



**CITY OF COSTA MESA
PLANNING COMMISSION MEETING
Monday – February 26, 2018
MEETING DECISIONS**

***IMPORTANT NOTE:**

The purpose of this summary is to provide timely information regarding the Planning Commission's actions at this meeting. For more detailed information regarding the Commission's actions (including the addition, deletion, or modification of conditions of approval), please see the **meeting minutes** for this Planning Commission meeting. You may also contact the Planning Division at (714) 754-5245 for more information.

CONSENT CALENDAR:

1. **MINUTES FOR THE MEETING OF JANUARY 8, 2018**

***ACTION**

Approved, 5-0

PUBLIC HEARINGS:

1. **CONDITIONAL USE PERMIT PA-16-33 TO OPERATE A SOBER LIVING FACILITY HOUSING UP TO 10 GENDER-SPECIFIC ADULTS; INCLUDING AN APPEAL OF THE DENIAL OF A REQUEST FOR REASONABLE ACCOMMODATION FOR RELIEF FROM CERTAIN LAND USE REQUIREMENTS OF THE ZONING CODE; OPERATED BY RAW RECOVERY, LLC, AT 268 KNOX STREET**

Project Description: Conditional Use Permit (CUP) PA-16-33 is a request to operate a sober living facility housing up to 10 gender-specific adults. The applicant also submitted a request for a reasonable accommodation for relief from certain land use requirements of the Zoning Code. The application for accommodation was denied. The applicant appealed that decision to the Planning Commission. This item was continued from the February 12, 2018 Planning Commission meeting.

Environmental Determination: The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 (Class 1), Existing Facilities.

***ACTION**

Planning Commission adopted a Resolution upholding the Director's

denial of the request for reasonable accommodation and approved Conditional Use Permit PA-16-33, subject to conditions of approval as modified by the Planning Commission.

Approved, 3-2

Chair Andranian and Commissioner Kerins voting no

2. **CODE AMENDMENT CO-18-01: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA ADOPTING THE TEXT OF URGENCY ORDINANCE 17-16, AMENDING ARTICLE 20 (MARIJUANA AND/OR MEDICAL MARIJUANA USES AND ACTIVITIES) OF CHAPTER IX (SPECIAL LAND USE REGULATIONS) OF TITLE 13 (PLANNING ZONING AND DEVELOPMENT), RELATING TO CULTIVATION OF MARIJUANA AND CERTAIN MARIJUANA RELATED USES**

Description: The proposed Code Amendment (CO-18-01) will amend portions of Article 20 of Chapter IX of Title 13 of the Costa Mesa Municipal Code, adopting the text of Urgency Ordinance No. 17-16, as it pertains to provisions for marijuana and cannabis uses in the City. The proposed Code Amendment would, with minor textual revisions, make permanent the temporary Code provisions adopted by Urgency Ordinance 17-16 which prohibit cultivation (to the extent allowed by state law), dispensaries, and retail sales of marijuana.

Environmental Determination: The project is exempt from environmental review under the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the CEQA Guidelines.

***ACTION**

Planning Commission recommended that the City Council approve and adopt Code Amendment CO-18-01.

Approved, 5-0

3. **CODE AMENDMENT CO-17-07: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA AMENDING ARTICLE 5 (ADMINISTRATION, APPLICATION AND PROCEDURES) OF CHAPTER I (BUSINESS TAX) AND CHAPTER VI (MEDICAL MARIJUANA BUSINESS PERMITS) OF TITLE 9 (LICENSES AND BUSINESS REGULATIONS); CHAPTER IV (CITYWIDE LAND USE MATRIX) AND ARTICLE 21 (MEDICAL MARIJUANA DISTRIBUTING, MANUFACTURING, PROCESSING, RESEARCH AND DEVELOPMENT, TESTING LABORATORIES AND TRANSPORTING LOCATIONS) OF CHAPTER IX (SPECIAL LAND USE REGULATIONS) OF TITLE 13 (PLANNING ZONING AND DEVELOPMENT), RELATING TO AMENDMENTS TO VOTER APPROVED ORDINANCE 16-15 (MEASURE X, THE COSTA MESA MEDICAL MARIJUANA MEASURE)**

