

CITY OF DANA POINT

CITY COUNCIL REGULAR MEETING



**TUESDAY
MARCH 18, 2025
5:00 P.M.**

AGENDA

Location: City Council Chamber, 33282 Golden Lantern, Suite 210, Dana Point, California 92629

Next City Council Ordinance No. 25-06

Public comment may be provided in-person, electronically, or by mail. Comments may be submitted via mail: City Clerk, 33282 Golden Lantern, Dana Point, CA 92629; or via email at comment@danapoint.org. To be provided to the City Council *prior* to the meeting, comments must be received by 4:00 P.M. on the day of the meeting. Comments should include the date of the meeting as well as reference to the Agenda Item number, if applicable. Written comments will not be read aloud during the meeting but are considered a public record and will be included in the meeting record.

CALL TO ORDER

ROLL CALL OF CITY COUNCIL MEMBERS:

Matthew Pagano, Mayor
John Gabbard, Mayor Pro Tem
Jamey M. Federico, Council Member
Mike Frost, Council Member
Michael Villar, Council Member

CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL - DISCUSSION OF ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code § 54956.9 (d)(2), (1 case)
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Government Code § 54956.9 (d)(1), (2 cases)
 - i. Center For Natural Lands Management v City of Dana Point, Orange County Superior Court Case No: 30-2021-01219668 CU-OR-CJC
 - ii. ST Apartments vs. City of Dana Point; OCSC Case NO 30-2024-01397922-CU-WM-CJC

RECESS OF CITY COUNCIL MEETING UNTIL 6:00 P.M.

RECONVENE CITY COUNCIL MEETING

PLEDGE OF ALLEGIANCE

PRESENTATIONS AND PROCLAMATIONS

Volunteer of the Quarter – Jay Emmett Simpson

READING OF ORDINANCE TITLES

At this time, the City Clerk will read the title(s) of the ordinance(s) listed on the agenda.

CONSENT CALENDAR

All matters listed under the Consent Calendar are considered to be routine and all will be enacted by one roll call vote. There will be no separate discussion of these items unless members of the City Council, the public, or staff request specific items be removed from the Consent Calendar for separate action.

1. WAIVE THE READING OF ORDINANCES AND APPROVE READING BY TITLE ONLY

RECOMMENDED ACTION: That the City Council approve the reading by title only of all ordinances and that further reading of such ordinances be waived.

2. [REGULAR MEETING MINUTES, MARCH 4, 2025](#)

RECOMMENDED ACTION: That the City Council approve the minutes.

3. [PLANNING COMMISSION MEETING, FEBRUARY 24, 2025](#)

RECOMMENDED ACTION: That the City Council receive and file the minutes.

4. [CLAIMS AND DEMANDS](#)

RECOMMENDED ACTION: That the City Council receive and file the Claims and Demands.

5. [DEVELOPMENT UPDATE](#)

RECOMMENDED ACTION: That the City Council receive and file the Development Update.

6. [FIRST AMENDMENT WITH ARDURRA GROUP, INC. FOR THE DOHENY VILLAGE CONNECTIVITY IMPROVEMENT PROJECT](#)

RECOMMENDED ACTION: That the City Council:

- 1) Authorize the City Manager, or designee, to execute a First Amendment to the contract with Ardurra Group, Incorporated, to increase the not to exceed amount; and
- 2) Authorize the budget adjustment for CIP #1340 Doheny Village Connectivity Improvements/Design Project per the Fiscal Impact Section of this report.

7. 2024 HOUSING ELEMENT ANNUAL PROGRESS REPORT

RECOMMENDED ACTION: That the City Council receive and file the 2024 Housing Element Annual Progress Report.

8. PERMIT FEE WAIVER FOR KILLER DANA

RECOMMENDED ACTION: That the City Council waive permit fees for Killer Dana Surf Shop to submit an application for a Coastal Development Permit to locate a storage unit adjacent to the day use boater parking lot entrance and place tents in the grass area adjacent to the Puerto Place parking lot for beach gear rental and the sale of beach related merchandise.

