



# **PLANNING COMMISSION AGENDA REPORT**

MEETING DATE: November 14, 2022

ITEM NUMBER: PH-1

**SUBJECT: PLANNING APPLICATION 22-20 AND TENTATIVE PARCEL MAP 2022-140 FOR A FOUR-UNIT RESIDENTIAL SMALL LOT SUBDIVISION DEVELOPMENT AT 549 BERNARD STREET**

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

**PRESENTATION BY: CHRIS YEAGER, ASSOCIATE PLANNER**

**FOR FURTHER INFORMATION** CHRIS YEAGER

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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 Planning Application 22-20 and Tentative Parcel Map 2022-140, subject to conditions of approval.

## **APPLICANT OR AUTHORIZED AGENT**

The authorized agent and property owner is William Yang of 549 Bernard Costa Mesa LLC.

### **PLANNING APPLICATION SUMMARY**

<b>Location:</b>	549 Bernard St; APN: 422-103-29	<b>Application No:</b>	PA-22-20
<b>Request:</b>	Construction of four, two-story, detached single-family residences on a 12,003-square-foot parcel which is proposed to be subdivided into four parcels.		

<b>SUBJECT PROPERTY:</b>		<b>SURROUNDING PROPERTY:</b>	
<b>Zone:</b>	R2-HD (Multiple-Family Residential, High Density)	<b>North:</b>	R2-HD
<b>General Plan:</b>	HDR (High Density Residential)	<b>South:</b>	R2-HD
<b>Lot Dimensions:</b>	218 FT 5 IN x 54 FT 11 IN	<b>East:</b>	R2-HD/R3
<b>Lot Area:</b>	12,003 SF	<b>West:</b>	R2-HD
<b>Existing Development:</b>	Two single family detached residences (to be demolished).		

### **DEVELOPMENT STANDARDS COMPARISON**

Development Standard	Small Lot Standards	Proposed/Provided
<b>Lot Size</b>		
Lot Width	N/A	54 FT 11 IN
Lot Area	N/A	12,003 SF Lot 1, 2, & 3: 3,001 SF Lot 4: 3,000 SF
<b>Density/Intensity</b>		
DU's / AC (Residential)	1 DU/ 3,000 SF of Lot Area. 4 units maximum allowed	4 units proposed
<b>Building Height</b>		
	2 stories / 27 FT	2 stories / 23' 6"
<b>Building Coverage</b>		
Buildings	N/A	39.5% (4,740 SF)
Driveways and Parking Paving	N/A	23.7% (2,849 SF)
Overall Open Space	35% of development lot area	36.8% (4,414 SF)
TOTAL:		100% (12,003 SF)
Private Open Space	200 SF / Min. 10 FT	Unit A: 249 SF / Min. 15 FT Unit B: 300 SF / Min. 12 FT 7 IN Unit C: 300 SF / Min. 12 FT 7 IN Unit D: 328 SF / Min. 15 FT
<b>Residential Design Guidelines</b>		
2 <sup>nd</sup> floor to 1 <sup>st</sup> floor ratio	Maximum 100%	Unit A&D: 99% Unit B&C: 97%
<b>Development Lot Building Setbacks</b>		
Front (Bernard Street)	20 FT	20 FT
Side (left / right)	5 FT	5 FT / 25 FT 5 IN
Rear	15 FT	15 FT
Distance Between Main Buildings	6 FT	8 FT 1 IN and 17 FT 7 IN
<b>Parking</b>		
Covered	2 per unit	2 per unit
Open	Unit A: 1 Unit B-C: 2 per unit	Unit A: 1 Unit B-C: 2 per unit
TOTAL:	15	15
<b>Final Action</b>		
CEQA Review	Planning Commission Exempt per CEQA Guidelines Section 15315 (Minor Division of Land) and 15332 (Infill Development)	

## **BACKGROUND**

The subject site is a 12,003 square-foot lot that is located on the south side of Bernard Street, between Maple Avenue and Charle Street. The site is immediately adjacent to an unnamed public alley (maintained by the City) on the west side of the property. The property is zoned R2-HD (Multi-Family Residential District, High Density) and has a General Plan land use designation of High Density Residential. The project site is currently developed with two single-family dwelling units and a detached two-car garage. One of the existing units is currently vacant and the other unit is leased until August of 2023. The applicant has notified the tenant that the lease will not be extended after the lease expires.

The immediately surrounding neighborhood contains a mixture of single-family and multi-family residential units. The properties to the east and west of the subject site are zoned R2-HD and R3 (Multiple-Family Residential District) and currently contain multi-family residential developments. The property to the south is zoned R2-HD and is developed with a Mobile Home Park. Directly to the north of the subject site, across Bernard Street, is the Huscroft House (located at 546 Bernard Street) and is listed on the City's Local Register of Historic Places. The other properties to the north are zoned R2-HD and are developed with multi-family residential developments.

