

Attachment No. 2

September 22, 2014

Planning Commission Meeting Minute Excerpt

**MINUTE EXCERPTS FROM THE UNOFFICIAL
SEPTEMBER 22, 2014 PLANNING COMMISSION MEETING
REGARDING ORDINANCE CODE AMENDMENT CO-14-03
Public Hearing No .1**

1. **Application No.** CO-14-03
 Applicant: City of Costa Mesa
 Site Address: Citywide
 Project Planner: Jerry Guarracino
 **Environmental
Determination:** This project is categorically exempt under Section 15061(b)(3),
General Rule, of the California Environmental Quality Act (CEQA) Guidelines

Description:

An Ordinance of the City Council of the City of Costa Mesa repealing and amending section 13-6 (definitions) of Article 2 (definitions) of Chapter I (general), adding Chapter XV (group homes), and repealing and replacing Article 15 (reasonable accommodations) of Chapter IX (special land use regulations) of Title 13 (zoning code) and amending the City of Costa Mesa Land Use Matrix - Table No. 13-30 of Chapter IV. (City Wide Land Use Matrix) of the Costa Mesa Municipal Code relating to group homes. The Costa Mesa Planning Commission will hold a public hearing to consider Code Amendment CO-14-03 related to Group Homes. The code amendment would amend and expand the definitions related to Group Homes and establish permit requirements, occupancy limits, operational standards and concentration limits on group homes in the R1 zone. The Code amendment will also revise the Reasonable Accommodation procedures and required findings

The staff report, consisting of a brief background, simplified summary of the applicable laws and an outline of the ordinance was provided by Elena Gerli, Planning Commission Counsel and Jerry Guarracino, Community Improvement Division Assistant Director.

The Commission requested explanations for the difference between "licensed" vs. "unlicensed", "Sober Living Homes" vs. "Group Homes" and a definition for "integral homes.

Chair Fitzpatrick requested that a clause regarding integral homes be included on the application.

The Commissioners discussed radius, concentration, disclosure, cost recovery costs, enforcement / monitoring mechanisms, parking restrictions, amortization and having an onsite Housing Manager.

PUBLIC COMMENTS

Martin Millard, Costa Mesa resident, wanted to see a relief from Group Homes because the City was legitimizing them. He wanted Costa Mesa to follow Newport Beach's lead.

Barrie Fischer, Costa Mesa resident, stated there are four Sober Living homes where she lives. She encouraged the Commission to move the matter forward so something could be done.

Jay Humprey, Costa Mesa resident, inquired about having an onsite Facility Manager and addressed concerns with parking, permitted residences providing proof of resident rents and enforcement for unlicensed homes.

Mary Spidoni, Costa Mesa resident, felt the residents needed a tighter, finely crafted and legally sufficient ordinance. She suggested waiting until after the elections to ensure the new Council is fully aware of the situation.

Beth Refakes, Costa Mesa resident, opposed any attempts of handling this with a conditional use permit. She addressed multiple concerns and suggested waiting until the new Council is seated because they may have different views.

Ann Parker, Costa Mesa resident, asked why this was being done in an R1 neighborhood. Costa Mesa's ordinance should be like Newport Beach's because they did not separate R1 neighborhoods. She urged the Commission to wait until after the elections.

Chair Fitzpatrick was surprised to see members of the community that advocated the City to hurry up, now telling them not to do it. Commissioner Mathews concurred.

MOTION: Based on the evidence in the record, move that the Planning Commission recommend that City Council approve and give first reading to the Ordinance Code Amendment CO-14-03 to Title 13, repealing and amending Section 13-6 (definitions) of Article 2 (definitions) of Chapter I (general), adding Chapter XV (group homes), and repealing and replacing Article 15 (reasonable accommodations) of Chapter IX (special land use regulations) of Title 13 (zoning code) and amending the City of Costa Mesa Land Use Matrix – Table No. 13-30 of Chapter IV (City Wide Land Use Matrix) of the Costa Mesa Municipal Code relating to group homes and to recommend that the City Council find that the ordinance is exempt from California Environmental Quality Act (CEQA) pursuant to Section 1501(b)(3) General Rule, with the proposed recommended revisions including: 1) 650-foot radius, 2) House Manager residing on premises, 3) parking restrictions, 4) Integral listing on the application. Moved by Commissioner McCarthy, seconded by Chair Fitzpatrick.

Chair Fitzpatrick asked the Maker of the Motion (Commissioner McCarthy) if his **Motion could include amortization of 1-2 years.** Commissioner McCarthy agreed.

The motion carried by the following roll call vote:

Ayes:	Fitzpatrick, McCarthy, Mathews, Sesler
Noes:	None
Absent:	Dickson
Abstained:	None