

CITY OF DANA POINT
PLANNING COMMISSION
AGENDA REPORT

ITEM #2

DATE: SEPTEMBER 8, 2014

TO: DANA POINT PLANNING COMMISSION

FROM: URSULA LUNA-REYNOSA, DIRECTOR OF COMMUNITY DEVELOPMENT
ERICA H. DEMKOWICZ, AICP SENIOR PLANNER

SUBJECT: COASTAL DEVELOPMENT PERMIT CDP14-0018 FOR THE INSTALLATION OF BARRIER GATES AT SALT CREEK BEACH PARKING LOT AT STRANDS BEACH WITHIN THE COMMUNITY FACILITIES (CF) DISTRICT AT 34111 SELVA ROAD

RECOMMENDATION: That the Planning Commission adopt the attached Draft Resolution approving Coastal Development Permit CDP14-0018.

APPLICANT/OWNER: County of Orange, Parks Department

REQUEST: A Coastal Development Permit application for the installation of automated entrance & exit barrier gates at the Salt Creek Beach Parking Lot at Strands Beach. The gates will replace the original, existing manually-operated entrance barrier gate and an exit, tire spike strip.

LOCATION: 34111 Selva Road

NOTICE: Notices were mailed to property owners within 500 feet and occupants within 100 feet of the site.

ENVIRONMENTAL: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorically Exempt per Section 15311 (b) (Class 11 – Accessory Structures).

ISSUES:

1. Project consistency with the Dana Point General Plan, Zoning Ordinance, and Local Coastal Program.
2. Project satisfaction of all findings required pursuant to the Zoning Ordinance for the approval of a Coastal Development Permit.
3. Project compatibility with and enhancement to the site and surrounding neighborhood.

BACKGROUND:

The Salt Creek Beach Parking lot was originally constructed in the 1970's, prior to the Coastal Act. The lot encompasses 332,798 square feet and contains a total of 463 parking spaces as well as one restroom facility. Although there are existing gates, it is not known when the gates were added to the lot or if they were there as part of the original construction in the 1970's.

were added to the lot or if they were there as part of the original construction in the 1970's.

DISCUSSION:

The proposed project involves the removal of the original, existing manually-operated entrance barrier gate and an exit, tire spike strip and the installation of new entrance/exit barrier gates at the existing Salt Creek Beach Parking lot off of Selva Road. The new gates will be controlled by a timing system that will activate their opening and closure automatically.

This will limit vehicular access to the parking lot to parking hours of 5:00 am to midnight which coincide with the hours of Strand Beach, located below the lot. Potential noise impacts will also be eliminated with the removal of the exit, tire spike strip.

As proposed, the new automated entrance/exit barrier gates for the parking lot will:

1. Provide certainty for beach visitors regarding the lot's opening and closure;
2. Enhance the monitoring and enforcement of both the parking lot and beach operating hours; and
3. Potentially reduce vandalism, vagrancy and other illicit activities in the parking lot and adjacent park.

The new automated entrance/exit barrier gates for the parking lot will serve the same function as the original gate and tire spike strip; closure of the parking lot outside posted beach hours. Similar barrier gates at other beach lots operated by OC Parks in south Orange County serve the same function. In the event someone is parked in the lot after closing hours and the automatic barrier gate is closed, sensors will detect a vehicle approaching and trigger the gates' opening. A small sign will also be posted near the exit gate to provide a contact number should the gate malfunction.

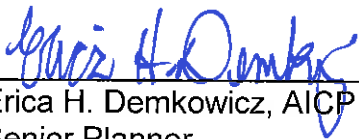
COASTAL DEVELOPMENT PERMIT:

The project is located within the Appeals Jurisdiction of the Coastal Overlay District and requires a Coastal Development Permit. Section 9.69.070 of the Dana Point Zoning Code establishes the findings required to approve a Coastal Development Permit. The proposed project will have no effect on the coastal bluffs or public views. The Coastal Overlay District requires review of new development to ensure that the proposed development: 1) will not encroach upon any public access way; 2) will not obstruct any existing public views to and along the coast; 3) will not adversely affect marine resources; 4) will not adversely affect recreational or visitor-serving facilities or coastal scenic resources; 5) will be sited and designed to prevent adverse impacts to environmentally sensitive habitats and scenic resources; 6) will minimize the alterations of natural landforms; and 7) will be visually compatible with the character of surrounding areas. The project meets the above criteria of the Coastal Overlay District as described in the attached resolution.

As of the date of this report, staff has received no public comments.

CONCLUSION:

The proposed project is consistent with the City of Dana Point General Plan, Zoning Ordinance and Local Coastal Program. Based on the above analysis, Staff recommends that the Planning Commission approve Coastal Development Permit CDP14-0018, allowing for the installation of barrier gates at Salt Creek Beach Parking Lot at Strands Beach located at 34111 Selva Road.



