



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JANUARY 23, 2023

ITEM NUMBER:PH-1

SUBJECT: PLANNING APPLICATION 22-32 AND TENTATIVE PARCEL MAP 2022-135 FOR A TWO-UNIT RESIDENTIAL SMALL LOT SUBDIVISION DEVELOPMENT AT 1592 REDLANDS PLACE

**FROM: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/
PLANNING DIVISION**

PRESENTATION BY: PATRICK ACHIS, ASSSITANT PLANNER

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RECOMMENDATION

Staff recommends the Planning Commission adopt a Resolution to:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15315 (Class 15) Minor Division of Land, and Section 15332 (Class 32) In-Fill Development; and
2. Approve Design Review PA-22-32 and Tentative Parcel Map 2022-135, subject to conditions of approval.

APPLICANT OR AUTHORIZED AGENT

The authorized agent is Ryan Oldham, of Oldham Architects, for the property owner of 1592 Redlands Place, Marterra Properties.

PLANNING APPLICATION SUMMARY

Location:	1592 Redlands Place	Application Numbers:	PA-22-32 / TMP 2022-135
Request:	<p>Planning Application 22-32 is a Design Review and Tentative Parcel Map 2022-135 request for a residential small lot subdivision project to demolish two detached residential units and construct two, two-story, detached single-family dwelling units with attached two-car garages. Included is a request for the front home to deviate from Second Story coverage requirements to allow a 37-square-foot balcony. The project would divide the existing 7,910-square-foot lot into two parcels with the following features:</p> <ul style="list-style-type: none"> Parcel 1 would measure 4,213-square-feet in area with a new 2,530-square-foot, 27-foot-tall, two-story residence and attached 423-square-foot garage. Parcel 2 would measure 3,697-square-feet in area with a new 2,571-square-foot, two-story, 27-foot-tall residence and attached 423-square-foot garage. 		

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone:	R2-MD (Multiple Family Residential, Medium Density)	North:	R2-MD
General Plan:	Multiple-Family Residential, Medium Density	South:	R2-MD
Lot Dimensions:	Approx. 59 feet x 135 feet	East:	R2-MD
Lot Area:	7,910 square feet	West:	R2-MD
Existing Development:	Two detached residential units (to be demolished)		

DEVELOPMENT STANDARDS COMPARISON

Development Standard	Small Lot Standards	Proposed/Provided
Lot Size		
Lot Width	N/A	Approx. 59 feet
Lot Area	N/A	7,910 square feet Lot 1: 4,213 square feet Lot 2: 3,697 square feet
Density/Intensity		
DU's / AC (Residential)	1 DU/ 3,000 SF of Lot Area. 2 units maximum allowed	2 units proposed
Building Height		
	2 stories / 27 feet	2 stories / 26.75 feet
Open Space		
Overall Open Space	35% of development lot area	35.68% (2,823 SF)
TOTAL:		100% (7,910 SF)
Private Open Space	200 SF / Min. 10 FT	Unit A: 200 SF / Min. 10 FT Unit B: 200 SF / Min. 10 FT
Residential Design Guidelines		
2 nd floor to 1 st floor ratio	Maximum 100%	Front Unit (A): 103%* (Deviation Requested) Rear Unit (B): 99%
Development Lot Building Setbacks		
Front (Bernard Street)	20 FT	20 FT
Side (left / right)	5 FT	5 FT / 5 FT

Rear	15 FT	15 FT
Distance Between Main Buildings	6 FT	8 FT 1 IN and 17 FT 7 IN
Parking		
Covered	2 per unit	2 per unit
Open	2 per unit	2 per unit
TOTAL:	4 parking spaces	4 parking spaces
Final Action	Planning Commission	
CEQA Review	Exempt per CEQA Guidelines Section 15315 (Minor Division of Land) and 15332 (Infill Development)	

BACKGROUND

The subject property is located in Eastside Costa Mesa on the east side of Redlands Place. The lot measures 7,910 square feet in area (59' x 135). The immediately surrounding neighborhood includes a mixture of single-family and multi-family residential units. The property is zoned R2-MD (Multi-Family Residential District, Medium Density) and has a General Plan land use designation of Medium Density Residential. Surrounding land uses are also zoned R2-MD (Multi-Family Residential District, Medium Density) and have a General Plan land use designation of Medium Density Residential. The project site is currently developed with two single-family dwelling units and attached garages.

