



**REGULAR PLANNING COMMISSION
MONDAY, FEBRUARY 9, 2026 - MINUTES**

CALL TO ORDER - The Regular Planning Commission Meeting was called to order by Chair Harlan at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG - Commissioner Klepack led the Pledge of Allegiance.

ROLL CALL

Present: Chair Jeffrey Harlan, Vice Chair Jon Zich, Commissioner Angely Andrade, Commissioner Karen Klepack, Commissioner David Martinez, Commissioner Johnny Rojas; Commissioner Robert Dickson was present via Zoom

Absent: None

ANNOUNCEMENTS AND PRESENTATIONS: None.

PUBLIC COMMENTS - MATTERS NOT LISTED ON THE AGENDA:

Wendy Simao spoke regarding noise concerns at the gym located at 140 17th Street, stating she was awakened at approximately 5:01 a.m. and believes the gym may be operating earlier than permitted hours. She expressed concern about the gym leaving its door cracked open, particularly as warmer weather approaches, and questioned whether proper insulation and ventilation are in place to prevent increased noise impacts from aerobic workouts. She also stated that prior noise monitoring did not adequately reflect typical neighborhood quiet conditions and requested the City ensure compliance moving forward.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Commissioner Andrade thanked attendees for their community engagement on the issue being addressed and expressed appreciation for constituent involvement. She clarified that the Instagram page she previously referenced is Costa Mesa Mutual Aid, encouraging residents to follow it to connect with others working to improve quality of life in Costa Mesa. She also invited the public to attend an upcoming volunteer meet-and-greet event taking place on the 18th.

Commissioner Dickson apologized for missing the previous meeting due to an injury that also prevented attendance that evening. He stated he looks forward to returning at the next meeting.

CONSENT CALENDAR:

1. JANUARY 26, 2025, UNOFFICIAL MEETING MINUTES

MOVED/SECOND: MARTINEZ/ HARLAN

MOTION: to approve Consent Calendar.

The motion carried by the following roll call vote:

Ayes: Chair Harlan, Vice Chair Zich, Commissioner Andrade, Commissioner Dickson, Commissioner Klepack, Commissioner Martinez, Commissioner Rojas

Nays: None

Absent: None.

Recused: None

Motion carried: 7-0

ACTION:

Planning Commission approved consent calendar items.

-----**END OF CONSENT CALENDAR**-----

PUBLIC HEARINGS:

1. INTRODUCTION OF A ZONING CODE AMENDMENT TO REZONE SIXTH CYCLE (2021-2029) HOUSING ELEMENT SITES, IMPLEMENT SPECIFIC HOUSING ELEMENT PROGRAMS TO ENCOURAGE AND FACILITATE HOUSING DEVELOPMENT PER STATE REQUIREMENTS, AND A RESOLUTION TO AMEND THE NORTH COSTA MESA SPECIFIC PLAN FOR CONSISTENCY WITH THE HOUSING ELEMENT SITES REZONING (PCTY-25-0008 AND PSPA-26-0001)

Presentation by Senior Planner, Michelle Halligan.

Commissioners conducted a detailed review of the proposed amendments, raising questions about removing outdated code references, clarifying how the Fairview Developmental Center area will be regulated before its specific plan is adopted, and ensuring consistency between Housing Element sites and existing specific plans in light of a recent Court of Appeals opinion. Discussion also focused on technical standards such as setbacks, open space requirements, density bonus findings, and the new "streamline development review," with some items flagged for possible future code cleanup. Broader policy concerns included if the streamline development review may incentivize one-story development because it does not require a public notice for one story development, wanting to ensure that

permit streamlining efforts will result in the densities described in the Housing Element, incorporating green space and public plaza expectations into objective standards, and confirming adequate outreach and notification to affected property owners. Staff explained that the amendments implement multiple programs that are passed implementation deadlines established in the adopted Housing Element, the amendments are being coordinated with HCD and legal counsel, the City is utilizing state CEQA streamlining tools to expedite the rezoning of Housing Element sites only, and development opportunities on non-Housing Element Measure K sites will be studied in a programmatic EIR, and other zoning code amendments and broader design standards will be explored and refined before City Council consideration. Staff also confirmed that notification of recent court opinion has been sent to Housing Element Sites Inventory property owners and that staff have been holding meetings and answering questions on these sites.

Public comments:

Justin McCusker, representing CJ Segerstrom & Sons/South Coast Plaza, stated that the company submitted letters expressing concerns about the Redondo case and its implications for overlay zoning within the Housing Element. He explained that the properties were originally considered for inclusion in the Housing Element under the understanding that the designation would be additive and would not affect the underlying zoning, and said the company is now requesting removal due to uncertainty caused by a court decision. He added that legal counsel provided recommendations for a method to remove the sites and expressed a willingness to continue working with the City.

