

**CITY OF DANA POINT  
PLANNING COMMISSION  
AGENDA REPORT**

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**DATE:** DECEMBER 13, 2021

**TO:** DANA POINT PLANNING COMMISSION

**FROM:** COMMUNITY DEVELOPMENT DEPARTMENT  
BRENDA WISNESKI, DIRECTOR

**SUBJECT: GENERAL PLAN CONSISTENCY FINDING GPC21-01, FOR SALT  
CREEK BEACH PARK CONCESSION LEASE AREAS**

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**RECOMMENDATION:** That the Planning Commission adopt the attached Draft Resolution approving finding that the leases at the Salt Creek Beach Park concession areas is consistent with the Dana Point General Plan (Action Document 1).

**APPLICANT:** County of Orange, OC Public Works

**REQUEST:** Determination that leasing of the two concession areas located in Salt Creek Beach Park to 10<sup>th</sup> Hole Associates, Inc. by the County of Orange is consistent with the Dana Point General Plan.

**LOCATION:** APNs 672-171-06 & 672-021-44

**ISSUES:** Is the leasing of the concession areas located in Salt Creek Beach Park consistent with the Dana Point General Plan and Zoning Code?

**BACKGROUND:**

Pursuant to California Government Code Section 65402 and Dana Point Zoning Code Section 9.61.140, a statement of conformity must be issued by the planning agency having jurisdiction over real property in acquisition, dedication, disposition, vacation, or abandonment attesting that the location, purpose, and extent of such activity has been reported upon as to conformity with the adopted General Plan. The recommended action satisfies this requirement.

**DISCUSSION:**

The County of Orange is conveying two leases of concession buildings including patio areas and event lawns within Salt Creek Beach Park to the 10<sup>th</sup> Hole Associates, Inc. The concession areas are about 1,350 square feet apart and are shown on the Supporting Document 3.

Section 9.61.140 of the Dana Point Zoning Code establishes the requirements for making a finding of General Plan Consistency. The Planning Commission is required to report on

the conformity of a project with the General Plan where it involves the acquisition, dedication, disposition, vacation, or abandonment of real property. The City's General Plan designates the area as Recreation/Open Space. The proposed lease would allow for the existing buildings to be renovated with upgraded kitchen facilities, thereby providing an improved visitor experience.

**CONCLUSION:**

Based on a review of the proposed project, staff has determined that the required findings can be made and recommends that the Planning Commission approve General Plan Consistency GPC21-01 acknowledging that leasing of the two concession areas is consistent with the City's General Plan.



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Brenda Wisneski  
Director of Community Development

**ATTACHMENTS:**

**ACTION DOCUMENTS**

1. Draft Planning Commission Resolution No. 21-12-13-XX

**SUPPORTING DOCUMENTS**

2. Letter from County of Orange dated October 26, 2021
3. Location Map

**ACTION DOCUMENT 1: Draft Planning Commission Resolution No. 21-12-13-XX**

**RESOLUTION NO. 21-12-13-XX**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DANA POINT, CALIFORNIA, FINDING THAT THE LEASE OF THE CONCESSION AREAS WITHIN THE SALT CREEK BEACH PARK (GPC21-01) IS CONSISTENT WITH THE GENERAL PLAN FOR THE CITY OF DANA POINT**

Applicant: County of Orange, OC Public Works

The Planning Commission for the City of Dana Point does hereby resolve as follows:

WHEREAS, pursuant to California Government Code Section 65402, a local agency shall not acquire or dispose of any real property until the location, purpose and extent of such activity has been submitted to the planning agency having jurisdiction and conformity to the city's adopted General Plan is reported; and

WHEREAS, the Planning Commission did, on the 13<sup>th</sup> day of December, 2021, review the said request and considered all factors relating to GPC21-01; and

WHEREAS, the sites is located at the Salt Creek Beach Park, within the existing concession buildings (APN 672-171-06 & 672-021-44).

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the City of Dana Point as follows:

- A) That the above recitations are true and correct.
- B) That based on the evidence presented, the Commission adopts the following findings:

**Findings:**

1. That the lease of the concession areas from the County of Orange to the 10<sup>th</sup> Hole Associates, Inc. is consistent with the Dana Point General Plan and Local Coastal Program in that it will allow for maintenance of the existing buildings and operation of the concessions for the benefit of beach goers.
2. That the proposed use complies with all other applicable requirements of State law and local ordinances.
3. That the use complies with the City of Dana Point Zoning Code and Local Coastal Program.

