

Planning Commission Regular Meeting Agenda

September 12, 2022

5:30 P.M.

Council Chamber

22 Civic Center Plaza
Santa Ana, CA



BAO PHAM

Chair, Ward 1 Representative

MIGUEL CALDERON

*Vice-Chair,
Ward 6 Representative*

ERIC M. ALDERETE

Citywide Representative

THOMAS MORRISSEY

Ward 2 Representative

ISURI S. RAMOS

Ward 3 Representative

MARK McLOUGHLIN

Ward 4 Representative

ALAN WOO

Ward 5 Representative

MinhThai

Executive Director

John Funk

Legal Counsel

Fabiola Zelaya Melicher, AICP

Planning Manager

Chelsea Shafer

Recording Secretary



In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this Meeting, contact Michael Ortiz, City ADA Program Coordinator, at (714) 647-5624. Notification 48 hours prior to the Meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting. The City Council agenda and supporting documentation can be found on the City's website – www.santa-ana.org/city-meetings.

CALL TO ORDER

Commissioners: Bao Pham, Chair,
Miguel Calderon, Vice-Chair
Eric M. Alderete
Thomas Morrissey
Mark McLoughlin
Isuri S. Ramos
Alan Woo

Executive Director	Minh Thai
Senior Asst. City Attorney	John Funk
Planning Manager	Fabiola Zelaya Melicher
Recording Secretary	Chelsea Shafer

ROLL CALL

Minutes: Quorum was reached at 5:37 pm. *Commissioner Ramos was participating in the meeting via Zoom. Commissioner Ramos left the meeting after rollcall was taken and returned to the meeting at 6:09 p.m.*

PLEDGE OF ALLEGIANCE**PUBLIC COMMENTS (non agenda items)**

Minutes: *Sheri Menke provided public comment regarding short-term rentals.*

CONSENT CALENDAR ITEMS**a. Minutes**

Recommended Action: Approve Minutes from the August 22, 2022 meeting.

Moved by Commissioner McLoughlin, seconded by Commissioner Alderete to Approve.

YES: 4 – Eric Alderete, Mark McLoughlin, Bao Pham, Alan Woo

NO: 0 – **ABSTAIN:** 0 – **ABSENT:** 3 – Miguel Calderon, Tom Morrissey, Isuri Ramos

Status: 4 – 0 – 0 – 3 – **Pass**

b. Excused Absences

Recommended Action: Excuse absent commissioners.

Moved by Commissioner McLoughlin, seconded by Commissioner Alderete to Approve.

YES: 4 – Eric Alderete, Mark McLoughlin, Bao Pham, Alan Woo

NO: 0 – **ABSTAIN:** 0 – **ABSENT:** 3 – Miguel Calderon, Tom Morrissey, Isuri Ramos

Status: 4 – 0 – 0 – 3 – **Pass**

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

Work Study Session

1. Code Updated Regulations

Minutes: *Staff Ricardo Soto provided a presentation to the commission covering proposed amendments for the following topics:*

- *Family Daycare Facilities*
- *Regional Planned Sign Programs*
- *Short Term Rentals*
- *Trash Enclosure Standards*
- *CUPs – Massage Establishments, Noxious Uses*
- *Various Use Definitions*
- *Urban Lot Splits and Two-Unit Developments (SB-9)*
- *Light Processing Facilities*
- *Electric Fences*
- *Retail Uses in Industrial Zones*
- *Change of Use Parking Exceptions*
- *Synthetic Turf – Residential Zones*
- *CEQA*

Questions and comments from the Commission include:

- *McLoughlin*
 - *Are prior zoning code changes grandfathered into the new amendment or will the current code be considered non-compliant?*
 - *Staff and Executive Director responded.*
 - *Family daycare facilities – CUP and monitorization clarification.*

