

CITY OF DANA POINT

**CITY COUNCIL
ADJOURNED REGULAR
MEETING**



**MONDAY
AUGUST 9, 2021
5:30 P.M.**

AGENDA

Location: City Council Chamber, 33282 Golden Lantern, Suite 210, Dana Point, California 92629

Next City Council Ordinance No. 21-03

REVISED SAFETY ALERT (EFFECTIVE AS OF MAY 4, 2021)

AS COVID-19 RELATED RESTRICTIONS EASE, THE PUBLIC WILL NOW BE ALLOWED TO ATTEND COUNCIL MEETINGS PROVIDED SOCIAL DISTANCING GUIDELINES ARE FOLLOWED. THESE GUIDELINES WILL RESULT IN VERY LIMITED OPPORTUNITIES, ON A FIRST COME BASIS, FOR THE PUBLIC TO OBSERVE THE COUNCIL MEETING FROM THE COUNCIL CHAMBER AND ADJACENT FOYER. MEMBERS OF THE PUBLIC MAY CHOOSE TO PARTICIPATE ELECTRONICALLY BY WATCHING THE MEETING LIVE ON COX CABLE CHANNEL 855 OR VIA THE CITY'S YOUTUBE CHANNEL.

PUBLIC COMMENT: PUBLIC COMMENT MAY BE PROVIDED IN PERSON, ELECTRONICALLY, OR BY MAIL. THOSE APPEARING TO COMMENT IN PERSON ARE ENCOURAGED TO WEAR FACE COVERINGS AND MAINTAIN SOCIAL DISTANCING. TEMPERATURE SCREENINGS ARE MANDATORY FOR ALL PERSONS ENTERING CITY HALL. CITY STAFF WILL BE COORDINATING ENTRY TO THE COUNCIL CHAMBERS DURING PUBLIC COMMENT AND MANAGING AVAILABLE SEATING CAPACITY THROUGHOUT THE MEETING. THEIR DIRECTIONS MUST BE FOLLOWED. ALTERNATIVELY, COMMENTS MAY BE SUBMITTED ON ANY AGENDA ITEM OR ON ANY ITEM NOT ON THE AGENDA IN WRITING VIA MAIL TO "CITY COUNCIL" 33282 GOLDEN LANTERN, DANA POINT, CA 92629 OR BY EMAIL TO COMMENT@DANAPOINT.ORG. TO BE CONSIDERED AS PART OF THE MEETING TO WHICH THIS AGENDA APPLIES AND PROVIDED TO CITY COUNCIL PRIOR TO THE MEETING, COMMENTS MUST BE RECEIVED NO LATER THAN 4:00 P.M. ON THE DAY OF THE MEETING. ALL COMMENTS, WHENEVER RECEIVED, WILL BE SHARED WITH THE CITY COUNCIL. EMAILS SHOULD INCLUDE "PUBLIC COMMENT", THE DATE OF THE MEETING IN THE SUBJECT LINE, AS WELL AS REFERENCE TO THE AGENDA ITEM NUMBER, IF APPLICABLE. MAILED COMMENTS SHOULD PROMINENTLY INCLUDE A SIMILAR REFERENCE AT THE TOP OF THE FIRST PAGE. MAILED AND EMAILED COMMENTS WILL NOT BE READ BY THE CITY CLERK DURING THE MEETING, BUT WILL BE INCLUDED IN THE RECORD.

CALL TO ORDER

ROLL CALL OF CITY COUNCIL MEMBERS:

Jamey M. Federico, Mayor
Joseph L. Muller, Mayor Pro Tem
Mike Frost, Council Member
Richard A. Viczorek, Council Member
Michael Villar, Council Member

CLOSED SESSION

There are no Closed Session items.

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENTATIONS AND PROCLAMATIONS

READING OF ORDINANCE TITLES

At this time, the City Clerk will read the title(s) of the ordinance(s) listed on the agenda.

CONSENT CALENDAR

All matters listed under the Consent Calendar are considered to be routine and all will be enacted by one roll call vote. There will be no separate discussion of these items unless members of the City Council, the public, or staff request specific items be removed from the Consent Calendar for separate action.

