

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302  
(562) 590-5071

RECEIVED  
CITY OF DANA POINT  
COMMUNITY DEVELOPMENT DEPT February 18, 2014



2014 FEB 24 P 12: 31

City of Dana Point  
Community Development Department  
Attn: Ursala Luna-Reynosa, Director  
33282 Golden Lantern  
Dana Point, CA 92629-1805

**RE: City of Dana Point Local Coastal Program Amendments LCPA13-0001 and LCPA13-0002/Coastal Commission Reference No. LCP-5-DPT-14-0105-1**

Dear Ms. Luna-Reynosa:

On February 3, 2014, this office received your submittal for Amendments to the City's Certified Local Coastal Program: LCPA13-0001 would modify the text in the City's Zoning Code Ordinance and LCPA13-0002 would modify text in the Dana Point Specific Plan (DPSP) to allow short term rentals in all the Zoning Districts where residential uses are allowed in the City.

This is a Major Amendment, as it does not qualify as a Minor Amendment pursuant to Section 13554 of the California Code of Regulations.

Pursuant to Section 13553 of the California Code of Regulations, we have reviewed the transmittal and determined that it is incomplete. It cannot be deemed complete until the materials and information identified below are submitted to our office.

**1. Clarification of the Proposed LCPAs**

LCPA13-0002 references Section XI-Land Use Regulations; Section v – "Special Regulations and Information" of the Dana Point Specific Plan. Commission staff's version of the Dana Point Specific Plan does not include such a reference point. What specific version of the Dana Point Specific Plan does LCPA13-0002 reference?

Regarding LCPA13-0001, how did the City determine that the proposed Amendment to the Zoning Ordinance was consistent with the "1996" LUP?

The proposed Zoning Code and DPSP LCP Amendment language references Chapter 5.38 of the Municipal Code. Does this mean that Chapter 5.38 of the Municipal Code is proposed to be included as part of the LCP Amendments and intended to be included into the LCP?

Please identify all of the HOAs in the Coastal Zone that prohibit short term rentals. There is a general concern about the prohibition of short term rentals within these

HOAs. For those HOAs where short term rentals are prohibited, please explain how and when they were prohibited.

**2. Final Resolution**

Please provide Exhibit "A" to Planning Commission Resolution 13-10-28-26.

Please provide Exhibit "B" to Planning Commission Resolution 13-10-28-27.

**3. Hearing Dates/Local Hearing Notices**

A hearing notice for the City Council meeting that took place on January 21, 2014 has not been submitted. Thus, please provide a copy of that notice.

**4. Copies of Speaker Slips, Written Comments and Adopted Minutes**

The adopted minutes for the City Council meeting that took place on January 21, 2014 have not been submitted. The City's transmittal letter did state that those minutes would be submitted on February 20, 2014. Please provide a copy of those minutes once they are available.

You have provided copies of emails and copies of speaker slips for those individuals that participated at the public hearings. Please provide a comprehensive list of those individuals that submitted emails and also spoke at the public hearings. Please also include the mailing addresses of these individuals.

Resolution No. 13-10-28-25 mentions that eight (8) comment letters were received during the comment period of the Negative Declaration. Copies of those letters were not included with your submittal. Thus, please provide copies of those letters and the City's response to those letters.

**5. Mailing Lists**

The LCPA submittal must include a copy of the mailing/noticing lists used by the local government. No such lists were submitted. Thus, please provide a copy of the mailing lists.

**6. Environmental Review Documents**

As stated above, please provide copies of the eight (8) comment letters received during the comment period of the Negative Declaration and the City's response to them.

Please also provide a copy of the Final Negative Declaration that was adopted by the Planning Commission On October 28, 2013 and adopted by the City Council on December 3, 2013.

**7. Electronic Copy**

Please provide an electronic copy of your submittal and also any documents submitted in response to this letter dated February 18, 2014.

Once these items are received in the Commission office, they will be reviewed for adequacy and a determination will be made as to whether the submittal is complete.

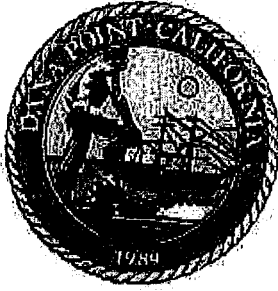
As Amendments to the City's certified Land Use Plan (LUP) and Implementation Plan (IP), the time period for Commission action is ninety-(90) days from the date the submittal is deemed complete. However, if more time is needed for our staffs to work together, the Commission may extend the 90-day time period for up to an additional year.

