

**From:** [Marianne Orr](#)  
**To:** [CITY CLERK; john.stephen@costamsaca.gov; REYNOLDS, ARLIS; Ioren.; MARR, ANDREA; HARPER, DON; CHAVEZ, MANUEL; HARLAN, JEFFREY](#)  
**Cc:** [Marianne Orr](#)  
**Subject:** Agenda Item #7 8 1 23 City Council Meeting Agenda  
**Date:** Sunday, July 30, 2023 6:00:56 PM  
**Importance:** High

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To our City Council Members:

As you are looking at possible amendments to the cities' Cannabis ordinances, I urge you to also update and amend the Sensitive use requirements to include not only, K-12 schools, Playgrounds, Licensed child/daycare facilities, homeless shelters and youth centers, but also the established neighborhoods which Costa Mesa enjoys. Established neighborhoods should also fall into the 1000 foot separation requirements.

We have always been a family community that has also co-existed with commercial use. I would like to see the City Council protect the residents that vote them into office. We, as residents have an expectation that the City Council should give clear direction as to potential locations and oversaturation. Not make the residents fight their own battles if they don't want a retail cannabis business in their backyard. Had this been done in the beginning, it might have not caused the backlog of applications which the city council had to vote to start refunding application fees.

Please do what's right for the city's residents and protect our neighborhoods!

Thank you

Marianne Orr  
The Masters Circle

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**From:** [Claudia Tebbs](#)  
**To:** [CITY CLERK](#)  
**Cc:** [MARR, ANDREA](#)  
**Subject:** August 01, 2023 Agenda New Business #7  
**Date:** Sunday, July 30, 2023 8:15:45 PM  
**Attachments:** [ATTACHMENT 1 Aug 01, 2023.pdf](#)

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Dear Mayor Stephens & City Council Members,  
I'm writing in regards to New Business item #7.

*7. REQUEST FOR CITY COUNCIL DIRECTION REGARDING THE RESEARCH FOR AND POTENTIAL DEVELOPMENT OF AMENDMENTS TO THE CITY'S CANNABIS ORDINANCES 23-1328*  
*RECOMMENDATION: Staff recommends the City Council provide direction regarding researching and exploring with the Planning Commission options and amendments to the City's cannabis regulations to address concerns regarding potential unanticipated business displacement and over concentration of retail cannabis businesses.*

I have been a resident & homeowner in Costa Mesa for 26 years. I would like to ask the City Council to provide direction to research & explore amendments to our City's cannabis regulations as they pertain not only to businesses but also to:

1. **Zoning** - The property on the other side of my fence is zoned for cannabis, the property across the street where there are numerous businesses & no residences is not zoned for cannabis.
2. **Buffer Restrictions to Residences** (see Attachment 1) The City of Santa Ana has 1000 ft and the City of Pasadena has 600 ft buffer to residences.
3. **Restriction on Number of Licenses/Permits** (see Attachment 1) The City of Costa Mesa has no restriction. So that means with 114,000 residents and 70 applications, **Costa Mesa's license per population ratio could be 1 cannabis store per 1,629 residents (this is including children & people under 21)**. Santa Ana is 1 for every 7,000 residents, Long Beach is 1 for every 12,000. Pasadena is one for every 14,000. Huntington Beach was proposing 1 for every 30,000. **We need a limit please.**

I ask that you please consider all these items when you research, explore, & amend the Cannabis Ordinance in our city.

Thank You, Claudia Tebbs  
114 The Masters Cir  
Costa Mesa, CA 92627

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## ATTACHMENT 1

Data taken from City of Huntington Beach City Council Study Session February 15, 2022

### Zoning/Buffer Restriction - Comparison w/other cities

	Orange County		Outside OC		Huntington Beach
	Santa Ana	Costa Mesa	Long Beach	Pasadena	Petition 1,2
Zoning/Buffer restriction	YES	YES	YES	YES	YES
Buffer Limits (State Required 600 feet)	All types 1,000 ft. from K-12 schools, parks, or residential uses.	600 ft. from youth centers; 1,000 ft. from K-12 schools, daycare, playgrounds,	1,000 ft. from K-12 school 600 feet of daycare center, park, library (no buffer for youth centers)	600 ft. from Residential zone, K-12 school, daycare, church/faith, park or library	600 ft. from K-12 schools (state regulations)
B2B Buffer	500' from another retail cannabis.		1,000 ft. from other dispensaries	1,000 ft. from other cannabis retailers	None.
Downtown, Beach / Specific Facilities	N/A.	1,000 ft. from homeless shelters	1,000 ft. from public beach; Allowed within mixed use buildings in downtown	500 ft. from testing lab	Unknown.
Zoning district		"Green Zone" for industrial cannabis uses			

### Industry Petitions vs. City Proposal

	Huntington Beach		Compared to Model Cities		
	Petition 1	Petition 2	Long Beach	Pasadena	Huntington Beach (Proposed)
Retail (w/delivery)	YES	YES	YES / NOT YET	YES / YES	YES
Non-Retail	YES	YES	YES	YES (cultivation, testing laboratory)	YES
# of License /permits	10-12	10-12	32+8 licenses (co-location of medical/non medical)	Retail - 6 (1 per district) Non-Retail - 4	Retail - 5 vs. 10 Non-Retail - No cap
License per population ratio	1 every 17,000 residents		1 every 12,000	1 every 14,000	1 every 30,000 vs. 20,000
Zoning	NO. Allows in all commercial/industrial areas including Downtown		YES	YES	Retailer: Commercial & all special plan areas except Downtown Non-Retailers: Industrial Zone only
Buffer Restriction	600 ft buffer from schools 600 ft buffer from schools (state regulations)		1,000 ft of a school, beach, or other dispensary 600 feet of daycare center, park, library Allowed within mixed-use buildings in downtown	600 ft buffer from residential zones & sensitive uses; 1,000 ft from other cannabis businesses	1,000 ft buffer vs. 600 buffer from schools No B2B buffers

**From:** [HAUSER, JANET](#)  
**To:** [GREEN, BRENDA](#); [TERAN, STACY](#)  
**Subject:** FW: Agenda item  
**Date:** Monday, July 31, 2023 8:52:22 AM  
**Attachments:** [image001.jpg](#)

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Janet Hauser  
Executive Assistant to Costa Mesa City Council  
City of Costa Mesa  
77 Fair Drive  
Costa Mesa, CA 92626  
Desk: 714-754-5107  
Cell: 714-949-3693  
[Janet.hauser@costamesaca.gov](mailto:Janet.hauser@costamesaca.gov)

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Costa Mesa is launching a new permit and license processing system called TESSA in August. TESSA will replace our existing system and all land use, building and business license applications currently in process will be transferred to the new system. To learn more about TESSA, visit our FAQ page at <https://www.costamesaca.gov/tessa>.  
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**From:** Margaret Mooney <mrm492608@gmail.com>  
**Sent:** Saturday, July 29, 2023 11:00 AM  
**To:** CITY COUNCIL <CITYCOUNCIL@costamesaca.gov>  
**Subject:** Agenda item

I am writing to support Andrea Marr's request to place on the agenda a discussion of modifying the current cannabis

ordinance for Costa Mesa .

Please enable the council and residents to consider amendments to this ordinance.

Thank you

Margaret Mooney

Costa Mesa resident

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**From:** [HAUSER, JANET](#)  
**To:** [GREEN, BRENDA](#); [TERAN, STACY](#)  
**Subject:** FW: Cannabis Discussion on Tuesday, August 1, 2023  
**Date:** Monday, July 31, 2023 8:48:16 AM  
**Attachments:** [image001.jpg](#)

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Janet Hauser  
Executive Assistant to Costa Mesa City Council  
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**From:** Geoff West <gtwest@earthlink.net>  
**Sent:** Sunday, July 30, 2023 5:31 PM  
**To:** CITY COUNCIL <CITYCOUNCIL@costamesaca.gov>  
**Subject:** Cannabis Discussion on Tuesday, August 1, 2023

**TO: Mayor John Stephens, Mayor Pro Tem Jeffrey Harlan, Council Members Arlis Reynolds, Manuel Chavez, Andrea Marr, Loren Gameros and Donald Harper.**

**SUBJECT: Cannabis ordinances in the City of Costa Mesa**

Dear Elected Leaders,

I write to you today as a 50-year resident of Costa Mesa with some significant concerns about how cannabis is being managed in our city. You will address some of these concerns during your meeting Tuesday, August 1, 2023.

#### **GREEN ZONE TAX REDUCTION**

Several years ago the residents approved the non-retail sales uses of cannabis to be conducted north of the I-405 Freeway - an area known as the Green Zone. Those activities were to be taxed at 6% of sales. After a short time the operators of those businesses began to whine to

the City Council that the tax was making it difficult for them to make a profit, so the Council knuckled under and reduced the tax to 1% - barely enough to provide administrative oversight of those activities.

### **RETAIL CANNABIS SALES**

More recently the voters of this city overwhelmingly authorized the retail sales of cannabis products, approving a rapidly-crafted ordinance that, as it turns out, left too many loopholes in the process, including the total number of cannabis outlets to be approved and some laxness as to locations thereof.

### **APPEAL OF A DENIAL**

On your agenda Tuesday night is an appeal of a recent Planning Commission denial of a cannabis outlet. I watched that meeting and think the Planning Commissioners reached the proper conclusion. I hope you will uphold that denial.

### **REVIEW OF THE CANNABIS RULES**

Also on your agenda Tuesday night is a request to revisit the cannabis ordinance with an eye to tightening up rules about total numbers and locations. I wish to address that item.

### **NOT A FAN OF “THRESHOLD DRUGS”**

First, I'm not a fan of cannabis sales. There is irrefutable scientific evidence, which can be found with a simple Google search, that cannabis use can be - and many times is - a threshold drug, leading to the use of much more addictive substances. As you know, our area is in the midst of a very serious opioid epidemic and there is reason to believe that easy availability of cannabis may contribute to that epidemic. That being said, we have an ordinance that authorizes retail cannabis sales, so...?

### **HOW MANY ARE TOO MANY?**

Currently there are 21 cannabis dispensaries approved for our city, with **MANY** more in the hopper pending consideration/approval. At one time the total was over 60 applications pending. While nobody can tell us how many should be approved, logic tells us that 5 dozen dispensaries - several with a home delivery element - are just too many for our city of around 112,000 souls.

### **“THE MARKET” MYTH**

Some council members - and some shills for the industry - tell us *“the market will take care of itself”* - meaning that if there are too many dispensaries some will drop by the wayside because they cannot compete with others. We see no evidence that this assumption is valid so far. Logic tells us that a finite number should be established and controlled.

### **BUSINESS OUSTERS**

As the approvals have been made we've seen some long-established businesses forced out of their locations because cannabis businesses can pay steeper rents. Some moved while others just packed it in. As some of those unsuccessful cannabis businesses drop by the wayside they leave in their wake those ousted businesses AND vacant storefronts at their locations.

### **CLUSTERING**

As applications have been approved we have seen several venues throughout the city that now have “clusters” of cannabis retail outlets in close proximity to each other. In my view, this is bad for their business, and bad for the other businesses and residences nearby. We should

designate minimum spacing between retail cannabis outlets.

