

**From:** [HAUSER, JANET](#)  
**To:** [GREEN, BRENDA](#); [TERAN, STACY](#)  
**Subject:** FW: Costa Mesa Bike Lanes  
**Date:** Monday, April 1, 2024 11:24:37 AM

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Please see below.



**Janet Hauser**  
Executive Assistant to Council  
City of Costa Mesa  
77 Fair Drive | Costa Mesa | CA 92626 |  
P (714) 754-5107 M (714)949-3693

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**From:** Mae Hubel <maehubel@gmail.com>  
**Sent:** Sunday, March 31, 2024 4:20 PM  
**To:** CITY COUNCIL <CITYCOUNCIL@costamesaca.gov>  
**Subject:** Costa Mesa Bike Lanes

Hi Costa Mesa City Council,

Just wanted to send along some appreciation and personal perspective for the bike lanes I keep seeing pop up around Costa Mesa!

I moved to Costa Mesa last August and have since been having fun building up my repertoire of “bike-friendly” segments around town -- shortcuts through alleys and parking lots and smaller residential streets to connect bike paths and roads with designated bike lanes. I live on Maple Ave, just off 19<sup>th</sup> street, and regularly (probably once or twice weekly?) will bike around the back bay loop via Santa Ana Ave bike lane to get to the 22<sup>nd</sup> St / Irvine Ave path entrance. I weekly will bike to the beach from home, taking a series of alleys and parking lot cut throughs to dodge gnarly intersections (and avoid biking on 19<sup>th</sup> between Newport and Placentia). Every once in a while I’ll go to Neat Coffee, which I bike to via the back alley behind the DMV to avoid biking on 19<sup>th</sup>. I feel lucky to have the biking experience and confidence to explore new routes, as the process often comes with needing to navigate out of some dicey car-dominant roads.

My roommate recently got a bike, but has found it harder to bike around town with as much ease

because she doesn't feel confident navigating larger roads without a designated bike lane. Sidewalks are often the safest alternative, but pose their own difficulties when spotted with people waiting at a bus stop or folks in wheelchairs less mobile to step out of the way of a biker. I have been showing her some of the bike lanes in the area and hopefully she too can build up her bike-friendly repertoire, but it will come with a learning curve for sure. Every new bike lane closes the gap between another "bike-friendly" segment, reducing the need for so many back alley cut-throughs, reducing the learning curve for a less experienced biker.

I love biking. In every city I have lived, I have felt its profound impact of feeling far more connected to the place I am living. I feel I know the streets better than I ever did by car. I notice more about my surroundings—more coffee shops and restaurants I want to try, libraries and parks I want to explore, hubs of people milling around a taco stand I can hop off and join. I will sometimes chat with someone else stopped at a stoplight next to me. I not infrequently swap recommendations with other bikers about the best bike lanes and bike paths within the area to build a safe and approachable route. I just got back from an evening ride in which I literally just biked up and down Placentia Ave because I needed to let off some steam and I knew I could rely on that bike lane to be clearly designated and well lit. Thank you for that bike lane!!! It has provided not only a functional connection between Hamilton St and Fairview Park on a sunny day but also a space to refresh my mental health at the end of a stressful day.

Anyway, I could talk pretty much endlessly about how biking has changed my life but just wanted to pass along my gratitude for putting these bike lanes into play!

Best,  
Mae Hubel

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**From:** [Aaron Mendoza](#)  
**To:** [CITY CLERK](#)  
**Subject:** For General Public Comment  
**Date:** Friday, March 22, 2024 10:55:58 AM  
**Attachments:** [Outlook-eppowzlh.png](#)  
[Obj. 2 Public Comment Presentation \(1\).pdf](#)  
[Public Comment \(2\).pdf](#)

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Hello,

I am emailing the City Council on behalf of the Tobacco-Free Orange county program advocating for the benefits of a smoke-free outdoor dining policy including the outdoor areas or bars, clubs, restaurants, and catering businesses within the City of Costa Mesa. Attached are a short letter and visual presentation supporting the need for a smoke-free outdoor dining policy including data collected by us from the residents of Costa Mesa.

Thank you,

Aaron Mendoza  
Health Educator | Prevention and Education  
Contact Email: [amendoza@p4w.org](mailto:amendoza@p4w.org)

[Partners4Wellness.org](https://Partners4Wellness.org)



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March 22

**Via Email**

Costa Mesa City Council

77 Fair Drive

Costa Mesa, CA 926926

Dear Members of the City Council,

As a member of our community, I strongly advocate for smoke-free outdoor dining, which should encompass vaping as well, in all restaurant patios, bars, nightclubs, and catering businesses.

Clean air is a fundamental right for all patrons, workers, and passersby. Outdoor areas of eateries and entertainment venues should be places where everyone can enjoy fresh air without exposure to harmful secondhand smoke or aerosols.

Implementing smoke-free policies not only promotes public health but also enhances the overall dining and social experience. It encourages healthier lifestyles and protects the well-being of all individuals, including children and those with respiratory conditions.

Let's prioritize the health and comfort of our community by expanding current smoking ordinances to support smoke-free outdoor dining policies that include vaping in all relevant establishments. Together, we can create spaces that promote wellness and enjoyment for everyone.

# Smoke-Free Outdoor Dining Areas



**Aaron Mendoza**  
Health Educator

**Tobacco Free Orange County Program**



**Partners4Wellness**



**[www.Partners4Wellness.org](http://www.Partners4Wellness.org)**

# Our Goal



Our goal is to pass an ordinance in the City of Costa Mesa prohibiting the use of tobacco products in the outdoor dining areas of; bars, restaurants, nightclubs, and mobile-catering businesses.

# Secondhand Smoke In Bars and Restaurants

**5x**

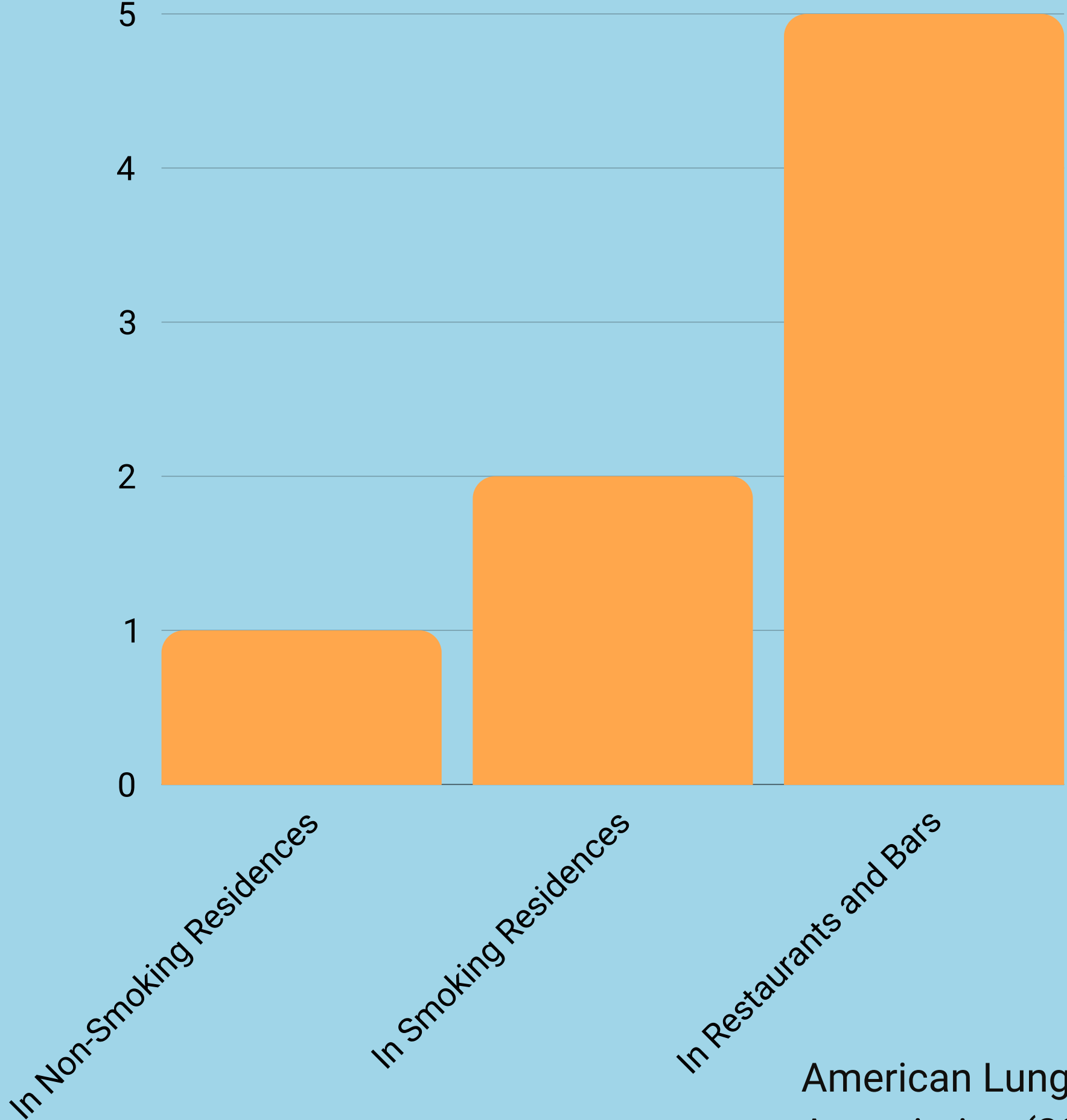
## In Restaurants and Bars

Those who work in restaurants and bars experience 2 to 5 times more exposure to secondhand smoke than those who do not

**2x**

## In Smoking Residences

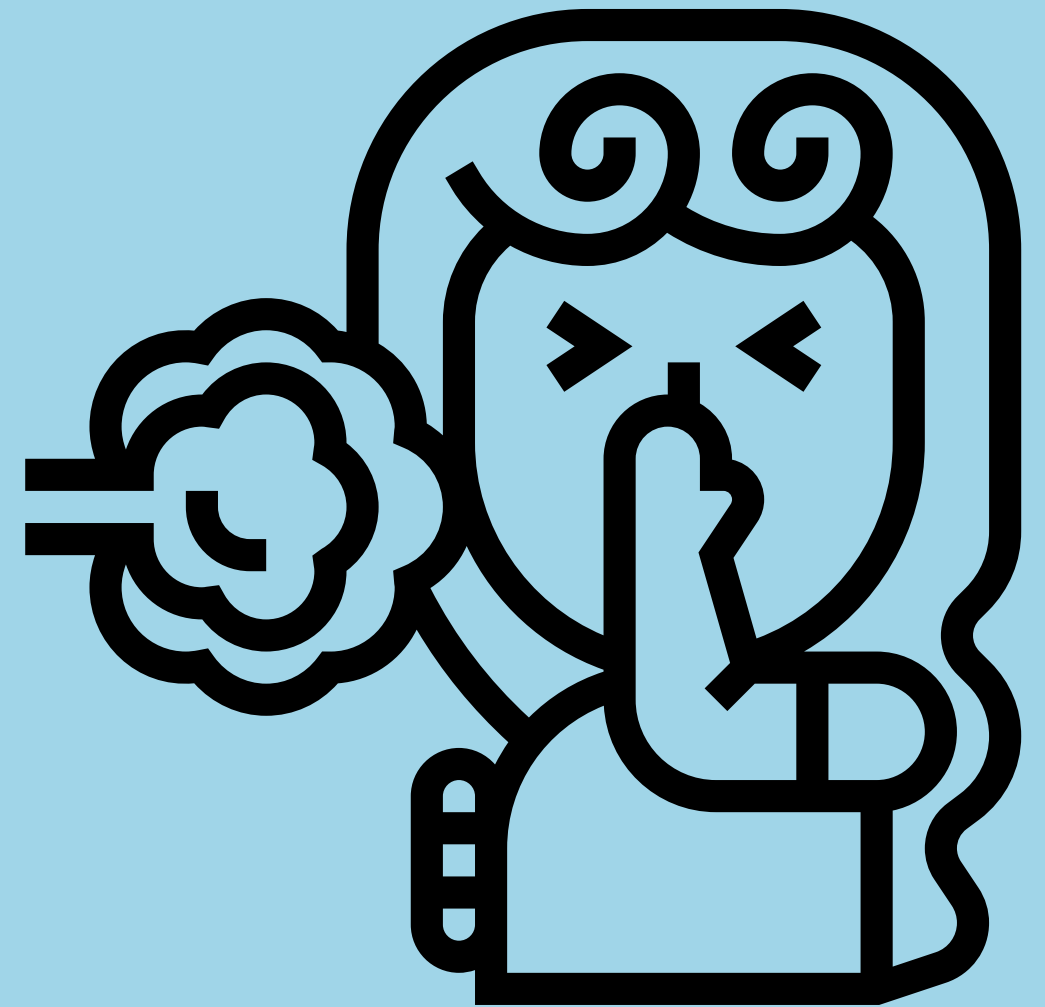
Those who live around smokers experience 2 times more exposure to secondhand smoke than those who do not



American Lung Association (2019)

# Health Effects of Secondhand Smoke

- Secondhand Smoke causes harmful inflammatory and respiratory effects within 60 minutes of exposure which last for up to three hours.
- Exposure to secondhand smoke, even for brief periods, can lead to adverse health effects as there is no safe threshold for inhaling tobacco smoke.





More than 7,000 chemicals have been identified in secondhand tobacco smoke. At least 69 of these chemicals are known to cause cancer, including arsenic, benzene, beryllium, chromium, and formaldehyde.

