

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

March 14, 2022

CALL TO ORDER

The Chair called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

Commissioner Toler led the Pledge of Allegiance.

ROLL CALL

Present: Chair Byron de Arakal, Vice Chair Jon Zich, Commissioner Adam Ereth, Commissioner Jonny Rojas, Commissioner Dianne Russell, Commissioner Russell Toler, Commissioner Jimmy Vivar

Absent: None

Officials Present: Director of Development Services Jennifer Le, Assistant Director of Development Services Scott Drapkin, Assistant City Attorney Tarquin Preziosi, Senior Planner Nancy Huynh, City Engineer Seung Yang, Executive Secretary Julie Colgan, and Recording Secretary Anna Partida

ANNOUNCEMENTS AND PRESENTATIONS:

None.

PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA:

None.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Commissioner Toler announced the Community Bike Ride to be held on Sunday, March 22nd at 2 p.m., a Community Walk scheduled on March 6, 2022, and the Kindness Festival to be held on April 23, 2022.

CONSENT CALENDAR:

No member of the public nor Commissioner requested to pull a Consent Calendar item.

1. MINUTES

MOVED/SECOND: de Arakal / Vivar

MOTION: Approve recommended action for Consent Calendar Item No. 1.

The motion carried by the following roll call vote:

Ayes: de Arakal, Zich, Ereth, Rojas, Russell, Toler, Vivar

Nays: None

Absent: None

Abstained: None

Motion carried: 7-0

ACTION: Planning Commission approved the Minutes of the meetings of February 22, 2021, March 8, 2021, and April 12, 2021.

PUBLIC HEARINGS:

None.

OLD BUSINESS:

1. CANNABIS RETAIL STOREFRONT AND NON-STOREFRONT REGULATIONS - INFORMATIONAL PRESENTATION

The Commission and staff discussion included the eligibility of sites with a history of illegal cannabis activity for permits, the licensing and number of onsite security guards, and the rationale for backup generator requirements. The Commission also explored advertising regulations, including the implications for free speech and the Planning Commission's authority to condition advertising for cannabis retailers. Additional concerns were raised about potential business displacement, separation requirements, buffer zones, and offsite advertising restrictions. Clarifications were requested regarding the inclusion of owner and applicant names in staff reports, definitions such as "areas adjacent," legal use areas for cannabis, and the process for revisiting and amending application conditions post-approval. Measurement standards for sensitive uses, playground boundaries, and whether a permanent baseball backstop qualifies as playground equipment were also addressed. Furthermore, the Commission inquired about costs and reimbursement for previous illegal cannabis locations, delivery hours, business naming requirements, and the regulations and code compliance for building and landscaping improvements.

The Chair opened for Public Comment.

None.

The Chair Closed Public Comment.

The Commission continued their discussion on the regulations for retail cannabis businesses, proposing that operators be required to provide video surveillance data to the Costa Mesa Police Department upon request, especially in emergencies. They reviewed policies on armed security, noting it is not uniformly required across all areas. The Commission expressed confidence in the existing regulations but raised concerns about the potential displacement of traditional businesses by cannabis shops in neighborhood centers. Additionally, there was a discussion about the prohibition of flyers and advertising materials, with a focus on preventing them from ending up in the hands of children and reducing litter.

Chair de Arakal made a motion to continue the item. Seconded by Commissioner Vivar.

Vice Chair Zich commented on the motion by expressing the need for clear conditional use permit findings to ensure that applications are not automatically approved without thoroughly assessing whether they meet the necessary criteria.

MOVED/SECOND: de Arakal / Vivar

MOTION: To continue item to the March 28, 2022 Planning Commission meeting.

The motion carried by the following roll call vote:

Ayes: de Arakal, Zich, Ereth, Rojas, Russell, Toler, Vivar

Nays: None

Absent: None

Abstained: None

Motion carried: 7-0

ACTION: Planning Commission continued the item to the March 28th, 2022 Planning Commission meeting.

NEW BUSINESS:

None.

DEPARTMENTAL REPORTS:

1. Public Works Report – Mr. Yang announced the start of the Wilson Street improvement project and the construction of pedestrian signal in front of Wilson Park.
2. Development Services Report – None.

CITY ATTORNEY'S OFFICE REPORT:

1. City Attorney – None.

ADJOURNMENT AT 7:20 PM

Submitted by:

A handwritten signature in blue ink, appearing to read 'S. Drapkin', is written over a horizontal line.

SCOTT DRAPKIN, SECRETARY
COSTA MESA PLANNING COMMISSION