



PLANNING COMMISSION AGENDA REPORT

VI.7

MEETING DATE: AUGUST 9, 2010

ITEM NUMBER:

SUBJECT: REVIEW OF ZONING ADMINISTRATOR'S DENIAL OF TRASH ENCLOSURE WAIVER
1546 CORIANDER DRIVE

DATE: JULY 29, 2010

FOR FURTHER INFORMATION CONTACT: WILLA BOUWENS-KILLEEN, AICP
ZONING ADMINISTRATOR
(714)754-4952 (wbouwens-killeen@ci.costamesa.ca.us)

DESCRIPTION

A request by Planning Commission Colin McCarthy for Planning Commission to review Zoning Administrator's denial of waiver from City trash enclosure requirements.

APPLICANT

The property owner is Joe Panarisi.

RECOMMENDATION

Uphold or reverse the Zoning Administrator's decision.



WILLA BOUWENS-KILLEEN, AICP
Zoning Administrator



KHANH NGUYEN
Acting Asst. Development Svs. Director

BACKGROUND/ANALYSIS

On May 10, 2010, Planning Commission continued the review of the Zoning Administrator's denial of waiver from City trash enclosure requirements for 1546 Coriander Drive to the meeting of August 9, 2010. This 90 day continuance was to allow staff to:

- Work with the property owners and the Apartment Association of Orange County on a plan for the north side of Coriander Drive to identify the best places to provide the required enclosures with the least parking impacts and highest possible aesthetics;
- Update trash enclosure material standards;
- Address street sweeping concerns; and
- Provide educational outreach opportunities to encourage residents to reduce trash by recycling and reuse.

The original staff report is available on-line at: <http://www.ci.costa-mesa.ca.us/council/planning/2010-05-10/051010Review1546Coriander.pdf>

1546 Coriander Drive

As of the writing of this report, the applicant is in the process of having the plans reviewed and the enclosure installed with a completion date prior to the August 9, 2010 Planning Commission meeting.

Work with property owners/AOC

On May 24, 2010, Code Enforcement staff sent letters to the property owners on the north side of Coriander Drive who hadn't already constructed a trash enclosure, reminding them of the requirement to remove the dumpster from the alley and to place it within a trash enclosure. Currently, twelve of the 18 property owners have constructed an enclosure; four of the owners are either in the process of, or will soon begin, constructing an enclosure; and one owner has not yet contacted the City (despite the two letters sent requesting compliance); and one owner who has apparently removed the dumpster or is sharing an enclosure. The one owner who has not yet contacted the City will be cited on August 10, 2010, if the dumpster has not been either placed in an enclosure or removed from the alley.

Update trash enclosure standards

One of the trash enclosure handouts available at the counter had stated that chain link and slats were an acceptable material for enclosures; that handout has been removed and is no longer distributed to the public. The current handout states that enclosures are to be constructed of block or other type of concrete material or plant materials. Planning staff will continue to work with the property owners to arrive at the best method to screen trash containers but since chain link fencing is prohibited in residential zones where it is visible from a public street or alley, it will no longer be considered as an option.

Street sweeping concerns

At the May 10, 2010 Planning Commission meeting, some Coriander Drive residents commented that parking impacts might be lessened if street sweeping, and the related parking prohibition, could be limited to one side of the street at a time. Public Services staff stated that dividing the street over two days would make street sweeping scheduling inefficient, especially with today's budgetary constraints. Public Services staff visited the street several other weekdays between 9 a.m. and noon (the same hours parking is prohibited on sweep days) as well as on a non-sweep Friday and found that very few cars are parked on the street during those times.

Encourage residents to recycle/reuse

As time permits, Planning staff will make additional information available on the City's web page regarding reuse and recycling. However, the Costa Mesa Sanitary District's web page already includes information regarding recycling:

The screenshot shows a web browser window titled "Recycling Location search Tool - Windows Internet Explorer". The address bar shows the URL "http://www.cmsdca.gov/recycling-location-search-tool.html". The browser's menu bar includes "File", "Edit", "View", "Favorites", "Tools", and "Help". Below the browser window is the website header for the Costa Mesa Sanitary District, featuring a photograph of a building and the text "Costa Mesa Sanitary District ... an independent special district". A navigation menu includes links for "Recycling", "Solid Waste", "Trash", "Meetings & Events", "FAQ's & Links", "Brochures", "Publications", and "Videos". The main content area is titled "Recycling Location search Tool" and features a search form with the heading "Find a recycling location". The form includes two input fields, a "GO" button, and a "Quick Search" section with a search box and a "Go" button. Below the search form is a "Quest" logo with the text "Encourages you to recycle". To the left of the search form is a "More topics" sidebar with links to "Home", "Message from the General Manager", "Who We Are", "Board Agendas", "Strategic Plan", "Finances", "Human Resources", and "Photo". To the right of the search form is an "Announcements!" section with a "New Announcements!" link and a "Dispose of items too large for" link.

earth_machine_and_kitchen_collector[1].pdf - Adobe Reader

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1 / 1 100% Find



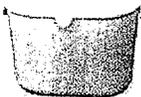
***** * Earth Machine & Kitchen Collector * *****