Exhibit 1: Existing Property Street View



The subject property is located within a half mile walking distance of the Newport Height Elementary School. In addition the project site is located within a half-mile walking distance to the 17th-Tustin bus station that links to bus route 55 (Santa Ana – Newport).

DESCRIPTION

The project includes a request for approval of a Design Review Planning Application (PA 22-32) and a Tentative Parcel Map (TPM 2022-135). The application includes a residential small lot subdivision to create two parcels for the construction of two new detached residential units. The project proposes to demolish the existing two residential structures. In addition, the project proposes site improvements including new hardscape and landscaping. The development proposes two lots measuring 4,213 square feet and 3,697 square feet, which would be subdivided from the existing 7,910-square-foot lot. The lot fronting Redlands Place would provide a driveway and driveway access easement to the proposed lot located at the rear of the site.

Section 13-42.2 of the Costa Mesa Municipal Code (CMMC) requires that residential small lot subdivision be processed through design review in addition to a tentative parcel map. The final review authority for the project is the Planning Commission.

ANALYSIS

Residential Small Lot Subdivision

Pursuant to Article 2.5 of the Costa Mesa Municipal Code (CMMC), a residential small lot subdivision is allowed in multi-family residential districts and overlay districts, and is intended to provide flexible development standards and to promote a wider range of homeownership of individual properties in the City. Pursuant to CMMC Section 13-42.2, when proposed, small lot subdivisions standards are not applied in combination with other development standards in overlay zones.

The maximum density of a small lot subdivision is 15 units and required development standards are specified pursuant to CMMC Section 13-42.3(b)(1-6). A comparison of the Small Lot Subdivision standards and the proposed project is provided above in the “Development Standards Comparison” table. As indicated in this table, the project design complies with the City’s Residential Small Lot Subdivision development standards; however, requires the Planning Commission to consider an allowed deviation related to second-story coverage for the front unit. The proposed second-story coverage deviation and justification are detailed in the “Second-Story Design and Building Mass” subsection of this report.

The proposed project consists of two, two-story single-family dwelling units with attached garages. The property is proposed to be subdivided to allow for individual ownership of the units. Each unit is separated by a minimum of 13’ – 6”, which exceeds the minimum standard six feet. Table 1 below provides a summary description of the proposed units.

Table 1: Unit Characteristics

	1 st Floor Area (including Garage)	2 nd Floor Area (including Balconies)	2 nd Floor: 1 st Floor Ratio	Bedroom Count	Bathrooms (Full/Half)	Parking (Garage/Open)	Lot Area
Front Home	1,514 SF	1,565 SF	1.03	4	4	2/2	4,215 SF
Rear Home	1,500 SF	1,506 SF	.99	4	3/1	2/2	3,694 SF

All open parking spaces are located directly adjacent to the proposed garages and are surrounded by landscaped areas. The CMMC requires that each unit be provided a minimum of 200 square feet of open space with no dimension being smaller than 10 feet. The units are proposed to be constructed to comply with the CMMC required private open space. Each unit is proposed to provide adequate space for trash containers in the side and rear yards, and the trash areas are screened from the other units and the public rights-of-way by a proposed 6-foot tall block wall along the south property line.

