EIR, and concluded that the lower podium level of Dana House Hotel when accounting for sea level rise in conjunction with the 100-year wave run-up elevation in the intermediate-high scenario for 2100 could result in the inundation of the unoccupied parking garage. The Coastal Hazards Memorandum further explained that the lowest occupied floor in the Dana House Hotel lower podium might experience inundation near 2085; however, the Ocean Protection Council’s updated State of California Sea Level Rise Guidance for the intermediate-high scenario explains there is a 0.1 percent probability that sea level rise would exceed 4.5 feet by the analysis horizon year of 2100. It should be noted that the podium level of Dana House Hotel consists mainly of a parking garage and enclosed, non-habitable back of the house functions (storage, laundry, employee lounge, etc.) and separately accessed non-habitable boater service facilities, and does not contain any guest rooms. As such, no overnight hotel accommodations in either Dana House Hotel or Surf Lodge would be subject to these inundation areas, even in this speculative condition occurring approximately 72 years beyond project opening. Further, to reduce the risk of flooding in the parking garage and basement of the Dana House, a multitude of perimeter trench drains, and area floor drains directed to sump pumps, are included in the Modified Project</p>



**Table 4.9.A: Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) Policy Consistency Analysis**

Policies	Consistency Analysis
	design. The basement of Dana House Hotel would be designed with special flood-proof doors and window systems and constructed of concrete masonry units. In addition, prior to 2055 (the earliest time that sea level rise could overtop the bulkhead) reevaluation of resilience measures will be undertaken based on the data which will be available at that future date. Lastly, additional GHG reduction strategies implemented at the State, national, and international levels could reduce future sea level rise, especially for the year 2100 scenario. As such, due to the speculative nature of these conditions and protective measures incorporated to the design of the Modified Project, the Modified Project would be consistent with Climate Resilience Policy 65 of Connect SoCal 2024.
<p><b>Climate Resilience Policy 67:</b> Promote sustainable water use planning, practices and storage that improve regional water security and resilience in a drier environment.</p>	<p><b>Consistent.</b> The Modified Project would include water conserving plumbing fixtures and fittings within the proposed buildings in order to promote the sustainable use of water indoors. Further, the project site would utilize automatic controllers, sensors, and metering of outdoor water use consistent with the Water Efficient Landscape Ordinance requirements of the County related to irrigation of new landscaping and grouping of plants with similar water needs associated with the project, which would similarly promote the sustainable use of water outdoors. Therefore, the Modified Project would be consistent with Climate Resilience Policy 67 of Connect SoCal 2024.</p>
<p><b>Tourism Policy 88:</b> Encourage the reduced use of cars by visitors to the region by working with state, county and local agencies (e.g., park services, transportation agencies) to highlight and increase access to alternative options, including transit, passenger rail and active transportation.</p>	<p><b>Consistent.</b> As previously stated, the project site is located within walking distance to commercial and recreational uses and is adjacent to existing alternative transportation infrastructure, including an OCTA bus stop and a Dana Point Trolley Service stop. In addition, as part of the Modified Project design, a complimentary shuttle service to other destinations within the Harbor (i.e., Baby Beach, the Ocean Institute, and Doheny State Beach) using electric golf carts would be provided for hotel guests. These electric golf carts may also be used for boater services. Pedestrian access, electric golf cart shuttle service, and proximity to transit would result in reduced vehicle trips by hotel patrons. Further, the Modified Project would include driveway, sidewalk, and curb improvements on Island Way, Casitas Place, and Dana Point Harbor Drive, which would encourage pedestrian and bicyclist travel. The Modified Project would also include bicycle parking, as well as free or low-cost bicycle rentals, for hotel guests in order to encourage this mode of active transportation. As such, the Modified Project would be consistent with Tourism Policy 88 of Connect SoCal 2024.</p>

Source: *Connect SoCal Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)*. April 2024 (Southern California Association of Governments 2024). Website: <https://scag.ca.gov/sites/main/files/file-attachments/23-2987-connect-socal-2024-final-complete-040424.pdf?1712261565> (accessed July 15, 2024).

As described in Table 4.9.C, provided later in this section, the Modified Project would be consistent with several goals and policies contained in the City's General Plan Land Use, Urban Design, Conservation/Open Space, Public Safety, Circulation, Noise, and Public Facilities/Growth Management Elements. Therefore, impacts under the Modified Project related to potential conflicts with the City's General Plan are anticipated to be less than significant, and no mitigation is required. Additional regulations and policies from the City's General Plan are discussed in other topical sections of this Revised Draft EIR as those policies are more directly related to the environmental effects evaluated in those sections.

Zoning Regulations/Local Coastal Program/Dana Point Harbor Revitalization Plan and District Regulations. Zoning is the division of a city into districts and the application of land use and development regulations specific to each district.

The Zoning Code is a primary tool for implementing the City's General Plan. As described above, according to the Dana Point Zoning Code (DPZC), Dana Point Harbor is zoned Dana Point Harbor Revitalization Plan and District Regulations (DPHRP-ZC). The DPHRP&DR was incorporated as Chapter 9.25 of the DPZC, and included as Appendix C of the DPZC in 2011. The DPZC comprises a part of the larger Local Coastal Program (LCP) for a majority of the City. The DPHRP&DR is divided into two parts: (1) the Land Use Plan (Dana Point Harbor Revitalization Plan—DPHRP) comprising the general planning and policy document, and (2) the Implementation Plan (Dana Point Harbor District Regulations [DPHDR]) containing land use regulations and site development standards for all PAs in Dana Point Harbor.

On June 14, 2024, the Coastal Commission approved LCP-5-DPT-21-0079-2 associated with the City's LCPC with suggested modifications that were inconsistent with the Original Project circulated in the 2021 Draft EIR. The Dana Point City Council accepted the Coastal Commission's suggested modifications at their July 16, 2024, meeting and at a second reading on September 3, 2024, adopted the Coastal Commission's suggested modifications. The second reading authorized the final submittal to the Coastal Commission for final certification, which occurred on February 5, 2025. The Modified Project is consistent with the Coastal Commission's suggested modifications as described in Chapter 3.0, Project Description, and would include development of both market-rate and lower-cost overnight accommodations. The Modified Project would contain a greater number of lower cost hotel units consistent with the LCPC changes to the Statistical Table. See Table 4.9.B. Consequently, the Modified Project, with approval of and ultimate certification of the LCPC by the Coastal Commission, would ensure the Modified Project's consistency with the DPHRP and Coastal Act, and no mitigation would be required. Table 4.9.C (provided below) includes a list of all other applicable goals, policies, and objectives from the General Plan, and Table 4.9.D includes a list of all applicable policies from the DPHRP. Additional regulations and policies from the DPHRP&DR are discussed in other topical sections of this Revised Draft EIR as those policies are more directly related to the environmental effects evaluated in those sections. It should be noted that until certification is granted by the Coastal Commission, action on the coastal development permit consistent with the Modified Project analyzed in the Revised Draft EIR may not be taken.

**Table 4.9.B: Proposed Changes to Dana Point Harbor Revitalization Plan  
Statistical Table Development Intensity for PA 3**

Land Use Category	Planning Area	Gross Acreage	Estimate Existing Rooms/Square Footage	Maximum Rooms/Square Footage <sup>1</sup>
Visitor-Serving Commercial	3	9.5 acres		
<b>Lower Cost Hotel/Motel</b>			136 rooms	136 rooms + 25% of the market rate rooms
Function/Meeting			2,000 sf	
Restaurant/Food Service				4,200 sf
Accessory Retail				350 sf
Fitness/Health Center			450 sf	700 sf
<b>Market Rate Hotel</b>				130 rooms
Function/Meeting				8,000 sf
Restaurant/Food Service				8,275 sf
Accessory Retail				600 sf
Fitness/Health Center				1,700 sf
Boater Service Building 2			3,600 sf	1,000 sf
Boater Service Building 3			3,600 sf	3,000 sf
Boater Service Building 4			5,000 sf	3,800 sf
<b>Planning Area 3 Subtotals</b>	<b>3</b>	<b>9.5 acres</b>	<b>8,600</b>	<b>28,625 sf</b>

Footnotes:

- <sup>1</sup> Maximum Square Footage includes existing buildings to remain
  - <sup>2</sup> May include a Marine Retail Store
  - <sup>3</sup> For hotel, square footage subtotal includes ancillary uses only
  - <sup>4</sup> Includes OC Dana Point Harbor offices on the upper floor
  - <sup>5</sup> Boater Service Buildings in Planning Area 3 may be incorporated within hotel buildings
  - <sup>6</sup> The lower cost hotel rooms that constitute 25% of the number of market rate rooms may be incorporated within the lower cost hotel or the market rate hotel
- sf = square feet

**Table 4.9.C: General Plan Policy Consistency Analysis<sup>1</sup>**

Goal/Policy	Modified Project Consistency Analysis
<b>Land Use Element</b>	
<p><b>Goal 1:</b> Achieve a desirable mixture of land uses to meet the residential, commercial, industrial, recreational, open space, cultural and public service needs of the City Residents.</p>	<p><b>Consistent.</b> The proposed Modified Project would replace the existing Dana Point Marina Inn and would expand visitor-serving commercial opportunities within the City by increasing overnight accommodations with the increase in proposed hotel rooms. The addition of the proposed Surf Lodge and Dana House Hotel would also include accessory retail space, boater services, restaurants, and function/meeting space facilities providing a mixture of uses serving City residents, which would enhance and support existing boater and recreation activities near the Dana Point Harbor. Therefore, the Modified Project would further Goal 1 of the City’s General Plan Land Use Element providing a mixture of land uses to meet the varying needs of the City’s residents.</p>
<p><b>Policy 1.1:</b> Develop standards for building intensity, including standards for ground coverage, setbacks, open space/landscaping, maximum dwellings per acre, floor area ratios, size and height restrictions.</p>	<p><b>Consistent.</b> As indicated in Table 4.9.B, the Dana Point Harbor Revitalization Plan (DPHRP) establishes maximum development intensity for the Visitor Serving Commercial (VSC) land use designation/district within Planning Area (PA) 3. The Modified Project’s proposed uses are consistent with the Dana Point Harbor District Regulations (DPHDR), and the development intensity of those uses determined through maximum square footage and the number of hotel rooms for the Modified Project have been revised consistent with the Local Coastal Program Amendment (LCPA) to the Dana Point Harbor Revitalization Plan Statistical Table for PA 3 in Chapter 17 of the DPHDR approved by the California Coastal Commission (Coastal Commission) as part of DPT-21-0079-2 in June 2024. The Modified Project is consistent with the setback requirements and allowable height of 50 feet (ft) for buildings in the VSC (PA 3) land use designation/district. Approval of a Coastal Development Permit (CDP), for the increased development intensity standards for PA 3 would ensure the Modified Project’s consistency with the City’s height, and other established PA 3 development standards. Therefore, the Modified Project would be consistent with Policy 1.1 of the City’s General Plan Land Use Element aimed at conformance with development standards.</p>
<p><b>Policy 1.2:</b> Establish maximum intensities for development of each of the various land use categories.</p>	<p><b>Consistent.</b> The Modified Project would replace the existing Dana Point Marina Inn and would expand visitor-serving commercial opportunities within the City by increasing overnight accommodations with the increase in proposed hotel rooms. As described above, the development intensity of those uses determined through maximum square footage and the number of hotel rooms for the Modified Project has been revised consistent with suggested modifications to the LCPA to the Dana Point Harbor Revitalization Plan Statistical Table for PA 3 in Chapter 17 of the DPHDR approved by the Coastal Commission as part of DPT-21-0079-2 in June 2024. Final acceptance by the Coastal Commission of the City’s agreement to the Suggested Modification occurred on February 5, 2025. The Modified Project would be consistent with Policy 1.2 of the City’s General Plan Land Use Element.</p>
<p><b>Policy 1.3:</b> Assure that land use intensities are consistent with capacities of existing and planned public service facilities. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic</p>	<p><b>Consistent.</b> As discussed in Section 4.11, Public Services, the Modified Project would be served by all public service providers currently serving the project site. Therefore, the Modified Project would be consistent with the City’s policy aimed at assuring that land use intensities can be served by public service facilities. Furthermore, as the Modified Project includes the development of two hotels, restaurants, and other visitor-serving amenities, the Modified Project would be consistent with the intent of Policy 1.3 of the City’s General Plan Land Use Element to ensure visitor-serving land uses are not precluded by other development.</p>

**Table 4.9.C: General Plan Policy Consistency Analysis<sup>1</sup>**

Goal/Policy	Modified Project Consistency Analysis
<p>industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development. (Coastal Act, Sections 30250 and 30254)</p>	
<p><b>Policy 1.5:</b> Work closely with Orange County to plan for the future development of the Harbor Area and to assure that additional development is compatible with existing uses and enhances the scenic, recreational, and visitor opportunities for the area (Coastal Act, Sections 30220-224, 30233, 30234, 30250, 30252, and 30255)</p>	<p><b>Consistent.</b> The Modified Project would replace the existing Dana Point Marina Inn and would expand overnight accommodation facilities for ongoing hotel and visitor-serving commercial opportunities within the City. The replacement of the existing Dana Point Marina Inn is programmed in the DPHRP, which was developed by the Orange County Dana Point Harbor Department and approved by the City. Furthermore, the City worked closely with Orange County elected officials and staff to ensure that recreational opportunities were included as part of LCPA policies to the DPHRP for PA 3. Therefore, the Modified Project is consistent with Policy 1.5 of the City’s General Plan Land Use Element aimed at coordination with the County of Orange to assure that development of the Dana Point Harbor by creating enhanced recreational and visitor opportunities.</p>
<p><b>Policy 1.8:</b> The location and amount of new development should maintain and enhance public access to the coast by facilitating the provision or extension of transit service, providing non-automobile circulation within the development, providing adequate parking facilities or providing substitute means of serving the development with public transportation, and assuring the potential for public transit for high intensity uses. (Coastal Act, Section 30252)</p>	<p><b>Consistent.</b> Employees traveling to and from the project site may use alternative transportation to access the site given the proximity of Class 2 bike lanes along Dana Point Harbor Drive north of the site, the Orange County Transportation Authority (OCTA) Route 90 bus stop approximately 0.15 mile northeast of the proposed hotels near the northeast corner of Golden Lantern and Dana Point Harbor Drive, and the Dana Point Trolley stop approximately 0.13 mile east of the proposed hotels on the southeast corner of Golden Lantern and Dana Point Harbor Drive. Per DPHRP Policy 5.2.1-12, hotel employees utilizing public transportation shall be provided with fully subsidized transit passes in order to incentivize and increase accessibility to the use of these options. Under DPHRP Policy 5.2.1-12, the Modified Project would also provide hotel guests with access to a free on-demand regional service shuttle connecting to a public regional trolley or public transportation service. In addition, the proposed parking plan includes designated zones for new and efficient transportation technologies such as rideshare uses (i.e., Lyft, Uber, and taxi), which would be provided at key locations on site for passenger loading/unloading. The Modified Project would enhance existing public access to the coast through the creation of the Pedestrian Promenade adjacent to the East Cove Marina bulkhead, and would be consistent with Policy 1.8 of the City’s General Plan Land Use Element aimed at maintaining and enhancing public access to the coast via non-automobile circulation and transit.</p>