The Costa Mesa Sanitary District (CMSD), the City of Costa Mesa and the City of Huntington Beach share a grant to provide Earth Machines to city residents, schools and social service groups. The CMSD also provides vermicomposting classes and worm bins upon request with sufficient lead time for free. The composting bins are available for a \$20.00 contribution paid to the Costa Mesa Sanitary District in person – credit cards are NOT accepted. The following information describes the bin specifications and features:

Specifications

Composition: UV resistant recycled polyethylene
Weight in lbs: 20 lbs
Capacity: 10 cubic feet or 80 gallon
Size Dimensions: 33"H x 33" x 34"
Usage: Garden and kitchen waste
Key Features: Durable, lightweight design



Kitchen Collector

Features and Benefits

- + Round design allows unit to be turned/lifted to access pile from any direction
- + Sliding door can be secured to prevent animal entry
- + No corners for materials to dry out
- + Fastens to the ground by twist pegs - for animal and wind control

start [Taskbar icons: Inbox, PERMITS, F:\DEVEL, 1564 Cori..., Brochure..., earth_ma... 2:37 PM]

earth_machine_and_kitchen_collector[1].pdf - Adobe Reader

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Kitchen Collector

Features and Benefits

- + Round design allows unit to be turned/lifted to access pile from any direction
- + Sliding door can be secured to prevent animal entry
- + No corners for materials to dry out
- + Fastens to the ground by twist pegs - for animal and wind control
- + Ventilation slots are large enough to let in oxygen but keep out rodents
- + Twist top lid allows you to control ventilation
- + No special tools required or holes to dig for setup - easy snap together assembly

Black color for maximum solar heat retention

ten year warranty



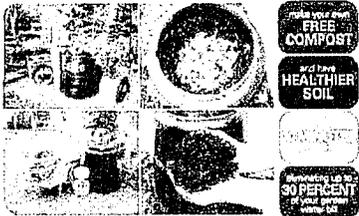
conical shape for easy removal

four screw pegs to secure composter to the ground

twist-locking post-resistant lid

side ventilation

locking harvest door



get your own FREE COMPOST and have HEALTHIER SOIL

Remember us to 50 PERCENT off our price!

EARTH DAY, EVERY DAY

Costa Mesa Sanitary District - 628 W. 19th Street, Costa Mesa, CA 92627 - (949) 645-3400 - www.emsdea.gov

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Additional Discussion

Enforcement on other streets in the area has been curtailed until this side of Coriander Drive is complete. Code Enforcement will continue enforcement on the south side of Coriander Drive (and for the remainder of the Spice Tract); however, staff will first visit the properties and include examples of appropriate locations for placement of the trash enclosures in the notification to property owners of the enclosure requirement.

FISCAL REVIEW

Fiscal review is not required for this item.

LEGAL REVIEW

Legal review is not required for this item.

ENVIRONMENTAL REVIEW

No environmental review is required for this item.

CONCLUSION

Code Enforcement staff has met with interested property owners to derive solutions for placement of the enclosures on private properties on a case-by-case basis. The majority of the 18 property owners have worked with staff to provide the enclosures. Future enforcement of other streets in the Spice Tract will include staff both visiting the properties first and providing suggested locations for the trash enclosures. Continued enforcement of the requirement to enclose/screen trash dumpsters will improve the appearance of the city, as desired by City Council.

Attachment "A" – Staff report for original hearing
Attachment "B" -- Resolutions

Distribution: Development Services Director
Deputy City Attorney
City Engineer
Transportation Svs. Mgr.
Fire Protection Analyst
Staff (4)
File (2)

Joe Panarisi
2850 Chios Road
Costa Mesa, CA 92626

ATTACHMENT "A"

Original staff report



PLANNING COMMISSION AGENDA REPORT

VI.5

MEETING DATE: MAY 10, 2010

ITEM NUMBER:

SUBJECT: REVIEW OF ZONING ADMINISTRATOR'S DENIAL OF TRASH ENCLOSURE WAIVER
1546 CORIANDER DRIVE

DATE: MAY 6, 2010

FOR FURTHER INFORMATION CONTACT: WILLA BOUWENS-KILLEEN, AICP
ZONING ADMINISTRATOR
714.754.4952 WBOUWENS-KILLEEN@CI.COSTA-MESA.CA.US

DESCRIPTION

A request by Planning Commission Colin McCarthy for Planning Commission to review Zoning Administrator's denial of waiver from City trash enclosure requirements.

APPLICANT

The property owner is Joe Panarisi.

RECOMMENDATION

Uphold, reverse, or modify the Zoning Administrator's decision.


WILLA BOUWENS-KILLEEN, AICP
Zoning Administrator


KHANH NGUYEN
Acting Asst. Development Svs. Director

BACKGROUND

The property contains a fourplex constructed in 1964. The 35 properties along Coriander Drive were approved with the same fourplex design as the subject property. Plans do not show trash enclosures.

In 2005, City Council amended Title 20 – the Property Maintenance Code -- requiring the enclosure of all existing trash dumpsters throughout the City. To facilitate the provision of the enclosures, Council included wording in the Code that waived the need for a variance if the enclosure occupied required parking, landscaping and/or open space. As of the end of 2009, 315 existing trash dumpsters had been enclosed throughout the City.

In February 2010, Code Enforcement sent letters to all 18 property owners on the north side of Coriander Drive notifying them of the requirement to construct a trash enclosure on their private property and to relocate their dumpsters from the public alley into the enclosure.

