

From: [debra.marsteller](#)
To: [CITY CLERK](#)
Subject: Pickleball noise
Date: Sunday, November 2, 2025 6:51:41 PM

Dear city Council,

I know this is not high on anyone's list right now But a while back I crossed paths with someone who wanted to tear apart Moon Park and put in Pickleball courts! Besides being one of the worst ideas I've heard in a long time, he was pretty annoying, dismissing my opposition.

I thought I'd share this story on the research around why the noise from Pickleball courts is especially irritating. There is actually research out of Finland backing up the incredible stress caused by the racket. Pun intended.

Thank you to our most wonderful council members, City staff, and police department for your dedication to Costa Mesa

https://www.washingtonpost.com/science/interactive/2025/why-pickleball-noise-is-annoying/?utm_campaign=wp_news_alert_revere_trending_now&utm_medium=email&utm_source=alert&location=alert

Debbie Marsteller
714-336-3424

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From: [Molly Flaherty](#)
To: [MUNOZ, SANDY](#); [CITY CLERK](#)
Subject: * Concern About Wildlife Traps at Lions Park "
Date: Monday, October 27, 2025 1:55:24 PM

Dear Costa Mesa City Council,

I am writing to express my deep concern regarding the recent placement of wildlife traps at Lions Park (570 W. 18th Street, Costa Mesa, 92627), near the Donald Dungan Library. I often visit this park to picnic and watch the squirrels that have long been part of this beautiful community space.

This past weekend, I was heartbroken to see wildlife traps placed in the park. These traps appear to target not just rats, but also the resident squirrels — animals that have peacefully lived there for years. The squirrels bring joy to countless visitors, and many residents enjoy watching them as part of their daily routine.

It's concerning that these measures seem to coincide with the construction of the new Café Mesa in the center of the park - an area that previously supported abundant wildlife. While I understand the city's efforts to maintain public health and safety, removing or harming the squirrels is not the solution. Most park-goers I've spoken with share this sentiment: we value the natural balance and peaceful presence of wildlife in Lions Park.

Additionally, I'm very worried about the potential dangers these traps pose to children and other animals. Lions Park is heavily used by families, and a curious child could easily reach for a trap without realizing the risk. Poisoned bait or animals could also harm hawks, owls, or other predators that are part of the local ecosystem — causing unintended collateral damage.

I respectfully urge the city to reconsider this approach and explore humane alternatives that allow both people and wildlife to coexist. Improved waste management, habitat-friendly landscaping, or humane deterrent methods (possibly moving them to another area of the park) could help address any concerns without endangering animals or the public.

Lions Park is a community treasure — a place for families, readers, and nature lovers alike. I hope the city will act to preserve the coexistence that makes it so special.

Thank you for your time and for caring about the wildlife and residents who call Costa Mesa home.

Sincerely,

Concerned Nature Lover

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From: [Mike Caballero](#)
To: [CITY CLERK](#)
Subject: Park
Date: Monday, November 3, 2025 10:44:28 PM

Subject: Urgent Concern: Wildlife Poisoning and Dangers at Lions Park

Dear Costa Mesa City Council,

I am writing out of deep concern for what is happening at Lions Park. In recent weeks, an alarming number of wildlife traps have been set out across the park. These traps appear to be targeting squirrels and other wildlife that have been part of this park for generations.

I have personally witnessed the heartbreaking impact this has had. It was reported that a hawk recently ate a poisoned squirrel — which means that hawk will likely die next. This kind of collateral damage shows how dangerous and shortsighted these traps and poisons are. It's not just about the squirrels anymore — this is affecting the entire ecosystem.

Lions Park has always been a place for families, children, and nature to coexist. It's unthinkable that this natural space has become a danger zone for wildlife. Parks are meant to be sanctuaries, not death traps.

I urgently ask the city to take immediate action:

- Remove all wildlife traps and poison from Lions Park.
- Investigate the impact this has had on local wildlife, including hawks and squirrels.
- Implement humane alternatives and wildlife-safe management practices going forward.

Please don't wait until it's too late. Every day that passes, more animals are suffering.

The residents of Costa Mesa care deeply about this issue and are watching closely.

Thank you for your prompt attention to this matter. I truly hope the city will take immediate steps to protect the wildlife and restore safety to Lions Park.

Sincerely,
Sotero Caballero

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From: [Heather Torell](#)
To: [CITY CLERK](#)
Subject: Urgent Request to Protect Wildlife at Lyons Park
Date: Sunday, November 2, 2025 3:19:01 PM

Dear City Clerk,

I am writing as a concerned community member who values Lyons Park not only as a public space, but as a home to the many squirrels and other wildlife that make it so special. I recently learned that wildlife traps have been placed in the park, and I am deeply concerned about the harm and disruption this could cause to the animals and the natural balance of this beloved community space.

Lyons Park has long been a place where people and wildlife coexist peacefully. The squirrels and other animals are an essential part of the park's charm and ecosystem. Placing traps endangers them and could upset this delicate balance.

I respectfully urge the city to:

1. Remove all wildlife traps immediately to prevent unnecessary harm.
2. Protect the wildlife that contributes to the unique environment of Lyons Park.
3. Explore and implement humane alternatives for any pest control or wildlife management needs.

By taking these steps, the city can ensure that Lyons Park remains a safe, welcoming, and thriving environment for both people and animals. Thank you for your attention and for considering the protection of our local wildlife.

Sincerely,

Heather Torell

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From: [Scott-tay](#)
To: [CITY CLERK](#)
Subject: Wildlife Concerns at Lions Park
Date: Monday, October 27, 2025 12:35:50 PM

Dear Costa Mesa Officials,

I'm writing as a frequent visitor to Lions Park in Costa Mesa to express concern about the recent use of wildlife traps on the property. The park has always been a relaxing and welcoming place for the community — a spot where people can read, picnic, and enjoy the outdoors alongside the wildlife that's always called it home.

Recently, I noticed several traps placed throughout the park, and it appears they could be targeting more than just rodents. For years, the park's squirrel population has been part of what makes the space so enjoyable for local residents and visitors. It's upsetting to think that these animals might be harmed or removed.

It seems this change may be connected to the new café mesa that was built in the center of the park. While I understand the goal of attracting business and keeping the area clean, it's discouraging to see the wildlife that makes the park special being treated as a problem. The park sits across from an apartment community with many older residents who often spend time there and appreciate watching the squirrels.

I hope the city will look into this matter and ensure that humane, non-lethal methods are used if there are any pest control concerns. Lions Park should remain a place where both people and wildlife can coexist peacefully.

Feel free to email back with any comments..

Thank you for your attention and for taking community feedback seriously.

Sincerely,

Costa Mesa Visitor

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From: [Cynthia McDonald](#)
To: [PETTIS, JEFF](#); [REYNOLDS, ARLIS](#); [CHAVEZ, MANUEL](#); [STEPHENS, JOHN](#); [MARR, ANDREA](#); [GAMEROS, LOREN](#); [BULEY, MIKE](#)
Cc: cecilia.garado-daly@costamesaca.gov; [TAI, CARRIE](#); [CITY CLERK](#); [GREEN, BRENDA](#)
Subject: November 4, 2025 City Council Meeting; New Business Item 2 – Amendment to Land Use Element
Date: Monday, November 3, 2025 2:12:35 PM
Attachments: [City of Costa Mesa, CA Planning application review process.pdf](#)
Importance: High

Dear Mayor and City Council Members:

I previously raised concerns regarding this item and its approval by the Planning Commission, despite my protest at that time. I am requesting that this item be **removed from the Agenda for Tuesday's City Council meeting** until Staff issues **proper and legally sufficient notices**.

The notices distributed during the Housing Element Update in or around 2021 did **not** disclose:

- Increased building heights and density for certain parcels
- Elimination of traffic trip budgets from Specific Plan areas
- A potential need for Measure Y vote
- Significant neighborhood impacts

These changes fall outside the scope of the Housing Element, which does not govern zoning regulations. The City's claim that these changes should have occurred with Housing Element adoption is contradicted by statements made by City officials at that time and by **Housing Element Programs (3B, 3C, 3D)**, which clearly state zoning changes **will occur during rezoning**—not at adoption.

Given the lapse of at least four years, property ownership may have changed, and **current owners must be informed**. Any changes to the Land Use Element for a zoning change constitute a separate and distinct process requiring proper notice under the City's own ordinance, Title 13, Article 3, Section 13-29(D)(1). As the proponent of this project, the City bears full responsibility for notifying affected property owners. For reference, I have attached CMMC Section 13-29.

Further, there has been no demonstrated coordination with the Circulation Element. The City asserts that no new Environmental Impact Report (EIR) is needed, relying on an outdated assessment. However, **these changes will increase population, traffic, and building heights—impacts that clearly warrant updated analysis**. This assertion is further contradicted by the Agenda Report for New Business Item 2, which states that an EIR **will**

be completed.

Additionally, as of this writing, neither the October 13, 2025 Planning Commission meeting recording nor my public comment has been posted on the City's website, and there is no indication of where the public may access my comment, as required under Section 54957.5(b)(2)(B) of the Brown Act. My prior email comment was also not posted for the October 21, 2025 City Council meeting. Historically, such materials are made available within 24 hours of a hearing. The absence of this information raises serious concerns about transparency.

