

# Planning Commission Regular Meeting Agenda Minutes

September 9, 2024

5:30 P.M.

## Council Chamber

22 Civic Center Plaza  
Santa Ana, CA



### JENNIFER OLIVA

*Chair, Ward 6 Representative*

### ISURI S. RAMOS

*Vice-Chair,  
Ward 3 Representative*

### CHRISTOPHER LEO

*Citywide Representative*

### MANUEL J. ESCAMILLA

*Ward 2 Representative*

### CARL BENNINGER

*Ward 4 Representative*

### BAO PHAM

*Ward 3 Representative*

### ALAN WOO

*Ward 5 Representative*

### Minh Thai

*Executive Director*

City Attorney's Office  
*Legal Counsel*

**Ali Pezeshkpour, AICP**  
*Planning Manager*

**Nuvia Ocampo**  
*Recording Secretary*



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**CALL TO ORDER****Commissioners:**

Jennifer Oliva, Chair  
 Manuel Escamilla  
 Christopher Leo  
 Manuel J. Escamilla  
 Bao Pham  
 Isuri S. Ramos  
 Alan Woo

Executive Director  
 City Attorney's Office  
 Planning Manager  
 Recording Secretary

Minh Thai  
  
 Ali Pezeshkpour, AICP  
 Nuvia Ocampo

**ROLL CALL**

**Minutes:** *Quorum was reached at 5:33 p.m. with Commissioner Escamilla arriving at 5:39 p.m.*

**PLEDGE OF ALLEGIANCE****PUBLIC COMMENTS**

**Minutes:** *Resident, Bob Adams, spoke in opposition to the Transit Zoning Code Updates. Resident, Mike Tardiff, spoke in opposition to the Transit Zoning Code Updates.*

**CONSENT CALENDAR ITEMS****a. Minutes**

**Recommended Action:** Approve Minutes from August 26, 2024.

**b. Excused Absences**

**Recommended Action:** Excuse absent commissioners.

- c.** Receive and File MainPlace 2024 Annual Monitoring Report for Development Agreement No. 2018-02 between the City of Santa Ana and Main Place Shoppingtown, LLC for the property located at 2800 North Main Street in the Specific Plan No. 4 Zoning District

**Recommended Action:** Receive and file the 2024 Annual Monitoring Report  
**Moved by Commissioner Leo, seconded by Commissioner Escamilla to Approve Consent Calendar items.**

**YES:** 7 – Bao Pham, Isuri Ramos, Alan Woo, Christopher Leo, Manuel J. Escamilla, Jennifer Oliva, Carl Benninger

**NO:** 0 – **ABSTAIN:** 0 – **ABSENT:** 0 – **Status:** 7 – 0 – 0 – 0 – **Pass**

***\*End of Consent Calendar\****

## **BUSINESS CALENDAR**

**Public Hearing:** *The Planning Commission decision on Conditional Use Permits, Variances, Tentative Tract and Parcel Maps, Minor Exceptions, Site Plan Review, and Public Convenience or Necessity Determinations are final unless appealed within 10 days of the decision by any interested party or group (refer to the Basic Meeting Information page for more information). The Planning Commission recommendation on Zoning and General Plan amendments, Development Agreements, Specific Developments, and Specific Plans will be forwarded to the City Council for final determination. Legal notice was published in the OC Registered on August 16, 2024 and notices were mailed on said date.*

### **1. ZONING ORDINANCE AMENDMENT NO. 2023-02 AMENDING SECTIONS 41-54.5 AND 41-610.5 OF THE SANTA ANA MUNICIPAL CODE TO AMEND THE CITY'S ELECTRIC FENCE STANDARDS AND REQUIREMENTS, WHICH INCLUDE MODIFICATIONS TO EXPAND THE ELIGIBILITY FOR SITES AND TO ENSURE CONSISTENCY WITH THE CALIFORNIA CIVIL CODE SECTION 835.**

**Project Location:** Citywide

**Project Applicant:** Keith Kaneko and Luis Farias representing Amarok, LLC (Applicant).

**Proposed Project:** Zoning Ordinance Amendment (ZOA) application (ZOA No. 2023-02) seeking to amend Section 41-54.5 and Section 41-610.5 (Wall and Fence Requirements) of the Santa Ana Municipal Code (SAMC) to amend the City's electric fence standards and requirements, which include modifications to expand the eligibility for sites and to ensure consistency with the California Civil Code Section 835.

