

ORDINANCE NO. 2025-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA APPROVING PGPA-23-0002 TO AMEND THE NORTH COSTA MESA SPECIFIC PLAN APPLYING ZONING STANDARDS TO A 14.25-ACRE PROPERTY REZONED TO PLANNED DEVELOPMENT COMMERCIAL (PDC) AND PLANNED DEVELOPMENT RESIDENTIAL-NORTH COSTA MESA (PDR-NCM) WITH A SITE-SPECIFIC DENSITY OF 62 DWELLING UNITS PER ACRE FOR THE PROPERTY LOCATED AT 3333 SUSAN STREET

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY FIND AND DECLARE AS FOLLOWS:

WHEREAS, an application was filed by Tim O'Brien of Legacy Partners, representing the property owners, requesting approval of certain land use entitlements;

WHEREAS, a study session was held by the Planning Commission on May 27, 2025;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on June 9, 2025 with all persons having the opportunity to speak for and against the proposal;

WHEREAS, at its regular meeting on June 9, 2025, the Planning Commission recommended that City Council approve the project by a __-__ vote;

WHEREAS, a duly noticed public hearing was held by the City Council on _____ with all persons having the opportunity to speak for and against the proposal;

WHEREAS, on _____, the City Council approved the first reading by a __-__ vote;

WHEREAS, the City Council took or will take the following actions by separate resolution;

1. **CERTIFY** the Final Environmental Impact Report (SCH No. 2024060115) including the Mitigation Monitoring and Reporting Program, and Finding of Facts;
2. **APPROVE** General Plan Amendment PGPA-23-0002 to change the land use designation of the project site from Industrial Park to Urban Center Commercial and High Density Residential (HDR) with a site-specific density of 62 du/acre and maximum of 1,050 units;

3. **APPROVE** the Master Plan for a three-phased development with 1,050 residential units and 3,692 square feet of retail space;
4. **APPROVE** the density bonus agreement to allow for a 20 percent increased density and waivers for parking structure standards in exchange for 11.8% of the base units being provided at low-income levels.
5. **APPROVE** Vesting Tentative Parcel Map No. 2024-114 for the subdivision of the subject property for phasing purposes;
6. **APPROVE** the Development Agreement by adopting a separate ordinance; and
7. **APPROVE** the North Costa Mesa Specific Plan amendment by adopting a separate ordinance.

WHEREAS, the proposed general plan amendment would re-designate the land use from Industrial Park to Urban Center Commercial and High Density Residential in order to allow a residential use with a site-specific density. To ensure consistency between the General Plan Land Use Map and the Zoning Map, the property is rezoned from Planned Development Industrial (PDI) to Planned Development Commercial (PDC) and Planned Development Residential – North Costa Mesa (PDR-NCM);

WHEREAS, PDC districts are intended for commercial and complementary residential uses. As such, the proposed zoning district would allow the residential development on phase 1 with retail uses. In addition, the district would allow flexibility should the parcel be developed with a commercial development in the future;

WHEREAS, PDR-NCM districts are intended for a variety of residential uses. As such, the proposed zoning district would allow the residential development on phases 2-3;

WHEREAS, the project includes a North Costa Mesa Specific Plan specific plan to allow site-specific development standards (e.g., density, building setbacks, open space, land use matrix, parking);

WHEREAS, the project includes a North Costa Mesa Specific Plan amendment adopted with a separate ordinance to allow site-specific development standards (density, height, open space). The Specific Plan would act as the project's zoning regulations. Future development on-site and off-site improvements would be required to comply with the

Specific Plan development standards and design guidelines – thus, the rezone would be consistent with the Zoning Code, General Plan, and North Costa Mesa Specific Plan;

WHEREAS, adoption of a Specific Plan amendment is considered a legislative action subject to the discretionary approval of the City Council;

WHEREAS, the amended North Costa Mesa Specific Plan establishes the development's land use plan, development standards, regulations, design guidelines, infrastructure systems, and implementation strategies on which subsequent, project-related development activities would be founded. Upon adoption of the Specific Plan amendment, subsequent project-specific architectural plans, detailed site plans, grading and building permits, and any other actions requiring either ministerial or discretionary approvals would be required to demonstrate consistency with the Specific Plan;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), a Project Environmental Impact Report (EIR) was prepared by the City in accordance with the California Environmental Quality Act (CEQA);

WHEREAS, in accordance with CEQA Guidelines Section 15073, the Draft EIR was made available for a public comment period beginning on February 14, 2025 and ending on March 31, 2025;

WHEREAS, a list of comments received and response to the comments are included as part of the Final EIR presented to City Council on _____, 2025.