National Cancer Institute (2022)

## IARC's carcinogen classifications



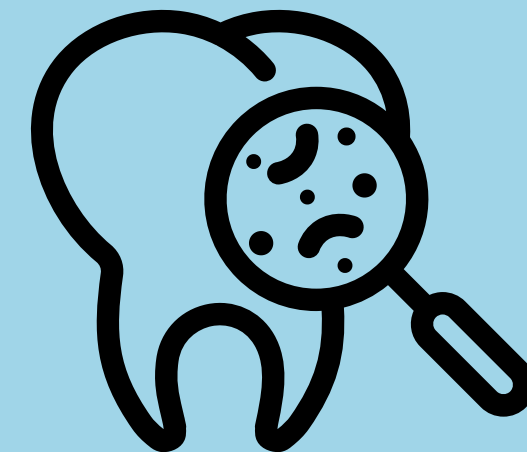
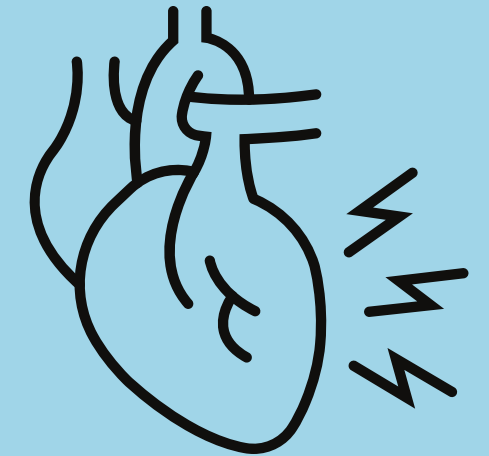
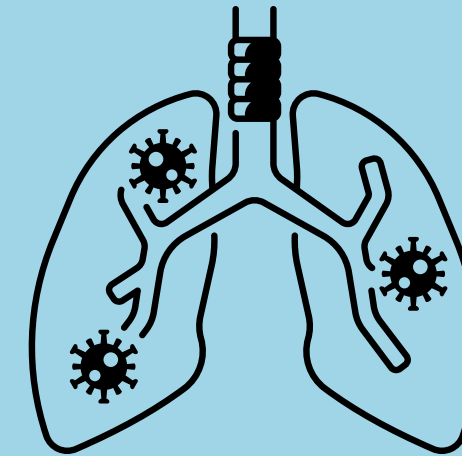
The International Agency for Research on Cancer (IARC) classifies substances to show whether they are suspected to cause cancer or not. It places substances into one of four categories depending on the strength of evidence for their carcinogenicity.

Group	What does it mean?	What does it include?
<b>GROUP 1</b>	<b>Carcinogenic to humans</b> Sufficient evidence in humans, or strong evidence with a relevant mechanism identified.	 Smoking tobacco, exposure to solar radiation, alcoholic beverages, processed meats.
<b>GROUP 2A</b>	<b>Probably carcinogenic to humans</b> Limited or no evidence in humans. Sufficient evidence in animals.	 Emissions from high temperature frying, steroids, exposures from working in hairdressing, red meat, night shift work.
<b>GROUP 2B</b>	<b>Possibly carcinogenic to humans</b> Limited or no evidence in humans. Limited to insufficient evidence in animals.	 Gasoline & gasoline engine exhaust, welding fumes, pickled vegetables, aloe vera whole leaf extract.
<b>GROUP 3</b>	<b>Carcinogenicity not classifiable</b> Inadequate evidence in humans. Inadequate evidence in animals. Often means further research needed.	 Tea, coffee, static magnetic fields, fluorescent lighting, polyethene.
<b>GROUP 4</b>	<b>Probably not carcinogenic</b> Evidence suggesting a lack of carcinogenicity. This group has not been used since 2019.	<b>1</b> Only 1 substance ever placed in this group of all substances assessed. Caprolactam, used in the manufacture of synthetic fibres, was the only substance ever placed in this group, but was moved to group 3 in 2019.

The IARC'S index only tells us how strong the evidence is that something causes cancer. Substances in the same category can differ vastly in how much they increase cancer risk.

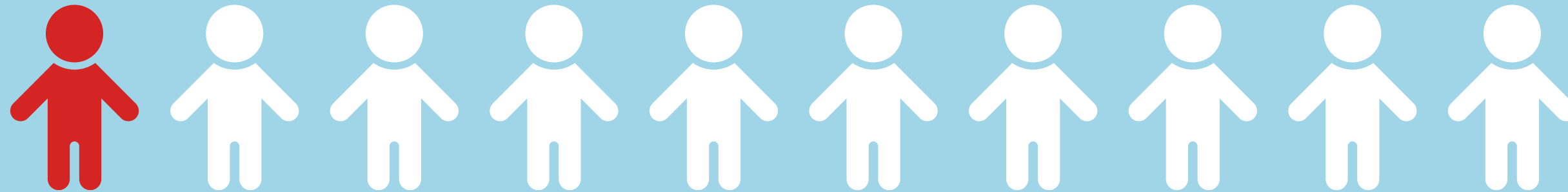
# Consequences of Long-term Exposure to Secondhand Smoke

- Cancer
- Heart Disease
- Decreased Lung Function
- Reproductive Health Issues
- Weakened Immune System
- Dental and Oral Health Problems



Every Year

**1 in 10 infants** are harmed by secondhand smoke



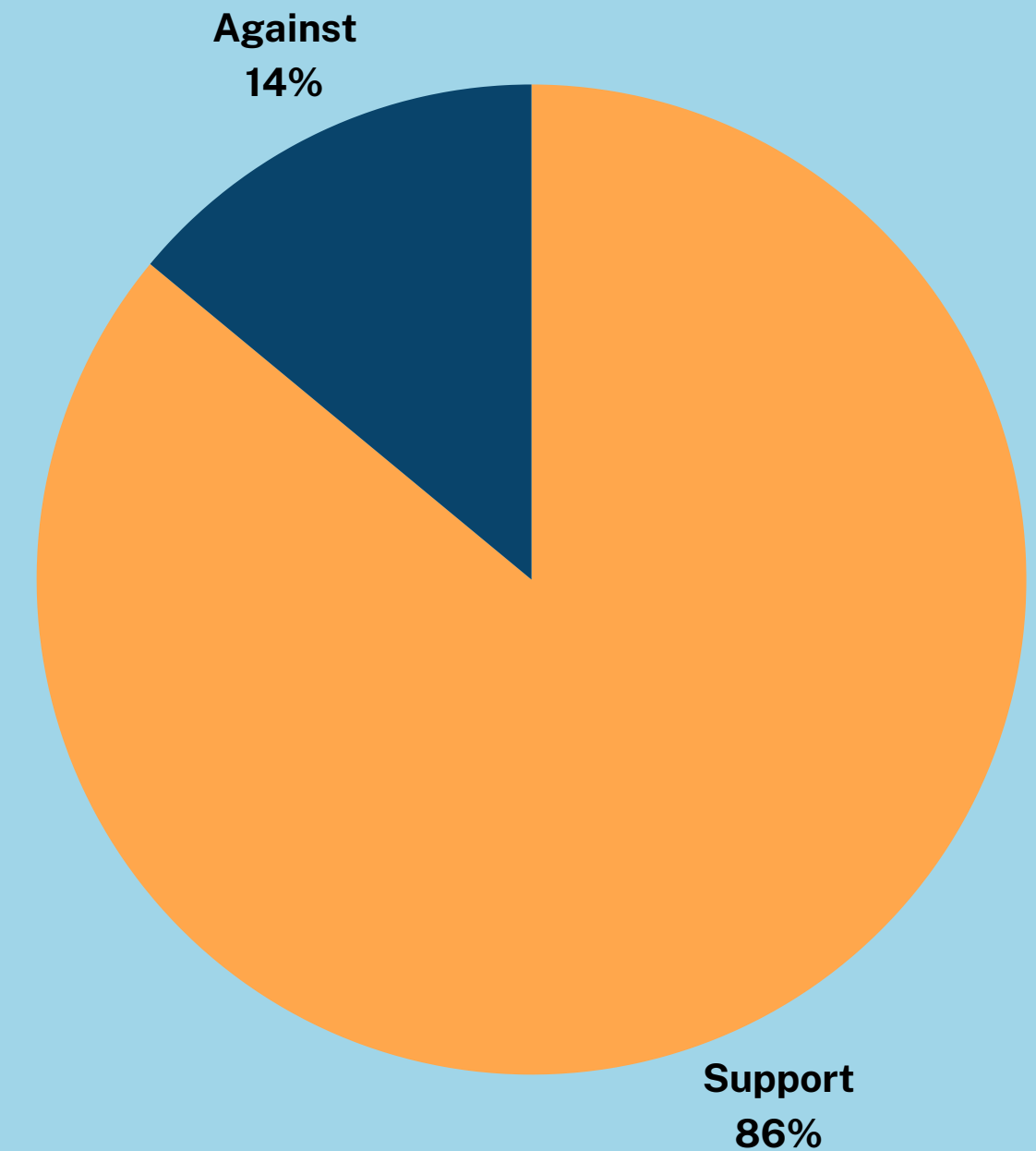
**300,000** infants develop respiratory infections

**15,000** are hospitalized

**430** die of SIDS

# Public Opinion Poll Surveys Results in Costa Mesa

Out of 138 surveys, 86% of  
Costa Mesa Residents  
Supported Banning the  
Use of Tobacco Products  
in Outdoor Dining Areas



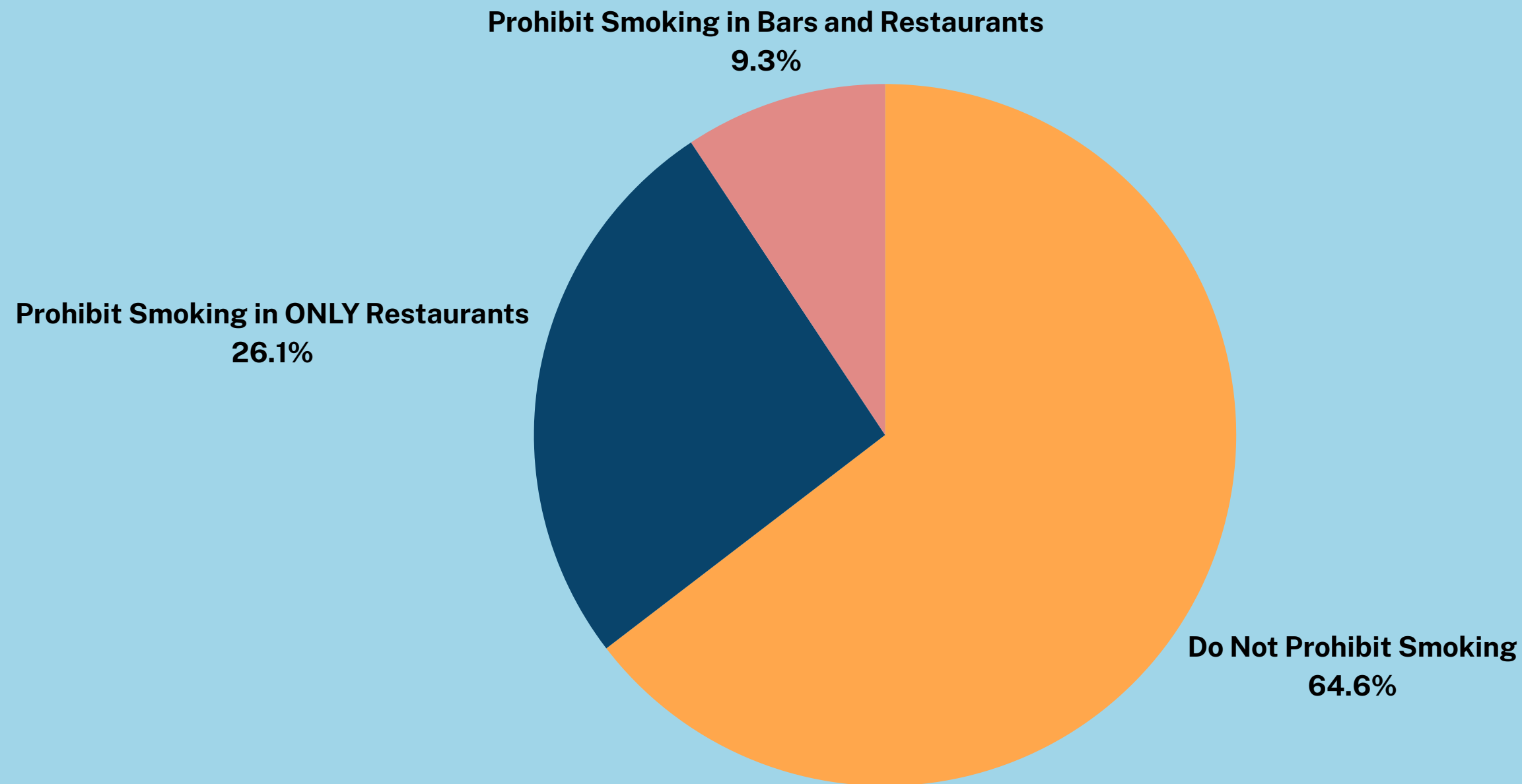
Tobacco Free  
Orange County (2022)

# Benefits of a Smoke-Free Outdoor Dining Policy

- Motivate people to quit smoking
- Prevent the initiation of smoking in adults and youth
- Protect employees of local businesses
- Reduce harm from secondhand and thirdhand smoke
- Combat normalization of tobacco use
- Make Costa Mesa a healthier place to live

American  
Nonsmokers' Rights  
Foundation (2024)

115 out of 482  
California  
Municipalities  
already prohibit  
Smoking in Outdoor  
Areas of Bars and  
Restaurants



Partners for  
CDPH (2024)



# Thank You!

Aaron Mendoza

Health Educator

[amendoza@p4w.org](mailto:amendoza@p4w.org)

Contact Us: [TobaccoFreeOrangeCounty@gmail.com](mailto:TobaccoFreeOrangeCounty@gmail.com)

Visit our website: [www.Partners4Wellness.org](http://www.Partners4Wellness.org)



**From:** [HAUSER, JANET](#)  
**To:** [GREEN, BRENDA](#); [TERAN, STACY](#)  
**Subject:** FW: affordable Housing Ordinance  
**Date:** Thursday, March 28, 2024 12:38:07 PM

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**Janet Hauser**

Executive Assistant to Council  
City of Costa Mesa  
77 Fair Drive | Costa Mesa | CA 92626 |  
P (714) 754-5107 M (714)949-3693

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**From:** Margaret Mooney <mrm492608@gmail.com>  
**Sent:** Thursday, March 28, 2024 12:37 PM  
**To:** CITY COUNCIL <CITYCOUNCIL@costamesaca.gov>  
**Subject:** affordable Housing Ordinance

This is to encourage the city council to adopt a STRONG affordable housing ordinance. This ordinance must include the following requirements:  
15% low income units in new



complexes of 40 plus units per acre, and/or 10% very low income units in complexes of 40 or more units per acre.