Concern with the loss of on-site parking and consequent potential impacts when the entire neighborhood complies with the enclosure requirement prompted the property owner to request a waiver of the trash enclosure requirement; on April 22, 2010, the Zoning Administrator denied his request. Planning Commissioner Colin McCarthy called the item up for review on April 29, 2010.

ANALYSIS

When the fourplexes were constructed, each building contained four units: one-three bedroom unit and three-two bedroom units; eight parking spaces per building – two spaces per unit -- were provided (five garages and three open spaces). Current Code requires 13 spaces per building. Overflow parking occurs on both sides of Coriander Drive. The fourplexes are individually owned, with approximately 31 property owners for the 35 properties.

Although provided parking is nonconforming, staff determined that all required parking is not being used by the tenants for parking of operative vehicles. Enclosed garages are very often used for storage of a tenant's personal items rather than their operative vehicles. Code Enforcement is unable to enforce this provision; it is the property owner's responsibility to ensure that garages remain available for parking of the tenant's operative vehicles. Furthermore, it is evident that tenants are storing trailers, inoperative vehicles, and recreational vehicles in both required parking as well as the tandem parking spaces provided by some of the Coriander Drive property owners. Although it is the property owner's responsibility to ensure this does not occur, Code Enforcement can enforce removal of these items and has begun to do so.

The trash dumpsters have been – and continue to be – stored in the public alley; this is not permitted. Consequently, even if Planning Commission overturns the Zoning Administrator's denial of the waiver, the Coriander Drive property owners will still need to relocate their trash dumpsters onto their private property.

This requirement has been enforced in other areas of the City with similar parking and access configurations. For instance, in the Fillmore/Coolidge area – which contains triplexes with one

garage space and one open parking space per unit all accessed from a rear public alley -- property owners have provided trash enclosures for existing dumpsters as required by Code.

Additional Discussion

The City has approached the Apartment Association of Orange County, who will work with the City to encourage apartment property owners to require their tenants to use the garages and open parking spaces for parking of operative vehicles. Furthermore, for neighborhoods similar to Coriander Drive, Planning and Code Enforcement staffs will initiate a policy of working together to formulate potential locations for trash enclosures before beginning enforcement. This will ensure consistency in the location of the enclosures throughout the neighborhood.

Commissioner Mensinger also expressed concern with the materials that are allowed to enclose the relocated dumpsters. For your information, Attachment 5 contains handouts for the construction of trash enclosures, including materials, for both new developments and the enclosure of existing dumpsters.

ALTERNATIVES

Planning Commission may consider the following alternatives:

1. Uphold the Zoning Administrator's denial of the waiver, requiring the property owner to construct a trash enclosure; or
2. Reverse the Zoning Administrator's denial of the waiver. The property owner would still be required to relocate the dumpster onto private property but it would not have to be screened; or
3. Modify the Zoning Administrator's decision.

FISCAL REVIEW

Fiscal review is not required for this item.

LEGAL REVIEW

Legal review is not required for this item.

ENVIRONMENTAL REVIEW

No environmental review is required for this item.

CONCLUSION

In a continuing effort to improve the appearance of the city, Council adopted a Code provision that requires the screening of all existing trash dumpsters throughout the City. Parking impacts resulting from the potential loss of an open parking space can be offset if all the property owners in the neighborhood ensured that all garage and open parking spaces are used for the parking of operable vehicles. Trash dumpsters are not permitted in the public alley; consequently,

regardless of Planning Commission's decision, the property owners will have to relocate the trash dumpsters onto their private property.

Attachment 1 -- Review request

Attachment 2 -- Zoning Administrator's denial of waiver/Owner's request for waiver

Attachment 3 -- Site plan

Attachment 4 -- Airphoto of property

Attachment 5 -- Trash enclosure standards

Attachment 6 -- Resolution

Distribution: Development Services Director
Acting Asst. Development Svs. Director
Deputy City Attorney
City Engineer
Fire Protection Analyst
Staff (4)
File (2)

Joe Panarisi
2850 Chios Road
Costa Mesa, CA 92626

File: 0510101Review1546Coriander	Date: 050410	Time: 8:30 a.m.
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City of Costa Mesa

Appeal Planning Commission Decision (Rehearing or Review)
 Appeal Planning Commission Decision

APPLICATION FOR APPEAL, REHEARING, OR REVIEW

2850 Joe Pavarotti
Chico Road, Costa Mesa, CA

REQUEST FOR: REHEARING APPEAL REVIEW

Review of zoning Administrator decision regarding
trash enclosure at 1546 Coriander Drive, Costa
Mesa
Zoning Adm

Inconsistent direction on existing enforcement
of code, complaints by owners on
Coriander

4129110

Colin McKeely

I hereby certify that the information provided is true and correct to the best of my knowledge.

Print name and write below this line

APPLICANT: COLIN MCKEELY
ADDRESS: 2850 JOE PAVAROTTI CHICO ROAD, COSTA MESA, CA 92626

Attachment 2



CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

DEVELOPMENT SERVICES DEPARTMENT

April 22, 2010

Mr. Joe Panarisi
2850 Chios Road
Costa Mesa, CA 92626

**RE: REQUESTED WAIVER FROM TRASH ENCLOSURE REQUIREMENT
1546 CORIANDER DRIVE, COSTA MESA**

Dear Mr. Panarisi:

I have discussed this matter with both the Development Services Director and Assistant Development Services Director. Based on City Council direction, as well as a review of the layout of your property – comparing them with properties both on Coriander Drive and other similar properties in the City that have already provided the required enclosures -- it has been determined that there is no basis to waive the requirement for the trash enclosure.