Should you have any questions, please contact me at (562) 590-5071. We look forward to working together with you and your staff on this Amendment.

Sincerely,



Fernie Sy  
Coastal Program Analyst II



To: County Clerk  
County of Orange  
211 W. Santa Ana Boulevard  
Santa Ana, CA 92701

### NEGATIVE DECLARATION

**PROJECT NUMBER:** ZTA13-0001/LCPA13-0001/SPA13-0001/LCPA13-0002

**PROJECT ADDRESS/LOCATION:** Citywide

**PROJECT DESCRIPTION:** The City of Dana Point is proposing to amend its Zoning Ordinance and the Dana Point Specific Plan to allow short term rentals in all the districts where residential uses are allowed, as defined in Chapter 5.38 of the City's Municipal Code, including but not limited to single family dwellings, condominiums, duplexes, triplexes, townhomes, and multi-family dwellings.

The City has conducted an environmental review of the above described project pursuant to the guidelines for Implementation of the California Environmental Quality Act. As a result of this review, a Negative Declaration (declaration that the project will not have a significant impact on the environment) is hereby issued for the project. Justification for this action is on file in the Community Development Department.

A copy of the Negative Declaration with supportive documents is on file in the Community Development Department, 33282 Golden Lantern, Dana Point, California 92629 and on the City's website at [www.danapoint.org](http://www.danapoint.org). Comments from the public are invited. Please submit comments in writing to Saima Qureshy, Senior Planner, within twenty (20) days of date of issuance.

A handwritten signature in black ink, appearing to read "Ursula Luna-Reynosa", is written over a horizontal line.

Ursula Luna-Reynosa, Director  
Community Development Department

DATED: 09/25/13  
FILE NO: ZTA13-0001/LCPA13-0001/SPA13-0001/LCPA13-0002  
APPLICANT: City of Dana Point  
PUBLISH DATE: ASAP

Exempt per Government Code 6103

**ATTACHMENT #4**

**DRAFT**

Exhibit "B"

**DANA POINT SPECIFIC PLAN AMENDMENT SPA13-0001**

The Dana Point Specific Plan; Section XI-Land Use Regulations; Section v – "Special Regulations and Information" is amended to include the following new sub-section (Inserts are underlined):

D. Short Term Rentals: Short term rentals, as defined in Chapter 5.38 of the City of Dana Point's Municipal Code, are allowed in all the districts within the Dana Point Specific Plan where residential uses are allowed, including but not limited to detached single-family dwellings, condominiums, duplexes, triplexes, townhomes and multiple-family dwellings. No owner of a short term rental shall offer to rent, or advertise for rent the short term rental to another person without a valid short-term rental permit approved and issued by the City of Dana Point, as stipulated in Chapter 5.38 of the City's Municipal Code.

**DRAFT**

## ENVIRONMENTAL CHECKLIST FORM

1. **Project Title:** Allowance of short term rentals in all the districts in the City where residential uses are allowed.
2. **Lead Agency Name and Address:** City of Dana Point  
33282 Golden Lantern  
Dana Point, CA 92629
3. **Contact Person and Phone Number:** Saima Qureshy, AICP  
Senior Planner  
(949) 248-3568
4. **Project Location:** Citywide
5. **Project Sponsor's Name and Address:** City of Dana Point  
33282 Golden Lantern  
Dana Point, CA 92629
6. **General Plan Designation:** Various
7. **Zoning:** Various
8. **Description of Project:** The City is proposing to amend its Zoning Ordinance and the Dana Point Specific Plan to allow short term rentals in all the districts where residential uses are allowed, as defined in Chapter 5.38 of the City's Municipal Code, including but not limited to single family dwellings, condominiums, duplexes, triplexes, townhomes, and multi-family dwellings. The owners of short term rentals will be required to obtain short-term rental permits from the City prior to renting their properties, offering to rent, or advertising for rent to another person. The Zone Text Amendment and the Dana Point Specific Plan Amendment documents are attached as Exhibit "A" and Exhibit "B" respectively to this checklist.
9. **Surrounding Land Uses and Setting:** N/A
10. **Other public agencies whose approval is required: (e.g., permits, financing approval, or participation agreement):** California Coastal Commission

