

# CITY OF DANA POINT

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Monday  
February 28, 2022  
6:00 p.m.



City Hall Offices  
Council Chambers (#210)  
33282 Golden Lantern  
Dana Point, CA 92629

## **PLANNING COMMISSION REGULAR MEETING AGENDA**

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### **REVISED SAFETY ALERT (EFFECTIVE AS OF JUNE 2, 2020)**

**AS A RESULT OF THE COVID-19 VIRUS, AND RESULTING ORDERS AND DIRECTION FROM THE PRESIDENT OF THE UNITED STATES, THE GOVERNOR OF THE STATE OF CALIFORNIA, AND THE ORANGE COUNTY HEALTH CARE AGENCY, AS WELL AS THE CITY OF DANA POINT EMERGENCY DECLARATION, THE PUBLIC HAS NOT BEEN PERMITTED TO PHYSICALLY ATTEND DANA POINT PLANNING COMMISSION MEETINGS SINCE MID MARCH, 2020. AS COVID-19 RELATED RESTRICTIONS EASE, THE PUBLIC WILL NOW BE ALLOWED TO ATTEND PLANNING COMMISSION 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 PLANNING COMMISSION MEETING FROM THE FOYER WHICH IS ADJACENT TO THE COUNCIL CHAMBER AND TO ENTER THE CHAMBER TO MAKE PUBLIC COMMENTS. MEMBERS OF THE PLANNING COMMISSION MAY CONTINUE TO PARTICIPATE IN MEETINGS TELEPHONICALLY IF THEY CHOOSE PURSUANT TO GOVERNOR NEWSOM'S EXECUTIVE ORDER N-29-20.**

**PUBLIC COMMENT: PUBLIC COMMENT MAY BE PROVIDED IN PERSON, ELECTRONICALLY OR BY MAIL. IF YOU CHOOSE TO ATTEND THE MEETING AND WISH TO DELIVER PUBLIC COMMENT IN PERSON, YOU ARE ENCOURAGED TO WEAR FACE COVERINGS AND MAINTAIN SOCIAL DISTANCING. TEMPERATURE SCREENINGS ARE MANDATORY FOR ALL PERSONS ENTERING CITY HALL. CITY STAFF IN ATTENDANCE AT THE MEETING WILL BE COORDINATING ENTRY TO THE COUNCIL CHAMBERS WHEN PUBLIC COMMENT IS OPEN. THERE WILL BE LIMITED SPACE AT THE PLANNING COMMISSION MEETING FOR MEMBERS OF THE PUBLIC TO SIT OR STAND TO OBSERVE THE MEETING LIVE FROM THE FOYER ADJACENT TO THE COUNCIL CHAMBER. IF THAT SPACE IS EXCEEDED, PERSONS WISHING TO PRESENT PUBLIC COMMENT IN PERSON WILL BE PERMITTED TO LINE UP OUTSIDE AND WILL BE ALLOWED TO SPEAK. AFTER SPEAKING, HOWEVER, THEY WILL BE REQUIRED TO GO BACK OUTSIDE UNLESS ONE OF THE LIMITED SPOTS INSIDE THE FOYER BECOME AVAILABLE. MEMBERS OF THE PUBLIC WILL BE REQUIRED TO FOLLOW STAFF'S DIRECTIONS. ALTERNATIVELY, YOU MAY SUBMIT COMMENTS ON ANY AGENDA ITEM OR ON ANY ITEM NOT ON THE AGENDA IN WRITING VIA MAIL TO "PLANNING COMMISSION" 33282 GOLDEN LANTERN, DANA POINT, CA 92629 OR BY EMAIL TO [COMMENT@DANAPPOINT.ORG](mailto:COMMENT@DANAPPOINT.ORG). ALL COMMENTS RECEIVED BY 4:00 P.M. ON THE DATE OF THE MEETING WILL BE PROVIDED TO THE PLANNING**

**COMMISSION IN ADVANCE TO ALLOW TIME FOR THE COMMISSIONERS TO READ THEM. TO BE CONSIDERED AS PART OF THE MEETING TO WHICH THIS AGENDA APPLIES, MAILED OR EMAILED COMMENTS MUST BE RECEIVED NO LATER THAN 4:00 P.M. ON THE DAY OF THE MEETING (ALTHOUGH ALL COMMENTS WHENEVER RECEIVED WILL BE SHARED WITH THE COMMISSIONERS). EMAILS SHOULD INCLUDE “PUBLIC COMMENT” AND THE DATE OF THE MEETING IN THE SUBJECT LINE, AS WELL AS REFERENCE 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 CHAIR DURING THE MEETING, BUT WILL BE INCLUDED IN THE RECORD.**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL** Chair Eric Nelson, Vice-Chair Roy Dohner, Commissioner Mary Opel, Commissioner John Gabbard, Commissioner Ashok Dhingra

