

ACTION REPORT
CITY OF COSTA MESA CITY COUNCIL, AND
SUCCESSOR AGENCY TO THE REDEVELOPMENT
AGENCY*
OCTOBER 7, 2014

JAMES M. RIGHEIMER
Mayor

STEPHEN MENSINGER
Mayor Pro Tem

SANDRA GENIS
Council Member

GARY MONAHAN
Council Member

WENDY LEECE
Council Member

City Attorney
Thomas Duarte

Chief Executive Officer
Thomas R. Hatch

REGULAR MEETING OF THE CITY COUNCIL, AND SUCCESSOR
AGENCY TO THE REDEVELOPMENT AGENCY – 6 P.M.

CITY ATTORNEY CLOSED SESSION REPORT – None

- **COIN: Ex Parte Communications pursuant to Municipal Code Section 2-238 (b): None**

CONSENT CALENDAR:

Consent items 3 and 4 were pulled

Items 1, 2, 5, and 6

MOVED/SECOND: Council Member Monahan/Mayor Pro Tem Mensinger

The motion carried by the following roll call vote:

Ayes: Council Member Genis, Council Member Leece, Council Member Monahan, Mayor Pro Tem Mensinger, and Mayor Righeimer.

Nays: None

Absent: None

Motion carried: 5-0

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1. **PROCEDURAL WAIVER: MOTION TO APPROVE THE READING BY TITLE ONLY OF ALL ORDINANCES AND RESOLUTIONS. SAID ORDINANCES AND RESOLUTIONS THAT APPEAR ON THE PUBLIC AGENDA SHALL BE READ BY TITLE ONLY AND FURTHER READING WAIVED**

ACTION:

City Council waived reading in full of Ordinances and Resolutions and approved and adopted of same by reading title only.

2. **READING FOLDER**

a. Claims received by the City Clerk: Artem Peshkov; Rachel Orchard; and Joseph Barrack.

ACTION:

Received and filed.

5. **REQUEST TO CANCEL THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 4, 2014**

ACTION:

City Council approved cancellation of the meeting.

6. **MINUTES OF THE REGULAR CITY COUNCIL AND SUCCESSOR AGENCY MEETINGS OF JANUARY 15, 2013 AND SEPTEMBER 2, 2014; AND THE SPECIAL CITY COUNCIL MEETINGS OF SEPTEMBER 19, 2014 AND SEPTEMBER 23, 2014.**

ACTION:

City Council approved the minutes.

PUBLIC HEARINGS – 7:00 p.m. (Resolution No. 05-55)

1. **CODE AMENDMENT CO-12-07: CONSIDERATION OF A MORATORIUM EXTENSION REGARDING HOOKAH PARLORS**

MOVED/SECOND: Council Member Leece/Mayor Righeimer

The motion carried by the following roll call vote:

Ayes: Council Member Genis, Council Member Leece, Mayor Pro Tem Mensinger, and Mayor Righeimer.

Nays: Council Member Monahan

Absent: None

Motion carried: 4-1

ACTION:

City Council adopted Urgency Ordinance No. 14-12, to be read by title only and waived further reading, extending the hookah parlor moratorium considered under Code Amendment CO-12-07 for a period not to exceed 12 months.

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2. **CODE AMENDMENT CO-14-03: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, 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. (CITYWIDE LAND USE MATRIX) OF THE COSTA MESA MUNICIPAL CODE RELATING TO GROUP HOMES**

MOVED/SECOND: Council Member Monahan/Council Member Leece

The motion carried by the following roll call vote:

Ayes: Council Member Genis, Council Member Leece, Council Member Monahan, Mayor Pro Tem Mensinger, and Mayor Righeimer.

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

1. City Council found that the proposed ordinance was exempt from California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (General Rule) of CEQA because there was no possibility that the proposed amendment to the Zoning Code would have a significant effect on the environment; and
2. Approved the first reading of the Ordinance with the modifications contained in the Supplemental Memorandum dated October 7, 2014 (A-D below).
 - A. Approved the following alternative language for Section 13-311(10)(iii), from the County rules regarding referral facilities:

“The sober living home’s rules and regulations must prohibit the use of any alcohol or any non-prescription drugs at the sober living home or by any recovering addict either on or off site. The sober living home must also have a written policy regarding the possession, use and storage of prescription medications. The facility cannot dispense medications but must make them available to the residents. The possession or use of prescription medications is prohibited except for the person to whom they are prescribed, and in the amounts/dosages prescribed. These rules and regulations shall be posted on site in a common area inside the dwelling unit. Any violation of this rule must be cause for eviction under the sober living home’s rules for residency and the violator cannot be re-admitted for at least 90 days. Any second violation of this rule shall result in permanent eviction. Alternatively, the sober living home must have provisions in place to remove the violator from contact with the other residents until the violation is resolved.”
 - B. Revised the definition of Integral Facilities (page 12) by replacing, “sober living facilities” with “Group Homes” to read as follows: “Any combination of two or more group homes which may or may not be located on the same parcel ...”