**Table 4.9.C: General Plan Policy Consistency Analysis<sup>1</sup>**

Goal/Policy	Modified Project Consistency Analysis
<b>Goal 2:</b> Achieve compatibility and enhance relationships among land uses in the community.	<b>Consistent.</b> The Modified Project would replace the existing Dana Point Marina Inn and would expand visitor-serving commercial opportunities within the City by increasing overnight accommodations with the increase in proposed hotel rooms. Therefore, the Modified Project would not result in any new land use incompatibilities in the community and would be consistent with Goal 2 of the City’s General Plan Land Use Element.
<b>Policy 2.1:</b> Consider the impacts on surrounding land uses and infrastructure when reviewing proposals for new development. (Coastal Act, Section 30250)	<b>Consistent.</b> As discussed in Section 4.10, Noise, the Modified Project would not result in any significant and unavoidable impacts on surrounding land uses related to noise. As discussed in Section 4.11, Public Services, the Modified Project would not result in significant impacts on utility infrastructure currently serving the project site. As discussed in Section 4.12, Transportation, the Modified Project would not result in any impacts to existing roadways surrounding the project site. Therefore, the Modified Project would be consistent with Policy 2.1 of the City’s General Plan Land Use Element requiring new development projects to consider impacts on surrounding land uses.
<b>Policy 2.2:</b> Visitor serving commercial areas shall not intrude into existing residential communities (Coastal Act, Section 30250)	<b>Consistent.</b> The Modified Project would replace the existing Dana Point Marina Inn and would expand overnight accommodations facilities within the VSC land use designation/district (PA 3) through an increase in hotel rooms, but would not extend beyond the project site into any existing residential communities. Furthermore, the Modified Project would not include the development of any residential land uses. Therefore, the Modified Project would be consistent with Policy 2.2 of the City’s General Plan Land Use Element aimed at preventing visitor serving commercial areas from intruding on existing residential communities.
<b>Policy 2.11:</b> The location and amount of new development should maintain and enhance public access to the coast by assuring that the recreational needs of new residents will not overload nearby coastal recreation areas through the correlation of the amount of development with local park acquisition and development plans with the provision of on-site recreational facilities to serve the new development. (Coastal Act, Section 30252(6))	<b>Consistent.</b> The Modified Project would include paved pedestrian pathways throughout the project site and would create the Pedestrian Promenade (expanding the width of the existing walkway from 6.5 to 15 ft) located adjacent to the East Cove Marina bulkhead and along the southern boundary of the project site as stipulated in Chapter 6 of the DPHRP. Therefore, the Modified Project would not restrict or otherwise interfere with existing public access to the coast. While it is possible that employees may visit parks and recreational facilities in the Dana Point Harbor and the City during lunch breaks or after-work hours, it is unlikely that the use of parks by project employees would increase demand for nearby coastal recreation areas. Furthermore, on-site recreational facilities are included in the site plans for both Surf Lodge and Dana House Hotel to accommodate hotel guests. The Modified Project maintains and enhances public access to coastal recreation areas. Therefore, the Modified Project would be consistent with Policy 2.11 of the City’s General Plan Land Use Element aimed at maintaining public access to the coast and providing recreational facilities.
<b>Policy 3.1:</b> Require new development to contribute its share of the cost of providing necessary public services and facilities through equitable development fees and exactions (Coastal Act, Section 30250)	<b>Consistent.</b> As discussed in Section 4.11, Public Services, public service providers (Orange County Fire Authority [OCFA], Orange County Sheriff’s Department [OCSD]) and utility providers (natural gas, electricity, and communications service providers) were contacted about their continued ability to serve the project site following Modified Project implementation. Mitigation Measure 4.11-1 would require the Project Applicant to enter into a Secured Fire Protection Agreement with the OCFA. This agreement will specify the Project Applicant’s pro-rata fair share funding of capital improvements necessary to establish adequate fire protection facilities and equipment, and/or personnel. In addition, Mitigation Measure 4.11-1 requires the City to confirm that all applicable Capistrano Unified School District (CUSD) charges and development fees have been paid. Furthermore, the Modified Project

**Table 4.9.C: General Plan Policy Consistency Analysis<sup>1</sup>**

Goal/Policy	Modified Project Consistency Analysis
	would replace and expand the existing hotel uses on the site. The additional employment opportunities provided by construction and operation of the Modified Project would be served by the local workforce and would not result in additional residents. Therefore, the Modified Project would not result in a significant impact on other public facilities (i.e., schools, libraries, or parks). Consequently, the Modified Project would be consistent with Policy 3.1 of the City's General Plan Land Use Element related to new development contributing its share of the cost of the providing public services and facilities.
<b>Policy 3.7:</b> Encourage safe and convenient bicycle and pedestrian access throughout the community. (Coastal Act, Sections 30210-212.5, 30250, and 30252)	<b>Consistent.</b> The Modified Project would include paved pedestrian pathways throughout the project site and would create the Pedestrian Promenade located adjacent to the East Cove Marina bulkhead, and along the southern boundary of the project site as stipulated in Chapter 6 the DPHRP. In addition, employees traveling to and from the project site may use alternative transportation to access the site given the proximity of Class 2 bike lanes along Dana Point Harbor Drive north of the site. Design of the Modified Project, including the internal private roadways, ingress, egress, and other streetscape changes, would be subject to review by the City's Public Works & Engineering Services at entitlement for compliance with any applicable City regulations, and by the County of Orange for necessary ministerial grading and construction permits. Therefore, the Modified Project would be consistent with Policy 3.7 of the City's General Plan Land Use Element aimed at encouraging safe bicycle and pedestrian access.
<b>Goal 4:</b> Encourage the preservation of the natural environmental resources of the City of Dana Point.	<b>Consistent.</b> The Modified Project would replace the existing Dana Point Marina Inn and would increase overnight accommodation facilities (hotel rooms) within the VSC land use designation/district (PA 3) but would not extend beyond the project site into any natural environmental resources. Therefore, the Modified Project would be consistent with Goal 4 of the City's General Plan Land Use Element of preservation of natural environmental resources.
<b>Policy 4.5:</b> Consider the environmental impacts of development decisions. (Coastal Act, Sections 30240, 30241, 30242, 30243, and 30244)	<b>Consistent.</b> Environmental consequences associated with the development of the Modified Project are analyzed throughout this Revised Draft EIR. Refer to topical sections within Chapter 4.0, Existing Environmental Setting, Environmental Analysis, Impacts, and Mitigation Measures, for a more detailed discussion of potential environmental consequences associated with implementation of the Modified Project. Therefore, the Modified Project would be consistent with Policy 4.5 of the City's General Plan Land Use Element regarding the consideration of environmental impacts of development decisions.
<b>Policy 4.6:</b> Ensure land uses within designated and proposed scenic corridors are compatible with scenic enhancement and preservation. (Coastal Act, Section 30251)	<b>Consistent.</b> As discussed in Section 4.1, Aesthetics, the Modified Project would not result in adverse impacts to any scenic corridors or the overall aesthetic character of the surrounding area. Therefore, the Modified Project would be consistent with Policy 4.6 of the City's General Plan Land Use Element aimed at ensuring land uses within designated scenic corridors are compatible with scenic enhancement and preservation.
<b>Urban Design Element</b>	
<b>Policy 1.4:</b> Preserve public views from streets and public places. (Coastal Act, Section 30251)	<b>Consistent.</b> As discussed in Section 4.1, Aesthetics, development of the Modified Project would not result in any significant adverse impacts to public views and public spaces. Therefore, the Modified Project would be consistent with Policy 1.4 of the City's General Plan Urban Design Element aimed at preserving public views.

**Table 4.9.C: General Plan Policy Consistency Analysis<sup>1</sup>**

Goal/Policy	Modified Project Consistency Analysis
<p><b>Policy 5.2:</b> Encourage site and building design that takes advantage of the City’s excellent climate to maximize outdoor spatial relationships. (Coastal Act, Section 30250)</p>	<p><b>Consistent.</b> The Modified Project would include a variety of open spaces including pedestrian walkways that lead to the Pedestrian Promenade located adjacent to the East Cove Marina bulkhead, and along the southern boundary of the project site. In addition, both Surf Lodge and Dana House Hotel would include large outdoor pool areas facing the harbor, and a majority of proposed guest rooms would be equipped with decks and/or balconies. As such, the Modified Project would be consistent with Policy 5.2 of the City’s General Plan Urban Design Element of encouraging the maximization of outdoor spatial relationships.</p>
<p><b>Policy 5.3:</b> Encourage buildings and exterior spaces that are carefully-scaled to human size and pedestrian activity.</p>	<p><b>Consistent.</b> The Modified Project would include a variety of open spaces including pedestrian walkways that lead to the Pedestrian Promenade located adjacent to the East Cove Marina bulkhead, and along the southern boundary of the project site. Furthermore, as discussed in Section 4.1, Aesthetics, the Modified Project would be consistent with the visual character of Dana Point Harbor and the design policies and development standards of the DPHRP&amp;DR promoting irregular massing, offsets in plan, section, and roof profiles, and the avoidance of long continuous row structures. The Modified Project would also be consistent with surrounding land uses, and include pedestrian facilities. As such, the Modified Project would be consistent with Policy 5.3 of the City’s General Plan Urban Design Element of encouraging that buildings and exterior spaces are scaled to human size and pedestrian activity.</p>
<p><b>Policy 5.4:</b> Encourage outdoor pedestrian spaces, sidewalks and usable open space in all new development.</p>	<p><b>Consistent.</b> As previously stated, the Modified Project would include a series of pedestrian paths that would enhance pedestrian access throughout the site and would provide access to the Pedestrian Promenade located adjacent to the East Cove Marina bulkhead, and along the southern boundary of the project site. As such, the Modified Project would be consistent with Policy 5.4 of the City’s General Plan Urban Design Element of encouraging outdoor pedestrian spaces, sidewalks, and usable open space in new development.</p>
<p><b>Policy 5.5:</b> Promote extensive landscaping in all new projects while emphasizing the use of drought-tolerant plant materials.</p>	<p><b>Consistent.</b> Landscaping included as part of the Modified Project would include natural vegetation that would emphasize drought-tolerant plant species in accordance with the County of Orange Water Efficient Landscape Ordinance. Therefore, the Modified Project would be consistent with Policy 5.5 of the City’s General Plan Urban Design Element aimed at promoting drought-tolerant plant materials as part of new projects.</p>
<p><b>Policy 5.6:</b> Encourage aesthetic roof treatment as an important architectural design feature.</p>	<p><b>Consistent.</b> Dana House Hotel is designed using the allowable height of 50 ft for buildings in the VSC land use designation/district (PA 3) with architectural treatments and screened mechanical units in accordance with PA 3 regulations and DPHDR building height definitions. See also Section 4.1, Aesthetics, for additional information on aesthetic design. Therefore, the Modified Project would be consistent with Policy 5.6 of the City’s General Plan Urban Design Element aimed at aesthetic roof treatments and architectural design.</p>
<p><b>Conservation/Open Space Element</b></p>	
<p><b>Goal 1:</b> Conserve and protect surface water, groundwater, and imported water resources.</p>	<p><b>Consistent.</b> As discussed in Section 4.8, Hydrology and Water Quality, the Modified Project would not result in significant adverse impacts to surface water, groundwater resources, or imported water resources. The Modified Project would incorporate Low-Impact Development (LID) Best Management Practices (BMPs) such as biofiltration basins, Modular Wetland Systems, and Stormsafe Filter Treatment Control devices in order to intercept and treat potentially polluted stormwater prior to discharge to receiving waters. Therefore, the Modified Project would be consistent with Goal 1 of the City’s General Plan Conservation/Open Space Element aimed at conserving and</p>



**Table 4.9.C: General Plan Policy Consistency Analysis<sup>1</sup>**

Goal/Policy	Modified Project Consistency Analysis
	protecting surface, groundwater, and imported resources.
<b>Policy 1.2:</b> Protect groundwater resources from depletion and sources of pollution.	<b>Consistent.</b> As discussed in Section 4.8, Hydrology and Water Quality, the Modified Project would not result in significant adverse impacts to groundwater resources near the project site. Therefore, the Modified Project would be consistent with Policy 1.2 of the City’s General Plan Conservation/Open Space Element aimed at protecting groundwater resources from depletion and sources of pollution.
<b>Policy 1.4:</b> Protect water quality by seeking strict quality standards and enforcement with regard to water imported into the County, and the preservation of the quality of water in the groundwater basin, streams, estuaries, and the ocean. (Coastal Act, Section 30231)	<b>Consistent.</b> As discussed in Section 4.8, Hydrology and Water Quality, the Modified Project would not result in significant adverse impacts related to water quality. Furthermore, the Modified Project would reduce the amount of impervious surface on the site and would implement Low-Impact Development (LID) Best Management Practices (BMPs) including biofiltration basins, Modular Wetland Systems, and Stormsafe Filter Treatment Control devices that would target and reduce pollutants of concern from runoff from the project site. Therefore, the Modified Project would be consistent with Policy 1.4 of the City’s General Plan Conservation/Open Space Element aimed at protecting water quality.
<b>Policy 2.1:</b> Place restrictions on the development of floodplain areas, beaches, sea cliffs, ecologically sensitive areas and potentially hazardous areas. (Coastal Act, Sections 30235, 30236, 30240, and 30253)	<b>Consistent.</b> As discussed in Section 4.8, Hydrology and Water Quality, the project site is not located within a 100-year floodplain; however, Dana Point Harbor is considered an Environmentally Sensitive Area (ESA) and is a receiving water body for the project site. Compliance with Standard Conditions 4.8-1 through 4.8-4 detailed in Section 4.8 would ensure that impacts related to violation of any water quality standards or waste discharge requirements, and degradation of surface water or groundwater quality during project construction and operation would be less than significant. Therefore, development of the Modified Project would be consistent with Policy 2.1 of the City’s General Plan Conservation/Open Space Element aimed at restricting development within floodplain areas, beaches, sea cliffs, ecologically sensitive areas, and potentially hazardous areas.
<b>Policy 2.3:</b> Control erosion during and following construction through proper grading techniques, vegetation replanting, and the installation of proper drainage, and erosion control improvements. (Coastal Act, Section 30243)	<b>Consistent.</b> As discussed in Section 4.8, Hydrology and Water Quality, the Modified Project would comply with the requirements of the Construction General Permit (Standard Condition 4.8-1) and the South Orange County MS4 Permit (Standard Condition 4.8-4). Under the Construction General Permit, the project would be required to prepare a Storm Water Pollution Prevention Plan (SWPPP) and implement construction BMPs detailed in the SWPPP during construction activities to minimize erosion. In addition, the Modified Project would be required to submit an Erosion Control Plan prior to the commencement of construction activities (Standard Condition 4.8-2). In compliance with the MS4 Permit, BMPs detailed in the Final Water Quality Management Plan (WQMP) would be incorporated into the final design to address runoff during operation. Therefore, the Modified Project would be consistent with Policy 2.3 of the City’s General Plan Conservation/Open Space Element of controlling erosion during and following construction.
<b>Goal 4:</b> Conserve energy resources through use of available technology and conservation practices.	<b>Consistent.</b> As previously discussed, the Modified Project would incorporate several Conservation and Sustainability measures in strict conformance with the 2022 California Green Building Standards Code (CALGreen Code) and Title 24 requirements. Therefore, the Modified Project would be consistent with Goal 4 of the City’s General Plan Conservation/Open Space Element aimed at compliance with State Title 24 requirements to minimize energy requirements.