Erica H. Demkowicz, AICP
Senior Planner



Ursula Luna-Reynosa,
Director of Community Development

ACTION DOCUMENTS:

1. Draft PC Resolution #14-09-08-XX

SUPPORTING DOCUMENTS:

2. Exhibit "A" – Proposed Barrier Gates Colored Site Plan
3. Exhibit "B" – Proposed Barrier Gates Site Plan
4. Exhibit "C" – Proposed Illustration of Entry/Exit Barrier Gate
5. Aerial View of Salt Creek Beach Parking Lot and surrounding properties
6. Site Photos
7. Grant Deed dated March 27, 1972 transferring title of Selva Road Parking Lot to the County of Orange Harbor District

DRAFT

RESOLUTION NO. 14-09-08-xx

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING COASTAL DEVELOPMENT PERMIT CDP14-0018 TO ALLOW THE INSTALLATION OF BARRIER GATES TO THE EXISTING SALT CREEK BEACH PARKING LOT AT STRANDS BEACH IN THE COMMUNITY FACILITIES (CF) DISTRICT AT 34111 SELVA ROAD

Applicant: Stacy Blackwood/OC Parks

The Planning Commission for the City of Dana Point does hereby resolve as follows:

WHEREAS, the applicant filed a verified application for a Coastal Development Permit for the installation of barrier gates to the existing Salt Creek Beach Parking Lot at Strands Beach. The gates will replace an existing manually-operated entrance barrier gate and exit tire spike strip. The site is located in the Community Facilities District at 34111 Selva Road; and

WHEREAS, said verified application constitutes a request as provided by Title 9 of the Dana Point Municipal Code; and

WHEREAS, the Planning Commission did, on the 8th day of September, 2014, hold a duly noticed public hearing as prescribed by law to consider said request; and

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, said Commission considered all factors relating to Coastal Development Permit CDP14-0018;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the City of Dana Point as follows;

- A) The above recitations are true and correct.
- B) Based on the evidence presented at the public hearing, the Planning Commission adopts the following findings and approves Coastal Development Permit CDP14-0018, subject to conditions:
 - 1) That the proposed project is consistent with the Dana Point General Plan and Local Coastal Program **in that the site's General Plan designation is "Community Facilities" and the replacement of an existing manually-operated entrance barrier gate and exit tire spike strip with an installation of barrier gates is consistent with this designation.**

DRAFT

ATTACHMENT #1

-
- 2) That the proposed development is located between the nearest public roadway and the sea or shoreline of any body of water, and is in conformity with the public access and public recreation policies of Chapter Three of the Coastal Act **in that the proposed project would have minimal impact on public access or public recreation opportunities.**
 - 3) That the proposed development conforms with Public Resources Code Section 21000 (the California Environmental Quality Act) **in that the project qualifies for a Categorical Exemption pursuant to Section 15311, Class 11 – Accessory Structures.**
 - 4) That the proposed development will not encroach upon any existing physical accessway legally utilized by the public or any proposed public accessway identified in an adopted Local Coastal Program Land Use Plan, nor will it obstruct any existing public views to and along the coast from any public road or from a recreational area **in that the proposed project is for the installation of barrier gates within the existing parking lot. These gates will replace an existing manually-operated entrance barrier gate and exit tire spike strip. There will be no impact on public accessways or public views to and along the coast.**
 - 5) That the proposed development will be sited and designed to prevent adverse impacts to environmentally sensitive habitats and scenic resources located in adjacent parks and recreation areas, and will provide adequate buffer areas to protect such resources **in that the proposed installation of barrier gates within the existing parking lot will not have any adverse impacts to sensitive habitats. The gates will replace an existing manually-operated entrance barrier gate and exit tire spike strip.**
 - 6) That the proposed development will minimize the alterations of natural landforms and will not result in undue risks from geologic and erosional forces and/or flood and fire hazards **in that the proposed installation of barrier gates within the existing paved parking lot will not involve any alterations to natural landforms.**
 - 7) That the proposed development will be visually compatible with the character of surrounding areas, and, where feasible, will restore and enhance visual quality in visually degraded areas **in that the proposed barrier gates to be installed will replace an existing manually-operated entrance barrier gate and exit tire spike strip. The proposed barrier gates will be compatible with the surrounding character of the existing parking lot and will not**

visually degrade the area or surrounding properties.

- 8) That the proposed use demonstrates unusually high quality, character and/or exhibits characteristics which are highly consistent with community objectives as stated in a specific General Plan goal(s) or policy(ies) **in that the proposed installation of barrier gates to replace an existing manually-operated entrance barrier gate and exit tire spike strip is consistent with Land Use Element Policy 4.3 which states "Public access, which shall be conspicuously posted, and public recreational opportunities, shall be provided to the maximum extent possible for all the people to the coastal zone area and shoreline consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse".**

Conditions:

A. General:

1. Approval of this application is to allow the replacement of the original, existing barrier gates within the existing Salt Creek Beach Parking Lot located at 34111 Selva Road. The existing manually-operated entrance barrier gate and exit tire spike strip will be removed. Subsequent submittals for this project shall be in substantial compliance with the plans presented to the Planning Commission, and in compliance with the applicable provisions of the Dana Point General Plan, the Local Coastal Program, and the Dana Point Zoning Ordinance.
2. Approval of this application is valid for a period of twenty-four (24) months from the date of determination. If the use approved by this action is not commenced within such period of time, the application shall be terminated and shall thereafter be null and void.
3. The application is approved as a plan for the location and design of the uses, structures, features, and materials, shown on the approved plans. Any relocation, alteration, or addition to any use, structure, feature, or material, not specifically approved by this application, will nullify this approving action. If any changes are proposed regarding the location or alteration to the appearance or use of any structure, an amendment to this permit shall be submitted for approval by the Director of Community Development. If the Director of Community Development determines that the proposed change complies with the provisions and the spirit and intent of this approval action, and

that the action would have been the same for the amendment as for the approved plans, he may approve the amendment without requiring a new public hearing.

