



**CITY OF COSTA MESA
PLANNING COMMISSION MEETING
Monday – July 8, 2019
MEETING DECISIONS**

***IMPORTANT NOTE:**

The purpose of this summary is to provide timely information regarding the Planning Commission's actions at this meeting. Planning Commission modifications to conditions of approval are shown in underline/~~strikeout~~ format. For more detailed information regarding the Commission's actions, please see the **meeting minutes** for this Planning Commission meeting. You may also contact the Planning Division at (714) 754-5245 for more information.

PUBLIC HEARINGS:

1. **APPEAL OF THE DIRECTOR'S DENIAL OF SPECIAL USE PERMIT SL-16-0014 TO ALLOW A SOBER LIVING FACILITY OPERATED AS THE FELLOWSHIP HOUSE, SERVING TEN PERSONS AND ONE HOUSE MANAGER, AT 2412 ORANGE AVENUE**

Project Description: Special Use Permit 16-0014 is a request to allow a sober living facility serving 10 adults and one house manager to operate in a five-bedroom single-family residence. The special use permit (SUP) was denied by the Director of Development Services. The applicant has appealed that decision to the Planning Commission.

Environmental Determination: The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 (Class 1), Existing Facilities.

Planning Commission adopted a Resolution to uphold the Director's decision and deny Special Use Permit SL-16-0014.

Approved the Motion for Denial, 7-0

2. **ZONING APPLICATION 19-15, A REQUEST FOR A MINOR CONDITIONAL USE PERMIT TO INSTALL A SMALL CELL FACILITY ON TOP OF A REPLACEMENT SOUTHERN CALIFORNIA EDISON STREETLIGHT POLE LOCATED WITHIN THE PUBLIC STREET RIGHT-OF-WAY NEAR 1701 BAKER STREET (ON MESA VERDE DRIVE EAST)**

Project Description: Zoning Application 19-15 is a request for a Minor Conditional Use Permit (MCUP) to install a small cell facility on top of a replacement Southern California Edison streetlight pole located within public

street right-of-way near 1701 Baker Street (on Mesa Verde Drive East). This item was continued from the June 10, 2019 Planning Commission meeting.

Environmental Determination: The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15303 (Class 3), New Construction or Conversion of Small Structures.

Planning Commission continued this item to a date uncertain.

Approved, 7-0

3. **ZONING APPLICATION 19-28, A REQUEST FOR A MINOR CONDITIONAL USE PERMIT TO INSTALL A SMALL CELL FACILITY ON TOP OF A REPLACEMENT SOUTHERN CALIFORNIA EDISON STREETLIGHT POLE LOCATED WITHIN THE PUBLIC STREET RIGHT-OF-WAY NEAR 1993 MEYER PLACE**

Project Description: Zoning Application 19-28 is a request for a Minor Conditional Use Permit (MCUP) to install a small cell facility on top of a replacement Southern California Edison streetlight pole located within public street right-of-way near 1993 Meyer Place. This item was continued from the June 10, 2019 Planning Commission meeting.

Environmental Determination: The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15303 (Class 3), New Construction or Conversion of Small Structures.

Planning Commission continued this item to a date uncertain.

Approved, 7-0

4. **ZONING APPLICATIONS 19-26, 19-27, 19-29, 19-30, AND 19-32, REQUESTS FOR FIVE MINOR CONDITIONAL USE PERMITS TO INSTALL SMALL CELL FACILITIES ON TOP OF REPLACEMENT SOUTHERN CALIFORNIA EDISON STREETLIGHT POLES LOCATED WITHIN PUBLIC STREET RIGHTS-OF-WAY NEAR 3056 WARREN LANE, 1051 CHEYENNE STREET, 3045 BABB STREET, 3107 KILLYBROOKE LANE, AND 615 TOWN CENTER DRIVE (ON AVENUE OF THE ARTS), RESPECTIVELY**

Project Description: Zoning Applications 19-26, 19-27, 19-29, 19-30, and 19-32 are requests for five Minor Conditional Use Permits (MCUPs) to install small cell facilities on top of replacement Southern California Edison streetlight poles located within public street rights-of-way near 3056 Warren Lane, 1051 Cheyenne Street, 3045 Babb Street, 3107 Killybrooke Lane, and 615 Town Center Drive (on Avenue of the Arts), respectively. These items were continued

from the June 10, 2019 Planning Commission meeting.

