

**CITY OF DANA POINT  
PLANNING COMMISSION  
REGULAR MEETING ACTION AGENDA**

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March 15, 2010  
6:00 – 7:00 p.m.

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

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**CALL TO ORDER** – Chairwoman Fitzgerald called the meeting to order.

**PLEDGE OF ALLEGIANCE** – Commissioner Newkirk led the Pledge of Allegiance.

**ROLL CALL**

**Commissioners Present:** Commissioner Norman Denton Commissioner Liz Anderson Fitzgerald, Commissioner Gary Newkirk, and Commissioner April O'Connor

Commissioner(s) Absent: Vice-Chairman Ed Conway

**Staff Present:** Kyle Butterwick (Director of Community Development), John Tilton (City Architect/Planning Manager), Christy Teague (Economic Development Manager), Jennifer Farrell (Assistant City Attorney), and Denise Jacobo (Planning Secretary)

**A. APPROVAL OF MINUTES**

**ITEM 1:** **Minutes of the regular Planning Commission Meeting of March 1, 2010.**

**ACTION:** **Motion made (Denton) and seconded (Newkirk) to approve the Minutes of the regular Planning Commission Meeting of March 1, 2010. Motion carried 4-0-1. (AYES: Denton, Fitzgerald, O'Connor NOES: None ABSENT: Conway ABSTAIN: Newkirk)**

**B. PUBLIC COMMENTS**

There were no Public Comments.

**C. CONSENT CALENDAR**

There were no items on the Consent Calendar.

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**D. PUBLIC HEARINGS**

**ITEM 2: Zone Text Amendment ZTA10-0001 – Housing Element Implementation Program.**

Applicant/ City of Dana Point – Community Development Department

Owner:

Location: Citywide

Request: Request for Zone Text Amendment ZTA10-0001 to implement the mandated programs as outlined in the Housing Element.

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, a declaration that the project will not have any significant impacts on the environment, was issued for the project with the accompanying Initial Study. The Negative Declaration (ND) was circulated for a thirty day public review period from February 8, 2010, to March 8, 2010. The City did not receive any comments on the ND.

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.

There were no requests to speak on this item.

**ACTION:** Motion made (Denton) and seconded (O'Connor) to adopt Resolution No. 10-03-15-04 recommending that the City Council adopt a Negative Declaration for Zone Text Amendment ZTA10-0001 for the Housing Element Implementation Program. Motion carried 4-0-1. (AYES: Denton, Fitzgerald, Newkirk, O'Connor NOES: None ABSENT: Conway ABSTAIN: None)

**ACTION:** Motion made (Denton) and seconded (Newkirk) to adopt Resolution No. 10-03-15-05 recommending City Council approval of Zone Text Amendment ZTA10-0001 for the Housing Element Implementation Program. Motion carried 4-0-1. (AYES: Denton, Fitzgerald, Newkirk, O'Connor NOES: None ABSENT: Conway ABSTAIN: None)

**E. NEW BUSINESS**

There was no New Business.

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**F. STAFF REPORTS**

**Kyle Butterwick** (Director) gave several updates:

- The Public Scoping Meeting on the South Shores Church EIR was held on March 4, 2010. Despite a wide interest, public turnout was light. He concluded that the Public Comment period ends in another week.
- Capistrano Unified School District was scheduled to conduct a public hearing on March 9<sup>th</sup> for the proposed Dana Hills High School Performing Arts Facility; however, they have decided to remove the agenda item. The District has decided to conduct a public outreach and will be holding a workshop at the high school to obtain public input from the community within the next 3-4 weeks.
- Two handouts were provided to the Commission:
  - Entitled, “How to do Business in Dana Point” reference guide brochure which addresses how to open a new business. It was prepared by the Economic Development division staff.
  - Newly published guide by the Institute for Local Government on Land Use and Planning as a refresher course.
- He announced Jennifer Farrell the former Deputy City Attorney as the newly promoted Assistant City Attorney.

**Jennifer Farrell** (Assistant City Attorney) described two new developments on the City’s pending litigation against illegal medical marijuana dispensaries: (1) the Supreme Court granted the dispensaries their review; (2) the City has filed six new nuisance abatement complaints against the illegal dispensaries.

**Christy Teague** (Economic Development Manager) reported that the “Tourism Business Improvement District” made up of four resorts have hired a Marketing Agency to advertise Dana Point’s destination.

**G. COMMISSIONER COMMENTS**

**Commissioner Newkirk** reported that he has attended the annual Festival of Whales parade; he also shared that his 4<sup>th</sup> grade son, Nick has participated in the parade route with the Unicycle Club.

**Commissioner Denton** wished everyone a Happy St. Patrick’s holiday.

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**Commissioner O'Connor** reported that she attended the Festival of Whales parade and that her son participated with the Youth Board in guiding the giant inflatable octopus on the parade route.

**Chairwoman Fitzgerald** reported that she has attended the Festival of Whales parade and the outdoor concert at Baby Beach.

**H. ADJOURNMENT**

**Chairwoman Fitzgerald** announced that the *next regular* meeting of the Planning Commission will be held on Monday, April 5, 2010, beginning at 6:00 p.m. (or as soon thereafter) in the Council Chamber located at 33282 Golden Lantern, Suite 210, Dana Point, California.

**The meeting adjourned at 7:00 p.m.**