### **APPLES AND ORANGES**

In response to that assumption, some folks - including some elected officials - trot out the facts of the number of places in our city where alcohol and beverages containing it, are widespread in our city, citing restaurants, bars, liquor stores, markets, mini-markets, etc. In my view, this straw man is an “apples and oranges” situation. Since the end of prohibition nearly a century ago, alcohol sales has been a federally-monitored activity. Bars and restaurants permit on-site consumption of alcoholic products. There is no such permission for on-site consumption of cannabis products... yet. Liquor stores typically also sell other products. Markets and mini-markets have alcohol sales as only a small segment of their total retail sales.

### **DUI IS MEASURABLE - CANNABIS IS NOT**

Overuse of alcohol is monitored by the police when they stop impaired drivers and administer blood alcohol tests. No such test currently exists for the cannabis-impaired. We rely on the training and skills of our police officers to make assumptions about the level of impairment of drivers under the influence of cannabis or other drugs.

### **CANNABIS SALES PROXIMATE TO REHAB HOMES**

In their recent meeting the Planning Commission chose - unwisely, in my view - to shove an application for a cannabis store to their next meeting, apparently hoping the discussion held in the Joint Study Session about the Inclusionary Housing Ordinance might provide some guidance on that issue. I can't understand how that would be relevant nor timely. Regardless, one of the concerns expressed about that particular location was the proximity to a residential rehabilitation home. Yes, that should be a codified concern. Just as is the case with churches, schools and playgrounds, cannabis dispensaries should not be permitted near a known rehab home. The quandary here is that there is NO control over where such homes may be located. AND, further complicating this issue, is the fact that cannabis products may be delivered to locations in our city - without restriction - by drivers from cannabis outlets.

### **CANNABIS SALES TAX**

Another factor I see coming into play soon is the 7% tax on retail cannabis sales. It will not surprise me at all if, in the very near future, existing cannabis retail operators band together to complain to the city officials that the 7% tax is unworkable for them, and request (demand?) that it be reduced. There is a history of this happening with businesses in the Green Zone. One of the selling points used to promote the ordinance authorizing the retail sale of cannabis products was that it would generate significant sales tax dollars. I expect, if pushed, this council will, once again, knuckle under and reduce the sales tax on retail cannabis stores. That, in my opinion, would be a *“bait and switch”* move - a failure to follow the wishes of the electorate, who passed the ordinance, at least in part, because of the potential tax revenue.

### **TO SUMMARIZE**

Summarizing this long-winded essay, I feel the following issues, and probably others, should be addressed and clarified/modified regarding cannabis sales in Costa Mesa:

**1-Restrict the total numbers of such businesses in the city.**

**2-Redefine the restrictions on locating near drug and alcohol rehabilitation homes.**

**3-Make it clear that the sales tax burden of 7% WILL NOT be reduced for any retail**

sales cannabis business.

**4-Modify the ordinance to prohibit “clustering” of cannabis businesses in the city.**

**PROTECTING OUR CITY’S IMAGE**

As a long-time resident of Costa Mesa - one who actually has paid attention to municipal issues for most of the past couple decades, studied them and offered opinions on them - I don’t want our town to become known as Orange County’s “**Cannabis Central**”. I know this view is not shared by some of you - some who have established close relationships with some applicants and their representatives and see the siren-song of sales tax revenue worth the diminishing of our image in the community of cities. I don’t want our city to be the “go-to” place for drugs. This city has **SO MUCH** to offer the broader region - wonderful cultural and artistic venues, unparalleled shopping venues, proximity to nearby beaches, etc. - that it would be a real shame to have our image darkened by the proliferation of these businesses.

**YOU HAVE DEMONSTRATED GREAT LEADERSHIP BEFORE...**

As a group you’ve demonstrated great leadership managing the homelessness issue - you’ve shown the way to all other Orange County cities on that subject. It’s **NOT TOO LATE** to do the same on this issue - to throttle-back and implement significant controls on cannabis businesses. As you hear the discussion and the views of folks supporting and opposing the issue, please give it careful consideration Tuesday night.

**THANK YOU...**

I continue to be grateful to each of you for your dedication to our city and the time you take to manage such important issues. Most of you read the staff reports, consult with the staff on sticky issues, visit sites in question and represent our city at ceremonial events. That, of course, is why we pay you the big bucks and I appreciate most of you for your efforts on our behalf. Thanks for that.

Respectfully,

Geoff West

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**From:** [HAUSER, JANET](#)  
**To:** [GREEN, BRENDA](#); [TERAN, STACY](#)  
**Subject:** FW: Cannabis Stores  
**Date:** Monday, July 31, 2023 8:51:58 AM  
**Attachments:** [image001.jpg](#)

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Janet Hauser  
Executive Assistant to Costa Mesa City Council  
City of Costa Mesa  
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**From:** Kelly Anne Brown <kellyab@exchange.uci.edu>  
**Sent:** Saturday, July 29, 2023 2:26 PM  
**To:** CITY COUNCIL <CITYCOUNCIL@costamesaca.gov>  
**Subject:** Cannabis Stores

Hello,

I am writing to express my concern about the number of cannabis stores operating in Costa Mesa. I live in District 5, and two stores are within a 2-minute walk from my house (High Seas and 420 on Harbor Blvd close to Bernard Street). As I drive around the city, I am shocked to see how many are currently operating, seeming to indicate that we are prioritizing filling our business locations with cannabis. Although I am open to some cannabis retailers, it feels excessive. I have no ethical concerns with legalizing cannabis but am concerned about making sure that our city represents a diversity of opportunities and businesses.

Unfortunately, I will be out of town during the city council meeting, but wanted to weigh in and express my support for a rethinking of how many permits should be granted.

Best,  
Kelly Brown  
Commissioner, Parks and Community Services

Kelly Anne Brown, PhD  
Director, Media Relations and Communications  
UC Irvine, School of Humanities

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**From:** [Betsy Mosier](#)  
**To:** [STEPHENS, JOHN](#); [MARR, ANDREA](#); [CHAVEZ, MANUEL](#); [GAMEROS, LOREN](#); [Don Harper](#); [HARLAN, JEFFREY](#); [REYNOLDS, ARLIS](#); [CITY CLERK](#)  
**Cc:** [Betsy Mosier](#)  
**Subject:** Fwd: August 01,2023 Agenda New Business #7  
**Date:** Monday, July 31, 2023 12:01:44 PM

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**Subject: Fw: August 01,2023 Agenda New Business #7**

Dear Mayor Stephens & City Council Members,

I'm writing in regards to New Business item #7.

*7. REQUEST FOR CITY COUNCIL DIRECTION REGARDING THE RESEARCH FOR AND POTENTIAL DEVELOPMENT OF AMENDMENTS TO THE CITY'S CANNABIS ORDINANCES 23-1328*

*RECOMMENDATION: Staff recommends the City Council provide direction regarding researching and exploring with the Planning Commission options and amendments to the City's cannabis regulations to address concerns regarding potential unanticipated business displacement and over concentration of retail cannabis businesses.*

I am a resident & homeowner in Costa Mesa . I would like to ask the City Council to provide direction to research & explore amendments to our City's cannabis regulations as they pertain not only to businesses but also to:

1. **Zoning** - The property on the other side of my fence is zoned for cannabis, the property across the street where there are numerous businesses & no residences is not zoned for cannabis.
2. **Buffer Restrictions to Residences** (see Attachment 1) The City of Santa Ana has 1000 ft and the City of Pasadena has 600 ft buffer to residences.
3. **Restriction on Number of Licenses/Permits** (see Attachment 1) The City of Costa Mesa has no restriction. So that means with 114,000 residents and 70 applications, **Costa Mesa's license per population ratio could be 1 cannabis store per 1,629 residents (this is including children & people under 21)**. Santa Ana is 1 for every 7,000 residents, Long Beach is 1 for every 12,000. Pasadena is one for every 14,000. Huntington Beach was proposing 1 for every 30,000. **We need a limit please.**

I ask that you please consider all these items when you research, explore, & amend the Cannabis Ordinance in our city.

Costa Mesa is a family-oriented community. People choose to put down roots because of the community feel, the good schools, the wonderful location. I believe Costa Mesa should be looking forward 10, 20, 30 years into the future and ask what do we want to build for our families, our business owners, ourselves. I believe that the proliferation of cannabis retail locations will discourage valued retailers and families from putting down roots in Costa Mesa.

They will definitely affect our property values.

The all-mighty tax dollar should not be our criteria for approving unlimited numbers of cannabis shops literally within feet of residential neighborhoods, schools, and parks.

I respectfully ask that you give careful consideration to the long term effects of the possible approval of 70 more cannabis stores.

Lizabeth Mosier  
169 The Masters Circle  
Costa Mesa, CA 92627

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**From:** [Catherine Nadeau](#)  
**To:** [CITY CLERK](#)  
**Subject:** Marijuana Dispensaries  
**Date:** Monday, July 31, 2023 2:56:23 PM

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PLEASE MAKE SURE THE CITY COUNCIL RECEIVES THIS BEFORE TUESDAY, AUGUST 1, 2023 MEETING

To All Members of the Costa Mesa City Council,

I have been a resident of Costa Mesa for the past 35 years. I have been a homeowner for 27 of those years. My husband and I have raised two children in this community. We love Costa Mesa.

However, I am sad to say we are very unhappy with several members of our city council, including the Mayor John Stephens, who we voted for, and our district 6 representative, Jeffrey Harlan, who we also voted for, for their careless actions of allowing roughly 20 new marijuana dispensaries in the surrounding 5-mile radius of our home.

Does our mayor and our rep live in our Eastside community? My assumption is they do not. Because if they did, they probably wouldn't be so quick to allow for so many in one small area of our city or they wouldn't allow dispensaries at the entrances of several of our neighborhood streets.

What is the purpose? For Costa Mesa to collect more profit? Is it money-driven? If so, when will you ever say enough is enough?

Costa Mesa has a lot of serious issues to take care of: homelessness, excessive traffic, parking issues, unaffordable housing, theft is on the rise and an overabundance of halfway houses. By allowing so many dispensaries in one small area, our problems will only get worse. We're eventually going to be the next Venice Beach at the rate we're going. And who wants that?

I voted for the legality of marijuana in our state. I'm not against the sale of marijuana. However, I did not expect my neighborhood to be taken over with 20 dispensaries within a five-mile radius of my home.

I believe I made a huge mistake by voting for Mr. Stephens and Mr. Harlan, since they're not helping our city become the best city it can be. My husband and I are not okay with the decisions that you're making when it comes to marijuana dispensaries, and please know that your decisions will be remembered during election time.

Very disappointed citizen,

Catherine Nadeau, CSR No. 11528, RPR  
949.351.0476

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**From:** [Ellen Hanson Walker](#)  
**To:** [CITY CLERK](#)  
**Cc:** [MARR, ANDREA](#)  
**Subject:** RE AMENDMENTS TO THE CITY'S CANNABIS ORDINANCES 23-1328  
**Date:** Monday, July 31, 2023 12:25:26 PM

---

Dear Mayor Stephens & City Council Members,

I'm writing in regards to New Business item #7.