The subject property is located within a half mile walking distance of the 35, 43, and 55 OCTA Bus Routes. In addition the project site is located within a half-mile walking distance to various retail and commercial districts on Harbor Boulevard, West 19<sup>th</sup> Street, and Newport Boulevard and within a half-mile walking distance of Lions Park, the Costa Mesa Library, and the Downtown Recreation Center.

## **PROJECT HISTORY**

The proposed application was initially scheduled for Planning Commission review on October 10, 2022. Prior to the meeting, staff identified a design issue which required plan revisions. Staff recommend that the application be continued to a date certain to allow the applicant to make necessary design revisions. The Planning Commission unanimously voted to continue the application to the November 14, 2022 hearing.

### ***Staff Report:***

<https://costamesa.legistar.com/View.ashx?M=F&ID=11294448&GUID=A5A4C270-9BAF-4660-806D-A3B9A1254259>

### ***Video:***

<https://costamesa.legistar.com/Video.aspx?Mode=Granicus&ID1=3907&Mode2=Video>

## **DESCRIPTION**

The project includes a request for approval of a Design Review Planning Application (PA 22-20) and a Tentative Parcel Map (TPM 2022-140; Application Number PM 22-05). The application includes a residential small lot subdivision to create four parcels,

and for the construction of four new detached residential units, one on each parcel. The applicant proposes to demolish the existing two residential units and detached garage. If approved, the project would result in the demolition of two rental units to be replaced with four individual homeownership units. In addition, the project proposes site improvements including new hardscape and landscaping. The applicant proposes four approximate 3,000-square-foot lots which are proposed to be subdivided from the existing 12,003-square-foot lot.

Section 13-42.2 of the Costa Mesa Municipal Code (CMMC) requires that residential small lot subdivisions be processed through a Design Review application, 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 CMMC Section 13-42.1, a residential small lot subdivision is allowed in multi-family residential districts, and is intended to provide flexible development standards to promote a wider range of homeownership opportunities in the City. Pursuant to CMMC Section 13-42.2, small lot subdivision standards are being applied. (The project site is located within the City's Mesa West Residential Ownership Urban Plan area; however, the application is for a small lot subdivision and is not utilizing the Urban Plan). . Further, small lot subdivisions shall be processed according to the City's "Design Review" and State "Parcel Map" procedures.

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 is designed in compliance with the City's Residential Small Lot Subdivision development standards.

The proposed project consists of four, 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 6' – 1" , which exceeds the minimum standard six feet. Table 1 below provides a summary description of each proposed unit.

**Table 1: Unit Characteristics**

Unit Number	Floor Area (Excluding Garage)	Bedrooms Count	Bathrooms (Full/Half)	Parking (Garage/Open)	Lot Area	2 <sup>nd</sup> Floor: 1 <sup>st</sup> Floor Ratio
Unit A	1,780 SF	2	2/2	2/1	3,001 SF	0.99
Unit B	1,984 SF	4	3/1	2/2	3,001 SF	0.97

Unit C	1,984 SF	4	3/1	2/2	3,001 SF	0.97
Unit D	1,817 SF	4	3/1	2/2	3,000 SF	0.99

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 with private open space ranging from 249 square feet to 328 square feet, and comply with the minimum open space dimensions. 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 block walls.

The City's Residential Small Lot Subdivision Ordinance, pursuant to CMMC Section 13-42.3(c) requires that: (1) 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) the disclosure of general and specific information to buyers of issues regarding the property and its surroundings; and (3) 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. (Staff has included the submission of the aforementioned document(s), prior to issuance of building permits for recordation, as Condition of Approval (COA) No. 17.

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.

### ***Floor Plans***

The floor plans for each of the units feature a living/dining/kitchen/great room on the first floor with a half bathroom. Unit A is proposed to have a second floor with two bedrooms with on-suite bathrooms, laundry room, den, and an additional half bathroom. Units B-D are proposed to have second floors with four bedrooms, three full bathrooms, and a laundry room.

### ***Parking and Circulation***

The project includes garage and open parking spaces as required by the CMMC, as detailed in Table 2 below. Each unit is proposed to include an attached two-car garage which is required by CMMC Section 13-42.3. A total of seven open parking spaces are provided throughout the proposed subdivision located adjacent to each unit, which complies with the CMMC minimum requirement.