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

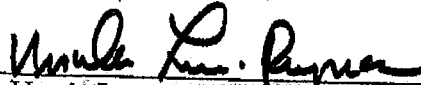
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                        | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources              | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology / Soils                    |
| <input type="checkbox"/> Greenhouse Gas Emissions          | <input type="checkbox"/> Hazards & Hazardous Materials      | <input type="checkbox"/> Hydrology / Water Quality          |
| <input checked="" type="checkbox"/> Land Use / Planning    | <input type="checkbox"/> Mineral Resources                  | <input checked="" type="checkbox"/> Noise                   |
| <input type="checkbox"/> Population / Housing              | <input type="checkbox"/> Public Services                    | <input type="checkbox"/> Recreation                         |
| <input checked="" type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Service Systems          | <input type="checkbox"/> Mandatory Findings of Significance |

**DETERMINATION: (To be completed by the Lead Agency)**

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
\_\_\_\_\_  
Ursula Luna-Reynosa  
Director of Community Development

September 19, 2013  
\_\_\_\_\_  
Date

## Evaluation of Environmental Impacts

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- \* 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- \* 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c) (3) (D). In this case, a brief discussion should identify the following:
  - a) Earlier Analyses Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.



- 7) Supporting Information Sources. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
  - a) the significance criteria or threshold, if any, used to evaluate each question; and
  - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

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

The proposed project is for the approval of a Zone Text Amendment, Specific Plan Amendment, and Local Coastal Program Amendments to allow short term rentals in all the districts in the City where residential uses are allowed. No development is proposed at this time and therefore the implementation of the project i.e. approval of amendments to the City's Zoning Code and the Dana Point Specific Plan will not result in any significant impacts on any scenic resources in the City.

Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
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**II. AGRICULTURAL AND FORESTRY RESOURCES** – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Result in the loss of forest land or conversion of forest land to non-forest use?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

The proposed project is for the approval of a Zone Text Amendment, Specific Plan Amendment, and Local Coastal Program Amendments to allow short term rentals in all the districts in the City where residential uses are allowed. No development is proposed at this time and therefore the implementation of the project i.e. approval of amendments to the Zoning Code and the Dana Point Specific Plan will not result in any significant impacts to agricultural and forestry resources in the City.

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

The City of Dana Point is included within the South Coast Air Quality Management District and subject to the requirements of the Clean Air Act at both the Federal and State level. The South Coast Air Quality Management Plan (AQMP) is the primary planning document to monitor if air quality standards and objectives are being achieved in the South Coast Air Basin. The air quality objectives in the AQMP are based upon population and growth projections provided in a City's General Plan.

No development is proposed at this time and therefore the implementation of the project i.e. approval of amendments to the Zoning Code and the Dana Point Specific Plan will not result in significant long-term air quality impacts, nor would it significantly result in any cumulative net increase of any pollutants that have non-attainment status.

The proposed project is for the approval of a Zone Text Amendment, Specific Plan Amendment, and Local Coastal Program Amendments to allow short term rentals in all the districts in the City where residential uses are allowed.

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

The proposed project is for the approval of a Zone Text Amendment, Specific Plan Amendment, and Local Coastal Program Amendment to allow short term rentals in all the districts in the City where residential uses are allowed. No development is proposed at this time and therefore the implementation of the project i.e. approval of amendments to the Zoning Code and the Dana Point Specific Plan will not result in any significant impacts to biological resources in the City.

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>V. CULTURAL RESOURCES - Would the project:</b>				
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed project is for the approval of a Zone Text Amendment, Specific Plan Amendment, and Local Coastal Program Amendments to allow short term rentals in all the districts in the City where residential uses are allowed. No development is proposed at this time and therefore the implementation of the project i.e. approval of amendments to the Zoning Code and the Dana Point Specific Plan will not result in any significant impacts to cultural resources in the City.

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>VI. GEOLOGY AND SOILS - Would the project:</b>				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

According to the City's General Plan there are no active earthquake faults or Alquist-Priolo Earthquake Zones within Dana Point. Therefore, potential seismic and liquefaction impacts are not considered to be significant.

The proposed project is for the approval of a Zone Text Amendment, Specific Plan Amendment, and Local Coastal Program Amendments to allow short term rentals in all the districts in the City where residential uses are allowed. No development is proposed at this time and therefore the implementation of the project i.e. approval of amendments to the Zoning Code and the Dana Point Specific Plan will not result in any significant impacts related to geology and soils.