*7. REQUEST FOR CITY COUNCIL DIRECTION REGARDING THE RESEARCH FOR AND POTENTIAL DEVELOPMENT OF AMENDMENTS TO THE CITY'S CANNABIS ORDINANCES 23-1328*

*RECOMMENDATION: Staff recommends the City Council provide direction regarding researching and exploring with the Planning Commission options and amendments to the City's cannabis regulations to address concerns regarding potential unanticipated business displacement and over concentration of retail cannabis businesses.*

***I am in total agreement with the emails sent to you by my Masters Circle neighbors, Marianne Orr and Claudia Tebbs.***

As a resident & homeowner in Costa Mesa for the past 18 years, I am also requesting that our City Council provide direction to research & explore amendments to our City's cannabis regulations as they pertain not only to businesses but also to:

- Zoning**
- Buffer Restrictions to Residences**
- Restriction on Number of Licenses/Permits** How many store-front dispensaries does Costa Mesa really need? Especially when delivery services are also available? After reviewing the details of the Measure Q voter guide, nowhere does it state what the limits will be. I am sure many voters did not see or think to look for this detail when they voted. And we certainly do not want our beautiful city to be recognized as, and added to the list below! Especially since neighboring Santa Ana already has made this list and is quick and easy access for any cannabis purchases.

I ask that you please consider all these items when you research, explore, & amend the Cannabis Ordinance in our city.

Thank you for your attention and support!

Ellen Walker

## 2023's Best Cities to Get Stoned

<https://www.lawnstarter.com/blog/studies/best-cities-marijuana-lovers/>

Overall Rank (1=Best)	City		Overall Score	Access Rank	Consumer Satisfaction Rank	Convenience Rank	Lounging Rank	Entertainment Rank
1	San Francisco	CA	59.774	1	33	13	1	5
2	Los Angeles	CA	57.497	6	21	3	5	1
3	Denver	CO	50.966	4	31	49	2	9
4	Santa Ana	CA	49.141	2	3	16	64	39
5	Las Vegas	NV	45.211	10	25	45	4	3

6	Long Beach	CA	41.335	8	19	23	42	12
7	Portland	OR	39.946	5	42	54	22	8

Thank you!

**ELLEN HANSON WALKER**, Realtor - OC Coastal Specialist  
COLDWELL BANKER RESIDENTIAL BROKERAGE

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**From:** [Vickie Talley](#)  
**To:** [CITY CLERK](#)  
**Subject:** Communication 8/2/23 Council Agenda Item Old Business 1  
**Date:** Monday, July 31, 2023 12:52:19 PM  
**Attachments:** [073123 Final Letter Packet CM City Council.pdf](#)

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City Clerk Green,

Please find attached communication to the Mayor and City Council on the Old Business Agenda Item on Committees. This communication is specific to the Mobile Home Park Advisory Committee.

Thank you for confirming receipt and distribution to the Mayor and Council.

Vickie Talley



**Vickie Talley**, Executive Director  
MHET  
Manufactured Housing Educational Trust

25241 Paseo de Alicia, Suite 120  
Laguna Hills, California 92653

Phone: (949) 380-3303  
Facsimile: (949) 380-3310  
Email: [vickie@mhet.com](mailto:vickie@mhet.com)

MHET has been working to protect mobile home park owners' property rights since 1982! If you are not a member, please ask me about joining today!

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July 31, 2023 Sent via email to City Clerk: cityclerk@costamesaca.gov

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James Jones  
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Keith Casenhiser  
James H. Bostick

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Mayor John Stephens  
Mayor Pro-Tem Jeffrey Harlan  
Council Member Andrea Marr  
Council Member Manuel Chavez  
Council Member Loren Gameros  
Council Member Don Harper  
Council Member Arlis Reynolds

**RE: Council Agenda Item: Old Business Item 1  
Recommendations From City Council Committee Liaisons Regarding City Committees  
The Mobile Home Advisory Committee**

Honorable Mayor Stephens and Members of the City Council,

The Manufactured Housing Educational Trust (MHET) represents mobile home park communities in the tri-county region of Orange, Riverside and San Bernardino Counties. We have been working as Manufactured Housing Advocates since 1982 and have worked with the City of Costa Mesa on many occasions over the years to address and resolve issues as they arise in your city's mobile home parks.

I am particularly pleased and honored to be serving as the Chair of the city's Mobile Home Park Advisory Committee. We have been meeting on a regular quarterly basis and have worked together with the city staff to facilitate education and communication between mobile home park residents and the community owners and management. As a result, the City's website has been upgraded with very helpful information, a dispute resolution program is being finalized, presentations have informed mobile home owners about all sorts of services including the city's rental assistance program. I also presented information on the MHET Rental Assistance Program, which has been successfully helping low-income mobile home owners for nearly 40 years.

This committee is working very well together and, on behalf of the mobile home park owners and the park residents, I would like to urge the Council to keep the committee in place with the current make-up and meeting schedule so we can continue our work.

I have enclosed some of our MHET publications including our monthly California Mobile Home Newsletter and information on our Rental Assistance Program (MHET RAP). I hope you will not hesitate to contact me if you have questions or would like additional information about our services.

Sincerely,  
  
Vickie Talley, Executive Director

**Attachments: MHET Rental Assistance Program  
California Mobile Home Newsletter – July and August Issues**



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Rodney Anderson

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**Lifetime Achievement**

**Award Recipients**

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John Crean Harry E. Karsten

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Jim Martin

James Jones

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James B. Bostick

**Executive Director**

Vickie Talley

**Inland Empire Representative**

Robert Evans

# An Introduction and Overview of the MHET Rental Assistance Program for Mobile Home Owners For Elected Officials

## Introduction

The Manufactured Housing Educational Trust (MHET) was founded in 1982 to be an advocate for mobile home communities in the Southern California region. The goal of the non-profit organization was to work with park owners, park residents, local elected officials and the community to address issues in mobile home parks.

Over the years MHET has listened and responded with programs to address issues such as improving communication between park owners and residents and rent increases. Today MHET offers many programs to assist mobile home park residents including a monthly newsletter, a 24-hour hotline, and a rent subsidy program for low-income mobile home owners.

## Commitment to Mobile Home Park Living as a Lifestyle Choice

Mobile home park living is not low-income housing. Low-income housing is reserved for low-income households. However, mobile home park living is affordable housing that is a lifestyle choice for people of all ages and income brackets. Mobile home communities also offer affordable second homes at the beach, in the mountains and deserts.

## MHET Rental Assistance Program (MHET RAP) Overview

The MHET RAP program is modeled after the Federally funded Section 8 rent subsidy program. The same income guidelines are used and applicants are required to be spending over 40% of the household income on housing expenses. Applicants are asked to submit an application and back up documentation supporting the need for a monthly rent subsidy. The application review is done by an independent third party. Upon approval, the park owner provides a monthly rent credit to the needy resident.

The program began in Orange County, California where there are over 200 mobile home parks and it has expanded to include mobile home parks throughout California. It is not offered in rent-controlled jurisdictions because rent control subsidizes every renter not just needy low income.

## How Many People Qualify for A Monthly Rent Subsidy?

MHET RAP has helped hundreds of qualified low-income households and continues to expand to provide help where needed.

Some important things have been learned over the years of administering this program:

- People renting a space in a mobile home park are like all other renters. They do not like it when the rent increases. However, all costs increase including rent.
- Mobile home owners are not all low income.
- Most mobile home owners own their mobile homes free and clear and the only housing costs they have are the monthly rent and utilities.
- Mobile home parks provide an affordable housing choice with fair rents.
- Mobile home park owners care about their residents and will help those who are truly in need. The MHET Rental Assistance Program has provided that opportunity.

## Need More Information?

Please contact MHET Executive Director Vickie Talley at 949.380.3303 or [vickie@mhet.com](mailto:vickie@mhet.com)

Revised 2023

25241 Paseo de Alicia, Suite 120 • Laguna Hills, California 92653 • Phone: (949) 380-3303 • Fax: (949) 380-3310  
Email: [info@mhet.com](mailto:info@mhet.com) • Website: [www.mhet.com](http://www.mhet.com)

Southern California MHET Serving Orange, Riverside and San Bernardino Counties since 1982

# California Mobile Home News

Information of Interest about Mobile Home Park Living

JULY 2023

[www.californiamobilehome.news](http://www.californiamobilehome.news)

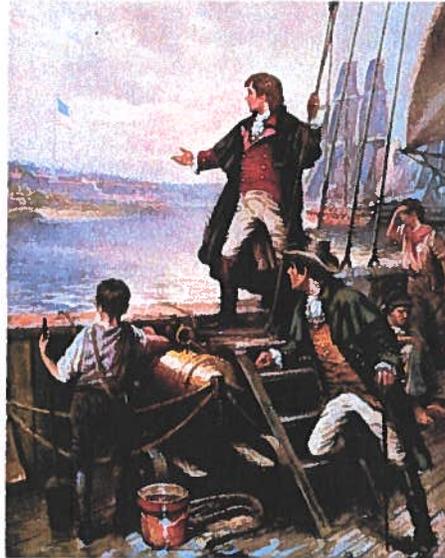
VOL. 11 NO. 7

## HAPPY 4TH OF JULY! CELEBRATING INDEPENDENCE DAY WITH A FAVORITE AMERICAN ANTHEM, "THE STAR-SPANGLED BANNER"

"The Star-Spangled Banner" is easily the most beloved American anthem ever to be written, an homage to the American flag during the War of 1812. But the flag had been around for years, and the nation had fought for its independence during the previous century. Why did these lyrics get penned down so many years later?

Here is some context behind the song's lyrics and why the poem was written. Francis Scott Key was being held on a British ship during the Battle of Baltimore and the naval bombardment of Fort McHenry.

When a new day had dawned, he could see the American flag still waving and knew that the British had failed to take the fort. America had



held the fort victoriously through the night. After witnessing that triumph,

Key was inspired to pen down the first verse to "The Star-Spangled Banner".

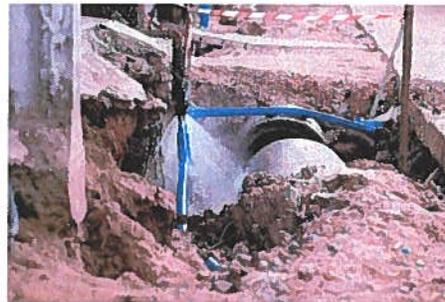
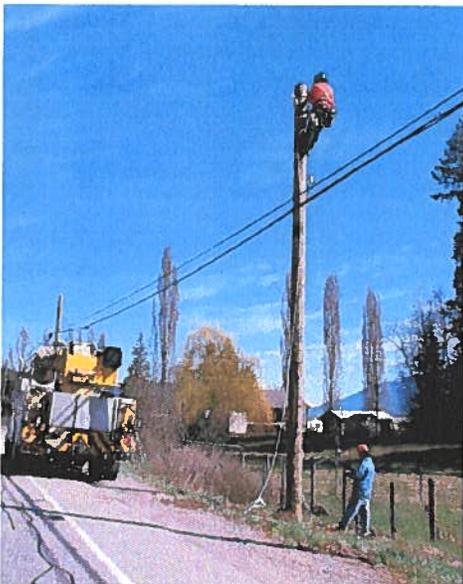
It is believed that the weight of the lyrics hold a much deeper meaning than some may realize. The author of the article "Symbols of a New Nation" wrote that the War of 1812 had "... inspired a fresh wave of patriotism in a generation too young to remember the Revolution. When Key declared that 'our flag was still there,' he fused the physical symbol of the nation with universal feelings of patriotism, courage, and resilience." ■

Sources:

Library Of Congress, C-Span, "Symbols of a New Nation"

## It Is Inevitable: Inconveniences Happen In Cities And In Your Community

It is inevitable: cities and their residents have to deal with water pipe breaks, sewage spills that close beaches, electrical outages and more. Everyone has experienced these temporary and inconvenient disruptions.



tions. Mobile home communities are no different – they are just like a little city providing services to the residents. Sometimes inconvenient service interruptions occur. In most cases residents receive notice from the community management, but there are always times when an emergency occurs and notice is not possible. If you observe any issues with services provided in your community, be sure to alert the on-site management immediately. ■

### Introduction

California Mobile Home News provides a forum for sharing information of interest to people who live and work in mobile home park communities in California and anyone else who is interested in knowing more about mobile home living. The California Mobile Home News is sponsored by the Manufactured Housing Educational Trust, a non-profit association that has worked to promote and preserve the mobile home park lifestyle since its incorporation in 1982. Please feel free to copy and distribute this newsletter as it is printed with all attributions and information as originally printed. You are invited to visit our site [www.californiamobilehome.news](http://www.californiamobilehome.news) and participate in the exchange of information on mobile home parks!