4. Failure to abide by and faithfully comply with any and all conditions attached to the granting of this permit shall constitute grounds for revocation of said permit.
5. The applicant or any successor-in-interest shall defend, indemnify, and hold harmless the City of Dana Point ("CITY"), its agents, officers, or employees from any claim, action, or proceeding against the City, its agents, officers, or employees to attack, set aside, void, or annul an approval or any other action of the City, its advisory agencies, appeal boards, or legislative body concerning the project. Applicant's duty to defend, indemnify, and hold harmless the City shall include paying the City's attorney's fees, costs and expenses incurred concerning the claim, action, or proceeding.

The applicant or any successor-in-interest shall further protect, defend, indemnify and hold harmless the City, its officers, employees, and agents from any and all claims, actions, or proceedings against the City, its offers, employees, or agents arising out of or resulting from the negligence of the applicant or the applicant's agents, employees, or contractors. Applicant's duty to defend, indemnify, and hold harmless the City shall include paying the City's attorney's fees, costs and expenses incurred concerning the claim, action, or proceeding.

The applicant shall also reimburse the City for City Attorney fees and costs associated with the review of the proposed project and any other related documentation.

6. The applicant and applicant's successors in interest shall be fully responsible for knowing and complying with all conditions of approval, including making known the conditions to City staff for future governmental permits or actions on the project site.
7. The applicant and applicant's successors in interest shall be responsible for payment of all applicable fees along with reimbursement for all City expense in ensuring compliance with these conditions.

8. All grading and drainage (if necessary) shall be in compliance with the City of Dana Point Standards. The applicant shall complete and sign a Grading Exemption Acknowledgement form prior to issuance of building permits.
9. During the construction phase, all construction materials, wastes, grading or demolition debris, and stockpiles of soil, aggregates, soil amendments, etc. shall be properly covered, stored, and secured to prevent transport into coastal waters.
10. The site shall be posted with signage indicating that construction or staging activities shall not commence before 7 a.m. and must cease by 8 p.m., Monday through Friday, with grading activities allowed from 7 a.m. to 5:00 p.m., Monday through Friday, and no construction activity of any kind is permitted on Saturdays, Sundays or Federal holidays.
11. The applicant shall exercise special care during the construction phase of this project to prevent any off-site siltation. The applicant shall provide erosion control measures and shall construct temporary desiltation/detention basins of a type, size and location as approved by the Director of Public Works. The basins and erosion control measures shall be shown and specified on the grading plan and shall be constructed to the satisfaction of the Director of Public Works prior to the start of any other grading operations. Prior to the removal of any basins or erosion control devices so constructed, the area served shall be protected by additional drainage facilities, slope erosion control measures and other methods as may be required by the Director of Public Works. The applicant shall maintain the temporary basins and erosion control devices until the Director of Public Works approves of the removal of said facilities.
12. Building materials, unlicensed vehicles, portable toilets, and similar items shall not be placed in the public right-of-way.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Planning Commission of the City of Dana Point, California, held on this 8th day of September 2014, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Liz Claus, Chairwoman
Planning Commission

ATTEST:

Ursula Luna-Reynosa, Director
Community Development Department

EXHIBIT "A"

RECEIVED

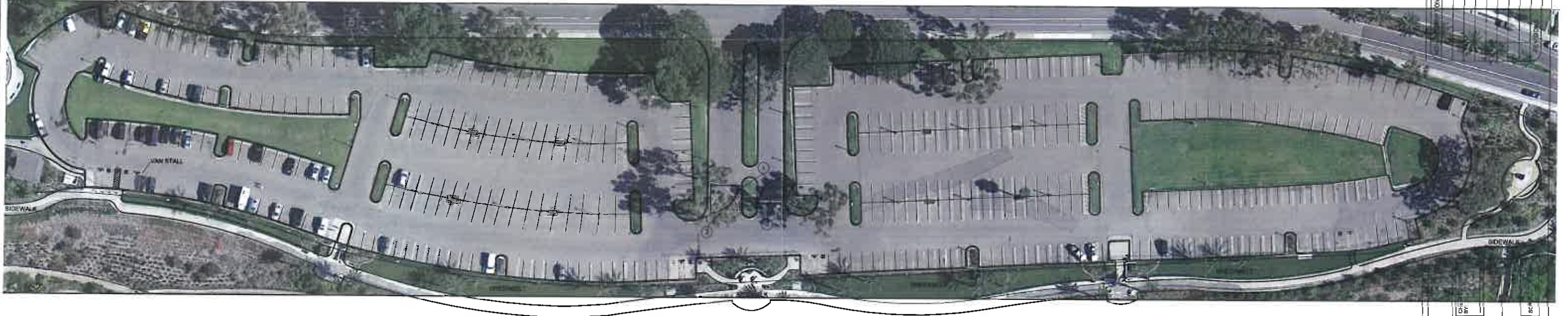
JUL 18 2014

CITY OF DANA POINT
COMMUNITY DEVELOPMENT
DEPARTMENT



DATE	APPROVED	BY

SELVA ROAD



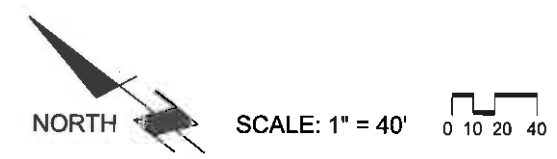
DESIGNED BY:	
DRAWN BY:	
OR BY:	
DRAWING CODE:	
FILE NAME:	
PLOT DATE:	