Environmental Determination: The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15303 (Class 3), New Construction or Conversion of Small Structures.

Planning Commission continued these items to a date uncertain.

Approved, 7-0

5. **PLANNING APPLICATION 19-12, A MASTER PLAN FOR A MIXED-USE PROJECT (THE PLANT) AT 765-767 BAKER STREET AND 2972 CENTURY PLACE**

Project Description: Planning Application 19-12 is a request for a Master Plan for a mixed-use development (The Plant) at 765 - 767 Baker Street and 2972 Century Place. The project consists of the proposed renovation of three existing commercial buildings (containing the former Car Mart and Plant Stand) totaling 19,100 square feet, for retail and restaurant uses surrounding a central courtyard area. In addition, new buildings are proposed consisting of two greenhouse structures at 540 square feet and 700 square feet which will contain food stall uses, and a four-story mixed use building with 48 residential units, 14 live/work units, and 2,570 square feet of workshop/maker office space above a two-level parking structure containing 170 parking spaces. Additionally, 39 on-site open parking spaces and 34 open parking spaces accessible from Century Place are proposed, for a total of 243 proposed parking spaces.

Environmental Determination: The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15332 (Class 32), Infill Development Projects.

Planning Commission adopted a Resolution to approve Planning Application PA-19-12, subject to conditions of approval as modified in the July 8, 2019 Supplemental Memo, with a new Condition of Approval No. 22 added.

New Condition of Approval No. 22: Parking spaces along Century Place shall be open to the general public at all times. A maximum of 26 of the 34 spaces may be time restricted; a minimum of 8 spaces shall be unrestricted.

Approved, 6-1

Commissioner Zich voting no

6. **CODE AMENDMENT CO-19-02 ADDING ARTICLE 23 (NEEDLE AND SYRINGE EXCHANGE PROGRAMS) TO CHAPTER IX (SPECIAL LAND**

USE REGULATIONS) AND AMENDING TABLE 13-30 OF CHAPTER IV (CITYWIDE LAND USE MATRIX) OF TITLE 13 (PLANNING ZONING AND DEVELOPMENT) OF THE COSTA MESA MUNICIPAL CODE, REGARDING THE OPERATION OF CLEAN NEEDLE AND SYRINGE EXCHANGE PROGRAMS IN ALL ZONING DISTRICTS IN THE CITY

Description: In 2018, the City Council adopted an urgency ordinance (Urgency Ordinances 18-07 and 18-08) as an interim measure (also known as a moratorium) prohibiting the establishment and/or operation of hypodermic needle and syringe exchange programs within all zoning districts of the City of Costa Mesa for the protection of the public health, safety and welfare pursuant to Government Code section 65858. Unless extended by the City Council for up to 12 additional months, the moratorium will expire on August 7, 2019.

Since the initial adoption of the moratorium on August 7, 2018, staff has studied the issue of whether, and if so where, a needle exchange program would be an appropriate use within the City of Costa Mesa. Staff has preliminarily determined that, due the pervasiveness of addiction recovery facilities throughout the City, the provision of easily obtainable syringes and hypodermic needles is not appropriate within Costa Mesa as it would put the recovery of hundreds of recovering addicts at risk. Accordingly, staff has initiated a code amendment which would prohibit the establishment and operation of a needle exchange program within any zoning district in the City.

Environmental Determination: The ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061(b)(3) (General Rule).

Planning Commission recommends that the City Council:

- 1) Find this project statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b)(3) of the CEQA Guidelines; and
- 2) Adopt Code Amendment CO-19-02 amending the following:
 - Adding Article 23 (Needle and Syringe Exchange Programs) to Chapter IX (Special Land Use Regulations) and amending Table 13-30 of Chapter IV (Citywide Land Use Matrix) of Title 13 (Planning Zoning and Development) of the Costa Mesa Municipal Code, regarding the operation of clean needle and exchange programs in all zoning districts in the City.

Approved, 6-1

Commissioner Colbert voting no

Next Meeting: Planning Commission regular meeting, July 22, 2019, 6 PM, City of Costa Mesa Council Chambers, 77 Fair Drive, Costa Mesa, California.