Additionally, the City's Residential Small Lot Subdivision Ordinance, pursuant to CMMC Section 13-42.3(c) also requires the following, which Staff has conditioned as Conditions of Approval Nos. 15, 16, and 17:

1. **Common Space Care and Maintenance.** The developer of the project submit certain documents to the City ("for City Attorney review") such as a plan or manner of permanent care and maintenance of any project open spaces, recreational areas and commonly used areas/facilities;
2. **Buyer Disclosure.** The disclosure of general and specific information to buyers of issues regarding the property and its surroundings; and
3. **CC&Rs.** A declaration of covenants that includes a homeowners association (HOA) or other maintenance association that requires membership of each new and successive property owners, provisions to restrict parking and that garages be kept available (clear) for resident parking.

Lastly, the State's Housing Accountability Act (Government Code Section 65589.5) applies to this project and generally requires that cities approve housing projects that are consistent with the General Plan and zoning, unless the city can make specific State mandated findings for denial (further discussed in the Alternatives section of this report). In this case, staff is recommending approval of the subject application.

Parking and Circulation

The project includes garage and open parking spaces as required by the Costa Mesa Municipal Code, as detailed in Table 2 below. Each unit is proposed to include an attached two-car garage and two open parking spaces which is required by CMMC Table 13-42 (Small Lot Subdivision Standards). A total of four (4) open parking spaces are provided with the proposed development with two open parking spaces adjacent to each unit, which complies with the minimum CMMC requirement (see the below Table 2).

Table 2: Parking Requirements

	Requirement	Proposed
Garage Parking Spaces	4 spaces (2 required per unit)	4 spaces
Open Parking	2 space (2 per three or more bedroom units)	4 spaces

The proposed garages and open parking spaces are accessible via driveways obtained from Redlands Place. In compliance with the CMMC, the project provides a minimum distance of 25 feet behind each site parking spaces to allow for adequate vehicle back-up space. The Costa Mesa Municipal Code requires that all parking and driveways shall consist of decorative concrete, pavers, or other material subject to review by the Development Services Director. Condition of Approval (COA) No. 14 is included to ensure driveway material compliance and to be approved prior to issuance of a building permit.

Residential Design Guidelines

The proposed small lot residential project has been designed with modern farmhouse design features. The immediately surrounding neighborhood features a diverse collection of architectural styles including other residences with modern and eclectic influences, and residences with craftsmen features, Spanish eclectic styles, coastal bungalows, and minimal traditional styles. The proposed design meets the intent of the City's Residential Design Guidelines including the following:

- ***Second-Story Design and Building Mass:*** Each of the houses have been designed with articulation and off sets on the various elevations to avoid boxy appearances. The east elevation of the front house (facing Redlands) includes a second story balcony, eave overhangs, and architectural features above the entry porch providing for a varied elevation (see Exhibit 2 below). The elevations for the proposed homes include multiple building planes and varied roof forms

including multi-faced gables. The elevations also include varied facades and articulations with stone veneer, stucco plaster, and siding.

Exhibit 2: Proposed Front House Street View



The City's Residential Design Guidelines recognizes "that there will be instances when the Guidelines may yield an unsatisfactory design, or the applicant may propose a design that meets the intent of the Guidelines but not the specific criteria." In these instances, the Guidelines prioritize promoting "design excellence" over specific design criteria compliance. The "Second-Story Designs" criteria of the City's Residential Design Guidelines specify that second-story floor areas "should" [*emphasis added*] not exceed 100% of the first-floor area. Although the front home slightly exceeds the second-to-first floor ratio to accommodate a balcony, the intent of the design guidelines is satisfied by adding articulation on the wall plane as seen from Redlands Avenue.

- **Second Story Setbacks:** According to the Residential Design Guidelines, the project is exempt from the required 10-foot average side yard setback because the units being constructed are less than 2,700 square feet of living space. The proposed units range from 2,530 square feet to 2,571 square feet and the proposed second story setbacks along the right (south) and left (north) side property line is a minimum of five feet. Therefore, the project complies with the second-story setback requirements.
- **Elevation Treatments:** All units feature a variety of projections and feature articulation on each wall plane, varying roof types and materials. Building materials include stone veneer siding, board and batten siding, and wood garage doors. To benefit the development appearance from the adjacent public street, Unit A proposes additional elevation treatments on the street facing façade including an integrated balcony and cover above the entry patio. The windows

are proposed with black vinyl framing to provide an additional sense of articulation.