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- C. Revised the definition of Integral Uses (page 12) deleting, “licensed or unlicensed,” to read as follows: “Any two or more residential care programs commonly administered by the same owner...;” and
- D. Revised section 13-311(a)(7) Special use permit required (page 15) by replacing “uses” with “facilities,” to read as follows: “integral group home facilities are not permitted.”

3. **REVIEW OF PLANNING APPLICATION PA-88-134 A2: SECOND AMENDMENT FOR THE ORANGE COAST BUICK/GMC/CADILLAC DEALERSHIP LOCATED AT 2600 HARBOR BOULEVARD**

MOVED/SECOND: Mayor Righeimer/Mayor Pro Tem Mensinger

The motion carried by the following roll call vote:

Ayes: Council Member Monahan, Mayor Pro Tem Mensinger, and Mayor Righeimer.

Nays: Council Member Genis and Council Member Leece

Absent: None

Motion carried: 3-2

RECOMMENDATION:

1. City Council found that the project was categorically exempt from CEQA per the Class 32 Categorical Exemption for infill development;
2. Approved second amendment to Planning Application PA-88-134 for the Orange Coast Buick/GMC/Cadillac dealership to construct a 34,000 square foot second floor parking deck over a portion of the previously permitted 52,779 square foot automotive dealership building, as well as a portion of the proposed parking lot, for storage of vehicle inventory;
3. Approved Administrative Adjustment to deviate from rear yard setback requirements of 50-feet to 32-feet;
4. Approved a Planned Sign Program, removing the existing 40-foot high freestanding sign and replacing it with two new 23-foot high freestanding signs that will be approximately 190-feet apart; and
5. Directed the applicant to work with property owners at 458 and 452 Princeton Dr. to provide a maximum 10-foot high perimeter, and an 8-foot high perimeter for the remaining properties on Princeton Dr.

OLD BUSINESS: None

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MOTION: To continue the meeting past midnight

MOVED/SECOND: Council Member Monahan/Council Member Leece

The motion carried by the following roll call vote:

Ayes: Council Member Genis, Council Member Leece, Council Member Monahan, Mayor Pro Tem Mensinger, and Mayor Righeimer.

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council provided feedback on the project.

NEW BUSINESS

1. **PROPOSED URBAN MASTER PLAN SCREENING REQUEST (UMP-14-04) FOR A 32-UNIT DETACHED 3-STORY LIVE/WORK DEVELOPMENT WITH ROOFTOP DECKS TO BE LOCATED AT 1672 PLACENTIA AVENUE**

ACTION:

City Council provided feedback on the project.

2. **REQUEST FOR AMENDMENTS TO COUNCIL POLICY 400-2 REGULATIONS GOVERNING FIREWORKS – Office of the Chief Executive Officer**

ACTION:

Item was continued to the October 21, 2014 City Council meeting

ITEMS REMOVED FROM THE CONSENT CALENDAR

3. **WARRANT RESOLUTION NO. 2523 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 14-18 "A" FOR \$129.12, 14-19 FOR \$2,029,407.87, 14-19 "A" FOR \$4,281.28, AND 14-20 FOR \$2,116,460.46; AND CITY OPERATING EXPENSES FOR \$3,093,615; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID**

MOVED/SECOND: Mayor Righeimer/Mayor Pro Tem Mensinger

The motion carried by the following roll call vote:

Ayes: Council Member Genis, Council Member Leece, Council Member Monahan, Mayor Pro Tem Mensinger, and Mayor Righeimer.

Nays: None

Absent: None

Motion carried: 5-0

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ACTION:

Approved Warrant Resolution No. 2523, to be read by title only and further reading waived.

4. APPROVE RESOLUTIONS FOR THE APPLICATION OF GRANT FUNDS FROM THE ARTERIAL PAVEMENT MANAGEMENT PROGRAM FOR THE BRISTOL STREET (FROM THE 405 FREEWAY TO RANDOLPH AVENUE) AND THE BEAR STREET (FROM WAKEHAM PLACE TO THE 405 FREEWAY) PROJECTS

MOVED/SECOND: Council Member Monahan/Mayor Pro Tem Mensinger

The motion carried by the following roll call vote:

Ayes: Council Member Genis, Council Member Leece, Council Member Monahan, Mayor Pro Tem Mensinger, and Mayor Righeimer.

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

1. City Council adopted Resolution No. 14-66, to be read by title only and waived further reading, for the submittal of a grant application to the Orange County Transportation Authority (OCTA), Arterial Pavement Management Program (APM) for the Bristol Street from the 405 Freeway to Randolph Avenue Project;
2. Adopted Resolution No. 14-67, to be read by title only and waived further reading, for the submittal of a grant application to the Orange County Transportation Authority (OCTA), Arterial Pavement Management Program (APM) for the Bear Street from Wakeham Place to the 405 Freeway Project; and
3. Authorized the Public Services Director as the City's authorized representative.

REPORT – CITY ATTORNEY: None

ADJOURNMENT – The Mayor and the City Council adjourned the meeting at 12:25 a.m.