PUBLIC COMMENTS

Any person wishing to address the City Council during the Public Comments section or on an Agenda item is asked to complete a "Request to Speak" form available on the table at the side of the Council Chamber. The completed form is to be submitted to the City Clerk prior to the Agenda item being called by the Mayor and prior to the individual being heard by the City Council.

In order to conduct a timely meeting, there will be a three-minute time limit per person and an overall time limit of thirty minutes for this Public Comments portion of the agenda. At the Mayor's discretion, the balance of public comments will be heard after the New Business portion of the agenda. All comments are to be directed to the City Council and shall not consist of any personal attacks. Members of the public are expected to maintain a professional, courteous decorum during their comments. State law prohibits the City Council from taking action on a specific item unless it appears on the posted Agenda.

If anyone has handouts to distribute to the City Council, please follow the proper procedure and hand them to the City Clerk. The City Clerk will see that they are distributed.

PUBLIC HEARINGS

9. CALIFORNIA COASTAL COMMISSION SUGGESTED MODIFICATIONS TO THE CITY'S PRIOR APPROVAL OF GENERAL PLAN AMENDMENT 20-0002, ZONE CHANGE ZC24-0001, SPECIFIC PLAN SP24-0001 THAT ARE INCLUSIVE OF LOCAL COASTAL PROGRAM AMENDMENT LCPA20-0002 FOR VICTORIA BOULEVARD SPECIFIC PLAN

RECOMMENDED ACTION: That the City Council:

- 1) Conduct a public hearing; and
- 2) Review and forward adopted modifications to the California Coastal Commission (CCC) for final certification by adopting a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT GPA20-0002, WITH THE CALIFORNIA COASTAL COMMISSION'S SUGGESTED MODIFICATIONS TO AMEND THE GENERAL PLAN LAND USE ELEMENT BY MODIFYING THE LAND USE DESIGNATION OF "COMMUNITY FACILITIES" AND "RECREATION/OPEN SPACE" AND CREATE A NEW LAND USE

DESIGNATION "VICTORIA BOULEVARD SPECIFIC PLAN." AND AUTHORIZE SUBMISSION OF LOCAL COASTAL PROGRAM AMENDMENT LCPA20-0002 FOR APPROVAL AND CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION FOR THE PROPERTY AT 26126 VICTORIA BOULEVARD.

- 3) Introduce and hold the first reading of an Ordinance adopting the suggested modifications approved by the California Coastal Commission for Zone Change ZC24-0001, as part of Local Coastal Program Amendment LCPA20-0002 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING ZONE CHANGE ZC24-0001 WITH THE CALIFORNIA COASTAL COMMISSION'S SUGGESTED MODIFICATIONS TO AMEND ZONING DESIGNATION FROM COMMUNITY FACILITY AND RECREATION TO "VICTORIA BOULEVARD SPECIFIC PLAN." AND AUTHORIZE THE SUBMISSION OF LOCAL COASTAL PROGRAM AMENDMENT (LCPA20-0002) FOR APPROVAL AND CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION AT 26126 VICTORIA BOULEVARD.

- 4) Introduce and hold the first reading of an Ordinance adopting the suggested modifications approved by the California Coastal Commission for Specific Plan SP24-0001, as part of Local Coastal Program Amendment LCPA20-0002 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING THE VICTORIA BOULEVARD SPECIFIC PLAN SP24-0001 AND INCORPORATE IT AS APPENDIX G OF THE ZONING CODE, WITH THE CALIFORNIA COASTAL COMMISSION'S SUGGESTED MODIFICATIONS TO AMEND AND SUBMISSION AS PART OF LOCAL COASTAL PROGRAM AMENDMENT LCPA20-0002 FOR APPROVAL AND CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION FOR THE PROPERTY LOCATED AT 26126 VICTORIA BOULEVARD.