I strongly urge the City to ensure transparency in the rezoning process and to actively engage the community. Property owners affected by these zoning changes must receive proper notice and the opportunity to provide input at a public hearing.

Accordingly, I request that this item be removed from the agenda until proper legal noticing is completed.

Thank you for your attention to this matter.

Cynthia McDonald

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Title 13. Planning, Zoning and Development

Chapter III. PLANNING APPLICATIONS

§ 13-29. Planning application review process.

(a) *Application.*

- (1) Application for any planning application shall be made to the planning division on the forms provided. Plans and information reasonably needed to analyze the application may be required. A list of required plans and information shall be available from the planning division.
- (2) All applications shall be signed by the record owner of the real property to be affected. This requirement may be waived upon presentation of evidence substantiating the right of another person to file the application.

(b) *Fees.* The application shall be accompanied by all applicable processing fees as established by resolution of the city council.

(c) *Public hearing.* Upon receipt of a complete application for a planning application, the planning division shall fix a time and place of the public hearing if one is required pursuant to Table 13-29(c). For planning applications which require review by both the planning commission and city council or redevelopment agency, pursuant to Table 13-29(c), the final review authority shall hold a public hearing no more than 45 days from the receipt of the planning commission's recommendation.

TABLE 13-29(c)
PLANNING APPLICATION REVIEW PROCESS

Planning Applications	Public Notice Required	Public Hearing Required	Recommending Authority	Final Review Authority	Notice of Decision
Development Review Minor Modification	No	No	None	Planning Division	No
Reasonable Accommodation	No	No	None	Planning Division	No
Lot Line Adjustment	No	No	None	Planning Division	No
Special Use Permit	Yes	Yes	None	Planning Division	No
Administrative Adjustment Minor Conditional Use Permit Minor Design Review Planned Signing Program	Yes	No	None	Zoning Administrator	Yes
Design Review Mobile Home Park Conversion Common Interest Development Conversion (Residential or Nonresidential) Specific Plan Conformity Review Tentative Parcel Map	Yes	Yes	Planning Division	Planning Commission	Yes

TABLE 13-29(c)

PLANNING APPLICATION REVIEW PROCESS

Planning Applications	Public Notice Required	Public Hearing Required	Recommending Authority	Final Review Authority	Notice of Decision
Tentative Tract Map Variance					
Conditional Use Permit Density Bonus Master Plan Master Plan—Preliminary	Yes	Yes	Planning Division	Planning Commission (excepted where noted otherwise in this zoning code)	Yes
Redevelopment Action	Yes	Yes	Planning Commission	Redevelopment Agency	Yes
Rezone	Yes	Yes	Planning Commission; and, if located in a redevelopment project area, the Redevelopment Agency	City Council	No
Local Register of Historic Places	No	No	Planning Commission or other commission/committee as designated by the City Council	City Council	Yes
Certificate of Appropriateness	No	No	Planning Commission or other commission/committee as designated by the City Council	Planning Commission or other commission/committee as designated by the City Council	No

(d) **Public notice.** When required pursuant to Table 13-29(c), public notice shall be given as described in the following subsections. Public notices shall contain a general explanation of the proposed planning application and any other information reasonably needed to give adequate notice of the matter to be considered.

- (1) **Mailed notice required.** Notices of the hearing shall be mailed to all property owners and occupants within a 500 foot radius of the project site, except for applications for the construction of a building(s) 150 feet or more in height; these applications shall require a greater notice radius:

Building Height in Feet	Notice Requirement
More than 150 and less than or equal to 225	700-foot radius
More than 225 and less than or equal to 300	900-foot radius
More than 300	1,100-foot radius

The required notice radius shall be measured from the external boundaries of the property described in the application. The notice shall be mailed no less than 10 days prior to the hearing or determination on the application. The planning division shall require mailing labels from the project applicant for this purpose. The mailing labels shall reflect the last known name and address of owner(s) as shown on the last equalized county assessment roll or by a more current listing.

- (2) **On-site posting required.** Additional notice shall be provided by posting a notice on each street frontage of the project site, no less than 10 days prior to the date set for the hearing or determination on the application.
- (3) **Newspaper publication.** When a public hearing is required, notice shall also be published once in the city in a newspaper of general circulation, no less than 10 days prior to the date set for the public hearing.

(e) **Review criteria.** Review criteria for all planning applications shall consist of the following:

- (1) Compatible and harmonious relationship between the proposed building and site development, and use(s), and the building and site developments, and uses that exist or have been approved for the general neighborhood.
 - (2) Safety and compatibility of the design of buildings, parking area, landscaping, luminaries and other site features which may include functional aspects of the site development such as automobile and pedestrian circulation.
 - (3) Compliance with any performance standards as prescribed elsewhere in this Zoning Code.
 - (4) Consistency with the general plan and any applicable specific plan.
 - (5) The planning application is for a project-specific case and is not to be construed to be setting a precedent for future development.
 - (6) When more than one planning application is proposed for a single development, the cumulative effect of all the planning applications shall be considered.
 - (7) For residential developments, consistency with any applicable design guidelines adopted by city council resolution.
 - (8) For affordable multi-family housing developments which include a minimum of 16 affordable dwelling units at no less than 20 dwelling units per acre, the maximum density standards of the general plan shall be applied, and the maximum density shall be permitted by right and not subject to discretionary review during the design review or master plan application process.
- (f) *Conditions.* The final review authority pursuant to Table 13-29(c), may impose reasonable conditions to assure compliance with the applicable provisions of this Zoning Code, and to assure compatibility with surrounding properties and uses and to protect the public health, safety and general welfare. The final review authority may also require such written guarantees, cash deposits, recorded land use restrictions, etc., as may be necessary to assure compliance with the conditions.
- (g) *Findings.* When granting an application for any of the planning applications specified below, the final review authority shall find that the evidence presented in the administrative record substantially meets any required conditions listed below. Other findings may also be required pursuant to other provisions of this Zoning Code.
- (1) Administrative adjustment and variance findings:
 - a. Because of special circumstances applicable to the property, the strict application of development standards deprives such property of privileges enjoyed by others in the vicinity under identical zoning classifications.
 - b. The deviation granted shall be subject to such conditions as will assure that the deviation authorized shall not constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity and zone in which the property is situated.
 - c. The granting of the deviation will not allow a use, density, or intensity which is not in accordance with the general plan designation and any applicable specific plan for the property.
 - (2) Conditional use permit and minor conditional use permit findings:
 - a. The proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.
 - b. Granting the conditional use permit or minor conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.
 - c. Granting the conditional use permit or minor conditional use permit will not allow a use, density or intensity which is not in accordance with the general plan designation and any applicable specific plan for the property.
 - (3) Density bonus and concession or incentive findings:
 - a. The request is consistent with State **Government Code** section 65915 et. seq. regarding density bonuses and other incentives, the general plan, any applicable specific plan, and Chapter IX special regulations, Article 4 density bonuses and other incentives.

- b. The requested density bonus and incentive or concession constitute the minimum amount necessary to provide housing at the target rents or sale prices and/or a child care facility.
 - c. The granting of the incentive or concession is required in order to provide for affordable housing costs, as defined in Health and Safety Code section 50052.5 or for rents for the targeted units.
 - d. The granting of the incentive or concession and/or the waiver or reduction of development standards does not have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Government Code section 65589.5 upon health, safety, or the physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.
 - e. The granting of the incentive or concession and/or the waiver or reduction of development standards does not have an adverse impact on any real property that is listed in the California Register of Historical Resources.
- (4) Lot line adjustment findings: The lot line adjustment and improvements are consistent with the general plan, any applicable specific plan and this Zoning Code.
- (5) Master plan findings:
- a. The master plan meets the broader goals of the general plan, any applicable specific plan, and the Zoning Code by exhibiting excellence in design, site planning, integration of uses and structures and protection of the integrity of neighboring development.
 - b. Master plan findings for mixed-use development projects in the mixed-use overlay district are identified in Chapter V, Article 11, mixed-use overlay district.
 - c. As applicable to affordable multi-family housing developments, the project complies with the maximum density standards allowed pursuant to the general plan and provides affordable housing to low or very-low income households, as defined by the California Department of Housing and Community Development. The project includes long-term affordability covenants in compliance with state law.
- (6) Minor modification findings:
- a. The improvement will not be materially detrimental to the health, safety and general welfare of persons residing or working within the immediate vicinity of the project or to property and improvements within the neighborhood.
 - b. The improvement is compatible and enhances the architecture and design of the existing and anticipated development in the vicinity. This includes the site planning, land coverage, landscaping, appearance, scale of structures, open space and any other applicable features relative to a compatible and attractive development.
- (7) Mobile home park conversion findings:
- a. The impacts of the conversion on the residents of the mobile home park have been duly considered as required by the State Government Code.
 - b. The proposed conversion project is consistent with the general plan, any applicable specific plan and this Zoning Code.
- (8) Planned signing program findings:
- a. The proposed signing is consistent with the intent of Chapter VIII, Signs, and the General Plan.
 - b. The proposed signs are consistent with each other in design and construction taking into account sign style and shape, materials, letter style, colors and illumination.
 - c. The proposed signs are compatible with the buildings and developments they identify taking into account materials, colors and design motif.
 - d. Approval does not constitute a grant of special privilege or allow substantially greater overall visibility than the standard sign provisions would allow.
- (9) Reasonable Accommodation findings: Refer to Chapter IX, Article 15.
- (10) Common interest development conversion findings:

- a. The applicant has submitted an adequate and legally binding plan which addresses the displacement of long-term residents, particularly senior citizens and low- and moderate-income families and families with school-age children; and
- b. The proposed common interest development conversion project conforms to adopted general plan policies and any applicable specific plan or urban plan, and if applicable, increases the supply of lower cost housing in the city and/or that the proposed conversion project fulfills other stated public goals.
- c. The establishment, maintenance, or operation of the project will not be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the surrounding neighborhood, nor will the project be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the city.
- d. The overall design and physical condition of the common interest development conversion project achieves a high standard of appearance, quality, and safety.
- e. The proposed common interest development conversion project conforms to the Costa Mesa Zoning Code requirements.
- f. For a proposed common interest development conversion project that does not conform to the zoning code requirements, the project due to its proportions and scale, design elements, and relationship to the surrounding neighborhood, is of continued value to the community and it contributes to defining and improving the community as a whole. Deviations from zoning code requirements are acceptable because it would be impracticable or physically impossible without compromising the integrity of the overall project to implement features that could result in conformance with current code requirements.
- g. For a proposed common interest development conversion project located in an urban plan area, the proposed conversion is consistent with the applicable mixed-use overlay zoning district. Specifically, the proposed non-residential conversion project supports a mixed-use development or a similar land use that is not allowed in the base zoning district, or the proposed conversion project is a residential common interest development that is permitted by either the base or overlay zoning district.

(11) Rezone findings: The proposed rezone is consistent with the Zoning Code and the general plan and any applicable specific plan.

(12) Specific plan conformity review findings: Refer to the applicable specific plan text.

(13) Tentative parcel or tract map findings:

- a. The creation of the subdivision and related improvements is consistent with the general plan, any applicable specific plan, and this Zoning Code.
- b. The proposed use of the subdivision is compatible with the general plan.
- c. 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.
- d. 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.
- e. 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.
- f. 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).

(14) Design review and minor design review findings:

- a. 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.

- b. 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.
- c. As applicable to affordable multi-family housing developments, the project complies with the maximum density standards allowed pursuant to the general plan and provides affordable housing to low or very-low income households, as defined by the California Department of Housing and Community Development. The project includes long-term affordability covenants in compliance with state law.

(h) *Decision.*

- (1) After the public hearing, if required, the final review authority may approve, conditionally approve or deny any application for the planning application based upon the standards and intent set forth in the applicable provisions of this Zoning Code. In the case of a denial, the applicant shall be notified of the circumstances of the denial.
- (2) For planning applications which require the planning commission to make a recommendation to the final review authority, the authority shall not approve any major change or additions in any proposed planning application until the proposed change or addition has been referred to the planning commission for a report, unless the change or addition was previously considered by the planning commission. It shall not be necessary for the planning commission to hold a public hearing to review the referral. Failure of the planning commission to report to the final review authority within 40 days after the referral shall be deemed approval of the proposed change or addition.

(i) *Notice of decision.*

- (1) Notice of the zoning administrator's decision shall be given within five days of the decision to the city council, planning commission and to any affected party requesting the notice. Any member of the planning commission or city council may request review of a zoning administrator's decision within seven days of the notice of the decision. No fee shall be charged for such review.
- (2) Notice of the planning commission's and/or redevelopment agency's decision shall be given within five days to the city council and to any affected party requesting the notice. Any member of the city council may request review of the decision within seven days of the notice of the decision. No fee shall be charged for such review.

(j) *Appeals.* Appeals of the final review authority shall be filed within seven days of the public hearing or the date of the notice of decision according to the procedures set forth in Title 2, Chapter IX, Appeal, Rehearing and Review Procedure.

(k) *Time limits and extensions.*

- (1) Planning applications shall run with the land until revoked, except as provided in this section or in a condition imposed at the time of granting the planning application.
- (2)
 - a. Unless otherwise specified by condition of approval, any permit or approval not exercised within 24 months from the actual date of review authority approval shall expire and become void, unless an extension of time is approved in compliance with paragraph (4) of this subsection;
 - b. The permit shall not be deemed "exercised" until at least one of the following has first occurred:
 - 1. A building permit has been issued and construction has commenced, and has continued to maintain a valid building permit by making satisfactory progress as determined by the building official.
 - 2. A certificate of occupancy has been issued.
 - 3. The use is established and a business license has been issued.
 - 4. A time extension has been granted in compliance with paragraph (3) of this subsection.
- (3) The time limits specified in paragraph (2) of this subsection shall not apply to preliminary master plans, except that the first phase of the final master plan must be approved within 24 months of the approved preliminary master plan. Time limits regarding the construction of improvements authorized by the approved final master plan for each phase of the project shall comply with the time limits established in paragraph (2).

(4) *Extension of time.*

- a. *Filing and review of request.* No less than 30 days or more than 60 days before the expiration date of the permit, the applicant shall file a written request for an extension of time with the department, together with the filing fee established by resolution of the city council.
- b. For extension requests not to exceed 180 days: The director of development services may extend the time for an approved permit or approval to be exercised. Only one request for an extension of 180 days may be approved by the director. Any subsequent extension requests shall be considered by the original approval authority.
- c. For extensions requests of more than 180 days: The review authority for the original project shall consider the request to extend the time for an approved permit or approval to be exercised. A public hearing shall only be held if it was required on the original application. If notice was required for the original application, notice of the public hearing shall be given according to the procedures set forth in this chapter.

(5) Fees for extensions of time for planning applications may be established by resolution of the city council.

(6) *Action on extension request.* A permit or approval may be extended beyond the expiration of the original approval provided the director or the review authority finds that there have been no changes in the conditions or circumstances of the site, such as Zoning Code or General Plan amendment or other local and statewide regulations affecting the approved development standards, or project so that there would have been ground for denial of the original project or any changes to the General Plan and/or Zoning Code that would preclude approval of the same project at the time of the requested extension.

(7) *Effect of expiration.* After the expiration of the permit or approval, no further work shall be done on the site and no further use of the site shall occur until a new permit or approval, or other city permits or approvals are first obtained. Fees for extensions of time for planning applications may be established by resolution of the city council.

(l) *Building permits/authority to proceed.* No building permit or authority to proceed shall be granted until all required review and approval has been obtained and all applicable appeal periods have expired.

(m) *Compliance.* Final occupancy shall not be granted unless the site development conforms to the approved set of building plans, applicable conditions of approval and code requirements.

(n) *Reapplication.* Upon final denial of any planning application, a new application for substantially the same planning application may not be filed within six months of the date of the denial. The development services director shall determine whether the new application is for a planning application which is substantially the same as a previously denied application. No decision of the development services director shall be effective until a period of seven days has elapsed following the written notice of a decision; an appeal of the decision shall be filed according to the procedures set forth in Title 2, Chapter IX, Appeal, Rehearing and Review Procedure.

(o) *Enforcement authority.*

(1) The planning commission may require the modification or revocation of any planning application and/or pursue other legal remedies as may be deemed appropriate by the city attorney, if the planning commission finds that the use as operated or maintained:

- a. Constitutes a public nuisance as defined in State **Civil Code** Sections 3479 and 3480; or
- b. Does not comply with the conditions of approval.

(2) The modification or revocation of any permit by the planning commission under this subsection shall comply with the notice and public hearing requirements set forth in subsections (c) and (d). The development services director may require notice for a development review or minor modification, if deemed appropriate.

(p) *Amendment to a planning application.* Any approved planning application may be amended by following the same procedure and fee schedule as required for the initial approval, with the exception of the following two instances:

(1) Minor amendments to conditional use permits shall be processed as minor conditional use permits; and

(2) Amendments to master plans which comply with section 13-28(f)(1) may be authorized by the planning division.

(q) *Concurrent processing.* Unless otherwise stated in this Zoning Code, applications for proposed projects which require two or more planning application approvals may be processed concurrently. Final project approval shall not be granted until all necessary approvals have been obtained.