As stipulated by the City's Municipal Code, this decision may be appealed to the Planning Commission. The Municipal Code requires the appeal must be received by either the Planning Division or the City Clerk's office no later than 7 days from the date of this decision. Consequently, the appeal needs to be filed on the City's form and with the \$690.00 filing fee no later than 5 p.m. on April 29, 2010. The form is available at either the Planning Counter (second floor of City Hall) or the City Clerk's office (first floor of City Hall). City Hall is located at 77 Fair Drive, Costa Mesa. Please be aware that the item will appear before Planning Commission only if appealed or called up for review -- the latter by either a Planning Commissioner or City Council member – with no guarantee that it can be scheduled for May 10, 2010 Commission meeting.

Please let me know if you have any questions; I can be reached at either 714.754.5153 or wbkilleen@ci.costa-mesa.ca.us

Sincerely,

WILLA BOUWENS-KILLEEN, AICP
Zoning Administrator

cc: Ron Johnson, Code Enforcement Officer

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April 13, 2010

Willa Bouwens-Killeen, ALCP
Zoning Administrator
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626

Good Afternoon Willa,

As per your e-mail notice I am submitting this letter requesting a Waiver of trash enclosures on my property at 1546 Coriander Dr, citing the Costa Mesa Municipal Code section 20-7-j. Some of the reasons are as follows;

- Parking spaces are already at a premium. Enclosures will occupy at least 1-2 parking spaces on either side of the building. There are 18 buildings on Coriander Dr.
- Trash enclosure locations in certain areas would present a health hazard to tenant front doors. The smell and the noise is an environmental hazard.
- Adding trash enclosures intensifies parking and emotions in the alley way because tenants are subject to traffic citations. There are "No Parking" signs posted in the alley.
- Street parking at peak hours, already overloaded, will have no openings for arriving tenants who work late. If they leave for a last minute errand, good luck on the return!
- There is a good possibility rodents, flies and other insects could be a menace if trash containers are placed too close to the buildings. The risk is these "invaders" would seek warm and comfort and gain entrance to apartment doors.
- From the negative attitude of my tenants to this Municipal Code implementation, and for their peace of mind, I agree as well to take a stand for them and ask for this Waiver.

Please advise on the Waiver decision and if declined I would like to be on the Agenda for the next Planning Commission meeting of May 10.

Sincerely,

Joe Panarisi
2850 Chios Rd.
Costa Mesa, 92626
panclan@ca.rr.com

SITE PLAN

THIS IS ALL IN.

