

**MEETING MINUTES OF THE CITY OF
COSTA MESA PLANNING COMMISSION**

July 13, 2020

CALL TO ORDER

The Chair called the Zoom webinar meeting to order at 6 PM.

PLEDGE OF ALLEGIANCE TO THE FLAG

Chair de Arakal led the Pledge of Allegiance.

ROLL CALL

Present: Chair Byron de Arakal, Vice Chair Jeffrey Harlan, Commissioner Kedarious Colbert, Commissioner Marc Perkins, Commissioner Dianne Russell, Commissioner Jenna Tourje, Commissioner Jon Zich

Officials Present: Director of Economic and Development Services Barry Curtis, Assistant Director of Development Services Jennifer Le, Assistant City Attorney Tarquin Preziosi, Interim City Engineer Bart Mejia, Minoo Ashabi, Principal Planner, City Clerk Brenda Green, and Recording Secretary Julie Colgan

ANNOUNCEMENTS AND PRESENTATIONS:

Chair de Arakal read a brief statement into the record regarding COVID-19 and how the public can participate in the meeting.

PUBLIC COMMENTS:

Ms. Colgan stated that one public comment from Al Morelli was received and provided to the Commission and made a part of the record.

There were no attendees on the Zoom webinar that wished to speak during public comment.

The Chair closed public comments.

COMMISSIONER COMMENTS AND SUGGESTIONS:

Commissioner Tourje spoke on following up with Mr. Morelli regarding his email about Target.

Commissioner Perkins spoke on COVID-19.

Commissioner Colbert spoke on the passing of Zindziwa Mandela.

Vice Chair Harlan spoke on Mr. Morelli's concerns about Target adhering to their conditions of approval and on the food drive happening at the Orange County Fairgrounds on Saturdays.

Chair de Arakal spoke on Mr. Morelli email about Target and that he will be following up and also spoke on Governor Newsom's announcement today that counties on the state monitoring list will

be rolling back reopening during the COVID-19 pandemic and Orange County was on the state list.

CONSENT CALENDAR:

None.

PUBLIC HEARINGS

1. **A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL GIVE FIRST READING TO AN ORDINANCE AMENDING TITLE 13 OF THE COSTA MESA MUNICIPAL (ZONING CODE) TO CLEAN UP INTERNAL INCONSISTENCIES BETWEEN VARIOUS CHAPTERS OF THE ZONING CODE AND TO CONFORM TO RECENT REVISIONS TO AND REQUIREMENTS OF STATE LAW (CODE AMENDMENT CO-2020-02)**

Project Description: Zoning Code update (CO-2020-02) amending Title 13 of the Costa Mesa Municipal Code to clean up internal inconsistencies between various chapters of the Zoning Code and to conform to recent revisions to and requirements of State law. The update includes revisions to the following chapters:

- Chapter I, Article 2: Definitions
- Chapter III, Planning Applications
- Chapter IV, Land Use Matrix
- Chapter V, Residential Development Standards
- Chapter V, Commercial and Industrial Development Standards
- Chapter V, Planned Development – Master Plan
- Chapter VI, Off-site Parking Standards
- Chapter VII, Landscape Standards
- Chapter VIII, Sign Standards
- Chapter IX, Wireless Antennas

This item was continued from the June 22, 2020 Planning Commission meeting.

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).

Ms. Colgan stated that one public comment from Mike Lingle was received and provided to the Commission and made a part of the record.

Ms. Ashabi, Principal Planner, presented the staff report.

Discussion with the Commission and staff ensued on uses like arcades and axe throwing that were not included in the update; in Chapter I, Article 2, how residential setbacks are determined; setback requirements for shade structures in Chapter V; in Chapter VI off-site parking standards, whether tandem parking could be used for guest parking space; why staff included a home office in the parking count; whether special use permits require staff approval or Commission approval; from where the finished grade is measured; ADU tandem parking is regulated by the State code; Section 13-6 revisions clarify requirements for private open space per dwelling unit; where artificial turf is allowed; electrical outlets in the attic

should not be banned since they can be required by code; group counseling as a separate item in the matrix and when it will be added to the code; process for the Commission to request staff to bring forth a change to the Zoning code; Chapter V, Section 13-44 and 13-45, the revision to allow a five percent increase in maximum building height in non-residential zoning districts; Chapter V, Article 6, Section 13-60 revision would not allow decks or entry ways to be calculated as open space but a discretionary action by the Commission could be requested to allow the inclusion; and whether staff has encountered any language, provisions or evidence of systematic inequality and institutional racism in Title 13.

PUBLIC COMMENT

The Chair opened the public hearing.

No public comment.

The Chair closed the public comment portion of the hearing.

MOVED/SECOND: Zich/ de Arakal

MOTION: Adopt staff's recommendation and include the landscape provisions.

Vice Chair Harlan asked to amend Section 13-106 (e) to include "but artificial grass or turf" in that section.

During Vice Chair Harlan's amendment Chair de Arakal closed the public hearing.

Chair de Arakal and Commissioner Zich agreed to add Vice Chair Harlan's amendment.

Commissioner Tourje asked to include at a future meeting an addition to the land use matrix for Group Counseling including the parking discussion and definition of group counseling vs. trade and vocational school.

Commissioner Perkins asked to see a parking evaluation including credit for bicycle racks and how parking requirements come with a cost; to reevaluate the landscaping standards in Chapter VII, Title 13; and reevaluate Bicycle Section, Title 4, because it is out of date.

Chair de Arakal and staff discussed when a study to update parking requirements will be happening in the City.

Chair de Arakal spoke on increasing parking space credits for bike racks; in favor of more green in landscaping; and to take a comprehensive look at the City's land use matrix in terms of potential changes and alternative uses for shopping centers and allowing mixed use development; such studies may be addressed in the Housing Element update.