# California Mobile Home News

Information of Interest about Mobile Home Park Living

JULY 2023

www.californiamobilehome.news

VOL. 11 NO. 7

## Pool and water play safety tips



**Get them water-trained:** It is never too early to sign your child up for swimming lessons. It is an important life and safety skill, especially if you enjoy spending your summer days in the water! ■

Source:  
Zero to Three

There is no more refreshing and exciting summer family activity than one that involves water. We are mindful that many families include young children (aged 4 and under), so here are a few things to be mindful of before going out on the lake, the local community pool or even just filling up the water-play table.

**Constant vigilance:** When you know your child is going to be in or around water, pay extra close attention to them. This is the best way to prevent drowning.

**Utilize inflatables:** Fit your child with a U.S. Coast Guard-approved life jacket when on a boat in a body of water, or put

floaties on them when playing in any body of water. Make sure the floaties are in good condition, well-inflated and do not have any holes or tears.

**Use discernment:** Do not ask older children to supervise younger children in any body of water, including bathtubs. Remain close to or hold your child when in a body of water with strong currents, such as oceans or streams.

**Think and plan ahead:** Empty buckets, inflatable pools, water-play tables, and other containers after your child is finished using them.

### One Way To Be A Good Neighbor: Be Alert And Be Aware!

Neighbors watching out for neighbors and being aware and paying attention to what is going on in your community is really important. If something does not seem right, do not hesitate to contact

your park manager or the local police. And always in the case of a medical or other emergency, dial 911 immediately. ■

### Mobile Home Residency Law Frequently Asked Questions

**Q: How do I change or add a name on the title to my mobilehome?**

**A:** Contact the state Department of Housing and Community Development's Registration and Titling division at (800) 952-8356.

**Q: I don't have the title to my mobilehome. Where can I get a copy?**

**A:** Every mobilehome owner must have a

copy of the current registration for their home. (Health & Safety Code §18080.4) Contact the state Department of Housing and Community Development's Registration and Titling division at (800) 952-8356 for assistance, or search [hcd.ca.gov](http://hcd.ca.gov). ■

Source:  
California Department of Housing & Community Development.

### Resources & Information

#### Section 8 Rent Assistance

Section 8, also known as Housing Choice Voucher program, is a program that provides rental assistance to qualified renters. You can apply for Section 8 vouchers at any Public Housing Authority office in any county or city of residence.



MHET members support rent subsidies for qualified low-income mobile home owners in non-rent controlled jurisdictions. For more information call **(949) 380-3311**.

#### Mobilehome Assistance Center

California Department of Housing and Community Development (HCD)  
Call TOLL FREE: (800) 952-8356 or visit [www.hcd.ca.gov/mobilehomeassistance-center](http://www.hcd.ca.gov/mobilehomeassistance-center)

#### Southern California Mobilehome Hotline

Call TOLL FREE: (855) 438-6438  
For questions specifically related to Southern California mobile home parks located in Orange, Riverside, and San Bernardino Counties, you may call the Southern California Mobilehome Hotline.



Date: July 27, 2023

To: Mayor John Stephens and Costa Mesa City Council

CC: City Manager - Lori Ann Farrell Harrison, City Clerk - Brenda Green

From: Ralph Taboada

Subject: City Council Committees

---

At the April 4, 2023 City Council meeting, Staff presented recommendations to restructure the City Council Committees. As a current active committee member, I am writing to express my thoughts and concerns as well as submit recommendations related to the functioning and management of the Committees.

**Committee Member Nominations:** Each Council member nominate at least one member to each committee. In this way all Council members have the opportunity to contribute to every committee. If a committee has more than seven members the applicable Council Liaison(s) can appoint additional members. A Council member should also be able to delegate his or her nomination to the Council liaison

Having representation from all districts of the city is important, more so on some committees than others. It is just as important to have qualified members (regardless of district) with diverse backgrounds and/or work experience on the committees. Therefore, I do not think it should be policy that Council members must nominate committee members from their district.

The full Council should continue the policy of approving all nominated committee members.

**Committee Size:** Establish a minimum of seven members and maximum of nine or eleven per committee. Council should retain flexibility in establishing the size of committees depending upon each committee's goals and scope of work. Having seven members on every committee is not the best policy. Committees' currently range in size from 5 – 11 members.

**Committee Member Terms:** Minimum two-year terms. Recently some members have been appointed to one-year terms. Currently, members of six committees have two-year terms and members of two committees (Fairview Park & Traffic Impact) have four-year terms. Due to the intricacies of the City's financial structure and learning curve involved, recommend Council change FiPAC committee member terms to four years.

Member terms will be staggered based upon the terms of the appointing Council member. Committee members serve at the pleasure of the appointing Council member and may be replaced 'at will' by the appointing Council member.

**Committee Member Attendance:** Retain the existing policy on attendance (per Committee Member Handbook, 2012 edition). However, this policy is not well known and adherence to it has been sporadic. I think each Chairperson should be responsible for maintaining attendance records and notifying staff and the Council liaison if a committee member falls out of compliance with the attendance policy.

**Committee Meeting Frequency:** Allow frequency to be based upon each committees' goals and scope of work. This should be a collaborative decision between the Council liaison, committee members and staff liaison with the Council liaison having the final decision.

**Public Comments:** Allow three minutes (same as Council) per speaker for public comments with total allotted time of 15 minutes, unless specifically extended by the Chairperson. Allotted time for public comments must be consistent among all committees. This is currently not the case. Some committees allow two and some allow three minutes per speaker and there are also differences in total allotted time.

**Committee Minutes:** Council should establish a policy that Committee Minutes be posted for public access no later than 25 days after they have been APPROVED by a committee. This should ensure that minutes from previous meetings are available in a timely manner. Currently, Minutes are not necessarily posted in a timely manner.

**Annual Reports to Council:** Each committee should make an annual report to the City Council. Annual Reports help keep all council members informed about the activity in each committee and gives Council members a chance to review the work, ask questions, and offer comments. It also provides committee representatives the opportunity to interface with the full Council. I am aware of only one committee (ATC) making annual reports.

**Subcommittees:** Improvements to subcommittees are needed. However, from my experience, subcommittees have been effective and operated efficiently, with no or very minimal staff support. Also, most of the work committees have accomplished has been through subcommittees.

That being said, subcommittees should not be a prerequisite for topics to be addressed. Individual committee members should be able to research a topic and bring them to the full committee for potential action. Action could include forwarding recommendations to Council, not pursuing the topic, or forming a subcommittee to further research the topic.

If subcommittees are used and to address concerns of Council and staff, I suggest the following:

1. Formation can be suggested by a Council member, staff liaison, or committee member
2. Approved by the full committee and Council liaison with consideration of staff liaison input.
3. Council liaison approval is in lieu of the full Council having to approve every subcommittee and helps assure a subcommittee's purpose aligns with City Council goals.
4. Established for one topic or subject matter
5. Duration determined at time of approval, unless specifically noted not to exceed six months.
6. Subcommittees can meet more frequently and separately from full committee
7. Comprised of "less than a quorum" number of committee members
8. Work with minimal staff support
9. Cannot make decisions on their own, bring findings and recommendations to the full committee
10. Full committee in open public meeting will discuss, modify, reject, or approve recommendations
11. Approved recommendations are forwarded to City Council by the full committee

Finally, limiting a committee to only one subcommittee at a time has the potential of restricting a committee's productivity and/or a delay in addressing Council goals. A second subcommittee should require full City Council approval. After considering all the factors involved if a second subcommittee is approved at the committee level the Council liaison can bring the issue forward to the full Council.

Committees were established to advise the City Council. From the Committee Member Handbook, “they are advisory in nature”. I agree, but to effectively advise the City Council, committees must remain independent of staff and continue reporting to the City Council. At the same time, it is to everybody’s benefit that the committees and staff maintain good working relationships.

Overall, I believe there are better solutions than the “one size fits all” recommendations presented during the April City Council meeting. City Councils in the past have seen value varying the size, meeting frequency, etc. of committees and Council should continue to let the goals and scope of work determine the structure of each committee.

Respectively submitted,

Ralph Taboada

**From:** [HAUSER, JANET](#)  
**To:** [GREEN, BRENDA](#); [TERAN, STACY](#)  
**Subject:** FW: Active Transportation Committee  
**Date:** Monday, July 31, 2023 8:51:23 AM  
**Attachments:** [image001.jpg](#)

---

Janet Hauser  
Executive Assistant to Costa Mesa City Council  
City of Costa Mesa  
77 Fair Drive  
Costa Mesa, CA 92626  
Desk: 714-754-5107  
Cell: 714-949-3693  
[Janet.hauser@costamesaca.gov](mailto:Janet.hauser@costamesaca.gov)

**Note: Using the "Reply All" option may inadvertently result in a Brown Act violation.**

Costa Mesa is launching a new permit and license processing system called TESSA in August. TESSA will replace our existing system and all land use, building and business license applications currently in process will be transferred to the new system. To learn more about TESSA, visit our FAQ page at <https://www.costamesaca.gov/tessa>.  
cid:image013.jpg@01D9C129.9809F6B0



**From:** flomama <flomama@aol.com>  
**Sent:** Saturday, July 29, 2023 3:30 PM  
**To:** CITY COUNCIL <CITYCOUNCIL@costamesaca.gov>  
**Subject:** Active Transportation Committee

As a member of the Bikeway and Walkability Committee--now the Active Transportation Committee--since its inception in year 2015, I know that the committee has been instrumental in effecting many positive changes to the Costa Mesa "hardscape" to ensure safety for all Costa Mesans who use our sidewalks, bikeways and roadways. Our work with the City's Public Works Department has been positive and so very gratifying.

Please, support Councilmember Reynolds' recommendation to a nine-member status of the Active Transportation Committee.

Flo Martin  
2442 Andover Place

**From:** [LESLIE VAN DEUSEN](#)  
**To:** [CITY CLERK](#)  
**Subject:** Public Hearing Notice (Re: Application#PA-22-04)  
**Date:** Tuesday, July 25, 2023 2:13:18 PM

---

Dear City Council Members:

I received a public hearing notice regarding a request for another cannabis business request to open within the same intersection that our current business location. I understand that these businesses can be legally permitted. However, I would like to put in a request that the city council and planning commission come up with additional ordinances regarding this specific type of business and permitting requirements.