In addition the ordinance must include a requirement of 6% lower income or 4% very low income units in complexes of 39 or fewer units per acre.

I look forward to such an ordinance being adopted.

Charles Mooney

# Costa Mesa resident

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**From:** [HAUSER, JANET](#)  
**To:** [GREEN, BRENDA](#); [TERAN, STACY](#)  
**Subject:** FW: Affordable Housing Ordinance  
**Date:** Thursday, March 28, 2024 12:18:01 PM

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Please see below.



**Janet Hauser**  
Executive Assistant to Council  
City of Costa Mesa  
77 Fair Drive | Costa Mesa | CA 92626 |  
P (714) 754-5107 M (714)949-3693

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**From:** Margaret Mooney <mrm492608@gmail.com>  
**Sent:** Thursday, March 28, 2024 12:14 PM  
**To:** CITY COUNCIL <CITYCOUNCIL@costamesaca.gov>  
**Subject:** Affordable Housing Ordinance

I am writing to encourage the city council to adopt a Strong affordable housing ordinance to include:  
15% lower-income units in

complexes of 40 plus units per acre. Please include 10% very low income in complexes of 40 plus units per acre.

I would encourage an ordinance of 6% lower-income units in complexes of 39 or fewer units per acre or 4% very low-income units.

This is very important to our city to lower the incidence of homelessness and offer clean,

attractive housing to our residents.

I have been disappointed with the concerns expressed for the income or benefits to the developers. I suggest we continue to look for developers that focus on low income housing units. Several years ago I spoke with Housing and Development resources serving this area that can

surely refer us to developers of low income housing, Please contact me to assist in efforts to re-establish those contacts.

Margaret Mooney

Costa Mesa resident

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**From:** [Betsy Densmore](#)  
**To:** [STEPHENS, JOHN](#); [REYNOLDS, ARLIS](#); [CHAVEZ, MANUEL](#); [Andrea Marr](#); [HARLAN, JEFFREY](#); [GAMEROS, LOREN](#); [CITY CLERK](#)  
**Subject:** Affordable Housing Ordinance  
**Date:** Friday, March 29, 2024 10:34:33 PM

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Hello gentle people,

Right now, we have a housing shortage which affects everyone from seniors to young professionals to the working poor. Folks who grew up here can't afford an apartment, never mind a house. Service workers that we need to sustain our businesses are choosing between over-crowded apartments, long, wasteful commutes or moving out of state.

Those fortunate to own one of Costa Mesa's single family homes need to recognize that in the long run, our vibrant businesses and the value of their homes depends on the city retaining its diverse, mixed-income population. For this reason, I am glad that the Council is poised to pass an affordable housing ordinance.

Please make sure this ordinance ensures that lower-income units are required in all new apartment complexes. Mixed income developments are consistent with our values and help us to provide for those with fixed incomes, our service workers and young professionals. I strongly support the recommendation that new apartment complexes designate 15% of their units for lower income individuals and families (meaning their income does not exceed 70% of our Average Median Income).

I also charge developers and the city with taking advantage of new building methods, such as off-site prefab, which reduce the unit cost and time needed to construct apartments. Can we encourage retrofits of older buildings? Are we implementing changes in the building code to promote such innovative building methods? They are out there!

More housing ASAP will also slow the "greedflation" trend that has pushed Costa Mesa rents up by about 34% in the last few years.

I think Costa Mesa is better run than many cities because its staff and elected officials are mindful of the need to balance diverse interests. Please do your part with this Housing Ordinance.

Thank you for representing us. I know it's not easy!

Best Regards,  
*Betsy*

Betsy Densmore  
[betsydensmore52@gmail.com](mailto:betsydensmore52@gmail.com)  
949-500-2381

*"If you can convince the lowest white man that he is better than the best black (a.k.a. non-white), he won't notice that you're picking his pockets. Hell, give him someone to look down on and he'll empty his pockets for you." L. B. Johnson, 1960*

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**From:** [Christine Nolf](#)  
**To:** [CITY CLERK](#)  
**Subject:** Advocating for a Strong Affordable Housing Ordinance  
**Date:** Saturday, March 30, 2024 10:20:34 PM

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Dear Mayor and City Council,

Hello, my name is Christine Nolf. I am a lifelong (49 years) Costa Mesa resident and I have been a member of the Costa Mesa Affordable Housing Coalition for over a decade, going on two. From the beginning, our work has centered on having an inclusionary housing ordinance for Costa Mesa. It is very exciting to be at this point of adopting an ordinance.

You may know that I am also a pastor in our city. As a Christian leader, I am bound by the tenets of my faith to lift my voice on behalf of the most vulnerable and marginalized in our community. To be straightforward, the economically poor. Our scriptures are clear that God hears the cries of the oppressed and has set up a system of economic restoration in the face of economies that extract the life out of people. You have an opportunity to participate in shaping an economy of restoration, one that will lift the burden from families most hard-pressed. I urge you to shape a strong inclusionary ordinance that will benefit the most people possible while incentivizing developers.

Let's get this ordinance over the finish line with strong affordability and in lieu fees. I will be there cheering you on along with neighbors who will be impacted.

Here is what I am asking for along with many neighbors:

**15% lower-income units in new apartment complexes of 40+ units per acre (15% low-income or 10% very-low-income)**

**6% lower-income units in new apartment complexes of 39 units or less per acre (6% low-income or 4% very-low-income)**

Gratefully,  
Christine Nolf

CM Resident and Local Pastor

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**From:** [Justin Chandler](#)  
**To:** [STEPHENS, JOHN](#); [REYNOLDS, ARLIS](#); [CHAVEZ, MANUEL](#); [andreamarr@gmail.com](mailto:andreamarr@gmail.com); [HARLAN, JEFFREY](#); [GAMEROS, LOREN](#)  
**Cc:** [CITY CLERK](#)  
**Subject:** Affordable Housing Ordinance  
**Date:** Monday, March 25, 2024 9:45:19 AM

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Good morning, Council Members.

As you prepare for the upcoming council meeting on Tuesday, April 2nd, I'd like to add my voice in support of a **strong** ordinance to create affordable homes our community desperately needs. As I'm sure is true of the neighborhood in which you live, many people are unable to afford the home they currently live in, let alone those who have been experiencing a housing disparity. As we continue to see new housing developments and growth within our city, I would like to see the following support all of our city's residents:

- 15% lower-income units in new apartment complexes of 40+ units per acre (15% low-income or 10% very-low income)
- 6% of lower-income units in new apartment complexes of 39 or fewer units per acre (6% low-income or 4% low-income)
- The “in lieu fee” alternative must be set high enough to:
  - (1) encourage developers to build affordable units rather than pay fees, or
  - (2) generate sufficient funds to build 100% affordable projects sooner rather than later.

I look forward to joining you on Tuesday, April 2nd.

**Justin Chandler**

Lead Pastor

T 714.556.7787



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**From:** [Dave Gundlach](#)  
**To:** [STEPHENS, JOHN](#); [REYNOLDS, ARLIS](#); [CHAVEZ, MANUEL](#); [andreamarr@gmail.com](mailto:andreamarr@gmail.com); [HARLAN, JEFFREY](#);  
[GAMEROS, LOREN](#); [CITY CLERK](#)  
**Subject:** Affordable Housing  
**Date:** Monday, March 25, 2024 3:05:17 PM

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Dear Council Members,

Thanks for all you do for our city! I know it can often be a thankless job, but we appreciate you!

I'm writing regarding your upcoming April 2 council meeting, and I just wanted to add my voice to encourage you to adopt the Affordable Housing Ordinance with at least 15% lower-income units.

Thank you for your consideration,

Dave Gundlach

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Dear Councilmember,

I am a Costa Mesa resident and writing to ask you to adopt a strong affordable housing ordinance to meet the housing crisis. Please adopt the following requirements:

- 15% lower-income units in new apartment complexes of 40+ units per acre (15% low-income or 10% very-low-income)

§ 6% lower-income units in new apartment complexes of 39 units or less per acre (6% low-income or 4% very-low-income).

Thank you for your attention,

Nombre

Promotores de Salud de OC:

Ana Lidia Tutila ED

Juana Maria Trejo CD

**From:** [Curt Rollison](#)  
**To:** [STEPHENS, JOHN](#); [REYNOLDS, ARLIS](#); [CHAVEZ, MANUEL](#); [andreamarr@gmail.com](mailto:andreamarr@gmail.com); [HARLAN, JEFFREY](#); [GAMEROS, LOREN](#); [CITY CLERK](#)  
**Subject:** I strongly support affordable housing!  
**Date:** Sunday, March 31, 2024 8:57:35 PM

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Dear Costa Mesa City Council,

As a Costa Mesa homeowner and resident of District 2, I urge the council to adopt a **strong** affordable housing ordinance to meaningfully address the affordability crisis in our city.

I ask that the council adopt the following lower-income requirements...

- **15% lower-income** units in new apartment complexes of **40+ units** per acre (15% low-income or 10% very-low-income)
- **6% lower-income** units in new apartment complexes of **39 units or less** per acre (6% low-income or 4% very-low-income)

Thank you for your service and careful consideration.

See you Tuesday night at the council meeting,

Curt Rollison

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**From:** [Jessica Rollison](#)  
**To:** [STEPHENS, JOHN](#); [REYNOLDS, ARLIS](#); [CHAVEZ, MANUEL](#); [andreamarr@gmail.com](mailto:andreamarr@gmail.com); [HARLAN, JEFFREY](#); [GAMEROS, LOREN](#); [CITY CLERK](#)  
**Cc:** [Curt Rollison](#)  
**Subject:** Keep Costa Mesa CostAMAZING with more affordable housing!  
**Date:** Sunday, March 31, 2024 9:11:15 PM

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Esteemed City Council members,

I have been a resident of Costa Mesa for the past decade. My husband and I have raised our two young daughters here, and we purchased our first home in the Mesa North/Paularino neighborhood almost three years ago. We love this city so much, it's no surprise that our daughters' initials are "C" and "M"!

Costa Mesa has a strong sense of community, character, and culture, and we wouldn't want to see any of those things squelched by a housing market that continues to drive people out.

I'm asking you to help keep this city vibrant, inclusive, and wonderful by adopting a STRONG affordable housing ordinance at the city council meeting this Tuesday.

Specifically, I would like to see this council adopt an ordinance that includes:

**15% lower-income units in new apartment complexes of 40+ units per acre (15% low-income OR 10% very-low-income)**

**6% lower-income units in new apartment complexes of 39 units or less per acre (6% low-income OR 4% very-low-income)**

This is our opportunity to address the housing crisis in our city and to have a lasting impact on future generations of Costa Mesans.

Thank you for considering this vital opportunity, and thank you for all that you do to serve the city I know you love as much as I do!

With gratitude,

Jessica Rollison

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**From:** [Jim Kiech](#)  
**To:** [STEPHENS, JOHN](#); [REYNOLDS, ARLIS](#); [CHAVEZ, MANUEL](#); [MARR, ANDREA](#); [HARLAN, JEFFREY](#); [GAMEROS, LOREN](#); [HARPER, DON](#); [CITY CLERK](#)  
**Subject:** Low income units  
**Date:** Thursday, March 28, 2024 11:19:27 PM

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Please define the tenant rent for low and very low income housing. Is it a percentage of the HUD prescribed rents for this area, or some other criteria. I can not attend the meeting, but as a Costa Mesa landlord I would like to know this information. Please return this information by email.  
Thank you, Jim Kiech

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**From:** [Kathy Esfahani](#)  
**To:** [STEPHENS, JOHN](#); [REYNOLDS, ARLIS](#); [CHAVEZ, MANUEL](#); [Andrea Marr](#); [HARLAN, JEFFREY](#); [GAMEROS, LOREN](#); [CITY CLERK](#)  
**Subject:** OPEN LETTER TO MAYOR JOHN STEPHENS -- Keep Your Promise!  
**Date:** Monday, March 25, 2024 5:41:20 PM

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## OPEN LETTER TO MAYOR JOHN STEPHENS

### [Keep your promise on affordable housing, Mr. Mayor!](#)

We are individuals and organizations who are deeply concerned about the affordable housing crisis in Costa Mesa. Nearly 11,000 Costa Mesa households are burdened with unaffordable housing costs. These lower-income families are in dire need of affordable housing.