NOW, THEREFORE, THE CITY COUNCIL OF THE COSTA MESA DOES HEREBY ORDAIN AS FOLLOWS :

SECTION 1: SPECIFIC PLAN AMENDMENT. The North Costa Mesa Specific Plan, is hereby amended as set forth in Exhibit F attached hereto.

SECTION 2: INCONSISTENCIES. Any provision of the Costa Mesa Municipal Code or appendices thereto inconsistent with the provisions of this ordinance, to the extent of such inconsistencies and or further, is hereby repealed or modified to the extent necessary to affect the provisions of this ordinance.

SECTION 3: SEVERABILITY. If any provision or clause of this ordinance or the application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions or clauses

or applications of this ordinance which can be implemented without the invalid provision, clause or application; and to this end, the provisions of this ordinance are declared to be severable.

SECTION 4: EFFECTIVE DATE: This Ordinance shall take effect on the 31st day after adoption.

SECTION 5: CERTIFICATION & PUBLICATION: The City Clerk shall certify the passage and adoption of this Ordinance and shall cause the same to be posted or published in the manner as required by law.

PASSED AND ADOPTED this _____ day of _____ 2025.

John Stephens
Mayor of the City of Costa Mesa

ATTEST:

APPROVED AS TO FORM:

Brenda Greene, City Clerk

Kimberly Hall Barlow
City Attorney

STATE OF CALIFORNIA))ss
COUNTY OF ORANGE)

I, _____, City Clerk and ex-officio Clerk of the City Council of the City of Costa Mesa, hereby certify that the above foregoing Ordinance No. 2025-___ as introduced and considered section by section at a regular meeting of said City Council held on the ____ day of _____, 2025, and thereafter passed and adopted as a whole at the regular meeting of said City Council held on the ____ day of _____, 2025, by the following roll call vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the Seal of the City of Costa Mesa this ____ day of _____, 2025.

Brenda Greene, City Clerk

EXHIBIT E

NORTH COSTA MESA SPECIFIC PLAN AMENDMENT DRAFT

Addition to Page 1 - Summary of North Costa Mesa Specific Plan Amendments

<u>SP-XX-XX</u>	<u>XX</u>	<u>Amendment to rezone Home Ranch Sub-Area C (HIVE LIVE) to (1) Planned Development Commercial on proposed Parcel 1 and (2) Planned Development Residential – High Density on proposed Parcels 2 and 3. The amendment also establishes site-specific density and intensity</u>
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Amendment to NCMSP Table 1 – Page 13

Table 1- General Plan Designations North Costa Mesa Specific Plan				
GENERAL PLAN DESIGNATION	TYPICAL USES	RESIDENTIAL DENSITY	FLOOR AREA RATIO	COMPATIBLE ZONING
Low Density Residential	Single family detached and attached units, granny units, accessory apartments, family day care	Less than or equal to 8 units per acre.	0.15 high traffic 0.25 moderate traffic 0.35 low traffic	R1, POR-LD, I & R
Medium Density Residential	Single-family attached units, multiple family units, senior congregate care facilities, convalescent hospitals, and group residential homes. Ancillary commercial uses are permitted in the planned development zone.	Less than or equal to 12 units per acre	0.15 high traffic 0.25 moderate traffic 0.35 low traffic	R1, R2-MD, PDR-MD, MU, I&R
High Density Residential	Multiple family units, senior congregate care facilities, convalescent hospitals and group residential homes. Ancillary commercial uses are permitted in the planned development zones.	Less than or equal to 20 units per acre; except the density in the PDR-NCM zone is 25 to 35 units per acre. See also The Lakes for site-specific density. Segerstrom Home Ranch Sub-Area C has a site specific density of up to 62 units per acre.	0.15 high traffic 0.25 moderate traffic 0.35 high traffic	R2-HD, R3, PDR-HD, PDR-NCM, MU, I&R
Commercial Center	Major shopping, service, and office facilities designated serve city-wide and regional markets.	Less than or equal to 20 units/acre	0.25 high traffic 0.35 moderate traffic 0.45 low traffic 0.75 very low traffic <i>Except that Home Ranch has a site-specific FAR</i> 0.37 for the IKEA portion of the project and 0.64 for the office portion	C1, C2, C1-S, PDC, AP, P, CL
Regional Commercial	Regional scale uses including major department stores, specialty retail outlets, restaurants, offices, and hotels.	Less than or equal to 20 units/acre	0.652 South Coast Plaza (east of Bear Street) 0.89 South Coast Plaza (west of Bear Street)	PDC
Urban Center Commercial	Intensively developed mixed commercial including offices, retail shops, restaurants, and hotels. Residential uses are also permitted pursuant to the North Costa Mesa Specific Plan	Less than or equal to 20 units/acre. Exceptions: South Coast Metro Center (Area 6) has a site specific density of 100 units per acre; Sakioka Lot 2 may be up to 28 units/ac for mixed-use development. Segerstrom Home Ranch Sub-Area C has a site specific density of up to 62 units per acre.	South Coast Metro Center (Area 6) has a site-specific FAR of 0.79 Sakioka Lot 2 (Area 8) has a maximum site-specific FAR of 1.0. Segerstrom Home Ranch Sub-Area C has a site-specific FAR of 0.40 for the non-residential component only.	PDC, TC
Cultural Arts Center	Mixed commercial, residential, office and cultural uses.	—	1.77 See also the South Coast Plaza Town Center discussion regarding the FAR.	TC
Industrial Park	Wide variety of industrial and compatible office and support commercial uses.	Less than or equal to 20 units/acre	0.20 high traffic 0.30 moderate traffic 0.40 low traffic	MP, POI, CL