I have reviewed current permitting requirements and it does not seem to address the problem of multiple sites opening up within close proximity to one another. Our current business is in a building within close proximity of this current application which already has 2 other recent cannabis locations, that I am aware of, perhaps there are more within the same city intersection. Over the last 4 1/2 years at our location within our professional building we have experienced multiple issues with apparent homeless persons and persons that are seemingly on some type of drug leaving them in a state of apparent inability to fully function very close to being passed out in business stairwells. In the 4 1/2 years the frequency of the occurrences and the boldness(one entering our 3rd floor business during business hours) has only amplified. This has created a very difficult problem for our clients as well as employees attempting to access our business even in the middle of the day.

Therefore, I hope you can understand my concerns to yet another location of cannabis within close proximity to Harbor and Adams intersection. It also calls into question whether or not current permit restrictions on this type of business are enough to secure the safety of the public.

If perhaps the current cannabis locations are not permitted locations, which I do not know if that is the case or not, then that problem should also be addressed.

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**From:** [Cassius Rutherford](#)  
**To:** [CITY CLERK](#)  
**Subject:** Fwd: Support for The Hive Campus  
**Date:** Saturday, July 29, 2023 3:09:00 PM

---

Brenda, I hope this finds you well.

Please see enclosed comment on the record for Tuesday's meeting.

----- Forwarded message -----

**From:** Cassius Rutherford <[cashrutherford@gmail.com](mailto:cashrutherford@gmail.com)>  
**Date:** Sat, Jul 29, 2023 at 3:03 PM  
**Subject:** RE: Support for The Hive Campus  
**To:** <[citycouncil@costamesaca.gov](mailto:citycouncil@costamesaca.gov)>

Hon. Mayor and Council Members,

I'm writing as a resident and voter to express strong support for the proposed Hive Campus development. I hope you will move the project forward without delay.

Right now, housing inventory in the U.S. is at a 30-year low, increasing economic hardship and inequity in our community.

Workers and their families in Costa Mesa will benefit from this increase to our local housing inventory, at a time when it is critically needed. This could not be a better location for the project proposed, where the redevelopment of an office lot to a residential community reflects the current need of the market.

Thank you for your consideration,  
Cassius

Cassius "Cash" Rutherford  
Costa Mesa, CA

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**From:** [HAUSER, JANET](#)  
**To:** [GREEN, BRENDA](#); [TERAN, STACY](#)  
**Subject:** FW: Introduction - Applicant for Vacant Planning Commission Seat  
**Date:** Friday, July 28, 2023 12:51:58 PM  
**Attachments:** [image001.jpg](#)

---

Janet Hauser  
Executive Assistant to Costa Mesa City Council  
City of Costa Mesa  
77 Fair Drive  
Costa Mesa, CA 92626  
Desk: 714-754-5107  
Cell: 714-949-3693  
[Janet.hauser@costamesaca.gov](mailto:Janet.hauser@costamesaca.gov)

**Note: Using the "Reply All" option may inadvertently result in a Brown Act violation.**

Costa Mesa is launching a new permit and license processing system called TESSA in August. TESSA will replace our existing system and all land use, building and business license applications currently in process will be transferred to the new system. To learn more about TESSA, visit our FAQ page at <https://www.costamesaca.gov/tessa>.  
cid:image013.jpg@01D9C129.9809F6B0



**From:** Phil Palisoul, II <[palisoul@gmail.com](mailto:palisoul@gmail.com)>  
**Sent:** Friday, July 28, 2023 10:03 AM  
**To:** HAUSER, JANET <[JANET.HAUSER@costamesaca.gov](mailto:JANET.HAUSER@costamesaca.gov)>  
**Subject:** Introduction - Applicant for Vacant Planning Commission Seat

Dear City Councilmember Hauser,

I am writing to introduce myself and to express my interest in being appointed to the Planning Commission of Costa Mesa. My name is Phil Palisoul and I have been a resident of Costa Mesa for over 13 years, I am married to my wife Jenna and I am a father of two small children, Piper(9) and Patton(5). I am passionate about our city, and I believe that my years of experience in development and construction would make me a valuable asset to our Planning Commission.

I have worked in the development and construction industry for over 15 years. During that time, I have worked on a variety of projects, including commercial, residential, and mixed-use developments. I have a deep understanding of the planning and entitlement process, and I am familiar with the challenges and opportunities facing our city.

I am also a strong advocate for smart growth. Costa Mesa is a great city, and we want to make sure that it continues to be a great place to live, work, and raise a family. As the city grows, we need to be intentional about making sure that it grows in a way that is sustainable, meets our housing needs, and

preserves our quality of life. I am committed to working with the community and the City Council to implement the current General Plan and the provisions under Measure K in a way that meets the needs of our residents, businesses, and visitors. I believe that by working together, we can ensure our city that is sustainable, affordable, and vibrant.

As a father of two, I am concerned about the quality of life for my children and future generations. I believe that Costa Mesa, given its diversity, has a responsibility to be a leader in "quality of life". I am committed to working with Planning Commission Members to develop policies that will help us create more green space, improve air quality, and create a more livable city for everyone.

I am confident that I have the skills and experience necessary to serve on the Planning Commission. I am a hard worker, and I am dedicated to public service. I am also a good listener, and I am always willing to consider different perspectives.

I am writing to ask for your support in my appointment to the Planning Commission. I believe that I can make a positive contribution to our city, and I am eager to work with you to ensure that Costa Mesa remains a desirable place to live for people of all backgrounds for generations to come.

Thank you for your time and consideration.

Sincerely,

Phil Palisoul  
[palisoul@gmail.com](mailto:palisoul@gmail.com)  
949.887.2954

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report any suspicious activities to the Information Technology Department.

**From:** [HAUSER, JANET](#)  
**To:** [GREEN, BRENDA](#); [TERAN, STACY](#)  
**Subject:** FW: Parking permit website errors, lack of tech support, warrant deadline delay  
**Date:** Monday, July 31, 2023 8:48:47 AM  
**Attachments:** [image001.jpg](#)

---

Janet Hauser  
Executive Assistant to Costa Mesa City Council  
City of Costa Mesa  
77 Fair Drive  
Costa Mesa, CA 92626  
Desk: 714-754-5107  
Cell: 714-949-3693  
[Janet.hauser@costamesaca.gov](mailto:Janet.hauser@costamesaca.gov)

**Note: Using the "Reply All" option may inadvertently result in a Brown Act violation.**

Costa Mesa is launching a new permit and license processing system called TESSA in August. TESSA will replace our existing system and all land use, building and business license applications currently in process will be transferred to the new system. To learn more about TESSA, visit our FAQ page at <https://www.costamesaca.gov/tessa>  
cid:image013.jpg@01D9C129.9809F6B0



**From:** Darrell Twedt <drltwedt@yahoo.com>  
**Sent:** Sunday, July 30, 2023 5:23 PM  
**To:** CITY COUNCIL <CITYCOUNCIL@costamesaca.gov>  
**Subject:** Parking permit website errors, lack of tech support, warrant deadline delay

Dear Council Members,

Please postpone the July 31 deadline to obtain and pay for parking permits. Don't let unfair obstacles to the permit process like website errors, a lack of tech/telephone support, and confusion over the multi-step application and payment system, subvert the true will of the neighborhood. Doing so could validate concerns that the new permit regime's real goal was to sabotage resident parking in Costa Mesa.

I could not apply for a resident permit online because the website did not populate with my address. When I called the help number, 800 479 1834, at 3:45 PM on a work day, no-one answered. Others I spoke to had similar problems, and reported calling the help number and being put on hold, and leaving messages that were never returned.

My wife had to visit the city office to get our permits. That option was not listed on the city notice we received. It's unknown how many tried to get permits but could not because of technical issues, and did not know where to go. It should also be noted that the application website is only in English.

I heard as of Friday we were 8 households short of the goal, yet all of the over 20 neighbors I spoke to but 1 were in full support. (The One was unsure because she rents a room with others and did not know if her permit would be \$25 or \$100.) I also understand several neighbors applied, but had not yet paid, likely for not understanding the confusing multi-step application, approval, and then payment process. Also, around 4 houses on the street sold in late June and July and/or are vacant, so those 4 future households have no voice because of the short deadline (we received the notice around late June.)

Around seven years ago we worked to secure our existing permit zone because we were tired of the arguments, the speeding cars, and of watching in horror as families with small children jaywalked across Placentia Ave. Since the city stopped enforcement, these things have started to return.

Please just allow us another month so the neighborhood's true desires can overcome the system's technical challenges.

Best Regards,  
Darrell and Linda Twedt  
840 Towne St,  
Costa Mesa CA

PS: Below is an email i sent to the parking study email describing some of the issues we've had.

----- Forwarded Message -----

**From:** Darrell Twedt <[drltwedt@yahoo.com](mailto:drltwedt@yahoo.com)>

**To:** "[parkingstudy@costamesaca.gov](mailto:parkingstudy@costamesaca.gov)" <[parkingstudy@costamesaca.gov](mailto:parkingstudy@costamesaca.gov)>

**Sent:** Friday, July 28, 2023 at 09:46:25 PM CDT

**Subject:** Towne St Parking Permit problems

I talked to folks at several houses on Towne St. today about parking permits and learned the following:

862 Towne applied for parking permits, but has not been approved and have therefor been unable to pay. They called the helpline, called the city, waited on hold, left messages, but received no response.

I and another person had website issues and called the help number listed on the website, but nobody answered, so we had to drive to the city. It's unknown how many others had website problems but were unable to visit the city during business hours. The tech issues and no-help line should result in an extension of the July 31 deadline if we don't make the numbers (and a new round of fliers giving the option to visit the city to apply).

I spoke to folks at the following houses tonight who all believe that they applied for and paid for parking permits. Please confirm they are counted in your tally. If they are not counted in your tally, please advise what they need to do:

Also, the following houses were sold this month and/or are vacant and it is not fair that they count against the 51%:

Best Regards,  
Darrell Twedt  
840 Towne St.

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**From:** Chris McEvoy <votemcevoy@yahoo.com>  
**Sent:** Tuesday, August 1, 2023 11:21 AM  
**To:** CITY CLERK  
**Subject:** For tonight's council meeting  
**Attachments:** 8 1 2023 Agenda Item.pdf; 8 1 2023 Public Comments.pdf

Thank you

Chris McEvoy

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**Costa Mesa** needs you to find the differences between this picture and this picture.



**They're the same picture.**





Please also send me this new state law that you speak of. I would like to read the new law to at least be informed.

On Wed, Jul 12, 2023 at 6:01 PM MARR, ANDREA <[ANDREA.MARR@costamesaca.gov](mailto:ANDREA.MARR@costamesaca.gov)> wrote:

Mr Jones,

State law recently required us to accomodate apartments as part of our parking programs. That's the biggest change and what has prompted this.

In regards to the fee, the goal is to make the program self sustaining. Those fees go to suporting the program itself and that's it.