The Costa Mesa City Council must adopt a strong inclusionary housing ordinance to meet this crisis. We urge you, Mr. Mayor, to lead the way in adopting the following inclusionary requirements:

- **15% lower-income units in new apartment complexes of 40+ units per acre. (15% low-income or 10% very-low-income)**
- **6% lower-income units in new apartment complexes of 39 or less units per acre. (6% low-income or 4% very-low-income)**

Also, the “in lieu fee” alternative must be set high enough to (1) encourage developers to build affordable units rather than pay the fees, or (2) generate sufficient funds to build 100% affordable projects sooner rather than later.

Mr. Mayor, you **promised** CM voters that Measure K would bring affordable housing to our town.

[DON'T RENEGE ON THAT PROMISE!](#)

Adopt a strong inclusionary ordinance! We care, and we are watching.

Respectfully,

Christine Brooks Nolf, CM resident and local Pastor

Ian Stevenson, CM resident

Steve and Maria Dzida, CM residents

Rev. Monica Corsaro, Pastor of Fairview Community Church

Robert Sterling, NMUSD teacher, AVID College Prep Program, Save Our Youth, Board Member

Ivan Calderon, small business owner (Taco Mesa)

Elizabeth Densmore, CM resident and small business owner

Rev. Dr. Sarah Halverson-Cano, CM resident and Pastor of Irvine United Congregational Church

Rev. Sian Wiltshire, Pastor of Orange Coast Unitarian Universalist Church

Kim Claytor, CM resident and President at Newport-Mesa Federation of Teachers

Jean Forbath, founder of Share Our Selves (SOS), CM resident

Nadia Flores, CM resident

Mary Ann O'Connell, CM resident and small business owner

Cynthia McDonald, CM resident and officer of Costa Mesa First

Rick Huffman, CM resident and Treasurer of Costa Mesa First

Kyle Paine, CM resident

Flo Martin, CM resident

Jayne Kaycer, CM resident, former Dean of Students at Chapman Law School (ret.)

Dianne Russell, CM resident and former member of CM Planning Commission

Kathy and Bahram Esfahani, CM residents

Jay Humphrey, CM resident and former Vice-Mayor

Cesar Covarrubias, Executive Director of the Kennedy Commission

Linda Tang, CM affordable housing advocate

Christine Cameron, CM resident and public high school teacher (ret.)

Mary Cappellini, Executive Director, Save Our Youth

Libby Cowan, former mayor of Costa Mesa, and Rebecca Chadwick

Rev. Matt Hembrick, Pastor of Costa Mesa United Methodist Church

Caleb Aparicio, LGBTQI+ Project Coordinator, Student Equity Department Office, OCC

Christian Parra- CM resident and Pastor of Iglesia Harbor

Diana Mueller- CM resident

Chris Kretzu, Costa Mesa pastor, South Hills Church

Ashley Anderson, NMUSD trustee representing Westside CM

Justin Chandler, CM resident and Pastor of Harbor Trinity Church

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**From:** [Kathy Esfahani](#)  
**To:** [STEPHENS, JOHN](#); [HARLAN, JEFFREY](#); [MARR, ANDREA](#); [CHAVEZ, MANUEL](#); [REYNOLDS, ARLIS](#); [GAMEROS, LOREN](#); [HARPER, DON](#); [CITY CLERK](#)  
**Subject:** public comment on Affordable Housing Ordinance second reading  
**Date:** Monday, April 1, 2024 3:42:30 AM  
**Attachments:** [CMAHC letter to cc re April 2 vote on IZo.docx](#)

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Please see the attached letter from the Costa Mesa Affordable Housing Coalition regarding Public Hearing Item #1.

Thank you,  
Kathy Esfahani, on behalf of the CMAHC

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April 1, 2024

Mayor Stephens and Members of the City Council  
City of Costa Mesa  
77 Fair Drive  
Costa Mesa, CA

**RE: Require 15% Lower Income Units at 40+ Units/Acre**

Dear Mayor Stephens and Council Members:

Your looming decision on the Affordable Housing Ordinance – **what percentage** of lower income units to require at **what density** and with **how big** of an in lieu fee alternative – is the most consequential choice you will ever make to advance affordable housing in Costa Mesa. Please make the choice count.

We urge you to strengthen the proposed ordinance in two ways:

- (1) Apply the **higher affordability requirements** to developments of **40+ units/acre**.
- (2) Increase the affordability requirements to **15% low income or 10% very low income at 40+ units/acre**.

There are many **reasons to apply the higher affordability requirements to projects of 40+ U/A**. This one should hit close to home: Those of you who campaigned for **Measure K promised** that the new developments allowed by this initiative would include affordable housing. But the current proposal would provide the **barest minimum** of affordable housing along all the **commercial “corridors” south of the 405** where voters expected such housing to be built.

Measure K will allow all these corridors south of the 405 to be rezoned for **high density housing at between 40- 55 U/A**. But under the current proposal, the **smallest affordable requirement** (6% low/4% very low) will apply to **all these properties**.

Do you remember your **campaign promises** that Measure K would allow outdated, failing commercial centers along Harbor and Newport Blvds to be transformed into vibrant, new mixed-use developments that **include affordable units**? It won't happen under the current proposal. Instead, between **94-96%** of the new units built along these corridors will be **market rate** housing. Producing lots of new **market rate** apartments will do next to nothing to address our city's affordable housing crisis.

Nearly half of Costa Mesa's residents (47%) are lower income. Thousands of Costa Mesa families need very-low income affordable units. It is imperative that you **strengthen** the proposed ordinance so that it actually addresses our housing crisis by producing **more units of affordable housing**. Requiring **15% low or 10% very low** income at **40+ U/A** will do that.

Similarly, the **in lieu fees must be raised** to reflect this increased requirement. If you set the in lieu fees too low for developments of 40+ U/A, developers will pay the low fee rather than build units, and it will take **far too long** to amass the funds needed to build 100% affordable projects.

Santa Ana's in lieu fee is now \$15/sq ft.<sup>1</sup> It would be absurd to set Costa Mesa's below that. Moreover, Irvine's in lieu fee is \$29,000 per unit (approx. \$29/sq ft). **Our city's in lieu fee should be somewhere between the fees set by these two neighboring cities**, both of which are highly successful at producing both market rate and affordable units.

Developers are telling you to minimize the percentage of lower income units required (and the in lieu fee alternative) or risk losing their development projects to other cities. But they are bluffing to protect their profit margins. Development has not stalled in Santa Ana or Irvine, despite each city's robust inclusionary requirements.

Why would the Segerstrom family be willing to redevelop South Coast Village into a new mixed use development subject to Santa Ana's 15% affordable housing requirement (or its \$15/sq. foot in lieu fee) but balk at a similar requirement imposed across the street, on the **Costa Mesa** side of Sunflower?

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<sup>1</sup> A note regarding Santa Ana's in lieu fee: In September 2020, the in lieu fee was modified from \$15 to \$5/sq. ft in response to Covid 19 impacts and a change in City Council. "Pipeline projects" immediately took advantage of the in lieu fee reduction to \$5/sq ft, evading the earlier \$15/sq ft requirement. In December 2021, however, the City Council approved the readjustment of the in lieu fee from \$5 sq ft to **\$15 sq ft**.

To date, the \$15/sq ft fee has not impacted housing development in Santa Ana. In fact, the Santa Ana Housing Element shows that the city has over 6,914 new housing units planned in its **pipeline of projects** (2021- Present). Some of these projects will incorporate affordable housing as part of the development and others plan to pay the \$15 sf ft. in lieu fee. These projects are in various stages of development post-2021 and will be coming forward with affordable housing agreements in the next few years. (See table C-2 Pipeline Projects [page C9-C10] in Sanat Ana Housing Element link: [Housing\\_Element\\_-Complete-9.16.22\\_Compressed.pdf](https://storage.googleapis.com/Housing_Element_-Complete-9.16.22_Compressed.pdf) ([storage.googleapis.com](https://storage.googleapis.com)) [go to page 185 ].

We urge you to put the interests of Costa Mesa's lower income residents first. Help create the affordable housing they need by strengthening the proposed Affordable Housing Ordinance to 15% low or 10% very low at 40 U/A.

Respectfully,

*Kathy Esfahani*

Kathy Esfahani,  
On behalf of the Costa Mesa Affordable Housing Coalition

**From:** [Dianne Russell](#)  
**To:** [STEPHENS, JOHN](#); [REYNOLDS, ARLIS](#); [CHAVEZ, MANUEL](#); [HARLAN, JEFFREY](#); [GAMEROS, LOREN](#); [CITY CLERK](#); [MARR, ANDREA](#)  
**Subject:** PH 1  
**Date:** Sunday, March 31, 2024 12:07:55 PM

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Dear Mayor Stephens and Council Members,

I am deeply concerned about the affordable housing crisis in Costa Mesa and want to support the Costa Mesa Affordable Housing Coalitions efforts. Nearly 11,000 Costa Mesa households are burdened with unaffordable housing costs. These lower-income families are in dire need of affordable housing.

The failed trickle down economic theories of the Reagan-Bush years did not work then and they will not work now. We cannot build our way out of the housing crisis. Changing zoning makes land more valuable. We need to recoup some of that value for the community benefit of affordable housing for lower income people who live or work in the city.

The Costa Mesa City Council must adopt a strong inclusionary housing ordinance to meet this crisis. We urge you, our City Council, to lead the way in adopting the following inclusionary requirements:

- 15% lower-income units in new apartment complexes of 40+ units per acre. (15% low-income or 10% very-low-income)
  
- 6% lower-income units in new apartment complexes of 39 or less units per acre. (6% low-income or 4% very-low-income)

Also, the “in lieu fee” alternative must be set high enough to (1) encourage developers to build affordable units rather than pay the fees, or (2) generate sufficient funds to build 100% affordable projects sooner rather than later.

Keep your promises on affordable housing,  
There was a promise to voters that Measure K would bring affordable housing to our town.

**DON'T RENEGE ON THAT PROMISE!**

Adopt a strong inclusionary ordinance! The community cares, and we are watching.

Signed,  
Dianne Russell

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**From:** [Lynell Brooks](#)  
**To:** [HARLAN, JEFFREY](#); [GAMEROS, LOREN](#); [CHAVEZ, MANUEL](#); [andreamarr@gmail.com](mailto:andreamarr@gmail.com); [REYNOLDS, ARLIS](#); [CITY CLERK](#); [STEPHENS, JOHN](#)  
**Subject:** Strong, affordable, housing ordinance  
**Date:** Monday, April 1, 2024 9:55:33 AM

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Dear Costa Mesa City Council,

I am joining with many other concerned citizens of CM to ask you to vote for an ordinance of at least 15% lower-income units in new apartment complexes of 40+ units per acre (15% low-income or 10% very low-income).

Plus 6% lower-income units in new apartment complexes of 39 units or less per acre (6% low-income or 4% very-low-income).

Thank you,

Lynell Brooks

Mesa Verde Resident

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**From:** [Jude and Sara L](#)  
**To:** [STEPHENS, JOHN](#); [REYNOLDS, ARLIS](#); [CHAVEZ, MANUEL](#); [andreamarr@gmail.com](mailto:andreamarr@gmail.com); [HARLAN, JEFFREY](#); [CITY CLERK](#); [GAMEROS, LOREN](#)  
**Subject:** Support for Affordable Housing in Costa Mesa  
**Date:** Sunday, March 31, 2024 3:45:10 PM

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Hi,

I'm writing to ask that you adopt a strong affordable housing ordinance to meet the housing crisis. Please adopt the following requirements:

15% lower-income units in new apartment complexes of 40+ units per acre (15% low-income or 10% very low-income) AND

6% lower-income units in new apartment complexes of 39 units or less per acre (6% low-income or 4% very low income).

Thank you,  
Sara Mooney

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**From:** [Roy Rodas](#)  
**Subject:** Urgent Support for Strong Affordable Housing Ordinance in Costa Mesa  
**Date:** Saturday, March 30, 2024 8:01:05 AM

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Dear Costa Mesa City Council Members,

I hope this message finds you well and in good spirits as we approach Easter Sunday. As a concerned resident and community member, I am reaching out to express my strong support for the adoption of a robust affordable housing ordinance aimed at addressing our city's housing crisis.

The reality of housing affordability in Costa Mesa is reaching a critical point, and it is imperative that we act decisively to ensure that all our residents have access to safe, affordable housing. To this end, I urge the City Council to adopt the following requirements in the new ordinance:

- For new apartment complexes of 40 units or more per acre, a minimum of 15% of the units should be designated for lower-income households, with an alternative option of 10% for very-low-income households.
- For new developments of 39 units or less per acre, the ordinance should require 6% of units to be allocated for lower-income households or 4% for very-low-income households.

These measures are crucial for promoting inclusivity and diversity in our community, ensuring that Costa Mesa remains a vibrant, welcoming city for everyone, regardless of their economic status. By adopting these requirements, we can take a significant step toward mitigating the housing crisis and building a stronger, more resilient community.

Thank you for considering this urgent appeal. I trust in your commitment to the well-being of all Costa Mesa residents and look forward to seeing our city lead the way in affordable housing solutions.

Warm regards,  
Roy Rodas  
*Lead Pastor*  
**Faro Costa Mesa**



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**From:**  
**To:** [STEPHENS, JOHN](#); [REYNOLDS, ARLIS](#); [CHAVEZ, MANUEL](#); [MARR, ANDREA](#); [HARLAN, JEFFREY](#); [GAMEROS, LOREN](#); [HARPER, DON](#); [CITY CLERK](#)  
**Subject:** Inclusionary Housing Ordinance  
**Date:** Monday, April 1, 2024 12:37:46 PM

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Hello,

I understand that there will be a first reading of our Inclusionary Housing Ordinance at the Council meeting tonight. I am writing to ask that you ensure that the ordinance is both strong and robust enough to meet the affordable housing needs of our City.

