

CITY OF DANA POINT

Monday
February 24, 2025
6:00 p.m.



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

PLANNING COMMISSION REGULAR MEETING AGENDA

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
FEBRUARY 10, 2025**

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

ITEM 2: 2024 HOUSING ELEMENT ANNUAL PROGRESS REPORT

Location: Citywide

Request: Review the 2024 Housing Element Annual Progress Report, as required by State law, to show progress on the General Plan Housing Element.

Environmental: In accordance with the California Environmental Quality Act (CEQA), the 6th Cycle 2021-2029 Housing Element was found to be categorically exempt pursuant to Section 15061(b)(3). The Housing Element Annual Progress Report does not require further CEQA action.

Recommendation: That the Planning Commission review the 2024 Housing Element Annual Progress Report and direct staff to forward to the City Council.

Staff Contact Information: Natalie Tran (Assistant Planner)
Email: ntran@danapoint.org
Phone: (949) 248-3549

D. PUBLIC HEARING

ITEM 3: APPEAL OF THE COMMUNITY DEVELOPMENT DIRECTOR'S DETERMINATION THAT THE PROPOSAL TO CONSTRUCT AN ACCESSORY DWELLING UNIT (ADU) AT THE SUBJECT PROPERTY DOES NOT COMPLY WITH THE DANA POINT ZONING CODE, LOCATED AT 26941 CALLE DOLORES

Applicant: Red Bluff Funding, LLC

Owner: Stephen Niednagel

Location: 26941 Calle Dolores (APN: 123-332-12)

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Environmental: Pursuant to the California Environmental Quality Act (CEQA), determining the status of the application is not a “project” per CEQA Guidelines Section 15378 and it qualifies for the “common sense” exemption since the determination has no potential for causing a significant effect on the environment.

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

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

ITEM 4: SITE DEVELOPMENT PERMIT SDP24-0020 TO ALLOW A 946-SQUARE-FOOT, SECOND-STORY ACCESSORY DWELLING UNIT (ADU), AND A 312-SQUARE-FOOT, SECOND-STORY ADDITION TO AN EXISTING 2,046-SQUARE-FOOT, SINGLE-STORY NONCONFORMING SINGLE FAMILY DWELLING (SFD) LOCATED AT 26706 CALLE SALIDA

Applicant: Ron Sterry

Owner: Thomas Porter and Jenna McIlvene

Location: 26706 Calle Salida (APN: 123-433-32)

Request: A Site Development Permit to allow a second-story ADU addition totaling 946 square feet to an existing 2,046-square-foot, nonconforming, single-story, single-family dwelling (SFD), and to allow a 312-square-foot, second-story expansion to a nonconforming structure conforming as to use.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorically Exempt per Section 15303(a) (Class 3 – New Construction or Conversion of Small Structures) since the project consists of an accessory dwelling unit in a residential zone.

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Recommendation: That the Planning Commission adopt the resolution approving Site Development Permit SDP24-0020.

Staff Contact Information: Natalie Tran (Assistant Planner)
Email: ntran@danapoint.org
Phone: (949) 248-3549

ITEM 5: CONSTRUCTION OF A SECOND-STORY ACCESSORY DWELLING UNIT TOTALING 856 SQUARE FEET TO AN EXISTING SINGLE-STORY, SINGLE-FAMILY DWELLING LOCATED AT 34761 CALLE FORTUNA

Applicant: Tiffany Perez

Owner: Tarvis Mellem

Location: 34761 Calle Fortuna (APN: 123-224-11)

Request: Approval of a Site Development Permit to construct a second story Accessory Dwelling Unit (ADU) totaling 856 square feet to an existing single-story, single-family dwelling (SFD) with an attached two-car garage within the Residential Single Family 7 (RSF 7) District.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorically Exempt per Section 15301(e)(2) (Class 1 – Existing Facilities) since the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan, the area in which the project is located is not environmentally sensitive, and the project consists of the construction of a second-story addition of an 856 square foot ADU.

Recommendation: That the Planning Commission adopt the resolution approving Site Development Permit SDP24-0026 to construct a second story accessory dwelling unit totaling 856 square feet.

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

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ITEM 6: APPEAL BY THE CENTER FOR NATURAL LANDS MANAGEMENT (CNLM) OF THE DIRECTOR'S INCOMPLETE DETERMINATION OF COASTAL DEVELOPMENT PERMIT APPLICATION CDP24-0022

Applicant/
Appellant: Center for Natural Lands Management

Owner: City of Dana Point (Public Trail System Only)

Location: Dana Point Headlands Conservation Park (Planning Area 7) (APN: 672-591-11)

Request: Appeal of the Community Development Director's determination and that CDP Application No. 24-0022, submitted to the City of Dana Point by CNLM is incomplete.

Environmental: The filing of an appeal challenging the determination of completeness within the 30-day review period pursuant to the Permit Streamlining Act is administrative in nature and does not involve any physical changes to the environment. Therefore, the appeal request would not have a significant effect on the environment. Based on the above analysis, the project is exempt from CEQA under the commonsense exemption provided in Section 15061(b)(3) of the CEQA Guidelines.

Recommendation: 1) That the Planning Commission deny the appeal filed by Center for Natural Lands Management (CNLM) and uphold the Community Development Director's Incompleteness Determination related to CDP24-0022.

or;

2) That the Planning Commission approve the appeal filed by CNLM and overturn of the Community Development Director's Incompleteness Determination of CDP24-0022.

Staff Contact Information: Chris Johnson (Principal Planner)
Email: cjohnson@danapoint.org
Phone: (949) 248-3570

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- E. OLD BUSINESS**
- F. NEW BUSINESS**
- G. STAFF REPORTS**
- H. COMMISSIONER COMMENTS**
- I. ADJOURNMENT**

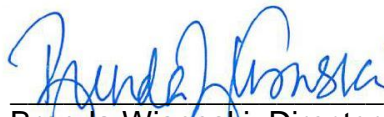
The *next* Regular Meeting of the Planning Commission will be held on March 10, 2025, beginning at 6:00 p.m. (or as soon thereafter) in the City Council Chambers located at 33282 Golden Lantern, Suite 210, Dana Point, California.

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 February 20, 2025, I caused the above notice to be posted at Dana Point City Hall and danapoint.org.



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.