(Ord. No. 97-11, § 2, 5-5-97; Ord. No. 98-5, § 5—7, 3-2-98; Ord. No. 99-17, § 4, 11-15-99; Ord. No. 01-11, § 1a., 3-5-01; Ord. No. 01-16, §§ 1c.—e., 6-18-01; Ord. No. 03-8, § 3, 9-2-03; Ord. No. 05-2, § 1d., e., 2-22-05; Ord. No. 06-7, § 1a., 4-18-06; Ord. No. 06-9, § 1c., 4-18-06; Ord. No. 07-17, § 1c., d., 10-2-07; Ord. No. 09-13, § 1, 11-17-09; Ord. No. 17-12, § 1, 9-19-17; Ord. No. 18-06, § 1, 9-4-18; Ord. No. 21-20, § 1, 12-7-21)

From: [Derek Smith](#)
To: [CITY CLERK](#)
Cc: [REYNOLDS, ARLIS](#); [MARR, ANDREA](#); [STEPHENS, JOHN](#); [CHAVEZ, MANUEL](#); [GAMEROS, LOREN](#); [PETTIS, JEFF](#); [BULEY, MIKE](#)
Subject: Correspondence in support: Item 1 New Business: Staffing at Self Checkout
Date: Tuesday, November 4, 2025 9:38:39 AM
Attachments: [Costa Mesa Support Petitions 1 of 4.pdf](#)
[Costa Mesa Support Petitions 2 of 4.pdf](#)
[Costa Mesa Support Petitions 3 of 4.pdf](#)
[Costa Mesa Support Petitions 4 of 4.pdf](#)

Ms. Green:

Attached, please find four PDFs with signatures from Costa Mesa grocery and drug retail workers who support the proposal to regulate self checkout within the city of Costa Mesa

In total, 179 Costa Mesa workers have signed support petitions from the following:

Ralphs 33 (17th Street)
Vons 1736 (Shops @ Mesa Verde)
Vons 2513 (17th Street)
CVS 8830 (Shops @ Mesa Verde)
CVS 9508 (Newport Blvd)
CVS 9863 (17th Street)

Thank you,

Derek Smith
Political Director, UFCW Local 324

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report any suspicious activities to the Information Technology Department.



WORKERS SUPPORT COSTA MESA'S SAFE STORES ACT!

The proposed Safe Stores ordinance will ensure that no self-checkout station can open until at least one traditional check stand is open, one worker can only be assigned to supervise three stations at the same time, workers assigned to supervise self-checkout stations cannot be assigned any other work responsibilities that would interfere with their ability to supervise their assigned self-checkout and more.

We, the undersigned grocery workers, support Costa Mesa's Safe Stores Act to increase staffing in stores, require better supervision of self-checkout, and make workplaces safer for workers and more convenient for customers, while also reducing opportunities for retail theft in our stores.

FIRST & LAST NAME

SIGNATURE

Richard Mayorga

Richard Mayorga

Cameron Law

Alena Ramirez

Alena Ramirez

Kori Ryan

Kori Ryan

Luke Perkins

Luke P

Noah Martinez

Noah

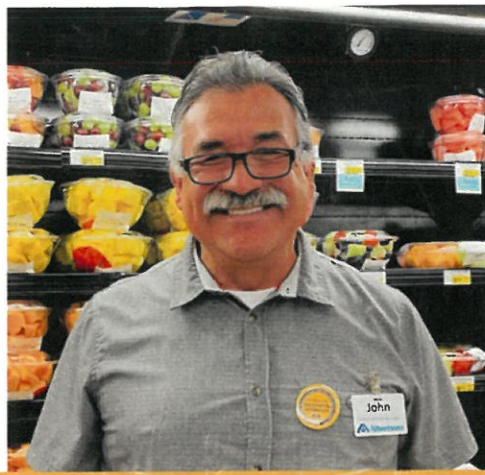
Company:

Store #:

Ralph's

33

UFCW 324
STRONGER TOGETHER



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FIRST & LAST NAME

SIGNATURE

Soledad De Santiago

~~Araucio Lopez~~

~~Araucio Lopez~~

Paulina Vasquez

Paulina Vasquez

Miriam Bautista

Miriam Bautista

Jacky Vasquez

Jacky Vasquez

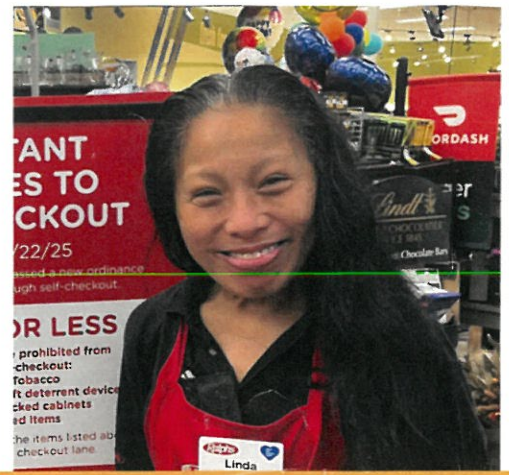
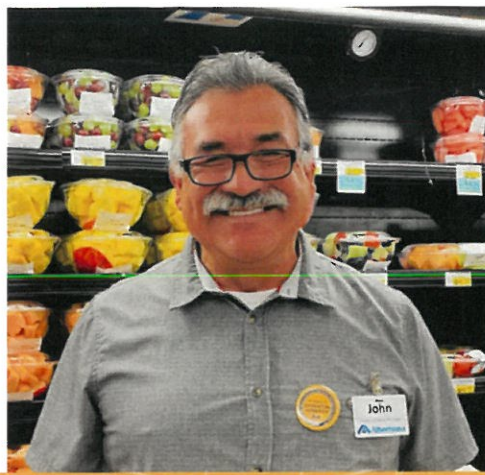
Marcelino Mendez

Marcelino Mendez

Company: Ralphs Store #: 33
Edna No Guerra

Edna No Guerra

UFCW 324
STRONGER TOGETHER



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FIRST & LAST NAME

SIGNATURE

Griselle Ordaz

Pammy

Anabel Barrera

Kyle Gayner

Emlyn Chavez

Linda Alderfer

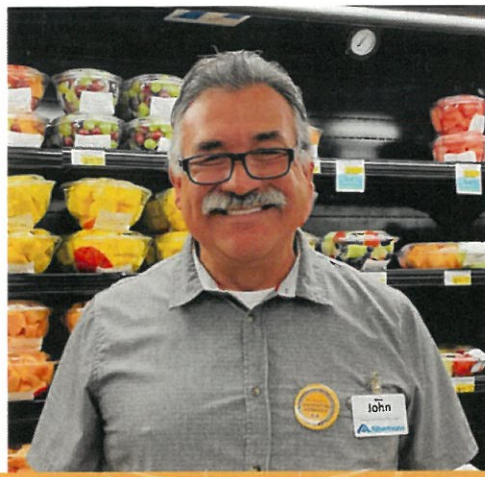
Company:

Ralphs

Store #:

33

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FIRST & LAST NAME

SIGNATURE

DEREK NGUYEN
Tim Wu

Andy Lei

Delia Corpio

Sandra Nardo

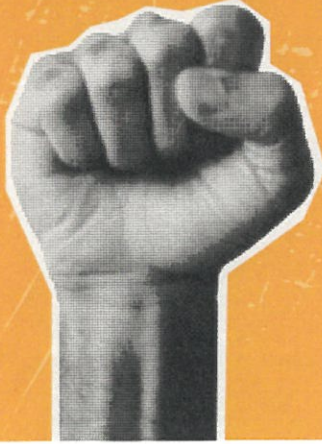
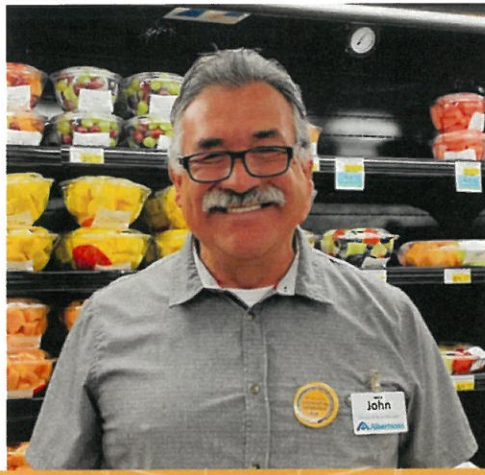
Company:

Ralphs

Store #:

33

UFCW 324
STRONGER TOGETHER



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FIRST & LAST NAME

DAMON ACUÑA
Cindy Sanchez

SIGNATURE

Damon Acuña
Cindy Sanchez

Company:

Ralphs

Store #:

33

UFCW 324
STRONGER TOGETHER



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FIRST & LAST NAME

SIGNATURE

Mayra Orozco

Mayra Orozco

Claudine Din

Claudine Din

Ryan W Moore

Ryan W Moore

Tresure Newman

Tresure Newman

Company:

Ralphs

Store #:

33

UFCW 324
STRONGER TOGETHER



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FIRST & LAST NAME

SIGNATURE

~~Costa Mesa~~

Jackie Vasquez

Anayeli Vazquez

Araceli Leal

Robert Cornwell

Elyse Garcia

Janice

Araceli Leal

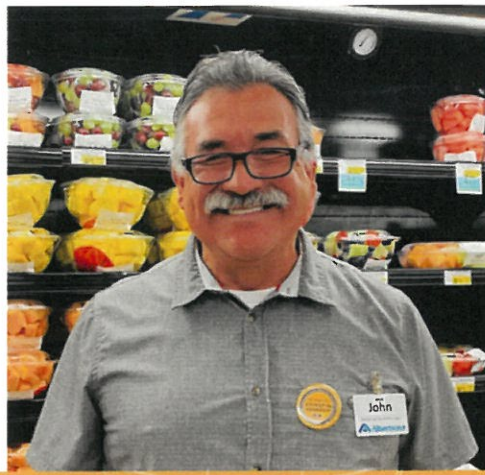
Company:

Ralphs

Store #:

33

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FIRST & LAST NAME

SIGNATURE

Xavier Gonzalez

Cinder Sanchez

~~Linda Alexander~~

Joseph Hernandez

Erica Diaz

Kelly Phelps

[Signature]

~~Cinder Sanchez~~

Joseph Hernandez

Erica Diaz

Kelly Phelps

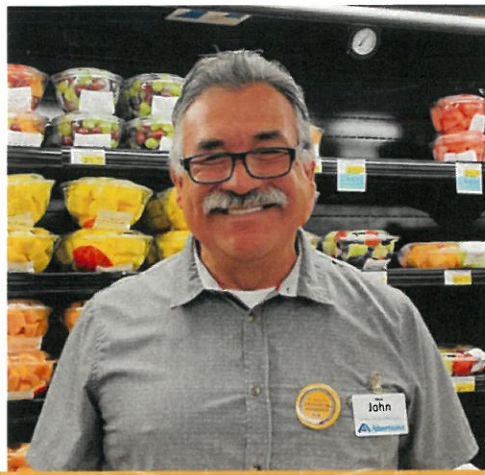
Company:

Ralphs

Store #:

33

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STRONGER TOGETHER



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FIRST & LAST NAME

SIGNATURE

SOLEDAD DeSantiago

Kevin Hernandez

Kaila Woodward

Corolene Davis

~~Miriam Bautista~~

JAMES STEWINGEN

Kevin H

~~etc~~

Company:

Ralph's

Store #:

33

UFCW 324
STRONGER TOGETHER



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FIRST & LAST NAME

SIGNATURE

Lotty Valadez

Lotty Valadez

* Karen Licari

Karen

* Jaime Gonzalez
PARAFOND

Jaime Gonzalez

Jorge Tonnes

Jorge Tonnes

Company:

Ralphs

Store #:

33

UFCW 324
STRONGER TOGETHER



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FIRST & LAST NAME

SIGNATURE

Pamela Battani

Pamela Battani

Cesar Siles

Cesar Siles

Caden Schetselaar

Caden S.

Gymnia Pittsbury

Gymnia Pittsbury

LOAN CHEA

LOAN

Jennifer Ward

Jennifer

Company:

Vans

Store #:

1736

UFCW 324
STRONGER TOGETHER



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FIRST & LAST NAME

SIGNATURE

Aaron Sloat

Alperen Bek-Koyas

Louisa Dooty

Jamie Abel

Shirley Ferst

Jill Wiley

Aaron

Company:

Vans

Store #:

1736

UFCW 324
STRONGER TOGETHER



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FIRST & LAST NAME

SIGNATURE

MARIA PELETRINIS

Bettina Zuniga

Jenni Holmes

Ryan Jaime

Sasmin Casillas

Brittany Lindsay

M. Peletrinis

Bettina Zuniga

Jenni Holmes

Ryan Jaime

Sasmin Casillas

Brittany Lindsay

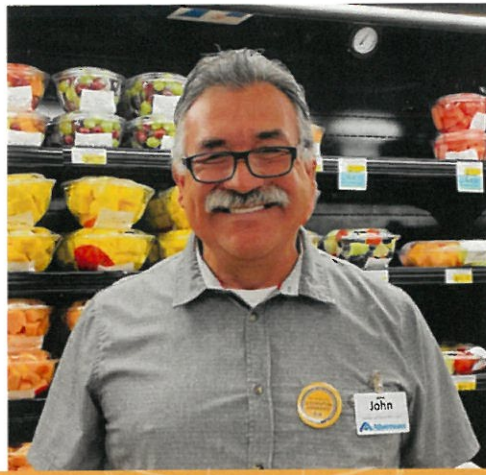
Company:

Vans

Store #:

1736

UFCW 324
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FIRST & LAST NAME

SIGNATURE

Emily Magana

Josh Holland

Samuel Paniagua

Tamara Lopez

Joy Medina

Samuel Paniagua

Horasico G.

Joy Medina

Company:

Vons

Store #:

1736

UFCW 324
STRONGER TOGETHER



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FIRST & LAST NAME

Jennifer Moya

SIGNATURE

Marshall Quigley

Zera Bernal

Dani Moore

Jasmin Casas

BIRGIT HOFFMAN

Company:

Vons

Store #:

1734

UFCW 324
STRONGER TOGETHER



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FIRST & LAST NAME

Ernesto Espinoza

Ulises Gutierrez Morales

Travis Borth

STEVE Holguin

Chavez

SIGNATURE

Ulises

Travis Borth

Stephen I. Holguin

Chavez

Company:

Wens

Store #:

1736

UFCW 324
STRONGER TOGETHER



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FIRST & LAST NAME

SIGNATURE

Lopez Eduardo

Eduardo Lopez

Gabriela Gonzalez

Gabriela Gonzalez

Ahmad Halwani

Rosario C. Alcala

Rosario C. Alcala

Mabruki Saldana

Mabruki Saldana

Martin Castaneda

Martin Castaneda

Company:

Store #:

Vons

1736

UFCW 324
STRONGER TOGETHER



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FIRST & LAST NAME

SIGNATURE

Cabin 2015/11/11

[Handwritten signature]

Francisco Gargueta

[Handwritten signature]

**[Redacted signature]*

**[Redacted signature]*

**[Redacted signature]*

[Redacted signature]

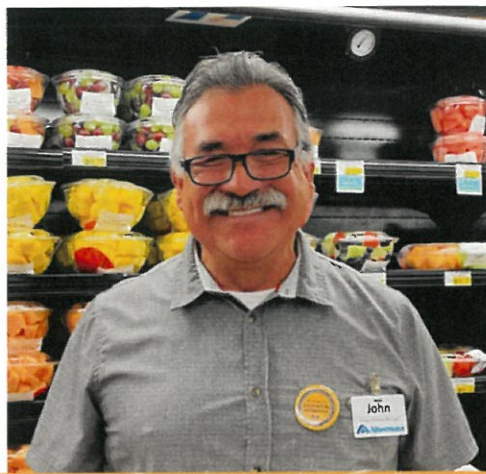
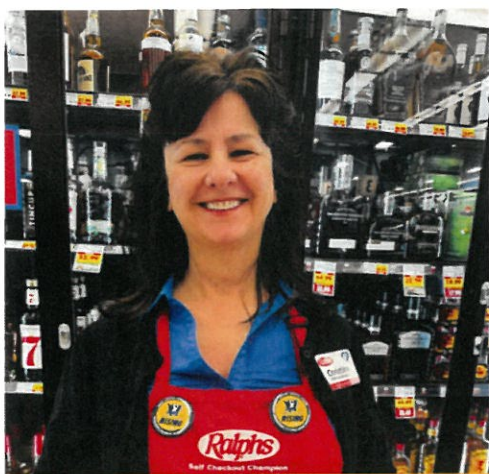
Company:

Store #:

Vons

1736

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FIRST & LAST NAME

SIGNATURE

Rahel T. Negussie

Rahel Tesfaye

Andy Kanhans

[Signature]

Robin Panellis

Rohi Patel

[Redacted Name]

Jayden Ellsworth

[Signature]

Je'Von Short

[Signature]

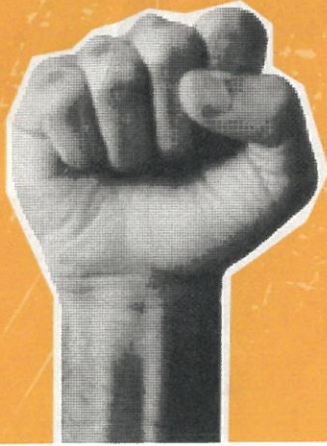
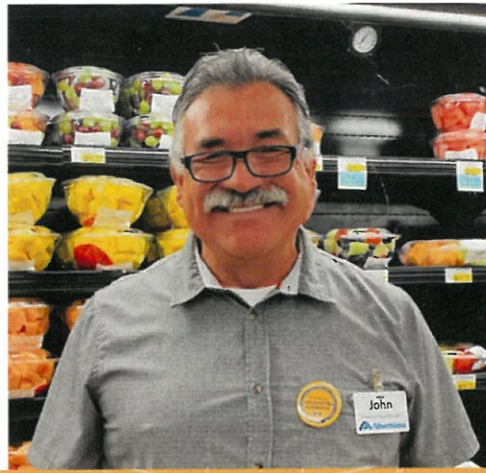
Company:

Vons

Store #:

1736

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FIRST & LAST NAME

SIGNATURE

Long Le

Long Le

Alex Avila

Alex Avila

Eric Alhashlamun

Eric Alhashlamun

Orfanel Amaya

Orfanel Amaya

Tobias Chahobva

Tobias Chahobva

IMELDA SIMANGAN
Imelda Simangan

Imelda Simangan

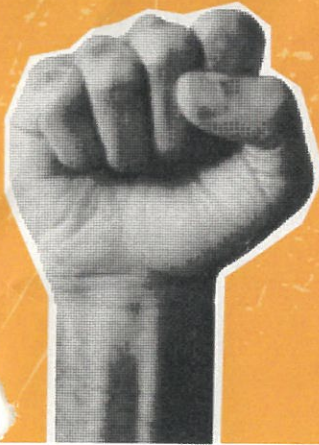
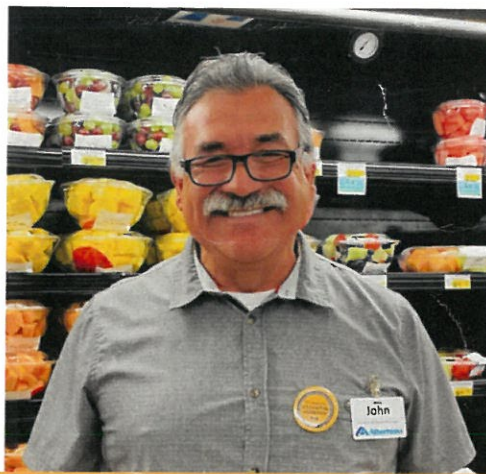
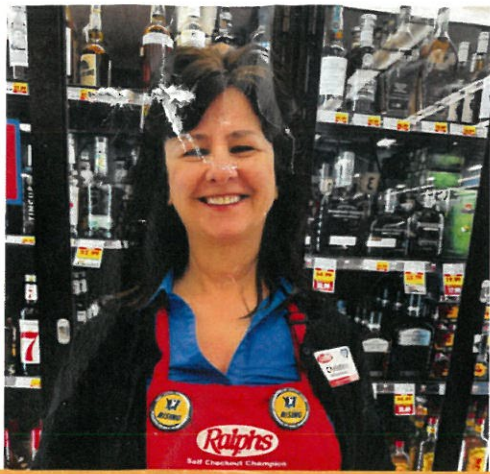
Company:

Store #:

CVS

9508

UFCW 324
STRONGER TOGETHER



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FIRST & LAST NAME

SIGNATURE

Madeline Magana

Abraham Berber

KENTON A FENIX

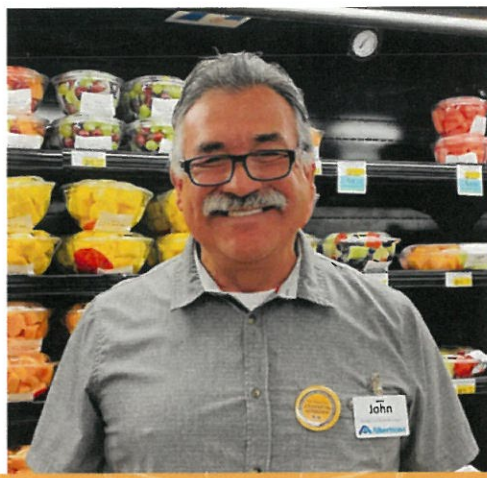
Company:

CVS

Store #:

9508

UFCW 324
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FIRST & LAST NAME

SIGNATURE

Derek Antlaw

Derek Antlaw

Estelita Navar

Estelita Navar

Tasha Overholser

Tasha Overholser

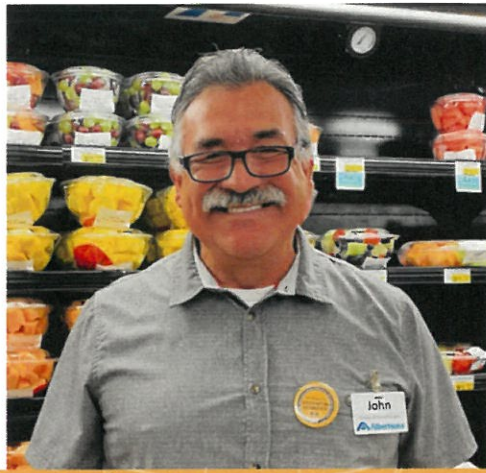
Company:

LVS

Store #:

9508 8830

UFCW 324
STRONGER TOGETHER



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FIRST & LAST NAME

SIGNATURE

JOAN NGUYEN

[Signature]

Wendi Leon

Wendi Leon

Company:

CVS

Store #:

9863

UFCW 324
STRONGER TOGETHER



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We, the undersigned grocery workers, support Costa Mesa's Safe Stores Act to increase staffing in stores, require better supervision of self-checkout, and make workplaces safer for workers and more convenient for customers, while also reducing opportunities for retail theft in our stores.

FIRST & LAST NAME

SIGNATURE

Evelin Montiel

Evelin Montiel

JENNIFER Ho

Jennifer Ho

Khoe (Hany) Kuang

Khoe (Hany) Kuang

Bessie Julian

Bessie Julian

Raul Mendez

Raul Mendez

NHAT NGUYEN

Nhat Nguyen

Company:

CVS

Store #:

9863

UFCW 324
STRONGER TOGETHER



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FIRST & LAST NAME

SIGNATURE

Annette Aquino

Annette Aquino

Evan Pok

E. Pok

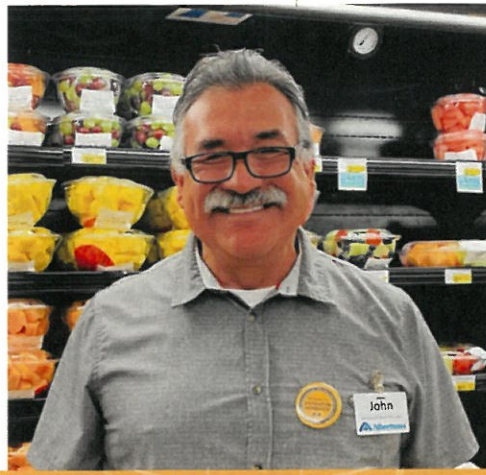
Company:

CVS

Store #:

9867

UFCW 324
STRONGER TOGETHER



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FIRST & LAST NAME

Ron Valdes

Ignis Lopez

SIGNATURE

[Handwritten signature]

Company:

CVS

Store #:

8830

UFCW 324
STRONGER TOGETHER



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FIRST & LAST NAME

SIGNATURE

MAGINA L. KELLER

Jessica Ansay

Sarah Elmalh

Magina Keller

Jess Ansay

Sarah Elmalh

Company:

CVS

Store #:

8830

UFCW 324
STRONGER TOGETHER



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FIRST & LAST NAME

SIGNATURE

Chris Zetcaft

Maria Herrera

Andrew Payton

Mia Morán

Andrew Payton

Mia Morán

Company:

Vons

Store #:

2513

UFCW 324
STRONGER TOGETHER



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FIRST & LAST NAME

SIGNATURE

Kaydem Morales

Julie Grady
Heather Brown

Brando De La Cruz

Cristina Delgado

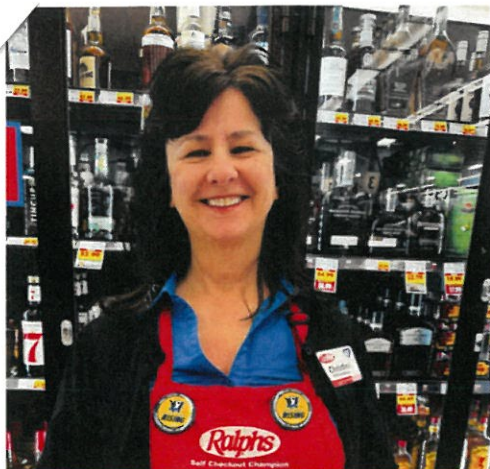
Company:

Store #:

Vons

2513

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FIRST & LAST NAME

SIGNATURE

Mark Wessel

Isaac Ramirez

Elizabeth Epps

CONNOR PERALTA

Desiree Engle

Mark Hastings

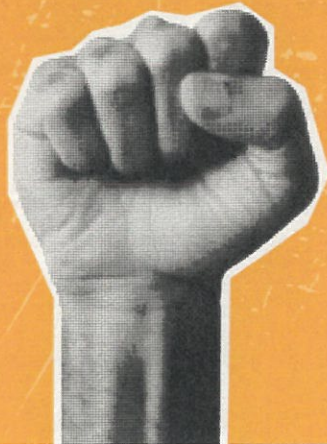
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Store #:

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FIRST & LAST NAME

SIGNATURE

Kami Bemmer

Kami Bemmer

Theresa Cookley

Theresa Cookley

Leticia Sanchez

Leticia Sanchez

Javier Parra

Javier Parra

Trevor Fimbres

Trevor Fimbres

CARIN ANTEME

C. Anteme

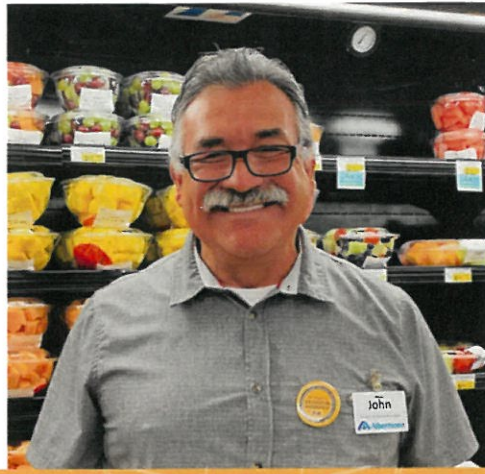
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Store #:

Vons

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FIRST & LAST NAME

SIGNATURE

Devin Solis
Luz Martinez

Jordan Watson
Alex Lemholtz

Maria Delacruz
FABIO A BARRIOS

[Handwritten signatures]
Alex Lemholtz

Maria Delacruz
[Handwritten signature]

Company:

Von

Store #:

2513

UFCW 324
STRONGER TOGETHER



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FIRST & LAST NAME

SIGNATURE

Francisca Hernandez Dorantes

Francisca Hernandez Dorantes

Mayra Deniz

my

Jesus Corbelli

Jesus Corbelli

Sergio Vargas

Sergio Vargas

Eleen Huabbin

Eleen Huabbin

Keith Parker

Keith Parker

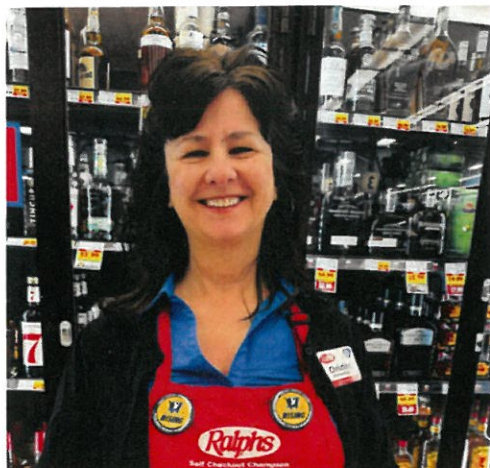
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Store #:

Vons

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FIRST & LAST NAME

SIGNATURE

Brandy Fuller

Brandy Fuller

Daniel Silva

Daniel Silva

Amy Ishihara

Amy Ishihara

TO

Tunazhi D

Cynthia Rodriguez

Cynthia Rodriguez

Iman AR

Iman AR

Company:

Store #:

Vons

2513

UFCW 324
STRONGER TOGETHER



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FIRST & LAST NAME

SIGNATURE

Jose V. Matutina

[Handwritten signature]

David Diaz

[Handwritten signature]

Ileana Guillen

[Handwritten signature]

Gigi James

[Handwritten signature]

Nicole Budwell

[Handwritten signature]

Heather Brown

[Handwritten signature]

Company:

Von

Store #:

2513

UFCW 324
STRONGER TOGETHER



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FIRST & LAST NAME

SIGNATURE

Joseph Vitale

Angel Jimenez

Paul Duran

CHAU BUI

Alex Greenman

Company:

Store #:

Vons

2513

UFCW 324
STRONGER TOGETHER



WORKERS SUPPORT COSTA MESA'S SAFE STORES ACT!

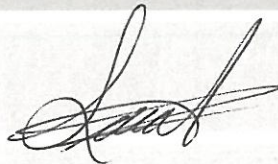
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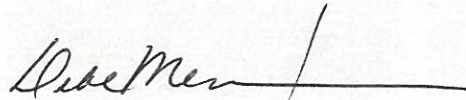
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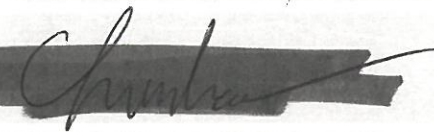
Lorenzo Torres
Veronica Pizame


Veronica Pizame

DEBE Mentim


Debe Mentim

~~CHAY BUI~~


~~Chay Bui~~

Sandra Hoguist
Nicol Herrera




Company:

Wons

Store #:

2513

UFCW 324
STRONGER TOGETHER



October 31, 2025

Honorable Mayor John Stephens
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626

Re: Opposition to Proposed Ordinance Requiring Staffing at Self-Service Checkout Stations (File #25-550)

Dear Mayor Stephens and Members of the City Council,

On behalf of the Costa Mesa Chamber of Commerce and the hundreds of businesses we represent, I respectfully express our opposition to the proposed ordinance that would mandate staffing ratios for self-service checkout stations in grocery and retail drug stores.

While we share the City's commitment to public safety and theft prevention, this proposal represents an unnecessary and potentially harmful intervention into the private management of local businesses.

1. Government Overreach into Business Operations

Mandating how private retailers staff their stores sets a concerning precedent. Local government should not legislate internal business decisions such as staffing, scheduling, or technology deployment. These operational choices belong to business owners and managers who best understand their costs, customer flow, and workforce needs.

2. Local Data Shows No Need for New Regulation

According to data from the Costa Mesa Police Department, incidents of fraud, robbery, and theft at local grocery and drug stores have declined from 2023 to 2025. Existing partnerships between law enforcement and retailers are working. Creating a new regulatory layer in response to a problem that is already improving diverts attention and resources away from proven public-safety strategies.

3. Economic Reality: Grocery Retail Operates On Extremely Thin Margins

Industry studies confirm that grocery stores, large or small, operate on net profit margins averaging just 1–3% nationwide.

- A 2025 National Grocers Association study found single-store independents average 1.5% profit, while multi-store operators reach around 3%.
- California independents historically operate near 2–4%, but high labor and rent costs in Orange County push many local stores closer to 1-2%

The largest expenses for a grocery store are:

- **Cost of goods sold:** 70–75% of revenue
- **Labor & payroll:** 12–16% of revenue — the second largest cost
- **Occupancy (rent, utilities, maintenance):** 3–5%
- **Shrink/theft/spoilage:** 1–2% (roughly equal to total profit margin)

Mandating increased staffing directly inflates the second-largest expense category (labor). Even modest increases could eliminate profitability entirely or force higher prices, reduced hours, or closure of self-checkout lanes.

4. Ripple Effects: Higher Prices, Reduced Convenience, Competitive Disadvantage

In Long Beach, whose ordinance serves as the current model, several stores closed self-checkout stations to avoid penalties, confusing customers and increasing costs. If implemented in Costa Mesa, similar outcomes would disadvantage our retailers against neighboring cities without such restrictions and pass higher prices on to consumers.

Costa Mesa's economic vitality depends on balancing safety and business stability. Retailers already operating on razor-thin margins should not be mandated to absorb additional government-imposed labor costs.

Instead of setting strict staffing requirements, the Chamber suggests working together with local retailers, the Costa Mesa Police Department, and the Chamber itself. By focusing on voluntary best practices, sharing knowledge, and strengthening communication, these partners can help prevent theft and boost safety, without adding extra challenges for responsible businesses.

The Costa Mesa Chamber of Commerce urges the City Council to set aside the staff report and focus instead on voluntary, data-driven partnerships that support safety and economic sustainability.

For these reasons, the Costa Mesa Chamber of Commerce respectfully urges the City Council to receive and file the staff report and instead pursue voluntary, data-driven partnerships to promote safety and economic sustainability.

Thank you for your leadership and continued collaboration with our local business community.

Sincerely,

A handwritten signature in dark ink, appearing to read "David Haithcock", with a stylized flourish at the end.

David Haithcock

President & CEO

From: [Courtney Carranza](#)
To: [STEPHENS, JOHN](#); [CHAVEZ, MANUEL](#); [PETTIS, JEFF](#); [MARR, ANDREA](#); [GAMEROS, LOREN](#); [BULEY, MIKE](#); [CITY CLERK](#); [REYNOLDS, ARLIS](#)
Subject: Concerns Regarding Proposed Self-Checkout Ordinance; Sent on behalf of Wayne Denningham
Date: Tuesday, November 4, 2025 7:53:59 AM
Attachments: [image001.png](#)

Dear Costa Mesa City Council,

I am reaching out regarding the proposed self-checkout ordinance. While we understand the intent behind this discussion, we are concerned about the potential impact on both consumers and local businesses.

We would like to meet with the Councilmembers to discuss this issue before moving toward regulation. Collaboration is essential to crafting policies that work for everyone, and we would have welcomed the chance to provide input.

It's also important to note that similar self-checkout regulations have been rejected multiple times by the legislature and have not proven successful in other cities, such as Long Beach. Additionally, your own report shows retail crime is declining in Costa Mesa. For safety reasons, our employees are not permitted to intervene in theft or other incidents, which makes this regulation unlikely to address the concerns it aims to solve.

Self-checkout exists primarily to provide convenience for our customers, many of whom prefer this option. Limiting or regulating it would create an additional challenge for stores like ours in Costa Mesa—one that competitors in neighboring cities and online retailers will not face.

We respectfully urge the Council not to move forward with regulating self-checkout until the full impact on consumers and grocers is understood. We would welcome the opportunity to meet and discuss solutions that balance safety, convenience, and economic vitality for our community.

Thank you for considering our perspective.

Best regards,

Wayne Denningham
EVP & Division President Albertsons, Vons, Pavilions



November 4, 2025

The Honorable John Stephens
Mayor, City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626



RE: Self-checkout Regulation

Dear Mayor Stephens,

On behalf of the grocery industry, I write with concern over proposing a regulation on self-checkout. An ordinance of this type is unnecessary, overly burdensome and is a clear signal to grocers, both current and future, their presence in Costa Mesa is not respected. Similar self-checkout proposals have failed passage, including twice in the State Legislature, as its basis is illogical and requirements irrational. The only jurisdiction to enact self-checkout regulation, Long Beach, has proven the unnecessary and negative impacts of regulation for both consumer and businesses. We urge you to not move forward until Costa Mesa grocers have been directly consulted and a full and clear understanding of the issues and impacts is presented.