Just last week I heard a report that Orange County, Calif has been ranked as THE MOST EXPENSIVE county in the NATION for rent!!!! Highest in the whole nation! No wonder people cannot afford to move here or remain here when their rents get raised. This is not just "low income" families or fixed income seniors, but pretty much EVERYONE who is not making a 6-digit income!

I believe that our Inclusionary Housing Ordinance should require **NO LESS than 10%** lower income apartments in **ANY** size development, and that a minimum of 20% lower income apartments should be required for larger developments (40 units, 50 units - whatever the "larger" designation is).

Even 10% / 20% will barely cut it for our very serious need for affordable housing in this city.

Let's say a developer wants to build a 20-unit building. At a 10% lower income unit requirement, that is JUST TWO UNITS for lower income people!!!!

The other 18 would be at our exorbitantly high market rate!

I am hearing that 15% lower income units is being recommended for larger developments.

That would only be 9 units in a 60-unit apartment, only 15 units in a 100-unit apartment, and just 45 apartments in a 300-unit building.

That is simply NOT ENOUGH!

If Costa Mesa wants to remain the beautiful and diverse community that we are today, we **MUST ensure** that our students and young professionals, our teachers, public servants and other lower income workers, AND our seniors and veterans can AFFORD to live, shop and play in Costa Mesa!!!

If this housing ordinance was also considering rent controls or maximum rental caps, perhaps a 15% lower income apartment requirement for new

developments would suffice.  
But that is not the case.

I also understand that the "lower income" threshold rents are being determined by an average of current salaries and rents in our area, which as we now know - are the HIGHEST in the nation!  
So whatever the lower income percentage of units that is set for new construction, it will still likely price out those who need affordable housing the most!! Our very-low income residents.

My 90 year old father, a disabled veteran with only Social security and disability income, had to move into my home because there was NOTHING safe and affordable anywhere nearby.

Don't even get me started on Senior Living and Assisted Living locations!!  
Outrageous!

And my sister - a middle-aged woman who can only work part-time - cannot afford to move out of her rent-controlled unit way out in the far northwest corner of the San Fernando Valley and move closer to me to help with our dad! There is nothing even remotely affordable for her in central Orange County.

**I humbly request that Council members consider NOTHING LESS THAN 10% affordable units required in all new developments of ANY size,** and I strongly recommend that you consider 15% affordable units for developments of 40-100 units, and **at least** 20% affordable units for any development with 100 units or more.

Thank you for your time and consideration.

24-year resident of Costa Mesa

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**From:** [Michael Moses Nolf](#)  
**To:** [STEPHENS, JOHN](#); [REYNOLDS, ARLIS](#); [CHAVEZ, MANUEL](#); [andreamarr@gmail.com](mailto:andreamarr@gmail.com); [HARLAN, JEFFREY](#); [GAMEROS, LOREN](#)  
**Cc:** [CITY CLERK](#)  
**Subject:** Affordable Housing Ordinance  
**Date:** Monday, April 1, 2024 6:39:45 PM

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Dear Council,

Please adopt a strong affordable housing ordinance to meet the housing crisis in Costa Mesa. Please adopt the following requirements:

- 15% lower-income units in new apartment complexes of 40+ units per acre (15% low-income or 10% very-low-income)
- 6% lower-income units in new apartment complexes of 39 units or less per acre (6% low-income or 4% very-low-income)

We have so many residents that are getting priced out of their homes and apartments, breaking up our community. These neighbors are important parts of our community and I hope you will treat them as such.

Thank you,  
Michael Moses Nolf

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**From:** [Stephen Edwards](#)  
**To:** [CITY CLERK](#)  
**Subject:** April 2nd City Council Meeting - Item PH-1  
**Date:** Tuesday, April 2, 2024 10:01:11 AM  
**Attachments:** [image001.png](#)

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Hello,

This email expresses opposition to adopting an Affordable Housing Requirement in the City of Costa Mesa. Such a policy would significantly impact new housing development, especially ownership housing. Brandywine Homes has site control for 3.5 acres of land within a “Measure K Area.” If this requirement were adopted, the impacts would cease the development, and the blighted site, which has the potential for 70+ ownership units, would no longer be feasible. This would again halt new development in the City, just as “Measure Y” did in the past.

We urge the City Council to study the requirement further before adopting.

Thank you!

**Stephen J. Edwards**

Acquisitions Manager

Mobile: (714) 504-3685

Direct: (949) 264-8842

Fax: (949) 296-2420

[stephen@brandywine-homes.com](mailto:stephen@brandywine-homes.com) | [Brandywine-Homes.com](http://Brandywine-Homes.com)



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**From:** [Priscilla Rocco](#)  
**To:** [CITY CLERK](#)  
**Subject:** Make Costa Mesa a Place Where Everyone is Welcome  
**Date:** Tuesday, April 2, 2024 11:57:07 AM

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City Council,

As you know, an Inclusionary Housing Ordinance (IHO) must be adopted or Costa Mesa will be noncompliant on the State's Housing Element. The State is asking that 40% of the development be affordable units. Costa Mesa residents - 47 percent of whom are low income - asked you specifically when you passed Measure K for affordable housing for seniors, veterans, disabled, students, young workers and others struggling to make ends meet. People being evicted due to rent increases come to the council meetings to beg you for help. Yet from your location high on the dais, the only people you hear are developers, landowners, and the cannabis industry.

Weak affordable percentages (with weak in-lieu fees) will leave a legacy where the City will be subject to legal penalties, loss of funds and other things such as the Builder's Remedy. Even the promise of high-rise apartments along the main thoroughfares is limited now by the 30+ cannabis shops - some areas having eleven within walking distance of homes. Since 90+ percent of our affordable housing will be restricted to the already polluted Fairview Developmental Center next to the further polluting Emergency Operations Center, I fear a lawsuit for redlining will also be a part of your legacy.

Costa Mesa needs a strong IHO. You still have time to correct some of the damage you've done. Require 15% lower-income units in new apartment complexes of 40+ units per acre, or 10% very-low-income. And 6% lower-income units in new apartment complexes of 39 or less units per acre, or 4% very-low-income. Only by requiring more affordable housing at higher densities will we avoid redlining litigation, and keep Costa Mesa the inclusive city it is.

Priscilla Rocco

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April 2, 2024  
**Via Email**

Costa Mesa City Council  
77 Fair Drive  
Costa Mesa, CA 92626  
[citycouncil@costamesaca.gov](mailto:citycouncil@costamesaca.gov)

Dear Members of the City Council:

I understand you may feel some pressure to adopt an “aggressive” inclusionary housing ordinance, one perhaps even more “aggressive” than the one proposed tonight, on the theory that requiring more affordable units in new developments will cause more affordable units to be built.

If only that were true. If it were, not only would I be supportive of the most aggressive proposals that will be put forward tonight, I would be supportive of requiring 30%, or 50%, or even 100% of our developments to be deed restricted affordable.

**But it is not true.** What is true is that property owners potentially subject to the proposed inclusionary housing ordinance have a choice: maintain the property as-is, redevelop the property themselves, or sell to a developer who will build housing. And property owners may have many good reasons to *not* to redevelop or sell. Maintaining revenue streams from existing onsite businesses might be one. Maintaining existing preferential property tax treatment might be another. Or the owner might just have idiosyncratic personal preferences.

Our experience with Measure Y has shown us that *not building* is always an option. And our consultant, KMA, and our Staff have repeatedly emphasized that the risk of getting **no development** due to setting the bar too high is a real one. **“No development” is the worst case scenario for every single housing advocate in the city.**

Yes, I too encourage you to keep your promise to bring affordable housing to Costa Mesa. But to do so, you must build housing. It is easy to keep your promises on paper. *Keeping them by producing results takes courage and leadership.*

So, regarding the second reading of the proposed inclusionary housing ordinance, I want to reiterate my prior suggestions for the City Council’s consideration. These policy requests were included in my letter to the Planning Commission dated November 13, 2023, and I ask that you still consider them now. I believe these changes will not only maximize the number of units that can be produced under this policy, but that they will also maximize the number of affordable units that will be produced. Achieving abundant housing production is the *only* “win-win” scenario that both increases the number of market-rate units (thus increasing supply and taming run-away rent inflation), and increases the number of affordable units available to low income residents. So here is what I would change in hopes we can get there:

- **Increase the minimum project size to at least 25 units.** 25 units is the smallest project that would produce one whole inclusionary unit using the smallest threshold under consideration (4% very low income units for developments <60 DU/A). Raising the minimum project size would also allow the city to eliminate the “sliding scale” of in-lieu fees; by simply exempting smaller projects, there is no need to “ramp up” such fees and the city could instead impose a simpler, flat fee on larger developments.

- **Lower the inclusionary thresholds for projects 60+ DUA to 10% low or 5% very low.** These thresholds accord with the thresholds set with the State Density Bonus Law, and they were also the thresholds recommended by the Planning Commission. Additionally, lower thresholds will maintain competitiveness with cities where nearby sites for large projects are otherwise available, notably:
  - Santa Ana: 15% low, 10% very low, 5% extremely low, or 10% with a mix of incomes (5% low/3% very low/2% extremely low);
  - Irvine: 15% with a mix of incomes (5% moderate/5% low/5% very low);
  - Huntington Beach: 10% moderate/low/very low; and
  - Newport Beach: no affordability requirements yet.

If our inclusionary rates are set too high, development may shift to other cities with lower rates, and we may see little development activity.

- **Remove the ownership component, which functions like a straight tax on the construction of for-purchase housing.** If developers of for-purchase housing would almost always prefer to pay an in-lieu fee, then an IHO applied to for-purchase housing is indistinguishable from a tax. Taxing such projects will result in fewer (or no) for-purchase projects being built at any level of affordability.
- **Allow in-lieu fees to be paid regardless of project size.** As explained by some of the developers, the “breaking point” for in-lieu fees depends on more than just unit count; it also depends on other variables such as land costs, permitting review time, site preparation, and construction costs. It is impossible to know or account for in advance all of these variables for any given project. By allowing in-lieu fees (or other avenues of compliance) to be used at all project sizes, developers of smaller projects will be given multiple ways to comply and the city will maximize the number of projects brought to market.

In addition, I had three other thoughts on the agenda report that I wanted to pass along.

First, I am not persuaded that there is a rush to adopt the proposed IHO from an HCD compliance standpoint. Costa Mesa’s housing element **is already out of compliance** and **cannot** be found in compliance until it completes the rezonings associated with our opportunity sites, which will not occur for many, *many* months. Therefore, I would encourage the City Council to take the time that it needs to develop a thoughtful and thoroughly vetted program before proceeding.

Second, I appreciate the Staff’s suggestion that the city could “phase in” the in-lieu fees over time. I think that is a great idea as it would give the City Council an opportunity to review the fees and the development activity *each year* at the beginning of the program. However, I would go a step further and ask that the City Council consider phasing in the *inclusionary requirements themselves* over time (or as certain development thresholds are met). Doing so would allow development pipelines to re-emerge. It would also encourage development to come to market quickly rather than to sit and wait to see if the City Council will get nervous when little development occurs and lower its requirements. This exact scenario played out recently in Santa Ana where, after seeing little to no development from 2015-2020, the City Council dramatically dropped its in-lieu fee. Additionally, if only the in-lieu fee is phased in over time, many of the early projects will opt to pay the lower fee rather than build the affordable units, meaning you may see actual affordable unit production for several years. By phasing in the inclusionary requirements side-by-side, producing the affordable units may remain roughly economically equivalent to the lower fees.

And third, I would strongly encourage the City Council to interrogate the various comparable case studies that have been brought forward by Staff, most notably Santa Ana, Huntington Beach and San Diego. As

noted above, Santa Ana [has been dramatically tinkering with its inclusionary housing in-lieu fees in response to market conditions](#), and while it seems to be attracting very large (150 unit+) developments at its higher rates, I would be curious to know (1) what kind of concessions are being given to these developments to offset the inclusionary requirement, and (2) whether production from smaller developments has suffered. Regarding Huntington Beach, [I took a look at their program](#) and found that, while it has been good at generating fees, it has been less good at producing on-site units. I would also interrogate whether Huntington Beach residents have been happy with the kind of developments – in particular their size and density – that end up being produced under its ordinances. And finally, with respect to San Diego, my understanding is that inclusionary units do not have to pay development impact fees related to those units, which to me sounds like a very substantial concession. Without a full accounting of the other incentives these cities provide, it is difficult to compare the relative burden of our proposed IHO thresholds and fees.

So once the City Council settles on the IHO's particulars, I expect the conversation to shift in earnest to the details of the zoning we expect to provide, which have been alluded to as “generating value” but have never been described specifically. What *exactly* will be the density set for each corridor? Will we be eliminating parking minimums *entirely* for our Measure K sites? Will we be exempting affordable units from the calculation of our development impact fees, as San Diego has done? Will we be entertaining property tax abatements for deeply affordable projects, such as Huntington Beach has done? What about height restrictions, FAR and design criteria? Will we be granting streamlined permitting (as some developers have requested)?

Taking a conservative approach to our IHO will allow the city more flexibility when we turn to these considerations. But being aggressive now *will limit our flexibility later*, or require us to give up concessions we did not anticipate in order to see the level of development we want.

You, the City Council, are well positioned to evaluate the (well meaning) desires of the residents against the realities of regulatory capacity, private investment and the city's resources. We all want the same thing: abundant, affordable housing in Costa Mesa.