TO KEEP WORK MUST AT LEAST

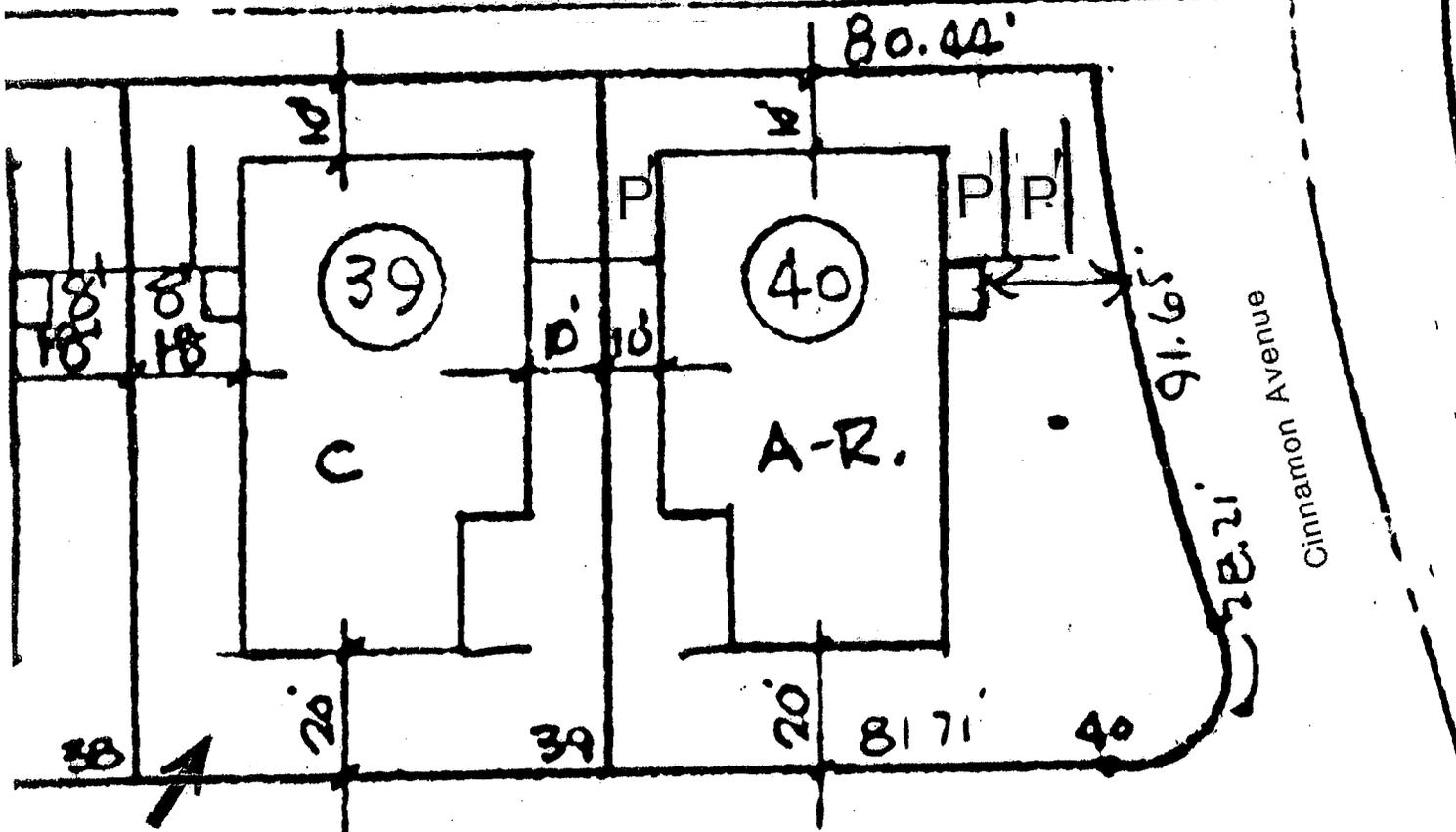
60 DAYS W

OF THE SHA

AT

Cemetery

public alley



74.00'

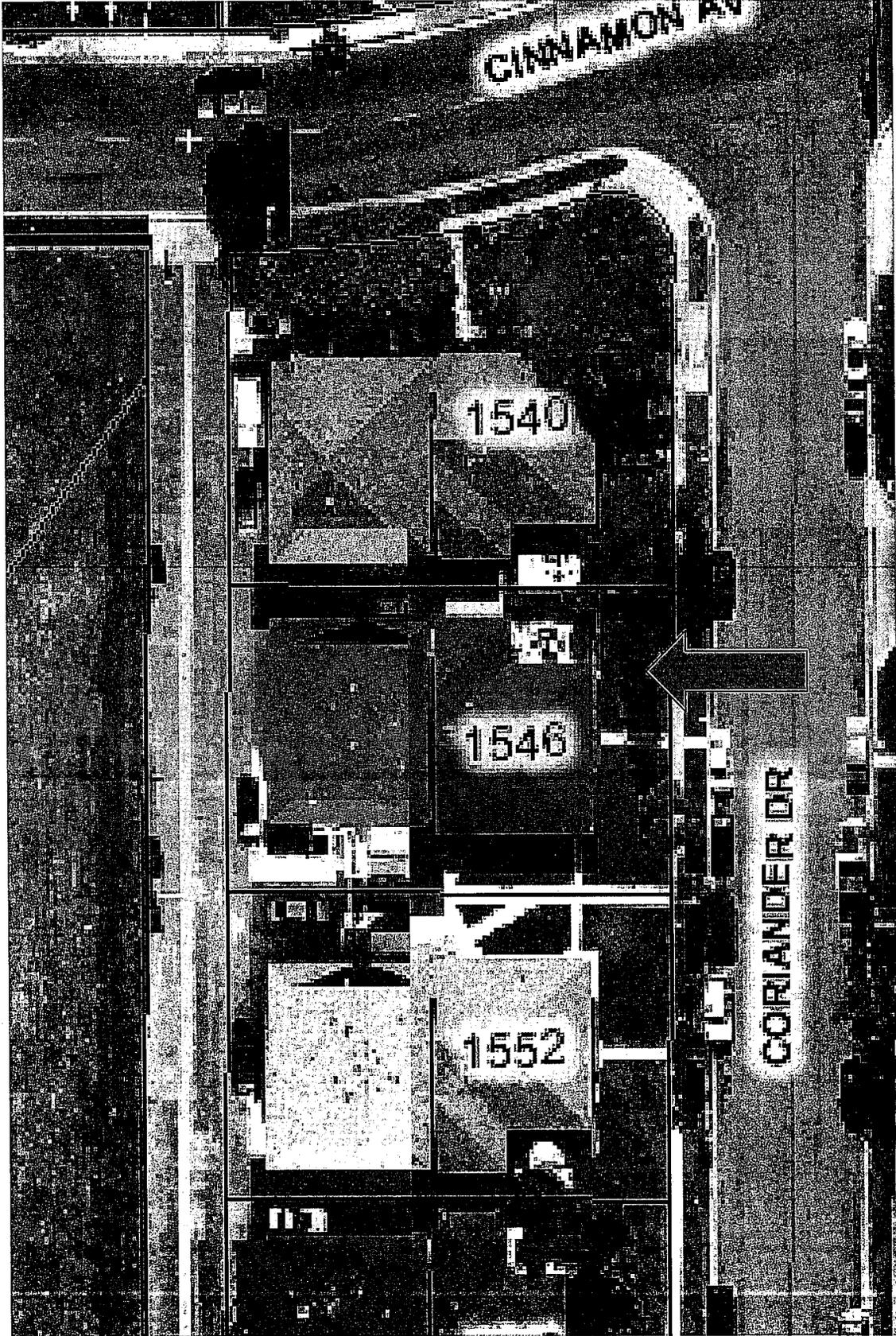
14'

Resi

21.4'

2310'

Attachment 4



Airphoto of property

Attachment 5



NEW REQUIREMENT TO SCREEN TRASH BINS/DUMPSTERS

In October 2005, the Costa Mesa City Council adopted a new citywide requirement for screening trash bins and dumpsters from public view (specifically from a public street or alley). This Council action reflects the City's ongoing efforts to improve and upgrade the community's overall appearance, which benefits businesses and residents alike. Therefore, this requirement is included in the City's Property Maintenance regulations, and it is applicable to existing residences and businesses, as well as to new construction.

