

# CITY OF DANA POINT

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Monday  
June 12, 2023  
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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PUBLIC COMMENT MAY BE PROVIDED IN-PERSON, ELECTRONICALLY, OR BY MAIL ATTN: PLANNING DEPARTMENT, 33282 GOLDEN LANTERN, DANA POINT, CA 92629. IN ORDER TO BE PROVIDED TO THE PLANNING COMMISSIONERS *PRIOR* TO THE MEETING, COMMENTS MUST BE RECEIVED BY 4:00P.M. ON THE DAY OF THE MEETING. ALL WRITTEN COMMENTS SHOULD INCLUDE THE DATE OF THE MEETING AS WELL AS REFERENCE TO THE AGENDA NUMBER, IF APPLICABLE. WRITTEN COMMENTS WILL NOT BE READ ALOUD DURING THE MEETING BUT WILL BE INCLUDED IN THE MEETING RECORD.

### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

**ROLL CALL** Chair Ashok Dhingra, Vice-Chair Mary Opel, Commissioner Luke Boughen, Commissioner Eric Nelson, Commissioner Abigail Margolle

### **A. APPROVAL OF MINUTES**

#### **ITEM 1: MINUTES OF REGULAR PLANNING COMMISSION FROM MAY 22, 2023**

### **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.

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**C. CONSENT CALENDAR**

**D. PUBLIC HEARING**

**ITEM 2: COASTAL DEVELOPMENT PERMIT CDP22-0013 AND SITE DEVELOPMENT PERMIT SDP22-0019 FOR A 441 SQUARE-FOOT ADDITION AND REMODEL TO A DUPLEX LOCATED AT 35161 BEACH ROAD**

Applicant: Gabriel Moriel

Location: 35161 Beach Road (APN: 691-142-10)

Request: Approval of a Coastal Development Permit and Site Development Permit for a 441 square-foot addition, remodel, and façade enhancements for a duplex located in the Floodplain Overlay District, Coastal Overlay District, and the Appeals Jurisdiction of the California Coastal Commission.

Recommendation: That the Planning Commission adopt the resolution approving Coastal Development Permit CDP22-0013 and Site Development Permit SDP22-0019.

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 a 441 square-foot addition, remodel, and façade enhancements for a duplex in an urbanized residential area.

Staff Contact Information: John Ciampa (Senior Planner)  
Email: [jciampa@danapoint.org](mailto:jciampa@danapoint.org)  
Phone: (949) 248-3591

**ITEM 3: COASTAL DEVELOPMENT PERMITS TO ALLOW HOMEOWNER ASSOCIATIONS (HOAs) TO PROHIBIT SHORT-TERM RENTALS IN THEIR COMMUNITIES**

Applicant/Location: 1. Ritz Pointe Monarch Beach – West of the intersection of Niguel Road and Ritz Pointe Drive  
2. Marquesa – Near the intersection of Monarch Beach Drive and Marquesa

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3. Spinnaker Run – Near the intersection of Quail Run and Del Obispo Street
4. Monarch Bay Terrace – Near the intersection of Pacific Coast Hwy and Crown Valley Parkway
5. Golden Lantern Villas – Near the intersection of Old Golden Lantern Street and Santa Clara Avenue
6. Stringer McKenna Portofino – 24421-24435 Santa Clara Avenue

Request: Approval of Coastal Development Permits to prohibit STRs from operating within the referenced homeowner associations.

Recommendation: That the Planning Commission adopt the resolutions approving the referenced Coastal Development Permits.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorical Exempt per Section 15301 (Class 1 – Existing Facilities) in that the prohibition of short-term rentals in a Homeowners Association does not result in a change of use or intensification of the Property. Alternatively, the prohibition of STRs in the HOA does not qualify as a “project” because it does not authorize any new construction or development in the City. Further, in the event the actions in adopting the CDPs are not exempt, the City has satisfied its CEQA obligations and no additional review is required pursuant 14 CCR 15162, as the City has previously adopted a Mitigated Negative Declaration by Resolution 13-12-03-08 relating to short term rentals.

Staff Contact Information: John Ciampa (Senior Planner)  
Email: [jciampa@danapoint.org](mailto:jciampa@danapoint.org)  
Phone: (949) 248-3591

**E. OLD BUSINESS**

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**F. NEW BUSINESS**

**ITEM 4: PLAN DANA POINT: GENERAL PLAN VISIONING STATUS UPDATE**

Applicant: City of Dana Point

Location: Citywide

Recommendation: That the Planning Commission solicit public comments, provide feedback, and receive and file the status update.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorical Exempt per Section 15306 (Class 6 – Information Collection) in that the project involves basic data collection, research, and resource evaluation activities strictly for information gathering purposes.

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

**G. STAFF REPORTS**

**H. COMMISSIONER COMMENTS**

**I. ADJOURNMENT**

The *next* Regular Meeting of the Planning Commission will be held on June 26, 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.

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**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 June 8, 2023, 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, Dana Point Post Office, and the Dana Point Library.



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Brenda Wisneski, Director  
Community Development Department

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 OFFICE OF THE PLANNING COMMISSION AT (949) 248-3563 (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.