**Environmental Impact:** Pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the adoption of this Ordinance is exempt from CEQA review pursuant to Section 15060(c)(2) and Section 15060(c)(3). Environmental Review No. 2024-41 will be filed upon adoption of this ordinance. In the alternative, the adoption of this ordinance amendment is categorically exempt pursuant to State CEQA Guidelines section 15031 – Class 1, Existing Facilities. Class 1 consists of the “operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, including negligible or no expansion of existing or former use.

**Recommended Action:**

1. Continue the item to October 14, 2024, pursuant to a request from the applicant.

**Moved by Commissioner Benninger, seconded by Commissioner Ramos to Approve.**

**YES:** 7 – Bao Pham, Isuri Ramos, Alan Woo, Christopher Leo, Manuel J. Escamilla, Jennifer Oliva, Carl Benninger

**NO:** 0 – **ABSTAIN:** 0 – **ABSENT:** 0 – **Status:** 7 – 0 – 0 – 0 – **Pass**

***\*End of Business Calendar\******STAFF COMMENTS**

- **Zoning Code Update Progress Report and Future Milestones**

**Minutes:** *Staff had a short presentation for the Commission.*

*Commission had questions for staff.*

*Staff answered questions from the Commission.*

**COMMISSIONER COMMENTS**

**Minutes:** *Commission had comments for staff.*

**ADJOURNMENT**

The next meeting of the Planning Commission will be on September 23, 2024 at 5:30 PM in the Council Chambers located at 22 Civic Center Plaza, Santa Ana, CA 92701.

**Minutes:** *Meeting was adjourned at 6:42 PM.*

**APPEAL INFORMATION**

The formal action by the Planning Commission shall become effective after the ten-day appeal period, unless the City Council in compliance with section 41-643, 41-644 or 41-645 holds a public hearing on the matter, then the formal action will become effective on the day following the hearing and decision by the City Council. An appeal from the decision or requirement of the Planning Commission may be made by any interested party, individual, or group. The appeal must be filed with the Clerk of the Council, accompanied by the required filing fee, and a copy sent to the Planning Department, within ten days of the date of the Commission's action, by 5:00 p.m. If the final day to appeal falls on a City Hall observed holiday or a day when City hall is closed, the final day to appeal shall be extended to the next day City Hall is open for public business. Please note: Under California Government Code Sec. 65009, if you challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the Planning Commission or City Council at or before the hearing.

## **MEETING INFORMATION**

If you would like to learn how to use Zoom before the meeting, visit [Zoom Video Tutorials](#).

### **1. Connecting directly from your computer:**

- Click on the link on top of this agenda OR
- Go to [Zoom.us](#) and click "Join a Meeting" at the top. Enter the Meeting ID. The Meeting ID is listed at the top of this agenda.

*To speak during the meeting:* When you wish to comment on an item that is being discussed, click on the button next to your name to virtually raise your hand and let us know you wish to speak. You will have 3 minutes.

### **2. Connecting via the Zoom App:**

- Download the free Zoom Cloud Meetings app from your favorite app store.
- Launch the app and click on the blue Join a Meeting button. Enter the Meeting ID, your name, and the blue Join button. The Meeting ID is listed at the top of this agenda.

*To speak during the meeting:* When you wish to comment on an item that is being discussed, click on the button next to your name to virtually raise your hand and let us know you wish to speak. You will have 3 minutes.

### **3. Dialing in from a mobile phone or landline:**

- Dial (669) 900-9128. When prompted, enter the meeting ID. The Meeting ID is listed at the top of this agenda.

*To speak during the meeting:* When you wish to comment on an item that is being discussed, press \*9 on your phone to virtually raise your hand. You will have 3 minutes.

## **Submit a written comment**

You are invited to submit a written comment in one of the following ways:

- **E-mail** [PBAcomments@santa-ana.org](mailto:PBAcomments@santa-ana.org) and reference the topic in the subject line.
- **Mail** to Nuvia Ocampo, Recording Secretary, City of Santa Ana, 20 Civic Center Plaza – M20, Santa Ana, CA 92701.

***Deadline to submit written comments, including any supplemental materials for consideration by the Planning Commission, is 3:30 p.m. on the day of the meeting.***

***Comments received after the deadline may not be distributed to the Planning Commission but will be made part of the record. All attendees wishing to submit written comments or supplemental materials for distribution to Planning Commission members during the in-person meeting must provide 15 printed copies.***