**Table 2: Parking Requirements**

	Requirement	Proposed
Garage Parking Spaces	8 spaces (2 required per unit)	8 spaces
Open Parking	7 spaces (1 per two bedroom unit and 2 per three or more bedroom units)	7 spaces*
*CMMC Section 13-42.3 requires that all open parking not located within an individual driveway shall be unassigned and nonexclusive		

The proposed garages and open parking spaces are accessible via the existing alley to the west of the project site. A minimum of 25 feet is required behind required parking spaces to allow for adequate vehicle back-up space. Including the alley width, the project proposes a minimum back up distance of 25 feet 5 inches and therefore complies. The CMMC requires that all parking and driveways shall consist of decorative concrete, pavers, or other material subject to review by the Development Services Director. COA No. 16 ensures 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. In addition, there are 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 individual unit has been designed with articulation and off sets on the various elevations to avoid boxy appearances. The front (north) elevation for Unit A, facing Bernard Street, includes a second story balcony, eave overhangs, and additional architectural features above the entry porch providing for a varied elevation that visually enhances the prominent project elevation. The west elevations for all units, facing the alley, include multiple building planes, a partial second story overhang above the proposed garages, and varied roof forms including multi-faced gables above the garages. The south elevations include varied facades and articulations. The west elevations of all units feature down-sloping roofs towards the neighboring units, which reduces the perceived height and building mass. In addition, each unit features a gross floor area on the second floor, which is less than the first floor as required by the Design Guidelines.
- ***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 1,780 square feet to 1,984 square feet and the proposed second story setbacks along the right (east) side property line is 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 stucco clad first floors, and colored horizontal Hardie Plank second floors. 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. As noted in the plans, the windows are proposed to be recessed into the wall which will provide an additional sense of elevation depth and articulation.
- **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 to eliminate 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 east and south are located without direct views into the neighboring existing properties because the neighboring properties are single-story units. The second-story windows facing west are approximately 37 feet from the existing neighboring windows and therefore would have minimal to no privacy impacts. There are no proposed second-story windows that pose privacy impacts between the proposed units.
- **Consistency in Architectural Design:** The proposed design includes modern farmhouse features including 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.

### ***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 south and east, and the interior property lines between the proposed parcels. Unit A is proposed to include a three-foot high fence at the front of the property which will contain the private open space area for that unit. 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 and line-of-sight.

## ***Landscaping***

CMMC Section 13-106 requires that all landscape areas consist of drought tolerant plant material and shall meet the minimum number of plant types based on the total landscape square footage. The project proposes a total of 3,420 square feet of landscaping with a mixture of usable and decorative landscaping. The number of plants proposed is provided in Table 3 below.

**Table 3: Landscaping Requirements**

	Requirement	Proposed
Tree Count	17 (one 15 gallon tree or larger per 200 square feet of landscape area)	20 (all proposed at 24 inch box)
Shrub Count	137 (one shrub for every 25 square feet of landscape area)	165
Groundcover coverage	70% with the remaining area to incorporate mulch	81%

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. 13 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 must be screened from view from the public right of way and neighboring properties. Per COA No. 27, prior to building permit approval, the applicant shall submit for approval a comprehensive utilities plan that shows utility design, undergrounding and required dedications/easements. The plan will be reviewed by both the City's Building Division and Public Works Department.

## ***Tentative Parcel Map 2022-140***

The Tentative Parcel Map proposes to subdivide one 12,003-square-foot parcel into three parcels of 3,001 square feet and one parcel of 3,000 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 2' – 6" inch alley dedication to the City at the west



side of the property along the existing alley and a sidewalk easement over the four parcels. With the development, the alley will remain accessible to all neighbors.

As indicated in the “Justifications for Approval” below, the project complies with all required findings to approve the Tentative Parcel Map. In addition, pursuant to the Subdivision Map Act, Government Code Section 66474, 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.

### **GENERAL PLAN CONFORMANCE**

The proposed small lot residential development of four detached single-family dwelling units is consistent with the maximum allowable density of one dwelling unit per 3,000 square feet for the R2-HD zone and is within the maximum density allowed for the High Density Residential General Plan land use designation, which is 20 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 High Density Residential General Plan land use designation. 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 rental units and constructing four detached, single-family residential ownership units. Because the project consists of a parcel map and four detached units, the project complies with the policy. Further, the project floor areas are proposed less than 2,000 square feet which generally improve the affordability aspects for future buyers; as compared to larger more expensive new homes in the City. Ultimately, the project provides two additional residences and four additional residential ownership units.

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

**Consistency:** The project would allow for the redevelopment of a residential property that contains two units built in 1946. The proposed project would construct four units with high quality designs and landscaping. The front unit is oriented toward the street and features a balcony and patio area facing the public right of way to increase visibility and neighborhood compatibility. As a result, the project complies with the Objective.