**Table 4.9.C: General Plan Policy Consistency Analysis<sup>1</sup>**

Goal/Policy	Modified Project Consistency Analysis
<p><b>Policy 4.1:</b> Encourage innovative site and building designs, and orientation techniques which minimize energy use by taking advantage of sun/shade patterns, prevailing winds, landscaping, and building materials.</p>	<p><b>Consistent.</b> As previously stated, the Modified Project would comply with the 2022 CALGreen Code and all Title 24 conservation standards. In addition, the irrigation system design and allowable water use will comply with the current County of Orange Water Efficient Landscape Ordinance and will utilize automatic irrigation controllers utilizing either evapotranspiration or soil moisture sensor data and drip irrigation to maximize application efficiency and percolation while minimizing overspray and runoff. Therefore, the Modified Project would be consistent with Policy 4.1 of the City’s General Plan Conservation/Open Space Element aimed at minimizing energy use.</p>
<p><b>Goal 5:</b> Reduce air pollution through land use, transportation and energy use planning.</p>	<p><b>Consistent:</b> As previously stated, the Modified Project would comply with all Title 24 conservation standards, which would address energy efficiency. In addition, the project site is also located within walking distance to commercial and recreational uses and is adjacent to existing alternative transportation infrastructure, including an OCTA bus stop and Dana Point Trolley Service stop, and a Class 2 bike lane. As previously stated, the Modified Project would include low- or no-cost bicycle rentals, as well as bicycle parking, for hotel guests. Further, the Modified Project would provide a no-cost on-demand shuttle service providing connections to regional public transportation options for hotel guests. Lastly, the Modified Project would provide subsidized transit passes to hotel employees utilizing public transportation to get to and from the project site. Pedestrian access and proximity/accessibility to transit would result in reduced vehicle trips by hotel patrons. As such, development of the Modified Project would improve accessibility to the site and areas adjacent to the site and would reduce greenhouse gas emissions and improve air quality. Therefore, the Modified Project would be consistent with Goal 5 of the City’s General Plan Conservation/Open Space Element aimed at reducing air pollution through transportation and minimizing energy use.</p>
<p><b>Policy 5.1:</b> Design safe and efficient vehicular access to streets to ensure efficient vehicular ingress and egress. (Coastal Act, Section 30252)</p>	<p><b>Consistent.</b> The City, as the Lead Agency under the California Environmental Quality Act (CEQA) has reviewed the proposed circulation design. As concluded in the Initial Study prepared for the 2021 Draft EIR and attached to this Revised Draft EIR as Appendix B, the Original Project, and similarly, the Modified Project, would not introduce any new roadways or introduce a land use that would conflict with existing urban land uses in the surrounding area. Design of the Modified Project, including the internal private roadways, ingress, egress, and other streetscape changes would be subject to review by the City’s Public Works &amp; Engineering Services at entitlement for compliance with City regulations as applicable, and by the County of Orange for necessary ministerial permits. Therefore, the Modified Project would result in a less than significant impact related to traffic safety due to a design feature (e.g., substandard roadway and/or roadway design), and no mitigation is required. Therefore, the Modified Project would be consistent with Policy 5.1 of the City’s General Plan Conservation/Open Space Element aimed at encouraging safe and efficient vehicular access to City streets.</p>
<p><b>Policy 6.2:</b> Protect and preserve the public views of the Dana Point Harbor. (Coastal Act, Visual Resources, Section 30251)</p>	<p><b>Consistent.</b> Surf Lodge and Dana House Hotel are designed using the allowable height of 50 ft for buildings in the VSC land use designation/district (PA 3) with architectural treatments and screened mechanical units in accordance with PA 3 regulations and the Dana Point Harbor District Regulations (DPHDR) building height definition. As previously stated, and discussed in Section 4.1, Aesthetics, the massing of the proposed structures would be broken down through irregular massing, due to offsets in plans that create stepped terraces and interlocking forms that would be utilized in areas fronting the water to maintain views towards the harbor and to allow guests to enjoy the harbor at a higher vantage point. The Modified Project includes a new public viewing platform within PA 4. The analysis provided</p>

**Table 4.9.C: General Plan Policy Consistency Analysis<sup>1</sup>**

Goal/Policy	Modified Project Consistency Analysis
	<p>in Section 4.1, Aesthetics, concludes that the Modified Project would not result in any significant and unavoidable impacts to public views of the Dana Point Harbor (refer to Threshold 4.1.3). Therefore, the Modified Project would be consistent with Policy 6.2 of the City’s General Plan Conservation/Open Space Element aimed at protecting public views along the coast.</p>
<p><b>Policy 8.1:</b> Require reasonable mitigation measures where development may affect historical, archaeological or paleontological resources. (Coastal Act, Sections 30244 and 30250)</p>	<p><b>Consistent.</b> Impacts of the Modified Project related to cultural resources are discussed in Section 4.3, Cultural Resources, and Section 4.13, Tribal Cultural Resources. As concluded in these sections, there are no historical resources on the project site, no tribal cultural resources have been identified within the project site, and because the site has no native soils, the likelihood of subsurface archaeological cultural resources is considered low. Further, according to the 2024 Record Search Memorandum and the Paleontological Resources Memorandum prepared for the Modified Project (Appendices E and G, respectively), no previously recorded archaeological or paleontological resources are present within the project site. With adherence to Standard Condition 4.3-2, cultural resource monitoring would ensure the proper treatment of any inadvertent cultural resource discoveries, and impacts would be less than significant. As described in Section 4.5, Geology and Soils, based on the depth of excavation, the Modified Project would not include activities that would impact paleontological resources. Nevertheless, the proposed project would adhere to Standard Condition 4.5-1, which requires paleontological monitoring and reporting in order to ensure the proper treatment of any inadvertent cultural resource discoveries. Therefore, the Modified Project would be consistent with Policy 8.1 of the City’s General Plan Conservation/Open Space Element of requiring mitigation where development may impact historical, archaeological, and paleontological resources.</p>
<p><b>Public Safety Element</b></p>	
<p><b>Goal 1:</b> Reduce the risk to the community from geologic hazards including bluff instability, seismic hazards, and coastal erosion.</p>	<p><b>Consistent.</b> As discussed in Section 4.5, Geology and Soils, Mitigation Measure 4.5-1 requires incorporation and compliance with the recommendations in the Preliminary Geotechnical Evaluation prepared for the Original Project and reconfirmed for the Modified Project via the Supplemental Geotechnical Letter (Appendix F to this Revised Draft EIR), which includes the preparation of a final design-level geotechnical report and compliance with specific recommendations for construction and design methods related to liquefaction and soil stability. With implementation of the recommendations provided in Mitigation Measure 4.5-1, impacts of the Modified Project would be reduced to a less than significant level. Because the project site is adjacent to the marina bulkhead, the Modified Project would not result in coastal erosion. Therefore, following implementation of the mitigation measures outlined in Section 4.5, Geology and Soils, the Modified Project would be consistent with Goal 1 of the City’s General Plan Public Safety Element of reducing risks to the community from geologic hazards.</p>

**Table 4.9.C: General Plan Policy Consistency Analysis<sup>1</sup>**

Goal/Policy	Modified Project Consistency Analysis
<p><b>Policy 1.1:</b> Require review of soil and geologic conditions by a State-Licensed Engineering Geologist under contract to the City, to determine the stability prior to the approval of development where appropriate. (Coastal Act, Sections 30250 and 30253)</p>	<p><b>Consistent.</b> As discussed in Section 4.5, Geology and Soils, a <i>Preliminary Geotechnical Evaluation</i> was prepared for the Original Project, and its conclusions were upheld in the Supplemental Geotechnical Letter prepared for the Modified Project (Appendix F to this Revised Draft EIR). Both the Preliminary Geotechnical Evaluation and the Supplemental Geotechnical Letter have been reviewed by the City’s Certified Engineering Geologist. In addition, Mitigation Measure 4.5-1 would require a design-level geotechnical report to be prepared for the proposed Modified Project during the Final Design Phase. Therefore, the Modified Project would be consistent with Policy 1.1 of the City’s General Plan Public Safety Element of requiring a geologist to determine the stability prior to development of a site.</p>
<p><b>Policy 1.12:</b> Specifically review and limit development on lands with seismic, slide, liquefaction, fire, or topographic constraints.</p>	<p><b>Consistent.</b> As discussed in Section 4.5, Geology and Soils, the Modified Project would be required to implement mitigation that would reduce impacts related to geologic hazards to a less than significant level. Further, as discussed in Section 4.7, Hazards and Hazardous Materials, the Modified Project would result in less than significant impacts related to wildfires. Therefore, following implementation of the mitigation measures outlined in Section 4.5, Geology and Soils, the Modified Project would be consistent with Policy 1.12 of the City’s General Plan Public Safety Element of reducing risks associated with geologic hazards and wildfire.</p>
<p><b>Goal 2:</b> Reduce the risk to the community’s inhabitants from flood hazards.</p>	<p><b>Consistent.</b> As discussed in Section 4.8, Hydrology and Water Quality, the project site is not located within a 100-year floodplain. However, due the Modified Project site’s proximity to the Dana Point Harbor, the potential for the project site to be adversely impacted by earthquake-induced coastal seiches is considered to be high. Additionally, according to the Dana Point Quadrangle/San Juan Capistrano Quadrangle Tsunami Inundation Map, the project site is located in a tsunami inundation area.<sup>1</sup> However, as the development of the project site would reduce impervious surface area, would not result in an increase in stormwater runoff, and would incorporate operational BMPs, the Modified Project would not result in substantial erosion or siltation on- or off-site or flooding on- or off-site, and would not exceed the capacity of the existing stormwater drainage system or provide substantial additional sources of polluted runoff. Therefore, development of the Modified Project would be consistent with Goal 2 of the City’s General Plan Public Safety Element aimed at reducing risk associated with flood hazards.</p>
<p><b>Goal 3:</b> Reduce the risk to the community’s inhabitants from exposure to hazardous materials and waste.</p>	<p><b>Consistent.</b> As discussed in Section 4.7, Hazards and Hazardous Materials, the Modified Project would be required to implement Mitigation Measures 4.7.1 and 4.7.2 to reduce impacts associated with hazardous materials to a less than significant level. Therefore, with implementation of mitigation measures outlined in Section 4.7, Hazards and Hazardous Materials, the Modified Project would be consistent with Goal 3 of the City’s General Plan Public Safety Element of reducing risks from exposure to hazardous materials and waste.</p>
<p><b>Goal 4:</b> Reduce the risk to the community’s inhabitants from fires or explosions.</p>	<p><b>Consistent.</b> As discussed in the Initial Study (prepared for the 2021 Draft EIR and attached to this Revised Draft EIR as Appendix B), the Original Project, and therefore the Modified Project, would have no impacts related to exposure of people or structures to risk from wildland fires. Therefore, the Modified Project would be consistent with Goal 4 of the City’s General Plan Public Safety Element of reducing risk associated with fires.</p>

**Table 4.9.C: General Plan Policy Consistency Analysis<sup>1</sup>**

Goal/Policy	Modified Project Consistency Analysis
<b>Circulation Element</b>	
<p><b>Policy 1.9:</b> Limit driveway access on arterial streets to maintain a desired quality of flow.</p>	<p><b>Consistent.</b> The Modified Project would relocate the current access point along Dana Point Harbor Drive, but would not result in additional access points compared to existing conditions. Therefore, the Modified Project would be consistent with Policy 1.9 of the City’s General Plan Circulation Element of limiting driveway access on arterial streets.</p>
<p><b>Policy 1.11:</b> Require that proposals for major new developments include a future traffic impact analysis which identifies measures to mitigate any identified project impacts. (Coastal Act, Section 30250)</p>	<p><b>Consistent.</b> A <i>Traffic Impact Analysis</i> was prepared for the Modified Project in March 2025 by LSA as part of the transportation and traffic impact analysis included in Section 4.12, Transportation, of this Revised Draft EIR. As described in Section 4.12, with the implementation of Standard Condition 4.12-1, which would require a Construction Management Plan (CMP) all impacts related to construction traffic would be less than significant. No potentially significant impacts would occur related to traffic and transportation requiring mitigation. Therefore, the Modified Project would be consistent with Policy 1.11 of the City’s General Plan Circulation Element of requiring that a traffic impact analysis be prepared for major new developments.</p>
<p><b>Policy 1.13:</b> Minimize pedestrian and vehicular conflicts. (Coastal Act, Section 30252)</p>	<p><b>Consistent.</b> The Modified Project would include paved pedestrian pathways throughout the project site and the proposed sidewalks would provide public access from the rights-of-way to the Pedestrian Promenade located adjacent to the East Cove Marina bulkhead and along the southern boundary of the project site. These pedestrian facilities would not conflict with the proposed vehicular circulation for the site. Therefore, the Modified Project would be consistent with Policy 1.13 of the City’s General Plan Circulation Element aimed at minimizing pedestrian and vehicular conflicts.</p>
<p><b>Goal 5:</b> Encourage non-motorized transportation, such as bicycle and pedestrian circulation.</p>	<p><b>Consistent.</b> Employees traveling to and from the project site may use alternative transportation because the site is adjacent to the Class 2 bike lanes along Dana Point Harbor Drive and the Modified Project would provide on-site bicycle, electric bicycle, and electric scooter parking. In addition, the Modified Project would offer free or low-cost bicycle rentals to hotel guests. Further, because the project site is located within walking distance to restaurants, recreation, and shopping opportunities, it is anticipated that vehicle use by patrons of the hotels will be reduced. As described above, pedestrian facilities would also be included as part of the proposed circulation. Therefore, the Modified Project would be consistent with Goal 5 of the City’s General Plan Circulation Element of encouraging non-motorized transportation.</p>
<p><b>Policy 5.2:</b> Maintain existing pedestrian facilities and encourage new development to provide pedestrian walkways between developments, schools and public facilities.</p>	<p><b>Consistent.</b> The Modified Project would include landscaped open space and walking paths and would enable pedestrian access to the parking lots and harbor to the building entry/exit points. The proposed sidewalks surrounding the proposed hotels would provide public access from the rights-of-way to the Pedestrian Promenade located adjacent to the East Cove Marina bulkhead, and along the southern boundary of the project site. Therefore, the Modified Project would be consistent with Policy 5.2 of the City’s General Plan Circulation Element of maintaining pedestrian facilities and encouraging new development to provide pedestrian facilities.</p>

