

Dear Councilman/woman ,

We are writing to you on behalf of Boaters for Dana Point Harbor regarding the recent action by the Coastal Commission regarding building heights in the harbor, and to express our concern that the City and the Coastal Commission Staff modified the Land Use Plan by only adding a single word. We feel this will continue to leave a serious problem with the document and its interpretation. During the June Commission meeting the hearing on this item was not opened and hence this important incongruence in the document was not surfaced and deliberated by the Commissioners. We believe that requiring that the heights of the buildings be consistent with the character of the community, while continuing to leave unchanged policy 8.5.1-3 (which allows up to 60' buildings in the Commercial Core and up to 50' in Planning Area 3), creates conflicting policy goals. We believe that leaving this discrepancy means the item will likely not get the approval of the California Coastal Commissioners and will again be sent back for correction, causing more unnecessary delays.

As the applicant, the City of Dana Point should make sure that this is approvable at the next Coastal hearing. As the applicant you have access to the Commission Staff and can collaboratively work for language that is consentient with the Commission's ruling last October. Boaters for Dana Point Harbor and the public at large have limited access to the editing process until the hearing opens in November. We encourage you to get it right this time.

Boaters for Dana Point Harbor did not bring this seemingly minor error to the Commission's attention at the June meeting to nit-pick the LUP language. There is a significant intent behind the change, as originally proposed by Commissioner Sanchez of Oceanside and approved unanimously.

We are requesting that you either lower the proposed 50 and 60 foot heights for the harbor to something that is consistent with the current community standards or that you strike the building height exceptions in 8.5.1-3. Our preference would be for you to lower the heights and acknowledge that zoning in Dana Point allows 26' to 31' in residential areas, up to 35' in commercial areas and 40' in the proposed town center. We do not believe there is any valid reason for new buildings in the harbor to be 71% higher than the typical commercial buildings in the city today. In our opinion, these heights would clearly be inconsistent with the character of the area and would not be approved by the Commission.

To be clear, we are working to reduce the commercial massing and intensification within the Harbor because of its negative impact on recreational boating. We and many other citizens recognize that it is this huge commercial overexpansion which will result in the elimination of and damage to many recreational boating and other protected uses within the harbor, as well as threatening the economic viability of the entire harbor.

We are hopeful that the City will eventually adopt a plan for revitalizing the harbor that preserves the existing recreational boating resources. We look forward to that day as we would become the most vocal supporters of such a plan.

Respectfully,

Bruce Heyman

On behalf of

Boaters for Dana Point Harbor

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