NOTES
LOCATIONS ARE SUBJECT TO CHANGE

CONSTRUCTION NOTES

- 1 INSTALL NEW BARRIER GATE
- 2 REMOVE EXISTING GATE
- 3 REMOVE EXISTING SPIKE STRIPS

PROPOSED
ENTRY/EXIT BARRIER GATES
AT SALT CREEK BEACH
SELVA PARKING LOT



34111 SELVA ROAD
DANA POINT, CA 92629

ATTACHMENT #2

Sheet Reference Number

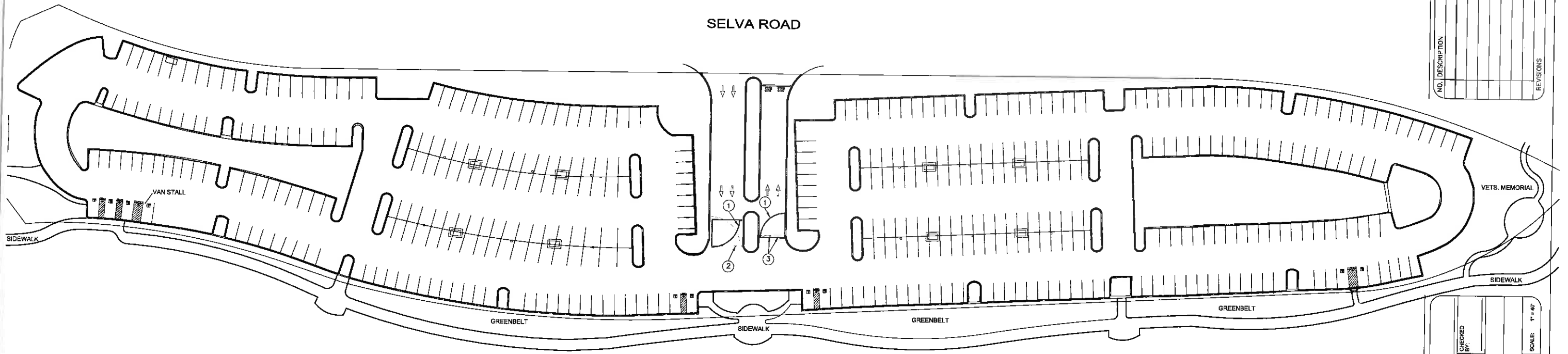
EXHIBIT A

Sheet 1 of 1

EXHIBIT "B"

NO.	DESCRIPTION	SHT.	APPROVED	DATE

SELVA ROAD



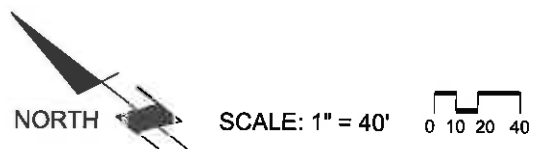
RECEIVED
JUL 08 2014
 CITY OF DANA POINT
 COMMUNITY DEVELOPMENT
 DEPARTMENT

NOTES
 LOCATIONS ARE SUBJECT TO CHANGE.

- CONSTRUCTION NOTES
- ① INSTALL NEW BARRIER GATE
 - ② REMOVE EXISTING GATE
 - ③ REMOVE EXISTING SPIKE STRIPS

DESIGNED BY:	CHECKED BY:	SCALE: 1" = 40'
DRAWN BY:	GR:	PLOT DATE: 6/23/14
DRAWING CODE:	FILE NAME:	