**Table 4.9.C: General Plan Policy Consistency Analysis<sup>1</sup>**

Goal/Policy	Modified Project Consistency Analysis
<p><b>Policy 5.3:</b> Ensure accessibility of pedestrian facilities to the elderly and disabled.</p>	<p><b>Consistent.</b> As previously stated, the Modified Project would include walking paths and other pedestrian improvements. In accordance with the Americans with Disabilities Act (ADA), the proposed walking paths would be accessible for all pedestrian types, including those with mobility limitations. As such, the Modified Project would be compliant with all applicable pedestrian accessibility requirements, and would be consistent with Policy 5.3 of the City’s General Plan Circulation Element of ensuring accessibility for elderly and disabled individuals.</p>
<p><b>Policy 5.12:</b> Provide for a non-vehicular circulation system that encourages mass-transit, bicycle transportation, pedestrian circulation. (Coastal Act, Sections 30252 and 30253)</p>	<p><b>Consistent.</b> As previously stated, the Modified Project would provide a variety of transportation options to guests and employees. The Modified Project would be located on a site adequately served by several alternative transportation options, including the OCTA bus system and the Dana Point Trolley. Pursuant to DPHRP Policy 5.2.1-12, hotel employees utilizing public transportation to and from the project site would receive fully subsidized transit passes, thereby increasing the accessibility of these transportation options. In addition, commercial and recreational uses within Dana Point Harbor are accessible from the project site via walking or biking. In order to encourage biking, the Modified Project would include bicycle parking areas and would offer low- or no-cost bicycle rentals for hotel guests. Further, the Modified Project would offer electric golf carts to transport hotel guests within the Harbor. In addition, also pursuant to DPHRP Policy 5.2.1-12, hotel guests would have access to a free on-demand regional shuttle service providing connections to a regional public trolley or public transportation service. As such, hotel guests would have access to alternative transportation options within the harbor itself as well as within the overall region. Therefore, the Modified Project would be consistent with Policy 5.12 of the City’s General Plan Circulation Element of providing for a non-vehicular circulation system.</p>
<p><b>Goal 6:</b> Provide for well-designed and convenient parking facilities.</p>	<p><b>Consistent.</b> The Modified Project includes the development of approximately 526 parking spaces, including surface parking spaces and covered parking spaces within the parking garage beneath Dana House Hotel. The proposed parking would also include designated boater parking for the nearby boat slips in the East Cove Marina within PA 3, and also in either PA 2, or PA 5. Therefore, the Modified Project would be consistent with Goal 6 of the City’s General Plan Circulation Element aimed at providing well-designed convenient parking facilities.</p>
<p><b>Policy 6.1:</b> Consolidate parking, where appropriate, to reduce the number of ingress and egress points onto arterials.</p>	<p><b>Consistent.</b> As previously stated, the Modified Project would include the development of an on-site parking structure that would be accessible from the existing driveways to the project site on Dana Point Harbor Drive and Casitas Place. With the increase in hotel room some of the required parking, including designated boater parking, would be provided in PA 3 and in either PA 2 or PA 5, but these off-site parking areas will not result in the need for additional ingress and egress points. Therefore, the Modified Project would be consistent with Policy 6.1 of the City’s General Plan Circulation Element aimed at reducing the number of ingress and egress points onto arterials.</p>
<p><b>Policy 6.4:</b> Encourage the use of shared parking facilities, such as through parking districts or other mechanisms.</p>	<p><b>Consistent.</b> The Modified Project includes an off-site shared parking program during construction, and an on-site and off-site shared parking program after the project’s completion. Therefore, the Modified Project would be consistent with Policy 6.4 of the City’s General Plan Circulation Element of encouraging the use of shared parking facilities.</p>

**Table 4.9.C: General Plan Policy Consistency Analysis<sup>1</sup>**

Goal/Policy	Modified Project Consistency Analysis
Noise Element	
<p><b>Policy 1.1:</b> Require construction of barriers to mitigate sound emissions where necessary or feasible.</p>	<p><b>Consistent.</b> As discussed in Section 4.10, Noise, the proposed hotels would include mechanical ventilation, such as air conditioning, so that windows and doors can remain closed for prolonged periods of time to maintain interior noise standards set forth by the City. Therefore, the interior noise levels at the rooms closest to Dana Point Harbor Drive would not exceed the City’s interior noise standard of 45 A-weighted decibel Community Noise Equivalent Level (dBA CNEL). Therefore, the Modified Project would not require the construction of barriers to mitigate sound, and the Modified Project would be consistent with Policy 1.1 of the City’s General Plan Noise Element aimed at mitigating sound emissions where necessary.</p>
<p><b>Policy 2.4:</b> Require noise reduction techniques in site and architectural design and construction where noise reduction is necessary.</p>	<p><b>Consistent.</b> As previously stated, the Modified Project would include mechanical ventilation to allow for prolonged closures of windows and doors. Therefore, the interior noise levels at the rooms closest to Dana Point Harbor Drive would not exceed the City’s interior noise standard of 45 dBA CNEL. Therefore, the Modified Project would not require the construction of barriers to mitigate sound, and the Modified Project would be consistent with Policy 2.4 of the City’s General Plan Noise Element requiring the use of noise reduction techniques in site design.</p>
<p><b>Policy 2.5:</b> Discourage locating noise sensitive land uses in noisy environments.</p>	<p><b>Consistent.</b> As previously stated, the Modified Project would replace the existing Dana Point Marina Inn and would expand visitor-serving commercial opportunities within the City by increasing overnight accommodations with the increase in proposed hotel rooms. Therefore, the Modified Project would not introduce a new sensitive land use on the project site and would be consistent with Policy 2.5 of the City’s General Plan Noise Element aimed at discouraging noise-sensitive land uses in noisy environments.</p>
<p><b>Policy 3.2:</b> Evaluate and develop measures to reduce noise generated by construction activities.</p>	<p><b>Consistent.</b> As discussed in Section 4.10, Noise, although construction noise would be higher than the ambient noise in the project vicinity, construction noise would cease once construction of the Modified Project is completed. Construction activities shall take place only between the hours of 7:00 a.m. and 5:00 p.m., Monday through Saturday. No construction shall be permitted outside of these hours or on Sundays and City-recognized holidays. Additionally, Section 8.01.250 (Time of Grading Operations) of the City’s Municipal Code limits grading and equipment operations within 0.5 mile of a structure for human occupancy. Consequently, grading and equipment operations may only occur between the hours of 7:00 a.m. and 5:00 p.m. during the weekdays and not at all on Saturdays, Sundays, and City of Dana Point-recognized holidays. Further, in some cases, the City also limits high noise-emitting construction equipment (i.e., emitting 90 dBA and above) between the hours of 10:00 a.m. and 4:00 p.m. Therefore, construction activity noise impacts would be less than significant, and no mitigation is required. The Modified Project is subject to the day and time restrictions in the City’s Municipal Code noted above and the inclusion of Regulatory Compliance Measure 4.10-1, citing these day and time restrictions on the grading plans will assist in affirming compliance with said restrictions. Therefore, the Modified Project would be consistent with Policy 3.2 of the City’s General Plan Noise Element requiring that noise generated by construction activities be evaluated.</p>

**Table 4.9.C: General Plan Policy Consistency Analysis<sup>1</sup>**

Goal/Policy	Modified Project Consistency Analysis
<b>Public Facilities/Growth Management Element</b>	
<p><b>Goal 1:</b> Encourage adequate water and sewer service.</p>	<p><b>Consistent.</b> As discussed in Section 4.14, Utilities and Service Systems, in order to confirm that there is sufficient water distribution infrastructure to accommodate the Modified Project’s water needs and fire flow requirements, Mitigation Measure 4.14-1 is proposed and requires preparation of a Water Capacity Study. If a deficiency or service problem is found during the permitting process, the Project Applicant would be required by existing regulation to fund the required upgrades to adequately serve the Modified Project. With the incorporation of Mitigation Measure 4.14-1, impacts to water are considered less than significant. In addition, the J.B. Latham Plant operates in compliance with the San Diego Regional Water Quality Control Board’s (RWQCB) treatment requirements and has the capacity to accommodate the increased wastewater flows from the Modified Project. In the unlikely event that the public sewer has insufficient capacity, the Project Applicant would be required to pay a fair-share portion of the cost to improve or replace sewer lines to ensure sufficient capacity. Therefore, the Modified Project would be consistent with Goal 1 of the City’s General Plan Public Facilities/Growth Management Element to encourage adequate water and sewer service.</p>
<p><b>Policy 1.2:</b> Encourage the use of drought resistant landscaping to reduce overall water use.</p>	<p><b>Consistent.</b> As previously stated, the Modified Project would include a landscaping plan and plant palette, which would emphasize drought-tolerant landscaping consistent with the Water Efficient Landscape Ordinance requirements of the County related to irrigation of new landscaping and grouping of plants with similar water needs associated with the project. As such, the Modified Project would be consistent with Policy 1.2 of the City’s General Plan Public Facilities/Growth Management Element of encouraging the use of drought-tolerant landscaping to reduce water usage.</p>
<p><b>Goal 4:</b> Maintain desirable levels of police, fire, and emergency medical services in the City.</p>	<p><b>Consistent.</b> As discussed in Section 4.11, Public Services, the Modified Project would be able to be served by existing police and fire services. Although there may be an incremental increase in the demand to additional police protection services, correspondence with OCSD has indicated that OCSD believes the Modified Project can be adequately served by existing police facilities. Written correspondence with the OCFA indicated that all development projects submitted for review by OCFA must use a fair share approach to mitigate fire service response impacts as well as facility and equipment needs. Therefore, Mitigation Measure 4.11-1 would require the Project Applicant to enter into a Secured Fire Protection Agreement prior to the issuance of any building permits. With implementation of Mitigation Measure 4.11-1, impacts of the Modified Project related to public services would be less than significant. As such, the Modified Project would be consistent with Goal 4 of the City’s General Plan Public Facilities/Growth Management Element aimed at maintaining desirable levels of police, fire, and medical services.</p>
<p><b>Policy 4.5:</b> Coordinate with the Orange County Sheriff’s Department and Fire Authority for the continued provision of adequate law enforcement and fire protection.</p>	<p><b>Consistent.</b> As part of the analysis presented in Section 4.11, Public Services, the OCSD and the OCFA were contacted about their continued ability to serve the project site following project implementation. As described above, the Modified Project can be adequately served by existing police facilities and Mitigation Measure 4.11-1 would mitigate potential impacts to fire service by requiring a Secured Fire Protection Agreement for the payment of fair-share fees for impacts to fire service response. The increase in Surf Lodge hotel rooms under the Modified Project would not substantially affect the ability of existing police and fire protection facilities to serve the project site. Therefore, the</p>



**Table 4.9.C: General Plan Policy Consistency Analysis<sup>1</sup>**

Goal/Policy	Modified Project Consistency Analysis
	Modified Project would be consistent with Policy 4.5 of the City’s General Plan Public Facilities/Growth Management Element of requiring coordination with the OCSD and the OCFA to ensure the continued provision of adequate law enforcement and fire protection.
<b>Policy 4.6:</b> Coordinate sheriff facility and traffic facility planning where necessary to maintain adequate levels of law enforcement service.	<b>Consistent.</b> As previously stated, the OCSD was contacted about its continued ability to serve the project site following project implementation. Therefore, the Modified Project would be consistent with Policy 4.6 of the City’s General Plan Public Facilities/Growth Management Element of requiring coordination of sheriff facility planning to ensure the continued provision of adequate law enforcement.
<b>Goal 5:</b> Encourage adequate community facilities including libraries, schools, civic and cultural facilities.	<b>Consistent.</b> As part of the analysis presented in Section 4.11, Public Services, the project site would not impact the service capacity of existing community facilities. Therefore, the Modified Project would be consistent with Goal 5 of the City’s General Plan Public Facilities/Growth Management Element of encouraging the provision of adequate community facilities.
<b>Goal 6:</b> Maintain, improve, and expand utilities including natural gas, electricity, and communications.	<b>Consistent.</b> As discussed in Section 4.14, Utilities and Service Systems, the Modified Project would not increase natural gas or electrical demand beyond existing projections for the service area by the California Energy Commission, San Diego Gas & Electric (SDG&E), and Southern California Gas Company (SoCalGas). Existing telephone, cable, and internet service lines in the project vicinity that serve the City would also continue to serve the Modified Project. Therefore, the Modified Project would be consistent with Goal 6 of the City’s General Plan Public Facilities/Growth Management Element of maintenance, improvement, and expansion of utilities.
<b>Policy 6.1:</b> Where feasible, provide underground utility lines in all neighborhoods and continue to underground utility lines in future developments.	<b>Consistent.</b> As discussed in Section 4.14, Utilities and Service Systems, the project site is currently served by underground utility lines. The Modified Project would not require the installation of any aboveground utility lines. Therefore, the Modified Project would be consistent with Policy 6.1 of the City’s General Plan Public Facilities/Growth Management Element aimed at providing underground utility lines.

Source: City of Dana Point General Plan (City of Dana Point 1991) (Website: <https://www.danapoint.org/Home/ShowDocument?id=28638>, accessed September 12, 2024).

<sup>1</sup> Additional regulations and policies from the City’s General Plan are discussed in other topical sections of this Revised Draft EIR as those policies are more directly related to the environmental effects evaluated in those sections.

<sup>2</sup> California Emergency Management Agency, et al. 2009. Tsunami Inundation Map for Emergency Planning, Dana Point Quadrangle/San Juan Capistrano Quadrangle. March 15.

**Table 4.9.D: Dana Point Harbor Revitalization Plan Policy Consistency Analysis**

Policies	Modified Project Consistency Analysis
<b>Planning Area 3</b>	
<p><b>Policy 2.2.1-1:</b> Land uses and new development in Dana Point Harbor shall be consistent with the Dana Point Harbor Land Use Plan and all applicable policies and regulations contained in the Dana Point Harbor Revitalization Plan and District Regulations.</p>	<p><b>Consistent.</b> The Modified Project includes the development of two hotels within the Visitor Serving Commercial (VSC) land use designation/district identified as Planning Area (PA) 3, which is intended to provide for a variety of visitor serving commercial overnight accommodations, ancillary uses, and facilities in addition to visitor serving commercial, recreational uses, and facilities supportive of the general community and the regional recreational needs of residents and visitors. The proposed improvements to the landscaped area east of Island Way are located within PA 4 of the Dana Point Harbor Revitalization Plan and District Regulations (DPHRP&amp;DR), with a land use designation/district of Marine Commercial (MC), which is intended to provide for a variety of coastal-dependent and coastal-related marine services, public facilities, passive park, private and public club uses supportive of the general boating public and serve the regional recreational needs of residents and visitors. The proposed improvements located within PA 2 of the DPHRP&amp;DR, which is located in the Day Use Commercial (DUC) land use designation/district, are limited to the eastern portion of Dana House Hotel’s podium structure and the adjacent Festival Plaza as well as a small portion of the Pedestrian Promenade along the East Cove Marina bulkhead that are both part of the Dana Point Harbor Commercial Core. The Modified Project includes the development of two hotels and ancillary facilities, which would be consistent with the designations for the project site. Therefore, the Modified Project would be consistent with City Policy 2.2.1-1 contained in the DPHRP aimed at land use consistency.</p>
<p><b>Policy 4.1.1-5:</b> Maintain and enhance boating use through the provision of various amenities to the waterside areas, including, but not limited to improved boater drop-off areas, designated boater parking, upgraded boater service buildings and restrooms and dinghy docks planned to be relocated adjacent to Planning Area 2.</p>	<p><b>Consistent.</b> The Modified Project would provide approximately 133 designated boater parking spaces including surface parking spaces and covered parking spaces within the parking garage beneath Dana House Hotel for the nearby boat slips, and 45 additional spaces in either PA 2 or PA 3. In addition, Dana House Hotel would also include space for boater services to replace the two existing boater services buildings on the site that would be demolished. Therefore, the Modified Project would be consistent with City Policy 4.1.1-5 contained in the DPHRP aimed at maintaining and improving boater use and parking.</p>
<p><b>Policy 5.1.1-1:</b> Future visitor serving facilities shall be located in those areas designated as Visitor Serving Commercial and Day Use Commercial by the Dana Point Harbor Land Use Plan.</p>	<p><b>Consistent.</b> The Modified Project includes the development of two hotels within the VSC land use designation/district (PA 3). Therefore, the Modified Project would be consistent with City Policy 5.1.1-1 contained in the DPHRP aimed at land use consistency in the VSC land use designation/district.</p>
<p><b>Policy 5.1.1-2:</b> Continue to provide commercial uses, including eating and drinking establishments, recreation and entertainment establishments as a means of providing public access to the waterfront.</p>	<p><b>Consistent.</b> The proposed hotels would include ancillary retail space and public restaurants and/or bars/lounges. The proposed sidewalks would also provide public access from the rights-of-way to the Pedestrian Promenade located adjacent to the East Cove Marina bulkhead, and along the southern boundary of the project site. Therefore, the Modified Project would be consistent with City Policy 5.1.1-2 contained in the DPHRP aimed at providing public access to the waterfront.</p>