Costa Mesa Code Enforcement Officers are responsible for ensuring that all trash bins/dumpsters are adequately screened from public view, and the Officers will work with property owners to bring their properties into compliance.

The backside of this handout includes acceptable types of screening materials. These screening materials are readily available at local home improvement centers (such as Home Depot). Please note these materials are to be only used for screening trash dumpsters/bins in existing developments. New construction projects will be required to construct a trash enclosure pursuant to City standards. A partial list of local contractors is also provided below.

If a property owner fails to screen a trash bin/dumpster from public view, the City may commence abatement procedures as outlined in Costa Mesa Municipal Code Sections 20-12 through 20-14.

Please check with the Planning Division regarding an acceptable location for the trash dumpster/bin and screen at (714) 754-5245, Monday through Friday, 8 a.m. to 5 p.m.

Local Contractors (Partial List):

The CITY OF COSTA MESA does not endorse any contractor; however the City has provided for your convenience a list of phone numbers of some of the local building supply warehouses that may have a list of recommended contractors. Use your discretion when hiring a contractor. The CITY OF COSTA MESA does not guarantee their work.

Home Depot - (800) 793-3768

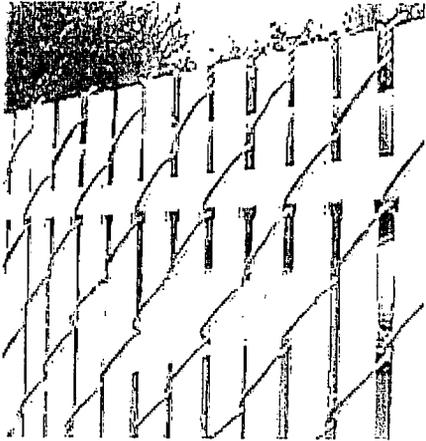
Ganahl Lumber - (714) 556-1500

Crown Ace Hardware - (714) 546-7080

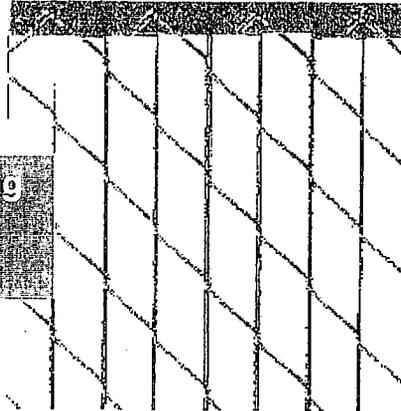
Larry's Building Materials - (714) 545-0448

16

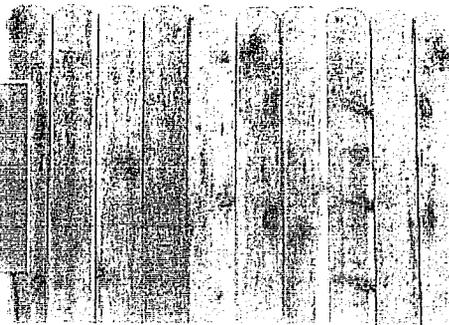
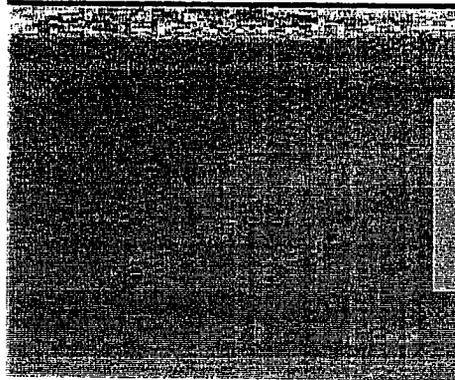
ACCEPTABLE SCREENING MATERIALS



Chain Link Fencing
with vinyl slats



Chain Link Fencing
with Privacy Screen
or Solid Wooden
Fencing



1. Note: These materials are only to be used for screening trash dumpsters/bins in existing developments. Any new development project will be required to construct a trash enclosure pursuant to City standards.



DEVELOPMENT SERVICES DEPARTMENT
77 FAIR DRIVE, SECOND FLOOR
COSTA MESA, CA 92628
(714) 754-5245
www.ci.costa-mesa.ca.us

16A



TRASH ENCLOSURE STANDARDS

(October 2005)

In an effort to improve the appearance of the City, Costa Mesa's City Council adopted an ordinance in September 2005 requiring the screening of all trash bins or dumpsters in the City from public view. The following development standards address how the bins and dumpsters can be shielded from public view. All trash enclosure/screening plans require Planning Division approval. A building permit may or may not be required. Please contact the Planning Division for any questions regarding these standards.

