

CITY OF DANA POINT

Monday
November 22, 2021
5:00 p.m.



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

PLANNING COMMISSION REGULAR MEETING AGENDA

REVISED SAFETY ALERT (EFFECTIVE AS OF JUNE 2, 2020)

AS A RESULT OF THE COVID-19 VIRUS, AND RESULTING ORDERS AND DIRECTION FROM THE PRESIDENT OF THE UNITED STATES, THE GOVERNOR OF THE STATE OF CALIFORNIA, AND THE ORANGE COUNTY HEALTH CARE AGENCY, AS WELL AS THE CITY OF DANA POINT EMERGENCY DECLARATION, THE PUBLIC HAS NOT BEEN PERMITTED TO PHYSICALLY ATTEND DANA POINT PLANNING COMMISSION MEETINGS SINCE MID MARCH, 2020. AS COVID-19 RELATED RESTRICTIONS EASE, THE PUBLIC WILL NOW BE ALLOWED TO ATTEND PLANNING COMMISSION MEETINGS PROVIDED SOCIAL DISTANCING GUIDELINES ARE FOLLOWED. THESE GUIDELINES WILL RESULT IN VERY LIMITED OPPORTUNITIES, ON A FIRST COME BASIS, FOR THE PUBLIC TO OBSERVE THE PLANNING COMMISSION MEETING FROM THE FOYER WHICH IS ADJACENT TO THE COUNCIL CHAMBER AND TO ENTER THE CHAMBER TO MAKE PUBLIC COMMENTS. MEMBERS OF THE PLANNING COMMISSION MAY CONTINUE TO PARTICIPATE IN MEETINGS TELEPHONICALLY IF THEY CHOOSE PURSUANT TO GOVERNOR NEWSOM'S EXECUTIVE ORDER N-29-20.

PUBLIC COMMENT: PUBLIC COMMENT MAY BE PROVIDED IN PERSON, ELECTRONICALLY OR BY MAIL. IF YOU CHOOSE TO ATTEND THE MEETING AND WISH TO DELIVER PUBLIC COMMENT IN PERSON, YOU ARE ENCOURAGED TO WEAR FACE COVERINGS AND MAINTAIN SOCIAL DISTANCING. TEMPERATURE SCREENINGS ARE MANDATORY FOR ALL PERSONS ENTERING CITY HALL. CITY STAFF IN ATTENDANCE AT THE MEETING WILL BE COORDINATING ENTRY TO THE COUNCIL CHAMBERS WHEN PUBLIC COMMENT IS OPEN. THERE WILL BE LIMITED SPACE AT THE PLANNING COMMISSION MEETING FOR MEMBERS OF THE PUBLIC TO SIT OR STAND TO OBSERVE THE MEETING LIVE FROM THE FOYER ADJACENT TO THE COUNCIL CHAMBER. IF THAT SPACE IS EXCEEDED, PERSONS WISHING TO PRESENT PUBLIC COMMENT IN PERSON WILL BE PERMITTED TO LINE UP OUTSIDE AND WILL BE ALLOWED TO SPEAK. AFTER SPEAKING, HOWEVER, THEY WILL BE REQUIRED TO GO BACK OUTSIDE UNLESS ONE OF THE LIMITED SPOTS INSIDE THE FOYER BECOME AVAILABLE. MEMBERS OF THE PUBLIC WILL BE REQUIRED TO FOLLOW STAFF'S DIRECTIONS. ALTERNATIVELY, YOU MAY SUBMIT COMMENTS ON ANY AGENDA ITEM OR ON ANY ITEM NOT ON THE AGENDA IN WRITING VIA MAIL TO "PLANNING COMMISSION" 33282 GOLDEN LANTERN, DANA POINT, CA 92629 OR BY EMAIL TO COMMENT@DANAPPOINT.ORG. ALL COMMENTS RECEIVED BY 4:00 P.M. ON THE DATE OF THE MEETING WILL BE PROVIDED TO THE PLANNING