Exhibit 3: Proposed Elevation Treatments



- **Window Placement:** Consideration for design and privacy has been provided in locating the windows on the property. The provided sight diagram demonstrates that first story windows are located in a way to eliminate any direct views into neighboring units. In addition, a six-foot block wall is proposed to be constructed on the property line between the neighboring properties, which would further eliminate any privacy impacts for the existing neighboring properties. Second-story windows facing north and south are located without direct views into the neighboring existing properties and the second-story windows facing west are approximately 20 feet from the existing neighboring windows and therefore would have minimal to no privacy impacts. There are no proposed second-story windows which directly align between the proposed units.
- **Consistency in Architectural Design:** The proposed design includes modern farmhouse features includes materials and finishes which are durable and require minimal maintenance. In addition, the windows will be recessed to provide depth to the facades and each façade features a variety of overhangs, materials, and roof forms, which provides visual interest and façade articulation.

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Exhibit 4: Architectural Design



Fences and Walls

The project includes a six-foot high block wall around the perimeter of the proposed development lot between the existing developments to the north and south, and the interior property lines between the proposed parcels. The final design of the fences and walls will be reviewed as part of the building permit submittal. Any future modifications to fencing will be subject to review and approval of the Planning Division and would require building permits to be issued prior to installation. The heights and locations of walls and fences shall comply with the CMMC requirements as well as applicable visibility standards for traffic safety.

Landscaping

CMMC Section 13-106 requires that all landscape areas consist of drought tolerant plant material and shall meet the minimum number of plants types based on the total landscape square footage. The project proposes a total of 1,632 square feet of

landscaping with a mixture of usable and decorative landscaping. The number of plants proposed is provided in Table 2 below.

Table 2: Landscaping Requirements

	Requirement	Proposed
Tree Count	9 (one 15 gallon tree or larger per 200 square feet of landscape area)	9 (all proposed at 24 inch box)
Shrub Count	66 (one shrub for every 25 square feet of landscape area)	309
Groundcover coverage	70% with the remaining area to incorporate uncontaminated compost/mulch	70%

As part of the building permit plan check review, landscape plans shall be prepared and certified by a California licensed landscape architect confirming that they comply with the CMMC and water efficiency landscape guidelines. Lighting is also required to be provided in all parking areas, vehicular access areas, and on major walkways. The applicant will be required to submit lighting plans with the building permit plan set.

Utilities

The CMMC requires that new construction provide undergrounding of all utilities on site, including existing utility poles. As required, all new utilities will be installed underground and that if any existing utilities are on site, they will also need to be undergrounded. COA No. 11 requires that any new backflow preventers or related equipment be installed outside of the front landscape setback and be screened from the view from any location on or off the site. As required by the CMMC, all utility meters shall be screened from view from the public right of way and neighboring properties. Proposed COA No. 31, specifies that prior to building permit approval, the applicant shall submit for approval of a comprehensive utilities plan to ensure that the water and sewer mains are adequate, and utility upgrades will be required if the infrastructure is not adequate. The plan will be reviewed by both the City's Building Division and Public Works Department.