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

The proposed project is for the approval of a Zone Text Amendment, Specific Plan Amendment, and Local Coastal Program Amendments to allow short term rentals in all the districts in the City where residential uses are allowed. No development is proposed at this time and therefore the implementation of the project i.e. approval of amendments to the Zoning Code and the Dana Point Specific Plan will not result in any significant impacts related to hazards and hazardous materials.



	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>VII. GREENHOUSE GAS EMISSIONS - Would the project:</b>				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed project is for the approval of a Zone Text Amendment, Specific Plan Amendment, and Local Coastal Program Amendments to allow short term rentals in all the districts in the City where residential uses are allowed. No development is proposed at this time and therefore the implementation of the project i.e. approval of amendments to the Zoning Code and the Dana Point Specific Plan will not result in any significant impacts to greenhouse gas emissions.

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>IX. HYDROLOGY AND WATER QUALITY - Would the project:</b>				
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (i.e., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems to provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Place within a 100-year floodplain structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
k. Result in an increase in pollutant discharges to receiving waters? Consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
l. Result in significant alteration of receiving water quality during or following construction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
m. Could the proposed project result in increased erosion downstream?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
n. Result in increased impervious surfaces and associated increased runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o. Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
p. Tributary to an already impaired water body, as listed on Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
q. Tributary to other environmentally sensitive areas? If so, can it exacerbate already existing sensitive conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
r. Have a potentially significant environmental impact on surface water quality to either marine, fresh, or wetland waters?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
s. Have a potentially significant adverse impact on groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
t. Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
u. Impact aquatic, wetland, or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed project is for the approval of a Zone Text Amendment, Specific Plan Amendment, and Local Coastal Program Amendments to allow short term rentals in all the districts in the City where residential uses are allowed. No development is proposed at this time and therefore the implementation of the project i.e. approval of amendments to the Zoning Code and the Dana Point Specific Plan will not result in any significant impacts related to hydrology and water quality.

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

The proposed project entails amendments to the City's Zoning Code and the Dana Point Specific Plan and does not grant entitlements for any new development. The proposed project would not physically divide any established community. No adverse land uses impacts would be associated with the implementation of the proposed project.

\* \* According to the City's Local Coastal Program, a portion of the potentially affected properties are within the Coastal Zone. However, since new development is not directly associated with the proposed project, a coastal development permit is not required. The proposed project would not be in conflict with the City's General Plan, Local Coastal Program, Natural Communities Conservation Plan or any other relevant planning program in the City.

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

The proposed project is for the approval of a Zone Text Amendment, Specific Plan Amendment, and Local Coastal Program Amendments to allow short term rentals in all the districts in the City where residential uses are allowed. No development is proposed at this time and therefore the implementation of the project i.e. approval of amendments to the Zoning Code and the Dana Point Specific Plan will not result in any significant impacts related to mineral resources.

Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
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**XII. NOISE - Would the project:**

- |     |   |                          |                          |                          |                                     |
|-----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| * * | a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|     | b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|     | c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| * * | d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|     | e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|     | f. For a project within the vicinity of a private air strip would the project expose people residing or working in the project area to excessive noise levels?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

\* Implementation of the proposed project would not result in any long-term operation noise impacts or long-term ground borne vibration impacts in excess of local or state noise standards. According to the City's General Plan, Dana Point is not significantly impacted by aircraft noise. Additionally, there are no private airstrips in the city. Implementation of the proposed project would not expose people residing in or working in Dana Point to excessive aircraft noise impacts.

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>XIII. POPULATION AND HOUSING - Would the project:</b>				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed project is for the approval of a Zone Text Amendment, Specific Plan Amendment, and Local Coastal Program Amendments to allow short term rentals in all the districts in the City where residential uses are allowed. The project would not lead to the displacement of existing housing or population. No development is proposed at this time and therefore the implementation of the project i.e. approval of amendments to the Zoning Code and the Dana Point Specific Plan will not result in any significant impacts related to housing in the City.

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

Implementation of the proposed project would not impact any existing or proposed recreational areas within the City or would not have significant impact on recreation facilities for the public. The proposed project is for the approval of a Zone Text Amendment, Specific Plan Amendment, and Local Coastal Program Amendments to allow short term rentals in all the districts in the City where residential uses are allowed. No development is proposed at this time and therefore the implementation of the project i.e. approval of amendments to the Zoning Code and the Dana Point Specific Plan will not result in any significant impacts related to recreation.



Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
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**XIV. PUBLIC SERVICES** - Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Implementation of the proposed project would not increase the demand for additional public services over current levels of service being provided in the City. The proposed project is for the approval of a Zone Text Amendment, Specific Plan Amendment, and Local Coastal Program Amendments to allow short term rentals in all the districts in the City where residential uses are allowed. No development is proposed at this time and therefore the implementation of the project i.e. approval of amendments to the Zoning Code and the Dana Point Specific Plan will not result in any significant impacts related to public services.

Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
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**XVI. TRANSPORTATION/TRAFFIC - Would the project:**

- \* a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?
- b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?
- c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- \* d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- \* e. Result in inadequate emergency access?
- \* f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

\* Implementation of the proposed project would not generate traffic that would have an adverse impact on project area street segments or intersections. Nor would the proposed project result in traffic that would exceed the County of Orange Congestion Management Plan. Implementation of the proposed project would not have any adverse impacts on air traffic patterns or emergency access, would not result in any closing of area roadways, or displacement of existing on street parking, or conflict with any policies that support alternative transportation.

The proposed project is for the approval of a Zone Text Amendment, Specific Plan Amendment, and Local Coastal Program Amendments to allow short term rentals in all the districts in the City where residential uses are allowed. No development is proposed at this time and therefore the implementation of the project i.e. approval of amendments to the Zoning Code and the Dana Point Specific Plan will not result in any significant impacts related to transportation and traffic.

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

Implementation of the proposed project would not increase the demand for additional utilities and service systems over current levels of service being provided in the City. No adverse impacts to utility service systems or drainage system would be associated with the proposed project. The proposed project is for the approval of a Zone Text Amendment, Specific Plan Amendment, and Local Coastal Program Amendments to allow short term rentals in all the districts in the City where residential uses are allowed. No development is proposed at this time and therefore the implementation of the project i.e. approval of amendments to the Zoning Code and the Dana Point Specific Plan will not result in any significant impacts related to utilities and service systems.

Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
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**XVIII. MANDATORY FINDINGS OF SIGNIFICANCE - Would the project:**

- |      |  |                          |                          |                          |                                     |
|------|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a.   | Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| * b. | Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, effects of other current projects, and the effects of probable future projects.)  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| * c. | Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Implementation of the proposed project would not result in any unavoidable adverse impacts to any plant or wildlife species or historical property. Implementation of the proposed project would not directly result in any significant cumulative impacts, in that the proposed project is for the approval of a Zone Text Amendment, Specific Plan Amendment, and Local Coastal Program Amendments to allow short term rentals in all the districts in the City where residential uses are allowed. No development is proposed at this time.

**DETERMINATION**

Based upon the evidence in light of the whole record documented in the above evaluation and cited references, I find that the proposed project would not have a significant impact on the environment and a Negative Declaration has been prepared.

**REFERENCES**

- City of Dana Point General Plan, 1993
- City of Dana Point Zoning Code, 1996
- City of Dana Point Local Coastal Plan, 1980
- Dana Point Specific Plan, 1988
- California Environmental Quality Act Guidelines, as amended 2013

**PREPARERS/ CITY OF DANA POINT STAFF**

- Ursula Luna-Reynosa, Community Development Director
- Saima Qureshy, AICP, Senior Planner

## **Exhibit "A"**

### **ZONE TEXT AMENDMENT ZTA13-0001**

The following Zoning Code Chapter is proposed to be amended as follows  
(Inserts are underlined):

#### **Chapter 9.07**

#### **SPECIAL USE STANDARDS**

##### **Section 9.07.260 Short Term Rentals**

Short term rentals, as defined in Chapter 5.38 of the City's Municipal Code, are allowed in all the zoning districts where residential uses are allowed, including, but not limited to detached single-family dwellings, condominiums, duplexes, triplexes, townhomes and multiple-family dwellings. No owner of a short term rental shall offer to rent, or advertise for rent the short term rental to another person without a valid short-term rental permit approved and issued by the City, as stipulated in Chapter 5.38 of the Municipal Code.