Cynthia MacDonald, expressed concerns about the clarity and organization of the draft amendment attachments, stating it was difficult for the public to identify changes and recommended the exhibits be separated for transparency. She questioned terms such as "reasonably necessary," and raised concerns about adopting upzoning on Housing Element sites before completing comprehensive new standards, as well as concerns about permit streamlining that reduces public notification. She urged the City to provide clearer visual examples of development, improve public outreach, and more fully evaluate potential impacts related to traffic, pollution, and city services before moving forward.

Rick Huffman, stated that public outreach during the housing element update process has been inadequate and unclear given the scale of proposed high-density rezonings along major corridors. He expressed concern about potential increases in building height and population without corresponding plans for parks, traffic circulation, transit, or public safety services, and said the maps presented have been difficult for residents to interpret. He cited an example involving the Women's Club property, stating members were unaware their site was proposed

for higher-density zoning, and urged greater transparency and meaningful public engagement before decisions are finalized.

Thomas Colbert, Costa Mesa, stated that he has a pending development application on a Measure K site that is not part of the housing element or any overlay. He explained that the project has been advised to wait until the Measure K rezoning process in November 2026, which he described as a significant hardship for a small business. He requested that staff and the Commission consider an interim path forward for non-Housing Element Measure K sites to be rezoned while the broader process is underway.

George Sakioka, stated that a letter was submitted earlier in the day identifying potential technical inconsistencies between the North Costa Mesa Specific Plan and proposed overlay standards, including differences in height envelopes that could affect housing capacity. He expressed support for continuing the Housing Element implementation process but requested that the Commission direct staff to meet with their team to resolve the noted concerns and housekeeping items before the matter proceeds further.

Tim Paone, reiterated that the legal uncertainty surrounding overlay zoning stems from recent court decisions and not from actions by the City, noting that many jurisdictions statewide are facing similar challenges. Speaking on behalf of the Segerstrom interests, he urged the Commission to address the issue promptly by removing the properties from the Housing Element and ensuring consistency across the General Plan, zoning, and the North Costa Mesa Specific Plan. He stated that resolving the matter now would prevent further complications and allow the property owner to move forward with its long-term business planning and offered to answer questions regarding the submitted letter.

Andrew Kenny, expressed empathy for the concerns raised by others but spoke in support of efforts to increase housing supply, particularly from the perspective of younger residents who are often not present at public meetings. He stated that many people in his demographic are facing significant financial stress related to housing affordability and view additional housing development as urgent and necessary to improve long-term stability and opportunities for homeownership. He urged consideration of the voices of younger and underrepresented residents who are seeking meaningful progress toward affordability and economic sustainability.

Autumn Elliot, stated that her organization previously submitted a letter regarding concerns with the City's reasonable accommodation ordinance. She acknowledged that some suggested revisions were incorporated but asserted that additional changes are still needed to bring the ordinance into compliance with fair housing law, including concerns about provisions that improperly place the burden of proof on applicants. She referenced the *Insight v. Costa Mesa*

Settlement Agreement and urged the Commission to direct staff to continue refining the ordinance in collaboration with Disability Rights California to ensure legal compliance and avoid further delay or litigation.

Wendy Leece, urged the Commission to prioritize transparency and fairness over expediency in implementing changes related to housing. She expressed concern about reducing noticing requirements to 100 feet, stating that residents farther away may be affected without adequate notification, and supported prior comments regarding planning for parks, parking, public safety, and community impacts. She also raised concerns about sober living regulations and encouraged the City to ensure residents are clearly informed of proposed developments through improved outreach and more visible project signage.

Chair Harlan made a motion.

Motion Discussion:

Chair Harlan moved to approve staff's recommendation, including finding the project exempt from CEQA, recommending that City Council adopt amendments to the Zoning Code and the North Costa Mesa Specific Plan related to rezoning Housing Element sites, with modifications to remove the Segerstrom properties from the rezoning and to direct staff to work with another property owner on specific input. The motion was seconded by Commissioner Dickson, who described the proposal as imperfect and largely state-driven but supported advancing it as an interim step toward housing element certification. He also expressed concern about impacts on commercial property owners and emphasized the need for a clear process allowing property owners to request removal from Housing Element opportunity sites; a friendly amendment reflecting that recommendation was incorporated, and staff confirmed that recent requests to add or remove properties would be brought forward through a General Plan amendment for City Council consideration.

Commissioner Martinez made a substitute motion.