Best,

Andrea

On Wed, Jul 12, 2023 at 7:02 PM MARR, ANDREA <[ANDREA.MARR@costamesaca.gov](mailto:ANDREA.MARR@costamesaca.gov)> wrote:

I should clarify, it's an attorney general opinion of how the current law should be interpreted, not a new state law: <https://bbklaw.com/resources/municipalities-may-not-grant-preferential-parking-to-residents-based-on-dwelling-type>

Andrea Marr  
Council member, District 3  
City of Costa Mesa

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**From:** cmcdonald.home@gmail.com  
**Sent:** Tuesday, August 1, 2023 10:38 AM  
**To:** CITY CLERK; GREEN, BRENDA; STEPHENS, JOHN; HARLAN, JEFFREY; REYNOLDS, ARLIS; HARPER, DON; GAMEROS, LOREN; MARR, ANDREA; CHAVEZ, MANUEL  
**Subject:** August 1, 2023 City Council meeting - Old Business Item 1

Honorable Mayor and City Council Members:

When the subject of the Advisory Committees came up at the April 4, 2023, City Council meeting, it first seemed to originate from City Council members comments about the workload that Staff was experiencing as of a result of the Advisory Committees, but subsequent discussion seem to focus more on the activities of the committee members outside of the actual regularly scheduled meetings of the Advisory Committees. Apparently, this was a subject that came up during your retreat, which the public was not allowed to attend nor was it recorded. Committee Chairs and Vice Chairs did not attend that meeting either, so they could not contribute to the discussion of best practices where Advisory Committees are concerned. Having been the Chair of the Active Transportation Committee (“ATC”) for many years, here are some specific comments about the Agenda Report and accompanying documents:

Scopes of Work. This Agenda Report says that you will review the Scopes of Work on Attachment 1. I’m not sure what is meant by “Scopes of Work” but what is presented on Attachment 1 for the ATC is the Mission Statement, which is very different from the Work Plan for that Committee. While I was still Chair of that Committee in early 2022, I recommended to Council Liaison Arlis Reynolds that the Mission Statement and the Work Plan be revised to more closely align with the work the ATC was performing at that time. All Advisory Committees should have Work Plans that are reviewed and updated annually in March, prior to the April appointments and the review by the City Council of role and progress of the commissions and committees. This is the policy on Page 18 of the committee handbook dated 2012, which I just recently acquired. The ATC has been making annual presentations to the City Council for many years now, but I don’t believe the other Advisory Committees have been consistent in their presentations and some may not have made presentations at all. Staff and the Council Liaison should make certain the Chair of each Advisory Committee understands this responsibility.

Appointments: If the Council wants to switch to each Council Member making an appointment to an Advisory Committee, then each Council Member should attend at least two meetings of each Advisory Committee over a 12-month period so they can observe and familiarize themselves with the work and progress of the committee, and with the contributions that committee members make to that work. How else would a Council Member know which applicants are best qualified to be on an Advisory Committee? The committee members need

to be knowledgeable and truly interested in serving all the community; where they live in the city is less important as the City is relatively small.

Ability to Serve on Multiple Committees/Conflicts of Interest. In the past, each committee member has been given a presentation about the Brown Act. Staff should also provide each committee member with a copy of the Brown Act and require that the committee members acknowledge its receipt. This could be done at the same time the committee members acknowledge their agreement to abide by an ethics policy, which should have been adopted in conjunction with the changes to the Council Policy. Section 1.c (*why was the c struck?*) of the Council Policy should be changed to read “Individuals may serve concurrently on more than one committee ~~assuming~~provided there is no conflict.” In addition, the requirement that committee members file annual statements of economic interests with the City Clerk has not been enforced. Section III.F of the committee handbook needs to be revised accordingly. Staff should also provide a current committee handbook to all Advisory Committee members and alternate members.

Reduction in Number of Members: Since the focus of Advisory Committees can be narrow or wide-ranging, it doesn't make sense to have a one-size-fits all policy. Reducing the ATC down to nine is going to mean that there are fewer people to work on all the important projects this committee has. You already reduced it from 15, so please leave it at 11. Also, alternate members are important. Planning Commissioner Vivar was an alternate member on the ATC and his input was very valuable as he provided insight into the issues of disabled persons. Alternate members can step into the shoes of someone who resigns or is removed on short notice and removes the burden of Staff or the Committee Chair having to bring them up to speed. Clarification needs to be made as to whether alternates can vote or not. On Page 17 of the committee handbook, it states that an alternate member may vote if a regular committee member is absent. That was never the practice while I was Chair of the ATC because Staff informed me that alternate members did not have voting rights.

Terms: It would be best to have a minimum two-year term for most committees and staggered terms. Having a one-year term isn't appealing because it takes a long time for many projects to take off the ground. In addition, it would be better for continuity and institutional knowledge for committee members to have longer terms. Specifically, the members of the Finance and Pension Advisory Committee would be better suited to have longer terms due to the learning curve of the subject matter.

Dismissal from Advisory Committee. A City Council policy needs to be adopted with respect to the dismissal of committee members that (i) do not attend three consecutive meetings due to an excused absence such as illness or extended vacation, or (ii) do not attend at least 50% of each meeting they do attend.

Minutes. According to the committee handbook, Advisory Committees are required to elect a Secretary and prepare action minutes. Staff should be allowed to review the draft minutes prior to presentation to the committee members, but Staff should not be burdened with their

preparation. In case of any disputes on what transpired during a meeting, all Advisory Committee meetings should be recorded. Also, the minutes of the prior meeting should be an agenda item at each Advisory Committee meeting. Posting of the adopted minutes on the City's website at the earliest opportunity should be a priority as it impacts transparency.

Budget Requests. Advisory Committees are required to submit budget requests to the City Council according to the Committee Handbook. This is something the ATC has been doing, although getting the requests to align with Staff's recommendations on the CIP has sometimes been challenging. The Chairs of each Advisory Committee should be informed of this responsibility.

Informal Subcommittees/Ad Hoc Committees. There are pros and cons of having informal subcommittees versus ad hoc committees. The pro is Staff is relieved of the responsibility of noticing meetings of ad hoc committees. The con is that there is lack of transparency for the public that they may not know that an informal subcommittee exists, particularly if the subcommittee isn't reporting regularly to the Advisory Committee. In most cases, reverting from ad hoc committees to is acceptable, but the Committee Chair and Vice Chair need to know that there may be an instance where a formal ad hoc committee may be advisable. Posting on the City's website of the current informal subcommittees and their chairpersons would be helpful to the public who wish to communicate with the subcommittee members.

Thank you for your consideration. Please feel free to contact me with any questions.

Cynthia McDonald

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**From:** Flo Martin <flomama@aol.com>  
**Sent:** Tuesday, August 1, 2023 11:40 AM  
**To:** CITY CLERK; CITY COUNCIL  
**Subject:** OLD BUSINESS #1,

TO: Costa Mesa City Council

FROM: Flo Martin 2442 Andover Place CM 92626  
949.933.3699

Last night was mostly sleepless. I tossed and turned with thoughts of the Council's move to curtail participation in City commissions.

Current membership of the eight committees is seventy-seven, 77, including alternates.

Council proposes to eliminate...like, GONE!... one committee and to cut membership to the other six: twenty-six Costa Mesans silenced.

My experience as an 8 yrs. member of the ATC is that this committee's work has been effective, collaborative and important. The members have given much time, much talent and even much money to support the committee's goal: safe streets for everyone.

Please, please, vote No on all proposed committee changes listed in Old Business #1, Attachment 1 of tonight's agenda.

Thank you,

Flo Martin

Flo

"It is when we are alone that we are the least alone." St. Augustine

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**From:** Dianne Russell <diannerussell24@gmail.com>  
**Sent:** Tuesday, August 1, 2023 11:58 AM  
**To:** CITY CLERK  
**Subject:** New Business Item #2

Dear Mayor and Councilmembers,

I am excited to see the Hive site being proposed for residential units. Legacy Partners has shown itself to be a high quality developer and I look forward to seeing a more specific plan for development of the parcel.

There is a need for housing at all income levels in the city. I am concerned that it is moving forward before the Inclusionary Housing Ordinance is adopted. The report includes a reference to Policy HOU-2.1: Facilitate the development of housing that meets the needs of all segments of the population including affordable housing and households with specialized needs. The report also includes wording that the developer will either follow the IHO if it has been enacted or include a "Community Benefit" of affordability.

As negotiations move forward it is important that this affordability include Very Low and Low Income Units rather than simply affordability at a Moderate Level. This could include putting the project on hold until the IHO is enacted.

Thank you,  
Dianne Russell

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**From:** Wendy Leece <leecefam@sbcglobal.net>  
**Sent:** Tuesday, August 1, 2023 8:32 AM  
**To:** CITY CLERK  
**Subject:** FW: Min money

I see the Bridge Housing is back on the agenda. On the July 18 agenda there was some question as to the use of Min Money for Fairview Park would be used. It is not clear to me if that is still the plan. Unfortunately the spread sheet for the CIP is not in excel and I can't read it to determine if the MIN Money has been decreased for Fairview Park. I HOPE it is not. There is no mention of the Min Money in the staff report.

Thank you.

Wendy Leece

*Wendy Leece*

*"The test of the morality of a society is what it does for its children." Dietrich Bonhoeffer*

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**From:** David Haithcock <dhaithcock@costamesachamber.com>  
**Sent:** Tuesday, August 1, 2023 11:23 AM  
**To:** CITY CLERK  
**Subject:** Chamber Letter RE Agenda Item 23-1328  
**Attachments:** Chamber Letter RE Agenda Item 23-1328.pdf

Good morning,

Please find the attached letter for tonight's Council meeting. Thank you

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August 1, 2023

The Honorable John Stephens  
Costa Mesa City Council  
77 Fair Drive  
Costa Mesa, CA 92626

Re: Item #23-1328

Dear Mayor Stephens and Councilmembers,

On behalf of the Costa Mesa Chamber of Commerce, I'm writing to request the City Council to oppose directing staff to explore options to "address concerns regarding potential unanticipated business displacement and overconcentration of cannabis businesses." We support the City Council approving the Alternative(s) stated in the Staff Report.

Since Costa Mesa voters approved Measure Q in 2020, less than 10 cannabis retailers have been able to open and operate their businesses in Costa Mesa. While the Staff Report for this item indicates the city has approved 21 Conditional Use Permits (CUP) for cannabis storefront businesses, it fails to mention that most of those businesses have yet been able to open.

Obtaining a CUP is just one-step in the lengthy and costly process required to open a cannabis retail business in Costa Mesa. Upon CUP approval, business owners must seek other city approvals which can include demolition permits, construction permits and other building and safety approval. In addition, business owners must also obtain a state cannabis license prior to opening their business.

Not all business owners who obtain a CUP are able to ultimately open their business, in part due to the costs and delays currently required for this type of business. Any additional restrictions or requirements would jeopardize the major success of current and future applicants making in Costa Mesa.

The Chamber encourages and supports business growth and is unaware of business displacement and overconcentration related to this segment of our community.

Thank you for your thoughtful consideration of our position.

Sincerely,



David Haithcock

President and CEO

---

**From:** TORRES, IVIS  
**Sent:** Monday, July 31, 2023 5:04 PM  
**To:** TERAN, STACY; GREEN, BRENDA  
**Cc:** CONSTITUENT SERVICES  
**Subject:** FW: Diane McCardle: Proliferation of Cannabis stores in Costa Mesa

Please see the public comment below regarding Cannabis.

Thank you,

Ivis D. Torres  
Management Aide | Constituent Services Team  
(714) 754-4867 (office) | (949) 629-5032 (cellphone)  
77 Fair Drive | Costa Mesa | CA 92626

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL. THANK YOU!

As City Hall has reopened, we encourage the public to take advantage of our appointment system. Appointments can be made at [www.costamesaca.gov/appointments](http://www.costamesaca.gov/appointments).

Please note that It is required that all guests check in with our Concierge Staff, located on the 1st Floor Lobby, upon arrival at City Hall.