First, we are highly disappointed that no effort was made by Costa Mesa to either inform or discuss this proposal with impacted retailers. According to the staff report an “in-person survey” was performed in-store but done with a level of secrecy and no effort to inform or consult with the retailer either before, during or after the visit. We genuinely question how the Council can make an informed and educated policy decision and direct staff without inclusion or genuine input from potentially regulated businesses.

It is also concerning that in April a similar conversation was placed on the agenda and then removed within hours after similar concerns were raised by our organization and an offer to work in partnership was made in writing. In the past six months Costa Mesa Councilmembers and staff have declined to reach out either directly to grocers or the California Grocers Association. For this hearing only the minimum amount of public notice required by law was made for grocers. Unfortunately, for some policymakers deception and subterfuge have become the norm. We hope this is not the case in Costa Mesa. Again, we urge you to not move forward until Costa Mesa grocers have been directly consulted and a full and clear understanding of the issues and impacts is presented.

California already has the most regulated self-checkout process in the nation. However, advocates continue to claim self-checkout remains an issue with their reasoning unclear and changing which is why similar regulation has been rejected multiple times. The current reasoning being claimed is the prevention of retail theft which is inaccurate and not based in operational standards.

Grocery employees are required to not intervene in incidents of retail theft or similar disruption. This is a requirement to protect their safety and the safety of our consumers. This requirement for employee safety is taken so seriously a violation can result in discipline or even dismissal if broken. Claiming regulation of self-checkout will reduce retail theft, especially when most theft is either walkouts or sophisticated fraud, is inaccurate with employees not being allowed to intervene.

We appreciate the Costa Mesa Police Department providing specific data showing a significant drop in crime at grocery stores. The policy driver of this change is the passage of Proposition 36 implemented in 2025 which reestablished real penalties for retail theft. The passage and implementation of Proposition 36 coupled with the hard work and partnership of law enforcement and retailers deserves the credit. Claims that changes in staffing or operating standards at self-checkout are a direct driver on the level of retail theft at grocery are dispelled and unsubstantiated by this data. Jurisdictions which are not seeing similar reductions in retail theft should review their law enforcement practices, not further regulated businesses.

Specific to concerns about employee safety company policies and numerous state laws already protect employees. Current law requires an Injury and Illness and Prevention Program (IIPP) which must include identifying and evaluating workplace hazards and procedures for correcting them. These plans also require reviews and updates regularly for changing work conditions.

Additionally, SB 553 (2023) requires employers to establish, implement and maintain a Workplace Violence Prevention Plan for each store location. These prevention plans are for dealing with threats, use of physical force and psychological trauma or stress. Employee education is a required component of this law. Beyond these requirements employees are required by company policies to not engage and remove themselves from situations that could cause them harm. Claims that employees are unprotected are inaccurate. It is important to note that advocates asking for this regulation were strong supporters of these current laws.

This year several grocery worker collective bargaining agreements were due for renegotiation across California, including those covering Costa Mesa. Worker representatives agreed to and the workers themselves ratified contracts with minimal impact on self-checkout operations. At most these contracts only require a full-service checkout lane be available only for certain hours, one dedicated employee for an entire bank of self-checkout machines who is allowed to perform incidental work in the general vicinity, and signage which only encourages consumers to limit self-checkout items to about 15 items.

Of most interest in these ratified agreements is an exemption from state and local self-checkout laws. What workers and their advocates choose to agree to with grocery companies is substantially less than what they are asking of Costa Mesa. It appears disingenuous for workers and their representatives to agree to one set of circumstances in a negotiation and then claim an entirely different set of circumstances and priorities in a public forum.

Specific to Long Beach, they similarly choose not to reach out to their grocery companies to understand the issues. Additionally, they never attempted direct contact with our organization. When concerns, alternatives and operational adjustments were brought to Long Beach they were dismissed with little consideration or discussion by Council. Long Beach was also deliberating before the most recent state legislative effort failed. We understand they believed the state law would pass with a local preemption at the time of their decision making.

In failing to recognize impacts to consumers and grocery companies Long Beach passed an ordinance so burdensome and overly specific they have not only chased out most use of self-checkout, but have also sent a clear message that grocers are not respected in that jurisdiction. Again, the policy push by advocates and adopted by the city is incredibly inconsistent from both their state legislative efforts and collective bargain agreements. Many of the failures in the Long Beach ordinance include a failure to treat all retail self-checkout operations equally, extreme staffing ratios, making it illegal for a worker assigned to divert their attention and mandating specific amounts and types of products purchased through self-checkout.

In the Long Beach ordinance, they also abdicate their enforcement by solely relying a private right of action clause. This means that enforcement only comes in the form of a lawsuit being filed. For an individual who believes there is improper implementation their only recourse is to retain legal counsel and initiate a legal complaint. For grocers there is no opportunity to cure or fix implementation and their only defense, even when innocent, is to also engage legal counsel. This enforcement choice leaves interpretation of compliance to the judicial system and costs both the individual and grocer significant amounts regardless of the result.

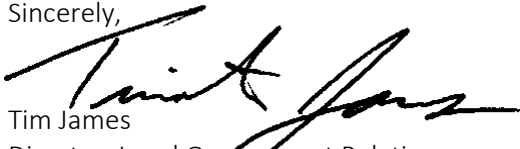
November 4, 2025
The Honorable John Stephens
PAGE 3

An example of the Long Beach overregulation is if an employee who allows 16 items, instead of 15 items, to be purchased at self-checkout could result in legal action by anyone in which the employee would be held accountable as well as the grocery company. Employees who break state and local laws can be subject to discipline or dismissal just as with any other employee in any other industry.

Additionally, enforcement by private action has become a target of misuse and abuse resulting in frivolous lawsuits which this regulation would be prime target. Why would any grocer subject their employees and themselves to these impacts over one item too many being purchased or an employee's attention being diverted. The Long Beach level of regulation suggests at the potential for additional motivations to regulate self-checkout beyond the publicly stated purpose.

For the stated reasons and many others, the regulation of self-checkout is not necessary, not substantiated by data, is legally questionable and is inconsistent with both current regulatory and business practices. We urge the Council to not move forward with an ordinance at this time. There has been a failure by Costa Mesa to include and consider impacts to consumer affordability and grocery store sustainability. We believe policy decisions are best served by open and thorough conversations and considerations and we believe you do as well. Thank you for your consideration and contact us for additional discussion or information.

Sincerely,



Tim James
Director, Local Government Relations
California Grocers Association

cc: Councilmembers, Costa Mesa City Council

From: [Betsy Densmore](#)
To: [STEPHENS, JOHN](#); [PETTIS, JEFF](#); [MARR, ANDREA](#); [CHAVEZ, MANUEL](#); [GAMEROS, LOREN](#); [BULEY, MIKE](#); [CITY CLERK](#); [REYNOLDS, ARLIS](#)
Subject: Council Over reach?
Date: Sunday, November 2, 2025 9:22:38 PM

Honorable Mayor Stephens and Members of the Costa Mesa City Council,

I join with other business owners in opposing the proposed ordinance that would require dedicated staffing at self-service checkout stations in grocery and retail drug stores.

Business owners are already reeling from major disruptions in sales and the cost of the supplies and staffing. Requiring stores to hire or reassign additional employees solely to monitor self-checkout lanes, even when theft rates are low and technology already provides effective monitoring is not helpful. Those costs will inevitably be passed on to consumers through higher prices—something our residents can least afford right now amid rising costs of living.

Leave it up to business owners to decide what is best for their needs. Most owners already feel massively over-regulated.

Thank you for your consideration.

Best Regards,
Betsy

Elizabeth Densmore, Business Manager
Great Mex Grill LLC
greatmexgrill@gmail.com
949-500-2381

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report any suspicious activities to the Information Technology Department.

From: [Birkel, T.J.](#)
To: [STEPHENS, JOHN](#); [CHAVEZ, MANUEL](#); [PETTIS, JEFF](#); [MARR, ANDREA](#); [GAMEROS, LOREN](#); [BULEY, MIKE](#); [CITY CLERK](#); [REYNOLDS, ARLIS](#)
Cc: [BARKMAN, JAY](#)
Subject: Self Checkout Ordinance
Date: Monday, November 3, 2025 12:08:46 PM

Costa Mesa Councilmembers – On behalf of Ralph's, I am writing to share our deep concerns with any consideration of a self-checkout ordinance in Costa Mesa.

- Just since last year, legislation to regulate self-checkout has failed twice at the state level.
- As a proud union employer, we already have collective bargaining agreements governing how we staff and operate our stores. The City should not be regulating these things.
- Grocers are already dealing with significant regulatory pressures, from the state's EPR law to the regulation of the production of certain food items (i.e. eggs and pork) and much more. Adding more regulatory burdens runs the risk of increasing grocery prices for consumers.
- Our companies face theft and crime everywhere we operate, and we are actively involved in trying to combat it. We are well-versed in the challenges around retail crime; self-checkout stands are not a leading cause of theft.
- As far as I can tell, no one from the grocery industry has been consulted on this ordinance. We would appreciate the opportunity to share our perspective.

Please do not move forward with any attempt to regulate self-checkout until you have had the opportunity to hear from the grocery industry and fully understand the impact on consumers and grocers.

Thank you for your consideration.

T.J. Birkel
Head of Government Affairs
Ralph's / Food4Less / FoodsCo
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