Tentative Parcel Map 2022-135

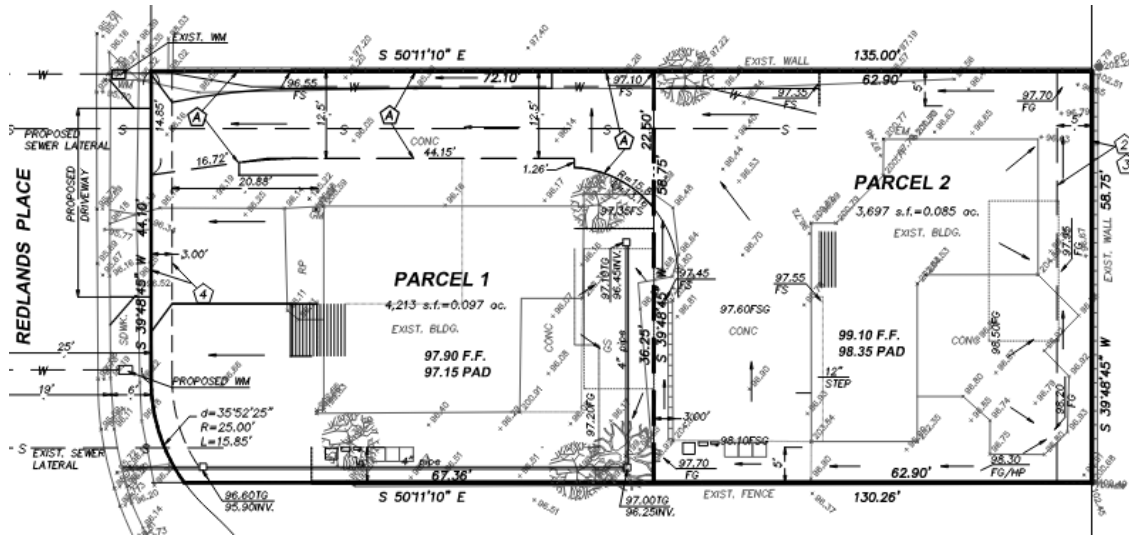
The proposed tentative parcel map would subdivide a 7,910-square-foot parcel into two parcels of 4,213 square feet and 3,697 square feet, which complies with the CMMC maximum density of one unit per 3,000 square feet of lot area. The tentative parcel map also includes a three-foot wide sidewalk easement at the west side of the property along Redlands Place to allow for the eventual increase in existing sidewalk width to six feet.

As indicated in the Justifications for Approval below, the project complies with all required findings to approve the Tentative Parcel Map pursuant to CMMC 13-29(g)(13) (Tentative parcel or tract map findings). In addition, pursuant to Section 66474 of the California Subdivision Map Act, a parcel map must be denied if one or more findings are made:

1. *“That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451;*
2. *That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans;*
3. *That the site is not physically suitable for the type of development;*
4. *That the site is not physically suitable for the proposed density of development;*
5. *That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;*
6. *That the design of the subdivision or type of improvements is likely to cause serious public health problems; and*
7. *That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.”*

After careful consideration of the proposed development, staff believes that none of the above findings for denial can be made or associated with the proposed subdivision, as indicated further in the “Findings” section of this report.

Exhibit 5: Tentative Parcel Map 2022-135 Excerpt



GENERAL PLAN CONFORMANCE

The proposed small lot residential development of two detached single-family dwelling units is consistent with the maximum allowable density of one dwelling unit per 3,000 square feet for the R2-MD zone and is within the maximum density allowed for the Medium Density Residential General Plan land use designation, which is 12 dwelling units per acre. The following analysis further evaluates the proposed project's consistency with specific policies and objectives of the 2015-2035 General Plan.

1. **Objective LU-1A:** Establish and maintain a balance of land uses throughout the community to preserve the residential character of the City at a level no greater than can be supported by the infrastructure.

Consistency: The project is an infill residential project within the allowable density for the Medium Density Residential General Plan land use designation. Additionally, the project does not propose any increase in existing density. Adequate infrastructure exists to serve the proposed project including water, electricity, gas, and sewer services. Therefore, the project is consistent with the General Plan objective. In addition, the project is in compliance with the City's Residential Design Guidelines, and Design Review/residential Small Lot Subdivision standards.

2. **Policy LU-1.3:** Strongly encourage the development of residential uses and owner-occupied housing (single-family detached residences, condominiums, townhouses) where feasible to improve the balance between rental and ownership housing ownership opportunities.

