

**MINUTES OF THE SPECIAL JOINT STUDY SESSION MEETING  
OF THE COSTA MESA CITY COUNCIL  
AND PLANNING COMMISSION**

**MAY 13, 2013**

**CALL TO ORDER**

The meeting was called to order by the Mayor at 4:30 p.m. in Conference Room 1A at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

**ROLL CALL**

Council Members Present: Mayor Righeimer, Mayor Pro Tem Mensinger, Council Member Leece, Council Member Genis

Council Members Absent: Council Member Monahan

Planning Commissioners Present: Chair Fitzpatrick, Vice Chair Dickson, Commissioner Matthews, Commissioner McCarthy, Commissioner Sesler

Officials Present: Assistant CEO Rick Francis, Public Services Director Ernesto Munoz, Assistant Development Services Director Claire Flynn, Chief of Code Enforcement Willa Bouwens-Killeen, City Clerk Brenda Green

**PLANNING COMMISSION GOALS AND OBJECTIVES (00:01:16)**

**1. Adoption of a Small Lot Subdivision Ordinance (00:01:20)**

Claire Flynn, Assistant Development Services Director, provided an overview of the current code structure on small lot subdivisions; reported that the staff is working with the Building Industry Association to create a small lot subdivision ordinance; and stated that the Planning Commission has approved three projects that have needed variances. (00:01:37)

Discussion ensued concerning variances, changes in zoning, lot size, and small lot ordinances. (00:02:36)

Council Member Genis expressed concern regarding the approval of variances when the legally required findings are not met. (00:07:49)

Council Member Leece requested clarification between a Homeowner's Association versus a Maintenance Association. (00:10:48)

Council Member Genis spoke on the Davis/Sterling Act. (00:12:24)

**PUBLIC COMMENT (00:13:03)**

Chad Brown, representing Melia Homes, spoke on development patterns in the City; suggested an ordinance that is adaptable to conditions; and requested the development community to have input on the draft small lot subdivision ordinance. (00:13:10)

Peter Zender, Developer, spoke on building quality projects, variances, and recommended that parking standards be less rigorous. (00:17:34)

Council Member Genis spoke regarding parking issues and streetscapes. (00:22:47)

Mayor Pro Tem Mensinger spoke on garages being used for storage and requested rules regarding the use of garages for cars only to help solve parking issues. (00:24:51)

## **2. Proactive Enforcement of Convenience Market and Liquor Stores (00:25:34)**

Ms. Flynn spoke on the efforts to bring non-conforming convenience markets and liquor stores up-to-date. (00:25:55)

Vice-Chair Robert Dickson, spoke on the steps taken to address residents concerns pertaining to convenience markets and liquor stores issues. Also spoke on the higher volume of police and fire calls at the businesses that are non-conforming and applying objective standards across the board. (00:26:36)

Discussion ensued regarding a public nuisance ordinance. (00:27:57)

Commissioner McCarthy spoke on a list of new standards that can be imposed on convenience and liquor Stores. (00:29:16)

Ms. Flynn presented a hand-out available to people who are interested in opening a liquor or convenience store. (00:29:58)

Council Member Genis recommended a more strict approach on the findings of public convenience and necessity. (00:30:07)

Mayor Righeimer expressed concern that the city has an excessive amount of liquor licenses for sale. (00:31:23)

## **3. Modification of Fire Prevention Turnaround Requirements (00:32:34)**

Ms. Flynn indicated that staff is working on a new policy and have convened an apparatus committee to test the new turnaround requirements. (00:32:53)

Commissioner McCarthy requested that the new requirements be finalized without delay. (00:33:18)

Council Member Genis stated that the new requirements should not compromise on safety. (00:33:44)

## **4. Motel Solutions and Enforcement (00:34:07)**

Mayor Righeimer spoke on nuisance motels and recommended that problem businesses be monitored and charged a fee for services after a certain level of calls has been reached. (00:34:16)

Discussion ensued regarding the Neighborhood Improvement Task Force. (00:35:21)

Council Member Leece requested that staff research how other cities are solving the problem with the older motels. (00:37:04)

Chair Jim Fitzpatrick, stated that great progress has been made by the Neighborhood Improvement Task Force concerning the nuisance abatement ordinance; spoke on the Police Department's new crime reporting software, and reducing long term hotel and motel stays. (00:38:08)

Discussion ensued regarding the codes pertaining to long term stays at hotels and motels; problems with long term hotel and motels stays; and the importance of working with the hotel and motel managers on permanent use situations. (00:39:39)

Council Member Mensinger requested quarterly reports on the number of police calls to hotels and motels.

#### **5. Additional Parking Requirements for Nightclubs, Coffee Shops with Wi-Fi Access, and Small Food and Beverage Establishments (00:51:10)**

Mayor Righeimer expressed concern on the approval of too many minor conditional use permits and parking deviations.

Discussion ensued regarding parking ratio's for small and large food establishments, nightclubs and coffee shops with Wi-Fi access and the possibility of higher parking ratios. (00:51:58)

#### **6. Updating of Sign Standards and Requirements (00:59:30)**

Mayor Pro Tem Mensinger requested that the planning commission consider signage standards and research what other cities are doing. (00:59:50)

Discussion ensued regarding the lack of signage limitations (height requirements), signs remaining at vacated businesses , off-site signage, and a new sign ordinance. (01:00:26)

#### **7. Development Landscape Pallets For Market Windows and Arterials (01:04:22)**

Mayor Pro Tem Mensinger recommended that this item be referred to the Parks and Recreation Commission. (01:04:28)

#### **8. Review Code Enhancement Project (01:04:43)**

Willa Bowens-Killeen, Chief of Code Enforcement, spoke on hardship cases, enforcement of property maintenance, and working with hardship cases versus repeat violators. (01:06:12)

Mayor Pro Tem Mensinger complimented staff on the improvements made on Joanne Street and the Shalimar Drive area; and suggested additional tree planting. (01:07:46)

Council Member Genis spoke on the need to be flexible on hardship cases; and annoying loudspeakers at car dealerships. (01:08:20)

Chair Fitzpatrick expressed concern on multi-family property violations; and stated staff has been responsive in trying to work positively with problem properties to fix violations. (01:13:19)

Vice-Chair Dickson indicated that new pamphlets are available on property maintenance. (01:17:09)

Mayor Pro Tem Mensinger encouraged before and after pictures to show the improvements on the properties. (01:19:23)

**9. Commissioners Participation In the General Plan Meetings and How Many (01:20:14)**

Mayor Righeimer recommended that if more than two members attend the General Plan Meeting, only one should talk, and for them to not sit together. (01:20:24)

**10. With Liquor Stores, Bars and Restaurants Morphing Into Night Spots, Does Costa Mesa Have Alcohol Related Arrests/Problems Due To These Establishment (01:20:45)**

Council Member Leece spoke on the Driving Under the Influence summit; requested the Police Department to gather crime statistics concerning alcohol-related issues at bars and restaurants and the requirement to train employees about over-serving alcohol. (01:21:00)

Discussion ensued regarding regulations governing restaurants serving alcohol, licensing and guidelines. (01:24:43)

Mayor Pro Tem Mensinger spoke on the high staff turnover rate in restaurants and voluntary guidelines. (01:27:34)

Mayor Righeimer thanked the Planning Commission, City Council, and staff for meeting and recommended items to be completed within twelve months. (01:29:44)

Council Member Genis suggested holding meetings, at least every 18 months, to review goals and keep the lines of communication open. (01:30:20)

The Mayor adjourned the meeting at 6:00 p.m.

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MAYOR

ATTEST:

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CITY CLERK