Description: The proposed Code Amendment (CO-17-07) will amend portions of Title 9 and Title 13 of the Costa Mesa Municipal Code as they pertain to provisions for marijuana and cannabis uses permitted in the City. The proposed Code Amendment will amend portions of Title 9 and Title 13 of the Costa Mesa Municipal Code as they pertain to provisions for medical marijuana uses permitted in the City pursuant to Measure X. The proposed Code amendment allows for adult use marijuana to be distributed, manufactured, researched and developed and tested in the same locations and subject to the same permitting process and restrictions as medical marijuana and makes textual revisions to conform to state law. Cultivation (to the extent allowed by state law), dispensaries, and retail sales of marijuana will continue to be prohibited in the City. The primary purpose of the proposed code amendment is to allow the same types of “adult use” wholesale marijuana activities in those areas where wholesale medical marijuana activities are currently allowed pursuant to Measure X. The secondary purpose is to achieve consistency with state law.

Environmental Determination: The project is exempt from environmental review under the California Environmental Quality Act (“CEQA”) pursuant to Section 15061(b)(3) of the CEQA Guidelines.

***ACTION**

Planning Commission recommended that the City Council approve and adopt Code Amendment CO-17-07.

Approved, 5-0

4. AMENDMENT TO PLANNING APPLICATION PA-17-38 A1 FOR A MEDICAL MARIJUANA EXTRACTION FACILITY AT 3590 CADILLAC AVENUE, UNIT B

Project Description: Planning Application PA-17-38 A1 is an amendment to a previously approved Conditional Use Permit (PA-17-38) for a Medical Marijuana extraction facility (Oil Haus) within a 7,315-square-foot tenant space in an existing industrial building. The previously approved Conditional Use Permit allows for extraction, manufacturing/processing, and packaging at the subject property. The proposed amendment would include offices, manufacturing/processing facilities, e.g., the equipment used to extract oils from marijuana plants and process the oils into the finished product, laboratories, testing facilities, preparation, packaging, and storage of the finished product. No distribution services are proposed. The facility would be staffed by at least 8 persons. The hours of operation are proposed to be from 8:00 AM to 6:00 PM, seven days a week, increasing to 24-hour-a-day operation, if demand warrants. Security systems (card readers, security cameras, etc.) will be installed throughout the facility. No cultivation of marijuana, or medical marijuana dispensary, is permitted.

Environmental Determination: The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA

Guidelines Section 15301 (Class 1), Existing Facilities.

***ACTION**

Planning Commission adopted a Resolution to approve Planning Application PA-17-38 A1, subject to conditions of approval as modified by the Planning Commission.

Approved, 3-2

Vice Chair de Arakal and Commissioner Harlan voting no

5. PLANNING APPLICATION PA-17-45 FOR A MEDICAL MARIJUANA MANUFACTURING AND DISTRIBUTION FACILITY (MELLOW EXTRACTS) AT 3505 CADILLAC AVENUE, UNIT J5

Project Description: Planning Application PA-17-45 is a Conditional Use Permit for a Medical Marijuana manufacturing and distribution facility (Mellow Extracts) within a 4,549-square-foot tenant space in an existing industrial building. The proposed facility would include offices, extraction, preparation, manufacturing/processing, packaging, staging, storage, and distribution of cannabis products. The facility will be staffed by at least 9 persons. Hours of operation are proposed to be from 7:00 AM to 7:00 PM, Monday through Saturday, increasing to 24-hour-a-day operation if demand warrants. The facility will have security systems (card readers, security cameras, etc.) throughout the facility. No cultivation of marijuana, or medical marijuana dispensary, is permitted

Environmental Determination: The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 (Class 1), Existing Facilities.

***ACTION**

Planning Commission adopted a Resolution to approve Planning Application PA-17-45, subject to conditions of approval as modified by the Planning Commission.

Approved, 4-1

Commissioner Harlan voting no

6. PLANNING APPLICATION PA-17-47 FOR A MEDICAL MARIJUANA MANUFACTURING AND DISTRIBUTION FACILITY (SOL DISTRO) AT 3560 CADILLAC AVENUE

Project Description: Planning Application PA-17-47 is a Conditional Use Permit for a Medical Marijuana manufacturing and distribution facility (Fluid South, dba as Sol Distro) within a 20,000-square-foot tenant space in an existing industrial building. The proposed facility would include offices,

preparation, manufacturing/processing, packaging, staging, storage, and distribution of cannabis products and indoor parking for one delivery vehicle. The facility also includes equipment for brewing non-alcoholic carbonated beverages. The facility will be staffed by at least 32 persons, including transportation drivers. The initial hours of operation are proposed to be from 7:00 AM to 7:00 PM, Monday through Saturday, increasing to a 24-hour-a-day operation, if demand warrants. The facility will have security systems (card readers, security cameras, etc.) throughout the facility. No cultivation of marijuana, or medical marijuana dispensary, is permitted.