1. **WAIVE THE READING OF ORDINANCES AND APPROVE READING BY TITLE ONLY**

RECOMMENDED ACTION: That the City Council approve the reading by title only of all ordinances and that further reading of such ordinances be waived.

2. **[REGULAR MEETING MINUTES, JULY 20, 2021](#)**

RECOMMENDED ACTION: That the City Council approve the minutes.

3. **[PLANNING COMMISSION MEETING MINUTES, JUNE 28, 2021](#)**

RECOMMENDED ACTION: That the City Council receive and file.

4. **[MEETING CALENDAR / COMMUNITY SPECIAL EVENTS CALENDAR](#)**

RECOMMENDED ACTION: That the City Council receive and file.

5. **CLAIMS AND DEMANDS**

RECOMMENDED ACTION: That the City Council receive and file the Claims and Demands.

6. **ADOPTION OF A RESOLUTION CONCERNING THE STATUS AND UPDATE OF THE PAVEMENT MANAGEMENT PLAN (PMP) FOR THE FY21/22 MEASURE M2 (M2) PROGRAM**

RECOMMENDED ACTION: That the City Council:

- 1) Adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT CONCERNING THE STATUS AND UPDATE OF THE PAVEMENT MANAGEMENT PLAN FOR THE MEASURE M2 (M2) PROGRAM

- 2) Authorize the Mayor to sign the Resolution on behalf of the City; and
- 3) Authorize the City Manager or his designee to submit the Resolution to OCTA with other required Measure M2 Eligibility materials.

7. **DOHENY VILLAGE ZONING CODE UPDATE GENERAL PLAN AMENDMENT 20-0001, ZONE TEXT AMENDMENT 20-0001, ZONE CHANGE 20-0001, AND LOCAL COASTAL PROGRAM AMENDMENT 20-0001**

RECOMMENDED ACTION: That the City Council hold a second reading and adopt the following Ordinances entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT GPA 20-0001, WHICH AMENDS THE GENERAL PLAN LAND USE ELEMENT BY MODIFYING THE LAND USE DESIGNATION OF "COMMERCIAL/RESIDENTIAL" AND CREATING NEW LAND USE DESIGNATIONS OF "COMMERCIAL/MAIN STREET" AND "COMMERCIAL/INDUSTRIAL" WITH CHANGES TO LAND USE DESIGNATIONS, DEVELOPMENT INTENSITY, AND RESIDENTIAL DENSITY STANDARDS, AND SUBMISSION OF GPA 20-0001 AS LOCAL COASTAL PROGRAM AMENDMENT LCPA 20-0001 FOR APPROVAL AND CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION; and

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING ZONE TEXT AMENDMENT ZTA 20-0001 AND ZONE CHANGE ZC 20-0001 TO ESTABLISH CHAPTER 9.14 DOHENY VILLAGE DISTRICTS OF THE ZONING ORDINANCE AND TO CHANGE THE ZONING DISTRICT DESIGNATIONS OF THE PROJECT AREA, AND SUBMISSION AS PART OF LOCAL COASTAL PROGRAM AMENDMENT LCPA 20-0001 FOR APPROVAL AND CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION

8. [STATE REGULATIONS AFFECTING COMMERCIAL HARBOR CRAFT](#)

RECOMMENDED ACTION: That the City Council receive a presentation from the Sportfishing Association of California regarding proposed regulations from California Air Resources Board (CARB).

9. [GYPSUM CANYON VETERANS' CEMETERY](#)

RECOMMENDED ACTION: That the City Council adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA
SUPPORTING A VETERANS' CEMETARY AT GYPSUM CANYON IN ANAHEIM HILLS

10. [RECRUITMENT FOR THE PLANNING COMMISSION](#)

RECOMMENDED ACTION: That the City Council direct Staff to proceed with the recruitment of one (1) Planning Commission member.

PUBLIC COMMENTS

Any person wishing to address the City Council during the Public Comments section or on an Agenda item is asked to complete a "Request to Speak" form available on the table at the side of the Council Chamber. The completed form is to be submitted to the City Clerk prior to the Agenda item being called by the Mayor and prior to the individual being heard by the City Council.