**PROPOSED
 ENTRY/EXIT BARRIER GATES
 AT SALT CREEK BEACH
 SELVA PARKING LOT**



34111 SELVA ROAD
 DANA POINT, CA 92629 **ATTACHMENT #3**

Sheet Reference Number

EXHIBIT B

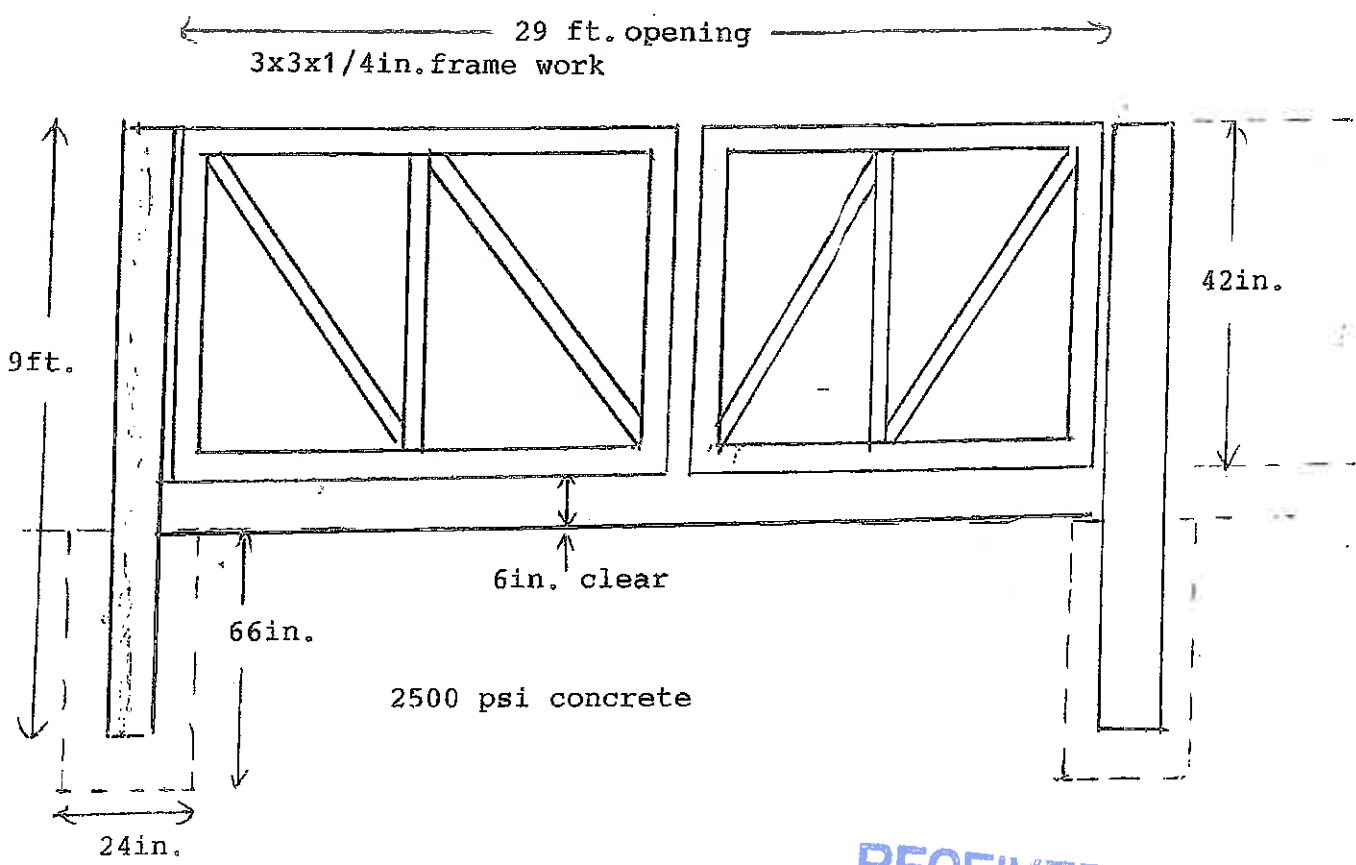
Sheet 1 of 1

EXHIBIT C

PROPOSED ENTRY/EXIT BARRIER

Valley Cities/Gonzales Fence Co. Inc.
1338 Sixth St. Norco, Ca. 92860
Phone# (951)735-1145 Fax# (951)735-9683

1- 29 ft. wide x 42in. net high vehicle barrier double swing gate
3"x3"x1/4" wall frame work
2- ea. 8"x8"x 1/4" wall x 9 ft. long sq. post
All post & gates to be hot dipped galvanized after fabrication
poly prime, poly finish , color unknown
VCF to supply gate hinges



RECEIVED
JUL 08 2014
CITY OF DANA POINT
COMMUNITY DEVELOPMENT
DEPARTMENT

ATTACHMENT

Environmental Setting

24.



Aerial view of Selva Parking lot and surrounding properties.

ATTACHMENT
PROJECT DESCRIPTION

RECEIVED
JUL 08 2014
CITY OF DANA POINT
COMMUNITY DEVELOPMENT
DEPARTMENT



Existing Gate at Selva Parking Lot Entrance (to be removed)



Existing Tire Spikes to be removed.

ATTACHMENT

Environmental Setting

23.



Existing restroom structure at North End of parking lot.

ATTACHMENT

Environmental Setting

24. continued



Residential developments to the EAST of Selva Parking lot.



Residential developments to the NORTH of Selva Parking lot

ATTACHMENT

Environmental Setting

24. continued



Residential developments to the WEST of Selva Parking lot.



Residential developments to the SOUTH of Selva Parking lot.

APN ATTACHMENT (1 OF 4)

21650

BOOK 10052 PAGE 738

Recorded at request of, and return to:
Orange County Dept. of Real Property Services
490 Civic Center Drive West
Santa Ana, California 92701

FREE

RECORDED AT REQUEST OF
TITLE INS. & TRUST CO.
IN OFFICIAL RECORDS OF
ORANGE COUNTY, CALIF.
8:00 AM MAR 27 1972
J. W. CARLYLE, County Recorder

MB 1115 IL

DOCUMENTARY TRANSFER TAX *None*
COMPUTED ON FULL VALUE OF PROPERTY CONVEYED,
OR OTHERWISE ON FULL VALUE LESS LIENS AND
ENCUMBRANCES EXISTING AT TIME OF SALE.
Jose L. Pineda
Signature of Declarant or Agent determining tax. File Name

Project No. GA 1018
Project: ~~Nigel Beach~~ **BE 740**
Parcel No. 3.01, 5, 6.01, 7.01,
8.03, 9.01, 10.02

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

AVCO COMMUNITY DEVELOPERS, INC.

does hereby GRANT to

ORANGE COUNTY HARBOR DISTRICT

the real property in the County of Orange, State of California, described as:

Parcel No. GA 1018-3.01 Selva Road Parking Lot **101-1**

That certain parcel of land, located in the County of Orange, State of California, shown as Parcel No. 1 on a map recorded in Book 40, pages 19 thru 24 inclusive of Parcel Maps in the office of the County Recorder of said County.

Parcel No. GA 1018-5 Selva Road Access Path **101-6**

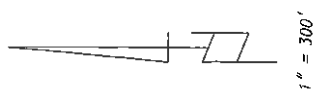
That certain parcel of land, located in the County of Orange, State of California, shown as Parcel No. 2 on a map recorded in Book 40, pages 19 thru 24 inclusive of Parcel Maps in the office of the County Recorder of said County.

