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

**December 13, 2021  
6:00 P.M.**

**CALL TO ORDER:**

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

**PLEDGE OF ALLEGIANCE:**

Chair de Arakal led the Pledge of Allegiance.

**ROLL CALL:**

Present: Chair Byron de Arakal, Vice Chair Jon Zich, Commissioner Adam Ereth (via Zoom), Commissioner Johnny Rojas, Commissioner Dianne Russell, Commissioner Russell Toler, Commissioner Jimmy Vivar

Officials Present: Director of Economic and Development Services Jennifer Le, Assistant Director of Economic and Development Services Scott Drapkin, Associate Planner Justin Arios, Assistant City Attorney Tarquin Preziosi, City Engineer Seung Yang and Recording Secretary Julie Colgan and Anna Partida

**ANNOUNCEMENTS AND PRESENTATIONS:** None.

**PUBLIC COMMENTS – MATTERS NOT LISTED ON THE AGENDA:**

No public comments.

**COMMISSIONER COMMENTS AND SUGGESTIONS:**

Commissioner Vivar wished everyone a happy holiday and acknowledged staff for their work this past year.

Commissioner Toler wished everyone a Merry Christmas.

Commissioner Russell wished everyone a happy holiday. Russell reminded everyone to wear their masks and take more precautions with the recent surge in Covid-19 cases.

Vice Chair Zich wished everyone a Merry Christmas. He thanked Ms. Le for sending the Commission the City of Costa Mesa Sales tax report.

Chair de Arakal echoed Commissioner Russell's comment about masks and urged the public to reconsider being vaccinated if they have not already. He wished everyone a Merry Christmas and a Happy New Year.

**CONSENT CALENDAR:** None.

**PUBLIC HEARINGS:**

**1. CITY OF COSTA MESA 2021-2029 (SIXTH CYCLE) HOUSING ELEMENT (GP-21-01)**

**Project Description:** 2021-2029 Housing Element Sixth Cycle Update. The Planning Commission will be holding a public hearing regarding the 2021-2029 City of Costa Mesa Sixth Cycle Housing Element Update on December 13, 2021. The Planning Commission will consider and make a recommendation to the City Council.

**Environmental Determination:** In accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, an Initial Study has been prepared to evaluate the potential environmental effects associated with the City of Costa Mesa 2021-2029 Housing Element Update. Based on the conclusions of the environmental analysis, the City's Housing Element Update would have less than significant impact on the following environmental issue areas: Aesthetics, Agricultural and Forestry Resources, Air Quality, Energy, Geology, Greenhouse Gas Emissions, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, Recreation, Transportation, Utilities and Service Systems, and Wildfire. Additionally, the Housing Element Update would have less than significant impacts with the implementation of mitigation on: Biological Resources, Cultural Resources, Hazards and Hazardous Materials, Noise, and Tribal Cultural Resources. The Initial Study/Mitigated Negative Declaration (IS/MND) was circulated for public comments on October 29, 2021. The public comment period ended on November 29, 2021. The Planning Commission will be requested to consider the Housing Element and IS/MND and make a recommendation to the City Council.

Commission and staff discussion included:

Director Jennifer Le stated that this was public hearing number three for the Sixth Cycle Housing Element. The focus of this meeting was in response to the HCD comment letter that was received and to summarize for the Commission the changes that were made to the Housing Element in response. She asked that the Commission make a recommendation to the City Council.

Commissioner Vivar asked staff about specifics for the Disability Housing Program and what group of disabled people will the Disability Housing Program be available to. He elaborated by asking whether Disability Housing will be set aside for specific

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disabilities or whether there would be ADA-compliant dwelling units within a mixed-use building that would count towards housing for the disabled.

Commissioner Toler inquired about the change of timeline from “ongoing” to “annual review” for the Housing Element. He acknowledged the addition of 4-H on page 423 of the Housing Element and asked staff for details on how staff foresees the program working. He asked what sites were identified as fallbacks for the Fairview Developmental Center.

Commissioner Russell questioned staff on the change to ADU numbers in the Housing Element. She asked about the Airport Land Use Commission letter and the process the City would have to go through to get it approved.

Commissioner Ereth asked staff if there is a City program that specifically addresses extremely low poverty levels. He asked aside from the first-time homebuyer program, what would be done to balance out homeownership vs. renter-ship in the City. He elaborated by asking what kind of program implementation can be made to encourage homeownership. He questioned staff on why the two census tracts on the bottom of page 394 in the Housing Element were identified for displacement. He inquired whether staff discussed the impacts and costs associated with the Housing Element with Costa Mesa Sanitary District, Mesa Water, and Newport Mesa School District. He asked for an update on the estimated projected sales tax for retail cannabis and how much of that revenue will be generated for the Ownership Housing Assistance Program.

**PUBLIC COMMENT:**

Speaker One: spoke on sites inventory, and how she was taken back by certain sites that were not included. She commented on HCD’s guidance documents as to how projects in process are allowed to be counted. She stated her concerns for artificially reducing the number of units under the existing zoning. She voiced her concerns about adding 47,000 new residents to the City of Costa Mesa.

Antonio Velazquez, representative for the southwest regional council of carpenters, asked that the Housing Element require a skilled and trained workforce as well as local hire ordinance.