Consistency: The project consists of demolishing two detached residential rental units and the construction of two single-family residential ownership units.

The proposed project would create additional opportunity for ownership housing and therefore complies with Policy LU-1.3.

3. **Objective LU-2A:** Promote land use patterns and development that contribute to community and neighborhood identity.

Consistency: The proposed project would construct two units with high quality landscaping and designs. Perimeter walls will be constructed to ensure privacy of the existing neighboring residential units. The 20-foot front setback and site layout provide for additional landscaping opportunities immediately adjacent to the street. As conditioned, all landscaping will comply with CMMC Landscape requirements. The front unit is oriented toward the street and features facade articulation, high-quality materials, a balcony and patio area facing the public right of way to increase neighborhood aesthetics. As a result, the project complies with Objective LU-2A.

4. **Policy HOU-3.4:** Consider the potential impact of new housing opportunities and their impacts on existing residential neighborhoods when reviewing development applications affecting residential properties.

Consistency: A similar two-unit residential development has existed at this location since 1975. The proposed two-unit residential development will replace and improve the existing development. The anticipated traffic demand from the proposed re-development of the site will not significantly change. The development will improve the surrounding streetscape with updated development that will incorporate consistent architectural design such that all structures on the property are unified.

FINDINGS

Pursuant to Title 13, Section 13-29(g)(13) and (14), Findings for Tentative Parcel Maps and Design Review, of the CMMC, in order to approve the project, the Planning Commission must find that the evidence presented in the administrative record substantially meets the following applicable required findings:

Tentative Parcel Map Findings – CMMC Section 13-29(g)(13)

- *The creation of the subdivision and related improvements is consistent with the general plan, any applicable specific plan, and this Zoning Code.*

The proposed parcel map is consistent with General Plan Land Use Objectives LU-1A, LU-2A, and Policy LU-1.3, in that adequate infrastructure exists to serve the proposed project; the subdivision allows for a project that would promote homeownership opportunities and improve the balance between rental and ownership housing in the City; the redevelopment residential project would improve and maintain the quality of the neighborhood with new architectural treatments and landscaping. The parcel map would allow for a new residential project that would not

exceed the maximum allowable density of 12 units per acre and, therefore, would be consistent with the General Plan land use designation of Medium Density Residential and the R2-MD zone that allows for one unit per 3,000 square feet of lot area. The project design would comply with all other development standards for a residential small lot subdivision.

- The proposed use of the subdivision is compatible with the General Plan.

The subject property has a General Plan land use designation of Medium Density Residential, which allows multi-family residential uses at a maximum of 12 dwelling units per acre. The proposed parcel map proposes a residential use that does not exceed the maximum density allowed per the General Plan and therefore, the proposed use is compatible with the General Plan.

- The subject property is physically suitable to accommodate the subdivision in terms of type, design and density of development, and will not result in substantial environmental damage nor public health problems, based on compliance with the Zoning Code and General Plan, and consideration of appropriate environmental information.

The lot's size is suitable to accommodate the project as all development standards would be satisfied including, setbacks, parking, and open space and no increase in density is proposed. The parcel map proposes a maximum of one unit per 3,000 square feet of lot area, which is consistent with the maximum density allowed in the R2-MD zone. Adequate infrastructure exists to serve the proposed project and the project will not result in the loss of any habitat, or require extensive infrastructure improvements to provide service to the site.

- The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision, as required by State Government Code section 66473.1.

The parcel map would meet the applicable small lot development standards including minimum open space for the development as well as for each individual unit. The project provides 35.1 percent open space for the overall development and each unit will have over 200 square feet of private open space area. The open space will accommodate landscaping that can be provided throughout the site with adequate setbacks for airflow. The project is proposed to include operable windows and will be fully insulated as required by the building code. The proposed improvements are subject to Title 24 of the California Building Code that requires new construction to meet minimum heating and cooling efficiency standards based on location and climate. The Costa Mesa Building Division enforces Title 24 compliance through the plan check and inspection process.