Mail Tax Statement to Return Address Above

CS 70002-00

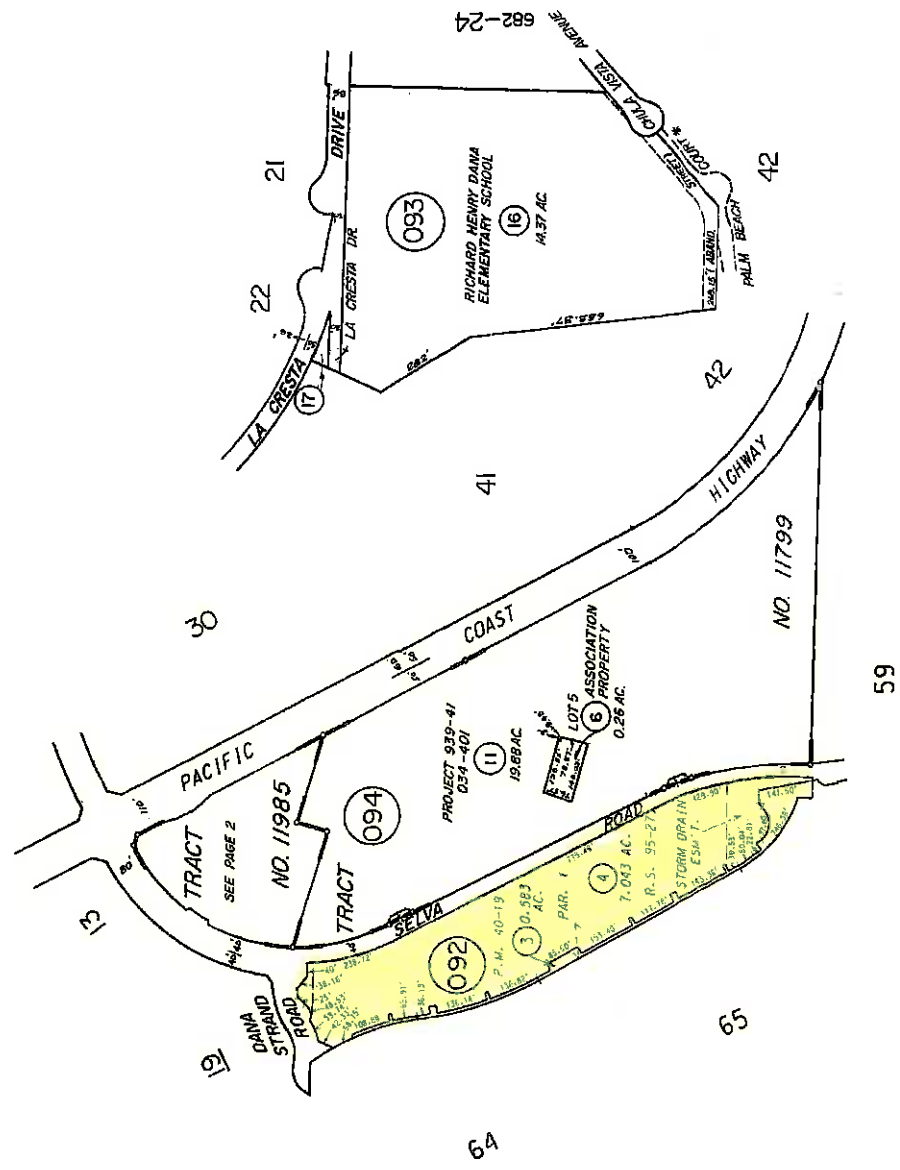
(1/83) NOW SALT CREEK BEACH PARK

ATTACHMENT #7



APN ATTACHMENT (2 of 4)

POR. SECS. 15 & 22, T 8 S, R 8 W



THIS MAP WAS PREPARED FOR ORANGE COUNTY ASSESSOR'S DEPT. PURPOSES ONLY. THE ASSESSOR MAKES NO GUARANTEE AS TO ITS ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED. © COPYRIGHT ORANGE COUNTY ASSESSOR 2011

* PRIVATE STREET



NOTE = ASSESSOR'S BLOCK & PARCEL NUMBERS SHOWN IN CIRCLES

M.M. 504-44 TO 48 INC.
M.M. 521-38 TO 41 INC.
P.M. 40-19
P.M. 45-35

TRACT NO. 11799
TRACT NO. 11985
PARCEL MAP
PARCEL MAP

MARCH 1971

PARCEL MAP

IN UNINCORPORATED TERRITORY OF ORANGE COUNTY, CALIFORNIA,
BEING A SURVEY OF A PORTION OF SECTIONS 16 AND 21 OF TOWNSHIP 8 SOUTH, RANGE 8 WEST, S.B.M.,
ACCORDING TO THE OFFICIAL PLAT OF SAID LAND FILED IN THE DISTRICT LAND OFFICE APRIL 12, 1875,
AND A PORTION OF TRACTS 6950 AS PER MAP RECORDED IN BOOK 257, PAGES 39 THRU 40; TRACT
6953 AS PER MAP RECORDED IN BOOK 256, PAGES 25 THRU 29; TRACT 6988 AS PER MAP RECORDED
IN BOOK 265, PAGES 46 THRU 47; TRACT 6990 AS PER MAP RECORDED IN BOOK 266, PAGES 27 THRU 30;
AND TRACT 7203 AS PER MAP RECORDED IN BOOK 282, PAGES 1 THRU 3, ALL MISCELLANEOUS MAPS,
RECORDS OF SAID COUNTY.