Thank you,  
Jenn Tanaka  
321 Broadway, Costa Mesa



**From:** [Costa Mesa First](#)  
**To:** [STEPHENS, JOHN](#); [REYNOLDS, ARLIS](#); [MARR, ANDREA](#); [CHAVEZ, MANUEL](#); [HARLAN, JEFFREY](#); [GAMEROS, LOREN](#); [HARPER, DON](#)  
**Cc:** [CITY CLERK](#); [HUYNH, NANCY](#)  
**Subject:** Public Hearing Item 1 - Second Reading of Affordable Housing Ordinance  
**Date:** Tuesday, April 2, 2024 11:04:34 AM

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Honorable Mayor and City Council Members:

Costa Mesa's Regional Housing Needs Assessment was a surprise to many residents when it was assigned in 2019. It was little wonder to those who recognized that the City had been assigned a falsely low number for many years. As stated in the City's Housing Element, about half of Costa Mesa's residents are overpaying for housing. This is directly related to the City's long-standing open door policy to developers of market-rate housing.

The City must now adopt an Affordable Housing Ordinance (AHO) to satisfy Program 2A of the 2021-2029 Housing Element. It is unfortunate that the City did not do so many years ago, as we requested of this City Council and prior City Councils. In fact, Costa Mesa First has long advocated for (1) inclusionary housing and (2) city-wide visioning as part of the benefits of smart growth principles, only to have those requests fall on deaf ears. What a shame it is that the City of Costa Mesa has allowed cities such as Irvine, Santa Ana and Huntington Beach lead the way in providing affordable housing. Thank goodness the State of California's Department of Housing and Community Development (HCD) recognized the good reasoning to require the adoption of an AHO.

We urge you to adopt a strong AHO. As currently drafted, the ordinance is weak and will not accomplish the goal of starting to meet the affordable housing needs of the public. We request that you strengthen the ordinance by:

- Increasing the unit threshold in new apartment complexes of 40+ du/acre to 15% for low-income and 10% for very-low-income earners.
- Increasing the unit threshold in new apartment complexes of 39 or fewer du/acre to 6% for low-income or 4% very-low-income earners.
- Increasing the in-lieu fees to be the average of our neighboring cities of Irvine and Santa Ana, but no event should they be lower than the \$15 per square foot currently adopted by Santa Ana.

By strengthening the AHO, the City will increase the odds that seniors, veterans, disabled, students, young workers, and others struggling to make ends meet will be able to find housing within their affordability range. The City's goal should be to encourage building of affordable units in all new apartment projects and, while allowing the payment of in-lieu fees, it should set those fees high enough to discourage the option of avoiding the construction of onsite affordable units.

In addition, strengthening the AHO as requested above will show the HCD that the City is making a good faith effort in providing opportunities for construction of housing for all income levels.

Section 13-328(d) of the draft AHO cites California Government Code Section 65064. That Section pertains to a condition of approval for a wireless telecommunications facility, so please provide the correct Section reference. In addition, the phrase "that provides affordable housing obligations comparable to this chapter." is vague. There needs to be a clear definition of what is meant by "comparable." We suggest that any new development agreement incorporate by reference the provisions contained in this

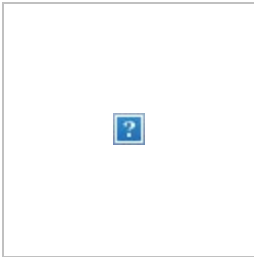
chapter, as amended from time to time.

Immediately after the adoption of the AHO the City needs to identify a program or project for the use of the in-lieu fees that will be deposited into the Affordable Housing Trust Fund. Section 13-333 of the draft AHO is very broad in the use of the funds in that account. It is in the best interests of the citizens of Costa Mesa that the City identify a specific goal and it does not allow the funds to linger in Housing Trust Fund in perpetuity.

The Agenda Report states that the implementation of the AHO by the City will include rezoning of properties along the major corridors. That was something that Measure K was supposed to do, but the City never disclosed what that rezoning would be. We think it is time the City reveal its intentions. While developers have expressed an interest in bringing projects to Costa Mesa, it is important they understand that the citizens of Costa Mesa expect them to include affordable units in those projects. Please do not continue to keep the residents in the dark about the new anticipated zoning for the Measure K sites.

Thank you for your consideration.

Rick Huffman  
Treasurer  
Cynthia McDonald  
Assistant Treasurer  
Costa Mesa First  
PO Box 2282  
Costa Mesa, CA 92628  
[costamesa1st.com](http://costamesa1st.com)  
(714) 549-5884



Costa Mesa First's mission is to educate Costa Mesans about planning policies in Costa Mesa so they make knowledgeable choices when voting. We encourage residents to choose walkable, bikeable, and inclusive neighborhoods, and the land use and transportation policies and investments needed to make Costa Mesa flourish. Our primary objective is to require Costa Mesa's leaders to put the residents of Costa Mesa first.

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**From:** [Athena Balistreri](#)  
**To:** [CITY CLERK](#)  
**Subject:** Public response to City Council Meeting for April 2, 2024 - Agenda item regarding low income housing inclusion ordinance  
**Date:** Tuesday, April 2, 2024 10:44:47 AM

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Mayor Stephens and City Council,

My name is Athena Balistreri, I come to you today to speak out on the affordable housing crisis that is affecting our community at large. Today, you all have the ability to create long lasting, positive change for Costa Mesa residents that are facing financial hardship and struggling to keep a place to call home.

My neighbors, my family, my friends are the reason why today I am standing up to encourage you to take a stand for a robust affordable housing ordinance. Specifically, make 15% the total low-income units in new apartment complexes or 10% very low income. This percentage has shown to support new housing development throughout Orange County and will be a benefit to our entire community.

Our community is counting on you to have bold leadership with integrity and compassion.

As someone who works and lives in Costa Mesa I care deeply about the future of Costa Mesa, and that the future is centered on its people and housing. Adopting a strong inclusionary ordinance is not just a matter of policy; it is a message to me, and you, and all Costa Mesa residents who can call our city home, now and in the future through these inclusionary practices.

Sincerely, Athena Balistreri  
Costa Mesa resident in the Spice Street/ Mesa Verde neighborhood

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January 26, 2024

Mr. Mayor, Mayor Pro Tem, and Members of the City Council,

Below is a user-friendly yet sophisticated calculator to test development feasibility with a set of modifiable variables. I urge you to spend at least a couple of hours with this tool between now and the second reading of the affordable housing ordinance so that each of you can have some confidence in the numbers that you are voting to lock in.

[inclusionaryhousing.org/calculator](https://inclusionaryhousing.org/calculator)

I tried to share all of my evolving thoughts on the subject during my time to speak at Planning Commission meetings and study sessions, but was urged by staff to not express any opinion on the subject outside of these meetings until after we voted on it.

Now that our vote is behind us and Council has made it through the first reading, I wanted to summarize my thoughts once more in writing. The opinions below are my own and do not reflect those of the Planning Commission.

Generally, it's considered good policy to *incentivize* things you want to see more of, and *tax* things you want to see less of. We tax alcohol, driving, and tobacco—things with negative externalities. Importantly, these have many users and many transactions. There is a lot of money moving around and the government can capture some of that money without killing the industries. The tax reduces the number of transactions, but doesn't bring the number to zero. Nor does society suffer as a result. The development of housing is different. There are few users (property owners / developers) and few transactions (decisions to sell land / decisions to buy and build). Developers and their investors will act rationally and take their business elsewhere if they can't make their numbers work here, which is *more likely* if we introduce this new tax and/or set it too high. In these cases *we* would be the only losers. If we want to see more housing—to revitalize neighborhoods, to achieve densities that can support transit and walkable centers, to stabilize housing costs—then we need to think hard about the decision to add this tax (whether we're talking about the production of units or in-lieu fees) to this industry that we are counting on. Developers already take on a lot of risks, are dealing with high interest rates, are dealing with very high land, material and labor costs, must pay all sorts of fees, and deal with an unprecedented amount of red tape from a number of agencies. Further cutting into their pro formas sounds to me like a bad idea *if we want to see more housing*.

Advocates see and portray developers as people who are unfairly making off with a lot of the windfall that results from upzoning, and they understandably want to capture that windfall for public benefit instead (affordable housing in this case). Everyone working on this sort of proposed policy should know that there is more dispensable margin for developers that have

achieved an economy of scale, because developers fall along a spectrum. With an aggressive inclusionary ordinance we might see deep-pocket developers delivering below-market-rate units in their large projects, but what we *won't* see (in reality or in future reports on the performance of the ordinance) are all of the projects that *don't happen*—those by developers further down the spectrum. The small- and medium-sized projects—the *incremental* development that drove the evolution of our city in the first place—will be wiped out for the duration of this tax. So my general opinion remains that an inclusionary ordinance—if adopted—should apply only to for-rent projects on large upzoned parcels that are proposed at 60 DUA or more—or *something like that*. The set-aside requirement can rise from there alongside rising set-aside feasibility. Please remember that throughout the city, state density bonus law will continue to exist and likely produce affordable units without our help. The production of affordable units is not dependent on the adoption of an inclusionary ordinance.

Many people seem to feel that inclusionary housing policy is the primary, or only, way that we can address the problem of high housing costs in our city. But as I have continually pointed out, even *if* we manage to build our entire RHNA during this cycle—serving all income levels—we would then only have enough below market rate units to serve about a quarter of the low income households of Costa Mesa (though since we can't achieve our entire RHNA and since the waitlists won't, and probably shouldn't, prioritize current residents, the number of Costa Mesa households served would be much lower). My continuing question is: *at what cost are we willing to shoot for this?*

There are other actions that the city can and should take to help address the problem of high housing costs:

- Rent stabilization. Capping the amount that landlords can annually raise the rent on a *tenant* (not a unit) is a game-changer for those who rent. I am a big fan of this because: 1) it does not affect landowners' decision to sell or developers' decision to develop (meaning it wouldn't discourage the *production* of housing), and 2) it gives those who rent the same financial stability that homeowners enjoy through fixed interest rates and Proposition 13—leveling an imbalance that we often overlook. The council just wisely locked this in locally by adopting AB-1482, which sunsets statewide in a few years. If we wanted to further protect renters, we could lower the annual allowable increase that landlords are able to impose on tenants.
- Anti-displacement policies. This would include a requirement that developers pay relocation fees to the residents that they are displacing. As the difference between the number of existing and proposed units on a property grows, the less of a deterrent this is for developers (and importantly—vice versa).
- Allow more housing to be built! When market rate (“luxury”) units are built, people tend to “move up,” and vacate their older, inferior, and cheaper units, thus making room for those for whom the older units are a step up. The market therefore effectively gets flooded with new units of all sorts—not just the new “luxury” units. With more available units in each neighborhood, landlords must compete for tenants by offering better

conditions and lowering rents. See this great [Strong Towns piece](#) on this effect, which explicitly mentions inclusionary zoning policy.

Ahead of the Planning Commission's first meeting on this ordinance I asked some housing experts via social media where the money to provide required affordable units comes from.

- Shane Phillips, author of [The Affordable City](#) (worth reading, even though none of us would agree with *everything* he proposes), said: "I'd say it really has to be residual land value in most cases. If you're an investor who can earn 10% without inclusionary zoning but only 7% with inclusionary zoning, if inclusionary zoning is imposed you're going to invest your money elsewhere, whether that's development in another city or something else entirely (e.g., stocks)." This is consistent with his tepid thoughts on inclusionary zoning in his book (which devotes only one out of his 54 chapters to this particular policy). He recommends having a relatively low inclusionary requirement to serve only as a backstop—in case the (state or local) density bonus program is not working as desired.
- Ben Maritz, an Affordable Housing Developer in the Pacific Northwest said: "The cost is borne by renters. Remember that most urban land already has a value in use and so there is a floor to its price. So the additional cost has to be offset by higher rent. If rents can't be raised, then their building doesn't get built (as in Seattle now)." I followed up asking whether this holds true for commercial or industrial parcels that are significantly re- and up-zoned. He replied: "Sure. Those uses have value too. If it's truly useless, raw land then it's likely owned by a very well capitalized owner who is happy to keep waiting for her price."
- Ben Stevens, a Chicago-based multifamily developer and author of [Birth of a Building](#), replied by creating an [explainer video](#) of how the math works from a developer's perspective. He made it for us—please watch!

I also wanted to share this quote from Andres Duany, the founder of the New Urbanism. The quote is not specifically about inclusionary housing policy, but speaks to the greater problem for which such policy is a recurring proposed solution: "Regarding the permitting process, it is now so protracted, complex and expensive that it can't justify such small increments—only a big project makes it worthwhile. The government has inadvertently prevented the building of affordable housing, such that it can now only be done with government subsidy. And such subsidies are accessible only to experts in navigating through their murk." We need to make it easier to build housing of all types and sizes. A (nearly) one-size fits all approach will inevitably disproportionately affect those with smaller projects.

Charles Marohn addresses this same problem in [his new book](#), which discusses "how the *incremental* development of cities used to meet our housing needs, and why it no longer does," and "why our cities have a 'trickle or fire hose' problem, in which a small minority of neighborhoods undergo rapid, dramatic transformation while the majority see only a trickle of needed investment." It seems to me, and to many opponents of aggressive inclusionary housing policy, is that such a policy can only make incremental growth *less* viable, and exacerbate the "trickle or fire hose" problem.