**Table 4.9.D: Dana Point Harbor Revitalization Plan Policy Consistency Analysis**

Policies	Modified Project Consistency Analysis
<p><b>Policy 5.1.1-5:</b> As a part of planned new development, visitor serving commercial and restaurant uses may be integrated into a two-level podium structure with visitor serving commercial and restaurant uses and parking on each level.</p>	<p><b>Consistent.</b> Under the Modified Project, the proposed Dana House Hotel would consist of a four-story, approximately 148,500-square-foot (sf) structure that includes a partially buried podium level, four floors of hotel rooms, and amenities. Other ancillary uses include a lobby, fitness center, meeting facilities, bars and lounges, restaurant, rooftop terrace, outdoor lawn area, pool, spa, fire pits, and accessory retail space. Therefore, the Modified Project would be consistent with City Policy 5.1.1-5 contained in the DPHRP aimed at integrating commercial, restaurant, and parking uses into the podium structure.</p>
<p><b>Policy 5.1.1-9:</b> Ensure that adequate land area is reserved to provide parking for 2,409 boat slips (i.e., no net loss) unless a net loss of slips is authorized by a Coastal Development Permit.</p>	<p><b>Consistent.</b> The Modified Project would provide approximately 178 designated boater parking spaces including surface parking spaces and covered parking spaces within the parking garage beneath Dana House Hotel and located in previously approved parking lots in either PA 2 or PA 5, for the nearby boat slips. The proposed 178 designated boater parking spaces would replace the boater parking removed as part of the project. Therefore, the Modified Project would be consistent with City Policy 5.1.1-9 contained in the DPHRP to provide adequate parking for the boat slips.</p>
<p><b>Policy 5.2.1-1:</b> Harbor visitor serving and overnight accommodations (Planning Area 3) will be enhanced by potential replacement of the hotel complex with two new hotels to include conference and recreational facilities and amenities, as well as beverage/food and retail service that is available to the general public.</p>	<p><b>Consistent.</b> The Modified Project includes the development of two hotels within the VSC designated area of PA 3. The proposed Surf Lodge would be a lower-cost overnight accommodation hotel providing 169 guest rooms. The proposed Dana House Hotel would provide 130 market-rate guest rooms. Other amenities include meeting facilities, bars and lounges, restaurants, outdoor dining areas, outdoor barbeque, outdoor lawn areas, fitness centers, pools and spas, and accessory retail spaces. The bars, lounges, restaurants, and ancillary retail associated with both proposed hotels would be available to the general public. Therefore, the Modified Project would be consistent with City Policy 5.2.1-1 contained in the DPHRP aimed at the replacement and enhancement of overnight accommodations in PA 3.</p>
<p><b>Policy 5.2.1-2:</b> If demolition of the existing lower cost overnight accommodations (presently called the Marina Inn) in the Harbor is proposed, all 136 demolished units shall be replaced in the area designated as visitor serving commercial by the Dana Point Harbor Land Use Plan with a minimum of 136 lower cost hotel rooms, which shall remain available to the public as lower cost hotel rooms in perpetuity. A new and separate market rate hotel of up to 130 rooms may be constructed. The hotels may be constructed concurrently, but the market rate hotel may not open or be</p>	<p><b>Consistent.</b> The Modified Project involves the demolition of the existing Dana Point Marina Inn and includes the development of two hotels on the existing site, within the VSC land use designation/district (PA 3). The design of Surf Lodge as a lower cost accommodation with 169 rooms to replace the Dana Point Marina Inn addresses this policy to replace the 136 existing lower-cost units with the units that are of equal or lower cost than the existing lower cost units being demolished. In addition, Surf Lodge will provide 33 additional rooms at lower rates in order to satisfy the requirement of providing at least one-quarter (25 percent) of the number of market rate rooms (130) proposed at Dana House Hotel. A new and separate market rate hotel of up to 130 rooms, Dana House Hotel, would also be constructed under the Modified Project. As discussed in Chapter 3.0, Project Description, of this Revised Draft EIR, Surf Lodge is estimated to be completed in August 2027, while Dana House Hotel is estimated to be completed in May 2028. As such, the lower-cost Surf Lodge would open to the public either prior to Dana House Hotel or at the same time, consistent with Policy 5.2.1-2. Also, the Coastal Development Permit required for the redevelopment of PA 3 would include conditions ensuring that the 136 Surf Lodge guest rooms replacing the rooms at the Dana Point Marina Inn, and the additional 33 rooms at Surf Lodge satisfying the 25 percent of Dana House Hotel market rate rooms would be provided as lower cost hotels rooms in perpetuity as stipulated in Policy 5.2.1-2. Therefore, the Modified Project would be consistent with Policy 5.2.1-2 contained in the DPHRP aimed at the replacement and enhancement of overnight accommodations in PA 3.</p>

**Table 4.9.D: Dana Point Harbor Revitalization Plan Policy Consistency Analysis**

Policies	Modified Project Consistency Analysis
<p>operational prior to the opening of the lower cost hotel to the public. A minimum of one-quarter (25 percent) of the number of market rate rooms shall be offset by providing lower cost overnight accommodations. The additional lower cost overnight accommodations may be provided in the market rate hotel (resulting in up to 130 market rate rooms and at least 33 lower cost rooms) or provided in the lower cost replacement hotel (for a total of at least 169 lower cost rooms). Conversion of any lower cost overnight accommodations, as defined in LUP Policy 5.2.1-21, to anything other than lower cost, replacement of any lower cost overnight accommodations with anything other than lower cost, and construction of any new/additional units that are anything other than the overnight accommodation units heretofore described, shall require a Local Coastal Program Amendment.</p>	
<p><b>Policy 5.2.1-3:</b> The conversion of any existing overnight accommodations located on public tidelands to timeshares or condominium/hotel units or any other type of Limited Use Overnight Visitor Accommodations shall be prohibited. The construction of new timeshares or condominium-hotel units or any other type of Limited Use Overnight Visitor Accommodation on public tidelands shall be prohibited. Limited Use Overnight Visitor Accommodations are any hotel, motel or</p>	<p><b>Consistent.</b> The Modified Project proposes traditional overnight accommodation in the form of a market rate hotel, Dana House Hotel, and a lower-cost hotel, Surf Lodge. Neither hotel is proposed to offer timeshare or condominium units or any other type of facility that operates in a manner consistent with the Limited Use Overnight Visitor Accommodations definition provided in Policy 5.2.1-3. As such, the Modified Project would be consistent with City Policy 5.2.1-3 contained in the DPHRP aimed at prohibiting the development of Limited Use Overnight Visitor Accommodation on public tidelands.</p>

**Table 4.9.D: Dana Point Harbor Revitalization Plan Policy Consistency Analysis**

Policies	Modified Project Consistency Analysis
<p>other similar facility that provides overnight visitor accommodations wherein some or all of the units, rooms, lots or parcels or other segment of the facility may be sold to a subsequent purchaser who receives the right in perpetuity for life or a term of years to the recurrent, exclusive use or occupancy of a lot, parcel, unit, room(s) or segment of the facility, annually or on some other seasonal or periodic basis for a period of time that has been or will be allotted from the use or occupancy periods into which the facility has been divided and shall include, but not be limited to timeshare, condominium/hotel, fractional ownership hotel or uses of a similar nature.</p>	
<p><b>Policy 5.2.1-4:</b> The design of the lower cost overnight visitor accommodation hotel may also include connections to adjoining rooms, allowing multiple bedroom suite accommodations. All lower cost rooms shall include microwaves and refrigerators, guest available communal outdoor barbecue facilities, and guest available communal, self-serve clothes washers and dryers to encourage longer visitor stays, particularly for families with children.</p>	<p><b>Consistent.</b> The lower cost hotel under the Modified Project (Surf Lodge) would allow for connections to adjoining rooms as feasible, which would enable multiple bedroom suite accommodations, and each room would be equipped with microwaves and small refrigerators. As discussed in Chapter 3.0, Project Description, of this Revised Draft EIR, the area immediately west of Surf Lodge would include an outdoor communal barbeque area for the guests of Surf Lodge. In addition, Surf Lodge would include a guest laundry area. Therefore, the Modified Project would be consistent with City Policy 5.2.1-4 contained in the DPHRP aimed at encouraging longer stays, particularly for families with children.</p>
<p><b>Policy 5.2.1-5:</b> Some hotel rooms may provide accommodations for larger groups by offering connections to adjoining rooms allowing multiple bedroom suites.</p>	<p><b>Consistent.</b> As discussed above, the lower cost hotel under the Modified Project (Surf Lodge) would allow for connections to adjoining rooms as feasible in order to accommodate larger groups. Therefore, the Modified Project would be consistent with City Policy 5.2.1-5 contained in the DPHRP aimed at accommodating larger groups.</p>

**Table 4.9.D: Dana Point Harbor Revitalization Plan Policy Consistency Analysis**

Policies	Modified Project Consistency Analysis
<p><b>Policy 5.2.1-6:</b> The design of hotel rooms shall incorporate wherever possible the use of private decks, Juliette balconies, or full balconies to allow guests to take advantage of the Harbor views and enjoy the oceanfront climate. To maximize the general public’s access to views and enjoyment of the oceanfront climate, seating on common roof decks or terraces shall be open and free for the public to use at a minimum during hours of beverage/food service.</p>	<p><b>Consistent.</b> Both the proposed Surf Lodge and Dana House Hotel include either balconies, decks, or private patios to maximize views of the Harbor and oceanfront. All seating at common roof decks and terrace areas will be open and free for use by the general public at a minimum during operating hours of beverage/food service associated with the hotel’s restaurants, bars, and lounges. Therefore, the Modified Project would be consistent with City Policy 5.2.1-6 contained in the DPHRP aimed at the provision of views of the Harbor and oceanfront in the design of hotel rooms.</p>
<p><b>Policy 5.2.1-7:</b> The design of the hotel will be compatible with the California Coastal design theme of the Commercial Core area and terraced levels of buildings in various configurations to maximize public views and break up building massing as viewed from the surrounding public vantage points shall be encouraged as part of the design. The design shall preserve view corridors as seen from Dana Point Harbor Drive towards the Harbor, between the two hotel buildings, and through Casitas Place, to the maximum extent feasible. To increase public enjoyment of the Harbor, the hotel operators shall also construct and maintain, in perpetuity, at least one free public viewing station along Island Way, with accessory seating, telescopes, and signage that clearly indicates public access and provides educational components.</p>	<p><b>Consistent.</b> As discussed in Section 4.1, Aesthetics, of this Revised Draft EIR, the proposed structures under the Modified Project would be consistent with the California Coastal design theme intended to unify the Dana Point Harbor Revitalization Planning Areas. Dana House Hotel would utilize a contemporary composition of Traditional Nautical architectural styled elements using a variety of materials with well-proportioned massing to develop an elegant and yet informal use of color and materials to provide a connection to the visual character and historical precedents of Dana Point Harbor. The massing would be broken down through interlocking forms similar to a small village being constructed throughout a period of time. Stepped terraces would be utilized in areas fronting the water to maintain views towards the harbor and to allow guests to enjoy the harbor at a higher vantage point. Surf Lodge would utilize a classical composition of architectural elements with the use of form and a variety of materials to bring a modern style and residential scale to the Modified Project. The use of color, texture, and materials would provide a connection to the visual character of the surrounding beach and surf community. The design will account for view corridors from Dana Point Harbor Drive between Surf Lodge and Dana House and through Casitas Place by limiting vertical improvements to the maximum extent possible (i.e., inclusion of parking lots between buildings and sensitive selection of landscaping species). Further, the Modified Project would include a viewing platform measuring approximately 6 ft by 16 ft on the east side of and adjacent to Island Way, which would include educational media, a viewing station, and a bench. Therefore, the Modified Project would be consistent with City Policy 5.2.1-7 contained in the DPHRP aimed at the design theme and massing of hotel development to maximize public views.</p>

**Table 4.9.D: Dana Point Harbor Revitalization Plan Policy Consistency Analysis**

Policies	Modified Project Consistency Analysis
<p><b>Policy 5.2.1-8:</b> Where glass or other clear material is used for guardrails or other architectural features, it shall be etched, tinted, or otherwise modified to make it visible to birds to prevent bird strikes.</p>	<p><b>Consistent.</b> As previously stated, the Modified Project would involve the use of glass and clear building materials in the design of both proposed hotels. All glass incorporated into the proposed hotels would be etched, tinted, or otherwise modified. As such, the Modified Project would be consistent with City Policy 5.2.1-8 contained in the DPHRP aimed at preventing bird strikes.</p>
<p><b>Policy 5.2.1-9:</b> Landscaping and plant palette selection on the hotel site shall consist entirely of low-water, non-invasive, drought-tolerant vegetation, consistent with the landscaping provisions of the Local Coastal Program. The development shall minimize and control runoff and wastewater discharges, and water conservation or reclamation measures are encouraged when in accordance with all relevant local and state policies. Tree removal shall be minimized, shall not be used to enhance private views or to offset impacts to public views, and shall require mitigation as required by LUP Policy 7.1.2-3 and IP Chapter 21.</p>	<p><b>Consistent.</b> As depicted in Figure 3.11, Preliminary Planting Palette, the Modified Project would utilize various shrubs, trees, and palms across its landscaped areas. Consistent with the landscaping provisions of the Local Coastal Program, all plant species would be native and drought-tolerant, requiring minimal water demand. Further, the irrigation system would comply with the County of Orange Water Efficient Landscape Ordinance, and would have the ability to override irrigation in the event of heavy rainfall to avoid unnecessary watering. Any tree removal shall comply with DPHRP Policy 7.1.2-3 and Special Provision 21 of the DPHDR. As such, the Modified Project would be consistent with City Policy 5.2.1-9 contained in the DPHRP aimed at ensuring water efficient landscaping and tree preservation.</p>
<p><b>Policy 5.2.1-10:</b> The hotel building design shall provide adequate parking for guests and free parking for hotel employees, as well as maintain convenient access to parking areas for boaters, consistent with off-street parking standards and regulations set forth in Chapter 14 of the Dana Point Harbor Revitalization Plan &amp; District Regulations.</p>	<p><b>Consistent.</b> As discussed in the Parking Study prepared for the Modified Project in February 2025, the Modified Project would provide approximately 526 parking spaces including surface parking spaces and covered parking spaces within the parking garage beneath Dana House Hotel. The surface parking for Dana House Hotel would be provided exclusively through valet operations. Surf Lodge parking would be gate controlled and hotel guests would self-park. The designated boater parking for the nearby boat slips would also be gate controlled and boaters would self-park. The designated boater parking will be located within PA 3 and in either PA 2 or PA 5 and in accordance with Chapter 14 of the DPHDR. Therefore, the Modified Project would be consistent with City Policy 5.2.1-10 contained in the DPHRP aimed at the provision of adequate parking for guests and boaters.</p>