- The division and development will not unreasonably interfere with the free and complete exercise of the public entity and/or public utility rights-of-way and/or easements within the tract.

The project has been reviewed by the Public Works Department and there are no conflicts with the City's or other utilities agencies' rights-of-way or other easements. The project will improve pedestrian accessibility with the inclusion of a new three-foot sidewalk easement to increase the width of the existing non-conforming sidewalk.

- The discharge of sewage from this land division into the public sewer system will not violate the requirements of the State Regional Water Quality Control Board pursuant to Division 7 (commencing with State Water Code section 13000).

The lot has been previously graded and contains connections to the public sewer system for the existing on-site units. The parcel map would allow for a residential project that would not include physical changes to the lot that would result in discharge into the public sewer system in violation of State requirements. Furthermore, the applicant will be required to comply with the regulations set forth by the Costa Mesa Sanitation District and Mesa Water District. Compliance with the Costa Mesa Sanitation District and Mesa Water District involves the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) for construction-related activities, which will specify the Best Management Practices (BMP' s) that the project will be required to implement during construction activities to ensure that all potential pollutants of concern (including sediment) are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property.

Design Review Findings – CMMC Section 13-29(g)(14)

- The project complies with the City of Costa Mesa Zoning Code and meets the purpose and intent of the residential design guidelines, which are intended to promote design excellence in new residential construction, with consideration being given to compatibility with the established residential community. This design review includes site planning, preservation of overall open space, landscaping, appearance, mass and scale of structures, location of windows, varied roof forms and roof plane breaks, and any other applicable design features.

The project complies with all applicable Zoning Code standards including setbacks, parking, and open space. The project design incorporates elevations with varied roof forms, articulation of roof forms, and projections including balconies, eaves, and overhangs in order to provide visual interest from the street. The exterior materials include a combination of building finishes and siding which provides interest and will require minimal maintenance. The front unit is oriented toward the street, includes a second-story balcony, and an open space area in the front yard which will provide adequate intermixing of public and private space. The project will be developed

consistent with the City's required landscaping provisions. The project will not result in privacy impacts to the surrounding residences based on the proposed fenestration patterns and the proposed setbacks from the neighboring properties.

- *The visual prominence associated with the construction of a two-story house or addition in a predominantly single-story neighborhood has been reduced through appropriate transitions between the first and second floors and the provision of second floor offsets to avoid unrelieved two-story walls.*

The neighborhood includes a mixture of one and two-story residential properties. In addition, the proposed design is consistent with the City's design guidelines in that it includes façade articulation, transitions between floors and varying roof forms. The second floor is further enhanced with a balcony, modern fascia, and elevation treatments including multiple materials.

ENVIRONMENTAL DETERMINATION

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315 (Class 15), Minor Land Divisions, and Section 15332 (Class 32), In-Fill Development.

Under Class 15, the division of property in urbanized areas is exempt from the provisions of CEQA if the subdivision: is zoned for residential, is being subdivided into four or fewer parcels, is conformant with the General Plan and Zoning Code, is serviceable by utilities and is accessible, was not involved in a division of a larger parcel within the previous two years, and has an average slope less than 20 percent. The proposed project meets the following conditions as described under CEQA Section 15315 in that:

- The project is entirely within the City of Costa Mesa and is consistent with the R2-MD Zoning Designation and the Medium Density Residential General Plan Designation because it propose a number of parcels at the allowed zoning density (1 unit per 3,000 square feet) and below the allowed General Plan Land Use Density (12 per acre). In addition, the residential use is compatible with the CMMC and the General Plan.
- The project site is serviceable by all utilities and is accessible to the public right of way.
- The parcel has not been involved in a previous subdivision in the previous two years.
- The parcel has been previously graded and is flat and therefore contains an average slope less than 20 percent.

