

**CITY OF DANA POINT
PLANNING COMMISSION
REGULAR MEETING ACTIONS**

October 28, 2013
5:34 – 6:49 p.m.

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

CALL TO ORDER – Chairman Newkirk called the meeting to order.

PLEDGE OF ALLEGIANCE – Commissioner O'Connor led the Pledge of Allegiance.

ROLL CALL

Commissioners Present: Commissioner Denton, Chairman Gary Newkirk, Commissioner April O'Connor, and Commissioner Susan Whittaker

Commissioner(s) Absent: Vice-Chairwoman Liz Claus,

CLOSED SESSION

- A. Conference with legal counsel – anticipated litigation, significant exposure to litigation, Government Code § 54956.9 (b), (1 case)

RECESS OF PLANNING COMMISSION MEETING UNTIL 6:00 P.M.

RECONVENE PLANNING COMMISSION MEETING AT 6:02 P.M.

Chairman Newkirk reconvened the meeting at 6:02 p.m. All Planning Commissioners were present with the exception of Vice-Chairwoman Claus.

Staff Present: Ursula Luna-Reynosa (Director), John Tilton (City Architect/Planning Manager), Jennifer Farrell (Assistant City Attorney), Christy Teague (Economic Development Manager), Saima Qureshy (Senior Planner), Erica Demkowicz (Senior Planner), DyAnne Weamire (Administrative Secretary), and Denise Jacobo (Planning Secretary)

REPORT ON CLOSED SESSION - Nothing to report.

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A. APPROVAL OF MINUTES

ITEM 1: Minutes of the regular Planning Commission Meeting of October 14, 2013.

ACTION: Motion made (Whittaker) and seconded (Denton) to approve the Minutes of the regular Planning Commission Meeting of October 14, 2013. Motion carried 4-0-1. (AYES: Denton, Newkirk, O'Connor, Whittaker NOES: None ABSENT: Claus ABSTAIN: None)

B. PUBLIC COMMENTS

There were no Public Comments.

C. CONSENT CALENDAR

There were no items on the Consent Calendar.

D. PUBLIC HEARINGS

ITEM 2: General Plan Amendment (GPA13-0001) to update the Housing Element.

Applicant/Property Owner: City of Dana Point
Location: Citywide

Request: To amend the City's General Plan to update the Housing Element as required by State law.

Environmental: In accordance with CEQA, a Negative Declaration has been prepared for the Housing Element. CEQA compliance is required for adoption of the Housing Element and certification from the California Housing & Community Development Department.

Recommendation: That the Planning Commission review the Housing Element and related housing programs, conduct the public hearing, and approve the attached resolutions recommending to the City Council the approval and

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adoption of the Negative Declaration and General Plan Amendment (GPA13-0001) for the updated Housing Element.

There were no requests to speak on this item.

ACTION: Motion made (Denton) and seconded (O'Connor) to adopt Resolution No. 13-10-28-23 recommending that the City Council adopt a Negative Declaration for the General Plan Amendment (GPA13-0001) to update the Housing Element. Motion carried 4-0-1. (AYES: Denton, Newkirk, O'Connor, Whittaker NOES: None ABSENT: Claus ABSTAIN: None)

ACTION: Motion made (Denton) and seconded (O'Connor) to adopt Resolution No. 13-10-28-24 recommending City Council approval of General Plan Amendment GPA13-0001, which amends the General Plan Housing Element, and submission of the Housing Element for certification by the California Housing and Community Development Department (HCD). Motion carried 4-0-1. (AYES: Denton, Newkirk, O'Connor, Whittaker NOES: None ABSENT: Claus ABSTAIN: None)

ITEM 3: A Negative Declaration, Zone Text Amendment ZTA13-0001, Local Coastal Program Amendment LCPA13-0001; Specific Plan Amendment SPA13-0001, and Local Coastal Program Amendment SPA13-0002 to amend the City's Zoning Ordinance and the Dana Point Specific Plan to allow short term rentals in all the Zoning Districts where residential uses are allowed.

Applicant/Property Owner: City of Dana Point
Location: Citywide

Request: Request for approval and adoption of a Negative Declaration, Zone Text Amendment ZTA13-0001, Local Coastal Program Amendment LCPA13-0001; Specific Plan Amendment SPA13-0001, and Local Coastal Program Amendment SPA13-0002 to amend the City's Zoning Ordinance and the Dana Point Specific Plan to allow short term rentals in all the Zoning Districts where residential uses are allowed.

Environmental: The City conducted an environmental review of the proposed project pursuant to the provisions of the California Environmental Quality Act (CEQA). As a result of that review, a Negative Declaration (ND) was issued for the project with the accompanying initial study. The ND was circulated for a twenty day public review period from September 25, 2013 to October 14, 2013. At the end of the comment period, the City received a total of eight (8) written comments.

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Recommendation: That the Planning Commission approve the attached draft resolutions recommending City Council approval and adoption of the proposed Negative Declaration and Zone Text Amendment, Specific Plan Amendment, and Local Coastal Program Amendments.

There was one (1) request to speak on this item.

ACTION: Motion made (O'Connor) and seconded (Denton) to adopt Resolution No. 13-10-28-25 recommending that the City Council adopt a Negative Declaration for the Zone Text Amendment (ZTA13-0001), Local Coastal Program Amendment (LCPA13-0001), Specific Plan Amendment (SPA13-0001) and Local Coastal Program Amendment (LCPA13-0002) to amend the City's Zoning Ordinance and the Dana Point Specific Plan for the allowance of Short Term Rentals in all the districts where residential uses are allowed. Motion carried 4-0-1. (AYES: Denton, Newkirk, O'Connor, Whittaker NOES: None ABSENT: Claus ABSTAIN: None)

ACTION: Motion made (O'Connor) and seconded (Denton) to adopt Resolution No. 13-10-28-26 recommending City Council amend the Dana Point Zoning Code and approve Zone Text Amendment ZTA13-0001 to allow Short Term Rentals in all the zoning districts where residential uses are allowed, and submission as part of Local Coastal Program Amendment LCPA13-0001 for approval and certification by the California Coastal Commission. Motion carried 4-0-1. (AYES: Denton, Newkirk, O'Connor, Whittaker NOES: None ABSENT: Claus ABSTAIN: None)

ACTION: Motion made (O'Connor) and seconded (Denton) to adopt Resolution No. 13-10-28-27 recommending City Council approval of Dana Point Specific Plan Amendment SPA13-0001 to allow Short Term Rentals in all the districts where residential uses are allowed within the specific plan's boundaries, and submission as part of Local Coastal Program Amendment LCPA13-0002 for approval and certification by the California Coastal Commission. Motion carried 4-0-1. (AYES: Denton, Newkirk, O'Connor, Whittaker NOES: None ABSENT: Claus ABSTAIN: None)

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E. NEW BUSINESS

There were no New Business items.

F. STAFF REPORTS

Ursula Luna-Reynosa (Director of Community Development) stated that the Planning Commission would be holding two study sessions for the month of November. She stated that one study session would be on Parking Management Plan and the second, on the proposed Doheny Hotel.

G. COMMISSIONER COMMENTS

There were no Commissioner Comments.

H. ADJOURNMENT

Chairman Newkirk announced that the November 11, 2013 meeting of the Planning Commission has been cancelled due to Veterans Day Holiday. The *next regular* adjourned meeting of the Planning Commission will be held on Monday, November 18, 2013, beginning at 5:00 p.m. (or as soon thereafter) in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

The meeting adjourned at 6:49 p.m.