

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

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June 12, 2023  
6:01 pm – 6:59 pm

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

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**CALL TO ORDER REGULAR MEETING**

**Chair Dhingra** called the Regular Meeting of the Dana Point Planning Commission to order at 6:01 pm.

**PLEDGE OF ALLEGIANCE**

**Commissioner Nelson** 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: Kurth Nelson (Principal Planner), Jennifer Farrell (Deputy City Attorney), John Ciampa (Senior Planner), Belinda Deines (Principal Planner), and Martha Ochoa (Senior Administrative Assistant).

**A. APPROVAL OF MINUTES**

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

**ACTION:** Motion made by Vice-Chair Opel, seconded by Commissioner Boughen, to approve the Minutes of the Regular Planning Commission Meeting of May 22, 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: 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.

**John Ciampa** (Senior Planner) provided a staff report and answered questions from the Planning Commissioners.

**PUBLIC COMMENTS**

There were no Public Comments.

**ACTION:** Motion made by Commissioner Margolle, seconded by Commissioner Nelson, to approve 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. Motion carried 5-0-0.

**AYES:** Dhingra, Opel, Nelson, Margolle, Boughen

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

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**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
  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 Categorically 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.

**John Ciampa** (Senior Planner) provided a staff report and answered questions from the Planning Commissioners.

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**PUBLIC COMMENTS**

**Carol Wilson (Dana Point)** spoke in favor of the item.

**Michael V. Pedote (Dana Point)** spoke in favor of the item.

**Dave Yokley (Dana Point)** spoke in favor of the item.

**Cherie Polo (Dana Point)** spoke in opposition of the item.

**ACTION:** Motion made by Commissioner Nelson, seconded by Commissioner Margolle, to approve Coastal Development Permits to allow Homeowner Associations (HOAs) to prohibit Short-Term Rentals in their communities. 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**

**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 Categorically 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.

**Belinda Deines** (Principal Planner) provided a staff report and answered questions from the Planning Commissioners.

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**PUBLIC COMMENTS**

There were no Public Comments.

**ACTION:** No action needed. Received and filed.

**G. STAFF REPORTS**

There were no Staff Reports.

**H. COMMISSIONER COMMENTS**

**Commissioner Boughen** commented on a few events; the Del Prado event that took place on Sunday, the Sister Cities event taking place on Thursday at Luciana's and put forward for consideration a brown bag lunch for city staff and Planning Commissioners with a member of Stantec to discuss e-bikes.

**I. ADJOURNMENT**

**Chair Dhingra** adjourned the meeting at **6:59 pm**. The *next* Regular Meeting of the Planning Commission will be held on Monday, 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.

  
Ashok Dhingra, Planning Commission Chair