Caller two: Thanked staff for providing a redline version of the Housing Element. Asked the City to consider strengthening program Three F by including long-term resident protections through anti-displacement, right of first refusal, and relocation benefit strategies.

The Chair closed the public hearing.

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Commission and staff discussion continued:

Chair de Arakal asked the staff to elaborate on the impact fee and the specifics of the fees. He questioned the exclusion of One Metro West from the housing opportunity sites as well as the Motor-Inn Project. He asked staff whether permanent supportive housing will have to be reported to the state under Project Home Key. He also asked at what stage Mesa Water, Costa Mesa Sanitation, and Newport Mesa School District would be part of the review of the Housing Element.

Commissioner Ereth questioned staff on why the El Metate site was not listed as a housing opportunity site, whether the property owners were contacted, and asked whether they wanted their property included in the Housing Element. He voiced his concern with local hire provision and recommended that the City not support a local hire provision.

Commissioner Toler stated he liked the addition of Program 3A and Program 2M. He touched on a public comment letter from former Mayor Sandra Genis. He commented that he is in favor of shrinking the ecological footprint, however, he doesn't believe CEQA is the way to resolve the issue. He believes to shrink the City's footprint is through zoning reform, complete neighborhoods, complete walkable communities, reducing auto dependency through zoning reform and repurposing public space. He stated he was happy the City addressed Measure Y, however, he stated he believes long-term Measure Y will be an impediment to the production of housing.

Commissioner Russell commended staff on the revisions that were made. She also commented that the deeper dives that were requested on disability, poverty, and ethnicity will be helpful for policy and zoning changes in the future. She stated she was looking forward to seeing how this Housing Element will be implemented in the next eight years.

Vice Chair Zich thanked staff for all the work that was put into the Housing Element. He spoke on HCD's questions about the Housing Element: overcrowding, whether the units will be built within the planning period, and the sufficiency of water and electricity. He stated that the appeal of arena allocation staff put together was complete, thorough, professional, fact based, substantiated and unfortunately ignored. He stated he will not be supporting a recommendation for approval.

Commissioner Vivar thanked staff for their time spent on preparing the Housing Element and for addressing his concerns regarding impacts on business. He appreciated that staff took into consideration the public input when preparing the Housing Element. He stated he hopes in the next eight years that the projects will be reviewed by the public and public comment will be taken into consideration moving forward. He agreed with Vice Chair Zich on his concerns about building more housing. He also stated there are benefits for density if done correctly, including local serving retail which will limit traffic and bring more employment opportunities.

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Chair de Arakal stated the bulk of the CEQA work and the EIR will take place as part of the general plan update. He stated he was very pleased with the work staff has done with Measure Y. He commented that he didn't agree with the RHNA number, however in order to not get hit with a hundred thousand dollar fine every month, the City should put the plan in place. He asked that there be a repeal on the November ballot and that projects that are built on housing opportunity sites are excluded from Measure Y. He stated his concerns for the Parks and Open Space fees with regular state mandated park fees and Measure Z fees.

Ms. Le clarified the Motion included the addition of the staff recommended modification to Program 3E related to ADU's.

Chair de Arakal stated the motion did include staff's recommendation and to bring it into compliance with state law.

**MOVED/SECOND:** de Arakal/Ereth

**MOTION:** Move staff's recommendation.

The motion carried by the following roll call vote:

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

Nays: Zich

Absent: None

Recused: None

Motion carried: 6-1

**ACTION:** Planning Commission adopted a Resolution to:

1. Recommend to the City Council adoption of the 2021-2029 (Sixth Cycle) Housing Element Update (GP-21-01), as well as the initial study/mitigated negative declaration (IS/MND), prepared for the Housing Element Update for CEQA compliance purposes with the addition of the staff's recommended modification to program 3E related to ADU's and to bring that into compliance with state law.

**RESOLUTION PC-2021-21 - A RESOLUTION OF THE PLANNING COMMISSION OF CITY OF COSTA MESA RECOMMENDING ADOPTION OF THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR, AND APPROVAL OF, THE GENERAL PLAN AMENDMENT 21-01, CITY OF COSTA MESA 2021-2029 (SIXTH CYCLE) HOUSING ELEMENT UPDATE**

**OLD BUSINESS:** None.

**NEW BUSINESS:** None.

**DEPARTMENTAL REPORT(S):**

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1. Public Services Report – City Engineer Seung Yang wanted to inform the public that the City is entering the rainy season. Staff is preparing for the season by clearing debris from catch basins, the city will be providing sand and sand bags for residents, flood signs will be placed around the City and maintenance crews will have stand by personnel.
2. Development Services – Ms. Le reported there are 60 applications for retail storefront cannabis in Costa Mesa and staff is working diligently to process the cannabis business permits, ADU, and CUP's. Staff will be offering briefings to the Council over the next few months to prepare the Commission and staff for the presentations and public hearings that will happen related to implementation of the cannabis program. She stated the City Council adopted an urgency ordinance for SB 9 and staff is working on a more permanent ordinance that will be brought back to the Commission for review.

**CITY ATTORNEY'S OFFICE REPORT(S)**

1. City Attorney – Assistant City Attorney Tarquin Preziosi wished everyone a Happy Holiday and Happy year.

**ADJOURNMENT AT 7:56 P.M.**

Submitted by:

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CARRIE TAI, SECRETARY  
COSTA MESA PLANNING COMMISSION