Resolution #21-12-13-xx  
GPC21-01

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PASSED, APPROVED, AND ADOPTED at a regular meeting of the Planning Commission of the City of Dana Point, California, held on this 13<sup>th</sup> day of December, 2021, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Eric Nelson, Chair  
Planning Commission

ATTEST:

\_\_\_\_\_  
Brenda Wisneski, Director  
Community Development Department

**SUPPORTING DOCUMENT 2:** Letter from County of Orange dated October 26, 2021



October 26, 2021

ROW I.D. No.: 2021-033

Brenda Wisnesky, Director of Community Development  
CITY OF DANA POINT  
33282 Golden Lantern  
Dana Point, CA 92629

Subject: Request for General Plan Conformity Report – Salt Creek Beach Park (BE74Q)-Concession  
Lease Building Areas

Ms. Wisnesky:

The County of Orange is conveying two(2) leases of concession buildings including patio areas and event lawns to the 10<sup>th</sup> Hole Associates, Inc. A California Corporation. The project is located southwesterly in a perpendicular direction from the Pacific Coast Highway and Ritz-Carlton Drive towards the beach front of the Salt Creek Beach Park (BE74Q) area in the City of Dana Point. The concession areas are about 1350 feet apart in a northwesterly-southeasterly direction along said Beach Park. See reference maps attached.

**As required by Government Code Section 65402, this is to request that a determination be made on the conformance of the proposed County project with the City's General Plan.**


Please route a dated copy of the City's determination as made by either the planning commission –OR– authorized staff to Mal Peralta of Right of Way Services, who may be contacted by phone at 714-667-9654 or by e-mail at [Malaquias.Peralta@ocpw.ocgov.com](mailto:Malaquias.Peralta@ocpw.ocgov.com). If desired, the form provided below may be used to report project conformance.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Rivera".

Raymond J. Rivera  
Senior Land Surveyor, Right of Way Services



 County Administration South  
601 North Ross Street  
Santa Ana, California 92701

 P.O. Box 4048  
Santa Ana, CA 92702-4048

 [info@ocpw.ocgov.com](mailto:info@ocpw.ocgov.com)

 (714) 667-8800

 [OCPublicWorks.com](http://OCPublicWorks.com)



**DETERMINATION:**

The project described above is in conformance with the City's General Plan.

\_\_\_\_\_  
for the City of Dana Point

\_\_\_\_\_  
Date

Enclosures: Location Map  
Assessor Maps

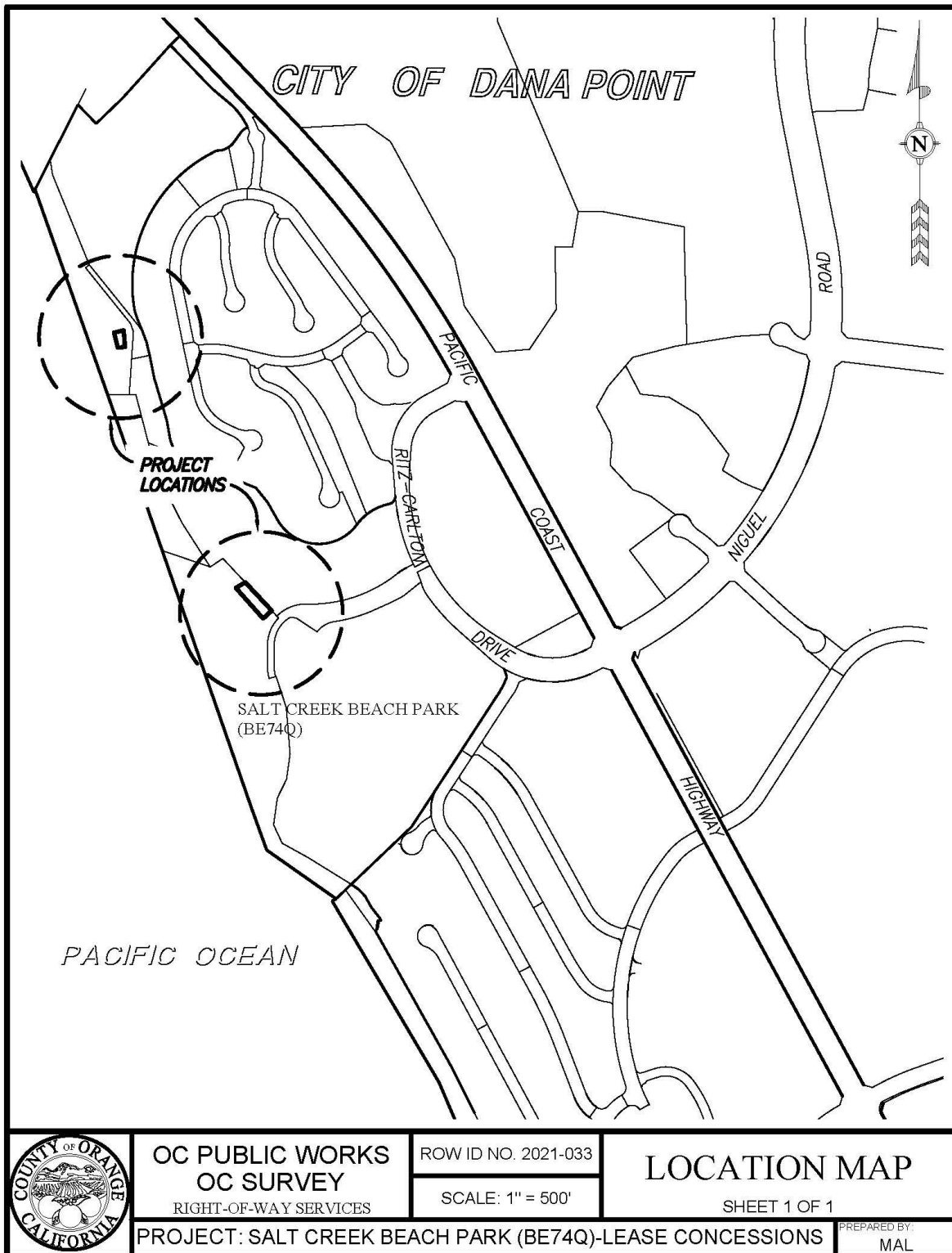
cc: Michael Killebrew, City Manager, City of Dana Point  
Christine Long, Administrative Manager, CEO Real Estate



