



# City of Costa Mesa

## PLANNING COMMISSION

### Agenda

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**Monday, October 24, 2022**

**6:00 PM**

**City Council Chambers  
77 Fair Drive**

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The Commission meetings are presented in a hybrid format, both in-person at City Hall and virtually via Zoom Webinar. Pursuant to the State of California Assembly Bill 361(Gov. Code §54953(b)(3)) Commission Members and staff may choose to participate in person or by video conference.

You may participate via the following options:

1. Attending in person: Attendees are encouraged to wear masks at their discretion. If you are feeling ill, or if you've been exposed to someone with COVID-19, you may still participate in the meeting via Zoom.
2. Members of the public can view the Commission meetings live on COSTA MESA TV (SPECTRUM CHANNEL 3 AND AT&T U-VERSE CHANNEL 99) or [http://costamesa.granicus.com/player/camera/2?publish\\_id=10&redirect=true](http://costamesa.granicus.com/player/camera/2?publish_id=10&redirect=true) and online at [youtube.com/costamesatv](https://www.youtube.com/costamesatv).

### 3. Zoom Webinar:

Please click the link below to join the webinar:

<https://zoom.us/j/96060379921?pwd=N2lrbzhJM2hWU3puZkk1T3VYTXhoQT09>

Or sign into Zoom.com and “Join a Meeting”

Enter Webinar ID: 960 6037 9921 / Password: 595958

- If Zoom is not already installed on your computer, click “Download & Run Zoom” on the launch page and press “Run” when prompted by your browser. If Zoom has previously been installed on your computer, please allow a few moments for the application to launch automatically.
- Select “Join Audio via Computer.”
- The virtual conference room will open. If you receive a message reading, “Please wait for the host to start this meeting,” simply remain in the room until the meeting begins.
- During the Public Comment Period, use the “raise hand” feature located in the participants’ window and wait for city staff to announce your name and unmute your line when it is your turn to speak. Comments are limited to 3 minutes, or as otherwise directed.

Participate via telephone:

Call: 1 669 900 6833 Enter Webinar ID: 960 6037 9921 / Password: : 595958

During the Public Comment Period, press \*9 to add yourself to the queue and wait for city staff to announce your name/phone number and press \*6 to unmute your line when it is your turn to speak. Comments are limited to 3 minutes, or as otherwise directed.

4. Additionally, members of the public who wish to make a written comment on a specific agenda item, may submit a written comment via email to the [PCPublicComments@costamesaca.gov](mailto:PCPublicComments@costamesaca.gov). Comments received by 12:00 p.m. on the date of the meeting will be provided to the Commission, made available to the public, and will be part of the meeting record.

5. Please know that it is important for the City to allow public participation at this meeting. If you are unable to participate in the meeting via the processes set forth above, please contact the City Clerk at (714) 754-5225 or [cityclerk@costamesaca.gov](mailto:cityclerk@costamesaca.gov) and staff will attempt to accommodate you. While the City does not expect there to be any changes to the above process for participating in this meeting, if there is a change, the City will post the information as soon as possible to the City’s website.

Note that records submitted by the public will not be redacted in any way and will be posted online as submitted, including any personal contact information.

All pictures, PowerPoints, and videos submitted for display at a public meeting must be previously reviewed by staff to verify appropriateness for general audiences. No links to YouTube videos or other streaming services will be accepted, a direct video file will need to be emailed to staff prior to each meeting in order to minimize complications and to play the video without delay. The video must be one of the following formats, .mp4, .mov or .wmv. Only one file may be included per speaker for public comments. Please e-mail to [PCPublicComments@costamesaca.gov](mailto:PCPublicComments@costamesaca.gov) NO LATER THAN 12:00 Noon on the date of the meeting.

Note regarding agenda-related documents provided to a majority of the Commission after distribution of the agenda packet (GC §54957.5): Any related documents provided to a majority of the Commission after distribution of the Agenda Packets will be made available for public inspection. Such documents will be posted on the city's website and will be available at the City Clerk's office, 77 Fair Drive, Costa Mesa, CA 92626.

All cell phones and other electronic devices are to be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to conduct a phone conversation.

Free Wi-Fi is available in the Council Chambers during the meetings. The network username available is: CM\_Council. The password is: cmcouncil1953.

As a LEED Gold Certified City, Costa Mesa is fully committed to environmental sustainability. A minimum number of hard copies of the agenda will be available in the Council Chambers. For your convenience, a binder of the entire agenda packet will be at the table in the foyer of the Council Chambers for viewing.