Substitute motion discussion:

Commissioner Matinez introduced a substitute motion incorporating the prior motion's core elements along with additional amendments based on prior comments and public input. The substitute included consolidating exempt properties into a single code section, modifying provisions related to trip budgets and allowing projects on lower-income housing element sites to use more relaxed specific plan standards, removing Housing Element site parking minimums for multifamily housing, and expanding flexibility for private and common open space to be provided as publicly accessible open space at the applicant's option. It also

directed staff to conduct a consistency review of the North Costa Mesa Specific Plan and recommended further review of definitions and reasonable accommodation provisions. During discussion, one commissioner voiced opposition, expressing concern that the proposal was rushed, overly state-driven, reduced public oversight, and could significantly alter the city's character without sufficient clarity or public understanding, while affirming support for exempting certain identified properties and clarifying that only the sites specifically listed should be removed.

MOVED/SECOND: MARTINEZ/ANDRADE

MOTION: To move staff's recommendation and the previous motion's additions, with the addition of the following amendments: consolidation of exempt properties into Section 13.83.58.B(3); inclusion of trip budgets prior to ministerial review; allowance for lower-income housing element projects to utilize more flexible specific plan standards; removing multifamily parking minimums on Housing Element sites, and modifying setback provisions (including reducing setbacks from 10 feet to 5 feet and allowing publicly accessible open space in lieu of certain setback requirements); expanded flexibility for private and common open space to be provided as publicly accessible open space; direction to conduct a consistency review of the North Costa Mesa Specific Plan; and recommendation that City Council review the definitions and reasonable accommodation sections in response to public comment.

Ayes:, Commissioner Andrade, Commissioner Rojas, Commissioner Martinez

Nays: Chair Harlan, Vice Chair Zich, Commissioner Klepack, Commissioner Dickson

Absent: None

Recused: None

Motion Failed: 3-4

MOVED/SECOND: HARLAN/DICKSON

MOTION: Move staff's recommendation with addition of exempting the Segerstrom properties from the Housing Element under Section 13.83.58.B(3), consistent with the February 7, 2026 letter. Added direction to staff to conduct a consistency review of the North Costa Mesa Specific Plan and coordinate with the property owner regarding their comments. Add a recommendation that staff continue to meet with property owners who have expressed interest in adding or removal of their properties from the Housing Element opportunity site list.

Ayes: Chair Harlan, Commissioner Andrade, Commissioner Klepack, Commissioner Dickson, Commissioner Rojas, Commissioner Martinez

Nays: Vice Chair Zich

Absent: None

Recused: None

Motion carried: 6-1

ACTION:

The Planning Commission Adopted a resolution to:

1. Find that the project is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.085(a) (SB 131); and
2. Recommend that the City Council adopt an Ordinance amending the following chapters in Title 13 of the Costa Mesa Municipal Code (Zoning Code): a. Chapter I, Article 2, Definitions b. Chapter I, Article 3, Review Authorities c. Chapter III, Planning Applications d. Chapter IV, Citywide Land Use Matrix e. Chapter V, Development Standards, Article 11, Mixed-Use Overlay District f. Chapter VI, Article 1, Residential Districts g. Chapter IX, Article 8, Motels -2- h. Chapter IX, Article 15, Reasonable Accommodations i. Chapter IX, Article 18, Emergency Shelters j. Chapter XII, Article 3, Transportation System Management k. Chapter XV, Group Homes l. Chapter XVI, Group Homes in the R2-MD, R2-HD and R3 Residential Zones and the PDR-LD, PDR-MD, PDR-HD, PDR-NCM, PDC, and PDI (Planned Development Zones)
3. Recommend that the City Council adopt a Resolution or an Ordinance approving an amendment to the North Costa Mesa Specific Plan for consistency with the application of the Mixed-Use Overlay District on Housing Element Opportunity Sites

OLD BUSINESS: None

NEW BUSINESS: None.

REPORT - PUBLIC WORKS - Mr. Yang provided updates on ongoing planning initiatives, housing element implementation efforts, and upcoming City Council items. He also outlined timelines for objective design standards, environmental review coordination, and outreach to property owners regarding housing element site adjustments. Commissioners received the report and asked clarifying questions as needed.

REPORT - DEVELOPMENT SERVICES - Ms. Tai reported that City Council approved second reading of the small lot ordinance for two-unit subdivisions, which will take effect in 30 days and make such subdivisions ministerial in all residential zones. He also noted that Council received an update on the Climate Action and Adaptation Plan, with further policy discussions anticipated in the spring and summer, and that the Ohio House public hearing has been rescheduled to April 21. Additionally, she announced the launch of a new interactive online development map on the Department's website, currently in beta, allowing the public to view parcel-level

information on planning applications, building permits, encroachment permits, and business licenses citywide.

REPORT - ASSISTANT CITY ATTORNEY - None.

ADJOURNMENT AT 8:18 p.m.

Submitted by:

CARRIE TAI, SECRETARY
COSTA MESA PLANNING COMMISSION

DRAFT