

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
1000 Oceangate, Suite 1000  
Long Beach, CA 90802-4302  
(562) 590-5071



January 30, 2001

**TO:** Commissioners and Interested Persons**RECORD PACKET COPY****FROM:** Peter Douglas, Executive Director

**SUBJECT:** Executive Director's Determination that City of Dana Point Certified Local Coastal Program (LCP) Amendment Request No. 1-00 is De Minimis (For Commission Concurrence at its February 13-16, 2001 meeting in San Luis Obispo).

**DE MINIMIS LCP AMENDMENT**

The Coastal Act was amended, effective January 1, 1995, to provide for an additional way for the Commission to review amendments to certified Local Coastal Programs. Section 30514(d) was added to allow the Executive Director to make a determination that a proposed LCP amendment is de minimis in nature. The Executive Director must determine that the proposed amendment: 1) would have no impact, either individually or cumulatively, on coastal resources; 2) is consistent with the policies of Chapter 3; and 3) does not propose any change in land use or water use or any change in the allowable use of property. Section 30514(d) requires the local government to notice the proposed de minimis LCP amendment by one of three ways: 1) publication in a newspaper of general circulation; 2) posting on-site and off-site the area affected by the amendment; or 3) direct mailing to owners of contiguous property. The notice must specify the procedure for submitting comments on the proposed amendment.

**DESCRIPTION OF LCP AMENDMENT REQUEST**

City of Dana Point LCP Amendment Request No. 1-00, contained in City Ordinance No. 00-07, would amend the implementing ordinances portion (LIP) of the certified LCP to add manufactured housing as a permitted use within residential zoning districts. Manufactured housing would be required to meet all applicable site development standards including, but not limited to, setbacks and heights. The proposed LIP amendment would apply to all properties within the City's coastal zone that are in the RD-14, RMF 7, 14, 22 and 30 zoning districts.

**EXECUTIVE DIRECTOR'S DETERMINATION**

The Executive Director hereby determines that City of Dana Point LCP Amendment Request No. 1-00 is de minimis. Based on the information submitted by the City, the proposed LCP amendment allows the use of manufactured housing within existing residential land use zones that will have no impact on coastal resources, is consistent with the Chapter 3 policies of the Coastal Act, and does not propose any changes to existing or allowable land or water uses. Additionally, the local government notice of this LCP amendment request was carried out consistent with the notice requirements of Section 30514(d) of the Coastal Act. Therefore, the Executive Director recommends that the Commission concur in the determination that LCP Amendment Request No. 1-00 is de minimis pursuant to Section 30514(d) of the Coastal Act. Unless three or more members of the Commission object to this determination, the amendment shall become part of the certified LCP 10 days after the date of the Commission meeting.

+16

**ORDINANCE NO. 00-07**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, APPROVING AN AMENDMENT TO ADD MANUFACTURED HOUSING AS A PERMITTED USE WITHIN THE MULTI-FAMILY ZONING DISTRICTS. ZONE TEXT AMENDMENT ZTA00-01 AND LOCAL COASTAL PROGRAM AMENDMENT LCPA00-01.**

Applicant: Community Development Department  
File No.: FF# 0610-05/ZTA00-01/LCPA00-01/Citywide

The City Council for the City of Dana Point does hereby ordain as follows:

WHEREAS, a verified application has been submitted to amend the Zoning Code and such amendment would affect properties citywide; and

WHEREAS, the application is for Zone Text Amendment and Local Coastal Program Amendment to amend the Dana Point Zoning Code by revising sections of the Zoning Code as it applies to allowing manufactured housing in the multifamily zoning districts of the City as indicated in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, said verified application constitutes a request as provided by Title 9 of the Dana Point Municipal Code; and

WHEREAS, the Planning Commission did, on the 6th day of September, 2000, hold a duly noticed public hearing as prescribed by law to consider said request and recommended approval; and

WHEREAS, the City Council did, on the 10th day of October, 2000, hold a duly noticed public hearing as prescribed by law to consider said request and recommended approval; and

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, said Council considered all factors relating to Zone Text Amendment ZTA00-01 and Local Coastal Program Amendment LCPA00-01.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Dana Point as follows:

- A) The above recitations are true and correct.
- B) Based on the evidence presented at the public hearing, the City

**Council approves Zone Text Amendment ZTA00-01 and Local Coastal Program Amendment LCPA00-01.**

**Findings:**

**That the above recitations are true and correct.**

- 1) That the proposed amendments are consistent with the Dana Point General Plan and Local Coastal Program in that the amendment will allow for manufactured housing under the same provisions as for a conventional single family detached structure, which is in accordance with Urban Design Element Goal 5, "Achieve design excellence in site planning, architecture, landscape architecture and signage in new development and modifications to existing development." and Land Use Element Policy 1.1, "Develop standards for building intensity, including standards for ground coverage, setbacks, open space/landscaping, maximum dwellings per acre, floor area ratios, size and height restrictions;" Goal 1 of the Housing Element that encourages a variety of residential developments and adequate supply of housing; Policies 1.9, 1.12 that encourage the inclusion of affordable units and to create additional housing opportunities; and Policy 4.1 to ensure that infill development is compatible in design with existing neighborhood character.**
- 2) That the proposed amendments do not conflict with any applicable provisions of the Dana Point Zoning Code and Local Coastal Program, in that the amendment will allow for manufactured housing under the same provisions as for a conventional single family detached structure.**
- 3) That the proposed amendments comply with all applicable provisions of the Dana Point Zoning Code, in that the amendment will allow for manufactured housing under the same provisions as for a conventional single family detached structure.**
- 4) That the proposed amendments comply with all other applicable requirements of state law and local ordinances, including Government Code Sections 65852.3-4.**
- 5) That all public and affected agencies have had ample opportunity to participate in the LCPA process. Proper notice in accordance with the LCPA Amendment procedures has been followed.**