-----Original Message-----

**From:** dianemccardle@juno.com <dianemccardle@juno.com>  
**Sent:** Monday, July 31, 2023 4:20 PM  
**To:** STEPHENS, JOHN <JOHN.STEPHENS@costamesaca.gov>; GAMEROS, LOREN <LGAMEROS@costamesaca.gov>; HARPER, DON <DON.HARPER@costamesaca.gov>; REYNOLDS, ARLIS <ARLIS.REYNOLDS@costamesaca.gov>  
**Cc:** CONSTITUENT SERVICES <constituentservices@costamesaca.gov>  
**Subject:** Proliferation of Cannabis stores in Costa Mesa

Dear City of Costa Mesa, I am deeply concerned regarding the numerous new Cannabis stores that are being allowed to open in Costa Mesa. There are maybe 5 or more just along Harbor Boulevard from 19th Street to Adams. Who is allowing all these businesses to set up shop in our lovely city. Some of the stores are VERY LARGE. Who is buying, where do they live, where do they work, are they impacting our children. They advertise it for "recreational" use, so are they driving while consuming these drugs? Costa Mesa has worked well in cleaning up homeless encampments, and now we are being over saturated with these Cannabis Dispensaries. We have businesses that are leaving, restaurants that are closing, and now Cannabis Dispensaries are coming in in great quantity. Are we wanting Costa Mesa to become the Mecca for Cannabis Dispensaries, encouraging our community to buy and experience highs on these so called "Recreational" drugs. Many of us are greatly concerned regarding the numerous "Drug" stores that are popping up all over Costa Mesa, with these businesses advertising great discounts and vouchers to entice you to come and partake. I urge you to look into this negative impact on our great city.

Put a Stop to it, and even remove them from our area. I have lived in Costa Mesa for many, many years, raised my family here and now grandchildren, and do not want to see our city going "to pot". Thank you, Diane McCardle

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**From:** Priscilla Rocco <dementedgardensprite@gmail.com>  
**Sent:** Tuesday, August 1, 2023 11:40 AM  
**To:** CITY CLERK  
**Subject:** Repeating the message sent to you about cannabis shops, Mon, Jun 13, 2022, 2:42 PM

This is the letter I sent to you Monday, June 13, 2022 about the 60 cannabis shops you were proposing, minus a paragraph about an issue that is no longer relevant.

Costa Mesa City Council,

Easy money certainly does blind people to consequences, making them accept promises instead of sound business plans and the guarantee of no exposure to lawsuits.

Without knowing the ramification of bringing cannabis businesses into Costa Mesa, you are doing it and so is Santa Ana. But they are limiting it to 30 businesses in industrial areas. You are allowing 60 cannabis businesses and locating them along two of our busiest thoroughfares. Evidently because if you don't accommodate them, the cannabis industry will sue?!

Are you nuts?! Have you learned nothing? The cannabis industry is flush with money, just like the sober living industry that continues to sue the city and the ONLY thing we can control about them is how far apart they are.

Costa Mesa neighborhoods were irrevocably changed by the last administration opening the doors to sober living homes to line their own pockets. How much money exactly do we spend in lawsuits and police and other services directly related to bringing these businesses into our city? And yet every neighborhood has people doing drugs, those under the influence banging on doors at all

hours, trespassing, sleeping in yards and on the streets, stealing, and leaving rubbish and drug paraphernalia.

24-hour guards in front of cannabis shops don't help businesses and homes within walking and driving distance.

*Fountain Valley was blinded by easy money too. It has gotten into a 30-year deal with the devil with a 6-story 24- hour flashing billboard who's closest viewers are our children at Moon Park and my neighbors on the State Streets. If they don't like the content of the ads, too bad. The company will sue. It seems appropriate that that trashy sign will mark the first Costa Mesa exit on the 405 South. A hint of what lies within.*

While I don't think cannabis and sober living businesses are analogous, the legal ramifications are the same. Will this new revenue even cover the cost of more police and city services to handle our existing problems caused by sober living homes? Will it cover the cost of new lawsuits by disgruntled cannabis shop owners when their lease runs out?

And finally, what kind of clientele will these shops bring into the city? After all, we did so well with the people brought here by the sober living industry! Isn't that one big reason we spent millions on homeless housing and services? Costa Mesa will no longer be known as the City of the Arts, it will be known as the City of the Stoned and Recovering. Nice job City Council!

Priscilla Rocco

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Frank J. Gutierrez  
789 W. 19<sup>th</sup> St.  
Costa Mesa, CA. 92627

## The Cannabis Issue

Atn. City Council

As a property owner, business owner, Chairperson to the Cultural Arts Committee of the City for eight years and member for eighteen years I have the right to ask why we are taking such a long time to fulfill an issue (Retail of Cannabis) that was voted for by the residents of Costa Mesa.

This scenario has made us hostages to the thought that this was going to occur but in reality It seems like it might not. The cost to us has been the inability to lease out our property, and make improvements. From what occurred to this moment it seems like a good investment For the city when your taking buildings and re-creating them in a much better manner. I would say it is a win-win situation for the potential tenant and property owner. Apart from generating funds for the arts, which we never had when I was Chairperson. We ran the committee on peanuts. If you think I am mistaken just ask Andrea who was on my committee.

At the end of the day, this opportunity of leasing the building out to a cannabis entity gave Me the ability to make the next move. We would end up with a renovated property that Would uplift the westside. Give me the opportunity to move to the industrial side and generate funds for the arts.

At this point who know what will happen but think that we can all win if and when we Position the right amount of cannabis entities with the right operators.

Frank J. Gutierrez  
789 W. 19<sup>th</sup> St.  
Costa Mesa

---

**From:** COLGAN, JULIE  
**Sent:** Tuesday, August 1, 2023 1:51 PM  
**To:** TERAN, STACY; GREEN, BRENDA  
**Cc:** DRAPKIN, SCOTT; PARTIDA, ANNA  
**Subject:** FW: Public Comment to Agenda Item #2 of tonight's meeting  
**Attachments:** 2023.08.01 Pub. Comnt. and LOI, Costa Mesa PC, (Signed).pdf

Hi Brenda and Stacy,

Please see email below and attachment.

Thank you,



**Julie Colgan**  
Executive Assistant  
Development Services Department  
77 Fair Drive | Costa Mesa | CA 92626 | (714) 754-5270

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

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Have you met...



Costa Mesa is launching a new permit and license processing system called TESSA in August. TESSA will replace our existing system and all land use, building and business license applications currently in process will be transferred to the new system. To learn more about TESSA, visit our FAQ page at <https://www.costamesaca.gov/tessa>.

---

**From:** James Dewey <jd@kvklawyers.com>  
**Sent:** August 1, 2023 1:30 PM  
**To:** PC Public Comments <PCPublicComments@costamesaca.gov>  
**Cc:** GianDominic Vitiello <gdvitiello@kvklawyers.com>; Dan Zaharoni <DanZ@zaharoni.com>  
**Subject:** RE: Public Comment to Agenda Item #2 of tonight's meeting

Hello Costa Mesa Planning Commission,

Attached, please find a public comment to be included as apart of tonight’s Public Hearing for the Appeal of Planning Application 22-04.

I understand the cutoff for public comments is usually noon, but if the attached letter could be included for tonight's consideration, it would be greatly appreciated.

If you could kindly confirm whether or not the attached will be considered in tonight's hearing, it would be greatly appreciated.

Thank you,

**James J.M. Dewey**  
Attorney at Law

**KV&K** Katchko, Vitiello & Karikomi, PC

11835 West Olympic Boulevard  
East Tower | Suite 860E  
Los Angeles, CA 90064  
Phone: (310) 943-9587 x 115 | Fax: (424) 204-0401  
Direct Phone: (213) 314-9892  
[www.kvklawyers.com](http://www.kvklawyers.com)

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**From:** DRAPKIN, SCOTT <[SCOTT.DRAPKIN@costamesaca.gov](mailto:SCOTT.DRAPKIN@costamesaca.gov)>  
**Sent:** Monday, May 22, 2023 12:13 PM  
**To:** James Dewey <[jd@kvklawyers.com](mailto:jd@kvklawyers.com)>  
**Cc:** Gilbert Segel <[seegil@icloud.com](mailto:seegil@icloud.com)>; Michael Segel <[mdsegel@mac.com](mailto:mdsegel@mac.com)>; Joubin Manoochehri <[joubin@jnmrealty.com](mailto:joubin@jnmrealty.com)>; GianDominic Vitiello <[gdvitiello@kvklawyers.com](mailto:gdvitiello@kvklawyers.com)>; Tatyana Brenner <[TB@kvklawyers.com](mailto:TB@kvklawyers.com)>  
**Subject:** RE: Public Comment to Agenda Item #2 of tonight's meeting

**[EXTERNAL EMAIL]**

James, please thank your client for the thoughtful recommendations.



Scott Drapkin  
Assistant Director  
Development Services Department  
77 Fair Drive | Costa Mesa | CA 92626 | (714) 754-5278

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For expedited service, [appointments](#) are strongly encouraged.

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**From:** James Dewey <[jd@kvklawyers.com](mailto:jd@kvklawyers.com)>

**Sent:** Monday, May 22, 2023 11:58 AM

**To:** PC Public Comments <[PCPublicComments@costamesaca.gov](mailto:PCPublicComments@costamesaca.gov)>

**Cc:** Gilbert Segel <[seegil@icloud.com](mailto:seegil@icloud.com)>; Michael Segel <[mdsegel@mac.com](mailto:mdsegel@mac.com)>; Joubin Manoochehri <[joubin@jnmrealty.com](mailto:joubin@jnmrealty.com)>; GianDominic Vitiello <[gdvitiello@kvklawyers.com](mailto:gdvitiello@kvklawyers.com)>; Tatyana Brenner <[TB@kvklawyers.com](mailto:TB@kvklawyers.com)>

**Subject:** Public Comment to Agenda Item #2 of tonight's meeting

Hello Costa Mesa Planning Commission,

Please see the attached public comment to be considered apart of Agenda Item #2 of tonight's meeting,

If you could kindly confirm receipt of this attachment, it would be most appreciated.

Thank you,

**James J.M. Dewey**

Attorney at Law

**KV&K** Katchko, Vitiello & Karikomi, PC

11835 West Olympic Boulevard

East Tower |

Suite 860E

Los Angeles, CA 90064

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# KV&K KATCHKO, VITIELLO & KARIKOMI, PC

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GianDominic Vitiello  
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Of Counsel:  
Edward Angwin  
Rubina Andonian

August 1, 2023

James Dewey  
jd@kvklawyers.com

## **VIA EMAIL**

DBO Investments CM, LLC  
d/b/a From The Earth  
ATTN: Dan Zaharoni  
10250 Constellation Blvd STE 2300A  
Los Angeles, CA 90067  
[DanZ@Zaharoni.com](mailto:DanZ@Zaharoni.com)

Costa Mesa Planning Division  
77 Fair Drive  
Costa Mesa, CA 92626  
[PCPublicComments@costamesaca.gov](mailto:PCPublicComments@costamesaca.gov)

**Re: Letter Agreement**  
**Site Address: 2790 Harbor Boulevard, Suite 107, 109, 115**  
**Applicant: Tri-Harmony Properties, LLC; DBO Investments CM, LLC d/b/a From the Earth**  
**Application No.: PA 22-04**  
**Hearing Date: August 1, 2023**

Dear Mr. Zaharoni and DBO Investments CM, LLC,

Our office represents the landowner for 2750 Harbor Boulevard, Costa Mesa, CA 92626 (our “**Client**”) and we write to you in a representative capacity on the landowner’s behalf. On May 22, 2023, our Client’s public comment was dispatched to the Costa Mesa Planning Commission (the “**Public Comment**”) which concerned Planning Application No. PA 22-04. PA 22-04 is a request for a conditional use permit submitted on behalf of DBO Investments CM, LLC d/b/a From the Earth (“**From The Earth**”), and Tri-Harmony Properties, LLC d/b/a Harbor Plaza, for the project located at 2790 Harbor Boulevard, Ste. 107, 109, and 115 (the “**Project**”) to allow a 2,370-square-foot retail cannabis storefront with delivery within the existing building located at 2790 Harbor Boulevard. On August 1, 2023, an appeal will be heard on the Planning Commissions denial of PA 22-04.