**Table 4.9.D: Dana Point Harbor Revitalization Plan Policy Consistency Analysis**

Policies	Modified Project Consistency Analysis
<p><b>Policy 5.2.1-11:</b> A parking deck with access directly from Dana Point Harbor Drive, Casitas Place or the Commercial Core area may be considered as part of the overall hotel design to separate the main guest entrances from service and delivery functions.</p>	<p><b>Consistent.</b> Vehicular access to the project site would be provided from an existing driveway off Dana Point Harbor Drive on the northwest boundary of the project site and an existing driveway on Casitas Place on the eastern boundary of the project site. Delivery truck access to the project site would primarily use Casitas Place to service the uses on the project site. Here, trucks would turn left from Dana Point Harbor Drive onto Casitas Place to the designated service area. To exit, trucks would travel east through the adjacent Commercial Core surface parking lot and use Harbor Way (formerly Golden Lantern Street) to return to eastbound Dana Point Harbor Drive. Truck deliveries to Surf Lodge would be directed to turn left on Island Way and travel to the west side turn-around on the Island and then use the designated loading zone just south of Dana Point Harbor Drive on the east side of Island Way. Therefore, the Modified Project would be consistent with the City’s Policy 5.2.1-11 contained in the DPHRP aimed at the provision of separate parking and access for delivery services.</p>
<p><b>Policy 5.2.1-12:</b> Hotel operators shall provide hotel guests with access to a free on-demand regional service shuttle connecting to a public regional trolley or public transportation service, and hotel employees who take public transit to work shall receive fully subsidized public transit passes.</p>	<p><b>Consistent.</b> As previously discussed, the Modified Project would provide a free, on-demand service shuttle to hotel guests that would provide connections to regional public transportation options. Further, employees of the Modified Project that utilize public transportation to and from work would have their travel subsidized via public transit passes. Therefore, the Modified Project would be consistent with City Policy 5.2.1-12 contained in the DPHRP aimed at encouraging and eliminating barriers to the use of alternative modes of transportation.</p>
<p><b>Policy 5.2.1-13:</b> Electric vehicle (EV) charging stations and parking stalls shall be allocated throughout both hotel parking areas in accordance with minimum CALGreen standards. The charging stations shall be available for use by the general public and provide multi-lingual signage to indicate this availability, shall provide multiple options for form of payment, and shall provide charging connectors and/or adapters to support the broadest charging access for various EVs possible. In addition, onsite bicycle parking shall be provided consistent with the requirements of the Local Coastal Program, including racks and charging stations available to accommodate electric bicycles and scooters.</p>	<p><b>Consistent.</b> As discussed in Chapter 3.0, Project Description, of this Revised Draft EIR, consistent with the 2022 California Green Building Standards Code (CALGreen Code) and Title 24 requirements, the Modified Project would include both EV charging stations and EV capable spaces. Further, in order to encourage bicycling to and from the project site, the Modified Project design would also include bicycle parking areas, including chargers for electric bicycles and scooters. As such, the Modified Project would be consistent with City Policy 5.2.1-13 contained in the DPHRP aimed at providing EV charging stations and bicycle parking.</p>



**Table 4.9.D: Dana Point Harbor Revitalization Plan Policy Consistency Analysis**

Policies	Modified Project Consistency Analysis
<p><b>Policy 5.2.1-14:</b> To reduce long-term operation emissions from area sources, the hotel design shall implement energy conservation measures, such as roof-mounted solar panels, energy- efficient and bird/marine environment-safe lighting, fixtures, and appliances.</p>	<p><b>Consistent.</b> Refer to Section 4.4, Energy, of this Revised Draft EIR for a detailed discussion of the Modified Project’s energy usage and energy conservation design features. The Modified Project’s compliance with the 2022 California Green Building Standards Code (CALGreen Code) and Title 24 requirements would incorporate passive solar design, efficient low e-glazing, water conserving plumbing fixtures and fittings, outdoor water use metering, construction waste reduction, efficient variable refrigerant flow (VRF) heating and air-conditioning system design, low power consumption for lighting design and dimming systems, and insulation and sealing of the exterior envelope. Therefore, the Modified Project would be consistent with City Policy 5.2.1-14 contained in the DPHRP aimed at reducing long-term operational emissions.</p>
<p><b>Policy 5.2.1-15:</b> Hotel operations shall minimize plastic consumption, waste, and litter. Coordination of a Marine Debris Reduction Program is required, as is membership or certification via an established program. The Marine Debris Reduction Program shall ensure measures to avoid and divert food waste.</p>	<p><b>Consistent.</b> As required, the Modified Project would coordinate a Marine Debris Reduction Program that would ensure measures to avoid and divert food waste from entering landfills. Further, operation of the Modified Project would minimize the use of single-use plastic containers whenever feasible. As such, the Modified Project would be consistent with City Policy 5.2.1-15 contained in the DPHRP aimed at minimizing plastic consumption, waste (including food waste), and litter.</p>
<p><b>Policy 5.2.1-16:</b> The hotels in Planning Area 3 shall directly offer kayak, paddle board, bicycle, and similar recreational rentals at no or discounted costs to guests of the lower cost rooms; alternatively, collaboration with nearby businesses or co-operatives may be allowed.</p>	<p><b>Consistent.</b> As previously stated, both hotels proposed under the Modified Project would be located within PA 3. In order to increase recreational opportunities under the Modified Project, the hotels would offer low- or no-cost kayak, paddle board, bicycle, and other rentals, or would collaborate with local businesses to provide such rentals at low- or no-cost. Therefore, the Modified Project would be consistent with City Policy 5.2.1-16 contained in the DPHRP aimed at providing discounted or free recreational rentals to hotel guests.</p>
<p><b>Policy 5.2.1-17:</b> The hotel site shall provide a new designated launch location for hand-carry watercraft open and available to the public at no cost near the intersection of the Pedestrian Promenade and Island Way or at the nearest suitable location; or, alternatively, the hotel shall provide and conspicuously advertise free transport of hotel guests and their hand- carry watercraft to the existing launch site at Baby Beach. Other public access ways and points required by the Local Coastal</p>	<p><b>Consistent.</b> In conjunction with the newly provided public access location at the western end of the East Cove Marina as part of California Coastal Commission (Coastal Commission) permit 5-19-0971 and near the Island Way/Pedestrian Promenade intersection, the hotel site would develop a new public launch location for hand-carry watercraft open and available to the public at no cost. Alternatively, the hotel site could provide free transport of hotel guests and their hand-carry water craft to the existing Baby Beach launch site that would be conspicuously advertised. A Public Access Management Plan for PA 3 must also be developed in conjunction with redevelopment of the project site identifying other public access ways and points required by the DPHRP&amp;DR, with all public access signage provided in multiple languages. These public access requirements would be conditioned in the Coastal Development Permit required for the development of the PA 3 hotels. Therefore, the Modified Project would be consistent with City Policy 5.2.1-17 in the DPHRP to provide public access to a hand-carry public launch facility, and provide for the management and signage of public access in PA 3.</p>

**Table 4.9.D: Dana Point Harbor Revitalization Plan Policy Consistency Analysis**

Policies	Modified Project Consistency Analysis
<p>Program shall be identified in a Public Access Management Plan for Planning Area 3 and provided for in concert with redevelopment of the site. All public access signage shall be provided in multiple languages.</p>	
<p><b>Policy 5.2.1-18:</b> Future facilities providing overnight accommodations will be located in the area designated as Visitor Serving Commercial (Planning Area 3) by the Dana Point Harbor Land Use Plan.</p>	<p><b>Consistent.</b> As previously stated, the Modified Project includes the development of two hotels within the VSC designated area of PA 3. The proposed Surf Lodge would be a lower-cost overnight accommodation hotel providing 169 guest rooms. The proposed Dana House Hotel would provide 130 market-rate guest rooms. Therefore, the Modified Project would be consistent with City Policy 5.2.1-18 contained in the DPHRP aimed at providing overnight accommodations within the area designated as VSC (PA 3).</p>
<p><b>Policy 5.2.1-19:</b> The two new hotels shall be sited, designed, and constructed in a manner that does not adversely impact public access and that prevents flood damage and seawater intrusion from sea level rise over the course of their life spans, consistent with the development and sea level rise policies of the Local Coastal Program and the Coastal Act, and as informed by the best available science. Future adaptation measures may be necessary consistent with any recommendations put forth by the City in the Shoreline Management Plan (or updates thereto) as required per LUP Policy 8.6.3-1 and IP Chapter 3.</p>	<p><b>Consistent.</b> As discussed in the Coastal Hazards Memorandum prepared for the Modified Project in February 2025 (Appendix H to this Revised Draft EIR), based on the intermediate-high scenario for 2100, Surf Lodge is above both the still water inundation level and the potential wave run-up elevation. However, the lower podium level of Dana House Hotel when accounting for sea level rise in conjunction with the 100-year wave run-up elevation in 2100 could result in the inundation of the unoccupied parking garage. The lowest occupied floor elevation might experience inundation near 2085. Although no overnight hotel accommodations in either Dana House Hotel or Surf Lodge would be subject to inundation, to reduce the risk of flooding in the parking garage and basement of Dana House, a multitude of perimeter trench drains and area floor drains directed to sump pumps are included in the Modified Project design. The basement of Dana House Hotel would be designed with special flood-proof doors and window systems and constructed of concrete masonry units. In addition, prior to 2055 (the earliest time that sea level rise could overtop the bulkhead), reevaluation of resilience measures will be undertaken based on the data which will be available at that future date. Lastly, additional GHG reduction strategies implemented at the State, national, and international levels could reduce future sea level rise, especially for the year 2100 scenario. As such, the Modified Project would be consistent with City Policy 5.2.1-19 contained in the DPHRP aimed at avoiding risks associated with sea level rise.</p>
<p><b>Policy 5.2.1-20:</b> Community benefits shall be included as part of the replacement of the existing hotel complex. Specific community benefit initiatives shall be included as conditions of approval for the requisite coastal development permit to replace the hotel complex. Any community benefits shall include or expand further on the</p>	<p><b>Consistent.</b> As previously stated, the Modified Project would involve the development of a free educational viewing platform adjacent to Island Way within PA 4 for community use. This platform would include educational media, a viewing station, and a bench. Further, specific community benefits initiatives shall be required as part of the replacement of the existing hotel complex and shall include or expand further on program described in LUP Policies 5.2.1-22 and 5.2.1-23 below and as conditioned through the Coastal Development Permit required for the Modified Project. As required per Policy 5.2.1-20, the total value of contributions to these programs would be equivalent to or greater than \$110,000 annually over the life of the Modified Project. Therefore, the Modified Project would be consistent with City Policy 5.2.1-20 contained in the DPHRP aimed at providing community benefits.</p>

**Table 4.9.D: Dana Point Harbor Revitalization Plan Policy Consistency Analysis**

Policies	Modified Project Consistency Analysis
<p>programs described in LUP Policies 5.2.1-22 (related to public access and recreation) and 5.2.1-23 (related to lower cost overnight accommodations), and shall also enumerate specific benefits to underserved individuals and communities within the County of Orange. The total value of contributions to these programs shall equal or exceed \$110,000 annually in total for the life of the hotel development.</p>	
<p><b>Policy 5.2.1-21:</b> Pursuant to LUP Policy 5.2.1-2, the maximum average daily rate of the replacement hotel shall be equal to or less than the existing Marina Inn’s annualized average daily rate for the year 2022 adjusted once annually for inflation using the Consumer Price Index (CPI). The rate of the lower cost rooms used to offset the market rate rooms shall be equal to or less than three-quarters (75 percent) of the peak season (average of July and August) statewide average daily room rate, adjusted by ten percent for each additional occupant above two persons. All lower cost and moderate cost overnight accommodations shall be subject to annual Coastal Commission reporting and auditing requirements, as conditioned in a future local coastal development permit. If any replacement hotel rooms are proposed to be priced equal to or less than the 2022 annualized average daily rate of the existing hotel (adjusted for inflation using CPI) but higher than three-</p>	<p><b>Consistent.</b> The lower-cost hotel, Surf Lodge, would adhere to the daily rates for both the 136 replacement lower cost rooms associated with the demolition of the Dana Point Marina Inn, and the 33 additional lower cost rooms used to offset the market rate rooms required under LUP Policy 5.2.1-21, which would be demonstrated within annual reporting and audit requirements as conditioned in the Coastal Development Permit for the Modified Project. Any replacement hotel rooms priced above the rates identified in Policy 5.2.1-21 would trigger a requirement to provide additional monetary benefits to offset the higher room rates that shall be used to fund programming indicated in LUP Policy 5.2.1-23. Therefore, the Modified Project would be consistent with City Policy 5.2.1-21 contained in the DPHRP aimed at limiting the maximum average daily rate of the replacement hotel.</p>

**Table 4.9.D: Dana Point Harbor Revitalization Plan Policy Consistency Analysis**

Policies	Modified Project Consistency Analysis
<p>quarters (75 percent) of the peak season statewide average daily room rate, adjusted by ten percent for each additional occupant above two persons, then the proportional difference between the rates, in conjunction with site-specific construction cost estimates for these rooms, shall determine the monetary value of the benefits necessary to offset the higher room rates. The monetary value shall only be used to fund programming as indicated in LUP Policy 5.2.1-23 and shall not be accepted as a simple payment of an in-lieu fee.</p>	
<p><b>Policy 5.2.1-22:</b> To complement existing Harbor initiatives for underserved youth, the hotels planned for Planning Area 3 shall participate in programs for underserved youth annually, for the life of the hotel development, by contributing financially to expand and/or improve existing programming for underserved youth in Dana Point Harbor required by Coastal Development Permit (CDP) No. 5-19-0971. The hotels shall also directly participate in additional public access and recreational programs for underserved communities (such as those providing no-cost or low-cost boating and recreational activities within the harbor, sailing education for disabled persons, ocean access education for Title 1 students, exercise for fixed income seniors, indigenous land stewardship, or partnering with a local</p>	<p><b>Consistent.</b> As noted previously, the Modified Project proposes two hotels within PA 3, including Dana House Hotel and Surf Lodge. The proposed hotels would participate in programs for underserved youth and communities via either financial contributions or the improvement of existing programming within Dana Point Harbor required by Coastal Development Permit (CDP) No. 5-19-0971. The hotels must also directly participate in additional public access and recreational programs for underserved communities such as those identified in Policy 5.2.1-22, along with providing adequate transportation to and from for program attendees. Therefore, the Modified Project would be consistent with City Policy 5.2.1-22 contained in the DPHRP aimed at developing beneficial programs for underserved individuals.</p>