In compliance with the Americans with Disabilities Act, Assistive Listening headphones are available and can be checked out from the City Clerk. If you need special assistance to participate in this meeting, please contact the City Clerk at (714) 754-5225. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102.35.104 ADA Title II]. Language translation services are available for this meeting by calling (714) 754-5225 at least 48 hours in advance.

En conformidad con la Ley de Estadounidenses con Discapacidades (ADA), aparatos de asistencia están disponibles y podrán ser prestados notificando a la Secretaria Municipal. Si necesita asistencia especial para participar en esta junta, comuníquese con la oficina de la Secretaria Municipal al (714) 754-5225. Se pide dar notificación a la Ciudad por lo mínimo 48 horas de anticipación para garantizar accesibilidad razonable a la junta. [28 CFR 35.102.35.104 ADA Title II]. Servicios de traducción de idioma están disponibles para esta junta llamando al (714) 754-5225 por lo mínimo 48 horas de anticipación.

**PLANNING COMMISSION REGULAR MEETING**

**MONDAY, OCTOBER 24, 2022 - 6:00 P.M.**

**BYRON DE ARAKAL**  
Chair

**JON ZICH**  
Vice Chair

**DIANNE RUSSELL**  
Planning Commissioner

**RUSSELL TOLER**  
Planning Commissioner

**ADAM ERETH**  
Planning Commissioner

**JOHNNY ROJAS**  
Planning Commissioner

**JIMMY VIVAR**  
Planning Commissioner

**TARQUIN PREZIOSI**  
Assistant City Attorney

**JENNIFER LE**  
Director of Economic and  
Development Services

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**ANNOUNCEMENTS AND PRESENTATIONS**

**PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA**  
Comments are limited to three (3) minutes, or as otherwise directed.

**COMMISSIONER COMMENTS AND SUGGESTIONS**

**CONSENT CALENDAR: NONE.**

**PUBLIC HEARINGS:**

1. [PLANNING APPLICATION 22-35 FOR A CONDITIONAL USE PERMIT 22-919 TO OPERATE A NEW CONVENIENCE STORE WITH SALE OF ALCOHOLIC BEVERAGES AND OFF-SITE CONSUMPTION FOOD ITEMS AT 1500 ADAMS AVENUE SUITE 104A](#)

RECOMMENDATION:

Staff recommends the Planning Commission adopt a Resolution to:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Existing Facilities); and
2. Approve Planning Application 22-35, subject to conditions of approval.

Full Agenda Report provided as Attachment 1.

**Attachments:** [Agenda Report](#)

[1. Staff Report](#)

[2. Draft Planning Commission Resolution](#)

[3. Applicant Letter](#)

[4. Vicinity Map](#)

[5. Zoning Map](#)

[6. Site Photos](#)

[7. Project Plans](#)

- 2. [A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL GIVE 22-920 FIRST READING TO AN ORDINANCE APPROVING CODE AMENDMENT CO-2022-XX AMENDING CHAPTER V, ARTICLE 1, SECTION 13-35 \(ACCESSORY DWELLING UNITS\) OF TITLE 13 OF THE COSTA MESA MUNICIPAL CODE TO CLARIFY EXISTING ACCESSORY DWELLING UNIT PROVISIONS AND TO MODIFY STANDARDS TO CONFORM TO RECENT REVISIONS TO STATE LAW \(CODE AMENDMENT CO-2022-01\)](#)

RECOMMENDATION:

Staff recommends the Planning Commission adopt a Resolution to:

1. Find that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.17 and CEQA Guidelines Section 154282(h), and
2. Recommend that the City Council give first reading to an Ordinance approving Code Amendment CO-2022-01, amending Title 13 of the Costa Mesa Municipal Code (Zoning Code) regarding accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs).

Full Agenda Report provided as Attachment 1.

**Attachments:** [Agenda Report](#)

[1. Staff Report](#)

[2. Draft Planning Commission Resolution](#)

[3. Ordinance](#)

[4. Track Changes \(Attachment A to the Ordinance\)](#)

[5. HCD Letter dated March 17, 2022](#)

**OLD BUSINESS: NONE.**

**NEW BUSINESS: NONE.**

**DEPARTMENT REPORTS:**

**1. PUBLIC WORKS REPORT**

**2. DEVELOPMENT SERVICES REPORT**

**CITY ATTORNEY REPORTS:**

**1. CITY ATTORNEY**

**ADJOURNMENT**

**Next Meeting: Planning Commission regular meeting, November 14, 2022.**