

**CITY OF DANA POINT
M E M O R A N D U M**

DATE: JULY 22, 2024

TO: DANA POINT PLANNING COMMISSIONERS

FROM: JOHNATHAN CIAMPA, PRINCIPAL PLANNER

SUBJECT: ITEM 4: COASTAL DEVELOPMENT PERMIT CDP23-0040 AND CONDITIONAL USE PERMIT CUP23-0007 TO ALLOW THE DEMOLITION OF AN EXISTING DETACHED GARAGE AND CONSTRUCTION OF A TWO (2) STORY DETACHED STRUCTURE THAT INCLUDES A FIRST STORY THREE CAR GARAGE AND BATHROOM, AND A SECOND STORY 732 SQUARE FOOT SECOND DWELLING UNIT, AND MINOR SITE DEVELOPMENT PERMIT SDP24-0006(M) TO CONSTRUCT A WOODEN FENCE EXCEEDING 42 INCHES IN THE FRONT YARD SETBACK

Staff has added the following conditions to the draft resolution within the General Condition Sections as noted within the Staff Report.

18. Prior to the issuance of any permit, the property owner shall execute and record a deed restriction to include the following restrictions, which cannot be removed or changed without prior City amendment to Coastal Development Permit CDP23-0040, and Conditional Use Permit CUP23-0007. The deed restriction shall be recorded, free of prior liens, to bind the property owner(s) and any successors-in-interest or otherwise recorded to the satisfaction of the City Attorney and Community Development Department.
 - a. *The second unit may be occupied by an individual adult or two senior adults, and may be attached to or detached from the primary single family unit, but may not be sold as a separate dwelling unit.*
 - b. *Second dwelling units must be affordable to persons of low and moderate income, and remain affordable for the life of the project. The life of the project shall be determined as the length of time the second dwelling unit is occupied.*

19. Prior to the issuance of a building permit the applicant shall identify on the building plans adequate storage for the proposed Second Dwelling Unit in compliance with Section 9.07.210 of the Dana Point Zoning Code.