**Table 4.9.D: Dana Point Harbor Revitalization Plan Policy Consistency Analysis**

Policies	Modified Project Consistency Analysis
<p>WHALE TAIL® grant recipient to provide annual community barbecues (food and beverage) at no cost). The hotels shall ensure adequate transportation for attendees of all programs.</p>	
<p><b>Policy 5.2.1-23:</b> If required per LUP Policy 5.2.1-21 in lieu of offering lower cost room rates for the replacement lower cost rooms, the hotel(s) shall directly provide or fund lower cost overnight programming at no cost for underserved youth and their families, such as partnering with the Ocean Institute and/or OC Sailing and Events Center to provide a free overnight camping experience located on the coast to underserved youth, expand and upgrade lower cost overnight accommodation facilities at the OC Sailing and Events Center and/or Ocean Institute, provide hospitality internships, or any combination thereof.</p>	<p><b>Consistent.</b> In the event that lower cost room rates are not offered within Surf Lodge, the Project Applicant would fund or provide lower cost overnight programming at no cost for underserved youth and their families, including but not limited to the options discussed in Policy 5.2.1-23. As such, the Modified Project would be consistent with City Policy 5.2.1-23 contained in the DPHRP aimed at providing overnight programming for underserved youth and their families in lieu of lower cost room rates, as necessary.</p>
<p><b>Policy 6.1.1-12:</b> Enhanced lighting for streets, parking lots and pedestrian walkways will be implemented with new development.</p>	<p><b>Consistent.</b> As described in Section 4.1, Aesthetics, and as shown on Figure 4.1.16, Site Lighting Plan, the Modified Project provides a variety of lighting for the sidewalks along Dana Point Harbor Drive, Island Way and Casitas Place. Lighting is also provided throughout the surface parking areas, along all internal pedestrian circulation paths, and along the Pedestrian Promenade. Therefore, the Modified Project would be consistent with City Policy 6.1.1-12 contained in the DPHRP aimed at enhanced lighting for streets, parking lots, and pedestrian walkways.</p>
<p><b>Policy 6.2.1-1:</b> Promote Harbor improvements that are designed in a manner that: (1) facilitates provision or extension of transit service; (2) provides on-site commercial and recreational facilities to discourage mid-day travel; and (3) provides non-automobile circulation to and within the Harbor. (Coastal Act, Sections 30213 and 30252)</p>	<p><b>Consistent.</b> Employees traveling to and from the project site may use alternative transportation to access the site given the proximity of Class 2 bike lanes along Dana Point Harbor Drive north of the site and the Orange County Transportation Authority (OCTA) Route 90 bus stop, approximately 0.15 mile northeast of the proposed hotels near the intersection of Golden Lantern and Dana Point Harbor Drive. Further, because the project site is located within walking distance to restaurants, recreation, and shopping opportunities, it is anticipated that vehicle use by patrons of the hotels will be reduced. In addition, patrons of the hotels may utilize alternative transportation including the existing bus stops and the summertime Dana Point Trolley to access these commercial and recreational land uses. The Modified Project would also offer electric golf carts to transport hotel guests within the Harbor, and to nearby transit stops. In addition, the proposed parking plan includes designated zones for new and efficient transportation technologies such as rideshare uses (i.e., Lyft, Uber, and taxi), which would be provided at key locations on site for passenger loading/unloading. The proposed sidewalks</p>

**Table 4.9.D: Dana Point Harbor Revitalization Plan Policy Consistency Analysis**

Policies	Modified Project Consistency Analysis
	would provide public access from the rights-of-way to the Pedestrian Promenade located adjacent to the East Cove Marina bulkhead, and along the southern boundary of the project site. Therefore, the Modified Project would be consistent with City Policy 6.2.1-1 contained in the DPHRP aimed at the provision of transit and non-automobile circulation.
<b>Policy 6.2.1-5:</b> Bike racks shall be incorporated into the design of the Harbor wherever feasible.	<b>Consistent.</b> Bicycle parking would also be provided near both Surf Lodge and Dana House Hotel. Therefore, the Modified Project would be consistent with City Policy 6.2.1-5 contained in the DPHRP aimed at the provision of bicycle parking.
<b>Policy 6.2.3-3:</b> Maintain existing pedestrian facilities and require new development to provide pedestrian walkways between facilities.	<b>Consistent.</b> The proposed sidewalks would provide public access from the rights-of-way to the Pedestrian Promenade located adjacent to the East Cove Marina bulkhead, and along the southern boundary of the project site. Therefore, the Modified Project would be consistent with City Policy 6.2.3-3 contained in the DPHRP aimed at the provision of pedestrian walkways and connectivity.
<b>Policy 6.2.4-1:</b> All parking facilities shall be designed to include safe and secure parking for bicycles.	<b>Consistent.</b> Bicycle parking would be provided at Surf Lodge, and bicycle storage within an enclosed area of Dana House Hotel would be provided. Therefore, the Modified Project would be consistent with City Policy 6.2.4-1 contained in the DPHRP aimed at the provision of safe and secure bicycle parking.
<b>Policy 6.2.4-3:</b> Adequate parking will be provided in close proximity to the use the parking is intended to support.	<b>Consistent.</b> The Modified Project would provide approximately 526 parking spaces on site including surface parking spaces and covered parking spaces within the parking garage beneath Dana House Hotel, and up to 45 designated boater parking spaces in existing surface parking lots in either PA 2 or PA 5, and some employees parking in PA 2. The proposed parking would also include designated boater parking for the nearby boat slips. Therefore, the Modified Project would be consistent with City Policy 6.2.4-3 contained in the DPHRP aimed at the provision of convenient parking.
<b>Policy 6.2.4-6:</b> Designated boater parking areas shall be located as close as possible to the land/dock connection point of the docks they serve. Typically, the boater parking spaces should be within 300 feet of the land/dock connection point of the docks they serve, but where adherence to this standard is infeasible, the parking spaces shall be within a maximum of 600 feet of the land/dock connection point of the docks they serve. Mitigation measures should be provided to assist boaters with transport of passengers, equipment and provisions from parked vehicles to the land/dock connection point of the docks they serve in cases where the distance between parking spaces and the docks exceeds 300 feet and/or	<b>Consistent.</b> The proposed parking would also include designated boater parking for the nearby boat slips. Typically, the boater parking spaces should be within 300 feet (ft) of the land/dock connection point of the docks they serve, but where adherence to this standard is infeasible, the parking spaces shall be within a maximum of 600 ft of the land/dock connection point of the docks they serve. Supplies will be provided to assist boaters with the transport of passengers, equipment and provisions from parked vehicles to boats at the land/dock connection point of the docks they serve in cases where the distance between parking spaces and the docks exceeds 300 ft and/or where there are other factors present that would make such transport difficult. All of the designated parking spaces for boater parking will be within 600 ft of the dock entry points to the East Basin, including any designated boater parking within PA 2 or PA 5. Therefore, the Modified Project would be consistent with City Policy 6.2.4-6 contained in the DPHRP aimed at the provision of adequate boater parking.

**Table 4.9.D: Dana Point Harbor Revitalization Plan Policy Consistency Analysis**

Policies	Modified Project Consistency Analysis
<p>where there are other factors present which make such transport difficult.</p>	
<p><b>Policy 7.3.1-3:</b> Development shall not result in the degradation of the water quality of coastal surface waters, including the ocean, coastal streams or wetlands and of groundwater basins. To the maximum extent feasible, ensure that pollution from urban runoff not be discharged or deposited such that it adversely impacts groundwater, the ocean, coastal streams or wetlands.</p>	<p><b>Consistent.</b> The Modified Project would reduce the impervious surface area compared to the existing conditions on the project site with the implementation of the proposed landscaping plan. In addition, please refer to Section 4.8, Hydrology and Water Quality, of this Revised Draft EIR, for a detailed discussion of the water quality Best Management Practices (BMPs) to address urban runoff that would be employed during construction and operation of the Modified Project. Therefore, the Modified Project would be consistent with City Policy 7.3.1-3 contained in the DPHRP aimed at controlling urban runoff and degradation of water quality.</p>
<p><b>Policy 7.3.1-6:</b> New development shall minimize where feasible the development footprint and directly connected impervious surfaces as well as the creation of and increases in impervious surfaces.</p>	<p><b>Consistent.</b> The Modified Project would reduce the impervious surface area compared to the existing conditions on the project site with the implementation of the proposed landscaping plan. In addition, please refer to Section 4.8, Hydrology and Water Quality, of this Revised Draft EIR, for a detailed discussion of erosion and sediment controls and other water quality BMPs that would be employed during construction and operation of the Modified Project. Therefore, the Modified Project would be consistent with City Policy 7.3.1-6 contained in the DPHRP aimed at minimizing impervious surfaces.</p>
<p><b>Policy 7.3.1-7:</b> New development shall protect the absorption, purification and retention functions of natural systems that exist on the site. Where feasible, drainage plans shall be designed to complement and utilize existing drainage patterns and systems, conveying drainage from the developed areas of the site in a non-erosive manner. Disturbed or degraded natural drainage systems should be restored, where feasible.</p>	<p><b>Consistent.</b> Landscaping features would be designed to support stormwater management and infiltration on the project site. In addition, please refer to Section 4.8, Hydrology and Water Quality, of this Revised Draft EIR, for a detailed discussion of the drainage plan and other water quality BMPs that would be employed for construction and operation of the Modified Project. Therefore, the Modified Project would be consistent with City Policy 7.3.1-7 contained in the DPHRP aimed at minimizing impervious surfaces and preventing degradation of the natural drainage system.</p>
<p><b>Policy 7.3.1-14:</b> New development shall include construction phase erosion control and polluted runoff control plans. For example, such plans may include controls on timing of grading, BMPs for storage and disposal of construction materials or design</p>	<p><b>Consistent.</b> As discussed in Section 4.8, Hydrology and Water Quality, the Modified Project would comply with the requirements of the Construction General Permit (Standard Condition 4.8-1) and the South Orange County MS4 Permit (Standard Condition 4.8-4). Under the Construction General Permit, the project would be required to prepare a Stormwater Pollution Prevention Plan (SWPPP) and implement construction BMPs detailed in the SWPPP during construction activities to minimize erosion. In addition, the Modified Project would be required to submit an Erosion Control Plan prior to the commencement of construction activities (Standard Condition 4.8-2). In compliance with the MS4 Permit, BMPs detailed in the Final Water Quality Management Plan (WQMP) would be incorporated into the final design to address runoff during</p>

**Table 4.9.D: Dana Point Harbor Revitalization Plan Policy Consistency Analysis**

Policies	Modified Project Consistency Analysis
specifications of sedimentation basins.	operation. Therefore, the Modified Project would be consistent with City Policy 7.3.1-14 contained in the DPHRP aimed at controlling erosion and runoff.
<b>Policy 7.3.1-15:</b> New development that requires a grading/erosion control plan shall include landscaping and re-vegetation of graded or disturbed areas.	<b>Consistent.</b> As discussed above and in Section 4.8, Hydrology and Water Quality, the Modified Project would be required to prepare a SWPPP and an Erosion Control Plan. In addition, BMPs detailed in the Final WQMP would be incorporated into the final design to address runoff during operation. In addition, please refer to Section 4.8, Hydrology and Water Quality, of this Revised Draft EIR, for a detailed discussion of erosion and sediment controls and other water quality BMPs that would be employed for construction and operation of the Modified Project. Furthermore, the Modified Project would reduce the impervious surface area on the project site compared to existing conditions and all graded or disturbed areas would either be developed or restored with landscaping after construction. Therefore, the Modified Project would be consistent with City Policy 7.3.1-15 contained in the DPHRP aimed at controlling erosion and re-vegetating disturbed areas.
<b>Policy 8.1.1-10:</b> Encourage aesthetic roof treatment as an important architectural design feature.	<b>Consistent.</b> Surf Lodge and Dana House Hotel are designed using the allowable height of 50 ft for buildings in the VSC land use designation/district (PA 3) with architectural treatments and screened mechanical units in accordance with PA 3 regulations and Dana Point Harbor District Regulations (DPHDR) building height definitions. In addition, stepped terraces would be utilized in areas fronting the water to maintain views towards the harbor and to allow guests to enjoy the harbor at a higher vantage point. Refer to Section 4.1, Aesthetics, of this Revised Draft EIR, for additional information on aesthetic design. Therefore, the Modified Project would be consistent with City Policy 8.1.1-10 contained in the DPHRP aimed at aesthetic roof treatments and architectural design.
<b>Policy 8.1.1-12:</b> Encourage innovative site and building designs and orientation techniques which minimize energy use by taking advantage of sun/shade patterns, prevailing winds, landscaping and building materials.	<b>Consistent.</b> As previously stated, the Modified Project would incorporate several Conservation and Sustainability measures in strict conformance with the 2022 California Green Building Standards Code (CALGreen Code) and Title 24 requirements. Therefore, the Modified Project would be consistent with City Policy 8.1.1-12 contained in the DPHRP aimed at minimizing energy use.
<b>Policy 8.1.1-17:</b> Architectural and building articulation will have a form that complements the Harbor area and natural setting, when viewed from within the Harbor or the surrounding area (both from land and sea). High, uninterrupted wall planes are to be avoided.	<b>Consistent.</b> As previously stated, and discussed in Section 4.1, Aesthetics, the proposed structures would be consistent with the California Coastal design theme intended to unify the DPHRP&DR Planning Areas. The massing would be broken down through interlocking forms similar to a small village being constructed throughout a period of time. Stepped terraces would be utilized in areas fronting the water to maintain views towards the harbor and to allow guests to enjoy the harbor at a higher vantage point. Therefore, the Modified Project would be consistent with City Policy 8.1.1-17 contained in the DPHRP aimed at forms that complement the Harbor area when viewed from both the land and the sea.
<b>Policy 8.1.1-21:</b> Architectural elements (including roof overhangs, awnings, dormers, etc.) will be integrated into the building design to shield windows from the sun and reduce the effects of glare.	<b>Consistent.</b> The Modified Project would be consistent with City Policy 8.1.1-21 contained in the DPHRP aimed at reducing glare. As described in Section 4.1, Aesthetics, the design of the proposed structures would utilize components which are consistent with reducing glare. Extended roof overhangs, balconies, awnings, covered walkways, and trellises would be used throughout the design for both Dana House Hotel and Surf Lodge. Large, covered arcade spaces would be integrated into the design of Dana House Hotel to provide covered walkways and shade for doors/windows. A uniform trellis design would be repeated throughout both hotels to provide shade in areas where overhangs and awnings would not be feasible.



**Table 4.9.D: Dana Point Harbor Revitalization Plan Policy Consistency Analysis**

Policies	Modified Project Consistency Analysis
	Finally, awnings would be strategically placed along both buildings' façades to reduce glare for areas where roof overhangs would not be implemented.
<b>Policy 8.1.1-22:</b> The project will utilize minimally reflective glass and other materials used on the exteriors of the buildings and structures will be selected with attention to minimizing reflective glare.	<b>Consistent.</b> As previously stated, and described in Section 4.1, Aesthetics, the Modified Project would be consistent with City Policy 8.1.1-22 contained in the DPHRP aimed at minimizing reflective glare. The design of both Dana House Hotel and Surf Lodge would utilize minimally reflective glass to address window reflectance. Standard 1-inch low emittance clear glass panels would be used. In addition, building materials/paint colors would be carefully selected to avoid glossy or reflective surfaces.
<b>Policy 8.4.1-1:</b> Protect and enhance public views to and along the coast through open space designations and innovative design techniques. (Coastal Act, Section 30251)	<b>Consistent.</b> As previously stated, and discussed in Section 4.1, Aesthetics, the proposed structures would utilize a contemporary composition of Traditional Nautical architectural styled elements using a variety of materials; massing would be broken down through interlocking forms; and terraced, stepped back building frontages would be utilized on the two buildings' exterior elevations fronting the water to maintain views towards the harbor and to allow guests to enjoy the harbor at a higher vantage point. Therefore, the Modified Project would be consistent with City Policy 8.4.1-1 contained in the DPHRP aimed at protecting public views along the coast.
<b>Policy 8.4.1-2:</b> Ensure development within designated and proposed scenic corridors are compatible with scenic enhancement and preservation and shall not significantly impact public views through these corridors. (Coastal Act, Section 30251)	<b>Consistent.</b> As previously stated, and discussed in Section 4.1, Aesthetics, terraces would be utilized in areas fronting the water to maintain views towards the harbor and to allow guests to enjoy the harbor at a higher vantage point, as well as staggered, stepped-back exterior building facades fronting the Harbor to maintain views from elevated scenic viewpoints. In addition, the view simulations, shown in Figures 4.1.4 through 4.1.15 in Section 4.1, confirm that significant coastal public views through scenic corridors and from scenic viewpoints, consistent with those identified in the Dana Point Harbor View Corridors of the Dana Point Harbor Revitalization Plan (DPHRP) and the Headlands Development and Conservation Plan overlooking the project site would not be impacted by the Modified Project. Therefore, the Modified Project would be consistent with City Policy 8.4.1-2 contained in the DPHRP of preserving views through scenic corridors.
<b>Policy 8.4.1-4:</b> Textured paving will be used to identify lookouts, pathway crossings and edge treatments. All landscape areas will be planted consistent with landscape plans approved through the Coastal Development Permit process to preserve and enhance ocean views.	<b>Consistent.</b> As discussed in Chapter 3.0 of this Revised Draft EIR, the Modified Project would include landscaped open space areas and walking paths. The proposed landscaping would include a variety of shrubs and groundcover, and the use of several varieties of trees. The Preliminary Planting Palette provided in Figure 3.11, would be submitted for review and approval with the Coastal Development Permits (CDP), and subsequent landscape permitting from the County of Orange. Therefore, approval of the CDP would ensure the Modified Project is consistent with City Policy 8.4.1-4 contained in the DPHRP aimed at ensuring landscaping and pathways are consistent with ocean views.
<b>Policy 8.5.1-1:</b> New building architecture shall encourage irregular massing of structures.	<b>Consistent.</b> The massing of the proposed hotels would be broken down through interlocking forms similar to a small village being constructed throughout a period of time. Staggered, stepped-back exterior building facades would be utilized in areas fronting the water to maintain views towards the harbor and to allow guests to enjoy the harbor at a higher vantage point. Please refer to Section 4.1, Aesthetics, of this Revised Draft EIR, for the view simulations prepared for the Modified Project and a detailed discussion of the proposed massing. Therefore, the Modified Project would be consistent with City Policy 8.5.1-1 contained in the DPHRP aimed at encouraging irregular massing.