In summary, my view is that we continue to pursue our more *general* goals for the city, which *include* more affordable living. To the degree that an inclusionary housing ordinance discourages development, it can *get in the way* of these broader goals. These broader goals are/should be:

- A safe, green, and beautiful public realm
- A reduction or [elimination of car-dependency](#), where transit and active travel are viable means of getting around for people of all ages and abilities
- A city of [complete neighborhoods](#)
- Easy access to open spaces and open space networks for more people
- [Quality development](#), serving many different income levels, family sizes, and needs

I think that whatever carrots we have in mind to make the production of housing easier, cheaper, and otherwise more enticing, we should just implement across the board without strings—this includes the elimination of parking requirements that [so many forward-thinking cities are doing](#). And we can save our time and energy to control not density, but *quality of design* and *needed public improvements*. **We only have so much leverage with developers, let's use it wisely to move us closer to a better version of Costa Mesa for all—not just a little cheaper for the lucky few.**

Thanks for reading,

Russell Toler

**From:** [HAUSER, JANET](#)  
**To:** [GREEN, BRENDA](#); [TERAN, STACY](#)  
**Subject:** FW: Buffer between dispensary  
**Date:** Monday, April 1, 2024 12:14:28 PM

---

Please see below.



**Janet Hauser**  
Executive Assistant to Council  
City of Costa Mesa  
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**From:** Sara Brighton <sara\_usc98@outlook.com>  
**Sent:** Sunday, March 31, 2024 10:27 PM  
**To:** CITY COUNCIL <CITYCOUNCIL@costamesaca.gov>  
**Subject:** Buffer between dispensary

Dear City Council,

I just wanted to send a reminder to the council to set buffers between marijuana dispensary. It seems like the council had forgotten to put a buffer in place. We do not need dispensaries next door to each other. Let's make sure to diversify the businesses in our city. I'd also like to express that we should cap our city to 20-25 weed dispensaries. We definitely do not need more than 25 dispensaries; that is just an over kill of dispensaries in one city.

I feel like it's been an ongoing issue with these marijuana dispensaries trying to open anywhere they can in our city. Can we just put a pause now on any marijuana shop applications until all the approved dispensary are open? Thank you for your time.

Sincerely,

Sara Brighton

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**From:** [HAUSER, JANET](#)  
**To:** [GREEN, BRENDA](#); [TERAN, STACY](#)  
**Subject:** FW: Cannabis Ordinance  
**Date:** Monday, April 1, 2024 11:25:33 AM

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Please see below.



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**From:** Chris T Lambert <lambertchrist76@gmail.com>  
**Sent:** Saturday, March 30, 2024 4:05 PM  
**To:** CITY COUNCIL <CITYCOUNCIL@costamesaca.gov>  
**Subject:** Cannabis Ordinance

Dear City Council,

I am writing about the upcoming cannabis ordinance changes and want to make sure you are aware of the community sentiment. My friends and neighbors all feel that a cap makes sense and should be 20-30 maximum. I do not want our city to be a pot city. I want a city that has more to its nature than be a destination for cannabis shoppers. Thank you for all your hard work and keep it up.

Thank you,

Chris Lambert

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**From:** [HAUSER, JANET](#)  
**To:** [GREEN, BRENDA](#); [TERAN, STACY](#)  
**Subject:** FW: Cannabis Stores - LIMIT to 30 Stores and Require Buffering  
**Date:** Monday, April 1, 2024 12:53:03 PM

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Please see below.



**Janet Hauser**  
Executive Assistant to Council  
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**From:** Kaylee Steinmeyer <steinmeyerkaylee@gmail.com>  
**Sent:** Saturday, March 30, 2024 9:03 AM  
**To:** CITY COUNCIL <CITYCOUNCIL@costamesaca.gov>; HARPER, DON <DON.HARPER@costamesaca.gov>; CHAVEZ, MANUEL <MANUEL.CHAVEZ@costamesaca.gov>; MARR, ANDREA <ANDREA.MARR@costamesaca.gov>; HARLAN, JEFFREY <JEFFREY.HARLAN@costamesaca.gov>; STEPHENS, JOHN <JOHN.STEPHENS@costamesaca.gov>  
**Subject:** Cannabis Stores - LIMIT to 30 Stores and Require Buffering

Honorable Council,

I support limiting the number of cannabis shops to 30 and requiring a buffer between shops. We do not need 60 plus shops in this small area. We are a diverse community and have lots of options for all consumers' needs. Thirty shops will be sufficient in my opinion. I go through Santa Ana all the time and they only have 20 shops there with a higher population.

The city expanded the parks and school buffer which is an excellent first step to protect our community. Please continue your work to assure a safe Costa Mesa for all residents.

There should be a buffer between residential and these shops of at least 500 feet. I do not know why we need pot shops nestled into residential communities.

Kaylee Steinmeyer

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**From:** [HAUSER, JANET](#)  
**To:** [GREEN, BRENDA](#); [TERAN, STACY](#)  
**Subject:** FW: Cap on the Number of Marijuana Shops  
**Date:** Monday, April 1, 2024 11:24:59 AM

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Please see below.



**Janet Hauser**  
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**From:** Shawn Hamilton <bogey8311@yahoo.com>  
**Sent:** Sunday, March 31, 2024 3:37 PM  
**To:** CITY COUNCIL <CITYCOUNCIL@costamesaca.gov>; HARPER, DON <DON.HARPER@costamesaca.gov>; CHAVEZ, MANUEL <MANUEL.CHAVEZ@costamesaca.gov>; MARR, ANDREA <ANDREA.MARR@costamesaca.gov>; REYNOLDS, ARLIS <ARLIS.REYNOLDS@costamesaca.gov>; HARLAN, JEFFREY <JEFFREY.HARLAN@costamesaca.gov>; STEPHENS, JOHN <JOHN.STEPHENS@costamesaca.gov>  
**Subject:** Cap on the Number of Marijuana Shops

City Staff and Councilmembers,

I was not able to attend the last meeting, but I will make sure to be at the next one discussing these cannabis shops and the new rules. I want to make sure the city knows that I support a cap on the number of shops. I heard thirty was the number but then I heard you changed to thirty-five. I am concerned that you will keep going up when it really should be a lot lower. I see so many already and I am not sure we need more than the nine or ten already open. They are spread out and cover the whole city. The city can survive without any more of these and the shops will serve all the community needs. Please put a buffer between shops and a buffer between residential and these shops. I do not want my children near a marijuana shop. A thousand-foot buffer would solve this problem. I want to cast my vote for limits and buffers and thank you.

-Shawn

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**From:** [HAUSER, JANET](#)  
**To:** [GREEN, BRENDA](#); [TERAN, STACY](#)  
**Subject:** FW: Limit on Cannabis Stores in Costa Mesa  
**Date:** Monday, April 1, 2024 11:26:31 AM

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Please see below.



**Janet Hauser**  
Executive Assistant to Council  
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**From:** jamie miller <millers.jamie0917@outlook.com>  
**Sent:** Friday, March 29, 2024 2:04 PM  
**To:** CITY COUNCIL <CITYCOUNCIL@costamesaca.gov>  
**Subject:** Limit on Cannabis Stores in Costa Mesa

To City Council-

I raised my children here and I have been a homeowner for over thirty years. I have been through all the struggles with the rehab riviera, illegal pot shops, massage parlors, traffic issues, environmental impacts, and a long list of other obstacles. We as a community have worked hard to solve these problems. I appreciate all your work to get the cannabis issue resolved. It is and should be a free market for business in our city. I do not think that should give carte blanche to open as many shops as possible. We generally restrict gas stations, pawn shops, bars etc... Why not impose a limit? It makes sense and should be supported by the City Council. The cap of 30 with 500-foot buffers between shops and 1,000-foot buffer between schools is great. I like the city direction on making things right on this issue and please keep up the good work.

Sincerely,

Jamie Miller

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**From:** [HAUSER, JANET](#)  
**To:** [GREEN, BRENDA](#); [TERAN, STACY](#)  
**Subject:** FW: Marijuana/Cannabis Shops  
**Date:** Monday, April 1, 2024 11:18:33 AM

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Please see below.



**Janet Hauser**  
Executive Assistant to Council  
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---

**From:** Nicole Strickland <uclabruinsalum88@yahoo.com>  
**Sent:** Monday, April 1, 2024 9:33 AM  
**To:** CITY COUNCIL <CITYCOUNCIL@costamesaca.gov>  
**Cc:** HARPER, DON <DON.HARPER@costamesaca.gov>; CHAVEZ, MANUEL <MANUEL.CHAVEZ@costamesaca.gov>; MARR, ANDREA <ANDREA.MARR@costamesaca.gov>; REYNOLDS, ARLIS <ARLIS.REYNOLDS@costamesaca.gov>; HARLAN, JEFFREY <JEFFREY.HARLAN@costamesaca.gov>; STEPHENS, JOHN <JOHN.STEPHENS@costamesaca.gov>  
**Subject:** Marijuana/Cannabis Shops

Dear City Council,

I am writing to express my feelings on the marijuana/cannabis shops. I know the city council is trying to limit the number of locations. I read that the city wanted to restrict the number to 30 shops. I think they had recommended a buffer between shops and schools as well. I am curious why this was not in place from the beginning of the marijuana program. It would have been a good idea to start the program with these restrictions. I see a lot of shops very close to each other. I think they should be spread out and not by schools at all. If the city is doing a limit, then I think 20 is enough and not the 70 I heard were opening. There could be a distance between shops of 1000-2000 feet to prevent bunching them all up. I do not want them near residential either. I think a 1000-foot restriction from residential is a good idea and thank you.

**From:** [HAUSER, JANET](#)  
**To:** [GREEN, BRENDA](#); [TERAN, STACY](#)  
**Subject:** FW: NO MORE! Enough Pot Shops!!  
**Date:** Monday, April 1, 2024 1:11:42 PM

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Please see below.



**Janet Hauser**

Executive Assistant to Council  
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**From:** Ralph Owen Patterson <thewedge657@outlook.com>

**Sent:** Friday, March 29, 2024 6:48 PM

**To:** CITY COUNCIL <CITYCOUNCIL@costamesaca.gov>

**Subject:** NO MORE! Enough Pot Shops!!

Council,

Enough Pot Shops!! We see them all over the city now and there should be a freeze until we see how this works out. Let's stop for now and see what revenue they actually generate and what impact they have on our community before we let more open. Keep them away from homes too. Be responsible and be informed.

-Ralph

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**From:** [HAUSER, JANET](#)  
**To:** [GREEN, BRENDA](#); [TERAN, STACY](#)  
**Subject:** FW: Place Restrictions on Marijuana Shops  
**Date:** Monday, April 1, 2024 12:16:31 PM

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Please see below.



**Janet Hauser**  
Executive Assistant to Council  
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**From:** Bryant L. Gleason <[gbbj109@outlook.com](mailto:gbbj109@outlook.com)>  
**Sent:** Saturday, March 30, 2024 10:11 PM  
**To:** CITY COUNCIL <[CITYCOUNCIL@costamesaca.gov](mailto:CITYCOUNCIL@costamesaca.gov)>  
**Subject:** Place Restrictions on Marijuana Shops

Dear Council,

I am a 20-year resident of Costa Mesa and graduated from a local university. I have a strong connection to my community. I am asking you to help limit the number of cannabis shops in our beloved city. I applaud your efforts to place restrictions on the location and number of shops. I am concerned that you keep walking it back. The cap of 30 seemed to be a lot but then you went to 35!?!? I do not understand why our city needs 35 cannabis stores. Has anyone looked at the data on this? I recall seeing a study by HDL, your consultant, that there should be 1 per 10,000 residents. That leaves us at around 11 shops total so how are we justifying 30? It makes no sense to me and if you're doing a cap then why not align it with your city retained consultants' recommendation. Also, thank you for putting buffers in place but why did you remove the buffer between shops?

With Regards,

Bryant Gleason

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**From:** [Joseph Zappala DC DACBSP](#)  
**To:** [CITY CLERK](#)  
**Subject:** Areas of concern for April 02, 2024 City Council Meeting  
**Date:** Tuesday, April 2, 2024 7:53:31 AM  
**Attachments:** [City of Costa Mesa Cannabis signage meeting 03\\_19\\_2024.docx](#)

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Landlord concerns include:

1. Being non-compliant by requiring 250 feet distance from residential
2. Not allowing our cannabis tenant adequate signage, this will lead to business failures.

As landlords we don't want empty buildings and to tenants that cannot afford to pay their rent. The City needs to do everything in its power to help these dispensaries thrive as opposed to taking their fees and setting them up for failure.

Joseph M. Zappala' D.C. DACBSP®  
Director of Sports Medicine- South West Health Spine & Sport  
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[Sports Medicine | Dr. Zappala | United States \(drzappala.com\)](#)  
[www.swhprofessionalcenter.com](http://www.swhprofessionalcenter.com)  
<https://www.facebook.com/SportsMedicineChiropractorCostaMesa>

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# Cannabis advertising and signage

Ladies and gentlemen of the City Council, esteemed members of our community, and distinguished guests,

Thank you for allowing me the opportunity to speak today on a matter of significant importance to our city's future – the marketing and advertising of medical marijuana dispensaries in Costa Mesa.

## **Business signage defined**

A company sign is one of the most essential marketing tools available to a business. It's a way to let potential customers know who you are, what you do, and where you're located. If you have a storefront, your sign should be visible from the street so that potential customers can see it from a distance.

## **Facts:**

**The revenue that was received was less than 50% of predicted and budgeted for 2023/2024**

**a. The cigar lounges smoke shops etc as well as all bars in the city of Costa Mesa all have signs informing the public about what the business does. Cannabis dispensaries are being singled out here and as a landlord with a cannabis tenant, I see this as very troubling for the long term health of the industry in Costa Mesa. No business can survive long term without adequate signage.**

b. signage prevents people who don't want cannabis from being confused

c. buildings with failed cannabis dispensaries will become an eyesore in the city and detract from the intention of Measure Q These dispensaries have resurrected many dilapidated properties here in our city, closures would have the opposite effect.