- 6) That all policies, objectives and standards of the LCPA conform to the requirements of the Coastal Act, including that the land use plan, as amended, is in conformance with and adequate to carry out the Chapter Three policies of the Coastal Act. The inclusion of manufactured housing within the multi family zones is consistent with Coastal Act that encourages affordable housing opportunities within the Coastal Zone.
- 7) That Coastal Act policies concerning specific coastal resources, hazard areas, coastal access concerns and land use priorities have been applied to determine the kind locations, and intensity of land and water uses. Given this a code amendment, no specific development is proposed. Any development will be reviewed for compliance with the Coastal Act provisions and other applicable state law.
- 8) That the level and pattern of development proposed is reflected in the Land Use Plan, Zoning Code and Zoning Map. The applicable sections are being amended accordingly to be consistent with state law.
- 9) That a procedure has been established to ensure adequate notice of interested persons and agencies of impending development proposed after certification of the LCPA. Proper notice in accordance with the LCPA Amendment procedures has been followed.
- 10) That zoning measures are in place which are in conformance with and adequate to carry out the coastal policies of the Land Use Plan. The City's Zoning Code is being amended concurrently with the LCP amendment.
- 11) The City certifies that with the adoption of these amendments, City shall carry the local coastal program in a manner fully in conformity with Division 20 of the Public Resources Code as amended, the California Coastal Act of 1976.
- 12) The City certifies that with these amendments to permit manufactured housing within the Multi-family Zoning Districts, the City have proper implementation actions as detailed in the actual wording of the amendments.
- 13) The City certifies that the land use plan, as amended, is in conformity with and adequate to carry out Chapter Three policies of the Coastal Act.

14)The City certifies the implementing actions as amended, are in conformity with and adequate to carry out the provisions of the certified land use plan.

15)The Resolution of the City Council include the Zone Text Amendment and Local Coastal Program amendment numbers ZTA00-01 and LCPA00-01 when submitted to the Coastal Commission.

16)The City certifies that the amendments will be submitted to the Coastal Commission for review and approval as a Diminimus Amendment to the Local Coastal Program.

PASSED, APPROVED, AND ADOPTED this 24<sup>th</sup> day of October, 2000.



INGRID MCGUIRE, MAYOR

ATTEST:



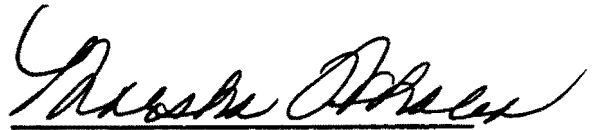
MARSHA WHALEN, CITY CLERK

STATE OF CALIFORNIA  
COUNTY OF ORANGE  
CITY OF DANA POINT

)  
) ss.  
)

I, Marsha Whalen, City Clerk of the City of Dana Point, do hereby certify that the foregoing Ordinance No. 00- 07 was duly introduced and placed upon its first reading at a regular meeting of the City Council on the 10<sup>th</sup> day of October, 2000, and that thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 24<sup>th</sup> day of October, 2000, by the following roll-call vote, to wit:

AYES: Council Members Kaufman, Netzley, Mayor Pro Tem Rayfield  
and Mayor McGuire  
NOES: Council Member Ossemmacher  
ABSENT: None  
ABSTAIN: None

  
MARSHA WHALEN  
CITY CLERK

STATE OF CALIFORNIA  
COUNTY OF ORANGE  
CITY OF DANA POINT

)  
) ss.  
)

AFFIDAVIT OF POSTING

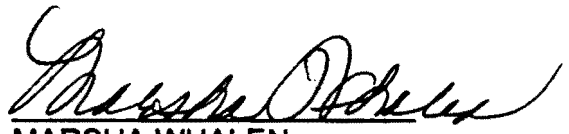
Marsha Whalen, being first duly sworn, deposes, and says:

That she is the duly appointed and qualified City Clerk of the City of Dana Point:

That in compliance with State Laws of the State of California, ORDINANCE NO. 00- 07, being:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
DANA POINT, CALIFORNIA, APPROVING AN  
AMENDMENT TO ADD MANUFACTURED HOUSING AS A  
PERMITTED USE WITHIN THE MULTI-FAMILY ZONING  
DISTRICTS.**

a certified copy of the full text of Ordinance No. 00- 07, along with the names of those City Council Members voting for and against said Ordinance, was caused to be posted in the Office of the City Clerk.

  
MARSHA WHALEN  
CITY CLERK

(SEAL)

**EXHIBIT A**  
**to**  
**CITY COUNCIL ORDINANCE 00- 07**

**Zoning Text Amendment ZTA00-01 and Local Coastal Program Amendment  
LCPA00-02:**

Section 9.07.220 (c) (1) of the City's Zoning Code and Local Coastal Program is hereby revised to read as follows:

"Each manufactured home installation shall at a minimum, comply with the site development standards for the applicable RSF-2, -3, -4, -7, - 8, -12, -14, or -22 zoning districts and for the RD-14 and RMF-7, -14, -22, -30 zoning districts. Manufactured homes shall also adhere to the development standards that are applicable to a conventional single-family dwelling. These are the only zoning districts in which individual manufactured homes may be placed on individual lots. "