- 5) Review and forward adopted modifications to the California Coastal Commission for final certification by adopting a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, ADOPTING THE CALIFORNIA COASTAL COMMISSION'S SUGGESTED MODIFICATIONS TO LOCAL COASTAL PROGRAM AMENDMENT LCPA20-0002, FOR SUBMISSION OF GENERAL PLAN AMENDMENT 20-0002, ZONE CHANGE ZC24-0001, SPECIFIC PLAN SP24-0001 AS LOCAL COASTAL PROGRAM AMENDMENT LCPA20-0002 AND REQUESTING SUBMITTAL TO AND FINAL CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION FOR THE PROPERTY AT 26126 VICTORIA BOULEVARD.

UNFINISHED BUSINESS

10. [TRAFFIC IMPROVEMENT SUBCOMMITTEE APPOINTMENT](#)

RECOMMENDED ACTION: City Council appoint Greg Miller-Jones to the Traffic Improvement Subcommittee for a 4-year term expiring March 31, 2029.

NEW BUSINESS

11. RESOLUTION OF INTENT TO RENEW THE DANA POINT TOURISM BUSINESS IMPROVEMENT DISTRICT FOR JULY 1, 2025 TO JUNE 30, 2030

RECOMMENDED ACTION: That the City Council adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, DECLARING ITS INTENTION TO RENEW THE DANA POINT TOURISM BUSINESS IMPROVEMENT DISTRICT (DPTBID) AND FIXING THE TIME AND PLACE OF A PUBLIC MEETING AND A PUBLIC HEARING THEREON AND GIVING NOTICE THEREOF

12. INTRODUCTION OF AN ORDINANCE ESTABLISHING SPEED LIMITS CITYWIDE

RECOMMENDED ACTION: That the City Council introduce and hold the First Reading of an Ordinance of the City of Dana Point entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AMENDING AND REPLACING DANA POINT MUNICIPAL CODE, CHAPTER 12.16.010, ESTABLISHING SPEED LIMITS IN THE CITY OF DANA POINT PURSUANT TO THE CALIFORNIA VEHICLE CODE.

13. SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (SCAQMD) PROPOSED AMENDED RULE (PAR) 1111 AND 1121 LETTER OF CONCERN

RECOMMENDED ACTION: That the City Council authorize the Mayor to send a letter of concern to SCAQMD regarding PAR 1111 and PAR 1121 on behalf of the City Council.

PUBLIC COMMENTS (Continued)

COUNCIL REPORTS, INCLUDING CITY RELATED MEETINGS ATTENDED

The City Council may discuss, act upon or seek consensus on matters described under Council Reports only if: they are agendized with a complete written report included; or, if an item arose subsequent to the posting of the agenda and the Council determines that an emergency exists. Non-agendized items may be presented as informational only.

STAFF REPORTS

(City Manager Michael Killebrew)
(City Attorney Patrick Muñoz)

UPCOMING EVENTS

- March 22 Monarch Butterfly Habitat Workday – Sea Terrace Park
- March 22 Farmers Market and Craft Vendors
- April 5 Farmers Market and Craft Vendors

- April 10 Wildfire Safety Community Meeting – San Juan Cap. Community Ctr.
Hosted by Assemblywoman Laurie Davies with OCFA
- April 12 Farmers Market and Craft Vendors
- April 18 City Hall Offices Closed – Good Friday
- April 19 Egg Hunts
- April 19 Farmers Market and Craft Vendors

ADJOURNMENT

The next Regular Meeting of the City Council will be April 1, 2025, at 5:00 p.m. in the City Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

CERTIFICATION

I, Shayna Sharke, City Clerk of the City of Dana Point, do hereby certify that a copy of the foregoing Agenda was posted at Dana Point City Hall and www.danapoint.org by March 13, 2025, at 5:30 p.m.



SHAYNA SHARKE, CITY CLERK

3/13/2025
DATE

Subscriptions to receive City Council Agendas on a regular basis are available through the City Clerk's Office. Agendas are also available on the City's website at www.danapoint.org. In addition, Agenda related materials (including materials, if any, provided to the City Council after the Agenda was posted) may be reviewed in the office of the City Clerk during regular business hours or on the website at www.danapoint.org.

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 CITY CLERK AT (949) 248-3500 (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.