**Ideas:**

A map on the city website of where all the dispensaries are located.

A website dedicated to the dispensaries in Costa Mesa that highlights their locations

Large green sign with city logo that states Costa Mesa licensed medical dispensary on all 11 and future approved city locations

The Green Cross is a great alternative to using the word cannabis as it alerts the public just like a red cross alerts the public that the business is an urgent care

**From:** [Sara Brighton](#)  
**To:** [CITY CLERK](#)  
**Subject:** Buffer between dispensary  
**Date:** Monday, April 1, 2024 10:39:52 PM

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Dear City Council,

I just wanted to send a reminder to the council to set buffers between marijuana dispensaries. It seems like the council had forgotten to put a buffer in place. We do not need dispensaries next door to each other. Let's make sure to diversify the businesses in our city. I'd also like to express that we should cap our city to 20-25 weed dispensaries. We definitely do not need more than 25 dispensaries; that is just an over kill of dispensaries in one city.

I feel like it's been an ongoing issue with these marijuana dispensaries trying to open anywhere they can in our city. Can we just put a pause now on any marijuana shop applications until all the approved dispensary are open? Thank you for your time.

Sincerely,

Sara Brighton

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## Cannabis Ordinance – Public Comments – April 2, 2024

### 1. Change Numeric Limit from Cannabis Business Permit (CBP) to Conditional Use Permit (CUP)

CUP comes first, and that is where the numeric limit should be placed. The CBP should not be limited. In the future, a new operator of a cannabis business must obtain a new CBP. Any limits would interfere with this requirement. **ACTION**: Change back to CUP from CBP.

### 2. Make sure future Retail Cannabis Stores can be sold, which requires a new CBP

By changing from CBP, back to CUP for the limits will allow future new business owners to receive a CBP, necessary to buy a store. **ACTION**: Allow future CBP's

### 3. Prevent Legal Non Conforming Status to attach to existing Retail Cannabis Stores

The City Council's intentions are to have the new restrictions apply only to new future applications. Legal Non Conforming status would harm stores and limit future options. **ACTION**: introduce language that prevents legal non conforming status from attaching to existing stores, and applies only to new future Applications

### 4. Remove the new #5 under 9-495 of Title 9

Why has this language been introduced? Because of the High Seas debacle. The is the city Prosecutor continuing to not understand cannabis and trying to save face.

Really, the City is now going to require an individual who provides a loan to a Cannabis operator to pull a Business License?

**ACTION**: Please ask Staff to justify this new inserted language. Then remove the language.

#### **9-495. Operating requirements for all cannabis businesses permitted under this chapter.**

(a) *Records and recordkeeping.*

**5.** Each owner and operator of a cannabis business shall disclose to the City the names and addresses of each and every financial interest holder of that business within ten (10) calendar days of that person becoming a financial interest holder of the cannabis business, and thereafter shall notify the City within ten (10) business days if that person or entity ceases to be a financial interest holder. **Each financial interest holder shall obtain a business license** pursuant to section 9-493 within thirty (30) days of becoming a financial interest holder of that business.

Jim Fitzpatrick  
Solutioneer

**From:** [Chris T Lambert](#)  
**To:** [CITY CLERK](#)  
**Subject:** Cannabis Ordinance  
**Date:** Tuesday, April 2, 2024 8:56:40 AM

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Dear City Council,

I am writing about the upcoming cannabis ordinance changes and want to make sure you are aware of the community sentiment. My friends and neighbors all feel that a cap makes sense and should be 20-30 maximum. I do not want our city to be a pot city. I want a city that has more to its nature than be a destination for cannabis shoppers. Thank you for all your hard work and keep it up.

Thank you,

Chris Lambert

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**From:** [Kaylee Steinmeyer](#)  
**To:** [CITY CLERK](#)  
**Subject:** Cannabis Stores - LIMIT to 30 Stores and Require Buffering  
**Date:** Monday, April 1, 2024 6:02:42 PM

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Honorable Council,

I support limiting the number of cannabis shops to 30 and requiring a buffer between shops. We do not need 60 plus shops in this small area. We are a diverse community and have lots of options for all consumers' needs. Thirty shops will be sufficient in my opinion. I go through Santa Ana all the time and they only have 20 shops there with a higher population.

The city expanded the parks and school buffer which is an excellent first step to protect our community. Please continue your work to assure a safe Costa Mesa for all residents.

There should be a buffer between residential and these shops of at least 500 feet. I do not know why we need pot shops nestled into residential communities.

Kaylee Steinmeyer

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**From:** [Shawn Hamilton](#)  
**To:** [CITY CLERK](#)  
**Subject:** Cap on the Number of Marijuana Shops  
**Date:** Tuesday, April 2, 2024 6:38:37 AM

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City Staff and Councilmembers,

I was not able to attend the last meeting, but I will make sure to be at the next one discussing these cannabis shops and the new rules. I want to make sure the city knows that I support a cap on the number of shops. I heard thirty was the number but then I heard you changed to thirty-five. I am concerned that you will keep going up when it really should be a lot lower. I see so many already and I am not sure we need more than the nine or ten already open. They are spread out and cover the whole city. The city can survive without any more of these and the shops will serve all the community needs. Please put a buffer between shops and a buffer between residential and these shops. I do not want my children near a marijuana shop. A thousand-foot buffer would solve this problem. I want to cast my vote for limits and buffers and thank you.

-Shawn

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**From:** [HAUSER, JANET](#)  
**To:** [GREEN, BRENDA](#); [TERAN, STACY](#)  
**Subject:** FW: Concerns Regarding Proposed Amendments to Retail Cannabis Provisions  
**Date:** Tuesday, April 2, 2024 8:13:11 AM

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Please see below.



**Janet Hauser**  
Executive Assistant to Council  
City of Costa Mesa  
77 Fair Drive | Costa Mesa | CA 92626 |  
P (714) 754-5107 M (714)949-3693

***“The City of Costa Mesa serves our residents, businesses and visitors while promoting a safe, inclusive, and vibrant community.”***

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**From:** Alexander Haberbush <ahaberbush@lexrex.org>  
**Sent:** Monday, April 1, 2024 8:29 PM  
**To:** CITY COUNCIL <CITYCOUNCIL@costamesaca.gov>  
**Subject:** Concerns Regarding Proposed Amendments to Retail Cannabis Provisions

Dear City Council Members,

I hope this message finds you well. My name is Alexander Haberbush, and I am writing on behalf of my client, John Upton, a resident of East Side Costa Mesa, as well as other concerned members of our community.

We are reaching out to express our opposition to the proposed amendments to the Costa Mesa Municipal Code regarding retail cannabis provisions, specifically the increase in the numeric cap to thirty-five storefronts and the omission of a buffer zone between cannabis retail stores.

We believe that such an increase poses a significant risk to the character and safety of our neighborhoods, potentially leading to overconcentration that our community infrastructure and residential areas are ill-equipped to handle. Furthermore, the absence of a mandatory buffer between cannabis retail establishments overlooks a critical measure to prevent the clustering of these businesses, an issue the council has previously acknowledged by increasing buffers around youth centers and residential areas.

John Upton and many of his neighbors are deeply concerned about the implications of these changes, fearing they will exacerbate existing problems related to traffic, public safety, and the overall quality of life in Eastside Costa Mesa. The prospect of establishments like People’s "CANNABIS



SUPERSTORE" only heightens these concerns, particularly given its anticipated impact on local traffic and parking.

We urge the City Council to reconsider these amendments, to introduce a buffer between cannabis retail stores, and to maintain a more reasonable cap on the number of storefronts. Our community's welfare and the preservation of our neighborhood's character depend on thoughtful, balanced regulations that address the needs and concerns of all residents.

Thank you for your attention to this matter. We appreciate your dedication to serving Costa Mesa and look forward to your support in ensuring the responsible regulation of cannabis businesses in our city.

Alexander Haberbusch, Esq.  
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444 West Ocean Boulevard, Suite 1403  
Long Beach, CA 90802  
Telephone No. (562) 435-9062  
<http://www.LexRex.org>

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Ladies and gentlemen of the city council,

I stand before you today to emphasize the importance of signage for cannabis dispensaries within our community. As we continue to navigate the landscape of legalized cannabis, it's imperative that we address the significance of effective signage for dispensaries to increase awareness and drive customer traffic.

First and foremost, clear and visible signage serves as a fundamental aspect of informing the public about the presence and location of cannabis dispensaries. In a world where information is abundant, but attention spans are limited, signage acts as a beacon guiding individuals to access legal and regulated cannabis products. By providing clear and conspicuous signage, we ensure that community members are well-informed about where they can legally purchase cannabis products, thereby reducing the likelihood of individuals turning to illicit sources.

Moreover, signage plays a crucial role in destigmatizing cannabis use and normalizing its presence within our community. By integrating dispensaries into the visual landscape of our city through tasteful and professional signage, we communicate that cannabis consumption is a legal and accepted part of our society. This normalization fosters open dialogue and education surrounding responsible cannabis use, ultimately contributing to a more informed and empowered community.

Furthermore, effective signage is not only about informing but also about attracting customers to dispensaries. Thoughtfully designed signage can capture the attention of passersby and entice them to explore the offerings of a dispensary. Whether through creative design, engaging messaging, or strategic placement, signage serves as a powerful marketing tool that drives foot traffic and stimulates economic activity within our city. Proper signage will increase foot traffic as well as revenue for the dispensaries and the city of Costa Mesa. If a bar can say bar and a smoke shop can say smoke shop why cant a cannabis store say cannabis or something similar to identify what it is.

In considering the importance of signage for cannabis dispensaries, it's crucial to balance the need for visibility with respect for the sensitivities of our community. We must ensure that signage is tasteful, compliant with regulations, and respectful of neighboring businesses and residents. By fostering open communication and collaboration between dispensaries and the community, we can create signage that enhances rather than detracts from the aesthetic and ambiance of our city.

In conclusion, the significance of signage for cannabis dispensaries cannot be overstated. It serves as a vital tool for increasing awareness, destigmatizing cannabis use, and driving customer traffic. By recognizing the importance of effective signage and working collaboratively with dispensaries, we can create a thriving and inclusive community where legal cannabis access is both safe and accessible to all.

Thank you for your attention to this matter.

**From:** [jamie miller](#)  
**To:** [CITY CLERK](#)  
**Subject:** Limit on Cannabis Stores in Costa Mesa  
**Date:** Tuesday, April 2, 2024 1:28:03 AM

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To City Council-

I raised my children here and I have been a homeowner for over thirty years. I have been through all the struggles with the rehab riviera, illegal pot shops, massage parlors, traffic issues, environmental impacts, and a long list of other obstacles. We as a community have worked hard to solve these problems. I appreciate all your work to get the cannabis issue resolved. It is and should be a free market for business in our city. I do not think that should give carte blanche to open as many shops as possible. We generally restrict gas stations, pawn shops, bars etc... Why not impose a limit? It makes sense and should be supported by the City Council. The cap of 30 with 500-foot buffers between shops and 1,000-foot buffer between schools is great. I like the city direction on making things right on this issue and please keep up the good work.

Sincerely,

Jamie Miller

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**From:** [Nicole Strickland](#)  
**To:** [CITY CLERK](#)  
**Subject:** Marijuana/Cannabis Shops  
**Date:** Monday, April 1, 2024 8:01:37 PM

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Dear City Council,

I am writing to express my feelings on the marijuana/cannabis shops. I know the city council is trying to limit the number of locations. I read that the city wanted to restrict the number to 30 shops. I think they had recommended a buffer between shops and schools as well. I am curious why this was not in place from the beginning of the marijuana program. It would have been a good idea to start the program with these restrictions. I see a lot of shops very close to each other. I think they should be spread out and not by schools at all. If the city is doing a limit, then I think 20 is enough and not the 70 I heard were opening. There could be a distance between shops of 1000-2000 feet to prevent bunching them all up. I do not want them near residential either. I think a 1000-foot restriction from residential is a good idea and thank you.

Regards,  
Nicole Strickland

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**From:** [Ralph Owen Patterson](#)  
**To:** [CITY CLERK](#)  
**Subject:** NO MORE! Enough Pot Shops!!  
**Date:** Monday, April 1, 2024 5:16:05 PM

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Council,

Enough Pot Shops!! We see them all over the city now and there should be a freeze until we see how this works out. Let's stop for now and see what revenue they actually generate and what impact they have on our community before we let more open. Keep them away from homes too. Be responsible and be informed.

-Ralph

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**From:** [Bryant L. Gleason](#)  
**To:** [CITY CLERK](#)  
**Subject:** Place Restrictions on Marijuana Shops  
**Date:** Tuesday, April 2, 2024 11:01:55 AM

---

Dear Council,

I am a 20-year resident of Costa Mesa and graduated from a local university. I have a strong connection to my community. I am asking you to help limit the number of cannabis shops in our beloved city. I applaud your efforts to place restrictions on the location and number of shops. I am concerned that you keep walking it back. The cap of 30 seemed to be a lot but then you went to 35!?!? I do not understand why our city needs 35 cannabis stores. Has anyone looked at the data on this? I recall seeing a study by HDL, your consultant, that there should be 1 per 10,000 residents. That leaves us at around 11 shops total so how are we justifying 30? It makes no sense to me and if you're doing a cap then why not align it with your city retained consultants' recommendation. Also, thank you for putting buffers in place but why did you remove the buffer between shops?

With Regards,

Bryant Gleason

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