- *Woo*
 - *Comment regarding current family daycare facilities' zoning.*
- *McLoughlin*
 - *Are there any additional changes that should be considered?*
 - *Staff and Executive Director provided responses.*
- *Woo*
 - *Will the commission receive the draft of proposed language?*
 - *Staff responded to the Commission that language would be provided at the 9/26/22 Planning Commission meeting.*
 - *Clarification for specific message establishments – Is there a distinction between holistic and medical establishments?*
 - *Staff responded.*
 - *Clarification on Professional, Businesses, and Administrative Office Use.*
 - *Staff responded.*
 - *How will the amendments affect short-term rentals?*
 - *Staff responded.*
- *Pham*
 - *Clarify amendment adoption processes as collective or singular adoption.*
 - *Staff responded.*
 - *Is CUP ownership for massage parlors for the property owner or the tenant?*
 - *Staff responded.*
 - *How does staff foresee impacts from SB 9 – Urban Lot Splits and Two Unit Developments?*
 - *Staff responded.*
 - *Question regarding retail–industrial split: Can the property owner divide and sublease buildings for retail?*
 - *Staff responded.*
 - *Question regarding Parking Use Exceptions*
 - *Staff responded.*

2. Update on Housing Legislation

Minutes: *Staff Fabiola Zelaya Melicher provided a presentation to the commission covering State Housing Legislation from 2018 to present. Laws covered include:*

- *2018 – SB 167, AB 678, AB 1515*
- *2019 – AB 2753, AB 3194, AB 2263, SB 1227, SB 1333, SB 330*
- *2020 – AB 1851, AB 3182*
- *2021 – SB 8, SB 9, SB 10, AB 634, SB 591, AB 345*

- 2022 – SB 6, AB 2011, AB 2097

Questions and comments from the Commission include:

- *McLoughlin*
 - *Comment regarding unit to parking requirements as designated by the state. How can the City implement the state requirements?*
 - *Staff and Executive Director responded.*
- *Woo*
 - *Comment regarding educational opportunity available for the community as it relates to state and local control.*
 - *Is there a correlation between water and housing?*
- *McLoughlin*
 - *Units per property clarification.*
 - *Staff responded.*
- *Woo*
 - *Residential requirement for selling property?*
 - *Commented on affordable housing.*
- *McLoughlin*
 - *Units per property clarification – in addition to main property.*
 - *Staff responded.*
- *Pham*
 - *Has there been SB 9 utilization in Santa Ana?*
 - *Staff responded.*
 - *Would Santa Ana benefit from SB 9?*
 - *Staff and Executive Director responded.*
- *Ramos*
 - *Will Covenants, Conditions & Restrictions (CC&R)s be able to limit garage conversions into ADUs?*
 - *Staff responded.*
 - *Consider pending legislation as projects are brought to the Commission.*
- *McLoughlin*
 - *When is parking requirement considered if a garage is converted into an ADU?*
 - *Staff responded.*

****End of Work Study Session Calendar****

STAFF COMMENTS

1. La Placita Cinco Award Recognitions

Minutes: Staff Ali Pezeshkpour commented on the awards received by the La Placita Cinco project. Awards received include:

- Orange County American Planning Association (APA)
- Southern California Association of Governments (SCAG)
- 2022 Kennedy Commission Housing Authority Awards

Questions and comments from the Commission include:

- Woo
 - Commented on the 2022 Housing Authority Awards
- Alderete
 - Congratulations on achievement

Executive Director Minh Thai notified the Commission of the upcoming APA Southern California Conference

Questions and comments from the Commission include:

- Woo
 - Clarification on the conference
 - Executive Director responded.
 - Call for topics submissions from Cal Cities Conference.

COMMISSIONER COMMENTS

ADJOURNMENT

The next meeting of the Planning Commission will be on September 26, 2022 at 5:30 PM in the Council Chambers located at 22 Civic Center Plaza, Santa Ana, CA 92701.

Meeting adjourned at 6:51 pm.

FUTURE AGENDA ITEMS

- Conditional Use Permit No. 2022-13 to change of use of an existing warehouse/office building to a 23,844 SF Church facility located at 2909 S. Daimler Street
- Conditional Use Permit No. 2022-08 to upgrade current ABC License from Type 20 to Type 21 located at 2241 N. Fairview Street

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 is 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 is 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 is 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** PBaecomments@santa-ana.org and reference the topic in the subject line.
- **Mail** to Chelsea Shafer, Recording Secretary, City of Santa Ana, 20 Civic Center Plaza
– M20, Santa Ana, CA 92701.

Deadline to submit written comments is 4:00 p.m. on the day of the meeting. Comments received after the deadline may not be distributed to the Commission but will be made part of the record.