The motion carried by the following roll call vote:

Ayes: de Arakal, Harlan, Colbert, Perkins, Russell, Tourje, Zich

Nays: None

Absent: None

Motion carried: 7-0

ACTION: Planning Commission adopt a Resolution to:

1. Find that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061(b)(3)(General Rule exemption); and
2. Recommend that the City Council give first reading to an Ordinance approving Code Amendment CO-2020-02, amending Title 13 of the Costa Mesa Municipal Code (Zoning Code) with the revision below:

REVISED:

Section 13-106 (e)

(e) Artificial plants are prohibited, but artificial turf may be installed in up to 50 percent of the yard area visible from the public right-of-way subject to approval of the Planning Division (Ord. No. 97-11, § 2, 5-5-97; Ord. No. 99-13, § 2, 9-20-99; Ord. No. 10-2, § 3e., 2-2-10; Ord. No. 16-03, § 2, 3-1-16)

RESOLUTION PC-2020-17 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA RECOMMENDING THAT CITY COUNCIL ADOPT AN ORDINANCE TO AMEND TITLE 13 OF THE COSTA MESA MUNICIPAL CODE TO CLEAN UP INTERNAL INCONSISTENCIES BETWEEN VARIOUS CHAPTERS AND TO CONFORM TO LEGISLATIVE INTENT AND REQUIREMENTS OF STATE LAW (CODE AMENDMENT CO-2020-02)

OLD BUSINESS:

1. PLANNING COMMISSION DISCUSSION OF SYSTEMIC INEQUALITY AND THE FORMATION OF A SUBCOMMITTEE TO ADDRESS THIS TOPIC

Description: At the Planning Commission meeting of June 22, 2020, the Planning Commission directed staff to work with the Chair and Commissioner Perkins to develop a summary letter (Attachment 1) to the City Council requesting the formation of a Human Relations and Equity Committee and to establish a Planning Commission working group to work with the City's Housing Element consultant to ensure that equity and equal opportunity for housing in Costa Mesa are addressed. The Planning Commission directed staff to bring to the Commission at its next meeting the letter regarding the formation of a Human Relations and Equity Committee for consideration by the Commission.

Ms. Colgan noted that two written comments from Corrine Stover and Flo Martin have been received that have been forwarded to the Commission and have been included as a part of the record.

Jennifer Le, Assistant Director of Development Services, presented the staff report.

Discussion with the Commission and staff ensued on about adding the missing discussion on robust public outreach in the letter (Commissioner Tourje); whether the City funds the Orange County Humans Relation Commission (Commissioner Russell); changing reprehensible "killing" to "murder" of George Floyd by Minneapolis PD in Minneapolis Minnesota on May 25, 2020 (Commissioner Colbert); whether changing the word "killing" to "murder" is advisable since the officer charged has not been convicted of the murder yet; Commissioner Zich encouraged Commissioner Colbert to send an individual letter expressing his concerns to City Council; and the different organizational groups referred to in the letter.

Chair de Arakal suggested adding this language to the letter to address Commissioner Tourje concerns about the public outreach – “In that regard, the commission discussed establishing a Planning Commission working group tasked with engaging staff and directly participating in the work program for the development of the 6th Cycle Housing Element, with specific direction to engage in a robust outreach program to receive community input relative to equity and equality in Housing Policies implemented into the 6th Cycle Housing Element”.

Commissioner Tourje and staff discussed whether the City has signed a contract with a consultant for the Housing Element update and whether the scope includes community outreach including the Planning Commission.

Commissioner Tourje and Chair de Arakal discussed how the working group could operate and what to convey to the City Council about the working group when the Housing Element contract is considered.

Discussion with the Commission and staff ensued on what the working group would discuss besides public outreach; background on the City’s former Human Relations and Equity Committee that was disbanded in 2005; and where the City Council would get guidance from in creating a committee.

PUBLIC COMMENTS

The Chair opened public comments.

No public comments.

The Chair closed public comments and the public hearing.

MOVED/SECOND: Tourje/de Arakal

MOTION: Send the letter to the City Council with the language added by the Chair.

Chair de Arakal and Mr. Preziosi discussed whose signatures should be on the letter and that the motion should reflect if not unanimous.

Commissioner Colbert commented on the item.

Commissioner Zich stated concerns with sending something to the City Council without a clear mission for the committee and to have City Council figure it out. He supports having Commissioner Perkins express his desire to a councilmember or the entire City Council to find a sponsor for what he was interested in accomplishing and to have Commissioner Colbert express his concerns directly to the City Council. He supports the passion but not the ambiguity.

Commissioner Tourje, Commissioner Perkins, and Chair de Arakal commented on the item.

The motion carried by the following roll call vote:

Ayes: de Arakal, Harlan, Colbert, Perkins, Russell, Tourje

Nays: Zich

Absent: None

Motion carried: 6-1

ACTION: Planning Commission motion was to send the letter to City Council with language added by the Chair.

The language below replaced the last sentence in the first paragraph on page two of the letter:

In that regard, the commission discussed establishing a Planning Commission working group tasked with engaging staff and directly participating in the work program for the development of the 6th Cycle Housing Element, with specific direction to be involved in a robust community outreach initiative to ensure public input is received and integrated into the Housing Elements goals, policies and objectives.

DEPARTMENTAL REPORT(S)

1. Public Services Report – none.
2. Development Services Report – Mr. Curtis provided an update on the One Metro West project and explained that the project is not moving forward to the City Council at this time per the applicant's request.

CITY ATTORNEY'S OFFICE REPORT(S)

1. City Attorney – none.

ADJOURNMENT AT 8:12 PM

Submitted by:



JENNIFER LE, SECRETARY
COSTA MESA PLANNING COMMISSION