Trash Enclosures for New Developments

- Trash enclosure shall be constructed of block or other type of concrete materials (such as woodcrete).
- The enclosure walls shall be high enough to completely screen the dumpster and to discourage illegal dumping of large items over the wall.
- Gates shall be the same height as the enclosure wall, opaque, with metal the preferred material, painted or powder coated to match the enclosure. Chain link with plastic slats in a color matching the enclosure may be substituted if the gates are not readily visible.
- Gates shall be lockable with access provided to employees and residents at all times.
- It is recommended that a 6" by 6" curb be provided inside the trash enclosure to separate dumpsters from the walls.
- Enclosures shall be placed outside of required street setback areas and will be counted against required open space.
- Enclosures shall be large enough or trash pick-up frequent enough to ensure trash does not overflow the bin.

Trash Enclosures for Existing Developments

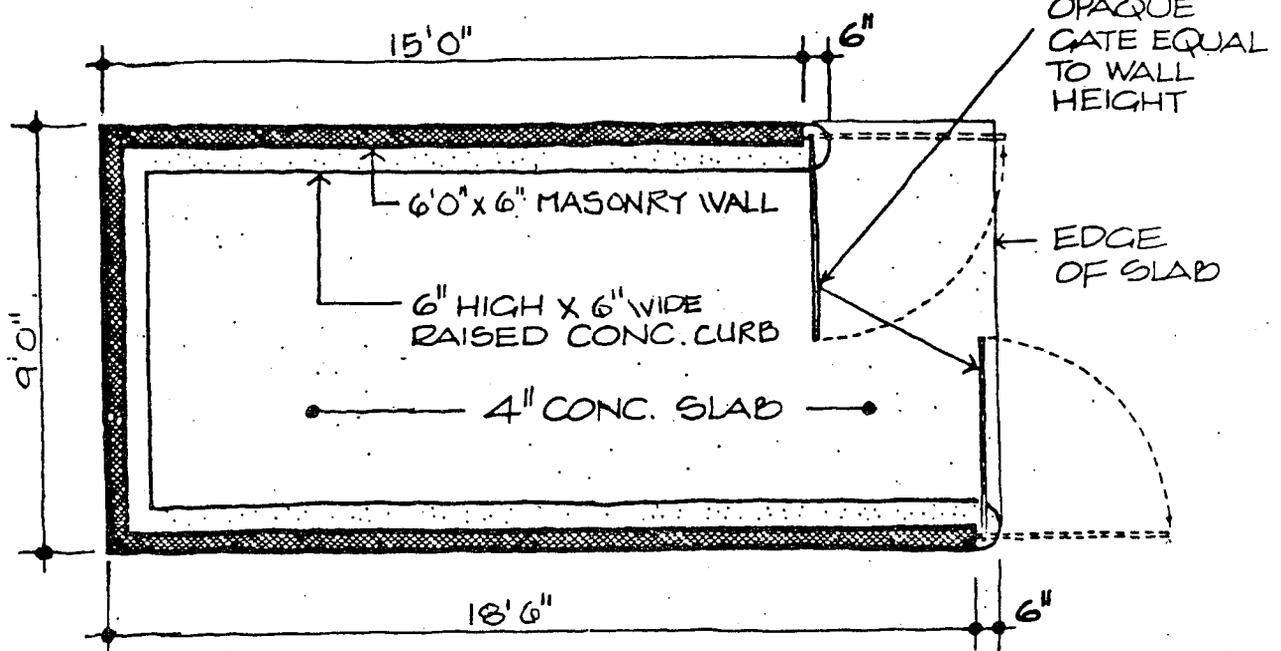
- Trash dumpsters shall be screened from public view through block or other type of concrete material or plant materials.
- Gates shall be the same height as the enclosure screen, opaque, with metal the preferred material, painted or powder coated to match the enclosure. Chain link with plastic slats in a color matching the enclosure may be substituted if the gates are not readily visible from off-site. If unable to provide gates, the entry shall be oriented away from off- and on-site views.
- If gates are provided, they shall be lockable with access provided to employees and residents at all times.
- Enclosures may be placed in required parking, open space, or landscape areas (with the exception of street setback areas).
- Enclosures shall be large enough or trash pick-up frequent enough to ensure trash does not overflow the bin.

City of Costa Mesa Planning Division
77 Fair Drive, Costa Mesa, CA 92626
Phone: 714.754.5245