4. **5<sup>th</sup> Cycle Housing Policy HOU-1.2:** *Encourage existing stabilized residential neighborhoods, including but not limited to mobile home parks and manufactured home parks, from the encroachment of incompatible or potentially disruptive land uses and/or activities.*

**Consistency:** The project is neighborhood compatible and has been designed to reduce privacy impacts on surrounding properties. The project is located in an

established residential neighborhood including an existing mobile home park and is compatible with the surrounding residential uses.

5. **6<sup>th</sup> Cycle Housing Policy 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:** The project would be located in an established residential neighborhood, would increase the total number of housing units by two and increase the total opportunities for individual housing ownership by four units. Additionally, the floor area of the proposed units is relatively minimal and therefore cost of potential ownership is reduced comparatively to provide additional opportunities for housing in a high-priced market. The project would not negatively effect surrounding residential properties access to the existing alley, privacy impacts have been considered in the development of the project and the proposed development will improve streetscape aesthetics.

## **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 parcel map would allow for redevelopment of an existing parcel; and improve and maintain quality of environment and neighborhood by improved architecture, aesthetics, and landscaping. The parcel map would allow for a new residential project that would not exceed the maximum allowable density of 20 units per acre and, therefore, would be consistent with the General Plan land use designation of High Density Residential and the R2-HD zone that allows for one unit per 3,000 square feet of lot area. The project design would also comply with all other development standards for a residential small lot subdivision. Lastly, the project would provide additional housing units consistent with satisfying the City's required Regional Housing Needs Assessment (RHNA).

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

The subject property has a General Plan land use designation of High Density Residential, which allows multi-family residential uses at a maximum of 20 dwelling units per acre. The Tentative 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 existing property is flat, located within an established residential neighborhood and suitable to accommodate four new residential units. The size of the lot is also suitable since the proposed development meets all applicable development standards including, setbacks, parking, and open space. 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-HD zone. Adequate infrastructure exists to serve the proposed project and the project will not result in the loss of any habitat, result in a negative impact on the environment as a whole, 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 to take advantage of shade and prevailing breezes. The project provides 36.8 percent open space for the overall development and each unit will have over 249 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 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. A 2' – 6" alley dedication is required for access along the existing alley to the west of the project, which brings the alley into conformance with City standards. In addition, a new sidewalk easement will be provided within the alley improving pedestrian accessibility.

- 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 onsite 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.

### **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 proposes a maximum density of one dwelling unit per 3,000 square feet of lot area, which is consistent with the maximum allowable density for the R2-HD zone and the High Density Residential General Plan land use designation. The project complies with all other 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 stucco and Hardie board siding which provides interest and will require minimal maintenance. The front unit is oriented toward the street, includes a second-story balcony, and a private open space area in the front yard which will provide adequate intermixing of public and private space. The landscaping throughout the project provides larger and more trees than required. To avoid a boxy two-floor appearance, articulation is provided by varying roof forms, wall planes, and exterior materials. 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-to-three-story residential properties. In addition, the second story design proposes a second-to-first floor ratio in compliance with the design guidelines with articulation on both roof forms and wall planes. The

second floor is further enhanced with a balcony, modern fascia, and elevation treatments of varying materials on the first and second floor.

## **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 use, is being subdivided into four or fewer parcels, conforms 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-HD Zoning Designation and the High 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 (20 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 was established in 1924 and therefore has not been involved in a previous subdivision in the previous two years; and
- 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 in that:

- The project is consistent with the R2-HD Zoning Designation and the High Density Residential General Plan Designation because it propose a number of units at the allowed zoning density (1 unit per 3,000 square feet) and below the allowed General Plan Land Use Density (20 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 12,003 square feet (0.28 of an acre);
- The project site has no value as a habitat for endangered, rare, or threatened species because the existing lot includes two residential units, lawn, and an open

space consisting of overgrown weeds in the rear yard. 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 net increase in daily trips will increase by 17, which can be accommodated by the existing traffic infrastructure; and
- The site can be adequately served by all required utilities and public services because they already service the site.

## **ALTERNATIVES**

Planning Commission 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 November 14, 2022 Planning Commission meeting will be provided separately.

## **CONCLUSION**

Approval of the project would allow the subdivision of one lot into four lots and the development of four detached single-family dwellings, one on each lot, on an R2-HD zoned property. The project is consistent with the General Plan and Zoning Code in regard to density, setbacks and development standards. The project would enhance the mix of housing types within the neighborhood, increase home ownership opportunities in the City, and is a neighborhood compatible development proposed in a mixture of existing single and multifamily homes that are one to three stories in height. Therefore, staff recommends approval of the project.