**A: APPROVAL OF MINUTES**

**ITEM 1: Minutes of Regular Planning Commission from January 24, 2022**

**B. PUBLIC COMMENTS**

Anyone wishing to address the Planning Commission during the Public Comment section or on an Agenda Item is asked to complete a “Request to Speak” form available at the door. The completed form is to be submitted to the Planning Commission Secretary prior to an individual being heard by the Planning Commission.

Any person wishing to address the Planning Commission on a subject other than those scheduled on the Agenda is requested to do so at this time. In order to conduct a timely meeting, there will be a three-minute time limit per person and an overall time limit of 15 minutes for the Public Comments portion of the Agenda. State law prohibits the Planning Commission from taking any action on a specific item unless it appears on the posted Agenda.

**C. CONSENT CALENDAR**

**ITEM 2: Director Interpretation – Town Center Outdoor Dining**

Applicant: City of Dana Point

Location: Town Center

Recommendation: That the Planning Commission receive and file the Director’s interpretation.

Staff Contact Information: Brenda Wisneski (Director)  
Email: [bwisneski@danapoint.org](mailto:bwisneski@danapoint.org)  
Phone: (949) 248-3560

**D. PUBLIC HEARING**

**ITEM 3: Coastal Development Permit CDP21-0009 to construct a 406 square-foot addition, 215 square-foot balcony, and roof deck to an existing single-family dwelling located in the Dana Point Specific Plan (DPSP) Coastal Medium Density Residential (C-RMD) Zoning District at 24412 Santa Clara Avenue.**

Applicant: Kevin and Jan Doud, Property Owners

Address: 24412 Santa Clara Avenue (APN 682-071-11)

Request: Approval of a Coastal Development Permit to construct a 406 square-foot addition, 215 square-foot balcony, and roof deck to an existing single-family dwelling located within the DPSP, C-RMD Zoning District, Coastal Development (CD) District, and the Appeals Jurisdiction of the California Coastal Commission.

Recommendation: That the Planning Commission adopt the attached resolution approving Coastal Development Permit CDP21-0009.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorically Exempt per Section 15301(e) (Class 1 – Existing Facilities) in that the project involves an addition to an existing structure provided that the addition will not result in an increase of more than 50 percent

Staff Contact Information: Belinda Deines (Principal Planner)  
Email: [bdeines@danapoint.org](mailto:bdeines@danapoint.org)  
Phone: (949) 248-3570

**E. OLD BUSINESS**

**ITEM 4: Short Term Rental Subcommittee Update**

**F. NEW BUSINESS**

**ITEM 5: 2021 Annual Housing Element Progress Report**

Applicant: City of Dana Point

Location: Citywide

Request: To review the 2021 Annual Housing Element Progress Report, as required by State law, to show progress on the General Plan Housing Element.

Recommendation: That the Planning Commission review the 2021 Annual Housing Element Progress Report and forward to the City Council.

Environmental: In accordance with CEQA, the 6<sup>th</sup> Cycle 2021-2029 Housing Element was found to be categorically exempt pursuant to Section 15061(b)(3). The Annual Housing Element Progress Report does not require further CEQA action.

**G. STAFF REPORTS**

**H. COMMISSIONER COMMENTS**

**I. ADJOURNMENT**

The *next* Regular Meeting of the Planning Commission will be held on March 14, 2022, beginning at 6:00 p.m. (or as soon thereafter) in the City Council Chambers located at 33282 Golden Lantern, Suite 210, Dana Point, California.

**CERTIFICATION**

STATE OF CALIFORNIA )  
COUNTY OF ORANGE )  
CITY OF DANA POINT )

**AFFIDAVIT OF POSTING**

I, Brenda Wisneski, Community Development Director of the City of Dana Point, do hereby certify that on or before February 24, 2022 I caused the above notice to be posted in four (4) places in the City of Dana Point, to wit: City Hall, Capistrano Beach Post Office, and the Dana Point Post Office, and the Dana Point Library.



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Brenda Wisneski, Director  
Community Development Department

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, YOU SHOULD CONTACT THE OFFICE OF THE PLANNING COMMISSION AT (949) 248-3563. NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ASSURE ACCESSIBILITY TO THIS MEETING.