Since the May 22, 2023 Planning Commission hearing, our Client has discussed its concerns about the Project with Dan Zaharoni of From The Earth (“**Mr. Zaharoni**”) and together with From The Earth, the “**Applicant**”). In an effort to cooperate with one another, our Client and the Applicant have agreed to maintain the following operational standards, and subject to execution hereof, our Client has agreed to deem the concerns set forth in its

public comment regarding Planning Application No. PA 22-04 to be satisfied.

This Letter serves as a legally binding Letter of Intent (“**LOI**”) and memorializes the conditions upon which our Client is willing to withdraw its public comment. Upon execution of this Letter, Applicant and our Client will have agreed to work together to execute a more definitive agreement, and our Client shall be deemed to have been satisfied with respect to the matters set forth in its Public Comment subject to Applicant’s performance pursuant to the terms of this LOI.

In an effort to mitigate our Client’s concerns as raised in the Public Comment, Applicant hereby agrees to the following Conditions:

1. The Applicant will have a private security guard or employee monitor the Project and immediate vicinity of the Subject Property;
2. The Applicant shall direct its security guard or employee monitoring the Project to inform any patrons to park in the parking spaces of the Project, and ask patrons to park in the parking spaces of the Project if such patron is seen parking in a neighboring property’s parking spaces;
3. Applicant will notify patrons that loitering on and around the retail site is prohibited and will post signage confirming that instruction;
4. To the extent that Applicant is permitted by the Reciprocal Parking agreement in place on the property to utilize not more than 3 parking spaces, the Applicant will enter into an agreement acknowledging particular parking spaces in the rear of the Subject Property for delivery vehicles only and not for retail customers;
5. The Applicant will have a dedicated representative available to accept and act upon complaints relating to the parking lot and/or other issues that arise from Applicant’s operations, and such representative’s contact information shall be made available to all businesses within the immediate vicinity of parking lot of the Project, including but not limited to all businesses operating from 2750 and 2752 Harbor Boulevard;
6. The Applicant will have a procedure and remediation plan in order to handle the impacts to parking related to Applicant’s customers and/or staff;
7. No signage will contain logos or information that identifies the cannabis goods and products offered by Applicant;
8. No signage will use images or depictions of cannabis or cannabis goods, or depictions of ingestion or consumption at the Project;
9. No promotional materials contained within or on the Project shall depict images or depictions of cannabis that is visible from the exterior of the Project;

10. Applicant will request that delivery vehicles not deliver product to the Project between 4pm and 7pm on weekdays;
11. An armed security guard will escort all vendors and staff from the delivery vehicle to the Project;
12. Applicant understands that a portion of the Project is connected to the electrical utilities account for 2750 Harbor Boulevard, and Applicant agrees to reimburse our Client for all electrical invoices associated with Applicant's use of the Project within a reasonable time of presentation of same.

In exchange for the concessions referenced above, and upon the Applicant's execution hereof, our Client agrees to support the Applicant's request for a CUP.

This Letter shall be further governed by the following general conditions:

- a. Limitation of Liability. No party shall make a claim against, nor be liable to, any other for any consequential, special, incidental or punitive damages, including, but not limited to lost profits, suffered by it because of the negotiations under this Letter or any performance or failure to perform under this Letter;
- b. Independent Contractors. The parties hereto are independent contractors, and no party is the employee, agent or partner of the other absent a separate binding written agreement to that effect. Nothing contained in this letter will impair the rights of either party to assert their legal and/or contractual rights with regards to the Project, our Client's property, or any other matters that might arise between the parties hereto.
- c. Modifications. Any modifications to this letter must be in writing and signed by both parties hereto.
- d. Review. The parties represent and warrant that they have conducted their own independent review of this letter and have consulted with legal professionals, or chosen not to of their own free will, prior to executing this letter.

Thank You,

**KATCHKO, VITIELLO & KARIKOMI, PC**



James Dewey Esq.  
GianDominic Vitiello, Esq.

**ACKNOWLEDGED AND AGREED:**

**DBO INVESTMENTS CM, LLC,  
a California limited liability Company  
d/b/a From the Earth**

**By:** *Dan Zaharoni*  
**Name:** Dan Zaharoni  
**Title:** Manager

**SRS COLLEGE CENTER,  
a California limited partnership**

**By:** \_\_\_\_\_  
**Name:** Gilbert N. Segel  
**Title:** Owner

Costa Mesa Planning Division  
August 1, 2023  
Page 4

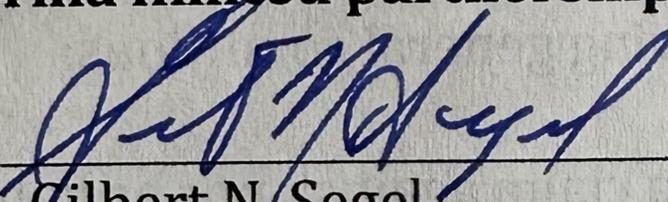
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**ACKNOWLEDGED AND AGREED:**

**DBO INVESTMENTS CM, LLC,  
a California limited liability Company  
d/b/a From the Earth**

**By:** \_\_\_\_\_  
**Name:** \_\_\_\_\_  
**Title:** \_\_\_\_\_

**SRS COLLEGE CENTER,  
a California limited partnership**

**By:**  \_\_\_\_\_  
**Name:** Gilbert N. Segel  
**Title:** Owner

**From:** [Linda K](#)  
**To:** [STEPHENS, JOHN](#); [REYNOLDS, ARLIS](#); [CHAVEZ, MANUEL](#); [MARR, ANDREA](#); [GAMEROS, LOREN](#); [HARLAN, JEFFREY](#); [HARPER, DON](#)  
**Cc:** [lori.ann@costamesaca.gov](mailto:lori.ann@costamesaca.gov); [SETHURAMAN, RAJA](#); [CITY CLERK](#)  
**Subject:** New Business Item #8, 8/1/23  
**Date:** Tuesday, August 1, 2023 6:35:13 PM

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To Mayor Stephens and Council Members,

Regarding New Business Item #8 and investigating an eviction ordinance.

My street on the West Side has many challenges.  
We have 1/2 single family homes and 1/2 multi unit homes.

I want to share my current situation.  
I live on Maple Street between Victoria and Wilson.

1. The owner of the duplex across the street passed away. His children inherited the property. They notified the renters, the friendliest family on the block, that they would be renovating, and gave them notice. This family did not want to move. They drove by on occasion to see what the new rent would be after months of renovations. When the property finally listed, the price had gone up almost double! They couldn't afford it. I don't know what happened to them.

2. The duplex next store is currently for sale. Both hispanic families will have to move. I'm sad to see 3 beautiful and diverse families moving away. I bought in this neighborhood because of the diversity, trees and centralized location.

It feels like our West Side street is getting the brunt of the pain in adapting to a changing economy, increased population, and not enough housing.

Ultimately, we need more housing, but I hate to think of having any more housing on our street, because we have never been eligible for a parking permit and our street is overcrowded with cars at night.

Thank you for working to find a solution that can work for all of Costa Mesa.

Best Regards,

Linda Kraemer  
Resident Costa Mesa District 4  
Maple Street between Victoria and Wilson.

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**From:** [Linda K](#)  
**To:** [STEPHENS, JOHN](#); [REYNOLDS, ARLIS](#); [CHAVEZ, MANUEL](#); [MARR, ANDREA](#); [GAMEROS, LOREN](#); [HARLAN, JEFFREY](#); [HARPER, DON](#); [CITY CLERK](#)  
**Cc:** [lori.ann@costamesaca.gov](mailto:lori.ann@costamesaca.gov); [SETHURAMAN, RAJA](#); [AFEWORKI, SALEM](#)  
**Subject:** Please move forward on a Climate Action Plan  
**Date:** Tuesday, August 1, 2023 12:50:50 PM

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To Mayor Stevens and City Council,

Thank you for all your hard work in making Costa Mesa a better place.

Thank you for hiring Salem Afeworki as the Energy and Sustainability Services Manager.  
Costa Mesa is in very good hands!

Please prioritize the development of a strong CAP, hire a company to develop a greenhouse gas baseline, and establish bold measurable goals and outcomes.

We need cities to lead the way in Orange County. Costa Mesa has the potential to be a powerful climate leader if climate action is made a priority.

The time is right to scale the strengths and solutions already initiated in Costa Mesa. Costa Mesa has prominent large businesses that value sustainability (Vans, Volcom, Ikea), and has initiated programs to certify green businesses, protect open space, develop an active transportation plan and develop an inclusive housing plan. Hopefully, energy efficiency and building electrification are included soon!

Please take the next steps to develop a strong CAP.

Please let us know how we can support your efforts.

Thank you!

Linda Kraemer, M.S.  
Costa Mesa resident  
Chapter Chair  
The Climate Reality Project: Orange County, CA Chapter  
[www.climaterealityoc.com](http://www.climaterealityoc.com)  
OC Clean Power - [www.occleanpower.org](http://www.occleanpower.org)  
[LKTeamTalk@gmail.com](mailto:LKTeamTalk@gmail.com)



[www.facebook.com/groups/climaterealityorangecounty](https://www.facebook.com/groups/climaterealityorangecounty)

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August 1, 2023

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

**RE: Require 10% Lower-Income Units at the Hive**

Dear Mayor Stephens and Council Members:

We urge the City Council to require Legacy Partners to **include an affordable housing set-aside at The Hive of at least 10% lower income units (5% very-low, 5% low-)** as a condition of approving the substantial land use changes proposed tonight. Despite the lack of a formally adopted inclusionary housing ordinance (IHO), this 10% set-aside requirement is fair and reasonable, based on the example set by the City's development agreement with One Metro West.

**The size and density of The Hive and One Metro West are strikingly similar.** The Hive will have 1,050 units and a density of 74 DU/A, while One Metro West will have 1057 units and a density of 80 DU/A. And, of course, location matters. Both large developments are north of the 405, an area that can command the highest rents in the city. **If One Metro West can afford to include 10% lower-income units, so can The Hive.**

The community has spoken loudly on the need for affordable housing. At last week's joint study session, many residents and community groups expressed strong support especially for requiring very-low-income units in new residential developments.

Costa Mesa must not let its slow progress in adopting an IHO result in lost opportunities to obtain lower income units in new developments like The Hive. This is especially true

tonight, given that **the property at issue is included as an opportunity site in the Housing Element**. Costa Mesa needs lower-income units at this development in order to meet its lower-income RHNA requirements. We urge you to act accordingly.

Respectfully,

Kathy Esfahani,

On behalf of the Costa Mesa Affordable Housing Coalition

cc: Paul McDougal, Dept. of Housing and Community Development  
Richard Walker, Public Law Center  
Cesar Covarrubias, Kennedy Commission