COMMISSION IN ADVANCE TO ALLOW TIME FOR THE COMMISSIONERS TO READ THEM. TO BE CONSIDERED AS PART OF THE MEETING TO WHICH THIS AGENDA APPLIES, MAILED OR EMAILED COMMENTS MUST BE RECEIVED NO LATER THAN 4:00 P.M. ON THE DAY OF THE MEETING (ALTHOUGH ALL COMMENTS WHENEVER RECEIVED WILL BE SHARED WITH THE COMMISSIONERS). EMAILS SHOULD INCLUDE "PUBLIC COMMENT" AND THE DATE OF THE MEETING IN THE SUBJECT LINE, AS WELL AS REFERENCE THE AGENDA ITEM NUMBER, IF APPLICABLE. MAILED COMMENTS SHOULD PROMINENTLY INCLUDE A SIMILAR REFERENCE AT THE TOP OF THE FIRST PAGE. MAILED AND EMAILED COMMENTS WILL NOT BE READ BY THE CHAIR DURING THE MEETING, BUT WILL BE INCLUDED IN THE RECORD.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL Chair Eric Nelson, Vice-Chair Roy Dohner, Commissioner Mary Opel, Commissioner John Gabbard, Commissioner Ashok Dhingra

CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code 54956.9(d)(2) (1 case).

RECESS OF PLANNING COMMISSION UNTIL 6:00 PM

RECONVENE PLANNING COMMISSION

A: APPROVAL OF MINUTES

ITEM 1: Minutes of the Regular Planning Commission Meeting October 25, 2021

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.

C. CONSENT CALENDAR

D. PUBLIC HEARING

ITEM 2: Tentative Parcel Map TPM20-0004 & Conditional Use Permit CUP21-0012

Applicant: Adam Tancredi

Address: 26371 and 26373 Via Canon (APN: 123-141-28.1 & 28.2)

Request: Approval of a Tentative Parcel Map and a Conditional Use Permit located at 26371 Via Canon A & B (Parcel 1) and 26373 Via Canon A & B (Parcel 2) to convert four units, currently under construction, into individual condominiums. In 2015, entitlements were approved for the subdivision of 26371 Via Canon into two parcels and the construction of two, detached, residential duplexes on each of the new parcels located at 26371 and 26373 Via Canon.

Recommendation: That the Planning Commission adopt the resolution approving Tentative Parcel Map TPM20-0004 and Conditional Use Permit CUP21-0012.

Environmental: The proposed project qualifies as a Class 15 (Section 15315) pursuant to the applicable provisions of the California Environmental Quality Act (CEQA) in that the project involves the division of two (2) duplex dwellings into common-interest ownership where no physical changes occur which are not otherwise exempt.

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

ITEM 3: Site Development Permit SDP21-0025 approving a 1,118 square foot accessory dwelling unit (ADU) to be constructed above an existing detached garage.

Applicant: Wayne & Jodie Collins

Address: 26582 Via California (APN 123-183-41)

Request: A request to permit a 1,118 square foot accessory dwelling unit (ADU) to be constructed above an existing detached garage.

Recommendation: That the Planning Commission adopt the resolution approving Site Development Permit SDP21-0025.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be categorically exempt per Section 15303 (Class 3 - Construction and Conversion of Small Structures).

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

ITEM 4: Site Development Permit SDP21-0023 approving a two-story, detached, 1,200 square foot accessory dwelling unit (ADU) with a roof deck in conjunction with a single-family dwelling (SFD).

Applicant: Arktech – Michael Ta-Wei Lu

Address: 34011 Ruby Lantern (APN 682-242-02)

Request: A request to permit a two-story, detached, 1,200 square foot accessory dwelling unit (ADU) with a roof deck in conjunction with a single-family dwelling (SFD).

Recommendation: That the Planning Commission adopt the resolution approving Site Development Permit SDP21-0023.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be categorically exempt per Section 15303 (Class 3 - Construction and Conversion of Small Structures).

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

E. OLD BUSINESS

ITEM 5: Short-Term Rental Subcommittee Update

F. NEW BUSINESS

G. STAFF REPORTS

H. COMMISSIONER COMMENTS

I. ADJOURNMENT

The *next* Regular Meeting of the Planning Commission will be held on December 13, 2021, 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.

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 November 18, 2021, 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, and the Dana Point Post Office, and the Dana Point Library.



Brenda Wisneski, Director
Community Development Department

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, YOU SHOULD CONTACT THE OFFICE OF THE PLANNING COMMISSION AT (949) 248-3563. NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ASSURE ACCESSIBILITY TO THIS MEETING.