Environmental Determination: The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 (Class 1), Existing Facilities.

***ACTION**

Planning Commission adopted a Resolution to approve Planning Application PA-17-47, subject to conditions of approval as modified by the Planning Commission.

Approved, 4-1

Commissioner Harlan voting no

7. PLANNING APPLICATION PA-17-49 FOR A MEDICAL MARIJUANA MANUFACTURING AND DISTRIBUTION FACILITY (JOSHD FARMS) AT 3505 CADILLAC AVENUE, UNIT F9

Project Description: Planning Application PA-17-49 is a Conditional Use Permit for a Medical Marijuana manufacturing and distribution facility (JoshD Farms) within a 10,007-square-foot tenant space in an existing industrial building. The proposed facility would include preparation, extraction, manufacturing/processing, packaging, staging, storage, and distribution of cannabis products and indoor parking for one delivery vehicle. The facility will be staffed by at least eight persons, including transportation drivers. The initial hours of operation are proposed to be from 7 AM to 7 PM, Monday through Saturday, increasing to a 24-hour-a-day operation, if demand warrants. The facility will have security systems (card readers, security cameras, etc.) throughout the facility. No cultivation of marijuana, or medical marijuana dispensary, is permitted.

Environmental Determination: The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 (Class 1), Existing Facilities.

***ACTION**

Planning Commission adopted a Resolution to approve Planning Application PA-17-49, subject to conditions of approval as modified by

the Planning Commission.

Approved, 4-1

Commissioner Harlan voting no

8. PLANNING APPLICATION PA-18-03 FOR A MEDICAL MARIJUANA MANUFACTURING AND DISTRIBUTION FACILITY (SE7ENLEAF, LLC) AT 3505 CADILLAC AVENUE, UNIT M101

Project Description: Planning Application PA-18-03 is a Conditional Use Permit for a Medical Marijuana manufacturing and distribution facility (Se7enLeaf, LLC) within a 2,299-square-foot tenant space in an existing industrial building. The proposed facility would include extraction, manufacturing/processing, preparation, packaging, staging, storage, and distribution of cannabis products and an office and conference area. The facility will be staffed by at least eight employees. The initial hours of operation are proposed to be from 7 AM to 7 PM, Monday through Saturday, increasing to a 24-hour-a-day operation, if demand warrants. The facility will have security systems (card readers, security cameras, etc.) throughout the facility. No cultivation of marijuana, or medical marijuana dispensary, is permitted.

Environmental Determination: The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 (Class 1), Existing Facilities.

***ACTION**

The Planning Commission continued the item to a date uncertain.

Approved, 5-0

9. PLANNING APPLICATION PA-18-04 FOR A MEDICAL MARIJUANA MANUFACTURING AND DISTRIBUTION FACILITY (SE7ENLEAF, LLC) AT 3505 CADILLAC AVENUE, UNIT L3

Project Description: Planning Application PA-18-04 is a Conditional Use Permit for a Medical Marijuana manufacturing and distribution facility (Se7enLeaf, LLC) within a 4,360-square-foot tenant space in an existing industrial building. The proposed facility would include preparation, extraction, processing, packaging, staging, storage, and distribution of cannabis products, offices and an indoor parking space for one delivery vehicle. The facility will be staffed at least 15 employees. The initial hours of operation are proposed to be from 7 AM to 7 PM, Monday through Saturday, increasing to a 24-hour-a-day operation, if demand warrants. The facility will have security systems (card readers, security cameras, etc.) throughout the facility. No cultivation of marijuana, or medical marijuana dispensary, is permitted.

Environmental Determination: The project is categorically exempt from the

provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 (Class 1), Existing Facilities.

***ACTION**

Planning Commission continued the item to the March 12, 2018 meeting.

Approved, 5-0