**DRAFT**

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Planning Commission of the City of Dana Point, California, held on this 28<sup>th</sup> day of October, 2013, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Gary Newkirk, Chairman  
Planning Commission

ATTEST:

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Ursula Luna-Reynosa, Director  
Community Development Department

**DRAFT**

**DRAFT**

3. The City certifies that the Land Use Plan is in conformance with and adequate to carry out the Chapter Three policies of the Coastal Act in that no changes are proposed to the land use plan.
  4. The City certifies that the implementing actions (Dana Point Specific Plan) as amended, are in conformity with and adequate to carry out the provisions of the certified Land Use Plan.
  5. The Ordinance of the City Council include the Specific Plan Amendment, and Local Coastal Program Amendment numbers SPA13-0001 and LCPA13-0002 when submitted to the Coastal Commission.
  6. The City certifies that the amendments will be submitted to the Coastal Commission for review and approval as an Amendment to the Local Coastal Program.
- K. That the Planning Commission recommends that the City Council adopt the amendments to the Dana Point Specific Plan as follows:

The allowance of short term rentals shall be added in Section XI-Land Use Regulations; sub-section v – "Special Regulations and Information" of the Dana Point Specific Plan as shown in the attached "Exhibit B". This amendment to the Dana Point Specific Plan constitutes the LCPA.

**DRAFT**

**SAIMA QURESHY**

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**From:** broaduslinda@aol.com  
**Sent:** Monday, October 07, 2013 11:15 AM  
**To:** STEVEN WEINBERG; BILL BROUGH; LISA BARTLETT; CARLOS OLVERA; SCOTT SCHOEFFEL  
**Cc:** DENISE JACOBO; SAIMA QURESHY  
**Subject:** Please Do Not Approve Short Term Rentals

Dear City Council Members,

My husband and I own a home in Monarch Bay Terrace. We are not able to attend the Public Hearing in October 28 but would like to ask that the City Council NOT approve short-term housing rentals.

There are numerous articles about studies conducted by other cities considering similar measures that found a large number of rental properties, especially short term rental housing, can be detrimental to established neighborhoods, have a negative impact on property values and create a financial burden on HOA's and owner-occupied homeowners.

While there are some renters who are respectful of other property owners in the neighborhood and abide by any HOA rules that may exist, a much larger number of renters do not and cause a "blight" on the neighborhood.

Concerns include attracting less desirable neighbors; overcrowding due to the difficulty in enforcing occupancy limits; excessive noise and playing loud music; unruly behavior; late night parties; public drunkenness; leaving garbage and debris on lawns and on neighboring properties; an increase in traffic; parking problems on neighborhood streets; a constant turnover in tenants and difficulty in determining who has a legitimate reason to be in a neighborhood and who does not; an increase in crime and other disruptive activities. All of which place an additional financial burden on local governments, HOA's and owner-occupied homeowners.

Homes used for rental property are frequently not as well maintained as owner-occupied homes and owners of rental property can be less diligent about maintaining the lawn, exterior painting, tree and shrub pruning. And both renters and owners of rental properties are less likely to abide by any HOA rules that may exist. The reason? The primary interest of those who own rental property is to maximize profits and minimizing costs. And vacationers and guests who do not have ties to the local community are more interested in maximizing their fun than they are with being a good neighbor.

As a result, many communities around the country, both vacation destination communities and non-vacation communities continue to prohibit short-term rentals to protect the character of existing residential neighborhoods, preserve the character and liveability of the community and prevent the proliferation of disturbances caused by short-term tenants. A strong owner-oriented approach such as this not only benefits those homeowners who have invested in a community by living there but is advantageous because it attracts more people who want to live there, causing property values to appreciate which strengthens the tax base.

For many years we owned a second home in another small beachfront community and have personally experienced many of the problems caused by short-term rentals. In fact, the disruption caused by an increase in



## **Exhibit "B"**

### **DANA POINT SPECIFIC PLAN AMENDMENT SPA13-0001**

The Dana Point Specific Plan; Section XI-Land Use Regulations; Section v – "Special Regulations and Information" is amended to include the following new sub-section (Inserts are underlined):

**D. Short Term Rentals: Short term rentals, as defined in Chapter 5.38 of the City of Dana Point's Municipal Code, are allowed in all the districts within the Dana Point Specific Plan where residential uses are allowed, including but not limited to detached single-family dwellings, condominiums, duplexes, triplexes, townhomes and multiple-family dwellings. No owner of a short term rental shall offer to rent, or advertise for rent the short term rental to another person without a valid short-term rental permit approved and issued by the City of Dana Point, as stipulated in Chapter 5.38 of the City's Municipal Code.**