Under Class 32, a project site less than five acres in area, with no significant environmental effects, that is consistent with the General Plan and Zoning Code, has adequate utilities to serve the site, and has no valuable habitat species is exempt from

the provisions of CEQA. The proposed project meets the following conditions as described under CEQA Guidelines Section 15332.

- The project is consistent with the R2-MD Zoning Designation and the Medium Density Residential General Plan Designation in that it propose less than the allowed zoning density (1 unit per 3,000 square feet) and below the allowed General Plan Land Use Density (12 units per acre). In addition, the residential use is compatible with the CMMC and the General Plan.
- The proposed development occurs entirely within the City of Costa Mesa on a lot size of 7,910 square feet (approx. 0.18 of an acre).
- The project site has no value as a habitat for endangered, rare, or threatened species because the previously disturbed lot includes two residential units, driveways and a lawn. The proposed development will continue the residential use.
- Approval of the project will not result in any significant effects relating to traffic, noise, air quality, or water quality because the existing use is continued.
- The site can and is currently served by all required utilities and public services.

ALTERNATIVES

Planning Commission determination alternatives include the following:

1. Approve the project. The Planning Commission may approve the project as proposed, subject to the conditions outlined in the attached Resolution.
2. Approve the project with modifications. The Planning Commission may suggest specific changes that are necessary to alleviate concerns. If any of the additional requested changes are substantial, the hearing should be continued to a future meeting to allow a redesign or additional analysis. In the event of significant modifications to the proposal, staff will return with a revised Resolution incorporating new findings and/or conditions.
3. Deny the project. If the Planning Commission believes that there are insufficient facts to support the findings for approval, the Planning Commission must deny the application, provide facts in support of denial, and direct staff to incorporate the findings into a Resolution for denial. If the project is denied, the applicant could not submit substantially the same type of application for six months. However, because this project is subject to the Housing Accountability Act (Government Code Section 65589.5), if the Planning Commission denies or reduces the proposed density of the proposed housing project, and the development is determined to be consistent with applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, the Planning Commission must make the following written findings:
 - The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density; and

- There is no feasible method to satisfactorily mitigate or avoid the adverse impact, other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density. Feasible means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

LEGAL REVIEW

The draft Resolution and this report have been approved as to form by the City Attorney's Office.

PUBLIC NOTICE

Pursuant to Title 13, Section 13-29(d) of the Costa Mesa Municipal Code, three types of public notification have been completed no less than 10 days prior to the date of the public hearing:

1. **Mailed notice.** A public notice was mailed to all property owners and occupants within a 500-foot radius of the project site. The required notice radius is measured from the external boundaries of the property.
2. **On-site posting.** A public notice was posted on each street frontage of the project site.
3. **Newspaper publication.** A public notice was published once in the Daily Pilot newspaper.

As of the date this report was circulated, no written public comments have been received. Any public comments received prior to the January 23, 2023 Planning Commission meeting will be provided separately.

CONCLUSION

Approval of the project would allow the subdivision of an existing property into two lots, and the development of two detached single-family dwellings for individual ownership, in the R2-MD Zoning District. The project is consistent with the General Plan and Zoning Code in regard to density, setback and development standards, and the project design is consistent with the City's' Residential Design Guidelines. Therefore, staff recommends approval of the project.

Attachments:

1. Draft Planning Commission Resolution
2. Applicant Letter
3. Vicinity Map and Zoning Map
4. Existing Site Photos and Project Renderings
5. Project Plans and Tentative Parcel Map 2022-135

Distribution: Acting Director of Economic and Development Services
Assistant City Attorney
Public Services Director
City Engineer
Transportation Services Manager
Fire Marshal
File

Applicant: Ryan Oldham
680 Langsdorf Drive #202B
Fullerton, CA 92831

Property Owner: Marterra Properties
154 Broadway
Costa Mesa, CA 92627