SURVEYOR'S CERTIFICATE

This map was prepared by me or under my
direction and is based upon a field survey
in conformance with the requirements of the
Subdivision Map Act of the State of California
as amended in 1921.

I hereby certify that all provisions of
Applicable State Law and Local Ordinances
have been complied with.

L. Mc CONVILLE
L. Mc CONVILLE R.C.E. 6978

BASIS OF BEARING

N43°32'51"W FOR THE CENTERLINE
OF PACIFIC COAST HIGHWAY PER
TRACT 6953, MM 256/25-29, RECORDS
OF ORANGE COUNTY.

MONUMENT NOTE

0 SET 2" I.P. WITH ALUMINUM CAP
MARKED ORANGE COUNTY SURVEYOR.

COUNTY SURVEYOR'S CERTIFICATE

This map has been examined this 17th day
of Dec, 1921, for conformance
with the requirements of Section 11575 of
the Subdivision Map Act.

L. Mc CONVILLE
County Surveyor

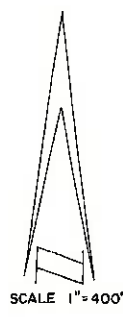
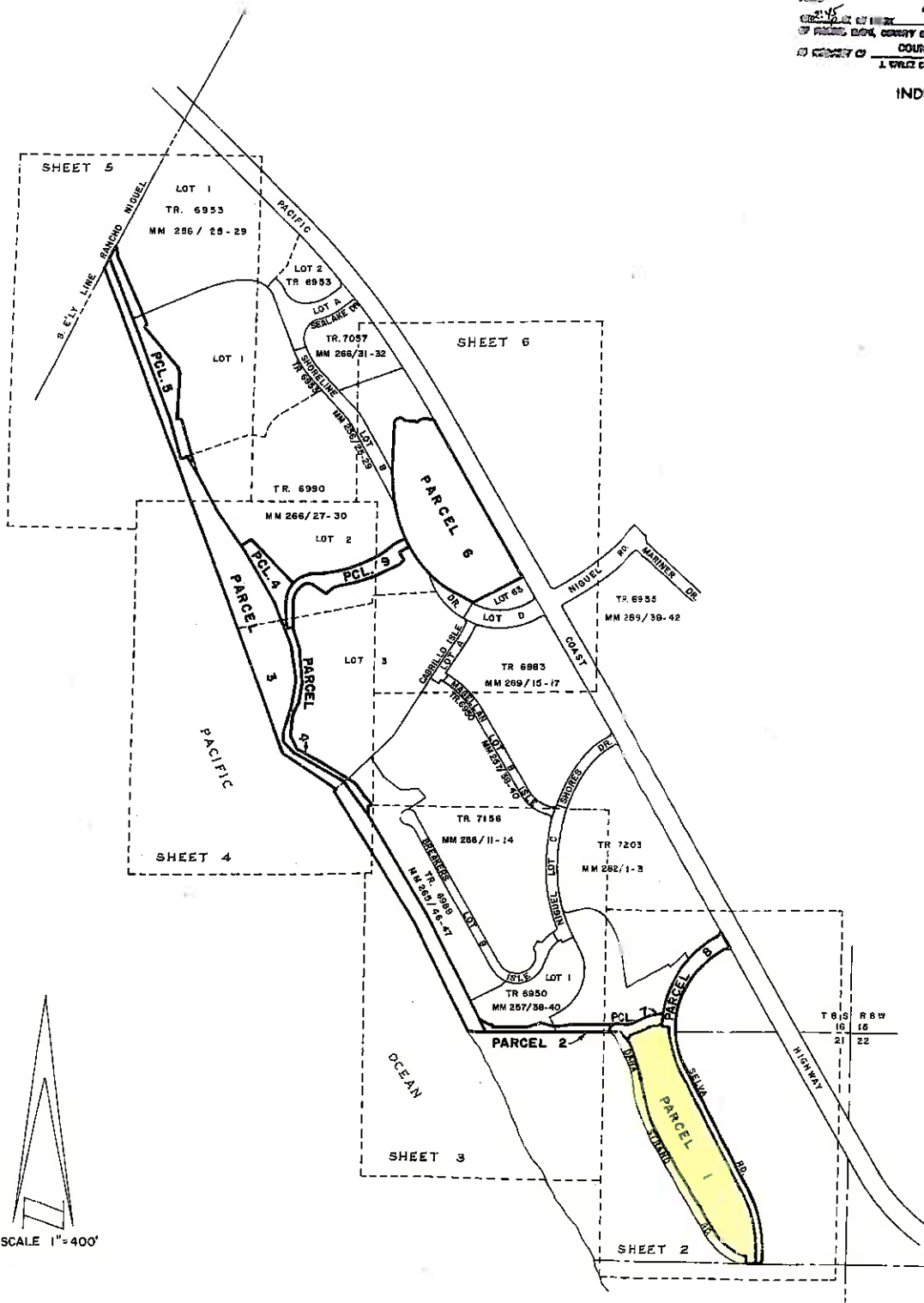
Robert W. Wise
Deputy County Surveyor