 County Administration South  
601 North Ross Street  
Santa Ana, California 92701

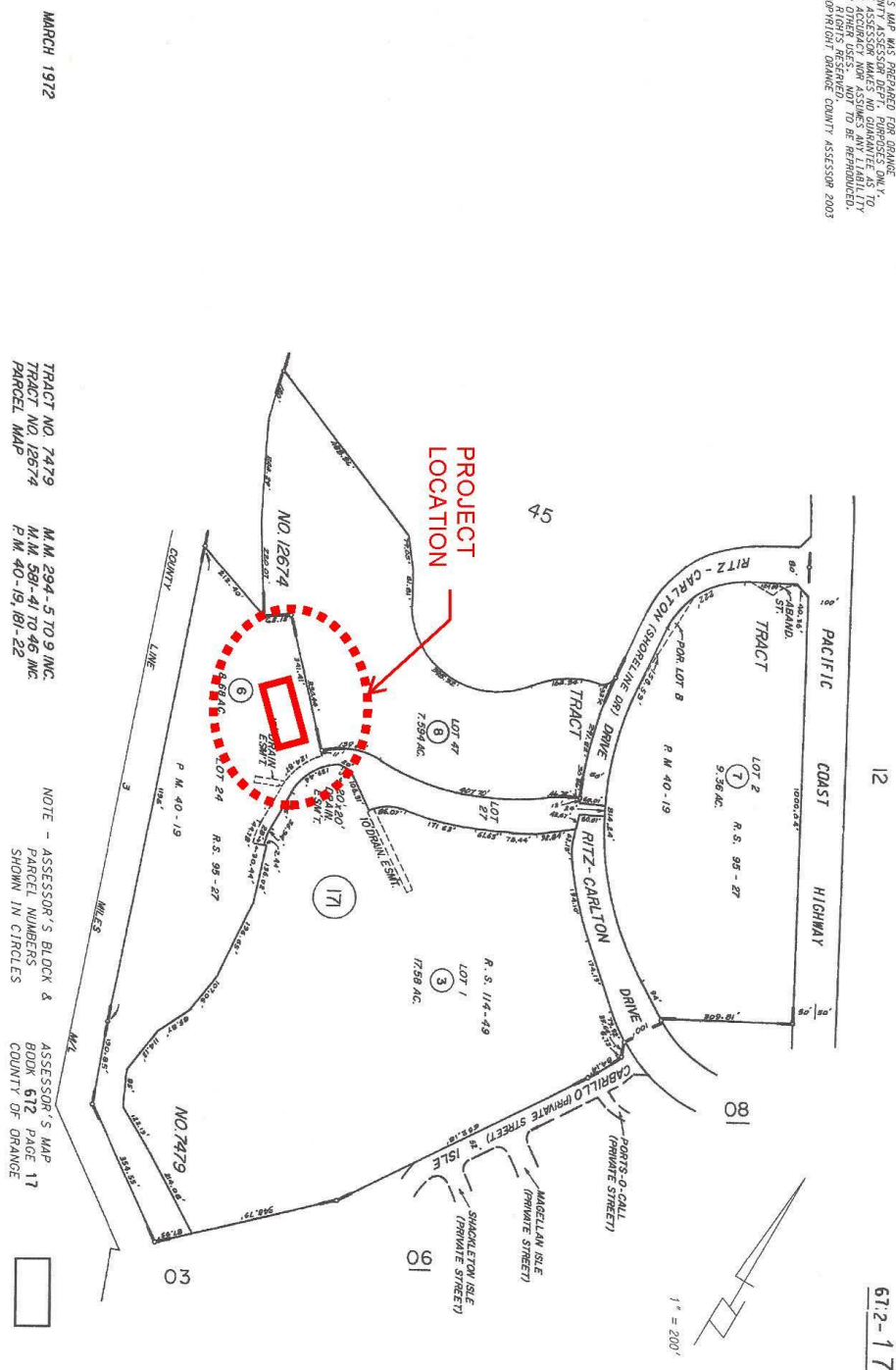
 P.O. Box 4048  
Santa Ana, CA 92702-4048  
 [info@ocpw.ocgov.com](mailto:info@ocpw.ocgov.com)