Amendment to Page 17 – Building Heights

~~It should be noted that Home Ranch has a specific height limitation of five stories and only in the center of the property. Any additional height above five stories (75 feet) would require a General Plan amendment. Exhibit Figure 11b~~ depicts the height limitations for Home Ranch.

Amendment to Table 2 on Page 19

Table 2- Maximum Building Heights North Costa Mesa Specific Plan		
SUB-AREA	MAXIMUM BUILDING HEIGHT ¹	NOTES
AREA 1 Home Ranch	Varies	See Exhibit Figure 11b .
AREA 2 Metro Pointe	30 feet-north of South Coast Drive (approx. 2 stories) 90 feet-south of South Coast Drive (approx. 6 stories)	Current development agreement allows buildings up to 15 stories. Buildings above 173 feet in height will require a determination of no hazard by the FAA.
AREA 3 South Coast Plaza and Crystal Court	85 feet (approx. 4 stories)	None
AREA 4 SCP Town Center	315 feet (approx. 25 stories)	Buildings above 173 feet in height will require a determination of no hazard by the FAA.
AREA 5 The Lakes	Mid-rise Residential- 90 feet (approx. 6 stories) High-rise Residential - 280 feet (approximately 26 stories) Commercial-110 feet (approximately 11)	Buildings above 173 feet in height will require a determination of no hazard by the FAA.
AREA 6 South Coast Metro	Varies-See Table 6B.	Buildings above 173 feet in height will require a determination of no hazard by the FAA. Buildings which encroach into the setback for Anton cannot exceed 30 feet (approx. 2 stories) within the setback area.
AREA 7 Sakioka Lot 1	60 feet (approx. 4 stories)	Buildings which encroach into the setback for Anton Blvd. and/or Sakioka Dr. cannot exceed 30 feet (approx. 2 stories) within the setback area.
AREA 8 Sakioka Lot 2	North of collector street- 60 feet (approx. 4 stories) South of collector street- 180 feet (approx. 12 stories)	Buildings above 173 feet in height will require a determination of no hazard by the FAA. Buildings which encroach into the setback for Anton cannot exceed 30 feet (approx. 2 stories) within the setback area.
1. All building height measurements reference the height above grade- not mean sea level.		

Addition to Page 34 – Area 1 Home Ranch General Plan and Zoning

In 2025, General Plan XXXX-XXXX was approved to change the designation of Sub-Area C (also referred to as "HIVE LIVE") to (1) Urban Center Commercial on the southern portion of HIVE LIVE (Parcel 1) and (2) High Density Residential on the remainder of HIVE LIVE (Parcels 2 and 3), and establish site-specific density and intensity standards for the HIVE LIVE property. Non-residential intensity was reduced to reflect that non-residential development may only occur on Parcel 1, with a maximum of 0.40 FAR, while residential density is permitted up to 62 units per acre across the entire HIVE LIVE property.

Amendment to Page 34 and Table 4A

To facilitate flexibility for Sub-Areas B and C, building square footages and trip budgets may be transferred, provided that the total nonresidential building square footage, floor area ratio, and trip budget for the combined two sub-areas are not exceeded as delineated in Table 4A. Transfers affecting Sub-Areas A and D are not permitted. Future development in Sub-Area B shall be limited to high quality office, office-related uses, and corporate office/headquarters with subsidiary support functions that may include research and design, minor assembly, light manufacturing, and storage. Retail uses in Sub-Area B shall be limited to those that are ancillary to the office development

Shown below are the development parameters for each distinct sub area.

