

# CITY OF DANA POINT

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Monday  
August 26, 2024  
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 Mary Opel, Vice-Chair Eric Nelson, Commissioner Luke Boughen, Commissioner Deana Christakes, Commissioner Ashok Dhingra

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

**ITEM 1:** [\*\*MINUTES OF REGULAR PLANNING COMMISSION FROM JULY 22, 2024\*\*](#)

### **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 CDP23-0047 TO ALLOW THE LANTERN BAY VILLAS ASSOCIATION (HOA) TO PROHIBIT SHORT-TERM RENTALS IN THEIR COMMUNITY**

Applicant/

Location:

Lantern Bay Villas Association – Near the intersection of Golden Lantern St. and Lantern Bay Drive

Request:

Approval of Coastal Development Permits to prohibit STRs from operating within the Lantern Bay Villas Association.

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.

Recommendation:

That the Planning Commission adopt the resolution approving the referenced Coastal Development Permit.

Staff Contact Information:

John Ciampa (Principal Planner)

Email: [jciampa@danapoint.org](mailto:jciampa@danapoint.org)

Phone: (949) 248-3591

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**ITEM 3: COASTAL DEVELOPMENT PERMIT CDP21-0020, SITE DEVELOPMENT PERMIT SDP21-0035, ADMINISTRATIVE MODIFICATION OF STANDARDS AMS24-0006 FOR A LOT LINE ADJUSTMENT TO THE SUBJECT PROPERTY AND THE ADJACENT LOT AT 35811 BEACH ROAD AND TO CONSTRUCT A 5,174 SQUARE FOOT SINGLE-FAMILY RESIDENCE WITH A 2,357 SQUARE FOOT ATTACHED GARAGE**

Applicant: David Gutierrez, Project Manager

Owner: Jahan Realty Investments LLC

Location: 35815 Beach Road (APN: 691-332-01)

Request: Approval of Coastal Development Permit CDP21-0020, Site Development Permit SDP21-0035, and Administrative Modification of Standards AMS24-0006 to construct a 5,174 square-foot two-story, single-family dwelling with a lower level 2,357 square foot garage. The project requests a lot line adjustment with the adjacent parcel at 35811 Beach Road to increase the size of the parcel and an Administrative Modification of Standards to allow the entry stairs to be located eight feet, six inches from the front property line and the stairs on the seaward side of the house to extend 15 feet beyond the structure stringline for the property located within the City's 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 CDP21-0020, Site Development Permit SDP21-0035, and Administrative Modification of Standards AMS24-0006.

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

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**ITEM 4:      COASTAL DEVELOPMENT PERMIT CDP23-0050 TO DEMOLISH AN EXISTING SINGLE-FAMILY DWELLING (SFD) WITH AN ATTACHED GARAGE AND CONSTRUCT A 4,624 SQUARE FOOT, TWO (2) STORY SFD WITH AN ATTACHED TWO (2) CAR GARAGE**

Applicant:                      Tom Nicholson

Owner:                              23502 Seaward Isle LLC

Location:                        23502 Seaward Isle (APN: 672-061-24)

Request:                        A request to demolish an existing single-family dwelling (SFD) with an attached garage and construct a 4,624 square foot, two (2) story SFD with an attached two (2) car garage located within the Planned Residential Development 3 (PRD 3)/Residential Single Family 4 (RSF 4) Zoning District.

Environmental:                This project is categorically exempt (Class 3 - Section 15303(a) – New Construction) from the provisions of the California Environmental Quality Act (CEQA) since the project consists of the construction of one single-family residence in a residential zone.

Recommendation:        That the Planning Commission adopt the draft Resolution approving Coastal Development Permit CDP23-0050.

Staff Contact Information:    Alyssa Gonzalez (Associate Planner)  
Email: [agonzalez@danapoint.org](mailto:agonzalez@danapoint.org)  
Phone: (949) 248-3556

**ITEM 5:      SITE DEVELOPMENT PERMIT SDP23-0003 TO DEMOLISH AN EXISTING SINGLE-FAMILY DWELLING STRUCTURE AND DEVELOP A 2,395 SQUARE FOOT, TWO-STORY SINGLE-FAMILY DWELLING WITH AN ATTACHED, 576 SQUARE FOOT, ACCESSORY DWELLING UNIT RESULTING IN A GROSS FLOOR AREA OF 2,971 SQUARE FEET. THE PROJECT ALSO INCLUDES MULTIPLE RETAINING WALLS AND AN INCREASE IN HEIGHT TO THE EXISTING, DETACHED TWO (2) CAR GARAGE WHICH IS LOCATED WITHIN THE FRONT YARD SETBACK**

Applicant:                        David Bailey, Architect, Inc.

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Owner: John and Lori Wright

Location: 34041 Blue Lantern (APN: 682-245-05)

Request: Approval of a Site Development Permit to demolish an existing single-family dwelling structure and develop a 2,395 square foot, two-story, single-family dwelling with an attached, 576 square foot accessory dwelling unit, resulting in a gross floor area of 2,971 square feet. The SDP request also includes multiple retaining walls.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorically Exempt per Section 15303(e) (Class 3 – Construction and Conversion of Small Structures) since the project consists of the construction of a new residential structure with an attached ADU and a series of retaining walls on a residentially zoned lot.

Recommendation: This item has been pulled by staff. No action is necessary.

Staff Contact Information: Danny Giometti (Senior Planner)  
Email: [dgiometti@danapoint.org](mailto:dgiometti@danapoint.org)  
Phone: (949) 248-3569

**E. OLD BUSINESS**

**F. NEW BUSINESS**

**G. STAFF REPORTS**

**Status of the General Plan Update process** (Brenda Wisneski, Director of Community Development)

**H. COMMISSIONER COMMENTS**

**I. ADJOURNMENT**

The *next* Regular Meeting of the Planning Commission will be held on September 9, 2024, 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 August 22, 2024, I caused the above notice to be posted at Dana Point City Hall and danapoint.org.

  
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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.