 (714) 667-8800  
 [OCPublicWorks.com](http://OCPublicWorks.com)



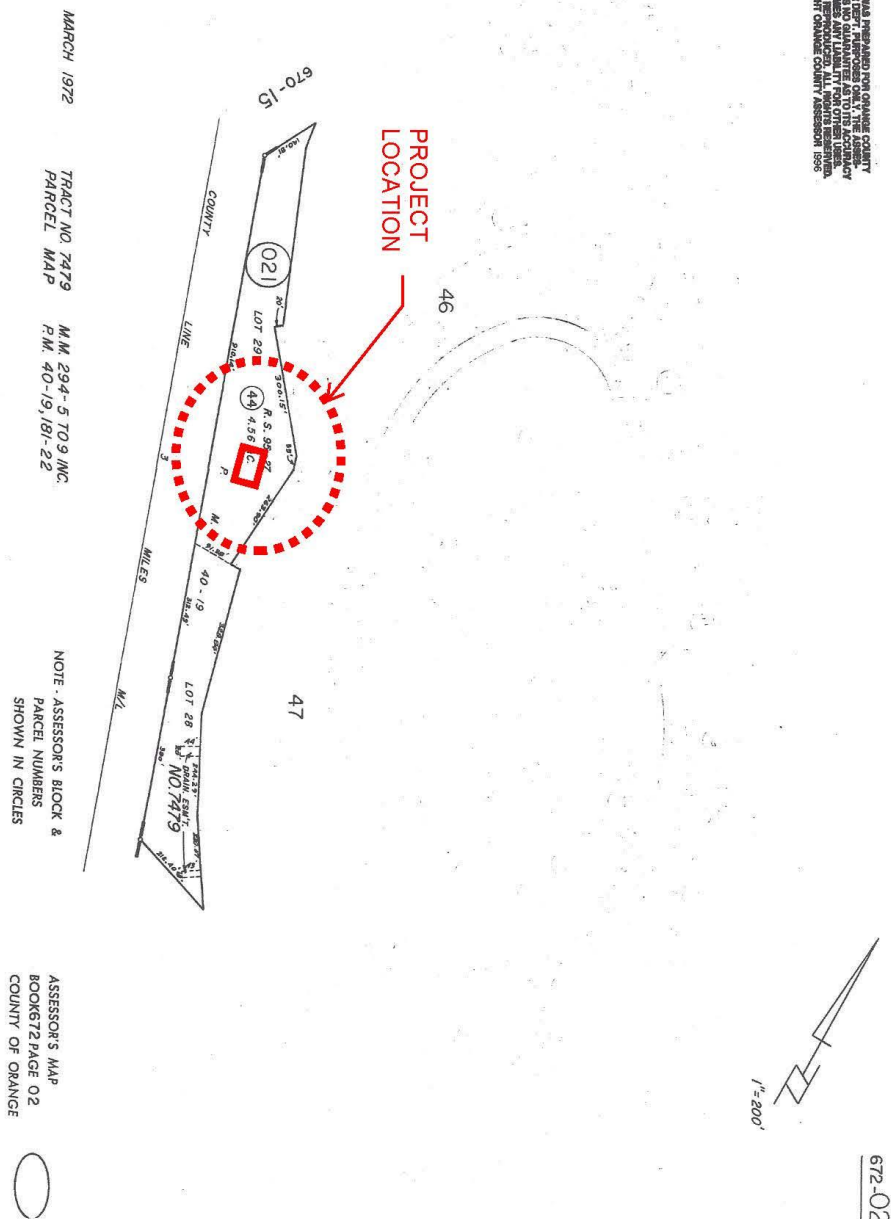
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**SUPPORTING DOCUMENT 3:** Location Map

**LOCATION MAP**