Table 4A- Segerstrom Home Ranch Sub-Areas						
Land Use	Acreage	Floor Area Ratio/ Density	Maximum Units/ Square Footage	Maximum Stories/Height	A.M. Peak Hour Trips	P.M. Peak Hour Trips
A. IKEA	19.27	0.37 FAR	308,000 sf	2 stories/45 feet	43	431
B. Office and Office-related uses	43.57 ²	0.64 FAR	1,200,000 sf	2-5 stories/36 - 75 feet See Figure 11b	1 1,860	1 1,788
C. Industrial Park/HIVE LIVE ^{3,5}	14.25	0.40 FAR ⁴ Up to 62 units/acre	252,648 70,128 sf 884 multi-family	1-75 stories/45-85 60 feet See Figure 11b	397376 ³	432362 ³
D. Medium Density Residential	16.0	12 units/acre	136 single-family attached units ¹	3 stories/ 50 feet		
			56 single-family detached units ¹ Total Maximum: 192 units	2 stories/27 feet	102	130
TOTAL:	93.34	NA	492-1,067 units 1,760,648 578,128 f		2,381402	2,744781

1. The mix of units is for illustrative purposes only; the precise mix of product types will be determined during master plan review; in no instance shall the 192-unit maximum and/or the morning and evening peak hour trip budget be exceeded.
2. The 1,200,000 maximum square footage is calculated based on the full acreage originally in Home Ranch which includes acreage transferred to the State of California for public improvements. This full square footage intensity may be used for development in Sub-Area B.
3. See partial Assignment and Assumption of Development Agreement recorded on 02/05/2004 as Instrument No- 2004000089554 in official records Orange County. The permitted multi-family units reflects the total number of base units permitted across the 14.25-acre property, which is approximately 62 units/acre. However, individual projects within the HIVE LIVE may exceed 62 units/acre up to a maximum of 85 units/acre, provided that the average density across the HIVE LIVE property does not exceed 62 units/acre base density, exclusive of any increase in units/density permitted pursuant to the Density Bonus Law (Government Code Section 65915).
4. The 70,128 square feet of non-residential development is only available to Parcel 1 of HIVE LIVE, which has a General Plan designation of Urban Center Commercial and is zoned Planned Development Commercial (PDC).
5. Notwithstanding anything to the contrary in Title 13, Chapter 13-X of the City of Costa Mesa Code of Ordinances, including but not limited Table 13-204: (1) in the case of the unintentional damage and/or whole or partial destruction of any structure located on the HIVE LIVE sub-area existing as of [DA EFFECTIVE DATE], such structure may be repaired, restored and/or replaced to its pre-damage or pre-destruction intensity (floor area ratio), use, setback, lot coverage, height, parking ratio, open space, and landscaping; and (2) any structure located on the HIVE LIVE sub-area may be structurally altered, improved and/or maintained, including alterations, improvements and maintenance that extend the use or life of the such structures, provided however that such alterations, improvements and/or maintenance may not result in the expansion of an existing nonconforming use or physically enlarge the structures."

3.—

Amendment to Page 35 – Building Heights

~~The General Plan specifically limits building heights to a maximum of five stories (and only in the project's center) for this site. Five~~ Seven stories approximate a ~~87~~5-foot height limitation. Exhibit 11b indicates the various height limits for Home Ranch. The actual siting of future buildings shall take into account surrounding development in order to minimize visual impacts. The use of low- reflective materials for the building's exteriors will minimize glare impacts. In Building Height Area 1 adjacent to Fairview Road, the City of Costa Mesa shall also require a shade/shadow analysis for any building proposed to exceed 30 feet in height in order to ensure that building's shade or shadow does not extend beyond the project site or public rights-of-way.

Amendment to Figure 11b on Page 38



Addition to Page 39
Sub-Area C: HIVE LIVE

1. Residential Open Space

Any future residential development shall comply with the open space standards of the Costa Mesa Municipal Code, except that the project shall provide an average of 50 feet of private open space for each unit (patio or balcony), not including studio units which are not required to have private open space.

Amendment to Page 81

21. All buildings should be set back from the historical preservation area so as to ~~not~~ visually encroach into this area. Buffering could include walls/fencing, landscaping, and/or parking areas.
- 23C. In conjunction with the review and approval of any master plan for the areas containing the four-story industrial/office park buildings (and parking structures, as appropriate) north of South Coast Drive and west of Susan Street, the three-story townhomes (south of Sunflower Avenue and east of Susan Street), and the five-story office buildings (and parking structures, as appropriate) south of South Coast Drive and west of Fairview Road, the following provisions shall be applied:
 1. Provision of sufficient setbacks, variation, or articulation between buildings and Sunflower Avenue, Susan Street, South Coast Drive, Fairview Road, adjacent to the 1-405, and from other buildings to ensure that buildings do not create a "canyon" effect.
 2. Use of low-reflective materials on buildings and parking structures that do not promote glare.
 3. Provision for architectural design, hardscape features, and landscaping ~~in~~ open space areas, in surface parking areas, or on parking structures that reflect a consistent design theme.

Addition to Page 95

In conjunction with the adoption of GP-XXXX-XXXX, the land use designation of Sub-Area C was amended to Urban Center Commercial and site-specific intensities and densities were established.