

**CITY OF DANA POINT  
MEMORANDUM**

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**DATE:** APRIL 6, 2015

**TO:** CITY MANAGER/CITY COUNCIL

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

**SUBJECT:** TYPOGRAPHIC ERROR NOTED IN DRAFT ORDINANCE NO. 15-04-07-XX  
FOR ITEM #25 IN 4/7/15 AGENDA PACKET (ZTA14-0001/LCPA14-0001 – TO  
ALLOW POULTRY – SPECIFICALLY CHICKENS IN ALL SINGLE FAMILY  
RESIDENTIAL DISTRICTS)

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Following the preparation of the City Council agenda packets, a typographic error was found on Page 13 of Agenda Item #25, which is the Draft Ordinance for the allowance of poultry – specifically chickens, in all single family residential districts.

At the bottom of Page 13 beneath letter “K”, there is text that references short term rentals, which is an error. The text should have specified poultry and then referenced “Exhibit A” and the changes that would be necessary to the Municipal and Zoning Codes. In light of this error, Staff has since revised Page 13 and Page 14 accordingly to reflect the above-referenced details.

ATTACHMENTS:

1. Revised Page 13 and Page 14 for Agenda Item #25 - Draft Ordinance No. 15-04-07-XX

Agenda Item No. 25  
*4/7/15*

4. That the level and pattern of development proposed is reflected in the Zoning Code. **The applicable sections are being amended accordingly to be consistent with state law.**
5. That a procedure has been established to ensure adequate notice of interested persons and agencies of impending development proposed after certification of the LCPA. **Proper notice in accordance with the LCP Amendment procedures has been followed.**
6. That zoning measures are in place which are in conformance with and adequate to carry out the coastal policies of the Land Use Plan. **The City's Zoning Ordinance and Municipal Code are being amended concurrently with the LCP amendment.**

J. That the City Council includes the following findings submitting the LCPA to the Coastal Commission:

1. The City certifies that with the adoption of these amendments, the City will carry out the Local Coastal Program in a manner fully in conformity with Division 20 of the Public Resources Code as amended, the California Coastal Act of 1976.
2. The City include the Zone Text Amendment in its submittal to the Coastal Commission and state that the amendment to the Local Coastal Plan is to the Implementation Plan (IP) only.
3. The City certifies that the Land Use Plan, is in conformity 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 the implementing actions 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 includes the Zone Text Amendment, and Local Coastal Program Amendment numbers ZTA14-0001 and LCPA14-0001 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 City Council adopts the amendments to the City Zoning Code as follows:

The allowance of poultry – specifically chickens, shall be added to Title 10 of the Dana Point Municipal Code. Modifications to Chapter

9.07 of the Dana Point Zoning Ordinance shall also be made as shown in the attached "Exhibit A". This amendment to the Zoning Ordinance constitutes the LCPA.

- L. That the City Council adopts Zone Text Amendment ZTA14-0001, which would amend the Dana Point Local Coastal Program pursuant to LCPA14-0001. The City Council approves the amendment for the reasons outlined herein, including but not limited to: requiring that property owners of chickens/poultry maintain their hens and respective coop or enclosure in accordance with new Chapter 10.13 of the Dana Point Municipal Code to safeguard the peace, safety and general welfare of the residents of Dana Point by eliminating excessive noise and odors related to chickens/poultry

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.