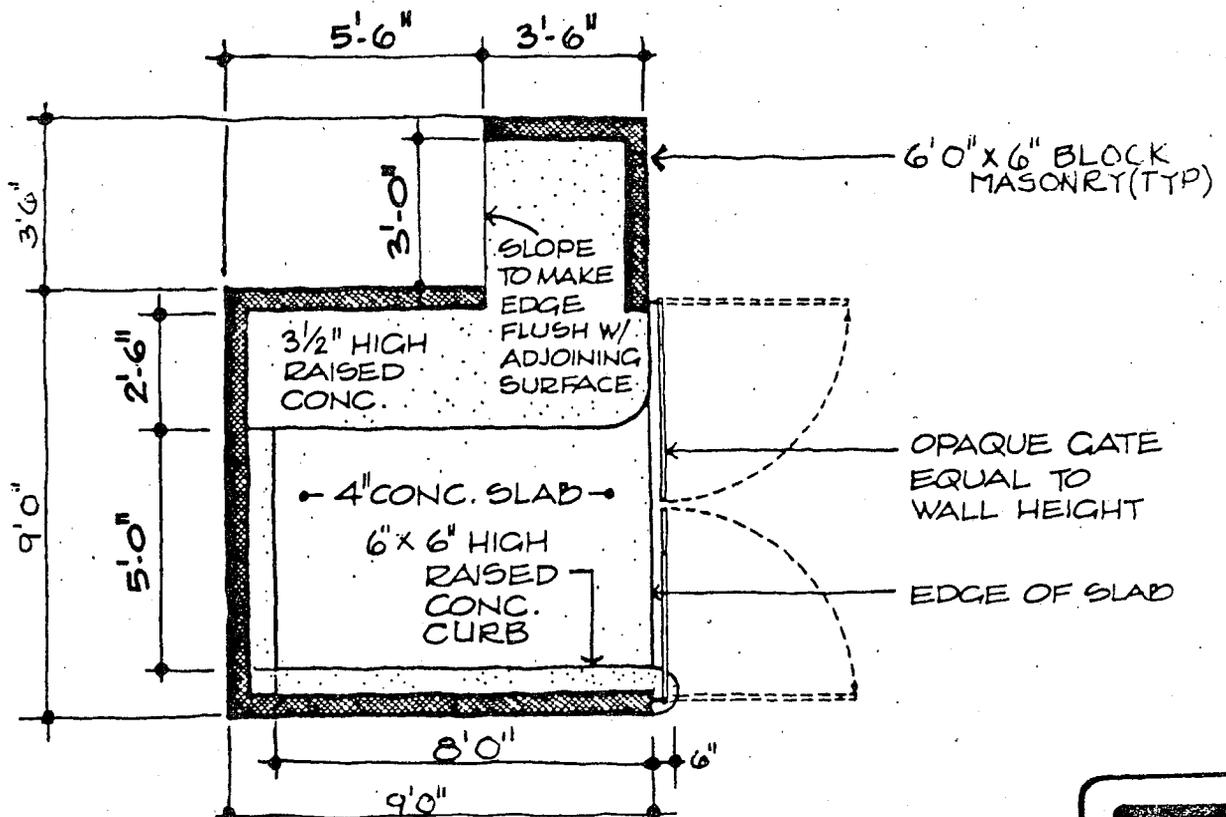
Email: Planning Commission @ci.costa-mesa.ca.us
Hours: 8 a.m. to 5 p.m., Monday through Friday

TRASH ENCLOSURE STANDARDS

1/4" = 1'-0"



COMMERCIAL*/INDUSTRIAL*



RESIDENTIAL*

* NOTE: WHEN COVERED OR PLACED ADJACENT TO A BUILDING, FIRE SPRINKLERS MAY BE REQUIRED.



ATTACHMENT "B"

Resolutions

RESOLUTION NO. PC-10-

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF COSTA MESA UPHOLDING THE ZONING
ADMINISTRATOR'S ACTION**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, the property owner, Joe Panarisi, filed a request to waive the requirement for a trash enclosure, with respect to the real property located at 1546 Coriander Drive, in the R3 zone; and

WHEREAS, the Zoning Administrator denied the waiver on April 22, 2010; and

WHEREAS, Planning Commissioner Colin McCarthy requested a review of the decision on April 29, 2010; and

WHEREAS, Planning Commission heard the item on May 10, 2010, and continued it to the meeting of August 9, 2010; and

WHEREAS, Planning Commission heard the item on August 9, 2010, with all persons provided an opportunity to speak for and against the proposed project.

BE IT RESOLVED that, based on the evidence in the record and the findings that adequate parking exists to accommodate the required trash enclosure; that provision of the enclosure will improve the appearance of the alley and neighborhood; and that enclosures have been provided on similar properties throughout the City; the Planning Commission **UPHOLDS** the Zoning Administrator's denial of the waiver with respect to the property described above.

PASSED AND ADOPTED this 9th day of August, 2010.

James Righeimer, Chair
Costa Mesa Planning Commission

RESOLUTION NO. PC-10-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA REVERSING THE ZONING
ADMINISTRATOR'S ACTION**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, the property owner, Joe Panarisi, filed a request to waive the requirement for a trash enclosure, with respect to the real property located at 1546 Coriander Drive, in the R3 zone; and

WHEREAS, the Zoning Administrator denied the waiver on April 22, 2010; and

WHEREAS, Planning Commissioner Colin McCarthy requested a review of the decision on April 29, 2010; and

WHEREAS, Planning Commission heard the item on May 10, 2010, and continued it to the meeting of August 9, 2010; and

WHEREAS, Planning Commission heard the item on August 9, 2010, with all persons provided an opportunity to speak for and against the proposed project.

BE IT RESOLVED that, based on the evidence in the record and the finding that adequate parking does not exist to accommodate the required trash enclosure, the Planning Commission **REVERSES** the Zoning Administrator's denial of the waiver with respect to the property described above.

PASSED AND ADOPTED this 9th day of August, 2010.

James Righeimer, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Khanh Nguyen, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on August 9, 2010, by the following votes:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Khanh Nguyen, Secretary
Costa Mesa Planning Commission