**Table 4.9.D: Dana Point Harbor Revitalization Plan Policy Consistency Analysis**

Policies	Modified Project Consistency Analysis
<p><b>Policy 8.5.1-2:</b> Building massing should be asymmetrical and irregular with offsets in plan, section and roof profile.</p>	<p><b>Consistent.</b> The massing of the proposed hotels would be broken down through interlocking forms similar to a small village being constructed throughout a period of time. Stepped terraces would be utilized in areas fronting the water to maintain views towards the harbor and to allow guests to enjoy the harbor at a higher vantage point. Offsets in the plan would be utilized in both hotels to contribute to the asymmetrical building massing of each structure. Please refer to Section 4.1, Aesthetics, of this Revised Draft EIR, for the view simulations prepared for the Modified Project and a detailed discussion of the proposed massing and elevations. Therefore, the Modified Project would be consistent with City Policy 8.5.1-2 contained in the DPHRP aimed at encouraging irregular massing.</p>
<p><b>Policy 8.5.1-3:</b> All new development in the Harbor shall not exceed a maximum building height of thirty-five (35) feet; exceptions to the 35 foot height limit include the following: Visitor-Serving Commercial (Planning Area 3) building(s) shall have a maximum height of fifty (50) feet; Elevators, appropriately screened mechanical units and chimneys that do not exceed the ten percent (10%) of the total roof area for all new and existing/remodeled structures, should conform to the applicable height limit, but may exceed that height limit by no more than five (5) additional feet.</p>	<p><b>Consistent.</b> Surf Lodge and Dana House Hotel are designed using the allowable height of 50 ft for buildings in the VSC land use designation/district (PA 3) with architectural treatments and screened mechanical units in accordance with PA 3 regulations and DPHDR building height definitions. Therefore, the Modified Project would be consistent with City Policy 8.5.1-3 contained in the DPHRP aimed at ensuring consistency with maximum building heights.</p>
<p><b>Policy 8.6.6-1:</b> Pursuant to the City of Dana Point Local Implementation Plan, all private and public works construction projects are required, at a minimum, to implement and be protected by an effective combination of erosion and sediment controls and water and materials Best Management Practices.</p>	<p><b>Consistent.</b> As discussed above and in Section 4.8, Hydrology and Water Quality, the Modified Project would be required to prepare a SWPPP and an Erosion Control Plan. In addition, BMPs detailed in the Final WQMP would be incorporated into the final design to address runoff during operation. In addition, please refer to Section 4.8, Hydrology and Water Quality, of this Revised Draft EIR, for a detailed discussion of erosion and sediment controls and other water quality BMPs that would be employed for construction and operation of the Modified Project. Furthermore, the Modified Project would reduce the impervious surface area on the project site compared to existing conditions and all graded or disturbed areas would either be developed or restored with landscaping after construction. Therefore, the Modified Project would be consistent with City Policy 8.6.6-1 contained in the DPHRP aimed at utilizing effective erosion and sediment control BMPs.</p>

Source: Dana Point Harbor Revitalization Plan and District Regulations (City of Dana Point. 2024. (Website: <https://www.danapoint.org/Home/ShowDocument/12553>, accessed September 12, 2024).

<sup>1</sup> Regulations and policies from the DPHRP&DR are also discussed in applicable topical sections of this Revised Draft EIR, where policies related to physical effects associated with specific environmental topics are addressed.

As shown in Figure 3.6, the majority of the project site is located within PA 3 of the DPHRP&DR with a land use designation/district of Visitor Serving Commercial (VSC), which is intended to provide for a variety of visitor serving commercial overnight accommodations, ancillary uses, and facilities in addition to visitor serving commercial, recreational uses, and facilities supportive of the general community and serving the regional recreational needs of residents and guests of the County of Orange, the City of Dana Point, and visitors to the coast. The proposed viewing platform and improvements to the landscaped area east of Island Way are located within PA 4 of the DPHRP&DR, with a land use designation/district of Marine Commercial (MC), which is intended to provide for a variety of coastal-dependent and coastal-related marine services, public facilities, passive park, private and public club uses supportive of the general boating public and serve the regional recreational needs of residents and guests of the County of Orange, the City of Dana Point, and visitors to the coast. The proposed improvements located within PA 2 of the DPHRP&DR, which is located in the Day Use Commercial (DUC) land use designation/district, are limited to the eastern portion of Dana House Hotel's podium structure and the adjacent Festival Plaza as well as a small portion of the Pedestrian Promenade along the East Cove Marina bulkhead that are both part of the Dana Point Harbor Commercial Core. The Modified Project may use up to 45 boater and 51 employee parking spaces within a surface parking lot already approved and under construction in PA 2. The proposed activity located within PA 5 of the DPHRP&DR, which has a land use designation/district of Recreation (R), is limited to the designation of up to 45 additional boater parking spaces in a previously approved parking lot. The Modified Project will only use 45 boater spaces in either PA 2 or PA 5, not 45 boater spaces in both PA 2 and PA 5. The Modified Project includes the development of two hotels and ancillary facilities, which would be consistent with the designations for the project site.

The proposed uses are consistent with the DPHDR, and the development intensity of those uses determined through maximum square footage and the number of hotel rooms for the Modified Project have been revised consistent with the suggested modifications of Coastal Commission's LCP-5-DPT-21-0079-2. The development intensity of the uses included in the Modified Project has been revised to meet those contained in the Dana Point Harbor Revitalization Plan Statistical Table for PA 3 in Chapter 17 of the DPHDR as revised by the Coastal Commission in LCP-5-DPT-21-0079-2 as summarized previously in Table 4.9.B. The Modified Project would increase the number of hotels and hotel rooms, reapportion other land use categories in the Dana Point Harbor Revitalization Plan Statistical Table for PA 3, and also include text changes to the DPHRP&DR to address the reapportioned land use categories and Coastal Act policies relative to hotel development within the Coastal Zone.

In addition to regulating development intensity, the DPHDR also includes regulations on building heights and setbacks. As described in Policy 8.5.1-3, all new development in the Harbor shall not exceed a maximum building height of 35 feet (ft): exceptions to the 35 ft height limit include VSC (PA 3) building(s) that shall have a maximum height of 50 ft. Surf Lodge and Dana House Hotel are designed with a proposed height limit of 50 ft, consistent with the limits for buildings within the VSC designation, and with architectural treatments and screened mechanical units in accordance with PA 3 regulations and DPHDR building

height definitions. The building setback requirements are a minimum of 10 ft from any street (surface parking and landscaping areas may be included as part of the setback area).

The Modified Project would meet the minimum 10 ft setback from the surrounding roadways, including Dana Point Harbor Drive, Island Way, and Casitas Place.

The Modified Project is located within the City's Coastal Overlay District. However, because the project site is located within the boundaries of the DPHRP&DR, it is referenced first for the review and processing of discretionary permits. Chapter II-16 therein outlines procedures for discretionary permits related to improvements in the Dana Point Harbor. Section 16.2 specifies, "All applications for Coastal Development Permits for Planning Areas 1 through 7 shall be in accordance with this Chapter of the Dana Point Harbor District Regulations and the City of Dana Point Zoning Code, Chapter 9.69, *Coastal Development Permit*." Based on the scope of the Modified Project and the location in the Harbor (landside PAs 2, 3, and 4 and potentially PA 5), the City retains jurisdiction for the processing and approval of the CDP. Since a public hearing is required, the City's Planning Commission will take action at a publicly noticed hearing during one of its regularly scheduled meetings. Issuance of the CDP would ensure that the Modified Project would be consistent with applicable provisions in the City's Municipal Code, including the DPHRP&DR and recently approved (June 2024) Coastal Commission suggested modifications related to development within its Coastal Zone, and the Modified Project analyzed in this Revised Draft EIR.

Therefore, approval of the CDP for the increased development intensity standards for PA 3 would ensure the Modified Project's consistency with the City's established policies and development standards, and no mitigation would be required.

As discussed in Section 4.1, Aesthetics, the proposed structures would be consistent with the California Coastal design theme outlined in the DPHRP&DR intended to unify the Dana Point Harbor Revitalization PAs. Dana House Hotel would utilize a contemporary composition of traditional nautical architectural styled elements using a variety of materials with well-proportioned massing to develop an elegant and yet informal use of color and materials to provide a connection to the visual character and historical precedents of Dana Point Harbor. The massing would be broken down through interlocking forms similar to a small village being constructed throughout a period of time. Stepped terraces would be utilized in areas fronting the water to maintain views towards the harbor and to allow guests to enjoy the harbor at a higher vantage point. Surf Lodge would utilize a classical composition of architectural elements with the use of form and a variety of materials to bring a modern style and residential scale to the Modified Project.

The use of color, texture, and materials would provide a connection to the visual character of the surrounding beach and surf community. Therefore, the Modified Project would be consistent with the DPHRP&DR's design guidance as the proposed design includes contrasting sections and trim elements; the sharing of exterior materials such as board and batten and shiplap siding, stone (brick), and stucco; and unifying architectural elements, such as patios, terraces, balconies, verandas, and railings, that will present a varied yet unified village appearance. Therefore, impacts related to potential conflicts with the design

theme and related design guidance provided in the DPHRP&DR would be less than significant, and no mitigation would be required.

#### **4.9.7 Level of Significance Prior to Mitigation**

There would be no potentially significant impacts related to land use and planning under the Modified Project.

#### **4.9.8 Standard Conditions and Mitigation Measures**

No standard conditions are applicable to the Modified Project, and no mitigation is required.

#### **4.9.9 Level of Significance After Mitigation**

There would be no significant unavoidable adverse impacts of the Modified Project related to land use and planning. No mitigation is required.

#### **4.9.10 Cumulative Impacts**

As defined in Section 15130 of the *State CEQA Guidelines*, cumulative impacts are the incremental effects of an individual project when viewed in connection with the effects of past, current, and probable future projects within the cumulative impact area for land use. The cumulative impact area for land use for the Modified Project is the City of Dana Point. Several mixed use and residential development projects are approved and/or pending within the City, as well as other projects programmed as part of the Dana Point Harbor Revitalization Project (EIR No. 591). Refer to Figure 4.1, Related Project Locations, in Chapter 4.0, Existing Environmental Setting, Environmental Analysis, Impacts, and Mitigation Measures, for the location of the cumulative projects in the City. Each of these projects, as well as all proposed development in the City, would be subject to its own General Plan consistency analysis and would be reviewed for consistency with adopted land use plans and policies.

As previously stated, the majority of the project site is designated V/RC on the City's General Plan Land Use Map and zoned Dana Point Harbor Revitalization Plan and District Regulations (DPHRP-ZC). The majority of the project site is located within PA 3, which has a corresponding land use designation/district of Visitor Serving Commercial (VSC). The VSC is intended to provide for a variety of visitor serving commercial overnight accommodations, ancillary uses, and facilities in addition to commercial, recreational uses, and facilities supportive of the general community and the regional recreational needs of residents and visitors. The proposed loading zones, landscape improvements, and viewing platform to the east of Island Way are located within PA 4 of the DPHRP&DR, which has a land use designation/district of Marine Commercial (MC), which is intended to provide for a variety of coastal-dependent and coastal-related marine services, public facilities, passive park, and private and public club uses supportive of the general boating public and to serve the regional recreational needs of residents and visitors. The proposed improvements south of the terminus of Casitas Place are located within PA 2 of the DPHRP&DR, which has a land use designation/district of Day Use Commercial (DUC). The proposed designation of 45 additional boater parking spaces would occur within either PA 2 or PA 5 in parking facilities previously approved though other coastal development permits. PA 5 has a land use designation/district of Recreation (R).

Additionally, due to its proximity to the Pacific Ocean, the project site falls within the boundaries of the City's Coastal Overlay District. As described above, the Modified Project, is consistent with all applicable land use designations for the project site.

The proposed increases in the number of hotels and hotel rooms, and the reapportionment of the other land use categories in the Dana Point Harbor Revitalization Plan Statistical Table for PA 3, as well as text changes in the DPHRP&DR to address the reapportioned land use categories required a Zone Text Amendment (ZTA) and an LCPA. As previously stated, final Coastal Commission certification of the LCPA with their suggested modifications occurred on February 5, 2025. Furthermore, as the Modified Project's site is located within the boundaries of both the DPHRP&DR and the City's Coastal Overlay District, and based on the location in both of these areas as well as the project's scope, a CDP is required to implement the Modified Project.

As described above, approval of the CDP, Zone Text Amendment, and LCPA for the increased development intensity standards for PA 3 would ensure the Modified Project's consistency with the City's established development standards, and no mitigation would be required. Therefore, cumulative land use impacts with respect to consistency with local land use plans would be considered less than significant.

The Modified Project would include land uses that are consistent with the surrounding development within the Dana Point Harbor, and therefore would not contribute to a pattern of development that would adversely impact adjacent land uses or conflict with existing or planned development. As discussed further above, proposed on-site improvements would be consistent with the long-range planning goals of local and regional governing plans and policies for the surrounding area.

There are no incompatibilities between the Modified Project and planned future projects in the City, which primarily include mixed-use and residential developments or other improvements included in the Dana Point Harbor Revitalization Plan. Each of the related projects in the City would be reviewed for consistency with adopted land use plans and policies by the City. For this reason, the related projects are anticipated to be consistent with applicable General Plan and zoning requirements, or would be subject to allowable exceptions. Further, each discretionary project would be subject to CEQA, mitigation requirements, and design review, as applicable. Therefore, the Modified Project would not contribute to a significant cumulative land use compatibility impact in the City, and no mitigation is required.