

# CITY OF DANA POINT

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Monday  
April 13, 2020  
5:30 p.m.



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

## **PLANNING COMMISSION REGULAR MEETING AGENDA**

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### **SAFETY ALERT**

**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 WILL NOT BE PERMITTED TO PHYSICALLY ATTEND THE DANA POINT PLANNING COMMISSION MEETING TO WHICH THIS AGENDA APPLIES. YOU MAY SUBMIT COMMENTS ON ANY AGENDA ITEM OR ON ANY ITEM NOT ON THE AGENDA IN WRITING VIA MAIL TO "PLANNING COMMISSION" AT 33282 GOLDEN LANTERN, DANA POINT, CA 92629 OR BY EMAIL TO [ssheaks@danapoint.org](mailto:ssheaks@danapoint.org). YOU MAY VIEW THE MEETING LIVE ON COX CABLE CHANNEL 855 AND ONLINE ON THE CITY OF DANA POINT YouTube CHANNEL.**

**PLEASE NOTE THAT THE PLANNING COMMISSION IS MAKING EVERY EFFORT TO FOLLOW THE SPIRIT AND INTENT OF THE BROWN ACT AND OTHER APPLICABLE LAWS REGULATING THE CONDUCT OF PUBLIC MEETINGS, IN ORDER TO MAXIMIZE TRANSPARENCY AND PUBLIC ACCESS. IT WOULD BE APPRECIATED IF COMMUNICATIONS OF PUBLIC COMMENTS RELATED TO ITEMS ON THE AGENDA, OR ITEMS NOT ON THE AGENDA, ARE PROVIDED TO [ssheaks@danapoint.org](mailto:ssheaks@danapoint.org) PRIOR TO THE COMMENCEMENT OF THE MEETING. IF THAT IS NOT POSSIBLE, AND TO ACCOMMODATE COMMENTS TO ITEMS THAT MAY BE ADDED TO THE AGENDA AFTER ITS INITIAL POSTING DURING THIS TIME OF EMERGENCY, EVERY EFFORT WILL BE MADE TO ATTEMPT TO REVIEW EMAILS DURING THE COURSE OF THE MEETING. TOWARDS THIS END, THE CHAIRWOMAN WILL ENDEAVOR TO TAKE A BRIEF PAUSE BEFORE ACTION IS TAKEN ON ANY AGENDA ITEM TO ALLOW THE SECRETARY TO REVIEW EMAILS, AND SHARE ANY PUBLIC COMMENTS RECEIVED DURING THE MEETING.**

### **CALL TO ORDER**

**ROLL CALL** Chair Mary Opel, Vice-Chair Eric Nelson, Commissioner Roy Dohner  
Commissioner Danni Murphy, Commissioner Scott McKhann

### **CLOSED SESSION**

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, SIGNIFICANT EXPOSURE TO LITIGATION, Government Code 54965.9(d)(2) (1 case).

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**RECESS OF PLANNING COMMISSION UNTIL 6:00 PM**

**RECONVENE PLANNING COMMISSION**

**PLEDGE OF ALLEGIANCE**

**A: APPROVAL OF MINUTES**

**ITEM 1: Minutes of the Regular Planning Commission Meeting March 9, 2020**

**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**

There are no items on the Consent Calendar.

**D. PUBLIC HEARING**

**ITEM 2: Antenna Use Permit AUP19-0001 (major) and Variance V19-0001 to allow the installation of a 50 foot high, freestanding, commercial wireless telecommunication antenna facility to be housed within a faux bell tower, with variances to allow the proposed antenna facility within 500-feet of another freestanding antenna facility, and to exceed the 35-foot height limit in the community facilities zoning district.**

Applicant: Smart Link on behalf of AT&T

Address: 34381 Calle Portola  
(APN 123-392-01)

Recommendation: That the Planning Commission continue this item to a future date.

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Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is categorically exempt per Section 15303 of the CEQA Guidelines (Class 3 – Construction and Conversion of Small Structures) because the project consists of the installation of a freestanding wireless telecommunication antenna facility.

Request: Major Antenna Use Permit (AUP) and Variance to allow the installation of a 50 foot high, stealth freestanding, commercial wireless telecommunication antenna facility (CWTAf), with variances to allow the proposed CWTAf within 500 feet of another CWTAf, and to exceed the 35-foot height limit in the Community Facilities Zoning District.

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

**ITEM 3: Local Coastal Program Amendment LCPA19-0002/Zone Text  
Amendment ZA19-0002 - Zoning Code Update**

Applicant: City of Dana Point

Address: Citywide

Recommendation: That the Planning Commission adopt the attached draft resolution recommending the City Council approve Local Coastal Program Amendment LCPA19-0002/Zone Text Amendment ZTA19-0002 (Action Document 1).

Staff Contact Information: Sean Nicholas (Senior Planner)  
Email: [snicholas@danapoint.org](mailto:snicholas@danapoint.org)  
Phone: (949) 248-3588

**E. OLD BUSINESS**

There is no Old Business.

**F. NEW BUSINESS**

There is no New Business.

**G. STAFF REPORTS**

**H. COMMISSIONER COMMENTS**

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**I. ADJOURNMENT**

The *next* Regular Meeting of the Planning Commission will be tentatively held on April 27, 2020 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.

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**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 April 10, 2020 I caused the above notice to be posted in three (3) places in the City of Dana Point, to wit: City Hall, Capistrano Beach Post Office, and Dana Point Post Office.



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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.