

**CITY OF DANA POINT
PLANNING COMMISSION
REGULAR MEETING ACTION MINUTES**

May 15, 2023
6:00 pm – 7:26 pm

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

CALL TO ORDER REGULAR MEETING

Chair Dhingra called the Regular Meeting of the Dana Point Planning Commission to order at 6:00 pm.

PLEDGE OF ALLEGIANCE

Commissioner Boughen led the Pledge of Allegiance.

ROLL CALL

Planning Commission Members Present: Chair Ashok Dhingra, Vice-Chair Mary Opel, Commissioner Eric Nelson, Commissioner Abigail Margolle and Commissioner Luke Boughen.

Planning Commission Members Absent: None

Staff Present: Brenda Wisneski (Director of Community Development), Jennifer Farrell (Deputy City Attorney), Patrick Munoz (City Attorney), Allison Peterson (Management Analyst), and Martha Ochoa (Senior Administrative Assistant).

A. APPROVAL OF MINUTES

ITEM 1: Minutes of Regular Planning Commission from April 24, 2023

ACTION: **Motion made by Commissioner Nelson, seconded by Commissioner Boughen, to approve the Minutes of the Regular Planning Commission Meeting of April 24, 2023. Motion carried 5-0-0.**

AYES: Dhingra, Opel, Nelson, Margolle, Boughen
NOES: None
ABSENT: None
ABSTAIN: None

B. PUBLIC COMMENTS

There were no Public Comments.

C. CONSENT CALENDAR

There were no items on the Consent Calendar.

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D. PUBLIC HEARING

ITEM 2: ZONE TEXT AMENDMENT ZTA23-0001 RELATED TO ACCESSORY DWELLING UNITS

Applicant: City of Dana Point

Location: Citywide

Request: A request to modify the Dana Point Zoning Code related to Accessory Dwelling Unit (ADU) requirements consistent with State Law.

Recommendation: That the Planning Commission adopt the attached draft resolution recommending the City Council approve Zone Text Amendment ZTA23-0001.

Environmental: This proposed action is statutorily exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 21080.17 of the Public Resources Code, which provides that CEQA does not apply to the adoption of an ordinance to implement the provisions of Section 65852.2 of the Government Code. As the standards of Government Code Section 65852.22 relating to junior accessory dwelling units are incorporated into Government Code 65852.2, this exemption covers junior accessory dwelling units as well. Accessory dwelling units and junior accessory dwelling units must be allowed in the City in accordance with the standards set forth in State Statute. Therefore, the subject Ordinance is categorically exempt under the common-sense exemption of CEQA Guidelines section 15061(b)(3) which provides that CEQA does not apply where it can be seen with certainty that the project will not cause any impacts.

Brenda Wisneski (Director of Community Development) provided a staff report and answered questions from the Planning Commissioners.

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PUBLIC COMMENTS

Noel Humphrey (Dana Point) spoke regarding construction of an ADU on property.

Jeremy Hohnbaum (Dana Point) spoke regarding recommended revisions to the ADU Ordinance to non-conforming driveways and parking requirements.

Scott Skinner (Dana Point) expressed concern with the existing ordinance and the City's application of state law.

Nicholette Blanchard (San Clemente) expressed concern with the existing ordinance and the City's application of state law.

Gary Pomeroy (Oceanside) expressed concern with the existing ordinance and the City's application of state law.

Rob Williams (Architect) spoke regarding questions on attached ADUs and fees.

Tobias Ullman (Anaheim) spoke in favor of providing greater flexibility to allow ADUs.

Maryam Gerami (Dana Point) spoke in support of allowing ADUs on multi-family lots developed with a single-family unit.

The Planning Commission recommends that the City Council adopt ZTA23-0001 and consider the Planning Commission comments for the reasons outlined in Resolution No. 23-05-15-24.

ACTION: Motion made by Commissioner Nelson, seconded by Chair Dhingra, to approve a request to modify the Dana Point Zoning Code related to Accessory Dwelling Unit (ADU) requirements consistent with State Law. Motion carried 5-0-0.

AYES: Dhingra, Opel, Nelson, Margolle, Boughen
NOES: None
ABSENT: None
ABSTAIN: None

E. OLD BUSINESS

There was no Old Business.

F. NEW BUSINESS

There was no New Business.

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G. STAFF REPORTS

Brenda Wisneski (Director of Community Development) shared that the Zone Text Amendment ZTA23-0001 related to ADU's is scheduled before the City Council on June 6, 2023.

H. COMMISSIONER COMMENTS

Commissioner Nelson expressed his heartfelt condolences to the Murphy family in memory of the passing of Danni Murphy.

I. ADJOURNMENT

Chair Dhingra adjourned the meeting in memory of Dannah R. "Danni" Murphy at **7:26 pm**. The *next* Regular Meeting of the Planning Commission will be held on Monday, May 22, 2023, 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.



Ashok Dhingra, Planning Commission Chair