21940

DEC 27 1921

40 10
OFFICE OF THE COUNTY SURVEYOR
COUNTY OF ORANGE, CALIFORNIA
J. WILCOX, COUNTY SURVEYOR

INDEXED FREE



PARCEL MAP

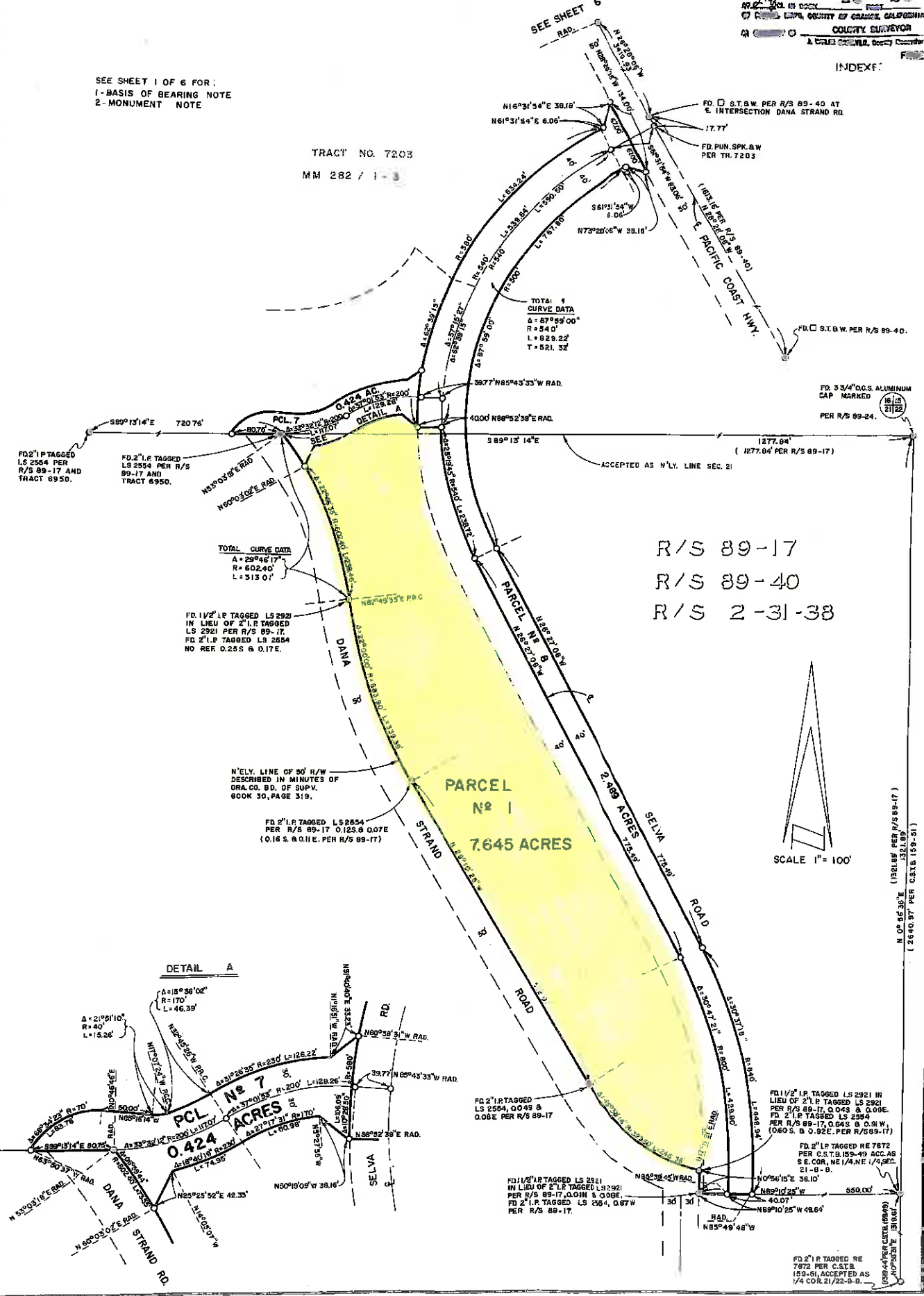
IN UNINCORPORATED TERRITORY OF ORANGE COUNTY, CALIFORNIA.

DEC 27 1971
21943
COUNTY SURVEYOR
A. CARL O'NEILL, County Surveyor

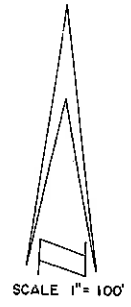
SEE SHEET 1 OF 6 FOR:
1-BASIS OF BEARING NOTE
2-MONUMENT NOTE

TRACT NO. 7203
MM 282 / 1-3

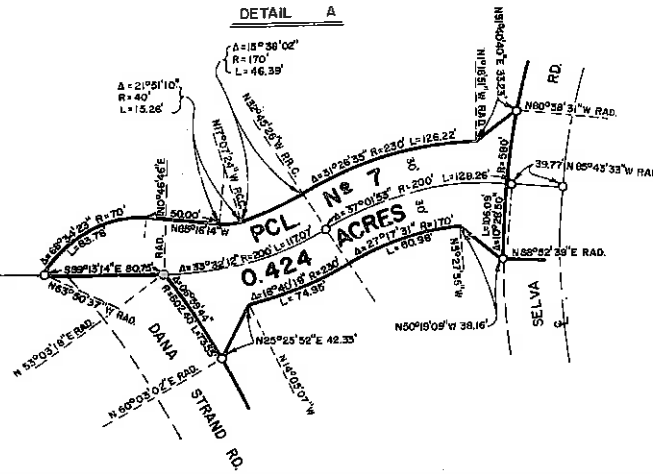
INDEX:



R/S 89-17
R/S 89-40
R/S 2-31-38



DETAIL A



FD 2 1/2\"/>