In order to conduct a timely meeting, there will be a three-minute time limit per person and an overall time limit of thirty minutes for this Public Comments portion of the agenda. At the Mayor's discretion, the balance of public comments will be heard after the New Business portion of the agenda. All comments are to be directed to the City Council and shall not consist of any personal attacks. Members of the public are expected to maintain a professional, courteous decorum during their comments. State law prohibits the City Council from taking action on a specific item unless it appears on the posted Agenda.

If anyone has handouts to distribute to the City Council, please follow proper procedure and hand them to the City Clerk. The City Clerk will see that they are distributed.

PUBLIC HEARINGS

11. [LOCAL COASTAL PROGRAM AMENDMENT LCPA19-0002/ZONE TEXT AMENDMENT ZTA19-0002\(I\), RELATED TO JOINT USE OF PARKING FACILITIES AND PUBLIC NOTIFICATION AND ZONE TEXT AMENDMENT ZTA19-0002\(II\) RELATED TO ACCESSORY DWELLING UNITS](#)

RECOMMENDED ACTION: That the City Council:

- 1) Conduct a Public Hearing; and
- 2) Adopt the following Resolution approving and requesting certification of LCPA19-0002 from the California Coastal Commission:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA FOR SUBMISSION OF ZTA19-0002(I) RELATED TO JOINT USE OF PARKING AND PUBLIC NOTIFICATION AS LOCAL COASTAL PROGRAM AMENDMENT LCPA19-0002 FOR APPROVAL AND CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION; and

- 3) Introduce for first reading of an Ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING ZONE TEXT AMENDMENT ZTA19-0002(I) TO MODIFY THE ZONING CODE RELATED TO JOINT PARKING PROVISIONS AND PUBLIC NOTIFICATION AND SUBMISSION AS PART OF LOCAL COASTAL PROGRAM AMENDMENT LCPA19-0002 FOR APPROVAL AND CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION; and

- 4) Introduce for a first reading of an Ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING ZONE TEXT AMENDMENT ZTA19-0002(II) TO MODIFY THE ZONING CODE RELATED TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS.

UNFINISHED BUSINESS

There is no Unfinished Business.

NEW BUSINESS

There is no New Business.

PUBLIC COMMENTS (Continued)

COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED

The City Council may discuss, act upon or seek consensus on matters described under Council Reports only if: they are agendized with a complete written report included; or, if an item arose subsequent to the posting of the agenda and the Council determines that an emergency exists. Non-agendized items may be presented as informational only.

STAFF REPORTS

(City Manager Michael Killebrew)

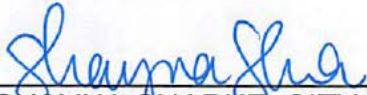
(City Attorney Patrick Muñoz)

ADJOURNMENT

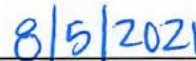
The next Regular Meeting of the City Council will be September 7, 2021, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

CERTIFICATION

I, Shayna Sharke, City Clerk of the City of Dana Point, do hereby certify that a copy of the foregoing Agenda was posted at Dana Point City Hall, the Dana Point Post Office, and the Capistrano Beach Post Office, and Dana Point Library by Thursday, August 5, 2021, at 5:30 p.m.



SHAYNA SHARKE, CITY CLERK



DATE

Subscriptions to receive City Council Agendas on a regular basis are available through the City Clerk's Office. Agendas are also available on the City's website at www.danapoint.org. In addition, Agenda related materials (including materials, if any, provided to the City Council after the Agenda was posted) may be reviewed in the office of the City Clerk during regular business hours or on the website at www.danapoint.org.

PURSUANT TO THE AMERICANS WITH DISABILITIES ACT, PERSONS WITH A DISABILITY WHO REQUIRE A DISABILITY-RELATED MODIFICATION OR ACCOMMODATION IN ORDER TO PARTICIPATE IN A MEETING, INCLUDING AUXILIARY AIDS OR SERVICES, MAY REQUEST SUCH MODIFICATION OR ACCOMMODATION FROM THE CITY CLERK AT (949) 248-3500 (TELEPHONE) OR (949) 248-9920 (FACSIMILE). NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ASSURE ACCESSIBILITY TO THE MEETING.